

**INTEGRATING REFUGEE
AND ASYLUM-SEEKING CHILDREN
IN THE EDUCATIONAL SYSTEMS
OF EU MEMBER STATES**

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OF EU MEMBER STATES**



**CENTER FOR
THE STUDY OF
DEMOCRACY**

This Handbook presents the research instruments and findings developed within the project “Integrating Refugee and Asylum-seeking Children in the Educational Systems of EU Member States: Evaluation and Promotion of Current Best Practices” – INTEGRACE. The research encompasses twenty-six EU Member States participating in the European Refugee Fund, as well as Denmark, Norway, and four Western Balkan states (Serbia, Montenegro, Croatia and Bosnia and Herzegovina). The country reports’ main focus is on illustrating successful practices in the educational integration of refugee and asylum-seeking children (RASC).

Standardised outlines of select best practices (“inventory tables”) are constructed. They can aid future research in the field of RASC educational integration by forming a basic point of reference in the comparative analysis of best practices.

Review of the best practices in thirty-two countries enabled generalisations on the overall developments of policy and practice in the educational integration of RASC in the EU.

The Handbook also presents an innovative methodology for “mirror” evaluations and impact assessments aimed to identify key transferability conditions and parameters to facilitate the replication of best practices in the area of educational integration of RASC in different contexts.

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EXECUTIVE SUMMARY

The general objective of the INTEGRACE project was to promote the educational integration of refugee and asylum-seeking children in the EU through developing common standards and sharing of best practices in programme development and evaluation. Particular attention was devoted to vulnerable groups – i.e. unaccompanied minors and children who have been victims of crime.

The more specific INTEGRACE objectives were:

- to enhance the effectiveness of policies and programmes for the integration of refugee and asylum-seeking children in the EU;
- to identify best practices in the integration of refugee and asylum-seeking children in the educational systems of the EU Member States;
- to establish EU wide standards for the evaluation of initiatives for the integration of refugee children at school;
- to develop analytical tools for impact assessments of programs and policies for the integration of refugee children at school;
- to suggest a common methodology for preparedness programs in countries where the target group is relatively small;
- to establish a network of NGOs and universities promoting the integration of refugee children in the educational systems of EU Member States and researching related issues.

The project team pursued the following medium and long-term impacts:

Medium-term impacts:

- Best practices in the integration of refugee schoolchildren identified, described and (particularly in CEE) promoted;
- Increased capacity of stakeholders to evaluate policies for the integration of refugees by conducting standardised program evaluations/impact assessments;
- Increased readiness of certain Member States with smaller target groups to prepare for sudden increases in levels of asylum-seekers and refugees.

Long-term impacts:

- Establishment of a network of NGOs and universities, active in anti-discrimination initiatives (with respect to migrant, minority and refugee children) from both Western and (New) Central and Eastern EU Member States, promoting and sharing expertise and best practices;

- Synergies with projects and policies promoting not only the integration of refugee children, but also the integration of immigrant and minority children at school, will facilitate the creation of overall positive atmosphere for vulnerable groups in EU schools;
- Greater social cohesion in EU Member States as the improved integration of refugee children leads to better opportunities for educational and professional advancement.

The INTEGRACE project team has described and catalogued best practices in the integration of refugee and asylum-seeking children at schools and has conducted program evaluations of select initiatives in three Western European EU Member States (Italy, Sweden and Austria) and impact assessments for their implementation in two Eastern European countries (Bulgaria and Slovenia). In cataloguing best practices, the research conducted by the project team, with the help of external experts, encompassed all 26 EU Member States participating in the European Refugee Fund (where it is also hoped that some of the best practices identified will eventually be implemented), as well as Denmark, Norway, and four Western Balkan states at various stages on their way to EU Membership (namely Serbia, Montenegro, Croatia and Bosnia and Herzegovina). In countries where best practices are lacking, situation reports were produced, outlining areas that need specific improvement. Moreover, in countries where the target group is small, best practices were considered in the implementation of preparedness programs (i.e. “stress tests” designed to gauge the level of preparedness of elementary, middle and high schools in the event of a sudden and unexpected arrival of refugee minors). Specific attention was paid to initiatives aimed at the well-being and integration in education of the most vulnerable groups, including unaccompanied minors and refugee and asylum-seeking children who have been victims of crimes such as human trafficking.

The INTEGRACE project involved five main partners – three institutions from Western Europe (the Censis Foundation, Italy, the Ludwig Boltzmann Institute of Human Rights, Austria, and Halmstad University, Sweden) and two NGOs from Eastern Europe (the Center for the Study of Democracy, Bulgaria, and the Peace Institute, Slovenia), thus achieving balance between New and Old Member States. The project partners from Western MSs shared their knowledge and greater experience in refugee and/or immigration research and initiatives and in protecting vulnerable groups with NGOs from new Member States.

The extraordinarily wide coverage of countries and practices was assured by the commitment on the part of the project partners to cover additional countries than the ones they are based in, as well as by the contributions of a variety of eminent external experts in the field of migration and refugee studies. The quality of research and sustainability of the project were assured by its appropriate design: partners (apart from CSD) researched best practices in countries that are close geographically and/or linguistically. This allowed for the review of best practices in the integration of refugee and asylum-seeking children to extend to all 27 EU Member States and to cover non-EU MS as well.

The project partners were involved in the following activities:

1. Researching best practices in the educational integration of refugee children in their country as well as in several other European countries (typically linguistically and/or geographically/culturally close). Where the target group was relatively small, best practices were reviewed in the design and implementation of preparedness programs (if any), or “stress tests” designed to measure the readiness of national institutions to receive and integrate a sudden influx of refugee schoolchildren in certain smaller or peripheral countries where the target group is relatively small (e.g. in Estonia). Where best practices were lacking (Bulgaria and the Western Balkans being notable examples), preparing situation reports and highlighting areas for improvement was the main focus. Attention was also paid to best practices in the integration of other vulnerable groups as well, such as immigrant and minority children, to the extent that any such practices could be feasibly and successfully applied with respect to refugee and asylum-seeking children as well;
2. In the case of project partners in Austria, Italy, and Sweden: conducting project evaluations in their countries, and contributing towards developing common European standards for conducting such evaluations (working together with the other partners). In the case of Eastern European NGOs (in Bulgaria and Slovenia): conducting brief social impact assessments of the introduction of select best practices in their countries, and contributing towards developing common European standards for conducting such social impact assessments;
3. Summarising the results of the research on best practices in their own country and the other countries they are responsible for researching, as well as presenting the project evaluation of initiatives or the social impact assessments of the introduction of initiatives in their country in written form, in order for these to be integrated into a Handbook on the integration of refugee and asylum-seeking children in the educational systems of EU Member States.

CSD as the project coordinator was responsible for research in the rest of the EU Member States not covered by the other partners by hiring additional external experts. The external experts had their work reviewed by CSD as well as by Members of the Expert Advisory Board (Professor David Ingleby, Dr. Nando Sigona, Professor Mati Heidmets, Professor Ingegerd Rydin, Professor Krystyna Iglicka, Professor Anna Krasteva, and Dr. Eugenia Markova).

CSD was in charge of coordinating the work of other partners and, with the help of the Expert Advisory Board, provided general guidance and ensured the overall quality of the project deliverables. The written reviews of best practices in the integration of refugee and asylum-seeking children in each country, of best practices in the design of stress tests referred to above, the situation reports where best practices were nonexistent or scarce, and the summaries of the program evaluations and impact assessments, all underwent several rounds of feedback provision before being included in this Handbook. CSD also coordinated the dissemination of the Handbook

to stakeholders throughout the European Union as well as in Norway and the Western Balkans by providing paper and e-version editions of the Handbook to various stakeholders in all 27 EU Member States:

1. Ministry of Education of the respective country (more specifically, the department and/or most influential decision maker(s) with respect to setting policy priorities in the field of migrant/refugee education;
2. Ministry or government agency responsible for the general integration of migrants/refugees/asylum seekers;
3. Academics/research institutions/NGOs focusing on immigrant/refugee studies and specifically on migrant/refugee educational integration, or advocating immigrant/refugee rights;
4. The UNHCR Office/Contact person for each country;
5. Major Refugee/Migrant Associations in each country surveyed;
6. Representatives of the Save the Children Network in each country surveyed;
7. Representatives of the RAXEN Network in each country surveyed.

The following table provides a summary of the countries where INTEGRACE research was conducted and the types of project activities:

TABLE 1. LOCATIONS WHERE THE PROJECT WAS IMPLEMENTED AND CORRESPONDING ACTIVITIES

Countries	Activities
Countries where project partners were based and conducted research: Italy, Sweden, Austria, Slovenia and Bulgaria	Full range of activities carried out, including reviews of best practices in the integration of refugee and asylum-seeking children or situation analysis (as applicable), and program evaluations/ impact assessments of (the introduction of) select best practices (as applicable)
Countries where partner institutions based in neighbouring or geographically/culturally close states conducted research: France, Spain, Denmark, Norway, Germany, Serbia, Montenegro, Croatia, and Bosnia and Herzegovina	Reviews of best practices in the integration of refugee and asylum-seeking children, or best practices in the design of “stress tests”, or situation analysis (as applicable)
Countries where individual experts were based: the UK, the Netherlands, the Czech Republic, Slovakia, Hungary, Romania, Poland, and Estonia	Reviews of best practices in the integration of refugee and asylum-seeking children, or best practices in the design of “stress tests”, or situation analysis (as applicable)
Countries where individual experts based elsewhere (in neighbouring or geographically/culturally close states) conducted research: Ireland, Belgium, Luxembourg, Finland, Greece, Cyprus, Portugal, Malta, Latvia and Lithuania	Reviews of best practices in the integration of refugee and asylum-seeking children, or best practices in the design of “stress tests”, or situation analysis (as applicable)

The direct beneficiaries of the action are children who have been granted asylum status or are seeking to be granted asylum in EU Member States participating in the ERF. Since UNHCR estimates that around 41 per cent of all refugees and 27 per cent of all asylum seekers worldwide are children, it could be estimated that roughly over 715,690 such children reside in the countries where the INTEGRACE project conducted research (*2009 Global Trends: Refugees, Asylum-seekers, Returnees, Internally Displaced and Stateless Persons*):

TABLE 2. NUMBER OF REFUGEES, PEOPLE IN REFUGEE-LIKE SITUATION, ASYLUM SEEKERS AND ESTIMATED NUMBER OF REFUGEE AND ASYLUM SEEKING CHILDREN

COUNTRY	Total refugees and people in refugee-like situations	Asylum-seekers (pending cases)	Estimated number of refugee children	Estimated number of asylum seeking children	Estimated total number of RASC
Austria	38,906	32,146	15,951	8,679	24,630
Belgium	15,545	18,233	6,373	4,923	11,296
Bosnia	7,132	367	2,924	99	3,023
Bulgaria	5,393	1,196	2,211	323	2,534
Croatia	1,238	39	508	10	518
Cyprus	2,888	5,015	1,184	1,354	2,538
Czech Republic	2,323	1,265	952	342	1,294
Denmark	20,355	1,193	8,345	322	8,667
Estonia	24	19	10	5	15
Finland	7,447	3,784	3,053	1,022	4,075
France	196,364	35,268	80,509	9,522	90,031
Germany	593,799	38,932	243,457	10,512	253,969
Greece	1,695	48,201	695	13,014	13,709
Hungary	6,044	647	2,478	174	2,652
Ireland	9,571	2,755	3,924	744	4,668
Italy	54,965	4,365	22,536	1,178	23,714
Latvia	43	52	18	14	32
Lithuania	793	70	325	19	344
Luxembourg	3,230	465	1,324	126	1,450
Malta	5,955	1,828	2,441	494	2,935
Montenegro	24,019	7	9,848	2	9,850
Netherlands	76,008	16,245	31,163	4,386	35,549
Norway	37,826	16,639	15,509	4,492	20,001

TABLE 2. NUMBER OF REFUGEES, PEOPLE IN REFUGEE-LIKE SITUATION, ASYLUM SEEKERS AND ESTIMATED NUMBER OF REFUGEE AND ASYLUM SEEKING CHILDREN (CONTINUED)

COUNTRY	Total refugees and people in refugee-like situations	Asylum-seekers (pending cases)	Estimated number of refugee children	Estimated number of asylum seeking children	Estimated total number of RASC
Poland	15,320	2,402	6,281	648	6,929
Portugal	389	19	159	5	164
Romania	1,069	398	438	107	545
Serbia	86,351	30	35,404	8	35,412
Slovakia	401	254	164	69	233
Slovenia	289	80	118	22	140
Spain	3,970	3,280	1,628	885	2,513
Sweden	81,356	18,953	33,356	5,117	38,473
United Kingdom	269,363	12,400	110,439	3,348	113,787
Total Number of Refugee and Asylum-seeking Children in the Countries Surveyed by the INTEGRACE Project					715,690

Source: 2009 Global Trends: Refugees, Asylum-seekers, Returnees, Internally Displaced and Stateless Persons.

Certainly, the above table provides only a rough estimate of the numbers of refugee and asylum-seeking children in the countries surveyed. While it has the benefit of following a common method for estimating these numbers, its assumption that 41 per cent of refugees and 27 per cent of asylums seekers are children is certainly not to be interpreted as necessarily reflecting reality accurately. Whereas on average these percentages are probably good approximations, there may be significant variations in individual countries.

COUNTRY REPORTS

In order to collect information regarding successful initiatives and policies for the educational integration of RASC, the project team used the following sources of information in the preparation of the country reports:

- academic research and publications;
- reports by government institutions of EU Member States;
- reports by EU institutions and agencies;
- reports and studies by other international organisations;
- reports and studies by non-governmental organisations in EU Member States;

- interviews with stakeholders, conducted over the phone, via email or in person – conducted during fact-finding visits (primary data).

The reports first presented a general overview of the demographics of refugees and asylum seekers in the respective country, the institutional set-up, legal and policy framework, as well as of the educational system and the educational status of refugees and asylum seekers. This was followed by an overview of best practices in the educational integration of RASC (where those could be identified). Several criteria for the identification of best practices were followed in the preparation of the country reports:

- **Part of an overall strategy:** Is the initiative elaborated and implemented as part of an overarching strategy?
- **Impact:** Is there any evidence that the initiative has a measurable output in reaching its aims?
- **Transferability:** Does the initiative have the potential to be one that others can copy, and that can be transferred to other settings and/or Member States?
- **Sustainability:** Does the initiative have the potential to lead to enduring structural changes?
- **Innovation:** Is the initiative of a new type, does it present a new way of doing an existing task? Is there any added value?
- **Relevance for the aims:** Is the initiative an adequate means to reach the aims?
- **Stakeholders' involvement:** Does the initiative take stakeholders' (incl. RASC's/RASC parents') opinions into account, or allow for active participation by and feedback from stakeholders?

Policies versus Projects

One way of classifying the best practices reviewed as part of the INTEGRACE project is to term them as either policies or projects. The former mobilise state resources while the latter rely more on civil society actors and short-term funding at lower levels. The first type is more sustainable, whereas the second illustrates the vitality of solidarity, the spirit of innovation, and of shared responsibility and civic participation. Of course, this dichotomy is not absolute as NGOs could have policies as well. In the Austrian/German context the report authors have made a distinction between longer-term, more sustainable programmes and short-term projects (or projects which are part of some umbrella programme).

The two main strengths of the **policies** are their sustainability and their capacity for anticipation. The former is illustrated by the finding that the structural features of the educational system could be very beneficial for RASC. Policies' sustainability is expressed also by the capacity of governmental agencies to change and to back the new orientations by funding and personnel.

Projects compete with policies in anticipating probable future trends or even unexpected developments. Projects are more flexible and open to

imagination and creativity. They stem from the activity and participation of civil society actors and further endorse them. They suffer, however, from two major weaknesses: dependency on EU funding and lack of sustainability.

Policies and projects differ also in terms of transferability. Policies are much more path dependent, and they stem from national political cultures and traditions in governance and integration. Projects are smaller in scope and more focused on goals and target groups, which facilitates their transferability. This transferability is hampered by a major contradiction of EU funding schemes, which favour innovation rather than adaptation and adoption of established good practices.

Best practice typologies

There are many ways in which best practices can be classified beyond the policies vs. projects distinction. One way of typifying them is with reference to the stages of education, starting from pre-school/ kindergarten integration up to higher secondary education, as these could have a significant impact on the employed approach. Another way to classify best practices is by reference to the aspect of RASC educational integration they address (access to education, quality of education, empowerment, etc), or the sort of obstacles on the path to successful integration that they try to overcome.

1) Right and access to education

The right to education translates into different national policies with varying proportions of universalism and multiculturalism. The practices form two clusters: the first offers equal access, the second – differentiated access.

The **first cluster** of national policies guarantees the same educational opportunities to immigrants as to nationals. The **second cluster** of policies grants differentiated access. The main argument and criteria for differentiating access to education is legal status. The authorities of most countries are reluctant to offer equal educational services for irregular migrant children.

Other countries differentiate access in financial or temporal terms. Immigrant children with irregular legal status are entitled to education in public schools on a commercial basis in Poland, while Hungary has introduced fees for irregular migrants and those who stay for less than a year.

2) Language – a key vehicle of integration

National language

All reports emphasise the crucial importance of the education in the national language. The good practices cover a large spectrum – from national programs for language immersion to summer camps, and from

introductory classes to advanced courses in reception centres. This type of best practices could be classified into three groups. The **first** group refers to educational policy: it concerns the political level and is expressed in guidelines, programs, and strategies. The **second** group forms the larger cluster with a variety of introductory language classes designed for RASC and incorporated in regular school programs. The **third** group of good practices comprises a variety of extracurricular activities, such as summer language camps, where children enjoy communication with other RASC and native children, as well as learn the language in a stimulating environment.

Mother tongue

Most reports agree on the importance of mother tongue for the children cultural identity, but differ in regards of which institution should assume the responsibility for the tuition. Two opposite visions can be identified. The **first** considers that the immigrant communities and their organisations rather than the state should offer the teaching of mother tongue. The **second** cluster of countries considers that the state should assume the education in both the national and the mother tongue languages.

3) Social and intercultural competences and acculturation

There is a rich gamut of extracurricular activities aimed at integrating RASC in stimulating, interactive and creative environments. Two types of good practices can be posited. **One type** which aims to **develop creativity**: a plethora of good practices illustrate the potential of art for building bridges, creating understanding and promoting dialogue. A second type has aimed at **enhancing communicative skills** in an intercultural environment. Indeed, the review of best practices of these two types has demonstrated that creativity and arts are among the most powerful instruments for integration and empowerment.

General findings and conclusions from the review of best practices

The concept of RASC should be deconstructed and distinct integration strategies should be identified and developed for asylum-seeking children on the one hand, and for refugee children on the other. Asylum-seeking children live in the separate world of the asylum seeker centres, and only some of them attend school in the local community. Children with refugee status are typically not distinguished from other children of migrant origin, and are the main target of integration policies. Policy makers should be aware of the differences in temporality of stay and sensitive to the peculiarities of integration of each group.

The State bears the main responsibility for drafting and implementing efficient policies of educational integration. A plethora of positive measures and practices were identified by the INTEGRACE project, all of which are promising but likely to succeed only if they are backed up by solid commitment and careful monitoring. Public authorities are not always able, capable, or willing to meet their obligations with regard to RASC educational integration. There are three main reasons

for this: **lack of resources** – financial or human (skills and institutional capacity); **lack of responsibility** – lack of political will and commitment to accept obligations; and **lack of coordination** between institutions and stakeholders.

An important conclusion that can be reached as a result of reviewing the reports is that **actors of integration** – teachers, volunteers, NGO activists – play a crucial role in conditions of more restrictive state policies. Most good practices are both initiated and implemented by active individuals, inspired by the values of tolerance, antidiscrimination, intercultural dialogue. Their motivation, energy, innovation, and activism are the extraordinary engines which foster dynamism and makes integration happen. A strong, vibrant civil society is the productive counterpoint to restrictive policies. Civil society's good practices remedy the shortcomings of the state system.

Strategies and action plans have proven to be highly useful policy instruments, and the optimal institutional incentive structures to legitimise the importance of integration and to allow for a comprehensive approach. Project-driven activities should be replaced by programs with medium- and long-term funding by local and state authorities in order to avoid frequent staff changes and to allow the implementing partners to develop required capacities.

Furthermore, greater transparency in the educational system, as well as the establishment of a feedback culture at schools, would be necessary. A main criterion for transferability of good practices is the mechanisms of **reliable evaluation**. Through the feedback gathered through such mechanisms, it is possible to re-formulate and modify good practices according to perceived needs of the target population. It's crucial to collect the feedback not only from the initiators of the good practices, i.e. teachers and NGOs activists, but also from RASC and their parents.

EVALUATIONS AND IMPACT ASSESSMENTS

Having reviewed numerous good practices, the project team was well aware that what may be a successful initiative in one environment may not be suitable or practicable under different circumstances. A key contribution of the INTEGRACE project was that it successfully tested a CSD-proposed methodology for “mirror” evaluations and impact assessments to aid the transfer of best practices. The techniques of program evaluation and social impact assessment were used to first assess the degree to which a good practice has been successful and the key factors for that success, and then to identify the conditions under which the transposition of the same best practice could be achieved successfully in a new environment and the best practice features that may need to be modified in order to make it more easily transferrable to new environments.

The project team first conducted program evaluations of already implemented best practices in two Western European countries (Sweden

and Italy), and then conducted mirror social impact assessments of their possible implementation in two Eastern European countries (Slovenia and Bulgaria). The idea was to conduct SIAs of the same practices for which an evaluation had already been conducted. The Austrian best practice selected by the Ludwig Boltzmann Institute team was not “mirrored” by an impact assessment in a CEE country but instead served as a general example of the “comprehensive approach model” for addressing educational integration. The best practice selected for evaluation by the Censis Foundation in Italy was selected by the CSD team for the impact assessment exercise in Bulgaria. It involved the implementation, in the municipality of San Pietro Veronico, of a project called “Land of Asylum” (Terra d’Asilo) which is nationally implemented in the framework of the Italian public sector system for the reception of asylum seekers and refugees (SPRAR). In the terms of the educational integration of RASC, Terra d’Asilo is based on school autonomy and on flexible and a highly individualised training approach. The Halmstad University team evaluated a best practice which involved the successful implementation of a regulation – “General recommendations for the education of newly arrived pupils” – approved by the Swedish Parliament in September 2008, and the successful implementation of the regulation in the schools of two Swedish cities: Bollnäs and Överkalix. The transferability of the Swedish best practice to Slovenia was assessed by the Peace Institute team.

The evaluations and impact assessments aimed to identify key transferability conditions and parameters to facilitate the replication of best practices in the area of educational integration of RASC in different contexts. Desk research, involving the collection and analysis of statistical data, related surveys, institutional reports as well as academic literature was followed by qualitative investigation based on expert interviews, focus group discussions and on-site study visits. The methodological sequence of the two types of studies included: description of the selected practice; stakeholder identification and analysis; development of indicators and specific questionnaires; data collection and assessment of outcomes, impacts and risks. The best practice description was based on analysis of the problem and the objectives of the intervention together with its historical, legal, policy and institutional context. The description also involved identification of intervention’s key parameters such as time period, institutional capacities and cooperation, etc. The stakeholder analysis involved identifying the interests of the main institutional actors, their role with respect to the (actual or, in CEE countries, proposed) intervention, and the impacts of the intervention on them. The goal of the SIAs was to arrive at positive and negative social impacts of the intervention; of successful strategies for the meaningful involvement of stakeholders and interested parties as well as of relevant implementation modifications and scenarios.

As the project research revealed, the national contexts of the five countries where the evaluations/SIAs were conducted display marked differences with regard to local refugee groups and trends, general refugee integration approaches and RASC educational integration mechanisms. There is a clear distinction between the countries where best practices

in the field of RASC educational integration were identified and those where the same best practices were to be transferred. In general Austria, Italy and Sweden are characterised by high refugee inflows, with refugees dispersed throughout the country, and decentralised systems of migrant and refugee integration that render significant authority and responsibility to the local level (municipalities and provinces).

In addition, the three countries promote RASC educational integration policies that rely on the autonomy of the school in taking educational development decisions. The educational systems and programs of the three countries favour and secure an individualised and flexible approach with regard to integrating asylum seeking and refugee children into their schools; of course, whether this occurred based on intended policies or whether it was just a consequence of the lack of centralised guidance and commitment to deal with the issues, leading to the need to improvise on the local level, is a matter of dispute. Bulgaria and Slovenia, on the other hand, are characterised by small refugee inflows, with refugees concentrated in specific areas, and have developed migrant and refugee integration measures within centralised systems where municipalities have little authority and insignificant experience in this realm. Moreover, the two countries render no autonomy to their schools with RASC being expected to follow mainstream school integration paths and curricula.

Local municipal authorities in Sweden and Italy are key player in the process of reception, integration and education of newly arrived asylum seeking and refugee children. An important feature of the RASC educational integration approach in Sweden and Italy is the significant decision making freedom rendered to local schools. In both Slovenia and Bulgaria assistance and integration services targeting refugees and asylum seekers are being provided on a centralised principle. Municipalities in both countries have little power in this realm in terms of prerogatives and resources. Moreover, schools do not enjoy the autonomy to conduct knowledge assessments, to issue enrolment decisions and to design schooling schemes. Thirdly, the educational

TABLE 3. NATIONAL CONTEXTS IN COMPARISON: CENTRALISED VERSUS DECENTRALISED APPROACHES

Austria, Italy and Sweden	Slovenia and Bulgaria
Decentralised systems for refugee integration	Centralised implementation of integration policy
Significant authority is rendered to local authorities	Local authorities have little authority and no experience in the field
Autonomy is rendered to the school in taking educational development decisions	No autonomy rendered to the schools
Individualised and flexible approach in integrating RASC in schools	RASC are expected to follow mainstream school curricula

systems in both countries appear inflexible in that they do not provide targeted educational schemes, meeting the specific needs of RASC.

Given these differences in national contexts, it is obvious that the best practices transfer to Slovenia and Bulgaria could not occur automatically. The transferability analysis that was conducted in the two reception contexts involved two different approaches. While the study conducted in Bulgaria employed analysis of the potential social effects (intended and unintended/ positive and negative) to be propelled by the introduction of the Italian best practice, the study conducted in Slovenia employed a process assessment of the steps involved in the introduction of the Swedish best practice. Respectively the two studies lead to two different types of results both valuable in allowing informed decision making with regard to the transferability of the two best practices in the Slovenian and the Bulgarian context.

The social impact assessment conducted in Bulgaria points to a number of possible implementation scenarios that take into account the differences between the contexts of Italy and Bulgaria. The study demonstrates that differences in target groups, institutional settings and stakeholder frameworks should not prevent transfer of best practices from one context to another. The assessment conducted in Slovenia provided an exhaustive analysis of the process of implementation of the Swedish best practice and the regulative, institutional and financial resources it requires. It is very useful in that it gives clear picture of the general implementation process and the resources, capacities and timeframe it requires.

The transferability conditions identified in the context of the Swedish and Italian best practices, and indeed in the context of the Austrian Dynamo programme as well, are related to the realm of funding, organisational set up, freedom for local adaptations of centrally stipulated guidelines as well as relevant qualifications of school staff. They include:

- marked degree of freedom for local adaptations of integration policies and initiatives drafted at central level;
- relevant trainings for teachers and education officials to ensure solid knowledge of existing procedures, the opportunities they offer, and the responsibilities they require;
- ample financial resources to secure continuity of implemented activities;
- decentralisation of implementation and involvement of local areas and communities;
- central co-ordination, training and evaluation of the local projects.

The transferability conditions, identified in view of the local contexts in the countries of transfer – Slovenia and Bulgaria – demonstrate that the conditions in question could be enacted in the new contexts by way of certain legal and policy changes. Those changes include:

- decentralisation of the general RASC integration approach and involvement of municipalities as actors;

- decentralisation in the management of RASC integration funds at the local level;
- decentralisation of the educational system and rendering autonomy to public schools;
- capacity building activities and trainings for staff at local municipalities, teachers, and cultural mediators.

A number of conclusions can be drawn from the evaluation/SIA exercises that the INTEGRACE partners conducted. **First, it is highly recommended that such studies should analyse five specific parameters: stakeholder frameworks, legal frameworks, local target groups, schools and teacher training.** These parameters should be investigated in the country of origin of the best practise first to guide consequent examination of the same parameters in the country of transfer. **Second, the careful study of the five context parameters should be guided by the objective of identifying adaptable implementation scenarios** to ensure the achievement of needed positive social effects within the realistic framework of local institutional setting, regulations and capacities. **Third, social impact assessments in contexts of transfer could be undertaken only after the careful evaluation of best practices in the contexts of their original implementation.** The evaluations and social impact assessments conducted by the INTEGRACE project demonstrated that differences in target groups, institutional and stakeholder settings, even if significant, should not be treated as a hindrance to the meaningful transfer of best practices. Such differences however, need to be carefully analysed in order to provide the most relevant adaptation models. In this context, the design and development of alternative implementation scenarios should be considered a core goal of the SIA exercise.

POLICY RECOMMENDATIONS

Though it is extremely difficult to summarise all national specificities, based on the analyses and conclusions provided in the country reports and the evaluation and social impact assessment reports, several key policy recommendations could be outlined:

The state should assume primary responsibility for an adequate framework with comprehensive policies for educational integration of RASC. Based on well-established and international human rights and refugee law obligations, the establishment of the appropriate legal framework and the setting up of dedicated educational policies, strategies and programmes is firmly a task of each national government. Both top-down and bottom-up approaches should be applied in a complementary manner. Governments should cooperate with all stakeholders – NGOs, social foundations, church-based organisations, teachers' networks, researchers as well as local initiatives and private bodies.

There is a need for more sustainable integration measures in RASC education. Governments should assume primary responsibility to secure the sustainability of RASC educational integration. Project-driven activities

should rather be developed into long term programmes funded by local and state governments to allow development of stake holder capacities and avoid frequent staff changes in a given program team. Governments should take on the responsibility for compensating and overcoming the strong dependency on EU funding for the variety of NGO initiatives, activities, and programmes, which makes them difficult to maintain following the termination of EU funding.

Free and equal access to education, independent of legal status and in accordance with human rights standards, should be secured for all RASC. Legal obstacles and restrictions, such as on freedom of movement, temporary or conditional residence permits (or “tolerated” stay), detention pending deportation for children and young persons, and age limits reduced to sixteen in asylum matters, etc, should be reconsidered and abolished in line with the standards mandated by the UN Convention on the Rights of the Child and other well-established international and European human rights treaties.

There is a strong need for diversity training for teachers and training on intercultural approaches and skills. Preparation for dealing with the new RASC groups at school should be an important component of teacher training in EU Member States. Teachers should be trained to develop skills and confidence in dealing with classes of diverse cultural backgrounds, as well as skills in intercultural learning and communication. The integration of RASC into schools could be facilitated by **trained school assistants or support teachers of migrant or refugee backgrounds** who would act directly on schools premises and in the classrooms. Integration assistance should be provided not only by the employees of social assistance services and non-governmental organisations, but also by already integrated individuals who share refugees’ own ethnic backgrounds.

Training in the language of the receiving country is of crucial importance for the successful integration and academic performance of RASC and should be a central part of pre-school and school education. RASC should obtain full command of the language of the host country as early as possible. The development of strategies, guidelines and programs for language training should be a priority for educational authorities that deal with RASC pupils in their school. **Mother tongue training** is of central importance as well and should be supported. Good knowledge of the mother tongue is a precondition for learning another language, e.g. the host country language.

Language training initiatives must be carefully weighed against practical considerations in transit countries. Rather than spend scarce resources on extensive language training of RASC in the language of the host country, in many situations basic training would be sufficient while RASC should be allowed, where possible, to attend classes in languages that they already understand. Similarly, if information is available regarding the intent of RASC or their families to move to another state in the near future, attempts should be made to educate the RASC in question in the language of that country where the child

already has sufficient knowledge of the language, or to train the child in the language of the country to which he/she is planning to move.

The “teachers – pupils – parents” nexus is crucial for achieving integration in a sustainable and successful manner. The trust and confidence of parents and children in teachers and schools are paramount for the sustainable integration of RASC in the educational system. Improving parents’ integration into the host society is an important precondition for the integration of their children.

The mechanism of reliable evaluation is the main precondition for the successful transfer of good practices. The transfer of good practices is not an easy and automatic process – a lot of specific factors and obstacles should be taken into account when trying to replicate a good practice. The rationale behind the evaluation and social impact assessment (SIA) exercises lies in their potential to explore the possibility and conditions for transferring good practices in the educational integration of RASC from one specific national/local environment to another. By taking into account the feedback gathered, it is possible to re-formulate and modify good practices according to the perceived needs of the target group. The differences in target groups, institutional settings and stakeholder frameworks should not prevent the transfer of best practices from one context to another. However, the similarities and divergences between origin and reception contexts should be carefully analysed in order to identify the most appropriate (feasible and effective) implementation scenarios.

INTRODUCTION

The right to education is a basic right endorsed by the *Convention on the Rights of the Child* of 1989 and the *Refugee Convention* of 1951. At the same time, UNHCR's Global Strategic Priorities recognise that access to free primary education remains elusive for many refugee and asylum-seeking children.¹ In 2007, out of 2.6 million refugee children at school-age globally, only an estimated 67 per cent were enrolled in primary and secondary schools, leaving a third (around 900,000 children) without access to education.² According to UNHCR policy documents, even when access to education is secured, the educational integration of children is marred by obstacles such as extra fees, language barriers and lack of training for teaching personnel.³ At the same time, special attention needs to be given to refugee children from vulnerable groups, and educational programs need to take into account their specific needs.⁴

The EU has provided the basic legal foundation for granting access to education of these children under Council Directive 2004/83/EC,⁵ yet further progress is needed in identifying and disseminating practical initiatives. Indeed, the performance of migrant pupils of the same origin varies between countries with similar patterns of migration, which suggests that educational policies, the structure of the educational system, and the interaction of stakeholders can have a significant impact on RASC educational attainment.⁶ For instance, a NESSE Analytical report found that the extent to which migrant vs. native students' achievements are related to social origin greatly depends on the national context, with migrant students' attainment being comparatively high in countries with a well developed system of preschool education and late selection of students to different ability tracks.⁷

Clearly, EU Member States have varying levels of success with and experience of accepting and integrating refugees in their societies. Old Member States are traditional destinations for refugees and host the

¹ UNHCR, Draft Global Strategic Priorities, April 2009, p. 13.

² UNHCR, Educational Strategy 2010 – 2012, Geneva, 2009, p. 4.

³ Ibid., p. 19.

⁴ UNHCR, Education Guidelines, Geneva 2003, p. 7.

⁵ COUNCIL DIRECTIVE 2004/83/EC of 29 April 2004, Official Journal of the European Union 30.9.2004.

⁶ EC Green Paper Migration and Mobility: Challenges and Opportunities for EU Educational Systems, SEC(2008) 2173.

⁷ Heckman, F. (2008), NESSE Analytical Report 1 for EC DG Education and Culture, Education and the Integration of Migrants: Challenges for European Education Systems Arising from Immigration and Strategies for the Successful Integration of Migrant Children in European Schools and Societies.

largest share of such populations in Europe, while the New Member States of Central and Eastern Europe have only recently started experiencing greater migration pressures on their territory than they are accustomed to; according to UNHCR, 20,000 refugees enter the EU via CEE each year.⁸ While Old Member States have experimented with various integration programs in the field of education, housing and employment, New Member States have yet to develop effective policy responses.

Indeed, a variety of EC-funded projects and initiatives have sought to promote and showcase best practices in the educational integration of immigrant and refugee and asylum-seeking children. Examples include projects⁹ led by the Pharos Foundation aiming to identify good practices in mental health and social care for refugee children at school and transfer those to other countries; the 2001 – 2004 CHICAM project¹⁰ aiming to identify the potential of new media technologies to promote social inclusion at schools, with the specific needs of migrant/refugee children taken into account. Another EC-funded project – EMILIE – reviewed the educational challenges posed by cultural diversity and migration in several EU Members States, yet just as with previous initiatives those were mostly Western European countries.¹¹

It is important to note that integration policies and initiatives in the field of education rarely target refugee and asylum-seeking children specifically, and instead the latter are subsumed under the category of “newcomer” or “immigrant” children. This is the case with the handbook entitled *Educating immigrant children*,¹² in which refugee and asylum-seeking children are not the main focus of attention. Moreover, while this publication reviews policies, practices and initiatives in a comparative manner and in a wide array of countries, it has a thematic focus rather than review the situation and/or initiatives in individual countries. On the other hand, the OECD itself has recently produced high quality country reports on migrant education, yet again those are limited to just a limited number of OECD members in Western Europe,¹³ and refugee and asylum-seeking children are again rarely the focus of discussion.

Having identified the gap in relevant initiatives in Central and Eastern Europe and building on the experience of the project partners in promoting the rights of vulnerable groups, the INTEGRACE project team has aimed to identify and assess best practices in developing educational

⁸ UNHCR, *Protecting Refugees in Central Europe*, 2008.

⁹ Namely, “International exchange of Good Practice in Mental Health and Social Care for Refugees and Asylum Seekers”, and “Supporting Refugee and Asylum-seeking Children in School” (see the Pharos web site at <http://www.pharos.nl/> for more details).

¹⁰ See <http://www.chicam.org/index.html>

¹¹ It must be noted that unlike previous projects, EMILIE research did include two CEE countries: namely, Poland and Latvia (see the country reports here: <http://emilie.eliamep.gr/emilie-reports-on-education-and-cultural-diversity-in-europe/>).

¹² Glenn, C. and De Jong, E. (1996), *Educating Immigrant Children: Schools and Language Minorities in Twelve Nations*.

¹³ Namely, Austria, Denmark, Ireland, the Netherlands, Norway and Sweden (see http://www.oecd.org/document/53/0,3746,en_2649_39263231_44870901_1_1_1_1,00.html).

integration programs in all EU Member States. The project team has sought to build upon many of the previous initiatives in this field, in which a number of INTEGRACE experts and partners have in fact taken part. The project's review of best practices in the integration of refugee minors at school has encompassed an unprecedented number of MSs, which has also enabled the project team to generalise regarding overall developments in policy in practice in the EU and regarding the types of policies may work under various conditions, or at least to develop a methodology for testing whether and under what conditions a specific good practice may be transposed into new environments or other countries. The CSD-proposed methodology for "mirror" evaluations and impact assessments consisted of first conducting program evaluations of already implemented best practices in Western European countries, and then conducting mirror social impact assessments of their possible implementation in two Eastern European countries (Slovenia and Bulgaria). The goal of this methodology is to identify, on the one hand, the key factors that have led to the success of a best practice in one environment, and on the other, features that may need to be modified in order to make the practice more easily transferrable to new environments.

Another innovative feature of the INTEGRACE project relates to the cooperation, with respect to the integration of refugee children, of NGOs universities and experts from Western Europe with non-governmental organisations and researchers from Eastern Europe. In this manner, the experience of Western partners in researching and promoting policies aiming to integrate refugee children was imparted to their CEE counterparts, thus improving the coordination between Member States and consolidating the approach for addressing common issues with respect to the social integration of refugees, and quality of EU initiatives aimed at refugee children specifically. The Handbook *Integrating Refugee and Asylum-seeking Children in the Educational Systems of EU Member States* will thus hopefully be a stepping stone towards improvements in two main areas of EU policy making – the consolidation and standardisation of norms and policies concerning child protection and education, and the further development and improved implementation of the common EU asylum policy in Central and Eastern Europe as well as throughout the Union.

The large number of countries where project research was conducted made it possible to generalise about common themes, typologies, developments and challenges in the integration of refugee and asylum-seeking children in Europe. This is the main focus of the comparative country report by Professor Anna Krasteva, Member of the Project Advisory Board and one of Bulgaria's leading experts on migration research. Chapter I of the Handbook also contains the reports for all countries where the project team conducted research, and which are the subject of Professor Krasteva's comparative analysis.

Out of consideration for the environment, given the rather large volume of the Handbook, the paper edition only contains select country reports and evaluation/social impact assessment reports, while the rest are

contained on a CD included with the hard copy. An electronic version is freely available for download on the web sites of all project partners, both as a single volume and as a collection of individual reports. The paper edition contains all country reports prepared by the project partners, followed by select country reports; the attempt was made for those select reports to be as representative as possible of Europe various regions.

The country reports, while retaining the characteristic style of the respective author(s), have followed a standard format in presenting each country's key migration-related issues, policies (including as they relate to migrant/refugee education), and progress in or experience with integrating minors of refugee background. The reports' main focus is on showcasing successful best practices in the educational integration of refugee and asylum-seeking children in each country, or, where those are lacking, in presenting an overview of the status quo. In all cases, attempts have been made to suggest areas for improvement. A detailed outline of the structure of the country reports and various methodological considerations are contained within the Methodological guidelines for good practices identification (Appendix 1). Notably, the guidelines contain an extensive discussion of what sort of policies, procedures, practices and initiatives were considered to constitute good or best practices for the purposes of the INTEGRACE project. They also contain suggestions for desktop as well as primary research, i.e. interviewing stakeholders, conducting field visits, etc. It is hoped that these guidelines would continue to inform future research in the field by the project team as well as others.

Having reviewed, discussed and analysed numerous good practices, the project team was very cognisant of the fact that what may be a successful initiative in one environment may not be suitable or practicable under different circumstances, or at least that either the practice itself or those circumstances may need to be modified. This is of course no novel observation, yet the specific contribution of the INTEGRACE project was to successfully test a methodology for making such conditionalities explicit via primary as well as secondary research techniques. Perhaps for the first time in the history of social science, the techniques of program evaluation and social impact assessment were used to first assess the degree to which a good practice has been successful and the key factors for that success, and then to assess the conditions under which the transposition of the same best practice could be achieved successfully in a new environment. Chapter II of the Handbook starts with a comparative evaluation and impact assessment report which provides a summary and analysis of the INTEGRACE evaluation and SIA exercises. The chapter also contains three evaluations of best practices in RASC educational integration from three Western European Member States (Austria, Italy and Sweden), and two impact assessments of their transposition into new environments in two Eastern European countries (namely, Slovenia and Bulgaria).¹⁴ The methodology for the evaluations

¹⁴ Chapter II only contains the evaluation of the Italian good practice and the impact assessment of its transfer to Bulgaria in the paper version, while the other evaluation/SIA reports are included in the CD.

and impact assessments, including guidelines on stakeholder identification and primary research (i.e. interviews) is presented in Appendix 2.

Finally, the CD attached to the paper edition of the Handbook contains standardised outlines of select best practices in most of the countries where best practices were identified and described. The format of these “inventory tables”, as the project team termed them, facilitates the identification of the main features of the good practices, as well as comparison. The project team hopes that they too can aid future research in the field of RASC educational integration by forming a sort of mental map and basic point of reference in the comparative analysis of best practices.

**CHAPTER I. GOOD PRACTICES IN THE FIELD
OF EDUCATIONAL INTEGRATION
OF REFUGEE AND ASYLUM-SEEKING
CHILDREN**

1. COMPARATIVE REPORT: EDUCATIONAL INTEGRATION OF REFUGEE AND ASYLUM-SEEKING CHILDREN IN THE EU

Anna Krasteva

New Bulgarian University

“Transform the luck of the few into the right of all.”

Katarina Tomasevski,

*Special Rapporteur on the right to education of the
UN Commission on Human Rights (1998 – 2004)
and founder of the Right to Education Project*

1. INTRODUCTION

“I like my school. I really like my school”, remarks an eight-year-old girl from Congo in Ireland.¹ This spontaneous and joyous statement is the wonderful expression of a successful educational integration. Children, as well as theoreticians and policy-makers, know what successful integration feels like. What children are not supposed to know is how to achieve it. The paradox is that adults in their institutional roles as theoreticians, politicians and stakeholders cannot offer a definitive and convincing answer to this fundamental question, but hesitate between varieties of perspectives. The term ‘perspective’ is understood as a looking at the field from a different angle and thus asking different questions, taking other units of analysis as a starting point and collecting new kinds of empirical material.²

The answers vary synchronically and diachronically, between the poles of multiculturalism and non-differentialism, as well as from one period to another. A second paradox is that, as a general rule, theories are better equipped than policies, the latter being not prepared, not willing, or not ready,

to put knowledge into practice. However, this is not the case for integration: both policies and theories vacillate, experiment, fail and/or develop.

Four methodological preliminaries should be clarified: the first concerns the triangle ‘concepts – realities – normativity’; the second focuses on the key target group of the INTEGRACE study – refugee and asylum-seeking children (RASC); the third summarises the theoretical expectations for the comparative analysis; the final one specifies the relations between the institutional incentive structures and the strategic decisions of migrants.

Firstly, integration as a concept faces two challenges – one empirical and one normative. It covers a wide range of practices and is heavily burdened with normative pathos:

“The fact that the same concepts are used in different national and local contexts – integration policy or multicultural policies – may create the illusion of similar, if not the same, phenomena. Empirical research, however, has shown not only the ideas and assumptions behind such policies are different, but the practice and measures of such policies vary considerably between both places and situations.”³

Secondly, the project clearly identifies two target groups – refugee and asylum-seeking children – but the distinctions underlying the policies and practices reviewed in the INTEGRACE project vary from country to country and according the level of policy concerned. Whether refugee and asylum-

¹ Country Report: Ireland.

² Penninx, Rinus, Dimitrina Spencer and Nicholas Van Hear. (2008) Migration and integration in Europe: the state of research. Oxford: COMPAS, p. 11.

³ Penninx, Rinus, Dimitrina Spencer and Nicholas Van Hear. (2008) Migration and integration in Europe: the state of research. Oxford: COMPAS, p. 10.

seeking children are distinguished from each other, and from other children, depends on the level of policy-making we examine; at some levels more distinctions are made, at some fewer. Three such levels can be distinguished.

1.1. Policies on immigration and refugee protection

These policies concern the ways in which international conventions and European legislation regarding refugee protection have been translated into national laws, bearing in mind the political choices a country has made regarding the restrictiveness of its immigration policies. Some countries have very few asylum seekers and wish to keep it that way: they admit hardly anyone who knocks on their door in search of protection. Other countries have previously admitted many asylum seekers but now seek to stem the flow; they too will tighten the criteria for granting asylum. Another way to discourage asylum seekers is by

not granting full, permanent residence rights, but instead some temporary form of protection or one which does not allow the holder (for example) to bring in family members. Despite the efforts of the EU to harmonise asylum policies, countries vary enormously in their rate of granting protection and in the types of protection they grant. This is clearly demonstrated by Table 4, which shows only first-instance decisions on asylum claims. These figures show the rate at which the population of persons with some form of protected status increased in 2010, ignoring those who were admitted at second or later instances. (Liechtenstein and Luxembourg have been omitted from this table because of missing data. In some countries no statistics are available concerning decisions for humanitarian reasons; in these cases the true rate of positive decisions may be higher than shown here.)

Looking at this table, it is hard to believe that these totally divergent percentages all represent the implementation of the same international laws, conventions and guidelines.

TABLE 4. FIRST-INSTANCE DECISIONS ON (NON-EU27) ASYLUM APPLICATIONS, 2010⁴

Country	Total decisions	Positive decisions	% Positive decisions	% Refugee Status	% Subsid. Protection	% Humanit. Reasons
EU-27 total	222,070	55,460	25	49	37	15
Austria	13,770	3,445	25	60	40	-
Belgium	16,245	3,510	22	77	23	-
Bulgaria	515	140	27	14	86	-
Czech Republic	500	175	35	43	43	11
Denmark	3,280	1,345	41	49	39	13
Germany	45,310	10,445	23	74	5	21
Estonia	40	15	38	67	33	-
Ireland	1,600	25	2	100	20	-
Greece	3,455	105	3	57	19	29
Spain	2,785	610	22	40	57	2
France	37,610	5,095	14	80	20	-
Italy	11,325	4,305	38	38	34	28

⁴ Adapted from Eurostat (2011), <http://bit.ly/zeFfLJ>

TABLE 4. FIRST-INSTANCE DECISIONS ON (NON-EU27) ASYLUM APPLICATIONS, 2010 (CONTINUED)

Country	Total decisions	Positive decisions	% Positive decisions	% Refugee Status	% Subsid. Protection	% Humanit. Reasons
Cyprus	2,440	425	17	7	87	6
Latvia	50	25	50	20	80	-
Lithuania	190	15	8	0	100	-
Hungary	1,040	260	25	29	44	27
Malta	350	220	63	20	75	7
Netherlands	17,580	8,005	46	10	50	40
Poland	4,420	510	12	16	38	45
Portugal	130	55	42	9	91	-
Romania	435	70	16	57	43	0
Slovenia	115	25	22	80	0	-
Slovakia	295	90	31	6	61	33
Finland	4,260	1,595	37	10	78	12
Sweden	27,650	8,510	31	23	70	7
United Kingdom	26,690	6,440	24	69	29	2
Iceland	25	5	20	0	0	100
Norway	15,180	5,300	35	56	30	14
Switzerland	18,475	7,815	42	43	15	42

It is at the level of immigration policy that the highest degree of differentiation is found. The multiplication of categories reflects the constant search for new ways of reconciling the human right of asylum with the desire to restrict immigration. The precise distinctions made by the law vary from country to country: Germany provides a typical example, with six possible types of status – asylum seekers, recognised refugees, beneficiaries of subsidiary protection, persons with “tolerated stay” (Duldung), persons with a right of continued abode after several years of “tolerated stay” (Bleiberecht), persons with other forms of regular stay in Germany and persons with irregular stay.⁵ The reader should bear in mind that for the purposes of the INTEGRACE project, a ‘refugee’ child is regarded as one who has been granted any of the forms of protection available (i.e. ‘convention refugee’, subsidiary or complementary protection, or a residence permit

on humanitarian grounds). Sometimes asylum seekers may be taken out of the procedure and granted residence rights in the framework of an amnesty, e.g. because they have had to wait too long for a decision; these cases are not included in any of the above categories.

1.2. Policies concerning entitlement to education

In theory, the UN Convention on the Rights of the Child lays down that all children, without any kind of discrimination, are entitled to education. At this level of policy, therefore, no distinctions whatsoever should be encountered. However, the policies of individual countries may curtail this right – and even when they grant the right, those

⁵ Country Report: Germany.

entrusted with implementing it may not respect it. Sometimes exclusion from education is based on formal categories (e.g. children with irregular or 'tolerated' status), sometimes barriers will be created on the basis of length of residence, financial means, lack of adequate provision, or refusal to recognise diplomas from the country or origin. This issue will be discussed in detail in section 6.1.

1.3. Policies to adapt education to the special needs of different groups of newcomers

This level concerns the readiness to make special provision for the needs of children from other countries (see sections 6.2 – 6.4). This readiness will be partly influenced – though not entirely – by the number of such children arriving; if these numbers are small, there may be little pressure to develop a policy for them. In addition, if immigration is a fairly recent phenomenon, policies may still be in a rudimentary stage of development (cf. Romania). At the other end of the spectrum there are countries (mostly in North-western Europe, plus Austria) which have been admitting large numbers of migrants for decades; whether they develop special policies for migrant education will be strongly influenced by the degree to which multiculturalist policies have gained (and maintained) a foothold in them.

To give some insight into the large differences between countries in the number of children given some form of protected status each year, Figure 1 shows the variations in the numbers of positive first-instance asylum decisions made in 2010: it provides a graphical representation of the figures in the first column of Table 4. Some countries studied in INTEGRACE differ more than thousandfold in terms of these numbers – e.g. Estonia (40) and Germany (45,310).

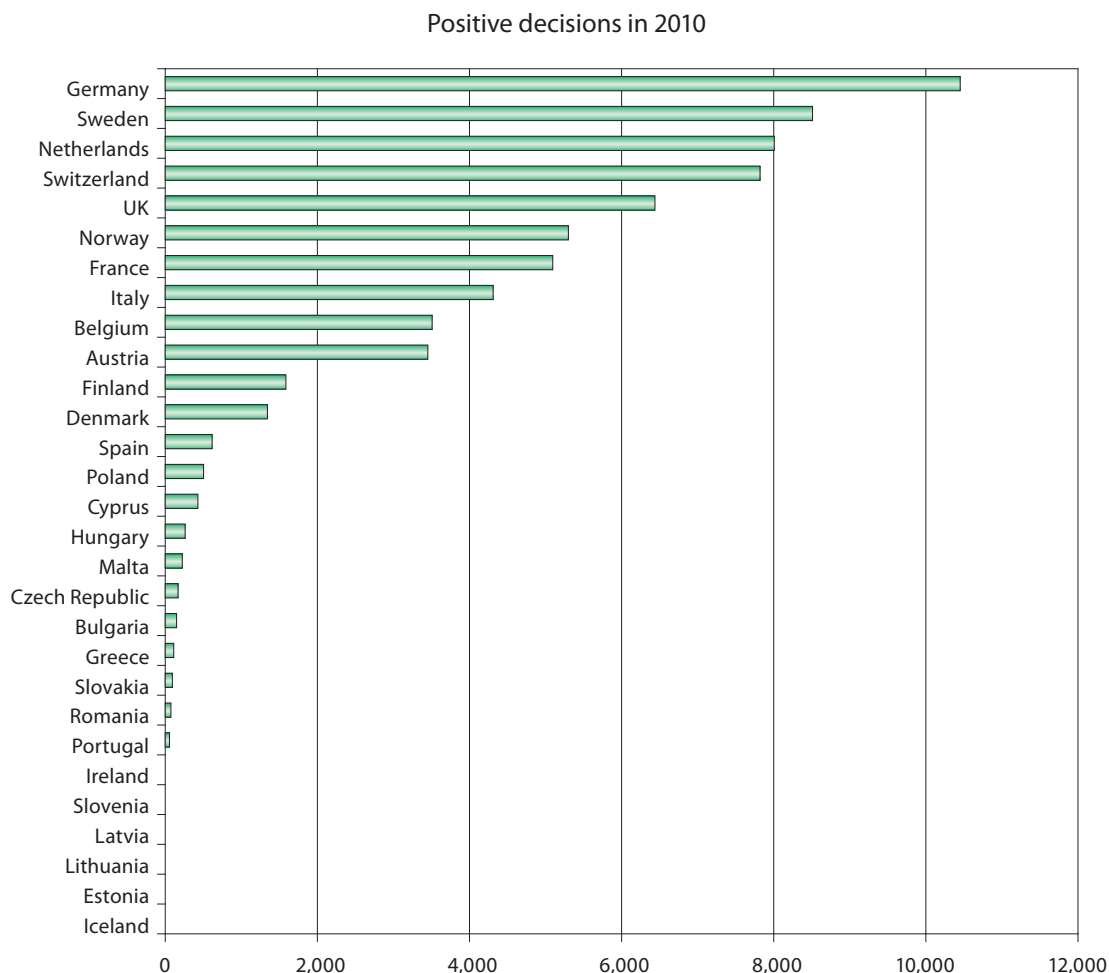
Countries differ in the degree of differentiation in their policies on the educational integration of migrant children.

1. The first distinction concerns whether there are any provisions at all in educational policy for treating migrant children as a separate group. Perhaps no policies have ever been developed;

or perhaps previous policies have been revoked. In keeping with the recent shift in some countries from multiculturalist to assimilationist integration policies, targeting of policies on migrants has in some countries been replaced by targeting of 'socially disadvantaged' children or 'children with special needs' (see section 3.2).

2. A second distinction that may be made is between 'forced migrants' and other types – i.e. between RASC and other migrant children. Many countries do not introduce this distinction into their educational policies. Educational provisions for asylum seekers are quite often different (because of the fact that their stay is temporary and they may live in separate accommodation); in the cases where refugee children are distinguished from other migrant children, this usually has to do with the special (psychosocial) needs supposedly arising from the forced nature of the migration. However, some educationalists are more concerned about the dangers of stigmatisation that can arise from treating refugee children separately.
3. As mentioned under (2), a further distinction may be made between educational programmes for asylum-seeking children and for other newcomers. This may have to do with the accommodation in which asylum seekers are housed, and also with the fact that it is not known whether asylum seekers will be granted or refused permission to stay in the country. Some countries are concerned that asylum-seeking children should not integrate in the host country, because this may make it harder for them to return. Worse still (from the point of view of the administration), asylum-seeking children who integrate into local communities may gain support in their efforts to stay in the country from local citizens who have got to know them and gather together to organise campaigns of their behalf. Demonstrations by schoolchildren to prevent the deportation of classmates are particularly dreaded by governments trying to meet targets for the deportation of asylum seekers (e.g. in the Netherlands).
4. The final type of distinction we will discuss here concerns unaccompanied minors (UM; see section 5.2). This group enjoys more legal protection than others, has special needs and is very often subject to separate educational provisions. These may be connected with their psychosocial vulnerability, the threat of trafficking,

FIGURE 1. NUMBERS OF FIRST-INSTANCE DECISIONS ON ASYLUM CLAIMS IN 2010



Source: Adapted from Eurostat (2011), <http://bit.ly/zeFfLJ>

and (as with asylum seekers) the way they are accommodated.

To return to our four methodological preliminaries, the third point we wish to make is that comparative analyses have the capacity to advance knowledge. They facilitate the differentiation between practices that are part of a more general trend versus innovative, experimental ones. The present study will build on the strengths of the comparative approach. The reader should, however, be aware of the limits of its validity, since it is based on the findings of the national INTEGRACE reports.

Lastly, integration is the result of a combination of institutional incentive structures and the strategic decisions of migrants themselves.⁶ The INTEGRACE study focuses primarily on the first of these factors.

The main hypothesis of the present comparative analysis is that integration models and strategies depend predominantly on four factors: the number of refugees, the history of their settlement, the type of host country (transit or target), and the political will of elites.

⁶ Freeman, Gary. (2004) "Immigrant incorporation in Western democracies", in: *International migration review*, Vol. 38, N 3, pp. 945-969. p. 950.

2. OBJECTIVES AND METHODOLOGY

The main objective of the INTEGRACE project is to promote the educational integration of RASC in the EU by developing common standards and sharing best practices in policies and programme development and evaluation, with a specific focus on the needs of vulnerable groups (e.g. children who have been victims of crime and unaccompanied children). The project aims to contribute to the development of a common approach for addressing the educational needs of refugees and asylum seekers by identifying best practices⁷ in the integration of refugee children in education. Project partners and individual experts have prepared reports on thirty two countries describing best practices and offering situational analyses in the field of educational integration of RASC. Programme evaluations of selected initiatives have been conducted in three Western European EU Member States (Italy, Sweden and Austria), along with impact assessments for their implementation in two Eastern European countries (Bulgaria and Slovenia).

The INTEGRACE project delivers a firm political message that the integration of RASC should not be considered a luxury, but should form a fundamental element in an educational institution's mandate at a time when those it caters for are becoming increasingly diverse. The wide range of Member States covered subsumes a great diversity of country-specific social, economic and political backgrounds, as well as of migration situations and refugee population profiles, national education systems, etc.

The scope of the practices examined in the field of educational integration of RASC has been kept as broad as possible. There are no restrictions to specific educational areas and levels, institutional set-ups and organisational forms, educational methods and techniques, etc. A systematic approach has been adopted which considers how all features of the country's schools, education systems, national

and local institutions, and society as a whole help or hinder the integration of RASC. It is within this context that the following educational practices are explored:

1. Educational policies at European, national and local level.
2. Educational programmes for RASC.
3. Curricula, methods and techniques relevant to RASC.
4. National and local educational projects targeted at RASC.
5. Administrative measures to solve specific problems of RASC.
6. Additional activities and opportunities for out-of-school-hours learning.
7. Services provided to refugee children and families to help with their immediate needs.
8. Measures to ensure a safe and secure school environment for RASC.
9. Involvement of key stakeholders (families, refugee and migrant groups, local receiving communities, non-governmental organisations, and others).
10. Relevant funding schemes.
11. Monitoring and evaluation methods.

In the context of this specific project, a working definition of integration has been adopted, following the EC policy paper "Immigration, Integration, and Employment":⁸

"A two-way process based on mutual rights and corresponding obligations of legally resident third country nationals and the host society which provides for full participation of the immigrant. This implies on the one hand that it is the responsibility of the host society to ensure that the formal rights of immigrants are in place in such a way that the individual has the possibility of participating in economic, social, cultural and civil life and on the other, that immigrants respect the fundamental norms and values of the host society and participate actively in the integration process, without having to relinquish their own identity."

This definition is a good starting-point, but it does not refer specifically to the integration of RASC into

⁷ The concept of 'best practice' is interpreted in a broad sense, so the term 'good practice' will also be used as equivalent.

⁸ Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions on immigration, integration and employment /* COM/2003/0336 final*/, available at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52003DC0336:EN:HTML>

the education system of the receiving country. Thus, a more detailed understanding of the educational integration of RASC has been developed along three basic principles as part of a two-way process:

1. RASC (including those with subsidiary forms of protection) should have full access to education under the same conditions as nationals and be given the opportunity to demonstrate similar educational achievements;
2. Education as a vehicle for cultural integration should further effective acculturation, i.e. familiarisation of RASC with the main components of the host society's culture;
3. Unequal treatment of RASC in the education system and different forms of discrimination (xenophobia, racism, anti-semitism, islamophobia, etc.) should be combated.

A child rights approach and its underlying principles (empowerment and accountability, non-discrimination and equality, participation, indivisibility of rights, respect for the voice of the child) have been incorporated in the relevant criteria for identification of good practices of educational integration of RASC. Starting from the concept of integration we have adopted and the rights-based approach, several specific areas of analysis have been identified:

1. Access and enrolment;
2. Quality of education;
3. Enhanced protection;
4. Empowerment and participation.

The research conducted by the project team has comprised all twenty-six EU Member States participating in the European Refugee Fund (ERF), as well as Denmark, Norway, and four Western Balkan states at various stages on their way to EU Membership (Serbia, Montenegro, Croatia and Bosnia and Herzegovina). The project partners have investigated best practices in the educational integration of refugee children in their country as well as in several other European countries that are geographically and/or linguistically close to their own. Where the target group is relatively small (for instance in Estonia), best practices in the design and implementation of preparedness programmes have been reviewed. Where best practices are lacking (Bulgaria being a notable example), a situation analysis also highlighting areas needing improvement has been prepared.

The main target group and direct beneficiaries of the INTEGRACE project are children who have been granted refugee status or are seeking asylum in EU Member States participating in the ERF, as well as Denmark, Norway, Serbia, Montenegro, Croatia and Bosnia and Herzegovina. However, children with subsidiary protection status, temporary protection status and humanitarian residence permits have also been included as target groups. The definition of 'children' is based on the United Nations Convention on the Rights of the Child (CRC), i.e. all persons below the age of eighteen. Unaccompanied minor migrants are also discussed, including those who have not applied for asylum.

In order to collect information regarding successful initiatives and policies for the educational integration of RASC, the project team used the following sources of information:

- academic research and publications;
- reports by government institutions of EU Member States;
- reports by EU institutions and agencies;
- reports and studies by other international organisations;
- reports and studies by non-governmental organisations in EU Member States;
- interviews with stakeholders, conducted by telephone or in person during fact-finding visits (primary data);
- on-site visits.

The following methods have been used to collect data.

- **Desktop research**

This involved gathering information on background studies, stakeholder information, and relevant resources for the development of data collection tools. Reports by governmental institutions in the EU Member States, legislation (international, EU and national), as well as project reports and academic research in this area have been used as a source of information about policy initiatives undertaken by the countries in the field of educational integration of RASC.

- **Official correspondence**

The main purpose here was to collect information from relevant institutions and experts on existing

policies, programmes and initiatives for the educational integration of RASC and specific cases (governmental institutions related to refugees, refugee camps, detention centres, UNHCR offices in each country, ministries of education, municipalities or other regional structures, NGOs, schools, other institutions providing educational courses for RASC and/or their parents).

- **Interviews**

These were conducted with policy makers, representatives of public and private organisations running relevant programmes, NGOs and academic institutions, practitioners, teachers (especially teachers with refugee backgrounds) and where possible with parents of RASC. The aim was to collect data on policies, stakeholders and best practices, as well as to gain an understanding of the main strengths and weaknesses of the policies and programmes for the educational integration of RASC.

- **Observations**

These involved collecting first hand information on the places where RASC were being taught (i.e. schools, classrooms in refugee camps and detention centres), and places where educational courses were being provided for RASC (NGO offices, etc.).

Each project partner and/or individual expert summarised the results and conclusions regarding the best practices identified in the respective EU countries in written form and produced a country report.

3. INTEGRATION – TYPOLOGY OF MODELS

“We need to be in contact with any people! All people! To be able to go to their homes. I feel a little bit scared because I don’t know the people here.”

16-year-old male asylum seeker in Norway

Educational integration is understood as a “dynamic approach of responding positively to pupil diversity and of seeing individual differences not as problems, but as opportunities for enriching learning.”⁹

“I’m not comfortable with generalizations or details; only their encounter satisfies me,” writes Tzvetan Todorov.¹⁰ The interplay between generalisations and ‘details,’ like empirical realities, will be the focus of this chapter. It aims to analyse the concept of integration in two ways.

- **Typologically:** to compare the different models of management of ethno-cultural diversity and examples of countries which come more or less close to these ideal types;
- **Diachronically:** to study how the concept of integration has evolved over the past decades, oscillating between more ‘multiculturalist’ and more civic ‘republican’ understandings.

The author shares Gary Freeman’s scepticism that “efforts to capture variations in typologies of incorporation schemes is likely to prove both futile and misleading”¹¹ and that the variations between countries are significant: “Efforts at accommodation have run from apparent willingness to see immigrant minorities permanently excluded from full membership in the host society, insistence on more or less complete assimilation into a presume national cultural norm, to more or less enthusiastic capitulation to multiculturalism.”¹²

The European academic and political context can be summarised in four ways:

- Immigration has been taking place in Europe for more than a century, but the road from reality to identity has proved to be long and hard.

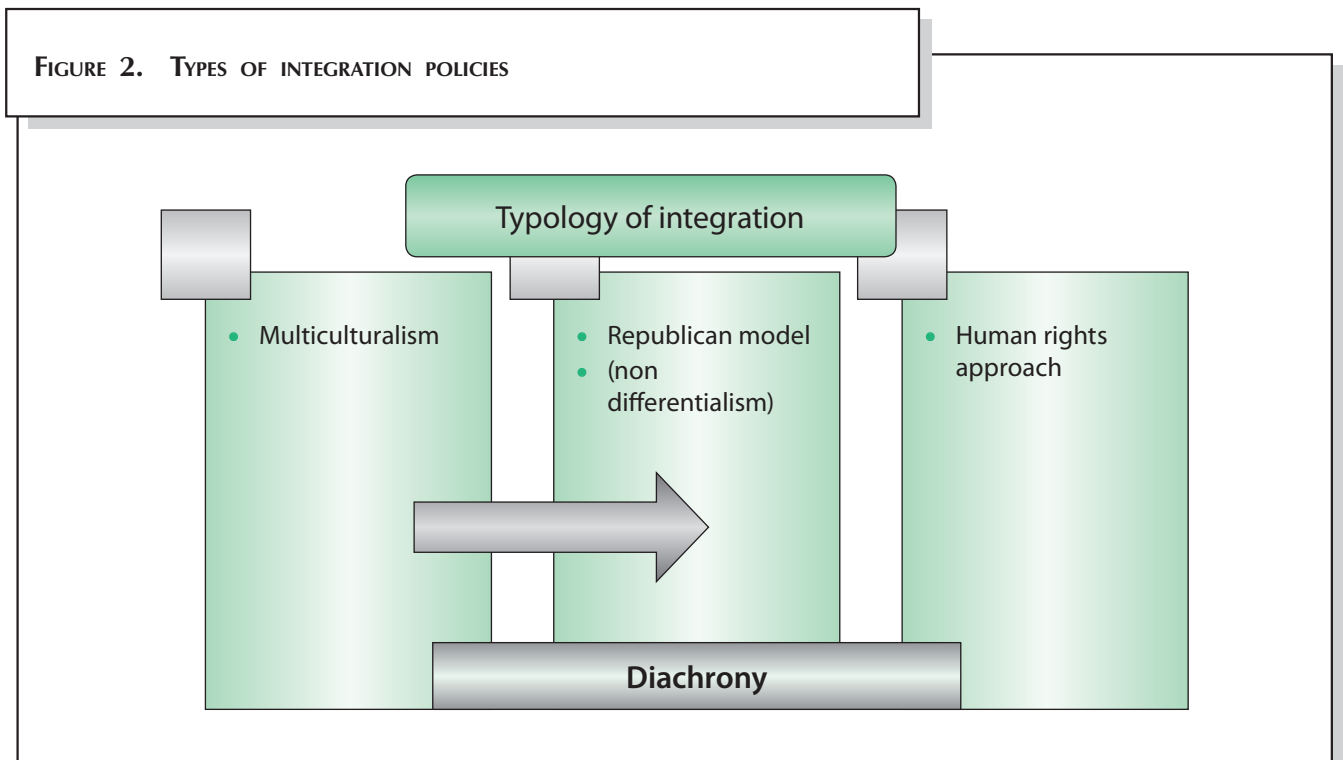
“The European states have consistently seen themselves as non-immigration countries, in contrast to countries like Canada, Australia and the US. While the rhetoric about being ‘nations of immigrants’ is strong in the latter countries, it has

⁹ UNESCO (2005a), *Guidelines for Inclusion: Ensuring Access to Education for All*. Paris. p. 12.

¹⁰ Todorov, Tzvetan. (1993) *On human diversity*. Cambridge: Harvard University Press. p. XIII.

¹¹ Freeman, Gary. (2004) “Immigrant incorporation in Western democracies”, in: *International migration review*, Vol. 38, N 3, pp. 945-969, p. 945.

¹² Freeman, Gary. (2004) “Immigrant incorporation in Western democracies”, in: *International migration review*, Vol. 38, N 3, pp. 945-969, p. 945.



been absent in Europe despite the fact that some countries have had higher immigration rates than the classical immigration countries."¹³

- b. Controlling immigrant flows and ensuring the inclusion of new settlers were separate policies for a long period, the first based on national security and the second on solidarity, tolerance and human rights. Now they are becoming increasingly interconnected: "Integration policy measures are used to select those immigrants that are able and willing to integrate and deter those who are not."¹⁴
- c. The European Union is characterised, on the one hand, by a large variety of immigration experiences and, on the other, by a communitarisation of migration policy. A framework for common migration policies was introduced in 1997, followed by one for integration policies in 2003.
- d. One of the political illusions of post-communism was that the ethno-cultural lesson was an easy one to learn. Post-communism was both eager and ready to learn the correct, democratic way of management of minority and migration issues,

and to apply it to respective groups in the various countries. This turned out to be a much more difficult task than originally envisaged, for two reasons. Firstly, there are several models of integration in Europe. Secondly, countries evolve over time; they revise or reject former policies and develop new ones. The elaboration of a balanced and fair model for dealing with change is a test of political maturity of both elites and civil society.

The integration policies of EU countries can be classified as belonging to three types: interculturalism/multiculturalism, non-differentialism, and a human rights approach.

3.1. Interculturalism/multiculturalism

Interculturalism is based on the idea of the public expression of ethnic, linguistic and religious differences between children and a school which assumes the responsibility to encourage them. Ireland offers an elaborate political definition. It stems from the understanding of integration as

¹³ Penninx, Rinus, Dimitrina Spencer and Nicholas Van Hear. (2008) Migration and integration in Europe: the state of research. Oxford: COMPAS, p. 5.

¹⁴ Penninx, Rinus, Dimitrina Spencer and Nicholas Van Hear. (2008) Migration and integration in Europe: the state of research. Oxford: COMPAS, p. 6.

a bilateral process aiming to integrate migrants within Irish society and Irish society with migrants). Intercultural education “respects, celebrates, and recognises the normality of diversity in all areas of human life. It promotes equality and human rights; challenges unfair discrimination.”¹⁵ The intercultural approach promotes interaction, collaboration and exchange with people of different cultures, ethnicity or religion living in the same territory.¹⁶ Interculturalism is clearly defined and emphasised in several reports.

Poland has chosen this model: “The school has a duty to support students in maintaining their national, ethnic identity, practicing their religion, and using their mother tongues.”¹⁷ Intercultural sensitivity and openness of a school to cultural diversity is expressed by key indicators of identity like language and religion, as well as in other aspects like dress code and gender relations: “Chechen girls are allowed to exercise in long trousers or skirts during physical exercise classes. Pupils are allowed to attend swimming classes separately from boys.”¹⁸ Reforms in the education of migrants and refugees in Luxembourg saw the introduction of intercultural approaches, diversity training of teachers and intercultural mediators.¹⁹

Stakeholders involved in RASC education and migrant integration quite frequently share a multiculturalist perspective; however, in a number of countries, this view is not supported either by the decision makers or the general public. The report on Malta examines this divergence: the director of a primary school acknowledges that “Malta is a multicultural society – a fact still denied by many Maltese people; some even deny the possibility of Malta becoming a multicultural society.”²⁰

3.2. Non-differentialism

As the Report on Belgium puts it: “The liberal vision of individuals as autonomous beings, dominant in the West, sees participation in society as an autonomous choice.”²¹

France has always been the classic example of a civic republican approach. It resists multiculturalism because of the understanding of a direct link between the state and the citizens, not mediated by communities. This conception is deep-rooted

in the French political culture. The INTEGRACE study provides evidence for this approach. France deliberately chooses not to apply specific programmes for RASC. Differentiation is not encouraged; on the contrary, it is considered an impediment to integration:

“The offer of special programmes for educational accompaniment has never been addressed specifically to the refugees... This is the result of a deliberate choice not to regard refugees as a particularly weak or needy group. This approach is regarded positively by the interviewees, who consider the school environment a context of integration in which excessive differentiation would not be positive.”²²

Integration policies in various countries, such as France, Spain, the Netherlands and Sweden, avoid ethnic, cultural and religious distinctions and construct broad categories. The focus of integration policies is not on RASC, defined as such, but on ‘newly-arrived’ children: “In the last ten years the focus of integration policies has moved to newly arrived primo-arrivants.”²³

Sometimes policies go a step further and bracket RASC together with non-migrant children. ‘Students with special needs’ (NEE – Necesidades Educativas Especiales) is the social category used by Spain in order to group RASC together with newcomers as well as some native-born children: “A student is regarded as an NEE candidate when educational and/or linguistic lacunae are evident. NEE also encompasses students with physical, psychological and/or social problems.”²⁴ The Netherlands employs a similar approach. In the context of educational policies, RASC are often targeted as members of the categories of ‘socially disadvantaged children’ and ‘children with special needs.’

¹⁵ Country Report: Ireland.

¹⁶ Country Report: Portugal.

¹⁷ Country Report: Poland.

¹⁸ Country Report: Poland.

¹⁹ Country Report: Luxembourg.

²⁰ Country Report: Malta.

²¹ Country Report: Belgium.

²² Country Report: France.

²³ Country Report: France.

²⁴ Country Report: Spain.

3.3. Human rights approach

Education has formally been recognised as a human right since the adoption of the Universal Declaration of Human Rights in 1948. This has since been reaffirmed in a number of significant human rights treaties, such as the Convention against Discrimination in Education (1960) and the International Covenant on Economic, Social and Cultural Rights (1966). These treaties established an entitlement to free compulsory primary education for all children.²⁵

The human rights based approach was developed by the UN and is applied by its agencies to education, health, employment, etc. Some of its principles are particularly relevant to the educational integration of RASC: universality, inalienability, equality and non-discrimination. A person cannot voluntarily give up their human rights; nor can others take them away. All human beings throughout the world are entitled to these rights without discrimination of any kind, be it on the basis of race, colour, ethnicity, language, religion, national or social origin, birth or other status.²⁶ This is based on the idea of human development expanding people's choices, with education being one of its three main pillars.

The human development paradigm does not regard people as passive beneficiaries of economic and social activities. People must become active agents of social change. This implies opportunities for participation, empowerment, and access to information.²⁷ The human rights based approach is an alternative to the needs-based or service-delivery approach.²⁸ People are recognised as key players in their own development, rather than passive recipients of commodities and services (UN 2003).

The human rights approach is most clearly set out by the authors of the reports on Germany and Austria:

“Human rights highlight the empowerment of the right-holder – here: child refugee and asylum-seeking children – and the accountability of duty-bearers – here: primarily the government, with its relevant authorities in areas such as asylum and migration, education, social assistance and child and youth welfare services.”²⁹

This thorough and elaborate definition demonstrates the high normative pathos of the human rights approach. The integration conceived by the human rights perspective is extremely ambitious and mobilises several other politico-normative categories, such as equality, non-discrimination, participation, empowerment and accountability.

Most countries mix elements, practices, experiences and experiments inspired or imported by one or the other of the main models.

The **diachronic analysis** is as eloquent as the typological one. It shows that policies are not crystallised models; the same countries can shift from one conception of integration to another, sometimes the opposite one. The Dutch report is the most explicit concerning this. Three stages are distinguished:³⁰

1. Initially, Dutch policy-makers assumed that migrants' stay would be temporary and did not encourage any form of integration.
2. Policies introduced in 1983 encouraged immigrants to integrate while retaining their own cultural identity, and set up special programmes to improve educational opportunities and increase

²⁵ UNICEF and UNESCO (2007), A Human Rights-Based Approach to Education for All – A Framework for the Realization of Children's Right to Education and Rights within Education. UNICEF/UNESCO, 2007. Available at: <http://unesdoc.unesco.org/images/0015/001548/154861e.pdf>, p. 7.

²⁶ UN (2003), The Human Rights-Based Approach to Development Cooperation: Towards a common understanding among UN agencies, Report of The Second Interagency Workshop on Implementing a Human Rights-based Approach in the Context of UN Reform. Stamford: UN, available at: http://hrbportal.org/?page_id=2127.

²⁷ Fukuda-Parr, Sakiko and A.K. Shiva Kumar (eds.) (2005) Human Development: concepts, measures and policies for a development paradigm. New York: Oxford University Press.

²⁸ UNICEF and UNESCO (2007), A Human Rights-Based Approach to Education for All – A Framework for the Realization of Children's Right to Education and Rights within Education. UNICEF/UNESCO, 2007. Available at: <http://unesdoc.unesco.org/images/0015/001548/154861e.pdf>, p. 9.

²⁹ Country Report: Germany.

³⁰ In the first phase, these policies targeted mostly Turkish and Moroccan 'guest workers', but the policy analysis has a broader relevance.

labour market participation.

3. Towards the end of the 1990's support for these 'multicultural' policies declined sharply, ushering in a new approach to integration. This focused on learning Dutch and accepting Dutch cultural norms. A similar shift can be observed in many European countries, but since Dutch policies had previously been overtly 'migrant-friendly', the change was felt all the more keenly.³¹

For two decades the Netherlands had exemplified a multiculturalist society. Today, the country is again part of a new trend, moving towards more restrictive immigration policies and a more assimilationist understanding of integration. The new political fashion shifts the focus: while previously the emphasis was on the state and its responsibilities, the migrant/refugee has now become the main agent of integration and is to assume much greater responsibilities. The host, who was once friendly and welcoming, has become demanding and insistent. The burden – financial, cultural, and social – of integration is increasingly being placed on migrants'/refugees' shoulders.

The same policy shift from integration as a shared responsibility and two-way process to the migrant as a key bearer of responsibility is observed in Belgium:

"In the 1990's the term 'integration' still implied a two-way process, in which both the host society and migrants would adapt themselves to each other. From about 2000, however, the term was used increasingly to refer simply to what migrants had to do; this shift can be observed in many European countries, as the backlash against multiculturalism set in."³²

The INTEGRACE study confirms a more general trend, with many North-West European countries moving away from a previous conception of integration policies which "focused on the position of newcomers in society to one that is primarily focussing on the cohesion of

societies as a whole and on commonalities that are supposed to be crucial for such social cohesion."³³

Gary Freeman is more explicit in describing this shift:

"Post-1960s scholarship delegitimised assimilation as either a policy goal or analytical concept, but there is growing concern this critique went too far. Alba and Nee have bravely called for the resurrection of the assimilation model properly modified. Others [like Brubaker] detect evidence of a return to assimilationist policies in Western democracies."³⁴

The comparative study demonstrates there is no one best model for the educational integration of refugee children, but a variety of experiences which often resemble a patchwork: a collage of practices, projects, innovation and experience. The time of the big ideological models is over and the new ones rely more on the imagination and activities of social actors. The INTEGRACE study of educational integration of RASC confirms the more general trend that "states possess a patchwork of multidimensional frameworks that hardly merit the appellation 'type.' Some elements of these frameworks are similar across states, while others are not; some are consistent with stated government goals with respect to immigrant incorporation, whereas others are not."³⁵

4. POLITICS, POLICIES, GOVERNANCE

"It takes courage to be a refugee! Everyone comes from desperation. Everyone would like to live where he was born."

15-year-old male asylum seeker in Norway

Immigration presents challenges for both politics and policies.

³¹ Vasta (2007) quoted in the Country Report: the Netherlands.

³² Country Report: Belgium.

³³ Penninx, Rinus, Dimitrina Spencer and Nicholas Van Hear. (2008) Migration and integration in Europe: the state of research. Oxford: COMPAS, p. 6.

³⁴ Freeman, Gary. (2004) "Immigrant incorporation in Western democracies", in: *International migration review*, Vol. 38, N 3, pp. 945-969. p. 946.

³⁵ Freeman, Gary. (2004) "Immigrant incorporation in Western democracies", in: *International migration review*, Vol. 38, N 3, pp. 945-969. p. 946.

The term **'politics'** refers to the instrumentalisation of immigration by political actors and the role of (anti-)immigration discourse for the political identity and strategy of a number of parties in various countries. This dimension remains beyond the scope of the present study, but is crucial for making sense of public policies. The political discourse defines the priorities and opens or restricts policy-makers' horizons. In Norway and Denmark right-wing parties have strengthened their positions.³⁶ In Sweden the party 'Sweden Democrats' entered the Parliament (2010) with a very conservative agenda to dramatically revise the migration policy, which they qualified as "too permissive and generous."³⁷

The securitisation of immigration policy in the last decade also strongly influences the modalities, forms and funding of integration. The UK clearly illustrates this trend. The drive of the previous British government for a comprehensive refugee integration policy led in 2004 to the issuing of "Aiming High: Guidance on Supporting the Education of Asylum-Seeking and Refugee Children." "The change of government in 2010 led to the archiving of national good practice guidelines and their removal from the website of the Department for Education. These good practice guidelines are no longer being promoted."³⁸ In several countries the reports identify two opposite trends: the societies have become more diverse in terms of demography, workforce and cultural practices, yet politicians are increasingly hostile to multiculturalism. Hopefully, the INTEGRACE project will introduce a more reasonable note into this discourse by showcasing good practices of openness and inclusion.

The term 'policies' refers to a variety of public policies, some of which are specifically educational and concern the inclusion and integration of migrant and refugee children. The State has primary

responsibility for the realisation of the right to education. It has the obligation to fulfil this right by "ensuring that education is available for all children and positive measures are taken to enable children to benefit from it."³⁹ Governmental agencies should be held accountable for the access and quality of education. UNESCO sets the standards for a good policy of educational integration: transparency, accountability, access to justice and stakeholder participation.⁴⁰ Norway provides an original example of institutionalisation of governmental accountability by employing an Ombudsman for children. Although the Ombudsman is administratively under the jurisdiction of the Ministry for Children and Family Affairs, neither the Norwegian Parliament nor the Government have the power to instruct the Ombudsman. The duties of the Ombudsman are to promote the interests of children vis-à-vis public and private authorities.⁴¹

Our analysis emphasises three groups of political factors which have an impact on educational integration, and measures their degree of relevance. The first group of factors concerns the issue of integration and the way it is articulated in political discourse. The second sheds light on the political interest in strategies and programmes guiding public policies. The third asks the question how the centralisation or decentralisation of education and integration practices influences their effectiveness.

The concept of integration has different political visibility in the countries which have been analysed. In some, it enjoys clear legal and political definitions and is articulated in activities, assigned responsibilities, and timetables in strategies and programmes. In others, such as Malta, no integration plan has been developed.

Therefore, two opposite cases can be identified. The Maltese one illustrates the first, a negative

³⁶ However, the September 2011 elections in Denmark seem to have called a halt to this shift. The mass murders by Anders Breivik in Norway in July 2011 also led to a backlash against extreme right-wing politicians.

³⁷ Country Report: Sweden.

³⁸ Country Report: United Kingdom.

³⁹ UNICEF and UNESCO (2007), A Human Rights-Based Approach to Education for All – A Framework for the Realization of Children's Right to Education and Rights within Education. UNICEF/UNESCO, 2007, p. 39. Available at: <http://unesdoc.unesco.org/images/0015/001548/154861e.pdf>

⁴⁰ UNICEF and UNESCO (2007), A Human Rights-Based Approach to Education for All – A Framework for the Realization of Children's Right to Education and Rights within Education. UNICEF/UNESCO, 2007, p. 122. Available at: <http://unesdoc.unesco.org/images/0015/001548/154861e.pdf>

⁴¹ Country Report: Norway.

interdependence: the lack of political definition implies a lack of consistent integration policy and vice versa. Malta has not devised a national integration plan and in terms of integration it ranked twenty-third out of twenty-eight countries in Europe.⁴² Poland demonstrates the opposite extreme: integration is not defined in any legal document, but the country has a good record of RASC integration.

4.1. Politics and representations

Political will and commitment are crucial prerequisites for the success of educational integration. Politics and public opinion are interdependent. The fluctuations of the latter are expressed in political parties' discourse and electoral attitudes. They do not determine but strongly influence the orientation of both politics and policies. The last half century has seen a significant shift from positive and supportive attitudes towards refugees to more negative representations and demands for restrictive measures. Two factors are crucial for this change: overall numbers and educational levels. The less numerous and the more educated the refugees, the more positive the public support, while the more numerous and less educated they are, the more restrictive and negative the representations. The Dutch report explains these developments:

“During the period 1950 – 1985, the image of refugees and asylum seekers was very different from that of labour migrants: refugees were often fleeing from despised regimes and many were middle-class, educated dissidents. The public thus held a much more favourable opinion of refugees than of migrants. In the last ten years almost all political parties have adopted an increasingly hard line on immigration and integration.”⁴³

This analysis refers to Netherland, but it also applies to some extent to all major European countries with significant immigrant flows. Legislative and policy changes in the UK are moving in the same direction: building ‘barriers’, hence making the legal entry of asylum seekers much more difficult; restricting asylum seekers’ social and legal rights, including the right to work, benefits, housing and higher education; tightening the criteria by which asylum cases are judged, so that proportionally more asylum seekers are refused refugee status or ELR (exceptional leave to remain) than in the late 1980s.⁴⁴

The political discourse on immigration, security and borders defines the frames within which policies of educational integration are located. The increasing focus on security succeeds in marginalising foreigners in several cases; however, in some countries, integration still defends a central position. In Norway the discourse on the need to control national borders competes with the discourse on the protection of the child, while in Denmark the former discourse is more predominant.⁴⁵

4.2. Strategies

The political weight of educational integration of RASC can be measured by the type of political documents upon which the policy rests. In this chapter, we will examine the strategic plans and programmes developed by some states. These testify to the significant political attention that integration has received and contribute to the policy’s sustainability.

The Irish approach is exemplary. Ireland has opted for two strategies covering both the object (the children), and the means (intercultural education). The “National Children Strategy” (2000) advocates a ‘whole children perspective’: all children are nurtured and supported by the family and wider society, where they enjoy a fulfilling childhood and realise their potential. The right of all children to play and the right to recreational facilities are also identified as basic needs.⁴⁶ Ireland is a pioneer in developing its “Intercultural Education Strategy” for 2010 – 2015, which aims to support and improve the quality, relevance and inclusiveness of education for every learner in Ireland, as well as to ensure that:

“All students experience education, which (...) respects the diversity of values, beliefs, languages and traditions in Irish society and is conducted in a spirit of partnership...”⁴⁷

⁴² Country Report: Malta.

⁴³ Country Report: the Netherlands.

⁴⁴ Country Report: United Kingdom.

⁴⁵ Country Report: Norway.

⁴⁶ Country Report: Ireland.

⁴⁷ Ireland/Number 51 of 1998/Education Act.

All education providers are assisted with ensuring that inclusion and integration within an intercultural environment become the norm.⁴⁸

Lithuania has also developed an “Action plan: Education for all” for the period 2003 – 2015. Portugal too has adopted a similar approach as demonstrated in the Ministry of Education’s *Action Plan*, which is devised and implemented to support students, whose first language is not Portuguese, encouraging cultural pluralism and ensuring that immigrant and refugee students are integrated into mainstream education.⁴⁹ Luxembourg’s “National Action Plan on Integration and Against Discrimination 2010 – 2014” makes provisions in the field of education, such as training educational personnel in intercultural skills and launching an overhaul of educational counselling and orientation tools.⁵⁰

Although all countries need a strategic vision and policy document articulating the priorities in both short and long term perspectives, for most this has still not become a reality. Austria adequately sums up this paradox in the following way:

“In the ‘National Plan of Action for Integration’, which was adopted by the Government on 19th January 2010, refugees are mentioned only once in the beginning of the NPA, and there is no mention of asylum seekers. A comprehensive integration strategy with short-, medium- and long-term measures specifically designed for refugees and asylum seekers (both adults and children) has not yet been developed.”⁵¹

Policy documents such as strategies, programmes, and plans formulate the ‘philosophy’ of integration and often define the instruments and mechanisms with which to achieve it: The *Equality Act* (2001) in the UK streamlines race, gender and disability duties into a single requirement.⁵² Schools in the UK are required to produce a three-year school development plan – a strategic document that sets performance targets.⁵³

Strategies are an important policy instrument: they attest to the political maturity of decision-makers and contribute substantially to the sustainability of policies. They are of great relevance in the analysis of positive political factors impacting on the integration of RASC.

4.3. Policies versus projects

The question arises: where should good practices be located? Two loci compete to ‘host’ them – namely policies and projects, i.e. the governmental and the non-governmental sector. The former mobilises state resources while the latter relies more upon key individuals in civil society and short-term funding at lower levels. The first is more sustainable, whereas the second illustrates the vitality of solidarity, the spirit of innovation, and a sense of shared responsibility.

The comparative analysis should depart from the assumption that the significance of the distinction between the governmental and civil sectors is different in the various INTEGRACE countries. For example, according to some criteria the civil society workforce in the Netherlands is thirty-three times greater than in Sweden – yet both countries are welfare states in which voluntary work and the ‘private sector’ play minor roles.⁵⁴ The NGOs working on RASC integration in the country belong to two different groups: one could be described as a civil society organisation (the more classic definition of an association), while the other is institutionally much closer to the governmental sector, being more like contractors.

“Many of the service providers, advisory bodies and centres of expertise dealing with RASC are only in a limited sense ‘non-governmental’. At the other end of the spectrum can be found more typical NGO’s such as action groups or lobbies, sometimes set up precisely to oppose government policy and usually independent of government funding.”⁵⁵

Both policies and projects may constitute good practices, but their scope, as well as their transferability, varies from country to country. The optimal solution of complementarity of policies and projects is not found in all case studies. The Belgium

⁴⁸ Country Report: Ireland.

⁴⁹ Country Report: Portugal.

⁵⁰ Country Report: Luxembourg.

⁵¹ Country Report: Austria.

⁵² Country Report: United Kingdom.

⁵³ Country Report: United Kingdom.

⁵⁴ Country Report: the Netherlands.

⁵⁵ Country Report: the Netherlands.

report describes some integration policies, but includes few examples of projects. Some countries like Estonia have a very limited number of projects, which could be explained by the limited number of RASC. The Bulgarian case is similar. Poland shares with Estonia and Bulgaria the same political past and for some time had a similar migration profile. However, path dependency did not play a role in this case, and today Poland can pride itself on its successful integration of RASC in terms of both policies and projects.

Path dependency does have explanatory value in another case: the Netherlands has kept a very good record in RASC integration, even after shifting to more restrictive immigration and integration policies. The 'path dependency' model explains the paradox that in spite of the increased hostility to migrants, integration policies remain favourable. This is due to the complex ensemble of institutions and individuals perpetuating the former situation.⁵⁶

The two main strengths of **policies** are their **sustainability** and their capacity for **anticipation**. The former is illustrated by the finding that the structural features of the education system could be very beneficial for RASC. Belgium, equalising policies and practices, is an interesting example: "Belgian policies with respect to the inclusion of RASC and adolescents into the education system are clearly good practices."⁵⁷ The sustainability of policies is expressed also by the capacity of governmental agencies to change and to back the new orientations by funding and personnel. Luxembourg has undergone substantial positive changes in educational integration and secured them by employing an expert on the education of refugee children in the Ministry of Education, as well as intercultural mediators.⁵⁸ However, we must not forget that policies can be withdrawn as well as introduced. They are only sustainable as long as they remain in force.

Estonia offers a good example of the capacity to anticipate and make efforts to prepare the education system for the challenges of RASC. Even though the country has an extremely small number of RASC – five altogether – the Ministry of Education has already published a book entitled "New Immigration Children and Estonian Education: Educational policy principles and educational administration."⁵⁹ This anticipatory policy allows the schools to react professionally to the first RASC.

Projects compete with policies to anticipate probable future trends or even unexpected developments. Estonia again offers good examples in this regard, developing projects for testing civil servants' readiness to work with RASC before a possible mass influx of refugees. The projects are more flexible and open to imagination and creativity. They result in the activity and participation of civil society actors and further endorse them. They suffer, however, from two major weaknesses: **dependency on EU funding** and **lack of sustainability**. Instruments for a smooth take-over by national authorities funding have yet to be developed by most countries, though there are good practices, such as the ones in Austria, which already provide follow-up funding for some initiatives.⁶⁰

Policies and projects differ also in terms of transferability. Policies are much more path dependent, and they stem from national political cultures and traditions in governance and integration. Policy makers seldom think very far 'outside the box.' Projects are smaller in scope and more focused on specific goals and target groups; they can be more innovative and in principle, they are easier to transfer between countries. This transferability is hampered by a major contradiction of EU funding schemes, which favour innovation over the adaptation and adoption of established good practices. Another restriction of the transferability of project-driven activities will be discussed in the chapter on good practices.

4.4. Programmes

Whether RASC should be identified as a distinct target group for educational measures is a major political question. The existing practices gravitate around two major clusters with a lot of intermediary practices in between.

- a. One set of practices is characterised by the development of specific programmes and by putting RASC into special classes. France offers special classes for pupils according to their level

⁵⁶ Country Report: the Netherlands.

⁵⁷ Country Report: Belgium.

⁵⁸ Country Report: Luxembourg.

⁵⁹ Country Report: Estonia.

⁶⁰ Country Report: Austria.

of studies: when pupils have received little or no education at all in their country of origin ('Elèves Non Scolarisés Antérieurement' – NSA), they are placed in specific reception classes according to age. If the pupils have already attended elementary school in their country of origin, they are offered some more specific study hours, which generally deal with teaching French. In middle and high schools, recently arrived foreign students are dealt with through CLA ('Classes d'Accueil').⁶¹ Estonia also gravitates around this cluster with its practices of personalised approach and individual curricula for RASC. It illustrates this by the good practice of a specialised school teaching each child individually, based on their age, language skills and personal preferences.⁶²

- b. The other cluster contains countries which integrate RASC in the general education system without specific measures. Austria is a case in point: "The Austrian education system hardly provides specific programmes, pedagogical measures. The development of projects, excursions and exchange programmes dealing with refugees still strongly depends on the individual engagement of teachers and school leaders."⁶³ The Austrian report is very critical on the lack of specific attention to the most vulnerable groups, such as unaccompanied children or child victims of crime.⁶⁴

There is also a trend of moving from one cluster to the other. The Netherlands is a typical example of a country in transition from schooling in classes defined by migrant status, to grouping children by (e.g.) language ability. Schools do not differentiate between nationals and non-nationals. Ireland follows the same path of an unsegregated approach for educational success. "Over the last decade segregated practice has been replaced in favour of age-appropriate integrated provision."⁶⁵

4.5. Local governance

The aim of this section is to identify how decentralisation impacts on the educational integration of RASC.

Several countries have opted for the decentralisation of educational integration responsibilities. In Belgium there is a clear division of tasks: the federal level has assumed controls on immigration,

while the community level is in charge of inclusion. The three Communities (Dutch-speaking, French-speaking and German-speaking) are in charge of all matters concerning the integration of 'newcomers' – including their education.⁶⁶ Similarly, decentralisation is a central feature of Hungary's public education administration.⁶⁷ Germany counts sixteen separate systems of education⁶⁸; there are eleven in Spain.⁶⁹ The Austrian education system is also characterised by a very distinct and complex decentralised system. In general, it can be stated that federal and provincial authorities have mixed competences in the areas of legislation and implementation.⁷⁰

In terms of responsibilities for the implementation of RASC educational integration, clear identification of the relevant level of governance is crucial. In terms of outcomes, it is much less relevant. We see that the countries which have opted for a more decentralised educational administration adhere to different models of diversity management. The real question is not so much which is the most appropriate level of governance, but rather how to improve integration measures. This paradox is emphasised in the Swedish report.

"The decentralization of the education system impacts in two opposite ways. From one side, it allows schools and municipalities to develop locally tailored solutions adapted to the composition of the migrant groups. From another side, there is a risk that municipalities or schools with less experience may not have the capacity to respond to linguistic and cultural diversity."⁷¹

Decentralisation of education

Debates conducted in educational institutions and the media seem to focus on how improved

⁶¹ Country Report: France.

⁶² Country Report: Estonia.

⁶³ Country Report: Austria.

⁶⁴ Country Report: Austria.

⁶⁵ Country Report: Ireland.

⁶⁶ Country Report: Belgium.

⁶⁷ Country Report: Hungary.

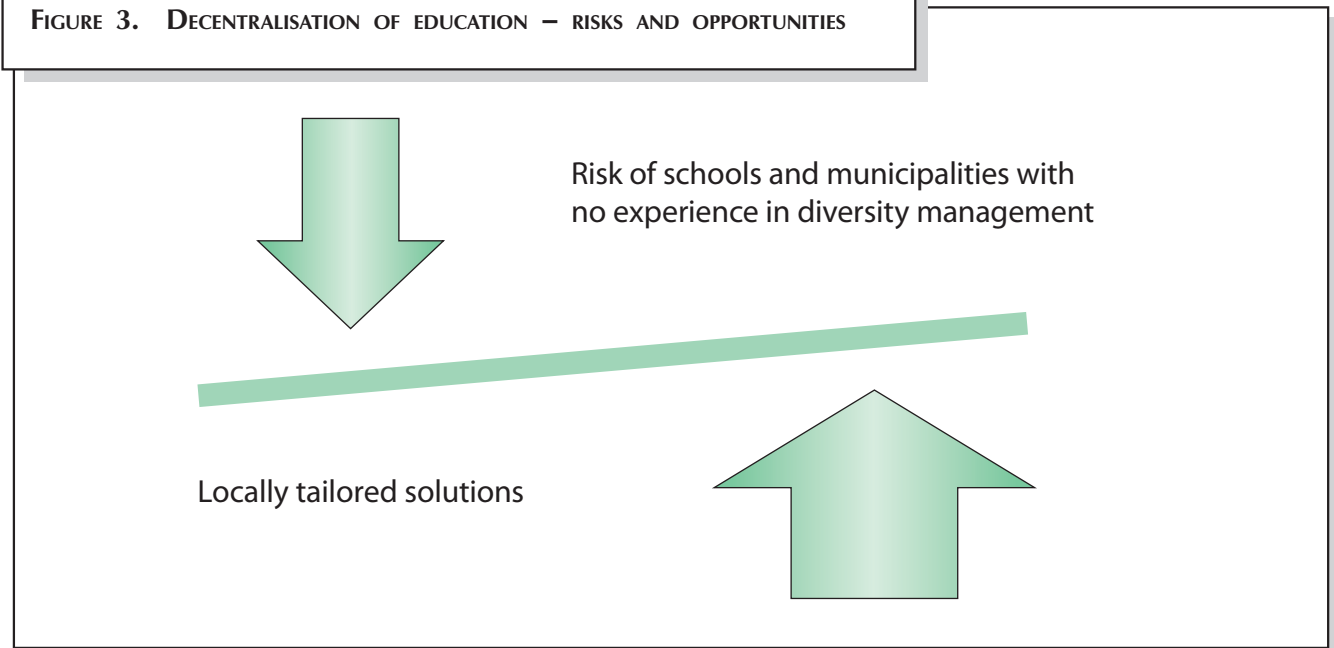
⁶⁸ Country Report: Germany.

⁶⁹ Country Report: Spain.

⁷⁰ Country Report: Austria.

⁷¹ Country Report: Sweden.

FIGURE 3. DECENTRALISATION OF EDUCATION – RISKS AND OPPORTUNITIES



support mechanisms can foster children’s success in the existing education system, rather than exploring possibilities for changing the structure of the system itself.⁷² Evidence can be found in several reports that one should not prioritise any level of governance, but rather develop integration within each of them, as well as improve the relations between them. Finland exemplifies good practices at a local level which, together with efficient policies, provide newcomers with stable conditions for integration.⁷³

5. EDUCATION AS EMPOWERMENT

“Develop children’s personalities, talents, and mental and physical abilities to their fullest potential.”

Convention on the Rights of the Child

If there is one thing about which unanimous consensus exists among academics and decision-makers, it is that education is the royal road to integration. The present study develops the idea of education as empowerment. Empowerment means improving people’s abilities to demand and exercise their human rights. The goal is to give

people the power and the ability to change their lives and influence their destinies.⁷⁴ Empowerment aims at helping people to overcome the passive, powerless position they may find themselves in by giving them tools (such as knowledge and skills) to become active agents in the fight for a better life. Empowerment is a powerful concept, because it places emphasis both on **right-holders** and their participation, and on **duty-bearers** with their obligations and responsibilities. The concept of empowerment builds on the idea that “people cannot not be developed; they must develop themselves.”⁷⁵ The Right to Education Project stresses that children should be recognised as key players in their own development, rather than be passive beneficiaries of services.⁷⁶

⁷² Country Report: Germany.

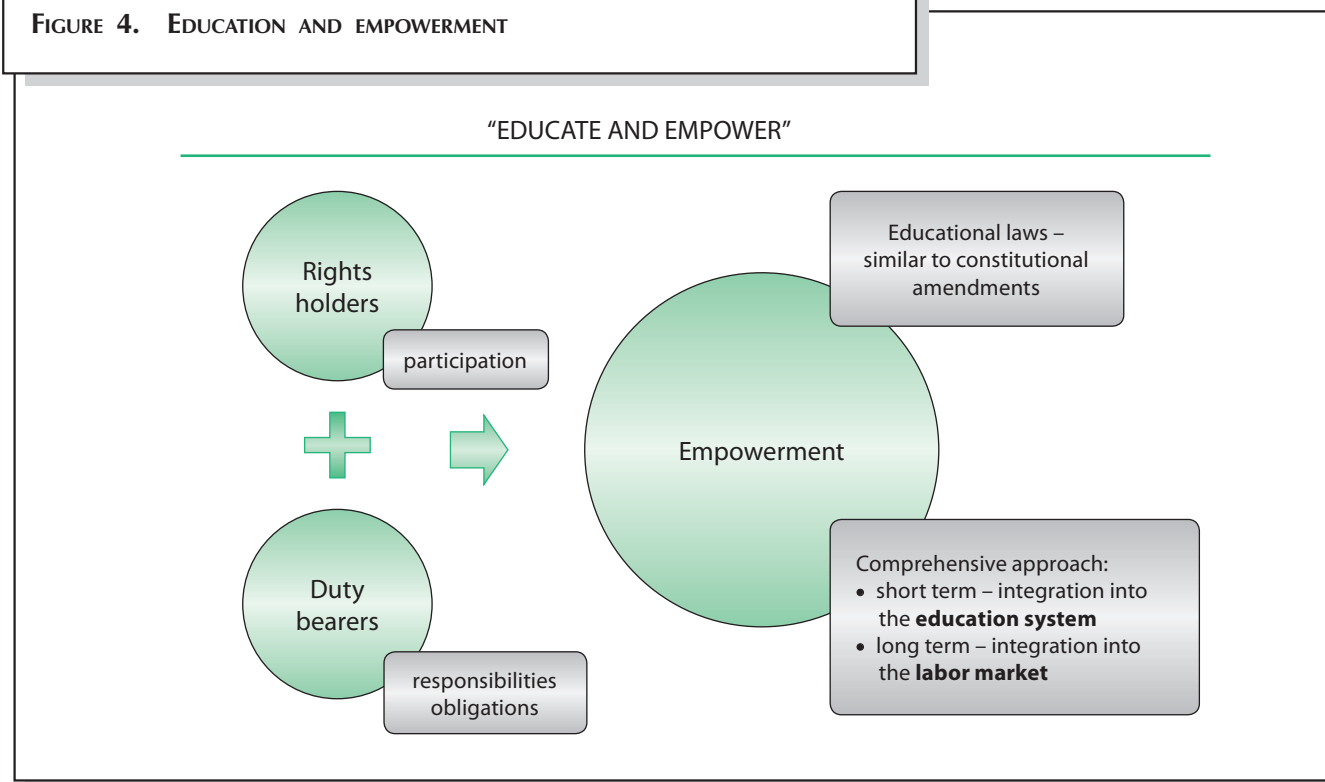
⁷³ Country Report: Finland.

⁷⁴ UNICEF and UNESCO (2007), A Human Rights-Based Approach to Education for All – A Framework for the Realization of Children’s Right to Education and Rights within Education. UNICEF/UNESCO, 2007, p. 10. Available at: <http://unesdoc.unesco.org/images/0015/001548/154861e.pdf>

⁷⁵ UNICEF and UNESCO (2007), A Human Rights-Based Approach to Education for All – A Framework for the Realization of Children’s Right to Education and Rights within Education. UNICEF/UNESCO, 2007, p. 14. Available at: <http://unesdoc.unesco.org/images/0015/001548/154861e.pdf>

⁷⁶ UNICEF and UNESCO (2007), A Human Rights-Based Approach to Education for All – A Framework for the Realization of Children’s Right to Education and Rights within Education. UNICEF/UNESCO, 2007, p. 14. Available at: <http://unesdoc.unesco.org/images/0015/001548/154861e.pdf>

FIGURE 4. EDUCATION AND EMPOWERMENT



Education can contribute to:

- overcoming the marginalisation of vulnerable groups;
- combating poverty and deprivation;
- integrating migrants;
- developing the full potential of pupils intellectually, socially and morally;
- empowering youngsters.

The idea of the long-term positive impact of education is cleverly formulated in the title of one Lithuanian project "Active integration today – success tomorrow."⁷⁷

An assumption of the INTEGRACE project is that education is "one of the most effective tools towards breaking the cycle of intergenerational poverty and deprivation,"⁷⁸ and that empowerment leads to autonomy. A strong political expression of the idea of empowerment lies within the understanding of **children as full citizens**. The Irish report emphasises this acute awareness from which the national policy on children's integration stems: "children are respected as young citizens with a valued contribution to make and a voice of their own."⁷⁹

Education is valued and ranks high among the key public issues. For such a perspective to be successful, it should be relatively independent of governmental majorities and political fluctuations. It requires a national consensus and legal procedures to reinforce and guarantee its high status. Austria is a case in point: "Enacting educational laws is similar to constitutional amendments, as it generally requires a qualified two-thirds majority in parliament and therefore an agreement/compromise among the main political parties."⁸⁰ 'Educate and empower' is a powerful idea which has inspired several projects and programmes in Austria, one of which is 'Dynamo' with its broad network of participating partners. The lesson to be learned from their experience is the **comprehensive approach**. Empowerment can be achieved only through a broad range of qualification skills and educational achievements of RASC aiming, in the short term, at integration into the education system, and in the long term, at integration into the labour market.⁸¹ The same comprehensive approach

⁷⁷ Country Report: Lithuania.

⁷⁸ Country Report: Ireland.

⁷⁹ Country Report: Ireland.

⁸⁰ Country Report: Austria.

⁸¹ Country Report: Austria.

is also employed by the 'Minerva' programme, which facilitates the integration of RASC into the Austrian education system, as well as offering a basic education based on the concept of life-long learning.⁸²

A strong sense of empowerment can be achieved through the active participation of refugees in various campaigns and civic initiatives. This is the conclusion of the assessment of the Spanish chatting campaign: participation is "an important opportunity to give meaning to one's experience and to gain a definition of one's situation in the community to which one has recently been introduced."⁸³

5.1. Child-centred pedagogy

"In all aspects of the education system, consideration of the child's best interests must be a primary consideration."

"Education must seek to promote children's optimum development."

Convention on the Rights of the Child

"The child-friendly learning concept promotes child-seeking, child-centered, gender-sensitive, inclusive, community-involved, protective and healthy approaches to schooling and out-of-school education."⁸⁴ The child-centred approach situates the child at the centre of the educational universe and requires that programmes and methods adapt to his/her needs rather than the other way round. It presupposes more flexible forms of teaching and organisation. In the classical approach, different curricula were developed for children with specific (dis)abilities and problems; in the child-centred approach, mainstream curricula should be adapted to cater for children with different

needs.⁸⁵ A flexible structure and timetable allow a less rigid and more inclusive approach. This pedagogy is particularly relevant to RASC.

5.2. The case of unaccompanied children

Unaccompanied minors (UM) who apply for asylum are subject to specific conditions in terms of the procedures for recognising refugees and within the system of reception and integration. They are regarded as an extremely vulnerable group. Some of them are not identified at the ports of entry and a long period of time may pass before they come to the attention of the authorities. The Irish study reports the alarming fact that "traffickers were most likely aware of the locations of the UM hostels and whether they were staffed appropriately by qualified childcare workers."⁸⁶ Unaccompanied children are sometimes victims of trafficking and thus a high risk group: "The majority of UM are adolescents, who are at risk of engaging in unsafe sexual behaviour, drug and alcohol abuse. They are particularly at high risk of sexual exploitation and of being trafficked or re-trafficked."⁸⁷

The phenomenon of unaccompanied asylum-seeking minors is relatively recent, having emerged in the second half of the nineties. Europe is the most popular destination and hosts 81 per cent of the flows: in 2009, it received 15,100 of the 18,700 claims lodged globally.⁸⁸ The flows of these UM are uneven and vary significantly from one country to another. At one extreme is Estonia, where UM are not identified; at the other are the United Kingdom, France, Germany, and Sweden, with large numbers of UM. However, data are particularly scarce and unreliable and different sources provide different figures. Analysing the contradictions in the data is not the object of this comparative report,

⁸² Country Report: Austria.

⁸³ Country Report: Spain.

⁸⁴ UNICEF and UNESCO (2007), A Human Rights-Based Approach to Education for All – A Framework for the Realization of Children's Right to Education and Rights within Education. UNICEF/UNESCO, 2007, p. 66. Available at: <http://unesdoc.unesco.org/images/0015/001548/154861e.pdf>

⁸⁵ UNESCO (1994), Salamanca Statement and Framework for Action on Special Needs Education. ED-94/WS/18. Adopted by the World Conference on Special Need Education: Access and Quality. Salamanca, Spain, 7-10 June 1994. Available at: <http://unesdoc.unesco.org/images/0009/000984/098427eo.pdf>

⁸⁶ Country Report: Ireland.

⁸⁷ Country Report: Ireland.

⁸⁸ Country Report: United Kingdom.

which aims to identify the main types of countries and trends of UM. France has a very high record of about 6,000 in total (500 entries per year); the stock is considerable and the trend is growing.⁸⁹ In Germany the total number is high (3,000), yet the trend has decreased significantly over the last decade – from 1,075 in 2001 to 180 in 2007, rising again to 324 in 2008.⁹⁰ In Sweden the number of unaccompanied minors has increased constantly, from a total of 398 in 2005 to 2,250 in 2009.⁹¹

Between the two extremes there are a variety of cases: uneven flows in Norway, very low numbers in Malta and the Czech Republic, an increasing trend in Hungary and Luxembourg and a decreasing trend in Ireland and the Netherlands. Legislation also varies from one country to the next. Policies and law in Estonia do not distinguish UM from other RASC. In most countries, UM are given satisfactory protection; they cannot be subject to expulsion and they benefit from the same treatment as native minors.

Some of the best practices in the educational integration of UM are outlined below.

- **Specialised schools** with qualified personnel for dealing with children and young people in post-traumatic situations. An interesting example is the supplementary public school in Munich for unaccompanied minor refugees, in which “social workers and teachers developed a particular school concept incorporating the special needs of young refugees, many of whom have been traumatised by violence and armed conflict.”⁹²
- **Mentoring programmes.** An original example is the “Big Brother Big Sister Mentoring Programme” in Dublin, where young people are matched with a designated adult volunteer for the purpose of developing a long-term supportive friendship.⁹³ Another interesting initiative of the Dublin Vocational Educational Committee is the Homework Club where Leaving, Junior Certificate and Third Level students receive evening individual tuition in a variety of subjects by a designated adult volunteer.⁹⁴ SAMIE (a reception centre for isolated minors) in France facilitates the educational integration of UM by organising classes in literacy, French and Maths.⁹⁵ The human rights of UM are particularly sensitive issues. In Norway and several other countries, an unaccompanied child is always appointed a

guardian. The guardian’s role is to ensure that the child receives all the benefits he/she is entitled to and to promote the child’s legal and financial interests.⁹⁶

- **Reception and orientation centres:** CAOMIDA in France is an innovative example, because it “allows young people who have never gone to school first to learn the basics of reading and writing, while also adapting to the rules and rhythms of school.”⁹⁷ The Centre offers a variety of educational services: internal classes and accompaniment of UM through their education in the public system, cultural activities, and classes in French language. A key factor for the sustainability of this good practice is the national funding which guarantees that the services are stable and reliable.
- **Recreation and personal development programmes,** where art and sport are made available to UM. The Dublin Vocational Educational Committee offers an exemplary array of activities: multi-media, dance, DJ mixing, football, swimming, outdoor pursuits, communication skills, advice on sexual health and rights and entitlements.⁹⁸

6. GOOD PRACTICES – TYPOLOGY AND TRANSFERABILITY

“Before there were policies, there were practices: schools could not wait for policies to be formulated and debated when pupils who could not follow the language of instruction were sitting in their classrooms.”

Glen & de Jong 1996, p. 406

⁸⁹ Country Report: France.

⁹⁰ Country Report: Germany.

⁹¹ Country Report: Sweden.

⁹² Country Report: Germany.

⁹³ Country Report: Ireland.

⁹⁴ Country Report: Ireland.

⁹⁵ Country Report: France.

⁹⁶ Country Report: Norway.

⁹⁷ Country Report: France.

⁹⁸ Country Report: Ireland.

The interrelations between ‘policies’ and ‘practices’ are problematic, but they will not be discussed here. Having already introduced the policy context, the twofold objective of this chapter is to ‘organise’ the good practices in meaningful subgroups and to analyse the peculiarities and the conditions of transferability of each of them.

The comparative analysis is inspired by the concept of the four A’s – availability, accessibility, acceptability and adaptability, developed by the former UN Special Rapporteur on the Right to Education, Katarina Tomasevski:⁹⁹

- **availability** – education is free and government-funded and there is adequate infrastructure and enough trained teachers able to support education delivery;
- **accessibility** – the system is non-discriminatory and accessible to all, and positive steps are taken to include the most marginalised;
- **acceptability** – the content of education is relevant, non-discriminatory and culturally appropriate, and of satisfactory quality; the school itself is safe and teachers are professional;

- **adaptability** – education can evolve with the changing needs of society and contribute to challenging inequalities, such as gender discrimination, and it can be adapted locally to suit specific contexts (Right to Education Project).

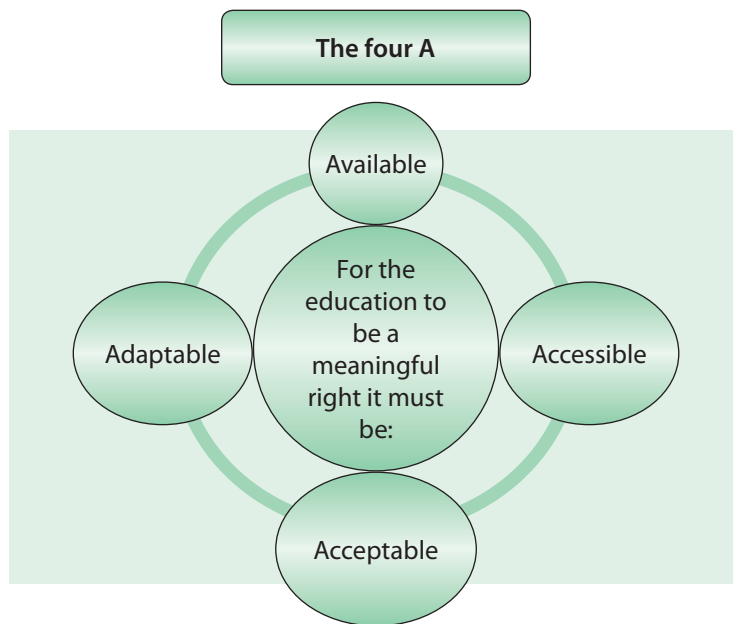
6.1. Right versus access to education

“Education must be provided without discrimination on any grounds.”

Convention on the Rights of the Child

The Universal Declaration of Human Rights recognises education as a human right: “Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory.”¹⁰⁰ The International Covenant on Economic, Social and Cultural Rights develops the idea of the ‘right to everyone’ and states that primary education shall be compulsory and available free to all (The International Covenant,

FIGURE 5. THE CONCEPT OF THE FOUR A’S – AVAILABILITY, ACCESSIBILITY, ACCEPTABILITY AND ADAPTABILITY



⁹⁹ Tomasevski, Katarina. (2006) The State of the Right to Education Worldwide. Free or Fee: 2006 Global Report. Copenhagen.

¹⁰⁰ *Universal Declaration of Human Rights* (10 Dec. 1948), U.N.G.A. Res. 217 A (III) (1948). Article 26.

1966). The international standards for educational integration, equally applicable to RASC, as defined by the UN Committee on the Rights of the Child, are that:

- access to education should be maintained during all phases of the displacement;
- every child, irrespective of status, should have full access to education without discrimination (in particular, unaccompanied girls);
- access to quality education should also be ensured for children with special needs, in particular for children with disabilities;
- any child should be registered with the appropriate school authorities as soon as possible and receive assistance in maximising learning opportunities;
- children have the right to maintain their cultural identity and values, including the maintenance and development of their native language;
- adolescents should be allowed to enrol in vocational/professional training courses or education;
- early learning programmes should be made available to young children, and children should be provided with school certificates or other documentation indicating their level of education, in particular in preparation of relocation, resettlement or return.

All INTEGRACE countries are inspired by these principles, but prioritise them differently and apply them with varying success. The right to education is translated in different policies with a changing proportion of universalism and multiculturalism. The practices are grouped into two clusters: the first offers equal access, the second offers differentiated access.

The **first cluster** of countries guarantees immigrants the same educational opportunities as national citizens. The Irish report formulates clearly the equal access approach based on “the understanding that enrolment in school is without prejudice related to status.”¹⁰¹ The Spanish approach is identical: “every child from the ages of 6 to 16 has the right to education, notwithstanding their judicial status.”¹⁰² The Czech Republic extends the age of compulsory education irrespective of legal status to the age of eighteen.¹⁰³ Similarly, the UK guarantees open and equal access for all RASC, even for those with irregular status.¹⁰⁴ The right to educational instruction

in Norway is applied to asylum seekers aged six to sixteen. This right also applies to those whose application has been rejected.¹⁰⁵ The Czech Republic and Finland share the same approach: the main objective of Finnish education policy is to offer all residents equal opportunities to receive education, regardless of age, domicile, financial situation, gender or mother tongue.¹⁰⁶ The right of the children is complemented by the obligation of the school authorities to apply equal access and not look for alibis for escaping from this duty: “Poor knowledge of the Czech language is not an obstacle and does not waive the duty from the schools.”¹⁰⁷

The political weight of the principle of equal access is reinforced when endorsed by a specific policy. Flanders developed the ‘equal educational chances policy’, which aims to offer all children, without exception, the best chances to learn and develop. Additionally, this policy is designed to combat exclusion, social separation and discrimination.¹⁰⁸ The Netherlands offers an excellent example of the transformation of the legal regulations into a tangible political goal: “By 2011 the government aims to achieve 100 per cent participation in early childhood education programmes for immigrant and disadvantaged children.”¹⁰⁹ A positive practice is achieved by strengthening the institutional structure responsible for access to education. In 2009, Malta created an Advisory Group for the Education Entitlement of Immigrants.¹¹⁰ The Local Cooperation Board in Belgium seeks to guarantee the right to enrolment.¹¹¹ Britain has introduced a variety of good practices which enrich and diversify the policy of equal access: the New Arrivals Excellence Programme covers areas such as school planning, welcoming, initial assessments, teaching and learning strategies, and promoting children’s participation. The Ethnic Minority Achievement Grant has similar aims.¹¹²

¹⁰¹ Country Report: Ireland.

¹⁰² Country Report: Spain.

¹⁰³ Country Report: the Czech Republic.

¹⁰⁴ Country Report: United Kingdom.

¹⁰⁵ Country Report: Norway.

¹⁰⁶ Country Report: Finland.

¹⁰⁷ Country Report: the Czech Republic.

¹⁰⁸ Country Report: Belgium.

¹⁰⁹ Country Report: the Netherlands.

¹¹⁰ Country Report: Malta.

¹¹¹ Country Report: Belgium.

¹¹² Country Report: United Kingdom.

Granting RASC equal access to education is undoubtedly a good practice. However, its application could, under certain circumstances, have ambiguous implications. The Bulgarian report provides an interesting example which shows how RASC can be enrolled in the very first grades of school despite their age and previous schooling experience, as there is no official proof of school attendance in the country of origin and no system for validating prior knowledge.¹¹³ Some countries guarantee equal access to RASC, but the institutions do not apply this principle in a systematic and sustainable way. The Croatian report notes the lack of transparency in the integration policy of the Ministry of Science, Education and Sport, and of efficient measures for dealing with the diversity of language and culture.¹¹⁴

The right to education is also interpreted by most European countries as **compulsory** schooling. This approach is by no means a good practice since it prevents parents of RASC from withdrawing their children from school for whatever reason. Some countries are quite strict in enforcing this obligation: in cases of children who often miss classes without a satisfactory reason, the National Education Welfare Board in Ireland is obliged to take legal action against parents.¹¹⁵ Poland does not pay allowances to parents of RASC whose children do not regularly attend school.¹¹⁶

The **second cluster** of countries offer **differentiated access**. The main argument and criterion for differentiating access to education is legal status. The authorities of many countries are reluctant to offer education services to migrant children with irregular status. In Germany, three groups face particular obstacles in accessing education, training and apprenticeship: minors with insecure residence status (i.e. tolerated persons and asylum seekers); minors with no status at all; and RASC aged sixteen or older who have continued in education after the period of compulsory schooling.¹¹⁷ Sweden distinguishes three groups: for children with a residence permit, school attendance is compulsory and free of charge; asylum seekers have the right to attend school, but it is not compulsory; children who have been refused entry or expelled are not entitled to education,¹¹⁸ however, the municipality can offer them instruction.¹¹⁹ This ambiguous policy, which contravenes the UN Convention on Human Rights, has been criticised and recommendations have been formulated for granting all children the right to education.¹²⁰

Other countries create financial barriers to access. The Czech Republic excludes asylum-seeking children from the free language courses.¹²¹ Poland has opened up its public education system to children with refugee and tolerated stay status. Immigrant children with a different legal status are entitled to education in public schools on a commercial basis.¹²² Hungary employs a similar approach and has introduced fees for migrants with irregular status and for those who stay for less than a year.¹²³

Another criterion for differentiating access is length of residence. Hungary has introduced the requirement of one year of residence as a precondition for full entitlement to enter the public education system.¹²⁴

Sometimes access is restricted due to a lack of availability of places. RASC can attend schools in Hungary only if there are places available in the few schools which accept them.¹²⁵ If policy is formulated in this way, it is not surprising that practices are even more restrictive and the report describes cases of schools refusing to accept Roma children from Kosovo.¹²⁶ The crisis was resolved thanks to the EU-funded Schooling programme initiative of the Hungarian Interchurch Aid.¹²⁷

An important aspect of access to education is the **recognition of education in the country of origin**. One specific paradox emerged: the legislation provides for the recognition of certificates, but the administrative procedures are extremely long and complicated, and often require the cooperation of the country of origin, which may not be possible for a family who has fled that country.

¹¹³ Country Report: Bulgaria.

¹¹⁴ Country Report: Croatia.

¹¹⁵ Country Report: Ireland.

¹¹⁶ Country Report: Poland.

¹¹⁷ Country Report: Germany.

¹¹⁸ Country Report: Sweden.

¹¹⁹ Country Report: Sweden.

¹²⁰ Country Report: Sweden.

¹²¹ Country Report: the Czech Republic.

¹²² Country Report: Poland.

¹²³ Country Report: Hungary.

¹²⁴ Country Report: Hungary.

¹²⁵ Country Report: Hungary.

¹²⁶ Country Report: Hungary.

¹²⁷ Country Report: Hungary.

Transferability

There is an urgent need for the transfer of good practices to overcome barriers to access in some countries. As a general principle, the good practice of linking rights and obligations to education has a high degree of transferability. As for practical measures, parents can be given financial incentives for the regular school attendance of their children.

6.2. Quality of education

Quality of education is conceived not as a technical term, but in its highest sense as schooling that is respectful of human rights “both in words and in action, in schoolbooks and the schoolyard” (UNICEF and UNESCO 2007, p. XII). Two interpretations of quality compete. One gives rise to a more ‘traditional’ argument and evaluates the quality of education in terms of whether it achieves its objective. The other is oriented more towards promoting creativity, fostering equality and recognising cultural values.

Two ways of assuring quality of education are discussed. The **first** focuses on an equal and early access to the national education system. It is of an universalist inspiration and is dependant upon the immersion of RASC in an environment of native-born children. The **second** subscribes to the affirmative action approach and requires specific measures so that RASC are assisted in reaching the native pupils’ level. The former is discussed in the previous chapter; a typical illustration of the latter is presented by the **individualised education plans**. Czech schools develop these in cooperation with a psychologist and the parents. The plan is reviewed and, if necessary, changed throughout the school year.¹²⁸ Luxembourg has introduced a ‘school passport’ – a kind of small portfolio. It is completed on the arrival of the child with the help of an intercultural mediator and outlines the schooling history and languages learnt in the country of origin, as well as language learning attainment and progress at school in the host country.¹²⁹ The contribution of **teacher assistants** is a vital factor in the successful implementation of the individualised approach – they help RASC to integrate with greater ease into the school environment, support teachers during classes, and facilitate communication between pupils, parents, the community and the

school. Another example of good practice is when the assistant is employed by the school.¹³⁰

6.3. Language – the main vehicle of integration

“The national language is the vehicle of the community of citizens,” affirms and argues.¹³¹ Its highly symbolic and political meaning is shared by both unitary states, such as France, and federal ones with two or more national languages, such as Belgium. The importance of language training is further emphasised in a large comparative study by Glenn and de Jong,¹³² who concluded that inadequate proficiency in the language of the school is a primary reason for poor academic performance.

6.3.1. National language

All reports emphasise the crucial importance of education in the national language. The examples of good practices cover a wide spectrum – from national programmes for language immersion to summer camps, from introductory classes to courses in reception centres. They can be classified into three groups. The first refers to educational policy, the second to language classes designed for RASC and incorporated in regular school programmes, and the third to a variety of extracurricular activities.

- The **first** group concerns the political level and is expressed in **guidelines, programmes, and strategies**. The impact is twofold. Firstly, it emphasises the high political priority of the teaching of the national language. Secondly, it guarantees stable and sustainable funding. Estonia has developed a National programme of language immersion. It is aimed at the acquisition of Estonian as a second language and is mainly designed for Russian-speaking children, but is also applicable to RASC.¹³³ National languages classes are included in

¹²⁸ Country Report: the Czech Republic.

¹²⁹ Country Report: Luxemburg.

¹³⁰ Country Report: Czech Republic.

¹³¹ Schnapper, Dominique. (1994) *La communauté des citoyens*. Paris: Gallimard.

¹³² Glenn Ch. with E. De Jong. (1996) *Educating Immigrant Children: school and language in twelve nations*. New York and London: Garland Publishing, Inc., p. IX.

¹³³ Country Report: Estonia.

the Czech State integration programme which ensures stable funding.¹³⁴

- The **second** group forms the largest cluster with a variety of introductory **language classes**,¹³⁵ special language classes ('classes passerelles') in the French speaking part of Belgium to support minor newcomers to learn French and to become familiar with the Belgian school system,¹³⁶ intensive language classes,¹³⁷ preparatory studies facilitating entry into secondary education.¹³⁸ Hungary provides extra funding for language integration programmes.¹³⁹ Poland offers language classes in reception centres,¹⁴⁰ and Bulgaria has similar practices.¹⁴¹ In Portugal, upon arrival in the school, the student takes a diagnostic language test and according to the result, he/she is allocated a specific proficiency level.¹⁴² Trilingualism (the requirement to speak three official languages, as is the case in Luxembourg) can be particularly problematic for migrant children. The public education system offers special classes for French and German and pre-school classes for Letzeburgesch. They are adapted to suit very young children and enable newcomers to acquire Letzeburgesch by imitation and practice rather than by learning rules.¹⁴³ Classes are organised according to the number of children enrolled. In the Czech Republic, both group and individual classes are set up.¹⁴⁴ Finland has introduced an original and interesting practice decreasing the symbolic distance between national language and mother tongue: "Immigrant students can take the test entitled 'Finnish or Swedish as a second language' instead of the test in the mother tongue intended for Finnish or Swedish-speaking students."¹⁴⁵ Sweden also offers Swedish as a second language.¹⁴⁶ Transition and preparatory classes facilitate the preparation of RASC for inclusion in schools. These are an important tool for inclusion, yet have one major weakness: "Introduction classes are often physically segregated from mainstream education. The pupils feel segregated and have few Swedish friends".¹⁴⁷ The same concerns are shared in the Norwegian report, which seeks a solution and finds it in bilingual tuition.¹⁴⁸ It is important that pupils are moved to an ordinary class as soon as possible. Some countries apply different approaches on the basis of similarities/differences between the RASC's mother tongue and the national language of the host country.¹⁴⁹ A key factor for the success of the language

classes is the **individual approach** which takes into consideration the needs of children.¹⁵⁰

- The **third** group of good practices are **extra-curricular activities**, such as summer language camps, where children enjoy communication with other RASC and native children, as well as learn the language in a stimulating environment. Malta reports positive experiences with summer schools,¹⁵¹ and the Red Cross in Bulgaria has been organising summer camps for several years already,¹⁵² while innovative summer courses in Ireland teach the language through drama and sport.¹⁵³

The importance attributed by countries to the national language is also expressed in some restrictive measures. Countries like Croatia state that an asylum-holder or foreign citizen under subsidiary protection who fails to attend the compulsory course will have to reimburse the costs of the course.¹⁵⁴ It is debatable if such measures could be considered good practices.

¹³⁴ Country Report: the Czech Republic.

¹³⁵ Country Report: the Netherlands.

¹³⁶ Country Report: Belgium.

¹³⁷ Country Report: Lithuania.

¹³⁸ Country Report: Finland.

¹³⁹ Country Report: Hungary.

¹⁴⁰ Country Report: Poland.

¹⁴¹ Country Report: Bulgaria.

¹⁴² Country Report: Portugal.

¹⁴³ Country Report: Luxembourg.

¹⁴⁴ Country Report: the Czech Republic.

¹⁴⁵ Country Report: Finland.

¹⁴⁶ Country Report: Sweden.

¹⁴⁷ Country Report: Sweden.

¹⁴⁸ The introductory classes are a major concern in the public debate in Norway with two alternative interpretations: "On the one hand, not knowing Norwegian may cause RASC to feel excluded both linguistically and socially; but on the other hand, studies show that when RASC attend an introduction class, learning Norwegian is the priority and other school subjects are not prioritised. With the latter model, the children may run the risk of again being excluded by not getting to know their Norwegian peers" (Country Report: Norway). "To give RASC parts of the ordinary instruction in their own language, thus providing a bilingual school context" (Country Report: Norway).

¹⁴⁹ Country Report: Croatia.

¹⁵⁰ Country Report: the Czech Republic.

¹⁵¹ Country Report: Malta.

¹⁵² Country Report: Bulgaria.

¹⁵³ Country Report: Ireland.

¹⁵⁴ Country Report: Croatia.

6.3.2. Mother tongue

“The right to enjoy their own culture, language and religion.”

Convention on the Rights of the Child

The Convention on the Rights of the Child stresses the right of the child to enjoy their own culture and to use their language. UNESCO supports mother tongue instruction as a means of improving educational quality by building on the knowledge and experience of the learners and teachers.¹⁵⁵ In contrast to the consensus on national languages, views are divided on the question of mother tongue. Most reports agree on the importance of the mother tongue for the children’s cultural identity, but differ with regard to which institution should assume responsibility for its tuition. Two opposing visions can be identified.

- The **first vision** considers that the immigrant communities and organisations within them rather than the state should offer mother tongue instruction. Germany is a case in point: in several of the Länder the consulates of the countries of origin are responsible for voluntary mother tongue instruction, not least for financial reasons.¹⁵⁶ Several countries, such as Poland and Bulgaria, prefer to ‘outsource’ the tuition of foreign languages. The Polish Report formulates this pragmatic approach in the following way: schools are under no obligation to organise lessons in immigrant languages, but are obliged to provide room for any organisation or embassy willing to provide these kinds of classes.¹⁵⁷ A number of countries do not have any legislation concerning mother tongue education, Latvia being an example.¹⁵⁸ As a rule, mother tongue tuition is provided outside normal school hours.¹⁵⁹
- The **second vision** is that the state should assume responsibility for the education in both the national and the mother tongue languages. Sweden, with its New Education Act (2010), assures the opportunity for children to develop both their mother tongue and the national language.¹⁶⁰ Austria, which in other regards is similar to Germany, assumes a different perspective on mother tongue education, which is provided for all pupils with a different first language than German, and includes migrant children as well as RASC without distinction.¹⁶¹ In Finland, immigrant

pupils in basic education may study their native language as their first language within the school’s normal curriculum. There is no country able to provide this opportunity everywhere; it is available only in a few schools.¹⁶² Luxembourg encourages mother tongue tuition at the pre-primary level and ensures a mother tongue teaching assistant.¹⁶³ Norway offers both mother tongue instruction and a bilingual teacher: “If the school’s ordinary teaching staff cannot provide mother tongue and bilingual subject teaching, the municipality must arrange alternative instruction and training adapted to the pupil’s situation.”¹⁶⁴

Mother tongue education is undoubtedly one of the most divisive issues – countries similar in their integration policies and practices, such as the Baltic states, diverge considerably in this regard: “Estonia and Lithuania have issued regulations that make express reference to the importance of providing mother tongue tuition for immigrant pupils, while in Latvia legislation makes no provision for measures of this type.”¹⁶⁵ Estonia and Lithuania form part of the smaller cluster of countries such as Austria, Sweden and Norway, where mother tongue tuition is included in the normal school timetable or its inclusion is recommended.¹⁶⁶ Lithuania and Estonia have developed bilingual teaching arrangements for the national minorities established in their countries, which may also benefit immigrant pupils. This positive and optimistic vision has yet to be put to the test with higher numbers of RASC.

The lack of consensus among INTEGRACE countries on whether to teach the mother tongue – and if so, how – is echoed by the findings of the UNICEF study:

¹⁵⁵ UNESCO (2003), Education in a Multilingual World. Education Position Paper. Paris.

¹⁵⁶ Country Report: Croatia.

¹⁵⁷ Country Report: Poland.

¹⁵⁸ Country Report: Lithuania.

¹⁵⁹ Country Report: Lithuania.

¹⁶⁰ Country Report: Sweden.

¹⁶¹ Country Report: Austria.

¹⁶² Country Report: Finland.

¹⁶³ Country Report: Luxembourg.

¹⁶⁴ Country Report: Norway.

¹⁶⁵ Country Report: Lithuania.

¹⁶⁶ Country Report: Lithuania.

“There is no simple solution, nor any one correct approach. Whatever approach is adopted, however, governments have obligations to ensure that children do not experience discrimination, that respect is afforded to their culture, and that every effort is made to prevent social exclusion and educational disadvantage as a consequence of speaking a minority language.”¹⁶⁷

Transferability

National and mother tongue tuition are poles apart as far as transferability is concerned. The importance of education in the national language(s) is paramount: all practices are embedded in the same understanding of the importance of inclusion in the national community. Therefore, good practices are easily transferable.

Policies on mother tongue tuition embody two different visions. The first argues that the respective communities should assume responsibility for the preservation and the development of their language and culture, and that these activities should take place outside the public education system. In the second, the emphasis is on the recognition of cultural differences and on schools as arenas for the expression of these differences. The transferability of practices is higher within each of the policies than between them.

Transferability depends also on the number of transferable practices. It is no coincidence that there is a greater variety of good practices promoting national languages than of those promoting mother tongues.

6.4. Social and intercultural competences and acculturation

“We have to learn everything when we come here. For example, learn how to use a knife and fork! Also the way of reading and writing, we have to learn it in a new way. We read from right to left in my homeland.”

13-year-old female asylum seeker in Norway

Although language is crucial, it is not the only way to achieve integration. Children are entitled

to stimulating learning environments in multiple spaces. Acculturation involves learning visible and invisible cultural rules. Language learning should be complemented by training in social competences. Germany’s experience is exemplary in this regard:

“The school also stresses that not only language, but also mutual respect is one of the most important lessons children have to learn ... Moreover, school rules (e.g. being on time, doing one’s homework, not using cell phones in class, etc) and democratic principles play an important role.”¹⁶⁸

Temporality is among the most invisible, yet one of the most crucial characteristics of culture. Most RASC, coming from diverse backgrounds, have a different perception of time and have to learn Western time management. The Report on Malta is sensitive to this subtle dimension of acculturation and describes the experience of a teacher with intercultural expertise: “Most of the children did not have the concept of timetables and the need to be ready on time. I helped them with this.”¹⁶⁹

“Respect the right of children to rest, leisure, play, recreation, and participation in arts and culture.”

Convention on the Rights of the Child

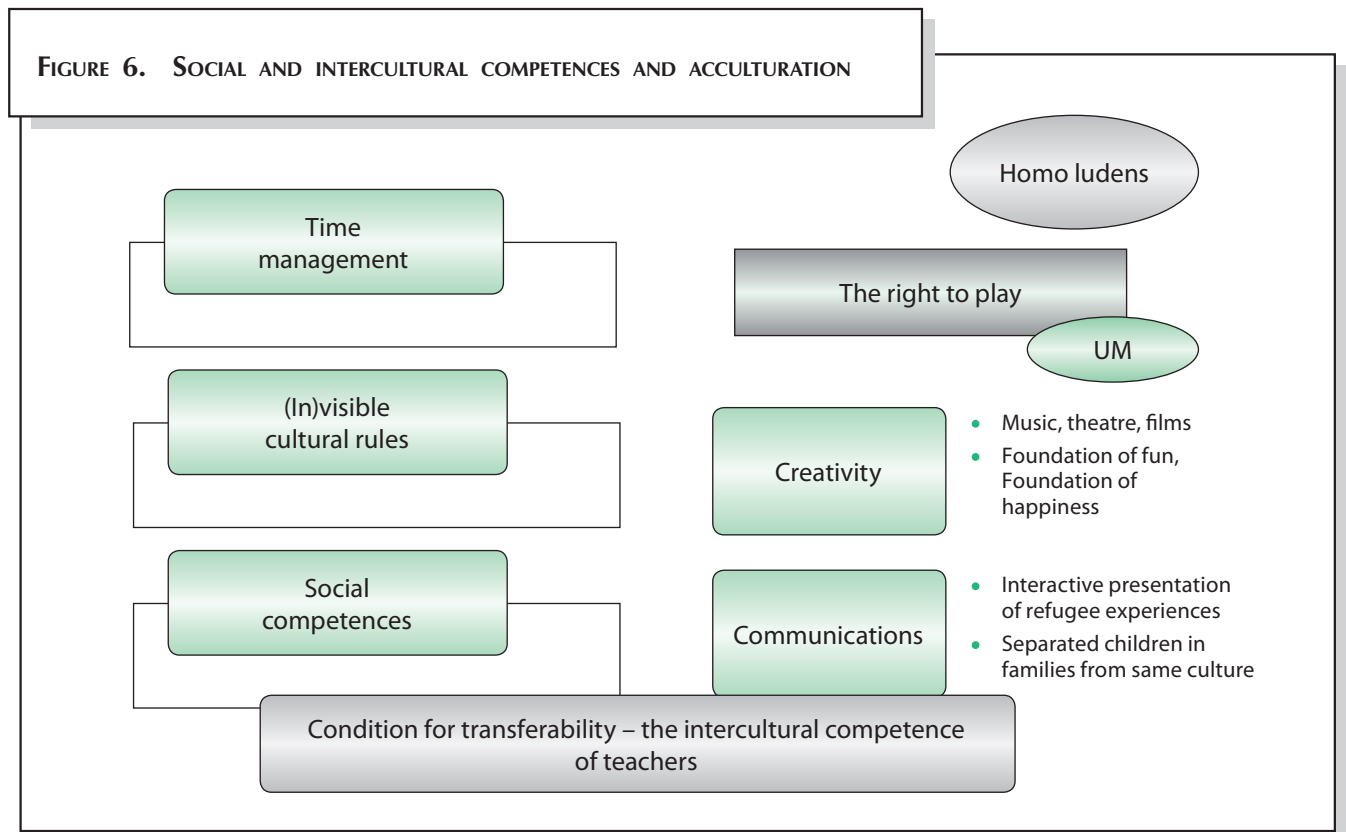
Integration means learning, but also creating: learning the cultural and democratic rules of the host society, but also (re)constructing the child’s Self in the new environment, as well as transforming the society in its interaction with the newcomers.

In *Homo ludens* Johan Huizinga developed the inspiring idea that playing means creativity, imagination, construction, and self-perfection. The right to play is a crucial right which should be guaranteed to all children, with special attention to the most vulnerable, such as unaccompanied minors. Playing is a feature of good practices in two ways:

¹⁶⁷ UNICEF and UNESCO (2007), *A Human Rights-Based Approach to Education for All – A Framework for the Realization of Children’s Right to Education and Rights within Education*. UNICEF/UNESCO, 2007. Available at: <http://unesdoc.unesco.org/images/0015/001548/154861e.pdf>, p. 36.

¹⁶⁸ Country Report: Germany.

¹⁶⁹ Country Report: Malta.



- by claiming the right to play for all children, with a special focus on those who are unaccompanied and victims of trafficking;
- by offering a rich tapestry of extracurricular activities aimed at integrating RASC in stimulating, interactive and creative environments. Two types of good practices can be posited: one type which aims to develop creativity and another aimed at enhancing communicative skills.

Creativity and art are among the most powerful instruments for integration and empowerment. A plethora of good practices illustrate the potential for the arts to build bridges, bring about understanding and promote dialogue. An inspiring project took place in Norway, which involved unaccompanied minors using video cameras to tell their stories. The results were wonderful: the children worked with their own histories, providing them with a ‘space’ to process and reflect upon their experiences. They were proud of having made their own films, which in turn significantly boosted their self-esteem, and the films were presented at an opening night with national media coverage.¹⁷⁰ **Lending visibility to the invisible** is the most significant outcome – these ‘invisible’ children were given voices and faces.

As for good practices where the goal is to develop creativity, the Maltese Ministry of Education organised two creative programmes (i.e. acting, dance, an improvised drama production and art) for RASC and unaccompanied minors.¹⁷¹ Polish NGOs organise cross-cultural workshops, which include areas as diverse as film, art, music, drama, dance and photography, as well as cooking classes. An appropriately named NGO – the Foundation of Fun – organised an Intercultural Kids Club where children from different countries play together.¹⁷² Refugee and Romanian children play together in the Diversity club and enjoy dances, theatre, painting and sports.¹⁷³

The Netherlands goes straight to the point and aims directly at happiness. The unambiguously named organisation National Foundation for the Promotion of Happiness provides creative workshops and projects for asylum-seeking children. “For children and teenagers it is of great importance to be able to demonstrate during their development who they

¹⁷⁰ Country Report: Norway.

¹⁷¹ Country Report: Malta.

¹⁷² Country Report: Poland.

¹⁷³ Country Report: Romania.

are and who they can be. This can be done through music, sculpture, theatre, play and games.¹⁷⁴ Spanish good practices in particular tend to incorporate art and mobilise a rich variety of artistic expressions: theatre, films, photo exhibitions, even string-puppet shows, which as could be expected, happen to be an excellent means of communication for small pupils.¹⁷⁵

In the UK, events such as International Week, Refugee Week, Black History Month, and End of Year Assemblies provide opportunities for schools to create displays, stage performances, organise storytelling, cultural and sports activities and sharing of food events.¹⁷⁶ The Shpresa (which translates as 'hope' in Albanian) programme is a nice practice of local schools to promote an understanding of Albanian culture and traditions through traditional dancing, songs, poetry and storytelling. It aims at building confidence and appreciation in Albanian-speaking children of the culture they come from, which would help them successfully integrate into their host community, while at the same time introducing this culture to local communities to increase understanding and co-operation.¹⁷⁷

All topics could be approached in a playful way. An Irish school experimented by teaching transport through music. A teacher is enthusiastic about the results: "there was more fun, they were learning more... it's fantastic for children, they learn so much faster."¹⁷⁸

The second group of good practices address **communication** in an intercultural environment. Ireland experiments with a new practice of placing separated children with families from a similar culture, religion and language.¹⁷⁹ A number of Irish schools have organised events to celebrate their international communities. These events give pupils an even greater understanding of diversity.¹⁸⁰ A Polish school has organised an Intercultural Club where foreign pupils can learn their mother tongues and present their cultures to Polish students through various activities.¹⁸¹ Refugees into Schools is a British initiative. The aim is, through interactive presentations of their experience, to help children understand conflict, and what refugees often go through. The communicative outcome is twofold: British students understand refugees better, and refugee children start sharing their experience: "hearing an adult speak about their problems

often helps refugees with similar experiences to speak out."¹⁸²

Lithuania offers excursions to museums and places of historical interest to children in reception centres.¹⁸³ A Slovakian foundation organises a Festival week of new minorities for promoting intercultural exchange and understanding.¹⁸⁴ To facilitate communication, Luxembourg introduced intercultural mediators who provide *ad hoc* assistance in the reception of new pupils, as well as offering interpreting services during information meetings about the school system, meetings between teachers and parents, or visits to school doctors or psychologists.¹⁸⁵ The Norwegian Children's and Young People's Migration Site, organised by the Directorate of Integration and Diversity, is a virtual space for migrant children to communicate and share information with each other and local pupils, and for teachers to communicate with pupils on intercultural issues.¹⁸⁶

Culture has high as well as everyday expressions; some practices address art, while others allude to material culture. The Intercultural Education Foundation in Poland has published a series of books on the culinary traditions of a variety of countries around the world. "Food – the basic need for both adults and children is a starting point for stories about the country and the daily lives of its citizens (education, work, ways leisure, family, etc...)"¹⁸⁷ Spain launched an original 'chat' initiative between refugees and pupils, very much appreciated by all participants.¹⁸⁸

A Dutch school performs a pleasantly communicative practice where the headmaster welcomes each

¹⁷⁴ Country Report: the Netherlands.

¹⁷⁵ Country Report: Spain.

¹⁷⁶ Country Report: United Kingdom.

¹⁷⁷ Country Report: United Kingdom.

¹⁷⁸ Country Report: Ireland.

¹⁷⁹ Country Report: Ireland.

¹⁸⁰ Country Report: Ireland.

¹⁸¹ Country Report: Poland.

¹⁸² Country Report: United Kingdom.

¹⁸³ Country Report: Lithuania.

¹⁸⁴ Country Report: Slovakia.

¹⁸⁵ Country Report: Luxembourg.

¹⁸⁶ Country Report: Norway.

¹⁸⁷ Country Report: Poland.

¹⁸⁸ Country Report: Spain.

child by name with a handshake. In this way, children can feel that they are seen, recognised and respected.¹⁸⁹ Portugal has introduced the intriguing **infiltration technique** and used it during debates or introductions to sessions, raising awareness about the situation of immigrants in the country. “It consists of the unexpected entrance of a migrant/actor in the auditorium or classroom where the activity is taking place.”¹⁹⁰

Sport is a favourite activity which can greatly assist with integration. Ireland tells of a successful soccer camp held for boys and girls. Interestingly, this football team is very successful in the local league.¹⁹¹

Transferability

The transferability of good practices relating to social competences depends on one key condition: the intercultural expertise of teachers and volunteers. Training of teachers in intercultural communication is a prerequisite for the application of good practices of teaching time management, democratic principles, and cultural rules to pupils with diverse cultural backgrounds. The creative potential of NGO activists and volunteers is a crucial factor in the production of a rich variety of initiatives and techniques.

Good practices for developing creativity and imagination are relatively easy to transfer because a) they do not need significant funding and b) children everywhere enjoy them. Some practices like placing separated children with families from a similar culture, religion and language¹⁹² are interesting and promising, but require further investigation and assessment in the respective country before they can be replicated in different national contexts. The creativity of generating intercultural forms and forums, stimulated and reinforced by the importance of social and intercultural competences, opens a large horizon for innovations.

6.5. Information and awareness

Raising awareness and the sensitisation of public opinion to refugee issues through antidiscrimination activities lay the foundation for creating a positive environment in which successful educational integration can be achieved. Some countries are

more aware than others of the importance of these principles and implement a variety of good practices. By using creative and innovative methods, they bridge the gap between the public at large and the worlds of education and migration. These activities can be divided into three groups: raising awareness; antidiscrimination; public lobbying and information dissemination. They all aim at providing useful, accessible information on, and for, refugees and asylum seekers. The information providers also lobby for the interests of these groups and offer advice and advocacy.

6.5.1. Raising awareness

The crucial importance of awareness campaigns is emphasised by Spain and prioritised to such an extent that most good practices in Spain are indeed examples of such campaigns. A number of pleasing examples are presented: “A week of refugee population” in Andalusia, “Listen to refugees and the displaced” in Catalonia, and “Chatting between refugees and secondary school pupils” in Barcelona.¹⁹³ The argument is that in a country with relatively low numbers of RASC and a lack of specific measures promoting their educational integration, extra efforts should be made to raise awareness and make the Spanish population more receptive to foreign students.¹⁹⁴ The “Croatia – E(de)nd on Earth” campaign aims at promoting the rights of asylum-seekers and improving asylum policy.¹⁹⁵

Austria is the most consistent in including awareness-raising initiatives in most of its projects. Art projects, forums, discussions and volunteers are focused to foster intercultural understanding by means of self-designed theatre plays, documentary films, discussion forums and exhibitions. Understanding the great importance of awareness-raising activities leads to impressive results: they are part of any project, and every project invents its own intercultural forms.

¹⁸⁹ Country Report: the Netherlands.

¹⁹⁰ Country Report: Portugal.

¹⁹¹ Country Report: Ireland.

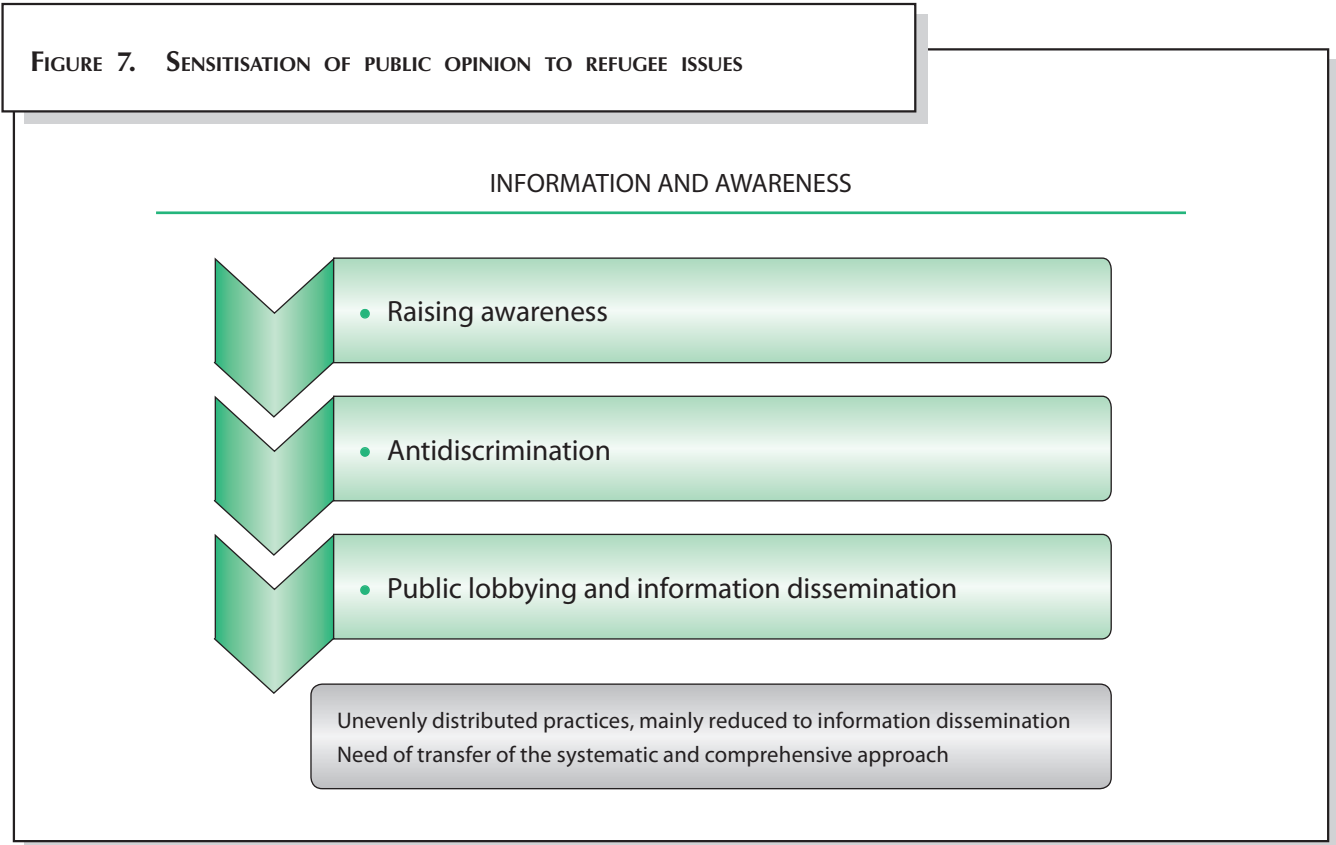
¹⁹² Country Report: Ireland.

¹⁹³ Country Report: Spain.

¹⁹⁴ Country Report: Spain.

¹⁹⁵ Country Report: Croatia.

FIGURE 7. SENSITISATION OF PUBLIC OPINION TO REFUGEE ISSUES



Art allows children to exteriorise and transform the challenges of 'being different' into cultural imagination. An interesting example was the theatre piece on the topic of 'being foreign' performed by the theatre of Salzburg, in which the participants of one intercultural project took part. Many school classes watched the play and learned about intercultural topics, racism and tolerance.¹⁹⁶

Estonia offers the unique example of a country with an extremely limited number of RASC and very good understanding of the need to prepare and inform the public in the spirit of openness and tolerance. The project Public Awareness Raising on the Notion of Asylum and Migration: Refugees? Who? Why? is a positive example of a mix of diverse activities, which include an information campaign targeted at the general public; Me and refugee? competitive games for young people; awareness-raising among youths through information sessions and other interactive tools; building capacities and raising awareness among teachers through workshops and the Not Just Numbers toolkit; inviting youngsters to share thoughts on the matter; translating the web-based game Against All Odds into Estonian; talking about refugees and asylum seekers in class; workshops

for watching and analysing study films regarding refugees and asylum seekers, etc.¹⁹⁷

A targeted approach addressing a group of children aged five to ten is described in the Portuguese report. It is based on the 'Karlinchen' book (translated as 'A Pequena Carlota'), by the German writer Annegert Fuchshuber. The book was adapted into a didactic aid and has already been adopted in the United Kingdom, Spain, Mexico, and Portugal. It is accompanied by a seven-minute-long DVD and further exercise materials.¹⁹⁸ The playful atmosphere stimulates an awareness of diversity and tolerance. Poland has developed a project aimed more at professionals. 'Migroteka' includes twelve collections of books on migration, interculturalism and refugees located in ten Polish cities.¹⁹⁹

6.5.2. Anti-discrimination

Malta has adopted a different, more militant approach aimed at mobilising NGOs, church-

¹⁹⁶ Country Report: Austria.

¹⁹⁷ Country Report: Estonia.

¹⁹⁸ Country Report: Portugal.

¹⁹⁹ Country Report: Poland.

based organisations and private individuals for a coherent policy and the promotion of tolerance and diversity. ‘Building coalitions’ for tolerance towards vulnerable groups, including RASC, is an interesting example of good practice.²⁰⁰ The UK has implemented the *Equality Act*, whereby all public bodies, including schools, are bound by duty to eliminate discrimination, harassment and victimisation, and advance equality of opportunity. “The Act stipulates that fostering good relations includes the need to tackle prejudice and promote understanding.”²⁰¹ An innovative project to challenge racism and overcome hostility towards new refugees through art and football has been piloted in British schools in the Dover area.²⁰² This is also one of the relatively few successful projects combating discrimination against Roma.

6.5.3. Public lobbying and information dissemination

National campaigns and information dissemination sensitise public opinion and challenge cultural barriers. Information dissemination is practiced by all countries in a variety of ways, with communication via websites in different languages being the most common,²⁰³ often complemented by other technologies – DVD, online video, etc. Poland offers an elaborate example of information dissemination through the Intercultural Education website, providing interesting scenarios for lessons aimed at children with various cultural backgrounds, at pre-school level and through integrated teaching, and proposing a rich selection of educational materials and showing examples of interesting projects run by NGOs.²⁰⁴ New technologies encourage information dissemination, as well as the exchange of ideas and interactivity. Another good practice, again originating from Poland, is the website Refugees go to school! – an outcome of the Awareness campaign for teachers. This gives information on RASC, helps teachers and volunteers create a network, exchange ideas, experiences and practices.²⁰⁵ Traditional toolkits providing information on how to address migration issues are also available in several countries. At Home in Ireland: An Integration Guide for Immigrant Youth and Parents²⁰⁶ is an example.

Most NGOs lobby publicly for supporting vulnerable children. Some, like ECPAT (Nationellt Metodstöd mot prostitution och människohandel) in Sweden, focus

on the most vulnerable of all and deal with issues relating to child prostitution, child pornography, and the trafficking of minors.

Transferability

Raising awareness is among the most inconsistently distributed good practices. It is often reduced to information dissemination and is rarely complemented by anti-discrimination activities. The main factor for successful transferability is the application of a systematic and comprehensive approach, as conceived and implemented by Austria.

7. AGENTS OF EDUCATIONAL INTEGRATION

One of the main goals of this comparative report is to identify the crucial engines for successful integration. Before policies are developed, or when they waver and fail, is the time for active and responsible citizens, professionals, and civil society activists to take action. Although states have primary responsibility for education, civil society – with its organisations and activists – is vital for the diversification of participation and the success of integration.

The human rights based approach requires the identification of the human rights claims of rights-holders and the corresponding human rights obligations of duty-bearers as well as the immediate, underlying, and structural causes of the non-realisation of rights.²⁰⁷ The capacity of rights-holders to claim their rights should be assessed, as well as the capacity of the duty-bearers to fulfil

²⁰⁰ Country Report: Malta.

²⁰¹ Country Report: United Kingdom.

²⁰² Country Report: United Kingdom.

²⁰³ Ireland is ‘champion’ here, with a guideline on regular school attendance in eighteen languages.

²⁰⁴ Country Report: Poland.

²⁰⁵ Country Report: Poland.

²⁰⁶ Country Report: Ireland.

²⁰⁷ UN (2003), The Human Rights-Based Approach to Development Cooperation: Towards a common understanding among UN agencies, Report of The Second Interagency Workshop on Implementing a Human Rights-based Approach in the Context of UN Reform. Stamford: UN, available at: http://hrbaportal.org/?page_id=2127

their obligations. If necessary, strategies should be developed to build these capacities.²⁰⁸

For the schools to successfully implement the four A's,²⁰⁹ all actors have to embrace them. The four A's are to be respected, protected, and fulfilled by the government as the prime duty-bearer, but there are also duties for other actors in the education process: the child as the privileged subject of the right to education and the bearer of the duty to comply with compulsory-education requirements; the child's parents who are the 'first educators'; and professional educators, namely teachers.²¹⁰

7.1. Intercultural teachers

The INTEGRACE study clearly demonstrates the key role of teachers with intercultural sensitivity, expertise and experience. Teachers "translate national policies into practical action in each school,"²¹¹ and a quality education depends significantly on their commitment, enthusiasm, creativity, and skills. Creating an inclusive and child-friendly environment necessitates different skills and styles from teaching in a traditional school. Teachers need to develop competences and capacities on learning through participation, positive forms of participation and class management.²¹²

Several models have been piloted: the UK has introduced the role of **refugee support teachers/new arrivals teachers**;²¹³ Belgium has recently introduced *follow-up coaches* (2009) aiming to provide support to minors who have attended newcomer classes

during the previous school years. More specifically, schools are appointed extra hours to support 'ex-minor newcomers' by providing extra language hours, or extra teaching support for certain courses to assist teachers in dealing with language barriers in regular classes.²¹⁴ Some British schools with large numbers of children from the same ethnic group employ bilingual staff: "Even when they are not qualified teachers, they help the children understand the new school and provide an insight into the child's feelings and any problems..."²¹⁵ In 2009 Malta introduced the role of the **peripatetic teacher** – a complementary service offered by the national education system. They give additional lessons in Maltese, English, and Maths, but also resolve intercultural tensions and misunderstandings. One of their tasks was to discuss with Muslim girls and their parents the nature of mixed schools.²¹⁶ Similar is the role of the **complementary teacher** employed in some Maltese schools.²¹⁷

Another interesting example of good practice is the '**buddy-system**' whereby a native child teams up with a RASC or immigrant child who is experiencing difficulties integrating for linguistic and/or other reasons, and help them accordingly.²¹⁸ Poland has experimented with the practice of providing **bilingual/bicultural teaching assistants** with knowledge of immigrant languages to attend classes.²¹⁹

All teachers need training – teachers in intercultural classes even more so. Such teachers stress that teaching in a multicultural setting demands skills for which training is necessary.²²⁰ Norway is developing several

²⁰⁸ UN (2003), The Human Rights-Based Approach to Development Cooperation: Towards a common understanding among UN agencies, Report of The Second Interagency Workshop on Implementing a Human Rights-based Approach in the Context of UN Reform. Stamford: UN, available at: http://hrbportal.org/?page_id=2127

²⁰⁹ Availability, accessibility, acceptability, adaptability.

²¹⁰ Right to Education Project, available at: <http://www.right-to-education.org/node/226>

²¹¹ UNICEF and UNESCO (2007), A Human Rights-Based Approach to Education for All – A Framework for the Realization of Children's Right to Education and Rights within Education. UNICEF/UNESCO, 2007, p. 93. Available at: <http://unesdoc.unesco.org/images/0015/001548/154861e.pdf>

²¹² UNICEF and UNESCO (2007), A Human Rights-Based Approach to Education for All – A Framework for the Realization of Children's Right to Education and Rights within Education. UNICEF/UNESCO, 2007, p. 72. Available at: <http://unesdoc.unesco.org/images/0015/001548/154861e.pdf>

²¹³ Country Report: United Kingdom.

²¹⁴ Country Report: Belgium.

²¹⁵ Country Report: United Kingdom.

²¹⁶ Country Report: Malta.

²¹⁷ Country Report: Malta.

²¹⁸ Country Report: Malta.

²¹⁹ Country Report: Poland.

²²⁰ Country Report: Spain.

online learning resources for bilingual education.²²¹ The easy accessibility of these resources means they are consulted by an increasing number of teachers. It also ensures that the quality of teaching is improved by facilitating the involvement and participation of various stakeholders in their development. Formative assessment, action-research, second language acquisition, and intercultural education should be the key competences of teachers' training. These competences are so universal that all would benefit – native as well as immigrant students.²²²

7.2. The successful nexus

The 'teachers – pupils – parents' nexus is crucial in order for integration to take place and function in a sustainable and successful manner. The school ethos should be steeped in a culture in which human rights are respected for all members of the school community. Human rights "need to be incorporated into all school policies in order that children and teachers are aware of what their rights, and consequent responsibilities, are and how to exercise them."²²³ Children have rights, as well as responsibilities. Mutual respect should be the norm in their relations with teachers: "As teachers have responsibilities to children's rights, children have responsibility towards teachers."²²⁴

Consulting and involving parents is the aim of numerous good practices. The objective is twofold: to stimulate parents' participation and support them in furthering their capacity willingness to ensure their children's attendance at school.

As stressed in the Swedish report,²²⁵ the school must forge relations with parents based on respect and open dialogue. Trust and confidence of both parents and pupils in the teachers and the school itself are paramount for sustainable integration in the education system. The country reports describe a variety of ways this can be achieved:

- Several Polish practices are open to parents' participation: the Intercultural Kids Club is visited by children, accompanied by parents/carers.²²⁶ The Intercultural School in the Multicultural city (where initial intercultural training events were held) was attended not only by children and teachers, but by parents as well.²²⁷
- The Belgian report lists several forms of successful collaborative models for communication between

schools and parents, such as home visits, informal conversations with teachers and the school's coordinator for newcomer's education, and in particular with the school's intermediaries.²²⁸

- The Finish report also stresses the importance of building an efficient cooperation system with parents of RASC,²²⁹ and Norway has established well-articulated, highly developed schemes of relationships and responsibilities among various partners: pedagogical leaders, parents, interpreters, mother-tongue assistants, etc. It covers three aspects: **what** (activity/event), **responsibilities** (who is in charge of a certain activity/event) and **when** (time of the activity/event)²³⁰
- The nexus 'school-pupils-family' is further developed and conceptualised in the **holistic model of integration**. It "considers the child's and his/her family's competences, knowledge and needs and how there are interrelated."²³¹ It pays attention to education, as well as health and leisure time. All measures and activities are carried out in close cooperation with the family.

7.3. Diversification of agents

Civil society organisations play a triple role: they represent a pool of expertise on both the needs of migrant children and the ways to satisfy them, they act as service providers, and they contribute to making the duty bearers accountable.

The more stakeholders are involved, the more balanced the approaches and the more diverse

²²¹ Country Report: Norway.

²²² Country Report: Sweden.

²²³ UNICEF and UNESCO (2007), A Human Rights-Based Approach to Education for All – A Framework for the Realization of Children's Right to Education and Rights within Education. UNICEF/UNESCO, 2007, p. 76. Available at: <http://unesdoc.unesco.org/images/0015/001548/154861e.pdf>,

²²⁴ UNICEF and UNESCO (2007), A Human Rights-Based Approach to Education for All – A Framework for the Realization of Children's Right to Education and Rights within Education. UNICEF/UNESCO, 2007, p. 22. Available at: <http://unesdoc.unesco.org/images/0015/001548/154861e.pdf>

²²⁵ Country Report: Sweden.

²²⁶ Country Report: Poland.

²²⁷ Country Report: Poland.

²²⁸ Country Report: Belgium.

²²⁹ Country Report: Finland.

²³⁰ Country Report: Norway.

²³¹ Country Report: Sweden.

the good practices. Belgium offers an interesting example with an organisation called the Local Cooperation Board which represents local school boards, parents' organisations, staff members of the local support centre, the local organisation for integration of newcomers, ethnic minorities' organisations and health care services.²³²

The Refed Network of Professionals in the UK is a network of 1,400 practitioners dealing with RASC, young people and families, primarily in the area of education, but also in healthcare and social protection. It provides a platform for exchanging information, as well as for sharing and developing ideas.²³³ Irish teachers are particularly proud of the Together Towards Inclusion toolkits. This is an innovative initiative addressed to all stakeholders involved in the educational integration of foreign pupils. These toolkits aim to help schools create and sustain a welcoming and inclusive environment for pupils and parents from all backgrounds, and ensure equal access for all.²³⁴ Bulgaria has also piloted a good practice of mediation by the State agency for refugees between the parents and the administration in two public schools.²³⁵

Integration is not just the job of professionals. Volunteers are needed and welcome – in its report, Malta describes their involvement.²³⁶

Transferability

Some good practices have already been presented and transferred to other countries. The Together Towards Inclusion Irish toolkit is an inspiring example of this: it has been warmly welcome in Germany, Norway, Romania, Slovenia and Switzerland. These positive examples could be successfully used in different international contexts.²³⁷ The Nordic cooperation which aims to provide digital learning resources in various languages has already given gained good results, such as transfers from Sweden to Norway.²³⁸ The Norwegian scheme of relationships and responsibilities of stakeholders is a very good practice. Its transferability depends on the competence of good planning.

8. CONCLUSION

The present comparative analysis has confirmed some of the hypotheses and has falsified others. The classic

European models of integration – assimilationist/non-differentialist and multiculturalist – are vanishing. Their contours can still be identified, and some countries come closer than others to the ideal types, but what prevails is a common trend towards securitisation – with more restrictive, less hospitable policies.

The question arises as to what the most relevant factors are that influence policies. As mentioned in section 1, the **number** of refugees has only relative relevance. The INTEGRACE sample is extremely heterogeneous – Germany and UK rank among the top ten hosting countries in the world, France is among the top three in Europe, while RASC in Estonia can be counted on one hand. The numbers are similarly low in other countries, such as Hungary, Lithuania, Malta, etc. Numbers do count when they are very limited, as in Estonia; namely, the law does not distinguish between the different groups of RASC. Only much higher numbers allow for the subdivision of RASC into children with disabilities, children with special needs, ex-child soldiers and militia workers, separated children, victims of crime, children involved with drugs, prostitution, and exploitative labour, or 'street' children. At the same time, numbers do not count when targeting policies. Furthermore, numbers of refugees are not the only influence on integration policies. (For example, countries such as the Netherlands have shifted from more multiculturalist to more assimilationist policies, for political rather than statistical reasons.) Similarly, numbers do not have much significance when access is defined: countries such as the UK, with a very high proportion of refugees, offer open and equal access to education, including for migrants with irregular status, while others, with much smaller numbers of RASC, apply a more differentiated approach.

The **history** of settlement – i.e. the time of arrival and the duration of stay – can influence the choice of good practices, but not so much the integration model. Countries in which immigration is relatively recent focus more on awareness campaigns; others, with settled refugee populations, are more

²³² Country Report: Belgium.

²³³ Country Report: United Kingdom.

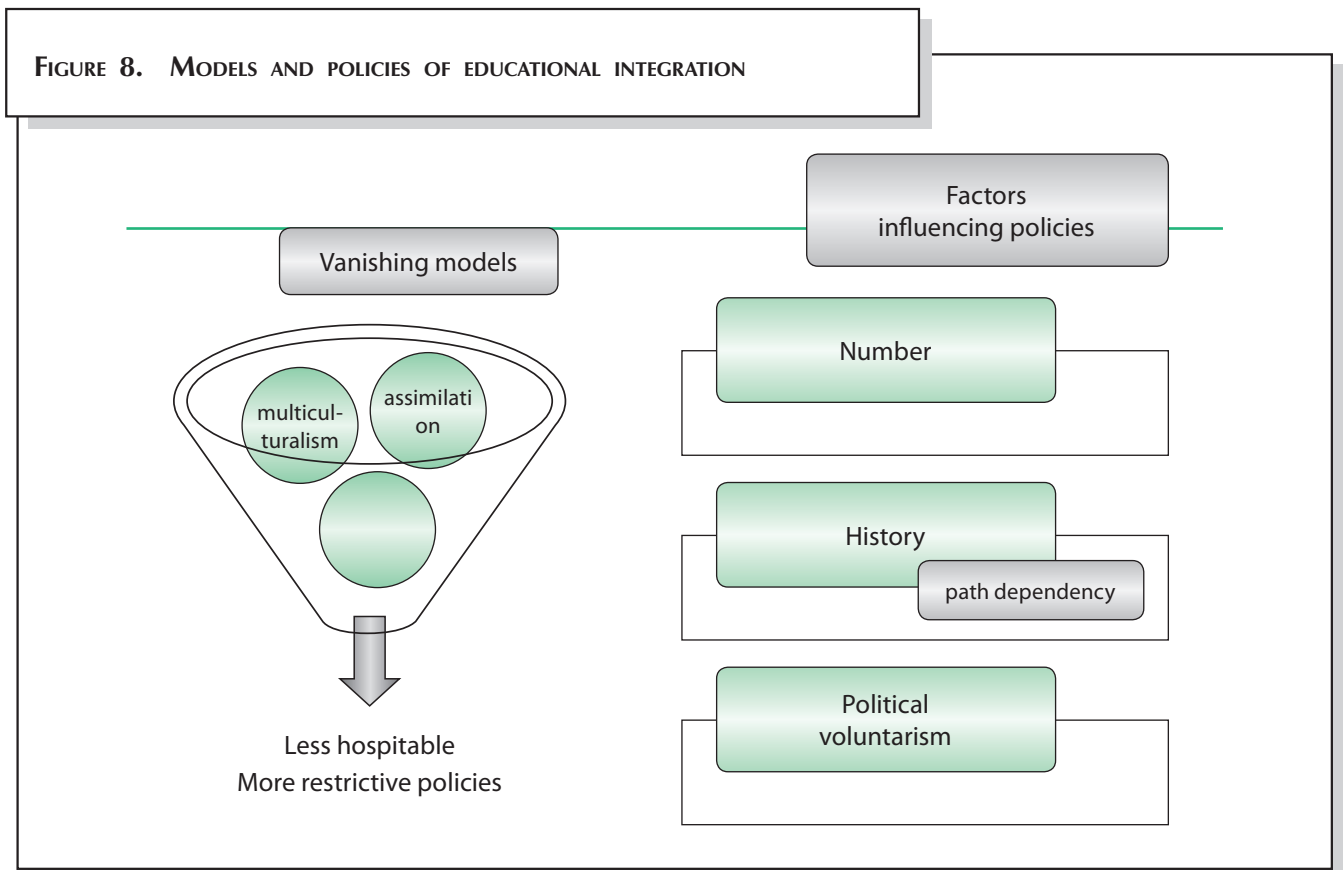
²³⁴ Country Report: Ireland.

²³⁵ Country Report: Bulgaria.

²³⁶ Country Report: Malta.

²³⁷ Country Report: Ireland.

²³⁸ Country Report: Norway.



concerned with integration. In the multiculturalist camp we see countries with different migration histories and profiles (transit or destination).

Policies are influenced, but not determined, by the size of migrant flows and the history of migration. These conclusions imply that the decisive factor is **political voluntarism**. Elites assume the responsibility for introducing and changing policies, and some good practices disappear with changes of government. A relevant example is the project with the emblematic name *Aiming high*, introduced by the previous British government, and abandoned by the current one.

The State bears the main responsibility for conceiving and implementing efficient policies on educational integration. A plethora of positive measures and practices have been identified, all of which are promising, but likely to succeed only if they are backed up by solid commitment and careful monitoring. Public authorities are not always able or willing to meet their obligations with regard to the educational integration of RASC. The reasons for this can be summarised in three ways:

- **lack of resources** – financial or human (skills and institutional capacity);
- **lack of responsibility** – lack of political will and commitment to accept obligations;
- **lack of coordination** between institutions and stakeholders.

‘Aiming low’ seems to be the political choice of many political forces and governmental majorities across Europe as far as the integration of migrant children is concerned.

Who are the bearers of good practices in a situation of more restrictive policies? The surprising conclusion suggested by these reports is that **agents of integration** – teachers, volunteers, NGO activists – play a crucial role. Most good practices are both initiated and implemented by active individuals, inspired by the values of tolerance, anti-discrimination and intercultural dialogue. Their motivation, energy, innovation, and activism represent the extraordinary driving force which makes integration happen. A strong, vibrant civil society is the productive counterpoint to restrictive policies; in other words, civil society’s good practices remedy the shortcomings of the state system. It is for this

reason that the NGO ASTI has been identified in Luxembourg as itself a 'good practice.' Thanks to its existence, the energy and goodwill of activists, researchers, artists, community leaders and migrant organisations has been channelled during the past 30 years into a force for change in the traditionally conservative political culture of Luxembourg.

This comparative analysis identifies the following criteria for sustainability and transferability of good practices:

The concept of RASC should be deconstructed and two different types of integration strategies should be identified and developed. Asylum-seeking children live in the separate world of the asylum seeker centres, and only some of them attend school in the local community. Children with refugee status, on the other hand, are not distinguished from other children of migrant origin and are the main target of integration policies. Policy-makers should be aware of the differences in temporality of stay and sensitive to the peculiarities of integration of each group.

Strategies and action plans have proven to be the best policy instruments, and the optimal institutional incentive structures to legitimise the importance of integration and to allow for a comprehensive approach. Some of the reports define the latter as 'holistic.' "Practices should be understood in the wider framework of measures and policies aimed at increasing the benefits related to migration and minimising the negative aspects through the promotion of a diverse and multicultural society."²³⁹

The dilemma between concentration in specialised schools/classes or dispersion of RASC in regular classes does not have a definitive solution. However, **desegregation** proves to be a better practice. The high concentration of migrant children and the lack of interaction with native pupils present obstacles to learning the language, which reduces inter-ethnic contact and social cohesion.

Project-based activities should be replaced by **programmes with medium- and long-term funding** by local and state authorities, in order to avoid frequent staff changes and to allow the implementing partners to develop required capacities.

Furthermore, a greater transparency in the education system, as well as the establishment of a feedback culture at schools, is necessary. Reliable mechanisms of evaluation are a prerequisite for the transferability of good practices. Thanks to the feedback gathered through such mechanisms, it is possible to reformulate and modify good practices according to the needs of the target population. It is crucial to gather feedback not only from the initiators of the good practices, i.e. teachers and NGOs activists, but also from the RASC themselves and their parents.

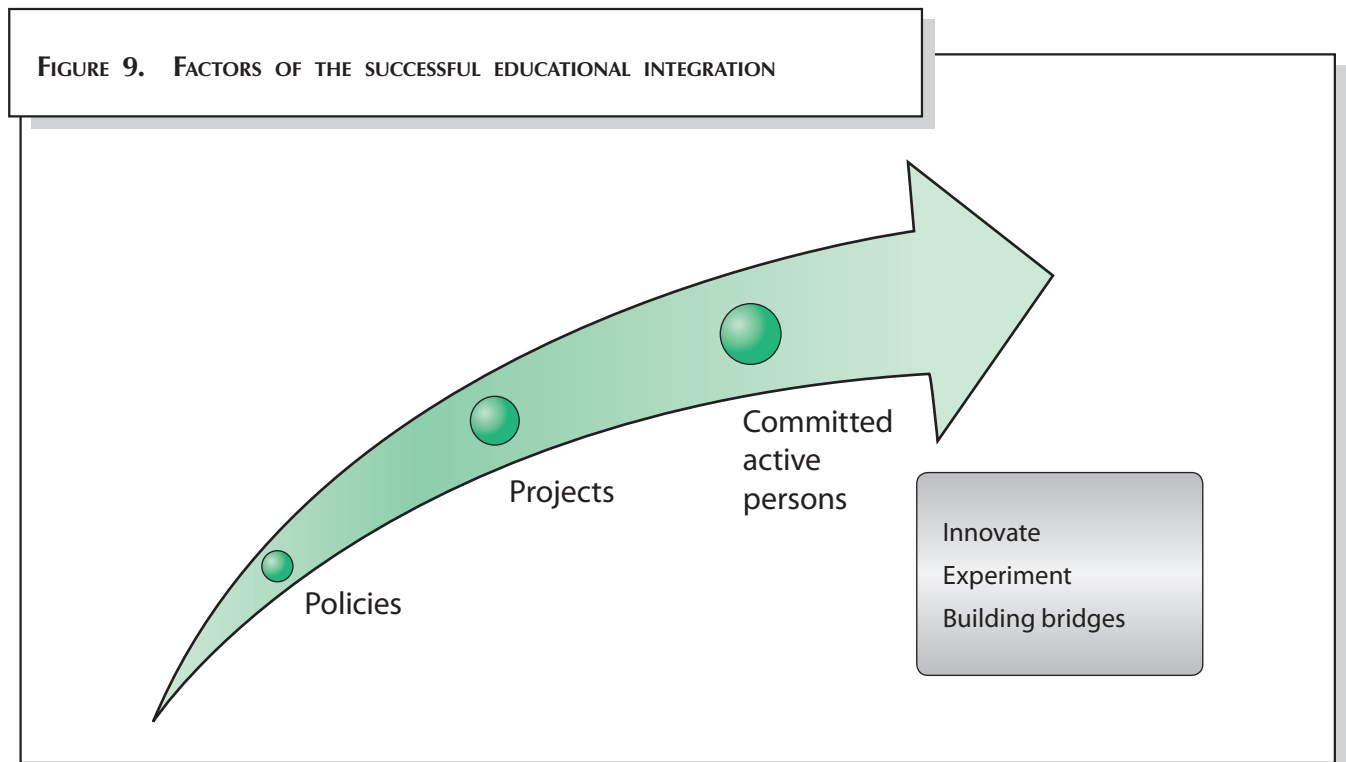
Training teachers in **intercultural communication** is crucial for promoting diversity in schools and society, as well as being an asset and opportunity for mutual benefit. The practice of utilising **support teachers**, including teachers and volunteers with migrant backgrounds, has proven to be beneficial and could be easily transferred. Creating **networks** of professionals in intercultural education for the exchange of information, ideas and initiatives, is an efficient, non-costly, and easily transferable good practice.

An **inclusive ethos and environment** promote a culture of respect for differences and introduce approaches to support all children, irrespective of legal status, language or ethnicity. Interculturality is a crucial dimension of the inclusive curriculum tailored to the needs of children, and learning materials should not convey negative representations of any migrant groups. Child-friendly schools and participatory methods take into account the evolving capacities of the child and ensure a safe, welcoming and encouraging environment.

Educational integration is not just about **what** children learn, but also – just as importantly – about **how** they learn. Crucial for its success is the respect for the **agency** of children, their active involvement and participation. Schools should respect the dignity of the child and promote self-esteem and self-confidence.

The 'teachers – pupils – parents' nexus should be strengthened and expanded to include volunteers and NGO activists. This participatory approach enables the input of a large spectrum of stakeholders – teachers, parents, children, community leaders, and civil society activists. The child's perspective is indispensable. Policies to support refugee children need to be seen as the responsibility of all school staff. Engaging parents is a factor crucial to both

²³⁹ Country Report: United Kingdom.



pupils' success at school and the integration of refugee families in the local communities. Parents should be considered as partners, though some of them may lack the knowledge and skills to interact effectively with teachers, and therefore should be supported in building these capacities.

Art and sport offer a huge potential for aiding integration: they allow participants to avoid or overcome misunderstandings and tensions; they foster creativity and intercultural communication; and they create opportunities for playful exchange and dialogue, whilst empowering participants. Stimulating opportunities for play and recreation are essential elements of a child-friendly environment. Guaranteeing the right to play for all children is a powerful instrument for children's self-fulfilment and self-esteem. A child asylum-seeker in Norway sums up the empowering effect of the creative project

of a book with stories of exile: "So we make a book about our different ideas and experiences, then one boy can be ten boys!" Creativity can transform traumatic experiences into artistic artefact and therefore strengthen the symbolic capital of young creators.

Browsing through countries, policies, and practices, one realises that for successful integration what counts most – more than policies and programmes which vacillate from one model to another – are committed and active persons with intercultural sensitivity, ready to innovate, experiment, build bridges of understanding and intercultural dialogue. Building inclusive, participatory and accountable education systems which treat children with dignity as result of sustainable policies and innovative local initiatives is the royal road to integration for refugee and asylum-seeking children.

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National INTEGRACE Reports

- Country Report: Belgium.
- Country Report: Bulgaria.
- Country Report: Croatia.
- Country Report: Estonia.
- Country Report: Finland.
- Country Report: France.
- Country Report: Germany.
- Country Report: Hungary.
- Country Report: Ireland.
- Country Report: Lithuania.
- Country Report: Luxemburg
- Country Report: Malta.
- Country Report: Malta.
- Country Report: Norway.
- Country Report: Poland.
- Country Report: Portugal.
- Country Report: Portugal.
- Country Report: Romania.
- Country Report: Slovakia.
- Country Report: Spain.
- Country Report: Sweden.
- Country Report: the Czech Republic.
- Country Report: the Netherlands.
- Country Report: United Kingdom.

LIST OF ABBREVIATIONS

- | | |
|------|--|
| CRC | – Convention on the Rights of the Child |
| ELR | – Exceptional Leave to Remain |
| ERF | – European Refugee Fund |
| NEE | – <i>Necesidades Educativas Especiales</i> (Students with Special Needs) |
| RASC | – Refugee and Asylum-seeking Children |
| UM | – Unaccompanied Minors |

2. COUNTRY REPORTS

2.1. COUNTRY REPORT: AUSTRIA

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1. METHODOLOGICAL INTRODUCTION

The overall objective of the INTEGRACE project concerns the promotion of the “educational integration of refugees and asylum seeking children in the EU through sharing of best practices and developing common standards in programme development and evaluation”. The present Report aims to contribute to this goal by presenting the main findings of the identification of best practices of educational integration for refugee and asylum-seeking children in Austria.

The Methodological guidelines for best practices identification and preparation of country reports, as agreed upon by the project team in 2010, provide essential guidance on key concepts of the project, including “best practices” and “educational integration”. The Sofia Seminar in January 2011 further supported finding a common understanding of the terminology and concepts used. It is not necessary at this place to repeat those deliberations in detail, but nonetheless some important elements should be emphasised.

As far as best practices are concerned, several relevant criteria have been proposed, such as innovation, participatory approaches and stakeholder involvement and impact and efficiency; but in light of the comparative approach of the INTEGRACE project, sustainability and potential for replication/transferability may be regarded as particularly relevant. Both criteria relate to structural dimensions of the programmes and initiatives under review for the Austrian assessment, and this structural dimension is also of primary importance for a human rights-based approach to education and integration. The Methodological Guidelines

provide a comprehensive overview of relevant international and European human rights law, including the UN Convention on the Rights of the Child (1989) and the Council of Europe’s European Convention on Human Rights (1950). Human rights highlight empowerment of right-holder – here: child refugee and asylum-seeking children – and accountability of duty-bearers – here: primarily the government, with its relevant authorities in areas such as asylum and migration, education, social assistance and child and youth welfare services. In all these matters of competence policies, laws and other instruments for sustainable implementation of human rights standards are required to meet those obligations.

In addition, the human rights-based approach also adds qualitative elements to educational integration of refugee and asylum-seeking children by establishing principles of equality and non-discrimination along with participation in the decision-making process. However, this approach should also enhance how appropriate/child-friendly the integration services are, including psychosocial assistance that is offered to the children or their families. It should secure that mainstream educational programmes reflect the educational aims of inter-cultural learning or a non-violent learning environment, and that there are specific support services addressing the needs of specific target groups, such as unaccompanied/separated children or children victims of crime (e.g. child trafficking).

These concerns are taken up as requested in the Methodological Guidelines in the four dimensions of access to education, quality of education, enhanced protection and empowerment and participation, with the main findings and recommendations in this regard being summarised in the final chapter of this report.

Consequently, the considerations mentioned above should also help clarify the selection of best practices contained in chapter five. Thus, the focus, has not been on the individual e.g. language training courses or educational support services – there are several local initiatives, started in villages, schools, parishes in Austria – but more on comprehensive offerings to young people, which in many cases include support for school achievements, language training, but also – of particular importance to the main age target group (young people of fourteen and over) – vocational training and practical skills such as computer literacy.

Regarding the main data sources and methods used for identifying best practices, it has to be noted that given the objective of providing a broad overview of services available and at the same time given the limited time frame for this undertaking the report does not claim to have reviewed exhaustively all activities in Austria past and present, nor was it possible to establish in detail qualitative elements, such as impact and efficiency of projects, which would require a different level of assessment. Such more in-depth evaluation of selected examples will be part of the second stage of the INTEGRACE project.

For the purpose of the first stage/best practice identification, a wide range of methods has been used, starting with personal and telephone interviews with a representative of the leading network of Austrian refugee organisations (Asylkoordination) and coordinator of the child refugee working group of UNHCR's Vienna office and of the Federal Ministry of Education, Arts and Culture. Additional interviews were conducted with school authorities in the Länder (Austrian provinces) as well as non-governmental and church-based organisations offering educational services to refugee children and "candidates" for best practice selection to obtain more detailed or verify existing information. All in all, some twenty five such personal meetings, interviews and extensive telephone conversations have been held during the research period. These personal contacts were complemented through extensive literature review and internet research. In the case of the selected best practices, additional information such as project implementation and evaluation reports have been taken into account.

Furthermore, existing expertise of project team members in related areas, such as child trafficking, asylum policies and gender equality have been helpful in the assessment. Further details on the best practice selection process will be given in chapter five of this report.

2. REFUGEES AND ASYLUM SEEKERS: GENERAL BACKGROUND

In the following chapter, a basic statistical overview is given on the numbers of refugees and asylum seekers, with a specific focus on children, as far as information is available.¹

First of all, a rough distinction can be made between the following groups:

- asylum seekers;
- beneficiaries of international protection (i.e. recognised refugees and beneficiaries of subsidiary protection);
- beneficiaries of temporary protection (however, this category currently does not play a role in Austria – examples in the past were refugees from Bosnia and Herzegovina or Kosovo who were received under a temporary protection regime);
- persons who are entitled to stay in Austria on account of Art. 8 ECHR or on account of other reasons "particularly worth considering";
- persons without a residence right in Austria but who cannot be expelled to their countries of origin either due to the difficult situation in the country of origin or due to other difficulties e.g. in getting documentation necessary for return – such persons are merely "tolerated" in Austria (some of them are rejected asylum seekers).

As far as official statistical data is concerned, there is only very limited data available on the relevant target group. The Ministry of Interior collects only the number of asylum applications filed in Austria, but no statistics on the refugee population (granted status of international protection) exist. Based on its own calculations, the Office of the UN High

¹ Further information on the legal framework for refugees and other status and its procedures is contained in chapter 3 below.

Commissioner for Refugees estimates that in 2009 some 38,900 refugees (with granted status under The 1951 Convention relating to the Status of Refugees) lived in Austria,² with a total of 32,146 pending cases of (adult and child) asylum-seekers in Austria (consisting of those whose application for asylum or refugee status was pending at any stage in the asylum procedure: first instance, second instance, High Courts).³ Compared to the total number of third country nationals in Austria of 553,709 (2009) the share of persons in need

of international protection appears to be relatively small.

In **2009**, there were 15,821 asylum applications. The number of asylum seekers in Austria has decreased over the last decade: from a peak in 2002 (39,354) to a low in 2010 (11,012).

The recognition rate (i.e. the share of persons granted refugee status in the total amount of decisions taken) has decreased in the last years (see table above).

TABLE 5. OFFICIAL DATA ON ASYLUM APPLICATIONS AND DECISIONS IN AUSTRIA, 1999 – 2009⁴

Year	Asylum applications		Decisions				
	Asylum seekers	Top 5 countries of origin (CoO)	Positive (intern. Protection)	Negative	Other ⁵	CoO with highest recognition rates	Subs. protection
2000	18,284						
2001	30,127						
2002	39,354	AFG, SER, IRQ, TK, IND	1,073	4,285	24,523		n/e
2003	32,359	RUS, TK, IND, SER, AFG	2,084	4,951	29,280		3,250
2004	24,634	RUS, SER, IND, NIG, GEO	4,785	3,959	11,357	RUS 94 % AFG 87 %	994
2005	22,461	SER, RUS, IND, MD, TK	2,256	2,742	1,944		772
2006	13,349	SER, RUS, MD, AFG, TK	4,063 (26 %)	5,867 (38 %)	5,558 (36 %)	RUS 71 % AFG 64 % IRQ 35 %	909
2007	11,921	RUS, SER, AFG, TK, MD	5,197 (32 %)	6,646 (41 %)	4,204 (26 %)	RUS 72 % SOM 63 % AFG 62 % IRQ 53 %	1,638

² UNHCR, 2009 Global Trends – Refugees, Asylum-seekers, Returnees, Internally Displaced and Stateless Persons, Geneva, June 2010, see: www.unhcr.org

³ This data does not contain persons in need of protection who have obtained Austrian citizenship in the mean time or persons granted any other form of protection based on Art. 8 ECHR or on humanitarian grounds.

⁴ Sources: Austria/Bundesministerium für Inneres [Federal Ministry of the Interior], Entwicklung der Zahl der Asylwerber in der Republik Österreich in der Zeit von 1999 bis 2009; Austria/Federal Ministry of the Interior, Asylum Statistics 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010.

⁵ *Einstellungen* [suspension], *gegenstandslos* [invalid], *Zurückweisung* [dismissal on formal grounds].

TABLE 5. OFFICIAL DATA ON ASYLUM APPLICATIONS AND DECISIONS IN AUSTRIA, 1999 – 2009 (CONTINUED)

Year	Asylum applications		Decisions				
	Asylum seekers	Top 5 countries of origin (CoO)	Positive (intern. Protection)	Negative	Other	CoO with highest recognition rates	Subs. protection
2009	15,821	RUS, AFG, KOS, GEO, NIG	3,247 (16 %)	13,531 (67 %)	3,459 (17 %)	IRQ 53 % AFG 41 % RUS 30 %	1,536
2010	11,012	RUS, AFG, KOS, NIG, IND	2,977 (16 %)	13,290 (71 %)	2,512 (13 %)	IRN 54 % IRQ 34 % AFG 34 % RUS 31 %	1,749

In 2009 out of a total of 21,773 decisions, 3,247 were granted refugee status and 1,536 subsidiary protection.⁶

In relation to the group of refugee and asylum-seeking children (hereinafter: RASC), these numbers are only available by the Federal Ministry of Interior with regard to **unaccompanied** asylum-seeking children. Data is further disaggregated by age group

(children under fourteen; children between fourteen and eighteen) and country of origin, but not, for instance by gender within these age groups. There are no official data on children who are recognised refugees, beneficiaries of subsidiary protection or other status as mentioned above.

As shown above, in 2009, there were 1,062 unaccompanied asylum-seeking children (thereof

TABLE 6. UNACCOMPANIED ASYLUM SEEKING CHILDREN IN AUSTRIA

Year	Numbers	By age group and main countries of origin
2004	914	* 43 under 14 (10 MD, 6 RUS) * 871 under 18 (231 NIG, 114 MD, 76 GAM) (298 declared adult following age assessment)
2005	790	* 81 under 14 (21 RUS, 12 MD, 12 SER) * 709 under 18 (88 AFG, 74 NIG, 63 IND) (91 declared adult following age assessment)
2006	414	* 53 under 14 (25 RUS) * 361 under 18 (44 AFG, 40 NIG, 31 RUS) (74 declared adult following age assessment)
2007	516	* 50 under 14: 19 RUS, 7 MD, 4 SER, 4 AFG * 466 under 18: 59 MD, 47 SOM, 29 NIG, 27 SER, 24 RUS (66 declared adult following age assessment)

⁶ 13,531 decisions were negative and 3,459 decisions closed the procedure in another way. Annexes to UNHCR, '2009 Global Trends: Refugees, Asylum-seekers, Returnees, Internally Displaced and Stateless Persons', 15.06.2010, Table 5.

**TABLE 6. UNACCOMPANIED ASYLUM SEEKING CHILDREN IN AUSTRIA
(CONTINUED)**

Year	Numbers	By age group and main countries of origin
2008	770	* 64 under 14: 12 AFG, 11 MD, 11 RUS * 706 under 18: 230 AFG, 64 NIG, 61 MD, 53 SOM, 46 RUS (104 declared adult following age assessment)
2009	1,062	* 43 under 14 (8 AFG, 8 KOS, 16 RUS) * 1019 under 18 (423 AFG, 118 NIG, 59 MD, 46 RUS, 39 SOM) (123 declared adult following age assessment)
2010	687	* 34 under 14: 13 AFG, 13 RUS; * 653 under 18: 284 AFG; 40 ALG; 24 MAR; 40 MD; 62 NIG; 21 RUS); (247 declared adult following age assessment)

Source: Federal Ministry of Interior.

forty-three under fourteen): most of those under fourteen came from Russia, Afghanistan and Kosovo, while the majority of those between fourteen and eighteen were from Afghanistan, Nigeria and Moldova. In 2010, there were 687 unaccompanied minors (thereof thirty-four under fourteen): a majority of those under fourteen were from Afghanistan and Russia, whereas most of those under eighteen came from Afghanistan, Nigeria, Algeria and Moldova. Thus, the official available data show an up and down drift since 2004: a decrease from 914 (2004) to 790 (2005) to 414 (2006); then a slight upwards trend in 2007 (516) and 2008 (770) and 2009 (1,062) with a decrease again in 2010 (687). What can be observed from the data also is a trend towards an increasing number of age assessments of young people leading to determinations of majority (only in 2004 a similarly high absolute number was reached as in the most recent years).

There are no official disaggregated data for recognised refugee children. However, a recent research project tried to obtain information on the number of

recognised unaccompanied refugee children and child beneficiaries of subsidiary protection via a survey addressed to unaccompanied minors' shelters. It derived that in 2009 only seventeen unaccompanied minors received refugee status (ten female, seven male; six male from Afghanistan, three female Afghanistan), while 142 got subsidiary protection status.⁷ In comparison, in 2009 in total 3,247 persons received refugee status (and 1,536 subsidiary protection status).

As for the persons who are entitled to stay in Austria on the basis of Art. 8 ECHR (family unity) or on account of other reasons "particularly worth considering" (e.g. for victims of trafficking), the following table contains only the total of permits granted to both adults and children. In general, the number is rather low. There are no official disaggregated data for children with other types of residence status. There have been indications about children in the asylum procedure who are actually victims of child trafficking; however, due to limitations in proper identification no exact numbers have been established so far.⁸

⁷ Fronek H. (2010), 'Situationsanalyse zur: Integration von unbegleiteten minderjährigen subsidiär Schutzberechtigten oder Konventionsflüchtlingen in Österreich', June 2010, 2. It is assumed that more than three quarters of all unaccompanied children/young people present in Austria were covered through this survey; however, these figures do not include those who are hosted in refugee pensions or private shelters.

⁸ For information on child trafficking, see the 2009 Report of the inter-ministerial Child Trafficking Working Group of the Austrian Taskforce against Trafficking in Human Beings, available at: <http://www.bmeia.gv.at/en/foreign-ministry/foreign-policy/human-rights/main-human-rights-issues/combating-human-trafficking.html> (8 April 2011).

TABLE 7. TOTAL OF PERMITS GRANTED TO BOTH – ADULTS AND CHILDREN

	2009		2010	
	Existing permits 2009	Issuance of permits 2009	Existing permits 2010	Issuance 2010
Art. 8 ECHR Settlement permit unrestricted (Sec. 43 (2) NAG)	737 (0.95 %)	first issuance: 692 prolongation: 36 changed purpose: 88	2,094 (2.79 %)	first issuance: 1,510 prolongation: 517 prolongation of purpose: 214
Art. 8 ECHR Settlement permit restricted (Sec. 44 (3) NAG)	384 (0.5 %)	Prolongation: 19 changed purpose: 45	755 (1.01 %)	first issuance: 609 prolongation: 173 changed purpose: 32
Humanitarian grounds – Settlement permit restricted (Sec. 44 (4) NAG)	22 (0.03 %)	First issuance: 22 Prolongation: 1	56 (0.07 %)	First issuance: 52 Prolongation: 8 changed purpose: 1
Settlement permit unrestricted (Sec. 44 (3) NAG) after at least 12 months permit according to Sec. 69a NAG		347	31 (0.04 %)	
Settlement permit (former beneficiaries of subsid. protection)			340 (0,45 %)	First issuance: 339; changed purpose: 4
Temporary residence permit for specific protection, Sec. 69a (1) item 1 NAG	11 (0.06 %)	Prolongation: 14	22 (0.11 %)	First issuance: 5 prolongation: 22
Sec. 69a (1) item 2 NAG	16 (0.08 %)	First issuance: 12 Prolongation: 3	7 (0.03 %)	First issuance: 8
Sec. 69a (1) item 3 NAG	2 (0.01 %)	First issuance: 2 Prolongation: 1	13 (0.06 %)	First issuance: 13 Prolongation: 1

Source: Federal Ministry of Interior.

There are no figures available about the number of persons without a residence title in Austria who, nevertheless, cannot be expelled to their countries

of origin either due to the difficult situation in there or to other difficulties (e.g. getting documentation necessary for return).

3. INSTITUTIONAL SET-UP, LEGAL AND POLICY FRAMEWORK

3.1. Human rights framework

Austria is a State Party to the major international and European instruments in the field of refugee and human rights protection. Amongst others, Austria has ratified the *Geneva Refugee Convention* on 01.11.1954 and the 1967 Protocol on 05.09.1973⁹ and it ratified the *UN Convention on the Rights of the Child* on 06.08.1992. In this regard it is worth recalling what has been stated by the UN Committee on the Rights of the Child in its General Comment No. 6 on Treatment of unaccompanied and separated children outside their country of origin (2006),¹⁰ in regard to educational integration of those children (and equally applicable to any RASC). Next to the four child rights General Principles (best interests as a primary consideration, child right to participation, non-discrimination, right to life and development), the Committee called on governments to ensure that:

- access to education is maintained during all phases of the displacement;
- every child irrespective of status has full access to education, without discrimination, in particular, unaccompanied girls;
- access to quality education should also be ensured for children with special needs, in particular for children with disabilities;
- any child should be registered with appropriate school authorities as soon as possible and get assistance in maximising learning opportunities;
- children have the right to maintain their cultural identity and values, including the maintenance and development of their native language;
- adolescents should be allowed to enrol in vocational/professional training or education;

- early learning programmes should be made available to young children;
- children are provided with school certificates or other documentation indicating their level of education, in particular in preparation of relocation, resettlement or return.¹¹

Furthermore, it should be noted that the *European Convention on Human Rights* (ratified on 03.09.1958) enjoys constitutional rank in Austria with direct applicability to all courts and authorities. Thus, ECHR provisions and case-law, for instance, in relation to family unity (Article 8) and non-refoulement (Articles 2, 3) have become cornerstones of the domestic fundamental rights framework in relation to refugee protection.

In a most recent development, in January/February 2011 the chambers of the Austrian Parliament have adopted a specific *Constitutional Act on the Rights of Children*, implementing key provisions of the *UN Convention on the Rights of the Child* (although under a general limitation clause), including the best interests principle, the child's right to participation and rights to specific care for children outside their family environment (which would include unaccompanied refugee children). The Act entered into force on 16.02.2011, and its legal impact e.g. in the context of refugee law through interpretation by the Austrian Constitutional Court remains to be seen. Only recently, for instance, the Government proposed amendments in the field of asylum and aliens' police law to further restrict freedom of movement of asylum-seekers in reception centres, including children, without reference to that Child Rights Constitutional Act.¹²

Concerning international monitoring of Austrian implementation of the Convention on the Rights of the Child, already in 1999, the UN Committee on the Rights of the Child was critical of Austrian legislation in this area, expressing concern "about inconsistencies between domestic legislation and

⁹ Austria entered declarations regarding the provision on public education (Arts. 22 (1) GRC).

¹⁰ Available at: <http://tb.ohchr.org/default.aspx?Symbol=CRC/GC/2005/6> (8 April 2011).

¹¹ Similarly, the Statement of Good Practice by the Separated Children in Europe Programme, (2009, D8.3 Education, Language and Training) asks for refugee children: access to **the same** statutory education as national children; schools need to take a **flexible**, welcoming approach; provide **second language support**; prepare an **individual education plan**; ensure **regular school attendance**; education authorities must be vigilant concerning peer violence and **bullying** towards separated children and measures to prevent it; preserve identity/ensure access to **mother tongue teaching**; **vocational and professional training** should be available to older separated children.

¹² For the draft, see the Website of the Ministry of the Interior, at: http://www.bmi.gv.at/cms/bmi_begutachtungen/ (8 April 2011).

the principles and provisions of the Convention, especially with regard to the right to family reunification and some rights of immigrant, asylum-seeking and refugee children.” Furthermore, it was even “seriously concerned” about the detention pending deportation of young asylum-seekers.¹³ At the latest review in 2005, the UN Committee was not pleased with progress so far, deplored the lack of detailed information about asylum-seeking and refugee children and issued several recommendations on protection standards, including:

- “(a) Ensure that guardians are systematically assigned to unaccompanied and separated asylum-seeking children and that the best interests of the child are duly taken into account;
- (b) Ensure that all interviews with unaccompanied and separated asylum-seeking children are carried out by professionally qualified and trained personnel;
- (c) Provide for adequate accommodation, taking into account the state of development of all unaccompanied and separated asylum-seeking children;
- (d) Fully take into account the principle of the best interests of the child when deciding on the deportation of unaccompanied and separated asylum-seeking children and to avoid their placement in custody pending deportation.”¹⁴

3.2. Refugee protection framework – status and procedures

Asylum Seekers

The Austrian asylum procedure is laid down in the *Asylgesetz 2005* (Asylum Act 2005),¹⁵ which aims at assessing whether a person qualifies for protection as provided in the Refugee Convention or for

“subsidiary protection”.¹⁶ The procedure consists of an admissibility procedure and a verification procedure.

The admissibility procedure is carried out in a *Erstaufnahmestelle* (Reception Centre) of the *Bundesasylamt* (Federal Asylum Authority) and aims at determining whether Austria is responsible for considering an application for international protection and whether the case has already been decided. Upon reception of the asylum application, the alien has the status of an asylum seeker who is entitled to stay in the reception centre and to *Bundesbetreuung* [federal care]. During the admissibility procedure, the residence of the asylum seeker is tolerated (*de facto* protection from expulsion) and the freedom of movement is restricted to the area of the competent district administration authority; only in exceptional cases this restriction does not apply – the visit of a school is not such a ground.¹⁷ A government bill (pending as of 13.04.2011 in the *Nationalrat* [National Assembly]) aims at introducing an obligatory stay of up to five days (without interruption) in the reception centre (that can be prolonged by additional forty-eight hours).¹⁸ It has been criticised that this would amount to *de facto* detention.¹⁹

After “admission” of a case, asylum seekers have a temporary residence right and receive a card entitling to residence for the duration of the asylum procedure; the Federal Asylum Authority, then, examines in the verification procedure, whether asylum or – if refugee status is not granted or disallowed – “subsidiary protection” is to be granted.

Decisions of the first instance can be appealed at the *Asylgerichtshof* [Asylum Court], the second and final instance of the “ordinary” asylum procedure. Dependent on the kind of decision rendered by the

¹³ Committee on the Rights of the Child, Concluding Observations: Austria, UN Document CRC/C/15/Add.98 (7 May 1999), paras 9 and 27.

¹⁴ Committee on the Rights of the Child, Concluding Observations: Austria, UN Document CRC/C/15/Add.251 (31 March 2005), paras 17 and 48.

¹⁵ Austria/BGBl I 100/2005, last amended by BGBl I 135/2009 (entry into force 01.01.2010).

¹⁶ If an application for protection under the GRC is rejected, the application is considered as an application for granting of subsidiary protection.

¹⁷ The restriction of the freedom of movement does not apply if this is necessary for the fulfilment of legal obligations; for being summoned at court or authority; for receiving medical treatment. See Sec. 12 (2) Asylum Act 2005.

¹⁸ Austria/Regierungsvorlage 1078 d.B. XXIV. GP, new Sec. 15 (3a) Asylum Act 2005.

¹⁹ Compare UNHCR Austria, UNHCR-Analyse der Regierungsvorlage für das Fremdenrechtsänderungsgesetz 2011, 7.

first instance authority, the appeal has suspensive effect or not.

Only under exceptional circumstances – i.e. if constitutional rights are concerned – decisions of the asylum court can be appealed to the *Verfassungsgerichtshof* [Constitutional Court]. The Constitutional Court may grant suspensive effect (so that the concerned person cannot be expelled) until it has rendered a final decision; in this case, the applicant is merely tolerated. UNHCR pleaded for making the Administrative Court again (as before 2008) competent for asylum cases to make up for the impairment of legal protection of asylum seekers.²⁰

Concerning duration of the procedure, as of 09.02.2010, in total, 1,337 cases were pending with durations longer than one year before the first instance, thereof 693 procedures longer than two years; 480 longer than three years; 373 longer than four years, 261 longer than five years, 180 longer than six years; 101 longer than seven years; fifty-six longer than eight years; fourteen longer than nine years and seven longer than ten years.²¹ At the end of the first quarter of 2010, there were 17,900 ‘open cases’ before the second instance/Asylum Court.²² In 2009 the Constitutional Court received 3,500 asylum cases (out of 5,500 complaints).²³

Refugee (status granted)

Refugee status (*Asylberechtigte* – status of a person entitled to asylum) is granted if the application for international protection is admissible, e.g. a safe third country or a “Dublin” state is not competent for assessing a protection claim, and if it is well-founded that he/she is/was threatened by persecution in the country of origin.²⁴ Refugees

have the “permanent right to enter and reside in Austria”.²⁵ They are granted a list of material rights on the same level as Austrian citizens, e.g. access to the labour market, social welfare benefits. Further, they can already acquire nationality after six years of residence (usually minimum ten years).

Beneficiaries of subsidiary protection

Beneficiaries from subsidiary protection (e.g. under non-refoulement safeguards) have the temporary and renewable right to entry and residence.²⁶ A temporary residence permit is to be granted initially for one year and can only be prolonged for one year upon application.

Persons with other status

If a return decision issued either in an asylum procedure or in an aliens’ police procedure would result **permanently** in the violation of Art. 8 ECHR (the right to private or family life),²⁷ Austrian authorities have to declare a return decision permanently inadmissible and accord – under certain conditions – *ex officio* a settlement permit.²⁸ The general conditions (e.g. accommodation, health insurance, sufficient means of income) do not have to be fulfilled. Outside of the scope of Art. 8 ECHR, persons with irregular residence in Austria can be granted a residence permit only under certain circumstances: in cases which are particularly worth considering a quota-free settlement permit with restricted access to the labour market can be granted if a third country national has been residing in Austria continuously since 01.05.2004 and if he/she spent at least half of this period on a lawful basis (such as on the basis of a temporary residence right as an asylum seeker). Authorities have to take into account the degree of

²⁰ UNHCR Austria, ‘Analyse des Entwurfs einer B-VG Novelle (Verwaltungsgerichtsbarkeits-Novelle 2010)’, 09.04.2010.

²¹ Austria/Ministry of the Interior, Reply to Parliamentary Query, 4309/AB XXIV. GP (26.03.2010).

²² Austria/*Asylgerichtshof*, ‘Zwischenbilanz 1. Quartal 2010’. In comparison, as of June 2008 23,600 and as of March 2009 17,400 ‘open cases’ (Austria/Parliament, *Parlamentskorrespondenz*/02/07.05.2009/Nr. 389).

²³ Die Presse.com, ‘Zu viele Asylfälle überlasten Verfassungsgericht’, 27.02.2010.

²⁴ Sec. 3 (1) Asylum Act 2005.

²⁵ Sec. 2 (1) item 15 Asylum Act 2005.

²⁶ Sec. 2 (1) item 16 Asylum Act 2005.

²⁷ The right to private life is at stake if persons had spent a long time in the host country, developed personal, social and economic ties and lacked comparable personal ties in other countries – unless they had acted in a particularly dangerous manner.

²⁸ Sec. 44a Settlement and Residence Act. Depending on whether an “integration agreement” (requires basic knowledge of German language and the ability to participate in social, economic and cultural life in Austria) is fulfilled or not, a settlement permit with unrestricted access to the labour market or a settlement permit with restricted access to the labour market is to be granted.

integration, in particular the ability to sustain him-/herself, education and professional experience, employment, and the knowledge of the German language.²⁹ One year after introduction of this provision in April 2009 NGOs criticised that this kind of permit, which was intended to “regularise” “old asylum cases”, has been hardly granted; the barriers would be too high; out of 1,254 positive cases (as of March 2010) only twenty-two were granted a residence permit.³⁰

A temporary residence permit for special protection is to be granted *ex officio* or on application if a person is tolerated for at least one year, as a witness or victim of trafficking in human beings, or to victims of domestic violence, or to unaccompanied minors if the minor is not only temporarily in custodial care.³¹

3.3. Social assistance and integration framework

Basic welfare support system

Foreigners in need of assistance³² and protection are the target group of the basic welfare support system, including:

- asylum seekers, as long as the final decision has not been taken on their asylum case;
- asylum seekers whose asylum claim has been rejected but who cannot be expelled due to legal or factual reasons;
- beneficiaries of subsidiary protection and temporary protection (unless they opt for *Mindestsicherung* [needs-based guaranteed minimum income], see below);

- recognised refugees for the first four months after recognition (unless they opt for *Mindestsicherung*).³³

The Federal Government and the governments of the provinces concluded a joint agreement in 2004, the *Grundversorgungsvereinbarung* (Basic Welfare Support Agreement).³⁴ The agreement was incorporated into federal law³⁵ as well as into the laws of the provinces.

The Federation and the provinces share the responsibility and costs for the reception of asylum seekers (60:40) (persons are distributed according to the size of the population in the provinces): The Federal Government (Ministry of Interior) is responsible to provide basic welfare assistance for asylum seekers during the admissibility procedure in reception centres (and to those whose application has been declared inadmissible or whose application has been rejected on the merits and whose appeal does not have suspensive effect).³⁶ After admission the responsibility devolves to the provinces. Asylum seekers have no influence on the determination to which province and to which accommodation they will be transferred; already existent family or social networks are not necessarily taken into account. It is argued that for economic reasons they are accommodated often in isolated facilities of a variable quality. In some provinces asylum seekers must move to other accommodation.³⁷

Basic welfare support comprises of the following elements:

Accommodation/subsistence: upon arrival, asylum seekers are accommodated in one of the two initial reception centres (Thalham and Traiskirchen). After completion of the admissibility procedure,

²⁹ Sec. 44 (4) Settlement and Residence Act (NAG). An Advisory Board within the Ministry for the Interior advises the Minister of the Interior (who has to give his or her consent) in the decision-making process.

³⁰ Asylkoordination, Diakonie, Volkshilfe, Integrationshaus, SOS Mitmensch (2010) ‘Ein Jahr “Bleiberecht”, Eine Analyse mit Fallbeispielen’, April 2010.

³¹ Sec. 69a NAG.

³² In need of assistance are those who cannot make a living for themselves and their dependent family members with their own means or who do not receive such means from other persons or institutions. Persons receiving welfare support who are able to provide for their livelihood by their own means have to reimburse the necessary costs of care.

³³ Art. 2 (1) Basic Welfare Support Agreement.

³⁴ Austria/BGBl I 80/2004 (01.05.2004).

³⁵ Austria/BGBl 405/1991 as amended by BGBl I 100/2005 (16.08.2005), last amended by BGBl I 122/2009 (01.01.2010).

³⁶ Art. 3 Basic Welfare Support Agreement, Sec. 2 (1) Federal Government Basic Welfare Support Act 2005.

³⁷ ECRI Report on Austria (fourth monitoring cycle), CRI(2010)2, para. 123.

asylum seekers are transferred to accommodation in one of the provinces. They are provided accommodation in kind (e.g. accommodation centres, housing facilities run by NGOs) but also cash support for private housing.³⁸ It is claimed that living standards and also the way food is provided in facilities vary to a considerable extent.³⁹ Dependent on the province, different forms of organisation of accommodation prevail: some provinces buy or rent out flats and run themselves organised shelters and do not involve NGOs (e.g. Tyrol). Other provinces primarily ask NGOs or private enterprises to run organised shelters (e.g. Vienna, Vorarlberg; Upper Austria). Another group of provinces primarily has accommodation run by private enterprises (Burgenland, Lower Austria, Salzburg, and Carinthia) but also NGO run accommodation. In the provinces outside of Vienna organised shelters prevail over individual shelters: as of 13.11.2008 54.26 per cent of asylum seekers were in organised shelters and 45.74 per cent in individual shelters. While accommodation in individual shelters seems to be the preferred option of asylum seekers, access to individual shelters is hampered by the discretion of authorities and the lack of clear criteria as to under what conditions persons are to be accommodated in individual shelters; they often seen as “privilege”⁴⁰ In some provinces, organised shelters are primarily in small municipalities with little population: e.g. in Burgenland organised shelters are in municipalities with 100 – 1,500 inhabitants.⁴¹

Health Care: A medical examination takes place – if necessary – at first admission. All persons

covered by the Basic Welfare Support Agreement are covered by health insurance.⁴² Persons not covered by the Basic Welfare Support Agreement anymore, lose their health insurance but are entitled to receive emergency care, which constitutes a problem in practice. Essential medical treatment and procedures that are not covered by insurance may be covered after examination of the individual case. Language barriers constitute another problem in many provinces.⁴³

Other benefits include allowances in kind or cash for necessary clothes (per year and person a maximum of € 150.00), monthly pocket money (per person € 40.00), transport to school; for school necessities per child and per year a maximum rate of € 200.00 (this amount is not provided to the asylum seeker),⁴⁴ advice and social care, return counselling, and for German language courses for unaccompanied minors (maximum 200 units) per unit and person (€ 3.63). In practice rarely the maximum of these rates is spent and asylum seekers do not receive most of this money themselves. A Member of Parliament of the Green Party stated in 2009 that the basic welfare support for asylum seekers was such low that it would usually not be sufficient for shelter and food.⁴⁵ The Committee on Economic, Social and Cultural Rights criticised the amount as being considerably lower than social assistance granted to Austrian nationals.

Basic welfare support is suspended while aliens are detained or during alternative measures (e.g. regular reporting obligations), if an asylum seeker gains longer-term employment and can be suspended

³⁸ Flats to rent through either cash allowances or vouchers. The provinces enter into contracts with housing providers.

³⁹ ICF II – Cross-Border Asylum Action, Reception Conditions and the Impact of the EU Reception Directive in Austria, May 2007, Anny Knapp – ICF, Asylkoordination Austria / Vienna, 2.

⁴⁰ König. A./Rosenberger S. (2010) ‘Desintegration, Dezentralität, Disziplinierung: Grundversorgung im Bundesländervergleich’, in: Rosenberger S. (2010) 289-90.

⁴¹ König. A./Rosenberger S. (2010) ‘Desintegration, Dezentralität, Disziplinierung: Grundversorgung im Bundesländervergleich’, in: Rosenberger S. (2010) 281.

⁴² Sec. 9 Basic Welfare Support Agreement.

⁴³ ICF II – Cross-Border Asylum Action, Reception Conditions and the Impact of the EU Reception Directive in Austria, May 2007, Anny Knapp, 2. In some provinces, NGOs provide interpretation services during medical consultations. In others, however, there are no regulations regarding interpretation, though public hospitals have partial access to a pool of interpreters. 2, 7.

⁴⁴ ICF II – Cross-Border Asylum Action, Reception Conditions and the Impact of the EU Reception Directive in Austria, May 2007, Anny Knapp, 3. It has been argued that in practice, the Dublin II regulation undermines access to education for children seeking asylum (up to 15 years) who are entitled or even required to attend school. In general, children may be excused from mandatory school attendance for a maximum of three months. Austria does not offer alternative instruction to children subject to ‘more lenient measures’, or at the first reception centres.

⁴⁵ Austria/ Parlamentskorrespondenz/01/21.10.2009/Nr. 888, ‘Nationalrat beschließt weitere Verschärfung des Fremdenrechts’.

if the person is convicted of a criminal offence.⁴⁶ Basic welfare support can be limited or withdrawn in case of continuous or persistent endangerment of public order through serious infringements of the internal rules of care facilities (e.g. if an asylum seeker has left the accommodation for several days).⁴⁷ A decision to withdraw or limit welfare support must not, however, restrict access to emergency medical care⁴⁸ and should possibly be preceded by an interview with the person concerned.⁴⁹

The *Federal Government Basic Welfare Support Act* as well as laws of the provinces contain further grounds for withdrawal or suspension. Asylum seekers who can make a living from their own means must refund welfare costs.⁵⁰ Asylum applicants who do not receive basic welfare support depend on the social benefits of provinces or the support provided by charitable non-governmental organisations. The *EU Reception Directive* introduced the right to a decision on the withdrawal or suspension of welfare benefits and the right to appeal against such a decision. However, it was argued that Austria has not always abided by this obligation.⁵¹

“Needs-based guaranteed minimum income”

Recognised refugees and beneficiaries of subsidiary protection (who do not receive basic welfare support) are entitled to *Bedarfsorientierte Mindestsicherung (BMS)* [needs-based guaranteed minimum income], which replaced the earlier social assistance scheme in 2010, aiming at uniform minimum standards across all provinces to ensure livelihood, accommodation, and health insurance.⁵² As of October 2010, it was implemented in the provinces Vienna, Lower Austria and Salzburg; persons receive a fixed amount of money twelve times a year (2010: single persons – € 744.00, couples – € 1,116.00). Whereas third

country nationals would be entitled to BMS only after five years of residence, and recognised refugees and beneficiaries of subsidiary protection are entitled from the day of recognition. All beneficiaries of international protection who receive BMS (or still benefit from the predecessor, i.e. social assistance) are covered by health insurance.

Access to employment

Recognised refugees and beneficiaries of subsidiary protection have free access to the labour market. During the admissibility procedure as well as during the first three months after admission of their asylum procedure, asylum seekers are barred from exercising wage-earning or independent employment. Afterwards, they need a special authorisation in order to access wage-earning employment or apprenticeship: they are subject to the *Aliens' Employment Act*. Such an authorisation is issued to the employer and not to the asylum seeker. However, in practice such an authorisation is very difficult to obtain: only if the job is not taken by an Austrian or EU/EEA-citizen or another integrated third country national and if a certain quota is not exhausted, an authorisation may be issued. What is more, due to a special decree of the Federal Ministry of Economics and Labour (2004) asylum seekers may only obtain an authorisation for seasonal work (i.e. for a maximum period of six months).

Integration

The Methodological Guidelines refer to several key aspects of integration, described as a two way process of rights and obligations and corresponding participation of foreign nationals in “in economic, social, cultural and civil life”, and in relation to educational integration of refugee and asylum-

⁴⁶ Art. 2 (4) agreement; Sec. 2 (5) Federal Government Basic Welfare Support Act 2005. It is argued that this exclusion clause is not in line with the Reception Directive.

⁴⁷ Art. 6 (3) Basic Welfare Support Agreement. Sec. 2 (4) Federal Government Basic Welfare Support Act 2005.

⁴⁸ Art. 6 (4) Basic Welfare Support Agreement, Sec. 2 (4) Federal Government Basic Welfare Support Act 2005.

⁴⁹ This is not possible if the person has been summoned to the interview but does not attend it or if his or her place of residence is not known (Sec. 2 (6) Federal Government Basic Welfare Support Act 2005).

⁵⁰ Sec. 3 (2) Federal Act on Basic Welfare Support 2005.

⁵¹ ICF II – Cross-Border Asylum Action, Reception Conditions and the Impact of the EU Reception Directive in Austria, May 2007, Anny Knapp, 5f. Priewasser C. under the responsibility of Brandl U. (2007) National Report done by the Odysseus Network for the European Commission on the Implementation of the Directive on Reception Conditions for asylum seekers in Austria, 36ff.

⁵² Austria/*Vereinbarung zwischen dem Bund und den Ländern gemäß Art. 15a B-VG über eine bundesweite Bedarfsorientierte Mindestsicherung*, BGBl I 96/2010 (01.12.2010).

seeking children the Guidelines stress principles of equal access to education and protection from discrimination and possibilities for exchange and mutual learning between cultures.⁵³ Consequently, integration should be regarded as a cross-cutting political concern and issue for policy development, with particular emphasis on social assistance, education (including vocational training) and parental support, as far as children are concerned. Sec. 68 of the *Asylum Act*, however, speaks more generally of recognised refugees that “may be granted” support in integration, including language courses, assistance for accommodation, participation in “events on Austrian culture and history” as well as services offered by the Austrian Integration Fund. On the federal level, the main responsibility for integration lies with the Federal Ministry of Interior, which was also mandated to coordinate the development of the National Plan of Action for Integration, adopted by the Government on 19.01.2010.⁵⁴ However, the NPA deals only with integration of migrants, by stressing permanent residence in Austria as a main criteria for defining its target group;⁵⁵ refugees are mentioned only once in the beginning of the NPA, asylum-seekers not at all. A comprehensive integration strategy with short-, medium- and long-term measures specifically designed for refugees and asylum-seekers – for adults and children alike – has not yet been developed.

4. OVERVIEW OF THE EDUCATIONAL SYSTEM AND THE EDUCATION STATUS OF REFUGEES AND ASYLUM SEEKERS IN THE COUNTRY

4.1. The Austrian educational system

The Austrian Educational System is characterised by a very distinct and complex decentralised

system. In general it can be stated that federal and provincial authorities have mixed competences in the areas of legislation and implementation. The legal base for education in Austria is the School Organisation Act (*Schulorganisationsgesetz*) introduced in 1962.⁵⁶ Any legislation on the main elements regarding the Austrian school education system needs a qualified majority in Parliament (two thirds of all parliamentary votes, similar to constitutional votes). Another important feature of the Austrian school system is its highly bureaucratic basis with a clearly defined hierarchy.

For the training of compulsory school teachers, University Colleges were set up in 2007, whereas teachers for secondary and higher schools already previously were subject to university education. Currently efforts for a new interlinked curriculum are under way to be put in place for all educational professions.

Schooling is mandatory in Austria for nine years, usually from ages six to fifteen. From ages six to ten, children attend primary school (*Volksschule*); from age ten to fourteen, they go to lower secondary school (*Hauptschule*) or secondary academic school/lower cycle (*Gymnasium/Unterstufe*) or “New Middle School”⁵⁷ and from ages fourteen to seventeen or eighteen/nineteen they attend secondary academic school/upper cycle (*Gymnasium/Oberstufe*) or medium-level /upper level secondary (technical or vocational) school (*mittlere/höhere berufsbildende Schulen*). Another option is to leave school at the age of fifteen. In this case, they have to undergo three more years of vocational training (apprenticeship) on site at a company, combined with vocational school. Apprenticeship is the major form of acquiring a vocational qualification in Austria. An average of 40 per cent of school leavers each year opts for an apprenticeship. Currently there are some 260 apprenticeship occupations in Austria.

After compulsory schooling, there are different options for higher education. The medium-level secondary technical and vocational colleges last

⁵³ Methodological Guidelines for good practice identification, p. 365.

⁵⁴ For further details, see the Ministry’s website at http://www.bmi.gv.at/cms/BMI_Asywesen/integration/start.aspx (8 April 2011).

⁵⁵ Government of Austria, National Plan of Action for Integration, 2010, p. 7.

⁵⁶ Austria/School Organization Act (*Schulorganisationsgesetz*), BGBl 242/1962.

⁵⁷ Since 2008 a “New Middle school” model was introduced, aimed at a joint school education for all aged 10 to 14 years, to overcome early segregation based on social status; it will replace the *Hauptschule* until 2018.

TABLE 8. STAGES OF EDUCATION IN AUSTRIAN SCHOOLS

Age	Type of educational institution				
3	Pre-primary education				
4					
5					
Compulsory Schooling for nine years (starting usually at six years up to 15)					
6	Special needs school	Primary school 4 years			
7					
8					
9					
10	Secondary school ("Hauptschule") 4 years	"New Middle School" (since 2008)	Secondary academic school ("Allgemeinbildende Höhere Schule", AHS) – lower cycle ("Unterstufe") 4 years		
11					
12					
13					
14	Prevocational School	Vocational Training School (medium cycle, BMS) 3-4 years + optional add-on courses or BRP	Vocational Education and Training School (upper cycle, BHS) 5 years ends with "Matura"	Secondary academic school (AHS) – upper cycle ("Oberstufe") 4 years ends with "Matura" (graduation exam, usually at 18)	
15	Apprenticeship Training 2-4 years + optional "Berufsreifeprüfung" (similar to "Matura")				
16					
17					
18 to 19	Access to tertiary education with "Matura" or "Berufsreifeprüfung" (or other University Entrance Examination)				
	Post-secondary vocational college 2-3 years	University College for Teacher Training 3 years	University of Applied Science ("Fachhochschule") min. 3 years	University min. 3 years	

Source: Learning for your future. Educational and career choice for people with a migration background, WKO Wirtschaftskammern Österreichs, Vienna 2009.

for three or four years, and upper-level secondary technical and vocational college end with a "Matura" exam, which grants access to university education. On the tertiary level the University College for

teacher training, the "Fachhochschulen" (Universities of Applied Sciences) and all other universities are open for students, having passed the "Matura" exam or similar qualifications.

4.2. Access to education for RASC

According to the 1989 UN Convention on the Rights of the Child, Austria is obliged to make primary education compulsory and freely available to all (Article 28; a similar provision is contained in the 1966 UN Covenant on Economic, Social and Cultural Rights). Moreover, Art. 2 Protocol Nr. 1 to the European Convention on Human Rights), which is guaranteed at constitutional level in Austria,⁵⁸ contains elements of the right of education. Furthermore the EU-Reception Conditions Directive⁵⁹ guarantees minimum standards for the reception of asylum-seekers, including access to education. Austrian school legislation provides that Austrian public schools are generally accessible without distinction on account of birth, sex, ethnicity, social class, language or religion.⁶⁰ Similarly, the citizenship/legal status for a child's presence is not relevant for the right to education. Every child, who lives in Austria on a permanent basis, is also obliged to attend school for nine years starting from the age of six. Children, who live only temporarily in Austria (regardless of their residence status), are entitled to visit school as well.

This clearly applies to refugee and asylum-seeking children as well. In Austrian reception centres, where asylum-seeking families stay with their children, as well as unaccompanied children, for several weeks during their admissibility procedure, educational measures are very rare and limited to some basic German courses, with not fully adequate provision of psychosocial assistance to stabilise people often having experienced trauma. A secure environment, psychosocial support and basic services, are of primary importance at this stage and are preconditions for further educational integration. After admissibility procedures in reception centres are concluded, asylum seeking children, their families and UMFs are accommodated according to the "basis welfare support agreement"

(*Grundversorgungsvereinbarung*, see above) throughout Austria. Besides accommodation and food, they are supplied with medical care, pocket money and e.g. with money for school materials (max. € 200). In general it can be assumed that most RASC of school age do gain access to the formal educational system.

However, according to our research it has to be stated that the Austrian educational system hardly provides specific integration programmes, pedagogical measures or projects addressing comprehensively the particular needs of RASC in school. By looking at information gathered, measures involving RASC still strongly depend on the individual engagement of teachers and school leaders, and is only partly compensated by funding e.g. for non-state actors providing relevant educational integration services.

Certain general provisions have been introduced in order to protect students (migrant children as well as RASC) against disadvantages, e.g. in relation to language barriers, making it possible for those children to attend school together with same aged peers for up to two years without being graded.⁶¹ In Austria mother tongue education (within a certain range of languages taught, see below) is foreseen for pupils with a different first language as German including migrant children as well as RASC. In 2009/10, 201,275 pupils in all types of schools in Austria had a first language different from German. On the compulsory school level – which might be of relevance for RASC, hence most of them remain in compulsory schooling – the average number increased from 103,877 (15.2 per cent) in 2002/03 to 129,848 (22.4 per cent) in 2009/10 in Austria. The highest number (55.3 per cent) of those pupils who have a first language different from German, can be found in Vienna (2009/10) and the lowest (10.9 per cent) in the southern province of Carinthia.⁶² A minimum of eight pupils with special German training needs can take language

⁵⁸ Austria/BGBl 210/1958; BGBl59/164

⁵⁹ Council Directive 2003/9/EC of 27 January 2003.

⁶⁰ Austria/Sec. 4 *Schulorganisationsgesetz* (School Organisation Act), BGBl 242/1962 idF BGBl I 116/2008 (§4 idF BGBl I 113/2006 (25.07.2006).

⁶¹ Austria/Sec. 4 *Schulunterrichtsgesetz* (School Education Act).

⁶² A further differentiation regarding type of schools in 2009/2010: primary school (6 to 10) 49%; general secondary school (10 to 14) 20.9 %; special schools (6 to 15) 27.8 %; polytechnic school (14 to 15) 23.2 %; model test – new middle school (is to provide a joint school for all 10 to 14-years old pupils) 27.5 %; academic secondary school – lower level (10 to 14) 15.2 %; See: Pupils with a different fist language than German; statistical overview School-Years from 2002/03 to 2009/10; In: Information Sheet of the department for migration and school Nr. 2/2011; Bundesministerium für Unterricht, Kunst und Kultur.

enhancement courses (to an extent of eleven hours per week).⁶³

Only at the level of compulsory schools, language training in the child's mother tongue⁶⁴ is provided in Austria since 1992/93. All pupils with a different first language than German are eligible to attend courses in different languages.⁶⁵ In primary schools, special schools and lower secondary schools, mother-tongue-courses are provided as optional exercises and free subjects up to six hours per week. Statistically, Turkish⁶⁶ (13,961 pupils or 46.8 per cent) and BKS (Bosnian/Croatian/Serbian – 10,870 pupils – 36.5 per cent) are the most widely spoken (first) languages and account for more than 80 per cent (24,831 in total) of all pupils attending one of these two mother tongue language courses.

It is unknown how many RASC are actually benefiting from the mother tongue language training, due to the lack of disaggregated data. In 2010, approximately half of all asylum-seeker-applicants (in total 11,012) came from the Russian Federation (21.08 per cent) and from Afghanistan (14.36 per cent), followed by Kosovo (5.64 per cent) and Nigeria (5.20 per cent). Among asylum seeking unaccompanied children (687), most children came from Afghanistan (42.23 per cent), followed by Nigeria (9 per cent), Moldavia (6.11 per cent), Algeria (5.9 per cent), etc.⁶⁷ In comparison to the mother tongue courses which are being offered, it can be concluded that not all RASC schooled in Austria are able to attend this language support measure.

While RASC may have access to Austrian schools, they often remain disadvantaged because of poor previous schooling opportunities in their countries of

origin, their suffering from psychological stress before and during the flight experience, lack of knowledge of the German language and often inappropriate learning conditions in their accommodations in Austria. Due to these and other reasons they often fail school, end their educational career or interrupt it for an uncertain amount of time. Only few RASC are properly prepared to attend upper secondary schools or even university.

Although not specifically addressing the situation of RASC, the 2009 OECD Reviews of Migrant Education Study on Austria⁶⁸ also noted several challenges for the Austrian school system to adequately deal with children with a migrant background, in order to overcome disadvantages and improve equality in education. Most notably, the Study calls for more consistent policies across federal and provincial authorities; to make the schooling system more inclusive, avoiding early segregation by socio-economic background; to focus on early childhood education and care; to improve consistent and sufficient offerings for language support (both for German and for mother tongue languages); to strengthen involvement of parents and communities; and “to take quick action” to provide diversity training to teachers and school leaders.⁶⁹

Vocational training – clearly forming part of a child's education – would provide a valuable opportunity for the empowerment of RASC, as a pre-condition for a job and self-sufficient living. Regarding access to vocational education in Austria (after nine years of compulsory schooling), however, such training is not considered education, but employment. Thus, in the context of non-Austrian nationals, the contract of apprenticeship is subject to the Aliens Employment Act (*Ausländerbeschäftigungsgesetz*), requiring work

⁶³ Austria/*Schulorganisationsgesetz*, § 8 e Abs. 2 und 3, 1962.

⁶⁴ For primary (*Volksschule*) and special schools (*Sonderschulen*): BGBl 528/1992; secondary academic school (lower cycle, AHS): BGBl II Nr. 133/2000; Lower secondary school (*Hauptschule*): BGBl. II Nr. 134/2000.

⁶⁵ In the schooling-year 2010/11 following languages are provided: Albanian, Arabic, Armenian, Bosnian/Croatian/Serbian (BKS), Bulgarian, Chinese, Dari, French, Kurdish, Pashto, Persian, Polish, Romanes, Rumanian, Russian, Slovakian, Spanish, Czech, Chechen, Turkish and Hungarian. Information Sheet, department for migration and schooling, Nr. 1/2010, Ministry for education, art and science.

⁶⁶ However, when it became known in early April 2011 that Turkish language could become an optional subject for the final “Matura” graduation exam at 18, it stirred a political controversy with populist right-wing groups expressing fears of “parallel societies and cultures” emerging from such steps, *Die Presse*, Übertriebener Wirbel um Türkisch als Maturafach, 7 April 2011.

⁶⁷ Austria/Bundesministerium für Inneres (Federal Ministry of the Interior), Asylum statistic 2010, http://www.bmi.gv.at/cms/BMI_Asylwesen/statistik/files/Asylstatistik_Jahresstatistik_2010.pdf (24.03.2011).

⁶⁸ Nusche, D./Shewbridge, C./Lamhauge Rasmussen, C., *OECD Reviews of Migrant Education: Austria*, OECD 2009, pp. 14-18.

⁶⁹ For a summary, see Nusche, D./Shewbridge, C./Lamhauge Rasmussen, C., *OECD Reviews of Migrant Education: Austria*, OECD 2009, pp. 7-9.

permits from all non-EU citizens.⁷⁰ Only refugee children and those with subsidiary protection are entitled to enter into an apprenticeship, whereas asylum-seeking children are barred from it. Being excluded from vocational training has extremely negative consequences for asylum-seeking children, who are left with very limited perspectives for the future after having completed compulsory schooling. Many of them try to benefit temporarily from educational projects and language courses provided by NGOs. However, the basic problem remains that these children are denied essential opportunities for their own empowerment, with dim prospects for their future and comprehensive integration into society.

As has already been mentioned, many efforts are constantly being undertaken by non-governmental organisations and local initiatives through developing and conducting projects and programmes addressing specific needs of RASC. Some of them provide a special extra-curriculum learning support, preparation courses in order to pass the compulsory final exam, and re-qualification in German, English, Math, computer skills, etc. Others offer specialised projects on mentoring, tutoring and psycho-social assistance, supporting and fostering mental strength and well-being. There is a wide variety of different measures, ranging from projects with various focal points such as education, language courses, integration into the labour market all the way to physical and mental programmes as well as awareness-raising. Some of them are supported by state funding, but this is not based on a comprehensive government educational integration strategy for RASC.

5. GOOD PRACTICES DESCRIPTION AND ANALYSIS

Against the background described in the previous sections on the manifold practical, legal and political challenges for refugee and asylum-seeking children in Austria, the following chapter attempts to present activities to support young people in overcoming these difficulties.

In the course of the best practice research we reviewed more than sixty different policies, programmes, projects, initiatives and tools in Austria. Methodologically, we grouped them according to criteria and dimensions closely related to the template provided in the Methodological Guidelines. In the end we had established a short-list of practises from a broad range of categories: comprehensive approaches to educational integration, efforts to support integration of young people in the labour market through vocational training, language courses, computer courses and other skills training, educational support as part of accommodation schemes, kindergarten and child care facilities for refugee parents, psychosocial assistance and play, mentoring/coaching programmes, counselling services, school-initiated measures/measures initiated by school authorities, financial support and sensitisation of the general public (including school classes) about the situation of refugee and asylum-seeking children.

Within these measures we then undertook an assessment on the basis of the information available in regard to criteria such as sustainability, innovation, multi-dimensional approach (versus isolated activities), transferability (non-reliance on particular circumstances), as well as relevance for at least one of the main areas of reference, namely access to education, quality of education, enhanced protection and empowerment and participation. Another aspect we had to deal with has been the fact that most of the activities under review did not make a clear distinction between refugee children and migrant children. Integration as well as education in that context is much too often seen from e.g. a language perspective only, which in the first moment does not seem to make such distinctions between flight and migration necessary (and there certainly can be traumatic experiences in both situations). Nevertheless, it is essential to be aware of the differences, in order to find/develop the most appropriate assistance needed (be it e.g. legal advice, offering contacts to specialised institutions, dealing with traumatic experiences, knowing one's own competences etc).

Unfortunately, for instance, the Austrian National Plan of Action for Integration presented early 2010 by the Ministry of the Interior, basically deals only with integration of migrants – the over-forty-pages

⁷⁰ See Wladasch, K./Köhler, K./Ammer, M. (2009) "Diversities in Schools. Challenges for educational systems in the fields of converging interests of protection of minorities and anti-discrimination", in: *europa ethnica*, Vol. 65, No.1/2, pp. 2-14.

document mentions refugee integration only once, and child refugees not at all.⁷¹

The following examples of best practices have been selected because in our view they meet several of the criteria outlined above, while at the same time offering enough distinctiveness in their approaches to hopefully enrich the discussion within the INTEGRACE project on identifying relevant measures for better educational integration of refugee and asylum-seeking children.

The following four case studies all contain the same basic structure: a basic description of goals, strategies, target group(s), involved partners/financing, main activities and results, as well as an analysis of their points of strengths and weaknesses.

5.1. Dynamo programme

“Dynamo” is a comprehensive programme consisting of a network of partners, which offers a broad range of qualification skills and educational achievement for young migrant/RASC persons for integration into the educational system and into the job market.

Websites: JUBIZ/Vienna Adult Education Centre, Ottakring: <http://www.jubiz.at>; ISIS/Vienna Adult Education Centre, Rudolfsheim: <http://www.vhs-15.at>; *Integrationshaus* Vienna: <http://www.integrationshaus.at>

General description and background

The target group of these courses and seminars of the network are adolescents and young adults with migration background, including refugee and asylum-seeking children, to whom an extensive range of classes and different modules addressing their specific needs and individual concerns are offered. More than 1,000 participants attended courses and seminars provided by three partners (*Integrationshaus* Vienna, *Volkshochschule Rudolfsheim*, *Volkshochschule Ottakring*) on different areas and topics.

Objectives

- Enhancing equal opportunities for young migrants, refugees and asylum-seeking children in the

field of educational system, labour market and society.

- Providing basic education and qualifications
- Preventing unemployment through qualification/relevant skills
- Preparation for higher secondary education
- Imparting competences in social skills and practical life

Main activities of the overall programme

Within the network a variety of complementary measures are offered, which help to “educate and empower” young persons; the main network activities of ‘DYNAMO’ can be divided into three different sub-programmes carried out by three partner organisations:

1. Sub-programme ‘Youth, Education & Labour’ (carried out by *Integrationshaus*)

This Sub-programme is further divided into three areas:

- Baju – (course on basic education)
- J-u-L-I-A (course on integration into the labour market)
- Strengthening individual capacities by mentoring and educational partnerships

“BAJU” courses: the target group includes young migrant, refugee and asylum-seeking children in the age between fifteen and twenty-five years with limited German knowledge. Focus is put on increasing German languages skills, gaining fundamental basic education that enable completing Secondary Education Graduation and improving the opportunity to integrate in the working process. Accompanying measures are psychosocial counselling and individual coaching. Volunteers trained by the *Integrationshaus* support the participants in language training, professional orientation but also in social and cultural matters.

“J-u-L-I-A” courses: this project focuses on the preparation into the labour market and is therefore only addressed to young migrants, refugees and beneficiaries of subsidiary protection (between fifteen and twenty-one years) and not to asylum-seeking children. Further preconditions are good

⁷¹ For further information, including download, see the website of the Austrian Integration Fund, at: <http://www.integrationsfonds.at/nap/bericht/> (8 April 2011).

knowledge in German as well as having completed Secondary Education. The main areas of the project are: occupational orientation, application training and presentation techniques, training in relevant terminology for specific professions, IT trainings, English language training, social studies, psychosocial counselling. One important aspect of the sub-programme is to provide practical experience in terms of internships in various businesses. During these phases of getting to know the world of labour market they are accompanied by so called 'mentors' who received a specific training offered by the *Integrationshaus*. After the final stage of the project the participants should have signed a contract on apprenticeship or even employment.

Strengthening individual capacities: due to the assistance of specifically trained mentors and educational partners/tutors, participants are provided with individual support during the courses.

2. Sub-programme 'ISIS' (carried out by Volkshochschule Rudolfsheim, Vienna)

The target group here comprises of young migrants, refugee and asylum-seeking children between fifteen and twenty-five years who already completed Secondary Education and attend higher-level education i.e. higher secondary schools, technical and vocational schools. In particular the project refers to young people, who have participated at external preparatory courses to obtain the Secondary Education Diploma and have not yet been regularly involved in the schooling system in Austria. Thus, the main objectives are:

- Individual coaching of students (migrants, refugee and asylum-seeking children) shall improve their chances to complete higher-level education, i.e. medium- and upper-level secondary technical and vocational schools.
- Particular emphasis being put on gender sensitivity in terms of methodology and implementation addressing different cultural and gender-specific concerns.
- By means of intensive learning accompanying measures reduce discrimination against migrants, refugee and asylum-seeking children in school system by a comprehensive approach including teachers, parents and pupils.

For this purpose 'ISIS' includes following individual measures promoting educational integration in schools:

- Counselling and coaching in order to develop educational orientation and perspectives
- Tutoring to enhance competencies in linguistic and writing abilities as well as learning strategies
- Providing supporting groups for accompanying learning assistance if required
- Social work and psychosocial support avoiding drop-out
- Advice for teachers at schools working with participating pupils to optimise the learning environment
- Awareness-raising programmes, dissemination of information and networking

3. Sub-programme 'JUBIZ' (carried out by Volkshochschule Ottakring, Vienna)

This sub-programme is divided into five different areas focusing on various topics:

- Counselling (educational opportunities and social work)
- Literacy and basic education
- German courses
- Qualification measures: preparatory course for secondary education graduation (German and English language + computer training, teamwork skills) and "Komflex – Competence & Flexibility" (movie/video clips and other creative activities)
- Project "Rasant": preparation for Vocational matriculation examination (specific exam allowing access to tertiary education for students having completed apprenticeship/vocational training, without higher secondary education), educational support, social counselling and career orientation.

All courses of 'JUBIZ' are based on the concept of managing diversity referring to identity matters (enhancing the potential for self-development, reflect on patterns of perception), the educational system (gender-sensitivity and intercultural learning, inclusive methodologies, learning for democracy), the labour market (reducing stereotypes in relation to vocational aims and expectations) and culture (working against racism in everyday life,

⁷² Telephone interview with John Evers (project leader, *Volkshochschule Ottakring*) dated from 8th of April 2011.

sensitising towards multiculturalism). The courses are complemented by the cooperation and work with parents, which is essential for a successful implementation.

As a cross-cutting strategy, all courses and seminars within the network 'Dynamo' are accompanied by psychosocial support, social work and coaching, hence, the participants often have to live in difficult social conditions and still suffering from traumatic experiences.

Furthermore, there are awareness raising measures and development projects, which aim to inform the host society about the life situation and competences, as well as difficulties, of young migrants (including refugee and asylum-seeking children). By doing so, they help raise the readiness to make and maintain contacts.

Implementing agencies/financing of Dynamo

Dynamo is carried out by three partners (Vienna Integrationshaus/Integration-house, Volkshochschule/Adult Education Centre Rudolfsheim, Volkshochschule/Adult Education Centre Ottakring). 'Dynamo' is financed through funding from ESF, the Austrian Federal Ministry of Education, Arts and Culture, the City of Vienna, Vienna Employee Promotion Fund (WAFF), Federal Chamber of Labour and Employment Service Austria. For 2011 temporary grants could be raised, but further financial support is rather insecure, depending on decisions which have to be adopted at the federal and province government level. The Austrian Coalition government agreement (2008) emphasises the specific importance of educational programmes.

General assessment

As far as integration problems addressed are concerned (Methodological Guidelines: education access/quality/protection/empowerment and participation), Dynamo encompasses basically all four of the dimensions: networking approach to ensure comprehensive access to a variety of forms of education, quality of education (gender-sensitivity, inter-cultural learning), enhanced protection (individual psychosocial support) and participation (young centre activities, mentors/tutors).

Points of strength

All modules are based on common objectives and strategies of empowering young migrants, refugee and asylum-seeking children through education and self-determination. The wide variety of different courses on diverse educational levels enables the participants completing a whole educational career starting with literacy and German courses, obtaining the Secondary Educational Graduation and finally entering university after completion of the final 'Matura' exam'. Due to the interlink between these three sub-programmes there is a great flexibility i.e. in regard to basic education: young people with different level of literacy can join either the project 'JUBIZ' or the project 'BAJU', depending on their abilities. Dynamo is also characterised by a strong commitment to the individual concerns of their participants, that's why there is an intensive exchange of their developments and needs even outside the project in inter-institutional working groups. The participants may easily change from one course to another one if required. Meetings of project leaders on a regularly basis ensure the monitoring and quality management of the programme. Worth mentioning is also the development of a handbook including guidelines on 'basic education' assuring quality and sustainable implementation. 'Dynamo' also obtained several awards among them the 'State Prize for Adult Education 2010' by the Ministry for education, art and culture.

Points of weakness

In Vienna there is an enormous need for educational courses demanded by young migrants, refugee and asylum-seeking children and Dynamo has too little resources to provide education for all. In general, Dynamo focuses on a quite inhomogeneous target group including youth migrants, refugee and asylum-seeking children. The project leader, John Evers, articulated in a phone-interview⁷² that might be a weakness of the whole project, since there is i.e. insufficient intensive psychosocial support especially for refugee and asylum-seeking children suffering from traumatic experiences, which are considered very important for the successful educational integration.

5.2. EPIMA I + II (EU EQUAL) and B.A.C.H. Programme

5.2.1. EPIMA programme

EPIMA I+II (2002 – 2007): targeting asylum-seeking children, mainly through providing basic and advanced education, job orientation and preparation for the labour market, psychosocial counseling

Website: <http://www.epima.at/>

General description and background

Although the EPIMA programme *per se* has already been terminated, it can still be considered an important model for integration activities, which has inspired several follow-up programmes, including the BACH programme described later on.

The EPIMA programme was part of the EU EQUAL Strategy started in 2001; EPIMA dealt specifically with the situation and the disadvantages of young asylum seekers in relation to the labour market in EU Member States, including Austria. EPIMA aimed to develop and implement measures in terms of education and integration of young asylum seekers into the labour market, including offering young asylum seekers a “pre-qualification” to facilitate the transition from education to work. The project was based on the assumption that interrupted pathways of education, language barriers, social exclusion and lack of information are main reasons for discrimination at the labour market. The EPIMA programme consisted of EPIMA 1 (autumn 2002 until May 2005) and EPIMA 2 (autumn 2005 until summer 2007), based on experiences of the first project round. One hundred and eighty participants from thirty-six different countries participated in Austria in EPIMA 1, whereas EPIMA 2 offered 197 young asylum seekers the opportunity to participate, with forty-three attending further qualification initiatives (Secondary Education Graduation, higher secondary schools, vocational schools, etc.). Most of them came from Chechnya, followed by Afghanistan and Nigeria. EPIMA 2 carried out six different modules in six Austrian federal provinces, each coordinated by a different institution.

The target group of EPIMA comprised of asylum seekers aged between fifteen and twenty-five years, provided they had a perspective for continued stay in Austria. Particular attention was paid to unaccompanied refugee minors. More than half of the participants were under eighteen years, about one quarter were female.

Objectives of EPIMA

- Preparation of young asylum seekers for the labour market
- Assistance in planning further education and/or in job orientation, i.e. conveying of information about access to labour market and further education
- Improvement of professional experience by vocational training and internships
- Strengthening the asylum seekers’ potential of self-determination
- Improvement of German language skills
- Supporting in computer skills (IT trainings)
- Advocating against structural discrimination of asylum seekers and enhancing chances for integration in the labour market.

Strategies and description of activities

The EPIMA program encompassed various modules, which shared a common structure and at the same time had at least one individual focal point depending on regional circumstances, where the modules have been taken place. Group work strengthening teamwork capacity was always complemented by individual coaching.

The modules were divided into a basic course and a specialised course. The basis course included a German language course, IT training and basic education in Mathematics, Geography, English, health and social topics. Focus was always put on intercultural learning, i.e. by discussion on socio-critical topics, religion and on challenges arisen from everyday life. The specialised courses focused on vocational orientation and professional training in theory and practice. First, it was important to discuss with the participants their various perceptions in relation to professions and the qualifications needed. After that trainings on communication and presentations have been carried out. The participants got first experiences in the labour market by internships, excursions

and taster days. For example, they had the chance to gain professional experience as radio journalists, or developing skills in vocational fields like gastronomy, garden and park maintenance, wood processing or health care.

By means of self-designed theatre plays, documentary films, discussion forums and exhibitions, the participants presented themselves and their works to public in order to make their situations, wishes and problems visible. This kind of awareness-raising led to more understanding, openness and tolerance within the communities. Because the participation at EPIMA was voluntary, a higher readiness for integration could be achieved without constraint.

Implementing agencies/financing of EPIMA

EPIMA was developed jointly by several organisations: Asylkoordination Österreich, Integrationshaus, Volkshilfe Oberösterreich, SOS-Kinderdorf Salzburg, SOS-Mitmensch Burgenland, Verein Zebra, WUK Wien, Berufsförderungsinstitut Linz and Burgenland, and Volkshochschule Burgenland. It was supported by the Austrian Ministry of the Interior, the Austrian Chamber of Commerce, the Austrian Federation of Trade Unions, and the Public Employment Service Austria. EPIMA was evaluated by the department of clinical psychology of the University of Vienna. This cooperation between practice and academics was very valuable for all actors involved – students experienced an increase of competences and understanding, at the university level an appropriate instrument could be developed and the adolescents got to know Austrian students who became increasingly important conversational partners.

General assessment

As far as integration problems addressed are concerned (Methodological Guidelines: education access/quality/protection/empowerment and participation), EPIMA set priorities on two of the four areas: comprehensive and non-discriminatory (part of EQUAL Strategy) access to vocational training and empowerment and participation (approach focusing on practical experiences).

Points of strength

EPIMA brought together many different actors and therefore increased the opportunity of integration. It combined the improvement of language and educational skills with first practical experiences. The project was constantly evaluated by different institutions. By its sub-division in two parts, it was made possible to consider and implement the results of evaluations at an early stage and therefore the quality of the project could be improved. Since EPIMA was part of the EQUAL strategy and embedded in national and international networks, a constant exchange of experiences, comparisons and a joint development of ideas to improve the quality of the project was enabled. A certain sustainability of the project is ensured by implementing follow-on projects such as BACH, which will be described next.

Points of weakness

EPIMA considers integration too much as a one-sided process. The problems of asylum seekers on the employment market are not only caused by a lack of skills, but also by unwillingness of employers often as a result of little information and structural barriers related to the employment market. Therefore, it would be important to promote sensitise employers for the specific situation and concerns of asylum seekers. Apart from the project a continuous advocacy towards policy makers regarding the free access of asylum seekers to the labour market would be urgently needed. The current situation discriminates asylum seekers and impedes their social and economic integration. EPIMA benefited also from a variety of networking activities. On the national level, five developmental partnerships built up the network AUTARQ2, which aimed to maintain the results and products of the developmental partnerships even after the program was finalised. On a transnational level, EPIMA was part of the network "AIM – Acceptance – Integration – Migrants". These networks tried to compare national practices and legal frameworks, exchanging experiences and know-how and transferring proven methods and products.

5.2.2. BACH programme (EPIMA follow-up programme), Lower Austria

Educational project “BACH”: Basic education – Coaching – Courses for the graduation of secondary education

Website: <http://fluechtlingsdienst.diakonie.at>

Background and general description

The results of EPIMA I+II has shown the outstanding importance of educational attainments, which enables young refugees and asylum seeking children further opportunities regarding educational and vocational integration.

The target group of BACH consists of adolescent refugees and asylum seekers mainly in lower Austria (one of the nine federal provinces in Austria). From 2007 to 2011 a total of eighty-seven participants mainly from Afghanistan (28 per cent) and Russia (24 per cent) attended courses and some 1,600 educational counsellings have been conducted. Among the participants of the seminars and courses sixty-two were women and twenty-five men. About one third of the target group has recognised refugee status, one third is under subsidiary protection and one third is still in the asylum procedure.

Objectives

Besides the main objective “achieving the Graduation of the Secondary Education” cooperation, support in motivation and self-determination as well as intercultural learning are of most importance. Moreover, it aims at:

- Integration of young migrants, refugee and asylum-seeking children in the educational system in Austria
- Improvement of their involvement in the labour market
- Special attention to the promotion of young women
- Networking on the basis of volunteers and cooperation with schools
- Target group oriented learning and teaching, including excursions, lecturing, workshops and project studies (i.e. encounter project with Austrian pupils from secondary school “Jakob-

Thoma-Hauptschule” and “Montessori-school” in Mödling)

Activities

The project is divided into three different areas:

- Basis education (specially in German, Mathematics and English)
- Coaching (counselling in educational and job opportunities)
- Preparatory courses for the graduation of secondary education (basically important for refugee and asylum-seeking children due to the fact that they have limited chances for higher education and integration in the labour market.

Moreover the participants have to attend computer skills trainings weekly and optionally, they may take part in additional German or English courses as well as guitar lessons. Because of the good cooperation with many volunteers individual educational support and private tutoring could be organised.

From the sixty-two refugees and asylum seeking children completing courses between 2008 and 2010 a vast majority of fifty-three successfully obtained the Secondary education graduation. Twenty-two of those attending higher level education, ten got an apprenticeship contract and five are involved in evening classes for further education. Some of those haven't yet completed the final exam are still participating at German courses.

Implementing agency/financing of BACH

The project is implemented by *Diakonie Flüchtlingsdienst* (the protestant church-based refugee and asylum-seeking support organisation in Austria), with funding provided by the ESF and the Austrian Federal Ministry of Education, Arts and Culture.

General assessment

As far as integration problems addressed are concerned (Methodological Guidelines: education access/quality/protection/empowerment and participation), BACH is focusing particularly on the aspect of non-discriminatory access to education and the prevention of drop-outs (coaching approach) as well as empowerment and participatory approaches.

Points of strength

The comprehensive approach including preparatory courses in German, English and Mathematics, completion of the Secondary Education Graduation and the instrument of individual as well as professional coaching facilitate learning processes and enhancing motivation towards educational integration. Apart from that the experiences and lessons learned from the programme 'EPIMA' led to a broader understanding in relation to the concerns of the target group and therefore enriched the project design and the process of implementation. In particular the individual coaching complemented by the support of volunteers and tutoring enables the participant self-determined development and fostering their abilities and strengths.

Points of weakness

The project is actually financed partly by funds of ESF and the Austrian Federal Ministry of Education, Arts and Culture. The future funding is not granted, hence the ESF intends to withdraw from the financial support and therefore negotiations have been started with the federal province of lower Austria. Concerning the financial uncertainty long term strategic planning as well as perspectives towards further advancement and assessment can hardly be developed which may have a negative influence on the implementation and the general outcomes. An interviewed project leader⁷³ stated that due to the difficult financial situation the project staff can't be hired on a regular employment basis but rather on a freelanced basis. This leads to a high rate of turnover among staff-members which may have also a negative impact not only on the quality but also on the sustainability of the whole project. Beside that he focused on necessary basic conditions being also relevant for the success of the learning process, i.e. providing free food for refugee and asylum seeking children who are often faced with lack of money. He suggested implementing a kind of day school providing subject related units, free time for recreation, lunch time and accompanied learning assistance. From his point of view a stronger networking and co-operation among institutional partners, NGOs, public administration and school authorities on

a rather structural level would be very much appreciated.

5.3. MINERVA Programme (Salzburg)

Project Minerva: Basic education – Preparatory courses for secondary education graduation – Developing of intercultural and social competences

Websites: <http://www.sos-kinderdorf.at> (> Flüchtlingsprojekte > SOS-Kinderdorf Clearing House), <http://www.vhs-sbg.at> (Volkshochschule Salzburg, Jugendzentrum IGLU)

General description and background

Concerning target groups, Minerva is focusing on refugees, unaccompanied minors and asylum-seeking children in the age between fifteen and twenty-five years with little knowledge of German and weak educational background. Especially young asylum-seekers over fifteen years have very limited educational opportunities, hardly any school leaving certificates and almost no chances getting an employment. In their home countries many of them in the project have had only little or no previous education. Since the asylum procedures may last many months up to more than a year educational projects can be a valuable contribution for asylum-seeking children and young people during this period of time.

The project Minerva has been started in 2008 and is still going on. Up to now seventy-nine participants, primarily refugee and asylum-seeking children (about three-quarters), took part in the activities. Twenty-three per cent of those are female and the largest group is coming from Afghanistan (40 per cent).

Main objectives

- Integration of young people, in particular of unaccompanied minors and adolescents with migration background, into the Austrian educational system and labour market;
- Providing basic education based on a life-long-learning concept.

⁷³ Telephone interview with Pawel Serkowitsch (project leader of BACH) on the 6th of April 2011.

Activities

Minerva is a project with a comprehensive approach carried out by three different partners with varying priorities:

- *SOS-Kinderdorf Clearing House*, Salzburg

The SOS-Clearing House Salzburg offers a one-year-long intensive course for the German language, but it also includes basic Mathematics, English, History, Geography and Biology for the preparatory course for the Secondary Education Graduation. Besides, participants are provided by psychological support and assistance in coping everyday life. Furthermore intercultural learning and project-oriented lesson are important instruments in order to strengthen their competences and capabilities. Individual counseling and coaching as well as accompanying learning assistance promote self-development and motivation.

- *Volkshochschule/Adult Education Center* Salzburg

The Adult Education Center focuses on courses preparing participants for Secondary Education Graduation exams. Beside that, IT trainings, sports, creative workshops as well as social counseling is being offered.

- *Jugendzentrum/Youth Centre* IGLU

Participants can choose between several courses and workshops offered by the youth center IGLU. Daily tutoring in small groups enables the deepening and solidification of the learning content, taking the particular interests and needs of the participants into account. Numerous workshops address social needs and various interests of the participants. In these workshops, i.e. cooking, excursions, theater performances, etc are on the program.

- Cross-cutting strategies

Participants with refugee status may receive financial support from the Employment Service Austria to complete their Secondary Education Graduation. Three times a week a social worker gives individual assistance and get in contact particularly with those participants who often came too late to the courses or miss them without any excuses. It's important being informed about the reasons in order to be able to react in a moderate way and motivate

them continuing their educational paths. Moreover project-meetings take place on regular basis in order to coordinate substantive and organisational matters. Due to the fact that there are only few female participants, strong efforts are put on gender-sensitive measures, e.g. separate girl groups were set up for particular teaching exercises to encourage their participation and strengthen their abilities. The topic of gender equality is a cross-cutting educational issue in all curricula.

- Awareness-raising activities

Students from the University of Salzburg were invited to the project and exchanged their points of views with the participants. This gathering was very much appreciated by both sides. The participants took also part in a theatre piece on the topic of "being foreign" performed by the theatre of Salzburg. Many school-classes visited the play and learned about intercultural topics, racism and tolerance.

Implementing agencies/financing of Minerva

The project was initiated and implemented by three institutions working in the field of child care and youth work as well as adult education (SOS-Kinderdorf Clearing-House/*Volkshochschule* Salzburg/*Jugendzentrum* IGLU). The project is financed by the Ministry of Education, Arts and Culture and the ESF.

General assessment

As far as integration problems addressed are concerned (Methodological Guidelines: education access/quality/protection/empowerment and participation), Minerva deals with three of the four areas: comprehensive access to education (including gender-sensitivity), enhanced protection (individual psychosocial support) and participation (young centre activities).

Points of strength

The project design includes a comprehensive approach addressing various needs and concerns of the target group. Minerva provides tailor-made offers so that each of the participants can find an appropriate course. Due to the cooperation of three different institutions a wide variety of several educational programs could be implemented. Emphasis has been put also on intensive psychological support.

Points of weakness

The participation of the project is free of charge, but the young people don't get any daily allowance for their attendance. The project leader⁷⁴ critically remarked: if, for instance, an asylum-seeker obtains regular refugee status during his education it is quite often the case that he or she is quitting school and starts working in (underpaid) jobs to support their families in the home countries. In view of this development, financial support could lead to more motivation and fewer drop outs.

5.4. "LOBBY.16"

Re-qualification programme following Secondary Education Graduation – preparation for labour market in cooperation with the private business sector (apprenticeships, internships, employment)

Website: <http://www.lobby16.org/>

General description and background

Lobby.16 was founded in autumn 2008 in order to improve the educational situation of unaccompanied minors (asylum seekers, refugees and beneficiaries of subsidiary protection). It aims to enable unaccompanied minors to take part in social life by granting them access to education and labour market and to assist them in the development of their skills and talents through a well-developed mentoring programme.⁷⁵

The majority of young refugees are over fifteen years old when arriving in Austria; this means they are not obliged attending at schools anymore. As a consequence, many of them attempt to do their formal Secondary Education Graduation in Austria, for which courses are usually offered via adult education institutions. Since those educational measures are often of a very short duration and given other factors, such as poor training in their mother tongue, limited schooling opportunities in the country of origin, and difficult learning conditions in their accommodation now in Austria, an overwhelming majority of RASC do not pass

admission tests for apprenticeships or fail in schools of higher education; many drop out after the first semester because of such excessive demands. Due to their severely limited access to the labour market and the fact that asylum seeking children are not allowed to follow an apprenticeship, the situation for RASC becomes especially difficult having reached the age of compulsory education.

The target group of this programme is unaccompanied children and young people. In the first year of its foundation, seventy-five unaccompanied minors from twenty-three countries of origin worked with lobby.16. In 2010, the number increased to 106 (ninety-four of them male, twelve female). The majority of these unaccompanied minors came from Afghanistan, many others from African states like Nigeria, Gambia, Ghana or Somalia, some of them came from Mongolia, Chechnya, China, Serbia, Kosovo; 40 per cent of these were under subsidiary protection, 40 per cent were asylum seekers, 15 per cent recognised refugees and 5 per cent had permanent residence permits.

Objectives

The programme aims at enhancing educational and occupational perspectives of young people by:

- helping young asylum seekers to pursue an educational career
- identifying occupational interests, strengths and abilities (through interviews, career interest tests, work placements/job-shadowing in business companies)
- assisting in finding/arranging an apprenticeship position
- assisting in finding/arranging other educational programmes

Activities

- Volunteer mentors and tutors (teachers, senior students) assist RASC in their daily routine; Courses on German, Mathematics, English are held by volunteer professionals (teachers and trainers, some of them native speakers) for young people having completed mandatory schooling;

⁷⁴ Final telephone interview with Dr. Krassing, 7th of April 2011.

⁷⁵ The mentoring approach benefited also from experiences of the successful "connecting people" – Programme initiated by asylkoordination Austria, see <http://www.connectingpeople.at/> (8 April 2011).

- Creativity projects (e.g. intercultural photo-shooting exercises)
- Preparation for apprenticeships: getting companies involved (required abilities, opportunities of higher qualification, etc.), job application training workshops
- Political lobbying for asylum seekers' access to the labour market (mainly in cooperation with business companies)
- Long-term cooperation with the private sector (T-Systems Austria, Oracle Austria, Microsoft Austria, Austrian Chamber of Commerce etc)

Since Lobby.16's main focus is on job-related measures, the sub-project "Path of Education 2010" has been selected for further description and analysis below.

"Path of Education 2010" (Project period: April – December 2010)

The specific project aim was to create educational perspectives for recognised young refugees and those under subsidiary protection through apprenticeships: asylum seekers in form of educational training followed by a three-month traineeship. During the project period, ten refugee and asylum-seeking children took part, most to them from Afghanistan (five participants with subsidiary protection), followed by Lebanon, Chechnya, Kosovo and Guinea.

The project was implemented in four different phases:

- 1. Identifying of professional interests** by thorough interviews on competences, interests education in country of origin and in Austria. Apart from that the specific professional interests and wishes from RASC could also have been found out due to career interest tests and determination of career aspiration.
- 2. Job orientation:** RASC were thoroughly informed about the jobs and educational trainings they were interested in. Furthermore, participants had the opportunity to test their "dream jobs" in practice. The young refugees and beneficiaries of subsidiary protection did short internships (one to two weeks) in companies, so-called "job-shadowings". This job-shadowing was negotiated between lobby.16 and the Public Employment Service (AMS) in 2010 and could take place under following conditions: duration will not exceed two weeks, under clear supervision, with

no payment, but accident insurance coverage.

3. Start of apprenticeship/educational training, mentoring, tutoring

Mentoring: nine of the ten RASC were provided with volunteer mentors when they started their apprenticeships/educational trainings. Aim of the mentoring was to accompany them during education and let them profiting from the mentor's occupational and life experience. Regular meetings to support the mentors were scheduled; if requested, those meetings focused on a special topic (psycho-social situation of RASC, legal framework, basic welfare, etc.).

Tutoring: two young refugees were additionally provided with tutors during their educational trainings (doctor's assistant, kindergartener's assistant), two others are still meeting with their tutors although they already regularly attending at vocational school. Around thirty people form part of the volunteer-tutoring team of lobby.16. One volunteer, a student at the University of Vienna, supports in finding new volunteers by placing bulletins in various faculties.

- 4. Traineeships for young asylum-seekers:** as explained above, one aim of the project was to find traineeships for the young asylum seekers when they finished their educational trainings. Those traineeships were supposed to consolidate and broaden the acquired knowledge and competencies. They need to be authorised by the Public Employment Service, their maximum length being three months/year. Lobby.16. succeeded in providing two young asylum seekers with such traineeships.

After having completed these project-phases five participants got contracts for apprenticeships and five of them continue attending educational vocational trainings at Adult Education Centres.

Implementing agency/financing

Lobby.16 works on a non-profit basis and has been financed since its foundation exclusively by contributions from the private sector.

General assessment

As far as integration problems addressed are concerned (Methodological Guidelines: education access/quality/protection/empowerment and participation), Lobby.16 works on three of the four areas: non-

discriminatory access to education/vocational training, enhanced protection (mentoring approach supports establishment of relationships, stabilising effect) and participation (young people are involved in decision-making).

Points of strength

The activities of Lobby.16 address a wide variety of needs of RASC, including language training, cooperation with schools, individual professional counselling and specific measures for integration into the labour market. Due to this comprehensive approach their projects so far could have been implemented in a successful way. Lobby.16 proficiently demonstrated that educational initiatives have to take fully into account the various interests and needs of RASC and provide tailor-made training measures. Its strong political efforts regarding advocating for asylum seeking children's free access to the labour market is an important and necessary matter of concern.

Point of weakness

Considering the fact that Lobby.16 and all its activities are exclusively financed by business companies this may lead to a certain dependency of economic developments. Nevertheless this close cooperation provides also concrete job-opportunities and internships, which are of great importance for RASC and their integration in the labour market and further integration in society. In terms of sustainability, however, and given the rather low number of participants so far, it's hard to give an assessment only after two years whether Lobby.16 has already successfully transformed educational integration in Austria.

6. SUMMARY OF FINDINGS AND POLICY RECOMMENDATIONS

General observations

- "Educational integration" needs to reflect the personal development of children and young people by offering targeted education measures corresponding to their needs. Thus, for young people aged above mandatory schooling age,

specific programmes are essential to continue with either higher secondary (and, later on, tertiary) education or vocational training and entry into the labour market; in this regard, restrictions particularly for asylum-seeking young people, barring them from apprenticeships creates difficulties for them in finding meaningful occupation during their stay in Austria.

- Educational integration should be seen as going well beyond e.g. host country language training and computer classes: mother tongue language support, social work and psychosocial assistance, kindergarten programmes, creativity and recreational activities etc are of equal importance to help the young person to stabilise in such a context; moreover, educational offerings for refugee/asylum seeking children needs to be sensitive to the individual's specific needs, difficult context and possible traumatic experiences, but should also highlight the distinct resources and capacities of students with refugee background.
- On the political level, educational policy in Austria follows a consensus model in which many interest groups and social partners/trade unions, political parties, academia and other institutions and groups play an important role (unfortunately not students themselves). Changing educational laws is similar to constitutional amendments, as it generally requires a qualified two-thirds majority in parliament and therefore an agreement/compromise among the main political parties. Educational discussions are often determined by ideological arguments preserving existing positions and programmes, and for several years now we have a controversial public and political discussion in regard to fundamental educational reforms (concerning both structural/organisational matters, such as early segregation at the age of ten, and matters of curriculum review). Change in the educational system would be necessary to achieve e.g. stronger transparency and a feedback culture at school, student-orientation and individual advancement, integrative measures for disadvantaged children (including RASC), quality management, reform of teachers' education etc. However, in the current educational debate, RASC, as a distinct target group for educational measures (including vocational training), are widely missing and usually come to the forefront of media and public interest only in the case of police action to enforce expulsion decisions against children and families.

- In the course of the review of integration measures it became evident that support for educational integration is often part of a more comprehensive support scheme offered by all major care institutions; but at the same time there are rather few refugee-specific programmes in place and sometimes it was difficult to distinguish between integration projects targeting asylum-seeking/refugee and migrant children – many activities focus on children and young people with migrant background in general, irrespective of their status of refugees or migrants.
- There is even less attention on education matters being paid to particularly disadvantaged groups of RASC, such as unaccompanied children or child victims of crime (e.g. trafficked children: only one dedicated institution in Vienna only, without distinct educational programme).
- There is a clear need for statistics, research and empirical data on RASC to establish evidence for policy-making and monitoring, including, for instance, research on follow-up experiences of children after being granted refugee status; furthermore a nationwide monitoring mechanism involving the federal, provincial and local level should be established.
- Given the migrant-only focus of the 2010 National Plan of Action for Integration a distinct, comprehensive child rights-based integration strategy for RASC is essential to cover all areas of both child's rights and state responsibilities; this should include measures for asylum-seeking children, i.e. also for groups with uncertain future residence status, who nevertheless may spend years in Austria until their final decision on the asylum application.
- Such a strategy needs to establish clear responsibilities, in particular in decentralised settings such as Austria, with competences divided between the federal and the provincial level; in this regard, the role of the youth welfare system vis à vis school administration and social services should be addressed.
- There is a general strong dependency on EU funding (ESF, ERF etc) for many of the (larger, more comprehensive) programmes, which makes them difficult to sustain after termination of EU funding – instruments for a smooth take-over by Austrian authorities funding (e.g. Ministry of Education, as already providing follow-up funding to some initiatives) should be developed.

Access to education

- In general, entry into the formal school system is less problematic for children during compulsory schooling age, but difficulties start when young people reach age for vocational training (which is not considered education any more in Austria, but employment, triggering all applicable restrictions for work permits for non-nationals also for young people) – labour market/apprenticeships for asylum-seeking young people should be opened up; accommodation of RASC should take into account mobility needs of young people to get to places of education.
- In light of the non-discrimination principle, there is a need for heightened attention to particularly groups of RASC – e.g. ensuring legal guardians for unaccompanied children who also take responsibility for educational measures, trafficked children, girls.

Quality of education

- Currently, mother tongue training is only insufficiently provided to children and young people, with the political debate focusing on German language only (and leading immediately to polemical discussions, such as in the context of offering Turkish language as a subject for the final “Matura” Graduation exam (see below, ch. 4).
- Similarly, the education of teachers needs to be fundamentally reviewed, in order to better address diversity in school, language matters, inter-cultural competences and mediation/conflict management skills; this might imply also increased personnel resources (e.g. in order to be able to provide team-teaching to support inclusive education).
- Furthermore, for improved networking and exchange of experiences/successful interventions/good or best practices should be established (would be, in particular, helpful for smaller local initiatives)

Enhanced protection

- As already stressed before, educational integration should be based on a comprehensive policy, which also is aware of potential security/safety threats, and which does help stabilise the refugee child (and not e.g. by de facto

detaining all asylum-seekers as a matter of general policy in reception centres).

Empowerment and participation

- The research has shown that many activities are mainly project-driven and thus difficult to sustain, which may create problems for continuous support of RASC; in a related area, funding difficulties also lead to quite frequent changes in a given project team.
- While the principle of involvement of children and young people in decision-making processes within the integration projects seems to be increasingly established, it appears that to the contrary this cannot be said in relation to formal procedures in the asylum and alien's and youth welfare area; similarly, in the school system itself a stronger feedback culture needs to be established, involving students directly as well as teachers and parents.
- Mentoring programmes (refugee children and nationals (children/school classes) linked together to assist each other) seem to be promising approaches to offer support and learning opportunities for both sides.

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LIST OF ABBREVIATIONS

AHS	– “Allgemeinbildende Höhere Schule”, Secondary academic school
AMS	– “Arbeitsmarktservice”, Employment Agency
BHS, BMS	– “Berufsbildende Höhere Schule”, “Berufsbildende Mittlere Schule”, Vocational education and training school (medium, higher cycle)
BRF	– “Berufsreifeprüfung”, vocational school graduation exam
CoO	– Country of Origin
CRC	– United Nations Convention on the Rights of the Child
EC	– European Commission
ECHR	– European Convention on Human Rights
EPIMA	– “Entwicklungspartnerschaft zur Planung und Durchführung von Integrationsmaßnahmen für unbegleitete minderjährige und junge AsylwerberInnen”, Partnership project for the development and implementation of integration measures for unaccompanied young asylum-seekers
EU	– European Union
FRA	– European Union Agency for Fundamental Rights
ILO	– International Labour Organization
NAG	– “Niederlassungs- und Aufenthaltsgesetz”, Settlement and Residence Act
NPA	– National Plan of Action
NGO	– Non-governmental organisation
OECD	– Organisation for Economic Co-operation and Development
OHCHR	– United Nations Office of the High Commissioner for Human Rights
OSCE	– Organisation for Security and Co-operation in Europe
par.	– paragraph
sec.	– section
RASC	– refugee and asylum-seeking children
UMR	– unaccompanied minor refugee
UN	– United Nations
UNHCR	– UNHCR United Nations High Commissioner for Refugees
UNICEF	– United Nations Children’s Fund

2.2. COUNTRY REPORT: BULGARIA

Mila Mancheva

Center for the Study of Democracy

1. METHODOLOGICAL INTRODUCTION

The present situation analysis of the educational integration of RASC in Bulgaria is based upon a combination of data collection methods, accorded to the refugee inflow trends in the country, the existing institutional frameworks with regard to their treatment and the statistical observation of their integration. The choice of research methods was guided by the following key factors:

- lack of systematic observation and monitoring with regard to RASC integration in general and educational integration in particular;
- lack of available studies dealing with the subject of educational integration of RASC in the country;
- well developed institutional framework, both governmental and non-governmental, with regard to reception and integration of refugee applicants and refugees in Bulgaria;
- moderate refugee inflow in the country with small number of RASC who are scattered in various schools throughout the capital of Sofia.

Taking into consideration these factors, the study was developed relying prevalently on qualitative methods and where possible involving analysis of quantitative data. The methods employed include:

- collection and analysis of statistical data, regarding refugee inflows, refugee demographic profiles and recognition rates;
- collection and analysis of institutional reports and secondary literature, dealing with refugee reception and integration;
- collection and analysis of related Laws and Regulations;
- in-depth interviews with experts in relevant

- institutions (both governmental and non-governmental) dealing with issues of RASC reception, integration and education. Interviews were conducted along semi-standardised questionnaire with the following institutions: State Agency for Refugees, Integration Center (two expert interviews); Ministry of Education, Department Access to Education (one interview); State Agency for Child Protection, Department State Policy with regard to the Child (two interviews); UNHCR (one interview); Bulgarian Red Cross, Refugee and Migration Service (two interviews); Council of the Refugee Women (one interview); Legal Clinic for Refugees and Migrants (one interview);
- additional information, regarding internal reports and unpublished data was collected following the interviews by means of targeted questionnaires sent to the following institutions: State Agency for Refugees, Integration Center; State Agency for Child Protection; Bulgarian Red Cross, Refugee and Migration Service; UNHCR;
 - three study visits.

One study visit was conducted at the Integration Center at the State Agency for Refugees. The CSD researchers attended an afternoon class at SAR Study Room taking interviews with both the language teacher (1 interview) and some of the children at place (5 interviews).

Two study visits were conducted at two state public schools, where RASC pupils are enrolled. In the course of the visits to school "Ivan Hadjiski", N 149 and to school "Philip Stanislavov" N 66, both nearing the State Agency of Refugees, semi-standardised interviews with teachers (five interviews) and school-masters (two interviews) were carried out; group conversations with RASC students (group of seven and group of three pupils respectively) and participant observation were conducted.

2. REFUGEES AND ASYLUM SEEKERS: GENERAL BACKGROUND

Since Bulgaria's ratification of the UN Convention Relating to the Status of Refugees and the attendant Protocol from 1967 in 1993, the country faces a relatively low refugee inflow with a total of 18,790 refugee applicants. The flow has fluctuated throughout the years with moderate numbers until 1998, followed by sharp increase in 1999 with a peak of 2,888 applications in 2002. Since 2003 the inflow has decreased with the country facing between 800 to 1,000 applicants annually (Figure 10).

The recognition rate in the country is rather low with eight per cent recognised refugees and 23.6 per cent humanitarian status holders.

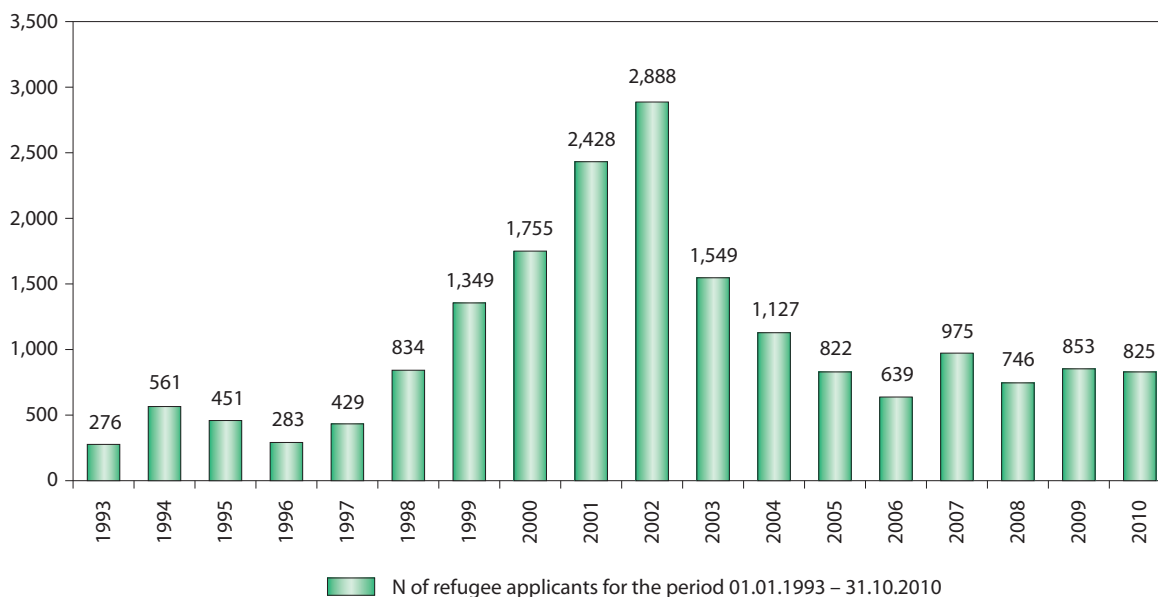
The national profile of refugees is rather diverse with applications being filed by persons from 90 different countries. More than half of the refugee inflow however, originates from two main countries Afghanistan (thirty per cent) and Iraq (twenty four

per cent), followed by Armenia (9.6 per cent), Iran (4.8 per cent) and the group of stateless people (4.4 per cent).

The dominating national profile of refugees in Bulgaria could be explained with the presence of traditional immigrant communities from the countries of the Near and the Far East that serve as point of orientation and assistance for newcomers.¹ The low numbers of refugee applicants and the low recognition rate indicate that there are no big refugee communities in Bulgaria. The majority of refugee applicants, refugee and humanitarian status holders live in the capital of Sofia as the refugee reception and integration institutions are located there. Refugees form no compact settlements by nationality and live scattered in Bulgarian dominated neighborhoods throughout various quarters of the city.

Refugee applicants follow two major paths that are also used by irregular migrants: the so called Southern route through Turkey used by refugees from Iraq, Afghanistan, Turkey (Figure 11) and the so called Northern route through Romania used by refugees from the former USSR, such as those from

FIGURE 10. NUMBER OF REFUGEE APPLICANTS FOR THE PERIOD 1.1. 1993 – 31.10. 2010



Source: State Agency for Refugees.

¹ Кръстева, А. (2006) Бежанците в България. В – Кръстева, А. (съст.) Фигурите на бежанеца. Нов български университет. София, 181. [Krasteva, A. 2006: Refugees in Bulgaria. In – Krasteva, A. (ed.) Profiles of Refugees. New Bulgarian University. Sofia, p. 181].

TABLE 9. TERMINATED PROCEDURES, 1993 – 31 OCTOBER 2010

Category	Number	%
Refugee Applicants	18,790	100.0
Recognised refugee status	1,510	8.0
Granted Humanitarian status	4,442	23.6
Ceased Procedure	1,372	7.3
Discontinued procedure	3,821	20.3
Discontinued procedure ex officio	3,007	16.0
Discontinued procedure total	6,828	36.3

Source: State Agency for Refugees.

TABLE 10. REFUGEE WAVES IN BULGARIA, 1993 – 31 OCTOBER 2010

Category	Number	%
Refugee Applicants	18,790	100.0
Of them men	13,127	70.0
Of them women	2,534	13.5
Of them children	3,129	16.7
Recognised refugee status	1,510	100.0
Of them children	352	23.3
Granted Humanitarian status	4,442	100.0
Of them children	875	19.7
Rejected Refugee status	5,583	100.0
Of them children	623	11.2
Ceased Procedure	1,372	100.0
Of them children	385	28.0
Discontinued procedure	3,821	100.0
Of them children	740	19.4
Discontinued procedure ex officio	3,007	100.0
Of them children	29	9.6

Source: State Agency for Refugees.

Moldova. Refugees from countries of the African continent arrive by blue border or using the Southern channel – their share however is low as they number

up to several hundred persons per origin country (Nigeria, Ethiopia, Sudan, Algeria, Somalia, Egypt) for the whole 18 years long period.

The demographic profile of the group is marked by a predominance of men (70 per cent) and a small share of women (13.5 per cent). The share of children (16.7 per cent) is lower if compared with that of the

Bulgarian population (18.75 per cent in the age of 0-19)². A look at the breakdown by year however, shows that the share of children varies between 20 per cent to 27 per cent in particular years.

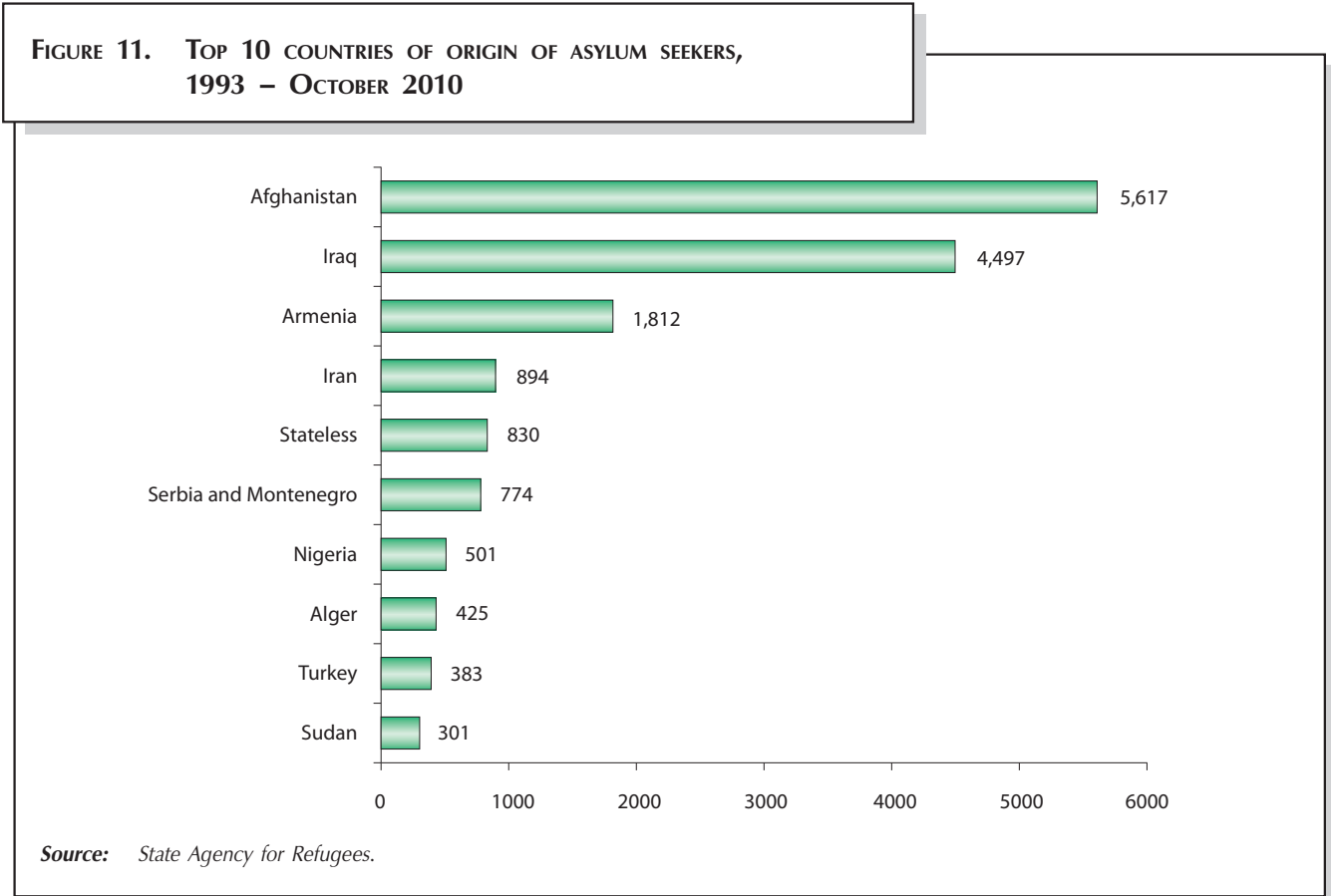


TABLE 11. REFUGEE APPLICANTS IN BULGARIA BY YEAR AND THE SHARE OF CHILDREN

Year	N of refugee applicants	Unaccompanied Minors ³	Children	Children %
1993	276	NA	72	26.0
1994	561	NA	143 ⁴	25.5
1995	451	NA	121	26.8
1996	283	NA	31	11.0
1997	429	NA	34	8.0

² National Statistical Institute: <http://www.nsi.bg/otrasal.php?otr=19&a1=376&a2=387&a3=388#cont>

³ Data on unaccompanied minors is being gathered by the State Agency for Refugees since 2004. Between 1993-2003 statistics made no distinction between accompanied and unaccompanied children.

⁴ UNHCR data shows 217 children for the years 1993 – 1994.

TABLE 11. REFUGEE APPLICANTS IN BULGARIA BY YEAR AND THE SHARE OF CHILDREN (CONTINUED)

Year	N of refugee applicants	Unaccompanied Minors	Children	Children %
1998	834	NA	157	18.8
1999	1,349	NA	308	22.8
2000	1,755	NA	289	16.5
2001	2,428	NA	460	19.0
2002	2,888	NA	289	10.0
2003	1,549	NA	193	12.5
2004	1,127	233	286	25.4
2005	822	159	201	24.5
2006	639	73	102	16.0
2007	975	23	122	12.5
2008	746	109 ⁵	122	16.4
2009	853	8	100	11.7
2010	825	68 ⁶	114	13.8

Source: SAR, UNHCR, Кръстева 2006 [Krsteva 2006], pp. 182-183.

TABLE 12. UNACCOMPANIED/SEPARATED CHILDREN, 01.01.1993 – 30.11.2010

Category	Number	%
Refugee Applications	501	100.00
Of them girls	11	2.20
Age group: 0-13	20	4.00
Of them girls	1	0.50
Age group: 14-15	136	27.00
Of them girls	3	0.02
Age group: 16-17	356	71.00
Of them girls	7	1.90

Source: State Agency for Refugees.

⁵ UNHCR data reports 13 unaccompanied minors.

⁶ UNHCR data reports 22 unaccompanied minors.

The recognition level among RASC is higher than that of adults by 6 per cent for refugee holders and by 3 per cent for humanitarian status holders. The group of unaccompanied/ separated children (2.6 per cent of the overall group) is dominated by children in the age 16-17 (71 per cent) and by boys (98 per cent).

Most of these children come from Afghanistan (76 per cent), followed by Nigeria (7.8 per cent), Iraq (4.2 per cent), India (2.4 per cent) and Iran (2.4 per cent) (Table 13).

The refugee migration to Bulgaria reveals a number of specific trends. The inflow is moderate in number with considerable fluctuations in different years.⁷ In addition, refugee applicants seem to follow transit migration trajectories as they tend to use the country as transit destination further west. The majority of applicants are being rejected and either continue their way further by irregular channels or return to their home countries. In addition, recognised refugees or humanitarian status holders often leave the country to other EU countries

where they believe will find better employment opportunities and economic prospects. There is no available data to reveal how many of the 1,510 recognised refugees and how many of the 4,442 humanitarian status holders are indeed in the country – experts in both state institutions and NGOs verify that the group is highly mobile with many of its members leaving the country. The high degree of mobility of the group is demonstrated by the data displayed in Table 9. It shows that 36.3 per cent of the refugee applicants in the country had their procedures terminated – a move usually taken if applicants cease to appear for interviews and other required application procedures.

Until recently significant delays and inconsistencies have been registered with regard to refugee applications registration and procedures. Those included long periods of apprehension at border (up to one month); unspecified periods of detention (up to several months) of refugee applicants at the Lubimets Transit Center and the Home for Temporary Accommodation of Foreigners in Busmanci (including detention of children); belated registration of refugee

TABLE 13. UNACCOMPANIED/SEPARATED CHILDREN BY COUNTRY OF ORIGIN, 01.01.1993 – 30.11.2010

Country	N of applications	Country	N of applications
Total	501	Afghanistan	381
Africa	54	Bangladesh	4
Algeria	6	Georgia	1
Congo	1	India	12
DR Congo	1	Iran	12
Eritrea	1	Iraq	21
Nigeria	39	Lebanon	1
Somalia	4	Pakistan	3
Togo	1	Syria	1
Tunisia	1	Stateless	11
Asia	436		

Source: State Agency for Refugees.

⁷ Кръстева, А. 2006: Бежанците в България. В – Кръстева, А. (съст.) Фигурите на бежанеца. Нов български университет. София, 179-80. [Krasteva, A. 2006: Refugees in Bulgaria. In – Krasteva, A. (ed.) Profiles of Refugees. New Bulgarian University. Sofia, 179-80].

applications.⁸ These delays are possible in the context of particular legal provisions such as the lack of legally specified period for registration of refugee application, a maximum period of detention at the Busmanci Center for Temporary Accommodation of Foreigners – of six months with the possibility of extension. According to the latest UNHCR report on the situation of refugees in Central Europe improvements in the system in Bulgaria have been achieved such as: border apprehension of up to twenty four hours; up to two weeks apprehension of single mothers and families with children at the Home for Temporary Accommodation of Foreigners at Busnamtci; accelerated registration procedures of up to fifteen days.⁹ In the 1990s application procedures were lengthy lasting up to several years while at present, some experts claim, they are significantly accelerated to last up to six months. However, refugee lawyers at human rights organisations report that delays in registration (up to 2 months) and procedure (surpassing six months) continue to be the practice.¹⁰ Detention at the Busmanci Center continues to be a problem with foreigners who declared intention to file refugee application being detained there for periods of two weeks to two months.

The social assistance package to refugee applicants and refugees is as follows: refugee applicants, including children, are entitled to 65 BGN (32.5 EUR) per person per month that is insufficient to cover basic living needs.¹¹ In addition, they have the right of free of charge accommodation at the SAR Registration Reception Center. Refugee and humanitarian status holders are entitled to take part in the National Program for Integration of Refugees (2008 – 2010). The conditions of the program

are as follows: refugee and humanitarian status holders are entitled to free of charge Bulgarian Language course and professional training courses (such as hairdressing, sewing or other). For each day of attendance Program participants receive 4 BGN (2 EUR) which amount to monthly stipend of 88 BGN (44 EUR). Program participants get free monthly public transport passes and assistance in accommodation search and 1-year coverage of their apartment rent and medical insurance.¹² This social assistance package however, is conditional on course attendance. Refugee children are not included in the Program and are not entitled to any particular assistance.

The First National Program for Integration of Refugees (2008 – 2010) is a sign of significant improvement of the refugee integration system in Bulgaria and more importantly a sign of the increased financial responsibilities on the part of the Bulgarian government. However, it suffers from a number of deficiencies. It is designed for hundred participants only and is operational only in the capital of Sofia. Many refugees cannot attend the Program for a number of reasons. As the stipend, tied to course attendance, is very low many refugee and humanitarian status holders cannot afford attending the course as they need to work. In addition, mothers with small children cannot attend the courses as there is no day care organised for the children of course participants.

Refugee and humanitarian status holders who are not enrolled in the National Program for Integration of Refugees have the right to social assistance under the terms and procedures applicable to Bulgarian nationals. These include monthly social assistance

⁸ Bulgarian Helsinki Committee, 2006: Изследване на правата на мигрантите в България. Финален доклад. [Study of the Rights of Migrants. Final Report] <http://www.bghelsinki.org/upload/resources/MigrantsRightsReportBG-1.doc>; Lewis, T. and Daskalova, D. 2008: Legal Dimensions of Immigrant Access to Employment in Bulgaria: A Context Analysis. In: The Implication of EU Membership on Immigration Trends and immigrant Integration Policies for the Bulgarian Labor Market. Spassova, P. (ed.). Economic Policy Institute. Sofia, 77-100; DEVAS, 2010: Задържани, вместо защитени. Доклад на гражданското общество за задържането на уязвими търсещи закрила и нелегални мигранти в Европейския съюз. [DEVAS, 2010: Detained instead of Protected. Civil Society Report on the Detention of Vulnerable Asylum Seekers and Irregular Migrants in the European Union]. http://www.bghelsinki.org/upload/resources/DEVAS-BG%20National%20Report_Bulgaria_SHORT%20PUBLIC%20version.pdf

⁹ ВКБООН (2010) Да бъдеш бежанец. Как живеят бежанците и търсещи убежище в Централна Европа. AGDM Доклад 2009. ВКБООН – Будапеща, 9-12. [UNHCR (2010) Being a Refugee. How do Refugees and Asylum Seekers Live in Central Europe. ADGM Report 2009. UNHCR – Budapest, pp. 9-12].

¹⁰ Ilareva, V. (2007) Bulgaria's Treatment of Asylum Seekers. – Forced Migration Review, 29, 60-61; Interview with Valeria Ilareva, expert at the Legal Clinic with Refugees and Migrants, 7 Dec. 2010.

¹¹ ВКБООН, (2010) Да бъдеш бежанец. Как живеят бежанците и търсещи убежище в Централна Европа. AGDM Доклад 2009. ВКБООН – Будапеща, 15. [UNHCR, 2010: Being a Refugee. How do Refugees and Asylum Seekers Live in Central Europe. ADGM Report 2009. UNHCR – Budapest, p. 15].

¹² National Program for Integration of Refugees in the Republic of Bulgaria: <http://www.oref.government.bg/docs/NPI%202008-2010.doc>

benefits, targeted allowance for identity card issue, free travel for mothers of many children, targeted heating allowance, one-off allowance in the event of emergency health, educational, utility and other vital needs. Child related allowances include: one-off pregnancy allowance, one-off child-birth allowance, monthly allowance for a child until graduation from secondary school, monthly allowance for raising a child younger than one year old.¹³

3. INSTITUTIONAL SET-UP, LEGAL AND POLICY FRAMEWORK¹⁴

3.1. National level

Major institutions and their responsibilities: The institutional set-up with regard to asylum seekers and refugees in Bulgaria is organised mainly along the *Law on Asylum and Refugees* (promulgated in 2002) and the two National Programs for Integration of Refugees in the Republic of Bulgaria for the periods 2008 – 2010 and 2011 – 2013 respectively. Other legal instruments that regulate some aspects of the treatment and integration of asylum seekers and refugees include: *Law for the Foreigners in the Republic of Bulgaria* (promulgated in 1998, last amended in April 2007); *Law for the Protection of the Child* (promulgated in 2000); *National Education Act*.

In accordance with this legislation the major institution responsible for asylum seeker and refugee reception and treatment in Bulgaria is the **State Agency for Refugees at the Council of Ministers (SAR)**, followed by the Ministry of Interior, the Ministry of Labor and Social Policy, the Ministry of Education Youth and Science and the State Agency for Child protection. The **Agency for Refugees at the Council of Ministers** acts as the leader in the policy formation process with regard to asylum seeker and refugee reception and integration in the country and is responsible for the processing and implementation of registration,

reception and application procedures of asylum seekers. The Agency operates **two reception and accommodation centers** for asylum seekers in the country – the one in the capital of Sofia and the other in the small village of Banya in the Nova Zagora district, south-east part of Bulgaria. This set-up to a large extent predetermines the location of recognised refugees in the country, as well as the geographical aspects of the institutional, legal and policy frameworks at place. The two reception centres are open ones where asylum seekers enjoy freedom of movement.

At present the **Ministry of the Interior** plays a role in the reception and treatment of asylum seekers and refugees in the country through its Home for Temporary Accommodation of Foreigners, located near the capital of Sofia in the quarter of Bousmantci. The home has a closed regime with no freedom of movement and in fact serves as immigration detention centre. Since its opening in 2006, the Bousmantci detention centre has been extensively used for reception of asylum seekers who are being accommodated there for the period between reception and registration of their asylum applications as well as in the period of examination of their applications under the accelerated procedure. The Bousmantci detention centre is used to accommodate men, women and children together. The law explicitly prohibits only the detention of unaccompanied minor asylum seekers whose applications for asylum have already been registered. This guarantee follows from Article 71 (1) of the *Law on Asylum and Refugees* that prohibits application of the accelerated refugee status determination procedure to unaccompanied minor asylum seekers. That is, since the person is admitted to the common refugee status determination procedure, he/she should be released from the immigration detention centre. According to Article 29, Paragraph 7 and Article 33 of the *Law on Asylum and Refugees*, unaccompanied minor asylum seekers and recognised refugees are to be accommodated either with relatives or with a foster family or in a 'specialised institution' or 'in other accommodation places with special conditions for minors'. It should be noted that the lawfulness of

¹³ Радева, М., Жасмина Донкова (2010) Кратък наръчник за правата и задълженията на чужденците с предоставен статут на бежанец или хуманитарен статут в Република България. ВБКООН – България, pp. 28-35. [Radeva, M. Jasmina Donkova, 2010: Concise Handbook on the Rights and Duties of Foreigners with Recognized Refugee Status or Humanitarian Status in the Republic of Bulgaria. UNHCR – Bulgaria, pp. 28-35].

¹⁴ This section of the report has been developed in collaboration with Valeria Ilareva.

the detention of asylum seekers in the Bousmantci immigration centre on the basis of deportation orders for entering the country irregularly is highly questionable following the adoption of the *Directive of the European Parliament and of the Council on common standards and procedures in Member States for returning illegally staying third-country nationals* and the judgment of the European Court of Justice in the *Kadzoev Case C-357/09*. Since 2006 human rights activists and refugee assistant organisations in Bulgaria have energetically criticised the detention practices exercised through the Bousmantci immigration centre on the part of the Ministry of the Interior and in cooperation with the State Agency for Refugees.

The national *Law for the Protection of the Child* equally applies to minor asylum seekers and refugees. Article 33 (2) of the *Law on Asylum and Refugees* explicitly refers to it regarding accommodation of children until coming of age. While application procedures of unaccompanied asylum seeking and refugee children are implemented by the State Agency for Refugees, the competent institution responsible for their legal guardianship is the Mayor of the City Municipality.

The process of reception and integration of asylum seekers and refugees is actively aided by a number **inter-governmental and non-governmental organisations** involved in policy assistance and monitoring (UNHCR), social support programs (Bulgarian Red Cross; Association for Integration of Refugees and Migrants; Council of the Refugee Women) and in monitoring of reception and detention centers and legal assistance to clients (Bulgarian Helsinki Committee; Legal Clinic for Refugees and Migrants).

Formal policy framework: Two major types of documents are being adopted by the Bulgarian government to set the policy framework for asylum seekers and refugees in the country. These are the National Programmes for Integration of Refugees in the Republic of Bulgaria and the National Migration Strategies. So far two active Programs for Integration

of Refugees (covering the periods 2008 – 2010 and 2011 – 2013), and two National Migration Strategies (covering the periods 2008 – 2015 and 2011 – 2020) have been adopted.¹⁵

Chapter V of the *National Program for Integration of Refugees in the Republic of Bulgaria (2008 – 2010)* adopted by the Council of Ministers on 17 April 2008, was focused on “Education” but it concentrates primarily on the educational needs of adult beneficiaries. It stated as a strategic aim “the improvement of refugee access to the state educational system”. The activities envisaged in the Programme were as follows: 1) legal regulation of the access by adult refugees without education to the state educational system; 2) research on the difficulties encountered by refugees in their integration at school and setting measures for overcoming those difficulties; 3) assistance to refugees who due to reasons outside their control have not been able to provide the documents that certify the levels of their education and vocational training; and 4) training of teachers working with refugee children. The indicated provisions however, were not enacted in practice. On 05 January 2011 the Bulgarian Government approved *the New National Program for Integration of Refugees by 2013 (NPIR)*. It envisages that the State will support financially 90 (ninety) newly arrived protection status holders per year. Thirty of these will be children, including twenty at school age and ten at preschool age. For the first time NPIR provides for direct support to refugee children. The Program however, retains the principle of the previous one of tying the monthly subsistence of the newly-recognised (adult) refugees to enrollment in Bulgarian language and social integration courses. The programme is supported financially through the budget of the State Agency for Refugees, the European Refugee Fund and project implementation. The measures in the program include updating the criteria for applying the package of measures for integration of newly recognised refugees; drafting and application of mediation programs at the exercise of fundamental rights and opportunities for refugees; initiation of legislative revisions for providing trustees/guardians

¹⁵ Национална програма за интеграция на бежанците в Република България /2008 – 2010/ [National Program for the Integration of Refugees in the Republic of Bulgaria 2008 – 2010]; Национална програма за интеграция на бежанците в Република България /2011 – 2013/ [National Program for the Integration of Refugees in the Republic of Bulgaria, 2011 – 2013].; Национална стратегия на Република България по миграция и интеграция /2008 – 2015/ [National Strategy of the Republic of Bulgaria in Migration and Integration, 2008 – 2015].; Национална стратегия в областта на миграцията, убежището и интеграцията /2011 – 2020/ [National Strategy on Migration, Asylum and Integration, 2011 – 2020].

of unaccompanied refugee children; application of measures for acquainting and supporting refugees for preparation and application for Bulgarian citizenship; provision of services for accommodation of refugees – information, assistance in dealing with address registration, legal aid and consultations. The new NPIR is the first to list provisions in the sphere of education for refugee and asylum seeking children. Those include conduct of research to identify gaps in the system, development of standardised tests for assessment of knowledge and class allocation, fostering and mediation of contacts between parents and teachers as well as between RASC and Bulgarian pupils.¹⁶

In its section on “Balanced admission of foreigners and achievement of successful integration of admitted foreigners” the *National Strategy of the Republic of Bulgaria on Migration and Integration (2008 – 2015)* only refers to implementation of the priorities set in the National Program and the Multi-annual and Annual Programs of the European Refugee Fund. The subsequent *National Strategy in the Area of Migration, Asylum and Integration (2011 – 2020)* refers to the implementation of the Stockholm Program, the implementation of projects under the newly established European Asylum Support Office, the maximising of the EU funds absorption available under ERF, and the establishment of Monitoring Committee to oversee the implementation of its respective programs. In addition, the document refers to the development of National Refugee resettlement program and the launch of Resource centre for information on origin countries.

The Legal Framework in EU perspective: Formally Bulgaria has transposed all relevant EU directives into national legislation. Paragraph 1a of the Additional Provisions of the *Law on Asylum and Refugees* provides that the law transposes *inter alia* the *Reception Conditions Directive 2003/9/EC* of 27 January 2003, the *Qualification Directive 2004/83/EC* of 29 April 2004 and the *Procedures Directive 2005/85/EC* of 1

December 2005. However, the latest update of the law dates back as far as from 2007 and there are a number of problematic issues of compliance with EU law that need to be addressed by legislative amendments.¹⁷

The *Return Directive 2008/115/EC* has partially been transposed in the *Law on Foreigners in the Republic of Bulgaria*, which concerns the current study as far as asylum seekers are detained under this law.

Bulgaria is also a party to the main international treaties (CRC, ICCPR, ICESCR, ICERD, the Refugee Convention), except for the *International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families*. Article 5(4) of the Constitution of the Republic of Bulgaria provides that international law to which Bulgaria has acceded has primacy over contradicting national provisions.

3.2. Regional and local level

The institutional, legal and policy framework regarding asylum seekers and refugees in Bulgaria has hardly any regional or local dimension. Both governmental and non-governmental institutions dealing with asylum seekers and refugees in the country are concentrated in the capital of Sofia. Asylum seekers are dealt with regionally only as far as border apprehension centers (for any kind of foreigners) and the reception center in the village of Banya are concerned. The systems of accommodation and integration of asylum seekers and refugees are exclusively concentrated in the capital of Sofia with inter-institutional experience of referral being accumulated only at central level. The existing National Program for Integration of Refugees is operational only in the capital of Sofia. In this context it is no surprise that cases, especially of unaccompanied RASC, that are referred to regional or local institutions are handled with much more difficulties.

¹⁶ Национална програма за интеграция на бежанците в Република България (2011 – 2013), Раздел V. [National Program for the Integration of Refugees in the Republic of Bulgaria, 2011 – 2013, Chapter V].

¹⁷ See, e.g. Report from the Commission to the European Parliament and the Council, 16.6.2010, available at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0314:FIN:EN:PDF>; *Bulgaria's Treatment of Asylum Seekers*, Forced Migration Review, issue 29, 2007, available at: <http://www.fmreview.org/FMRpdfs/FMR29/60-61.pdf>

4. OVERVIEW OF THE EDUCATIONAL SYSTEM AND THE EDUCATION STATUS OF REFUGEES AND ASYLUM SEEKERS IN THE COUNTRY

4.1. National specifics of the education system

The legal framework in the field of *education* in Bulgaria is composed of *National Education Act (Закон за народната просвета)*.¹⁸ The *Law on Asylum and Refugees* also includes specific provisions in this regard: Article 26¹⁹ addresses the right to education and vocational training and Article 54 (4) provides for the recognition of foreign documents regarding completed education and qualification.

The public education system in the country includes three general stages of training: elementary, basic and secondary. There is also pre-school education for children from 3 to 6 years old which is not

compulsory. According to a recent change in the Law, pre-school education is compulsory for kids at the age of 5. However, the education system is still not ready to apply this change. Children enter public school at the age of 7 but school entry at the age of 6 is also allowed by the Law upon parents' decision. Children finish school at the age of eighteen if they are enrolled in a common secondary school or at the age of nineteen if they are enrolled in a specialised secondary school. Schooling is compulsory for children between seven and sixteen with public schooling being free of charge for Bulgarian citizens. In addition to the regular form of schooling, the Bulgarian education system provides three alternative forms of public schooling: evening schools, individual and self-sufficient schooling. In addition, specialised schools exist for children with special needs.

The major stakeholders involved in the education of RASC are the Ministry of Education, Youth and Science, the State Agency for the Refugees. The Agency for Social Assistance and the State Agency for Child Protection become involved in cases of unaccompanied RASC. Since most of the schools in Bulgaria are municipal, municipalities are important stakeholders too.

TABLE 14. STRUCTURE OF THE PUBLIC SCHOOL SYSTEM IN BULGARIA

Stage of education	Age of entry	Period of schooling	Type of Certificate
Primary – Elementary	7 (or 6)	4 years	Grade IV leaving certificate
Primary – Basic	10	4 years	Basic education completion certificate
Secondary (common high schools)	14	4 years	Diploma of completed secondary education
Secondary (specialised high schools)	14	5 years	Diploma of completed secondary education
Secondary (professional/technical high schools)	15	4 years	Diploma of completed secondary education and Certificate of professional qualification

Source: <http://www.euroeducation.net/prof/bulgaco.htm>

¹⁸ Other relevant laws include: *Law on the Level of Schooling, the General Education Minimum and the School Curricula*; *Law on Professional Education and Training*; *Law on High Education*.

¹⁹ It supersedes a previously existing *Ordinance No 3 of 27 July 2000 on the procedure for admitting refugees in the state and municipal schools in the Republic of Bulgaria*.

It should be noted that the Bulgarian educational system accommodates private schools as well. They are privately funded, request annual enrolment tuition and have different curricula and education certificate agreements with the Bulgarian Ministry of Education Youth and Science. Three such schools provide education in Arabic language (the Iraqi, the Lebanese and the Palestinian private schools) and follow the educational curricula of respectively Iraq, Lebanon and Palestine – a small number of RASC are reported to enroll in these schools.

4.2. Characteristics of RASC and their parents

The majority of RASC in Bulgaria come from Afghanistan, Iraq, Armenia and Iran. With the exception of children from Armenia who master Russian language, the rest of RASC have linguistic culture very different from that of the host country. For a number of reasons the study of the Bulgarian language is even more difficult for their parents, which makes them practically incapable to help them out with school work. This makes the task of RASC accommodation in Bulgarian schools particularly challenging.

4.3. Status of RASC in the national education system

At this stage it is not possible to provide figures on school enrollment, gender ratios, attendance and quality of education of RASC in the Bulgarian public schools. This is the result of the way refugee-related statistics are collected and maintained. The State Agency for Refugees (SAR) statistics on refugees children are not disaggregated by gender. In addition, the Ministry of Education has no system and practice of monitoring school attendance and performance of RASC. Only a general statistic on the number of foreign nationals, attending public schools is being maintained. A provisional picture of the proportions of RASC at school could be presented on the basis of the statistics for 2010 provided by SAR. In 2010, a total of sixty three RASC have entered Bulgaria, of them thirty eight were in school age but only three had documents certifying level of education completed in their home countries. While many of the children who had no official documents, actually visited school

in their home countries, they were unable to prove any educational proficiency.

4.4. Provision of education for various legal categories

Children who are refugee and humanitarian status holders together with asylum seekers and those with subsidiary and temporary protection status, enjoy the same right of access to education granted to Bulgarian nationals. Education is free of charge both for RASC and children – Bulgarian nationals. A number of problems pertain to the existing procedures for school enrolment of RASC as well as to the existing practices of (no) schooling for unaccompanied RASC. They will be explained in detail in section 5 of the present report. Detailed explanation and analysis of the different stages of school enrolment and integration of RASC with the related problems will be provided in sections 5 and 6 of the report.

5. GOOD PRACTICES DESCRIPTION AND ANALYSIS (SITUATION ANALYSIS)

The educational integration of RASC in Bulgaria is organised in two stages: Preparation for school enrollment and integration into the public school system. The present situation analysis will be organised following these two stages of educational integration of RASC by discussing the respective legal provisions and practices associated with them. The situation, regarding unaccompanied/ separated RASC will be discussed separately as children of this group follow a somewhat different path with regard to integration in general and educational integration in particular. The summary of the areas in need of change is based on evaluation of the expertise shared by officers in the major RASC responsible institutions and on CSD qualitative analysis.

Prior to introducing the analysis of the RASC educational integration system a number of general trends need to be indicated:

- The absence of systematic observation and consistent data collection with regard to RASC

presence and performance in the public school system of Bulgaria presents a certain limitation to the present study. Data on school attendance, drop-out rates and school performance of RASC is unavailable and qualitative studies are not being conducted either. In this context the discussion of the effectiveness of the present educational provisions for RASC and the identification of good practices appears limited to analysis of qualitative testimony on the part of experts and beneficiaries.

- The group of RASC is of small numbers. Refugees and foreigners in Bulgaria form no compact national communities and are instead dispersed in different city quarters among Bulgarians. Refugee children are being enrolled at school according to their place of residence and appear scattered in small numbers in different schools throughout the city of Sofia.
- A major feature of the group of RASC is that like the overall refugee flow they are highly mobile and tend to stay in the country temporarily, following their parents further West by various channels. Hence, RASC often tend to intercept prematurely the educational integration process (both preparation for school enrollment and public school attendance) as they follow their parents who leave the country.

Three groups of RASC, those in application procedure, refugee and humanitarian status holders enjoy the same rights for access to education. The Bulgarian Law on Asylum and Refugees provides these three groups of children with the right to study in Bulgarian public schools (primary and secondary) following the procedures at place for Bulgarian citizens. In addition, refugee holders are granted access to Bulgarian Universities following the procedures at place for Bulgarian citizens.²⁰

Stage 1: Preparation of RASC for School Enrollment

Responsible Institutions: State Agency for Refugees; Bulgarian Red Cross.

The educational integration of RASC in Bulgaria is considered to start from the moment of refugee

application registration and their accommodation in the Registration and Reception Centre of SAR. The preparatory phase of the educational integration of RASC in Bulgaria concerns exclusively the study of Bulgarian language and is assured by SAR and the Refugee-Migration Service at the Bulgarian Red Cross. The two institutions provide different systems of Bulgarian language training. While SAR is responsible for the process of school enrollment, including provision of Bulgarian language training, school enrollment test application and assistance for school registration, the Bulgarian Red Cross serves to motivate children and their parents to enroll their children in school.

A: SAR serves as major point of integration prior to RASC enrollment in the public school system. According to the Law on Asylum and Refugees (LAR), children with registered applications who are in procedure are entitled to a compulsory three months Bulgarian language training at the Integration Centre of SAR. In certain cases if considered necessary some children might be referred for additional two to three months of Bulgarian language training at SAR prior to taking school enrollment test. The small number of RASC in school age and the lack of funding dictate a number of particularities of the pre-school enrollment setting at SAR:

- The training course has two functions – it serves as a Bulgarian language course for newcomer RASC and as a study room for RASC already enrolled at school. On the average it is attended by ten to fifteen children at a time. While small, the group is very dynamic.
- The language course is ongoing and accommodates children of different ages and different educational level. Children can join the course at any point of the year, according to the time they arrived in the country. Some of those who attend leave before the three-months expire for reasons related to their procedures.
- The study-room is designed to help RASC attending school with their school work and homework. Like newcomer RASC, school pupils who visit the SAR course after school are of different age and school grade.

²⁰ Топалова, М. (2009) Интеграция на бежанците в България: образование. Вътрешен доклад на Български Червен Кръст, подготвен в рамките на проучване на Българския съвет за бежанци и мигранти по проект на Датския съвет за бежанци, 3. [Topalova, M. (2009) Integration of the Refugees in Bulgaria: Education. Internal Report of the Bulgarian Red Cross prepared in the framework of a study by the Bulgarian Council for Refugees and Migrants under a project of the Danish Council of Refugees, p. 3].

- Bulgarian language training is provided following a textbook designed especially for the needs of refugees. However, the textbook is designed for adults (not kids), it is printed in black/white and is at hand only for the teacher (children are not being provided with the textbook). There are no additional training materials (such as additional appliances, audio-visual materials or any relevant language training equipment) apart from the textbook to ease the process of language training and make it more attractive for the children.
- Following from the above, it is the task of one single teacher, a specialist in Bulgarian philology, to teach children of different age, different educational level and of different period of attendance of the language course. In addition to this, the same teacher is responsible for providing help with different school subjects to RASC school pupils who are again of different age and different school grade.
- The language course (and study room) of SAR are not accessible to all RASC. The course takes place at SAR's Integration Center neighboring the SAR's Registration and Reception Center where refugee applicants are accommodated. Being located in a distant city quarter however, the language course and the study room are attended by children who live in SAR's Registration and Reception Center or by children whose parents find housing in the vicinity. The distance from other city quarters along with transportation costs prevent refugee applicants as well as refugee and humanitarian status holders living far from the Reception Center from sending their children to attend the course. There are no options for other pre-school enrollment language course for RASC in Sofia.

It should be noted however, that the pre-school enrollment and study room setting at SAR has a number of positive aspects. It provides language training and school support services to RASC living in the Reception Center within or near by their living space. This and the possibility to attend language course or study room in a familiar group of children of the same nationality, the same mother tongue or the same (refugee) situation can serve to provide a source of calm in the complex process of ones initial accommodation into a new country. The mixed study group allows the more advanced children to help out newcomers in the training process. We believe that the possibility of

well informed and balanced use of peer orientation and training in the SAR language course and study room should be seriously considered on the part of pedagogues who will work on the methodological refinement of this setting.

It should be noted that RASC who arrive in the country with official school certificates from their countries of origin get their documents translated and legalised by SAR officers. These documents are afterwards submitted to the Ministry of Education, Youth and Science (MEYS) where they are compared to Bulgarian school programs and respective grade allocation is decided upon. Such cases, however, are few. For example, of all the thirty eight RASC kids in school age who arrived in Bulgaria in 2009 only 3 (7.9 per cent) had brought their school certificates with them. The majority of RASC, 92 per cent in 2009 are without school certificates, and are referred for school enrollment test at the Regional Inspectorate on Education (RIE) at the MEYS.

B: The Summer Camp for RASC organised by the Bulgarian Red Cross (Refugee and Migration Service) serves three major goals: to provide intensive Bulgarian language training for newcomer refugee applicant children in a stimulating environment; to facilitate communication with the host society by mixing together refugee applicant children and children who are Bulgarian nationals; to motivate newcomer refugee applicant children (and their parents) to enroll in Bulgarian public schools. These goals are met by the following Summer Camp setting. The Summer Camp is organised annually in the month of August, which precedes the start of the school year (15 September). It lasts two weeks and takes place in a sea or mountain resort. The camp program involves four morning classes in Bulgarian language and free afternoons with extra-curricula activities. The group of children is mixed, including newcomer refugee applicant pupils from various countries of origin and children, Bulgarian nationals, who study and play together. This particular mix helps achieve two important goals: it improves the proficiency of spoken Bulgarian of the refugee applicant children and serves as an experience in inter-cultural communication and tolerance for the Bulgarian pupils. Children who are refugee status holders take part in the Camp as volunteers providing assistance in the extra curricula activities. The positive outcome of

this practice has been verified during our two school visits in the group conversations with RASC pupils. All of the children, without being particularly probed on their impressions of the summer camp, referred to it as a very positive and memorable experience. On average thirty to forty refugee applicant children are enrolled in the Summer Camp annually (2006 – thirty seven; 2007 – thirty; 2008 – twenty seven; 2009 – twenty seven; 2010 – thirty four).²¹ Enrollment takes place at the SAR Registration and Reception Center and is open to all children whose parents agree on participation. The Red Cross Summer Camp has been taking place for the past twelve years.

Stage 2: RASC Integration into the Public School System

Stage 2a: School Enrollment of RASC

Responsible Institutions: Ministry of Education, Youth and Science; State Agency for Refugees.

After completion of the pre-school enrollment Bulgarian language course at SAR, RASC receive Bulgarian Language certificate which allows them to file a request for school enrollment test at the Regional Inspectorate on Education (RIE). The school enrollment test serves to check RASC Bulgarian language proficiency (for those children who are in first – third grade age group) and their knowledge of basic subjects (for those children who are above third grade). The Test Committee includes RIE experts on Bulgarian and respective subjects and the SAR Integration Center expert on Bulgarian language. The Test Committee refers RASC to school grades, reflecting their test results. The subsequent choice of school is taken in consultation with RASC parents whereas the school is usually located in the quarter of residence of the family. A number of particularities should be noted with regard to the procedure for school enrollment.

- The present practice has no valid legal basis. It follows a MEYS Regulation (*Regulation N 3 of 27 July 2000*)²² which was effectively replaced in 2007 by amendment of article 26, paragraph

1 of the *Law on Asylum and Refugees* (LAR). The amendment replaced a previous regulation: “Children of age under 18 have the right to study in public schools of the Republic of Bulgaria by regulation set by the Chairman of SAR and the Minister of Education and Science”²³ and substituted it with a simple provision according to which RASC are given the right of access to education identical to those of Bulgarian citizens.²⁴ While the new amendment had good intentions – allowing RASC equal access to schooling, it did not take into consideration the fact that RASC have no equal start to that of Bulgarian nationals due to the lack of knowledge of the Bulgarian language, the different school programs they attend in their countries of origin, periods of school interception during times of conflict and strife in their countries of origin, and last but not least – the absence of official documents, certifying completion of school level in their home countries. In the context of the new amendment RASC, with the exception of the minority who bring their school certificates, could be enrolled in the very first grades of schooling (first to third) as there is no official proof of school attendance in the country of origin and no system of validation of knowledge at the Bulgarian MEYS. In this context experts from SAR and MEYS who are directly involved in school enrollment of RASC follow the old Regulation N 3 from 2000 although it is formally abolished.

- The school enrollment test at RIE of MEYS involves examination of Bulgarian language proficiency (for kids in the age of first to third grade) and in Bulgarian language and basic school subjects (for kids in the age above 3rd grade). The preparatory training that RASC receive at SAR however, involves Bulgarian language only. At SAR they are provided with no additional courses on math, geography and other subjects and more importantly are not trained in the Bulgarian terminology, regarding these subjects. Experts in almost all involved institutions verify that very often the low results shown at the school enrollment test are due to the lack of

²¹ Data provided by the Bulgarian Red Cross, Refugees and Migration Service.

²² State Newspaper, issue N 74, 8 September 2000, <http://im.cablebg.net/clients/n3mon-00.htm>

²³ http://www.airm-bg.org/dokumenti/07_Zakon_UbejishteBejanci_BG.pdf

²⁴ “the minor foreigners applying for asylum have the right to education and professional education following the conditions and procedures valid for Bulgarian citizens”, <http://lex.bg/laws/ldoc/2135453184>

knowledge of subject terminology in Bulgarian on the part of RASC.

- A frequent outcome at the school enrolment test is the achievement of results lower than the corresponding school level of a child's particular age. The outcome is that the child is being referred by the Test Committee to a grade level two to four years lower than his or her actual school age. The present study reveals that the practice of allocating children at school grade lower than their age is in fact the rule. This was demonstrated during our school visits. Seven out of the ten children who were interviewed in the two schools were of age higher than the school grade they were attending. Most of them were placed in classes of three and four grades lower to their corresponding age with the most severe case involving a boy of the age of fifteen who was just transferred from first to second grade, while the grade corresponding to his age was the ninth. Lower school grade allocation turns problematic for older children at the age of thirteen and above who refuse to attend school together with much smaller children and in most of the cases effectively cease attending school.
- Teachers who take older RASC pupils in their classes receive no prior information about the real level of knowledge on particular subjects they master. Thus teachers are not able to work with them accordingly. More often than not older kids in the lowest school grades appear to demonstrate good knowledge of math and the natural subjects with Bulgarian language being a serious obstacle to a more smooth training process. While they advance in Bulgarian slowly, they appear bored and disinterested in classes of other subjects.
- It should be noted that the practice of not communicating preliminary information about newcomer RASC to the schools of their enrollment is the general rule. Although RASC pass a preliminary test, no test results or official assessment of the level of their knowledge is being communicated with the school or the teachers. Furthermore no information about the family and psychological profile of the child is being established and respectively communicated with the school.

- The Bulgarian public school system provides three alternative forms of training: individual, self-dependent training and evening school. Individual and self-dependent training take place individually in pupil's homes and involve exam taking at the end of each school semester. Application and agreement for entry into individual or self-dependent school program is taken at the level of the school by request on the part of parents and approval by the school administration. We encountered only two cases of older-aged RASC resorting to this form of training. Evening school is usually taken by older pupils and adults who need to work in parallel to finishing their secondary education. It needs to be explored whether these alternative forms of training provide some working solution to the educational integration of RASC (including unaccompanied minors) of older age who are referred to lower grades.

Stage 2b: RASC at School

Responsible institutions: Ministry of Education, Youth and Science.

RASC at Bulgarian public schools

The majority of RASC in school age get enrolled in Bulgarian public schools and – in line with Bulgarian law – are freed from any school tuition. The choice of school is taken by the parents after consultation with the Enrollment Test Committee. Families usually prefer public schools in the vicinity of their residence. There are no compact settlements of foreign nationals and refugees in Sofia. They reside in different parts of the city and live among Bulgarian neighbors. Therefore, RASC are scattered in different public schools throughout the city. They rarely gather in larger number in a particular school. According to the RASC school distribution list for the school year 2010 – 2011 provided by the Bulgarian Red Cross, the number of RASC pupils per school varies from one to four with only one school hosting twelve RASC.²⁵ The largest concentration of RASC pupils for the 2010 – 2011 school year appears to be in the public school N 149 where a total of sixteen RASC were enrolled in February 2011.

²⁵ The list of schools, provided by the Bulgarian Red Cross is based on RASC pupils whom the Red Cross provides with free textbooks. While the list does not include all RASC attending Bulgarian schools in the 2010 – 2011 school year, it is representative of the pattern at place.

Once at school RASC follow the general school curricula with their Bulgarian classmates with no additional supporting programs tailored to their particular needs. The only supporting program at place ensures the supply of free textbooks to RASC on the part of the Bulgarian Red Cross. The general tendencies to be noted with regard to the present integration of RASC in Bulgarian public schools will be discussed in three separate rubrics: RASC; Parents; Teachers.

- Although there is no statistic at place, the drop out rate of children of older age who are allocated to lower classes is reported to be very high by most consulted experts. The main reason for this is the discomfort and displacement children experience in such classes and the subsequent lack of motivation to attend school.
- RASC at school receive no additional support apart from the one foreseen by the general curricula. At the same time interviewed RASC teachers stated that those kids require individual work in class in order to be integrated into the school process. RASC need after school individual support in the sphere of Bulgarian language training to address the specific difficulties they encounter in learning writing and reading Bulgarian.
- RASC enrolled at school suffer from chronic lack of school appliances and working materials (the average annual cost of school appliances and materials amounts to 100-120 BGN or 50-60 EUR per pupil). Those include training notebooks attached to textbooks, personal notebooks, pens, pencils, etc. Refugee families in Bulgaria are entitled to modest assistance and have very small incomes that make parents unable to cover the costs for school materials. The lack of school materials in class however, puts RASC pupils in a disadvantaged situation regarding the training process.
- No mother tongue training is provided for RASC enrolled in public schools. The Bulgarian Public Education Law provides for mother tongue training in schools where more than thirteen pupils declare desire for the study of particular mother language. In the case of RASC pupils however, kids of the same mother tongue do not reach the number of thirteen in any school in Sofia. Opportunity for mother tongue training is provided only in two schools located in the capital of Sofia. Public School N 18 is a specialised primary and secondary school for the study of rare languages, including Arabic, Farsi, Chinese and Japanese. Therefore, the school is being attended by foreigners of the respective nationalities, some of them being RASC. Another school – N 76 provides training in the Arabic language as free-elective – the initiative is private with parents paying for the Arabic language classes attended by their kids.
- Occasions of xenophobia and racism towards RASC in public schools are not widespread but are reported to occur once in a while, particularly towards children of darker complexion. They can vary from verbal bullying (using pejorative form of address such as “Gypsy” or “negro”) to various forms of harassment (such as verbal threats or expulsion from class because of ones “smell”). Such cases are reported to occur in the first one to two years of school attendance when RASC have a poor language proficiency. Some RASC avoid sharing these occasions with their parents to avoid bothering them and they do not report them in school either. In the occasions when parents are informed, they are unable to talk to school authorities as they lack sufficient knowledge of Bulgarian. So far, one program aiming to address such problems has been conducted by the Bulgarian Red Cross. The program aimed at “teaching tolerance” in school. It involved lectures by trained Red Cross volunteers at some public schools in the capital of Sofia with class discussions including talks by refugee pupils.
- Schools do not systematically take into consideration the overall psychological condition of RASC pupils. For example, some RASC pupils (girls) appear to be heavily burdened with domestic work at home (probably part of cultural practices in their home countries), others appear to experience considerable social deterioration compared to the situation of their families in their home countries. These, combined with the stress encountered during their flight and during the accommodation in the new country, need to be taken into consideration on the part of professionals who work with them in the environment of the school.
- RASC at school are disadvantaged with respect to their Bulgarian classmates in yet another respect. Their parents are not in the position to help them out with the school material and with their homework due to the lack of knowledge of Bulgarian. There are no additional classes in

Bulgarian, no consultation periods on the basic subjects to help RASC compensate the lack of adult assistance at home. These are especially needed in view of the fact that existing public schools study rooms (available for pupils of first to third grade) do not provide good solution for the after-school needs of RASC pupils. Common public schools study rooms usually accommodate up to thirty children together and provide self-study training of two hours. At present RASC pupils who have the right, like all other Bulgarian pupils, to attend them avoid it and prefer the study room organised at SAR.

The role and involvement of RASC parents

- Due to lack of knowledge of Bulgarian, parents of RASC pupils are in disadvantaged position to inquire about the situation of their children with school teachers. School teachers in return are not able to communicate the difficulties or problems their children might be facing at school.
- It should be noted that refugee children (who attend school) appear translators and important mediators for their parents in the Bulgarian environment. Some children in fact appear to provide translation between their parents and teachers, teach their siblings and parents Bulgarian at home and speak for them on the market place and other public places. While this is a very particular situation of certain empowerment of children, steps need to be taken on the part of refugee integration authorities to support RASC parents with translation and mediation when they need contacting teachers or attending parent conferences.

The present practice aimed to address this situation is tailored to schools No. 149 and No. 66, which are placed in the vicinity of SAR. The communication between the parents and teachers/ or the school administration is assisted by the Bulgarian language expert at SAR, who occasionally communicates problems encountered at school by the phone or provides information about absent students. Parents who need to contact the school go to SAR with the SAR expert inquiring and resolving a particular matter for them. However, this practice appears hampered by the fact that the Integration Center at SAR has no translators and none of its integration experts has knowledge of any of the languages of the RASC groups. For this reason, communication

between the two schools, parents and SAR is often associated with delays and sometimes leads to insufficient results.

Teachers

- There is no practice of social and psychological profiling of RASC pupils at school. Neither is there a practice of preparing individual background reports for kids upon their entry into school. The lack of such practices obstructs the work of teachers who are not informed adequately about their pupils' cultural, family and personal background and situation. In the context of the absence of such information, school masters and school administration may also appear less capable in addressing problems in attendance, behavior or school advancement.
- Teachers receive no particular support with regard to teaching RASC. They are not provided with specialised training – such as intercultural education, work with children under stress, or teaching Bulgarian as a second language. They have no access to funding for extra work with RASC pupils. They are expected to achieve results only in the frame of the general school curricula and to rely only on their professional experience and personal communication skills in order to meet the study needs of RASC in the best possible way.
- At present RASC teachers receive no targeted support for communicating with newcomer RASC pupils whose Bulgarian language proficiency is at a very insufficient level. At present this situation is partially resolved by the help of RASC pupils, who had been attending the school longer and who are capable of translating for their teachers and classmates.

RASC at Private Schools

A minority of RASC, whose mother tongue is Arabic, enroll in the three private Arabic schools located in Sofia – the Iraqi (established before 1989), the Palestinian (established 2006) and the Lebanese (established 1999) schools. Their programs follow the national curricula of respectively Iraq, the Palestine autonomy and Lebanon. Training is provided in Arabic with classes in Bulgarian language also being offered. It is normally older pupils, who were assigned to lower grades, who tend to enroll in the private Arabic schools. In

some occasions, girls whose parents are unwilling to send them to gender mixed schools are enrolled in private schools.²⁶ These cases however, are rather isolated not least because refugee parents can hardly afford paying the annual private school fees that vary from 1,300 to several thousand EUR. In general enrolment of RASC in these schools is possible only by means of tuition waiver which the schools practice in cases of available places in their classes. The attendance of private Arabic schools, while ensuring the study of RASC mother tongue and training in a familiar environment, is unfavorable as long as attainment of good Bulgarian language skills is concerned.

Unaccompanied/Separated RASC and their Educational Integration

Responsible Institutions: State Agency for Refugees, Agency for Social Assistance at the Ministry of Labor and Social Policy, State Agency for Child Protection, Specialised Child Care Institutions.

Unaccompanied/separated RASC have greater protection by the Bulgarian state in the application procedure²⁷ and share the same rights with accompanied minors with regard to integration and education. However, the situation of the two groups appears different in a number of respects. The situation of unaccompanied/separated RASC will be discussed in two sections, which are closely interrelated: general integration and educational integration.

General Integration of Unaccompanied/Separated RASC: The reception and integration of unaccompanied/separated RASC is influenced by three major developments. The *Law on Asylum and Refugees* (article 25, para. 5) provides a lower

protection standard for unaccompanied RASC by allowing the substitution of guardianship with representation by a specialised institution (Дрюке, Антонов [Druke, Antonov] 2005, 48). This legal solution has been decided and agreed upon in 2005 due to the absence of a working system for allocation of guardians to unaccompanied RASC in Bulgaria.²⁸ In practice, this legal provision allows a situation where unaccompanied RASC have no-one (a guardian) to take important decisions in their lives and to assure protection throughout the integration process. Instead they are provided with "representatives" who can only represent the child throughout the application procedure, accompany them in the process of identity documents issuance and oversee that their rights are observed in the process.

The second important factor is related to the fact that once unaccompanied RASC get status recognition (refugee or humanitarian) they are allocated to specialised child care institutions.²⁹ Child care institutions in Bulgaria are in the process of reform and are severely criticised for their bad living conditions, substandard child treatment methods and generally low quality of child care. Once sent to a child care institution, the situation of the unaccompanied RASC is not necessarily monitored by the State Agency for Child Protection. It has been reported that most unaccompanied RASC who are accommodated in child care institutions report different abuses and most often run away. Some of the reported abuses include stealing of personal property, being forced to work to make pocket money, inappropriate attitude on the part of employees and caregivers.

The question of protection by means of guardianship remains unresolved at the child care institution.

²⁶ It is often the tradition in some Arabic speaking countries, such as Iraq, of providing gender separate education. The gender mixed schools of Bulgaria thus appear novelty for some refugee applicants and refugee and humanitarian status holders. Uncertainties with regard to child's development and well being at a gender mixed school are being observed among some parents with female children.

²⁷ Like accompanied children, unaccompanied children are not subject to speeded (three days) procedures and are entitled to general procedure. Unaccompanied children are entitled to particular protection at the stage of Dublin 2 and Eurodac investigation. If the country of entry is not identified beyond certain period they are entitled to stay in the country and enter application procedure.

²⁸ According to the *Bulgarian Family Code* – a guardian should be an adult person who is a relative to the child. The *Law for the Protection of the Child* provides the alternative solution of foster care for children without parental care – as the system is very young and in the making, there are no foster families willing to take unaccompanied RASC.

²⁹ Four Child Care institutions have been identified to accommodate unaccompanied RASC: Home "Maria Roza" for Children with no Parental Care in the village of Assenovets, nearing the Lubimets Registration and Reception Center; Home "Asen Zlatarov" for Children with no Parental Care in Sofia; Home "Christo Botev" for Children with no Parental Care in Sofia, Private Home for Children "Concordia".

Once sent there, unaccompanied RASC have their representatives substituted by the Director of the Home who takes the functions of “substitute care”.³⁰ The third situation concerns a significant share of unaccompanied RASC who leave the country, either legally (once their identity documents and foreign travel passports are issued) or by irregular channels. There is a contradictory reading of the *Law on Bulgarian Identity Documents* on the part of the State Agency for Child Protection and the Bulgarian Border Police. According to the law minors can leave the country if they are accompanied by parents or guardians, or if they have a written notarised agreement by their parents. While unaccompanied RASC have none of these, they are allowed to leave the country by the Border police officers who believe these rules apply to Bulgarian citizens only. On the part of the State Agency for Child Protection however, this practice is based on an incorrect reading of the law and puts unaccompanied RASC at risk.

Educational Integration of Unaccompanied/Separated RASC: While unaccompanied RASC enjoy the same right to education as accompanied RASC, their access to school in fact appears hampered. In the period of application procedure, when they are accommodated at the Registration and Reception Center of SAR, unaccompanied RASC can attend the preparatory Bulgarian language course. However, once they are placed in a child care institution, they receive no further training in the Bulgarian language, and are not enrolled in school. Procedures of school enrollment test and school assignment are not applied to them. The situation appears the outcome of two realities: no legal basis for the implementation of these procedures and no working inter-institutional mechanism between MES, SAR and the child care institutions with regard to the educational integration of unaccompanied RASC. It is reported that in general unaccompanied RASC stay isolated in the child care institutions due to their lack of knowledge of Bulgarian.

To summarise, the situation of unaccompanied RASC in Bulgaria is marked by a number of paradoxes that shape the vulnerable condition they face in Bulgaria. In many cases unaccompanied RASC have

parents and/or relatives, who, however, do not reside in Bulgaria. Therefore, they are in the position of children with no parental care and the Bulgarian state takes over the responsibility for protecting them. However, because unaccompanied RASC do have parents and relatives somewhere, Bulgarian authorities allocate no guardians to them, thus providing only partial protection. Unaccompanied RASC are protected along the Bulgarian legislation, but they are not Bulgarian citizens, therefore in certain occasions Bulgarian laws, protecting children are not considered applicable to them. It is obvious that the question of the educational integration of unaccompanied RASC is one among the many unresolved issues, regarding their general safety and well-being in the country.

Kindergartens

At present RASC in pre-school age (one to six) do not attend municipal kindergartens although they are entitled to this right. The impossibility of enrolling RASC in kindergartens is a result of the insufficient number of kindergartens in the town of Sofia and the very restrictive rules of entry, that involve a competitive point system based on social, professional and other criteria. These criteria³¹ are often difficult to meet by Bulgarian nationals and obviously impossible to meet by RASC parents who arrive in the country at any point in the calendar year (places in kindergartens are fully booked in September, the beginning of kindergarten year, with registration taking place as early as January). It is needless to say that attendance of kindergartens is of crucial importance for RASC with view of their overall integration into the host society and not less important with view of their subsequent educational integration, which can be built upon only on the basis of good Bulgarian language skills.

Good Practices?

In the context of the educational integration setting for RASC analysed above it is difficult to identify a clear cut good practice. Most of the policies and programs in place do have positive aspects but also display imperfections. Current practices such

³⁰ They have the right to take legal action in accordance with the rights of the child (related to his/her health, education and civic needs) and are not considered and recognized as guardians.

³¹ Правила за приемане на деца в общинските обединени детски заведения и целодневни детски градини на територията на Столична община, Столичен общински съвет (12.03.2009). [Rules for the Enrollment of Children in Child Facilities and Kindergartens on the Territory of Sofia Municipality], Sofia Municipal Council (12.03.2009).

as the SAR pre-school enrollment language course and study room or the SAR informal mediation between parents and school administration in two public schools certainly display strong positive aspects. These two practices however, could be developed into good practices only if they are further elaborated methodologically, logistically and structurally to take into account fully the needs of RASC and the capacities of all respective institutions involved. The good practice identified so far regards the Summer Camp organised by the Bulgarian Red Cross. The Camp is based on coherent goals and means for their achievement. In addition, it offers a combination of services with intensive Bulgarian language training being provided in parallel to acquaintance with the host society and its culture and communication with children Bulgarian nationals. According to the data on Camp attendance for the period 2006 – 2010,³² camp services are provided for most of the refugee applicant children in school age each year.

6. AREAS IN NEED OF CHANGE AND POLICY RECOMMENDATIONS

According to the recently published Migration Policy Index 2011, Bulgaria scores second worst among 31 assessed countries in the sphere of migrant education. The assessment, which is based upon evaluation of policies dealing with access to kindergartens and schools, professional evaluation of knowledge upon arrival, support for language training and general school integration (Huddleston 2011, 16), reveals that the country reaches an average of 15 % of internationally recognised standards in these spheres. The Index results can be used as a general framework of reference with regard to the standard of education provided to migrant children (including refugee and asylum seeking children) in Bulgaria. MIPEX conclusions point that special attention and efforts need be placed to enact or improve policies related to assuring access, targeting specific needs and providing new opportunities

in the sphere of education of migrant children (Huddleston 2011, 41). While the findings of the present study confirm the general assessment frame of MIPEX, they allow detailed and nuanced analysis of the reasons and aspects of the shortcomings of the system of educational integration of RASC at this stage.

Refugee reception and integration systems in Bulgaria are young and in the making. The achievements to date include the establishment of refugee reception centers, the promulgation of national Law on Asylum and Refugees, the development of institutional cooperation between governmental and non-governmental institutions, the establishment of well-informed expert community, promotion of two successive National Programs for Integration of Refugees (2008 – 2010; 2011 – 2013), the launch of a number of monitoring and assistance programs by NGOs. Important development involves the increasing financial responsibilities on the part of the Bulgarian government. From 1997 to 1998 the Bulgarian government covered 25 per cent of the expenditures on refugee protection care. Since 1999 the Bulgarian government increased its responsibility to 50 per cent with UNHCR covering the rest.³³ Since 2007 Bulgarian government has assumed the responsibility of covering 100 per cent of the costs for refugee reception, protection and integration.

Three general observations should be pointed out prior to the discussion of the possible policy and program improvements at the various stages of the educational integration process.

- Key focus in the process of educational integration of RASC in Bulgaria is placed on school access and enrollment. RASC integration and performance in the public schools once enrollment takes place seems to be taken for granted by respective institutions. Correspondingly, the regulations and programs at place tailored to the needs of RASC are concentrated in the initial stage of the educational integration process. While this preparatory phase, ensuring access to schooling, is very important – the true educational integration of RASC takes place once

³² 2006 – thirty seven children; 2007 – thirty children; 2008 – twenty eight children; 2009 – twenty eight children; 2010 – thirty four children.

³³ Дрюке, Л., Антонов, Б. (съст.) (2005) Закрила и интеграция на бежанците в България 2004 – 2005. ВКБООН – София, 250-251 [Druke, L., Antonov, B. (eds.) (2005) Protection and Integration of Refugees in Bulgaria 2004 – 2005. UNHCR – Sofia, pp. 250-251].

they enter school.

- The cornerstone of the educational integration of RASC is considered to be the learning of the Bulgarian language. While this is indeed the major precondition to make possible the educational integration so RASC in a foreign country, other aspects should also be taken into serious consideration on the part of respective authorities. The involvement of parents in the education process, refreshment subjects' training before enrollment, mother tongue training, targeted financial assistance to pupils to ease attendance should also be provided to support the educational integration of RASC.
- The educational integration policies and programs at place are designed in the context of moderate refugee inflow and small numbers of RASC. It is not clear whether the systems at place will have the capacity to respond adequately and provide effective educational integration measures in case of larger waves of RASC.
- A discussion is needed on the principle to be adopted with regard to school allocation of RASC pupils. School professionals deem that RASC children should not be concentrated in single schools in the context of the present educational integration programs. In their opinion, effective educational integration would take place if RASC pupils are placed in classes where the majority of the pupils are from the host society. In the context of moderate refugee inflow this issue is not a pending one but policy makers need to think over a well-designed approach to take into consideration RASC rights, the crucial role of the public school for their integration and the overall capacity of the educational system.

Opportunities for Policy and Program Improvement

Access and enrollment

A number of imperfections in the process of preparation of RASC for school enrollment have been identified. They relate both to the structural and the methodological setting in place. The Bulgarian-language course and attendant study room organised at SAR are set to provide a solution to the educational needs of what is a small and dynamic group of RASC right upon their arrival in Bulgaria. While this approach suffers a number of imperfections it can serve as the rudiment of a

setting that could become a good practice. First of all, the language course and the study room need to be separated and taught by different teachers as they serve different needs and target RASC of different standing – those who just arrived in the country and those already attending school. While SAR can provide the structural setting, the finance and the on-going consultation with regard to RASC, the methodology and the study procedures of the language course and the study room should be methodologically designed and supervised by professional educational institutions such as MEYS and the Institute for Foreign Language Training. The possibility of well-informed and balanced use of peer orientation and training in the SAR language course and study room should be seriously considered on the part of pedagogues who will work on the methodological refinement of this setting.

Regarding the school enrollment test, the Bulgarian language course needs to be designed in a way to meet the requirements of the test. In other words, the course should provide training in the Bulgarian language as well as revisions of the basic subjects included in the test.³⁴ The diverse and dynamic profile of the group of RASC (on the average ten to fifteen children per session who are of different age, nationality, period of attendance) is a challenge that could be faced only by means of a specially designed training methodology developed by professionals and implemented by experienced and well-trained teachers.

The SAR Study Room and the children themselves need to be supplied with relevant and attractive study materials to ease the training process. Both the teacher and the pupils need to have their own textbooks and study notebooks.

Procedures for school enrollment of RASC need adequate legal basis. The current legal provision of equal access to education for Bulgarian citizens and RASC does not provide working solution to RASC enrollment in school – in fact it hampers adequate access to school. A return to the earlier *MEYS Regulation N 3 (27.07.2000)* should be seriously considered together with a number of improvements in the enrollment procedure. A uniform School Enrollment Test tailored to RASC needs to be

³⁴ Similar position is expressed by Topalova, M 2009, 3.

developed and a pre-enrollment training course needs to be designed in accordance. Respectively, training of RASC at the pre-enrollment level should be fully coordinated with this test.

One possible approach may involve enrollment of RASC in public schools upon their arrival and provision of corresponding assistance within the school system. CSD experts recommend placing the education integration process under the auspices of the public school, while maintain and improving the support services offered by SAR. RASC pupils will thus have a choice whether to enter school immediately or go through the transition offered by the SAR courses. In such a framework, the preparatory language courses offered by the public schools and SAR will need to be identical in methodology, textbooks and appliances. Such an approach could be implemented if only respective support programs for additional/or individual RASC training are introduced in schools to operate in parallel to the mainstream curricula.

Quality of education

The quality of education provided for RASC in Bulgarian public schools could be best measured by the levels of attendance and educational performance of RASC. However, at present these school attendance and performance are not monitored and there are no available official or unofficial statistics. A number of factors should be taken in consideration when RASC school attendance and performance are discussed. Those factors concern the insufficient knowledge of the Bulgarian language, the lack of knowledge of the terminology of subjects in Bulgarian, incapability of the parents to help their children with school work, moderate financial resources of RASC families.³⁵ All these factors put RASC children in vulnerable situation at school and demand the design of assistance programs to meet their specific needs, make them fully perceptive to the educational process they are involved in and finally contribute to education of better quality. A number of measures aimed at the improvement of the quality of education of RASC at public schools should be considered. Those measures include:

- introduction of additional (individual) classes in Bulgarian. There is a legal basis at place (MEYS Regulation N 3, 19 June 2009) assuring the right to free Bulgarian language and mother tongue training for foreign pupils originating from EU and EEA countries. Experts in all refugee integration institutions agree that the scope of this regulation should be widened to cover RASC;
- allocation of resource teachers to take care of targeted consultations/training in respective school subjects;
- selection and introduction of most appropriate language textbooks and study materials for foreign children; (or design and development of new ones specially tailored to the needs and language background of RASC);
- conduct of training to public schools teachers and SAR language course teachers on teaching Bulgarian as a second language;
- provision of translation to parents. The possibility of parents to communicate with school authorities is of crucial importance to the integration process of RASC at school. Issues such as school performance and behavior could be adequately taken care of only with the active involvement of parents;
- another fruitful approach to ease the study process and contribute to better quality of education might involve the hiring of school assistants with the knowledge of RASC's mother tongue (usually Arabic or Dari/Pashto) to aide the communication between teachers and children who are in the process of learning Bulgarian;
- free supply of school materials to RASC pupils of all ages, including grants for the purchase of clothes and pocket money for meals at school;
- support for teachers involved in teaching RASC. In particular such teachers need training courses in inter-cultural education to provide them with relevant knowledge on the cultural, social and political contexts in their pupils' countries of origin and with adequate tools of communication to maximise the effectiveness of the training process. In addition, support courses to teachers should involve trainings on working with traumatised or stressed children. Such courses for school teachers and school administration need to be officially designed and systematically

³⁵ Топалова, М. (2009) Интеграция на бежанците в България: образование. Вътрешен доклад на Български Червен Кръст, подготвен в рамките на проучване на Българския съвет за бежанци и мигранти по проект на Датския съвет за бежанци, 5-8. [Topalova, M. (2009) Integration of the Refugees in Bulgaria: Education. Internal Report of the Bulgarian Red Cross prepared in the framework of a study by the Bulgarian Council for Refugees and Migrants under a project of the Danish Council of Refugees, pp 5-8].

conducted for the staff of schools where RASC are enrolled;

- the introduction of a system of regular monitoring of the school performance of RASC could serve as effective tool for observation of the training process and the identification of the specific difficulties that RASC encounter at school. This in turn could serve to guide the refinement of the system and the design of training methods and techniques tailored to the needs of RASC.

Enhanced protection

A general recommendation involves the need for improved protection of RASC at the pre-application stage. According to human rights activists and lawyers, the period between apprehension and application registration involves a number of practices that affect the rights and well-being of RASC. Those include cases of interrogation at border without the presence of parents or legal representatives, prolonged registration of up to several months and accommodation at the Bousmantci immigration detention center, where children are subjected to closed regime and no freedom of movement. It is clear that these practices contribute to the stress and trauma already experienced by RASC and obstruct future smooth educational integration both in the short and in the long run.

It is highly recommended to introduce mandatory psychological support in schools where RASCs are enrolled. According to the present law only schools with more than 500 pupils are entitled to one school counselor. Schools with lower number of pupils (as was the case of the two schools visited by CSD experts) do not have funding for such services. It is very important to introduce professional psychological assistance for RASC in the setting of the public school to assure that their needs are well understood and addressed adequately in the course of the school process.

Protection measures should be improved with regard to the most vulnerable group of RASC – the unaccompanied/separated minors. It is clear that improvements are needed in the legal and institutional mechanisms regarding the reception and integration of unaccompanied RASC. In 2009, an inter-institutional expert group was initiated by

the Bulgarian Helsinki Committee that resulted in the drafting of List of Propositions for legal amendments to assure the allocation of guardians to unaccompanied RASC. It is apparent that the allocation of unaccompanied RASC to the existing child care institutions is not a working solution for them. In accord with the major reform policy of de-institutionalisation of care services for children – efforts should be invested in making possible foster care for such children among co-nationals, or in different forms of accommodation that will take into consideration the safety and the best interest of such children. Another possibility might involve the establishment of a child care institution for unaccompanied RASC to provide services and protection, including those related to education, tailored to their specific needs. It is believed that the present condition of Bulgarian child care institutions does not allow the establishment of proper Bulgarian language courses for RASC nor for adequate monitoring of school performance in case a school referral mechanism is designed and put into practice.

To assure better protection from acts of xenophobia or racism expressed in school, respective institutions need to design a long-term approach to provide know-how to teachers on inter-cultural training and group management as well as trainings in tolerance and inter-cultural communication to pupils.

Empowerment and participation

The present obstacles to RASC kindergarten attendance limit the children's chances for inclusion into the host society and more particularly their adequate preparation for future educational integration. The impossibility to attend kindergartens makes RASC between the age of one and six equally unprepared for school. It should be considered as a missed chance for empowerment both of RASC between one and six and for their parents. While RASC enjoy formal right to attendance of **kindergartens**, the present rules of access effectively place children of refugee applicants and refugees at disadvantage in the competition process and deprive them of their right of access. The current Rules of enrollment of children in Municipal kindergartens need to be re-evaluated with respect to RASC. Expert consultations need to be requested by RASC responsible institutions with officials in the Sofia Municipality to raise awareness of the problem

and initiate adequate amendments.³⁶ Real access to kindergartens on the part of RASC will give their mothers the time to take part in the training and professional courses of the National Program for Integration of Refugees. This in turn will ease their adaptation into the host society, improve their Bulgarian language proficiency and will increase their chances for employment and thus help the integration of their children.

The educational treatment of unaccompanied/separated RASC should be based on a more comprehensive approach that takes into consideration their age (majority – 71 per cent – of unaccompanied/separated RASC in the country are aged sixteen-seventeen), their experience and their life-long needs. While most of these children have gone through experiences that pushed them into early maturity, they are expected to either join seven to eight year olds in initial grades of schooling or to remain effectively enclosed in child care institutions with no possibilities for professional training or meaningful engagement. Specially tailored programs for unaccompanied/separated RASC of older age need to be considered, discussed and developed to engage them in professional training courses with the possibility of attending alternative forms of general education (evening school, individual or self-sufficient training).

The educational integration of RASC should be considered as one of the many aspects of the comprehensive integration of their parents that involves social assistance, job orientation and employment, health care, cultural orientation, attainment of Bulgarian language proficiency. In this respect the educational integration of RASC should be discussed in the context of the achievements and challenges in the process of integration, empowerment and participation of their parents in Bulgaria. The effective educational integration

of RASC is closely related to the implementation of effective measures aimed at the empowerment of parents. In this respect, measures such as improvements in the SAR Bulgarian language course training for adults, an increase in the monthly social benefits for applicants, widening of the scope of the National Program for Integration of Refugees, stimulus for adult education and introduction of procedures of validation of knowledge of applicants and refugees without documents would assist the empowerment of adults.

Last but not least, RASC parents and RASC pupils need be involved in the process of policy discussion and policy formation in the sphere of educational integration. The system will benefit from practices, assuring RASC parents and RASC pupils participation in the policy-making process to allow active consideration of their experiences and opinions.³⁷

It should be noted that some of the identified gaps in the present system are placed high on the agenda of the related institutions in Bulgaria. Particular steps are about to be taken to amend LAR and restore the previously abolished Regulation for enrollment of RASC at Bulgarian public schools. Forthcoming is also the widening of the scope of MEYS Regulation N 3 from 19 June 2009 on the right to free of charge additional Bulgarian language classes for foreign pupils from EU and EEA countries – to the group of RASC.³⁸

The financial possibilities for refugee protection have increased with Bulgaria's EU accession and the accessibility to EU structural funds (ERF). A more active approach to utilising the funds at place on the part of the respective governmental institutions may result in significant improvement of the general refugee integration programs and the RASC educational integration programs in particular.

³⁶ Such consultations have been enacted on the part of SAR in June 2001 with experts from the Municipality of Sofia who have taken responsibility to assist RASC enrollment in kindergartens in the Fall. However, the discussion at place still does not involve talks on formal amendment of the Kindergarten Enrolment Procedures so as to regulate and guarantee on paper RASC right to kindergarten access.

³⁷ Similar recommendation has been shared in the Monitoring Report on the implementation of the National Program for Integration of Refugees in the Republic of Bulgaria (2008 – 2010), p. 15.

³⁸ Национална програма за интеграция на бежанците в Република България 2011 – 2013, Раздел II, Параграф 4 [National Program for Integration of Refugees in the Republic of Bulgaria, Chapter II, Art. 4].

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LIST OF ABBREVIATIONS

BRC	– Bulgarian Red Cross
LAR	– Law on Asylum and Refugees
MEYS	– Ministry of Education, Youth and Science
MoI	– Ministry of Interior
RASC	– Refugee and asylum seeking children
RIE	– Regional Inspectorate on Education
SAR	– State Agency for Refugees
UNHCR	– United Nations High Commissioner for Refugees

2.3. COUNTRY REPORT: ITALY

Anna Italia, Luigi Bellesi

CENSIS Foundation

1. METHODOLOGICAL INTRODUCTION

The preparation of this country report has relied on data collection focussing primarily on available documentary and statistical data, an analysis of web-based resources, and interviews of senior stakeholders (institutional contacts, project directors) working with refugees and refugee minors. Both direct phone interviews and asynchronous ones via email were undertaken. This set of tools has enabled us to provide a regulatory, statistical and institutional framework of country provisions as well as to select and critically analyse good practices.

A draft version of the country report was presented during the workshop held in Sofia on 18-19.01.2011. Following that meeting with partners, the country report was revised.

2. REFUGEES AND ASYLUM-SEEKERS: GENERAL BACKGROUND

2.1. Outcome of applications

According to UNHCR data in 2009 the overall number of refugees living in Italy was 55,000;¹ to these figures can be added 4,600 persons who had submitted their asylum application and were awaiting its outcome.

Between 1999 and 2009 Italy received 182,302 asylum applications while those determined upon totalled 162,435. In all, 26,626 applicants were granted international protection while 103,977 claims were rejected. In addition, 27,829 applicants were given residence permits on humanitarian ground.

In the course of 2009, 17,603 applications were filed to the ten Commissioni territoriali, while 23,944 were actually determined, including ones pending from the previous year (Tab. 15). The rate of applications resulting in some form of protection status granted was around 40 per cent. Specifically, refugee status was granted in 9.3 per cent of cases (2,230 persons); subsidiary protection was granted to around 21.6 per cent (5,194 cases); and finally, 2,149 applications, or 9 per cent, were granted residence permits on humanitarian grounds. By contrast, 12,149 applications were rejected and others were either not processed or suspended due mainly to application withdrawal and to the Dublin Regulation.

As far as the nationality of asylum applicants is concerned, the largest groups in 2009 were from Nigeria (3,786), Somalia (1,415), Bangladesh (1,233), Pakistan (1,187) and Eritrea (Tab. 16).

The practice of irregular immigrants' refoulement to Libya, initiated by the Italian Government starting in May 2009, seems to have played a major role in determining the steep decline in asylum applications: from 30,324 in 2008 to 17,603 in 2009. The trend continued in 2010 with just as 2,200 requests submitted in the first quarter of the year, compared to total number of applications in other EU member states, which did not appear to be affected by such a downturn and have, in contrast, remained steady.

In recent years there have been significant variations in refugees' countries of origin and their routes to reaching Italy. These fluctuations correlate greatly to the political situation in the country of origin. As a matter of record, at the end of the last decade the vast majority of asylum applications came from citizens of the former Socialist Federal Republic of Yugoslavia (SFRY) as well as from Kurds from Turkey and Iraq. These persons used

¹ UNHCR (2009) Global trends: Refugee, Asylum seekers, Returnees, Internally Displaced and Stateless Persons, 15 June 2010.

to reach Italy through two main routes: by sea, docking on the coasts of Apulia and Calabria, or by land reaching the border between Slovenia and Italy. Conversely, in the last two years, the largest groups have been from African countries, such as Nigeria and Somalia, as well as Asian ones, such as Pakistan and Bangladesh. Generally, their new routes cut through a number of countries eventually leading to Italy by land (from Hungary, through the Northern Balkan route) or by sea (from Greece or Turkey).

Young men constitute the largest majority of those fleeing their own countries (79.5 per cent of examined requests in 2009). However, women and unaccompanied minors (whose age generally ranges from fifteen to seventeen) are by no means absent from the total number of those seeking refugee status.

2.2. Asylum application procedures

The current legal regime for asylum and the respective procedures to grant refugee status date back to the law 189/2002 which was substantially confirmed by D.Lgs 25/28.01.2008, which transposed Directive 2005/85/EC. This anticipated the setting up of an National Board for the Right to Asylum (Commissione Nazionale per il Diritto d'Asilo), on the basis of D.P.C.M./4.02.2005. The National Board is responsible for planning and coordinating the actions of the ten Territorial Committees (Commissioni territoriali) while the latter Committees are responsible for assessing asylum cases and for issuing a decision. The request can be submitted upon arrival at the Border Police (Polizia di frontiera) or, at any time, to any Immigration Office of the Questura, after filling out the specific application form and presenting one's travel documents. Moreover, a contact address for receipt of further notifications ought to be provided. Should the applicant not be in possession of sufficient knowledge of the language, there is entitlement to the support of a 'cultural mediator' (mediatore culturale).

If the applicant is in possession of these documents, the Questura will release a permit for asylum application (view scheme) and will promptly forward the application to the appropriate Territorial Committee. Under the terms of law the competent Territorial Committee has to interview the applicant

within thirty days and issue a decision within three days. During the interview, the applicant may ask for legal aid and, when necessary, for a cultural mediator. In the specific case of the applicant being a minor, a parent has the right to assist during the interview process. Where a minor is unaccompanied, the presence of a legal guardian is required.

Following the interview the Territorial Committee may:

- grant refugee status;
- grant subsidiary protection;
- reject the application while asking the Questore to release a permit on humanitarian grounds; or
- reject the request.

If the application for asylum is considered inadmissible, the Questore is bound to issue an expulsion decree. However, the decision is subject to judicial examination and the claimant may appeal to the local Corte d'Appello within thirty days. This has the effect of suspending expulsion proceedings until the final ruling of the court.

The Territorial Committee decision is always presented in written form and, if it has rejected the claim it must be justified.

If the applicant is not in possession of travel documents at the time of her/his application before the Questura he/she is sent to a reception centre, or CARA (Centro Accoglienza per Richiedenti Asilo), for a period of up to twenty days. If within this period of time the Territorial Committee has not reached a decision, the applicant is granted a permit for asylum request.

In Italy, the law currently provides for four different statuses, as shown below:

Asylum-seekers: The term refers to any person who having fled his country applies to the government of another country for international protection. Until the final ruling inherent to the application he/she is considered an asylum-seeker. Foreign nationals who have applied for political asylum in Italy obtain a temporary three month residence permit that is renewable until the final ruling of the competent Commissione Territoriale. Asylum-seekers are granted the right to education as well as access to the National Health Service,

however, they are not entitled to work. If after six months the Commissione Territoriale has not yet reached a decision, the petitioner has the right to a six month “residence permit for asylum request”, which is renewable and entitles the applicant to work. Should the asylum-seeker be employed, no “Contract of Stay” is needed. However, the residence permit for asylum request cannot be converted into “work permit of stay”.

Refugee: The term applies to any person 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 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. ...]. This definition was introduced by Art.1 of the Geneva Convention, and by the law 722/1954 into the Italian legal system. Successful applicants are granted a five-year residence permit for political asylum, automatically renewable upon demand. Refugees are granted all fundamental rights, including the right to work, without any

further requisites (accommodation, income) which are needed by general applicants for a residence permit.

Person entitled to subsidiary protection: This status is granted to a third country national or stateless person who does not qualify as a refugee but in respect of whom substantial grounds have been shown that prove the person concerned, if returned to his or her country of origin, or in the case of a stateless person, to her or his country of former habitual residence, would face a real risk of suffering serious harm and who is unable, or, owing to such risk, unwilling to avail herself or himself of the protection of that country. Applicants who are granted subsidiary protection obtain a three-year residence permit, including the right to work, which is renewable upon a positive decision of the Commissione Territoriale. At the expiry date the residence permit can be converted into work permit.

Beneficiary of Humanitarian Protection: The status refers to a third country national who does not qualify for international protection, but who is granted humanitarian protection, on serious humanitarian grounds. Applicants who are granted humanitarian protection obtain a one-year residence permit,

TABLE 15. ASYLUM APPLICATIONS, ITALY, 2005 – 2009

Applications	2005	2006	2007	2008	2009	%
Received	935	10,348	14,053	31,097	17,603	
Examined	6,742	9,260	13,509	2,133	23,944	100.0
Successful Applications	290	878	1,408	1,695	2,230	9.3
Declined w/o protection + untraceable	3,243	3,681	4,908	9,478	12,140	51.8
Declined with humanitarian protection	2,828	4,338	6,318	2,100	2,149	9.0
Subsidiary Protection (1)	-	-	-	7,054	5,194	21.5
Other (2)	390	363	875	1,606	1,961	8.2

(1) Introduced by the means of the Decreto Legislativo Italy/251/2007 transposing Directive 2004/83/EC.

(2) Includes withdrawal, Dublin regulation, suspended applications.

Source: Commissione Nazionale per il diritto d'asilo.

TABLE 16. LARGEST GROUPS OF ASYLUM APPLICANTS TO ITALY, 2004 – 2009

Year	Country of Origin					Total number of applicants per year
2004	Serbia-Montenegro	Romania	Nigeria	Eritrea	Sudan	9,796
	1,989	1,161	930	831	486	
2005	Eritrea	Ethiopia	Ivory Coast	Togo	Pakistan	9,346
	1,153	458	440	327	252	
2006	Eritrea	Nigeria	Togo	Ghana	Ivory Coast	10,348
	2,151	830	584	530	508	
2007	Eritrea	Nigeria	Serbia-Montenegro	Ivory Coast	Somalia	14,053
	2,260	1,336	1,100	982	757	
2008	Nigeria	Somalia	Eritrea	Afghanistan	Ivory Coast	31,097
	5,333	4,473	2,739	2,005	1,844	
2009	Nigeria	Somalia	Bangladesh	Pakistan	Eritrea	17,603
	3,786	1,415	1,233	1,187	824	

Source: Commissione Nazionale per il diritto d'asilo.

including the right to work, which is renewable upon a positive decision of the Commissione Territoriale. At the expiry date the residence permit can be converted into work permit.

3. INSTITUTIONAL, LEGAL AND POLITICAL FRAMEWORK

3.1. Legal framework

Italy is the only European country which does not possess a legal framework on asylum that would guarantee access to a functional and coherent

system of reception and integration to those seeking protection.

The asylum field is, however, covered by several legal sources: firstly, by the *Republican Constitution* (Art. 10);² secondly, by the ratification of the 1951 Geneva Convention; thirdly, by immigration laws (39/25.02.1990; *Testo Unico Immigrazione* 286/1998; 189/2002) and, lastly, it is the object of specific *Decreti legislativi* transposing EU Directives (D.l.g.s 140/2005, transposing Directive 2003/9/EC; D.l.g.s 251/2007, transposing Directive 2004/83/EC; D.l.g.s 25/2008, transposing Directive 2005/85/EC).

The three abovementioned *Decreti legislativi* are particularly noteworthy *vis-à-vis* strengthening of asylum-seekers' and refugees' safeguards: D.l.g.s 140/2005 lays down minimum standards for the

² Sect. 10 of the Constitution states: "Italian laws conform to the generally recognized tenets of international law. The legal status of foreigners is regulated by law, in conformity with international provisions and treaties. A foreigner who is denied, in his own country, the real exercise of the democratic liberties guaranteed by the Italian Constitution has the right of asylum in the territory of the Republic, in accordance with the conditions established by law. The extradition of a foreigner for political offences is not admitted".

reception of asylum-seekers and refugees, in conformity with international standards; D.lgs. 251/2007 introduces the concept of international protection and sets out the conditions for the three forms of protection; D.lgs 25/2008 abolished detention centres substituting them with reception centres known as CARA (Centri di accoglienza per richiedenti asilo) where third country nationals

without travel documents or having avoided border controls are identified, so as to enable the start of the admission procedures.

The uniformity with international standards of asylum-seekers' safeguards and non-refoulement, is thus guaranteed, by the means of this procedural apparatus, in accordance with the principles

TABLE 17. LEGAL FRAMEWORK

Source	Contents
Constitution (1948)	Sect. 10(3): "The foreigner, who is denied in his own country the real exercise of the democratic liberties guaranteed by the Italian Constitution, has the right of asylum in the territory of the Republic".
Legge n. 39/1990 (Legge Martelli) – D.P.R. 136/1990	Art. 1 defines refugee status in conformity with the Geneva Convention and revokes Italian reservations to articles 17 e 18 of the Geneva Convention, ratified by Legge 24/07/54.
T.U. Immigrazione Legge n. 286/1998 (includes L. n. 40/1998, c.d. legge Turco – Napolitano)	Regulates immigration and the general condition of third country nationals in Italy; it does not contain norms specifically addressing asylum.
Legge n. 189/2002 (Legge Bossi-Fini) – D.P.R. 303/2004	Sections 31 e 32, provide for 1) Procedures for examining asylum applications 2) Safeguard procedures. The legislation: Introduces the so-called Centri di Identificazione (Identification Centres) and a simplified procedures for applications compared to the usual one. Substitutes the "Commissione Centrale per il riconoscimento dello status di rifugiato" with the Commissione nazionale per il diritto di asilo. It also establishes the Commissioni territoriali in charge of examining asylum applications Establishes the Sistema di protezione per richiedenti asilo e rifugiati, coordinated by Servizio Centrale dell'ANCI, and the Fondo nazionale per le politiche ed i servizi dell'asilo.
D. lgs 140/2005	Executive Decree of Directive 2003/9/CE concerning minimum standards for the reception of asylum-seekers.
D. lgs 251/2007	Executive Decree of Directive 2004/83/CE (so-called "qualifiche") concerning minimum standards to qualify for refugee status and international protection
D. lgs 25/2008	Executive Decree of Directive 2005/85/CE (so-called "procedure") concerning minimum standards applicable to the procedures for granting and revoking refugee status

Source: Developed by Censis.

proclaimed by the Universal Declaration of Human Rights (1948), the Geneva Convention (1951) and the New York Protocol (1967), engendering a progressive standardisation at European level.

Conversely law 94/2009, the so-called “pacchetto sicurezza” (Security Pack) contains several measures principally aimed at countering illegal immigration which, do, however, impact on asylum-seekers.

3.2. Minors

In addition to the directive on unaccompanied minors, there are no other explicit references to refugee minors who, if accompanied by their parents, are treated on a par with either foreign national minors or their parents, according to article 31 D.Lgs. 286/1998. D.lgs. 286/1998, in Section 19, also prohibits the expulsion of minors, unless it is to follow their parents.

However, all regulations must abide to Art. 3 of the Convention on the Rights of the Child which states that in “all actions concerning children [...] the best interests of the child shall be a primary consideration.”

Unaccompanied minors fall in a different regulatory scheme, this specific group of vulnerable children is defined under D.lgs. 85/07.04.2003:

- Unaccompanied minors are understood to be citizens of third countries or stateless individuals, under the age of eighteen, who enter the national territory unaccompanied by an adult who is legally responsible for them.
- Minors who have been abandoned after entering the national territory.

In Italy, the position of unaccompanied minors seeking asylum comes under the purview of a specific directive introduced on 07.12.2006, which came into force in March 2007, with the Ministry of Interior and the Ministry of Justice jointly responsible. The directive calls for these institutions to take charge of unaccompanied minors seeking asylum.

More specifically, the directive establishes that upon arrival at the border post the minor be informed of the possibility of seeking asylum and that s/he must immediately be entrusted to the Sistema di protezione, should s/he decide to submit an application. This

procedure strengthens the safeguards for minors insofar as they have access to an organised and proven national system that has in place specific services for their reception, even before they formally submit an asylum application assisted by an advisor. The directive aims at: avoiding the risk to arriving minors by adequately informing them of their rights, directing them towards a safe and structured path, reducing waiting time for submitting applications, and favouring a positive outcome of the latter. In taking a decision, the Commissione territoriale bears in mind: the minor’s age and level of maturity, her/his family situation, specific forms of persecution he/she may have suffered, the possibility that he/she may not be aware of the political situation in her/his country of origin, and most importantly, the specific psychological position of a traumatised minor. The law also allows for the minor not to be interviewed, should the Commission gather sufficient information to reach a positive decision regarding the application.

Notwithstanding a rational regulatory framework, the organisations dealing with the reception of minors have pointed out to the Ministry of Interior that: there is a shortage of specialised staff dealing with their accommodation and adaptation, the waiting times for the accommodation of minors in a safe structure are too lengthy, there is no guarantee of the benefit of the doubt, health screenings and age checks are superficial, there is no guarantee that a verbal claim by the minor will effectively activate the asylum procedure. Moreover, SPRAR’s reception capacity can barely accommodate all minor applicants who are, therefore, transferred to other infrastructures, mostly lacking in adequate facilities.

In 2009, a total number of 575 applications by unaccompanied minors were made in Italy, mostly from Afghanistan. These minors tend to transit through Italy with a view to reaching England for the purpose of studying. Their main destination is Rome, where they live on the street in the vicinity of the Ostiense train station.

The specific asylum procedure for unaccompanied minors establishes the compulsory appointment of a personal advisor The Border Police or the Questura, receiving the asylum request, ought to immediately suspend the procedure until the Tribunal of Minors appoints the advisor. The latter confirms the asylum

application and reactivates the procedure before the competent Questura. In the case of a positive outcome, the minor is granted a permit of stay; conversely, in the case of a negative outcome, the Committee may invite the Questura to grant a permit on humanitarian grounds.

3.2.1. Foreign minors' rights

Education

All foreign minors, even where they do not have a permit of stay, are entitled to enroll in a school (of any kind, not only for the period of compulsory education.) Enrolment procedures are the same as those that apply to Italian students and can take place throughout the year.

Health assistance

Foreign minors holding a permit of stay must be registered by their parents or advisor with the Servizio Sanitario Nazionale (SSN) and are entitled to full health assistance. By contrast, foreign minors without a permit of stay cannot be registered with the SSN but are, however, entitled to limited health assistance which includes day hospital and urgent or essential medical treatment.

Job

Foreign minors can enter the job market at the age of sixteen years old and after having completed compulsory schooling, on an equal basis to Italians.

3.3. Main institutional stakeholders and funding system

The Italian Ministry of Interior's Department for Civil Liberties and Immigration (Dipartimento per le libertà civili e l'immigrazione) is the main actor involved in policies and interventions on asylum issues. Within the Department is the Commissione nazionale per il diritto d'asilo, the highest authority in the field of asylum and international protection. The Department has two main – Directorates (Direzioni): the Direzione centrale per le politiche dell'immigrazione e dell'asilo and the Direzione centrale dei servizi civili per l'immigrazione e l'asilo. The former is responsible for defining national and international policies. The latter coordinates the activities of the reception centres

(CARA); administers the National Fund for Asylum Services and Policies (FNSPA), introduced by law 189/2002, whereby the Ministry of Interior allocates the funds to local authorities that participate in the public reception projects; and finally, manages the European Refugee Fund (ERF). The ERF concerns member states' policies and asylum systems. It promotes best practices in order to foster solidarity within the European Union and sets up an integrated asylum system that guarantees uniform treatments and safeguards across the EU.

The objectives of the ERF III (third edition, 2008 – 2013) is to fund capacity building projects to provide refugees and displaced persons with a stable solution in resettlement countries and to promote integration and the strengthening of the projects directed to asylum-seekers and refugees (SPRAR). The allotted ERF III for 2008 – 2013 is worth 21,016,926.30 Euros (according to ERF III grants awards).

3.4. Policies

As far as policies are concerned, the Parliamentary ratification, in February 2009, of the Treaty of Friendship, Partnership and Cooperation (Trattato di amicizia, partenariato e cooperazione) should be emphasised. The treaty aims at countering illegal immigration, with Article 19, establishing patrols of the coast operated by mixed Libyan-Italian crews.

In May 2009, following the ratification of the Treaty, third country nationals trying to reach Italy by sea began to be collectively sent to Libya. Such a practice was widely debated at a national level and also aroused controversy among international observers who, from the beginning, emphasised its most worrying aspects, chief of which was the international obligation of non-refoulement based on the ratification of the Geneva Convention. The Italian counter-trend, inherent in the steep decline of asylum applications in the last two years, appears to confirm those concerns.

3.5. The public reception and integration system

SPRAR is a public system for the safeguarding, reception and integration of asylum-seekers, refugees and holders of humanitarian protection,

established by the law 189/2002 (Bossi-Fini) and applies throughout the country, due to a widespread network of territorial projects organised by local authorities.

It has a centralised system of coordination, the Central Service (Servizio centrale), which, according to the law 189/2002, is delegated to Anci (the National Association of Italian Municipalities) on the basis of an agreement with the Ministry of Interior.

The local authorities represent the key element of the System. They are in charge of managing local projects and coordinating their implementation by cooperating with the voluntary sector. SPRAR projects are not only characterised by their focus on the actual reception of asylum seekers and refugees, but for the quality of their inclusive approach of supporting the person on a path towards personal autonomy and integration into wider society. This is achieved through a range of actions that include job

TABLE 18. SYSTEM OF PROTECTION. BENEFICIARIES' MAIN CHARACTERISTICS, 2009

Characteristics	N	%
Gender		
Men	5,849	74.6
Women	1,996	25.4
Age Range		
Up to 17	1,128	14.4
18-25 years	3,108	39.6
26-30 years	1,722	21.9
31-40 years	1,489	19.0
> 40 years	398	5.1
Five Largest National Groups		
Somalia	1,177	15.0
Eritrea	1,099	14.0
Afghanistan	1,092	13.9
Nigeria	813	10.4
Ivory Coast	420	5.4
Family Status		
Single	5,810	74.0
With Family	2,035	26.0
Legal Status		
Asylum-seekers	2,540	32.4
Refugees	1,382	17.6
Humanitarian Protection	1,833	23.4
Subsidiary Protection	2,090	26.6
Total	7,845	100.0

Source: SPRAR system data bank.

orientation and placement, housing aid, educational integration, and customised health assistance for vulnerable people.

In 2009, 138 projects were funded across the country, offering a total of 3,694 places. However, taking account of the system's outflow and inflow dynamics in the course of the year, there were in total 7,845 actual beneficiaries: 5,810 of whom were single with 2,035 as members of 715 families. The largest national groups were from Somalia, Afghanistan and Ethiopia; with regards their legal status, approximately 67 per cent had already received some form of protection, while 2,540 or 32.4 per cent were applicants awaiting a decision. 1,128 children have had access to the System, of whom 320 were unaccompanied minors. The largest group of unaccompanied minors was from Afghanistan, with, in total, 115 children.

Funding of SPRAR's projects is mostly secured through the Fondo Nazionale per le politiche e i servizi dell'asilo (FNSPA). The annual endowment contributes to up to 80 per cent of the funding of the local initiatives, while the remaining 20 per cent is provided by the local authority as co-financing. In 2009 extra funds were made available to cope with the emergency of the summer of 2008 landings – by the Ministry of Interior, and through a share of the funds allocated to ANCI by the Government. As a result, the overall financial allocation in 2009 was 29,032,035 EURO. Lastly, it should be noted that, despite the System providing a good resolution for the reception and integration of asylum seekers, it benefits only a section of them. Those excluded, however, may in some cases benefit from other publicly financed services.

4. OVERVIEW OF THE EDUCATIONAL SYSTEM AND THE EDUCATIONAL SITUATION OF REFUGEES AND ASYLUM SEEKERS

4.1. The Italian educational system

The Italian Constitution establishes the state's obligation to offer a public school system open to

everyone and also provides for the institution of non-state schools.

The Ministry of Education, University and Research, operating at central level (as well as at a regional level through its regional and provincial education offices) has general responsibility for education, while the Amministrazioni regionali are responsible for its local management, administration, and educational provision. Provinces and municipalities are responsible for the management and maintenance of schools' infrastructure. They are accountable for the provision of necessary services related to extracurricular activities. Finally, the regions have full jurisdiction over vocational training.

Law 59/15.03.1997, and executive ordinance (DPR 275/1999) confer significant autonomy upon schools, vis-à-vis: didactic, organisation, research, experimentation and development.

The kindergarten (*scuola dell'infanzia*) is the first level of the educational system. This pre-primary school is not compulsory and children can enrol in it, provided they have turned three by the 31st December of the school year. However, based on family choice, children turning three years old by the 30th April of the school year may also be enrolled.

Education is compulsory starting from the age of six (or slightly earlier, should the prospective pupil turn six by the 30th April of the school year) until the age of sixteen. Compulsory education covers the first cycle of education (eight years) and the first two years of the second cycle.

Primary school (*scuola primaria*) consists of a five year cycle by the end of which pupils who have achieved the required standards must register for the first year of secondary school, level one (*scuola secondaria di primo grado*). There are no entrance, enrolment or attendance fees throughout the entire first cycle of education. The school year consists of 200 teaching days, from the 1st September to the 30th June. Schools are open five or six days per week. A primary school year consists of 891 hours for a weekly average of twenty seven hours. In addition, full-time courses ranging from thirty to forty weekly hours are also in place.

The Scuola secondaria di primo grado consists of a three year cycle of 957 hours in the year corresponding to 298 hours a week.

The periodic and final pupil assessments for both levels of education are carried out by teachers who give a numerical rating expressed in tenths. At the end of the secondary school – level one – pupils take a final exam that is passed by achieving a minimum score of six tenths and leads to the diploma required to access secondary education-level two (secondary cycle of education)

The second cycle of education (secondo ciclo d'istruzione) consists of five years of secondary education – level two. The educational offer includes high schools, technical institutes and vocational training. Compulsory education may also be discharged by undertaking three years of vocational education and training offered by training agencies accredited by the regional administrations.

In the last two years of the second cycle, neither enrolment nor attendance is free. Instead, they involve the payment of a modest tuition fee. First, second, and third year students subject to compulsory schooling, however, do not pay any fee. There is the right to freely choose which type of school to attend.

Students completing secondary school take a final exam and, if they pass, are awarded a diploma (diploma secondario superiore) that allows them to pursue higher education at University level.

4.2. Overview of refugees' and asylum-seekers' educational situation

Every year the Ministry of Education carries out a statistical survey concerning the number of foreign students enrolled in the Italian school system. However, no further reference to the students' particular status (refugee, humanitarian protection) occurs. According to the most recent data, foreign students account for more than 7 per cent of school students, although they can account for over 10 per cent of the school population in particular contexts. The Ministry also carries out regular surveys on foreign students' school achievements. By and large,

these surveys demonstrate that foreign students who were born in Italy attain results similar to Italian students, while students arriving later achieve comparatively lower results. In particular, the later students arrive in Italy the less chance they have to successfully complete their first cycle of schooling.

Refugee children, just as with all children, are guaranteed access to education (not only compulsory education) at any point in the school year. This right derives from the immigration law, 40/06.03.1998 and from the decree of 25.07.1998 "Testo unico delle disposizioni concernenti la disciplina dell'immigrazione e norme sulla condizione dello straniero" which systematically organises and coordinates interventions to favour immigrants' reception and integration, particularly highlighting educational integration. The law of 189/30.07.2002 (Bossi-Fini) has confirmed the entry procedures for foreign students to the Italian educational system.

Subsequently, the law 53/2003 (legge di riforma dell'ordinamento scolastico) has introduced further elements aimed at the progressive development of students' potential by the means of a personalised study programme, an option that enriches the range of the most appropriate educational and didactic paths for each student.

The *Decree Law 76/2005* concerning the rights and duties to education and training, widens and deepens the concept of educational duty (obbligo formativo) in Article 68 of the Law 144/99, while also specifying as recipients "everyone, including foreign minors in Italy" (Art. 1.3).

In March 2006, the Ministry of Education and Research – Department of Education – Directorate General for Students – Office for the Integration of Foreign Students drafted the "Guidelines for the Reception and Integration of Foreign Students" (Linee guida per l'accoglienza e l'integrazione degli alunni stranieri), thus moving beyond best practice reliant on individual initiative, by supporting the entire educational system through a structural and organic approach. More specifically, not only does the aforementioned document provide guidance on relevant legislation but it also outlines some operational guidelines whose salient features are summarised below.

First, the document affirms that the distribution of foreign students should be aimed at fostering cultural

heterogeneity in the classroom. Second, it specifies various steps along the process of integrating foreign students. Such a process, intended as a proactive promotion and formalisation of the relationship between the student and her/his family, consists of three main areas: administrative, relational, and didactic-educational. Minors subject to compulsory schooling are to be enrolled by parents or tutors in the grade corresponding to the student's age, unless the School Board (*Collegio dei docenti*) decides otherwise. Enrolment is compulsory for all foreign minors, including those whose parents are not in possession of a regular residence permit.

The Guidelines focus on the importance of foreign students obtaining the first cycle diploma. On the one hand, they signpost the *Centri Territoriali Permanenti (CTP)*, that is to say those reception facilities that offer courses to adults and a valuable resource for the integration of foreign youngsters who have not yet achieved the diploma. On the other, they call for the activation of personalised study programs specifically to achieve the diploma. For instance, in the level two secondary schools foreign students who have at least nine years of schooling can be admitted while contextually activating a study programme to enable them to achieve the secondary school – level one – diploma. The attainment of fair written and oral skills is considered one of the primary factors in determining success, both at an educational level and in terms of social inclusion. The Italian language, therefore, is central in the educational context and involves all subject teachers. Foreign students should also be guaranteed adequate orientation so as to be able to take conscious decisions about their educational development, especially beyond compulsory school age. In this regard, it is deemed appropriate that schools have informative material available in a variety of languages explaining the educational system and that they involve families as well as language and cultural mediators. Mediators' actions are not merely confined to orientation but also include tasks such as: receiving and assisting newly arrived students; supporting them in their efforts to integrate into the school environment, carrying out activities pertaining to translation and interpretation, serving as intermediaries during teacher-parent meetings,

especially where there are particular problems, and activating intercultural paths of education, promoting mutual interaction and understanding of cultural practices. To this end, it is important that schools increase the availability of multilingual and multicultural material in their libraries or in each classroom. Finally, the guidelines deal with the training of school staff and with the assessment criteria. In the former case, it is made clear that intercultural education covers a variety of subjects and that it affects the ongoing training of teachers. In the latter case, it is considered important that the *consiglio di classe*, responsible for evaluating students, and specifically foreign students who have joined the class in the course of the year, takes into consideration the educational development and the results achieved by the student, so as to set consistent educational goals and place emphasis on formative evaluation.

The Ministry of Education has recently enacted the Circular 2/08.01.2010 concerning "Indications and recommendations for the integration of foreign students". The circular takes account of the presence of students from different countries of origin and with uneven learning potential. Hence, the importance of going beyond traditional didactic methods is emphasised. The main focus is on:

- dropout rates of foreign students from a migratory background;
- the limited knowledge of the Italian language, which is seen as a fundamental tool for study and learning;
- the presence of different cultures within foreign communities and their impact on the Italian culture.

The crucial role of territorial actors in tackling these challenges is also emphasised. However, the main priority is identified in the need to regulate school enrolments by setting classroom quotas of foreign students with a poor knowledge of the Italian language. To this end, the limit has been set to a maximum of 30 per cent of foreign students per each classroom. In addition, the Ministry restates the importance of organising literacy initiatives, by utilizing resources which will be put into place by the law 440/1997.

5. DESCRIPTION AND ANALYSIS OF GOOD PRACTICES

As already noted, Italy lacks a uniform national policy addressing foreign and refugee minors' – the latter constituting a subcategory of the larger former unit – educational integration. By contrast, each school autonomously develops its own activities drawing on the ministerial guidelines and financing them with public funds.

When selecting best practices it was decided to take into consideration those projects and activities specifically addressing refugee minors while discarding the great number of projects whose was on foreign minors in general, although also including refugee ones. In addition to this selection basis, two further elements were taken into account: the existence of a widespread consensus over the activity's soundness among the project insiders, and the project's economic sustainability. Furthermore, it was decided to present projects addressing different beneficiaries in terms of typology and age. It should, beyond question, be emphasised that all projects promoted by the Sistema Pubblico di Accoglienza provide refugee minors with reception and school integration initiatives.

5.1. Project "Finestre – Storie di rifugiati"

Context

The project is promoted by Fondazione Centro Astalli, founded in 2000 with the aim of contributing to the promotion of a culture of favourable welcome and solidarity, starting with respect for human rights. The foundation carries out awareness activities around intercultural and inter-religious dialogue. The main areas of intervention are educational in schools, classes and seminars focusing on Italian and foreign university students, revision courses for volunteers and sector professionals.

The project's cultural activities are informed by the daily experience of the Associazione Centro Astalli, the Italian branch of the Jesuit Refugee Service (JRS) founded by Father Pedro Arrupe. The association began its activities in 1981 with the goal of supporting, assisting and upholding the

rights of refugees and displaced persons in the world.

Currently the Centre (Association + Foundation) offers cultural activities, reception services to persons who have just arrived in Italy and to persons who have already settled, so as to facilitate their access to the jobs market and their integration into wider Italian society. In total, taking into account the local centres in Rome, Vicenza and Palermo, the Centro Astalli serves 20,000 people each year. The services provided by the Centro Astalli are set out below:

Project

The main goal of the project Finestre – Storie di rifugiati, promoted by the Roman Fondazione Centro Astalli, is to educate new generations of Italian citizens to respect and welcome others by making refugees the cornerstone of a cultural and formative offer directed to young Italian students attending the level two secondary schools.

Refugees are given the opportunity to tell their personal stories in the classroom thus sharing their experiences with their classmates who are then better placed to understand the hardships of war, persecution, long journeys, arrival in an alien country that refugees have been through. The refugee is accompanied by a meeting facilitator who introduces the topic of asylum and supports the discussion. The methodology is interactive: the meeting lasts two hours, discussion and exchange of ideas are highly encouraged.

In order to prepare for the meeting, the Centro Astalli has developed two different educational tools which are updated and republished every two years.

The first tool is directed at Italian students and entitled "In their shoes" (Nei panni dei rifugiati), it is made up of eight sections each focusing on one topic:

1. War and persecutions, which introduces the topic of the often-forgotten wars that are among the main causes of the refugee phenomenon.
2. Human Rights, which studies the Declaration of Human Rights and shows how, in many countries such rights, are systematically violated.

3. Asylum Law, which helps with identifying who refugees are and how many there are, as well as shedding light on what difficulties they constantly face.
4. Women and Child Refugees, which explains how large a percentage of refugees are women and children.
5. Refugees in Italy, to better understand the specific situation of refugees in Italy, who they are and what they are in need of.
6. Famous refugees, gallery of refugee writers, poets, singers, and Nobel prize winners.
7. Intercultural Society, which aims at thoroughly thinking about living in harmony with people from different countries and cultures.

Each section contains a brief introduction to the topic, references to relevant web-sites, an anthology of poems, songs, tales and the presentation of books and movies.

The second project tool is a Guide for Teachers divided into a Guide to Using Sections and an In-depth Examination Guide.

The material was devised by the Foundation's central coordination team as well as by writers and journalists who volunteered (and are quoted in the material). By contrast, refugees are remunerated for sharing their stories.

At the start of the school year, objectives and educational methodologies are explained in the course of a meeting attended by participating classroom teachers. In 2011 the meeting was attended by fifty teachers covering different subjects, as the topic of asylum is across the board and can be covered from different angles pertaining to geography, history, literature, language.

The project is entirely free and exclusively advertised through word-of-mouth by the 400 Centro Astalli volunteers and by teachers who attended previous sessions.

To date, funding has been regularly provided by the Ministry of Cultural Heritage and by local administrations (who are cited on the covers of the course materials).

As regards evaluation, besides the growing consensus in favour of the project, as evidenced by the growing

number of people joining and by participation in a literary competition (which is soon to be analysed), two years ago the central coordination team introduced an evaluation questionnaire. The questionnaire is emailed to teachers over the summer and aims to collect material that highlights both the potential weaknesses and actual strengths of the project.

Celebrating its fifteenth edition, last year the project spanned 274 classrooms in sixty-two schools across fifteen provinces involving a total of 5,598 students.

Intimately linked to Progetto Finestre, and a further indicator of the project's positive impact is the literary competition 'Literature does not go on exile' (*La scrittura non va in esilio*) – promoted by the Foundation itself – which all students participating to the Progetto Finestre and Progetto Incontri, on inter-religious dialogue, are invited to join by submitting a story consistent with the topics dealt with in those projects. Last year 200 students participated with a story about asylum.

A further indicator of the project's positive influence is evidenced by workshops activated in 2010 for those students who had already been involved in the project and desired to further deepen the topic. Under a joint proposal of the Centro Astalli and the teachers involved, three workshops were developed: a geopolitics workshop, one on immigration and literature and one on immigration and the media.

Points of strength and points of weakness

The main strength of the project is to give refugees a central role in the cultural offer: This allows refugees themselves to place stereotypes back into perspective by changing the perceptions of those Italian students who face someone they recognise as their equal insofar as he/she possess similar aspirations and desires to their own.

A further point of strength is in the fact that it does not cost anything to participate in the project. This is an important issue at a time of crisis and tight budgets.

Moreover, the learning opportunity is original and innovative: the study material is tailor-made for young students and it is multimedia as it encompasses

musical, poetic and narrative communication. The direct refugee's story-telling is always captivating as students rarely have the opportunity to hear the evidence directly.

Finally, the far-reaching presence of the Astalli network within the country, due to the spread of local branches and partner associations, makes it possible for the project to spread out on a large-scale.

Among the weaknesses, the general situation of the Italian educational system cannot be ignored as the more committed new generations of teachers are often working under a temporary contract which means that they are unable to guarantee continuity of the activities. In addition, in some rare cases the fact that the project is free, already recognised as a point of its strength, can become a weakness, since schools may firstly decide to join without concretely following up on the project.

5.2. Project "Terra d'Asilo"

Context

San Pietro Vernotico is a small town of the Italian Mezzogiorno situated in the province of Brindisi. The municipal administration joined the Refugees and Asylum-Seekers System of Protection (SPRAR) in 2004, following ANCI's (Associazione Nazionale Comuni Italiani), tender call for access to funding originating from the "Otto per mille".³

The project, named Terra d'Asilo, has already established itself as an area of positive cooperation between the public and private spheres. From the start, it has been aimed at attaining a strategic goal of developing a network linking the third sector, institutional actors and the jobs market, with a view to promote the favourable reception and integration of refugees.

In particular, the project is a direct result of the coordinated efforts of the municipal administration of San Pietro Vernotico and ARCI, the project's main promoter, a widespread association that fosters social cohesion, intercultural exchanges and solidarity within the national territory as well as online.

Over time the project has managed to overcome initial mistrust, arousing growing interest, keen curiosity and exceptional solidarity in the local population. These elements can certainly be considered as an added value for the positive outcome and impact of the project itself.

Project

Terra d'Asilo like all of SPRAR's projects, follows an integrated approach, which intends to guarantee the full independence of those who apply for protection and offers a wide range of services, including: reception, economic support, legal aid, and job-seeking counselling.

Over time, however, the project has particularly focused on schooling and minors' training. In fact, it has activated a series of processes designed to favour the integration of pre-school age children, compulsory school-age children (aged six to sixteen) and children older than fifteen. The latter group tend to present low levels of schooling and literacy generally contingent on the cultural deprivation of the core family members. To date, the project has assisted 120 minors, primarily from the Horn of Africa, Gambia, Ghana, Bangladesh, Afghanistan and, recently, Iran.

The type of services offered changes depending on the age of the minor and the issues related to her/his specific situation, however, the relative overall level of complexity increases year on year.

As a matter of record, the inclusion of pre-school age minors needs a substantially easy intervention that is whose outcome is the relationship between project operators and host schools and, in some cases, between schools and families.

School-age children are integrated into classes specific to their age and, where possible, primary school pupils attend full-time courses that, by offering ample time to deepen or revise educational concepts, help refugee minors, who are lagging behind, catch up with their fellow classmates.

While students attend school, the project organises extra-curricular activities for them, usually at their homes so as not to generate disquiet and a feeling of

³ This is an amount calculated on the income tax of Italian citizens, which can be allocated to finance voluntary activities.

discrimination among refugee children. Additionally, extra-curricular activities are held at the project headquarters.

The activity of supporting the education of students aged fifteen and over is more often raised. Due to their uneven and discontinuous schooling their inclusion in secondary school level institutions is also neither automatic nor smooth.

For this reason newly arrived minors have an orientation interview, assisted by a cultural and linguistic mediator, with the objective, on one hand, of providing them with information regarding facilities, personnel, project organisation, and regulation, and on the other, to understand the student's skills and aptitudes.

The feedback received is introductory to defining, jointly with schools and/or professional training centres, a personal inclusion project where minimum formative targets are set in the different educational areas.

The relationships with schools are governed by a protocol of understanding and managed through a cultural linguistic mediator who plays a pivotal role between the various stakeholders involved: student, teachers, and if present, the student's family. The protocol in fact provides the opportunity to attend the institute's lectures, developing a study plan that is compatible with the school curriculum and which permits the taking of admission exams leading to maturity examinations to be addressed later individually. In this way, it is hoped that any obstacle to the speedy recognition of qualifications can be dealt with. Over time, relationships with educational institutions, the procedures for the acceptance and inclusion of children in different school contexts, and interaction with the teachers who were more open and willing to cooperate have been established.

The children themselves are supported by project leaders even outside of school hours, should they need to attend remedial classes directly after school, where they are included in CTP classes, geared to literacy in Italian as a second language, or the completion of elementary or middle school. The children, in fact, where they are accepted by the school, even though they have no relevant qualifications, are still encouraged by the project

leaders to achieve them. Paths to literacy and approaches to study are, however, always in place during the year and overseen by project leaders, just in case courses provided by external bodies are temporarily suspended and to give everyone the chance to attend from their first days in the country.

Host schools are generally institutes of professional training or, in some cases, regional professional centres. Attendance at a professional level of study was deemed most appropriate to the profile of children, in terms of what is offered to them in the way of curricular activities and practical workshops and to provide the children with the opportunity to acquire more quickly the cultural and professional wherewithal necessary for their independence.

In addition to the cultural-linguistic mediator, who is crucial in managing the relationship with schools, the project team, that follows the children's study activities, is trained by a psychologist responsible for managing the group dynamic and by "generalist" educators, trained in educational and psychological sciences, so as to help children, not only in the course of their study and learning, but also emotionally and psychologically. The team usually meets regularly with an external supervisor not involved in operational activities, to assess compliance with the project's objectives and to correct any inconsistencies.

Finally, it is worth noting that it is the same project offering support services in the area of study that also promotes initiatives aimed at socialising asylum seeking children with their peers residents, for their not only educational integration, but also their integration in the wider local community, such as: football matches, given that the children being hosted are predominantly male, or thematic workshops, organised by local Italians with the aim of enriching access to local culture.

Points of strength and points of weakness

The involvement of the municipal authorities in project implementation is certainly a strong point of the project, in that it has allowed the development of important synergies between structure and operator, on the one hand, and civil society, on the other. The complete system of relationships of a small local community, i.e. San

Pietro Vernotico, has created solidarity and social cohesion towards guest children, factors that have certainly facilitated their longer term integration as well as, in some cases, their eventual routes to work and to economic independence. At the same time the project over the years has been able to dynamically reshape its services, according to the different needs of beneficiaries and the consequent issues to be dealt with.

One weakness is to do with the fact that there is only one source of finance, consisting of public resources periodically put out to tender by SPRAR. The uniqueness of the project, linked to the uncertainty of future funding is a factor which puts at risk the stability and continuity of operators' activities.

5.3. "Baby parking – Karibu"

The context

The project "KARIBU" – which in swahili means "Welcome" – started in July 2001 as the result of a concerted initiative by a group of public institutional actors⁴ in the province of Latina in the municipality of Sezze Romano.

The project is part of a network established and funded by the Ministry of the Interior. The original ministerial funding, which helped in the establishment of reception centres for refugees and asylum-seekers, was formerly called the National Asylum Programme (PNA) and now goes under the name of System of Protection for asylum-seekers and refugees. In the course of three years, project KARIBU has set up a refugee women's social cooperative named after the project.

Since 2004, the cooperative has operated as an organism aimed at receiving, protecting and integrating women – both asylum-seekers and refugees – mainly of African origin. The cooperative constitutes an innovative and unique management style in Italy inasmuch as assistance is provided by fellow refugees who, additionally, are almost exclusively women.

In the same year as the cooperative was set up, a baby minding scheme was inaugurated thanks to the Lazio Region's funds to entrepreneurship. The baby minding scheme, which is designed for the children of women assisted in the context of project KARIBU, offers a variety of extra-curricular activities including a study support scheme for children attending primary and secondary school.

This service, which is already a well-established activity, represents an important step toward refugee minors' integration in compulsory schooling. Further, the opening of the scheme to in the country has created a special space for the integration and socialisation of the multi-ethnic and multicultural aspects of the refugee community with the citizens of Sezze.

The project

The baby minding service was initially restricted to women associated with the cooperative, but later was opened to all foreign women from 7 am to 7 pm at a monthly cost of sixty Euros.

Minors left in the care of the service are provided with extra-curricular activities to assist them with studying and learning. Post-school activities also include Italian as a second language. The improvement of Italian language skills is considered of primary importance not only for educational integration but also for the wider social integration of the minor and his family. In fact, minors usually come to perform the role of interpreters bridging the gap between their family and wider society. Other activities include drama workshops in Italian.

Post-school activities are available to Italian students as well, thus promoting socialisation and intercultural dialogue. Once the school year as ended, the project carries out other extra-curricular activities like "L'isola che non c'è" (Neverland) financed by the municipality of Sezze. The project, which lasts between one and two weeks, focuses on exploring the local area through organised educational excursions involving both refugee and Italian children.

⁴ Sezze Municipality, CIR (Italian Council for Refugees) and Sezze ANOLF – CISL, trade union association committed to the integration of foreigners.

The operators running the out of school activities are young volunteers who are either recent graduates or final year students in “educational sciences”. Over 300 children between the ages of six and nineteen, mainly with an African origin, have benefited from the service in the period since 2004.

Cooperative efforts favouring educational integration are not solely confined to out of school activities as there are many other activities which share the goal of pupil integration.

In practice there is widespread cooperation with outside organisations, like museums, theatres etc. The relationship with the local community is positive as the opportunities of mutual encounters have fostered a climate of reciprocal trust while also enriching culture more generally in the area. This situation has had a positive impact on relationships with the schools, with which the Cooperative signed a memorandum of understanding. The latter allows for schools and the Cooperative to work pragmatically so as to create solutions which are tailor-made to the needs of each minor.

This way of working is particularly effective in case of minors beyond compulsory school age. In such cases their competences are tested by a psychologist who provides a general evaluation profile. Most of these minors have been through violence and traumas thus requiring special attention in relation to the opportunity and timing of their educational integration. Hence, these vulnerable minors are provided with an alternative educational programme aimed at assisting in their full psychological well-being in preparation to their schooling.

The approach that is used to integrate these minors is based both on fostering their individual accountability and on the provision of extra-curricular support thanks to the cooperative’s out of school activities and thanks to retired volunteer teachers. This approach, in contrast, is thus less focused on devising personalised study paths for this is deemed to have a discriminatory impact. Experience has shown that the approach undertaken improves minors’ psychological and emotional well-being.

Finally, the cooperative has become the favorite partner of schools for dealing with for intercultural activities and for planning professional training courses involving foreign and Italian women in the

area of cultural mediation and in the provision of a wider range of services to persons. These courses are aimed at the professional integration of refugee minors’ mothers, although they are also open to Italian women, and constitute a further opportunity for integration.

Points of strength and points of weakness

The major weaknesses pertain to the management of the Cooperative on a whole, whereas the supply of services – post-school in particular – have already attained high standards. The crucial challenges to tackle are the need to meet the increased demand for the services in the context of a decline in the availability of resources together with the need to reduce waiting times.

6. AREAS IN NEED OF CHANGE AND POLICY RECOMMENDATIONS

In Italy an individualised system of support and integration in schools, addressing the needs of refugee children registered in the Sistema Pubblico di Accoglienza (SPRAR) is in place; since no such a support scheme is available for other refugees, there are some areas in need of change or improvement within the various stages of the educational integration process.

6.1. Access and enrolment

The Italian legislation establishes the right to education for all minors, including immigrants, regardless of status. In relation to refugee minors, it is possible to distinguish between those who are part of the Sistema pubblico di accoglienza – SPRAR – or of any other reception structure, from those who are not. The former group is provided with assistance and support, by the means of specific integration programs. By contrast, the latter group of minors can only rely on their families; therefore, the possibility of there being children who have been denied the opportunity of schooling cannot be ruled out. However, this represents a small minority which has avoided the rigorous checks imposed by the state but which may include unaccompanied minors.

6.2. Quality of education

The curriculum set by the Italian Educational System does not address refugees specifically but concerns itself with foreign and vulnerable minors. That is to say that there has been an implicit decision not to consider refugees as a particularly vulnerable and needy group.

In Italy a system of school autonomy results in varied educational provision to foreign pupils. Generally, Italian language courses are promoted (mostly as language workshops) and cultural mediators are hired. The success of launching projects is dependent largely on the possibility of receiving public funding and on the availability of motivated teachers.

Interviews with Ministerial representatives show that they have access to limited information and that they are not aware of the specific situation of refugees. This means that awareness campaigns about refugees and asylum-seekers, addressed to managers and teachers, would be desirable. The long journeys undertaken by refugees to reach their destination country and the underlying reasons behind that are by no means comparable to the ones generally faced by foreign minors and call for specific assistance related to their psychological well-being. The latter should be carefully taken into consideration during their integration the school system by means of structured and standardised policies throughout the country. In reality, the projects that meet these criteria are usually offered by volunteers and NGOs liaising with schools.

6.3. Enhanced protection

In 2006 a Directive on unaccompanied asylum-seeking minors was enacted. The Directive aims at guaranteeing that their basic needs, including education, lodging and shelter, are met upon arrival. Accompanied minors, by contrast, are taken care by their families. All asylum-seeking minors are entitled to be assisted by a cultural mediator during the application interview. This is, however,

difficult to put into practice due to the scarcity of cultural mediators, especially in the case of some nationalities.

There is a quota of funded places within the “Sistema pubblico di protezione” is reserved for vulnerable categories, among which are: unaccompanied minors, pregnant women and women with children affected by psychological disorders.

Assistance to families and the availability of cultural mediators are no doubt areas in need of improvement, so as to safeguard the social rights of accompanied minors and their parents

6.4. Empowerment and participation

Refugee minors and foreign minors share the same difficulties in integrating if they arrive in Italy when they have already reached the age of sixteen or seventeen, either without any schooling or previous knowledge of the Italian language. The Centri Territoriali Permanenti (CTP), for the training and education of the adult population is available to them. The centres work in partnership with the schools and offer, to both Italian and foreign people over the age of fifteen the opportunity to enroll in Italian language classes as well as courses which lead to the attainment of the secondary school first grade diploma. The courses are modular, take place in the afternoons and require a bi-weekly commitment.

Further programme improvements would be required for this specific target group. Older minors have often an uneven and broken schooling and, as already noted, their inclusion in the educational system is neither automatic nor smooth. The use of guidance tools, the quick recognition and certification of previous competences and/or qualifications, the support of cultural mediators are all practices which need to be extended, in order to increase their participation and study progression.

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www.centroastalli.it
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www.savethechildren.it
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LIST OF ABBREVIATIONS

ANCI	– Associazione Nazionale Comuni Italiani, National Association of Italian Municipalities
CARA	– Centro Accoglienza Richiedenti Asilo, Reception Centre for Asylum Seekers
CTP	– Centro Territoriale Permanente, Permanent Territorial Centre
D. Lgs.	– Decreto legislativo, Legislative Decree
ERF	– European Refugee Fund
FNSPA	– National Fund for Asylum Policies and Services
JRS	– Jesuit Refugee Service
PNA	– Piano Nazionale Asilo, Asylum National Plan
SPRAR	– Sistema di Protezione per Richiedenti Asilo e Rifugiati, Protection System for Asylum Seekers and Refugees
SSN	– Servizio Sanitario Nazionale, National Health Service

2.4. COUNTRY REPORT: SLOVENIA

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1. METHODOLOGICAL INTRODUCTION

The present report gathers and analyses the available data on “third country national” (hereafter TCN) children with refugee or asylum seeker status in Slovenia (i.e. RASC), with a particular focus on their integration in the state educational system. In order to achieve this, the methodological approach combines the results and methods of existing research, as well as gathering the available statistical data on the number and position of RASC in Slovenia in general, and their integration in the state educational system specifically. The results of existing research and statistical data at the national and at the European level, which discuss the position of RASC, have all been taken into account. The report hence provides an overview of the main findings of research and gathers all the available statistical and quantitative as well as qualitative data in one place in order to allow a critical evaluation of the current situation of RASC in Slovenia.

In addition to consulting the publically accessible statistical data and the available reports by national agencies with jurisdiction over refugees and asylum seekers in Slovenia, the European dimension of the issues has also been addressed by reviewing the results of relevant international research projects, as well as the data provided by the European Commission, Eurostat, UNHCR reports, and other international organisations and institutions. It is a significant finding of this report that the most reliable and timely data on RASC and the migrant population in Slovenia in general have been gathered specifically for the purpose of this research by directly contacting the responsible relevant institutions and requesting that they share the data available (see Appendix for more details). The preparation of the present country report has therefore relied mostly on existing documentary and statistical data, on the analysis of information

available on relevant websites, and on interviews with stakeholders (governmental and non-governmental), whose work is related either to persons requesting/with the status of international protection or to the educational system and the integration of migrant children into schools in Slovenia. All of these tools have contributed to the statistical, policy and institutional overview of the situation regarding RASC in Slovenia, and have helped locate and identify potentially good practices.

Gathering statistical data on the number and background of “third country nationals” in Slovenia requires a methodological note of caution. The target population of RASC is most commonly defined as a specific (sub)group of “foreigners”, which is a term generally reflecting a non-Slovenian-citizenship status. In line with the European Commission, TCNs are “persons who are not citizens of an EU member state”. It is a common problem that official national statistics predominantly use the umbrella category of “foreigners” – signifying all who are not citizens of Slovenia. The official statistics, therefore, predominantly gather general data on “foreign-born” or “foreigners” (“immigrants” or “foreign nationals”, “foreign residents” etc.).

Looking at the available data and information on RASC in the existing research literature, the study has concluded not only that additional analysis of the latest statistics is missing and therefore needed, but also that the existing research frequently adopts the official statistical categories with little or no reflection. It should also be noted that the official figures are on occasion cited in public documents without any additional examination whether or not the data actually portray an accurate enough state of affairs in terms of the situation of migrants in general and RASC in particular in Slovenia.

The following institutional/governmental stakeholders have been contacted in the course of fieldwork research for the present report and asked to convey their professional experiences and provide

information with regard to RASC educational integration:

- The National Education Institute of the Republic of Slovenia (*Zavod Republike Slovenije za šolstvo*): Mirko Zorman;
- Ministry of Education and Sport (*Ministrstvo za šolstvo in šport*): Bronka Straus;
- Ministry of the Interior (*Ministrstvo za notranje zadeve*), Migration and Integration Directorate (*Direktorat za migracije in integracijo*), Integration Division (*Sektor za integracijo*): Darja Pokrivač, Sonja Gole Ašanin;
- Ministry of the Interior (*Ministrstvo za notranje zadeve*), Migration and Integration Directorate (*Direktorat za migracije in integracijo*), International Protection Division: Asylum Centre (*Sektor za mednarodno zaščito: Azilni dom*): Katarina Štrukelj, Vesna Mitrič.

The following non-governmental organisations, practitioners, teachers and researchers have also been contacted with the request that they share their expertise, work experiences from the field, as well as recount their recent experiences with the educational system:¹

- Slovene Philanthropy (*Slovenska filantropija – Združenje za promocijo prostovoljstva*): Neja Šmid, Franci Zlatar, Marina Uzelac;
- The Jesuit Refugee Service (*Jezuitska služba za begunce*): Rebeka Balažić Tonkli;
- Academy of Arts and Sciences, Slovenian Migration Institute: Kristina Toplak, Mojca Vah Jevšnik;
- Špela Čekada Zorn, a primary school teacher;
- The Peace Institute – Institute for Contemporary Social and Political Studies (*Mirovni inštitut – Inštitut za sodobne družbene in politične študije*): Neža Kogovšek Šalamon, Katarina Vučko.

2. REFUGEES AND ASYLUM SEEKERS: GENERAL BACKGROUND

Slovenia belongs to the so-called young generation of immigration countries,² with trends of increasing immigration in recent decades due to changes of immigration policies in the Western European states.

Immigration to Slovenia began in the 1950s as a result of internal migration flows within Yugoslavia, increasing particularly in the 1970s when Western European destination countries closed their borders. At the same time, increased employment possibilities made Slovenia more attractive, particularly for labour migrants. These trends in migration flows have also significantly affected the contemporary composition of migrants in Slovenia. The previous absence of borders within Yugoslavia enabled migration from south-eastern regions of the former federal state. The former co-nationals continue to migrate to Slovenia despite the change in their status, now defined as “third country nationals”. The proximity of Slovenia and the similarities in culture and language are the deciding factors for migrants from Yugoslavia’s successor states, who represent the highest share of migrants in this country.

With the armed conflicts following the collapse of Yugoslavia in the 1990s, the actual situation of the growing number of refugees in Slovenia has triggered an interest in migration research, and the present situation is marked by a continuation of theoretical and empirical research in the field of migration and integration studies. Slovenia’s EU membership since May 2004 has also contributed to the proliferation of academic as well as action-based research, whereas it had significant effects on migration flows and on the ways in which migration is “managed” as well.

When studying refugee and asylum seeking children in the Slovenian case, one cannot overlook the significance of a historical trajectory in terms of how the refugees were treated after Slovenia had established itself as a sovereign state. The troubled period of the late 1980s brought about an intensification of socio-political and economic concerns, growing national conflicts and ultimately the break-up of Yugoslavia. The 1991 creation of

¹ RASC or former RASC and parents of RASC could not be directly interviewed due to protection of personal data, since the responsible institutions (e.g. schools) could not give out information regarding whom to approach. The alternative methods of securing interview partners among RASC, former RASC and parents of RASC, such as snowball sampling method, also did not yield results, particularly due to their small numbers (see Appendix). However, further attempts in this regard are planned in order to provide interview and/or focus group partners for the Social Impact Assessment country report on Slovenia.

² Pirc 2007.

an independent Slovenian state and the political and economic changes in the region contributed to a shift in migration patterns. Thousands of people from various regions of the collapsed Yugoslavia were forced out of their homes, and by 1992 Slovenia was allegedly hosting about 70,000 refugees, mostly from Bosnia-Herzegovina. They were primarily women, elderly people and children. Since the Slovenian authorities expected these migrants to be in the country only temporarily, the Office for Immigration and Refugees, founded in 1993, focused merely on providing them with temporary protection while not recognising their status as that of refugees, let alone giving any thought to their integration.

The endless perpetuation of the “temporality” of refugees³ not only affected them profoundly in terms of exacerbating the precariousness of their position in Slovenia, but it also contributed to growing dissatisfaction in society. Stirred by intolerant and biased media reports, soon the prevalent rhetoric started cautioning the Slovenian public against the “refugee tide” which would supposedly exhaust economically overburdened Slovenia.⁴ Looking for reasons and explanations for these tensions, some researchers argued that these were primarily due to cultural and religious differences, since Bosnian refugees were mainly Muslims who did not speak Slovenian.⁵ Their alleged otherness in terms of language as well as culture fed into xenophobic stereotypes and exposed them to discrimination and intolerance.⁶ An analysis of public rhetoric during the 1992 – 1993 period showed that refugees were reduced to “a problem” and stigmatised as a threat to Slovenian society.⁷ This was also the period when 25,671 people were “erased” from the Register of permanent residents of the Republic of Slovenia, and this unconstitutional act of the Slovenian state would remain concealed for a number of years, becoming a matter of public debate only after 2001.⁸

Moreover, the period between 2000 and 2001 saw the emergence of the so-called immigrant crisis when “an explicitly stigmatising and discriminatory media discourse on illegal immigrants gained ground in Slovenia”.⁹ This was related to the fact that immigration flows from “Third-World” countries were slowly becoming more pronounced, which brought about a change in the perception of migrants on the part of officials, media and the inhabitants of Slovenia. The intolerant public

reaction had one positive consequence; more new topics started appearing in the literature, focusing even more on “foreigners”, the “erased” people, migrants, asylum seekers and refugees. The reason for the escalation of the intolerant public attitude and xenophobic media discourse was the equation of migrants with criminalised “illegals”. In reaction, attempting to open up the public debate and stop the intolerant public discourse, the year 2001 at the same time saw a major breakthrough in the field of migrant and refugee studies. A book *Immigrants, Who Are You?*, resulting from a research project on asylum seekers, was published by the Peace Institute.¹⁰ Still, with migration research being only in its initial stages, there has been a visible lack of gendered analysis or focus on specific groups of migrants.¹¹

So far, migrant children have not yet been a specific focus of research. A notable exception is a recent thematic publication on the integration of children of Slovenian emigrants.¹² Nonetheless, the academic study of migrant children has, as yet, failed to extend to RASC, let alone focus on their educational integration. As such, research remains limited to, on the one hand, historical studies of migrant childhood,¹³ privileged migrant experiences of children of diplomats¹⁴ or, on the other hand, specifically activist reports on the position of specific groups of RASC in Slovenia, such as unaccompanied minors¹⁵ (yet such reports remain scarce).

As a starting point in the collection and analysis of empirical data, this report has utilised the statistics provided by the Employment Service of Slovenia, the Ministry of the Interior and the Statistical Office

³ It is a purposeful decision to name these people “refugees” despite the lack of official and formal recognition of their status as such. This is also in line with most of the research in the field (cf. Vrečer 1999, Lipovec Čebren 2002).

⁴ Doupona Horvat et al. 1998.

⁵ Klinar 1993.

⁶ Vrečer 1999.

⁷ Doupona Horvat et al. 1998.

⁸ For more on the erasure, see Kogovšek et al. 2010.

⁹ Jalušič 2001, p. 13.

¹⁰ Pajnik et al. 2001.

¹¹ See Bajt and Pajnik 2010.

¹² E.g. Drnovšek and Toplak 2010, Milharčič Hladnik 2010.

¹³ Drnovšek 2010.

¹⁴ Lukšič Hacin 2010.

¹⁵ E.g. Slovenska filantropija 2005, 2009b.

of the Republic of Slovenia. In addition, official state statistics such as statistical yearbooks published by the Statistical Office have been consulted, and several further statistical data sets have also been used which shed light on the situation of RASC in Slovenia. The most recent statistical data rely on these official sources, as well as on qualitative research methods, such as interviews and personal communication for the purpose of the present project with various state officials and NGO representatives who were approached directly (see previous section of the present report).

According to the Statistical Office of the Republic of Slovenia, on 01.01.2010, of Slovenia's total population of two million, 82,316 were foreign citizens, representing 4 per cent of the total population (see Figure 12 in the Appendix).¹⁶ Seventy-three per cent of "foreigners" are men, most of whom come with the purpose of finding employment, while 27 per cent are women, in majority arriving on various family reunification policy provisions. This, however, only defines their formal status, while it does not necessarily mean that female migrants do not migrate to Slovenia in order to search for employment – which they do but experience obstacles in accessing the labour market. The official national statistical data also show that the vast majority of the foreign-born population are citizens of Yugoslavia's successor states, which combined represent nine out of ten of Slovenia's total foreign population. Less than 3 per cent of migrants are from countries outside of Europe; more than half of them from Asia (mainly from China, increasingly also from Thailand).¹⁷ Even though the shares of "third country" migrants from Africa, Asia, and Latin America are very small, their numbers have increased in recent years.

It is important to note the age distribution of the TCN migrant population in Slovenia. The average migrant's age is a little less than thirty-three years. Based on data from the Employment Service of

Slovenia, the age distribution of issued work permits in the period between 2005 and 2010 shows that out of 37,442, only 101 migrants were aged below eighteen years.¹⁸ Of course, these statistics do not reveal anything more specific about these TCNs' actual status, and since they were apparently issued work permits, we may venture a tentative assumption that they were only slightly under the age of eighteen. Gathering statistical data on Slovenia in terms of, for example, the enrolment statistics for foreign students, is additionally hindered by the lack of inclusion of Slovenia in various international databases (such as, for instance, the OECD StatExtracts on education and training).¹⁹ It is possible to conclude that as far as official data on migrant composition are concerned, it is not possible to decipher the share of migrant children, let alone their gender or citizenship distribution.

Turning now specifically to statistics on refugees and asylum seekers, the little data that are possible to gather usually present only general figures such as shares of the population, and no particular information is available regarding refugees' regional distribution.²⁰ The official data on applicants for international protection (i.e. asylum seekers) show that in the last years most applicants were from countries of the former Yugoslavia as well as from countries such as Turkey, Afghanistan, Nigeria, or Iraq (see Table 19 and Table 20 in the Appendix). The data available for June 2010 show that 127 persons with international protection status were still living in Slovenia. The latest official available data also show that in 2009 only twenty such statuses were awarded out of 202 applications.

The majority of asylum seekers have continuously been men (see Table 21 in the Appendix), who represented as much as 79 per cent of all applicants in 2009, and 78 per cent in 2010 (cf. Table 20 in the Appendix).

It is significant that currently over 10 per cent of asylum applicants are below eighteen years of age

¹⁶ See Rapid Report No. 15, available at <http://www.stat.si/doc/statinf/05-si-007-1001.pdf> (23 December 2010).

¹⁷ Official data of the Statistical Office of the Republic of Slovenia Statistical Yearbook 2009, available at http://www.stat.si/letopis/2009/04_09/04-33-09.htm (accessed on 20 October 2010).

¹⁸ See http://www.ess.gov.si/trg_dela/trg_dela_v_stevilkah/zaposlovanje_tujcev (22 December 2010).

¹⁹ See <http://stats.oecd.org/Index.aspx?DatasetCode=RGRADSTY> (23 December 2010).

²⁰ Two Integration Houses for refugees exist, one in the capital city Ljubljana and the other in Maribor. The Asylum Centre is based on the outskirts of Ljubljana, in a way segregating the resident asylum seekers, though they have access to city public transport (a bus line is operational nearby).

(twenty-three persons), Slovenia thus leading among the Central European countries with the highest share of unaccompanied minors. The data further reveal that the share of asylum seeking children and minors was as much as 32 per cent for 2009, and the majority of all the minors in that year was comprised of children below fourteen years of age who represented 52 per cent of all underage asylum seekers (see Table 22 and Table 23 in the Appendix). Reflecting the overall gender distribution of asylum seekers, again boys were in the majority, representing 69 per cent of all minors, whereas gender distribution among the youngest children (below thirteen years of age) was at approximately fifty-fifty, with girls actually having a slight lead in numbers (see Table 23 in the Appendix).

The International Protection Division data show that in 2010, 246 newly housed asylum seekers were resident in the Asylum Centre, most coming from Turkey (thirty-two), Afghanistan (thirty-one) and Bosnia-Herzegovina (twenty-eight), followed by nationals of Kosovo (twenty), Serbia (fifteen), Iran (eleven), Nigeria (eleven), Iraq (ten) and Palestine (ten). Eighty per cent of the residents were men and 20 per cent women. The majority of these newly housed asylum seekers were between eighteen and thirty-four years old (129), followed by those between thirty-five and sixty-four (fifty-two), only two of the applicants were over sixty-five. Sixty-three persons were minors and children, thirty-eight of them unaccompanied minors. The Ministry of the Interior data for 2010 regarding persons lodging requests for international protection in Slovenia reveal that out of 246 asylum seekers, twenty-four were for children up to thirteen years of age (half boys and half girls), eight boys and one girl were between fourteen and fifteen years old, while thirty persons were between sixteen and seventeen years of age (twenty-seven boys and three girls). This means that 26 per cent of asylum seekers in 2010 were below eighteen years of age; 10 per cent were less than fourteen years old and 16 per cent were between fourteen and seventeen years of age.²¹

Up until 31.12.2010, 209 persons were awarded the status of international protection in Slovenia: ninety-seven the refugee status, eighty-nine the status of asylum based on humanitarian grounds and twenty-three the status of subsidiary protection. Thirty-four per cent of these persons were women and 66 per cent were men.²² The latest official data on individuals awarded international protection status provided specifically for the INTEGRACE project reveal that up until 28.02.2011 out of the total of 131 persons, seventeen were children who attended pre-school kindergarten facilities, fifteen were minors in primary school and nine in secondary education, while six were enrolled in institutions of higher education – hence above the age of eighteen and thus considered adults (see Table 24, cf. Table 25 and Table 26 in the Appendix).

NGOs active in the field of migrant integration and whose work pertains to refugees and asylum seekers have long been active also in terms of pointing out the problems and barriers that these people encounter in Slovenia. Encompassing a wide array of issues that demand more attention and problem-solving from the governmental stakeholders, the NGO sector has taken on a burden that is hard to bear, frequently solving problems that are actually in the domain of the state – which often remains inactive. In spite of a notable development of integration policies in recent years, this area remains insufficiently defined and integration exists more as a legal option and loosely defined commitment of the state, while migrants, asylum seekers and refugees included, in practice encounter exclusion and discrimination.²³

For instance, the overall standard of protection and care for unaccompanied minors (hereafter UM) in Slovenia has been decreasing.²⁴ Even though they represent one of the most vulnerable “categories” of migrants, the provision of their rights is not always guaranteed and the UN *Convention on the Rights of the Child* (CRC) is not always adhered to. The state does not provide an integrated and targeted

²¹ Data in this paragraph is taken from the report of the Ministry of the Interior (MNZ 2011) and based on personal communication with a representative of the Integration Division of the Ministry.

²² Data is taken from the report of the Ministry of the Interior (MNZ 2011).

²³ Cf. Pajnik et al. 2010, Pajnik and Bajt 2010.

²⁴ This section is based on the situation analysis prepared by the Slovene Philanthropy, a prominent NGO in the field of volunteer work and programmes involving refugees and asylum seekers, as well as migrants in Slovenia in general. See Slovenska filantropija 2009b.

treatment of UM and both the *Aliens Act* and the *International Protection Act* contain questionable articles that are not in line with the CRC. It is particularly worrisome that those UM who do not attain refugee status or at least request international protection in Slovenia lack any protection, and it is common practice that they are (also forcefully) deported to their country of birth. Conditions of stay and accommodation facilities also remain a pressing concern, since no appropriate facilities are available for UM, let alone their particular psycho-social needs etc. They are either housed in the Aliens Centre or the Asylum Centre, both of which are inappropriate for the treatment and accommodation of children in general and UM in particular.

The Aliens Centre is particularly problematic because it is a police institution designed for housing “illegal” migrants until their deportation – thus, it is in breach of the CRC due to its limitation of free movement – but also lacks any psycho-social programmes that could assist traumatised children (including re-integration programmes, etc.).²⁵ UM who apply for asylum are housed in the special section of the Asylum Centre; however, this institution is also not suitable for providing a proper environment for a longer period of time and faces daily problems due to the lack of appropriately trained staff and suitable psycho-social programmes.²⁶

NGOs report that there are problems with providing appropriate accommodation for minors with refugee status. As a further concern it is problematic that UM are only entitled to a minimum of basic healthcare (for emergencies only), a problem faced by migrants without permanent residency in Slovenia in general. And it has been noted that the institutional (i.e. governmental) involvement still lacks implementation in practice, despite certain recent strategies and plans that have been adopted.²⁷ RASC have themselves complained, and UM in particular, that they are

treated as adults by the state institutions rather than children with all their specificities. Further problems typically encountered by RASC are elaborated in the following sections.

3. INSTITUTIONAL SET-UP, LEGAL AND POLICY FRAMEWORK

As one of the countries to join the Schengen border regime in 2007, Slovenia had to adjust its migration and border policies. Slovenia’s migration policy, already restrictive even before the adoption of EU standards, has become even harsher, and very few people are granted asylum. Several critical studies see the Schengen border regime as a wall dividing the rich and the poor, enabling mobility inside the Schengen border regime and restricting it for people from other countries.²⁸

Even though the first *Resolution on the Immigration Policy of the Republic of Slovenia*²⁹ was introduced already in 1999, the process of EU accession had a profound impact on the country’s migration policies. The process of transposing various EU regulations and laws began already around the 2001 – 2002 period when a new *Resolution on the Migration Policy of the Republic of Slovenia*³⁰ was adopted, reflecting the growing dependence of Slovenia on EU documents and guidelines. This is visible in Slovenia’s migration policies both generally in terms of stricter border control, institution building and changes to legislation, and more particularly in terms of introducing additional subcategories of “foreigners” (e.g. asylum seekers, refugees, labour migrants, family migrants, etc.). In effect only since 2008, the *Decree on Aliens Integration*³¹ has already been amended in 2010 to correspond more to actual practice. It is the most

²⁵ Slovenia does not have programmes that could ensure a suitable re-integration and return of UM into their countries of birth.

²⁶ Specialists (i.e. police officers, legal representatives, translators, NGO and social services representatives, etc.) working in the field lack the skills and experiences needed for handling the specific issues related to RASC, and UM in particular.

²⁷ Ministry of Labour, Family and Social Affairs, for instance, has been noted as still not involved in these issues (particularly the problematic related to UM), even though its active role is stated in its Programme for Children and Youth from 2006.

²⁸ See, for example, Milohnič 2002, Pajnik and Zavrtnik Zimic 2003, Verlič Christensen 2000, 2002, Zavrtnik Zimic et al. 2003.

²⁹ Slovenia, *Resolucija o imigracijski politiki Republike Slovenije* (Official Journal of RS 40/1999).

³⁰ Slovenia, *Resolucija o migracijski politiki Republike Slovenije* (Official Journal of RS 106/2002).

³¹ Slovenia, *Uredba o integraciji tujcev* (Official Journal of RS 86/2010).

significant document in terms of general integration of TCNs in Slovenia and as such represents a key overall framework for the implementation of migrant integration. It does not, however, address the specific position of RASC, for the Decree is aimed at assisting migrant men and women (who are eligible in terms of their status and the duration of their stay in the country) primarily in learning the basics of the Slovenian language and familiarising themselves with the country's history, culture and constitutional setup.

Apart from the area of labour migration, which falls under the competence of the Ministry of Labour, Family and Social Affairs, in Slovenia migration and integration in general are under the jurisdiction of the Ministry of the Interior.³² Its Migration and Integration Directorate (*Direktorat za migracije in integracijo*) encompasses:

- The Migration Division (*Sektor za migracije*);
- The Integration Division (*Sektor za integracijo*); and
- The International Protection Division (*Sektor za mednarodno zaščito*), which is also in charge of the International Protection Status Section (*Oddelek za statusne zadeve mednarodne zaščite*) and the Asylum Centre (*Azilni dom*).

Other ministries have only certain specific competencies when the implementation of asylum and migration policies falls within their field of work. The Ministry of Education and Sport,³³ for instance, is responsible for questions regarding asylum, migration and schooling; the Ministry of Culture³⁴ shares competencies with the Ministry of the Interior in the field of integration and cultural, historical and legally-constitutional affairs of the Republic of Slovenia; while the Ministry of Health³⁵ provides funding for the health care of refugees and persons with subsidiary protection.

It is significant that before Slovenia's entry into the EU, the UNHCR played an important role in

defining asylum policies, advocating standards for the protection of applicants, and provided a high level of asylum procedure guarantees. With the transposition of the EU *acquis* into the Slovenian national legislation and with the UNHCR's withdrawal from Slovenia, many changes occurred in this field as a consequence of the nature of EU asylum law Directives, which have a tendency to protect the interests of the host country. Similarly, Slovenia's entry into the Schengen Area on 21.12.2007 was an important milestone of the asylum and migration policy. It brought about the abolishment of controls along the borders between Slovenia and Italy, as well as Austria and Hungary, while it strengthened controls along the border between Slovenia and Croatia, which became an external EU border.³⁶

The constitutional arrangement of asylum and migrations is based on the Constitution of the Republic of Slovenia, while the *Aliens Act*³⁷ is the umbrella act for the field of migration policies, stating the conditions and modes of entry, departure and residence of foreigners in the Republic of Slovenia. Persons who acquire permission for permanent residence automatically receive certain social protection rights and benefits (e.g. social support, child benefits, and unemployment benefits) and these areas are covered by institutions in the framework of various ministries that cover these specific fields (i.e. the Ministry of Labour, Family and Social Affairs and Centres for Social work and the Employment Service of Slovenia).

However, the *Aliens Act* does not apply to applicants for international protection, to persons with temporary protection, and, with the exception of certain cases, to persons who are entitled to privileges and immunity on the basis of international law. For RASC in Slovenia, the *International Protection Act*³⁸ sets the legal framework as regards refugees with already approved status and those who apply for international protection under its provisions. The Act applies to applicants for international protection, stipulating the conditions for international

³² Ministrstvo za notranje zadeve, see <http://www.mnz.gov.si/en/> (22 February 2011).

³³ Ministrstvo za šolstvo in šport, see <http://www.mss.gov.si/en/> (22 February 2011).

³⁴ Ministrstvo za kulturo, see <http://www.mk.gov.si/en/> (22 February 2011).

³⁵ Ministrstvo za zdravje, see <http://www.mz.gov.si/en/> (22 February 2011).

³⁶ For more, see Kogovšek 2008.

³⁷ Slovenia, *Zakon o tujcih* (Official Journal of RS 64/2009).

³⁸ Slovenia, *Zakon o mednarodni zaščiti* (Official Journal of RS 11/2011).

protection and the procedures for the acquisition of international protection.

On the basis of the *Aliens Act* and the *Schengen Borders Code*, the right to entry into the Republic of Slovenia is equal for all the TCNs. If a person does not enter the Republic of Slovenia in accordance with regulations of the *Aliens Act* and the *National Border Control Act*³⁹ (i.e. if one does not enter at a national border crossing, does not possess a (valid) passport, etc.), he or she commits illegal border trespassing and may be placed in the Asylum Centre (*Azilni dom*) under the competence of the Ministry of the Interior, or in the Aliens Centre (*Center za tujce*) under the competence of the Police, which accommodates migrants awaiting removal from the country.⁴⁰ Based on Article 60 of the *Aliens Act*, unaccompanied minors may also be placed in the Aliens Centre (as already noted above). The official Police statistics show that in 2009, 11 per cent of the Aliens Centre residents were children and 6 per cent were minors, but no further details are available.⁴¹ After lodging an application for subsidiary protection, a person is placed in the Asylum Centre, where several NGOs then offer various programmes of assistance, including language learning.

Several further documents then set the specific rules pertinent to the implementation of the legal framework, i.e. the *Rules on the rights of applicants for international protection*,⁴² the *Rules on the form, contents and method of reception application for international protection*,⁴³ and the *Decree on the methods and conditions for ensuring rights of persons with international protection*.⁴⁴ The latter specifies that refugees have the right to permanent residence in the Republic of Slovenia and persons with subsidiary protection the right to temporary residence – their right to assistance with integration is limited to three years since their status has been awarded. The Decree stipulates that persons with international protection are entitled to a Slovenian language course for a

maximum of 300 hours.⁴⁵ The costs of the course are covered by the Ministry; in 2010, the Ministry of the Interior thus covered costs of Slovenian language courses for fourteen persons (MNZ 2011).

While the right to education and a more generally noted “right to integration” are listed among the basic rights of persons with international protection, the Decree further notes that minors with international protection are equated with the citizens of the Republic of Slovenia as far as primary and secondary education are concerned. All the necessary means to this end are to be provided by the relevant responsible ministries, which are also to ensure that they cover the costs that ensue from education. Within three months of awarding the status of international protection, a so-called **personal integration plan** is to be prepared by the Ministry of the Interior in cooperation with the migrant, based on their individual needs, skills, abilities etc. The personal integration plan is meant to assist the refugees in their integration and includes learning the Slovenian language.

Similarly, the *Rules on the rights of applicants for international protection* also stipulate the right to education and specify that the right to reside in Slovenia is awarded upon lodging a complete application for international protection. The Rules also offer a more specific description of ensuring that the applicants for international protection have the right to additional material means needed for their education (school textbooks, learning utensils, notebooks, field trips, etc.), which are to be covered by the Ministry of the Interior and the Ministry of Education and Sport (depending on their areas of responsibility).

Describing the rights and duties of persons who have been awarded refugee status, the *Decree on the rights and duties of refugees in the Republic of Slovenia*⁴⁶ ensures assistance with integration

³⁹ Slovenia, *Zakon o nadzoru državne meje* (Official Journal of RS 60/2007).

⁴⁰ See <http://www.policija.si/index.php/delovna-podroja/244> for a description of tasks of the Aliens Centre. For more on the Asylum Centre, see http://www.mnz.gov.si/si/mnz_za_vas/tujci_v_sloveniji/mednarodna_zascita_azil/azilni_dom/.

⁴¹ See <http://www.policija.si/index.php/delovna-podroja/246> (28 February 2011).

⁴² Slovenia, *Pravilnik o pravicah prosilcev za mednarodno zaščito* (Official Journal of RS 67/2008, 40/2010).

⁴³ Slovenia, *Pravilnik o obliki, vsebini in načinu sprejema prošnje za mednarodno zaščito* (Official Journal of RS 68/2008).

⁴⁴ Slovenia, *Uredba o načinih in pogojih za zagotavljanje pravic osebam z mednarodno zaščito* (Official Journal of RS 67/2008).

⁴⁵ If necessary, the person with international protection may request an additional 100 hours.

⁴⁶ Slovenia, *Uredba o pravicah in dolžnostih beguncev v Republiki Sloveniji* (Official Journal of RS 67/2008).

for a maximum of three years since the granting of the status. Though the Decree discusses the housing and living conditions of refugees and states that the responsible ministry is to organise a suitable accommodation for “especially vulnerable categories of refugees, particularly unaccompanied minors, the disabled, [...] single-parent families with underage children, victims of sexual abuse, torture or organized crime,” among others, the practice shows differently since often no special provisions are put in place. However, once awarded the refugee status, people are to leave the Asylum Centre (or other accommodation facility) and move to the Integration House (or other suitable accommodation facility or private housing of available).⁴⁷

As reported in a recent NGO report, RASC and minors complain that they actually do not always have the possibility to go to school, they note insufficient options for learning the Slovenian language (not enough lessons, not regularly provided), while in terms of housing they highlight the need for having their own living arrangements since they currently reside together with the rest of the migrant population either in the Aliens Centre or the Asylum Centre.⁴⁸ The UM also note the need for a full-time guardian and point out that the Asylum Centre should have a social worker, who could only concentrate on minors and children, for their experience has so far been one of being sent from one social worker to another, without any continuity and follow-up. Those RASC children, particularly UM, who have already been awarded the status of international protection and are then usually housed either in the Integration House or in the Housing Group Postojna still note pronounced worries about their future, their educational possibilities, etc. In terms of living conditions, children placed in the Postojna Housing Group noted the problem of having to spend weekends in a different facility due to the fact that the Housing Group only operated on weekdays.⁴⁹

Information on budgetary allocation for refugees and asylum seekers is hard to gather due to the dispersal of responsibilities and data collection. As noted in the latest report of the Ministry of the Interior, in charge of integration in general, only information regarding Slovenia’s allocation of EU funds is readily available and transparent.⁵⁰ In 2009, 464,147 euro of the European Refugee Fund (ERF) were spent for various integration programmes aimed for applicants for international protection that were implemented by various NGOs, and the same amount was reserved for 2010. In 2010, ten contracts were awarded for programmes of integration of persons granted international protection, EU funds covering 75 per cent and Slovenia 25 per cent of the costs (the combined cost of these programmes was 85,914 euro). The official report further notes that two bigger public calls were carried out in 2010, one dealing with the implementation of programmes of assistance with the integration of persons granted international protection. The programme is to run from January 2011 until June 2013 and is worth approximately 285,000 euro, and is co-funded by the European Refugee Fund. Four projects which are co-funded by the ERF are currently underway:

- two initiatives are implemented by the Slovene Philanthropy; one focuses on psycho-social assistance for persons granted international protection and other vulnerable groups, and one on wider assistance in settling various life situations for persons granted international protection (these two practices are also the most relevant for the integration of RASC);
- one programme deals with the improvement of migrant employability options (implemented by Racio Social); and
- one is a programme raising public awareness of the importance of integration of persons granted international protection into Slovenian society (implemented by Makroskop).⁵¹

⁴⁷ The Ministry of the Interior has opened two such integration houses, one in Ljubljana (with a capacity of 15 persons) and one in Maribor (with a capacity for 45 persons), to cater to temporary housing needs of persons with international protection. On 31 December 2010, 15 people were residents of the Maribor and 10 of the Ljubljana integration house (MNZ 2011).

⁴⁸ Slovenska filantropija 2009b

⁴⁹ The Postojna accommodation facility was closed in July 2010.

⁵⁰ MNZ 2011.

⁵¹ The information is based on personal communication with a representative of the Ministry of the Interior, Migration and Integration Directorate.

4. OVERVIEW OF THE EDUCATIONAL SYSTEM AND THE EDUCATION STATUS OF REFUGEES AND ASYLUM SEEKERS IN THE COUNTRY

4.1. National specificities of the education system

The official language in the Republic of Slovenia is Slovenian. In bilingual areas, i.e. in municipalities with Italian and Hungarian ethnic minorities, Italian and Hungarian, respectively, are also official languages. The Slovenian Constitution guarantees free education to Slovenian nationals. Basic education is mandatory and funded from budgetary resources, while the state is responsible for enabling its citizens to obtain appropriate education. State universities and professional colleges are autonomous. Members of ethnic minorities have the right to receive education and further instruction in their mother tongue. The Roma are also granted special educational rights. As far as the educational integration of RASC is concerned, their rights and duties regarding schooling are the prerogative of special policy provisions regulating the position of persons with international protection status (see previous section) and not mentioned in general documents and bills on education.

Slovenia is a signatory to over thirty bilateral agreements on cooperation in education, culture and science, and more than twenty programmes and some protocols. It also actively participates in all educational projects of the Council of Europe and has been involved in the work of UNESCO. Since 1999, Slovenia has taken part in the Socrates, Leonardo and Youth programmes of the EU. Since 2002, the Ministry of Education and Sport has also cooperated with the OECD. In recent years, approximately six per cent of Slovenia's GDP has been spent on education.

In Slovenia, the national specificities of the educational system regarding elementary education involve nine years of primary schooling. Primary school is free of charge and compulsory. It is divided into three three-year cycles. In the first cycle (first – third grade) most of the subjects are taught by a single class teacher. There are also two private primary schools in Slovenia with publicly recognised educational programmes: the Waldorf School in Ljubljana offers a primary school programme based on special pedagogical principles, and the Alojzij Šuštar Primary School in Ljubljana, which offers a Catholic primary school programme.⁵² The school year begins on 1 September and ends on 31 August of the following year. Classes are held five days a week and one lesson lasts forty-five minutes.⁵³

Education is the primary responsibility of two ministries: the Ministry of Education and Sport and the Ministry of Higher Education, Science and Technology. For the present report, the former is most relevant. The responsibilities and activities of the Ministry of Education and Sport relate to, among other, the following areas:

- the education of pre-school children;
- the position and social protection of children, young people and adults in pre-school institutions, elementary schools (basic education), music schools, secondary schools and adult education institutions;
- the field of higher vocational education (other higher education is the responsibility of the Ministry of Higher Education, Science and Technology);
- the education of the Italian and Hungarian minorities, as well as of the Roma (note the exclusion of migrant children as one of the specified categories);
- supplementary lessons in Slovenian language and culture for Slovenians living abroad; etc.

Until the age of fifteen, formally all children are treated under equal terms, i.e. as Slovenian citizens. In terms of secondary and high-school education, RASC formally also have the right to education,

⁵² Parents have to enrol children in the first grade of primary school in the calendar year in which their children reach the age of 6. Children are to be enrolled in February for the following school year in the school district of permanent or temporary residence. This means that children between roughly six or seven and fourteen or fifteen years of age need to attend primary school.

⁵³ Apart from summer holidays, lasting about ten weeks, pupils also have autumn holidays, Christmas and New Year holidays, winter holidays and First of May holidays. Furthermore, no lessons are held on public holidays.

since between the ages of fifteen and eighteen they are still considered minors and (should be) protected as such and treated equally as Slovenian nationals. However, asylum applicants do face significant obstacles in this regard (see below).

The Slovenian educational system therefore consists of:

1. Pre-school education (kindergarten);
2. Basic education (single structure of primary and lower secondary education);
3. (Upper) secondary education:
 - a. vocational and technical education,
 - b. secondary general education;
4. Higher vocational education; and
5. Higher education.

Ad. 1: Pre-school education includes children between the ages of one and six. It is offered by pre-school institutions and is not compulsory. The right to pre-school education for migrant children, including RASC, is not foreseen in any of the relevant documents.⁵⁴

Ad. 2: Basic education in Slovenia used to last for eight years but has gradually been extended to nine. The implementation of the nine-year basic education began in the 1999/2000 school year. Children that reach the age of six in a particular calendar year enter the first class in that year. The nine-year basic education is divided into three three-year cycles. Elementary schools provide the compulsory and extended curriculum. The compulsory curriculum must be provided by schools and studied by all pupils. It consists of compulsory subjects, electives, home-room periods and activity

days (culture, science, sports, technology). The optional elementary school curriculum must be provided by schools and pupils are free to decide whether they will participate or not. It includes educational assistance for children with special needs, remedial classes, additional classes, after-school care and other forms of care for pupils, leisure/special interest activities and out-of-school classes. This elementary school curriculum as well as its implementation in practice is particularly relevant for the integration of RASC.

Ad. 3: Successful completion of basic education enables pupils to proceed to education in their choice of **secondary school**. Pupils who fulfil the legal compulsory education requirements and successfully complete at least seven classes in the nine-year elementary school can continue their education in a short-term vocational education programme. Success at that level opens doors to other more demanding secondary school programmes. Secondary education follows the compulsory general basic education. Secondary schools include **vocational and technical schools**⁵⁵ preparing students predominantly for labour market, and **general secondary schools (gimnazije)**⁵⁶ preparing students predominantly for further studies. Programmes in secondary education vary in content, duration and goals.

Ad. 4: Higher vocational education: Programmes of vocational colleges are markedly practice-oriented and tightly related to the labour market. Post-secondary vocational education lasts for two years ending with a diploma examination, which enables students to start work in specific occupations. Vocational college graduates are able to enrol in

⁵⁴ The *Kindergarten Act* (Slovenia, Zakon o vrtcih, Official Journal of RS 62/2010-ZUPJS) does not mention “foreign” or “migrant” etc. children, however, it does contain a note that pre-school education follows equality principles and observes the difference among children and their right to choice and to being different – however one may wish to understand such a vague statement.

⁵⁵ The planning, programming and provision of vocational education is a joint responsibility of the social partners (employers and trade unions) and the state. Short-term vocational programmes should last a year and a half for students and apprentices that have completed their basic education, and two and a half years for those without completed basic education. A final examination marks their completion. The final examination certificate enables students to enter the labour market or to continue their education in the first year at any other (upper) secondary vocational school.

⁵⁶ General secondary school (*gimnazija*) prepares students for further studies. *Gimnazija* programmes last four years and end in an external examination called the *matura* examination. *Gimnazija* students who for various reasons do not wish to continue their education have the option to enter the labour market by attending a vocational course and gaining a qualification in the selected occupation. The aim of vocational courses is to provide a bridge between general and vocational education and to make it possible for graduates from general, classical, and technical *gimnazije* to obtain initial vocational qualifications at the level of corresponding secondary vocational and technical schools. The educational aims are the same as for vocational and technical education. The course leads to a vocational qualification required by the labour market or for further studies at higher vocational and professional colleges.

the second year of professionally oriented higher education programmes, if the higher education institution providing this type of study allows such arrangements.

Ad. 5: Higher education: Higher education includes academic university studies and professionally oriented studies.

Special needs education:

New legislation in the field of education of children with special needs was adopted in 2000. According to the new legislation, inclusion is the basic principle of education of children with special needs. Since 2001, different programmes have been developed together with compensation programmes for pupils to help them achieve standards of knowledge. In parallel with this, a process of reorganisation and re-conceptualisation of institutions for children with special needs has been initiated.

Modified programmes and programmes in ethnically and linguistically mixed areas:

Education in areas where Slovenian nationals live together with members of the Italian or Hungarian minorities and, which are classified as ethnically and linguistically mixed areas, is part of the national educational system. Education in pre-school institutions and schools in ethnically and linguistically mixed areas is provided in accordance with the Constitution of the Republic of Slovenia, educational legislation, and the law regulating special educational rights of the Italian and the Hungarian ethnic minorities. In the ethnically and linguistically mixed area of Prekmurje and Slovenian Istria, bilingual pre-school institutions, elementary schools, and a secondary school are attended by children from this area. Classes are mixed and the languages of instruction are Slovenian and Hungarian in Prekmurje, while in Istria pupils must learn Italian as the second language in schools where the language of instruction is Slovenian and children in schools with Italian as the language of instruction must learn Slovenian as the second language. In addition to their mother tongue, children thus learn each other's language and the history and culture of both nations.

4.2. Status of RASC in the national educational system and provision of education for various legal categories and vulnerable groups of RASC

In Slovenia, refugees and children and minors with subsidiary protection status have the right to education which is equal to that of Slovenian nationals. If we place them among migrant children and minors in general, they represent the most protected category.

As noted above, children and minors who have been awarded the status of international protection are treated equally as Slovenian citizens in terms of primary and secondary education. Those with refugee status have the same rights as Slovenian citizens and thus also have the right to pre-school, as well as to higher and university education.

In 2010, eight children with international protection status were included in pre-school day-care facilities, fifteen pupils were included in primary schools, eight in secondary schools, four were enrolled in university programmes (and three persons were included in primary schools education programmes for adults). Twenty-eight persons lacking their own financial means thus received Ministry of the Interior's funds for education. In addition, fourteen persons also received additional study aid and one person received psycho-social assistance.⁵⁷ The latest data available for February 2011 show that seventeen children with international protection status below the age of seven have been included in pre-school facilities, fifteen persons aged between seven and fourteen were enrolled in primary school education, and nine (five of those being unaccompanied minors) attended secondary education (see Appendix for more details).

As reported by NGOs with the most experience in the field, the most prevalent are problems with the language. Even though the majority of migrants in Slovenia come from the former Yugoslavia and thus share the South Slavic linguistic roots, the variety of countries of birth of RASC results in often there being no common ground between the mother tongue of RASC and the Slovenian language.

⁵⁷ The information is taken from MNZ (2011) official report.

How the institutional set-up accommodates these children and what assistance, if any, is offered to them, depends on a case-to-case basis. While there is an increasing number of good practices (see below), one has to consider that the best results are still primarily due to the fact that children usually do have some basic linguistic common ground (on account of coming from the former Yugoslavia or the former Soviet Union, where their mother tongue would still typically have a Slavic basis).

Most of the asylum seeking children enrol in the primary school Livada, which has well-integrated programmes and good results of accommodating RASC and migrant children in general.⁵⁸ Unaccompanied minors are usually enrolled in programmes which allow gaining primary basic education by way of various tests through the Cene Štupar Centre for permanent education.⁵⁹ Once they complete these and reach the appropriate level, they then regularly enrol in secondary schools. NGOs note these children still experience problems with language and due to differences in educational systems need a longer adjusting period of integration. Volunteers provide the most visible assistance, helping RASC with studying, sometimes also with communication in English, though they note that RASC are aware of having to learn Slovenian if they are to live in Slovenia in the long run.

As far as vulnerable groups of RASC are concerned, only two such cases have been noted. One was the case of a boy who was trafficked and the responsibility for whose re-integration was taken over by the Ključ – Centre for Fight against Trafficking in Human Beings.⁶⁰ Ključ enabled the boy to gain education at an international school. Another case involved a boy with a hearing disability, where the Slovene Philanthropy stepped in in order to help him obtain a hearing aid. Afterwards, he successfully completed primary school and is now enrolled in secondary school. These examples point to the absence of state assistance and to the fact that the NGO sector steps in and arranges assistance where needed.

Along with the problems already listed in this report, which involve the insufficient implementation of RASC legal rights and their problematic reliance on a legal framework that circumvents international standards (e.g. the Convention on the Rights of a Child), the problem of communication seems to be the most pressing. Each migrant child is entitled to an additional twenty-five hours of language learning. This number already being low, the schools rarely “get” all the hours – the problem being in financing. NGOs report that it is quite common for schools to actually receive fewer hours for more pupils (e.g. instead of twenty-five additional hours for every migrant pupil, they might get twenty hours for five pupils). The ministries deny the problem, sticking to the formal legal stipulations that award this right to schools, which, however, is not implemented in practice. The schools complain that not enough additional hours are awarded to them, perpetuating the vicious cycle of RASC’s exclusion due to poor language skills and consequently insufficient understanding of the subject matter being taught.

5. GOOD PRACTICES DESCRIPTION AND ANALYSIS (SITUATION ANALYSIS)

No concerted effort has yet been made to identify best practices in the area of migrant children’s integration in general, let alone attempting to compile a list of best practices in the area of RASC educational integration in Slovenia.⁶¹ The few studies that venture into this topic are too narrow in their focus to include all the RASC, focusing only on unaccompanied minors.⁶² In this section, the report examines existing projects and programmes, either short-term or long-lasting, involving migrant children in general and RASC in particular in Slovenia. It is important to note that (also since their numbers

⁵⁸ See <http://www.oslivada.si/p1/> (12 March 2011).

⁵⁹ See <http://www.cene-stupar.si/> (12 March 2011).

⁶⁰ See <http://drustvo-kljuc.si/indexen.php> (11 March 2011).

⁶¹ There is, of course, also the terminological conundrum of what actually constitutes a good practice, resulting in a patchwork of practices, projects and programmes that may in fact turn out to cater to utterly different needs and clients.

⁶² See, for example, EMN 2010.

have long been relatively small) the integration of migrant children (like “third country” migrants in general) has only recently become a matter of institutional preoccupation, and it remains in its early stages of development. Much depends on factors such as (the lack of) public funding and most of the very few activities that are sustainable relate to NGO activities in the field of refugee and asylum seeker integration assistance.

The policy provisions and legal stipulations related to RASC educational integration that could be listed as good (or bad) practices have already been described in previous sections of this report. The focus here is therefore on a situation analysis describing additional measures which have been in place regarding school integration of RASC, or at least pertaining to this area. In line with this report’s highlights, the issue of language (learning) seems to occupy the majority of such projects, recognising the essential necessity that migrant children need language skills in order to understand and successfully follow the school curriculum and communicate in the society of their temporary or newly permanent stay.

The projects and programmes listed below are either more focused and enacted in smaller scale settings (i.e. local or regional), or they may attempt to bring together schools across Slovenia in order to identify good practices in migrant children integration, and obtain feedback from the field in terms of how legal and policy provisions are enacted in practice, where the gaps have been identified, and which areas deserve particular further attention. The list may not be exhaustive, although every attempt has been made to identify, locate and find more about all the available good practices in Slovenia that at least in some aspect pertain to integration of RASC in the educational system.⁶³

1) **The work of Slovene Philanthropy** (*Slovenska filantropija*), and particularly its Centre for Psychosocial Assistance to Refugees (*Center za psihosocialno pomoč beguncem*):

The Slovene Philanthropy’s Centre for Psychosocial Assistance to Refugees was established already in 1994 and its activities were initially aimed predominantly

at refugees coming to Slovenia from Croatia, Bosnia and Herzegovina, and later from Kosovo. Activities included visiting refugees in accommodation facilities for the purpose of providing psychosocial aid, supporting and organising refugee education, teaching the Slovenian language, organising self-help groups, including volunteers in refugee aid, and other activities. Currently, the Centre is carrying out, among other, the following activities which are also relevant for RASC:

Focusing on asylum seekers:

- psychosocial aid;
- aid in learning the Slovenian language and study help;
- social, sporting and cultural activities: socialising, film, musical and dance evenings, presentations of Slovenian culture and society, field trips, sports activities;
- advocacy.

Focusing on underage refugees, asylum seekers and other underage migrants:

- psychosocial aid and support;
- aid and support in integration into Slovenia’s institutional environment and society (aid in administration matters, inclusion into education and various associations, etc);
- various leisure activities, sports and cultural events, trips, camps, and creative workshops;
- study aid, literacy programmes and assistance in learning the Slovenian language;
- promotion and facilitation of integration of underage migrants into the educational system and local environment.

Focusing on unaccompanied minors:

- performing custodial services and providing psychosocial aid to unaccompanied children;
- provision of guardians and the establishment and coordination of a network of custodians and informal translators;
- study help and teaching the Slovenian language;
- social, sporting and cultural activities;
- advocacy;

⁶³ The only officially available list of projects and programmes of refugee integration (see http://www.mnz.gov.si/si/mnz_za_vas/tujci_v_sloveniji/integracija_beguncev/) is outdated, since it relates to projects funded in 2010.

- cooperation with other institutions in the framework of the Program for Unaccompanied Children in Europe.

Focusing on the integration of refugees:

- counselling and psychosocial aid;
- aid in administrative matters, learning Slovenian and study aid;
- raising awareness;
- advocacy.

Work in the field of learning and education:

- study aid for asylum seekers and refugees;
- teaching Slovenian to asylum seekers and refugees;
- education of experts on topics related to asylum and migrations;
- education of volunteers on topics related to asylum and migration;
- cooperation with faculties and involvement of students in the Slovene Philanthropy's work related to asylum and migration.

Raising public awareness:

- cooperation with the media;
- organising round table discussions;
- production and placement of billboards;
- organisation of events marking the Day of refugees.

Activities of the Centre for Psychosocial Assistance to Refugees are financially supported by:

- The European Commission;
- The European Refugee Fund;
- FIHO, the Foundation for Financing the Disabled and Humanitarian Organisations;
- The EGP Financial Mechanism;
- The Urban Municipality of Ljubljana;
- The Ministry of Labour, Family and Social Affairs;
- The Ministry of the Interior;
- The Norwegian Financial Mechanism;
- The Government Office of the Republic of Slovenia for Development and European Affairs;
- UNCHR, the Office of the United Nations High Commissioner for Refugees,
- The Communication Office of the Government of the Republic of Slovenia.

The Slovene Philanthropy is without a doubt the key example of a generator of good practices in terms of RASC educational integration and migrant integration in general. With a substantive historic tradition and continuous positive contribution, their programmes resonate among the wider public and in this way also help secure much-needed longevity and sustainability despite the constant need to search for suitable funding calls. The work of the Slovene Philanthropy holds a particular long-term assurance in terms of viability also due to their reliance on volunteer work. Moreover, their day-to-day contact with the target group enables their projects not only to address its particular needs in a timely manner but also to envision future developments. The Slovene Philanthropy also carried out the following project:

2) **Integration Programmes Adapted to Suit Young Migrants** (Mladim migrantom prilagojeni programi integracije):

Duration: until September 2010.

Financers: EEA and Norway grants, Government Office of the Republic of Slovenia for Development and European Affairs.

Institutions involved: the Slovene Philanthropy.

The primary goal of the programme was to identify the main problems faced by migrant children in their integration into primary and secondary schools and their local environment. Based on these, the project team completed a situation analysis with proposals for solutions to the identified problems and obstacles.⁶⁴ These included developing a model for workshops involving school teachers, counsellors and pupils, aimed at raising awareness about cultural plurality, acceptance of difference and abolishing of stereotypes and prejudice. The project also included a specific focus on unaccompanied minors and produced a new strategy for dealing with their specific situation, including a model of mentorship for UM.⁶⁵ Development of volunteer work was also a big part of the programme, resulting in a "Manual for volunteer work in the area of aid and assistance to underage migrant youth" (*Priročnik za prostovoljsko delo na področju pomoči in podpore mladim migrantom*). The project included a variety of research work and practical

⁶⁴ See Slovenska filantropija 2009a.

⁶⁵ See Slovenska filantropija 2009b.

activities, particularly workshops in primary and secondary schools.⁶⁶

3) **Professional Bases, Strategies and Theoretical Frameworks of Education for Intercultural Relations and Active Citizenship** (Strokovne podlage, strategije in teoretske tematizacije za izobraževanje za medkulturne odnose ter aktivno državljanstvo)

More on the ESF project is available at <http://www.medkulturni-odnosi.si/>, <http://isi.zrc-sazu.si/index.php?q=sl/node/551>.

Duration: 1.1.2010 – 31.8.2011.

Financers: Ministry of Education and Sport, European Social Fund.

Institutions involved: Slovenian Migration Institute at the Scientific Research Centre of the Slovenian Academy for Sciences and Arts (coordinator), Educational Research Institute.

The project stems from the identification of one of the crucial problems in so-called education for intercultural relations and active citizenship as being the lack of coordination between legislative initiatives, educational policies and the school practice. The challenge of the project is to attempt to bridge this gap, as well as tackle the theoretical complexity and practical contradictions of ensuring equality, unity and acceptance, inclusion and respect for the multicultural reality of contemporary Slovenia. It is the third research challenge of the project that provides a solid basis for a good practice, since it is about multicultural education and transposing the longer traditions in several other EU states, as well as the US, to the Slovenian educational system. The fourth aim of the project is hence to introduce intercultural competencies and to suggest ways of including these in the formulation and enactment of school curricula and educational programmes in Slovenia. Though not directly aimed at RASC, the project nevertheless focused on migrant children and their educational possibilities, cooperating with schools across Slovenia and attempting to identify those with already existing models of good practice of inclusion of “foreign” children.

Similarly, the Slovenian Migration Institute is involved also in the following project:

4) **MIRACLE: Migrants and Refugees – A Challenge for Learning in European Schools**

More on the EC funded international MIRACLE project is available at <http://www.miracle-comenius.org/>.

Duration: 1.12.2009 – 31.11.2011.

Financers: MIRACLE is a Comenius multilateral project funded by the European Commission.

Institutions involved: Slovenian Migration Institute at the ZRC SAZU – Scientific Research Centre of the Slovenian Academy for Sciences and Arts (partner in international project), primary schools across Slovenia (i.e. Osnovna šola Brezovica pri Ljubljani).

MIRACLE is a Comenius multilateral project and involves representatives of various institutions in six European countries. Two institutions from Slovenia are directly involved: the Slovenian Migration Institute at the ZRC SAZU and Brezovica Primary School. The consortium of ten partners aims to develop 1) a teacher training course focused on cultivating political-intercultural competence among teachers in elementary schools and 2) teaching/learning material for elementary school pupils of varying levels. The main aim of the project is to enable pupils of migrant backgrounds to pursue a successful school career.

Though again the project did not focus specifically on RASC school integration, its results and findings can nonetheless be considered as valuable. For instance, as an important outcome of the project national curricula and national educational regulations have been found to be very vague concerning the issue of what intercultural competence actually is or should be. In curricula, concrete indications are missing on how the principles of intercultural learning could be didactically implemented. In order to formulate specific training needs and modules for teachers as well as for the development of teaching and learning materials, the project implemented a detailed needs analysis (i.e. of the needs of both teachers and pupils). Based on this, teaching and learning materials were tailored to meet the needs of pupils, while the content of teacher training modules was made to address the needs of teachers. One trial course was organised in order to test the modules. It is a significant outcome that

⁶⁶ For more on the workshops and their results, see <http://www.filantropija.org/filantropija.asp?FolderId=194> (14 March 2011).

the users (teachers and other school employees) have expressed the opinion that there is a need for such courses and have reported high levels of satisfaction with results. Both teachers and pupils in primary schools, other school employees, and students of education will benefit directly, whereas the project will indirectly affect also the pupils' family members and the wider society.

As another example of good practices being transposed to Slovenia via international (usually EC funded) projects, the National Education Institute of the Republic of Slovenia was involved in the following project:

5) EUCIM-TE: European Core Curriculum for Mainstreamed Second Language – Teacher Education (Evropski kurikulum za izobraževanje učiteljev drugega jezika)

Duration: 1.12.2008 – 30.11.2010.

Co-financers: EU-Comenius Project; European Commission, DG Education and Culture within the Lifelong Learning Programme.

Institutions involved: National Education Institute of the Republic of Slovenia.

Focusing on teachers of second languages, the project likewise responded to the analyses of the position of migrant children in European educational systems, recognising the need to remedy the situation. Its importance lies in surpassing the perception that teaching second languages is meant for “immigrants”, thus “foreigners”. In opposition, the project’s endeavour moved closer to promoting “inclusive education”. Perceiving second language learning as an intrinsic component of the general and joint curriculum process, the project promoted the need to change the existing programmes of teacher education, recognising the necessity to offer the skills and qualifications needed for working with pupils of various ethnic, cultural and linguistic competencies. It was the basic argument of the project that none of the existing teacher education programmes in any of the EU member states actually fulfil this need, thus aiming to better the initial and intermediate education of all teachers, in this way equipping them with skills and tools to work with migrant children in general. Again, even though the project had a narrow focus on teacher education curricula and did not address the RASC in particular, it is obvious that its implementation

could have long-term positive effects on RASC and their educational integration.

Similarly, the following project was a pilot endeavour which focused on early migrant integration, though it was not limited to children only as the target group:

6) Educational Programme Early Integration of Immigrants (Začetna integracija priseljencev)

Duration: 1.1.2009 – 31.12.2010.

Financers: Ministry of Education and Sport.

Institutions involved: Slovenian Institute for Adult Education.

The Early Integration of Immigrants educational programme targeted migrants of low educational levels in order to help them integrate more successfully into the host country. The goal was to enable migrants to acquire communicative skills in the language of their country of stay and to acquire knowledge in the field of employment, health and security, lifelong learning, and family and home issues. It included a forty-hour programme, preferably taught by two teachers. One had to have a university degree in the language of the host country, while the other could have the same degree or a degree in social sciences or humanities. It is therefore obvious that the main target group comprised adults, though the facilitators argued for the inclusion of and accepted all interested migrants.

The Early Integration of Immigrants educational programme was prepared in 2009 and the pilot version was implemented in 2010. Thirteen migrants successfully completed the programme. In the evaluation questionnaire they all stated that they greatly benefitted from the contents of the programme; the knowledge and skills gained were useful for those who had just entered Slovenia as well as to those who had already resided in Slovenia for some years. At the end of the forty programme hours the participating migrants filled in the evaluation questionnaire which was to assess their satisfaction with the activities. The results of the evaluation showed that migrants were very satisfied with the organisation, the implementation of the programme and its contents. They wished that a continuation of the programme would be offered and that the programme would be available

for migrants residing in other regions of Slovenia beside the capital city of Ljubljana. Though, again, not specifically focused on the integration of RASC, the programme showed the importance of the local dimension of general integration, as noted in the evaluation. The programme could well be adapted to serve the purposes of RASC educational integration across Slovenia.

7) **POMP – Psychosocial Support to Families of Immigrants** (Psihosocialna pomoč imigrantskim družinam)

Duration: 01.09.2009 – ongoing.

Financers: City of Ljubljana, Ministry of Labour, Family and Social Affairs, Employment Service of Slovenia.
Institutions involved: Zavod MISSS: Mladinsko informativno svetovalno središče Slovenije/Youth Information and Counselling Center of Slovenia.

The POMP programme aims to promote the active integration of immigrants into the community. The programme is intended for immigrant families that have moved to Slovenia in the period of the previous three years. Slovenian families are also included in the programme in order to promote intercultural dialogue and learning. POMP helped immigrant families' integration into Slovenian society, reducing their isolation and social exclusion. Since immigrants are usually the first to lose jobs, already faced with a life standard below the average, the current situation of economic crisis has further exacerbated things. Addressing these challenges, the POMP programme has used methods designed to offer efficient professional assistance in dealing with problems encountered by immigrants. Every year they carry out a survey on how many new immigrant children have been enrolled in the elementary schools of Ljubljana, and based on a questionnaire they identify migrant children's needs and opinions. Their methods are based on reducing barriers when entering the new school system. Differences are reflected in the lack of knowledge of language, customs, differences in appearance as well as different values. Based on the actual needs and problems experienced by immigrants, the programme has identified five major areas of particular concern:

1. Intercultural learning and dialogue by means of reducing tensions, intolerance and discrimination

2. Computer literacy for immigrants and immigrant families
3. Support for primary and secondary school pupils
4. Information on the rights and obligations of immigrants
5. Individual counselling.

While their programme description is rather vague on how it could potentially benefit educational integration of RASC, the fact that the Youth Information and Counselling Center of Slovenia is in charge of the programme gives reason to believe their focus remain children and youth, which means RASC are potential beneficiaries of the POMP programme. Starting from only a handful of pupils from a nearby school, the programme has now evolved to include a growing number of primary and secondary schools. The number of immigrants who can benefit from various POMP initiatives has increased and more and more come and visit the Center's premises daily.

8) **Project Successful Integration of Migrant Children and Pupils into the Educational System** (Projekt Uspešno vključevanje otrok, učencev in dijakov migrantov v vzgojo in izobraževanje)

More information on the project: http://www.centerslo.net/l2.asp?L1_ID=8&L2_ID=94&LANG=slo.

Duration: until 31.12.2010

Financers: European Social Fund, Ministry of Education and Sport.

Institutions involved: Centre for Slovene as a Second/Foreign Language.

The project's target group were migrant children and their parents, focusing on their language integration and through this also on migrant children's successful educational integration. As a pilot project, the materials for teaching Slovenian as a second language at the beginners' level were also prepared. The pilot project offered five language courses for children and three for parents and thus involved twenty-two participants: 176 migrant children and forty-six parents. The participants were able to commence language courses immediately after school enrolment. This was recognised as a welcome and efficient way of assisting migrant children (as well as their parents) in terms of educational integration, allowing for a more smooth transition into the new school environment. The participants' evaluation afterwards also showed that

the courses made them feel more confident, and also motivated them for further learning. The Centre is hopeful that the project would be continued in the future.

Even though the project did not focus specifically on RASC, its overall principles resonate with the specific needs of RASC as well and should therefore be considered as a relevant practice.

6. AREAS IN NEED OF CHANGE AND POLICY RECOMMENDATIONS

Intensive focus on integration of migrants in general and RASC in particular is going to be necessary for the further development of migration and asylum policies, which should consequently decrease undocumented migrant flows that predominately originate from highly restrictive border and migration policies. Independent researchers have noted the increasing criminalisation of migration, which is evident in the penalisation of migrants who are “illegally” residing in Slovenia or have crossed the national border without this being documented. It is also apparent if one looks at the practice of accommodating migrants in the Aliens Centre, a closed institution where their movement is constrained. The increasing criminalisation of migrants is also visible in numerous antiterrorist regulations in the *Aliens Act* and from the increasing number of reasons due to which the applicants for international protection may be deprived of their freedom – though these are otherwise in accordance with European Union directives. Consequently, the development of policies is mainly focusing on policies of border control, which has resulted in Slovenia strengthening the policing of its borders, particularly in the wake of its entry into the Schengen area and the abolition of internal borders with Austria, Italy and Hungary, while strengthening the control over its border with Croatia, now an external EU border.

Both the *Aliens Act* and the *International Protection Act* have lowered the standards of treatment of UM, while the *Asylum Act* has abolished asylum for humanitarian reasons, which used to be the main reason for Slovenia granting the right to asylum

to children. This has been replaced by the status of subsidiary protection, setting a lower standard of international protection. The new act has also abolished the stipulation that UM cannot be returned to their country of birth or third country until their proper reception and care are ensured. Even though the existing legal framework contains special provisions for RASC and UM that the child’s best interest is to be followed and that such applications should be processed on a priority basis, the practice does not follow these regulations.

Moreover, even though the *International Protection Act* stipulates that UM and asylum seekers have the right to primary and secondary education, no actual preparatory programmes are in place in practice that would ensure these children get integrated into the educational system as soon as possible.

Even though Slovenia has the practice of designing individual personal integration plans, there is a clear need for having such a plan designed for each and every RASC as soon as they arrive to the country in order to ensure their smooth and timely integration as soon as possible, particularly access and enrolment in schools. Apart from the Ministry of the Interior, whose prerogative it is to ensure the integration of migrants, Social Work Centres, schools, health institutions and NGOs should also all be included and work together with every individual child. In this way, the quality of education could be ensured. Namely, there is often a lack of knowledge and skills on the part of teachers and other school personnel in terms of how to address and accommodate all the possible particular needs of RASC. For instance, many teachers with experiences of teaching RASC would report that the children’s comprehension of school subjects and their overall integration into classrooms and school in general is highly dependent on their language (among other) skills. This means that it is essential that RASC are awarded all the necessary assistance in terms of providing them with the required additional language classes, as well as modifying the school curricula in general in order to envision a more dialogical and multicultural approach to mutual adjustment. Currently, the NGO sector remains the only real actor in bridging the gap between the dry legality of lifeless stipulations and the practice that in most cases still lacks real implementation of integration. While the various NGO projects

and numerous volunteers (providing study aid, language assistance, etc.) remain much valued and crucially important actors, a more systemic solution is needed (at a minimum at least securing the funding and continuation of successful projects which are examples of good practices).

It is no wonder that the NGOs most involved with RASC have already proposed changes to the relevant legislation. In particular, the Slovene Philanthropy is arguing for the need to introduce an additional form of protection for UM who need a higher level of rights, since the existing legal framework leaves too much to chance. Noting the shortcomings of existing legislation in the field of asylum seeking and refugee children and minors, it is no wonder that the position of children who do not lodge asylum applications in Slovenia is even worse and in need of additional protection. The need for enhanced protection of RASC, particularly UM and those children who do not begin asylum procedures, is also accompanied by the fact that a more general empowerment and participation of RASC is visibly absent from current policy-making mechanisms.

In terms of specific areas in need of change, the examples of good practices listed in this report reveal that the very basics for educational integration of RASC are often missing. Ensuring that the existing rights are secured and that all RASC indeed have unlimited access to education is therefore crucial. At the same time, apart from the need to invest in language acquisition and study assistance for RASC, which would result in their easy and smooth integration as soon as possible, other areas of concern are just as significant. One of the areas where RASC note a shortcoming is therefore also in the lack of their ability to retain and nurture their own culture and mother tongue. The UM also miss having more assistance in keeping in touch with their family. Furthermore, RASC's access to healthcare should be the same as for Slovenian citizens and should not be restricted as is now frequently the practice.

Finally, it is imperative that all the responsible governmental institutions, inter-governmental and non-governmental organisations cooperate and work in unison to promote the rights and needs of RASC and migrant children in general. Ensuring their speedy and facilitated access to preparatory programmes, most notably Slovenian language

courses, and as many lessons as needed, remains on top of the priority list.

To sum up the various policy and general recommendations regarding the educational integration of RASC in Slovenia, the report concludes by pointing out the link between RASC integration and the integration of migrant children in general. All the publically available analyses agree that in the Slovenian education system (including pre-school facilities) the integration of migrant children is hindered by their lack of communication, i.e. language skills.⁶⁷ This is influenced by:

- The lack of adequate legal framework that would enable a more successful planning of integration of migrant children in the educational system, based on which the necessary means could be secured for mechanisms of support to their integration;
- The lack of strategies and instruments for the inclusion of migrant children in the educational system: even though the *Guidelines for the Education of Foreign Children in Kindergartens and Schools (Smernice za izobraževanje otrok tujcev v vrtcih in šolah)* were prepared in 2009 by the National Education Institute of the Republic of Slovenia in cooperation with independent researchers, there is still a gap between the formal proclamations and their actual implementation in practice;
- The lack of suitable and appropriate professional knowledge and skills on the part of those whose work puts them into contact with migrant children and their parents (teachers, school principals, counsellors, social workers, psychologists, translators, officials, NGO representatives, etc.). This also entails language barriers and the lack of competencies for intercultural communication and cooperation;
- The lack of knowledge of the Slovenian language on the part of migrant children, which is often noted by RASC themselves as well. This is in major part the result of insufficient and poorly implemented integration programmes that should ideally begin as soon as one arrives in Slovenia, allowing ample time for adjusting before entering educational institutions. The current situation entails many examples when children are practically “thrown into” the system without proper prior introduction and assistance (which,

⁶⁷ Cf. Strategija 2007.

incidentally, also additionally burdens teachers). It is also imperative to note that the numbers of hours currently devoted to teaching Slovenian as a second language is far from sufficient and that appropriate syllabi and teaching materials are also lacking;

- The value of migrant children's mother tongue and their right to preserve and nurture it (as well as their culture, religion, etc.) is not appropriately recognised. It also remains devalued in comparison to the dominance of the Slovenian language and "culture";
- Migrant children, as well as their parents, remain insufficiently included in the school and the

wider Slovenian environment, without proper encouragement and assistance to become fully-fledged members of the community, which – needless to add – often remains guarded and indeed impenetrable, not recognising "foreigners" as its members.

All the listed points resonate with the particular situation of RASC, since all children have the same right to education and should therefore not be discriminated against based on their status (citizenship, residence, refugee or asylum seeker status, etc.).

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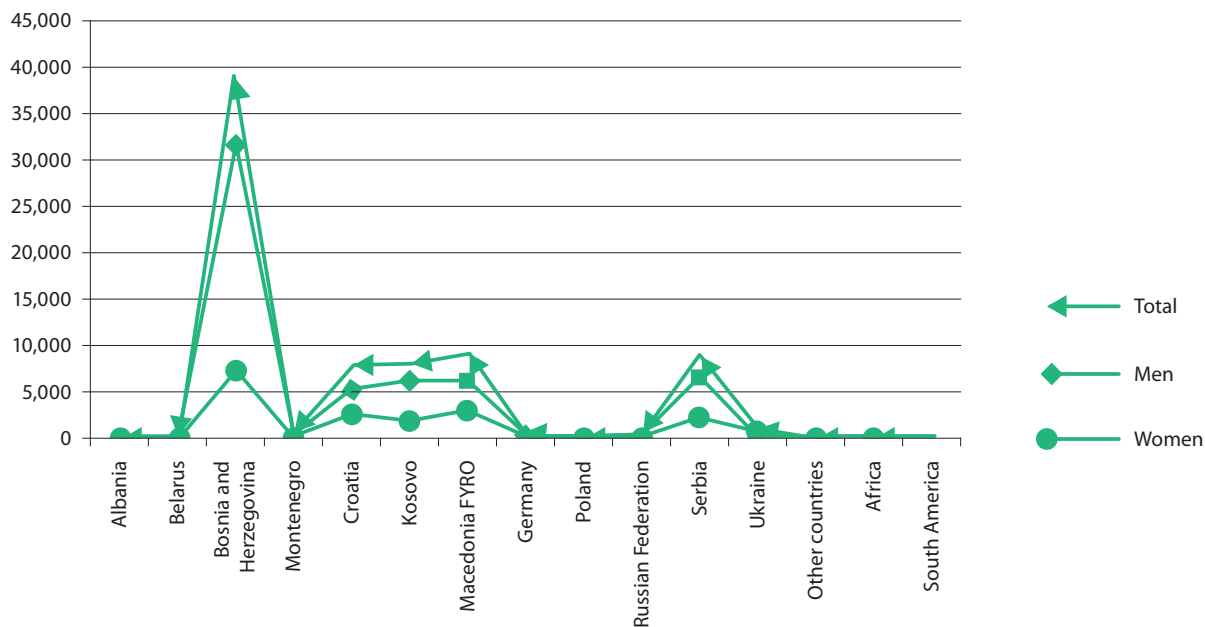
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LIST OF ABBREVIATIONS

CRC	– Convention on the Rights of the Child
ERF	– European Refugee Fund
GDP	– Gross Domestic Product
OECD	– Organisation for Economic Co-operation and Development
RASC	– Refugee and Asylum Seeking Children
TCN	– Third Country Nationals
UNESCO	– United Nations Educational, Scientific and Cultural Organization
UM	– Unaccompanied Minors
UNHCR	– the UN Refugee Agency

APPENDIX

FIGURE 12. SLOVENIA'S FOREIGN POPULATION BY CITIZENSHIP AND GENDER, 1 JANUARY 2010



Source: Statistical Yearbook 2010 data.⁶⁸

TABLE 19. APPLICANTS FOR INTERNATIONAL PROTECTION BY CITIZENSHIP, 2009

Country	Total	%	Country	Total	%
Afghanistan	12	6	Guinea	2	1
Albania	8	4	India	2	1
Algeria	2	1	Iran	9	4
Bosnia-Herzegovina	41	20	Iraq	4	2
Cameroon	2	1	Kosovo	28	14
China	2	1	Liberia	1	1
Croatia	11	5	Macedonia	3	1
Eritrea	1	1	Moldova	2	1
Georgia	1	1	Montenegro	2	1
Ghana	2	1	Morocco	1	1

⁶⁸ See http://www.stat.si/letopis/2010/04_10/04-33-10.htm (accessed 23 December 2010).

TABLE 19. APPLICANTS FOR INTERNATIONAL PROTECTION BY CITIZENSHIP, 2009 (CONTINUED)

Country	Total	%	Country	Total	%
Nigeria	10	5	Serbia & Montenegro	1	1
Pakistan	6	3	Sri Lanka	6	3
Palestine	2	1	Turkey	15	7
Russia	5	2	No citizenship	1	1
Serbia	18	9	TOTAL	202	100

Source: Ministry of the Interior.

TABLE 20. APPLICANTS FOR INTERNATIONAL PROTECTION BY CITIZENSHIP AND GENDER, 2010

Country	Men	Women	Total	Country	Men	Women	Total
Afghanistan	10	1	11	Kosovo	12	5	17
Algeria	1	0	1	Macedonia	1	0	1
Bosnia-Herzegovina	15	6	21	Mongolia	1	1	2
China	1	0	1	Morocco	0	1	1
Congo	0	1	1	Nigeria	7	0	7
Croatia	3	2	5	Palestine	1	0	1
Democratic Republic of Congo	1	0	1	Russia	3	3	6
Eritrea	3	0	3	Serbia	6	6	12
Georgia	2	0	2	Sierra Leone	1	1	2
Guinea	1	0	1	Sudan	1	0	1
Iran	4	0	4	Syria	3	0	3
Iraq	8	0	8	Tunisia	3	0	3
Kyrgyzstan	1	0	1	Turkey	15	2	17
				Ukraine	1	0	1
				TOTAL	105	29	134

Source: Ministry of the Interior.

TABLE 21. APPLICANTS FOR INTERNATIONAL PROTECTION BY GENDER, 2009

Men			116
Women	Women		18
	Single women		4
	Total		22
Children and minors	Children and minors	Male	19
		Female	19
		Total	38
	Unaccompanied minors	Male	25
		Female	1
		Total	26
	Total	Male	44
		Female	20
Total		64	
Total		Men	160
		Women	42
		Total	202

Source: Ministry of the Interior.

TABLE 22. APPLICANTS FOR INTERNATIONAL PROTECTION BY AGE, 2009

Age	Total	%	Age	Total	%
0 to 13 years	33	16	35 to 64 years	33	16
14 to 17 years	31	16	over 65 years	4	2
18 to 34 years	101	50	Total	202	100

Source: Ministry of the Interior.

TABLE 23. CHILDREN AND MINORS APPLICANTS FOR INTERNATIONAL PROTECTION BY AGE AND GENDER, 2009

Minors			Total	%
	Boys	Girls		
0 to 13 years	16	17	33	52
14 to 15 years	8	1	9	14
16 to 17 years	20	2	22	34
Total	44	20	64	100
Total	64		64	

Source: Ministry of the Interior.

TABLE 24. SCHOOL INTEGRATION OF PERSONS WITH INTERNATIONAL PROTECTION BY AGE, GENDER AND CITIZENSHIP, SITUATION ON 28 FEBRUARY 2011

Country	Kinder- garten	(0-7 years)	Primary school	(7-14 years)	Secondary school	(15-18 years)	Total
	Male	Female	Male	Female	Male	Female	
Afghanistan	-	-	1	-	5*	-	6
Bosnia-Herzegovina	1	1	1	-	-	-	3
Iran	-	-	-	-	1	-	1
Congo/Zaire	-	-	1	-	-	-	1
Macedonia	-	-	-	1	-	1	2
Serbia/ Montene- gro/Kosovo	5	3	6	5	1	1	21
Kazakhstan	5	2	-	-	-	-	7
TOTAL	11	6	9	6	7	2	41

Source: Ministry of the Interior, personal communication with a representative of the Integration Division.

* Unaccompanied minors.

TABLE 25. PRIMARY SCHOOL INTEGRATION OF PERSONS WITH INTERNATIONAL PROTECTION BY GENDER AND CITIZENSHIP, SCHOOL YEAR 2010/2011

Country	Male	Female	Total
Bosnia-Herzegovina	-	1	1
Congo	1	-	1
Kazakhstan	2	-	2
Kosovo	7	4	11
Total	10	5	15

Source: Ministry of the Interior, personal communication with a representative of the Integration Division.

TABLE 26. SECONDARY SCHOOL INTEGRATION OF PERSONS WITH INTERNATIONAL PROTECTION BY GENDER AND CITIZENSHIP, SCHOOL YEAR 2010/2011

Country	Male	Female	Total
Afghanistan	3	-	3
Kosovo	2	4	6
Total	5	4	9

Source: Ministry of the Interior, personal communication with a representative of the Integration Division.

2.5. COUNTRY REPORT: SWEDEN

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The Nordic countries (Denmark, Finland, Iceland, Norway and Sweden) have undergone substantial cultural and social changes due to increased migration from the 1970s onwards. While the Nordic region has become more multicultural in terms of demography, workforces and cultural practices, criticism of multicultural politics has increased. Despite different patterns of immigration in the Nordic countries, they all seem to share growing political tensions with regard to multiculturalism and migration. Many migrants have experiences of racism and discrimination (Eide & Nikunen, 2010:1). In all Nordic countries, right-wing conservative parties have strengthened their position. In Norway and Denmark, such parties have for some time been represented in the Parliament, and in Sweden, the Sweden Democrats came into the Parliament after the 2010 election. This party has on its agenda to reduce the costs for migration and dramatically change the national migration policy. They blame the government for being too permissive and generous. It is against this background the present report is written.

1. METHODOLOGY

This report draws mainly on desk research combined with contacts with stakeholders. Relevant sources of information are reports from government institutions in Sweden such as the Swedish Board of Migration (Migrationsverket) and the National Board of Education (Skolverket). Both these authorities regularly publish statistics, reports and other types of information on their websites. They also sponsor academic research to some extent. Other sources are reports from the EU and OECD. Reports from international organizations are also used, i.e. NGOs such as Save the Children Sweden and the Swedish Red Cross. Furthermore, we base

the report on academic research and publications. Relatively extensive research has been conducted on migration and refugee issues since the 1980s. We have focused on more recent studies from the last ten years. In 2010, a comprehensive interdisciplinary study with specific focus on asylum-seeking children was published by a Swedish research consortium, coordinated by the University of Gothenburg (Andersson, Ascher, Björnberg & Eastmond, 2010).

This consortium (GRACE) was formed at the 2004 conference *The Asylum-Seeking Child in Europe*. A wide range of studies were initiated on the macro-, meso- and micro-level to investigate the situation of these children. The final report has been valuable to the objectives of INTEGRACE. Another comprehensive and recent source of information is a report initiated by the Swedish Research Council (Bunar, 2010). This presents a review of the latest research on the integration of newcomers (including asylum-seeking children) into the Swedish school system. Bunar's report examines research projects with a special emphasis on language education as well as other educational integrative efforts.

In the section on 'best practices', the methodology for selection of cases will be described in more detail. For example, we have established contacts, mainly by mail or phone, with stakeholders, researchers and other relevant persons such as project leaders. We have also used documents from websites and reports from, for example, the School Inspectorate, an authority affiliated with the National Agency for Education. The advantage of reports from the School Inspectorate is that they have systematically evaluated a number of projects addressing refugee and asylum-seeking children (RASC) and newcomers according to an established set of relevant variables for discerning 'best practices'. In other words, the projects have passed a formal evaluation process conducted by experts.

2. REFUGEES AND ASYLUM SEEKERS: GENERAL BACKGROUND

Sweden receives more migrants than the other Nordic countries (Sweden's current population is 9.4 million, which is about twice the population of Norway or Denmark). The largest (and oldest) group comes from Finland. Migration for work between the Nordic countries has a long tradition. During recent years, many Swedes, especially young people, have migrated to Norway for work and studies, and many Danes work and study in Sweden (and vice versa). At present, about 20 per cent of the population in Sweden is of foreign background (first and second generation).

2.1. Migration statistics

Over the past ten years, an increasing number of foreign citizens have come to Sweden to seek protection, as well as to work, study or to form or reunite a family. In 2009, nearly 100,000 persons (including EU citizens) were granted a residence permit. This represented an increase of 10 per cent compared to the previous year (Swedish Board of Migration, 2010). In the same year 13.8 per cent of the population was foreign-born – 5.1 per cent in another EU member state and 8.8 per cent outside the EU (Eurostat, 2010).

Immigration of relatives from countries outside the European Union occurs frequently and is a direct consequence of the family reunification policy applied to close family members of those granted asylum. This tendency reflects the present global situation. During the past ten years, the number of asylum seekers from Iraq, Somalia and the Balkan countries has increased. People coming from outside the European Union have also been given permission to work in Sweden during recent years. This has been made possible by changes in the *Aliens' Act*. Furthermore, migration from EU countries has increased, due in part to the fact that ten countries (seven of them from the former Eastern Bloc) became new member states in 2004 and two more (Bulgaria and Romania) joined in 2007.

2.2. Asylum¹

During the past ten years, Sweden has been one of the most important receiving countries for asylum seekers in the EU; it is, in fact, among the top five countries which received the most migrants for reasons of asylum. Its share of reception is considerably larger than the share of Sweden's population in the whole European community. In 2007, Sweden received almost every second application for asylum from Iraqi citizens wishing to live in Europe. In Table 27, one can see the number of asylum applicants in the Nordic countries in 2010. Sweden stands out from the other Nordic

TABLE 27. FIVE MAIN CITIZENSHIPS OF ASYLUM APPLICANTS IN THE NORDIC COUNTRIES, 2010

Denmark		Finland		Norway		Sweden	
Afghanistan	1,465	Somalia	520	Eritrea	1,710	Serbia	6,255
Syria	815	Iraq	515	Somalia	1,395	Somalia	5,630
Iran	655	Russia	395	Afghanistan	980	Afghanistan	2,400
Russia	400	Afghanistan	240	Russia	630	Iraq	1,995
Serbia	265	Serbia	155	Ethiopia	505	Kosovo	1,715
Other	1,470	Other	1,265	Other	4,805	Other	13,880
Total	5,070	Total	3,090	Total	10,025	Total	31,875

¹ Data in this section is extracted and adapted from publications from The Swedish Board of Migration, except in cases where another reference is given.

TABLE 27. FIVE MAIN CITIZENSHIPS OF ASYLUM APPLICANTS IN THE NORDIC COUNTRIES, 2010 (CONTINUED)

Denmark	Finland	Norway	Sweden
Population at 1.1.2010 and total of asylum seekers as a percentage of population			
5,529,400 0.09%	5,351,400 0.06%	4,858,200 0.21%	9,340,700 0.34%

Source: Eurostat, 2011.

countries (Denmark, Finland and Norway) and has more applicants than the other three countries combined when it comes to citizens from Somalia, Afghanistan and Iraq.

2.2.1. Asylum decisions

There are three bodies which review decisions on asylum cases: the Swedish Migration Board, the Migration Courts and the Migration Court of Appeal. Table 28 refers only to decisions made by the first body, the Swedish Migration Board, and covers the ten largest citizenships.

As can be seen in Table 28, asylum seekers from Somalia and Eritrea receive the highest percentage of positive decisions. Next come those from Afghanistan and then Iraq. Applications from Serbian and Macedonian citizens are almost always rejected.

The figures in Table 29 covers residence permits granted and rights of residence granted (reasons for asylum) by both the Swedish Migration Board and the Embassies of Sweden abroad. The figures only cover 'first-time applications', that is to say persons who have not previously had a residence permit or

TABLE 28. CITIZENSHIP AND ASYLUM DECISIONS, 2010

Citizenship top 10	Decisions	Residence permit granted	Residence permit refused	'Dublin' case	Other decision	Average handling time (days)	Percentage of decisions positive
Somalia	6,861	4,530	366	1,463	502	130	66.0
Serbia	5,511	41	4,660	66	744	55	1.0
Iraq	2,046	824	812	186	224	157	40.0
Afghanistan	1,892	1,039	434	335	84	157	55.0
Eritrea	1,347	900	74	303	70	119	67.0
Iran	1,283	264	843	78	98	200	21.0
Kosovo	1,149	46	756	186	161	127	4.0
Russia	1,035	100	528	263	144	138	10.0
Stateless	968	278	440	111	139	181	29.0
Macedonia	709	8	602	20	79	55	1.0

Source: Statistics, Swedish Board of Migration, 2011.

TABLE 29. REASONS FOR GRANTING ASYLUM AND RESIDENCE PERMITS

	Somalia	Iran	Iraq	Afghanistan	Eritrea	Total
Asylum: Convention refugees	467	275	623	190	168	1,723
Asylum: Persons in need of protection	4,381	81	329	783	751	6,325
Asylum: Particularly distressing conditions	57	17	90	168	11	343
Quota refugees	404	80	116	336	301	1,237
Impediments to enforcement	78	12	47	12	6	155
Refugee-family reunification	614	75	1,094	370	300	2,453

Source: Statistics, Swedish Board of Migration, 2010.

right of residence. Moreover, the table only covers the five largest citizenships. Residence permits granted for family reunification, employment, study, EEA rights of residence, adopted children, visits and other circumstances are also excluded from this table.

In 2010, residence permits granted for reasons of asylum (convention refugees) were most common among persons from Iraq, Somalia and Iran. And among Somalis also “persons in need of protection”.

2.2.2. Asylum-seeking children

Most asylum-seeking children arrive with their parents. In 2010, 2,777 children (aged 0-18) were granted asylum. Nearly half of these children (1,285) were unaccompanied minors. This can be compared with the total number of 8,727 residence permits awarded. The proportion of girls compared to boys was about the same in the ages up to 15 years, with a slightly higher number of girls. When it comes to children older than 15, the tendency is the reverse with a higher proportion

TABLE 30. GROUNDS FOR GRANTED ASYLUM DECISIONS: CHILDREN AND ADULTS, 2010

	Children in family	Unaccompanied children	Adults	Total
Convention refugee	503	90	1,343	1,936
In need of protection	771	1,003	4,180	5,954
Particularly distressing circumstances	172	188	244	604
Other, for example temporary residence permit	46	4	183	233
Total	1,492	1,285	5,950	8,727

Note that figures only refer to decisions made by the first reviewing body, the Swedish Migration Board.

Source: Statistics, Swedish Board of Migration, 2011.

of boys, as there are many unaccompanied minors in this group (see section 2.2.3 on unaccompanied minors).

In Table 30, figures for positive asylum decisions are presented. In most cases, asylum is granted on the grounds 'in need of protection', 'Convention refugee' and 'particularly distressing circumstances'. The handling time for the Board of Migration to process an application for asylum was up to 300 days in 2008. Families with children are prioritized and the handling time was somewhat lower, i.e. 26 days less (Andersson, Björnberg & Eastmond, 2010).

Studies of refugee children's mental health and wellbeing, both in Sweden and Denmark, show that reception in the new host country plays an important role in their recovery from traumatic experiences and other types of hardship. Therefore, it is important to invest in qualified care as early as possible in order to prevent poor mental health in the future. Good care can even compensate for earlier bad experiences in the former home country. These observations hold for adults as well. Studies from Australia also indicate that early access to the same rights as citizens with a permanent residence permit promotes good health. Children's wellbeing is also related to that of their parents. Children are at risk if their parents suffer from depression, unemployment, etc. Recent research also stresses refugees' capacity for **resilience** and their ability to recover if provided with good living conditions. Furthermore, researchers place increasing emphasis on the importance of the child's perspective, i.e. of treating the child as an individual in his/her own

right (Andersson, Björnberg and Eastmond, 2010). The child has to be listened to.

The asylum procedure, i.e. the waiting time for a decision, is an extremely important period, but has received relatively little attention until recently. At present, it has become a crucial issue together with an increased focus on the rights of children (including both legal and human rights) during the asylum-seeking process. It was not until 1985 that the Board of Immigration (Invandrarverket) first presented statistics on asylum-seeking children. During the period 1996 – 2008, the number of asylum-seeking children varied widely from year to year, from 1,700 to more than 9,000. The proportion of children within the total number of asylum seekers varied between 26 and 32 per cent in the same period. However, it is difficult to arrive at a conclusion based on these statistics as to whether refugee politics has become more liberal, because an eventual increased number of residence permits for these children one year might depend either on more liberal politics or on more pressure for escape from a certain disaster area (Andersson, Björnberg & Eastmond, 2010).

2.2.3. Unaccompanied minors

The number of unaccompanied children has increased during recent years. In 2008, these children constituted about 25 per cent of all asylum-seeking children. Most children (proportionately more boys than girls) come from Somalia, Afghanistan and Iraq and are aged between thirteen and seventeen (Sveriges kommuner och landsting, 2010).

TABLE 31. POSITIVE ASYLUM DECISIONS FOR UNACCOMPANIED CHILDREN

	2005	2006	2007	2008	2009
Iraq	69	337	621	464	110
Afghanistan	27	98	160	347	780
Somalia	33	101	189	345	913
Other	269	284	294	354	447
Total	398	820	1,264	1,510	2,250

Source: Statistics, Swedish Board of Migration, 2011.

TABLE 32. ASYLUM DECISIONS AND HANDLING TIME OF UNACCOMPANIED MINORS, 2010

Citizenship top 10	Decisions	Residence permit granted	Residence permit refused	'Dublin' case	Other decision	Average handling time (days)	Percentage of decisions positive
Afghanistan	764	648	33	59	24	152	85.0
Somalia	687	472	42	111	62	131	69.0
Other	274	47	148	25	54	155	17.0
Iraq	78	40	26	5	7	145	51.0
Eritrea	53	49	0	3	1	138	92.0
Stateless	36	14	10	1	11	192	39.0
Unknown	21	3	13	0	5	220	14.0
Mongolia	14	3	10	0	1	132	21.0
Ethiopia	13	7	6	0	1	132	21.0
Uzbekistan	9	2	7	0	0	231	54.0
China	5	0	3	0	2	203	22.0
Total	1,954	1,285	298	204	167	146	66.0

Source: Statistics, Swedish Board of Migration, 2011.

Since July 1, 2006, the municipalities have had responsibility for receiving unaccompanied minors and the Board of Migration has to make written agreements with the authorities on a local level.

However, in the same period as these agreements were made, the number of unaccompanied minors increased. The consequence has been that the municipalities have not been able to handle the increased number of children in need of care and protection. In order to manage this situation, the government has increased the financial compensation for reception. Following this move, there has been an increased interest on the part of the municipalities to sign agreements for hosting unaccompanied minors. Many other EU countries have to confront the same issues. This issue has also been debated in the media over the past years. Some municipalities are more restrictive than others for various reasons. Among other things, changes in the infrastructure of small towns have led to negative reactions from the local population, sometimes with xenophobic overtones. In other cases, the opposite has been

the case, as small rural communities with low tax revenues have seen reception as an opportunity to improve their economy.

Table 32 shows asylum decisions, rejections and handling time for unaccompanied minors. More than half of the children (66 per cent) are granted residence permits.

Some applications are rejected according to the Dublin agreement, especially in the case of minors from Somalia. The average handling time is 146 days (i.e. almost 5 months). Children from Afghanistan, Eritrea and Somalia are given priority treatment as most of them are granted asylum.

Information to unaccompanied minors

The Board of Migration has on its website a text addressed directly to unaccompanied minors written in English, where they describe the process of asylum and the necessary steps to be taken, from the application procedure to the process of

finding a custodian and a public counsel. If the child receives a residence permit, the municipality in which the child lives will take over to assist in finding housing. The text also refers to the CRC (UN Convention on the Rights of the Child), which states that children are entitled to be united with their family. Finally, there is information on what happens if the application is rejected and on the process of returning home.

However, the political ambitions for unaccompanied minors are not always in line with these intentions in reality. Save the Children Sweden claims, for example, that it should take no more than 24 hours to find a custodian and that temporary living arrangements should not last more than 7 days before a permanent place is found. The report 'Oklart uppdrag' (Unclear mission)² indicates a lack of clear rules and co-ordination when handling unaccompanied minors. It is largely a matter of chance whether children get the necessary assistance during the reception process. This has to do with the attitudes of the custodians, their engagement and knowledge of whether the process is working well. The municipalities also have different interpretations of their obligations in the handling of unaccompanied minors. Sometimes children have to wait for 3 months before a custodian is found.

The report is based on interviews with just 21 children, but the results are still interesting as the children's own voices are heard. The youngsters say that what is most important is having a custodian and being able to go to school. Only five of the children were asked their opinion regarding the choice of custodian. Some custodians handle as many as ten children. The time spent with the children varies between 4 and 25 hours a month. Almost 25 per cent of the youngsters say they have hardly any contact with their custodian, except for in connection with meetings with authorities. Some youngsters expect this person to be like a parent, others like a recreation instructor, while others expect the custodian to be an assistant during encounters with authorities (www.raddabarnen.se and the report 'Oklart uppdrag').

3. INSTITUTIONAL SET-UP

In this section we will sum up the various authorities working with asylum seekers and what they do.

3.1. On a national level

The Swedish Parliament governs legislation in this area and determines which criteria should apply in order for a person to be eligible for a residence permit in Sweden. The Swedish Migration Board examines applications for asylum, resident permits and citizenship in Sweden. These decisions can be appealed in a court.

The administrative courts in Malmö, Göteborg and Stockholm (Migration Courts) re-examine the applications being appealed. The Administrative Court of Appeal in Stockholm (Migration Court of Appeal) is the highest body in migration cases and the body that determines how legislation should be interpreted. The Swedish Migration Board and the county administrative courts must observe the Administrative Court of Appeal's judgments.

The Swedish Migration Board is in charge of the following:

- receiving and considering applications for asylum;
- appointing public legal counsel;
- assessing a minor's age if necessary;
- looking for a minor's family members and relatives while applying for asylum;
- helping the minor to return if he/she is unable to stay in Sweden;
- setting up agreements with municipalities (see below) on reception of unaccompanied asylum-seeking minors (www.migrationsverket.se, 09-02-11).

The Swedish Migration Board also offers accommodation and financial compensation for the time taken for a decision to be reached for an asylum application.

² The report 'Oklart uppdrag' is a short version of a larger study, which is part of the European project supported by EU, 'Closing a Protection Gap', which has been conducted in eight countries. In the report, 21 unaccompanied refugee children are interviewed, and six custodians, as well as six adults working with these children (www.raddabarnen.se).

3.1.1. *Central administrative authorities for education*

The Swedish National Agency for Education and the Schools Inspectorate are two central administrative authorities for education in Sweden. Through the Education Act, curricula, etc., the Government and Parliament set the goals and guidelines for pre-school and school. It is then the task of the Swedish National Agency for Education to make sure these goals are achieved. "The Agency steers, supports, follows up and evaluates the work of municipalities and schools with the purpose of improving quality and the result of activities to ensure that all pupils have access to equal education. [...] The Agency also has responsibility for coordinating national initiatives for pupils with disabilities, environmental issues and issues relating to pupils who have just arrived in Sweden." (www.skolverket.se).

It is the Schools Inspectorate's duty to supervise pre-school activities, the welfare of schoolchildren, schools management and adult education. This is the authority which ensures that existing laws and regulations are adhered to by local authorities, etc. "The aim of the Schools Inspectorate is to ensure the equal right of all children to a good education, in a safe environment, where everyone can achieve their maximum potential and at least pass in all subjects" (www.skolinspektionen.se). In addition to the Schools Inspectorate, the office of Children and School Pupils Ombudsman combats the abuse of children and pupils in pre-schools and schools. Decisions taken by a responsible authority can be re-examined by the Board of Appeal for Education if the Board is of the opinion that this is particularly necessary in the case of a certain pupil (www.skolinspektionen.se).

3.1.2. *The Swedish Ombudsman for Children*

The Ombudsman for children is appointed by the Swedish Government for six years. The main task of the Ombudsman is to work for children's and young people's rights and interests (up to the age of 18) according to the United Nations Convention on the Rights of the Child. In line with their aim to keep the child's perspective at the heart of their work, the Ombudsman has regular contact with young people by visiting schools and youth clubs.

Children can contact the Ombudsman by letter, telephone or mail. An annual report addressing the situation of children and young people in Sweden is submitted to the Government by the Ombudsman (www.barnombudsmannen.se).

3.1.3. *On a regional and local level*

Sweden is divided into 290 municipalities and 20 county councils, which are responsible for providing citizens with a public service. In Sweden, the idea of a local government has a long tradition, which means that the municipalities and county councils have a high degree of autonomy and independent power of taxation (www.skl.se). As for issues relating to asylum and immigration, the **municipalities** are in charge of:

- offering introduction places to people who have been granted a residence permit;
- the integration of these people;
- asylum-seeking minors;
- Swedish for immigrants and civic orientation courses;
- children in schools and pre-schools;
- appointing a custodian.

County councils, on the other hand, are, for example, responsible for providing asylum-seeking, refugee and unaccompanied children with the same level of health, medical and dental care any other child in Swedish society would receive (www.skl.se).

3.1.4. *Examples of non-governmental institutions on the national, regional and local level*

In addition to well-known international organisations such as ECRE (European Council on Refugees and Exiles), UNHCR (United Nations High Commissioner for Refugees), Red Cross, Save the Children, Amnesty International and UNICEF (the United Nations Children's Fund), several non-governmental institutions in Sweden work with issues related to asylum-seeking children, refugee children and unaccompanied children. Besides NGOs, the Church of Sweden merits a mention, as it provides consultation on migration and asylum issues as well as other questions. Furthermore, various informal networks working with volunteers in Sweden play a key role in helping children and families who are in hiding.

Several NGOs lobby publicly, e.g. in the media, to support vulnerable children, such as Children's Rights in Society (BRIS), and in particular with issues related to child prostitution, child pornography and the trafficking of children, like ECPAT (Nationellt Metodstöd mot prostitution och människohandel = NMT). The Swedish Network of Asylum and Refugee Support Groups (FARR, www.farr.se/) and The Swedish Refugee Advice Centre are examples of organizations that work for the rights of asylum seekers and refugees; their work involves monitoring the Swedish authorities respect for international and national refugee law and providing refugees and asylum seekers professional legal assistance. Non-profit organizations that campaign for the rights of lesbian, gay, bisexual and transgender people are also of relevance in this context (such as The Swedish Federation for Lesbian, Gay, Bisexual and Transgender Rights (RFSL) and The Swedish Association for Sexuality Education, (RFSU).

3.2. Policy and legal framework

The objective of Swedish migration policy is “[...] to guarantee a migration policy that is sustainable in the long term and that, within the framework of regulated immigration, safeguards the right of asylum, facilitates cross-border mobility, promotes needs-based labour immigration, makes use and takes account of the development impacts of migration and deepens European and international cooperation” (Ministry of Justice, 2010, p. 1).

As for the objectives of Swedish integration policy, these can be summed up with the following goals and principles: “The goal of integration policy in Sweden is equal rights, obligations and opportunities for all, regardless of ethnic or cultural background. The policy goals are to be achieved mainly through general measures for the whole population, regardless of country of birth or ethnic background. The general measures are supplemented by targeted support for the introduction of newly arrived immigrants in their first years in Sweden”. (Ministry of Integration and Gender Equality, 2009, p. 1).

The Government decided in September 2008 on an overall strategy for integration. In this strategy seven areas were identified as especially important to work on to achieve the goal. The seven areas are:

- “faster introduction for new arrivals;
- more in work, more entrepreneurs;
- better results and greater equality in school;
- better language skills and more adult education opportunities;
- effective anti-discrimination measures;
- development of urban districts with extensive social exclusion;
- common basic values in a society characterised by increasing diversity” (Ministry of Integration and Gender Equality, 2009, p. 1).

The Government also states that “An overall focus of the strategy is to increase the supply and demand of labour, and to create quality and equality in schools” (Ministry of Integration and Gender Equality, 2009, p. 1).

As Sweden has signed the *UN Refugee Convention*, every asylum application received will be examined and a residence permit must be granted if the applicant is a refugee according to the Convention, or otherwise needs protection. Sweden must also adhere to EU rules, and the Refugee Convention is included in Swedish law together with rules for the declaration of refugee status. Along with other EU Member states (including Norway and Iceland), Sweden has signed the *Dublin Regulation* (2003/343/EC), the *EURODAC Regulation* (2000/2725/EC), the *Asylum Procedures Directive* (2005/85/EC), the *Qualification Directive* (2004/83/EC) and the *Reception Directive* (2003/9/EC) (www.migrationsverket.se, www.sweden.gov.se, 09.02.2011).

Sweden's main legislation on asylum and immigration is the *Aliens Act* (SFS 2005:716) and *Aliens Ordinance* (SFS 2006:97). “In January 2010, certain amendments to the Swedish Aliens Act came into force which aimed to adapt the Act to the Qualification Directive and the Asylum Procedures Directive. The new rules mean that a person who is a refugee or other persons in need of protection will be granted a status declaration. These amendments mean that there are three categories of persons in need of protection in the Aliens Act: refugees, persons eligible for subsidiary protection and other people in need of protection. Refugees and persons eligible for subsidiary protection are covered by the Qualification Directive. The third category (that of other people in need of protection) is a national protection category (www.sweden.gov.se, 09.02.2011). In the Aliens Act, the child's perspective

is stressed, which is based on the UN Convention on the Rights of the Child:

“Section 10

In cases involving a child, particular attention must be given to what is required with regard to the child’s health and development and the best interests of the child in general.

Section 11

In assessing questions of permits under this Act when a child will be affected by a decision in the case, the child must be heard, unless this is inappropriate. What the child has said must be weighed according to the age and maturity of the child” (SFS 2005:716).

According to Swedish law (for legislation on education, see also the Education Act in Section 4), school attendance is compulsory for the first nine school years and free of charge. However, this only applies to children with a residence permit in Sweden. Children who are seeking asylum in Sweden have the right to attend school, but it is not compulsory. On the other hand, children who have been refused entry or expelled are not entitled to education on the same terms as asylum-seeking children. At present, the right to education for all children is being debated among politicians and the result has been two enquiries ‘Schooling for children who are to be refused entry or expelled’ (SOU, 2007:34) and ‘Schooling for all children’ (SOU, 2010:5) (www.sweden.gov.se).

4. OVERVIEW OF THE EDUCATIONAL SYSTEM AND EDUCATION STATUS OF REFUGEES AND ASYLUM SEEKERS IN THE COUNTRY

According to an OECD report (OECD, 2009), there is strong social consensus in Sweden on the notion of equity in education. Sweden has a comparatively generous education system, with free primary and secondary education and parental choice of education for their children. There is no payment required from students or their parents

for teaching materials, school meals, health services or school transport. Pre-school (day care), on the other hand, is partly funded by a fee. Immigrant children in the Swedish school system have the right to receive instruction in Swedish as a second language as well as separate instruction in their mother tongue if that language is spoken daily in their home.

4.1. The Swedish educational system

The Swedish school system is divided into non-compulsory and compulsory schooling. Non-compulsory schooling includes pre-school, the pre-school primary class, upper secondary school, upper secondary school for pupils with learning disadvantages, adult community education, and education for adults with learning disadvantages. Compulsory schooling includes regular compulsory school, Sami school, special school, and programmes for pupils with learning disabilities (Ministry of Education and Research, 2008; Skolverket/National Agency of Education, 2010a).

To sum up, school is divided into the following stages:

1. Pre-school (‘förskola’): for children up to 6 years of age. Pre-school is offered to all children in Sweden.
2. Preschool class (‘förskoleklass’): for children between 6 and 7 years of age. Pre-school class is offered to all children in Sweden.
3. Compulsory Comprehensive School (‘grundskola’): for children 7-16 years of age, grades 1-9.
4. Upper Secondary School (‘gymnasium’): not compulsory for grades 10-12, but a prerequisite if a pupil wishes to study at university level.
5. Adult education/Swedish for immigrants (SFI).

The *Education Act* is one of Sweden’s most extensive acts, covering all education from pre-school to adult education (Education Act, SFS1985:1100). On March 23, 2010, the Government presented the bill on a new *Education Act* – ‘For knowledge, choice and security’ (2010:800). The new *Education Act* applied as of 1 July 2011.

Under the *Education Act* (SFS 1985:1100/SFS 2010:800), all children and young persons in Sweden,

irrespective of gender, geographic residence and social and financial circumstances, shall have equal access to education in the public school system. All school-age children shall be offered a place by their home municipality in the appropriate educational establishment, even if pupils are only required by law to attend compulsory school (or equivalent). The public education system for adults shall provide adults with an opportunity to complement their previous education, in this case primarily those with the lowest level of education. The Education Act also states that the education provided in each respective type of school shall be equivalent (i.e. of equal standard), wherever in the country it is provided (Ministry of Education and Research, 2008).

During the 1990s, the Swedish education system evolved from one of the most centralized of educational systems into one of the most decentralized ones. In 1991, the responsibility for compulsory and upper secondary school provision was transferred to the municipalities along with a less centralized system of targeted grants for schooling. Today the municipalities are the authorities responsible for pre-school classes, compulsory school, upper secondary school, special school, municipal adult education, education for adults with learning disabilities and Swedish for immigrants. For upper secondary school and adult education, the county council may also be the authority responsible (*Education Act*, SFS 1985:1100/SFS 2010:800).

The state is the authority responsible for the special schools and Sami school. The curriculum, national objectives and guidelines for the public education system are laid down by the Swedish Parliament and Government. Teachers and principals are responsible for pupils achieving the educational standards and goals set by the national government. The Swedish Schools Inspectorate shall inspect and supervise the school system in Sweden. The task of the inspectorate is to determine whether a school or activity is functioning in relation to the regulations set out in the Education Act, school ordinances, national curricula and other national statutes (www.skolinspektionen.se).

Private schools (fee-paying) have historically been rare in Sweden. Following the reform of the school system at the beginning of the 1990s, the number of independent schools (no fee) schools has been

increasing. Because they are financed by grants from the pupils' home municipality, they are commonly known as independent or charter schools (Tagmua et al., 2010).

4.1.1. Swedish for immigrants

Swedish for immigrants (SFI) is organized by most municipalities in connection with adult education. The municipalities are responsible for SFI and they decide how the training is organized. SFI is a qualified language training programme aimed at providing adult immigrants with a basic knowledge of Swedish. Adults with a mother tongue other than Swedish are encouraged to study at SFI in order to learn and develop a functional second language. The training provides linguistic tools for communication and promotes active participation in everyday, social and working life (www.sfi.se).

The aim of SFI is that adults develop their ability to read and write in Swedish, their ability to speak, read, listen to and understand Swedish in different contexts, their ability to use relevant tools, and their ability to adapt language to different audiences and situations. Students should also develop their intercultural competence by reflecting on their own cultural experiences and comparing them with the phenomena of everyday life and work in Sweden (www.sfi.se). The latter has been the subject of debate, as it can be seen as a kind of 'citizenship education' with normative overtones requiring students to assimilate Swedish culture and values. Mattlar (2009) discusses the risk that the SFI programme will teach students about the 'good' Swedish society and how to become 'good' Swedish citizens, which can be criticized from an ethical point of view.

4.2. Characteristics of RASC: Overview of the educational situation for refugees and asylum seekers

As shown in the previous section, the Swedish school system consists of pre-school, pre-school class, compulsory school, and upper secondary school. In addition to this institution, there are also leisure/recreation centres for children aged 6 to 12 years. Refugee children and youth have

equal access to these programmes, and the same obligations as others. Since 1.01.2002, asylum-seeking children and youth, too, have had access to the educational system, but it is not obligatory. The municipalities are responsible for providing this group with the same level of access to pre-school, primary and secondary school and leisure/recreation facilities as permanent residents have (SFS 2001:976).

The government has decided that children should have access to school no later than one month after their arrival in Sweden. However, the Swedish Schools Inspectorate (Skolinspektionen, 2009) has found that students have to wait far longer than that. The state gives municipalities compensation for their costs (§ 4 SFS 2001:976, SFS 2002:1118). It is the municipal authority that is responsible for offering education, whereas the Board of Migration is responsible for the costs.

If they are not granted asylum, some children (and in some cases, their parents) still try to stay illegally; these are known as 'hidden children'. These children have no right to education, nevertheless the municipality may offer them instruction. During recent years, the municipalities have also received some money from the state to compensate for their costs. This somewhat contradictory and ambiguous policy has raised debates about children's rights and the interpretation of the UN Convention on the Rights of the Child. According to 105 organizations in Sweden, it should be noted that not all children in Sweden are afforded the same right to education (United Nations Association of Sweden, 2010). In their critique, they point out that because education is not compulsory for asylum-seeking children, the number of asylum-seeking children attending compulsory school is decreasing. Moreover, there is the group of so-called 'hidden children' as well as those without identity documents. The critique has resulted in two investigations (SOU, 2007:34 and SOU, 2010:5). In the latest one, entitled 'Skolgång för alla barn' (SOU, 2010:5), the recommendation is that all children be given the right to education, except for those who are only staying for a short length of time. At the time of writing this report, this critique has been submitted for comments and awaits final decision in Parliament.

4.2.1. *Additional educational rights connected to children's language and origin*³

Immigrant children, including refugee and asylum-seeking children, have the right to receive mother tongue instruction, study guidance in the mother tongue, and education in Swedish as a second language, whereas 'hidden children' have no rights of this kind.

Mother tongue tuition³

Under certain circumstances, children in pre-school, primary and secondary school have the right to receive help in developing their first language/mother tongue.

The pre-school curriculum states that:

"The pre-school should help to ensure that children with a mother tongue other than Swedish receive the opportunity to develop both their Swedish language and their mother tongue" (Skolverket, 2006, p. 7; Skolverket, 2010b, p. 9).

Pre-school shall provide opportunities for children with a mother tongue other than Swedish to develop both that language and Swedish. Municipalities have an obligation fulfil the curriculum requirements by providing special support in first language instruction. In reality, this is not always the case, and there are ways for municipalities to evade this obligation.

When the Swedish Schools Inspectorate conducted a follow-up study in a total of 21 pre-schools and 21 compulsory schools in 12 different municipalities to find out how these schools worked with language and knowledge development amongst young people whose mother tongue was other than Swedish, they found the integration of the child's mother tongue into ordinary school activities to be unusual. Most often the pre-school teachers thought this was the parents', and not the pre-schools', responsibility to develop the child's mother tongue. In some pre-schools mother tongue tuition could be observed, but that activity was more like a separate lesson, rather than being integrated into ordinary activities (Skolinspektionen, 2010).

³ The national minorities have extended rights. For instance, there can be fewer than five students in order to provide education.

TABLE 33. PUPILS IN PRE-SCHOOL CLASS, PUPILS WHOSE MOTHER TONGUE IS OTHER THAN SWEDISH, AND PUPILS WHO RECEIVE MOTHER TONGUE TUITION, ACADEMIC YEARS 2002/03 – 2010/11

Academic year:	Number of pupils in pre-school class:	Number of pupils whose mother tongue is other than Swedish:	Number of pupils who receive mother tongue tuition:
2002/03	93,613	11,993	5,117
2003/04	89,514	12,722	5,637
2004/05	89,324	12,598	5,664
2005/06	88,407	12,809	5,968
2006/07	91,900	13,703	6,700
2007/08	93,390	15,715	7,141
2008/09	97,587	15,992	7,118
2009/10	100,283	17,950	7,845
2010/11	103,529	19,385	8,489

Source: www.skolverket.se

At present, the municipality has no obligation to offer mother tongue instruction in pre-school class, but as of 1.07.2011 it will be compulsory. The new Education Act (SFS 2010:800) states that the pre-school class should help to ensure that children with a mother tongue other than Swedish are given the opportunity to develop both that language and Swedish. This is the same formulation as in the actual curriculum for pre-school.

In the compulsory and upper secondary school, young people with a mother tongue or first language other than Swedish are entitled to mother tongue tuition. This instruction is regulated in the Compulsory School Ordinance (SFS 1994:1194) and the Upper Secondary School Ordinance (SFS 1992:394). According to the ordinance, the municipality is obliged to offer the student mother tongue tuition under certain circumstances. First of all, the mother tongue must be the language used daily for communication, and the student must have basic knowledge of this language. It is not enough if only the parents speak the mother tongue. Mother tongue instruction shall not include more than one language for the same student. If no suitable teacher is available or if the number of students with the same mother tongue is less than

five, the municipality is under no obligation to offer instruction in this particular language.

The syllabus covers the areas of literature, history and culture of the country of origin. The grades in this subject are considered equivalent to those in other subjects. Participation in mother tongue instruction is not compulsory for the student.

Mother tongue instruction can be organized in a variety of ways: as a student option, language option or as a school option. It can take place in or outside the regular timetable. If students study their mother tongue outside the regular timetable, they have no right to do so for more than seven years during their time in the public school system. Under certain circumstances and according to their individual needs, students may be allowed to study the language for a longer period. Students who wish to study their mother tongue in the upper secondary school must have a grade in that language from year 9 of compulsory school or equivalent.

An online resource site, Tema Modersmål (Theme Mother Tongue), has been developed primarily for those working in pre-school and school education.

TABLE 34. PUPILS IN COMPULSORY SCHOOL PARTICIPATING IN MOTHER TONGUE INSTRUCTION, SCHOOL YEAR 2010/2011. TOP TEN OF LANGUAGES

	Numbers of pupils qualifying for mother tongue instruction:	Number of students participating in mother tongue instruction:	Percentage of pupils qualified for mother tongue instruction who participate:	Percentage of instruction taking place outside ordinary schedule:
Top ten				
Albanian	7,052	4,581	65.0	43.0
Arabic	33,204	22,643	68.2	53.9
Bosnian/Croatian/Serbian	14,579	7,272	49.9	56.7
English	11,262	5,444	48.3	51.0
Finnish	8,525	3,782	44.4	36.1
Persian	6,683	4,088	61.2	65.1
Polish	5,946	3,425	57.6	57.7
Somali	10,196	7,355	72.1	53.2
Spanish	10,900	5,632	51.7	61.0
Turkish	6,012	3,571	59.4	73.3
Other languages (133)	66,013	32,332	49.0	60.8
Unspecified languages	1,040	148	14.2	37.8
Total	181,412	100,273	55.3	56.6

Source: www.skolverket.se

The website hosts different mother tongue chatrooms and provides tools for communication in different languages. These chatrooms are run by mother tongue teachers at both the pre-school and school level. In February 2011 about 35 languages were covered (www.skolverket.se).

The benefits of mother tongue instruction have long been studied by academics, both in Sweden (see for instance Hill, 1995, and Hyltenstam, 2007) and abroad (see for instance Cummins, 2000), but still there is an ongoing debate about the pros and cons. Research is somewhat contradictory but, on the whole, improving and strengthening the child's mother tongue has been shown to benefit the child. However, many teachers nevertheless think that it is better to concentrate on teaching Swedish

only or primarily (see for instance Skolinspektionen, 2010).

Study guidance in the student's mother tongue

Study guidance as an activity is closely linked with mother tongue tuition, but is regulated under the heading Special Support in the Compulsory School Ordinance (SFS 1994:1194). It states that a student who requires study guidance in his/her mother tongue is entitled to this. The text about study guidance is not clear when it comes to explaining what study guidance actually means. The Swedish National Agency for Education has put together some guidelines (Skolverket, 2008a) for how to teach newcomers. Their definition of study guidance is an activity to support the student's subject learning

by using his/her mother tongue. In general the study guidance teacher translates words or explains the subject in more detail to help the student understand (Skolverket, 2008b).

It is well known that study guidance is of great importance to the student's learning, but very often the student only receives such guidance at the beginning of his/her studies and this guidance does not cover the overall demands. Students need more assistance than what is offered, according to a study conducted by The Swedish National Agency for Education (Skolverket, 2008b). When visiting schools, the researchers found that there are some problems connected to study guidance. One problem is how to organize the cooperation between the study guidance teacher and the subject teachers. Another problem is connected to the knowledge base for study guidance. The same findings were revealed when the Swedish Schools Inspectorate in 2009 conducted a quality inspection at 21 pre-schools and 21 compulsory schools in 12 different municipalities to determine how effectively pre-schools and compulsory schools worked with language and knowledge development with young people (Skolinspektionen, 2010).

Likewise, at the upper secondary level, as a newcomer the student has the right to so-called 'Study Guidance in the Mother Tongue'. This means that a support teacher may provide some extra support in the student's mother tongue. Often this support takes place in a smaller group and sometimes as individualized guidance in the student's mainstream class.

4.2.2. *Swedish as a second language*

The Compulsory School Ordinance (SFS 1994:1194) lays down that tuition (instruction) in Swedish as a second language (SSL) shall, if necessary, be arranged for students with a mother tongue other than Swedish. The head teacher decides whether this tuition will be arranged for students. The ordinance also states that instruction in SSL should be instead of Swedish as a first language. SSL can also constitute the subject Language option, Student option and/or School option. Although the head decides which students will have SSL and to what extent, the student's participation is also negotiated between the student and his/her parents.

The goal of SSL is to help students develop daily communication skills and give them the proficiency required to study their other school subjects in Swedish. The differences between Swedish as a first language and Swedish as a second language are related primarily to first versus second language acquisition. The achievement levels and proficiency requirement for SSL and Swedish as a mother tongue are the same.

The right and the opportunity to study SSL apply to both the compulsory and upper secondary school. With respect to eligibility for admission to university or other postsecondary study, both subjects (Swedish as mother tongue and SSL) are equivalent.

Although SSL and Swedish have the same legal status, there are some problems. It has been shown that SSL often has lower status among students and parents, and that the subject is often given as remedial education rather than a subject in itself. It is also a fact that SSL teachers often do not have the right qualifications.

4.2.3. *Learning outcomes*

In Table 35, pupils with a foreign background are compared with pupils with a Swedish background. When it comes to learning outcomes in grade 9 for core subjects, one can see that pupils with a foreign background achieve fewer passes than those with a Swedish background. It is also evident that children with a foreign background who have studied Swedish as a second language achieve fewer passes than those who have studied Swedish as a first language (i.e. as a core subject). This implies that Swedish as a second language is used as a means to support children with a poor knowledge of Swedish rather than being a core subject in its own right.

4.3. *Status of RASC in the educational system*

The Swedish school system does not differentiate between the different types of newcomers. This means that children with different backgrounds and those living under different conditions, but who have recently arrived in Sweden, are often taught together; it also means that children with a wide range of levels are all taught together. The organization also differs across municipalities.

TABLE 35. OVERALL NUMBER OF STUDENTS AND PROPORTION OF PUPILS FAILING TO PASS IN THE CORE SUBJECTS OF ENGLISH, MATHEMATICS AND SWEDISH/SWEDISH AS A SECOND LANGUAGE IN GRADE, DIVIDED INTO PUPILS WITH A SWEDISH BACKGROUND AND PUPILS WITH A FOREIGN BACKGROUND. ACADEMIC YEAR 2009/2010

Subject:	Pupils with foreign background*		Pupils with Swedish background**	
	Number of pupils:	Failed to pass (percentage):	Number of pupils:	Failed to pass (percentage):
English	18,518	15.7	94,221	6.3
Mathematics	18,518	16.2	94,221	4.3
Swedish	10,933	4.6	93,739	3.4
Swedish as a second language	7,585	26.4	482	30.1

* Pupils born abroad or with two parents born abroad.

** Born in Sweden (including pupils with one parent born abroad).

Source: www.skolverket.se

If a pre-school age child arrives in Sweden, he/she may attend what is called open pre-school, which is free of charge. If their parents are working or studying, the children are offered a place in an ordinary pre-school. In some larger municipalities, or municipalities with a high proportion of newly arrived children with a mother tongue other than Swedish, there are sometime special pre-schools or parts of pre-schools that focus on this group of children.

If a school-age child comes to Sweden, he/she has to attend the compulsory school. As previously mentioned, the asylum-seeking child can choose to participate or not. For this age group, the so-called introduction, transitional or preparatory class is the main organizational form of introduction for newly arrived students. In some municipalities, these students go straight into an 'ordinary' class, but with special help. If the child starts in an introduction class, he/she is usually also associated with an 'ordinary' class. This means that both the child and the parents will know from the outset which 'ordinary' class the child will be in.

The Education Act states that:

"All children and young persons shall irrespective of gender, geographic residence and social and financial circumstances have equal access to education in the national school system for children and young persons. The education shall be of equal standard within each type of school, wherever in the country it is provided." (SFS 1985:1100)

From the quotation above, we can see clearly that education for newly arrived students is intended to be of the same quality as that of other students. The guidelines from the Swedish Agency of Education (Skolverket, 2008a) also emphasize that this should be the case. However, based on reports from The Swedish Schools Inspectorate, and from research in this area, we know that this is, unfortunately, not often the case. In the introduction class, the child has lessons primarily in Swedish as a second language, Mathematics and sometimes English. These are the 'core' subjects in compulsory schools in Sweden. In addition to these subjects, students are introduced to the so-called 'fundamental values' upon which the Swedish school is based. Sometimes instruction also includes practical and artistic subjects (and as soon as possible in their ordinary class). However, seldom does it extend to other subjects, and students do not get as much

mother tongue instruction and study guidance in their mother tongue as they need (see for instance Skolverket, 2008a; Skolinspektionen, 2009, 2010). Reports from The Swedish Schools Inspectorate also show that the teaching is rarely tailored to the individual student's needs. These circumstances make it extremely difficult for these students, and especially for those who start just a few years before they have to complete the compulsory school, i.e. to reach the final goal and get their marks in the last compulsory school year (Year 9). A strategy often used is to place the student in a class below his or her age.

If the young person is under 18, he/she has the right to attend the upper secondary school. If they are older, the SFI education programme may be an alternative. Some young people have to start again at the compulsory school (if they are under 16) or go to a specific preparatory class in the upper secondary school individual programme.

The official guidelines (Skolverket, 2008) very clearly state that all education should be individually adjusted, but in reality this is not always the case. As shown above, it is often the case that all of the newly arrived children are taught in the same way, without considering their previous knowledge.

5. BEST PRACTICES DESCRIPTION AND ANALYSIS

In this section, we will focus on descriptions of best practice in education for newly arrived children as well as refugee and asylum-seeking children in Swedish schools. The section starts with a selection of previous research and recommendations on these matters. We will then present the results from a report by the Swedish Association of Local Authorities and Regions on best educational practice for newcomers at ten Swedish schools. The results of the report are presented as four points of best practice.

The Swedish National Agency for Education has formulated a set of General Recommendations for education for newcomers to be followed and implemented within the national school system. This

steering document can be viewed as best practice on a national level and is divided into six areas. The General Recommendations can also be used as a model for evaluation. The School Inspectorate has inspected and evaluated a sample of Swedish schools in the light of this set of recommendations and with a view to seeing how schools live up to these recommendations and identifying those which are fulfilling the goal of best practices when taking care of newly arrived and RASC children. This process is described in more depth later in this section. The section ends with some examples of non-governmental organizations' best practice projects and two projects based on media. We find the sample of projects interesting and think that they could be viewed as examples of best practice. The projects all exemplify the kind of work that we feel could be transferable to other countries and contexts.

5.1. Previous research and recommendations

Findings from several studies have highlighted the importance of the school's role in promoting health for migrant children. All children need a sense of security, and to feel safe they need orderly conditions; school is a place that can give them that. This is especially true if their parents have traumatic memories and lack the strength to take care of their children, and thus cannot function fully as parents. School can be a place where children feel safe and where they stay in touch with ordinary, everyday life (Ascher, Mellander & Tursunovic, 2010).

Statistical studies have shown that, compared to their native Swedish peers, immigrant pupils have, on average, weaker educational outcomes at all levels of education. These gaps are especially pronounced for pupils who were not born in Sweden, but who study alongside the second generation, that is those who are born in Sweden but whose parents were born abroad (Swedish Ministry of Education and Research, 2009). In Sweden, differences in socio-economic backgrounds and speaking a different language at home accounts for a large part of the performance gap between native and immigrant pupils (Tagmua et al., 2010). Immigrant pupils are, compared to their native peers, less likely to be eligible for a national programme of upper secondary

education. In 2007/08, 23 per cent of all pupils with an immigrant background who finished compulsory education were not qualified to continue to a national upper secondary program, compared to only nine per cent of their native peers (Swedish Ministry of Education and Research, 2009).

In the context of an OECD project, Tagmua et al. (2010) studied which policies promote successful education outcomes for pupils with an immigrant background in Sweden. They examined the question from the perspective of 'education outcomes'. The results show that Sweden has a well developed policy infrastructure and policy traditions for equity, which lay good foundations for policy action for migrant education. There is a long history of stressing the importance of immigrants acquiring the Swedish language and of providing language support. Policy also supports – through a legal framework – immigrant children in maintaining their mother tongue and culture. But such entitlements are often not fully exercised, notwithstanding the fact that these children are the intended beneficiaries. The decentralized Swedish education system allows the preschools, schools and municipalities to develop locally-tailored solutions given the specific composition of their population and the local contexts. The authors state that there is a risk that municipalities or schools with less experience may not have the capacity to respond to linguistic and cultural diversity (Tagmua et al., 2010).

Furthermore, this study shows that it is of critical importance that teachers and school leaders improve the multicultural perspective in teaching practice and school management. According to these authors: "Teacher education and training could include priority components such as formative assessment, action-research, second language acquisition, and intercultural education. Through such universal measures, not only immigrant students but also native students will benefit" (Tagmua et al., 2010, p. 8).

The authors also recommend that school leaders organize effective introduction programmes for newly arrived immigrant students. They state that:

"The priority should be to build capacity for a whole-school approach with which schools leaders can engage Swedish language teachers, mother language support teachers, subject or main classroom teachers, other school staff, parents and communities. Ensuring

learning opportunities during after-school time and summer holidays is of particular importance for low-performing immigrant as well as native students. This will require school leadership and collective efforts among teachers, parents and communities." (Tagmua et al., 2010, p. 8)

In Sweden, teachers in the big cities of Stockholm, Göteborg and Malmö may have classes with a high concentration of immigrant students. To tackle the issue of high concentration of immigrant students in certain schools, the study recommends that all relevant policies be orchestrated to make a real change:

"In the meantime, what education policy could do to alleviate negative effects of concentration on schooling outcomes is: 1) to monitor school capacity to accommodate newly arrived immigrant students and inform other policies, 2) to ensure that immigrant parents, especially with disadvantaged backgrounds, can make informed decision about school choice for their children, 3) focus on raising quality of learning environments in poorly-performing schools with a high concentration of immigrant students, and 4) creating more 'magnet schools' in the concentrated areas." (Tagmua et al. 2010, p. 8)

In a recent study (Tursunovic, 2010) of the school situation for newly arrived children in Sweden, three main results are presented. The first result is that the cooperation between the Swedish migration board, municipalities and schools must be organized in a way that minimizes stress and problems for the newly arrived children. The children need to concentrate on school work, to create new networks and to find normality in their abnormal family situation. The second result shows that the relation and dialogue between the home and school must function well. The school has to meet the parents with respect and through an open dialogue, and the general climate should be one of openness. The third result shows that the teachers' pedagogical skills and how they treat the children inside and outside school are important for the pupils' and parents' trust and confidence in the Swedish school system. The results from Tursunovic's study also show that some of the children have to wait for a place in a school for up to half a year, even though the government has requested that newly arrived

children be offered a school place one month after their arrival.

In a review of Swedish academic research on newly arrived pupils, the main organizational, relational and pedagogical conditions of their learning are discussed (Bunar, 2010). The presentation of this research is divided into three perspectives:

The first perspective is 'The social and individual perspectives', with a focus on researching the power relations between Swedes and immigrants in society and identifying formation processes amongst youth of immigrant origin. The discussion focuses on how social and individual perspectives affect the integration of minority children, those who have just been introduced into the Swedish educational system. Bunar's conclusion is that previous research tends to emphasize the problems and difficulties with education for minority children (Bunar, 2010). The majority of studies show how newly arrived pupils encounter structural obstacles in school and that the teachers' approach often focuses on problems. Moreover, in many studies, the relations between the school and the parents of these pupils are often described as problematic, even though some results show that migrant parents tend to trust the Swedish school system. Some studies call for better parental information on rights as well as obligations upon arrival to Sweden.

The second perspective in Bunar's review is 'The institutional perspective'. This perspective focuses partly on the research introduction classes or the so-called transitional or international classes, which is the main organizational form for the introduction of newly arrived students into the schools. The results from some interview studies show that newly arrived pupils disliked the system with preparation classes and described it as segregating. But on the whole, research within this field is described as limited or lacking.

The third perspective is 'The pedagogical perspective' and targets research that mainly deals with language learning and development. The primary focus is on learning Swedish as a second language and on students' native language. This perspective has dominated research on newly arrived pupils, and a large number of studies emphasize language learning processes as well as teaching students Swedish as a second language. The overall conclusion is that

mother tongue instruction has a positive effect on children's school achievements, and that the schools should offer migrant students more of this kind of instruction.

Bunar's (2010, p. 6) main observation is that:

"...the Swedish research is scarce and theoretically and methodologically underdeveloped, which makes it difficult to draw any certain conclusions on 'what works'. Furthermore, the majority of studies have illuminated various problems when it comes to school integration of newly arrived students and the students of immigrant origin more generally. Few studies are interdisciplinary, although many academic disciplines are represented in the research, and there are no studies attempting to compare Sweden with other countries. Generally speaking the Swedish research does not help us very much to understand the learning conditions for this group of students."

5.2. Best practice according to a report from the Swedish Association of Local Authorities and Regions

The Swedish Association of Local Authorities and Regions (SALAR) represents the governmental, professional and employer-related interests of Sweden's 290 municipalities and twenty county councils. In 2010, SALAR produced a report on best practices in education for newly arrived pupils (for refugee and asylum-seeking children and other immigrant children). They based their information on ten Swedish municipalities. The results provide examples and present success factors which have contributed to good results for newcomers within the educational system:

1. The organization of education for newcomers

The report described introduction, transitional or preparatory classes as effective provided that they are well organized. In the introduction classes, the needs of the pupil can be observed and this can lead to earlier inclusion in the school and in society. The results show that it is important for the pupil to be moved to an ordinary class as soon as possible and with the minimum of disruption. To

this end, continuous assessment of a pupils' level of knowledge are important.

2. Mother tongue and study guidance

The municipalities in the study work to actively to incorporate mother tongue education and describe it as important. They refer to research showing that pupils with a good knowledge of their mother tongue achieve better results in all other school subjects. There is a shortage of teachers in mother tongue education, and some schools successfully use online (Internet-based) resources to provide this kind of instruction. Another key to success is well-developed study guidance in the pupils' mother tongue. There is a developing potential when it comes to mother tongue education and study guidance, for example with further technical resources and distance learning.

3. The political process

Swedish schools are governed by the municipal political system. The political process consists of setting goals, evaluating practice and the allocation of resources. The state has declared goals concerning knowledge, which include setting standards of attainment for all pupils in Sweden, and this applies to newly arrived pupils as well. Local goals can contribute to the development of school activities that help pupils achieve these goals. The results in the report show that it is important to have high expectations of the newly arrived pupils and to believe in their abilities. It is also important to evaluate the level of knowledge (attainment levels), to make the pupils visible and to frequently discuss their results and visit the classes. There is a need for extra resources for newly arrived pupils during their first time in school, so they can join the ordinary classes as soon as possible. The results from the SALAR study show that the extra resources the state gives to the municipalities for newcomer education are insufficient.

4. Cooperation outside the school

The municipalities in the study stress the importance of cooperation within and between municipalities for a holistic view of the pupils' situations. The pupils must be in focus, and it is important to clarify what other influential institutions and the key people around the pupils with whom the schools can start

networking. The results show that it is important to cooperate with parents and, in some cases, other family members and to provide extra support for pupils who need it, even during the summer holidays. Additionally, there must be cooperation between the schools and other administrative authorities, companies and researchers, to get inspiration for developing new ideas and solutions concerning newly arrived pupils' education.

5.3. General recommendations concerning education for newcomers

The Swedish National Agency for Education has formulated recommendations for school integration such as guidelines concerning education for newcomers (The Swedish National Agency for Education, 2007/2008). These recommendations offer support in determining how school statutes (laws, ordinances and regulations) can be applied. A general recommendation derives from one or more statutes. It specifies the actions that can or should be taken and aims at influencing the development in a certain direction, thus promoting uniform application of the law. Thus, the recommendations must be followed unless the municipality and the schools can show that education is being carried out in such a way as to achieve the requirements specified by the regulations. These general recommendations concern the work involved in receiving newly arrived children and youth in the 9-year compulsory, upper secondary and special schools. They are aimed at responsible school authorities, officials in charge and school staff. The recommendations are also meant to guide pre-school classes, leisure/recreation centres and the independent schools which admit newly arrived pupils. These recommendations can be viewed as representing best practices on a national level and are divided into six different areas:

1. Reception

The municipality should:

- have guidelines for how newly arrived pupils are to be received;
- ensure that these guidelines are known to the school staff;

- see to it that information on how to enrol in the school is readily available to pupils and their parents or guardians.

The schools should:

- have routines for how pupils are to be received,
- create good relations based on trust with the pupil's parents or guardian as soon as possible.

2. Introduction

The municipality should:

- work to develop collaboration between different concerned parties in the immediate social context.

The school should:

- have established the contents of the school introduction;
- have set routines for introducing newly arrived pupils to the class;
- provide the pupil and his/her parents or guardians with information about the school's fundamental values, goals and working methods.

3. Individual planning

The school should:

- map out the pupil's reading and writing abilities and knowledge of his/her mother tongue as well as Swedish and other languages;
- map out the pupil's knowledge level in different subjects in terms of concepts, understanding and problem-solving abilities;
- have routines with regard to how and by whom such assessments should be carried out and documented;
- carry out assessment continuously by means of recurrent structured dialogues with the pupil and, to the extent possible, his/her parents or guardians;
- consider the respective advantages and disadvantages of teaching the pupil in a class or a special group;
- be prepared to change the organization.

4. The instruction

The municipality should:

- make an inventory of the need for and supply of mother tongue teachers and teachers of Swedish as a second language;
- coordinate resources between schools in the municipality as required.

It is important that the school:

- organise instruction on the basis of each newly arrived pupil's needs and prerequisites;
- start out from the pupil's abilities, interests and strengths;
- capitalize on and further develop the pupil's knowledge of different subjects;
- apply working methods that unite language development and learning of subject contents;
- have a clearly defined division of responsibilities regarding instruction of the individual pupil.

5. Follow-up and evaluation

The municipality should:

- evaluate the effects of the local municipal guidelines;
- follow up on the extent to which the need for mother tongue teachers and teachers of Swedish as a second language has been met in the municipality.

The school should:

- assess the degree to which newly arrived pupils' needs for mother tongue instruction, study guidance and instruction in Swedish as a second language have been satisfied;
- regularly review its routines for pupil reception and introduction;
- evaluate the effects of placement for each individual pupil.

6. Professional development

The municipality should:

- identify the needs of and coordinate professional development for staff members responsible for instruction.

The school should:

- analyse the staff's need for professional development;

- assess different personnel groups' need for special professional development.

5.4. The School Inspectorate's evaluation

The general recommendations proclaimed by the National Agency for Education form a steering document, but they can also be used as a model for evaluation. In 2009, the School Inspectorate evaluated whether the Swedish schools followed these recommendations. The evaluation was of 34 schools within 14 municipalities⁴.

The School Inspectorate is a central agency responsible for the supervision of pre-school activities, the welfare of schoolchildren, schools management and adult education. The School Inspectorate ensures that local authorities and independent schools follow existing laws and regulations. The aim of the School Inspectorate is to ensure the equal right of all children to a good education in a safe environment, where everyone can achieve their maximum potential and achieve at least a pass in all school subjects.

The results from the evaluation show that most of the pupils feel safe in school and like being there, but the results also show shortcomings in all levels of education for newly arrived pupils. For example:

- newly arrived pupils do not always get the education they have a right to;
- introduction classes are often physically segregated from the 'main' classes; pupils feel segregated and have few Swedish friends;
- instead of the head teacher, a 'driving spirit' often has responsibility for the newcomers' education, such as a particular teacher or a person with another occupation;
- it is often the case that the newcomer's prior knowledge is not assessed, so all newly arrived pupils are put in the same introduction class, without an individual study plan;
- often pupils do not receive any study guidance in their first language;
- school staff does not receive special training to allow them to meet these pupils' needs (The Schools Inspectorate, 2009:a).

The evaluation shows the extent of the positive effort to implement the general recommendations from the National Agency of Education in several Swedish schools.

5.4.1. *The example of two schools in Bollnäs*

In the School Inspectorate's evaluation a number of schools are presented as good examples, for instance the work done in the city of Bollnäs, a municipality with 26,000 inhabitants in central Sweden. Two schools, Nyhamreskolan and Gärdesskolan, are evaluated very positively because their work in newcomers' education is satisfactory and because they wisely follow the general recommendations given by the National Agency for Education (The Schools Inspectorate, 2009a).

Firstly, Bollnäs has a pronounced ambition for newly arrived pupils to be included in the regular education system. They have well-developed and clear guidelines for the reception and introduction of newly arrived pupils in the municipality and at the schools. The guidelines are firmly established at the schools and among the staff. Secondly, the people interviewed in this municipality and at the schools there talk positively and respectfully about the newly arrived pupils as a resource. Thirdly, the schools have a substantial plan for integrating newcomers into ordinary education. They have developed routines for tracking pupils' reading and writing skills, and assessing competency in the mother tongue as well as in other subjects. The organization is flexible and the teachers educate the newly arrived pupils in different group constellations, adjusted to the pupils' prior education and knowledge, age and needs.

According to the plan made up by the schools, every newly arrived pupil belongs to an 'ordinary' class. Therefore, they have some lessons together with this class from the very beginning, such as training aimed at psychosocial wellbeing, drawing and cooking lessons. At the outset, other lessons are located to the introduction class, but just for a short period. As soon as the pupils have achieved basic knowledge of a subject, they move to the ordinary class. Often they are integrated into

⁴ After contact with Anna Davis, Elisabeth Ritchey and Helena Olivestam Torold at the Schools Inspectorate.

ordinary lessons after only two or three weeks. The staff at these two schools has stressed the importance of good relations with the parents, and they encourage parents to participate in school for the first two weeks, in order to increase pupils' feelings of security and also for the parents to gain an understanding and knowledge of the Swedish school system. According to the results from the evaluation, the pupils report that they feel welcome in the society, safe, secure and respected, and that they like the school and have Swedish friends (The Schools Inspectorate, 2009b).

5.5. Examples of best practices within the municipal school system

Many examples of 'best practice schools' working on integrating migrant children are mentioned in different documents and evaluations produced by national school authorities, and these cases are often discussed among researchers and in the media, for example schools in the multicultural suburbs in the big cities of Stockholm, Göteborg and Malmö.⁵ Most of these models for schooling are adjusted to suit all migrant children. The examples we present here are of instruction that has been specially adapted to RASC.

5.5.1. Example: Involvement of RASC parents in the educational integration of their children

In several of the documents studied for this report, a holistic model for integration of RASC and late arrivals has been advocated and has also been developed in different forms in some municipalities in Sweden. Here, we will present one example from Göteborg. The model has been developed within a municipal resource centre (Resursenheten för introduktion av nyanlända barn- RIB). It is called the Gunnared project.

The holistic model takes its point of departure from a holistic perspective of the child's introduction into

school. It considers the child's and his/her family's competences, knowledge and needs and how they are interrelated. A holistic school introduction includes taking measures within education as well as health and leisure time and is structured in close cooperation with the family.

The holistic model consists of two steps:

1. Reception in school.
2. Introduction into education.

In Gunnared, there is a kind of introduction centre for newcomers which are situated in a suburb of Göteborg. Here the child will stay with his/her closest family (or relatives) for three to eight weeks. The main purpose is to find out as much as possible about the newly arrived pupil's prerequisites and needs before he/she enters the Swedish compulsory school. By the same token, the family receives support in normalizing everyday life for the child.

In this centre, the family's background and present living conditions are also mapped out. This includes the child's competences and knowledge and the potential of the family to support the child's schooling. In addition, the child's health is checked. This mapping process is carried out through observations and interviews in normal everyday situations between family members. The results are the basis for planning the next step, which is an introduction to education.

An individual development plan is worked out, which considers the child's needs as a newly arrived pupil. The introduction to education prepares the child for ordinary schooling and is based on the child's strongest language and/or through considerable remedial education. Emphasis is placed on developing an understanding of the child's previous knowledge and competences. The aim is also to introduce the child to various study techniques as well as to present the fundamental values of the school, as formulated in the curriculum. The goal is that, after completing the introduction process, the child shall be included in ordinary schooling characterized by an individualized, intercultural and holistic perspective.

⁵ A somewhat similar programme has been developed at a school in Norrköping (a middle-sized city). On the Swedish National Agency for Education website, this school (Tamburinen) is presented as an example of best practice in the field of education for newcomers (Skolverket.se/sb/d/3285/a/19811). The school is described as a good example, as it really tries to map out newly arrived children's previous knowledge as a part of everyday education and the teachers then proceed to adjust their lessons to the children's level of knowledge.

5.6. Projects focusing on empowerment and psychosocial wellbeing

There are several non-governmental organizations (NGOs) working with refugees on different levels in Sweden. For example, the Swedish Red Cross works for human rights, secure policy and a better understanding of refugees, both in Sweden and internationally. The Red Cross provides support and advice to refugees in Sweden. They can also provide assistance in the asylum process, search for missing relatives and help reunite families that have been broken up because of conflicts and war. Additionally, they help refugees and migrants to integrate into Swedish society through training in the Swedish language. The same type of assistance is provided by Save the Children Sweden, although with a focus on children, for example, unaccompanied minors.

Non-governmental organizations do not usually work within the Swedish school context and in particular not with the school situation for refugee and asylum-seeking children. However, in some schools, NGOs offer children activities after the school day is over, such as assistance with homework (for example the Red Cross and Save the Children). These activities are open to all children irrespective of their social background and ethnic origin and therefore may function as an important complement to the schools in promoting inclusion and integration.

A number of different projects address issues surrounding newly arrived children in one way or another. Most of these projects are designed to prevent racism and degrading treatment of immigrants. Such projects focus on processes of inclusion and integration and include immigrant children as well as non-immigrant children. Some projects aim to create meeting places open to all children. Other projects work with the whole family or especially the parents, for example with mentors or through group discussions. There are also language projects working on the translation of schoolbooks and other important texts into different languages. One interesting project focused on narratives among African immigrant youth (for example Malmsten, 2007; Nestler, 2007; <http://www.arvsfonden.se>).

Here we will examine two examples of projects. Both are aimed at empowering refugee and asylum-seeking children and both are funded by The Swedish Inheritance Fund, which supports non-profit organizations and other voluntary associations wishing to test new ideas for developing activities for children, young people and the disabled. The Fund wants children, young people and the disabled to be able to take part in influencing developments in society. It gives financial support to projects that children, young people and the disabled take part in organizing themselves. The Fund's hope is that these projects will then serve as models and spread ideas throughout the country. Programmes must be innovative, stimulate development and lie outside the organization's ordinary sphere of activities. Organizations can sometimes also be granted support towards the cost of their premises. Financial support is particularly directed at non-profit organizations, but support can also be granted to local authorities if they cooperate with a non-profit organization (<http://www.arvsfonden.se/>).

5.6.1. Example: *Barn i väntan (BIV) & Barn i start (BIS) (Children waiting & Children starting)*

This project consists of group meetings with refugee and asylum-seeking children. It has been evaluated twice and is described as 'good practice' by the Swedish Inheritance Fund.⁶ This project⁷ is a cooperation between IM, the Swedish Organization for Individual Relief, and the Church of Sweden. The project started 2004 in Malmö and received its first three years of funding from The Swedish Inheritance Fund (Allmänna arvsfonden). Today the project has extended to other cities, for example Göteborg, Botkyrka in Stockholm, Linköping and Lund (<http://www.manniskohjalp.se>). The project in Malmö was evaluated by The Swedish Inheritance Fund in 2007 (Nestler 2007) and the project in Botkyrka by FoU-Södertörn (a research and evaluation unit) in 2010 (Bergström, 2010).

The project consists of group meetings with children. These meetings are designed according to the CAP method ('Children are people too'). All the group leaders in the project are volunteers and have training in using the CAP method. This method is

⁶ After contact with Annica Thomas at the Swedish Inheritance Fund.

⁷ After contact with Ulrika Anzén at BIS in Lund and Helene Rahm at BIV/S in Skåne.

a school-based psychosocial and educational group programme designed to address the problems of children who are exposed to familial substance abuse (see for example Buchalter, 2006). The method is a part of the Minnesota Program, which is used in work with Alcoholics Anonymous (AA) and their relatives. In the BIV and BIS projects, this method has been adapted to work with asylum-seeking and refugee children.

The method consists of group meetings with children in the age range 7-18 years from families seeking asylum (BIV) or from families recently granted residence permits (BIS). The aim is to teach children more about the asylum process and to promote their self-esteem regardless of which country they will grow up in, as well as to give them an opportunity to meet other children of the same age and with similar experiences and to further explore and understand their needs and opportunities (Bergström, 2010; Nestler, 2007). The group meetings include activities such as conversation, drama, music and art. They focus on different subjects at the meetings, for example the first subject is 'emotions and how to handle emotions', and the second is 'what happened in the home country before the family had to escape'. The experiences from the first meeting will be carried through, and form the basis for the second meeting, and so on (Nestler, 2007).

The results from the evaluation of the project in Malmö show that during the first three years of the project they had two groups with 4-9 children every half year. The groups meet once a week for 14 weeks. There are two voluntary leaders in every group and all volunteers in the project have a lot of experience of working with vulnerable children. The children and their parents receive information about the project in school, but sometimes also through the Migration Board or the child/youth psychiatry clinic (BUP). After the first year the project leaders identified a need among the parents and they started supportive meetings with parents. The results also show that the children and their parents were grateful for the project and highly valued the outcomes. The project is described as unique, as it focuses on the children's experience and not the parents'. It is described as an example of a project that constructively empowers children

with creativity and joy and that helps to prevent poor mental health (Nestler, 2007).

The results from the evaluation of the project in Botkyrka show that during the years 2007 to 2009 about 15 children participated in BIV and about 50 in BIS. However, they did have a problem with recruitment, especially in groups for asylum-seeking children. It is easier to recruit children in families who have recently been granted residence permits. The problem was connected to unclear instructions about the projects, which led to some people dropping out soon after the group had started. Participants dropping out is described as a common problem in projects like this (Bergström, 2010).

5.6.2. Example: The music project for wellbeing during the asylum-seeking process

Another project that can be viewed as an example of best practice is a music project.⁸ This project is the result of cooperation between IM, the Swedish Organization for Individual Relief and Music Teachers Without Borders. The project started in Malmö and Helsingborg and is directed at asylum-seeking children and young people waiting to hear whether or not they can stay, as well as newly arrived refugees who already have their residence permits. The main objective is to offer some joy and encouragement to children who are in a stressful and distressing situation while waiting for a residence permit. Another objective is to improve the children's and their parents' psychological well-being during the waiting period, regardless of the outcome of the asylum process. The idea is also that the children and young people can bring the music with them wherever they end up in Sweden, and if the asylum application is denied they can hopefully continue with music in their homeland. The children and young people have the opportunity to play music on an instrument twice a week, and once a week they have rhythmic, a pedagogical method for group lessons that has a playful approach to music. After a year, the children put on a concert for parents, relatives and the general public (<http://www.mtwb.org/>). About 30 children will have tuition in an instrument (transverse flute or guitar), and

⁸ After contact with Annelie Kungsman-Persson at the Migration Board in Malmö.

participate in rhythmic classes. The children get two instrumental classes and one rhythmic class every week. While the children participate in these activities, the parents and/or siblings can meet for a café activity (<http://www.manniskohjalp.se>).

The project emanates from an idea developed from a project in the slum district in Buenos Aires, Argentina. There, children with social problems and difficult life situations were offered the chance to play an instrument. The instruction took place in so-called comedores – canteens where children gather before and after school to get food and help with their homework. The children were offered lessons on how to play the violin or flute and in rhythmic. Lectures were given twice a week at each canteen, and three canteens were involved. The idea, transferred to a Swedish context, was to work with children who, for one reason or another, were excluded from ordinary life in Swedish society, for example, some refugee children living in Malmö. These children were offered flute and rhythmic lessons for a period of seven weeks. The whole project ended with a show on the Children's Scene at the Malmö Festival. The show had a circus theme and the children played, sang and danced with family, friends and the general public as their audience (<http://www.mtwb.org/>).

The music project's first year is described as a success, even though not all goals have been reached yet. The children have started to learn to play an instrument. When performing in front of an audience, they expressed pride and happiness. Few of the children have dropped out and there is a waiting list for this project. The parents' reactions to the project are so far positive, especially when they see how the children have fun and learn something at the same time. After the first year, some children have continued to play instruments at 'culture school', a municipal optional extracurricular school for music, art, etc. provided in many Swedish communities (Musikprojektet, 2010).

The main tasks for the second year (Musikprojektet, 2010):

- The most important task is still to give the children joy and encouragement in the distressing situation that awaiting a residence permit may imply and to help them find a place in a new country.

- To introduce the children to a musical instrument and to create a permanent interest in music and in playing music.
- To continue work to promote the integrative process, in the sense that the children get better contact with Swedish culture, language and adults who can be positive role models for them.
- To develop cooperation with the 'culture school' in Malmö and Helsingborg.
- The project should also get more public attention in the press and other media.

The project also has to recruit volunteers who can lead activities, such as helping with homework, or assisting parents while the children play. The project recruits children and their families through the BIV/BIS projects, but will begin recruiting cooperation with the Migration Board (Musikprojektet 2010). During the project's second year, thirty children participated in the project (11 girls and 19 boys).⁹

5.7. Projects with a focus on media

We have also chosen two examples of projects with a focus on asylum-seeking children and media. One is an information project, which began as a Swedish Migration Board initiative. The other is a European project called CHICAM, reaches refugee children in six European countries by using film, art and social media.

The United Nations Convention on the Rights of the Child declares the right of all children to understand and have an influence on their situation. If children do not understand the situation, they feel unsafe and insecure. The Migration Board has observed the lack of information compiled specifically for asylum-seeking children and acknowledged these children's need to understand the situation they are in. Although we live in a society based on giving information, most of this is directed at adults, and rarely at children (Migrationsverket, 2010).

5.7.1. Example: Project 'Directed information to asylum-seeking children'

The Swedish National Board for Youth Affairs, a state agency which works to ensure that young

⁹ After contact with Erik Lundquist at the music project.

people have access to advice and welfare, has chosen five projects as good examples. For example, at the request of the Migration Board, Malmö has conducted a pre-study on good practice regarding information for asylum-seeking children. The resulting recommendations are that:

- the target group is defined;
- the special needs of the target group are taken into consideration;
- a clear pedagogical approach is used;
- the information needs to have an explanatory and clear structure.
- if another person presents the information, he/she must receive some prior instruction (Migrationsverket, 2010).

This is a development project aimed at creating age-specific information for asylum-seeking children and young people, but also at addressing adults who play an important role in their life (e.g. caregivers). The material includes, for example, leaflets about the asylum-seeking process (one for children with a family and one for unaccompanied children) and a web portal on the website of the Swedish Migration Board. All material was released on 5.04.2011. However, the idea of taking a child's perspective by creating a children's magazine (based on a famous cartoon series and using stories developed around a popular figure and role model for young children, the friendly bear called Bamse), received much media coverage as well as attention from organizations working towards more human and liberal asylum policies. The critics claimed, for example, that some stories led to false expectations of the consequences if a family were not granted asylum but instead sent to their former home country. Clearly, one has to reconsider which strategies are appropriate when addressing young children.

One portal of the Board's website is thus aimed directly at children, and information is available in six languages. At this portal there is also a forum, where children can pose direct questions to the Board. A subsidiary goal of the project is to develop support material for adults who play an important role in the lives of these asylum-seeking children, young refugees and unaccompanied children. The latter two target groups are interconnected and dependent on each other. It is important, not least for the younger

children, that adults close to the children have access to support when talking to the children about what asylum-seeking means. The adults may be the children's parents, teachers or other persons of importance to the children, not least teachers, who encounter RASC in their daily work. Therefore, the Board has set up a site with information and guidance specifically for this target group. The aim is also to provide guidance on how to start discussions in a classroom about migration, etc., through, for example, role play. Furthermore, the information developed can serve as a relevant tool for children in general to better understand what it is like to come to Sweden as an asylum seeker/refugee (Migrationsverket, 2010; <http://www.migrationsverket.se>).

The project has links to three reference groups, the aim being to get support and anchor the work. One group consists of participants from a number of charitable organizations, such as Save the Children, the Red Cross and BRIS (Children's Rights in Society). The second group involves twelve members of the staff at the Migration Board who have relevant knowledge of and experience working with RASC. The third group, and most important in this case, is the child reference group that is examining the material and providing opinions, from a child's perspective, on the actual meaning of, for example, various words and the structure of the text (<http://www.migrationsverket.se>). In addition, the Board was also assisted by parents in developing information that they could understand and find useful (seminar arranged by the Migration Board, 5/4/11).

While working with the asylum-seeking children, several questions were raised by them, such as:

- How does the asylum-seeking process work?
- What are the criteria for getting a residence permit?
- Who are all those people around the asylum-seeking child?
- What responsibilities do the various people involved have?
- How long does it take before the Migration Board makes a decision? To get a custodian?
- Why do they take fingerprints?

In this project, the Swedish Board of Migration has tried to put the child perspective at the top of its

agenda in the hope of finding a more innovative way to reach RASC. Thus far, the Board has produced a large volume of written information, but mostly from an adult and an institutional perspective rather than considering how to reach their younger target groups. Previously, due to the lack of relevant material for children, the local authorities and others involved often designed their own solutions on an ad hoc basis, which could be confusing for the young asylum seeker if he/she had to move to other places with different local policies and rules. Therefore, there has been a need to offer this type of material on a national basis.

The process of developing such information material has been influenced and permeated by three keywords – see children, listen to children and guide children. Asylum-seeking children and unaccompanied children must know about their rights, but, of course, they must also be able to understand the information provided. To actually have the power to influence and be given a tool of empowerment not only depends on receiving information which one can understand, but also on having enough time to discuss and reflect upon things. It is also crucial to be very clear in talks with children about the aim of a talk and to highlight the possibilities they may have to influence matters of importance to them; in other words, they must be given opportunities to make their voices heard. An important remark from the Board is that written information should never replace oral communication (Seminar arranged by the Swedish Migration Board, 5/4/11).

A crucial point in this plan for the asylum process is that asylum-seeking children be able to express themselves in the way they prefer, either in writing, or by talking, drawing, or through play, etc. To actually understand children's needs and not merely look at the world from an adult or an authority's perspective, new creative ways to work with children must be found. Thus, finding ways to gain insights into how children understand the world, their daily life, etc., was a central point of departure in developing the material described above. Furthermore, children should not be regarded as a homogenous group, because they all have different experiences, stories to tell and so on, which should be considered in the asylum process (Swedish Migration Board, 5/4/11).

5.7.2. Example: Children in Communication About Migration (CHICAM)

CHICAM was an 'action research' project funded by the European Commission (Framework 5 Programme) and co-ordinated by the Centre for the Study of Children, Youth and Media at the Institute of Education, University of London. The aim was to use media production and exchange as a research tool to allow refugee and migrant children to represent their experiences of peer relations, school, family and intercultural communication through new media. In the context of increasing global migration, the rapid development of new communication technologies and concern about the specific needs of children, these research areas were chosen because they represent key areas of policy concern for Europe (www.chicam.org).

Six media clubs for refugee and migrant children (ages 10-14) were set up in six European countries. The clubs were held weekly out of school hours for a period of one year, with some extra full days during school holidays. Participants made videos and exchanged them on the Internet. In each participating country, researchers and media educators employed by the project collaborated with youth workers and teachers already working with the children. The clubs became social centres as well as a place to learn about and make media. Using the Internet, a communications network was established to facilitate sharing of the children's media productions, which in turn was intended to generate dialogues between them (www.chicam.org).

The Swedish media club was set up in a small city in a rural area. The club was located within a school and was held in collaboration with the school authorities as well as with the Culture School (Kulturskolan) within this particular municipality. The club was supplementary to the after-school centre, with a more specific focus: to encourage refugee children to tell their own stories about their lives through media productions – videos, drawings, animations and letters that were distributed via the Internet – and to exchange ideas and experiences with other children in the same situation in other parts of Europe. In this way, an internal platform (an intranet) was designed where the children could post their productions. The overall goal of

CHICAM, in a broader sense, was to empower and strengthen these children's self-confidence as citizens of Europe.

CHICAM was an innovative project and 'a model' to be adapted to schools in Europe. Through a dissemination process, the project outcomes were spread to school authorities in the EU countries. The project, however, succumbed to several 'childhood disease: since it was conducted before the era of broadband and at a time when many countries in Europe did not have computer access in schools (for instance, access to Skype was non-existent), it was difficult to develop a smooth and fast Internet network and to create simultaneous and multiple channels of communication. But the project had a great deal of potential and would probably be more successful today, when young people are more familiar with computers, social media, mobile phones, etc. The idea of CHICAM, for example, could be developed in multicultural schools in order to promote communication between refugee children in Europe and worldwide. A platform could be created where children are able to select a language for communication and use their mother tongue if they prefer to do so. In CHICAM it appeared that English became a 'working' language for the children involved, as most teenagers learn English at school.

6. AREAS IN NEED OF CHANGE AND POLICY RECOMMENDATIONS

It is most relevant, in the case of Sweden, to focus on the specific national context when discussing improvements in policies and recommendations for the integration of RASC. Although Sweden has quite a long history of migration, there are still profound problems with segregation, racism and other social problems, such as long-term unemployment, isolation and more health problems among migrants than among ethnic Swedes. Furthermore, there are more school drop-outs as well as lower grades among migrant children compared to ethnic Swedes. Thus, although there are some 'best practices' identified in the present report, there are still many measures to take and challenges for the future.

We will, in particular, rely on the recent comprehensive study (based on a number of interviews on various levels in society) by Andersson, Ascher, Björnberg and Eastmond (2010) and their recommendations concerning the reception of RASC and their families, as well as on our own observations from the present review.

6.1. The asylum-seeking process

Andersson, Ascher, Björnberg and Eastmond (2010) point out that the asylum process should be much more transparent than it is at present. This process is very complex and difficult for migrants to understand. There are a number of policies, laws and regulations to be followed, which are not always clear and easy to understand. They claim that an asylum-seeking family needs a personal adviser who can provide guidance throughout this entire process.

Furthermore, regarding unaccompanied minors, Save the Children has pointed out several shortcomings during the asylum-seeking process. There is, for example, a lack of clear rules and coordination when handling these children. Custodians sometimes lack both knowledge and engagement. Furthermore, children sometimes have to wait for three months before a custodian is found. There are also discrepancies in how different municipalities interpret the mission of handling unaccompanied minors. Save the Children claims that:

- All unaccompanied minors should have a custodian within 24 hours.
- The mission of a custodian should be defined more clearly. A national description for such a mission should be developed, as well as national criteria of eligibility, a national system for education, further education and tuition (www.raddabarnen.se).

6.2. Access to schooling and other related issues

School is of great importance to RASC, as this is a place where the child can find peace and security when the family situation is turbulent and unstable, and parents may also be suffering from poor mental health. This is why children should have access to schooling within a month of

their arrival in Sweden; this requirement has also been endorsed by the Government, as mentioned previously. However, this does not always happen and sometimes children have to wait for more than half a year before they are given access to schooling (Andersson, Ascher, Björnberg & Eastmond, 2010).

Children with no papers should also have access to schooling. A proposal in this direction is now in progress in the Parliament. At present, it is up to the local school authority in a community to decide whether school enrolment is possible for these children.

There should also be better support for parents as regards schooling, for example information about alternative schooling routes and so on should be available. The study by Andersson, Ascher, Björnberg and Eastmond (2010) clearly shows that many parents receive hardly any information about the opportunities and obligations associated with their children's schooling; it also appears to be unclear which authority is responsible for issuing this information. The authors claim that the dialogue between the school and asylum-seeking parents has to be improved.

We propose that the so-called general recommendations be implemented more carefully at a local level. Among other things, teachers should get training in how to teach newly arrived pupils, including RASC, the aim being to promote these children's education. In general, a bottom-up perspective is preferable, where asylum-seeking children's and their parents' experiences can also be considered by the schools. One should look more at these families' resources and strengths than at their weaknesses.

6.3. Teacher education – an intercultural perspective

We would welcome that teacher education in general would be informed by an intercultural perspective, since Sweden today is a multicultural society. Although official documents on schooling often advocate that intercultural perspectives should be implemented in the compulsory school, this has been more of a rhetoric argument than a reality (Eklund 2003). An increasing number of children

have a migrant background, which is, as we have seen in this report, a challenge for school and should be taken seriously. Teachers at all school levels need to be taught how to deal with diversity issues. On the whole, they should be prepared to handle language issues and have a more qualified education in teaching methods to fit the needs of migrant children.

6.4. A holistic perspective – school, parents, children and community

Tagmua et al. (2010) recommend that school leaders organize effective introduction programmes for newly arrived immigrant students. They say:

“The priority should be to build capacity for a whole-school approach with which schools leaders can engage Swedish language teachers, mother language support teachers, subject or main classroom teachers, other school staff, parents and communities. Ensuring learning opportunities during after-school time and summer holidays is of particular importance for low-performing immigrant as well as native students. This will require school leadership and collective efforts among teachers, parents and communities” (Tagmua et al., 2010, p. 8).

6.5. The missing child perspective

Some studies also point out that children's voices are not always heard in the asylum-seeking process in issues related to schooling, even if the CRC (the UN Convention on the Rights of the Child) states that this should be the case. In some communities, the child has his/her own spokesperson, for example a teacher who is used to working with children and who has the specific, official role of assisting the child during the asylum-seeking process. This kind of support can be regarded as a 'best practice'. However, this person is not always consulted in reality. When the situation for a family is complex and difficult, as it often is, the child's voice is sometimes forgotten. Our recommendation is therefore that such support be guaranteed in all cases when children are affected by the decisions taken by official authorities.

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- www.skolverket.se
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- <http://www.arvsfonden.se> (2011-03-25)
- <http://www.manniskohjalp.se> (2011-03-25)
- <http://www.migrationsverket.se> (2011-03-25)
- <http://www.mtwb.org> (2011-03-25)

LIST OF ABBREVIATIONS

AA	– Alcoholics Anonymous
BIS	– Barn i start (Children starting)
BIV	– Barn i väntan (Children waiting)
BRIS	– Barnens rätt i samhället (Children's Rights in Society).
BUP	– The child/youth psychiatry clinic
CAP-method	– 'Children are people too'- method
CHICAM	– Children in Communication about Migration
CRC	– UN Convention on the Rights of the Child
ECPAT	– End Child Prostitution, Child Pornography and Trafficking in Children for Sexual Purposes
ECRE	– European Council on Refugees and Exiles
EEA	– European Economic Area
EU	– European Union
FARR	– The Swedish Network of Asylum and Refugee Support Groups
GRACE	– Research on Asylum seeking Children in Europe
IM	– The Swedish Organization for Individual Relief
NGOs	– Non Governmental Organizations
OECD	– Organization for Economic Co-operation and Development
RASC	– Refugee and asylum seeking children
RFSL	– The Swedish Federation for Lesbian, Gay, Bisexual and Transgender Rights
RFSU	– The Swedish Association for Sexuality Education
SALAR	– The Swedish Association of Local Authorities and Regions
SFI	– Swedish for immigrants
SFS	– Svensk författningssamling (Swedish statute book)
SOU	– Sveriges offentliga utredningar (Swedish official inquiries)
SSL	– Swedish as a second language
UNHCR	– United Nations High Commissioner for Refugees
UNICEF	– The United Nations Children's Fund

2.6. COUNTRY REPORT: ESTONIA

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1. METHODOLOGICAL INTRODUCTION

In Estonia, the issue of educating refugee and asylum seeking children has been not very prominent yet as the number of representatives of the target group has been very small. Furthermore, due to the specific circumstances (climate, low GDP per capita, etc) Estonia has been a transit country for refugees and asylum-seekers rather than a target for more permanent settlement.

Methodologically, the analysis has been conducted using secondary sources – regulative documents, stating legal regulations; statistics; publications, analysing the situation of new immigrants; descriptions of several projects, targeted to improve the awareness of different stakeholders on a variety of issues relating to new immigrants, refugees and asylum seekers, and the development of services for them; the contents of relevant web-pages; earlier studies and reports compiled by different organisations. However, the information on the topic is rather limited and mainly deals with preparatory issues rather than actual practices. Desktop research has been given credibility by interviews.

The interviewed stakeholders were as follows: MaieSoll, Counsellor, Estonian Ministry of Education and Research; Leo Raidma, Principal of Illuka School and two Illuka school teachers of who had experience in teaching RASC (the opinions of principal and teachers were integrated in to a common list of answers); Ave Härsing, Coordinator, MISA, Alvi Karp; Social Counsellor, Illuka district.

Interviews were conducted by telephone and e-mail communication. Respondents were first contacted by phone and the context and aims of the interview were explained. Afterwards the questions were sent to interviewees and written responses

were requested. The results of the interviews complemented the desktop research and provided valuable information to analyse the only case which illustrates the education of RASC in Estonia.

Following the Introduction, the second section of the report provided an overview of the general background of new immigrants, refugees and asylum seekers in Estonia. A brief overview of migration procedure in Estonia is presented.

The third section of the study gives an overview of the national authorities responsible for the integration of and provision of services to new immigrants, refugees and asylum seekers. It sets forth the main stakeholder institutions, such as governmental and state authorities, non-profit organisations and international organisations and scientific bodies.

The fourth section provides an overview of the educational system and the education status of new immigrants, refugees and asylum seekers in Estonia. Since the number of asylum seeking and refugee children in Estonia is very low, the specification of vulnerable groups of RASC (e.g. children with disabilities, children with special needs, ex-child soldiers and militia workers, separated children, children victims of crime and involved with drugs, prostitution, exploitative labour or street children) is not possible. Estonian laws do not distinguish between different groups of RASC – everyone (new immigrants, refugees and asylum seekers) are treated similarly.

The fifth section discusses examples of (best) practices regarding preparatory measures of dealing with new immigrants, refugees and asylum seekers' and their children's education.

Finally, in the final section of the report, recommendations are provided with respect to the areas in need of improvement.

2. NEW IMMIGRANTS, REFUGEES AND ASYLUM SEEKERS: GENERAL BACKGROUND

Estonia is a rather small European country and an EU Member State since 01.05.2004. According to preliminary estimates the population in Estonia on 01.01.2010 was 1,340,000.

Contemporary Estonia is a multi-ethnic country where about one third of the population are non-Estonians from Russian speaking families. Estonia has become a multinational society as a result of post-war immigration from the former Soviet Union region. The number of new immigrants and especially asylum seekers is rather low. Due to its geographic location, level of economic development, small number of inhabitants and therefore rather conservative immigration policy, Estonia is not a particularly attractive destination for internal EU migration or for people from outside Europe, including refugees and asylum seekers. With respect to the application for asylum, mainly two interrelated tendencies dominate – people come to Estonia for economic reasons (i.e. for illegal employment), or they move on to other EU member states, and upon being apprehended they apply for asylum with the aim of postponing or avoiding being sent back to their countries of origin. In terms of immigration, Estonia is generally a transit country through which, as a rule, people try to reach Nordic or Mediterranean countries. However, new immigration has increased yearly

and new immigrants mostly come from Russia and Finland. As already mentioned the number of asylum seekers and refugees in Estonia is very small.

During the 1997 – 2008 period Estonia received 148 asylum applications in total. The main countries of origin are Russia – twenty-three applicants, Iraq – twenty-two applicants and Turkey – seventeen applicants.

The following table presents the numbers of asylum applicants and successful applications for the 1997 – 2007 period.

As can be observed, the number of asylum seekers increased noticeably in 2009. Most of them were from Afghanistan (nine), with the rest being from Georgia (six), Syria (five), Russia (five), Iraq (two), and the Democratic Republic of the Congo (two); two persons had no citizenship. This is due to two reasons – the number of illegal immigrants has increased and the number of persons sent back to Estonia in the framework of the Dublin Regulations has increased (Migration and Asylum Statistics Report of Estonia, 2009).

Most of the applicants have been within the age range of eighteen to thirty-four and thirty-five to sixty-four years. There have been eight applicants under eighteen years of age and there have been no applicants older than sixty-five years. The majority of asylum seekers during the years 2004 – 2009 have been men up to fifty, and there have been also eight female asylum seekers. There have been eight asylum seekers who are minors but none of

TABLE 36. ASYLUM DYNAMICS, 1997 – 2009

Year	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Number of asylum applicants	1	23	21	3	12	12	15	15	11	7	14	14	40
Asylum granted	-	-	-	4	3	2	-	-	1		4	4	4

Source: Migration and Asylum Statistics Report of Estonia 2009, Annual Policy Report, Estonia, 2009.

them have been unaccompanied minors; rather, they have arrived in Estonia together with their family members (Migration and Asylum Statistics Report of Estonia, 2008).

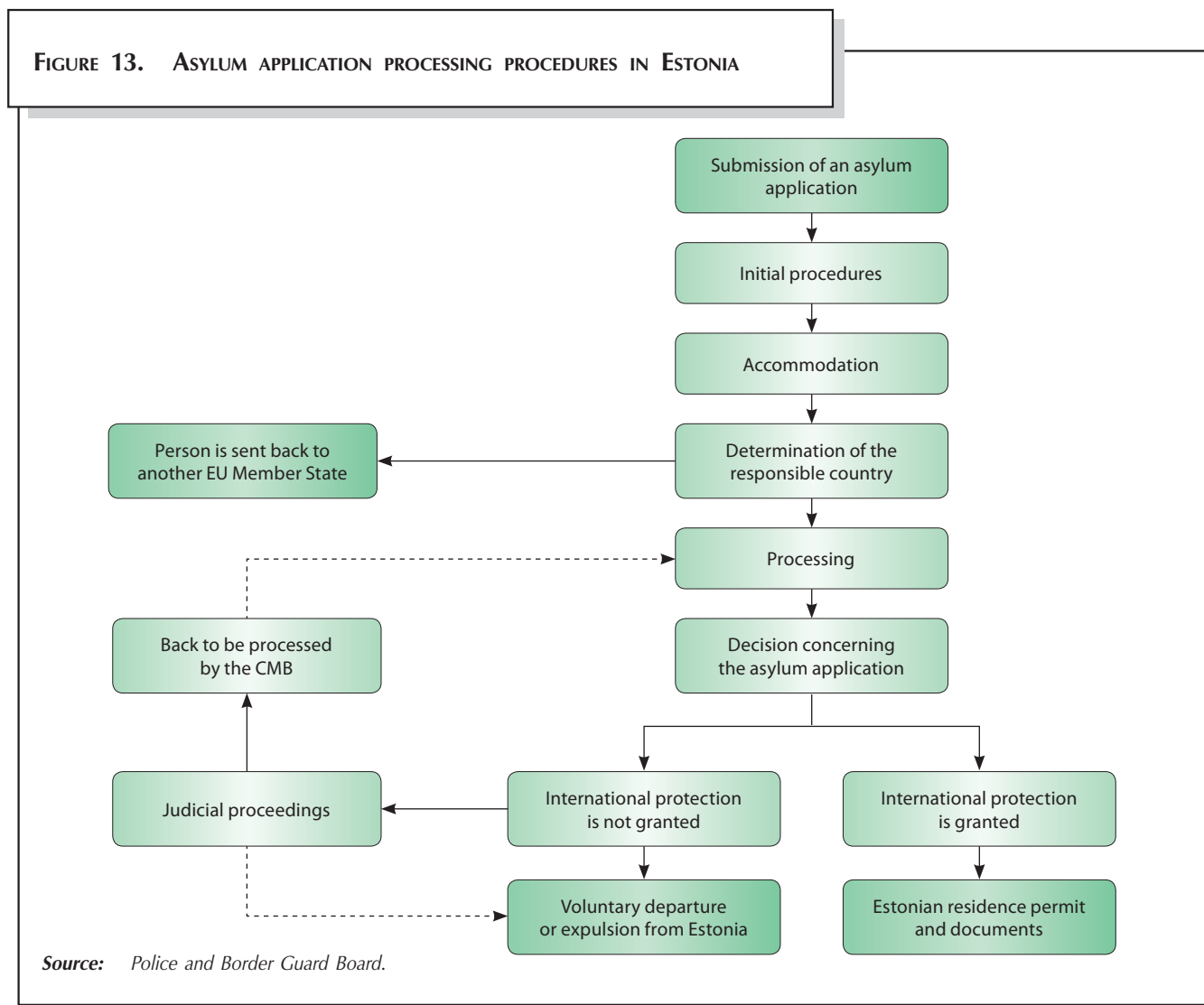
2.1. Applying for asylum in the Republic of Estonia¹

Starting from 2006, asylum policy in Estonia is governed by the Act on Granting International Protection to Aliens, which includes the principles proceeding from the 1951 Convention, as well as the requirements established by European Union directives. There are two options for submitting an application for asylum:

- 1) An application for asylum can be submitted to a border guard official at any border point along the state border of the Republic of Estonia before entering the country. This option can be used in case the alien has no valid visa travel documents, or an Estonian residence permit;
- 2) If the alien is already in Estonia, then an application for asylum can be submitted to the Refugees Department of the Police and Border Guard Board (Police and Border Guard Board).

The figure below presents the asylum application processing procedures in the country.

After receiving the application, the procedures for determining the Member State responsible for examining an asylum application are conducted



¹ The information on legal procedures and terms of application for asylum is publicly presented in the homepage of the Police and Border Guard Board. <http://www.politsei.ee/en/teenused/international-protection/applying-for-asylum/index.dot>

immediately. The contracting countries are the Member States of the European Union, Iceland, Norway and Switzerland. One of the principal aims of these procedures is to prevent an applicant from simultaneously submitting applications in multiple Member States, or to prevent an applicant from submitting a new application for asylum to a Member State B, while he/she has been refused asylum previously in Member State A. This is meant to decrease the administrative load of Member States, avoid the exploitation of the asylum system, and enhance the development of a more uniform European asylum system. If Estonia is responsible for examining an asylum application, the Police and Border Guard Board (PBGB) will initiate substantive proceedings. The substantive proceedings last for a maximum of six months. Each application for asylum is reviewed individually and impartially. When reaching a decision, the situation related to human rights in the applicant's country of origin, his/her explanations related to persecution and other circumstances related to the application, are taken into account (Police and Border Guard Board).

An applicant has the right to receive information concerning his or her rights and duties related to the asylum proceedings in a language which he or she understands, to be in contact with the Office of the United Nations High Commissioner for Refugees and have a representative present at the asylum proceedings, except during the provision of explanations or the performance of other procedural acts which, arising from their nature, must be carried out personally appeal to the courts if his or her rights and freedoms are violated (Police and Border Guard Board).

An applicant is required to:

- observe the constitutional order of Estonia and to comply with the legislation of Estonia;
- personally co-operate in every way in the clarification of the circumstances of the application for asylum;
- submit a standard format application for asylum on the demand of a border guard official or an official of the Citizenship and Migration Board;
- provide government agencies involved in the proceedings with oral and written information and explanations;
- submit all information and documents and other evidence, in his or her possession, which

are relevant to the proceedings relating to the application for asylum;

- enable the examination of his or her personal effects and his or her person; agree to the performance of acts related to any expertise assessment and accept the deposit of documents and personal effects;
- co-operate in obtaining documents as evidence of the circumstances presented in the application for asylum;
- agree to the performance of a medical examination;
- allow the performance of fingerprinting;
- co-operate in the collection of information needed for the identification of his or her person, and for verification purposes;
- comply with the surveillance measures applied to him/her;
- appear at the Citizenship and Migration Board for performance of procedural acts.

After reviewing applications the PBGB is competent to make four types of decisions: 1) grant refugee status; 2) grant subsidiary protection; 3) refuse to grant international protection; 4) reject an application for asylum (Police and Border Guard Board).

If the PBGB determines that applicant meets the conditions established for refugee status or subsidiary protection they will be granted a residence permit in Estonia: three years for refugees; and one year for persons enjoying subsidiary protection. Both permits can be extended respectively, if necessary. Applicant can also be granted subsidiary protection if, for humanitarian or out of some other considerations he/she cannot be sent back to the country of origin. (<http://www.asylumlaw.org>)

In Estonia, the establishment of additional protection status (e.g. protection on humanitarian grounds) has not been discussed. Due to the very low number of asylum seekers, the Estonian authorities currently do not see the need for additional types of protection (The Practices in Estonia Concerning the Granting of Non-EU Harmonised Protection Statuses, 2009).

Generally, Estonia has had very limited experience in dealing with new immigrants, especially with refugees and asylum seekers. Since the number of applicants has been small, Estonia has not yet had practical experience with various groups of refugees and asylum seekers.

3. INSTITUTIONAL SET-UP, LEGAL AND POLICY FRAMEWORK

The regaining of independence in 1991 conditioned the need to define the citizens of the Republic of Estonia. As a first step the Supreme Council of the Republic of Estonia restored the 1938 Citizenship Act on 26.02.1992, with reference to the fact that in 1940 the Soviet Union annexed the Republic of Estonia. The biggest migration flows to Estonia originate from the Soviet period and the definition and documentation of the Estonian population became the main task of the new country in the 1990s.

The division of the Estonian population into Estonian citizens and aliens immediately led to the need for a new law that would define the legal status of the aliens living in Estonia. The legal basis of the aliens' residence in Estonia as well as their employment rights were defined in the Aliens Act, which entered into force in 1993.

The first developments in the field of asylum took place in 1997 when the Refugees Act entered into force (it was later replaced by the Granting Aliens International Protection Act) and Estonia joined the UN 1951 Status of Refugee Convention and the Protocol relating to the Status of Refugee from 31.01.1967. Furthermore, different structural units were established for dealing with asylum seekers – the Refugees Bureau was created at the Citizenship and Migration Board, which later was turned into the Refugees Department. The Ministry of Social Affairs became involved in accommodating asylum seekers and the Illuka Reception Centre for Asylum Seekers was created. Migration and asylum policy was first and foremost developed by the Ministry of the Interior, which is the ministry with the largest administrative capacity in Estonia. Migration-related laws and regulations are mainly implemented by the Police and Border Guard Board (PBGB), which is involved in processing applications of all aliens (including asylum seekers, persons staying in the country illegally as well as applicants for residence permits) and citizens of the EU.

Although the decision-making capacity (for example granting a residence permit, approval of the visa

invitation etc) lies with the PBGB, the Board cooperates very efficiently with the Ministry of the Interior, Security Police and Ministry of Foreign Affairs. Furthermore, the third sector plays a certain role by supporting the implementation of migration and asylum policies (i.e. the Estonian Migration Foundation supports aliens (including asylum seekers) upon their return to their country of origin).

Starting from 2006, asylum policy in Estonia is regulated by the Act on Granting International Protection to Aliens which contains both principles proceeding from the above-mentioned convention and requirements proceeding from EU directives.

3.1. Legal system and policies

Estonian policies are rather dependant on international law, especially EU law. The main international legal acts influencing the migration issues in Estonia are: the UN Convention on the Rights of Child, 1989 (came into force in Estonia 20.11.1991), the Convention for the Protection of Human Rights and Fundamental Freedoms, 1950 (came into force in Estonia 16.04.1996), the 1951 Geneva Convention Relating to the Status of Refugees and the 1967 New York protocol (convention came into force in Estonia 09.07.1997 and the protocol 10.04.1997). (The Organisation of Asylum and Migration Policies in Estonia, 2008).

In most cases, Estonia has a rather well developed legal system which is well adapted for resolving immigration-related issues (The Organisation of Asylum and Migration Policies in Estonia, 2008).

The most important national legal acts regulating the migration issues in Estonia are:

- the Aliens Act, which regulates the arrival, stay, living conditions and work in Estonia of citizens of a third countries and is the basis for an alien's legal liability;
- the Citizen of European Union Act, which sets forth the conditions for the stay and residence in Estonia of a citizen of the EU and his or her family members;
- the Granting Aliens International Protection Act, which regulates the basis for granting an alien international protection, the legal status of an alien and the basis for his or her stay in Estonia

- on the basis of foreign agreements and legal acts of the EU;
- the Citizenship Act, which regulates the procedure for receipt and reinstatement of Estonian citizenship and the release from Estonian citizenship;
 - the Obligation to Leave and Prohibition on Entry Act, which establishes the basis for implementing the obligation to leave Estonia for aliens and the prohibition on entry to Estonia and the procedure of transit through Estonia of aliens;
 - the State Borders Act, which establishes the definition of the Estonian state border, the determination and marking of the location of the state border, the border regime and the liability for the violation of the border regime and illegal crossing of the state border;
 - the Identity Documents Act, which establishes the document obligation and regulates issuing of identity documents by the Republic of Estonia to the Estonian citizens and aliens.

3.2. Institutions and organisations

The Estonian migration and asylum policies are developed by the Ministry of the Interior, which implements them through its administrative institutions. There are also other organisations established to handle immigration issues, including issues relating to refugees and asylum seekers. The main public institutions involved – ministries and agencies, each having specific responsibilities – cooperate by following standardised procedures in order to guarantee the fulfilment of legal responsibilities. The public institutions involved cooperate mainly on the basis of specific needs or requests.

The Police and Border Guard Board develops and coordinates the implementation of the state's citizenship, migration, asylum, border control and border guarding as well as immigration policies. Furthermore, they analyse and plan the prevention of illegal immigration and employment and develop and implement Estonia's visa policy in cooperation with the Ministry of Foreign Affairs.

The Ministry of Social Affairs observes and is responsible for the development of the country's social policies. The Welfare Department of the Ministry has a leading role in formulating social

policy, in the field of asylum among others. The tasks of the Welfare Department of the Ministry include the preparation of the legal acts concerning asylum seekers and receivers of international protection, coordinating the work of the Illuka Reception Centre for Asylum Seekers, and supporting the centre in housing those granted international protection in local municipalities. The Welfare Department is also the contact point for unaccompanied minors and trafficked children of the Baltic Council.

The Illuka Reception Centre for Asylum Seekers is a state authority managed by the Ministry of Social Affairs that organises the reception of asylum seekers and of receivers of temporary protection, as well as the provision of services necessary for them during the asylum procedures.

The Ministry of Foreign Affairs has the task of developing the country's foreign. In the context of this work it is important to mention the Consular Department within the Ministry, which organises the communication between Estonia's foreign representations and the PBGB in the issuing of identity documents, and residence and work permits for persons staying legally in Estonia. Furthermore, it organises the expulsion of persons staying in Estonia illegally, participates in developing Estonia's visa policy, and coordinates the issuance of Estonian visas at foreign representations, monitoring the legality of visa procedures.

The Minister of Population and Ethnic Affairs has previously the task of developing and carrying out population, integration and citizenship policies, including responsibility for integration issues, such as the implementation of the 2008 – 2013 Estonian Integration Plan. Now the responsibilities have been taken over by the Integration and Migration Foundation Our people.

The Ministry of Justice has as its main task the planning and implementation of the state's legal and criminal policies. The Ministry of Justice is the coordinator of the development plan for the fight against trafficking in human beings.

Estonian Statistics is a state authority in the administration of the Ministry of Finance, the task of which is to collect and publish the national statistics, including migration statistics (The Organisation of Asylum and Migration Policies in Estonia).

3.3. Non-governmental and international organisations in Estonia

The non-governmental and international institutions in Estonia that are involved in supporting new immigrants, refugees and asylum seekers are:

The International Organization for Migration (IOM) is the most important inter-governmental organisation dealing with migration issues whose activities are aimed at promoting migration legislation and technical cooperation. IOM offers various migration services and consultations in many countries. Estonia was an IOM observing member from 1998 till 2004, when it joined the organisation as a full member. From the year 2001 there has been a branch office of IOM in Tallinn which is directly subject to the regional IOM representation in the Baltic countries and Scandinavia.

The Integration and Migration Foundation Our People (MISA) is a legal entity governed by private law whose main purpose is to support migration and integration processes and to raise funds so as to undertake these tasks. On 01.01.2010, the Integration Foundation merged with the Estonian Migration Foundation, which had been founded on 10.06.1992. The joint institution now bears the name of Integration and Migration Foundation Our People. MISA is an independent body with the Ministry of the Interior appointed as the executor of the right of the founder. MISA helps in migration issues the returnees to Estonia as well as those who leave, it carries out migration studies and organises migration information events. The MISA is also the contact point of the European Migration Network in Estonia.

The Ida-Virumaa Integration Centre – its daily work involves counselling, consultations and reception of the people of Ida-Virumaa on issues related to human rights, population minority problems and integration. With the help of the European Refugee Fund and the Ministry of the Interior the centre is carrying out a project whose aim is to

increase awareness regarding asylum seekers and persons receiving international protection among the residents of Ida-Virumaa until the end of 2011.

The Legal Information Centre for Human Rights is a legal entity governed by private law founded in 1994. The main aim of the Centre is to disseminate expertise on and the culture of human rights in Estonian society, and to facilitate constructive discussion with regard to human rights problems in the Republic of Estonia as well as at the international level.

The following NGOs operate on a project basis with respect to migration, asylum, human rights and integration issues: the Jaan Tõnisson Institute, the Johannes Mihkelson Centre, the Civil Training Centre, and the Estonian Institute of Human Rights. The third sector organisations involved in asylum seeker problems are joined under the Chamber of Estonian Refugee Associations, the aim of which is to discuss asylum and refugee issues, formulate positions, and initiate cooperation in this area (The Organisation of Asylum and Migration Policies in Estonia).

In 2008 the Estonian Migration Foundation and the European Migration Network produced a substantial study entitled *The Organisation of Asylum and Migration Policies in Estonia*, which gives an excellent overview of the organisations currently involved in migration and asylum issues in the country, their structure, and the activities and procedures carried out by them (The Organisation of Asylum and Migration Policies in Estonia).

It can be concluded that the institutional set-up – legislation, organisations (public and private) and procedures for their cooperation, as well arrival processes for refugees and asylum seekers has been well prepared and seems to be satisfactory in the current situation. For a rather short time, the legislation and organisational structure to cope with the growing share of new immigrants has improved considerably. However, dealing with growing numbers of immigrants in the future will certainly still present challenges.

4. OVERVIEW OF THE EDUCATION SYSTEM AND THE EDUCATION STATUS OF NEW IMMIGRANTS, REFUGEES AND ASYLUM SEEKERS IN ESTONIA

4.1. Overview of the Estonian educational system

The Estonian Education system consists of the following main levels according to the international ISCED ninety-seven classification:

Pre-school – between the ages of three to seven, attendance is voluntary.

Primary and lower secondary school – compulsory schooling begins at the age of seven and continues until the conclusion of the nine-year basic education, or until the age of seventeen. Compulsory schooling is divided into the primary level (primary school classes one four) and secondary level (classes five to nine).

Upper secondary education – the duration of upper secondary education is for three years (classes ten to twelve) and is also state funded. Although the state-determined curriculum is compulsory for all schools, schools are permitted to offer optional subjects and extended teaching within the compulsory subjects. Upper secondary education concludes with five examinations, three of these being state examinations. Students receive two qualification certificates (one school certificate and one state certificate), which jointly constitute a higher education entrance entitlement. Universities conduct additional entrance examinations. There are also Russian speaking schools at which some of the teaching takes place in Estonian. The proportion of the teaching conducted in Estonian is currently being increased in order to afford students greater opportunities, Estonian being the teaching language at universities and in vocational education and training.

Vocational education and training – vocational training takes place at vocational schools, which are predominantly state run (no dual system

is in operation). Since 1996, the Ministry of education has contained a separate department for VET, which determines the political guidelines, stipulates rules and certifies private educational institutions. The ministries or local authorities are responsible for outlining curricula. The main focus of vocational education and training is the acquisition of occupational competences and practical experience.

Vocational education and training may be pursued by both school leavers of lower secondary schools and by those who have completed upper secondary education. There are two different training levels:

- Vocational secondary education: after the conclusion of lower secondary school, lasting for three years, a final certificate provides the entitlement to proceed to higher vocational education and training.
- Higher vocational education and training: for pupils who have an upper secondary school leaving certificate, training lasts for only two years and is acknowledged by the award of a certificate in higher vocational education and training.

The final certificates awarded by the vocational schools certify that a certain programme has been pursued at a certain level within a certain school rather than in itself representing a formal qualification.

Higher education – higher education courses of study may conclude with a degree or be pursued via a foundation course of study comprising three levels. It is possible to complete a Bachelor's degree, a Master's degree and a doctorate. Since the higher education reform of 2002/2003, achievements have been evaluated via the ECTS. The fact that Estonian curricula are in line with international standards means that these higher education degrees are also recognised abroad. Higher education courses of study are possible at universities or universities for applied sciences. The latter are more practically oriented. The qualifications they award are equivalent to a Bachelor's degree and provide the entitlement to embark upon a further graduate course of study at a university (<http://www.hanse-parlament.eu>).

The school system of Estonia consists of Estonian-language and Russian-language public schools where

subjects are taught in the respective languages. There is also small number of private schools where in some cases parts of the education program is carried out in other foreign languages.

4.2. Access to education

Concerning immigrants' education, generally, all legal regulations in education are applicable to them. The right to education is equally guaranteed for all residents, regardless of ethnic, religious or citizenship background. Basic education (one to nine grades) is comprehensive and obligatory for all those residing in Estonia.

Estonian schools are obligated to accept and educate all residents. This does include new immigrants – children of all EU citizens and non EU citizens – workers, asylum seekers, refugees, migrants – who wish to start their studies in Estonian schools and who have resided in Estonia for more than three years (*Promotion of the education of the children of migrant workers* (2006), Integration and Migration Foundation Our People).

According to the interview with Ave Härsing, Coordinator at MISA, approximately 15 per cent of local governments a 40 per cent of schools in Estonia have had some experiences with new immigrant children (this does not include children of asylum seekers and refugees). Currently, there are approximately fifty-five educational institutions in Estonia that are teaching children of new immigrants. The only experience teaching RASC comes from Illuka school and is considered under the best practices section of this report.

Asylum seekers and refugees are first directed to the Asylum and Refugee Reception Centre, where they are informed by the local authorities about the educational possibilities for RASC. In the case, they get temporary residence permission so that they can move to another locality. However, local governments have to ensure that every child residing on the territory of a local government can have access to education. Meeting the specific needs (language learning, or other kind of support) of a student is the responsibility of schools. New immigrants may not know Estonian and may also not arrive at the beginning of the school year, but in the middle of a semester. In that case,

schools would be facing a problem in that neither the child nor his/her parents may speak Estonian or other commonly used language that could be utilised to communicate between schools, children and their parents.

For immigrant students some specific terms can be applied, if necessary: complementary study of Estonian language for four hours in a week, simplified curricula (like no demand for study of second language or the second language can also be the mother tongue), simplified terms for national tests, appointment of assistant teachers, who should help to socialise into the school culture and some others. However, as school's conditions can considerably vary between local governments, also the possibilities to meet specific needs can be different. The above-mentioned tools are applicable for all categories of immigrant children, including for RASC. From local governments' point of view, however, things can seem more problematic. In small localities, resources are much more limited and local governments have problems with providing the necessary translation services, assistant teachers, specific teaching materials, training for teachers, etc. (interview with the Illuka local government representative). Additionally, as the number of RASC is very small and children come from different language contexts, the school has to mediate between different languages, and apply individualised curricula in each case (interview with the principal and teachers from the Illuka basic school).

There are no special educational conditions for unaccompanied minors, girls, RASC without any school certificates proving level of schooling, RASC who have been victims of crimes or other minority groups. There are also no specific social programs aimed at children of asylum seekers and refugees who attend school. The same conditions and legislation applies to all immigrant children.

The main problem concerning the education of new immigrants, refugees and asylum seekers is the language barrier – the Estonian curriculum is not prepared to accommodate foreign language speaking children (*Promotion of the education of the children of migrant workers* (2006), Integration and Migration Foundation Our People).

Next to the common problem of lack of resources (money for necessary school supplies, etc.) the

most common problems with foreign (this includes children of immigrants, refugees and asylum seekers) children are:

- 1) kindergartens and schools lack experience with teaching children of new immigrants;
- 2) kindergartens and schools do not register possible issues (language, communication, preparation of teachers) of teaching foreign (this includes children of new immigrants, refugees and asylum seekers) children before the first child arrives;
- 3) even though specific teacher training programs for in-service teachers have been introduced in big universities in Tallinn and Tartu, teacher education does not include systematic preparation for teaching children of new immigrants, refugees and asylum seekers (<http://old.meis.ee>).

Preparatory work, however, has been done to give new immigrants, refugees and asylum seekers a better overview of Estonian education system and of their possibilities of receiving education.

In 2006 the Integration and Migration Foundation published a booklet entitled *Promotion of the education of the children of migrant workers*. The booklet describes the educational system in Estonia and was issued in Estonian, English and Russian. It provides a brief overview of the country's system of education, enrolment conditions, study formats, etc. The goal was to facilitate an improved understanding of the Estonian educational system among newly arrived immigrant parents interested in learning about various educational options for their children. Starting from 2008, the new 2008 – 2013 Integration Strategy has been implemented. However, the new programme is quite similar to the previous one and it does not go much further beyond language training. At the same time, the integration strategy fails to take into consideration the needs of those immigrants that come from countries other than the former USSR republics and have different cultural backgrounds (*Promotion of the education of the children of migrant workers* (2006), Integration and Migration Organisation Our People).

By the legal regulations, all acts and measures targeting minority and immigrant children apply to RASC as well – such as the right to free additional Estonian courses for four hours per week for the duration of three years, the opportunity to decline additional foreign language studies, the opportunity

to study in their native language, the right to an individualised curriculum, and the right to assistance from a psychologist and speech therapist.

The country's main experience up to the present time has been with the teaching of children of new immigrants, who generally come from better social and financial conditions (Russia, Finland etc). Until now, they have been considered the main target group of educational integration, disregarding refugees and asylum seekers specifically.

5. GOOD PRACTICES DESCRIPTION AND ANALYSIS

Since Estonia has very little experience with children of refugees and asylum seekers, this section **first**, introduces a variety of preparatory measures, projects, and initiatives which have been carried out for the wider public, civil servants and other stakeholders concerned with refugee and asylum seeker legal status acquisition and support provision. The activities have been addressed to increase awareness and raise the capacity of agents. **Secondly**, it describes the situation in the only case Estonian school where refugee and asylum seeking children are enrolled (i.e. the Illuka school).

5.1. Awareness raising and capacity building (preparatory measures)

There is a wide variety of (mainly project-based) activities initiated and carried out by various agencies in order to address the problems of new immigrants, and more specifically of asylum seekers and refugees. These activities can be divided into more general ones targeting information dissemination, awareness raising and capacity building, and more specific one focusing on educational issues related to the target group.

5.2. General issues, activities and projects

The project entitled *Addressing the Problems of New Immigrants in Estonia and the Baltic States* was designed

to address the issues related to the group of so called “visible migrants” or “new immigrants”, arriving after 1991, especially from Africa, Asia, the Middle East, etc. (Legal Information Centre for Human Rights, 2008 – 2010). The project is run in close partnership with the AFROLAT Association from Latvia (www.afrolat.lv) and the Centre for Ethnic Studies at the Institute for Social Research in Lithuania (www.ces.lt). All these organisations have expertise in interethnic affairs and experience in research and analysis as well as activities aiming to support immigrant communities in their respective countries.

The project has addressed a variety of problems related to the fact that this specific group of immigrants is extremely vulnerable and is often subjected to intolerant behaviour, and is excluded from existing integration programmes. It is also obvious that to its small numbers this group has very limited scope for speaking out and identifying their problems, needs and proposals for improvements. During the project several activities were undertaken which could contribute to awareness raising in society and improve services for new immigrants, such as: monitoring and analysis of the vulnerability of and access to social services (access to health, housing, education), of immigrant groups on-line consultation, including legal advice for new immigrants public debate about integration and the observance of fundamental rights of immigrants conference to discuss issues related to migrant rights, equal treatment, as well as best practices from other countries and the EU requirements (www.epim.info).

IOM Tallinn is carrying out (in 2011) a joint project entitled **Public Awareness Raising on the Notion of Asylum and Migration: Refugees? Who? Why?** with the UN High Commissioner for Refugees (UNHCR) in Stockholm, and in close cooperation with other relevant stakeholders, in order to raise awareness among Estonians regarding asylum and migration issues. The focus of the project is to increase the common knowledge of the terminology and strengthen overall tolerance towards refugees and other newcomers. The project aims to raise awareness among Estonian youth, teachers and the general public on migration and asylum issues. The main project has incorporated activities like: awareness raising among youth through information sessions and other interactive tools; capacity building and awareness raising of teachers through workshops and the “Not Just Numbers” toolkit;

information campaigns targeted at the general public; the “Me and refugee?”; competition for young people inviting youngsters to share thoughts on the topic of immigration and asylum seeking; translating the web based game *Against All Odds* into Estonian teacher trainings on the subjects of migration, shelter issues, and human rights; talking about refugees and asylum seekers in class; and workshops for watching and analysing study films regarding refugees and asylum seekers, etc. These activities take place in the framework of the project and are co-funded by European Refugee Fund and the Ministry of Interior (www.teretere.eu).

Additionally, there are also several projects initiated by the Ministry of Interior and carried out by various NGOs and public organisations which have as their goal improving the infrastructure for new immigration, and raising public awareness specifically regarding issues related to refugees and asylum seekers. Reviews of these publications are presented below.

- 1) **Providing legal help for refugees and asylum seekers** (2004, Human Rights Centre). During the project individual consultations were given to twenty individuals, and six persons were represented in court. In addition, useful information for refugees and asylum seekers was published in Estonian, English, Russian, Turkish and Dari. The project was carried out by the Human Rights Centre.
- 2) **Creation of asylum seekers’ registration centre** (Citizenship and Migration Board, 2005). As a result the following facilities were built: a reception office, facilitation rooms, interview rooms and an office for the Citizenship and Migration Board.
- 3) **Minimum requirements to receive, protect and educate asylum seekers in Estonia** (MINAS-I) (IOM Tallinn, 2006). The project goal was to increase the competency of clerks and organisations involved in the asylum granting process. The following actions were taken: introduction of Finnish and Swedish practices regarding mass immigration, training of clerks of Estonian employment services, and compilation of training material for Police and Border Guard Board employees. The project was continued in 2006 as MINAS II project.
- 4) **Readiness for receiving refugees** (Government Office, 2006). The goal of the project was

to enhance the refugee related expertise of government officials. A two-day seminar was conducted and 3,000 brochures were published based on training materials.

- 5) **Using video conference translation in the asylum granting process** (2007, Police and Boarder Guard). The project goal was to increase the efficiency of the process of asylum granting by using video conference equipment.
- 6) **Integrating persons with international protection into Estonian Society** (MTÜ JaanTõnisson Institute, 2008). The project goal was to approach persons who need international protection individually. The situation of the target group was mapped and analysed and expert opinions were sought. Based on interviews and expert opinions, the Institute published training materials in Estonian, French, Arabic, Turkish, Russian and English entitled "Rights and Responsibilities of persons with international protection".
- 7) **Developing and implementing support services for refugees** (MTÜ Johannes Centre, 2008).

The project goal was to increase the readiness for receiving and integrating refugees and asylum seekers into Estonian society. The Centre compiled a training course for mentors and conducted a ninety-six-hour training programme and two-month practical training for mentors. (www.jti.ee).

5.3. Specific, educational issues met by different projects and publications

The initiatives addressing the issues that concern the integration of refugees and asylum seekers can be treated in the wider context – as part of the issues related to the integration of the immigrant population in general. In one way or another, the problem of the host country language should be addressed as it is the key determining factor of adjustment and equal access to education. In Estonia, there is also the good practice of second language teaching for children from non-Estonian families in the framework of the **national programme of language immersion**. The language immersion programme was initially designed for Russian speaking children from "old" immigrant families in order to support their integration into Estonian society by improving language proficiency in Estonian. Language immersion is considered as

one of the most effective methods of bilingual learning. It involves a systematic approach, uniformity of methodology and a tried and tested theoretical basis – and these are also its greatest strengths. In Estonia, over the past ten years, an extensive language immersion programme has been implemented for different categories of pupils in general education: late immersion (starting from sixth grade), early immersion (from third grade), and immersion programme in nursery schools. As of 2010, more than thirty nursery schools and thirty schools in twelve local government areas had implemented the system. Around 4,500 pupils and 650 teachers were involved in the programme in the 2009 – 2010 academic year. The language immersion programme is run by the Integration and Migration Foundation Our People and is financed by the Ministry of Education and Research. The programme involves special training for teachers, arranging language immersion classes at schools participating in the programme, as well as special teaching methods and study materials (www.meis.ee). The monitoring of the late language immersion programme has provided evidence that the programme is quite effective from the viewpoint of the acquisition of Estonian as a second language and as supporting the integration of children into the society (Sau-Ek et al, 2010). In principle, the experience gained through the language immersion programs can support newly arrived immigrant children's language learning and adaptation.

A group of project-based activities can be pointed out, which are intended to support the learning and teaching of the immigrant population (although not specifically asylum seeker and refugee children). As part of **vocational school study programmes**, between 2008 and 2010 a series of professional language curricula and study kits were produced for vocational education institutions which were meant to boost students' ability to pass their professional examinations and start working in Estonian-language working environments. Study programmes were developed for ten specific fields, with each programme covering professional language requirements and the minimum required vocabulary, and including a full curriculum and evaluation guidelines. The study kits comprise a training video for professional communication studies, an interactive and paper-based textbook and workbook, and an electronic teacher's guide. A collection of materials on Estonian language and

culture was created which supports the integration of vocational education students with native languages other than Estonian into Estonian society through the methodical teaching of contemporary language and culture. The collection includes a video and a handbook. The sample lessons on the video demonstrate different methods of active learning. The handbook provides explanations about the methods used and includes additional exercises and worksheets for students (www.meis.ee).

Another project – **In-service training for teachers of Estonian as a second language** – was carried out by the Integration and Migration Foundation Our People between November 2008 and December 2010. In-service training was designed for teachers of Estonian as a second language in general education and vocational education schools. This gave teachers a chance to enrich their teaching strategies using active learning methods, as well as to learn more about best practices in the teaching of Estonian as a second language. Teachers obtain an overview of the European framework document on language learning and European principles in the field. The in-service training course is the equivalent of 3 CP (120 hours). The courses were held between November 2008 and December 2010. They began with topics and issues of importance to teachers nowadays. The aim was to introduce teachers of Estonian as a second language (working in general and vocational schools as supporters of learning in the language environment) to methods of teaching students within the classroom, and to present them with methods of active learning and ways in which they can motivate their students (Integration and Migration Foundation, 2007).

The **“New immigrants in Estonian educational institutions”** study was conducted by MISA in 2007 in order to evaluate the readiness of local governments and educational institutions to receive RASC. In the view of those who participated in the study, 50 per cent of county governments and 44 per cent of local governments were well or satisfactorily prepared for dealing with the children of new immigrants (Uusimmigrandid Eesti haridusasutustes, 2007). As a consequence of the study, a training program for local government officials and school leaders was compiled and a handbook was published. The handbook consists of collection of articles and publications and is entitled **“Hand in hand. Collection of articles”** (2007).

“Hand in hand” is one of the publications whose aim is to provide an overview of the asylum system in Estonia and RASC education in other European countries. The following topics are covered in the handbook:

- 1) Refugee related terms – these terms are often derived from International terminology. Equivalents to these terms do exist in Estonian, but are not always used. This is especially common in formal documents and legal acts, but international terms are also being used in journalism and in everyday language. This has led to a situation it is hardly possible to reconcile international terminology and Estonian term usage. A section provides a list of Estonian terms and the corresponding international equivalents and encourages the use of Estonian terms in both formal and informal documents and articles;
- 2) Historical overview laws and policies aimed at refugees and asylum seekers in Estonia since regaining independence in 1992;
- 3) Overview of the asylum application system, as well as of refugees’ and asylum seekers’ rights and responsibilities;
- 4) List of requirements and suggestions for those coming into contact with refugees and asylum seekers;
- 5) Practical advice on how to treat, understand and communicate with traumatised persons;
- 6) Overview of world religions and practical advice for communicating with persons from different religious backgrounds;
- 7) Guidelines for understanding and communicating with people of different cultural backgrounds and for avoiding cultural misunderstandings;
- 8) Language teaching materials for kindergartens, schools, and adults.

The **“New Immigrant children and Estonian education: Educational policy principles and educational administration”** Publication, issued by the Estonian Ministry of Education and Research in 2004, gives an overview of international and Estonian legal acts and provides an overview of general measures and developments in the educational-administrative treatment of new immigrant children. The document defines the children of new immigrants as “children of migrants arriving from EU member states and children of migrants, asylum seekers and refugees arriving from countries other than EU member states, who want to begin their studies in Estonian

school system and who are living in the country at least three years".² The publication is aimed at governmental and educational institutions that are stakeholders with respect to the teaching of new immigrant children. The document provides a rather brief overview of the roles of the various stakeholders, such as ministries, local governments and schools.

Summarising the variety of **awareness and capacity rising** initiatives (mainly development projects and publications), a lot has already been accomplished and significant information resources have been developed, including on topics such as the policy and legal aspects of dealing with new immigrants, intercultural education, mapping the current situation, and the development of services, trainings and consultations.

It is hard to determine whether this can be considered as a best practice in the European context. Most European countries have considerably longer and wider experience in educating RASC than Estonia. In the Estonian context, the stakeholders can benefit from the above mentioned projects and publications as Estonia still needs to improve its preparedness for both county and local governments and schools, especially staff expertise and skills. Local and county governments lack competent staff, while schools suffer from a deficit of teaching resources as well as a lack of adequate funding.³ This means that the preparatory work has probably not been systematic enough and that the stakeholders who have immediate responsibilities in the field – local governments, schools, and teachers – may still lack training and other resources.

5.4. Teaching refugee and asylum seeking children at the Illuka School

Since the time Estonia regained independence, only five refugee or asylum seeking children have temporarily studied at Estonian schools. They all have studied at the same Illuka school, which is a small school in the countryside providing education at the basic level (grades one to nine). The Illuka school is located near the Illuka Reception Centre

for asylum seekers. This proximity is the reason why the school has had practical experience in teaching children of asylum seekers and refugees.

Since 2006 there have been five RASC at the Illuka school:

- 2006 – 2007 two children from Afghanistan (from the same family), who studied in the school for two and a half months
- 2008 – 2009 one child from Belarus who studied for four months
- 2009 – 2010 one child from Georgia who studied for a whole year
- 2009 – 2010 one child from Afghanistan who studied for two months

When the first student arrived, the Ministry of Education and Research designed special training courses to support teachers. The training included an overview of relevant legislation as well as of best practices from other countries, and language immersion techniques.

The training program consisted of the following parts:

- Additional training for teachers who teach Estonian as a first language for twenty-five teachers, 2006;
- Additional training for primary teachers or twenty-five teachers, 2007;
- New immigrant children in Estonian educational system for thirty educational employees and school leaders, 2007
- Additional training for teachers of Estonian and Russian schools for fifty teachers, 2009;
- Training for educational clerks, pre-school teachers and teachers for fifty educational clerks, 2009;
- Additional training for teachers teaching new immigrant children for fifty teachers, 2010.

Trainings were financed by Estonian Ministry of Education and research and EU programs (for example the European Fund for the Integration of Third-Country Nationals).

The Illuka school has approached the teaching of each child individually, based on their age, language

² New Immigrant children and Estonian education: Educational policy principles and educational administration, p. 3.

³ Uusimmigrandid Eestiharidusastustes, 2007.

skills and personal preferences. The Illuka school prepared individual curricula for all these children. Children were taught Estonian and they attended classes with other children their age. Their studies at the Illuka school however remained short because they only lived in Estonia for a short while, and then they moved on to other countries.

For example the girl from Belarus studied with first-graders and followed their curriculum. She attended school every day for four months. When needed, the teacher communicated with her in Russian.

The children from Afghanistan studied with third-graders in 2006/2007 and followed their curriculum, attending mostly language and art classes. They attended school on some days of the week and their father was present with them. The father communicated with the teachers in English.

A boy from Georgia studied with seventh-graders and followed their curriculum in 2009/2010, also attending English and Russian classes with eighth grade students. A boy from Afghanistan wished to attend classes with him, in spite of being older.

The main problem that the school encountered was the problem of communicating with children who did not speak Russian or English. There were no problems with pupils' adaptation. Other students accepted children of foreign origin and relations with classmates and other children were good. There were no problems with communicating with parents, language-wise.

In case of questions or problems, the school could always contact their local government or the Ministry of Education. There are, however, no special social programmes aimed at RASC in Illuka because the children only stay and study there for a short period of time. According to the school principal, applying for additional resources from the Ministry is a rather long and complicated process and the school decided not to apply. Teachers had to look for and provide all study materials. Some teaching materials were provided by the Integration and Migration Foundation but teachers had to find most of them on their own.

In general, the school did a very good job teaching the five children. It is a very positive outcome that the school approached each student on an

individual basis and taught every child as well as they could, given the existing resources and constraints. On the other hand, the school could probably have benefited from more efficient assistance from the local government and the Ministry. The interviews with the school teachers and principal revealed that the communication between various stakeholders (the Ministry of Education and Research, local government and the school) should have been more effective and more efficient in order to clarify their specific roles and responsibilities. Also, applying for additional resources for teaching RASC remains a long and complicated process and it was easier for the school to use its limited existing resources than seek new sources of funding. This means additional work for teachers who have to search and compile teaching materials themselves.

Even in Illuka's case, the experience of teaching RASC is very limited. Children were taught for very short periods of time and usually moved on to other countries. By the time new children arrive, the experience of teaching previous children may be forgotten – school staff and local government officials may have changed and their knowledge and know-how may have disappeared with them.

The case of Illuka – representing the only experience of RASC educational integration in Estonia – is rather limited in scope; however, it has touched upon many aspects of education: curriculum, teaching methods, financing of auxiliary services, teaching materials etc. It also indicated that despite the rather satisfactory preparation at the state level, there are still interrelated problems at the local level and in the real situations.

To summarise the (best) practices, it can be said that some preparations have been made in order to receive and educate new immigrants, refugees and asylum seekers. Because the target group number remains small, the issue remains underestimated and preparatory activities have mostly been project based. In reality local governments and schools may not feel ready to receive and teach RASC because local government officials and teachers have not received the necessary training and additional resources (teaching support, counselling, additional study materials, translation providers) are scarce and difficult and time consuming to apply for.

6. AREAS IN NEED OF CHANGE

Estonian society and Estonian schools have so far had little contact and experiences with asylum seekers and refugees and their children. There are foreign language speaking students learning in Estonian schools, but mostly, they are from former Soviet countries, being second- or third-generation immigrants, and/or originating from countries that are culturally rather close to Estonia (e.g. Finland). Because of almost non-existent experience, teachers and officials may feel insecure working with refugees, especially those coming from Asian or African countries.

Some preparatory work has been completed with the goal of being better prepared for new immigrants and asylum seekers and of meeting the new challenges related to it. The main preparatory activities have included: building up the institutional framework (legal, organisational) and infrastructure, raising awareness with actors at different level, disseminating information on the legal status of asylum seekers and conditions to obtain asylum, raising awareness on cultural differences and distant cultures, and providing help and support. A number of preparatory activities have been conducted in the educational sector as well. The attention has been paid mainly on preparation and training (including language training) of public servants, local governments, teachers and education officials.

Although there have been quite a lot of projects and various activities addressing the issue, it is hard to identify any strategic and/or long term policy direction(s) concerning new immigrants, including refugees, asylum seekers and especially their education. As the majority of activities have been carried out in the framework of rather short-term projects, the sustainability and long-term effects of preparatory activities may remain rather low.

The projects and initiatives described above have mainly addressed the issues relating to new immigrants, and some of them more specifically to asylum seekers. Initiatives addressing the needs of children and focusing on the education of refugees and asylum seekers have been rather rare.

It seems that underconditions of very low flows of asylum seekers and their children the preparatory

activities, like **awareness-rising** with respect to the legal and cultural aspects of asylum should continue; at the same time, the peculiarities of schooling for children of asylum seekers and refugees should be stressed considerably more than it has been done so far. Since the number of asylum seekers and refugees remains so low, they are yet not a prominent issue for society and the government. Especially because of this, it is harder to meet the needs of the few arriving asylum seekers and refugees. It can be said that legislation has been prepared, but the practical measures still needs improvements.

The **international experience, especially culturally applicable best practices, should be available** to educational authorities, schools, teachers, and local governments. Moreover, modern second language teaching methods and techniques should be introduced to teachers more widely.

The issues of new immigrants and specifically of RASC education should become part of the **systematic preparation of all teachers**. Moreover, as the Illuka case has demonstrated, the problems arising from schools' and teacher's practical work with RASC, such as obtaining additional resources, the availability of specialised textbooks, study materials and teaching methods, are probably the most serious challenges for the coming years.

Local governments officials also need specific training and additional resources for specific services for RASC (translation, materials, introducing to RASC and their families the stakeholder institutions, local culture, etc) to manage their problems.

Most importantly, the communication and collaboration between institutions (school, local government, ministries) involved in RASC education should be improved and become more flexible and less time-consuming. The procedures for applying for additional resources in the cases where the RASC on the territory of a local government should also be streamlined so that funds can become available more quickly and easily, thus aiding the educational integration of refugee and asylum-seeking children.

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LIST OF ABBREVIATIONS

AFROLAT	– Afrolatviskā Assotsiatsiooni
ECTS	– European Credit Transfer and Accumulation System
EU	– European Union
IOM	– The International Organization for Migration
ISCED	– International Standard Classification of Education
LICHR	– Legal Info Centre for Human Rights
MINAS	– Minimum requirements to receive, protect and educate asylum seekers (Project title)
MISA	– Integration and Migration Foundation Our People
MTÜ (NGO)	– Mittetulundusühing (Non Governmental Organisation)
PBGB	– Police and Border Guard Board
RASC	– Refugee and Asylum Seeking Children
UN	– United Nations
VET	– Vocational Education and Training

2.7. COUNTRY REPORT: GREECE

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1. METHODOLOGICAL INTRODUCTION

This study forms part of the project “Integrating Refugee and Asylum-seeking children into the Educational Systems of EU Member States: Evaluation and Promotion of Current Best Practices.” In line with the project’s specifications, it seeks to describe the situation and policies, the available statistics and significance of the movements and trends concerned. Most of all, the study’s objective is the identification and promotion of good practices and lessons learnt, as a way of contributing towards the improvement of practice and encouraging and facilitating the steps that need to be taken for this improvement to become possible.

A combination of research methods deemed appropriate for the analysis of the educational integration of RASC in Greece is employed in the study. Several factors determined by peculiarities of the Greek situation informed this choice, including:

- Greece’s geographical position. Situated at the crossroad of three continents – Europe, Africa and Asia – Greece geographically constitutes part of the external borders of the EU. The country is one of the main gateways to the Union for the increasing numbers of people in search for jobs, a better way of life or international protection.
- In recent years, Greece has been experiencing tremendous pressure from the influx of third country nationals, attempting in most cases, to relocate to other countries in the European Union. Major socio-economic and political upheavals in Asia and Africa have triggered these movements.¹ Current uprisings in North Africa

and in the Middle East are expected to further compound the pressures. At the same time, under the Dublin II Regulation, undocumented migrants found anywhere in Europe must be returned to their initial point of entry likely to be Greece. This has sparked a wider debate on the responsibility sharing responsibilities within the EU. Naturally, the debate has centred on Greece where the government, supported by UNHCR, has initiated an overhaul of its asylum system, even in the face of current economic challenges.

- Most of the influx was shared between Greece, Italy and Spain until 2007. The bilateral agreements, however, between Italy and Libya (which also benefit Malta), and between the governments of Spain, Morocco, Senegal and Mauritania, have largely closed down the western and central Mediterranean routes into the EU. Greece’s attempts to negotiate a similar agreement with Turkey have stalled.² Greece and Cyprus have become the sole gateways to the EU as a result. Nonetheless, UN assessments suggest that the current political turmoil in Libya may trigger a wave of asylum seekers fleeing into Europe. On 08.03.2011, there were already more than 1,000 undocumented migrants from neighbouring Tunisia, who had landed on the Italian island of Lampedusa. Muammar Gaddafi was recorded as saying that Europe would be ‘invaded by thousands of immigrants’ if he was toppled from power.³ It is plausible to assume that the ‘spill-over’ effect will eventually cover not only Italy but also Malta, Greece and Cyprus in relatively equal measures. Greece is currently increasing its sea and land border patrols in response to fears that the escalating crisis in Libya could trigger massive waves of undocumented migrants into Europe.⁴

¹ Ministry of Citizens’ Protection, 2010: 4.

² http://www.economist.com/node/16847278?story_id=16847278

³ *Metro*, Tuesday, 8 March 2011, p. 5.

⁴ <http://www.earthtimes.org/articles/news/369926.guard-mission-greece-permanent.html>, 02 March 2011 (accessed: 18.03.2011)

- In the 1990s, the Ministry of Interior was the main source of refugee and asylum-seeking data published in the OECD Annual Reports on Migration. More recent data is to be found in the Greek Action Plan on Migration Management (main data source: Hellenic Police Headquarters, Directorate of Foreigners (Aliens),⁵ Asylum Department). UNHCR Reports are another source of official data on lodged asylum applications (main data source: Greek government data).
- Greece's current uncertain and turbulent economic and political situation has had a profound impact on the response of state institutions regarding requests for data and research assistance.

Taking into consideration these factors, the present study utilises a combination of primarily qualitative data supplemented by quantitative data derived from small-scale surveys and official statistics, including:

- Collection and analysis of secondary statistical data on the numbers of asylum seekers and their main countries of origin; estimates on unaccompanied minors are also included;
- Collection and analysis of related laws and regulations (national, international and European);
- Collection and analysis of institutional reports and relevant studies, including media articles on refugees' and asylum seekers' integration;
- Collection of new empirical data through in-depth, semi-structured interviews with key stakeholders in relevant government institutions. Extended interviews were conducted with representatives of the following institutions: the Greek/Ministry of Labour and Social Security/Minister of Labour and Social Security (three interviews); Greek/Ministry of Education and Religion (two interviews); Greek/Ministry of Health and Welfare (one interview); the Multicultural School in Agios Dimitrios in Athens (two interviews); Greek Council for Refugees (one interview).

2. REFUGEES AND ASYLUM SEEKERS: GENERAL BACKGROUND

In the last two decades, Greece ended about a century-long cycle of emigration and repatriation and has entered a new era of net immigration,

attracting increasing flows of mainly undocumented migrants and asylum seekers. According to 2001 Census data, the number of foreign born individuals in Greece was 762,191, comprising approximately 7 per cent of the Greek population. It is estimated that the actual number of migrants exceeds one million, representing as much as 10 per cent of the population.⁶

In the 1970s, the first non-European refugees started to arrive in the country. Some 3,000 persons came from the Lebanon in 1976, followed later by small numbers of Vietnamese 'boat people.' In the 1980s, Greece turned into a transit, destination or both for asylum-seekers and refugees from across the Middle East.⁷

In December 1991, some 61,500 foreigners in Greece had either applied for political asylum or had been classified as refugees. A third (20,729) was in receipt of work permits.⁸ In the mid to late 1990s, there was a dramatic increase in asylum applications, mainly by Iraqi citizens. It was not known, however, if these were Iraqi Kurds fleeing persecution or Iraqis fleeing economic hardship and political persecution as defined in broader terms. In 1997 the Greek government granted asylum to only 130 of the almost 2,500 cases examined (a recognition rate of some 5 per cent). Those accepted for humanitarian reasons amounted to further 4 per cent. Greece has been perceived by refugees as a stepping stone to other European destinations. Between 1980 and 1997, some 6,200 individuals were granted asylum in Greece.⁹ However, recent UNHCR statistics suggest that many of them have since left the country. As of January 2010, according to UNCHR statistics, there were just 1,695 refugees in Greece, 48,201 asylum seekers and another 260 stateless persons.¹⁰ The acceptance rate in Greece dropped dramatically in the first decade of the new millennium, amounting to less than 1 per cent (Table 37). In 2005 the government granted asylum to only 39 of the 9,050 applicants (an acceptance

⁵ The author objects the use of term 'aliens' as one containing racist connotations and adopts the use of 'foreigners' instead.

⁶ Zografakis *et al.*, 2006.

⁷ Papantoniou *et al.*, 1996: 41.

⁸ OECD, 1998.

⁹ OECD, 1998.

¹⁰ <http://www.unhcr.org/cgi-bin/texis/vtx/page?page=49e48e726>

rate of 0.4 per cent.) The corresponding figures in the subsequent years were 0.5 per cent in 2006, 0.6 per cent in 2007 and for the first half of 2010 – 0.4 per cent. Those who were granted humanitarian protection in 2005 and 2006 added another 1 per cent each year to the number of people accepted for international protection, while in 2007 – the share dropped to 0.3 per cent and in the first half of 2010, it doubled to some 0.6 per cent. The Government explains the low acceptance rate with the fact that many applications for asylum are submitted by foreigners from ‘safe countries’ while those fleeing persecution do not lodge their asylum applications in Greece and wait to move to another country in Northern Europe before submitting an application. It should be noted that the statistics do not distinguish as a separate group applications lodged by unaccompanied minors. However, in 2006, 165 unaccompanied minors were estimated to have applied for asylum. The figure dropped to 44 in the following year and rose to 295 in 2008.¹¹ Despite efforts, particularly by non-governmental organisations, the number of asylum applications by unaccompanied minors remains low compared to the number of arrests of unaccompanied minors.¹²

With regards to statistical data on unaccompanied minors in Greece, the absence of centralised statistics at national level renders any precise estimate impossible. In August 2009, an UNHCR document cited a figure of 2,648 unaccompanied minors in the country, based on statistics provided by the Greek coastguards.¹³ A few months later, UNHCR estimated that the corresponding figure of unaccompanied minors was around 6,000.¹⁴ The main groups of unaccompanied minors who applied for asylum in the period 2006 – 2008, were from Afghanistan (25 per cent), Iraq (12.5 per cent), Pakistan (12.5 per cent) and Bangladesh (12.5 per cent).¹⁵

In recent years Pakistan, Georgia and Bangladesh have also at certain points of time been the main

country source for adult asylum applicants in Greece (Table 38).

A large number of applications for international protection are lodged by people attempting to enter Greece without permission. Most come through the Greek – Turkish porous borders. Frontex operations at the Greek side of the border have caused significant reductions in the numbers of clandestine entries into Greece from Turkey. Some 14,217 arrests were made by the police and port authorities at the Greek-Turkish sea border in the first seven months of 2009, while in 2010 the corresponding figure was only 3,712. However, for experts and journalists in the field, the reduction in numbers does not mean that the problem of illegal entries into Greece has been resolved. Neither does it mean that the economic or political conditions in the countries of Asia, Africa or the Middle East have improved so that there were fewer people so desperate as to be ready to risk their lives to get to Europe. It may only mean that pressure on the Greek borders have shifted the traffic to other entry points. As a response to the Frontex surveillance of Greek sea shores, covert entries have been channelled through the Greek-Turkish ‘green zone’ at Alexandroupoli and Orestiada. While in July 2010, only 279 people attempted to enter Greece illegally by sea, the corresponding figure at the land border with Turkey rose dramatically to 4,486. “Turkish authorities continue to turn a ‘blind eye,” a journalist from “Kathimerini” newspaper Maria Delithanasi wrote on 25.08.2010. She gave an example from the border region of Nea Vissa, where there were no Turkish soldiers patrolling, at a time when the people of Frontex at the Greek side of the border had intercepted Iraqi, Iranian and Syrian citizens. They were returned to Turkey to be returned to Greece shortly on the basis that their home country diplomatic missions in Turkey could not identify them as their citizens.¹⁶

¹¹ UNHCR (2008) and Eurostat database (cited in i-RED, France terre d’asile and Consiglio Italiano per I Rifugiati (2010: 18-19).

¹² Ministry of Citizen Protection (2010: 18).

¹³ “UNHCR (2009) UNHCR alarmed by detention of unaccompanied children in Lesbos, Greece”, 28th August 2009 (<http://www.unhcr.org/print/4a97cb719.html>).

¹⁴ UNHCR (2009a) Observations on Greece as a country of asylum, December 2009, p. 12 (<http://www.unhcr.org/refworld/docid/4b4b3fc82.html>).

¹⁵ i-RED, France terre d’asile and Consiglio Italiano per I Rifugiati (2010: 18).

¹⁶ Delithanasi (2010: 3).

According to the Frontex risk analysis for 2009, of the 106,200 people detected trying to cross illegally into the European Union in 2009, almost three-quarters were stopped in Greece (Figure 14). Early data for 2010 suggested that, although absolute numbers were falling, Greece's share had risen further, to about 80 per cent of the EU total, up from 50 per cent three years earlier.¹⁷ On 02.03.2011, in an effort to reduce the number of unauthorised entries,¹⁸ the EU announced that its border guard mission to Greece would remain permanently at the country's north-eastern border with Turkey.

3. INSTITUTIONAL SET-UP, LEGAL AND POLICY FRAMEWORK

3.1. National level

In 1993 a Presidential Decree was issued on the determination of refugee status. A new law was passed in 1996 (Law 2434/1996) extending health care and temporary employment rights to asylum seekers and refugees in Greece. The law also contained provisions for family reunion in the case of those whose asylum claim had been accepted, expedited the procedures for dealing with asylum claims, as well as granting temporary protection status to individuals for humanitarian reasons (e.g., civil wars, natural disasters, etc.).¹⁹

In response to the widespread employment of undocumented migrants in the Greek economy and particularly in rural sectors and domestic services, there was a marked policy shift towards the legalisation of undocumented migrants, including failed asylum seekers. Presidential Decree (358/1997) was aimed at registering undocumented foreigners and issuing them with a 'Provisional Residence Card' (White Card). This amounted to the temporary registration of immigrants for the purpose of proceeding to the 'Green Card' application (Presidential Decree 359/1997). Most green cards were valid for one to three-years. The actual duration of the card was

determined by the type of work migrants were doing, their total duration of stay and work in Greece, the state of the labour market and the general interests of the Greek economy. It was renewable for a further two years, depending on the conditions mentioned above.

A Presidential Decree regarding the employment of refugees, asylum seekers and those granted humanitarian assistance was adopted in June 1998. Law 2010/2001, Article 37, provides for the acquisition of one-year renewable residence permits by Ministerial decision on the grounds of: (a) humanitarian reasons or for other reasons making removal from the territory of Greece or the departure of the person impossible; (b) as a temporary permit for those who had to leave their country of citizenship for reasons of force majeure. A small number of permits were awarded but no details are available (Baldwin-Edwards, 2009: 62.) The Law also provided for a new regularisation programme (Article 66 (1)), based on four categories. Included were all applicants for a six-month Green Card on humanitarian grounds who had already applied to the Special Committee set up under the Presidential Decree (359/1997) and anyone who had resided, legally or illegally, for at least a year immediately prior to the 2001 Law coming into force. Law 3386/2005 was an outcome of a change in government; Article 1, defines an unaccompanied minor as someone 'belonging to a country outside the European Union or a stateless person who has not reached 18 years of age and who enters Greek territory without being accompanied by a legal guardian (...) or who was abandoned after entry into the country'.

The asylum procedure: The asylum procedure in Greece is currently regulated by Presidential Decree 114/2010 (PD 114/2010.) It assigns responsibility for determining asylum applications at first instance to Police Directorates in fourteen locations, including two airports. The Decree reinstates the second level of the asylum procedure – an Independent Appeals Committee, to review both new appeals and a backlog of over 47,000 pending cases. Until the publication of PD 114/2010, asylum seekers did not have access to an effective remedy against

¹⁷ Delithanasi (2010: 3).

¹⁸ <http://www.earthtimes.org/articles/news/369926,guard-mission-greece-permanent.html>

¹⁹ OECD (1999).

negative decisions at first instance.²⁰ Consequently, Law 3907/2011 provided for the establishment of a new Asylum Authority, comprised of qualified civilian staff, responsible for the adjudication of asylum applications in the first instance, and under the Ministry of Citizens' Protection.

International Legal Framework: Greece has ratified the 1951 Geneva Convention and the 1967 New York Protocol. Greece has still not ratified the Optional Protocol to the UN Convention against Torture (as recommended by the National Commission for Human Rights in 2004 and on 29 April 2010).²¹

EU Legal Framework: In 1991, Greece acceded to the Dublin Convention (Law 1996/1991.) The Greek Parliament ratified the Schengen Agreement in 1997 (Law 2514/1997.) In 1999, Law 2691/1999 ratified the 1997 Amsterdam Treaty of the European Union. The Dublin II Regulation (Council Regulation (EC) No 343/2003 of 18.02.2003) establishes the criteria and mechanisms for determining Member State responsible for examining an asylum application lodged in one of the Member State by a third country national. It is the Regulation with the most serious administrative and financial consequences for Greece. As a country of first entry (residence) – under the Dublin II Regulation – Greece is obliged to examine applications for asylum by everyone who enters Greece illegally, even if their application for asylum was lodged in a Member State other than Greece.²²

Rights to refugees, asylum seekers, and their families: Free medical, pharmaceutical and hospital treatment is provided to refugees, asylum seekers and those granted temporary humanitarian protection status, provided that they are not insured. These services are available to those who can provide the following documents: a refugee identity card (for persons with refugee status); an acknowledgement of receipt of an asylum application (for persons who have applied for refugee status); or a special residence card (for those whose applications for refugee status have been rejected but who have been granted temporary humanitarian protection.) Refugees and asylum seekers, who have health insurance, must present their insurance card when accessing medical treatment.

It should be noted, however, that all foreigners in Greece, regardless of their legal status, can be

admitted to emergency health care in hospitals in until their condition has been stabilised. Minors can access healthcare, regardless of whether or not their condition warrants being treated as an emergency.²³

Up until 1996, recognised refugees and asylum-seekers in Greece had no right to work, and were temporarily housed in refugee camps or rented hotel rooms while awaiting resettlement to another country. As the international climate for refugee reallocation worsened, their typical length of stay increased from six to nine months to anything even up to five years.²⁴ Most asylum seekers were absorbed into employment by a flourishing Greek informal economy. Some argued that they played an important role in attracting even more immigrants and asylum seekers from the Middle East and Eastern Europe.²⁵

4. OVERVIEW OF THE EDUCATIONAL SYSTEM AND THE EDUCATION STATUS OF REFUGEES AND ASYLUM SEEKERS IN THE COUNTRY

4.1. National specifics of the education system

Education in Greece is compulsory for five to fifteen year olds. It is divided into: *nipiagogeio* (pre-primary education) for those aged five to six; *dimotiko sholio* (primary education) for the six to twelve year age group; and, *gymnasio* (lower secondary general education) for children of twelve

²⁰ <http://www.unhcr.org/refworld/pdfid/4d76103e2.pdf>

²¹ See <http://www.nchr.gr>

²² In 2009, the Greek Dublin Department received a total of 10,083 requests to take over from other Member States, of which 9,997 were accepted and a total of 1,211 asylum seekers were transferred to Greece. At the same time, Greece made only 30 requests to other Member States to take over asylum seekers and eight asylum seekers were transferred (Ministry of Citizen Protection, 2010).

²³ Ministry of Citizen Protection (2010: 23).

²⁴ Papantoniou et al. (1996: 42).

²⁵ Baldwin-Edwards (2010).

to fifteen. There are also three years of lower secondary education provided for by Evening Gymnasia (Esperina Gymnasia) that are geared to the needs of students beyond the age of fourteen who are working. Additionally there are Religious, Minority, Multicultural (cross-cultural), Experimental (*Peiramatika*), Music and Special Education Gymnasia schools.²⁶

The national curriculums for primary and secondary education are developed by the Pedagogical Institute and approved by the Ministry. The current Cross-Thematic Curricular Framework for compulsory education and accompanying subject syllabus now reflect a more inter disciplinary approach to the learning process. At primary school level, the national curriculum covers religion, Greek language, mathematics, history, environmental studies, geography, science, social and civic studies, arts studies (i.e., music), two foreign languages and physical education.²⁷

Greece first addressed the issue of multicultural classrooms in 1983, responding to a growth in the late 1970s and early 1980s of Greek repatriates from Western Europe and the United States. Law 1404/1983 established 'Tutorial Classes' and 'Reception Classes', aimed at integrating repatriated and foreign pupils into the Greek school system, by teaching them intensive Greek 'Tutorial classes' provide a couple of hours of after-school tuition for minority children. Tutoring hours vary between schools and range from three to ten hours per week. Pupils in 'Reception Classes' receive on average of five to ten hours of language instruction per group. Tutoring hours depend on the number of years the student had attended school, the years of remedial instruction they had followed and the extent of their linguistic competence. Beginners receive ten hours of instruction per week. The rest of the day, they attend mainstream classes.²⁸

At the beginning of the 1990s, Greece faced an unprecedented increase in its migrant population, which inevitably impacted on the multicultural composition of the school population. The Greek state took a series of measures in response to the increased presence of migrant and RASC children in the classrooms. Since 1996, when the socialist party, PASOK, came into power, 26 intercultural schools have been established (these are special schools catering for the educational needs of foreign pupils),

and since 1999, 'reception and tutorial classes' (mainly classes providing pupils with intense teaching of the Greek language) have been operating.

An 'Office of Intercultural Education' (IPODE) within the Ministry of Education was established in 1996, and a law on 'Greek Education Abroad, Intercultural Education and other provisions' was adopted. The law comprised 11 chapters, of which only one referred to the intercultural education in Greece; the remaining ten chapters referred to the education of pupils in the Greek Diaspora. The law provided for the establishment of 'intercultural schools'.²⁹

In 1999, new regulations regarding tutorial and reception classes were introduced, allowing more flexibility and innovation in teaching methods and in the curricula. However, the main focus remained the same, namely the intense learning of the Greek language. The main difference from the previous Regulations is in the reference term, which is now defined as the pupils' second language. Consequently, according to new ministerial decision, teachers in these classes would have to be trained in teaching Greek as a second language. The same ministerial decision mentions including the pupils' first language and culture in the curriculum, which, however, remains at the discretion of the prefect, while the teaching of Greek is planned and regulated by the Ministry of Education.³⁰

4.2. Characteristics of RASC and their parents

Turning to the countries of origin of adult refugees and asylum seekers, RASC come from Afghanistan, Iraq, Pakistan, Bangladesh, Iran, Turkey, Sudan and Georgia. They come from a significantly different linguistic culture than the Greek, which makes the study of Greek language particularly challenging for them. For a number of reasons, RASC's parents find it even more difficult to learn Greek. They can be of little or no help to their children's school endeavours.

²⁶ Eurydice (2010).

²⁷ Eurydice (2010).

²⁸ Dimakos and Tasiopoulou (2003).

²⁹ Dimakos and Tasiopoulou (2003).

³⁰ Skourtou et al. (2004).

There are very few cases of ethnic clustering of RASC's families. Ethnic networks play a decisive role in the choice of locality. RASC parents' participation in the Greek labour market is determined mainly by knowledge of the Greek language, social contacts with local Greeks and contacts with other established migrant and refugee communities that can provide initial access to the flourishing informal economy.

4.3. Status of RASC in the national education system

In 2006, some 138,193 foreign and repatriated ethnic Greek pupils were enrolled in Greek schools, accounting for 9.5 percent of the school population in Greece, according to data from IPODE.³¹ However, estimates of the migrant and RASC population at Greek schools point to a figure of 250,000 pupils. The parents of some 85,000 of them had legalised their status in the country.³²

Asylum-seeking and refugee parents can enrol their children at school if they comply with the conditions for a registration number (case number) and a temporary residence (pink) card issued by the Greek Council for Refugees (GCR).³³ RASC's parents need to fill in an application form at the school, where they list all the previous courses their child has participated in and, in rare cases, they also submit copies of any diplomas in their possession. RASCs are enrolled in schools after the official start of the school year. RASCs are tested after a couple of months of school attendance – when it is assumed that they have learnt sufficient Greek – so that the school can determine their actual level of schooling and the class they need to be enrolled into. School principals, who want to assist the RASC in integrating into the school, might delay the examination date. The school also requires all vaccinations and dental examinations before enrolling RASC at school. It should be noted that there is no discrimination between RASC and local students with regards to the medical test required prior to school enrolment.³⁴

To enrol in a Greek University RASCs need only a diploma of completed high school studies and a temporary (rose) card issued by the GCR. 'Doctors of the World' can enrol RASC at schools but as they cannot issue case numbers and temporary

residence cards, RASC can only attend school without obtaining a diploma or a certificate at the end of their studies.³⁵

Several studies have examined Greek teachers' attitudes and approaches to cultural diversity. Bombas (1996) surveyed the directors of elementary school directorates together with the local directors of elementary school administration offices throughout Greece. The majority of the respondents were of the view that foreign pupils, including RASC, faced enormous adaptation problems in the schools they attended. One in three respondents believed that the presence of foreign pupils in the classrooms delayed and adversely affected the overall educational performance of the class. Similarly, a large-scale study by UNICEF³⁶ indicated that almost a fourth of teachers responded that foreign pupils faced behavioural and learning difficulties at school. In another survey, 18 out of 30 teachers claimed that foreign pupils, both migrant and RASC, had some language and adaptation problems at school.³⁷

A recent study in secondary schools in Greece reports some disturbing findings on the persistent trends of xenophobia.³⁸ The study reveals the 'institutional right' of school principals, both in private and public schools, to decide on the cultural composition of the school's student body. The school principal has the 'right' to implement a policy of ethnic discrimination in the classroom. This means that the school principal, implementing some unusual institutional regulation, can reject an application submitted by a foreign pupil's parents, with the words 'we are full'. This seems to be a wide-spread practice in the Greek big city schools as numerous complaints have been lodged with

³¹ IPODE (2006), cited in Gogonas (2009: 3).

³² Hekimoglou (2009a).

³³ The Greek Council for Refugees (GCR) is a Greek Non-Governmental Organization, founded in 1989 to support refugees and asylum seekers in Greece. Through various psychosocial and legal services, it helps them integrate harmoniously in Greece.

³⁴ Interview with a teacher in an intercultural school in Athens, 28.09.2010.

³⁵ Interview with a teacher in an intercultural school in Athens, 28.09.2010.

³⁶ UNICEF (2001).

³⁷ Gogonas (2007).

³⁸ Evi Markou (2010), see Hekimoglou, *To Vima*, 18 September 2010.

the Greek Ombudsman as well as the Ministry of Education and Religion, which is forced to regularly publish respective Regulations. There are fears that the illegal practice of ethnic discrimination in schools will be compounded by the current economic crises which will return many Greek pupils, previously in private schools, back into the public educational system.³⁹ Using statistical data on the ethnic composition of schools for the year 2003 – 2004, Evi Markou (2010) identified a worrying trend, highlighting two schools that exhibited some unexplained ‘ethnic purity’, reporting almost no students of foreign ethnic origin. The research also illuminated the concept of the ‘good school’ in Greece. It is the product of local perceptions on the ‘singular character of the pupil population’. For some local parents, the school is considered as good only when it seems closed for migrant and RASC students. The school principals respond to parents’ demands by ‘guarding’ the schools of foreign pupils.

“For the school master who wants to manage a ‘successful’ school, for the teacher who wants to work in an ‘easy environment’ and for the parent who wants to send her/his child to a ‘good’ school, the choice is for a Greek, ‘mono-cultural’ school; however, in practice such statements are not always confirmed in practice” (Evi Marko, in an interview for Hekimoglou, *To Vima*, 18 September, 2010 [in Greek]).

Earlier research on xenophobic attitudes among Greek pupils showed that these were more pronounced among secondary school pupils than among primary school pupils.⁴⁰ In another study of young Europeans (aged between fifteen and twenty-four years old) the Greek youths appeared as among the most hostile peers towards immigrants.⁴¹ Similarly, another survey of Greek pupils’ attitudes towards immigrants, including refugees and asylum seekers, revealed strong, negative opinions, describing immigrants as ‘unhealthy’, ‘crime-prone’ and ‘tax dodgers’.⁴²

A teacher interviewed from the Intercultural School in Athens, said that RASC are happiest at primary school where they are mainly at play. RASC’s school integration problems are compounded when moving into secondary school. Their school attendance is predetermined by the legal status of their parents. The RASC of wealthy parents

are enrolled in private schools where they have better experiences. As this respondent noted the educational integration of RASC aged fourteen and over is a challenging experience as they experience great difficulties in learning the Greek language.⁴³ Another teacher emphasised that Greek schools were still governed by a ‘monocultural and monolingual philosophy’ and ‘most teachers had been raised, educated and even trained in the tradition of a monolingual and monocultural society’.

“In schools, ethnocentric teaching materials and national commemorative events, reflect the exclusionary construction of Greek national identity, which defines the concept of ‘Greekness’ on the basis of religion, linguistic and genealogical criteria, rather than civil ones. Such an approach does inevitably lead to the discrimination and exclusion of those who do not fit into the above mentioned criteria, i.e., RASC and migrant pupils”.⁴⁴

4.4. Provision of education for various legal categories

The right to education in public schools is guaranteed by the Greek Constitution of 1975/76 (revised on 06.04.2001) to all foreign child refugees, asylum seekers, those fleeing a zone of conflict, or whose status concerning the right to remain in the country is uncertain.

The Directorate of Education for the Diaspora Greeks and Intercultural Education of the Ministry of Education and Religious Affairs are the competent public authorities for the education of returning Greek emigrants and ethnic Greek immigrants, as well as for the education of Roma (except Muslim Roma in Thrace who have special minority status; and foreign nationals living in Greece, including RASC).⁴⁵

³⁹ Hekimoglou (2010).

⁴⁰ UNICEF (2001).

⁴¹ European Commission (2001).

⁴² Dimakos and Tasiopoulou (2003).

⁴³ Interview with a teacher in an intercultural school in Athens, 28 September 2010.

⁴⁴ Interview with a teacher in an intercultural school in Athens, 25 September, 2010.

⁴⁵ Dimitrakopoulos (2004: 18).

In practice, some school heads still reject applications for enrolment from migrant and RASC pupils based on the legal provisions for intercultural education which determine a proportion of sixty Greeks to forty foreign pupils.⁴⁶

Up until ten years ago, a significant number of Roma children could not enrol at all in school due to the lack of necessary documents and proof of vaccination. Since 2000 the 'Roma Student Card' established by the Education Ministry has enabled Roma pupils to enrol without further formalities.⁴⁷

Muslim minority education in Greece is regulated by the Treaty of Lausanne and subsequent bilateral agreements such as the 1968 Bilateral Cultural Protocol that contains recommendations for the exchange of school books for the use of Muslim students in Greece and Christian students in Turkey.⁴⁸

Several foreign schools operate in Greece on the basis of bilateral treaties targeting mostly the children of diplomatic and corporate personnel. The Polish and the Filipino schools were created by Polish and Filipino migrants who were the first labour migrant groups to arrive in the late 1980s. The Polish School was established in Athens in 1986, on the basis of a bilateral treaty and is supervised by the Polish Ministry of Education.⁴⁹ The Filipino School "Munting Nasyon" provides pre-school education. It was established and is managed by a Filipino family, Joe and Debbie Valencia, who were among the first Filipino migrants to arrive in Greece in the 1980s.

5. GOOD PRACTICES DESCRIPTION AND ANALYSIS

The best practices identified here do not expound upon new concepts or innovative methods but rather new attempts for directing development in the country-specific context. The objectives of such practices are the improvement of RASC school access and enrolment, the quality of their education and their protection as well as the implementation of measures that would reduce discrimination and segregation.

5.1. Access/Enrolment

There is still a wide-spread illegal practice in Greece of schools rejecting applications for enrolment from RASC and migrant children. To counter this, the Ministry of Education and Religion regularly distributes circulars to schools requiring school principals to enrol migrant and RASC pupils in their classes. As a result, there are schools that have acknowledged the benefits of a multicultural school environment and who welcome the enrolment of non-Greek speaking children.⁵⁰

Increasing flows of legal and undocumented migrants from close and distant ex-Soviet countries entered Greece in search of jobs and living standards after the fall of communism in 1989. This inevitably impacted on the multicultural composition of the school population. Since 1996, when the socialist party PASOK came to power, the Ministry of Education and Religion in Greece has set up 26 cross-cultural schools in high-immigration areas and, in these schools, has prioritised the recruitment of teachers who speak the pupils' mother tongues. Teachers are also available to provide interpretation and counselling services for RASC and immigrant pupils.⁵¹ Since 1999, 'reception and tutorial classes' (mainly classes providing the pupils with intense teaching of the Greek language have been functioning.

Large scale educational programmes, launched during the period 1997 – 2004 and 2006 – 2008 in partnership with Greek universities and financed by the European Commission for the integration of foreign and repatriated students in the Greek educational system,⁵² provide some good practice examples. They relate to three specific groups of pupils: Muslim pupils in Thrace, repatriated and foreign pupils; and Roma pupils. The University of Athens was responsible for the part dealing with repatriated and foreign pupils. Actions under the programme have included the development of

⁴⁶ Evi Markou (2010), see Hekimoglou, *To Vima*, 18 September 2010.

⁴⁷ Dimitrakopoulos (2004: 40).

⁴⁸ Dimitrakopoulos (2004: 21).

⁴⁹ Dimitrakopoulos (2004: 35).

⁵⁰ Evi Markou (2010), see Hekimoglou, *To Vima*, 18 September 2010.

⁵¹ European Commission (2009: 13).

⁵² Palaiologou (2004).

bilingual course books (mainly Greek/Albanian and Greek/Russian) and the involvement of bilingual language assistants, (Albanian and Russian) in the multilingual classrooms. This programme has been piloted across the country but has not yet been evaluated. As one study revealed, although certain schools had received bilingual textbook editions, teachers were not even aware of their existence, and in any case had not received the necessary training on how to use them. Moreover, the programme for repatriated and foreign pupils did not include specific guidelines with regards to the inclusion of the pupils' mother tongues in education.⁵³

5.2. Quality of education

'The Education and Life-Long Learning' programme in Greece is another example of a good practice aimed at improving the educational achievement of foreign pupils, among others. Intercultural education is encouraged mainly through teaching Greek, the provision of psychological support to foreign students and their families, as well as the vocational training of teachers involved with immigrant and RASC pupils.⁵⁴

Depending upon the availability of qualified teachers, four hours of extracurricular tuition per week can be provided whenever there is demand from at least seven pupils. The cost of the tuition is met by the State.

The 'Education of Repatriated Ethnic Greek and Foreign Students' (*'Ekdedeusi pallinostounton kai allodapon mathiton'*)⁵⁵ project was launched in 1997 by the Centre for Intercultural Education (KEDA) of the University of Athens. The main objective was to develop an intercultural education syllabus, curriculums and educational materials for repatriated ethnic Greeks and migrant pupils, including RASC. The project developed in two phases: 1997 – 2000 and 2002 – 2004. Its main objectives were to: study and develop educational and administrative structures suitable for the integration of repatriated Greeks and immigrants, including RASC, into the Greek society; develop appropriate curriculums, syllabuses and educational materials for intercultural education, and implement them in selected schools; develop and implement counselling support structures to for teachers and pupils; raise public awareness regarding

intercultural education and the special educational needs of foreign students; and fight against racism, xenophobia and social exclusion in education.

Some 48,565 repatriated ethnic Greek and migrant pupils, in primary and secondary schools, including RASC, were in the programme in the period, 2002 – 2004. They participated in programme activities such as intercultural events, psychological assistance, information and awareness training on mutual coexistence and understanding in a diverse school environment; they were also given school books. School teachers taking part in the programme were offered training in diversity issues.

The project was particularly successful in assisting in the development of intercultural education structures in schools. The achievements were considered remarkable given the relatively short time frame and the limited resources put at its disposal by the Greek Ministry of Education.

The 'Integration of repatriated ethnic Greek and foreign students in the primary education system' programme was developed and implemented by the Centre for Intercultural Education of the University of Athens. It continued over thirty-four months, between 23.01.2006 and 31.10.2008 and had a total budget of 11,300,000.00 EUR. Some 1,000 people worked with in the programme. The target group consisted of 10,734 pupils (migrant and repatriated Greek, including RASC) who took part in 1,716 integration Departments established in the 600 schools participating in the programme. Some 18,193 students (15,741 migrant students, including RASC and 2,498 repatriated Greek students) were registered to have benefited in some way from the programme. The number of beneficiaries exceeded the target population as more students were given books or sporadically participated in programme activities than planned. The main aim of the programme was the enhancement of the integration structures in schools for repatriated Greek and migrant students, including RASC. Several lines of activities were implemented: a) teaching of the Greek language; b) training staff involved in the teaching of repatriated Greek and migrant students; c) provision of socio-psychological assistance to

⁵³ Gogonas (2007).

⁵⁴ http://www.edulll.gr/?page_id=11

⁵⁵ <http://www.keda.gr/programs.php>

teachers, students and their families; d) preparation and supply of teaching materials.⁵⁶

The eighty-seventh Primary School in Athens is an experimental school using new methods of intercultural education. It is located in a very poor area in Athens where more than half of the school population consists of Turkish speakers from Thrace (Northern Greece) as well as Roma children. The school was selected by the Department of Education of the University of Athens as a pilot project on intercultural education and research on xenophobia. The project aimed at creating a different, friendlier and a more welcoming environment for minority children who were not treated as disadvantaged. The project developed a holistic approach using parental involvement and the provision of individual psychological and social support to students. Lunch was offered at schools and after school clubs were organised at the school premises. The University organised a weekly teacher training and supervision programme. Over the two years' life of the project, the school improved its reputation among students and parents of different backgrounds and the number of enrolments increased. Since 2002, three more schools have been supported by the Department of Education of the University of Athens in the region of Thrace, near the border with Bulgaria.⁵⁷

5.3. Discrimination/Segregation

Since 2009, the Centre 'Children's' Merimnas' in Konitsa has hosted unaccompanied minors from Afghanistan. The Centre was established in 1925 with the purpose of looking after socially disadvantaged children. Most of the children did not even know of Greece when they started out on their arduous journey to the West. The Centre offers modern accommodation and all minors have their own rooms. The distinct feature of the Centre is that it continues to accommodate Greek children and works also as a Vocational Centre. In its workshops, asylum-seeking and local children are taught carpet-making, tailoring and smith mongering.⁵⁸

The Comenius (SOCRATES) project "Me and the Other: a voyage of discovery in game form" was developed in 1997 as a teaching tool for primary school teachers and others introducing an alternative way of seeing Greece and the world, different from the prevailing stereotypes. The game, presented

as teaching package, is offered to pupils between the ages of nine and twelve and their teachers. The main theme is travel. The participants make imaginary trips around the world in an attempt to trace back their ancestors. At the end of the game the aim is that they become aware that people, ideas and objects have always moved and that their movement has shaped the course of history. Pupils first use maps, documents and photos to reconstruct the routes followed by different migrant, refugee and asylum seeking families throughout the world. The examples, which are fictitious, enable the pupils to position themselves within an imaginary story so as to discover, with the help of their teacher, the similarities and differences between cultures and histories. At the second stage, pupils are urged to ask their parents and grandparents about where they came from. The following day, maps of the world and of Greece are shown in class. Using coloured threads, each pupil traces the routes of their families and compares them with the routes followed by their fictitious heroes. The journeys criss-cross and overlap all over the globe. The vivid depiction of movement helps the children to link their family history to world history. All of them will realise that for Greeks and non-Greeks alike, population movements have taken place in their families. This perception also helps build a collective memory within the class and explains why the non-Greek pupils are also present in the class alongside their Greek peers. The project was tested in several schools in Athens and was adopted by the Education Ministry.⁵⁹

5.4. Others

In recent years Greece has dealt with increasing numbers of illegal entries and has been the subject of frequent criticism from the European Commission, the UNHCR and other organisations as to its inadequate asylum seeking procedure. The recently adopted measures for the improvement of the asylum system, the establishment of the asylum service, as well as the independent committees deciding on appeals, are the first basic good practices. These provide the basis for significant

⁵⁶ <http://www.keda.gr/files/3.pdf>

⁵⁷ Dimitrakopoulos (2004: 61-61).

⁵⁸ Hekimoglou (2009).

⁵⁹ Dimitrakopoulos (2004: 62).

developments and progress on asylum-institution building, as well as for fairer and more efficient rulings on individual claims. The Ministry of Citizen Protection, the Ministry of Interior and the Ministry of Labour and Social Security are the relevant institutions.

The 'Action Plan' submitted by Greece to the European Commission in August 2010 is another positive development, envisaging the creation of screening centres and the adoption of modern procedures for screening, registering and managing asylum seekers; increasing the number of centres for receiving vulnerable groups and minors; modernising detention centres, creating new centres and improving the return procedures.

The National Social Solidarity Centre has agreed to coordinate all accommodation facilities for unaccompanied minors and to organise referrals to them. This is an attempt to provide a more holistic approach to the provision of social support to unaccompanied minors in Greece. It is also expected to contribute to the compilation of more reliable statistics that are necessary in informing policy decisions.

6. AREAS IN NEED OF CHANGE AND POLICY RECOMMENDATIONS

6.1. Quality of education

Despite the legal measures implemented by the Greek state to address the effects of multiculturalism in classrooms and foreign pupils' integration into the Greek educational system, research shows that, in reality immigrant children, including RASC, are subject to assimilation pressures, since none of the adopted government measures encourage the maintenance of one's ethnic identity and language. This hinders the smooth integration of foreign pupils into Greek society in general and into schools in particular. Therefore, even if several immigrant pupils excel in Greek schools, a large number still show signs of low self-esteem and experience school as a failure with other resulting related problems.⁶⁰ Multiculturalism thus does not seem to be valued by Greek society, which tends

to view itself as monolingual and mono-cultural. At the same time, paradoxically, Greek parents spend millions every year on foreign language education for their children.⁶¹

In 1990, reception classes were integrated within the mainstream school system and foreign pupils were taught the Greek language, history and culture. In 1994, a mainstream ruling provided for the promotion of the language and culture of the pupils' countries of origin. Despite this provision, neither the language nor the culture of the pupils' countries of origin is offered in tutorial and reception classes.⁶² Teaching in these classes has been largely criticised by experts as swaying/distorting the educational process towards the linguistic and cultural assimilation of foreign pupils.⁶³

There are concerns that the out-dated materials published in textbooks do not reflect changes in the Greek society and the increasingly multicultural classrooms in Greek schools. "An examination of the measures taken by the Greek state to address the issue of multiculturalism indicates that Greek education appears widely off the mark in terms of striving to reach the intercultural academic ideal of considering diversity, including linguistic diversity, as a resource".⁶⁴

The focus of the school curriculum is on learning Greek as a key mechanism of integration, as opposed to teaching the mother tongue or culture of origin to foreign pupils. It should be noted that the maintenance of certain languages is viewed with great scepticism by the Greek state, especially when these are associated with countries with which Greece has long maintained tense geo-political relations.⁶⁵ Meanwhile, recent research among children of migrants in Greece suggests that they are gradually losing their skills in the parents' language, which they are increasingly replacing with Greek.⁶⁶

⁶⁰ Nikolaou (2000).

⁶¹ Damanakis (1997).

⁶² Damanakis (1997)

⁶³ Damanakis (1997)

⁶⁴ Gogonas (2007: 2-3).

⁶⁵ Gogonas (2009: 4).

⁶⁶ Hatzidaki (2005); Gogonas (2007); Gogonas (2009); Gogonas (2010).

6.2. Discrimination/Segregation

The principle of intercultural schools, established by law in 1996, was for them to serve as a meeting ground for national and foreign pupils in 'a truly culturally-enriched environment' has not been achieved. Even though migrant pupils, including RASC, enrolled in these schools, national pupils stayed away from them, fearing that such schools offered only limited learning opportunities. Eventually, these intercultural schools catered exclusively for foreign pupils and failed to become the centres of cultural exchange that the authorities had initially envisaged.⁶⁷

There is a growing need for 'reception classes' to be organised in all schools so that foreign pupils can improve their Greek language knowledge, facilitating their integration into the mainstream educational system. There is also the need of special training for teachers, especially in schools with a large proportion of migrant children and RASC. Some of them are even willing to learn at least some elements of migrant and RASC languages as they feel this could narrow the distance between teachers and foreign pupils.⁶⁸

Discrimination and rejection are among the factors that hinder RASC and migrant children in developing a positive identity. Of course, discrimination and racism are not produced and experienced in schools only, nor can schools alone prevent them. However, combating prejudices, stereotypes and racism is impossible to manage without the collaboration of teachers in schools, for there is no other institution, no social forum, in which the majority and the minorities living amongst them may come to grips with such an understanding of co-existence. The Greek state, apart from the need to renovate and adapt its educational system towards multicultural realities, needs also to reconsider its migration and asylum policies in order to make them more inclusive of unaccompanied minors and second generation migrant and refugee children.⁶⁹

6.3. RASC protection

Lack of screening procedures put in place at the borders, makes it impossible to promptly identify

unaccompanied minors and offer them adequate social assistance. The organisation of information campaigns is particularly important for asylum seekers as a way of explaining to them their rights to free access to emergency medical care and to free education for minors.

There is no adequate state legal assistance provided to asylum applicants. To date, it has been a normal practice for NGOs to step in and cover for non-existent government services. It should be noted, however, that many NGOs previously providing for the free legal representation of undocumented migrants, including asylum seekers, have long lost their funding and are facing the risk of imminent closure. Many vulnerable groups, including unaccompanied minors, will have no legal representation as a result.

The accommodation centres hosting unaccompanied minors fall short of requirements; they do not have suitable infrastructures and face serious survival problems. The hostels accommodating minors face a range of issues, such as difficulties in accessing education services, inability to support effective family unification programmes, unwillingness of minors to apply for asylum; weakness in the guardianship and fostering systems, difficulties in managing minors' attempts to continue their journeys further into Europe. The accommodation centres for unaccompanied minors are in need of support in terms of interpreters, cultural mediators and the provision of specific expertise in dealing with this particular group.

Due to inadequate accommodation, many asylum seekers, including unaccompanied minors become homeless, sleeping in derelict buildings. Families with young children and unaccompanied minors, coming mainly from Afghanistan and some countries in Africa, are most vulnerable to homelessness. Anecdotal evidence suggests that they pay two EUR to sleep in the worst possible conditions or they sleep in parks or under shelters. An example is the case of a family sleeping in a park in Athens last summer where a man coerced a little girl, who had woken up and wandered away, to go with him and then he sexually assaulted her. According

⁶⁷ Dimakos and Tasiopoulou (2003).

⁶⁸ Interview with a teacher in an intercultural school in Athens, 25 September 2010.

⁶⁹ Interview with a teacher in an intercultural school in Athens, 25 September 2010.

to a representative of the Greek Refugee Forum, Mr. Mohamadi Giunus, there must have been other similar cases but families do not report them to the authorities for fears of expulsion.⁷⁰

There were other reports in the press of young unaccompanied girls being forced into prostitution by 'pimps'.⁷¹

6.4. Others

The processing of asylum applications under PD 114/2010 commenced in January 2011 but with insufficient resources to meet the demand for new registrations and the efficient processing of applications at first instance. There is still an acute shortage of trained officers involved in interviewing and decision making. Some issues stem from the legal provisions which set out that in the initial stages of the asylum procedure – screening, registration and first-level interviews – are to be managed by Police Departments. This may partly explain the relatively low acceptance rates for all nationalities, including those who in other countries are frequently recognised as needing international protection. The problem is further compounded by the lack of interpreters and mediators, both at the screening and at the interviewing stages of the asylum procedure.

Greece has been continuously criticised by the international community for its inherent lack of a functioning asylum system. At an UNHCR press conference in Geneva in September 2010, the conditions for asylum seekers in Greece were characterised as 'notoriously difficult'. It was noted that most asylum seekers receive no state assistance, while many live on the streets including women and children.⁷² On 07.02.2008, following alarming reports and testimonies about the violation of asylum seekers' rights in Greece, Norway took the decision to suspend the Dublin II Regulation and examine the applications of all asylum seekers who had passed through Greece on their way to Norway. Germany had already stopped transferring separated children back to Greece and other states were also reviewing their policies on whether it was safe to return asylum seekers there. In 2008, the European Council on Refugees and Exiles called on all Member States to follow Norway's example by immediately suspending Dublin transfers to Greece.⁷³

In the summer of 2008, Human Rights Watch carried out a field research mission and interviewed 173 foreigners in many detention facilities. Its findings indicated inadequate food, limited access to an exercise yard, overpopulation, lack of cleanliness and inadequate sanitary conditions. However, the conditions in a new detention facility for foreigners on the island of Samos were considered satisfactory.

The Commissioner for Human Rights of the Council of Europe visited Greece on 8-10.12.2008, focusing on the rights of asylum seekers.⁷⁴ The inspection of the Border Guard Station in Fera showed that there were no telephones or beds, that there were poor levels of cleanliness in the bathroom spaces and that the detainees complained that they were not allowed to get fresh air. A year later, in November 2009, the Hellenic League for Human Rights visited the Prefectures of Evros and Rodopi, in the framework of its investigation of the detention conditions of undocumented migrants.⁷⁵ It visited the Border Guard Stations of Iasmo, Ferres, Kipi, Tichero, Soufli, Issakio and Fylakio. They concluded that conditions in the inspected Border Guard Stations did not comply with the specifications of detention facilities. Specifically, the detention facilities had no distinctive signs or marks that indicated the presence of a public service and particularly, the police. In many cases, there was no adequate light, ventilation or heating in the facility, with the exception of one (in Kyprino). Frequently, men, women and children were detained in the same premises. In many cases, food was inadequate. There were limited and only occasional medical and nursing personnel. Detainees were not properly informed of their rights, the length of their detention or of the asylum procedures available, while there were no interpreters; overpopulation only compounded the existing problems of inadequate infrastructure, especially regarding hygiene.

⁷⁰ Delithanasi (2010: 3).

⁷¹ Delithanasi (2010: 3).

⁷² <http://www.unhcr.org/print/4c98c20b6.html>

⁷³ <http://deviousdiva.com/2008/08/28/asylum-in-greece-campaign/>

⁷⁴ Commissioner for Human Rights of the Council of Europe, *Report Following his visit to Greece on 8-10 December 2008, Issue Reviewed: Human Rights of Asylum Seekers*, Strasbourg, 4 February 2009, CommDH(2009)6.

⁷⁵ Hellenic League for Human Rights (2010).

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LIST OF ABBREVIATIONS

GCR – Greek Council for Refugees

APPENDIX

TABLE 37. ASYLUM APPLICATIONS LODGED IN GREECE, 2005 – 2010

Year	2005	2006	2007	2008	2009	2010**
Applications lodged	9,050	12,267	25,113	19,884	15,928	4,701
Of them, lodged by unaccompanied minors***	-	165	44	295	-	-
Applications rejected*	4,585	10,414	20,684	29,525	29,501	2,089
Applications granted	39	64	140	358	36	19
Humanitarian status	85	129	75	38	26	26
Supplementary protection	-	-	-	17	104	10
Total applications examined			20,899	29,938	29,667	6,845

* Includes applications from previous years (2008 – 2009)

** Refers to the first six months of the year

Source: Hellenic Police Headquarters, Directorate of Foreigners (Aliens), Asylum Department, cited in Ministry of Citizen Protection (2010: 10)

*** **Source:** UNHCR (2008) and Eurostat database in: *i-RED, France terre d'asile and Consiglio Italiano per I Rifugiati* (2010: 18-19).

TABLE 38. MAIN COUNTRIES OF ORIGIN OF ASYLUM APPLICANTS IN GREECE, 2005 – 2010

2005		2006		2007	
Georgia	20.90%	Bangladesh	30.57%	Pakistan	36.40%
Pakistan	12.75%	Pakistan	36.40%	Iraq	21.80%
Iraq	19.73%	Iraq	19.39%	Bangladesh	11.81%

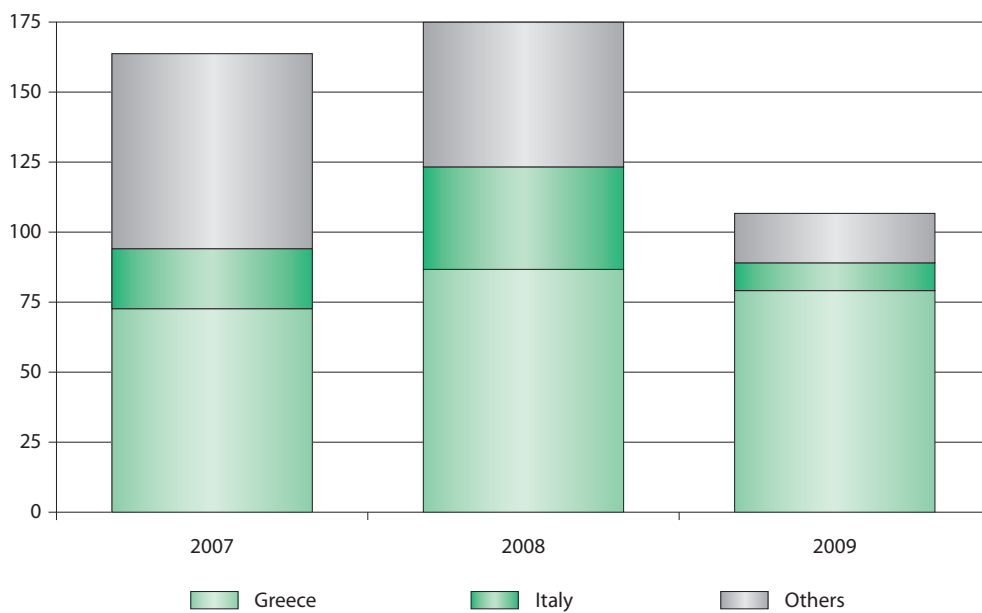
TABLE 38. MAIN COUNTRIES OF ORIGIN OF ASYLUM APPLICANTS IN GREECE, 2005 – 2010 (CONTINUED)

2008		2009		2010*	
Pakistan	34.77%	Pakistan	23.33%	Pakistan	21.04%
Afghanistan	11.50%	Georgia	13.62%	Georgia	12.87%
Georgia	11.27%	Bangladesh	11.36%	Bangladesh	9.70%

* Refers to the first half of the year

Source: Hellenic Police Headquarters, Directorate of Foreigners (Aliens), Asylum Department, cited in Ministry of Citizen Protection (2010: 10).

FIGURE 14. UNDOCUMENTED MIGRANT FLOWS INTO EU COUNTRIES (IN THOUSANDS)



Source: The Economist, 19 August 2010.

2.8. COUNTRY REPORT: NETHERLANDS

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1. METHODOLOGICAL INTRODUCTION

The following methods have been used to gather the data for this report.

1.1. Desk research

This involved looking for statistics, reports, research studies and general information on websites or in printed material. Some organisations are concerned with broad categories such as ‘immigrants’ or ‘refugees and asylum-seekers’, others focus on specific aspects or needs of these groups. Information was used from global, European and national agencies.

Sources used include:

- United Nations High Commissioner for Refugees (UNHCR)¹
- Organisation for Economic Cooperation and Development (OECD)
- Statistics Netherlands (Centraal Bureau voor Statistiek) (CBS)
- Immigration and Naturalisation Service (Immigratie en Naturalisatiedienst) (IND)
- Netherlands Institute for Social Research (Sociaal Cultureel Planbureau) (SCP)
- Eurostat (Statistical Office of the European Union)

1.2. Interviews

These were conducted by telephone or face-to-face with representatives of organisations or individuals. The interviews concerned background information about the children; integration, obstacles and good practices. The organisations are described below in the text.

- LOWAN, Mr. Rob Andriol
- Introductory school in Tilburg, Mrs. van Zantvoort

- Introductory school in Zaandam, Mrs. Klaasen
- ASKV
- FORUM, Mr. Arslan and Mrs. El Hadj
- Pharos, Mr. Bram Tuk

2. REFUGEES AND ASYLUM SEEKERS: GENERAL BACKGROUND

The Netherlands is a country of 16.6 million inhabitants, with the highest population density of any European country except Malta. In international terms, its standard of living is very high: the *Inequality-adjusted Human Development Index* calculated by UNDP (2010) places it fourth in the world, only outstripped by Norway, Australia and Sweden.

Migrants

In 2010 first-generation migrants in the Netherlands constituted 10.3 per cent of the total population, while an additional 10 per cent of residents had one or more parent who was born in another country. Altogether there are 3.4 million people with a migration background.

- 45 per cent of these people originated from so-called ‘western’ countries² and 55 per cent from ‘non-western’ ones.
- The largest groups originated in Turkey (384,000), Indonesia (382,000), Germany (379,000), Morocco (349,000) and Surinam (342,000), followed by the Dutch Antilles and Aruba (138,000) and Belgium (113,000).
- People with a non-western migrant background are on average twelve years younger than the native Dutch population (twenty-nine vs.

¹ A list of acronyms is given at the end of the report.

² Defined as Europe (excluding Turkey), North America, Oceania, Indonesia and Japan.

Forty-one). Only 7 per cent are over sixty-five, compared to 17 per cent of native Dutch.

- Over the last ten years, the fastest-growing groups originated in EU accession countries (Poland, Romania and Bulgaria), followed by Afghanistan, China, Iraq, Iran, Morocco, the Dutch Antilles & Aruba, and Turkey. About half the growth in the latter three groups occurred in the second

generation. Most people originating from Iran, Iraq and Afghanistan arrived as asylum seekers. Many asylum seekers from Somalia have moved on to other countries, resulting in a net decrease in the size of this group in the past decade.

The following table illustrates some of these points:

TABLE 39. POPULATION AT 01.01.2010 ('NUMBER OF PERSONS' COMPRISES BOTH FIRST AND SECOND GENERATIONS)

Origin	Number of Persons x 1000	% of Population	% Increase since 1 st Jan. 2000	% second generation	Average age
Total	16,575	100	4	10	40
Dutch background	13,215	79.7	1	-	41
Foreign background	3,360	20.3	21	49	35
'Non-Western' origin	1,858	11.2	32	43	29
Turkey	384	2.3	24	49	29
Morocco	349	2.1	33	52	27
Suriname	342	2.1	13	46	34
Antilles/Aruba	138	0.8	29	41	29
China	53	0.3	79	30	30
Iraq	52	0.3	56	21	28
Afghanistan	39	0.2	80	20	27
Iran	32	0.2	38	20	33
Somalia	27	0.2	-6	27	24
Other non-Western	442	2.7	53	38	28
'Western' origin	1,501	9.1	10	57	41
Indonesia	382	2.3	-6	69	47
Germany	379	2.3	-6	72	52
Belgium	113	0.7	0	67	43
Former Yugoslavia	79	0.5	18	33	33
UK	79	0.5	14	44	35
Poland	77	0.5	164	26	31
Bulgaria	15	0.1	593	11	29
Romania	14	0.1	162	24	29
Other Western	363	2.2	33	45	29

Source: Statistics Nederland.

Additional points:

- Thirty-five per cent of non-western migrants live in Amsterdam, Rotterdam or The Hague, but there are also considerable concentrations in other large cities.
- The main reasons for migration to the Netherlands in the period 2004 – 2009 were family formation or reunification (36 per cent), work (34 per cent), and study (15 per cent). **Asylum seekers constituted only 5 per cent of all immigrants in this period.**

Relation between migrants, refugees and asylum seekers

Whereas asylum-seeker children nearly always live in asylum seeker centres (AZC's), the living situation of refugee children resembles that of other children of migrant origin. Very often refugees will reside in neighbourhoods with a high proportion of such children, attending the same schools and being eligible for the same special programmes. Administratively, no distinction is made between refugees and other categories of migrants. Moreover, many programmes which RASC benefit from are not specifically targeted at ethnic or migrant groups, but at children with 'special needs' or 'social disadvantage'.

Although refugee children belong to the first generation, they may also have much in common with the children born to migrants already living in the Netherlands. Of course, most of the latter children have Dutch nationality by birth and will be more familiar with the Dutch language and culture than those who spent their early years in other countries. They also do not share the history of stress and (sometimes) trauma that refugee children have endured. Nevertheless, children of both the first and second generation often live to some extent spatially and socially segregated from the native Dutch population. They are also subject to the same forms of discrimination; for example, children born in the Netherlands to Moroccan parents are habitually referred to in the Netherlands as 'Moroccan children', despite being Dutch citizens.

There are differences between the main migrant groups in their levels of participation in education and the labour force:

Suriname and the **Dutch Antilles** are former Dutch colonies, which made it relatively easy for their inhabitants to migrate to the Netherlands and integrate there. Allowing for differences in socio-economic status, their participation in education and the labour market does not differ greatly from that of native Dutch.

Moroccan and **Turkish** migrants originally came to the Netherlands as guest workers in the 1960's or 1970's. There have been three phases in their integration:

1. Initially, Dutch policy-makers assumed that their stay would be temporary and did not encourage any form of integration.
2. Some years after the oil crisis of 1973, when many guest workers did not go home despite the reduced demand for their labour, policy-makers were forced to acknowledge that they were here to stay. Moreover, although labour migration virtually ceased, immigration for family formation or reunion steadily increased. Policies introduced in 1983 encouraged these groups to integrate while retaining their own cultural identity, and set up special programmes to improve educational chances and increase labour market participation.
3. Towards the end of the 1990's support for these 'multicultural' policies declined sharply, ushering in a new approach to integration. This focused on learning Dutch and accepting Dutch cultural norms. Measures that could be construed as positive discrimination were disapproved of, although many of them continued under the heading of 'support for socially disadvantaged groups'. A similar shift can be observed in many European countries, but since Dutch policies had previously been overtly 'migrant-friendly', the change was felt all the more keenly.³

Concerning the integration of **refugees**, two sources of information are available. Firstly, the Dutch Refugee Council publishes periodic surveys on this topic. The most recent one⁴ notes that due to government policy on housing for refugees,

³ Vasta, E. (2007). *Accommodating Diversity: why current critiques of multiculturalism miss the point*. COMPAS Working Paper Series, WS-07-53.

⁴ VluchtelingenWerk (2009). *VluchtelingenWerk IntegratieBarometer 2009: Een onderzoek naar de integratie van vluchtelingen in Nederland*. Amsterdam: VluchtelingenWerk Nederland.

they are more evenly spread over the country than other migrants. Refugees tend to live in the cities, particularly in neighbourhoods with a high concentration of migrants. Labour market participation is influenced by the opportunities that refugees have had to receive education and work experience in the Netherlands, and to the length of time that they have been in the country. Initially, refugees' chances of obtaining paid work are low, and the work is often far below the level of what they did in the home country.

Secondly, a more detailed study has recently been published by the Netherlands Institute for Social Research.⁵ This compared the integration of persons over fifteen originating in Afghanistan, Iraq, Iran and Somalia (most of whom were refugees) with the four main groups of migrant origin in the Netherlands. The survey therefore has two shortcomings: firstly, it includes many immigrants who did not enter as asylum seekers, and secondly, it is confined to the four largest groups of recent refugees, which probably account for no more than 40 per cent of all refugees.

About half of the persons surveyed from Afghanistan and Somalia were aged under twenty-five, which may partly explain their low level of integration. Overall, Dutch language proficiency was on about the same level as that of Turkish and Moroccan immigrants: refugees evidently learn the language faster than these longer-established groups. Integration courses (*inburgering*) seemed to be helpful for language learning, but arrival at an early age – and therefore receiving a Dutch education – had a greater effect.

Rates of unemployment were much higher in the refugee groups (30 per cent) than among native Dutch (4 per cent) or the traditional migrant groups (11 per cent). Inadequate or unrecognised educational qualifications, poor language ability and recent arrival in the Netherlands increased the chances of unemployment, as did poor health. Nevertheless, the refugee groups' participation in the labour market was higher than in a study six years earlier.

Related to these high rates of unemployment was a high rate of dependence on social security benefits:⁶

Country of origin	%
Somalia	40
Irak	33
Afghanistan	26
Iran	23
Non-western countries	19
Netherlands	10

Concerning acculturation, Somalis were found to have more traditional attitudes than the other groups (e.g. regarding the role of women) and to identify more strongly with their (Muslim) religion. However, all groups have contact both with their own community and with native Dutch, and say that they feel secure and feel at home in the Netherlands. They have a more positive perception of Dutch tolerance and openness than members of the long-established migrant groups do.

The educational integration of refugee children will be discussed in Section 4.3 below.

Asylum flows

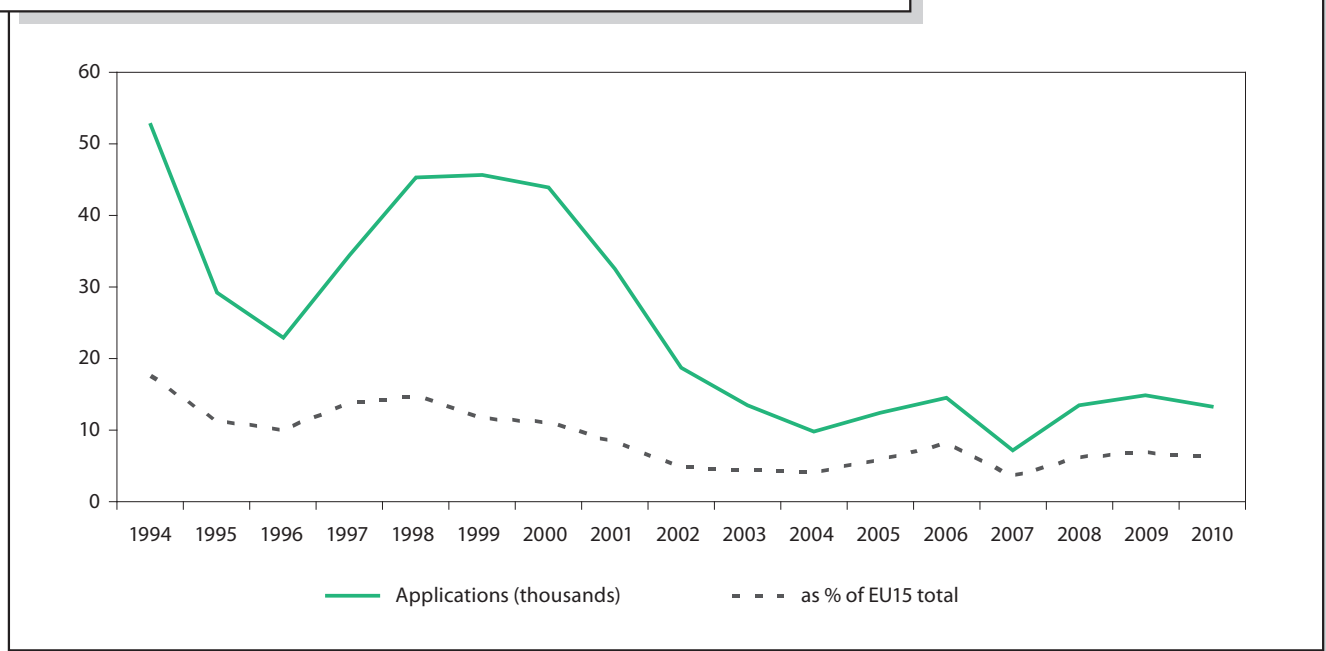
When considering asylum statistics relating to the Netherlands it is important to bear the historical dimension in mind. Up to the end of the 20th century the Netherlands took in a very large number of asylum seekers relative to its population, surpassed in the EU only by Belgium. However, as the graph below shows,⁷ not only has the total number of asylum applications in the EU15 as a whole declined in the last decade; in addition, the percentage of the total accounted for by the Netherlands has almost halved, from 11 per cent in 2000 to 6 per cent in 2010. On average, in each of the years 2006 – 2010 one application was received for each 1,265 of the population (compare Luxembourg 1,082; Belgium 749; Sweden 329). Relative to the wealth of the country (expressed in terms of GDP (PPP) per capita), we have calculated that the share of the asylum burden which the

⁵ Dourleijn, E. & Dagevos, J. (2011). *Vluchtelingengroepen in Nederland. Over de integratie van Afgaanse, Iraakse, Iraanse en Somalische migranten*. Den Haag: Sociaal en Cultureel Planbureau.

⁶ Dourleijn, E. & Dagevos, J. (2011). *Vluchtelingengroepen in Nederland. Over de integratie van Afgaanse, Iraakse, Iraanse en Somalische migranten*. Den Haag: Sociaal en Cultureel Planbureau.

⁷ Based on data from UNHCR, 2011.

FIGURE 15 ASYLUM APPLICATIONS – NETHERLANDS



Netherlands accepts lies somewhere between Sweden (high) and Belgium (moderate), though well above Luxembourg (very low). During the last decade asylum policies in most European countries have become more restrictive – but this tendency was especially pronounced in the Netherlands. This is the most likely reason for the relative decline in asylum applications to the Netherlands. As we shall see later, this historical background makes a difference to the way asylum seekers are received at present.

Asylum procedures

Asylum claims are subject to the *Aliens Act 2000*, which came into force on 01.04.2001 and has since been amended a number of times. The Immigration and Naturalisation Service (IND) of the Ministry of Justice is responsible for assessing all applications for asylum. Until July 2010 applications regarded as weak could be fast-tracked via a forty-eight-hour procedure, often resulting in rejection. Because of concern that this did not permit sufficiently careful examination of asylum claims, the fast track now takes eight days, with a possible extension to six months in cases which appear to require more research. In practice, the processing of asylum claims can take much longer than this; after the first decision by the IND, asylum seekers can make

objections the decisions and appeal against it in court. It can take five – ten years or more before a final decision is reached on an asylum application. 48 per cent of decisions by the IND in 2009 were positive.⁸

Successful applicants receive a five-year temporary residence permit; after this period, they can apply for permanent leave to remain. As in all EU countries, asylum seekers can obtain either refugee status (on the grounds of the 1951 Geneva Refugee Convention), subsidiary protection status, or leave to stay for humanitarian reasons.⁹ In 2009, the percentage of positive decisions falling in each of these three categories was 9 per cent, 42 per cent and 49 per cent.¹⁰ Asylum in the strict sense of the Geneva Convention is thus seldom a ground for admittance.

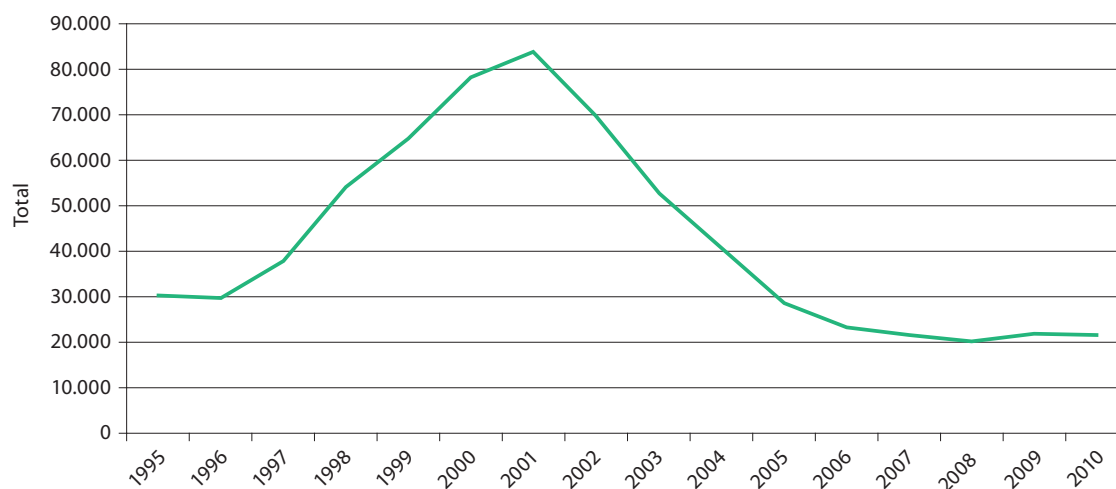
The legal and social position of asylum seekers is quite different from that of refugees – even those with a temporary residence permit. Virtually all asylum seekers in the Netherlands are housed in reception centres (AZC's). Because of acute capacity

⁸ 10 Eurostat 2011.

⁹ Note that in the present study, we regard people with all these types of status as 'refugees'.

¹⁰ 10 Eurostat 2011.

FIGURE 16. POPULATION OF ASYLUM SEEKING CHILDREN, 1995 – 2010



problems, a scheme was introduced in 1998 allowing some people to live in the community; this scheme was frequently used by families with children. In 2002 one-sixth of all asylum seekers had opted for this alternative (source: COA). In that year, however, this option was withdrawn. The negative effects of living in an AZC, especially for children, will be discussed in Section 6.

All asylum seekers are entitled to free health care under the statutory health insurance scheme, premiums being paid by the government. In the reception centres a special organisation is responsible for the first medical contact and referrals to the health system, including mental health services. However, when refugees start living outside reception centres they have direct access to the regular services. One consequence of this division is that we know more about the health of asylum-seeker children than about refugee children.

After a residence permit is granted, an asylum seeker will be offered housing in a city or municipality in the Netherlands. Each local authority is obliged to find accommodation for a certain number of refugees. Only at this stage can the task of integration in Dutch society begin properly. Even after being granted a permit, however, there may

still be a lengthy transition period during which a refugee is obliged to remain in the AZC; most local authorities have a large backlog of refugees requiring resettlement.¹¹

Numbers in the AZC's

We have already discussed the marked changes in asylum flows during the last 16 years. The total population of the AZC's depends not only on the numbers coming in, but also the rate at which applications are processed: the graph below, based on data from Vluchtelingenwerk (2010), shows how this total population changed in the period 1995 – 2010. Although the number of new applications in 2004 was less than a quarter of what it had been in 2000, in the same period the population of the AZC's was only halved, because of the time it took to clear the backlog of cases that had accumulated. In 2007 a 'general pardon' was announced, which granted an almost automatic right to a residence permit to those who had applied for asylum before 01.04.2001 and had been rejected, or were still waiting for a decision. This applied to more than 26,000 people. Its implementation has enabled the population of the AZC's to remain more or less stable since 2007, despite the fact that new asylum applications have increased slightly.

¹¹ VluchtelingenWerk (2010). *Vluchtelingen in Getallen 2010*. Amsterdam: VluchtelingenWerk Nederland.

TABLE 40. FIRST ASYLUM APPLICATIONS BY MAIN COUNTRIES OF ORIGIN IN 2009

Somalia	5,889	40%	Georgia	412	3%
Iraq	1,991	13%	Armenia	349	2%
Afghanistan	1,281	9%	China	303	2%
Unknown	507	3%	Mongolia	237	2%
Iran	502	3%	Other	2,959	20%
Eritrea	475	3%	Total	14,905	100%

Asylum-seeker children

The population of the AZC's is relatively young. However, separate figures for asylum claims concerning children under eighteen are only available from the CBS for 2007 onwards. Over the period 2007 – 2010, the proportion of child asylum seekers has remained stable at around one-third. (This figure includes unaccompanied minors: ten years ago there were many more children in this category, so that the proportion of children was then higher). Over this four-year period, an average of about 12,300 asylum seekers arrived annually, of whom about 3,800 were children. Somewhat less than half of these children will eventually receive some form of residence permit.

Countries of origin

The major countries of origin change from year to year, following the shifting pattern of violence and political persecution in the world. However, the most important countries of origin of unaccompanied minors may be quite different from those of other asylum seekers. For example, two-thirds of the unaccompanied minors reaching the Netherlands in 2000 were from China – in contrast to only 3 per cent of other asylum seekers.¹² In 2009 the main countries of origin for all asylum seekers were as follows:¹³

Refugees

Because refugees are not in the care of the state but live as normal citizens, it is very hard to keep track of their total numbers. In addition, very different criteria may be used to define who is a refugee.

Often the only figures available are estimates by UNHCR, which are based on the total of residence permits granted in the previous ten years: this ignores refugees who have been in a country for longer than ten years and is therefore likely to be a considerable underestimate. For the Netherlands, the estimate at the end of 2009 given by UNHCR is 76,008. This excludes stateless persons (5,034), asylum seekers and those given permission to stay via the 'general pardon' in 2007, as well as family members who join a refugee after a residence permit has been obtained. It takes no account of those who may have left the country or died. The following graph shows how the refugee population according to UNHCR changed from 1996 – 2009.

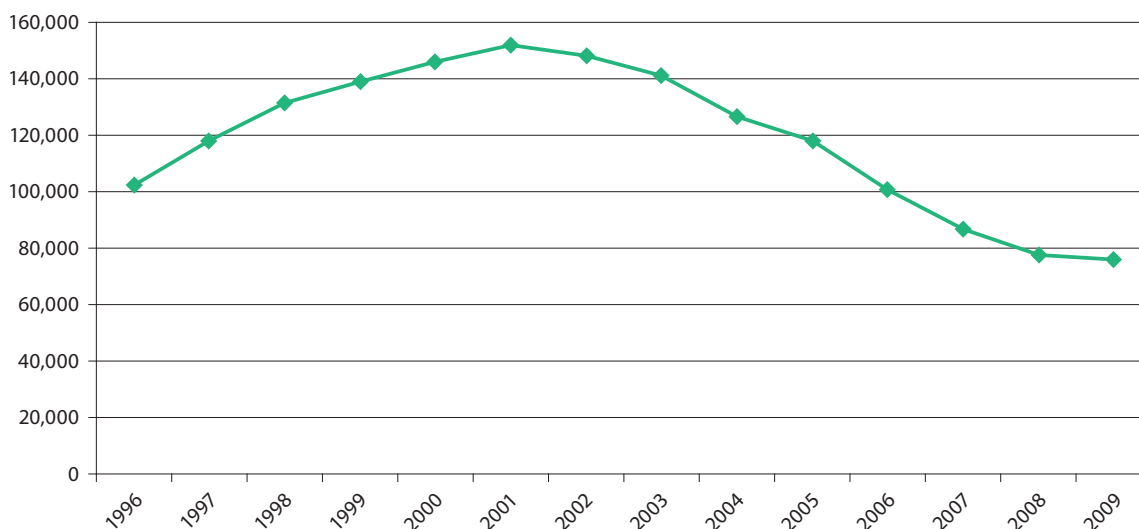
Refugee children

The above-mentioned cautions also apply to refugee children: there is no reliable way of estimating their numbers on the basis of official statistics. We can make an educated guess about what the figures would be if the situation were stable (which of course it is not). If we assume that 1,800 asylum-seeker children a year (a rough estimate for the past three years) receive a residence permit, it will take eighteen years for the youngest of them to become adult. Over time, the total population of refugee children will therefore stabilise at $(18 * 1,800 * 1/2 =)$ 16,200. Of course, this figure should only be taken as an indication of the order of magnitude to be expected: the only way to discover the true figure would be to conduct a nationwide survey. Ten years ago there were far

¹² OECD (2003). *Trends in international migration 2002:72*.

¹³ UNHCR, 2011.

FIGURE 17. TOTAL NUMBER OF REFUGEES IN THE NETHERLANDS



more asylum seekers entering the Netherlands than now, so the true figure is probably much higher; however, many of those granted a residence permit have in the meantime reached adulthood.

How does the rate of arrival of asylum seekers compare with the rate at which children immigrate for other reasons? Figures on this question are only available for 2007 – 2009, and they are subject to many sources of error. Over this period we can say, again very roughly, that asylum-seeker children form about one-third of all newcomers. However, unlike children who have arrived for other reasons, the probability that they will be obliged to leave the country will increase as time goes by, so that the ratio at school will probably be closer to a quarter than a third. Some who are ordered to leave will disappear into illegality. Although they will still be able to receive schooling, they will have no access to higher education or regular work.

Popular representations of migrants and refugees

As we have seen, the major non-western migrant groups in the Netherlands date back to the 1960's. Although their position has improved gradually over time, they tend to be characterised by lower educational achievement and a disadvantaged social position. Unfortunately, this association has dominated Dutch representations of migrants in general.

How does this compare with the image of refugees and asylum seekers? During the period 1950 – 1985, their image was very different from that of labour migrants: refugees were often fleeing from despised regimes and many were middle-class, educated dissidents. The public thus held a much more favourable opinion of refugees than of migrants.

At the beginning of the 1980's, however, large numbers of poor and relatively uneducated asylum seekers started to enter Europe from third world countries. Between 1983 and 1992 there was a tenfold increase in asylum applications in Europe, leading to alarmist talk of a 'tidal wave'. Although in the early 1990's many asylum seekers came from the Balkans and were therefore regarded as Europeans, many others came from far-away, impoverished countries. In this way, the images of asylum seekers and other migrants started to become closer to each other. Nevertheless, we have gained the impression during conversations with teachers that children with a refugee background are still regarded as having more potential than other non-Western migrant children.

As in many other European countries, attitudes to migration in Dutch media and politics became steadily more negative from the middle of the 1990's onwards. '9/11', the assassination of Pim Fortuyn (a Dutch politician) in 2002 and the

murder of Theo van Gogh (the maker of a highly controversial film attacking Islam) in 2004, all exacerbated public hostility to migrants in general and Muslims in particular. The two largest ethnic minority groups in the Netherlands happen to originate in predominately Muslim countries, as do the main groups of recent asylum-seekers. In the last ten years almost all political parties have adopted an increasingly hard line on immigration and integration, the most outspoken being the 'Freedom Party' of the populist politician Geert Wilders, which won 15 per cent of the votes in the general election of 2010. Although Wilders was not invited to join the ruling coalition, his party provides indispensable informal support for it. In return, the government has undertaken to implement draconian measures concerning immigration and integration, and to lobby for changes in international law should these measures come into conflict with European human rights standards. The promised tightening-up of measures concerning asylum is particularly striking in view of the drastic reduction in numbers that has already taken place.

It should be borne in mind, however, that public opinion is strongly divided on these issues. Even with the support of Wilders, the present government can only count on a majority of one vote, and setbacks in recent elections to the Upper House have made it doubtful whether it will be able to push through any extreme measures. Although multicultural policies are widely criticised for having failed to improve the social position and (in particular) the language proficiency of many migrants, such criticism does not necessarily imply widespread hostility to migrants.

Moreover, although the political climate in the Netherlands may have hardened, the framework of progressive policies that was laid down in the previous century is for the most part still intact (although the current government is cutting many subsidies on the grounds that migrants are responsible for their own integration). In this connection it is worth mentioning the results of the third MIPEX survey on migrant integration policies in Europe.¹⁴ This index examines the 'migrant-friendliness' of a country's policies on labour market mobility, family reunion, political participation, long-term residence,

access to nationality and anti-discrimination. It is only concerned with legislation, not with its implementation or with less formal aspects of the social situation of migrants

MIPEX-III accords a very high overall score to the Netherlands. With a score of sixty-eight, the country is ranked fourth out of thirty European countries, after Sweden (eighty-three), Portugal (seventy-nine) and Finland (sixty-nine). Access to the labour market in the Netherlands and political participation are rated as good, though restrictions on family formation and reunification are judged less favourably. Education obtains a moderate score, because of some 'missed opportunities': here the Netherlands ranks ninth, with a score of fifty-one.

To sum up, we can say that public attitudes to asylum seekers do not differ radically at present from those concerning other migrants: both are predominately negative, in particular where Muslim groups are concerned. But in spite of this increased hostility to migrants, policies affecting migrant integration in the Netherlands remain favourable by comparison with other countries: this is due to what Koopmans (2008) calls 'path dependency' – the fact that a complex ensemble of institutions and individuals perpetuates the former situation.

Nevertheless, hardly any distinction is made in Dutch integration policies and practices between refugees and other migrants. Because of the special barriers to integration that affect refugees (e.g. poorer language ability, lower education qualifications, interruption of careers and worse health) this means that it is difficult for refugees to find their way in Dutch society, particularly on the labour market.

3. INSTITUTIONAL SET-UP, LEGAL AND POLICY FRAMEWORK

3.1. National level

At national level, the Dutch government is responsible for all legislative and procedural matters relating to immigration, including the processing of asylum

¹⁴ MIPEX (2011) *Migrant Integration Policy Index III*. MIPEX. Brussels: Migration Policy Group. <http://www.integrationindex.eu/>

claims and the provision of adequate reception facilities in accordance with EU directives. Centralised accommodation is provided by the COA, the Central Agency for the Reception of Asylum Seekers. This contrasts with reception policy in countries such as England, where asylum seekers are dispersed and mostly live in rented accommodation. The government is also mainly responsible for education policy and the financing of the educational system, though local authorities also play a role.

Most NGO's working with refugees and asylum seekers are national ones, though they may have regional branches and offices. In Section 5 we will discuss the boundaries between governmental and non-governmental organisations, which are often blurred.

3.2. Regional level

The regional level in the Netherlands corresponds to the twelve Provinces, which have little to say concerning policies on asylum seekers and refugees. However, the Provinces are required to supervise the uptake of refugees in the separate municipalities, and some (e.g. Groningen) undertake limited activities in this area on their own initiative.

3.3. Local level

Administratively, the level below the Province is the 'gemeente' (usually translated as municipality, community or local authority), of which there are currently 418. These have wide-ranging responsibilities ranging from welfare, social care, benefits, housing, public order, education and transport to environment and public health. Financing of these services is mostly shared between local authorities and central government. The policy framework within which these responsibilities are exercised is largely laid down by central government, but with some degree of local autonomy, so that disagreements about priorities can arise. For example, local authorities in areas with large numbers of migrants are more

likely to take a proactive stance in relation to policies on migrant integration than local authorities where the population is predominately native Dutch. Many large cities have objected to government policy on the refusal of housing and social care to rejected asylum seekers. There are also wide differences between local authorities in the amount of effort they put into improving the educational integration of migrant children in general and RASC in particular.

4. OVERVIEW OF THE EDUCATIONAL SYSTEM AND THE EDUCATION STATUS OF REFUGEES AND ASYLUM SEEKERS IN THE COUNTRY

4.1. Structure of the Dutch education system

Education between the ages of five and sixteen is compulsory, but children can usually start school at four. After the age of sixteen those who have not yet obtained a diploma are obliged to follow education one or two days a week for one or two years. Education between sixteen and eighteen is thus 'partly compulsory'.

This diagram shows that 'left to right' transfers, e.g. from vocational training to higher professional education and from the latter to university education, are possible. These routes are particularly important for migrant students, who because of their initial language handicap and need to readapt may be 'late developers'. Thus, although the Dutch system counts as 'highly stratified'¹⁵, and selection at an early age combined with stratification is disadvantageous for migrants¹⁶, there are opportunities for late developers to switch to more appropriate educational institutions. However, whether these opportunities

¹⁵ Heus, M. de & Dronkers, J. (2010). The educational performance of children of immigrants in 16 OECD countries. Paper prepared at the Conference on *Inequality Measurement and the Progress of Society*, 22nd – 23rd April, 2010, Malta – Valletta. <http://www.eui.eu/Personal/Dronkers/English/Heus1.pdf>

¹⁶ EC (2008). *Green paper. Migration & mobility: challenges and opportunities for EU education systems*. Brussels, European Commission <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2008:0423:FIN:EN:PDF>

TABLE 41. STAGES OF EDUCATION IN THE NETHERLANDS

Age	Educational level		
2	Kindergarten		
3			
4	Primary School (Optional first year)		
5	Compulsory Education		
6			
7			
8			
9			
10			
11			
12	Preparatory Secondary Vocational Education (<i>Vorbereidend Middelbaar Beroepsonderwijs</i>)	Senior Secondary Education (<i>Hoger Algemeen Voortgezet Onderwijs</i>)	Preparatory Secondary Vocational Education (<i>Vorbereidend Wetenschappelijk Onderwijs</i>)
13			
14			
15			
16*	Senior Secondary Vocational Education and Training (<i>Middelbaar Beroepsonderwijs</i>)	Higher professional education (<i>Hoger Beroepsonderwijs</i>) Bachelor (4 years)	University Education (<i>Wetenschappelijk Onderwijs</i>) Bachelor's degree (3 years)
17*			
18			
19	Job Market	Job Market	Job Market
20			
21			
22		Master (1 year)	Master (1 year)
22+		Job Market	

* Partially compulsory education.

Source: Wikimedia Commons, original dated 2006.

are taken as often as they should be, and whether their existence is enough to offset the disadvantages

for migrants of a highly stratified system with early selection, is not clear.

SCHOOL TYPES

Primary

Basisonderwijs [Primary School]

Length of program in years: 8

Age level from 4 to 11

General Secondary

Vorbereidend Middelbaar Beroepsonderwijs (VMBO) – Theoretische Leerweg (TL)
[Preparatory Secondary Vocational Education]

Length of program in years: 4

Age level from 12 to 15

Certificate/diploma awarded: VMBO Diploma – Theoretische Leerweg (TL)

Pre-vocational

Vorbereidend Middelbaar Beroepsonderwijs (VMBO) – Basisberoepsgerichte,
Kaderberoepsgerichte, Gemengde Leerweg (BL,KL,or GL)

[Preparatory Secondary Vocational Education]

Length of program in years: 4

Age level from 12 to 15

Certificate/diploma awarded: VMBO Diploma – BL, KL or GL

Vocational

Middelbaar Beroepsonderwijs (MBO)

[Senior Secondary Vocational Education and Training]

Age level from 16 to 29

Certificate/diploma awarded: MBO Diploma

Senior Secondary

Hoger Algemeen Voortgezet Onderwijs (HAVO)

[Senior Secondary Education]

Length of program in years: 5

Age level from 12 to 16

Certificate/diploma awarded: HAVO Diploma

Pre-university

Voortgezet Wetenschappelijk Onderwijs (VWO)

[University Preparatory Education]

Length of program in years: 6

Age level from 12 to 17

Certificate/diploma awarded: VWO Diploma

4.2. Characteristics of RASC

Refugee children are not treated as a separate administrative category: they are simply classified as (first-generation) migrants. The survey carried out by Dourleijn & Dagevos (2011), based on a sample of 1,000 people from each of the four main countries of origin of refugees, gave some

information about the characteristics of RASC and their parents.

This survey showed that the earliest refugees from Iran, Iraq and Afghanistan tended to belong to the élite of these countries, with higher levels of education and occupational status. Those who came later were more representative of the total population. Because

OVERVIEW

- **Primary education** lasts for eight years.
- **Secondary education** comprises VMBO, HAVO and VWO
 - VMBO prepares for MBO (vocational training)
 - HAVO prepares for HBO (higher professional education), but students can also transfer to VWO or MBO
 - VWO prepares for WO or HBO
- **Vocational training** comprises MBO
- **Higher education** comprises HBO and WO
 - WO is University education
 - HBO is Higher Professional Education

of the severe social and economic disruption in Somalia, very few recent refugees from that country have enjoyed a reasonable level of education. By contrast, those coming from Iran (many of whom arrived in the 1980's) have a slightly higher level of education than the native Dutch population.

It is important to realise that educational qualifications obtained abroad may be of little value in the Dutch labour market, particularly when they are accompanied by limited language proficiency. Partly for this reason, many refugees are unemployed or working in jobs far beneath their abilities. However, the culture of refugees' families and the way they bring up their children may be more 'middle-class' than their occupation suggests. This can explain the observation that refugee children seem to be regarded by teachers as having much more potential than other children of migrant origin.

4.3. Status of RASC in the national educational system

As already mentioned, there is a clear distinction between refugee and asylum-seeker children. Almost all the latter live in the separate world of the asylum seeker centres, only emerging to attend school in the local community. Once a child has refugee status (or one of the other kinds of status mentioned in Section 2) and moves outside the AZC, however, he or she is not distinguished from other children of migrant origin. For this reason we discuss education for these two groups separately.

Education for asylum-seeker children

After their first examination by the IND, asylum seekers in the Netherlands are housed in one of the reception centres. Those whose application is rejected in the eight-day 'fast track' procedure are required to leave the country and may be detained awaiting their return. We have not investigated the numbers of children in this category or the schooling that is provided for them.

For the children in AZC's, education is compulsory between the ages of five and sixteen. We will first discuss the situation of children under twelve. If there are enough children in this age group, a regular school in the neighbourhood of the AZC will often open a school inside the centre. In fact, parents have the right to enrol their children in regular schools outside the AZC, but this apparently seldom or never happens – possibly because parents do not know they have this right.

The fourfold reduction in the number of asylum seekers between 2001 and 2008 was accompanied by the closure of many AZC's, and during this process it was not uncommon for families to be shifted several times to new locations. This, of course, had deleterious effects on the education and general development of children, who lost continuity in their studies as well as in their social world and physical environment. Fortunately, relocations are much less common at present. Moreover, because there are fewer asylum seekers and their applications are processed more rapidly, the average length of time

spend in an AZC is shorter than before (two years instead of five, according to informal estimates).

Schools located within the AZC do not provide contact with Dutch children, although it is possible for other migrant children living in the neighbourhood to attend them. As none of the children speak Dutch, the first year is spent in an introductory class (*schakelklas*), in which the emphasis lies on language learning. After that, teaching will often continue to be given in the AZC. However, in recent years there has been a change in thinking about the issue of mixing asylum-seeker and other children. Previously, the view was widely shared that asylum-seeker children constituted a vulnerable group that needed a secure and sheltered environment in order to recover from the traumatic experiences they had been through. Schooling within the AZC's seemed the best way to provide this. But LOWAN, a support agency for those concerned with school education for newcomers (see Section 5), recommends that children under six should start immediately in a local school outside the AZC. Their assumption is that language learning will take place rapidly through contact with other children, without the need for formal language instruction by teachers. (We have been unable to discover how often this advice is followed.) LOWAN also recommends that asylum-seeker children older than 6 should spend a year concentrating on learning Dutch and then be transferred to regular schools, unless they still have a low level of Dutch proficiency.

Schools within the AZC are only for children under twelve (primary school age). Older children will go to a school outside the centre, but they will not be immediately placed in a class with other Dutch children. Their first one or two years will be spent in an international introductory class (*internationale schakelklas* or ISK). These classes focus on learning Dutch and may be divided into several groups dependent on language level. During this period an assessment will be made of the level at which schooling should be continued.

Education for refugee children

Once an asylum-seeker family has received a residence permit they can apply to a local authority for housing, which is provided as of right. Previously it could take a year or more before suitable accommodation is found, during which period the

family had to continue living in the AZC. However, this procedure has now been accelerated.

Once in the outside community, children can be enrolled in regular schools. However, if they have not followed an introductory class in their period as an asylum seeker, or if their language proficiency is still poor, they will be advised to spend their first year in an introductory class. If such a class is not available, a regular school can get an additional allowance for extra language teaching if they have more than four children with a language deficit. Language is almost certain to be a problem when children enter the Netherlands later than their parents, for example after the parents' asylum claim has been granted. Volunteers from the Dutch Refugee Council (*VluchtelingenWerk*) help refugees in the first months of settling into a community and can advise parents about the schools available. In theory, parents have the right to enrol their children at the school of their choice.

Insertion into the regular school system: overcoming language barriers in primary schools

Introductory classes (*schakelklassen*) are the main instrument that has been introduced to meet the needs of children whose language proficiency does not equip them to profit adequately from education in a regular school. They are not only provided for RASC, but for newcomers of all kinds (e.g. children joining their family or immigrating with their parents). The increased mobility of EU citizens is raising demand for these classes. In a city like Tilburg (pop. 204,000), and even in smaller towns such as Zaandam (pop. 145,000), about sixty such children may arrive each year. It is also possible that a child who started learning Dutch in an AZC school or an ISK will need additional language help before being able to enter a regular school.

Each local authority is able to decide for itself how to organise introductory classes. Sometimes a class will be housed in the same building as a regular school; sometimes a whole school will consist of introductory classes. The introductory school in Tilburg works together with all schools in the city and is housed in three different regular schools.

Introductory classes typically contain children of different ages. They are smaller than normal school classes, because the children need a lot of individual

attention. Every child is assessed at the moment of application. There is an intake with parents who are asked about the level of Dutch of their children. As an example, we will discuss the procedure using data from an interview with a teacher from the introductory school in Zaandam. This school is famous for its long history of developing methods for teaching Dutch to children, though it is not the only school in the Netherlands with this kind of special expertise.

The Kernschool in Zaandam is attended by children aged six-twelve. Each group consists of twenty children, and children of approximately the same age and level of language ability are put together. Each child follows a programme of four modules of ten weeks each.

At the end of each module an assessment is done to evaluate the progress made. The methods used are focused on learning lines (*leerlijnen*). For each child, initial targets are set and methods are chosen to remedy their deficits. New methods are constantly being developed and evaluated. At the moment, the best progress is seen to be made by using verbal methods of teaching grammar. The Zaandam school uses the book of J. Coenen called *Zien is snappen* ('Seeing is understanding'). Children work very hard to catch up with the level of their Dutch peers. The school claims that children do three times more work than in regular schools, although the teaching hours are only two hours more every week.

After a year in the introductory school, teachers advise the children and their parents about the appropriate level for subsequent education in regular schools (primary or secondary depending on age). Sometimes a CITO test is used (the test routinely used to measure children's abilities before the transition from primary to secondary schooling). If a child has been in the Netherlands for less than four years, the school is not obliged to use the CITO test and is allowed to make profile based on work done in the learning lines.

Teachers at the Kernschool have learned from their experience with refugee children to avoid 'under-advising' and instead aim high. Their view is that refugee children can do remarkably well in regular schools. However, regular schools can sometimes be reluctant to take on refugee children because

they think teachers will have to spend a lot of time dealing with their special needs. To overcome this reluctance, some introductory schools provide an extra support service for regular schools. This service is offered by a consultant from the introductory school.

Teachers working in the introductory school are trained in the NT2 curriculum (Dutch as a second language), preferably to Master's level. They must be able to work with children of different levels of language proficiency and different age groups, and they have to be qualified to advise children about future education. The necessity of finding such versatile staff members and maintaining the team's skills is seen as a major challenge to introductory schools.

Special attention may be needed to make the school a safe and stimulating environment for refugee children. Especially those with dark skins are seen as vulnerable to discrimination, both in the present and in the future. For this reason, teachers at the Kernschool take pains to welcome each child individually every morning. The headmaster opens the school and welcomes every child by name with a handshake. In this way, children can feel that they are seen, recognised and respected. This might help them to cope better with situations in which they may be discriminated against.

As in any school, not all children do equally well. As we will see in the discussion of levels of achievement in secondary education, Somali children are seen as the least successful in the introductory schools. This is explained by the lack of previous education in Somalia, the low levels of education of their parents and their high levels of illiteracy.

Part-time introductory schools

In Tilburg, the introductory school offers not only full-time education to children with low Dutch proficiency, but three other forms of education and support as well.

1. A part-time introductory class (two days a week) for children in regular primary schools, paying specific extra attention to learning Dutch. Schools can advise parents to send their children to the introductory class, but they are not obliged to follow this advice. Some parents oppose it on the

grounds that it puts all children with a language deficit in one class: they are concerned about the lack of integration with other schoolchildren. Others, however, see the advantage of special attention for mastering Dutch.

2. The 'head class' (*kopklas*) is a class for children after they have finished the regular program of a primary school. It is intended for children who seem capable of profiting from a higher level of secondary schooling, but are held back by poor language ability. In fact, it is an 'introductory' class sandwiched into their school career.
3. As mentioned before, the introductory school also provides consultation for regular schools dealing with children who need extra help in mastering Dutch.

'Profit' classes (Profijtklassen)

A special project, funded by a charity organisation (Child Stamps) is run by FORUM (Institute for Multicultural Affairs). There are thirty classes for fifteen students aged ten-twelve, spread over the Netherlands within schools or welfare organisations. These children are taken to be of normal intelligence and developing normally, but handicapped by their low level of Dutch proficiency. In some of these classes there may be refugee children. The 'profit' class is for two hours a week in addition to regular teaching, and it is financed by a project, which started in 2009 and will run for four years. There are more schools interested in joining this initiative but budgetary constraints prohibit this. First results are said to be promising.

Secondary schools

The achievements of refugee children at different levels of the Dutch educational system give an indication of their integration into the system. The report by the Netherlands Institute for Social Research on refugee groups in the Netherlands¹⁷ examined the educational performance of people living in the Netherlands originating from Afghanistan, Iraq, Iran and Somalia.

Respondents in this study were aged fifteen or older. At fifteen a child will normally be in the third

or fourth year of secondary school. The school type will give an indication of the level of education they are following: this can be VMBO (vocational and junior general secondary level), HAVO (senior general secondary level) or VWO (pre-university level).

- A relatively high proportion of students of Iranian and Afghan origin are on courses at senior general secondary or pre-university level. Iraqi students lag behind these groups, and few Somali students are in courses at this level.
- The Iranian students seem to do slightly better than the native Dutch population and this is explained by the fact that many of elite fled the country: many Iranian refugees are highly educated.
- In terms of secondary school type, students from Somalia are comparable with those of Turkish and Moroccan origin. A higher proportion of them are at vocational or junior general secondary schools than the proportion of the native Dutch population.

Drop-out

Reducing premature school leaving is an important priority in Dutch educational policy. Over the last few years levels of drop-out have been reduced, but not to the same extent for all groups. Students of Somali origin are still the most vulnerable to drop-out, although their rates have been reduced the most. The drop-out amongst students of Afghan origin is the lowest of all non-western groups, including groups of Turkish and Moroccan origin, and it comes close to that of native Dutch.

Higher education

Migrants are under-represented in higher education, in particular within the universities.¹⁸ Since 2005, the Ministry of Education has worked with institutions for higher professional education (HBO) to remedy this situation, and from 2011 it will extend this programme to the universities.

A serious problem for asylum seekers with a good level of schooling or higher education is

¹⁷ Dourleijn, E. & Dagevos, J. (2011). *Vluchtelingengroepen in Nederland. Over de integratie van Afgaanse, Iraakse, Iraanse en Somalische migranten*. Den Haag: Sociaal en Cultureel Planbureau.

¹⁸ OECD (2009) *OECD Thematic Review on Migrant Education: Country Background Report for the Netherlands 2009*. Paris: OECD Publishing.

the inaccessibility of higher education in the Netherlands for those not in possession of a residence permit. Without this, they cannot apply for a student grant to help with their tuition fees and other costs. For some asylum seekers it is a great advantage to be able to begin obtaining (or renewing) their qualifications while they are waiting for their asylum application to be processed. Precious years of their life, as well as the continuity of their studies, may otherwise be lost. A charitable organisation, the Foundation for Refugee Students UAF (see Section 5), provides financial support and guidance to refugees and asylum seekers who wish to undertake higher education in the Netherlands.

4.4. Special groups

RASC in need of mental health care

For individual children in need of advice, treatment or counselling, there are two possible approaches. The first is medical and psychological consulting. In Gouda there is a team consisting of a psychiatrist, a psychologist, a social worker and a representative of the Refugee Council. If teachers working with RASC, had worries around a child or his or her family, the teacher could ask for consultation. This could help the teacher find new ways to communicate with the child but it could also lead to a referral for parents to psychosocial services or mental health.

A second approach is referral of RASC to the regular services. For children in general, there is a whole system of care, including Youth Care (Jeugdzorg) and Child Protection. The main function of Youth Care is case management. This provides indications for services working directly with the family, aiming at support for parents and children at school. Children may also be referred to mental health services. The indication for this can be any kind of psychopathology, for example PTSD, PDD or ADHD. Youth Care and mental health care for children are organised on a regional level in the Netherlands, with differing approaches, but as a common factor they will pay attention to the functioning of children at school. It is quite common to ask teachers to fill in the Teachers Form of the Child Behavioural Check List and it is possible to suggest interventions at school.

Child Protection has a different task as it looks after those children who are in danger of being a victim of child abuse or any other kind of mistreatment by parents. The same approach is adopted for RASC children as for native Dutch children, which means that the agency investigates the conditions in a family and advises a special Child Judge on whether a child needs to be taken away from parents and put into foster care or an institution for child care. We do not know how many RASC are dealt with by these services, but it is frequently the case that language barriers and cultural differences create dilemma's concerning the best course of action.

On a national level there are some special mental health services for RASC, in particular Centrum '45, where children can be treated with psychotherapy and families can be treated in a multi-family group. The relevance of all these services to educational integration is that improving mental health and social competences help RASC to function better at schools.

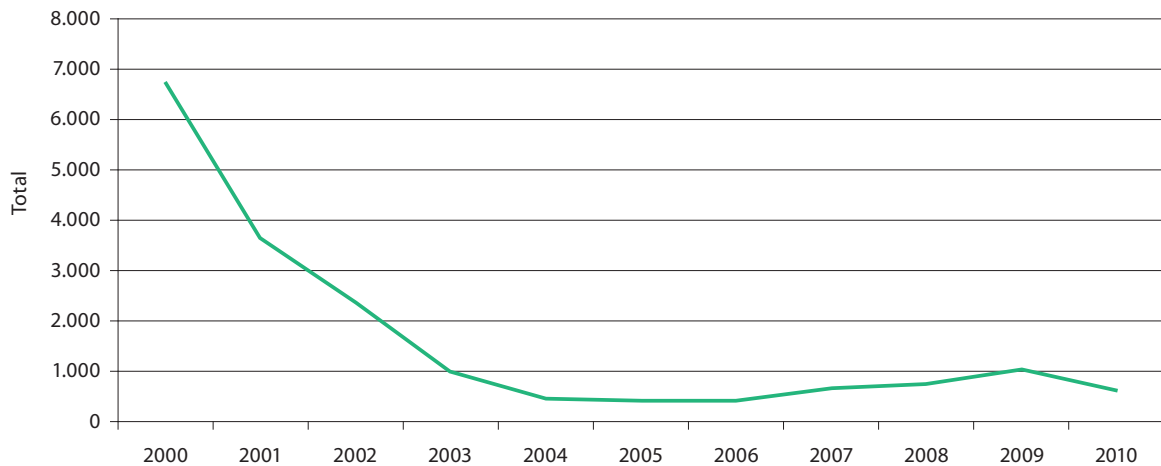
Unaccompanied minor asylum seekers (UM's)

Special procedures apply to this group of children, most of whom arrive between the ages of fifteen and eighteen. The decline in their numbers has been nothing short of spectacular. 2001 saw the highest yearly total of asylum applications by unaccompanied minor applications in 21 EU countries (about 20.000); by 2006, this number had fallen to about 13.000. But as the following graph shows, the reduction in the Netherlands – from 6.705 to 410 – was far more drastic. Whereas in 2000 the Netherlands was far and away the most popular EU destination country for this group, accounting for 45 per cent of all EU applications, this figure was a mere 3 per cent in 2006.

The reduction in inflow only gradually led to a reduction in the total numbers present, because unaccompanied minors generally remain in the Netherlands at least until their eighteenth birthday (or even longer if their claim has not yet been processed). Nevertheless, there has been a steep decline in the demands made on agencies dealing with unaccompanied minor migrants.

On arrival, UM's are allocated a ward by the organisation NIDOS. In the Netherlands, a child under eighteen has to have an adult caretaker;

FIGURE 18. INFLOW OF UNACCOMPANIED MINOR ASYLUM SEEKERS, 2000 – 2010



moreover, a child under the age of twelve may not apply for asylum – an adult has to submit their application. The asylum procedure is largely the same for them as for adults, but if their claim is accepted they receive help in preparing for integration into Dutch society. If it is rejected, they are in most cases allowed to stay in the Netherlands until their eighteenth birthday.

A critical issue is whether the child is younger than fifteen on arrival. If so, they will be entitled to stay in the Netherlands and will get a new permit when they become eighteen.

In January 2007 a new policy for the accommodation of UM's was introduced. All UM's older than thirteen go first to a AC-kwg (*kinderwoongroep*), a special children's hostel from which they are referred to another form of accommodation. There are four options:

- Kwg: the children's hostel with twenty-four hour supervision for 12 UM's
- Campus: twenty-four hour supervision for 100 UM's
- KWE (*kleine wooneenheid*): a small unit for 4 UM's
- Foster families: for individual UM's.

With the exception of those UM's in the Campus, all UM's go to the same schools as other asylum seeker children. For UM's the age of eighteen is critical for their asylum procedure but also for their education, as a school might decide to stop teaching UM's for whom they do not get financial compensation.

Recently, concern has arisen over the number of unaccompanied minors kept in detention. This measure was introduced in 2008, supposedly to protect children from exploitation after it emerged that some were disappearing from AZC's and being put to work as prostitutes by organised gangs. However, detention was also used for UM's whose asylum claim had been rejected and had gone into hiding but had been picked up by the police; those who were suspected of crimes; and those who were suspected of being over eighteen. On human rights grounds, the government was put under increasing pressure to find an alternative solution. In March 2011 the government decided to limit detention to UM's detained by the police or immigration authorities on the above-mentioned grounds. Other UM's would be kept in open accommodation, but under supervision.

5. GOOD PRACTICES DESCRIPTION AND ANALYSIS

5.1. Good practices incorporated into national policies

As we have seen, the Netherlands has been one of the major European destinations for asylum seekers. Hundreds of thousands of them have been dealt with, especially during the 1980's and 1990's, and a vast amount of experience has been gained concerning their needs and the best ways to meet these. Since the introduction of multicultural policies for migrant integration at the beginning of the 1980's, the government has also invested heavily in education for migrant children in general, and many projects and policies have been developed. Opposition to migration and doubts about multiculturalism arising since the end of the 1990's have not yet succeeded in fundamentally undermining this policy framework.

Good practices for the educational integration of RASC are therefore to a large extent embodied in the education system itself.

A word is also in order here about the relation between governmental and non-governmental organisations in the Netherlands. Until the 1960's the country was divided into 'pillars' corresponding to Catholic, Protestant, Socialist and Liberal groupings. Each pillar was semi-autonomous and central government therefore had something of a federal character. Dutch politics developed a strong tradition of power-sharing, decentralisation and consultation, as opposed to strong central government with rigid, top-down policies. Even after confessional groupings had largely disappeared, the 'polder model' of discussion and consensus remained the preferred model of governance.

As a result, the significance of the distinction between governmental and non-governmental organisations is not the same in the Netherlands as in most other countries. Public services such as education and health are to a large extent the responsibility of entities that are legally separate from the government, even though they may be ultimately regulated by it. Most such entities are not-for-profit organisations, but exceptions to this rule are increasingly common. Important tasks are often delegated to NGO's, which remain

legally autonomous but because of their symbiotic relationship with the government are *de facto* more or less an extension of it. This fuzzy dividing line between governmental and non-governmental organisations can give rise to serious confusion: Salomon et al. (2003) report that the percentage of those employed in 'the civil society workforce' in the Netherlands is thirty-three times greater than in Sweden – yet both countries are welfare states in which voluntary work and the 'private sector', as traditionally understood, play a minor role.

We must therefore bear in mind that many of the service providers, advisory bodies and centres of expertise dealing with RASC are only in a limited sense 'non-governmental'. At the other end of the spectrum can be found more typical NGO's such as action groups or lobbies, sometimes set up precisely to oppose government policy and usually independent of government funding. The position of an NGO on this spectrum can change over time, as its relationship with central government changes from collaborative to oppositional or vice versa.

Because of the difficulty of drawing the line between governmental and non-governmental initiatives, we have treated them together in this section. Many of the good practices we shall list are in fact elements of the government policies already described in Sections 3 and 4 above.

5.2. General policies on migrant integration

As we have seen in Section 3, despite a hardening of the political climate, much of the policy infrastructure in the Netherlands remains favourable to migrant integration – at least by comparison with other European countries. Traditionally, Dutch policy has been informed by a strong commitment to social inclusion and egalitarianism. These values are reflected in the high level of political and civil rights afforded to migrants and the measures taken to improve their access to the labour market. Recent neo-liberal and populist trends in Dutch politics have had remarkably little impact on these basic policies up till now.

Underpinning the whole edifice of social policy in the Netherlands is a strong tradition of data-gathering and research, without which monitoring, evaluation,

reasoned discussion and improvement of policies would not be possible. Perhaps the most fundamental 'good practice' for improving migrant integration is an adequately funded, professional infrastructure for statistical monitoring and social research. In a typically Dutch system of loose alliances, these tasks are shared between central government, universities, independent research institutes, commercial bureaus and advocacy groups. Even though politicians from time to time choose to ignore the results of research, it continues to be generated.

This is not to say that there is no room for improvement in the data-gathering procedures. As mentioned by the OECD (2010: 42), research on integration tends to focus on the four large traditional migrant groups, neglecting the fact that other groups have come into existence since the 1970's – and that a large number of migrants in fact belong to very small groups. It is not uncommon for large cities in Europe to harbour 100 or more different nationalities. This 'super-diversity' demands a radical rethinking of approaches to integration policy.¹⁹

5.3. Specific policies furthering educational integration of migrant children

Individual teachers may have different perceptions of refugee children and other migrant children, and approach the two groups in different ways, but for the most part, the educational practices and policies that further the integration of RASC in the Netherlands are the same ones that have been developed for migrant children in general. At present, refugee children form only a small percentage (perhaps 5-10 per cent of the total number of children arriving in the Netherlands).

The OECD report on the Netherlands (2009) gives a generally favourable impression of education for migrant children in the Netherlands: "In international comparison, Dutch primary school students with an immigrant background perform well" (ibid., p. 7). The report noted, however, that there staff shortages in the three largest cities, especially in schools identified as 'weaker'. Another criticism was the following:

The Dutch system of selecting the type of secondary school programme at an early stage can work to the disadvantage of students from disadvantaged backgrounds, if they are given a recommendation from primary school that is too low and are consequently placed in a secondary education track that is below their capabilities. (ibid., p. 86)

Because hardly any RASC will speak Dutch on arrival in the Netherlands, many of them will be 'late developers' who will be disadvantaged by selection at an early age. Another critical note in the OECD report (p. 102) is the observation that Dutch schools receive no funding for the development of teaching materials for intercultural education.

In the following sections we highlight some of the specific policies for the educational integration of migrant children. Most of these have already been mentioned in Sections 2 and 3.

Extra support for schools with educationally disadvantaged children

Part of the Dutch government's policy for combating educational disadvantage is to provide additional grants to schools on the basis of the numbers of children enrolled who fall into particular categories. Twenty-five per cent of all schoolchildren are regarded by the government as 'educationally disadvantaged'. In recent decades, a number of different indicators of disadvantage have been used (e.g. ethnicity, a low level of parental education, residence in a neighbourhood designated as 'deprived' and the number of years spent in the Netherlands). Grants may be given on the basis of the exact number of children, or alternatively when the school has more than a certain percentage of children in a given category.

Such policies have existed since the 1970's and were originally designed to benefit the children of working-class parents. In the 1980's, ethnicity came to be viewed as a separate indicator of disadvantage. In 2006 the emphasis shifted back to social disadvantage regardless of ethnicity, using such criteria as level of parental education and residence in a 'deprived neighbourhood'. Policies are thus complex and have been subject to frequent changes – but whatever system is in force, there

¹⁹ Vertovec, S. (2008). 'Super-diversity and its Implications', *Ethnic and Racial Studies* 30(6): 1024-54.

will nearly always be additional funds available for the education of migrant children. At present, an extra allowance can be claimed by secondary schools for 'newcomers' (foreign-born children who have been present for less than two years in the Netherlands).

Language instruction for newcomers

As we saw in Section 3, introductory classes or schools are available for children whose lack of Dutch language proficiency renders them unable to profit fully from regular schooling. (Not all of these children, incidentally, are foreign-born.) Primary school children can attend such an introductory class full-time, part-time, or outside normal school hours. A regular school with a small number of such children (at least four) can claim additional funds for language teaching. Thus, the government is involved on many fronts in subsidising language learning. Both this policy and the extra subsidies for schools have been accompanied by an improvement in outcomes,²⁰ but as these researchers point out, since the measures were applied across the whole school system rather than in a controlled experiment, it is impossible to say whether the improvements were due to the policies or to other factors. A critical note regarding such programmes is sounded by Nusche (2009), who writes:

Pull-out programmes where migrant students are withdrawn from mainstream classes to receive special language support has been common practice in some countries in the past (UK, US, Netherlands). But research has revealed many disadvantages of this approach: it produces hardly any additional teaching time, it requires students to miss parts of the normal curriculum, it may have a stigmatising effect, it is often taught by less qualified teachers, and there may be little coordination between the language teacher and the classroom teacher.²¹

Action to prevent dropout

A raft of measures has been introduced since 2006 by the Ministry of Education, implemented via covenants with individual local authorities and

schools, to reduce the numbers of secondary school pupils who drop out early. Like the extra grants for educationally disadvantaged children, these measures are not specifically targeted at migrant children, but are highly relevant to them. The report by Dourleijn en Dagevos (2009, p. 99) showed that in all the migrant groups studied, the rate of dropout declined between 2005 and 2008. The authors attribute this effect to the new measures introduced by the government, but closer examination of the figures shows that the greatest decline occurred before the measures were introduced; in fact, drop-out has been declining steadily since 2002. However, this is not to say that the interventions are not worthwhile.

Early childhood education

A top priority for immigrant and disadvantaged children in the Netherlands has been early childhood education. It is believed that early intervention can advance Dutch language development, leading to better chances in future education. Since 2000 the promotion of early child education has been a key initiative in the government's attempts to reduce achievement gaps between native and immigrant students. Indeed, by 2011 the government aims to achieve 100 per cent participation in early childhood education programs for immigrant and disadvantaged children. In addition, playgroups for children from the age of two, to stimulate language use through play, are now commonly organised by primary schools and preschools. Leseman (2007) points out that to be successful, pre-school projects must meet specific criteria: they must be early-starting and intensive, with high quality and professional involvement, child-centeredness as well as family-centeredness, integration of educational and care functions, and financial accessibility for all. Interestingly, his examples of good practice are drawn from Finland, Sweden, Denmark and Italy, but not from the Netherlands.

Action against segregation in schooling

Segregation in schooling has been a hot topic in the Netherlands for some years because of the tendency

²⁰ Ledoux, G. en A. Veen (2009). *Beleidsdoorlichting onderwijsachterstandenbeleid. Periode 2002 – 2008*. Amsterdam: SCO-Kohnstamm Instituut.

²¹ Loewenberg, M. & Wass, B. (1997) Provision for the Development of the Linguistic Proficiency of Young Immigrants in England and Wales and France: a comparative study. *Comparative Education* (33), 395-409;

for children of migrant origin to be concentrated in particular (primary) schools, which have become known as 'black schools'. To a large extent, this is simply due to the fact that migrants tend to be concentrated in particular neighbourhoods. However, there is an additional tendency for 'white' parents to avoid these schools ('white flight'). Parents are not obliged to choose a school in the immediate area that they live in.

This issue came to the fore in the 1990's, when it mainly concerned the four largest cities, but smaller cities are increasingly confronted with it. Schools in the vicinity of large asylum-seeker centres may also become 'black schools'. The Dutch government is opposed to this trend, on the grounds that it reduces inter-ethnic contact and social cohesion. However, some claim that ethnic segregation has positive aspects. It enables schools to develop special expertise in the education of children of migrant origin, while inhabitants of ethnically mixed environments may be exposed to more stress and conflict than those living in segregated ones. Moreover, probably because of the extra funds available to schools in deprived neighbourhoods, the quality of 'black schools' is not necessarily lower.²²

5.4. Policies and practices relating to the education of asylum-seeker children

Language education to prepare asylum-seeker children for participation in regular schools

- Provision of introductory classes for asylum-seeker children

As we have seen, for asylum-seeker children up to the age of twelve a class will usually be set up within the AZC to improve their language proficiency to the point at which they can attend a regular school in the neighbourhood. For children of thirteen and over, introductory classes are usually organised on a regional basis, serving children from a wide area; there are about sixty-five of these classes in the whole country. The preparation

for regular secondary school may last up to two years. For migrant children leaving primary school who show signs of being held back by inadequate language proficiency, there are special introductory classes sandwiched between primary and secondary school; about eighteen of these classes are spread around the country. Often children are enabled in this way to move on to a school type in which they can more fully develop their potential.

- Profijtklassen (FORUM, Institute for Multicultural Affairs)
<http://www.forum.nl/international>

These are supplementary language classes for ten-twelve-year olds, for two hours a week. They are not specifically intended for RASC but may be used by them. The project is still ongoing and has not yet been evaluated. It is run by the (partly government-financed) organisation FORUM.

- LOWAN <http://www.lowan.nl/>

LOWAN is not itself an educational practice, but an organisation that sets out to further good practices in the education of recently arrived migrant children. It supports schools and teachers through information, advice and skills training in courses and innovative projects. Originally set up in 1992 with a specific focus on asylum-seeker children, it has now broadened its aims to include all school-age newcomers. It is financed by the Ministry of Education.

One of LOWAN's most practical functions is to guide teachers and school directors through the maze of regulations governing subsidies for 'educationally disadvantaged' pupils. It also brings those working in the field in contact with each other and functions as a centre of expertise.

LOWAN represents educators concerned with newcomers in contacts with other bodies. Its most important discussion partner is the Ministry of Education itself. Examples of other contacts are:

- In collaboration with the SLO (Netherlands Institute for Curriculum Development), LOWAN develops blueprints for curricula which can be

²² OECD (2009) *OECD Thematic Review on Migrant Education: Country Background Report for the Netherlands 2009*. Paris: OECD Publishing: 76.

used in all schools teaching newcomers. Instead of each school developing its own curricula and teaching materials, the content of teaching will be harmonised and situated within an explicit developmental perspective. The aim is to increase the quality of the teaching and therefore its effectiveness. Quality control is an issue that has received insufficient priority in the past.

- The national organisation Cito is responsible for the development of tests and test material. In partnership with LOWAN and a group of schools, it is working on the development of tests suitable for use with newcomers and on collecting data about their abilities.
- As part of a scheme for developing innovative practices in primary school teaching that emphasise the improvement of outcomes (Op-Maat trajecten), LOWAN has developed tools for improving language instruction.
- Research projects are being undertaken on, for example, the competences required of teachers in this field.
- Other organisations with which LOWAN liaises include the Inspectorate of Education, the professional body of School Attendance Officers, the Central Agency for the Reception of Asylum Seekers, and local authorities.

LOWAN also works to promote policy changes in this field. For example, it is in favour of allowing the youngest asylum seeker children (under six) to go straight to the local primary school, without the usual year of language instruction in an introductory class within the AZC. The organisation believes that this is more stimulating for the child's development, as well as being a more effective way to learn Dutch than instruction by teachers.

Another more general change concerns the shift in focus from a protective approach to a challenging one. Although it is crucial that an asylum seeker child should be able to feel socially and emotionally at home in the school, they do not only need a peaceful, secure and safe environment. In order to realise their potential they also need challenges and stimulation. Given the difficulties RASC seem to have in negotiating the educational system and the labour market, such a change in orientation would seem to be very much in the interests of improving their later chances, provided of course that their emotional needs are not neglected. LOWAN has developed instruments for assessing

the developmental levels of asylum-seeker children and setting appropriate targets.

Interventions to improve the situation of RASC and their well-being

- Mainstream youth care services and child protection

In Section 4.4. we discussed the provisions for RASC in need of mental health care or other forms of intervention. While child healthcare, youth care and child protection are highly developed in the Netherlands, there are recurrent complaints that these services do not work effectively and are too bureaucratic. Such criticisms can be heard in many countries and are especially loud when tragic and shocking cases of child abuse (etc.) come to light. At the same time, however, the services are roundly condemned if they are seen as unduly interfering with people's private lives. Such services therefore have to fulfil impossible demands from the public.

Nevertheless, one problem is acknowledged by professionals and public alike: the difficulty these services have in reaching young people and their families with a migrant background, and their need to develop skills for looking after a culturally diverse population. Much effort is currently being devoted to increasing the 'cultural competence' of these services, and this will undoubtedly also benefit RASC.

- School programmes and other activities developed by Pharos
<http://www.pharos.nl/supernavigatie/english>

Since early in the 1990's, the government-financed NGO Pharos (Knowledge Centre on Refugees, Migrants and Health) has been developing and disseminating programmes for use with newcomers (both RASC and other migrants) in both primary and secondary schools. The aim of these programmes is to support the social-emotional development of the children. Helping the children to feel recognised, accepted and understood at school can be crucial to their educational integration. Through these programmes they become better able to articulate their experiences and relate to each other. The programmes have been positively evaluated and adopted in many other countries, including England, Scotland, Sweden, Austria, Italy, Germany and Canada.

As well as these programmes for children, Pharos has developed training materials for teachers to help them recognise and respond to the psychological and emotional needs of RASC. It has also undertaken extensive research on the problems of these children, as well as methodologies for intervention on such topics as the sexual health and sexual education of UM's.

Quite apart from the particular projects, methods and materials Pharos has produced, the very existence of such a centre has acted as a powerful catalyst to improving the 'state of the art' in the care of refugees and asylum seekers in the Netherlands. Pharos has its roots in the Refugee Health Care Centre which was set up in the Health Ministry in 1979; in 1993 it became an independent organisation. The establishment of such centres of expertise (of which LOWAN is another example) should be considered as a good practice in its own right.

- Organisations offering advice and advocacy for refugees and asylum seekers

A number of organisations provide accessible, informal services to refugees and asylum seekers, which may include advice on educational matters. They also lobby for the interests of these groups. Such organisations should also be classified as good practices.

VluchtelingenWerk (Dutch Council for Refugees)

<http://www.vluchtelingenwerk.nl/english/english.php>

This independent NGO (partly financed by the government) was founded in 1979. It has more than 7,000 volunteers and 600 paid employees, and offers refugees practical support during their asylum procedure as well as help to rebuild their lives in the Netherlands. With one National Office, fourteen regional offices, and 310 local branches it is active in 90 per cent of all local authority areas. The National Office supports the regional and local branches with advice, education, and information.

The Dutch Council for Refugees fights for the rights of refugees in the Netherlands. It provides politicians with information concerning refugee issues and policy and conducts an active lobby for refugee rights. It gives information and advice to asylum lawyers and develops various projects to promote

the integration of refugees in the Netherlands. It is also committed to increasing public support for refugees.

UAF (Foundation for Refugee Students)

<http://www.uaf.nl/home/english>

As mentioned in Section 4.3, this charitable organisation provides financial support and guidance to refugees and asylum seekers who wish to undertake higher education in the Netherlands. The support offered consists of:

- Scholarships and contributions towards the costs of the preparation and of the studies.
- Individual advice and guidance by student counsellors.
- Support to graduated UAF clients in finding a job.
- Advice to governmental and educational institutions about suitable paths for higher educated refugees.

Defence for Children International (DCI)

<http://www.defenceforchildren.nl/p/43/522/mo89-mc97/english>

As well as offering help and advice on an individual basis, DCI in the Netherlands organises highly effective campaigns and legal actions to defend the rights of RASC. It has brought complaints on behalf of children to the Council of Europe and has secured judgements against the Dutch Government for the infringement of children's rights (in particular, those whose asylum claims have been refused).

INLA

<http://www.inlia.nl/>

INLA is a faith-based NGO set up in 1988 to provide practice, legal, medical and social assistance to refugees and asylum seekers, to advocate for their interests and to organise actions on their behalf. It operates mainly in the north of the country, where many asylum seekers are located.

National Foundation for the Promotion of Happiness ("The Happiness")

<http://www.vrolijkheid.nl/>

Since 2000, this satirically-named organisation has provided creative workshops and projects for asylum-seeker children. It is a multicultural, not-

for-profit network of artists, playwrights, actors, musicians and volunteers. The Happiness organises creative activities on a regular basis in thirty asylum-seeking centres in the Netherlands. For children and teenagers it is of great importance to be able to demonstrate during their development who they are and who they can be. This can be done through music, sculpture, theatre, play and games.

The Happiness is an independent organisation supported by individuals and private funding. It has a unique role thanks to the diversity of its flexible regional network; many projects are carried out by staff with a refugee background. Its main aim is to counteract the multiple kinds of deprivation to which children are exposed when they live for years within an AZC (see Section 6). In this “no-man’s land”, children lack stimulation, social contacts and a source of meaning in their lives. Some activities promote contact between asylum-seeker children and Dutch society. The creative activities offered, which are supported by a large staff of volunteers, have been positively evaluated. In the words of the Foundation:

We travel around with our story-tent in which parents and children tell stories and write about their lives. We make short films and animation, and have a ‘happy-house’ in which children tell their secrets to a camera. We have a photo project in which the World is captured from different perspectives. We build dream-houses and castles, make art-dioramas through which you can look to see the children’s dreams of the future. We make powerful and surprising theatre-plays with teenagers and put scarecrows in the neighbourhood of the asylum-seeking centres to scare away people who want to steal or ruin our dreams.

6. AREAS IN NEED OF CHANGE AND POLICY RECOMMENDATIONS

Up to now we have mostly emphasised the positive aspects of the arrangements for asylum-seeking children in the Netherlands, but certain deficiencies must also be noted.

The segregation of RASC in AZC’s and problem neighbourhoods

The most crucial factor in need of change for the integration of RASC in the Dutch education system relates to the conditions in which families live.

- Reception centres offer limited privacy for family life and isolate asylum seekers from the majority population. They deprive children – sometimes for years on end – of many kinds of stimulation and security that are essential to normal development.²³ Children would benefit from more normal interactions with other children in the neighbourhood or at school.
- Refugees are often housed in neighbourhoods with many social problems, including bad housing and high unemployment. This is a barrier for the successful integration of parents and children alike. The level of education of parents is strongly related to the results of children at school. Improving the participation of parents in Dutch society is an important recommendation for the integration of their children.

The need for special attention to educationally disadvantaged RASC

Special attention needs to be paid to RASC whose parents are themselves illiterate and lack proper education. Refugee children are not a homogenous group, any more than migrant children in general are. The Dutch educational system has experience with migrant groups that lag behind even after years of training and education. Lessons learned with the Moroccan group, for example, could also be applied to the Somali group. Although it might take time to improve the educational level of these groups, extra efforts are required to develop children’s full potential.

²³ Kloosterboer, K. (2009). *Kind in het centrum. Kinderrechten in asielzoekerscentra*. Voorburg: UNICEF Nederland; Nielsen, S. S., Norredam, M., Christiansen, K. L., Obel, C., Hilden, J. & Krasnik, A. (2008). Mental health among children seeking asylum in Denmark – the effect of length of stay and number of relocations: a cross-sectional study. *BMC Public Health*. 2008; 8: 293. <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2535781/>

The lack of attention to problems of racism and discrimination

According to the MIPEX integration index, the Netherlands has adequate anti-discrimination legislation. However, this only refers to the laws that are on the statute books. In practice, the implementation of these laws is often half-hearted and ineffective, while more subtle forms of discrimination such as those captured by the concept of 'institutional' or 'indirect' discrimination are seldom tackled.

During the past decade, many Dutch politicians and opinion makers have asserted that the right to freedom of speech should take precedence over the prohibition of discrimination and racism. For example, there have been passionate protests against the (currently ongoing) prosecution of the politician Geert Wilders for making statements such as that millions of Muslims should be deported from Europe. As in Denmark, derogatory and discriminating remarks about migrants are increasingly regarded as a healthy sign of freedom of expression. In strong contrast to countries such as the UK, sanctions are never imposed against discriminatory behaviour in the Netherlands.²⁴

Andriessen et al. (2007, 2008) report that migrants often experience barriers of discrimination impairing their access to the labour market. This applies particularly to 'non-western' migrants. Moreover, the rate of unemployment in this group is currently much higher (12.6 per cent) than among native Dutch (4.5 per cent). Among migrants aged fifteen to twenty-five, the rates were 23 per cent and 9.6 per cent (CBS, Statline).

Discrimination on the labour market is clearly a problem for young migrants, and it is also likely to undermine their motivation to do well at school. They may also experience indirect discrimination with the education system itself because of its exclusive focus on Dutch language, norms and culture. In addition, whereas in the large cities more than half of the school-age population may be of migrant origin, teaching staff remain overwhelming 'white'. Figures for 2009 show that only 3.7 per cent of all teachers in primary schools, and 4.7 per cent of those in secondary schools, were of non-Western migrant origin.²⁵ Only 7-8 per cent of all schools have a structural diversity policy.

Poor access to mental health services for children with psychosocial problems

Although all children are entitled to the full range of health care and there are many specialised services dealing with children, trauma's (etc.), there are still considerable barriers to access to mental health services for RASC as well as issues concerning the effectiveness of treatment. Many families (not only refugees but also migrants and even native Dutch) have little knowledge of mental health services and are not inclined to use them to solve problems. Most professionals are white and little attention is paid to cultural differences; diagnostic instruments and treatment methods are standardised on the basis of experience with the majority population. Despite efforts to 'interculturalise' mental health services in the Netherlands, there remain many barriers to their use by minority populations.

Conclusion

As we have seen, current policy in relation to the education of recently arrived migrant children shows a number of strengths. Special attention is paid to the needs of asylum seeker children.

The reduction in the numbers of asylum seekers in the Netherlands has had positive consequences for today's RASC. Asylum procedures are completed faster, so that children are less likely to have to spend years in the soul-destroying environment of an AZC. They are also less likely to be moved around, with all the destructive consequences this entails for their school work and friendships. Nevertheless, the present reception arrangements are not always designed with the child's best interests in mind.

Because of the reductions in scale, RASC are more likely to be taught alongside other migrant children. Educational policy for this group has undergone a process of development stretching back over decades. Whereas in the past, education in the child's own language was valued

²⁴ FRA (2010) Annual Report 2010. Vienna: European Agency for Fundamental Human Rights.

²⁵ BO (2010) *Diversiteitsmonitor*. Den Haag: Sectorbestuur Onderwijsarbeidsmarkt.

as an approach, the main emphasis at present is on learning to speak Dutch. However, the segregation of migrant children (both in schools and in neighbourhoods) is an issue that continues to cause concern.

The degree of professionalism among those who teach migrant children is high; researchers and educational innovators have long been active in this field. However, this very professionalism has a negative side, in the sense that the gap between the experts and the children they are aiming to help (as well as their families) remains wide. Very few teachers have a migrant background and little attention is paid to intercultural issues. Migrant parents seem to be poorly informed about their rights; 'intercultural mediators' are not employed by schools in the Netherlands, as they are in Belgium.

The educational achievements of RASC vary widely, but are sometimes higher than for other groups of children with a migrant background. Children from Iraq and Afghan tend to do well, while Somali children often have great difficulties. Special attention is needed for this Group.

It is unclear whether the continuing hardening of political attitudes towards migrants and asylum seekers is hindering the integration of RASC children in the educational system. Public statements which stigmatise and scapegoat people of foreign origin (especially Muslims) are no longer disapproved of, while less and less government help is available to help migrants to integrate; the dominant discourse is one of assimilationism. It is known that migrant children suffer from discrimination on the labour market, and these developments are likely to exacerbate this problem.

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LIST OF ABBREVIATIONS

AC-kwg	– Aanmeld Centrum Kinderwoongroep
ADHD	– Attention Deficit Hyperactivity Disorder
ASKV	– Amsterdams Steun Kollektief Vluchtelingen
AZC	– Asiel Zoekers Centrum
CBS	– Centraal Bureau voor de Statistiek
CITO	– Centraal Instituut voor Toetsontwikkeling
COA	– Centraal Orgaan Opvang Asielzoekers
DCI	– Defence for Children International
EC	– European Commission
Eurostat	– Statistical Office for the European Union
Forum	– Institute for Multicultural Affairs
HAVO	– Hoger Algemeen Voortgezet Onderwijs
HBO	– Hoger Beroeps Onderwijs
IND	– Immigratie en Naturalisatiedienst
INLIA	– International Network of Local initiatives with Asylum Seekers
LOWAN	– Landelijke Ondersteuning onder Wijs Aan Nieuwkomers
KWE	– Kleine wooneenheid
MBO	– Middelbaar Beroepsonderwijs
MIPEX	– Migrant Integration Policy Index
Nidos	– Organisation for guidance of UM's
NGO	– Non Governmental Organisation
NT2	– Nederlandse Taal 2 [Dutch as a second language]
OECD	– Organisation for Economic Cooperation and Development
Pharos	– Knowledge Centre on Refugees, Migrants and Health
PDD	– Pervasive Development Disorder
PTSD	– Post Traumatic Stress Disorder
SBO	– Sectorbestuur Onderwijsarbeidsmarkt

SCP	– Sociaal Cultureel Planbureau
UAF	– Foundation for Refugee Students
UM	– Unaccompanied Minor
UNDP	– United Nations Development Programme
UNHCR	– United Nations High Commission for Refugees
VluchtelingenWerk	– Dutch Refugee Council
VMBO	– Voorbereidend Middelbaar Beroepsonderwijs
VWO	– Voortgezet Wetenschappelijk Onderwijs
WO	– Wetenschappelijk Onderwijs

2.9. COUNTRY REPORT: POLAND

Magdalena Pasiut

1. INTRODUCTION: METHODOLOGY

One can believe that the field of educational integration constitutes a key area in managing social change. Thus successful educational integration is seen as a catalyst for overall social cohesion and, in the long term as a social mobility by facilitating inclusion in the labour market. This report is concerned with decision-makers with responsibility at a national and European level, as well as others working with refugee and asylum seeking children (RASC). It includes a brief description of the educational situation of RASC. However, the main purpose of this analysis is to identify and present good practices and measures that have been proven to be successful in promoting RASC integration at various levels of the education system in Poland. It is also intended to provide a general background and overview of Polish educational system and education status of refugees and asylum seekers. This report touches upon areas that need further research, such as policies and improvements with regards to education and social mobility. Finally, it presents some recommendations.

In order to analyse in greater detail the phenomenon of integrating RASC within the educational system of Poland, this report focuses not only on refugee and asylum-seeking children but also on other children granted different forms of humanitarian protection like “tolerated status” (which came into force in 2003) “subsidiary-protection status” (which came into force in 2008) and unaccompanied minors, who belong to high risk group. All of these groups are guaranteed free access to the education system and, because of their country of origin and cultural diversity, may be equally challenging for Polish schools and authorities.

Fieldwork research was conducted in order to explore this phenomenon in more detail. During this research eight semi-structured, in-depth interviews were

conducted by phone in January 2011. Amongst those interviewed were: the vice director of Poland/VOX Humana Association, who deals with prevention and in a broad sense combating social exclusion; an agent from the Polish/Office for Foreigners responsible for unaccompanied minors; an agent from the Reception Centre for single mothers Warszawa – Targówek (this centre was chosen because of its favourable location in the capital, where all major stakeholders like authorities, NGO’s are located, and where there is a high concentration of foreigners); an agent from the Reception Centre in Kolonia Horbów (chosen as an example of a small community facing this challenge); teachers from a nearby school; and finally interviews were conducted with two representatives of the Masovian Voivodeship/“Bednarska” Schools (Zespołu Szkół “Bednarska”). These interviews were carried out in Polish and translated by the author of this report.

Although the data available on refugee and migrant demographics remains insufficient, efforts have been put to pull out information from a variety of sources, including reports and studies from the United Nations, the European Union, governmental institutions, scholars and local NGOs. The new financing opportunities and European research funds in the region have helped towards the increase and diversity of in-depth analyses and academic works on refugee and migrant issues in Poland. Moreover, this analysis will be enriched by statistical data provided by: the Polish/Office of Foreigners, the Polish/Central Statistical Office, the United Nations High Commissioner for Refugees Poland (UNHCR), the International Organization of Migration Poland (IOM) and the Education Office in Warsaw.

2. REFUGEE AND ASYLUM-SEEKING: GENERAL BACKGROUND

This chapter provides a brief overview of Poland, together with some key information on the situation

of refugees, asylum-seekers and those granted other forms of protection in Poland. It presents a summary of the available statistical data on the current composition of the refugee population.

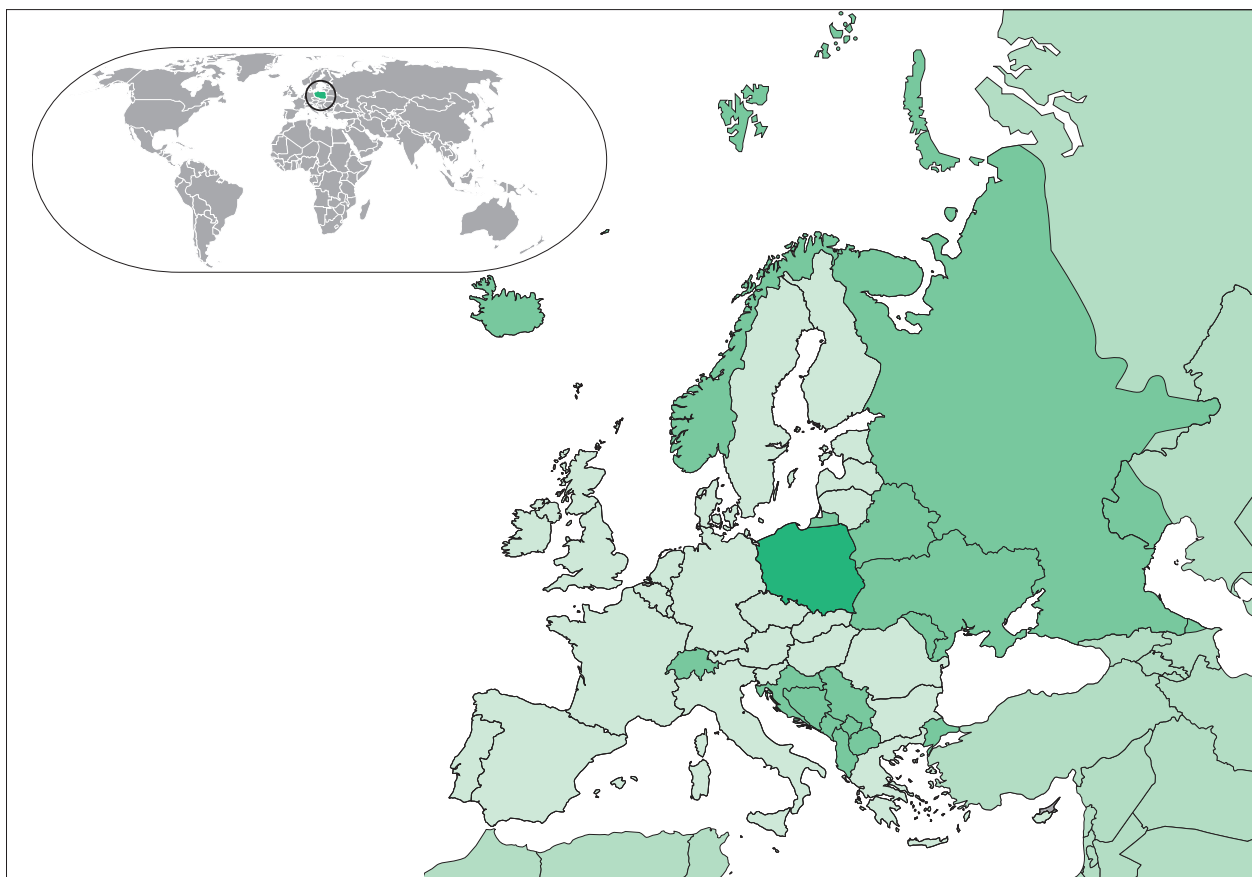
2.1. Brief overview of Poland

It has to be stressed that since the end of the Second World War, Poland has been ethnically speaking a very homogeneous country. Polish nationals constitute 96 per cent of the country's population; Germans account for only 0.4 per cent; Belarusians 0.1 per cent; Ukrainian 0.1 per cent; the remaining 2.7 per cent belong to other and unspecified ethnic groups. Moreover, the vast majority (89 per cent) of its citizens is formally Catholic, although only

about 75 per cent of them practice the religion. Besides Catholics, there are Eastern Orthodox (1.3 per cent), Protestants (0.3 per cent), 'other' (0.3 per cent), and 'unspecified' (8.3 per cent). It is important to note that the literacy level is very high (99.8 per cent – male: 99.8 per cent; female: 99.7 per cent) (2003 est.).¹

As is indicated in Figure 19, Poland's geographical and political situation located it in a likely area of struggle, specifically between the West and the East of Europe. On one side, it has to satisfy EU requirements to protect the longest EU external land border, about 1,185 km. On the other, it is challenged by the proximity of Russia and the ex-Soviet Republics where the lack of political stability

FIGURE 19. POLAND'S GEOPOLITICAL SITUATION



Legend: dark grey – Poland; very light grey – European Union; grey – European part of Russia, ex-Soviet Republics, Switzerland, Iceland and Norway and the Balkans.

¹ Poland/Central Statistical Office (2010), Demographic Yearbook of Poland.

and limitations in human rights play their part in the increase of asylum seekers.² For instance, conflicts in the Caucasus region (in Ingushetia, Dagestan, Chechnya, South and North Ossetia, Georgia) and the political situation in Belarus. Since 2000, those nations have formed the largest groups of asylum seekers and refugees in Poland, constituting more than 90 per cent of all applicants.³ As it is possible to apply for asylum at the border, Poland has been a country of a relatively easy access in relation to first asylum request.

In previous years, and as a consequence of the war there, the dominant group of applicants came from the Balkans. Then a year later the largest group came from Armenia. From the late nineties, Poland began to accept more applicants from Asia and Africa, however, the main countries of origin of those groups in the last fifteen years remain Russia (mostly Chechens), Armenia and Afghanistan. It is vital to point out that Poland experienced a sudden increase in the number of applicants before EU accession, in 2004, and after joining the Schengen area, in 2008. This country has become a gateway into the richer countries of Europe and a transit country mainly for Vietnamese, Chinese and Armenians. A higher percentage of asylum seekers is extending its stay and settling in the region. Poland has also become a transit country for hundreds of thousands of people trafficked from India, Sri Lanka and Bangladesh.

It has to be noted here that migration policy in this country is relatively recent and is being hampered by the massive emigration of Polish nationals after Poland's accession to the EU. This, along with the unrestricted entry to the EU Member States to both the United Kingdom and Ireland, has caused one of the biggest emigration flows in Poland's post-war history. As a result the country has become one of the largest exporters of labour within the enlarged EU. In addition to a decreasing birth rate, migration has accounted for a substantial reduction in Poland's population over the past decade.

2.2. Demographic profile of refugee and asylum seekers

Statistics provided by different institutions vary. The information given cyclically every year by the same institutions is not consistent. Therefore, this research is based mainly on data provided by the Polish/Office for Foreigners. Firstly, a general overview of the demographic profile of immigrants in Poland is presented. It is assumed that foreigners with newly granted international protection might be more challenging for Polish authorities than others.

Poland is a former communist country, therefore until the late 1980s there were almost no migration movements amongst other foreign countries except for within the Soviet Union. Before 1989 immigration to Poland was very limited for political reasons (the communist regime) and the country was not considered as an attractive destination for refugees. Poland ratified the *Geneva Convention on Refugees*, the *New York Protocol and Convention on the Rights of the Child* in 1991. After that, the country amended the 1963 Aliens Act to formally establish a system for granting refugee status. Until then, Poland had only granted asylum to people for a limited set of reasons, and most of those who received asylum were communists. In total, from 1949 to 1951, 12,300 people from Greece (roughly one-fourth were children), who escaped from Greece's junta regime came to Poland.⁴ Then in the 1970s Poland provided shelter to Chilean refugees escaping from Pinochet's regime.

In 1992, after the collapse of communism in Poland, there were 565 refugee applicants. As was mentioned before, Poland experienced a sudden decrease in the number of applicants on three occasions, each lasting only for a short period of time: in 1999, 2004 (after EU accession) and 2008 (after joining the Schengen area). This was a result of the implementation of new immigration regulations. Moreover, there has been a regular, gradual increase in the number of refugee applicants from various countries in Europe, Asia, and Africa. Their number reached just over

² Drożdżkowska, M. (2008), "Schengen z perspektywy polskich doświadczeń" ("Schengen from the Polish experiences prospective") in: Radzikowska-Kryśczak, B. and Sadownik A. (eds.) *"Polska w strefie Schengen. Refleksje po pierwszym roku członkostwa"* ("Poland in Schengen area. Reflections after first year of membership"), (eds.), Ministry of Interior and Administration in Poland, p. 10.

³ <http://www.udsc.gov.pl/Statistics,275.html> (15.01.2011).

⁴ Wojecki, M. (1999), "Przemiany demograficzne społeczności greckiej na Ziemi Lubuskiej w latach 1953 – 1998/Demographics of the Greek community in Lubusz Land in the years 1953 – 1998", in: *Zakorzenie*, Vol. 6, Nr.4, available at: <http://www.zakorzenie.most.org.pl/za6/02.htm> (27.04.2011).

10,500 in 2009; in 2010 the number fell to just 6,534 applicants. From 1992 through to 2010 only 3,195 applicants had received refugee status. This is only a small percentage of all applications. More than a half of those approved came from Russia (mostly from Chechnya). Significant numbers of individual recognized as refugees also came from Bosnia-Herzegovina, Somalia, Belarus, Afghanistan, Sri Lanka, and Iraq. Importantly, migrants from the former Soviet Union, as well as Armenia, moved to Poland because of the co-ethnic communities that have existed in Poland for centuries.⁵

In addition to refugee status, Poland began granting additional forms of humanitarian protection. Until 31.12.2010, "tolerated status" (which came into force in 2003) had been granted to 9,380 individuals. This is the prevailing form of humanitarian protection offered by Poland. Subsidiary protection, which came into force in 2008, was granted to 3,585 asylum seekers at the end of 2010.⁶ Chechnya's culture and people's way of life are very different from those of Polish and this in turn has made difficult their integration into the receiving society. According to the findings produced by the EMILIE project, Chechens' difficulties to integrate into Polish society arise from a lack of basic education among parents, lack of interest in children's education, psychological trauma, family centred life priorities (early marriages in a context where girls should learn only how to run home, be a good wife and mother). In addition, among Chechen men there was the absence of an employment history (since they had mainly been fighters for most of their adult lives). Polish researchers in the EMILIE project have argued that the cultural problems of Chechen children in schools could be compared with that of Roma children.⁷

Quantitative demographic data with reference to refugee children have been gathered in Poland since 2003. However, this was found to be incomplete (for instance, it does not include the

2007 data). In 2010, amongst those foreigners granted refugee status, about 50 per cent were children. The number of young children under thirteen years old is very high (thirty eight out of forty three of minors). The majority of them are of Russian origin (mostly Chechens). In terms of gender, overall there are equal numbers of men and women. As far as age is concerned, there is a larger number of female minors compared to males, especially in the group of younger children.⁸ A similar trend can be observed when analysing the demographic profiles of those granted "tolerated status" permits. The only difference is when we look at the overall number. Out of 231 people granted this form of protection, eighty-six were minors, with a majority in the under thirteen years old group.⁹ Therefore, they are likely to be challenging for Polish schools, especially the pre-primary, primary and secondary ones. However, as this research has found, small children are learning the new language much quicker than older children or adults and are more easily able to adapt to their new environment. It can be argued that their young age could have a positive impact on their educational integration.

Furthermore, amongst those granted subsidiary protection (195 in total in 2010) 137 were minors, 129 of them were in the under thirteen years old group and nearly all of them were from Russia (123). In terms of gender, the trend remains the same. There are more minor-aged girls than boys.¹⁰ There is an opposite trend among unaccompanied minors placed in Orphanage nr. 9 in Warsaw, as over the last few years a larger number is accounted for by boys in the fourteen to seventeen years old group. In 2010, twenty-three out of thirty-one of unaccompanied minors were males in this age group, with twelve of them being seventeen years old.¹¹ The majority of them were adolescents. It has to be highlighted that, while they are in Orphanage No. 9, they have the opportunity to be involved in all aspects of social life alongside

⁵ <http://www.udsc.gov.pl/Statistics,275.html> (15.01.2011).

⁶ <http://www.udsc.gov.pl/Statistics,275.html> (15.01.2011).

⁷ Hellenic Foundation for European and Foreign Policy – ELIAMEP (2009), *A European Approach to Multicultural Citizenship. Legal Political and Educational Challenges (Emilie). Final Report (2009)*, available at: http://emilie.eliamep.gr/wp-content/uploads/2010/03/emilie-final-report_12nov-09.pdf (22.01.2011).

⁸ See Table 42, p. 291.

⁹ See Table 44, p. 302.

¹⁰ See Table 43, p. 302.

¹¹ Data provided by the agent from the Polish/Office for Foreigners responsible for unaccompanied minors.

Polish children, such as summer and winter camps and participate in joint events organised by this centre. Despite the good living conditions in the orphanage, many of them do not stay long and they often run away. According to an agent from the Polish/Office for Foreigners responsible for unaccompanied minors, "(...) once they arrive they know that they are not going to stay here long. They are just waiting for the signal to run away." This puts them at risk of engaging in unsafe sexual behaviour, drug and alcohol abuse. They are, in particular at a higher risk of being subjects of human trafficking.

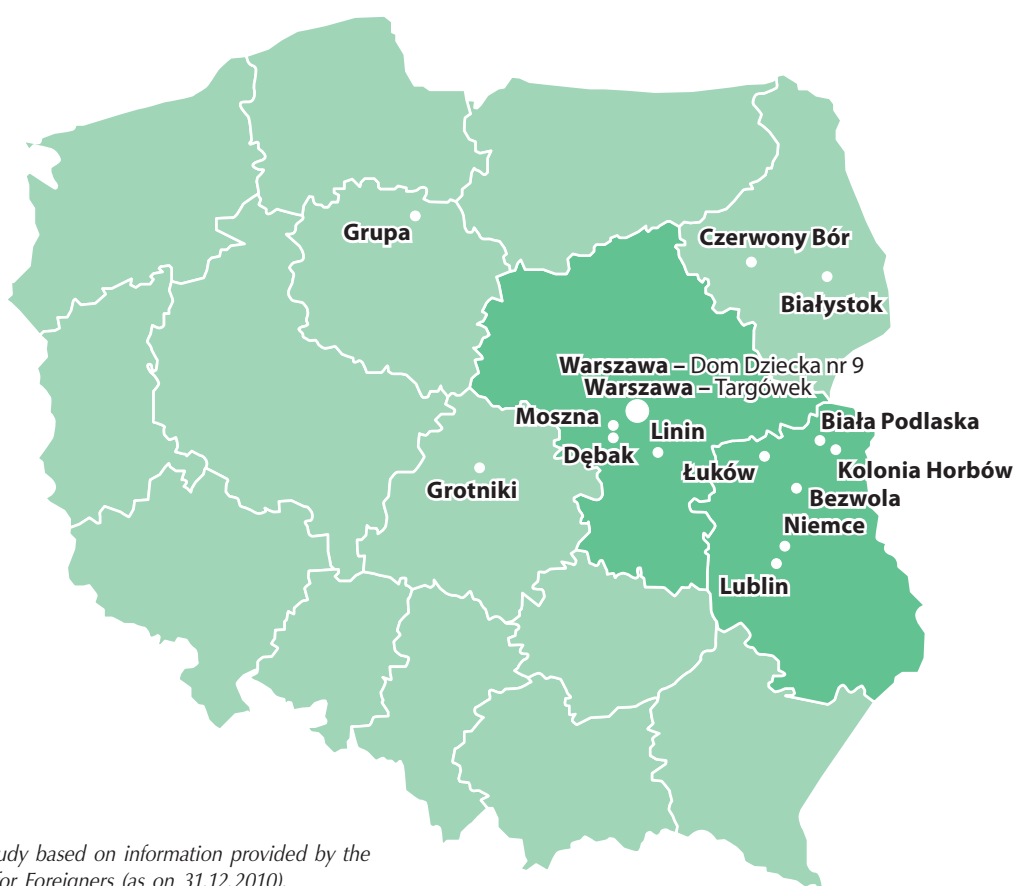
Finally, the data indicates that children dominated among all those granted international humanitarian protection, in particular, girls in the below thirteen age group. There is also a significant number of large families among those in that category. In

addition, interviewees argue that there is no war in Chechnya at the moment and those who arrive in Poland, are simply economic migrants. The best possible scenario for them is that they obtain a permit for a tolerated stay.¹²

2.3. Regional distribution of refugees and asylum seekers

The groups of refugee and asylum seekers who have settled in Poland are not numerous and they tend to concentrate in particular regions, predominantly in Masovian and Lublin Voivodeship. Therefore, the presence of RASC in schools is an issue only within certain regions. The Warsaw hinterland is one of them. The map below (Fig. 2) illustrates where, in January 2011, the refugee Reception Centres were located.

FIGURE 20. CENTRES FOR FOREIGNERS IN POLAND



Source: Own study based on information provided by the Office for Foreigners (as on 31.12.2010).

¹² See Tables 43, 44, 45 on pp. 302-303.

Because the number of asylum-seekers fluctuates, the centres are either opened or closed according to their demand. For this reason, each year the number and location of the facilities varies slightly.

2.4. Reception centres

Everyone seeking asylum has the right to apply for social assistance and can stay in a reception facility while their petition for asylum is processed. However, there is no obligation to stay in the centres. All the centres are open to enter but those residing in them must report back by the end of the day. Anyone who absents for more than three nights without notice loses the right to social assistance at the centre.

Currently, as illustrated on the map above (Fig. 20), there are fourteen Reception Centres spread across the central and eastern areas of Poland. All of them are run by the Polish/Bureau for the Organization of Centres for Foreigners Applying for Refugee Status or Asylum (BOO), a unit of the Polish/Office for Foreigners. Only three of them are government-run Reception Centres (Dębak, Czerwony Bór, Linin), while others are run on a commercial basis. One of them is Orphanage Nr. 9 (Dom Dziecka Nr. 9) in Warsaw where places for unaccompanied foreign minors are rented. BOO employees provide refuge and asylum seekers access to education and medical care. This institution takes part in arranging their free time including cultural, leisure and sport activities, as well as contacting national and international organizations, whose statutory aim is to act for the well-being of minors or refugees, in order to find family members for minors.¹³

In the Reception Centres, asylum seekers receive free accommodation,¹⁴ food (full board in the canteen, and they still have access to hobs and other kitchen appliances), tickets for public transport: for the purposes related to refugee status determination proceedings, medical visits,

vaccinations and in other cases which can particularly be justified. They are provided with a monthly allowance for personal hygiene items and around twice a year are given a special allowance to buy clothes. Both adults and children can attend Polish language lessons free of charge.¹⁵ For instance, in the Reception Centre in Kolonia – Horbów all residents have access to forty hours of Polish language classes per month. The number of lessons varies according to their individual needs and also across different centres. If adults are not attending classes, children are invited to them to save time and money. The classroom hours are not only for learning the language but also for doing school homework.

Children whose level of education has been determined by the teacher can attend school, with the centres supplying school materials and books. Moreover, in all the centres there are kindergartens, some of which are run by asylum seekers. In the Warsaw – Targówek centre kindergarten children above the age of three attend for twenty-five hours a week. There are some playrooms, teaching rooms, playgrounds with swings and sandboxes. Classrooms are often locked, so that school equipment is not used when not required.

Furthermore, asylum seekers placed in the centres can receive a monetary equivalence instead of food for children under seven, those attending school and those who are sick, where the centre is unable to provide them with either an appropriate diet, one-off financial assistance for the purchase of clothing and footwear, and medical care co-ordinated by the Central Hospital of the Ministry of Internal Affairs and Administration in Warsaw. Some centres have medical doctors on site. Doctors' prescriptions are refunded as are the costs of medical treatment outside the centres. In all the centres there are "mosques" – places of worship, accessible only to those asylum seekers who want them.¹⁶

Generally speaking, the number of rooms in the Reception Centres and the standard equipment and

¹³ <http://www.udsc.gov.pl/A,GUIDE,ON,BUREAU,OF,ORGANIZATION,OF,CENTRES,FOR,ALIENS,APPLYING,FOR,REFUGEE,STATUS,OR,ASYLUM,267.html> (15.01.2011).

¹⁴ However rooms are relatively small and modest, furnished only with necessary equipment.

¹⁵ <http://www.udsc.gov.pl/A,GUIDE,ON,BUREAU,OF,ORGANIZATION,OF,CENTRES,FOR,ALIENS,APPLYING,FOR,REFUGEE,STATUS,OR,ASYLUM,267.html> (15.01.2011).

¹⁶ <http://www.udsc.gov.pl/A,GUIDE,ON,BUREAU,OF,ORGANIZATION,OF,CENTRES,FOR,ALIENS,APPLYING,FOR,REFUGEE,STATUS,OR,ASYLUM,267.html> (15.01.2011).

appliances offered to families in them vary. According to the interviewee of VOX Human Association, those centres are often understaffed and social workers have limited contact with their residents.

3. INSTITUTIONAL SET-UP, LEGAL AND POLICY FRAMEWORK

This section gives an overview of the main stakeholders dealing with RASC on a national, regional and local level. It sets out a summary of the legal basis for granting international protection and its procedures.

3.1. Institutional set-up

3.1.1. National level:

- The Polish Ministry of National Education is responsible for the whole system of education, other than higher education which is under the supervision of the Ministry of Science and Higher Education. Vocational schools, which in the past were run by other ministries, are now the responsibility of the Polish Ministry of National Education. At present, only a few schools (Arts – for specific artistic subjects – and correctional institutions) are under the supervision of the Polish Ministry of Culture and the Ministry of Justice, respectively.
- The Polish Office for Foreigners and its unit, The Bureau of Organization of Centres for Foreigners Applying for Refugee Status or Asylum, provide refuge and asylum seekers with legal assistance, process applications for humanitarian protection, access to education and medical care.
- The Polish National In-Service Teacher Training Centre is a state-funded agency of the Ministry of National Education and Sport, which supports the development of a national system of teacher training, in line with state educational policies.
- The Polish Foundation for the Development of the Education System implements a range of

initiatives to support educational reform and development. This key priority has been achieved by coordinating European Union programmes. It works under The Ministry of National Education and Sport supervision.

- VOX Humana is a non-governmental organisation (NGO) supporting anti-discrimination policy and combating social exclusion. It aims to reinforce tolerant attitudes towards racial, ethnic and religious diversity. VOX Humana runs projects focused on intercultural education.
- The Polish Migration Forum is a NGO which aims to promote dialogue between refugees, immigrants and the Polish society as well as to the build-up of a common understanding, despite of cultural differences, stereotypes and fears.
- The Refugee Centre in the Polish Humanitarian Organisation, which launched a website “Refugees go to school!” (“Uchodźcy do szkoły”).

3.2. Regional level:

The voivodships have the function of coordinating and supervising the implementation of the policy of the Ministry of National Education. They are also responsible for pedagogical supervision. The inspection of teaching standards in schools comes directly under the Ministry of Education and is represented by a regional administrative body (kuratorium). The advisory body for higher education policy in Poland is the General Council of Higher Education (Rada Główna Szkolnictwa Wyższego).

3.3. Local level:

- Local authorities (communes – gminy)¹⁷ are responsible for the administration of public kindergartens, primary and lower secondary schools. It has become the statutory responsibility of districts (powiaty)¹⁸ to administer upper secondary schools, artistic and special schools;
- The Mazovian Local Governmental Centre for Upgrading Teaching Skills is run by the Mazovian Local Government. It consists of local centres situated in Ciechanów, Plock, Radom, Siedlce, Ostrołęka and Warsaw.

¹⁷ It is the principal unit (lowest uniform level) of territorial division in Poland.

¹⁸ It is the second-level unit of local government and administration in Poland, equivalent to a county, district or prefecture in other countries.

3.4 Legal basis for seeking asylum/refugee status

The debate on issues of RASC in Poland, both on the part of state administration organs and NGOs, has continued for nearly two decades. In 1991 Poland ratified the Geneva Convention on Refugees, the New York Protocol and Convention on the Rights of the Child. After that, it amended the 1963 Aliens Act to formally establish a system for granting refugee status. Proceedings in respect of granting refugee status are conducted in line with/according to the rules contained in the Act of 13.06.2003 on granting protection to foreigners on the territory of the Republic of Poland.

Those whose refugee status has been recognised are granted the right to state-funded integration programmes for a period of twelve months. These programmes are implemented by the district Family Assistance Centres and they cover financial assistance, Polish language lessons, labour market support, assistance in searching for accommodation, as well as vocational training. However, the overall results are not very positive, mainly because the length of these programmes is not long enough. While many people experience difficulties in obtaining relatively cheap accommodation in a short period, jobs are moving towards the West. Those who have a tolerated stay permit can apply for the social welfare assistance available to nationals; however, the assistance is very small and insufficient to enable a person to survive.

3.4.1. Procedures for seeking asylum/refugee status

Poland applies a so-called single procedure concerning the refugee status. During the proceedings, the migration bodies check whether or not claims for asylum/refugee status comply with the conditions set out in the 1951 Geneva Convention. They also examine other circumstances that would justify the provision of subsidies or that would provide for a tolerated permit status. Refugee or subsidiary protection status provides a foundation for the legalisation of residence, granting aid and support in integration.

A person with refugee or subsidiary status can be granted a permit to settle for an indefinite period of time after five years of uninterrupted residence

in the territory of Poland, or after ten years of tolerated status. Above diagram presents a brief overlook on the whole procedure.¹⁹

4. OVERVIEW OF THE EDUCATIONAL SYSTEM AND THE EDUCATION STATUS OF REFUGEES

This section presents an overview on the education systems based on the following information: legal basis for the granting of access to the education system, criteria for admission, assessment, time spent at school, curriculum, and RASC rights. This overview is based on the developments from the website of the Foundation Polish Migration Forum and the EURYDICE 2010 Poland Report.

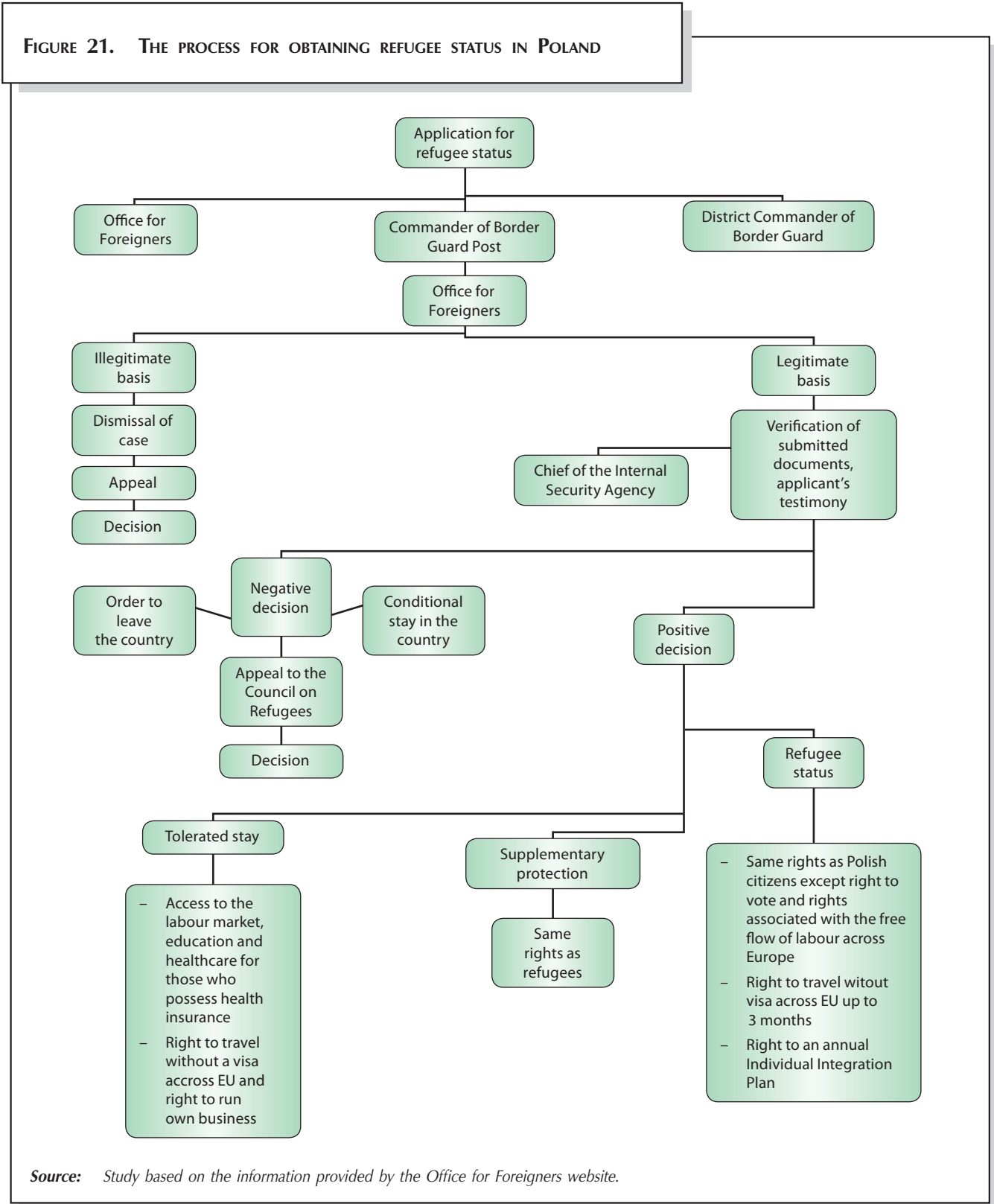
4.1. Brief description of schooling system of RASC in Poland

In line with the Education System Act of 1991, there are two types of schools in Poland: public (state) schools, which offer free education within the framework of the core curricula, and non-public schools (where you have to pay fee). The latter can be civic (social), church or private. All these schools can have their own curricula. The reform of the State administration system and the education reform establish that only the national educational policy are developed and run centrally, while the administration of education and the running of schools, pre-school institutions and other educational establishments is to be managed regionally.

Polish law distinguishes the right to education and compulsory education until the completion of high school or eighteen years, whichever happens first. According to Polish education law:

- refugee children are entitled to receive free education at all levels of education in Poland, as well as in art schools;
- children granted tolerated stay status or asylum seekers are entitled to free primary education,

¹⁹ <http://www.udsc.gov.pl/PROCEDURE,FOR,GRANTING,THE,REFUGEE,STATUS,266.html> (15.01.2011).



- lower secondary and secondary education;
- foreign children with a different legal status are entitled to education in public schools on the basis of payment unless they are exempt from school fees.

Access to education is on the basis of where the student resides – i.e. their registration as inhabitants in a local community – regardless of parents’ or guardians’ status of stay in Poland. Public schools as referred to above, are free of charge but in

general, parents have to cover the cost of books and cultural initiatives organized by the schools (i.e. trips, summer/winter schools, cinema/theatre visits and sometimes additional foreign language or computer lessons). Although these expenses are voluntary, it is almost impossible to opt out from them since they expose a child to exclusion from school society. The public pre-schools are subsidised by the local authorities, although there is still a fee to be paid by parents/guardians.

In general, teachers in Poland are free to decide what methods they use to examine pupil knowledge and skills over the year. Usually they do written or oral tests throughout the term. The overall results have to be approved by the councils of each school. If students obtain unsatisfactory results, they must repeat the year. This happens frequently to migrant pupils who have significant difficulties in receiving satisfactory results because of their poor Polish language skills.

4.2. Admission criteria and assessments

Pre-primary and primary schools

The only admission criterion for primary schools is the age limit. Pre-school class children must have reached the age of six in the calendar year in which education commences. For primary schools they need to be seven years old. However, since 2009/2010 six year olds can attend and until 2012 parents have the right to decide if they would like to send their child to primary school earlier.²⁰

Lower secondary schools (Gimnazjum)

The admission criterion for lower secondary school (gimnazjum) is the certificate of primary school completion, for which students are obliged to sit an external test at the end of primary school. This test and the one in the end of the lower secondary

school is only available in the Polish language, therefore a large number of newly arrived RASC fail them and have to repeat the year. In the case of upper secondary school, the number of points indicated on the lower secondary school certificate and the points received at the final examinations are taken into account during the admission process. On the basis of the points achieved, students can be enrolled by the following types of schools:

- Liceum Ogólnokształcące (general upper secondary school, sixteen to seventeen years of age, requires the highest number of points);
- Liceum Profilowane (specialised upper secondary school, sixteen to nineteen years old);
- Technikum (technical upper secondary school, sixteen to twenty years old);
- Zasadnicza Szkoła Zawodowa (basic vocational school, sixteen to eighteen/nineteen years old).²¹

Upper secondary schools

Assessments at the upper secondary school level are similar to the above. At the end of the course or school (other than for Zasadnicza Szkoła Zawodowa), all schools organise entry exams (egzamin maturalny), then certificates are issued for those who have successfully completed them. This type of certificate is required for admission to higher education. Those who graduate the Zasadnicza Szkoła Zawodowa and pass the vocational examination²² can obtain this certificate after they have completed one of the following schools:

- Uzupełniające Liceum Ogólnokształcące (supplementary general upper secondary school, two year course);
- Technikum Uzupełniające (supplementary technical upper secondary school, three year course).²³

Higher education

Higher Education is controlled by the Ministry of Science and Higher Education. Poland offers

²⁰ EURYDICE Poland's Report 2010 – National summary sheets on education systems in Europe and on-going reforms. available at: <http://www.eurydice.org/pl/files/poland.pdf> (15.01.2011).

²¹ EURYDICE Poland's Report 2010 – National summary sheets on education systems in Europe and on-going reforms. available at: <http://www.eurydice.org/pl/files/poland.pdf> (15.01.2011).

²² Written, which examines the knowledge and abilities connected with specific job and running a business activity, and a practical one, which examines the skills essential to perform the job.

²³ EURYDICE Poland's Report 2010 – National summary sheets on education systems in Europe and on-going reforms. available at: <http://www.eurydice.org/pl/files/poland.pdf> (15.01.2011).

the following types of state higher education institutions: universities, technical universities, agricultural academies, schools of economics, teacher training schools, medical academies, academies of physical education, artistic schools, theological schools, higher vocational schools, military schools, and internal affairs schools. All these are generally free of charge.²⁴ There is also a vast number of private schools,²⁵ which offer part-time or full-time courses. Admission to these is based on the results of entry exams, however there are some additional admission requirements. These may vary across different institutions and types of courses. First cycle studies last from three to four years and finish with a vocational qualification diploma and the title of “licencjat” (Bachelor) or “inżynier”(Bachelor of Engineering). Such qualifications enable students to enter the job market or Postgraduate studies. After the second cycle, students can gain the title of “magister” (Master) or equivalent which opens the door to the third cycle, the doctorate.²⁶

4.3. Time spent in school

The Polish school year consists of 185 days from September to June and divided into two semesters. Students between seven and ten years old belong to stage one, during which they receive integrated teaching and have a maximum of twenty three, forty-five minute lessons spread from Monday to Friday. Students between the ages of ten and thirteen belong to stage two and have subject-based teaching and must take up to a maximum of twenty-eight subjects during the same time frame. It is interesting to note that there is no legislation regulating the number of students in one class beyond stage one, where class can exceed twenty-six. At higher stages of education it varies according to type of school.

4.4. Curricula

Core universal curricula for compulsory teaching are created by experts appointed by the Ministry of Education. Teachers choose textbooks from a list approved by the Ministry of Education. It has to be underlined here that teachers are free to decide on teaching and assessment methods and can introduce innovative teaching methods. Therefore they can better fulfil their students’ needs as they have direct contact with them. Moreover, they can create their own curricula drawing on core courses, provided this is approved by the schools head teachers.²⁷

4.5. Special needs students

Special education is covered by the legislation and is an internal part of the Polish education system. Children qualify on the basis of a certificate provided by psychologists, doctors or other specialists. They are mainly taught in separate schools or in special classes in mainstream schools.²⁸

4.6. Teachers

Teachers must have a higher education qualification; however, the type of training they must have depends on the phase of education they work in:

- A) Primary education stage – a teacher is required to have graduated from a first or second cycle of studies, have a “licencjat (BA – Bachelor of Art) or “magister” (MA – Master of Art) or graduate teacher training college, which lasts three years and finishes with a diploma [International Standard Classification of Education (ISCED) 5B];
- B) Lower secondary education – ISCED 5A²⁹, BA, MA;

²⁴ With the exception of repeating classes required in the case of courses failed by student, free of charge are only full time courses offered by state education institutions.

²⁵ Where students must pay fee.

²⁶ EURYDICE Poland’s Report 2010 – National summary sheets on education systems in Europe and on-going reforms. available at: <http://www.eurydice.org.pl/files/poland.pdf> (15.01.2011), p. 6.

²⁷ EURYDICE Poland’s Report 2010 – National summary sheets on education systems in Europe and on-going reforms. available at: <http://www.eurydice.org.pl/files/poland.pdf> (15.01.2011), p. 3.

²⁸ EURYDICE Poland’s Report 2010 – National summary sheets on education systems in Europe and on-going reforms. available at: <http://www.eurydice.org.pl/files/poland.pdf> (15.01.2011), p. 7.

²⁹ Higher than ISCED 5B, achieved after additional studies

C) Upper secondary education – only ISCED 5A and MA.

Teachers are required to be competent to have a good command of a foreign language (at least at the B2, B2+ level of the Common European Framework of References for Languages).³⁰

All regulations require the admission of foreign children into the public education system as soon as possible and give them according to the Foundation Polish Migration Forum the following rights:

- The right to learn Polish:

Children applying for refugee status and those granted other forms of protection are entitled to free Polish language classes within the public education system³¹ in schools.³² The school is obliged to organise extra classes (of at least two hours per week) where there is a group of over fifteen or, where the group is smaller, to allow children to participate in classes held outside of school hours. The cost of the lessons is being covered by the district (gmina).

- The right to education at primary level:

Article 14 of the *School Education Act* refers to the duty of yearly pre-primary education for all children aged between three and six. Children with any form of the international humanitarian protection have the right to primary education under the same conditions as Polish children.

- The right to learn their own language and to preserve their own culture:

The school has a duty to support students in maintaining their national or ethnic identity, in practicing their religion, and in using their mother tongues.³³ The school has no obligation to organise the same lessons as the children would have had in their country of origin. However, schools are obliged to provide accommodation for any organisation or embassy willing to provide such classes. Article 48 of the *Polish Constitution* provides that foreign parents are guaranteed the right to educate their children in the spirit of their own religion and culture. It has to be noted here that religious instruction in Poland is not obligatory. Therefore, foreign children do not have to attend and school has a duty to provide

care/alternative activities for them.³⁴ The school can only teach the religion of those associations which are formally registered in Poland.

- The right to Higher education:

Articles 43.1 and 43.2 of the *Law on Higher Education* give refugees the right to free higher education, to undertake scientific research and to carry out postgraduate studies (on the same terms as Polish citizens). Persons with tolerated stay and foreigners with other legal statuses may enrol in higher education in Poland but have to pay fees.

- The right to vocational training:

The EU Directive “reception” gives young people applying for refugee status the right to enrol in vocational courses, even if the person applying for refugee status is not entitled to work. The Polish Act on the Education System³⁵ gives a right to professional training to all children applying for refugee status and who have a “right to protection” (refugee status or tolerated stay permit), under the same conditions as Polish citizens. Information on the type of training is provided only by the Intercultural Centre for Vocational Adaptation.

- Transport to school:

Local authorities provide free transport to and from the school for first, second, third and fourth year pupils who live beyond a three km radius of the school. If the distance is greater than four km, transport is also provided for fifth and sixth year pupils. Local authorities may also cover the cost of transport to school for the child and guardian, if it is not possible to undertake the journey by public transport.³⁶

³⁰ EURYDICE Poland’s Report 2010 – National summary sheets on education systems in Europe and on-going reforms. available at: <http://www.eurydice.org.pl/files/poland.pdf> (15.01.2011), p. 8.

³¹ EU directive on minimum standards for the reception of applicants for refugee status 2003/9/EC of 27 January 2003, the Polish Law on the Protection of Foreigners, Art. 61.

³² Article 94a.4 of the Act on the Education System.

³³ Article 13 of the *Act on the Education System*.

³⁴ Article 12 of the *Act on the Education System*.

³⁵ Article 94 a (2).

³⁶ Art. 14 of the *Act on the Education System*.

- Social support:

Children applying for refugee status are entitled to welfare benefits to enable them to fully benefit from formal education at primary and middle schools, including the purchase of textbooks.³⁷ Refugee children and children with tolerated stay permits are entitled to enjoy all forms of social support offered to children in difficult circumstances, including social and academic scholarships.³⁸

Students-refugees are entitled to the same welfare benefits as is available to Polish students, including the use of dorms and scholarships.³⁹ Issues concerning the support of people applying for refugee status (including education) are governed by a Regulation of the Minister of Internal Affairs and Administration, 14.08.2003 (OJ nr. 146, pos. 1528 and No. 157. pos. 1322). In addition, as from January 2010, recent amendment to the System of Education Act provides teacher assistants for migrant children.

- Social assistance outside school:

Social support to children seeking refugee status is provided by the Reception Centre in their location.

Refugees and persons with tolerated stay permits have the right to welfare benefits – provided by Social Welfare Centres. Refugees, during their first year of residence in Poland, are eligible for an “integration program” or special package of social assistance granted by the District Family Assistance Centres. Social aid is also provided to them by NGO’s like the: Centre for Refugees at the Polish Humanitarian Action, Caritas and the Centre for Migrants in Warsaw, the Association VOX Humana.⁴⁰

In Poland, the number of publications on the forms of assistance in education of foreign children is increasing every year. “Understanding others. How to teach about refugees” (“Zrozumieć Innych czyli jak uczyć o uchodźcach”) and “Intercultural education. Teachers Guidebook” (“Edukacja międzykulturowa”) published by the Polish Centre for Teacher Training in 2001 and 2004 are highly recommended. It is interesting to note that a lot of educational materials on refugees can be found on the Internet, especially on the following websites: the United Nations High Commissioner for Refugees (www.unhcr.org), UNICEF (www.unicef.org), the Polish NGOs like One World (www.jedenswiat.org.pl) VOX Humana (<http://www.voxhumana.pl/>), “Uchodźcy do szkoły” (“Refugees

TABLE 42. NUMBER OF REFUGEE CHILDREN AND CHILDREN APPLYING FOR REFUGEE STATUS IN POLISH SCHOOLS, 30.09.2010

Type of school	Children granted asylum	Children who applied for refugee status
Kindergartens	25	28
Primary schools	76	155
Lower Secondary Schools	16	52
Upper General Secondary Schools	5	2
Technical Secondary schools	1	0

Data related to children with tolerated stay permit and subsidiary protection could not be obtained.

Source: Data provided by Education Office in Warsaw based on data available at Education Information System.

³⁷ Article 61 of the *Law on Protection of Aliens on the territory of Poland*.

³⁸ Article 90 of the *Act on the Education System*.

³⁹ Article 173 of the *Law on Higher Education*.

⁴⁰ The development comes from the website of the Foundation Polish Migration Forum available at: <http://www.forummigracyjne.org/pl/aktualnosci.php?news=78&wid=26> (22.01.2011).

go to school!", <http://www.uchodzcydoszkoly.pl>) launched by The Refugee Centre in the Polish Humanitarian Organisation and financed by the UNHCR. Some of them are presented in more detail in the next section of this report.

In addition, some of the NGO's, for instance the VOX Humana or the One World Association, have a group of coaches and volunteers who visit schools to offer educational support in dealing with foreign pupils. Therefore, in many schools and reception centres there are organised lessons or a series of lessons or workshops on issues related to refugees and asylum seekers, not just for children and teachers at schools but for local communities as well.

According to the Polish Office for Foreigners there has been a large increase in the percentage of RASC using educational services. In 2001, only ten per cent of children living in refugee centres attended schools. In September 2007, 96 per cent of these children were enrolled in different types of schools.⁴¹ The table below provides the only available statistical data on the Education Information System.⁴² Unfortunately, information on the education of RASC at the higher educational levels is limited. Only the Emile Report 2007, indicated that there were some Chechen students at universities.⁴³

5. DESCRIPTIONS AND ANALYSIS OF GOOD PRACTICES

Like many other countries in the region, Poland has made a number of efforts to adapt its relatively young system of refugee status to the standards set by other EU member states, which possess decades of experience in matters of asylum. All these changes have been subject to regular monitoring and evaluations over the last five years. It appears that the results show that the outcomes

have been successful. The promotion of issues related to equality and diversity, and the various needs of RASC are addressed with care by a large number of NGO's and the Polish government bodies. Those dealing with the education of RASC in particular have paid special attention to the issue. It is argued that Poland has reached a milestone in the improvement of the integration of RASC within the educational system. Therefore, according to the UNHCR-AGDM Report 2009 (based on focus groups findings attended by foreigners including children over the age of ten) Poland should rightfully be treated as a model of good practice for the whole region.⁴⁴

This chapter provides some examples of practices and measures, which have contributed to the increase of access and enrolment rates, improvement in the quality of education, and enhancement of the protection provided to RASC. It draws on circulars, strategies, projects and policies, which have been selected mainly while conducting the interviews and desk research, on the basis of the following criteria:

- does it lead to the inclusion of RASC in the educational system in Poland?
- does it involve all directly connected with RASC individuals, such as parents, teachers or other pupils, etc?
- does it address the complexity of educational needs?
- how accessible is the intervention?
- how are the needs or wishes of users reflected in the intervention?
- is the intervention original?
- does the initiative have the potential for adaptation to other settings and/or Member States?
- have there been any attempts made to evaluate the success of the intervention?

The following section gives a general overview of those practices as well as the problems they were concerned with. Moreover, where possible, it provides background information on organisational culture

⁴¹ <http://www.udsc.gov.pl> (10.01.2011).

⁴² Database education created by Ministry of National Education, established in 2005.

⁴³ Hellenic Foundation for European and Foreign Policy – ELIAMEP Report (2007), Educational Challenges Posed by Migration to Poland (EMILIE) available at: http://csm.org.pl/fileadmin/files/Biblioteka_CSM/Inne/Katarzyny%20Gmaj_Educational%20Challenges%20Pose%20by%20Migration%20to%20Poland.pdf (13.01.2011).

⁴⁴ UNHCR-AGDM Report 2009 "Being a refugee". How Refugees and Asylum Seekers Experience Life in Central Europe, p. 37, available at: http://www.unhcr-centraleurope.org/images/stories/news/docs/UNHCR-AGDM_report_2009-ENG_version-screen.pdf (15.01.2011).

and local attitudes, substantiated by interviews with relevant stakeholders. Attention is paid to various examples of good practice, recognising that a good practice does not need to be perfect. In addition, some information regarding financial resources is provided. Finally, practices addressing the specific educational needs of RASC, related to gender differences have been identified. It is argued that this is the result of adopting an integrated and not a segregated approach to educational success.

5.1. Facilitation of access to education

Poland provides RASC with free access to education. This factor is an important measure eliminating discrimination on the grounds of nationality. It is stressed that every child, irrespective of legal status must be admitted to school. In addition, on 31.03.2010, the Polish Minister of National Education implemented a new regulation on the admission of foreigners into Polish schools and on the organisation of additional Polish language teaching, as well as the learning of heritage languages and cultures. On the basis of this regulation, foreigners under the age of eighteen have the same entitlement as Polish citizens to study at schools in Poland and the right to be provided with remedial classes of the Polish language. The regulation also simplifies the admission procedure for foreign students.⁴⁵ In 2009, the problem of schools unprepared to admit children without a command of Polish language was completely eliminated. Schools admit child-foreigners without restrictions, and they are even entitled to receive educational subsidies for their further education. Moreover, the problem of transport to and from school was resolved by introducing contracts for transportation with local bus companies.⁴⁶ In addition, according to an agent from 'Bednarska' schools, RASC are entitled to education grants that are four times larger than those for Polish pupils.

In order to facilitate access to educational materials, an Intercultural Education website (<http://www.miedzykulturowa.org.pl>) for teachers was created by the Intercultural Education Foundation. It addresses people engaged in educational activities related to children and young people, primarily all teachers and volunteers and people working in NGOs. services include:

• providing interesting scenarios for lessons delivered to children with different cultural backgrounds at the pre-school level and integrated teaching;

• a rich selection of educational materials;

• examples of interesting projects run by NGO's in Poland;

• interesting articles on different cultures and a photo gallery.

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Furthermore, the Intercultural Education Foundation published a series of books for children, teachers and parents about the food of various countries around the world. Food – a basic need for both adults and children – is a starting point for stories about the country and the daily lives of its citizens (education, work, ways leisure, family, etc.).⁴⁷

5.2. Rapid increase in enrolment of RASC in Polish schools

In order to encourage parents to send their children to school, Polish authorities started to make payments only to those families whose children attended school. As a result, in school year 2005/2006 more than a half of the children of refugees attended Polish schools. Currently, nearly 100 per cent of school aged asylum-seeking and refugee children are enrolled into schools. However, this tool has not been effective in terms of increasing parents' and children's motivation to learn. According to those agents interviewed, only a small number of families is seriously involved in their children's educational progress, especially among those of Chechen origin. In addition, only a minority moves up a class at the end of the year. Such a low rate of promotion is caused mainly by the poor attendance of pupils in classes during the school year.

⁴⁵ EURYDICE Poland's Report 2010 – National summary sheets on education systems in Europe and on-going reforms, p. 12, available at: <http://www.eurydice.org.pl/files/poland.pdf> (15.01.2011).

⁴⁶ UNHCR-AGDM Report 2009 "Being a refugee" How Refugees and Asylum Seekers Experience Life in Central Europe, pp. 41-42, available at: http://www.unhcr-centraleurope.org/images/stories/news/docs/UNHCR-AGDM_report_2009-ENG_version-screen.pdf (10.01.2011).

⁴⁷ <http://www.miedzykulturowa.org.pl/cms/witamy-w-portalu-fundacji-edukac.html> (10.01.2011).

5.3. Improvement in the quality of education

In order to improve the quality of education, and on the basis of the amendment to the Act on the Educational System, from January 2010 schools can employ bilingual/ bicultural teacher assistants with a command of the languages of immigrants attending the classes. Teacher assistants are obliged to support, not only foreign minors, but also the teachers dealing with such minors and their parents. However, as was highlighted in the interviews, the number of teacher assistants is relatively small.⁴⁸

Moreover, the website “Refugees go to school!” (“Uchodźcy do szkoły”, <http://uchodzcydoszkoly.pl>) was launched as a result of the “Awareness campaign for teachers”, prepared and implemented by the Refugee Centre in the Polish Humanitarian Organisation and financed by the UNHCR. The aim of this campaign is to educate teachers, school headmasters, counsellors, school psychologists, to inform them on the situation of refugees, their culture and potential problems, as well as to share their experiences and ideas. In this way they can successfully address children’s educational needs. On the website you can find information on the situation of refugees and issues concerning them, especially education. The main part of the Project is the Internet Forum, where individuals working with refugee children can speak about their experiences, consult legal and psychological experts and raise funds. The website “Refugees go to school!” also aims to enable teachers working with refugee children to set up a contact network, where they could support each other and share ideas on good practices in their work. There have been seven teacher training sessions concerning the education of refugee children organised under this project so far. During three-day workshops, primary school and lower secondary school (gimnazjum) teachers can gain deeper knowledge on refugee issues, intercultural competences, negotiation skills and on Chechen culture as well as gaining some information on the available funds for implementing educational projects.

Moreover, as forms of “best practice”, the teachers who were interviewed provided examples of training organised by the National In-Service Teacher Training Centre, NGO, projects run by the Warsaw Office for Education, provide great support and undoubtedly lead to improvements in the quality of education.

5.4. Enhancement of protection

There is a large number of initiatives aiming at promoting multiculturalism and tolerance, which address most of the educational needs of RASC and could be easily adopted by other countries. For instance:

- Projects run by Associates VOX Humana like:

“Islam – intercultural education”

This project run from 15.10.2005 to 15.12.2005 and was carried out under the “Global Education” project, organised by the Foundation for Education for Democracy, and with the support of the Ministry of Foreign Affairs and the European Centre for Global Interdependence and Solidarity of the Council of Europe. The project aimed at raising awareness among employees, volunteers of NGOs and the society as a whole. Intermediate objectives of the project included the prevention of social conflicts that could result from fear of people culturally different, as well as activities for intercultural education. Under this project, a book “Islam. Information for NGOs”, with a circulation of 1000 copies, was published. It was made available to associations and foundations involved with refugees, immigrants and intercultural education. The second objective in the project was to share information – promotion and distribution of books to interested organisations. The project gathered much attention of the target group. The consequent evaluation confirms that there is a need to promote other cultures and religions, especially Islam.⁴⁹

⁴⁸ Chrzanowska, A. (2009) Asystent kulturowy- innowacyjny model pracy w szkołach przyjmujących dzieci cudzoziemców’ (Culture Assistant – innovative work model in the schools which are admitting children of foreigners’) Analyses, Reports, Expertises, : Association for Legal Intervention available from: <http://www.interwencjaprawna.pl/docs/ARE-509-asystent-miedzykulturowy.pdf> (only in Polish).

⁴⁹ <http://www.voxhumana.pl/?program-edukacja-miedzykulturowa>, (12.01.2011).

Project called “Refugees and Polish Schools”

All its activities are aimed at widening the offer of activities intended for the integration of refugees and persons seeking the status of subsidiary protection to those employees and Polish institutions and organisations who have contact with the above mentioned target group, with staff supporting refugees, teachers and other school staff or parents of Polish students. The project consists of the following actions: production of an educational film of twenty minutes about Chechnya and Chechens in Poland, remedial classes, conducted in the refugee centre of Linin, for the children of refugees and of those seeking this status, extended to psychological and supervisory, compensatory lessons in schools for the children of refugees. Moreover, it runs Intercultural workshops for Chechens and Poles. The project ran from 1.05.2010 to 30.06.2011.⁵⁰

- An initiative of the IOM, Office of Education in Warsaw with the collaboration of the Office of Education of the City of Warsaw called “Intercultural school in the Multicultural city”. In the course of this project initial intercultural training was conducted. This was specially designed by a specialised unit of IOM, responsible for the psychosocial and cultural integration of migrants. It was attended not just by children (600 of students in Warsaw) and teachers (sixty), but by parents as well. The aim of this project was to present information on migration and on methods which could be used at work with RASC at schools.
- Initiative of the Polish Centre for International Aid (<http://www.pcpm.org.pl>) supported by The Foundation of Fun (<http://www.stopociech.pl>) – Intercultural Kids Club. This is a meeting place of different cultures, where parents/carers with young children can stay together and learn to play together when they are not otherwise engaged. It is also a place where people can keep one another cheerful, get support from other parents and located specialists for the advice they require. Participation in those activities is free. The club can be attended by families from outside the European Union and mixed (Polish-immigrant) with young children up to the age of five. It takes place

every Tuesday and Thursday, from 10.00 – 15.00 hours. This organisation also provides workshops on the importance of education.

- Migrotka – a collection of publications on illegal immigration in Polish libraries. It is a Polish Migration Forum initiative, which aims to improve public awareness on refugees and migrants and to enhance access to professional literature. Migrotka includes twelve collections of books on migration, interculturalism and refugees and is located in ten Polish cities.
- Children’s integration – cross-cultural workshops are run by the Association for Legal Intervention. The theme of this project is the integration of Polish and refugee children and their families through joint artistic activities. The target group consists of children and adolescents (Polish and refugee – a total of sixty children) aged between eight to fifteen years old, living in Brwinów and in neighbouring Scrotum. The workshops include areas such as film, art, music, drama, dance and photography, as well as cooking classes. They plan to produce a thirty-minute documentary-fiction movie made jointly by the Polish and refugee children.⁵¹
- Project “Promoting multicultural education: the development and implementation of instruments to assist teachers in schools receiving refugees” run by The Foundation Forum for Social Diversity (Fundacja Forum na rzecz Różnorodności Społecznej – FFRS). It aims to:
 - promote intercultural dialogue in a school environment (both among members of the teaching staff and pupils);
 - promote and develop open and tolerant attitudes in the community;
 - publish books aimed at solving conflicts in multicultural schools.⁵²

Moreover, it should be noted that Polish teachers respect RASC culture and customs. The Emile Report (2007) stresses that the teachers were able to successfully introduce measures that promoted the involvement of Chechen pupils in school activities. For instance, Chechen girls are allowed to exercise in long trousers or skirts during physical exercise classes. Girls are allowed

⁵⁰ <http://www.voxhumana.pl/?projekt-uchodzcy-i-polska-szkola,69> (14.01.2011).

⁵¹ <http://www.interwencjaprawna.pl/projekty-zrealizowane.html# cudzoziemcy> (13.01.2011).

⁵² http://www.ffr.org.pl/?page_id=67 (14.01.2011).

to attend swimming classes separately from boys. During the period of Ramadan when those who celebrate it do not eat lunch in school canteen, they are excused from physical exercise. During religious instruction classes⁵³ they can either go home or participate in alternative activities offered by schools.⁵⁴

Furthermore, according to an interviewee from the Office for Foreigners responsible for unaccompanied minors, Polish authorities adequately address the needs of unaccompanied minors by placing them in the Orphanage Nr. 9 in Warsaw. There they are supported by staff experienced in working with children suffering from violence, and who are able to provide its inhabitants with a safe environment, proper psychological help and education.

Finally, all of the interviewees stressed that the participation of the stakeholders involved in intercultural education and conferences, not only at national level but at European as well, is the best practice, as this provides for the possibility of an exchange of experiences. The Vox Humana associates cooperate with the British Council and with the Embassy of the Netherlands. Cooperation with the latter and study trips to this country are enjoyed by the Director of the reception centre in Kolonia Horbów as well.

5.5. Empowerment and participation

Refugees and asylum seekers have the right to vocational training. Information on the type of training is provided by the Intercultural Centre for Vocational Adaptation run by Warsaw University. Innovation activities aim at the introduction of practices that have been tested in the countries of our transnational partners and have produced positive effects. Its beneficiaries can participate in the Council's work, at conferences and meetings. In addition, their representatives participate in the programmes of implementation and evaluation. After completion of the project, beneficiaries can take advantage of it through greater independence, increased access to the labour market, improvement

in the situation of women and functional integration with the local community.⁵⁵

5.6. Data collection and monitoring

In 2005, the Education Information System (System Informacji Oświatowej) was established under the supervision of the Ministry of National Education. It collects information regarding the number of students who do not have Polish nationality (including their legal status) and number of students attending Polish language classes. Data on the number of students from the EU and third country nationals is held by the local Offices for Education (kuratoria). However, the data does not include the category of country of origin. It is worth noting here, that some of the Offices of Education gather such data and that may lead to regional differentiation, in terms of identifying the needs of RASC. Interestingly, they do not have the obligation to do that.

Case study of School Maharaja Jam Saheb Digvijay Sinhji ("Bednarska") in Warsaw (Zespół Szkół im. Maharadży Jam Saheba Digvijay Sinhji "Bednarska")

The model of a multicultural school in the School of Maharaja Jam Saheb Digvijay Sinhji ("Bednarska") in Warsaw (Zespół Szkół im. Maharadży Jam Saheba Digvijay Sinhji "Bednarska", meets all of the above criteria and is successfully addressing all the RASC needs. Therefore, it is presented in more details.

It is a school where headmistress persuaded pupils' parents to designate a part of the tuition fees for the education of children from poor families – including refugee children. In the school there are young people from eleven countries, not only RASC but also those granted other forms of protection, unaccompanied minors from Orphanage nr. 9 and the children of economic migrants. Parents are willing to spend their money on this initiative.

⁵³ For Catholics.

⁵⁴ Hellenic Foundation for European and Foreign Policy – ELIAMEP Report (2007), Educational Challenges Posed by Migration to Poland (EMILIE) available at: http://csm.org.pl/fileadmin/files/Biblioteka_CSM/Inne/Katarzyny%20Gmaj_Educational%20Challenges%20Pose d%20by%20Migra-tion%20to%20Poland.pdf (13.01.2011).

⁵⁵ https://webgate.ec.europa.eu/equal/jsp/dpComplete.jsp?cip=PL&national=8#empowerment_beneficiaries_en (14.01.2011).

It is an example of a social school (*szkoła społeczna*),⁵⁶ which consists of a: Social General Upper Secondary School (I Społeczne Liceum Ogólnokształcące "Bednarska"), Social Under Secondary School nr. 20 "Raszyńska" (Społeczne Gimnazjum nr 20 "Raszyńska"), Social Upper Secondary School with the International Baccalaureate (IB) (Społeczne Liceum z Maturą Międzynarodową (IB)), Multicultural Upper Secondary School with Humanities (Wielokulturowe Liceum Humanistyczne) and Lower Secondary School "Start" (Gimnazjum "Start").

Intercultural education and toleration are priority goals of these schools. Therefore, the schools implemented a special integration programme for newcomers. In these schools RASC have individual lessons, which, according to the interviewees, lead to the best results. Students learn Polish very quickly. New students with low levels of Polish are provided with a very intensive course of Polish to improve their language skills. They participate in trips aiming to provide them access to language in daily use for four to five hours a day. As soon as their command of language becomes good enough, they are moved into proper classes. Older pupils with educational gaps and those who cannot continue school education are provided with vocational training. However, those who are ambitious and hardworking fill gaps in the other subjects very fast. Evidence for this can be demonstrated in the example of a Chinese girl who was able to complete two years of studies at lower secondary school in just over one year. She moved on to complete her Social Upper Secondary School and currently she is on the first year of her Master degree course.

Additional support classes to those with low grades are given, often by students who achieve high grades at school. As a result Polish students can have a closer contact with foreign pupils. Those additional classes are coordinated by teachers who receive a special financial allowance for the time they give.

The schools also motivate foreign students to use the knowledge they have about their country of origin, in combination with the knowledge attained there. As an example of those practices, one of the interviewees gave the case of when a special question relating to those two elements was created for one student in the oral matriculation exam in Polish language and Literature. As a result, a Chinese girl was able to present outstanding presentation on the Chinese translations of Adam's Mickiewicz's⁵⁷ work.

Children on the school catchment area have access to the Intercultural Club, where they can learn their mother tongues and can present their cultures to Polish students, using different activities. In addition, they have access to a significant collection of books written in their first language, available in school libraries. Students, who are older and more accomplished at school, can in addition to Polish, learn either English, German, Russian, Spanish or sometimes Chinese. These schools are attended by most of the unaccompanied minors from Orphanage Nr. 9 in Warsaw. If these minors report a willingness to be reunited with family members, who live either in Germany, France or any other English speaking country, on the basis of the Dublin Convention, they are provided with additional lessons in the language of that country. According to the Office for Foreigners this is done in order to facilitate their integration there.

Moreover, these schools employ teachers of Polish as a foreign language. RASC can participate in the "green schools". They can learn biology, geography or topography in the field. The school provides them with books and lunch during school hours. RASC from the lower secondary school in this school complex are excluded from the admission process to the upper secondary school. In addition, a refugee doctor providing support and mediation between children of both cultures is available at school.⁵⁸

⁵⁶ Social School- a non-public forms of organizational and legal educational institutions (in addition to a private school), in which the role of the founder of the company fully, teaching, and the process of site management is socialized primarily through enhanced involvement of parents. The amount of fees are fixed by association responsible for the school. Among the main advantages of this form of legal organization of educational institutions refers to the relatively lower fees compared to private schools (the company does not reap profits, and all the money is being spent for the purposes of statutory school) and a high level of education, specific to private schools. Social science in school does not necessarily involve the collection of tuition fees – depends on the association for the school.

⁵⁷ Polish-Lithuanian poet of the Romantic period.

⁵⁸ Frelak, J.; Klaus, W. (2007) "Integracja uchodźców w Polsce. Rekomendacje i dobre praktyki" ('Integration of refugee in Poland. Recommendations and good practices'): The Institute of Public Affairs available at: <http://www.pasos.org/www-pasosmembers-org/publications/integration-of-refugees-in-poland-recommendations-and-good-practice> (only in Polish).

6. AREAS IN NEED OF CHANGE AND POLICY RECOMMENDATIONS

During this research a number of imperfections have also been identified in the process of integration of RASC in the educational system in Poland. Therefore, this section will explore these issues, along with providing some recommendations.

6.1. Access and enrolment

Poland as the other Baltic states is not considered as a destination country by the majority of asylum seekers. The westward orientation of Chechen asylum seekers and those under international protection results in a lack of parental interest in their children's education in this country. According to interviewees, a large number of refugees and asylum seekers show a lack of interest in education. Without the feeling that they have a solid foundation or with having no prospects for their future lives in Poland, refugee parents may struggle to see any point in learning Polish or having their children integrate into Polish schools. Therefore, older children especially quite often are being left at home, in order to look after their siblings or provide financial support for the family. In addition, school attendance also makes material demands. As a result of the insecure situation of refugees after the end of the asylum process, it is feared that educational opportunities are missed by many refugee children who, in recent years, have had only limited access to schooling in Russia and Chechnya. Girls are in a harder position as they tend to get married very early,⁵⁹ especially within the Chechen community. Practical skills such as cooking and looking after children etc. are more valuable for their parents than knowledge acquired at schools. There is a big pressure on boys who are expected to complete vocational training in order to start earning money. In a Chechen family, the role of the husband and father is very strong. As a result, children that progress in schools and women who integrate more quickly than men undermine the traditional male position in the family structure.

This can lead to family conflict. Therefore, Polish teachers cannot count on the support of Chechen parents.⁶⁰

In addition, enrolment criteria require further improvement, since implementing age restrictions brings difficulties in cases of older children, who never went to school. Educational authorities still struggle to make a decision to which class to send a particular student to. These children have difficulties with adapting to Polish schools. Interviewees pointed that those children are often alienated because of communication and culture barriers. They cannot fully benefit at school.

6.2. Quality of education

According to interviewees, financial assistance provided by government is not sufficient. This could have a negative impact on the quality of the help provided. An interviewee of VOX Humana claimed that the problems of refugees are marginalised by the authorities as there is a relatively small number of them in Poland whilst Polish authorities are more focused on unemployment. The interviewee from the Office for Foreigners observed that currently there are only about 600 RASC at Polish schools. In general, the exam procedure does not provide any special terms for foreigners and special school materials based on their low schooling experience are not offered to them. Interviewees claimed that there are not enough language classes, bilingual/bicultural teachers and social workers.

6.3. Enhanced protection

Many foreigners do not see their long-term future in Poland as they experience difficulties in obtaining housing and jobs. Rent rates are too high for them. This problem is worsened by the attitudes of Poles who are reluctant to rent apartments to foreigners, especially families with many children. The unemployment rate in Poland is quite high, which discourages employers to hire foreigners. In consequence, the latter can expect the worst, lowest

⁵⁹ In some cases even girls under fifteen years old, what constitute a challenge for Poland legal system as those kind of marriages are there prohibited and every girl under sixteen years old must obtain permission of Polish court in order to get married.

⁶⁰ Hellenic Foundation for European and Foreign Policy – ELIAMEP Report (2007), Educational Challenges Posed by Migration to Poland (EMILIE) available at: http://csm.org.pl/fileadmin/files/Biblioteka_CSM/Inne/Katarzyny%20Gmaj_Educational%20Challenges%20Pose-d%20by%20Migra-tion%20to%20Poland.pdf (13.01.2011).

paid activities, or are offered short-term jobs, generally without proper employment contracts. When they lose a job, they are left with nothing, because welfare benefits for job seekers in Poland are closely tied to the social insurance system.⁶¹ These factors are perceived as the biggest obstacles against integration. Therefore, council housing and provisions for applying for job seeker allowances would be an ideal solution for them, even though all of the conditions cannot be met. However, the Polish state does not have sufficient resources to address those problems. This country is not even able to distribute such benefits to the national society. As already noted, unemployment rates are high and a large number of Poles share accommodation with close relatives. There is a risk that such an approach would cause negative attitudes from locals towards foreigners.

6.4. Empowerment and participation

This research has found that small children are often placed in kindergartens inside reception centres. It is believed that due to refugee trauma it is better to have them closer to parents. However, this may have a negative impact on their integration with the national society.

Moreover, the UNHCR-AGDM Report 2009 revealed that children are complaining about lack of recreational activities, sports fields and gyms, and that the reception centres are not well equipped with toys and sports equipment. It highlights that the most of boys interviewed during this research were willing to attend some physical education classes if it was possible.⁶² Furthermore, the size of the centres is not appropriate for wider society. Big refugee centres have been created in the neighbourhoods of small family houses or in small villages. This could have a negative impact on their integration.⁶³

Conclusions

To conclude, besides the fact that Poland still lags behind other EU countries in implementing

comprehensive integration policies (Poland has not defined integration in any legal document to date), this country has reached a milestone in improving the integration of RASC into the educational system. That has been achieved only thanks to the hard work done by a large number of civil-society members or non-governmental organisations. Moreover, since 2008, money from the EU's European Fund for the Integration of Third-Country Nationals has created a boom in new programmes and made integration measures possible. However, this country still has not established regulatory and developing services for immigrants as good as its western neighbours. As it was pointed out, the government's lack of interest in immigrants stems from a relatively small number of immigrants in Poland and the fact that the focus is mostly on issues of unemployment, emigration and the recent catastrophe in Smolensk. Nevertheless, it has to be stressed again, that this country is not considered to be a destination country by the majority of asylum seekers. A significant number of parents, especially Chechens, present a lack of interest in their children's education, as well as with their integration within a local community.

Therefore, it is advised:

- to take full advantage of the current situation, while the numbers of foreign pupils in Polish schools are relatively small, and use the time to prepare for future challenges as it is unforeseen when the current recession ends, the downwards trend in the number of foreigners coming to Poland will change;
- provide alternatives to school possibilities, for instance, vocational courses, along with additional language support for those who have never attended school. Their types should be based on the current demand of the labour market or on the establishment of some kind of preparatory "zero class programme" for RASC. According to all interviewees and the Emilie Report 2007 this could help them in the integration process with their Polish peers and facilitate their integration to the educational system and make up for the gaps in their education;

⁶¹ You must work for a year to be eligible for it.

⁶² UNHCR-AGDM Report 2009 "Being a refugee" How Refugees and Asylum Seekers Experience Life in Central Europe, available at: http://www.unhcr-centraleurope.org/images/stories/news/docs/UNHCR-AGDM_report_2009-ENG_version-screen.pdf, p. 44 (10.01.2011).

⁶³ ECRI Report on Poland 2010 available at: <http://www.coe.int/t/dghl/monitoring/ecri/country-by-country/poland/POL-CbC-IV-2010-018-ENG.pdf> (15.01.2011).

- conduct in-depth research on attitudes and approaches, some programmes or long term initiatives, which could bring in-depth mental and cultural changes in the way how RASC parents (especially Chechens) and teenagers approach educational integration;
- to create a financial framework that would allow distant and poor communities (gmina, powiat) to deal with the challenges brought by RASC, especially those with large numbers of them, which is highlighted by all interviewees;
- it is recommended by all interviewees that there should be daily Polish language classes in reception centres, at least for a few hours a day. According to them, groups should be created on the basis of the level of Polish language achieved, while enrolment should be based on the results of written and oral examination. Attendance should be obligatory and be regulated by law. All absences without serious reason should result in cuts in welfare assistance. An interviewee from the reception centre in Kolonia Horbów suggested the establishment of a special instrument for monitoring how refugees expend the money they received as part of their benefits (as they tend to buy unnecessary goods using the money provided for things connected with schooling);
- an increase in the employment numbers of bilingual/bicultural teachers and social workers, ideally from refugee communities could constitute a positive contribution, especially in areas with demographic diversity or with a high concentration of migrant population;
- establish a database on the provisions offered by all countries regarding all displaced people seeking international protection. That would allow them to make a rational decision on where to go and settle. One could argue that once they decide to go to one place they will be more likely to settle there and get involved in all of the integration programmes being offered to them. As the Director of the Reception Centre in Kolonia Horbów says “Why we should teach them Polish if they sooner or later will move to the west and will never use this language again”. It could be argued here that while parents are settled in one place, their children are more likely to fully enjoy all of the provisions offered by the education system and local authorities can easily monitor the whole situation;
- reconsider the proposals so that small children could be sent to kindergartens outside of reception centres as this may speed integration. In this case their parents could establish better contact with the parents of Polish children. This could contribute to the development of intercultural dialogue, by removing the potential causes of tension. However, kindergartens, unlike schools, are not compulsory and therefore they may not exist in small towns or villages.

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LIST OF ABBREVIATIONS:

BOO Asylum	– Bureau of Organization of Centres for Foreigners Applying for Refugee Status or
IOM	– International Organisation of Migration
ISCED	– International Standard Classification of Education
RASC	– Refugee and Asylum Seeking Children
UNHCR	– Office of the United Nations High Commissioner for Refugees

APPENDIX

TABLE 43. APPLICANTS GRANTED REFUGEE STATUS, 2010

Country of Citizenship	Applicants granted refugee status											
	Total				Man				Female			
	Age				Age				Age			
	Total	0-13	14-17	Over 18	Total	0-13	14-17	Over 18	Total	0-13	14-17	Over 18
Total	88	38	5	45	44	18	3	23	44	20	2	22
Russia	52	31	3	18	26	17	2	7	26	14	1	11
Belarus	17	3	0	14	11	1	0	10	6	2	0	4
Afghanistan	4	0	0	2	1	0	0	1	1	0	0	1
Iraq	5	0	1	4	4	0	1	3	1	0	0	1
Congo	2	1	0	1	0	0	0	0	2	1	0	1
Lebanon	2	0	1	1	0	0	0	0	2	0	1	1
Vietnam	2	1	0	1	0	0	0	1	1	1	0	0
Nepal	2	1	0	1	0	0	0	0	2	1	0	1
Iran	2	1	0	1	1	0	0	1	1	1	0	0

Source: Own study based on the information provided by the Office for Foreigners (as on 31.12.2010).

TABLE 44. APPLICANTS GRANTED SUBSIDIARY PROTECTION, 2010

Country of Citizenship	Applicants granted subsidiary protection											
	Total				Man				Female			
	Age				Age				Age			
	Total	0-13	14-17	Over 18	Total	0-13	14-17	Over 18	Total	0-13	14-17	Over 18
Total	195	129	8	58	92	61	3	28	103	68	5	30
Russia	172	123	7	42	80	58	3	19	92	65	4	23
Iraq	5	0	0	5	4	0	0	4	1	0	0	1
Afghanistan	5	1	0	4	2	1	0	1	3	0	0	3
The West Bank and Gaza Strip	4	0	0	4	3	0	0	3	1	0	0	1

TABLE 44. APPLICANTS GRANTED SUBSIDIARY PROTECTION, 2010 (CONTINUED)

Country of Citizenship	Applicants granted subsidiary protection											
	Total				Man				Female			
	Age				Age				Age			
	Total	0-13	14-17	Over 18	Total	0-13	14-17	Over 18	Total	0-13	14-17	Over 18
Ukraine	3	1	0	2	1	0	0	1	2	1	0	1
Kazakhstan	2	2	0	0	0	0	0	0	2	2	0	0
Sri Lanka	1	1	0	0	1	1	0	0	0	0	0	0
Uganda	1	0	0	1	0	0	0	0	1	0	0	1
Sudan	1	0	1	0	0	0	0	0	1	0	1	0

Source: Own study based on the information provided by the Office for Foreigners (as on 31.12.2010).

TABLE 45. APPLICANTS GRANTED TOLERATED STAY STATUS, 2010

Country of Citizenship	Applicants granted tolerated stay status											
	Total				Man				Female			
	Age				Age				Age			
	Total	0-13	14-17	Over 18	Total	0-13	14-17	Over 18	Total	0-13	14-17	Over 18
Total	231	71	15	145	114	30	6	78	117	41	9	67
Russia	100	43	4	53	42	21	2	19	58	22	2	34
Armenia	33	9	5	19	15	3	3	9	18	6	2	10
Ukraine	10	4	0	6	2	1	0	1	8	3	0	5
Sudan	8	5	1	2	4	2	1	1	4	3	0	1
Vietnam	9	0	0	9	3	0	0	3	6	0	0	6
Azerbaijan	4	1	0	3	2	0	0	1	2	1	0	1
Belarus	6	2	0	4	2	0	0	2	4	2	0	2
Mongolia	5	1	1	3	2	0	0	2	3	1	1	1

TABLE 45. APPLICANTS GRANTED TOLERATED STAY STATUS, 2010 (CONTINUED)

Country of Citizenship	Applicants granted tolerated stay status											
	Total				Man				Female			
	Age				Age				Age			
	Total	0-13	14-17	Over 18	Total	0-13	14-17	Over 18	Total	0-13	14-17	Over 18
Others (Turkey, Angola, Tanzania, Nepal, Sri Lanka, Moldova, Algeria, Uganda, USA, Uzbekistan, Philippines, Congo, Gambia etc.)	56	6	4	46	42	3	0	40	30	3	4	7

Source: Own study based on the information provided by the Office for Foreigners (as on 31.12.2010).

2.10. COUNTRY REPORT: UNITED KINGDOM

Jill Rutter, Yva Alexandrova

1. METHODOLOGICAL INTRODUCTION

This report has been written in the framework of the project 'Integrating Refugee and Asylum-seeking Children in the Educational Systems of EU Member States: Evaluation and Promotion of Current Best Practices' (INTEGRACE). It presents an overview of the situation of refugee and asylum-seeking children in the United Kingdom, as well as outlining the structure of the education system, the existing provisions, policies and practices for the integration of these children, and the challenges faced.

The **analysis** of the information gathered has been conducted with a view to providing background information on refugee movements and the education system in the UK, and identifying the main challenges and the provisions for integrating refugees and asylum seeking children in schools. In addition, good practices have been identified and presented and a set of recommendations put forward, in accordance with the needs identified.

The following methods have been employed to gather data for this report:

1.1. Desk research

Initial desk research on data and background information on refugees and refugee children has examined reports from NGOs and other organisations (e.g UNHCR, UKBA, Refugee Council, etc.), as well as analyses and reviews in academic research (e.g. Rutter, 2003; Sales et al., 2010, Sigona & Hughes, 2010).

With regard to the **statistical data** available and used in this report, the following should be noted:

- Statistics on asylum applications are sourced from the UK Border Agency (UKBA) and UNHCR.

UKBA provides quarterly figures on asylum applications, which are disaggregated on the basis of principal applicant and dependents.

- Statistical data on asylum seekers are also provided to EUROSTAT, in line with regulation (EC) No 862/2007 of the European Parliament and of the Council on Community statistics on migration and international protection.

The Home Office keeps statistics on the number of asylum seekers who have submitted an asylum application and who are being accommodated and/or supported. However, data are not gathered on the location of individuals awarded different types of protection status (Exceptional Leave to Remain, Humanitarian Protection, Discretionary Leave) or on asylum seekers not accommodated or supported by the Home Office.¹

The General Census is the most comprehensive source of data on the UK population but its data age rapidly, particularly at a time of such significant demographic change. Census information is gathered on 'ethnic identity', but not on asylum-seeker, refugee or any other immigration status. As it is only administered every ten years, it is not possible to infer refugee status by relating ethnic identities to recent conflict areas.²

As far as refugees are concerned it is difficult to estimate their numbers, as the Home Office does not keep such data. Different local authorities, who serve refugees as part of the local population and provide services such as housing, healthcare and welfare benefits, do however keep a record of the refugees who receive their services.

With regard to children, the Local Education Authorities (LEA) collect statistics on refugee

¹ Information Centre about Asylum and Refugees (2010), Mapping refugee and migrant communities in the UK

² Information Centre about Asylum and Refugees (2010), Mapping refugee and migrant communities in the UK

and asylum-seeking children in schools in their area; likewise, social services collect data on unaccompanied minors who have received positive decisions. Schools do not collect data on the legal status of pupils, but they do collect data on ethnic membership, first language, date of entry into school, previous schools, etc. Local Authorities usually collect data on the number of children in the Council's schools, ethnic membership and looked after children. However, these data are rarely centralised and analysed. Some of the data, in particular with regard to children, can be difficult to access, even when they are available in an analysed and comparable form.

1.2. Stakeholder interviews and on-site observation

This background research has been further substantiated with semi-structured stakeholder interviews. Conducted in accordance with the project guidelines, these interviews aimed to establish the context in which the programmes and projects have been developed and are being implemented, as well as to identify concrete examples of good practice and the status of some of the integration programmes.

Eight such interviews took place with the following education and refugee experts from public institutions and non-governmental organisations:

Ruth Grove-White	– Policy Officer at Migrants Rights Network
Hugo Tristram	– Development Officer, Refugee Services, British Red Cross
Ilona Pinter	– Policy Adviser, Refugees and Migrants Policy Team, The Children's Society
Rubina Darr Junior	– Head Teacher, Cromwell and Infant School, Birmingham
Beryl Randall	– Director, Refugees into Schools Project, The Employability Forum
Tim Spafford	– Independent consultant on refugee education and Coordinator of RefEd
Alex Sutton	– Community Development

Lead, Praxis Community Projects

Sara Darr – EAL (English as an Alternative Language) Teaching Assistant, Byron Court Primary School, Wembley, London

To gain a clearer picture of refugee integration in schools, a visit to Cromwell Junior and Infant School, Birmingham, was carried out. Personal observation of the classrooms and displays, and of the facilities available to the children at the school, provided a deeper understanding of the multicultural approach used to aid integration and promote social cohesion from a very early age.

Finally, it should be noted that the present government, elected in May 2010, has embarked on a far-reaching financial austerity programme, which includes substantial cuts to all public services. In many instances, at the time of writing of this report, it was still unclear what the status of previous programmes is, what changes are anticipated and what, if anything, will replace them.

2. REFUGEES AND ASYLUM SEEKERS: GENERAL BACKGROUND

2.1. Historical overview of refugee flows

In 2008 one of the leading research and policy institutions in the UK, the Institute for Public Policy Research (IPPR), published a report entitled *Beyond black and white: mapping new immigrant communities*. It revealed that the map of Britain's new immigrant communities has changed radically in the past fifteen years. A new demographic analysis showed that the country's immigrant population grew by 1.1 million between 1991 and 2001 and that currently there are more American migrants living in Britain than Bangladeshis.³

Britain has historically been a country of immigration, initially linked with its colonial past and the firm

³ Institute for Public Policy Research (2005), *Beyond Black and White: Mapping new immigrant communities*.

migration patterns this led to. More recently it has become a destination for large numbers of new immigrants, as globalisation has affected both the push and the pull factors of migration.

Consequently, the UK has a long tradition of working towards the integration of these immigrant communities following an approach based on the importance of minority groups and the recognition of multiculturalism as a social and political feature of British society.⁴

Refugee support dates back to 1957 with the arrival of Hungarian refugees who were evacuated to the UK from camps in Austria following the failed uprising in 1956. Since then there have been many diverse migratory movements to the UK and many changes in the way that policy makers have responded to these population movements.

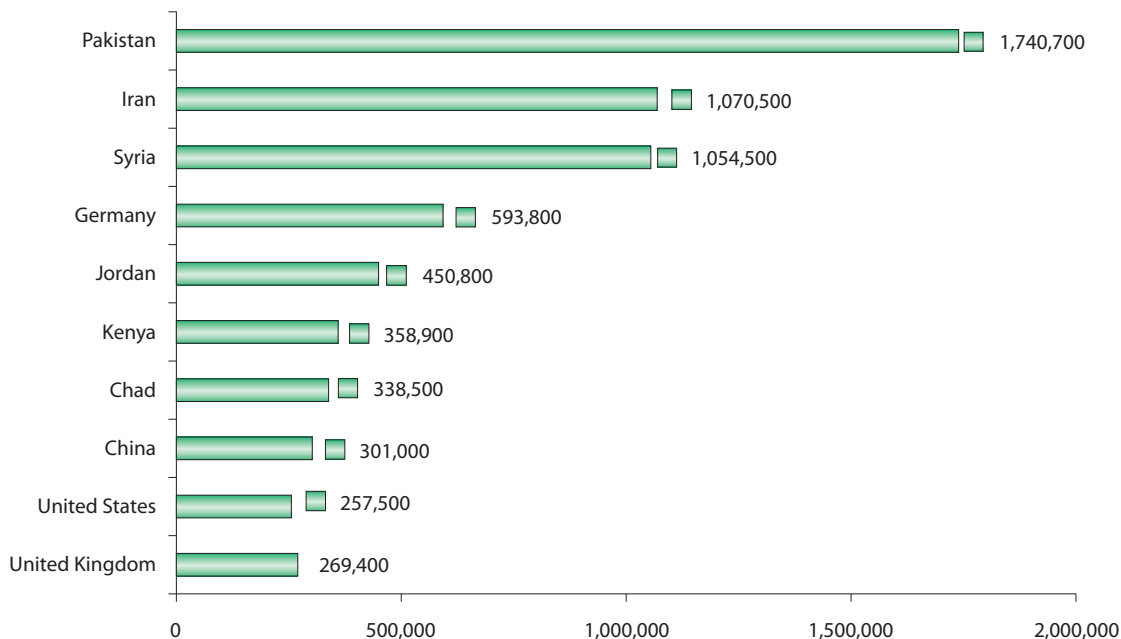
Before the 1980s, most refugees had either come from a small number of Eastern European countries or had been admitted as resettlement cases. In the 1980s, asylum seekers from a broader range of

countries began to arrive in the UK, from African and Asian countries as well as Eastern Europe. Significant refugee groups were Iranians and Sri Lankan Tamils, as well as Iraqis, Turkish nationals (including Kurds), Poles, Ugandans, Ghanaians, Ethiopians, Eritreans and Somalis. Despite more diverse and complex migratory flows, the total number of asylum applications was relatively low during the 1980s, averaging about 3,000 applicants per year.

Numbers of asylum applications increased significantly in 1989, when 11,640 asylum applications were lodged; this increase continued into the 1990s. Most of the new arrivals came from conflict zones: Bosnia-Herzegovina, Eastern Turkey, Ethiopia, Eritrea, Sierra Leone, Somalia, the Democratic Republic of Congo (then Zaire), Angola, Iraq, Sri Lanka and Colombia.

Asylum applications continued to increase in 1994 and 1995; Kosovar Albanians and Algerians were significant new groups at this time. Among the Kosovars were a high proportion of unaccompanied children. Their arrival highlighted the need for

FIGURE 22. MAJOR REFUGEE-HOSTING COUNTRIES, END OF 2009



Source: UNHCR, 2011.

⁴ Bertossi, C. (2007) French and British models of integration: Public philosophies, policies and state institutions, Compass WP 46, University of Oxford.

targeted support for unaccompanied refugee children in the UK, a concern articulated in much action research undertaken by refugee organisations.

While it is important to keep in mind that the majority of the world's refugees are hosted by developing countries, the United Kingdom is among the top ten refugee hosting countries in the world with nearly 270,000 refugees at the end of 2009,⁵ as can be seen from the figure below.

Asylum applications in the UK peaked in 2002 at nearly 85,000 at the height of the so-called 'asylum crisis'. This was caused by the large number of people fleeing conflicts across the globe, as well as the tightening of all other channels for legal immigration not only in the UK but also across Europe. The strain on the system, combined with a vigorous anti-immigrant campaign from some of the leading tabloid media in the country, were both factors in a process of tightening the policy regime with the aim of reducing the number of arrivals.⁶ In the following years, the number of asylum applications in the UK fell by more than sixty per cent to 31,315 in 2008.

According to the UK Border Agency's quarterly statistics, this downward trend has continued. In 2009 there were a total of 30,675 asylum applications, which included principal applicants and their dependents (wife and/or children). At the end of

2010 the total number of applications was 22,090 including dependants (17,790 principal applicants).⁷

However, despite the reduced numbers of asylum applicants there is still a substantial backlog of cases which have not been decided. At the end of February 2011 there were a total of 14,955 pending applications, of which 3,700 cases are older than six months and still awaiting an initial decision. 3,435 are less than six months old and 7,815 are pending further review (figures from UKBA).

2.2. Origin of asylum seekers and refugees

As Table 1 illustrates, the top countries of origin of asylum seekers in the past few years have been those countries where conflict, generalised violence and systematic human rights violations have been well-documented. This is consistent with the trend in asylum applications across the European Union which shows that the majority of asylum seekers come from countries experiencing conflict and violence, contrary to the public perception of asylum seekers being motivated by economic reasons.⁸

As can be seen from the above data, the main countries of origin of asylum seekers and refugees

TABLE 46. TOP 10 COUNTRIES OF ORIGIN OF ASYLUM SEEKERS IN THE UK, 2002 – 2008⁹

2002		2003		2004		2005	
Iraq	14,570	Somalia	5,090	Iran	3,455	Iran	3,150
Zimbabwe	7,655	Iraq	4,015	Somalia	2,585	Somalia	1,760
Afghanistan	7,205	China	3,450	China	2,365	Eritrea	1,760
Somalia	6,540	Zimbabwe	3,295	Zimbabwe	2,065	China	1,730
China	3,675	Iran	3,875	Iraq	1,715	Afghanistan	1,580

⁵ UNHCR (2011), *Asylum Levels and Trends in Industrialized Countries*, 2010.

⁶ Rutter, J.(2003), *Working with refugee children*, UK: Joseph Rowntree Foundation.

⁷ UKBA (2011), *Quarterly Control of Immigration Bulletin*, <http://www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/immigration-asylum-research/asylum-app-feb-2011>

⁸ UNHCR (2011), *Asylum Levels and Trends in Industrialized Countries*, 2010.

⁹ UNHCR (2011), *Asylum Levels and Trends in Industrialized Countries*, 2010.

TABLE 46. TOP 10 COUNTRIES OF ORIGIN OF ASYLUM SEEKERS IN THE UK, 2002 – 2008 (CONTINUED)

2002		2003		2004		2005	
Sri Lanka	3,130	Turkey	2,390	Pakistan	1,710	Iraq	1,415
Turkey	2,835	India	2,290	DR Congo	1,475	Pakistan	1,415
Iran	2,630	Afghanistan	2,280	India	1,405	DR Congo	1,080
Pakistan	2,405	Pakistan	1,915	Afghanistan	1,395	Zimbabwe	1,075
Serbia & Montenegro	2,265	DR Congo	1,540	Sudan	1,305	Nigeria	1,025
2006		2007		2008			
Eritrea	2,585	Afghanistan	2,500	Afghanistan	3,505		
Afghanistan	2,400	Iran	2,210	Zimbabwe	3,165		
Iran	2,375	China	2,100	Iran	2,270		
China	2,100	Iraq	1,825	Eritrea	2,255		
Somalia	1,845	Eritrea	1,810	Iraq	1,850		
Zimbabwe	1,650	Zimbabwe	1,800	Sri Lanka	1,475		
Pakistan	965	Somalia	1,615	China	1,400		
Iraq	945	Pakistan	1,030	Somalia	1,345		
Nigeria	790	Sri Lanka	990	Pakistan	1,230		
India	680	Middle East & N Africa	825	Nigeria	820		

in the UK after the year 2000 were Afghanistan (top of the list for 2007 and 2008), Iran, Iraq, Somalia, Zimbabwe, China and Pakistan. Sri Lankan applicants were ranked in the top ten in 2002 and 2007 with 3,130 and 1,475 applications respectively, while claims from Eritrean asylum seekers topped the list in 2006 with over 2,500 applications. As conflict in the Democratic Republic of Congo intensified in 2003, 2004 and 2005, so too rose the number of applications. India was included in the list in 2003, 2004 and 2006 with 2,290, 1,405 and 680 applications respectively. Similarly, Nigeria was included in 2005, 2006 and 2008. In 2007 there were 825 applications from Middle Eastern and North African countries as well.

The top ten country of origin figures also indicate a downward trend since the beginning of 2000 (similar across the EU), due largely to increased immigration and border controls and a general tightening of the asylum regime in the UK. The highest number of

applications for 2008 was from Afghanistan (3,505), whereas the lowest was from Nigeria (820).

In terms of demographic characteristics, most asylum applicants are male and single; less than 25 per cent of applicants in recent years have had dependent children, (although the proportions of dependent children do vary among national groups).¹⁰

2.3. Refugee and asylum-seeking children (RASC)

In January 2010, there were around 6.5 million pupils in state primary and secondary schools in England. Of these, over 1.5 million (23 per cent) were of 'minority ethnic' origin, i.e. their ethnic group was classified as other than White British.

¹⁰ Rutter, J.(2003), Working with refugee children, UK: Joseph Rowntree Foundation.

They constituted 25 per cent of children in primary schools and 21 per cent in secondary schools.

This represents an increase compared to 2004, when 'minority ethnic' children represented 20 per cent of the school population – 21 per cent in primary schools and 19 per cent in secondary schools. The increase is due not only to a 14 per cent rise in the number of minority ethnic children, but also to a 10 per cent decline among White British children.

In London, the proportion of 'minority ethnic' children is even higher – 67 per cent in primary and 62 per cent in secondary schools – and varies significantly across the boroughs. The local authority with the highest proportion of ethnic minority pupils in its primary schools is Newham (91 per cent), followed by Brent (88 per cent), Tower Hamlets (88 per cent) and Hackney (85 per cent). In terms of the proportion of minority ethnic pupils in secondary schools, the top four local authorities are Newham (88 per cent), Tower Hamlets (86 per cent), Lambeth (83 per cent) and Westminster (82 per cent) (Sales *et al.*, 2010).

In primary schools, the largest ethnic minority group is Pakistani, which accounts for 3.3 per cent of pupils, followed by White Other (2.6 per cent) and Black African (2.5 per cent). In secondary schools, the largest proportion of ethnic minority pupils are also Pakistani (2.5 per cent), followed by Indian (2.4 per cent) and White Other (2.3 per cent).¹¹

This ethnic diversity of the population is only partially reflected among the teaching staff: in 2004, nine per cent of teachers in England were from a minority ethnic background. In London this figure rose to 31 per cent (Sales *et al.*, 2010).

The largest groups of asylum-seeking and refugee children in schools across the UK are Somalis and Somali minority groups such as the Bravanese, comprising about 21 per cent of all asylum-seeking and refugee children in the UK. Sri Lankan Tamils are the next largest group and other large populations include Afghans, Turkish Kurds, Iranians and Congolese. In many areas, there is great national diversity among refugee communities – in one London borough the refugee survey showed children coming from 58 national groups.¹²

Although demographic data are imprecise, it is likely that there are at least 60,000 'refugee' children of

compulsory school age residing in the UK, i.e. about one per cent of the total. In Greater London some 6.5 per cent of all school children are asylum seekers, refugees or other kinds of forced migrants.

Asylum-seeking and refugee children are a very mobile population within the UK, owing to the temporary nature of housing allocated to asylum seekers and the fact that most refugees, once granted status, are then placed on a local authority waiting list for housing and have moved to areas where such housing has become available.¹³

2.4. Unaccompanied and separated children (UASC) seeking asylum

In 2009, Europe received 15,100 or 81 per cent of the 18,700 UASC claims lodged globally by unaccompanied minors. This constitutes about four per cent of the total number of asylum claims lodged in those countries. As in previous years, the United Kingdom registered the highest number in Europe with close to 3,000 UASC claims, followed by Norway (2,500), Sweden (2,250), and Germany (1,300).

The information available indicates that 7,900 unaccompanied and separated children were recognised as refugees or granted a complementary form of protection in 2009. This figure is higher than in 2008 (when 6,000 positive decisions were made). Europe accounted for 64 per cent of all positive decisions rendered.¹⁴

2.5. Regional distribution

London and the South East have traditionally attracted immigrants and they continue to do so with regard to new arrivals. These include many refugees and asylum seekers. Other key destinations include large cities such as Cardiff, Glasgow, Liverpool, Leeds, Birmingham and Edinburgh. In 1999 the government introduced a deliberate policy of dispersing asylum

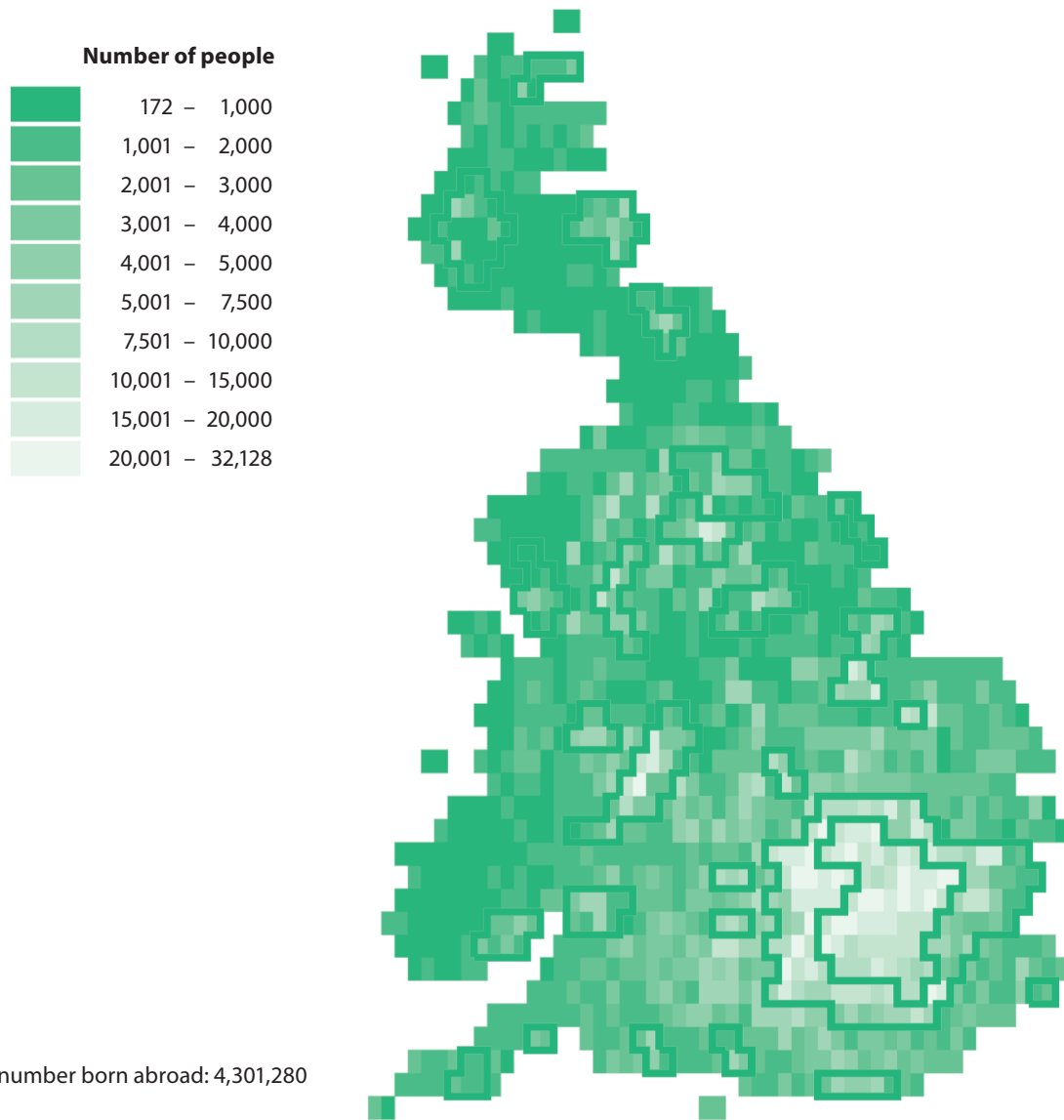
¹¹ EMILIE (2009), A European approach to multicultural citizenship: Legal, political and educational challenges.

¹² Rutter, J.(2003), Working with refugee children, UK: Joseph Rowntree Foundation

¹³ Rutter, J.(2003), Working with refugee children, UK: Joseph Rowntree Foundation

¹⁴ UNHCR (2011), Asylum Levels and Trends in Industrialized Countries, 2010.

FIGURE 23. DISTRIBUTION OF IMMIGRANTS IN THE UK



Source: Dr. Bethan Thomas, University of Sheffield.¹⁵

seekers, which was intended to reduce the high concentrations in London and the Southeast.

The IPPR report mentioned above has provided a map of the distribution of immigrants in the UK:

Approximately 36 per cent of England’s asylum seekers reside in London. As of December 2010, there were 3,400 supported asylum seekers in Greater London, of which 2,370 receive subsistence only and 1,030 receive help with accommodation. The analysis of data on asylum-seeking and refugee children, as

well as of statistics produced by NASS (the National Asylum Support Service), indicate that secondary migration to Greater London is occurring. This is not a new phenomenon as there has been considerable secondary migration of other recent refugee groups to the capital with push and pull factors like existing community, family and friends, work and safety.¹⁶

¹⁵ Original map: BBC, Born abroad, an immigration map of Britain.

¹⁶ Rutter, J. (2003), Working with refugee children, UK: Joseph Rowntree Foundation.

3. INSTITUTIONAL SET-UP, LEGAL AND POLICY FRAMEWORK

3.1. Asylum legislation

The UK asylum policy framework, legislation and consequently institutional set-up have undergone major changes since the 1980s, which have been similar across the EU Member States. This has been marked by two simultaneous processes involving a process of harmonisation with EU policies and regulations (Dublin, etc.), as well as a process of curtailment and the limitation of previously existing legal protection and access to services. Since the early 1990s, partially in response to the negative media coverage, the UK Government enacted a series of measures to restrict the legal and social rights of asylum seekers. To sum up, these legislative and policy changes involve:

- building 'barriers' to make the legal entry of asylum seekers much more difficult. Such barriers include the requirement of a visa to enter the UK and the placing of immigration officers at overseas airports
- restricting asylum seekers' social and legal rights, including the right to work, benefits, housing and higher education
- tightening the criteria by which asylum cases are judged, so that proportionally more asylum seekers are refused refugee status or ELR than in the late 1980s.¹⁷

The Immigration and Asylum Act 1999 profoundly changed the way asylum seekers were housed and supported. By removing the existing rights to housing and all types of benefits, a new housing and maintenance scheme for asylum seekers was set up. It denied them the right to choose where to settle, often sending them to areas where they had no family or community ties thus making it very difficult for them to integrate. It was administered by the NASS, now part of the Border and Immigration Agency.

In July 2002, all asylum seekers lost the right to work, a policy that appeared contradictory in the context of the increased allocation of work permits by the Home Office.

In the spring of 2004, the Government introduced a limit to the amount of legal aid that could be claimed for an initial asylum application. From this time, legal aid costs were limited to five hours work, unless special permission was granted from the Legal Services Commission. A number of eminent firms stopped undertaking asylum cases.¹⁸

Again in 2004, access to healthcare was limited when the right to free non-emergency secondary healthcare was removed from 'failed' asylum seekers.

In an attempt to prevent secondary migration of refugees within the UK the Immigration and Asylum (Treatment of Claimants) Act 2004 amended the Housing Act 1996 by stipulating that dispersed asylum seekers needed to have a local connection with the area in which their accommodation was located. It also created a further category of people ineligible for support: a 'failed' asylum seeker with family, also known as a Section Nine case. Asylum-seeking families who had exhausted the appeals process would lose their support if they failed 'without reasonable excuse' to leave the UK voluntarily. The legislation also prevented local authorities from providing housing and subsistence to a child's parents.¹⁹

The *Immigration, Asylum and Nationality Bill* in 2005 overhauled the asylum application process with the introduction of a new application system: the New Asylum Model (NAM), whereby asylum cases are dealt with by named immigration officers who are obliged to complete an asylum application and reach a decision within six months. This new model aims to introduce a faster, more tightly-managed asylum process with an emphasis on rapid integration or removal. Although there have been some criticisms of this system, this new mechanism has succeeded in considerably speeding up the asylum determination process. As subsequent research has shown, this can only promote the early integration of those who receive a positive asylum decision.

¹⁷ Rutter, J. (2003), Working with refugee children, UK: Joseph Rowntree Foundation.

¹⁸ Rutter, J.(2006), Refugee Children in the UK, UK: Open University Press.

¹⁹ Refugee Council, 2004b.

Less welcomed by refugee organisations has been the move to limit the period of settlement to those granted UN Convention refugee status to a period of five years, revocable at any time during this period. This suggests a clear expectation that those with refugee status would return if conditions improved in their home countries. (Before 2005, those with refugee status were granted indefinite leave to remain in the UK at the same time as they were granted refugee status). Refugee organisations have criticised this move, as it may limit refugees' ability to integrate and make long-term plans for life in the UK.²⁰

April 2009 saw the launch of the UK Border Agency (UKBA), formerly the Border and Immigration Agency, in an effort to centralise the system and make it more speedy and efficient. The UKBA is a non-departmental government agency, reporting to Home Office ministers, which *inter alia* has responsibility for the day-to-day operation asylum and immigration policy, visa policy, border control, the asylum determination system and the asylum support system, including integration.

3.2. The asylum process

Asylum applications can be lodged at the point of entry or 'in-country' after arrival. The UKBA is the main agency responsible for examining an asylum claim. After a claim is submitted, a named case owner is assigned. The case owner conducts a short interview, known as Screening, and takes all the relevant documentation, passports, other identification, documents in support of the asylum claim, as well as photographs, etc.

Everyone who has applied for asylum is issued with an Application Registration Card (ARC) containing personal details like name, age, gender, country of origin and photograph. The ARC is proof of identity and is needed for obtaining financial and other support. In some cases where an ARC cannot be issued, a Standard Acknowledgement Letter is issued.

Within approximately a week, a meeting with the case owner takes place to explain the process and

lay down the legal requirements. This is followed by the asylum interview.

While awaiting the asylum decision, the applicant is entitled to receive support on the basis of their circumstances and needs. This support includes living costs, "cash support" (between 36,62 and 72 GBP/week for single adults and families respectively) and housing (including rent, electricity, gas and water), but the claimant has no control over the location of housing provided, which can be across the whole of the UK. However, when the application has been made "in the country", such support may be denied.

In addition, access to free healthcare and education is granted with some restrictions. Asylum seekers are not allowed to work while they wait for a decision and may also be placed in detention centres.

After full consideration of a case, there may be one of four outcomes:

Refugee Status

Refugee status (10 per cent of all claims in 2003) confers on the recipient most of the rights of a British subject, including right to access the labour market, to education, to social welfare, etc. It protects a person from being returned to his or her country of origin and confers other rights, such as the right to family reunification and formation;

Humanitarian Protection

This is an immigration status introduced in 2003. It is granted to asylum seekers refused refugee status who, if returned to their country of origin, would face a serious threat to life for one or more of the following reasons: the death penalty, unlawful killing, torture, inhuman or degrading treatment or punishment. Humanitarian Protection is usually granted for a period of three years;

Discretionary Leave

This is granted by the Home Secretary outside the provisions of the Immigration Rules. It is granted to people refused asylum who cannot be returned to their home country, or a safe third country. It is also granted to some unaccompanied children who cannot be legally returned home until they are

²⁰ Rutter, J.(2006), *Refugee Children in the UK*, UK: Open University Press.

eighteen. In April 2003, Humanitarian Protection and Discretionary Leave replaced the status of Exceptional Leave to Remain (ELR). Throughout the 1980s and 1990s, most asylum seekers who were allowed to stay in the UK received ELR;

Refusal

Refusals accounted for 66 per cent of decisions after full consideration in 2002. Asylum seekers may be rejected without a full consideration of their case at the port of entry after an application has been judged to be 'manifestly unfounded'. Asylum seekers can also be rejected for 'non-compliance' – failure to attend interviews or failure to return application forms to the Home Office within tight deadlines. Some 18 per cent of all decisions made in 2001 were rejections for non-compliance. Once an asylum application has been refused, the applicant can appeal, leave the UK voluntarily, be removed or choose to 'disappear'. Some 20-30 per cent of appeals are usually successful.²¹

3.2.1. Integration

When the Asylum Act came into force, integration also became the responsibility of the UK Border Agency.

The Refugee Integration and Employment Service (RIES) of the UKBA is the agency charged with providing a standard level of service to new refugees in every part of the United Kingdom when their status is granted.

The RIES provides services to newly granted refugees and puts a sharper focus on employment.

RIES offers a complementary service to each person granted refugee status or humanitarian protection. This service includes the following elements:

- an integration advice and support service offering help in addressing initial critical needs such as housing, education and access to benefits – for 6 months;

- an employment advice service to help the person enter into long-term employment at the earliest opportunity – for up to 12 months;
- a mentoring service which offers the person an opportunity to be paired with a mentor from the receiving community – between 6 and 12 months.

Within a few days of being granted refugee status or humanitarian protection, the person is referred to a personal case manager who draws up an individual integration plan and helps them address their vital needs. Each person also receives dedicated support to help them overcome barriers to employment, so that more refugees can find long-term employment.

On a local level, strategic migration partnerships were established in 2008 in twelve regions across the United Kingdom (Yorkshire and Humber, East of England, East Midlands, North East, North West, Scotland, South West, Wales and the West Midlands). These provide strategic guidance and are responsible for co-ordinating migration issues. They provide a space in which local authorities, statutory agencies and the voluntary sector get together to discuss how migration impacts upon each region and to agree on ways forward. Other responsibilities of regional partnerships include:

- managing public sector asylum accommodation contracts;
- supporting the effective integration of refugees and other migrants through providing a strategic link to government;
- helping individual refugees to access housing, services and employment;
- providing central support and co-ordination for all the local projects funded by the Migration Impacts Fund.

However, at the time of writing of this report, RIES is in the process of closing down as a result of the current government's spending cuts.

²¹ Rutter, J. (2003), Working with refugee children, UK: Joseph Rowntree Foundation.

4. OVERVIEW OF THE EDUCATIONAL SYSTEM AND THE EDUCATION STATUS OF REFUGEES AND ASYLUM SEEKING CHILDREN IN THE COUNTRY

4.1. Legal and institutional set-up

Refugee and asylum-seeking children are covered by the provisions of the Children's Act and the 'Every Child Matters' (ECM) framework and are entitled to all services and provisions available to UK citizen children.

The UK Government's strategy for children is set out in the *Children's Act* (2004) and the '**Every Child Matters**' framework which mark a change in the way local and national government, and other organisations, work with children and families. The *Children's Act* (2004) introduced the duty of regard for the welfare of children to almost all state agencies. It also set out a statutory framework for local co-operations to protect children. According to the ECM framework, all organisations with responsibility for services to children must ensure that in providing these services they safeguard and promote the welfare of children.

The Education Act (1996) is the primary legal act forming the legislative basis of the education system. It states that all children are entitled to free education and that it is compulsory for all children aged between five and sixteen years. This will be raised in 2013 to seventeen and in 2015 to eighteen.

The Equality Act (2011) streamlines race, gender and disability duties into a single requirement. Since April 2011 all public bodies, including schools, have been bound by the public sector equality duty, which requires them to:

- eliminate discrimination, harassment and victimisation;
- advance equality of opportunity;
- foster good relations.

The Act stipulates that fostering good relations includes the need to tackle prejudice and promote understanding.²²

The Department of Education (DoE) is the main statutory agency designated by the Education Act with the responsibility for providing education and children's services. It develops and imposes the policy guidelines for all Local Education Authorities (LEA) and schools throughout the country.

Local Education Authorities (LEAs) are obliged by the Education Act to provide education to all children resident in their area, regardless of their immigration status.

The Office for Standards in Education, Children's Services and Skills (Ofsted) is an independent body created with the Education and Inspection Act with the aim of increasing the quality of education services provided. It carries out inspections in all state and some private schools and reports directly to Parliament.

The education system in the UK is organised in pre-school, primary and secondary education, further education colleges and universities. Asylum-seeking children (both as dependents and unaccompanied) and those with refugee status, humanitarian protection and discretionary leave, have the same entitlements to the UK education system as children who are UK citizens.

The majority of schools in the UK are 'state schools', funded by the state budget and providing education free of charge to all pupils. They are under the control of Local Education Authorities (LEAs). According to government statistics, approximately 93 per cent of English schoolchildren attend state-run schools. The alternative is fee-paying schools, often called 'independent schools', 'private schools' or (confusingly for foreigners) 'public schools'.

There is also a category of secondary schools in England funded directly by central government, known as Academies and City Technology Colleges. As part of the current government's education reform, the number of Academies is growing. As of January 2011, there were 407 academies open in

²² Sigona, N. and Hughes, V. (2010), "Being Children and Undocumented in the UK: A Background paper", University of Oxford: Compass, WP 78.

TABLE 47. STAGES OF EDUCATION IN UK SCHOOLS

Age on Aug 31	Year	Curriculum stage		Type of educational institution
3-4	Nursery	Foundation Stage		Nursery school
4-5	Reception			Primary school
5-6	Year 1	Key Stage 1		
6-7	Year 2			
7-8	Year 3	Key Stage 2	Junior school	
8-9	Year 4			
9-10	Year 5			
10-11	Year 6			
11-12	Year 7	Key Stage 3		Secondary school
12-13	Year 8			
13-14	Year 9			
14-15	Year 10	Key Stage 4/ GCSE		
15-16	Year 11			
16-17	Year 12	Sixth form/ A level		Further education (Sixth form or College)
17-18	Year 13			
18+		Undergraduate and Postgraduate Degrees		Higher Education (University or College)

Source: Sales et al., 2010.

England (and more under construction); of these, 371 are secondary schools, which make up eleven per cent of all secondary schools in England.²³

Pre-school

A range of pre-schools and children's centres provide integrated services in childcare and early learning for young children up to five years of age and their families. In addition, all three to four year olds are entitled to 12.5 hours of free education per week for thirty-eight weeks per year. This can take place in nurseries, playgroups and reception classes in state primary schools, and with childminders.

There are nearly 3,500 Sure Start children's centres in England as well as many in Northern Ireland, Scotland and Wales. The Sure Start programme began in 1999 and the first Sure Start children's centres were located in poor areas. Today most towns and cities in the UK benefit from a Sure Start children's centre. These centres offer full-time and part-time childcare for children aged from six months and may also offer:

- health check-ups and immunisations for babies and young children. In the UK, children's development is monitored at defined intervals by health visitors who are trained nurses with additional qualifications;

²³ EMILIE (2009), A European approach to multicultural citizenship: Legal, political and educational challenges.

- specialist health services for children, for example speech therapy;
- drop-in activities for children and their parents and carers, for example, music, story-telling and baby yoga;
- information and advice to parents on a range of subjects including caring for babies and young children and the availability of local services such as childcare;
- training and employment advice for parents who are not working;
- other training and advice for parents, for example, literacy and English language classes.

These services are particularly important for refugee children, as access to nursery education at the age of three or four means that children enter school speaking English. However, the uptake of free nursery places is much lower in some refugee groups than it is among the UK-born population. In parts of London about 40 per cent of families with young children do not take up the free places to which they are entitled. The Government does not monitor the uptake of nursery places for refugee children, but it does collect data on the uptake of places by broad ethnic group.

Overall, some 31 per cent of black African families do not take up free places. Local data suggests that Somali families are one of the refugee groups who do not make use of free places. There may be a number of reasons for this. Somali families tend to be larger than the UK average – in 2009 there were 4.1 children per family compared with 1.9 children per family for the UK as a whole. Where a mother has two or more young children, it can be difficult to transport them to a nursery for just three hours per day. Refugee families, including Somalis, tend to move home more frequently than the non-refugee population, often because they live in temporary rented accommodation. High levels of unemployment among women may also be a reason for not using a nursery – just 11 per cent of working age Somali women were in employment at the end of 2009. Somali parents may also be unaware of the offer of free places in nurseries.

Local governments in some areas have tried to increase the uptake of free places among Somali families. This work has been co-ordinated by outreach workers employed by Sure Start children's centres.

Primary education

Primary education starts at age five and may combine junior and infant school, lasting for six years, or consist of a first stage covering infant school (two years) and a second stage covering junior school (four years). Children are usually in classes of around thirty pupils with one class teacher who teaches them for most of their time in school. The focus is on learning through play. Children choose their secondary school in Year 6 and transfer to secondary school at the end of that year.

Secondary education

Secondary education covers schooling from the age of eleven to the minimum school leaving age of sixteen. Pupils follow a common curriculum leading to the General Certificate of Secondary Education (GCSE) and Vocational Certificate of Secondary Education (VCSE). They may choose a combination of GCSE's and/or VCSE's. At some schools, pupils may stay on at a Sixth Form College for a further two years, where they will sit their General Certificate of Education Advanced Level (GCE A Levels) or take vocational courses which usually lead to a Vocational Certificate of Education Advanced Level or Vocational Certificate of Education Advanced Subsidiary Level.

Further education

Sixth Form Colleges or Further Education Colleges are for students aged between sixteen and eighteen. They provide advanced school-level qualifications such as A-levels and GCSEs with the possibility of some vocational training.

Higher education

Access to universities in the UK is available subject to meeting the entry requirements of the course (mainly based on language skills and previous qualifications). University education is not free, but public funding is available in various forms. There are two types of fees: one for home students (valid for UK and EU nationals, as well as students with refugee status, humanitarian protection or discretionary leave) and the other for overseas students (generally applied to asylum seekers but at the discretion of the university).

Special Educational Needs (SEN)

Following a policy aimed at the inclusion and non-discrimination of disabled children, the Special Educational Needs programme has been implemented across schools in the UK. Its aim is to promote the welfare and interests of disabled children and improve the support they receive. It provides a wide range of advice and materials for teachers, parents, Local Authorities and other agencies working with children with SEN in England.

4.2. The National Curriculum

All schools in the UK follow the National Curriculum. It forms the basis of the state-run education system and establishes all the programmes of study, attainment targets, general teaching requirements and principles for assessment. It is divided into four Key Stages: Primary Curriculum Key Stage 1 & 2 and Secondary Curriculum Key Stage 3 & 4. It follows the three principles set out in the statutory inclusion statement:

- setting suitable learning challenges;
- responding to pupils' diverse learning needs;
- overcoming potential barriers to learning and assessment for individuals and groups of pupils.

Britain is renowned for promoting a multi-cultural approach that is inclusive towards different minorities. Education is one of the areas in which this is particularly evident, with the introduction of 'citizenship education' focussing on social and moral responsibilities, community involvement, and political literacy.²⁴ The latter is reflected in the National Curriculum, which has established the mandatory teaching of citizenship education as a core national curriculum requirement. Citizenship education is the main vehicle of the country's multicultural approach in schools with regard to the inclusion of migrants and refugees.

4.3. Refugee and asylum-seeking children's needs

The legislative changes described in the previous section cover the legal protection of asylum seekers, as well as welfare and social support systems for them. All legislation that affects asylum-seeking

households will impact on children's welfare. For example, proposals to remove some asylum seekers' right to appeal in the UK against a negative asylum decision will obviously affect both an adult asylum seeker and his/her child dependants. To be treated as a child, first and foremost, rather than an asylum seeker or refugee is a right that should underpin responses to these children.²⁵

Several researchers have attempted to develop profiles of refugee children's experiences and needs (for example, Save the Children, 1997; Candappa, 2000, Rutter, 2003). It is important to remember that within a given refugee community there is a great deal of heterogeneity, but significant numbers of refugee children face one or more of the following challenges:

- an interrupted education in the country of origin;
- exposure to horrific experiences in their home countries and during their flight to the UK (for a small number, this affects their ability to settle and rebuild their lives);
- families which experience a drop in their standard of living and status in society;
- loss, grief and changing care arrangements: losing parents or usual carers;
- parents who are emotionally absent;
- families which do not know their legal and social rights in the UK, including their rights to basic services such as education and healthcare, and who encounter problems securing these services;
- speaking little or no English on arrival;
- not knowing their rights and entitlements with regard to access to education;
- unfamiliar classroom environments and expectations;
- bullying and hostility to new migrants in schools or in the wider community.²⁶

Since the early 1990s there has been a broad consensus on ways of supporting refugee children in the UK, mostly articulated by local government and NGO staff involved in refugee children's education. Good practice guidance on refugee education was

²⁴ Rutter, J. (2003), Working with refugee children, UK: Joseph Rowntree Foundation.

²⁵ Sigona, N. and Hughes, V. (2010), Being Children and Undocumented in the UK: A Background Paper, University of Oxford: Compass, WP 78.

²⁶ Rutter, J. (2003), Working with Refugee Children, UK: Joseph Rowntree Foundation.

first published by the Refugee Council in 1990, and between 1990 and 2001 eight editions of the leaflet "Supporting Refugee Children in Schools" were published by the Refugee Council. A small number of local authorities also produced publications offering guidance on good practice, drawing from the work of the Refugee Council. However, the Refugee Council's leaflet had no statutory weight and its distribution was dependent on the resources of a medium-sized NGO. In 1992, the Refugee Council requested that the Department for Education in England issue guidance on good practice. This met with resistance, arguably because central government did not wish to have a high profile on refugee or migration issues. (A number of commentators have argued that public hostility to refugees and migrants has the effect of circumscribing good practice initiatives by central and local government, with elected members and officials unwilling to adopt a high profile on migrant integration interventions: see Rutter, 2003).

Attending a nursery, school or college can play a crucial role in helping children and young people from abroad to settle into life in the UK. The structure and routine of a school day helps provide a sense of normality and security after what has usually been a disruptive and traumatic transition from their home country. School communities also provide opportunities to make friends, play sports and games, and make connections with the wider community. Schools and colleges can help children through the loss, separation and change they are experiencing, and allow young people to continue their personal development. For refugee families, schools are also places where they can obtain important information and advice about local services and ways to receive further support. By accessing school, refugee children and families can therefore get help with their immediate needs and start the process of integration. Education, therefore, provides a positive means to foster more rapid and supportive integration. Getting into school quickly and receiving appropriate support helps refugee children fit into a normal daily routine where they can feel safe, make friends and achieve things.²⁷

As mentioned above, the Education Act guarantees access to free education for all children living in the UK, this includes refugees and asylum seekers, as well as those with irregular status. Local Authorities have a legal duty to ensure that education is available for all children of compulsory school age

appropriate to age, ability and aptitudes and any special needs they may have.

The UK Border Agency explicitly states that all children of compulsory education age (five to sixteen), regardless of their immigration status or rights of residence, are entitled to full-time education, but adds that it is the responsibility of the parents to ensure that their children attend.²⁸

Under the current system, parents submit an application for admission to school to the Local Authority, which is obliged to find a suitable school with available places. Often, however, schools are oversubscribed and it may happen that a child has to be put on a waiting list. Generally, proximity to the school and having a brother or sister in the school will mean that a child is prioritised. For faith schools, evidence of religious observation is often required. A minority of secondary schools select on the basis of academic ability and some select 10 per cent of their children with particular aptitudes such as musical or artistic ability. Law and education regulations are meant to prevent discrimination in admissions procedures and it is illegal to interview parents.

Test and examination results, as well as school inspection reports are published and many parents use this information to help them choose schools. Some schools may gain a good reputation and be over-subscribed. Other schools may suffer from a poor reputation and be under-subscribed. There is extensive documentation of parental strategies to secure places in popular and over-subscribed schools, for example, by buying a house very near to the school, using an address near the school (which is illegal) or ensuring they are active in their church. Inevitably, parents who are less wealthy cannot resort as easily to these strategies and as a consequence schools in cities have become highly segregated by social class.

Refugee children who arrive outside the normal admission dates in Year Zero and Year Seven will usually be directed to schools with surplus places. These are usually schools that are less popular

²⁷ Children's Legal Centre (2009), *Seeking Support: A Guide to the Rights and Entitlements of Separated Refugee and Asylum Seeking Children*.

²⁸ Sigona, N. and Hughes, V. (2010), *Being Children and Undocumented in the UK: A Background Paper*, University of Oxford: Compass, WP 78.

with the settled population. As more and more refugees enrol, these schools can develop into high mobility schools with a very rapid turnover of pupils. High mobility schools are often establishments with disproportionate numbers of challenging and vulnerable pupils as well as high staff turnover. In one part of north London in the year 2000, one secondary school had a pupil population which consisted of over 70 per cent refugees. Some 300 metres away was another secondary school where refugee pupils made up less than 0.5 per cent of the school population. The latter secured very good results and was very over-subscribed.²⁹

However, the fact is that refugee children and families often experience barriers to accessing schooling. They may arrive in an area where they have no friends and family, or members of their community. Many refugee families are also unfamiliar with the English school system. They may also lack information about local schools, enrolment and the primary school curriculum. Some schools may be unsure about refugee children's entitlements or how to meet their needs.

Therefore, reaching out to parents by providing easily accessible information and in a language they understand about both their entitlements and the school's expectations is essential to ensure access and subsequent attainment of children in schools.

Over 70 per cent of asylum-seeking and refugee children come from homes where little or no English is spoken, hence, developing a language policy is crucial to meeting the needs of these children. The teaching of English as an Additional Language (EAL) has been one of the cornerstones of integration policy in schools: it recognises that language is one of the first and major barriers to overcome. Currently most schools have an EAL coordinator in school, as well as a number of qualified teachers and teaching assistants (TAs). They provide support to the child through group lessons or, where necessary, one-on-one sessions. They may also often sit in the classroom together with the child to provide support and give them a feeling of confidence.³⁰

Training to schools and staff on issues facing refugee and asylum-seeking children and their families is usually carried out by different NGOs in conjunction with the local councils. However, these can be on an *ad hoc* basis and knowledge may be lost when

key members of staff leave. Therefore, more holistic approaches in schools aim to create an inclusive atmosphere for all children – not only refugees – will in the long run be more beneficial.

Organising artistic performances, cultural and sports activities, food sharing events, etc. provide opportunities for parents to meet and for children to interact and do things together, thus overcoming prejudices. In UK schools, events such as International Week, Refugee Week, Black History Month, and End of Year Assemblies provide opportunities for creating displays, staging performances, storytelling, etc. These events are usually organised on a school level at the discretion of the Head Teacher.

As concerns racism and xenophobia, a problem which can affect refugees and particularly asylum seekers in the wider community, social contact theory suggests that the absence of contact with a particular ethnic group increases the likelihood that children will develop prejudiced attitudes towards that group.

In academic and policy-making circles there is a growing recognition of the need to mainstream knowledge about children and find ways to include their voices in this process; by combining statistical data with their life stories and experiences, it will be easier to identify their needs, and find appropriate ways to respond to them. The importance of understanding both open and hidden power relations with regard to children has also been recognised. In this context, the situation of refugee children and the increased vulnerabilities that they are subject to is even more complex and requires targeted understanding. It also requires using knowledge gained through research and analysis to inform policies which address the needs of RASC and their integration.

5. GOOD PRACTICES DESCRIPTION AND ANALYSIS

Having studied the legal and institutional framework in place in the UK with regard to education for refugee and asylum-seeking children, the following

²⁹ Rutter, J. (2006), *Refugee Children in the UK*, UK: Open University Press.

³⁰ Department for Education and Skills Guidance (2004), *Aiming High: Guidance on Supporting the Education of Asylum Seeking and Refugee Children*.

section will describe some of the good practices identified during the stakeholder interviews.

It is divided into national, local and school level and examines efforts made. It is important to keep in mind that most practices are successful when they follow a holistic approach. These practices should be understood in the wider framework of measures and policies aimed at increasing the benefits related to migration and minimising the negative aspects through the promotion of a diverse and multicultural society in the UK.

5.1. National level

National Refugee Integration online platform (NRIF)

This resource has been developed by the Home Office, together with the Department for Children, Schools and Families (now the Department for Education), the Department for Health and the National Health Service (NHS). It is aimed at various professionals working in educational settings and provides information, guidance and examples of good practice in the integration of refugee children. It covers pre-school, primary, secondary and further education (Sixth Form Colleges) in the context of the following key areas: Accessing Services, Achieving Full Potential and Contributing to the Community. The main objectives are:

- To provide information in community languages

Some Local Authorities and schools ensure that information about the school and the curriculum is available in different languages. For example, the Dingle Granby Toxteth education action zone (EAZ) in Liverpool provided translated letters for schools and users are able to customise routine school letters in 30 different languages.

- To create a friendly and welcoming environment

School office staff have a particularly important role to play in ensuring refugee families are made to feel welcome. School reception and parent meeting areas can provide displays that celebrate a school's linguistic and cultural diversity. A personalised 'Welcome to...' poster is an approach some schools use. Teachers can prepare for new children by making

sure equipment and learning groups are prepared and inclusion in learning activities planned. Class friends or 'buddies' need to be allocated to new arrivals to help with school routines and to provide the opportunity for company during breaks.

- To liaise promptly with a child's new school if they move

Refugee children frequently move house and change schools in their first few months in the UK. Passing on records promptly can help maintain continuity in learning.

- To provide advocacy and additional support

Some refugee families will have difficulty accessing the services they need.

Many primary schools have developed good links with local services and project that work with refugee families. Schools can ensure that information about these services is accessible within the school. Schools can also direct or 'signpost' families to appropriate sources of support or make referrals for them.

- To develop a whole school approach that supports all new arrivals

Support for newly-arrived refugees is not the responsibility of individual staff working in isolation. Successful strategies promote shared responsibility and teamwork. Grafton Primary School in the London Borough of Islington has developed a whole-school Pupil Mobility Policy to welcome and support new arrivals.

Despite being an excellent resource, this platform has no statutory or legally binding role.

New Arrivals Excellence Programme (NAEP)

The NAEP Guidance of the Department of Education was aimed at primary and secondary schools to support them in developing their provision for newly-arrived pupils. These included all types of immigrant children (including those with irregular status), as well as asylum seekers, refugees and those in possession of other protection status. It covered areas like whole school planning, welcoming, initial assessments, teaching and learning strategies and promoting children's participation.

It provides information to schools including:

- sharing initial information;
- planning for the new arrivals;
- early communication with children new to English;
- buddies and designated adults;
- creating a welcoming environment.

NAEP resources include a DVD and case studies (a resource to support the development of induction procedures for new arrivals).

Ethnic Minority Achievement Grant (EMAG)

The Ethnic Minority Achievement Grant was developed by the previous government as part of its policy to foster and promote community cohesion. It was a Department of Children, Schools and Families (now DoE) fund devolved to local authorities and schools to help raise the attainment of minority ethnic pupils. It financed special EMAG staff in specific schools to support the integration and achievement of new arrivals. Refugees and asylum seekers were included in this programme.

EMAG funding has been used in a number of authorities to support supplementary schools for children who need additional help with English or other subjects within the National Curriculum.

The New Arrivals Excellence Programme and the Ethnic Minority Achievement Grant have been suspended by the current government and their work is under review. It is unclear what, if anything, will replace them.

National Good Practice Guidelines for England

Practitioners in the area of refugee education have been developing good practice inventories and guidelines and lobbying for the elaboration of National Guidelines on refugee education since the 1990s. This work, together with the drive from the Home Office for a comprehensive policy on refugee integration, led to the publication of the document "Aiming High: Guidance on Supporting the Education of Asylum-Seeking and Refugee Children" in 2004 by the Department of Education (known at the time as the Department of Education and Skills).

These guidelines were distributed very widely and had an impact in some schools, although the

distribution was largely dependent on NGOs such as the Refugee Council and local government. The good practice guidelines also had impact on teacher education, with the material also being distributed to trainee teachers. At the same time, a now defunct government agency with responsibility for the curriculum published online guidance on the reception of international new arrivals. Both the leaflet and the online guidance stressed the entitlement of asylum-seeking and refugee children to education, as well as duties under equality legislation.

The change of government in 2010 led to the archiving of national good practice guidelines and their removal from the DfE website. These good practice guidelines are no longer being promoted.

Shared Futures

Shared Futures is a practical tool guide aimed at supporting the integration of refugee children and young people both in school and in the wider community. It was devised by Salusbury WORLD, a charity which has:

- collected examples of good practices across the UK that support and promote integration;
- identified successful projects, approaches and activities;
- developed a resource pack and a DVD that can assist schools, community groups, youth groups in their work.

A Parent's Guide to Schooling in England

Funded by London Councils, the NGO Action for Social Integration and Middlesex University has produced a Guide to the British Educational system, especially aimed at Black and Ethnic Minority parents including newly-arrived migrants and refugees. Published in December 2010, this booklet is based on research with parents, teachers and others involved in education, and identifies the key facts parents need to know about the school system in Britain.

It highlights some of the major differences between the UK education system and others; compulsory schooling (both primary and secondary), whereby children must attend between the ages of 5 and 16; the whole process of schooling, from finding a place at primary school to the examinations a

child must take before leaving. The final section gives information about other important issues which parents need to be made aware of, for example, the kind of behaviour expected of their child, etc.

National good practice networks

- Steering Group on Refugee Education

In 1991, a group of refugee support teachers formed an issue network on refugee education, which came to be known as 'Steering Group on Refugee Education'. It was primarily a local authority network coordinated by the Refugee Council and based in London. From 1991 until 2005, it provided a platform for information exchange and was instrumental in defining good practice in refugee education.

- Refed Network of Professionals

Refugee Education is a network of 1,400 practitioners dealing with refugee and asylum-seeking children, young people and families, primarily in the area of education but also including healthcare and social protection. It provides a platform for exchanging information on courses, research, and specific issues that may arise, as well as for sharing and developing ideas. The network enlists the support of practitioners throughout the UK.

5.2. Local level

Pan London school admissions system

In order to reduce the segregation of pupil and make the school admission process fairer and more efficient, the Pan London School Admissions System was introduced for secondary schools in 2004 and later for primary schools. School applications can be made online or by using a paper form. Parents are allowed to make five choices of primary or secondary school, not unlimited choices as before. The application is then sent to the school of first choice; if the child is not accepted there, it is sent on to the second choice, and so on. Decisions on school places are sent out across London on the same day and parents have a time limit within which to accept or decline a school place. This practice stops parents accepting multiple places and holding off an eventual decision.

Some areas have combined the Pan London School Admissions System with a banding system where children are grouped into one of five equal-sized ability bands. Schools are instructed to accept equal numbers of children from each ability band. Both the Pan London Admissions System and banding have had a major impact on pupil segregation in London and refugee children are now much more evenly distributed across schools. However, some refugee parents do not fill in the Pan London application form and their children tend to be allocated places in less popular schools.

Refugee Support Teachers

Refugee Support Teachers are specialists employed by the local council whose job is to work with refugee children whose needs go beyond that of learning English, such as requiring specialist psychological help or having learning difficulties, etc. Since 2004, Refugee Support Teachers have been called New Arrivals Teachers due to the arrival of large numbers of migrant children from new member states of the European Union. Many Refugee Support Teachers/New Arrivals Teachers also help schools and local government develop their own good practice and policy statements. These staff frequently developed new initiatives, for example, programmes to support the needs of children experiencing psychosocial difficulties, or strategies to support groups of children who were under-achieving. They also provided a very important link between schools and national organisations. In England and Wales their work was funded by central government with local government contributions. In England, central government funding came from the Ethnic Minority Achievement Grant until 2010. Spending cuts and the abolition of the Ethnic Minority Achievement Grant in April 2011 will see many Refugee Support Teachers/New Arrivals Teachers lose their jobs.

Another strategy has been for a local authority to employ an induction teacher/worker who helps find a school place for a child, settles the child in, and then hands over responsibility for that child to the school and English language support staff.

Lastly, another option involves employing a refugee advisor who provides information to teachers and other professional groups about refugee issues and support strategies, but does not undertake any casework or give direct support to children.

Public Policy Forum for Newly Arrived Community Members

Praxis, which is a leading community organisation working on a local level in the Borough of Tower Hamlets in London, developed the idea for such a policy forum. It gathers representatives of the various community organisations active in Tower Hamlets, which include large established immigrant communities as well as smaller groups of newly arrived migrants and refugees, and the local council. It takes place quarterly and identifies priority areas to be addressed within the work of these community organisations, such as education, housing, access to schools, barriers of entry, etc. It is chaired by the Local Council, thus ensuring that the local authority actively engages with the local communities and that decisions made at the forum have the right level of council representation to make sure they are followed up.

Refugees into Schools

“Refugees into Schools” is a project run by the Employability Forum which supports refugee volunteers to visit schools across all boroughs in London. They use interactive presentations of their own experiences to help children and young people understand what refugees often have to go through and the impact of conflict. Projects like this one have multiple aims as they challenge myths and stereotypes about asylum seekers and refugees and raise awareness among both the teachers and children in schools about the problems and, in many cases, trauma that refugees and asylum seekers experience. Furthermore, hearing an adult speak about their problems often helps children in the class who are refugees or have similar experience to speak out. This project has also resulted in schools planning a more culturally sensitive curriculum and further embedding work with refugees.

This project is funded by the London Councils, a network of all London councils, and runs from June 2009 until June 2012.

www.employabilityforum.co.uk

Shpresa Programme

Shpresa means ‘hope’ in Albanian and is a grass-roots community group set up in Newham Borough

of London (one of the most ethnically diverse Boroughs in the city). It works with Albanian-speaking refugees who arrived in 2000 and, as first generation immigrants, faced serious challenges with integrating into the host UK society.

This organisation is comprised of approximately 2,000 people across six boroughs in London, of which 1,200 – 1,300 are children and young people. It is very proactive and identifies specific issues faced by the community, or members of the community, and seeks existing local government services/other organisations which can address these issues. It is also based on a partnership model in their work with the council and other organisations.

In terms of education, Shpresa works with local schools to promote an understanding of Albanian culture and traditions through traditional dancing, songs, poetry and storytelling. They organise performances in participating schools to mark themed events, such as Refugee Week, Black History Month, End of the Year, Language Week, etc. It aims to increase Albanian-speaking children’s confidence and their appreciation of Albanian culture, as well as introducing this culture to local communities to raise awareness and increase cooperation, hence facilitating the integration of these refugees into the host community.

<http://www.youtube.com/watch?v=BfjbrFyEkGI&feature=related>

Shpresa also organises sessions with parents where school practices and policies are explained, as well as what is expected of pupils, the Curriculum and other issues that may arise out of concern for this refugee community.

Blackburn drop-in

This is an ongoing project where a wide number of charities are given permission to set up in a church in Blackburn, in the North-west of England, every Saturday and provide a range of services, such as contact information for local authorities, reference and samples of forms that need to be filled in, health checks, legal aid, etc. These drop-in events are not particularly targeted at refugees but many do attend; there they can find information about their rights and entitlements to services, how to enrol their children in school, social activities,

legal protection, among other things. The Children's Society participates in these open days along with a number of other charities and has found it a very useful way to reach out to refugee, asylum-seeking and unaccompanied children.

Positive Images

The Positive Images project is an EU funded project run by the Red Cross across the European Union and is aimed at presenting positive images of asylum seekers and refugees. It is implemented in schools and is aimed at "native" young people who may sometimes have a prejudiced attitude. It has developed a toolkit and a DVD.

5.3. School level

Holistic school policy in schools with large numbers of refugee children

- Marine Drive Secondary School, London

Marine Drive School is one of a number of schools, which enlisted the help of a Refugee Support Team to develop comprehensive policies and practices to support refugee children, a process which involved all the staff. Fifty per cent of the pupils in this school are bilingual and the largest ethnic minority group is Somali, although there are also significant numbers of Congolese and Kosovo children, among others.

In 1994 the school designated one of its EAL teachers as refugee pupil coordinator. The job was carried out within a large learning support department, comprising EAL and special educational needs (SEN) staff. Staff in this team included the refugee pupil coordinator, three other EAL teachers and three bilingual classroom assistants. The latter included Somali and Albanian speakers, as well as a Bengali speaker.

Within the school, the EAL team developed a number of support systems for refugee pupils. These include assessment and induction systems. All new arrivals from overseas are interviewed and their educational needs are assessed before they start school. Where possible, all pupils who are admitted mid-term are placed in classes where another pupil speaks the same language. Where appropriate, students are placed in a six-day

induction programme, where they are introduced to the routines of the school and learn about study skills and information technology. The induction programme also gives students an introduction to English and offers them the benefit of one-to-one and small group teaching. This induction process is still in place and is accepted as normal practice.

On a broader level, the EAL department offers some in-class support for the most vulnerable students, as well as partnership teaching. The EAL specialist works collaboratively with the class teacher to plan and deliver the lesson. The EAL department also runs a lunchtime club where students can bring coursework and homework.

The school employs a part-time counsellor for all students. It has also worked with the Medical Foundation for the Care of Victims of Torture, an NGO which mostly works with refugees and their families, and which ran an art therapy group in the school for four years, specifically for refugees.

Refugee Week is celebrated within the school, with all pupils being involved in activities such as assemblies and displays. In a previous year, the school worked with a community arts group to produce a Refugee Week drama. The EAL team has also forged close links with a number of community groups – refugee and non-refugee – who use the school premises on Saturdays. These groups included Bangladeshis, Iranians and Somalis. This link has created a feeling among parents that the school 'belonged' to them and, subsequently, many put this school as their first choice.

The school has a written policy on refugee children, which the majority of staff are aware of and understand. All schools are required to produce a three-year school development plan – a strategic document that sets performance targets. The school had targeted Somali pupils in its plan, and in another plan it has committed itself to improving community relations.

There are some factors which are fairly unique to this school:

- it spends more on EAL support than many other schools;
- the EAL department had a well-planned working relationship with the local authority refugee

- support team;
 - the EAL department has forged good working relations with the special educational needs department, and there have been regular discussions about teaching approaches;
 - the EAL department has also been able to employ well-qualified classroom assistants with relevant language skills;
 - it has implemented a system where all teachers have access to basic information about each child's background.
- Cromwell Primary School, Birmingham

Cromwell Primary School is situated in a largely immigrant area of Birmingham. The children currently attending the school are approximately 80 per cent Somali, 10 per cent African Caribbean and 10 per cent English. To get a place in the school children have to be registered with the local authority, which tries to find a school close to where the child lives. However, there are not enough schools so children often have to wait and they may miss the beginning of the year. In previous years there were large numbers of refugee children, in particular from Somalia; currently there are less, with more coming from other EU countries (mostly Sweden and the Netherlands). The school staff and teachers have received training from the Local Authority on the issues facing refugees and asylum seekers. The main problems the school faces are related to the lack of proper documentation for some children, including birth certificates and consequently problems with age determination and placement in class, as well as very aggressive behaviour from some Somali boys. The reason for this is that, in many cases, is thought to be that the father is not with the family (he might have stayed behind in Somalia, Sweden or the Netherlands). For this purpose the school has employed a male counsellor to serve as a role model for the boys. Recently some new community groups have been set up within the Somali community to address this problem.

For both parents and children, doing well at school is extremely important, and Somali children are generally very strong in Maths and PE (physical education) but have problems with English. Hence the school employs a number of EAL teachers and bilingual staff to help the children in the classroom or in out-of-class sessions, where needed.

To get parents more involved, the school has employed a Parent Link worker who provides parents with information on planned activities in the school, as well as updates on their child's progress. She is also available for parents to raise any issues and receive support from the school.

Furthermore, the school has organised a Somali cultural evening and food sharing evenings, as well as "A Village in Somalia" display to make the community feel more included.

As part of the school programme, children in UK schools usually go on a field trip at least once a year. However, as some of the parents have expressed concerns about their children going away from home, the school organises field days with tents and picnics and outdoor activities in the school courtyard so that pupils can still benefit from an outdoor experience.

Employing bilingual staff

Bilingual staff have been employed in both Cromwell (Somali) and Byron Court (Sri Lankan, Indian) Primary schools. They may support the child either during classes, after school or at break. Even when they are not qualified teachers, they help the children understand the new school and provide an insight into the child's feelings and any problems they may have. This practice is beneficial where there are large numbers of children from the same ethnic group but is difficult when there are large numbers of various ethnic groups.

Involving parents through support and Parent Champions

As we have discussed, very often parents experience problems with integration, knowledge and lack of proficiency in the English language, and these can impact on their children and their ability to learn effectively and make progress at school. To address this issue, many schools (including Marine Drive School in London and Cromwell Primary School in Birmingham, two schools mentioned above) provide information to the parents through either a dedicated staff member or a refugee coordinator who helps them overcome problems in accessing housing and benefits. Such work involves helping parents to gain access to healthcare, better housing and English language lessons, similar to what a

social worker would do. In some instances, the refugee coordinator helps families find a lawyer to assist with their asylum application and appeals.

Children's centres have approached their outreach work with Somali families in different ways. Some have identified Somali families through referrals from health visitors and other health workers, refugee community organisations or by door-to-door calls in specific areas, or by identifying and approaching target parents on the street. Somali parents of young children are then invited to come to an open day and stay for a taster session in the children's centre.

In at least two parts of the UK, Sure Start children's centres have employed 'parent champions' from the Somali community to encourage families to take up free nursery provision. Most parents place greater weight on informal face-to-face advice and this underpins the work of parent champions. Somali parents who have an experience of formal early childhood education are recruited by the children's centres to engage other parents and direct them to taster sessions at the nurseries of children's centres. The Somali parent champions are carefully selected – the community in the UK is divided along the lines of clan and region of origin. It is essential that parent champions are able to communicate to all sections of the Somali community. Parent champions usually receive a small payment or vouchers for their work. Evaluation of the parent champion programme has shown that it is an effective way of getting refugee families to take up the offer of free part-time nursery places. Parent champions need to be selected carefully, however, by people who understand the Somali community. Outreach also needs to be planned and continually evaluated for it to be successful.

Art project to challenge hostility towards refugees, Dover

Within six months in 1997, nearly 3,000 asylum-seeking children (mostly Roma and Kosovo), enrolled in schools in the Dover area – a part of the UK that was previously very homogenous as well as economically rather deprived. There was a demonstration by parents against the admission of asylum-seeking children in one Dover school. Tensions grew in Dover and some local newspapers

stoked the tensions, with one newspaper referring to asylum seekers as 'human sewage'. The coverage was so extreme that the Kent police warned the editor of the *Dover Express* that he faced being charged with incitement to racial hatred.

Soon schools became a greater focus of tension. Some parents saw Roma children as problematic, needy and lacking English. They argued that the needs of the Roma and subsequent demands on teacher time would hamper the progress of their own children. Kent County Council was also subject to criticism by parents and some teachers for failing to make sufficient English language support available. In spite of the opposition, some schools in Kent made extraordinary efforts to welcome asylum-seeking children.

Local authority staff set up a working group to examine how the needs of asylum seekers could be met while at the same time diffusing some of the growing tensions. The local authority and the police decided to fund an arts group who would work with a group of children from both the refugee community and the settled community. A small arts organisation made up of two visual artists and a storyteller was commissioned to undertake this work. Two groups of children – Dover 'residents' and refugees – were brought together in workshops which took place after school and on weekends. The children worked together in pairs or small groups to make silk-screen printed fabric flags and felt collages on the theme of journeys. The active nature of the activities broke down barriers between the children.

The finished works of art were displayed in a special exhibition at Dover Museum. Refugee and resident parents were invited to the launch of the exhibition and the two groups of parents met and talked to each other for the first time. The involvement of parents ensured that their attitudes towards newcomers were also challenged.

After the arts project was completed, the schools organised football matches to ensure that two groups of children continued to meet and interact.

The arts project was judged to be successful in breaking down barriers between the two communities; it was also inexpensive and probably saved money in policing costs.

6. AREAS IN NEED OF CHANGE AND POLICY RECOMMENDATIONS

On the basis of the preceding analysis and the identified needs of refugee and asylum-seeking children, the following non-exhaustive list of policy and programme recommendations has been drawn up:

- Targeting efforts to collect data with regard to children's experiences and needs. Use of various methods for gathering data consisting of disaggregated statistical data, as well as life stories and case studies.
- Finding adequate ways to mainstream children's experiences into policy and programming both on a national and local level. This includes employing and further developing new approaches to learning.
- Central and local government need to address structural inequalities in education, such as school admissions systems that work against families with less knowledge of the education system, resources and time.
- Senior teachers in schools receive guidance from central government with greater weight. This should be kept in mind when such guidance is drafted, issued and disseminated to ensure the highest following and impact.
- Engaging parents is important in school-based projects that aim to change negative attitudes towards refugees and asylum seekers.
- Policies to support refugee children need to be seen as the responsibility of all school staff, not just those who work directly in English language support. Practices need to be embedded in the everyday life of schools if they are to be sustained when members of staff leave their posts.
- Teachers in schools can feel isolated and it is important to have locally accessible staff with expertise in refugee education.
- Local and regional networking by those concerned with refugee education is important. Information exchange about national policy developments is important for teachers and local authority staff who can otherwise feel isolated. Effective networks need to be face-to-face as well as online, and must be kept up-to-date.
- Offering support to parents and clear explanations of the education system, the rules, the expectations, as well as the systems used for grading and tracking pupils' progress. This support is a vital part of ensuring that children have the opportunity to do well at school.
- Highlighting art-related and sporting activities as inexpensive and very effective ways to involve both the 'native' local community and the newly-arrived refugees and migrants in raising awareness and a greater understanding of each other which will help to combat xenophobia.

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LIST OF ABBREVIATIONS

ARC	– Application Registration Card
DoE	– Department of Education
DLR	– Discretionary Leave to Remain
EAL	– English as an Additional Language
ECM	– Every Child Matters
ELR	– Exceptional Leave to Remain
EMAG	– Ethnic Minority Achievement Grant
GCSE	– General Certificate of Secondary Education
HP	– Humanitarian Protection
IPPR	– Institute for Public Policy Research
LEA	– Local Education Authority
NAEP	– New Arrivals Excellence Programme
NAM	– National Asylum Model
NASS	– National Asylum Support Service
NHS	– National Health Service
NRIF	– National Refugee Integration online platform
OFSTED	– Office for Standards in Education, Children’s Services and Skills
RASC	– Refugee and Asylum Seeking Children
RIES	– Refugee Integration and Employment Service
SEN	– Special Educational Needs
TA	– Teaching Assistant
UASC	– Unaccompanied and Separated Children
UKBA	– United Kingdom Border Agency
UNHCR	– United Nations High Commissioner for Refugees
VCSE	– Vocational Certificate of Secondary Education

**CHAPTER II. GOOD PRACTICES FOR
THE INTEGRATION OF REFUGEE
AND ASYLUM-SEEKING CHILDREN
AT SCHOOL: EVALUATION AND
SOCIAL IMPACT ASSESSMENT**

1. COMPARATIVE REPORT: PROMOTING BEST PRACTICES IN THE AREA OF EDUCATIONAL INTEGRATION OF REFUGEE AND ASYLUM-SEEKING CHILDREN – THE ROLE OF EVALUATIONS AND SOCIAL IMPACT ASSESSMENTS

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INTRODUCTION

The present report aims to discuss the applicability and effectiveness of evaluations and social impact assessments (SIA) in the process of identification, implementation and transferring of best practices in the area of educational integration of refugee and asylum seeking children throughout the EU. The discussion on these two methodological instruments will be based on the analysis of one core analytical exercise conducted in the framework of the INTEGRACE project. That analytical exercise aimed to assess the transferability of two specific best practices into two different national contexts. It involved the conduct of three best practices evaluations in Austria, Italy and Sweden and two social impact assessments of two of the evaluated practices in Bulgaria and Slovenia. The report will provide an analytical summary of the technology adopted in the application of the evaluation and social impact assessment methodology. In addition, a comparative analysis of the five different contexts will be conducted with the aim to answer the question how their similarities and divergences impact and are being impacted by the best practices under study. Finally, the report will offer analysis of the factors and preconditions allowing for the transferability of best practices in different national contexts throughout the EU.

1. EVALUATIONS AND SOCIAL IMPACT ASSESSMENTS AS A KEY STEP IN THE PROCESS OF IDENTIFICATION AND PROMOTION OF BEST PRACTICES

The study of best practices as a tool in improving existing policies and programs in a given social field is usually restricted to identification and description of interventions that proved effective and successful in particular national contexts. While many best practices compendiums in the area of migrant and refugee integration have been collected, little work is done to test and assess the transferability of those practices in different contexts. Integration of refugees is associated with common issues and problems across the EU, the national contexts of integration however, being very different. Thus the effectiveness of best practices as a tool for improvement of policies and programs in the area of educational integration of RASC, remains questionable if not tested, prior to application, through relevant analytical instruments. The search for relevant and effective policy and program decisions calls for a more complex approach to ground the selection of best practices on careful investigation of the relationship between identified problems, different contexts and successful interventions at hand. In the framework of the INTEGRACE project the methods of evaluation and social impact assessment were tested with regard to the potential they bear for providing a link between best practices identification and best practices implementation in different national contexts. The method was applied

to identify the most appropriate analytical tools as well as relevant transferability parameters to allow the use of best practices as a realistic and effective tool in search of relevant policy decisions in the area of educational integration of RASC.

The methodology for evaluation and social impact assessment proposed in the framework of the INTEGRACE project aimed to enhance the effectiveness of policies and programs for the integration of refugee and asylum seeking children in the EU and to develop analytical tools for the evaluation and impact assessment of programs and policies for the integration of refugee children at schools. In the context of the European Union it aimed to contribute to a process of adaptive management in countries with modest experience in refugee integration, drawing on the experience accumulated in countries with long established refugee management regimes. The conducted evaluation and social impact assessment exercise aimed at informed transfer of know how from old to new EU member states by testing best practices as a way to inform the design and operation of needed interventions.

2. THE EVALUATION AND SOCIAL IMPACT ASSESSMENT AS A PROCESS

Social impact assessment research is being used as guidance in the management of social change since the 1970s. It was initially applied in the realm of environmental policy change to predict the social effects of related interventions (Burdge-Vanclay 1996: 60-62). Since then the use of the method has been widened to various intervention fields such as industry, development, tourism as well as social policy. The evaluation and social impact assessment exercise conducted in the framework of the INTEGRACE project aimed to investigate the social effects in advance of the implementation of two best practices in the realm of educational integration of RASC. The analytical exercise aimed to contribute to a transfer of best practices planning process involving alternative implementation scenarios so that positive social effects are maximized while potential negative effects are minimized.

The social impact assessment exercise involved a multi-step process along which matching between areas in need of improvement in new EU member states (Slovenia and Bulgaria) and existing best practices in old EU member states (Austria, Italy and Sweden) was undertaken to be followed by assessment of the applicability of selected best practices. The first step of the exercise involved the conduct of national studies of the systems of educational integration of RASC in all EU member states as well as in the states of the Western Balkans. The studies established a European wide picture of the educational integration of RASC, providing analysis of the policies, strategies and practices at place and identifying best practices and areas in need of improvement at respective national levels. The second step involved review of the identified gaps in the systems of educational integration of RASC in Bulgaria and Slovenia and selection of areas considered most problematic. The selection was conducted in perspective of the achievements in the area of educational integration of RASC registered in the EU wide context. Consequently research teams in Austria, Italy and Sweden, countries with long established refugee regimes, proposed up to three specific best practices, proven successful in addressing similar needs in their own countries. In response two out of the eight proposed best practices were selected, one by the research team in Bulgaria and one by the research team in Slovenia. The choice was guided by the need to identify those interventions most relevant to address the needs of the respective national contexts in Bulgaria and Slovenia. The analytical step that followed involved twofold investigation of the selected practices. While evaluations were conducted in the contexts where respective best practices were developed (Italy and Sweden), social impact assessments were carried out in the contexts where they were to be transferred (Bulgaria and Slovenia).

The objective of the conducted evaluations and SIA was to test and recommend the most appropriate methodological steps and analytical tools for addressing the investigation of the social outcomes and impacts of selected interventions. The conducted investigations had to lead to the identification of key transferability conditions and parameters in need of analysis for advising the replication of best practices in the area of educational integration of RASC through different contexts. The three evaluations and the two

social impact assessments were based on well synchronized and complementary methodological tools reflecting qualitative methods of research. Desk research, involving collection and analysis of statistical data, related surveys, institutional reports as well as academic literature was followed by qualitative investigation based on expert interviews, focus group discussions and on-site study visits. The methodological sequence of the two types of studies included: description of the selected practice; stakeholder identification and analysis; development of indicators and specific questionnaires; data collection and assessment of outcomes, impacts and risks. The best practice description was based on analysis of the problem and the objectives of the intervention together with its historical, legal, policy and institutional context. The description also involved identification of intervention's key parameters such as financial frameworks, time period, institutional capacities and cooperation. The stakeholder analysis involved investigation of the interests of the main institutional actors, their importance with respect to the intervention, and the impacts of the intervention on them. The studies involved the identification of four main areas of analysis that included: access and enrolment; quality of education; empowerment and participation; enhanced protection. Those areas of study guided the selection of related criteria of assessment of social impacts/ outcomes and the development of country specific qualitative questionnaires. The evaluation and social impact assessment had to aim at the identification of positive and negative social impacts of the intervention; of successful strategies for the meaningful involvement of stakeholders and interested parties as well as of relevant implementation modifications and scenarios.

3. NATIONAL CONTEXTS IN COMPARISON

The national contexts of the five countries that were included in the best practices transferability analysis display marked differences with regard to local refugee groups and trends, general refugee integration approaches and RASC educational integration mechanisms. A clear line of distinction is apparent between the countries where best practices in the area of RASC educational integration were

identified and those where the same best practices were to be transferred. In general Austria, Italy and Sweden appear countries with high refugee inflows and decentralized systems of migrant and refugee integration that render significant authority and responsibility to the local level (municipalities and provinces). In addition, the three countries promote RASC educational integration policies that rely on the autonomy of the school in taking educational development decisions.¹ The educational systems and programs of the three countries favor and secure an individualized and flexible approach with regard to integrating asylum seeking and refugee children into their schools. Bulgaria and Slovenia, on the other hand, develop migrant and refugee integration measures within centralized systems where municipalities have little authority and insignificant experience in this realm. Moreover, the two countries render no autonomy to their schools with RASC being expected to follow mainstream school integration paths and curricula.

3.1. Target groups: bigger versus small refugee communities

The available refugee related statistics provided by the five countries included in this study point that in 2010 Sweden hosts the largest refugee population (82,629 persons) followed by Italy (56,397 persons) and Austria (42,630 persons).

Estimates of the trends in asylum claims lodged in 44 industrialised countries during the period 2006 – 2010 point that Sweden ranks third with 15.2 claims per 1,000 inhabitants, while Austria appears 7th in the same ranking list with 7.8 claims per 1000 inhabitants. Although Italy in the same period has received an absolute number of asylum claims higher than that of Austria (80,510 claims) its claims/ inhabitants ratio is lower (1.3) to set the country 21st in the ranking list. Refugees and asylum seekers of all age groups are dispersed throughout the territory of all three countries. In 2008 for example, newly arrived (migrant and refugee) pupils in Sweden, were accepted in 269

¹ In Sweden this approach is assured through centrally approved goals of education (set up by the Swedish National Agency for Education). The means and routes for achieving these goals that set levels of knowledge for the different stages of schooling, may vary from school to school, depending on local circumstances.

TABLE 48. REFUGEE POPULATION TRENDS²

Country	Refugees	Refugees to 1,000 inhabitants	Rank: Refugees to 1,000 inhabitants
Austria	42,630	5.1	25
Bulgaria	5,530	0.7	76
Italy	56,397	0.9	70
Slovenia	312	0.2	90
Sweden	82,629	8.8	11

Source: UNHCR Statistical Yearbook 2010.

out of the total 290 Swedish municipalities forming a share of 6.7 per cent of the total number of pupils in the compulsory school (906,189 students).³ Similarly, foreign pupils (migrants, refugees and asylum seekers) compose 7 per cent of Italy's pupils with their share being as high as 10 per cent in particular areas of the country.⁴

In contrast, both Slovenia and Bulgaria have faced smaller inflows of asylum seekers, who together with the recognized refugees live in particular areas, rather than across the country's territories. Slovenia has so far attracted insignificant flow of

asylum applicants, hosting refugee community of 312 persons in 2010. In the period 2006 – 2010 the country received the least number of asylum claims from all five countries (1,580) to be ranked 26th from all industrialised countries (0.8 claims per 1,000 inhabitants). Between 2006 and 2010 Bulgaria accepted a total of 4,250 asylum claims, ranking 29th among the industrialized countries. The overall refugee population in the country in 2010 is estimated to 5,530 persons. The small inflow of refugees and the moderate number of incoming RASC in Bulgaria has contributed to developing an integration system mostly focused on the needs of

TABLE 49. ASYLUM APPLICATIONS BY COUNTRY, 2006 – 2010

Country	Asylum Claims	Rank	Total claims in 1000 inhabitants	Rank: total claims in 1000 inhabitants
Austria	64,950	11	7.8	7
Bulgaria	4,250	27	0.6	29
Italy	80,510	8	1.3	21
Slovenia	1,580	31	0.8	26
Sweden	141,050	4	15.2	3

Source: *Asylum Levels and Trends in Industrialized Countries, 2010*. UNHCR, 2011.

² The table reflects the volume of refugees, asylum seekers, IDPs, returnees (refugees and IDPs), stateless persons, and others of concern to UNHCR by country of asylum.

³ Evaluation Report: Sweden.

⁴ Country Report: Italy.

TABLE 50. PROFILE OF REFUGEE APPLICANTS BY COUNTRY OF ORIGIN (TOP 10 COUNTRIES OF ORIGIN), 2009

Austria	Bulgaria	Italy	Slovenia	Sweden
Russian Fed.	Iraq	Nigeria	Bosnia and Herzegovina	Somalia
Afghanistan	Stateless	Somalia	Serbia	Iraq
Serbia	Afghanistan	Pakistan	Turkey	Serbia
Georgia	Islamic Rep. of Iran	Bangladesh	Afghanistan	Afghanistan
Nigeria	Armenia	Eritrea	Croatia	Islamic rep. of Iran
Turkey	Algeria	Ghana	Islamic Rep. of Iran	Russian Fed.
Armenia	Syrian Arab Republic	Afghanistan	Nigeria	Eritrea
India	Turkey	Cote d'Ivoire	Pakistan	Stateless
Iraq	Morocco	Serbia	Sri Lanka	Mongolia
China	Georgia	Turkey	Albania	Syrian Arab Rep.

Source: Asylum Levels and Trends in Industrialized Countries, 2010, p. 34-35. UNHCR, 2011.

adult refugees that only recently involved a more specific focus on the needs of RASC.⁵

In view of the selection of best practices that involved transferability analysis from Sweden to Slovenia and from Italy to Bulgaria, it is worthwhile examining the similarities and differences between the contexts of each pair of countries. The available data on the trends in refugee migration and the size of refugee populations show significant divergences between Sweden and Slovenia and some parallels between Italy and Bulgaria. Sweden and Slovenia differ significantly with regard to the absolute number of refugees and asylum claimants as well as with regard to the share of refugees and asylum seekers from the overall population of the two countries (tiny in Slovenia and significant in Sweden). While the absolute numbers of refugees and asylum claimants in Italy and Bulgaria show marked difference (the size of that population in Italy being eightfold larger than that in Bulgaria) they display similar profile with regard to the ratio of refugees per country inhabitants. Italy and Bulgaria rank respectively 70th and 76th with regard to the share of refugees (2010) and 21st and 29th with regard to the share of asylum claims (2006 – 2010). In this respect the two countries display relative similarity in the load of their refugee populations. Another important

aspect regarding the refugee population in the five countries under study involves the trend of Bulgaria and Slovenia being targeted as transit destinations while Italy, Sweden and to a great extent Austria being targeted as final destinations. Commenting on this trend, experts in Bulgaria and Slovenia report that the transit intentions of asylum seekers and refugees in the two countries impact integration strategies that are short-term oriented. In contrast, the individual integration strategies of refugees and asylum seekers in Italy and Sweden are the result of intentions for long-term stay.

3.2. Integration of refugees and RASC: centralized versus decentralized approaches

Local municipal authorities in Sweden and Italy are key player in the process of reception, integration and education of newly arrived asylum seeking and refugee children. In Austria this responsibility is taken by country's provinces.⁶ Based on reforms enacted during the 1990s the Swedish education system operates along decentralised principle with

⁵ Evaluation Report: Bulgaria.

⁶ Country Report: Austria.

municipalities being responsible to provide access of RASC to preschool, primary and secondary school equal to that of permanent residents. While the Swedish central Board of Migration is responsible for covering the costs, municipal authorities are responsible for offering education for RASC in preschool classes, compulsory school, upper secondary school, special school as well as for offering Swedish for immigrants.⁷ Italy's decentralized approach in the integration of migrants and refugees is made possible through the Italian SPRAR public system which operates on the basis of territorial projects (funded by the centrally administered National Fund for Asylum Services and Policies – FNSPA) managed by local authorities.⁸ Important feature of the RASC educational integration approach in Sweden and Italy regards the significant decision making freedom rendered to local schools. Swedish schools have the autonomy to assess RASC knowledge of their mother tongue, Swedish language proficiency as well as other major subjects to design the most appropriate school integration paths. Similarly schools in Italy are granted significant autonomy with regard to didactic, organization, research, experimentation and development.⁹ In the realm of RASC educational integration each school develops autonomously its own activities (which are financed by public funds) based on respective ministerial guidelines.¹⁰ Similar to Sweden and Italy, the Austrian educational system is operating along decentralized principle with federal and provincial authorities having mixed competences in the areas of legislation and implementation. Unlike Sweden however, the Austrian educational system hardly provides specific programs, pedagogical measures or projects addressing the particular needs of RASC in schools.¹¹ Targeted support programs in Austria and in Italy are in principle being undertaken by non governmental organizations which develop projects to compensate the lack of respective measures implemented within the school system (Austria)¹² or by local service providers contracted by Municipalities (Italy). It should be noted that planning and implementation of educational integration measures for RASC in Italy, Sweden and Austria is enacted in the context of the needs of the general group of foreign migrant children.

In both Slovenia and Bulgaria assistance and integration services targeting refugees and asylum seekers are being provided on a centralized principle. Municipalities in both countries have little power in this realm in terms of prerogatives and resources.

Moreover, schools do not enjoy the autonomy to conduct knowledge assessments, to issue enrollment decisions and to design schooling schemes. Thirdly, the educational systems in both countries appear inflexible in that they do not provide targeted educational schemes, meeting the specific needs of RASC. Refugee integration measures in Slovenia are the responsibility of respective ministries (Ministry of the Interior, Ministry of Labour, Family and Social Affairs, Ministry of Education and Sport). In Bulgaria they are provided centrally with services provided exclusively in the capital of Sofia – with implementation, control and supervision being the prerogative of the State Agency of Refugees (SAR). Supporting activities are being commissioned to different refugee support NGOs (operating exclusively in the capital of Sofia).¹³ Unlike Sweden, Slovenia's education system operates under the strict jurisdiction of the Ministry of Education and Sport with municipalities and schools having no autonomous role in designing RASC school admission and training.¹⁴ Similarly the Ministry of Education, Youth and Science in Bulgaria is responsible for RASC school admission and grade allocation. Once enrolled in school, RASC pupils are trained according to mainstream programs and curricula designed for nationals. Schools have no autonomy with regard to the admission process or with regard to designing targeted support schemes for RASC.¹⁵ Such institutional context in the realm of the educational integration of RASC in Slovenia and Bulgaria hinders the adoption of a more flexible and individualized approach with regard to RASC educational integration that is at place in Sweden, Italy and Austria.

3.3. Problems addressed: similarities or divergences

The problems that the two selected best practices address in Italy and Sweden and those that were to be addressed by the same practices in Bulgaria and

⁷ Country Report: Sweden.

⁸ Country Report: Italy.

⁹ Country Report: Italy.

¹⁰ Country Report: Italy.

¹¹ Country Report: Austria.

¹² Country Report: Austria.

¹³ Evaluation Report: Bulgaria.

¹⁴ Country Report: Slovenia.

¹⁵ Evaluation Report: Bulgaria.

Slovenia will be summarized comparatively along the four major areas of analysis defined in the first stage of this exercise: Access and enrollment; Quality of education; Enhanced protection; Empowerment and participation.¹⁶

The problems in the educational integration of RASC in Sweden, Italy, Slovenia and Bulgaria are generally similar, with the integration approaches and stakeholder frameworks in the two old and the two new Member States being different. The best practices identified in Italy and Sweden are designed to allow for the implementation of flexible and individually tailored study schemes to meet the specific educational needs of refugee and asylum seeking children. Sweden's best practice targets problems in the realm of empowerment, protection and quality of education provided to RASC. In particular it aims to overcome shortcomings in:

- including RASC in the school wide community;
- avoiding discrimination and segregation trends within the school;
- reducing school drop out rates among asylum seeking and refugee children;
- providing sufficient training to reach sufficient subject and language knowledge for RASC at pace equal with that of country nationals;
- assuring that RASC reach the national goals of schooling to overcome lower school performance on their part as compared to country nationals.

Italy's best practice targets problems in the realm of access and enrollment, empowerment and quality of education. The practice aims to:

- avoid problems in enrollment especially for RASC of older age (above fifteen years old) or those who are unaccompanied;
- overcome hindrances in the attainment of needed level of subject knowledge, including Italian language;
- avoid obstacles in the attainment of respective school diplomas on the part of RASC as a major precondition for achieving full autonomy in the Italian social context.

Austria's best practice targets problems in the realm of access, quality and empowerment such as:

- observed school drop out trend of adolescents and young adults with refugee background;

- insufficient training support for newly arrived refugee children within the regular educational system;
- a tendency of lower school performance of RASC as compared to that of nationals.

The problems identified in Slovenia regarded the spheres of access and enrolment, quality of education and empowerment. The research team working in Slovenia looked for a best practice to address problems related to:

- delays in RASC school enrolment;
- absence of systematic guidelines on pre-school assessment and individual planning for RASC;
- lack of targeted training programs for RASC in school;
- insufficient language training for RASC.

Similar were the areas in need of improvement, identified in Bulgaria:

- lack of adequate pre-enrollment knowledge assessment standards and mechanisms; systematic placements of older children in grades not corresponding to their age;
- lack of RASC-tailored training assistance programs in the public school;
- lack of efficient language training schemes in school;
- hindered communication between teachers and RASC and their parents due to lack of specific translation and mediation schemes.

4. TRANSFERABILITY OF BEST PRACTICES

In theory and in practice transferability analysis could be employed with different types of good practices. According to the Evaluation/ SIA methodology developed under the INTEGRACE project, best practices to be evaluated or subjected to SIA could involve wide array of positively evaluated measures implemented in the form of: laws and regulations; administrative measures or mechanisms, policies or

¹⁶ Methodological Guidelines for Best Practices Identification and Preparation of Country Reports, (prepared under the INTEGRACE project).

projects; methods (such as educational curricula or programs, study materials); monitoring mechanisms or funding schemes.¹⁷ The evaluation/ SIA exercise conducted in the framework of the INTEGRACE project involved the selection of two different types of best practices. The first one, identified in Sweden involves the successful implementation of a regulation – “General recommendations for the education of newly arrived pupils” issued by the Swedish Agency for Education and included in the Code of Statutes (SKOLFS). The second one, identified in Italy, involves a project called “Land of Asylum” which is nationally implemented in the framework of the Italian public sector system for reception of asylum seekers and refugees (SPRAR).

4.1. Spheres and Methods of Best Practices Interventions

The Swedish best practice involves the successful implementation of the “General recommendations for the education of newly arrived pupils” in the schools of two Swedish cities: Bollnäs and Överkalix. Both cities have a small number of inhabitants as opposed to the large metropolitan cities of Stockholm, Göteborg and Malmö. The smaller size of the population of these cities has been assessed to have impacted positively the efficient RASC reception process. Three schools in the city of Bollnäs (a municipality with 26,000 inhabitants) – Nyhamreskolan, Gärdesskolan and Torsberg’s gymnasium have been evaluated to work effectively and satisfactorily with new arrivals (foreign children, including RASC) following adequately the general recommendations given by the National Agency for Education. The schools provide highly individualized training adequate to the individual education level of RASC. Depending on his/hers individual level of knowledge of respective subjects a RASC student could attend high level classes in Math and lower level classes in English. This approach is made possible through curricula flexibility and is supported by various training methods to include: classroom teaching; teaching in small groups; individual instruction; individual work and group work. The process is assured through mapping the reading and writing abilities of pupils to serve as basis

for development of individual study plans that are periodically reviewed by way of regular structured consultations with pupils and their parents (or guardians).

The Italian best practice, the project “Land of Asylum” includes the provision of general integration services for refugees and asylum seekers including children. The project operates within a national public-sector mechanism for which the State is directly responsible, with the Interior Ministry playing a central role based on multi-level governance delivered through the decentralization of the interventions. In the realm of educational integration of RASC, the project is based on school autonomy and on flexible and highly individualized training approach. Evaluation of the effectiveness of the implementation of the project in the municipality of San Pietro Veronico, with population of less than 15 000 inhabitants, points to a successful model of RASC educational integration in local schools. Access, quality of education and empowerment of RASC within the school system is ensured through customized training services provided by the local service provider Arci, in close cooperation with local schools and RASC families. While enrolled in classes corresponding to their age, RASC pupils are entitled to an array of targeted education services such as language training, homework assistance and subject training support. These services are provided individually or in group depending on the individual profile and needs of the respective pupil. The process is being assured by way of tight and well defined cooperation between public-sector agencies (municipalities, schools), third-sector bodies (the local service provider Arci) and private-sector agencies (language training institutes).

The best practice identified in Austria, the Program “Dynamo”, offers a broad range of services to promote qualification skills and educational achievement of migrant and RASC pupils. It is aimed at facilitating their integration into the educational system and the job market of the country. The program is being implemented by a network of three partners: the Integration House Vienna and the public schools Rudolfsheim and Ottakring, members of the Austrian adult education network. The program offers series of training courses and measures to support migrant and RASC pupils in preparation for: Secondary Education Courses and Graduation; obtaining Certificate of Secondary Education and

¹⁷ General Methodological Guidelines for Best Practices Evaluation and Social Impact Assessment, (prepared under the INTEGRACE project).

Vocational Matriculation Examination. Services and courses provided within the program include:

- alphabetization;
- language training „German as a Second Language“;
- English language, computer training, teamwork skills;
- social counseling and career orientation;
- supportive psycho-social care;
- vocational guidance and traineeships.

4.2. Social impacts of best practices

The evaluation of the interventions implemented in Italy and Sweden has revealed a number of positive impacts on the target groups, the involved stakeholders as well as the host society as a whole. The major positive results regarding the educational integration of RASC registered in the Swedish towns of Bollnäs and Överkalix involve the motivation of RASC and RASC parents, the positive dynamics achieved within the heterogeneous school community and the successful school performance of RASC pupils. The evaluation conducted in the schools of Nyhamreskolan, Gärdesskolan and Torsberg points that the enacted complementary training schemes have resulted in successful and meaningful involvement of RASC pupils and their parents in the training process. They are not only well informed about the training possibilities at hand but are also regularly consulted with regard to the most appropriate training paths to be applied to pupils' needs. The evaluations also point to a smooth involvement of RASC in the school wide community that contributes to feelings of acceptance and belonging that in turn benefit the training as well as the overall integration process they are undergoing in the country. Improvement in the school performance of RASC pupils is one of the positive results registered by the evaluation of the Italian best practice in the town of San Pietro Veronico. The intervention enacted in Italy has also contributed to lowering significantly the drop out rates especially among RASC pupils of higher age as well as among unaccompanied RASC. Upon maturity (eighteen years of age) RASC appear better prepared and empowered to enter the labor market. A marked social impact of the best practice regards the positive influence of the intervention over the local host community. It is reported that the local host community appears

comprehensively involved in the overall integration and training schemes for RASC and better aware of their situation and needs. Another important social effect of the intervention implemented in Italy relates to the excellent cooperation enacted between the different stakeholders. Within the framework of the best practice, the respective strengths and assets of each stakeholder have been identified to pay effective contribution to project's activities in a scheme with well defined terms and responsibilities.

The best practices in Sweden and Italy have been identified as bearing the potential to meet in the most effective way specific problems in the educational integration of RASC in Slovenia and Bulgaria. The transferability analysis that was conducted in the two reception contexts involved two different approaches. While the study conducted in Bulgaria employed analysis of the potential social effects (intended and unintended/ positive and negative) to be propelled by the introduction of the Italian best practice, the study conducted in Slovenia employed a process assessment of the steps involved in the introduction of the Swedish best practice. Respectively the two studies lead to two different types of results both valuable in allowing informed decision making with regard to the transferability of the two best practices in the Slovenian and the Bulgarian context.

The social impact assessment conducted in Bulgaria points to a number of possible implementation scenarios that take into account the differences between the contexts of Italy and Bulgaria. The study demonstrates that differences in target groups, institutional settings and stakeholder frameworks should not prevent transfer of best practices from one context to another. However, the similarities and divergences between origin and reception contexts should be carefully analyzed in order to identify the most appropriate (doable and effective) implementation approaches. The scenario approach involves the formulation of recommendations for adaptive application of the best practice that is accorded to local realities and to local capacities for innovation and reform. The social impact assessment conducted in Bulgaria outlines two alternative scenarios for the best practice implementation. These scenarios take into considerations the constraints of the local context that relate to the interests of some of the key stakeholders who

do not favor institutional decentralization and the considerable funding needed for the enactment of institutional change and capacity building training. The first scenario involves implementation of the best practice at central level, thus triggering certain degree of change and improvement while respecting existing institutional mentalities and saving considerable resources and time needed for decentralized implementation. In essence the scenario proposes the experimentation of change and the enactment of regulative reforms at central level where all refugee management expertise of the country is concentrated. The potential positive impacts by the proposed adaptive implementation could serve for advocacy of more comprehensive institutional decentralization in the long run. The second implementation scenario involves adaptive implementation directed at the public school and limited to the existing regulative and institutional settings. The SIA analysis offers a detailed examination of the potential advantages and disadvantages of the two implementations approaches and the conditions and resources required for their enactment. Consequently recommendations are drafted about the levels and forms of transferability of the best practice in the Bulgarian context. This discussion in turn is aimed at guiding experts and policy makers in choosing the most adequate and realistic decision for addressing problems in the realm of RASC educational integration.

The process assessment conducted in Slovenia provides exhaustive analysis of the technology of implementation of the Swedish best practice and the regulative, institutional and financial resources it requires. It is very useful in that it gives clear picture of the general implementation process and the resources, capacities and time it requires.

4.3. Transferability conditions and transferability parameters

The three evaluation studies conducted in Austria, Italy and Sweden, together with the social impact assessment conducted in Bulgaria and the process assessment conducted in Slovenia allow the analysis of transferability conditions for the implementation of best practices across different national contexts.

The transferability conditions identified in the context of the Swedish best practice are related to the

realm of funding, organizational set up, freedom for local adaptations of centrally stipulated guidelines as well as relevant qualifications of school staff. The listed conditions include:

- close collaboration between authorities, schools and services;
- functioning organizational set up among involved school authorities, officials and school staff;
- marked degree of freedom for local adaptations of Regulations drafted at central level;
- national financial support to secure continuity in the integration work process with newly arrived children;
- relevant trainings for teachers, headmasters and education officials to assure solid knowledge of existing procedures, the opportunities they offer and the responsibilities they require.

The transferability conditions identified in the context of the Italian best practice relate to the realm of funding, organizational set up, stakeholder frameworks and professional qualifications of involved actors. The listed conditions include:

- financial resources to secure continuity of implemented activities;
- system of multilevel governance;
- implementation of services through public/private partnerships and the involvement of local areas and communities;
- stable regulatory, organizational and economic infrastructure;
- central co-ordination, training and evaluation of the local projects;
- institutional proximity to the beneficiaries of the services.

The transferability conditions identified in the context of the Austrian best practice relate to the realm of funding, professional qualifications and experience of major partner institutions, organizational set up allowing flexibility of approach and adaptability of measures, professional teams hired on permanent (as opposed to free lance) basis.

The transferability conditions, identified in view of the local contexts in the countries of transfer – Slovenia and Bulgaria to a great extent correspond to those identified in Sweden and Italy. They relate to organizational set up, local autonomy, professional training as well as funding. The conducted social

impact assessments point that the conditions in question could be enacted in the new contexts by way of certain legal and policy changes. Those changes include:

- decentralization of the general RASC integration approach and involvement of municipalities as actors;
- decentralization in the management of RASC integration funds at local level;
- rendering certain level of autonomy to public schools;
- capacity building activities and trainings for staff at local municipalities, teachers, headmasters and if necessary cultural mediators.¹⁸

Last but not least an important condition to assure the successful implementation of the intervention involves the clear regulation of the roles and duties of all involved stakeholders to assure adequate inter-institutional cooperation.

The discussion of transferability conditions served as basis for the identification of five dominant parameters to be subjected to analysis whenever social impact assessments of interventions in the area of educational integration of RASC are being conducted. Those parameters include:

- stakeholder frameworks;
- legal frameworks;
- local target groups;
- schools;
- teacher training.

A meaningful and effective assessment of the potential social effects of a certain intervention in the area of RASC educational intervention should involve analysis of the capacities, expertise and interest of local stakeholders as well as analysis of the regulatory frameworks at place in order to verify whether laws and regulations allow or hinder implementation. The assessment of social impacts should be based on careful study of the profile and the needs of the target group, the levels of refugee community organization and the level of involvement of RASC and adult refugees and

asylum seekers in the overall integration and the educational integration process. The social effects and the potential risks in the implementation of certain educational practices cannot be properly investigated without analysis of the strengths and weaknesses in the management of local schools and the implementation of curricula and training programs. Last but not least adequate recommendations for the transfer of certain educational practices in new contexts could be drafted based on assessment of the experience and qualifications of teachers.

6. CONCLUSIONS AND RECOMMENDATIONS

The evaluations and social impact assessments carried out in the framework of the INTEGRACE project demonstrate that these are methodological tools highly relevant in facilitating the transfer of knowledge from Old to New Member States, allowing the latter to deal more effectively with the educational integration of their refugee and asylum seeking populations. The EU-wide study of the national systems for educational integration of RASC that was conducted in the first stage of the INTEGRACE project revealed considerable similarities with regard to the problems of RASC educational integration. While these problems appear effectively addressed in some EU countries with long refugee integration experience, they are just being identified and put under discussion in others. In such context the identification and transfer of best practices emerges as a promising exercise. However, it could be effective if only the reality of existing different national contexts in the EU is taken into analytical consideration. Best practices could serve effectively the process of improvement of the educational integration of RASC across the EU only if their potential social impacts are carefully tested in advance of their implementation. The social impact assessment exercise conducted in the framework of the INTEGRACE project identified analytical tools and technology of research implementation that conform to the specific aspects of the area under study. This in turn allows the recommendation of standardized approach in the conduct of evaluations and social impact assessments in the area of refugee educational integration. Such standardized approach should involve the careful

¹⁸ While the figure of cultural mediator plays key role in the Italian best practice, it is not present in the Swedish educational system. There, the mediating function is incorporated within the school and is performed by teachers and other regular school staff.

design of a set of analytical indicators and the selection of appropriate data collection methods. A number of recommendations should be taken into consideration upon implementation of evaluation and social impact assessment studies in the area of RASC educational integration. First, it is highly recommended that such studies put under analysis five specific parameters: stakeholder frameworks, legal frameworks, local target groups, schools and teacher training. These parameters should be investigated in the country of origin of the best practise first to guide consequent examination of the same parameters in the country of transfer. Second, the careful study of the five context parameters should be guided by the objective of identifying adaptable implementation scenarios to assure the achievement of needed positive social effects within the realistic framework of local institutional setting, regulations and capacities. Third, social impact assessments in contexts of transfer could be undertaken only after the careful evaluation of best practices in the contexts of their original implementation. Therefore the study of the transferability of best practices should be understood as a twofold analytical exercise involving evaluation and social impact assessment to be

conducted based on synchronised methodological tools and indicators. A potential fault that needs to be avoided when SIA is being conducted relates to the level of difference of the studied contexts (of origin and transfer). The evaluations and social impact assessments conducted under the INTEGRACE project demonstrated that differences in target groups, institutional and stakeholder settings, even if bigger than smaller, should not be treated as a hindrance to a meaningful best practice transfer. Such differences however, need be put under careful analytical scrutiny in view of providing advice on the most relevant adaptation models. In this context the design and development of alternative implementation scenarios should be considered a core goal of the SIA exercise. Such scenarios have to be aimed at identifying doable and effective transfer solutions that take into account the constraints and the potentials for innovation of local contexts. The findings of SIA studies could not only guide a process of informed adaptive management of particular best practices in the area of RASC educational integration. They could also guide the formulation of an array of policy recommendations and initiatives to aim at meaningful and realistic reforms of the systems at place.

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LIST OF ABBREVIATIONS

- | | |
|-------|---|
| ARCI | – Italian Non-profit Social-promotion Association |
| FNSPA | – National Fund for Asylum Policies and Services in Italy |
| RASC | – Refugee and asylum seeking children |
| SAR | – State Agency for Refugees in Bulgaria |
| SIA | – Social Impact Assessment |
| SPRAR | – The (Italian) System of Protection of Asylum Seekers and Refugees |

2. SELECTED EVALUATION AND SOCIAL IMPACT ASSESSMENT REPORTS

2.1. EVALUATION OF THE SPRAR PROJECT “TERRA D’ASILO” IN ITALY

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1. INTRODUCTION TO THE METHODOLOGY

The evaluation of the best practices implemented by the Terra d’Asilo (Land of Asylum) project was carried out first and foremost through the information and accounts gathered during a two-day study visit to San Pietro Vernotico, Lecce and Trepuzzi on 3 and 4 May 2011. Trepuzzi is the site of the co-ordination centre of the “ARCI Lecce”

implementing agency, which manages another two System of Protection for Asylum Seekers and Refugees projects (in the municipality of Trepuzzi and in the municipality of Galatina). These other projects have elements in common with the project being evaluated in this document.

The interviews involved not only the service operators but also the local stakeholders (schools, training agencies and the Council) that form part of the network on which the service is based.

LIST OF INDIVIDUALS INTERVIEWED DURING THE VISIT

- **Anna Maria Caputo**, manager of the projects in San Pietro Vernotico, Trepuzzi and Galatina, and president of the ARCI (Lecce province)
- **Maritù**, a 29-year-old refugee, mother of a girl attending primary school, on the Trepuzzi project
- **Flavia**, a social worker on the Trepuzzi project
- **School principal and teachers** of the “Ruggero De Simone” primary school in San Pietro Vernotico
- **Headmaster** of the “N. Valzani” institute (specialising in technical subjects and economics) in San Pietro Vernotico
- **Mayor** of San Pietro Vernotico
- **Team of operators** working on the San Pietro Vernotico project: four educators, one psychologist, one cultural mediator
- **Pinuccia, literacy teacher** on the CTP evening courses at the “Dante Alighieri” middle school in Lecce
- **Rosanna, a teacher of literature** on the CTP evening courses geared towards the attainment of the middle-school leaving certificate at the “Dante Alighieri” middle school in Lecce
- **Deputy headmaster** of the “Scarambone” vocational institute in Lecce
- **Director and tutors** of the courses at the Lecce Professional Teaching Institute geared towards attainment of the compulsory-school leaving certificate

Alongside the study of the accounts given, the documents made available to the implementing agency and the statistical data extracted from the service's database were also analysed, with a view to defining the characteristics and extent of the supported user base, and to quantifying, where possible, the results and impact of the project from its launch onwards.

As explained in more detail below, Terra d'Asilo is a project based on the national model for the reception and integration of asylum seekers, as implemented by the SPRAR. Amongst the features of this model is the provision of funding for projects in which the number of refugees and asylum seekers is determined on the basis of the population residing in a given local area, in order to facilitate coexistence and integration. In the case of municipalities with a population of less than 15,000 inhabitants, such as San Pietro Vernotico, it is not possible to support – other than in exceptional cases – more than fifteen beneficiaries at a time. This structural characteristic has had an impact on the methodology and on the outcomes of the survey, which are very much focused on the qualitative aspects relating to the

dynamics between the various stakeholders, the structuring of the network, and the capacity of the network to find solutions to the problems and responses to the needs of young refugees or asylum seekers.

2. BACKGROUND AND LOCAL CONTEXT

2.1. The SPRAR Model

The Terra d'Asilo project owes its existence, as well as its implementation of best practices, to the fact that it is inserted within the SPRAR, the public-sector system for the reception of asylum seekers and refugees, which has been rolled out across Italy through an extensive network of local projects managed by local agencies.

In 2009, a total of 138 local agencies adhered to the SPRAR, accounting for a total of 3,000 places and 7,845 beneficiaries received; out of these beneficiaries, 320 were unaccompanied minors.

TABLE 51. SOCIO/PERSONAL PROFILES OF THE BENEFICIARIES OF THE SPRAR, 2009

Characteristics	Figure	%
Gender		
Males	5,849	74.6
Females	1,996	25.4
Total	7,845	100.0
Age range		
0-17	1,128	14.4
18-25	3,108	39.6
26-30	1,722	21.9
31-40	1,489	19.0
41-60	392	5.0
Over 60	6	0.1
Total	7,845	100.0

TABLE 51. SOCIO/PERSONAL PROFILES OF THE BENEFICIARIES OF THE SPRAR, 2009 (CONTINUED)

Characteristics	Figure	%
Nationality		
Somali	1,177	15.0
Eritrean	1,099	14.0
Afghan	1,092	13.9
Nigerian	813	10.4
Ivoirian	420	5.4
Other	3,244	41.3
Total	7,845	100.0
Family structure		
Single individuals	5,810	74.1
With family unit	2,035	25.9
Total	7,845	100.0
Number of family units	715	100.0

Source: SPRAR database.

TABLE 52. LEGAL STATUS OF THE BENEFICIARIES OF THE SPRAR, 2009

Status	Figure	%
Asylum seekers	2,540	32.4
Refugees	1,382	17.6
Humanitarian protection	1,833	23.4
Subsidiary protection	2,090	26.6
Total	7,845	100.0

Source: SPRAR database.

Establishment and development of the SPRAR

In 2001, the Department of Civil Liberties and Immigration of the Interior Ministry, the National Association of Italian Municipal Councils (ANCI) and the United National High Commissioner for

Refugees (UNHCR) signed a Memorandum of Understanding for the creation of a "National Asylum Programme". This gave rise to the first public-sector system for the reception of asylum seekers and refugees, implemented throughout the whole of Italy, with the involvement of centralised

and local institutions, and based on the sharing of responsibility between the Interior Ministry and local agencies.

Italian Law No. 189/2002 on immigration subsequently formalised these organised-reception measures, envisaging the constitution of the National Fund for Asylum Policies and Services (FNPSA) and the System of Protection for Asylum Seekers and Refugees (SPRAR).

By means of the same legislation, the Interior Ministry instituted the system's co-ordination infrastructure – the Central Service, dealing with the provision of information, promotion, consultancy, monitoring and technical support services to the local agencies – entrusting its management to the ANCI.

The System of Protection is supported by the National Fund through tenders issued by the Interior Ministry for the assignment of the projects. Initially, the tenders were issued on an annual basis, then, starting in 2008, they became biennial, and in 2010 they became triennial. The increasing duration of the programmes was determined by the need to give continuity and stability to the projects undertaken in the individual areas.

Yet, the FNPSA does not represent the totality of the resources intended for reception projects: alongside it, there are the funds that the local agencies set aside as co-funding (at a minimum quota of 20 per cent) and any extraordinary resources that may become available, as additional sums, throughout the year.

The intended recipients of the interventions are seekers of international protection, bearers of international protection and, subordinately, bearers of humanitarian protection. The System also encompasses specialist projects for the reception and support of people who are subject to specific vulnerabilities: disabled people or those with (physical and mental) health problems, unaccompanied minors, victims of torture, single-parent families and single pregnant women.

Admission to the System's reception centres – until the filling up of all of the available spaces – is governed by the Central Service in response to referrals from the individual local projects or from third-party agencies (prefectures, police administration

offices, and associations). Referrals are made by sending a fax to the Central Service, which deals with the implementation and management of the database of beneficiaries. The set of requests is evaluated on the basis of the availability of places and the characteristics of the individuals to whom the requests relate.

If there are places available, reception is confirmed and the Central Service deals with establishing the contacts between the referring subject and the reception project and with organising the transfer. If there are no places available, the requestor is added to a waiting list.

The waiting times vary from a few days to several months.

The duration SPRAR projects is:

- equal to the duration of the procedure of recognition + six months for requestors of international protection;
- six months for refugees, bearers of subsidiary protection and humanitarian protection;
- until reaching the age of majority and integrating into the area for unaccompanied minors.

Extensions are permitted to prolong the reception period; in any case, extensions must be requested and granted by the Central Service.

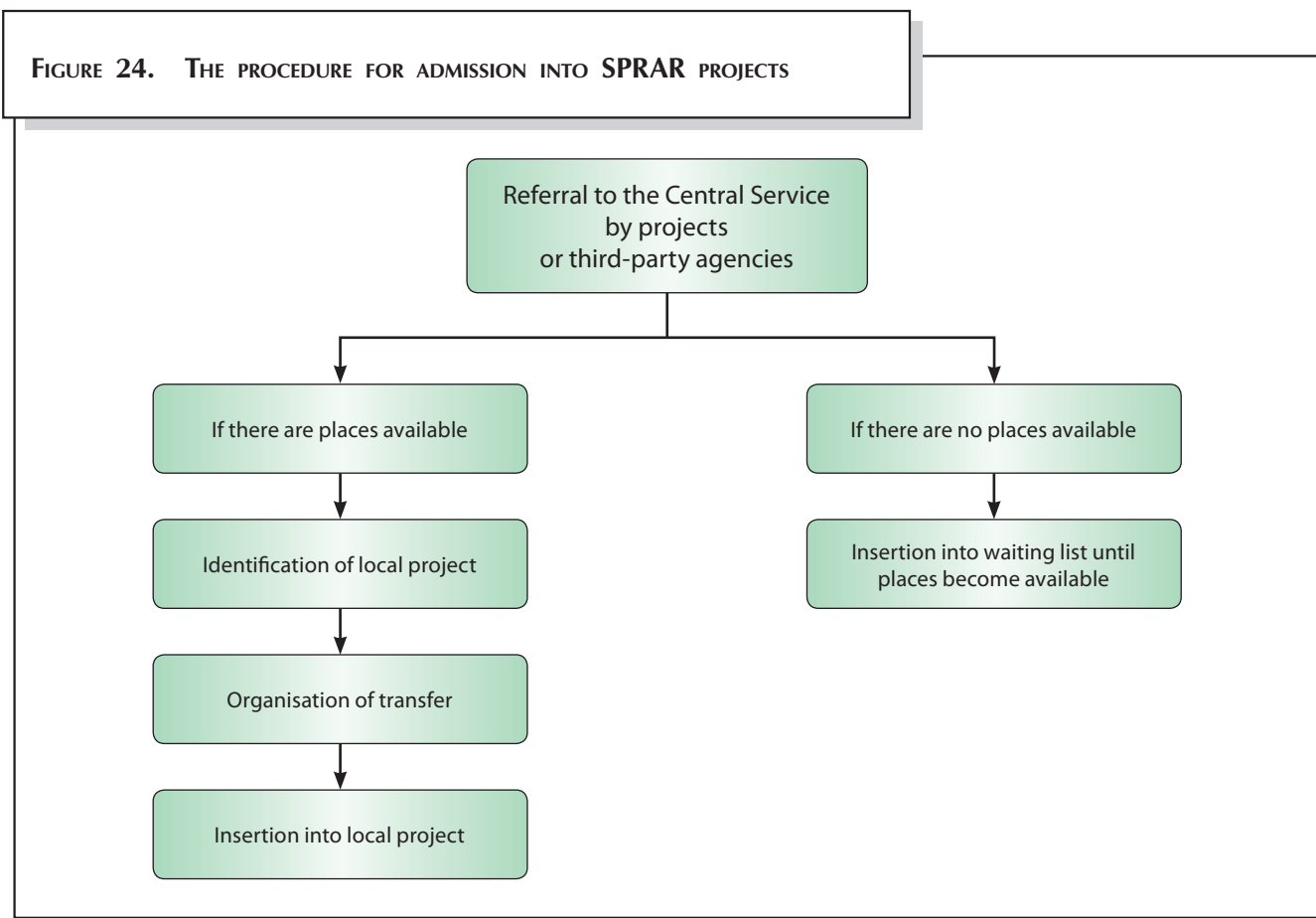
Exit from SPRAR projects can occur for various reasons:

- integration into the area
- voluntary abandonment
- expiry of terms
- turning back
- assisted repatriation.

The reason for the exit must be recorded in the central database.

At local level, the local agencies, with the valuable support of third-sector associations, guarantee interventions of "integrated reception" that go beyond the mere distribution of board and lodging, providing complementary measures of information-provision, accompaniment, support and orientation, through the construction of individual routes to socio-economic insertion.

FIGURE 24. THE PROCEDURE FOR ADMISSION INTO SPRAR PROJECTS



To ensure the uniformity of the services delivered, the Ministry sets out Guidelines that accompany the tender notification for the assignment of the services, while the Operational Manual drafted by the Central Service guarantees the high quality and consistency of the services provided.

In addition, the Central Service deals with the provision of technical support to the projects, taking care of both consultancy and the training and updating of the operators. The training initiatives are divided into “basic” training, geared towards the operators of projects that are entering into the System for the first time, and special training on specific issues (administrative/financial; regulatory, psychological, etc.).

The local agencies implement the projects for which they are responsible in partnership with the third-sector associations, which play an essential role in managing the activities and supporting and accompanying the local agencies.

As such, within the context of the System, more often than not, it is to the local associations that

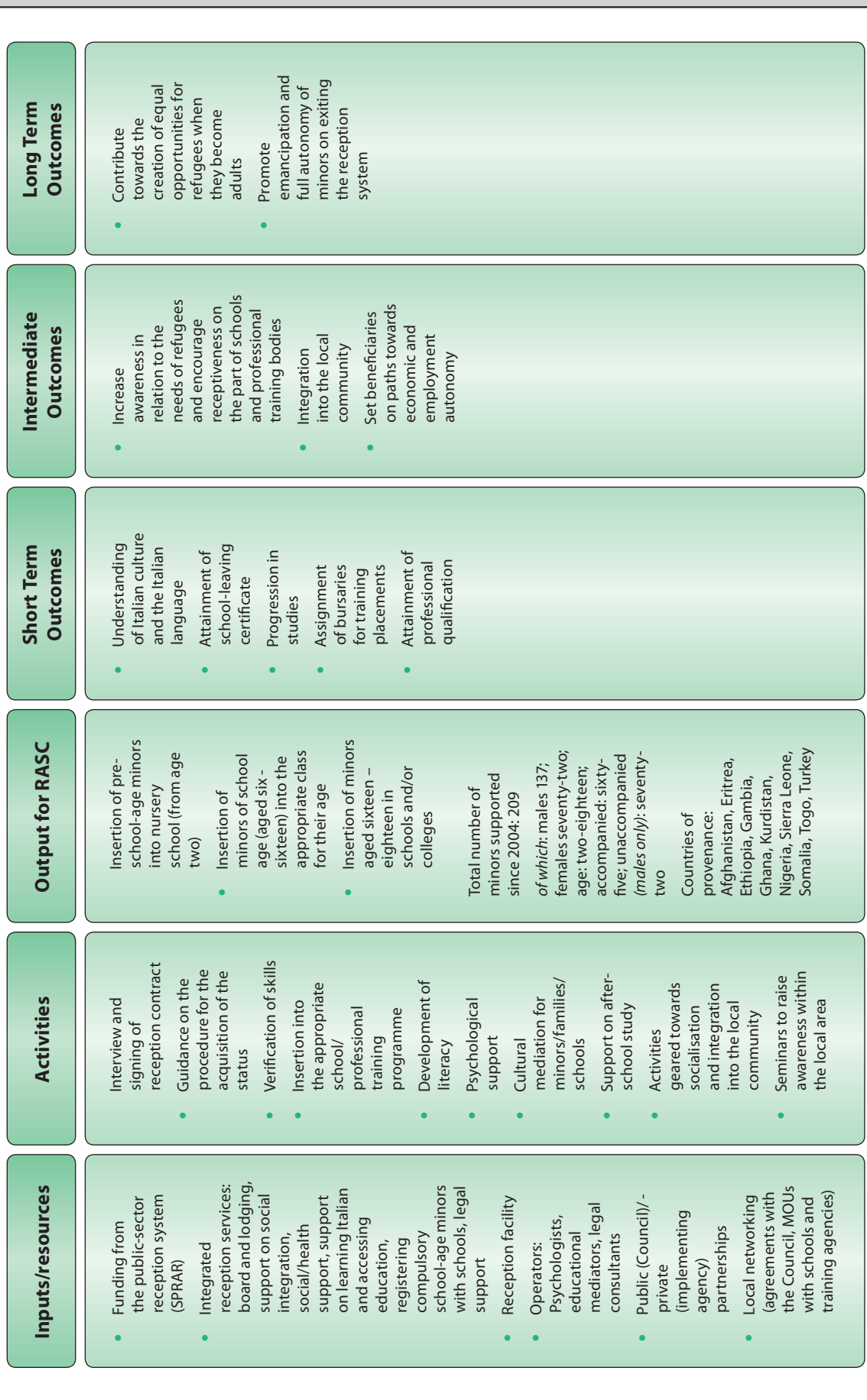
the delicate task of implementing the content of the project is entrusted. This acknowledges the decades of experience that the associations have in providing support to the most vulnerable categories.

The relationships between the local agencies and the managing agencies take various forms, which are based on two possible models:

- a) the first of these focuses on the reinforcement of the existing relationships between the local agency and the association through an agreement whereby the association manages, on behalf of the local agency, the set of reception and integration activities;
- b) the second model sees the local agency entrusting only a part of the activities to the managing agency on the basis of its specific skill sets.

The partnership and management model of the project is not limited to the relationship that is established between the local agency and the managing agency/agencies; on the contrary, it can be enriched by input from new agents who may

FIGURE 25. THE TERRA D'ASILO LOGIC MODEL



enter the project even once it is up and running, should it become necessary for them to do so.

Indeed, the implementation and consolidation of an integrated system of interventions through the involvement of the local agents (which deal variously with these issues) is fundamental, particularly in relation to matters of integration – i.e. making contacts with the various local institutions, with the public healthcare system, with schools and associations.

The widening-out of the local network may take as its starting point the inclusion of private-sector and public-sector subjects, not necessarily through formal partnerships. In this way, it becomes possible to exploit the potential of subjects that, thanks to their experiences and functions, are able to give a complete response to the reception and integration needs in certain key sectors, such as, for example, training, employment, health and the home.

2.2. *Terra d’Asilo* – origin and objectives

The entry of the Council of San Pietro Vernotico into the System of Protection occurred in 2004. From the outset, the *Terra d’Asilo* project’s objective was to create synergies between third-sector bodies, institutions and the world of work in San Pietro Vernotico, with a view towards not only receiving but also taking responsibility (in their totality and complexity) for a group of fifteen people, made up of asylum seekers, refugees and bearers of humanitarian protection, during their process of insertion within the social fabric of our country. A determining role in the effort to consolidate the project was played by the Lecce ARCI,¹ an association with a strong, deep-rooted identity and long-standing experience in projects intended to benefit citizens from overseas. The relationship with the Council is governed by an agreement that has the same duration as the funding envisaged by the tender document, which in 2011 was taken to three years. Through this convention, the local agency delegates the entire implementation of the project to the managing

agency, with a view to guaranteeing flexibility in the delivery and organisation of the service and correspondence with the requirements and programmes.

The principal objective of the intervention is, then, the establishment of a reception network for vulnerable individuals – with a permit to stay in Italy for humanitarian reasons or temporary protection – along with the promotion of specific measures to support interaction on social/training/school/professional/educational levels and the preparation of routes towards voluntary and assisted repatriation and reinsertion into the countries of origin.

The specific beneficiaries of the San Pietro Vernotico project are single-parent families and/or unaccompanied minors. The reception services are second-level, meaning that they are intended for subjects who have already submitted a request for protection, and who are highlighted by the Central Service and sent by the service to local projects that have places available (places that are compatible with the characteristics of the beneficiaries themselves).

In the case of single-parent families, the beneficiaries of the reception and integration project are the families, and the parent is always involved – through linguistic/cultural mediators – in the activities of school insertion/support for the children, for whom the parent remains solely responsible.

In the case of unaccompanied minors, the beneficiaries are minors for whom the managing agency assumes legal responsibility and who remain within the project at least until they reach the age of majority, and in any case until they have achieved full economic and employment autonomy.

2.3. The structure of the service

Those using the reception services at the San Pietro Vernotico facilities follow a precise procedure. The potential beneficiaries, be they single-parent families or unaccompanied minors, are:

- received with an entrance interview that is geared towards providing them with information on the objectives and methods of the reception process, and on the characteristics of the national system of which they will become part

¹ ARCI is a non-profit social-promotion association with offices throughout Italy, which for many years has been leveraging its network to promote culture, social integration and solidarity.

by adhering to the project. The operators are required to explain the rules and conditions of permanence and to present the Regulations and the Contract of Reception, which all of those undergoing reception must sign (in cases of single-parent families, the parent signs for the minor), together with the written privacy consent slip (translated into a language comprehensible to the person undergoing reception);

- subject to a preventative treatment against scabies, which they could have contracted during their voyage to Italy;
- entered into the process for the acquisition of refugee status or the status of international protection. This process requires that a request be made to the Inland Revenue for a tax code, which is necessary in order to request healthcare provision with exemption from prescription charges, and the issuing of the medical card, with consequent medical screening;
- housed in apartments scattered around the local area, which are easy to reach on public transport, in order to facilitate their mobility around the area and their access to services, as well as full participation in the social life of the area. Single-parent families are assigned independent apartments, whereas unaccompanied minors are housed in apartments with a room available to a project operator. The number and size of the rooms are proportionate to the number of children. Spaces for communal and socialisation activities are also made available, with a view to guaranteeing both privacy, on the one hand, and

the possibility to meet other beneficiaries and members of the local community, on the other.

Having delivered the reception element, the service is then differentiated in terms of the methods of school insertion, depending on whether the minors are accompanied or not. In any case, all foreign minors, accompanied and unaccompanied, are guaranteed access to school (of all types and grades), regardless of the legal status they may possess.

Fluency in Italian is not a pre-requisite for admission to school.

In the case of minors belonging to single-parent families, which in general includes minors of primary and lower-secondary school age, the children are:

- promptly inserted (if possible from the day after their arrival) in the class corresponding to their age group, as per the national guidelines on foreign pupils of compulsory school age (six-sixteen), through the intervention of the cultural mediators, in partnership with the school executive. Insertion can take place at any time during the school year, and no certification is required in relation to previous education, nor is any certification of the right to remain in the country. Due to their autonomy, schools organise insertion into ordinary classes in accordance with their own procedures, providing, if necessary, specific Italian language

CASE STUDY: THE RUGGERO DE SIMONE PRIMARY SCHOOL

The school, in partnership with the operator of the Terra d'Asilo project (usually the cultural mediator) organises reception at the school and inserts the minor in the appropriate class for his/her age, selecting the class with the smallest number of pupils. Full-time schooling is not envisaged, so minors attend school for five hours, six days a week (thirty curriculum hours).

Since the school has no cultural mediators, peer-to-peer learning is used, pairing minor refugees with a companion to help them develop their Italian language skills.

The total of three hours of school time for integration activities are dedicated to the implementation of projects intended to assist pupils who are behind the rest of the class in certain subjects. In the case of refugee children and children under protection, these hours are focused on refining their fluency in Italian.

courses. The sitting of entrance tests is not an obligatory procedure, nor is it standardised nationally – rather, it is left to the discretion of the individual schools;

- supported in their learning, with assisted study in the afternoon thanks to cultural mediators or trainees at Lecce University, at the pupils’ homes, or in the communal areas of the Centre, if the number of children makes the at-home service impractical;
- supported, if necessary, with psychological help, which is offered if symptoms of distress become apparent. In such instances, the psychologist talks first of all to the operators and the parent; he or she then meets the minor in the presence of the parent or of an operator, and drafts a summary of the sessions, which is then given to the operators and the parent, providing indications on how to deal with the issues.

In the case of unaccompanied minors, the operators usually deal with male youths aged between sixteen and eighteen, who – on the basis of Italian regulations – are not required to attend school.

These minors are, first of all, interviewed with the support of the cultural mediator by an operator charged with the responsibility of drafting a sort of skills balance sheet, geared towards the compilation of the skills training booklet (guidance interview). The “skills balance sheet”, which is intended to feed in to the subsequent drafting of the curriculum vitae, constitutes the basic tool for career guidance and/or the advancement of study, through which the operator constructs, together with the minor, a customised path to integration. This is a structured intervention and, as such, uses specific tools and modules, such as educational profiles, self-evaluation questionnaires, the writing of personal biographies, the analysis of past experiences, tests and simulations, etc. A great deal of attention is focused on the identification and description of non-certified skills – i.e. those demonstrated or acquired outside of formal training courses or which the person involved is not aware that they possess. The recognition of qualifications attained and issued in the person’s home country (subsequent to their seeking of refuge from a situation of risk) can be carried out through a range of processes that are complex and difficult to execute. Normally, second-level scholastic institutes that are partners on the Terra

d’Asilo project accept, as an exception to the national regulations, the self-certification of skills and entry into the system without proof of the first-level qualification. In parallel, minors are in any case entered into short courses for the attainment of the first-level qualification (e.g. CTP Dante Alighieri), in order to allow them to attain a qualification that is recognised in Italy and, if appropriate, to have them sit State exams for the upper-secondary school qualification.

It is often the case that the users have low levels of scholastic education and/or that they have no familiarity with the Latin alphabet. Indeed, many of the users, particularly those from African countries, are actually illiterate.

In these cases, before any initiative for scholastic or training integration can begin, rapid interventions are required to improve literacy as a whole, and not just fluency in Italian.

Two types of services are made available by the project:

- insertion into morning classes in Italian, which are provided free of charge by trainees at the Central Service facility. The courses on literacy and on the approach to studying run constantly throughout the year, in order to fill any gaps that may occur (such as when the courses provided by external agencies are temporarily suspended), and to give everyone the opportunity to understand and express themselves as soon as possible in Italian. The primary objective is to create an environment for socialisation and inclusion, in which it is also possible to develop linguistic fluency. The learning of Italian, in preparation for access to training and employment, guarantees sufficient independence in communication and promotes dialogue between the various cultures hosted at the centre;
- registration on the evening courses held at the Dante Alighieri State Middle School in Lecce (the main city in the province), which is the location of a CTP (Permanent Local Centre). The CTP offers training courses to those aged sixteen and over, including courses on Italian literacy for foreigners and courses geared towards the attainment of primary and lower-secondary qualifications.

CASE STUDY: THE CTP DANTE ALIGHIERI IN LECCE

The CTP delivers three types of afternoon courses:

- literacy courses in Italian. These courses take the form of open classes for which it is possible to register at any time during the school year. The training is modular, and lasts from a minimum of sixty hours to a maximum of 360 hours. Attendance is geared towards the attainment of certification at levels A1 and A2 of the Common European Framework of Reference for Languages. On attaining level A2, it is then possible to access the evening course for the attainment of the school-leaving certificate at middle-school level.
- Italian language refinement, level L2. This is the intermediate level between the literacy courses and those for the attainment of the school-leaving certificate at middle-school level.
- courses for the attainment of the school-leaving certificate at middle-school level. These courses, which last a year, result in the awarding of the school-leaving certificate at middle-school level. The middle or lower-secondary school also provides guidance services on study and employment, and on the municipal services offered by the city of Lecce.

The classes are heterogeneous in terms of gender, age and provenance. The literacy courses include customised learning programmes, and interculturality constitutes the foundation on which the teaching approach is based.

Attendance at all of the courses, including the middle-school courses, is prioritised for immigrant citizens, whose motivation to learn usually triggers – within the class groups and, therefore, even amongst the Italian component – a positive sense of competition.

At the same time, unaccompanied minors are shown the other opportunities available alongside literacy, which can include:

- insertion into upper-secondary (usually vocational) schools in the morning, for those who, on the basis of the initial screening carried out when drafting the training booklet, can provide evidence that they have completed a given school programme, which can also be demonstrated subsequently by a documentary investigation. Insertion is carried out on the basis of a programme agreed with the schools (here, too, there is no national regulation, and local agreements and practices are used to make decisions), in light of which the school accepts the self-certification of skills, conducts entrance tests (discretionary and different in each school) and inserts the minor in the class that corresponds to the verified skills, drafting a study plan that is compatible with the school programme already completed, which can lead the minor to sit – subsequently and as an external student – the tests of admission to the State exams for the attainment of the upper-secondary diploma. In these cases, the drop-out rate is very high, since as minors approach the age of majority (and the point of exit from the project), the search for work becomes prioritised over the aspiration to attain a high-level qualification;
- at the same time, in cases in which there is no documentation to prove that the minor has attained the lower-secondary-school qualification, he or she is registered for evening classes at the CTP Dante Alighieri for the attainment of the lower-secondary qualification;
- insertion into evening classes for the attainment of intermediate qualifications, usually corresponding to the third year of upper-secondary vocational education;
- insertion into vocational training courses with the awarding of vocational qualifications, which can perhaps (in cases where the minor does not already hold a school-leaving certificate at lower-secondary level) be combined with attendance at the evening courses delivered by the CTP

for the attainment of the compulsory-school qualifications;

- attribution of employment bursaries and organisation of traineeship.

CASE STUDY: THE LUIGI SCARAMBONE UPPER-SECONDARY EDUCATIONAL INSTITUTE IN LECCE

The educational offering of the Scarambone institute can be taken as an example of the opportunities available at the upper-secondary educational level for the beneficiaries of the Terra d’Asilo project.

Alongside the ordinary courses of vocational training, which last 5 years and are geared towards the attainment of the upper-secondary school diploma, the institute also delivers evening classes at which immigrants account for around 10% of the user base.

These courses are sub-divided as follows:

- courses for the attainment of the upper-secondary school diploma;
- courses with a duration of at least 600 hours for the attainment of intermediate qualifications;
- training courses for adults geared towards immigrants (in Italian, citizenship, ECDL, labour laws), of varying lengths, which are mostly funded through the European Structural Funds (FSE);
- courses lasting 300 hours for individuals aged over sixteen, who have not attained a school-leaving certificate at middle-school level, and are geared towards the attainment of the third-year secondary education vocational qualification.

For the immigrant user base, which encompasses the beneficiaries of *Terra d’Asilo*, courses to improve their Italian can be offered, if necessary.

For courses aimed exclusively at immigrants, registration and materials are free, but asylum seekers and refugees are also exempted from paying the registration costs for the evening classes.

Amongst the immigrants, the component of asylum seekers/refugees is that which has the lowest level of dispersion and the best scholastic performance – this is due, in part, to the constant support provided by the operators of the Service.

TEACHER TRAINING

The Terra d’Asilo project does not set out any dedicated training for the teachers at the schools involved, with the exception of their attendance at seminars for local awareness-raising, organised by the ARCI.

Specifically: for primary schools, initial reception of the minors is expected to take place in the presence of the operators, the school headmaster and teachers.

In general: ongoing information exchange on the progress and needs of the individuals between the cultural mediator and the teachers/trainers. This method of interaction is effective since minor-age refugees or those seeking protection are always present in the schools/training institutes in limited numbers.

Once they have acquired a familiarity with the local area and the services offered there, unaccompanied minors are spurred on, under the continuous supervision of the operators (who ensure respect for the obligations set out by the contract of residency), to emancipate themselves economically, taking account of the fact that, upon their exit from the project, they will have to be autonomous and self-sufficient. Minors are generally offered brief periods of work experience at commercial premises and/or small businesses in the area, and often these experiences then turn into permanent jobs.

2.4. Customised integration programmes

The integration programme of each beneficiary is constructed on the basis of an individual plan that respects the personal aspirations and inclinations of the beneficiaries and that makes the most of the resources, experience, skills and expertise that they have accumulated over the course of their lives, optimising the timescales for reaching tangible objectives.

After the minors who have participated in Terra d'Asilo exit the project, the operators tend to remain in contact with them, even if they decide to move to other parts of Italy.

The orientation and social insertion of the beneficiaries depend, in addition, on the possibility of ensuring that they have access to opportunities for recreation and socialisation, which are also open to the local community. To this end, regular sporting, theatre and dramatisation activities are organised, as well as themed workshops such as, for example, the Steiner cookery class held last year. These initiatives are useful not only for helping minors to integrate into the local area but also for assisting them in coming to terms with their life experience, which is often extremely difficult and traumatic.

2.5. Local awareness-raising

In parallel, the ARCI – acting on a mandate issued by the SPRAR's Central Service – carries out awareness-raising activities, particularly in schools. In the course of these activities, the operators enter into a dialogue with the local area, explaining

the specific nature of the refugees (since they are not the same as other migrants), and attempt to cultivate and capitalise on the energies and resources in the local support community, with a view to making the project work more effectively. Indeed, one of the strengths of Terra d'Asilo lies in its localisation within a small area, where there is greater probability that the citizens will become involved in social initiatives that can translate into forms of solidarity-based participation to benefit the refugees. The main occasion for the awareness-raising of the populace is 20 June – World Refugee Day – when each SPRAR project presents its initiatives and opens up to the local area.

2.6. The team of operators: roles, profiles, recruitment

The ARCI manages the project with personnel who are employed on temporary contracts for the duration of the project. The team that delivers the services within the project is composed of:

- One co-ordinator who supervises the implementation of the service and is responsible for relationships with the local area, with the Council and with the SPRAR's Central Service;
- One administrative consultant who deals with the administrative and financial management of the project;
- One lawyer, who provides consultancy and support during the procedure for requesting asylum or international protection;
- One psychologist, who intervenes in situations of distress on the part of the minor or family unit, and who monitors the relationship dynamics amongst the components of the team;
- One linguistic mediator, who covers multiple roles and is involved both in the management of relationships with local institutions that provide services to the beneficiaries (schools, training agencies, healthcare services, etc.) and in after-school activities, from Monday to Saturday, at the beneficiaries' homes. For this activity, the mediator may be assisted by trainees (final-year students or graduates with sociological/educational training).

In Italy, there is no certified training programme, nor is there a standard profile for the cultural mediator. In the case of San Pietro Vernotico, the

THE COSTS OF THE PROJECT

Overall cost (ongoing funding for 8 years):

€182,000.00 per year

of which 20% is co-funded by the Local Agency.

Breakdown of the costs:

Personnel

- Rental of accommodation
- Utilities
- Food
- Medicines
- Clothing and footwear
- Transport costs (travel cards)
- Phone cards
- Pocket money
- Books, dictionaries and other texts
- Operation of the structure

NB: The cost of the personnel cannot exceed 40% of the total cost.

cultural mediator is Italian, with a degree in foreign languages (excellent fluency in English, French and Spanish), and a Masters degree in intercultural linguistic mediation, immigration and asylum.

- Five operators serving as educators (four men and one woman) who are responsible for accompanying the beneficiaries along the path towards autonomy and guarantee support and supervision 24 hours a day from Monday to Saturday, on the following shift pattern:
 - Two operators working the morning shift, one of whom deals with administrative and health duties from 9am to 1pm;
 - One operator working the evening shift from 6pm to 9pm;
 - One operator, again male, who covers the night shift, sleeping in the apartment where the unaccompanied minors are living.

On Sundays, one operator is present through the day and another through the night.

The educators are young graduates in humanities with a sociological/educational background. Rather than any structured initial preparation, the educators undergo "on the job" training by shadowing expert

operators. The training usually occurs through a period of placement, or by the carrying out of compulsory civil service (as an alternative to military service) working on the project. At the end of these training experiences, and sometimes after an additional period of volunteering, the aspiring operators are ready to be recruited.

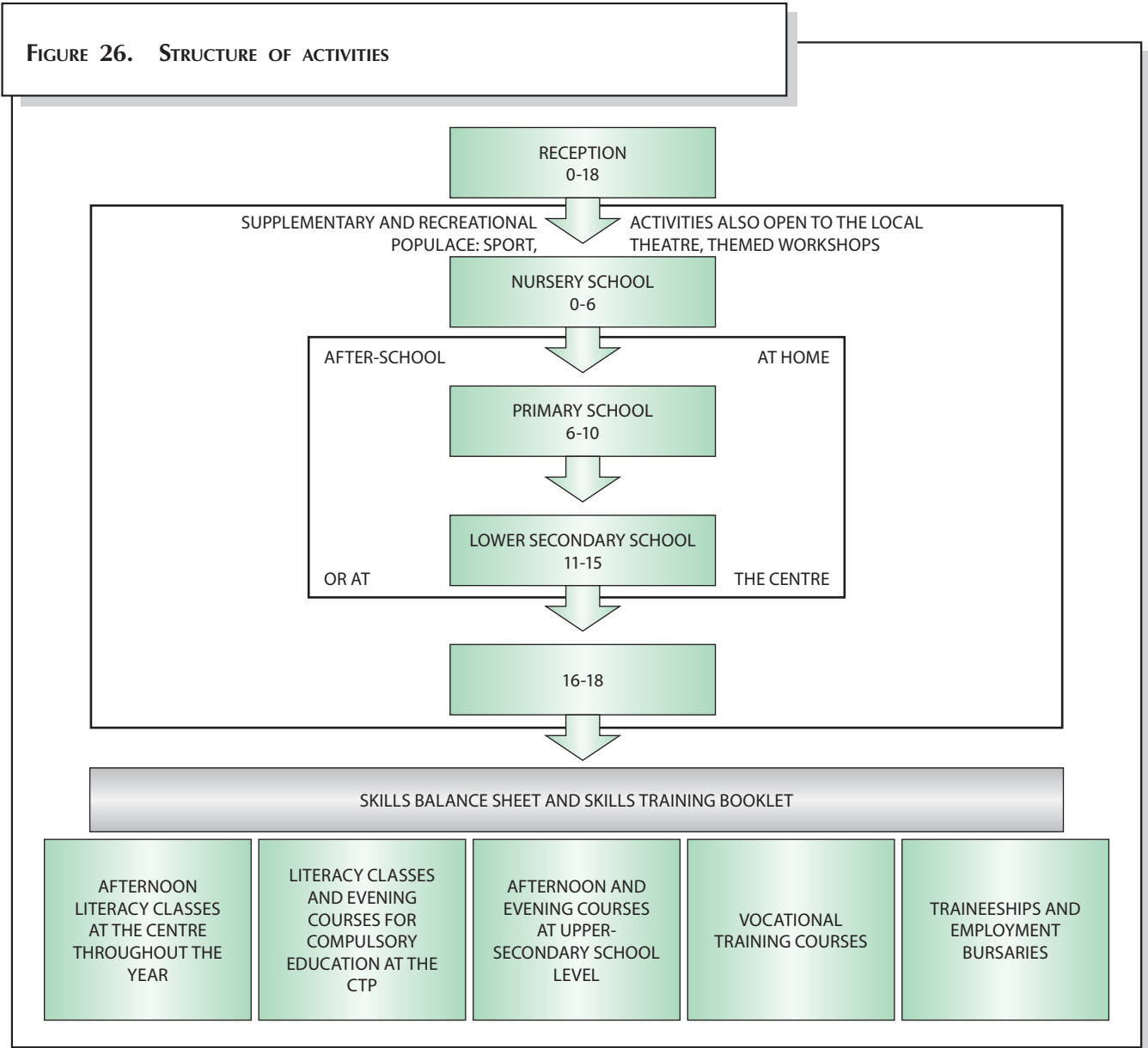
Particularly for unaccompanied minors, the project represents an infrastructure within which the dynamics of family life can be reproduced. For this reason, attempts are always made to achieve the right gender balance between the operators employed in the Centre. In addition, the operators work on a rota system that is intended to prevent the formation of overly exclusive (and potentially traumatic) personal bonds.

2.7. Monitoring and evaluation

The modus operandi that the Terra d'Asilo project has succeeded over time in putting in place is also the result of ongoing monitoring and evaluation.

It has proved indispensable to implement a process to supervise the work done, above all in light

FIGURE 26. STRUCTURE OF ACTIVITIES



of the fact that the constant interaction, on the part of the operators, with fragile individuals who have undergone challenging experiences, could be destabilising and, over the long term, could impact on the operators’ capacity to act in a professional – and, as far as possible, detached – manner.

For this reason, the Centre’s psychologist has been charged with the responsibility of organising, on a monthly basis, group meetings with all of the operators, with a view to highlighting any critical situations relating to individuals within the group, as well as limitations, objectives reached and new requirements, which can then be submitted to the project manager.

3. IDENTIFICATION AND ANALYSIS OF THE STAKEHOLDERS

Terra d’Asilo is an intervention structured on the basis of a national reception and integration model for asylum seekers (the model implemented by the SPRAR). Terra d’Asilo, however, has a strong local connection deriving from the identity of the stakeholders with which the agency managing the service (ARCI Lecce) interacts.

One of the main strengths of the practice being analysed here lies in the capacity of the operators to work as part of a local network and to optimise

the opportunities and resources made available by the actions of other subjects, which are necessary to guarantee the integration into schools of minors seeking asylum. For unaccompanied minors, support is provided with a view to allowing them to achieve full emancipation in terms of social integration, training and employment, in order to make them independent when they reach the age of majority, once they have exited the protection programme.

As such, the operators of the managing agency have always focused on leveraging synergies with the local area, in order to ensure that the minors under protection do not only have their basic needs met (board and lodging, legal consultancy, basic literacy) but also that they reach standards of education and training that will enable them to progress with their studies and find suitable employment.

The first phase for the activation of the network is the stipulation of Memorandums of Understanding between the Council – in its role as the local agency associated with the SPRAR that must guarantee across the area under its own jurisdiction the implementation of interventions of "integrated reception" – the managing agency (which is responsible for the delivery of these interventions) and the schools and training institutes involved, which must ensure, in line with the current regulations, the integration of immigrant minors into education and training programmes.

The Memorandum of Understanding, which is valid for a year and renewed on a rolling basis, delineates the institutional framework within which the collaboration should take place, setting out the roles and actions of the parties.

In particular, within the protocol:

- the Council of San Pietro Vernotico commits to:
 - promote and develop stable forms of inter-institutional co-operation to guarantee an ever-larger integrated offering of services geared towards the social inclusion and integration of vulnerable groups, with particular reference to the immigrant population, creating conditions of equal opportunity for access on the part of foreign minors to the life of the community;
 - promote immigrants' participation in social life, with a particular focus on minors and women, through associations or through new forms of unsolicited aggregation;
- implement and/or promote programmes that facilitate the cultural and social insertion of immigrant minor citizens, promoting the co-ordination of reception policies through the various phases, ranging from initial emergence to integration, facilitating the combined leveraging of the local resources;
- the educational/training institute involved commits to:
 - implement its educational action on the principles of peace, solidarity and the full realisation of the individual;
 - promote, within its own field of competence, all possible initiatives geared towards boosting interaction with other peoples and towards making possible the full integration of all the subjects within the most vulnerable groups in society;
 - design and implement specific initiatives, including initiatives in combination with agencies and associations, targeted at the promotion of equal opportunities;
 - promote integration on the part of immigrant minors into educational programmes, in the ways and forms permitted by current legislation, also organising – wherever the conditions and the necessity exist – the insertion of cultural and linguistic mediators;
 - promote the spread of information on the legal status of foreigners within Italy and the use of those services made available by the public sector administrative agencies;
- the ARCI, as the managing agency, commits to:
 - receive, listen to, guide and provide tangible support to those in difficulty, Italians and foreigners alike, who turn to the ARCI, paying particular attention to what those people say and also to what they do not make manifest – i.e. their deeper, unexpressed needs;
 - work in synergy with the public and private-sector agencies operating in the area, through the protection of individuals to ensure that they take control of their history, which is the first step towards resolving their distress, acknowledging their dignity and sense of responsibility;
 - promote a culture of solidarity, constantly providing information to, and raising the awareness of, civil society;

- promote studies, conferences, meetings and initiatives that contribute to developing the understanding of the phenomenon of migration and its characteristics, in collaboration with other public-sector agencies and associations, both nationally and internationally;
- promote the spreading of information on the legal status of foreigners in Italy and on the utilisation of the services made available by public-sector administrative bodies and the private/social voluntary sector within the area that are geared towards foreign citizens;
- promote the attendance at school of minors with a view to achieving a better evaluation of their educational history in their countries of origin and greater social integration with their peer group;
- share the best practices developed by the SPRAR in the field of networked reception, promoting the implementation of projects that support and enhance programmes of assistance, protection and integration for asylum seekers, refugees and those with humanitarian permits.

In light of all of the above, it can be stated that the implementation of learning programmes and the delivery of training activities geared towards the insertion and integration of minors are based on the full collaboration of the interested parties, each dealing with its own area of responsibility. By the same token, it can also be stated that the integration programme is implemented by the day-to-day action of the operators, whose priority is to maintain the stakeholder network, with the objective of ensuring the inclusion of the minors and the monitoring of their progress at school, whether they are accompanied or not.

The operators' activities of mediation, listening and information-gathering are conducted day in, day out, and are based on a problem-solving approach – i.e. one that is focused on finding or developing customised solutions to deal with the specific issues affecting each case, which relate to the personal history of the individuals and to the context of their provenance, and also to the ongoing organisational, administrative, relationship-based, cognitive and other difficulties that the individuals may face.

The development of relationships, particularly those with the school-based operators, depends not only

on the professional skills of the project operators but also on their sensitivity and the extent to which they become involved in the specific issues affecting each case. The empathy of the operators is, then, crucial in terms of the quality and consolidation of the relationships between the various stakeholders, impacting on the composition of the network and on the selection of possible counterparts in the educational and training fields.

Indeed, while the educational institutions are steered by the ministerial rules to receive minors into the age-appropriate class until they reach the age where there are no longer required by law to attend school, the real scholastic integration of the minors – who often do not speak Italian and have low levels of literacy – involves receiving them, inserting them into classes and taking responsibility for them via the provision of educational catch-up programmes. The constant presence and interest of the cultural mediator guarantee the creation of a virtuous circle, which:

- enables the school and the managing agency to co-operate in order to ensure ongoing support for the minor both inside and outside school;
- stimulates responsiveness and joint research into possible solutions to problems that may arise;
- impacts on the processes and approaches adopted by the educational and training institutes, bolstering their capacity to receive and manage this particular type of user base.

Although the managing agency and the educational institutions represent the key actors in the processes of educational integration for minors seeking asylum, it is also necessary to acknowledge that the role of the local agency (in this instance the Council) is an essential element in any form of partnership between them. Indeed, it is important to bear in mind that the local agency is fundamental, since it is the owner of the intervention, and, therefore, the only agency permitted to request access to funding for entry into the public-sector reception system, as envisaged by the National Fund for Asylum Policies and Services, set up by the Interior Ministry and put out to tender on a triennial basis (2011 – 2013). On presentation of the request, the Council decides on the implementing agency of the intervention (in this case the ARCI Lecce) and commits to co-funding 20 per cent of the total cost of the project.

As such, the voluntary adherence of the Council of San Pietro Vernotico to the public sector reception system has created the conditions to allow the area to become a “land of asylum”, promoting interventions of reception, assistance, protection and integration for asylum seekers and refugees, for whose benefit the energies and resources available within the local community can be leveraged.

4. EVALUATION

The main impact of the practice being analysed here lies in the capacity demonstrated by the project team to leverage the local network and to make the most of the opportunities and resources made available by the work of the other subjects. The resources are necessary to support the full social, employment and training emancipation of accompanied and unaccompanied minors and their family units, with the objective of making them self-reliant upon exiting the protection programme.

This has transformed an area within the south of Italy, which is on the periphery with respect to the issues of globalisation and is relatively unaffected by migratory flows into a cutting edge region in terms of the approach taken by the local community towards the reception of immigrants.

Indeed, before launching Terra d’Asilo, San Pietro Vernotico had limited synergies between local associations and the voluntary sector, while the native populace – mostly concerned with local issues – showed little interest in emerging social issues and was not well-equipped to deal with them.

The newly launched Terra d’Asilo project immediately set itself the objective of developing a networked process based on continuous co-operation and constructive comparison between the agencies involved, geared towards involving simultaneously the third sector, institutional actors and the world of employment, with a view to promoting reception, creating processes of interaction and opportunities for integration.

In this way, after the initial steps, the project generated a great deal of interest, lively curiosity and a marked sense of solidarity on the part of the populace of this small town; these factors succeeded

in overcoming attitudes of diffidence, tinged with blame and disapproval.

Regardless of the fact that the regular awareness-raising and information initiatives undertaken by the Council and by the ARCI are compulsory parts of the project, they have proved to be very useful in helping the community to understand the supportive purposes of the project.

In this context, it is worth stressing that the strategic choice made by the Central Service to distribute refugees and asylum seekers in small numbers throughout the area (numbers that would be relatively easy to absorb in physiological terms by the destination districts), combined with the local awareness-raising programmes implemented by the managing authority (ARCI), certainly reinforced the introjection at local level of the value of the reception initiative.

By operating as an effective network since 2004 the area has been able to:

- sign twenty-seven Memorandums of Understanding (examined in the previous section) with schools, healthcare services and sporting associations, which have provided the legal tools through which it has been possible to lay the groundwork and define, between the parties, the respective institutional remits, with a view to ensuring that the minors benefit from an “integrated” form of reception, in which education and training are major components;
- establish direct, durable communication channels with educational and vocational training institutes (primary schools, lower and upper secondary schools, evening courses for adults, vocational training institutes) for the rapid, effective insertion of minors;
- monitor their integration into the various educational contexts and support their learning;
- optimise or adapt the available training opportunities to match the specific requirements of the minors;
- make the minors fully autonomous, promoting their entry into the world of work at local or national level.

A fundamental aspect covered by the project has been the customisation of the programmes, which has in turn determined the constant reconfiguration of the network.

Amongst the guidelines set out by the Central Service with which the projects are expected to comply – as contained in the project-management manual – there is the requirement for the operators to draft an individual plan for each beneficiary. The plan should respect the beneficiary's aspirations and personal inclinations and should concentrate on making the most of the resources, experiences, skills and knowledge that they have developed during their lives.

In this regard, the Terra d'Asilo project – despite the limited resources made available to it locally – has shown itself to be a valid solution, succeeding (particularly in relation to those minors closest to the age of majority) in creating the opportunity to choose from a wide range of training programmes, as described above, which respond as effectively as possible to the local demand for labour.

5. RECOMMENDATIONS AND CONCLUDING REMARKS

Terra d'Asilo operates within a national public-sector mechanism for which the State is directly responsible, with the Interior Ministry playing a central role based on multi-level governance delivered through the decentralisation of the interventions. The local agency – the policy of which is strongly characterised by its close-knit relationships with the local area, its capacity to govern on the basis of participative democracy and its marked solidaristic vocation – has become the privileged laboratory for the experimentation of interventions along the lines of the aforementioned principles.

Decentralisation has also made possible a *de facto* (as well as formal) assumption of responsibility by the various institutional levels, leading to the awareness of the local areas and populations being raised, to an increasing realisation of the potential of these areas and to a consequent increase in the expertise of all the agents involved in the management of the various processes implemented at local level.

Within the public-sector reception system, the element of voluntary adhesion has not only reinforced the assumption of responsibility but has also served as an antidote to social tensions and

as an expression of the unsolicited sharing of the project.

Last but not least, as the main point of reference for the local project, the local agency guarantees the establishment and development of the inter-institutional relationships that are necessary in order to expand the support network for the implementation of the services intended to benefit refugees and asylum seekers. The result is the creation of an original organisational set up, in which the skill sets of the public-sector agencies, private-sector agencies and third-sector bodies are integrated across all levels.

The operational mode of the System is based on a spiral model that sees the implementation of a bottom-up/top-down process, involving numerous agents at both the local and central levels (the State, local agencies, associations, schools, services, unions, businesses, etc.), each with its own specific fields of expertise and its own remit for one or more parts of the interventions implemented.

The fundamental element of the model is the network – a veritable planning agent – which is able to represent a permanent laboratory and a stable frame of reference for the beneficiaries and for the operators involved in the management and implementation of the activities.

The logic of the network is also crucial to the relationships between the various projects encompassed by the System. Being part of the network affords the local agencies the possibility to measure themselves against each other, to find out about the best practices put into action by other projects, to access information and alter methodologies that have already been implemented, and to share commitments and responsibilities. The functionality of the network is also facilitated by the presence of a body that operates at central level – the Central Service – which deals with co-ordinating, forming and monitoring the local projects.

The integrated working model that takes in the various projects and agents proposed nationally corresponds at local level with the local networks that the individual projects are invited to establish for the implementation of the activities assigned to them – Terra d'Asilo being a case in point.

The model envisages the full involvement of the local area that plays host to the project, through the collaboration of all the public-sector and private-sector agents that are able to support the programmes of reception and integration for refugees and asylum seekers. Through the local networks, the resources are optimised: the financial resources through the integration of the available funds and services; and the human resources, in terms of the availability and development of skills and knowledge. Indeed, it is within the local networks – specifically, within the local areas in which they are located – that refugees and asylum seekers can be integrated. Rather than concentrating the beneficiaries in large groups, they are scattered across the country in relatively small clusters.

Multilevel governance, adherence to the System by the local agencies, institutional proximity to the beneficiaries of the services, public/private partnerships and the involvement of local areas and communities – these are the key components that must be present at all times to order to ensure the successful transfer of the experience accumulated during a project such as Terra d’Asilo; despite the fact that the project is implemented through local agreements, it is based on a form of institutional architecture that is relatively complex. To guarantee the success of local projects that have as their

beneficiaries refugees in general, and minors in particular, it is necessary for those projects to be supported by a stable regulatory, organisational and economic infrastructure that is geared towards achieving set outcomes.

The sustainability of the practice depends, first and foremost, on the presence of a regulatory framework on immigration and on schooling, which will make it easier for minor-age refugees to attend school and thrive within the education system.

Secondly, the presence of a central agency such as the Central Service is essential to deal with the co-ordination, formation and evaluation of the projects.

Last of all, sustainability is assured by the existence and availability of the resources of the National Fund for Asylum Policies and Services, put out to tender on a triennial basis. The Fund was established in 2002, and at the moment funding is in place until 2013.

At present, there is no reason to think that the funding will be curtailed, since the number of refugees in Italy is on the increase and, moreover, the SPRAR is unanimously considered to be an example of best practice at national level, as indeed is the Terra d’Asilo project at local level.

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LIST OF ABBREVIATIONS

ANCI	– Associazione Nazionale Comuni Italiani, National Association of Italian Municipalities
CTP	– Centro Territoriale Permanente, Permanent Territorial Centre
FNSPA	– Fondo nazionale per le politiche e i servizi d’asilo, National Fund for Asylum Policies and Services
SPRAR	– Sistema di Protezione per Richiedenti Asilo e Rifugiati, Protection System for Asylum Seekers and Refugees

2.2. SOCIAL IMPACT ASSESSMENT OF THE POTENTIAL IMPLEMENTATION OF THE ITALIAN SPRAR PROJECT “TERRA D’ASILO” IN BULGARIA

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1. METHODOLOGICAL INTRODUCTION

The present Social Impact Assessment (SIA) is based on qualitative methods of research that include semi-standardised interviews, focus group discussions and review of relevant documents. The qualitative approach of the study was shaped by the realities of the local context. Those include the small number of refugee and asylum seeking children arriving in the country, the scattered model of school enrolment with no high concentration of RASC in specific schools, and the absence of a database monitoring attendance rates and school performance of pupils from this specific group. These circumstances, combined with the fact that the expert community working in the field is small, with all stakeholders centred in the capital of Sofia has shaped a research approach fully based on assessment of qualitative data.

The SIA research was conducted between 15 May and 12 July, 2011, and involved conducting ten in-depth interviews with representatives of the main stakeholder groups and institutions and one focus group discussion with RASC teachers. These interviews were conducted following the review of pertinent legislation, strategic documents and related reports to allow the analysis of the legal and institutional framework within which the educational integration of RASC is being implemented in Bulgaria.

Following this analysis, semi-standardised interviews were conducted with the following experts:

- The Director of the Integration Centre of the State Agency for Refugees (SAR);
- An Education expert from the Integration Centre of SAR;
- The Director of the Refugee and Migration Service at the Bulgarian Red Cross (BRC);
- An Education officer at the Refugee and Migration Service at BRC;
- The Chairwoman of the Association for the Integration of Refugees and Migrants (AIRM);
- The Chairwoman of the Council of Refugee Women (CRW);
- The Director of the Education Department of Sofia Municipality;
- An Expert at the Education Department, Sofia Municipality;
- The Director of the Department of Prevention, Integration, Sport and Tourism, Sofia Municipality;
- A Refugee, parent of three children studying in Bulgarian public schools.

One focus group discussion was conducted with six teachers from the public school in Sofia which hosted the most RASC pupils in the country during the 2010 – 2011 school year – a total of eighteen children enrolled in the school throughout the school year. Five of the interviewed teachers had RASC pupils in their classes – two of them were second grade teachers, two were third grade teachers and one was a preparatory school-group teacher.¹ The sixth participating teacher was in charge of the after-school study room which was not visited by RASC pupils during the school year.²

The interviews and the focus group discussions were conducted based on the written summary of the Terra d’Asilo practice that was sent to the stakeholders prior to the meeting (see Appendix 1 and Appendix 3). In addition, a preliminary

¹ Pre-school preparatory education is being offered in all public schools in Bulgaria for kids at the age of five or six but is optional.

² After-school study rooms are available free of charge for pupils of 1st – to 3rd grade – attendance is optional.

set of questions was made available to some stakeholders upon request (i.e. the Education Department of the Sofia Municipality). While the interviews lasted for approximately 1.5 hours, the focus group discussion lasted for 2.5 hours. The interview process involved: an explanation of the overall framework of the project and the aims of the interview; an introductory discussion of questions regarding the achievements and gaps in the educational integration of RASC relevant to that area of the system that was within the scope of responsibility and implementation authority of the respective stakeholder; an oral summary of the Terra d'Asilo practice on the part of the interviewer; discussion of questions, related to the SIA exercise. The interviews and the focus group were conducted in accordance with stakeholder specific questionnaires developed following the country-specific SIA methodology.

Questionnaires (Appendix 4) were developed in line with three main criteria along which the analysis of outcomes, impacts and risks, related to the potential implementation of the Terra d'Asilo practice in Bulgaria was to be conducted. These criteria were:

- Improved inclusion of RASC children into the public school system;
- Improved quality of education for RASC;
- Empowerment of RASC (and their parents) for comprehensive educational integration.

The questionnaires were also developed in line with particular indicators specific to each of the three criteria. The indicators were designed as a potential set of positive outcomes and impacts desired in the context of Bulgaria and aimed at overcoming the existing shortcomings of the system. While the Terra d'Asilo practice was evaluated to successfully address these indicators in Italy, it was the task of Bulgarian researchers to test whether similar outcomes were to be triggered if the practice were introduced in Bulgaria.

Whether the practice is to effect **improved inclusion of RASC into the public school system** of Bulgaria was to be demonstrated if all or most of the following indicators were to be enacted:

- Increased share of RASC enrolled in school grades corresponding to their age;

- Increased share of RASC of older age (thirteen and above) enrolled at school;
- Diminished number of children who enter school later than three months after filing their asylum application;
- Increased school attendance.

Whether the practice is to bring about **improved quality of education for RASC** in Bulgaria was to be demonstrated if all or most of the following indicators were to be enacted:

- Improved Bulgarian language proficiency of RASC;
- Improved school performance of RASC (RASC exhibit educational achievement closer to those of the native students);
- Facilitation of teachers' work with RASC;
- Improved psychological comfort of RASC in school.

Whether the practice is to effect **the empowerment of RASC (and their parents) for comprehensive educational integration** in Bulgaria was to be demonstrated if all or most of the following indicators were to be enacted:

- RASC children and their parents are well informed about the educational opportunities available for their children;
- RASC children and their parents have a strong voice in choosing the best educational schemes and alternatives;
- RASC children and their parents feel comfortable to voice their concerns before the relevant educational institutions;
- Children's views have an impact upon educational services delivery.

2. BACKGROUND AND LOCAL CONTEXT

The description of the local context and the problem that the Terra d'Asilo practice addresses relies on data collected in the framework of the SIA study with some information being collected in the course of a situation analysis conducted by the CSD team during the first stage of the INTEGRACE project (between November 2010 and January 2011). That study involved analysis of the legal, institutional

and operational frameworks with regard to RASC enrolment and integration in school.

The problem that the present SIA puts under discussion regards the quality of inclusion and the quality of education provided to RASC in Bulgarian public schools. The particular legislative regulations regarding school access for RASC in Bulgaria and the procedures for school enrolment in place lead to a two-stage process of educational integration. The first involves preparation for school enrolment and the second involves schooling. At present there is a marked disparity in the existing assistance schemes provided in the two stages of RASC educational integration. All RASC-tailored assistance programmes are concentrated in the initial pre-school phase and no programmes are in place once RASC join the public school. Irrespective of the low level of knowledge of the Bulgarian language and the lack of any preparatory courses in the main subjects, once in school RASC receive no additional training or consultations tailored to their specific needs. They are expected to follow the mainstream curricula without any parallel support training programmes within or outside the school.³ The work of RASC teachers is hindered by the absence of schemes of translation and mediation between them, RASC pupils and their parents, the absence of schemes of individual pre-school assessment and profiling of the child, and the absence of formal schemes to allow them provide additional training and consultations to RASC when needed.

The local community: Between 1993 and 2010 the inflow of asylum seekers in Bulgaria was rather low, and so was the inflow of asylum seeking children. During that period a total of 18,790 asylum applicants arrived in the country, of which 3,129 were children. Eleven per cent of these children had a recognised refugee status and 28 per cent were granted humanitarian status. The top origin countries of asylum seekers and asylum seeking children were Afghanistan (30 per cent), Iraq (24 per cent), Armenia (9.6 per cent) and Iran

(4.8 per cent). While the refugee inflow used to be dominated by single men, over the last few years a tendency was observed for ever more increasing shares of families and children.⁴ There is no systematic data however, regarding the gender and age profile of the group of asylum seeking children and respectively of children who have been included in the public school network. A rough idea of the average annual inflows of RASC in school age could be given by the data for 2010 according to which out of the total of sixty-three RASC who entered the country, thirty-eight (60 per cent) were of school age. The overwhelming majority of asylum seekers, recognised refugees and humanitarian status holders tend to stay and live in the capital of Sofia as the combination of reception and integration services is offered in the capital only.⁵

The small inflow of refugees and the moderate number of incoming RASC has contributed to developing an integration system mostly focused on the needs of adult refugees that only recently involved a more specific focus on the needs of RASC. It also contributed to the development of an educational integration system with the capacity of assisting moderate inflows of refugee and asylum-seeking children.

Legislative framework: The education of RASC in Bulgaria is assured by the Law on Asylum and Refugees, article 26, which stipulates that asylum seeking children have the right to education and professional training, subject to the procedures and (eligibility) conditions for Bulgarian citizens. Article 54 (4) of the same Law states that certificates for completed education are recognized and legalised following the internal laws of the country.⁶ Following the rules and procedures for access to school for Bulgarian nationals – RASC could be enrolled in Bulgarian public schools if they provide proof of level of completed school grade by means of a respective school certificate from their home country. The condition does not apply to RASC at the age of six or seven as this is

³ Only one such scheme exists outside the school. A study room for assistance with homework placed at the office of the SAR Integration Centre.

⁴ Accumulated data on refugee inflows between 1993 and October 2010 shows a male dominated population with a 70 per cent share for men, 16.7 per cent for children and 13.5 per cent for women (SAR statistical data).

⁵ The National Programs for Integration of Refugees in the Republic of Bulgaria (2008 – 2010 and 2011 – 2013) which set the frame and rules for provision of integration services are operational in the capital of Sofia only.

⁶ Law on Asylum and Refugees. Bulgaria/Law on Asylum and Refugees (31.05.2002)/SG 54 (31.05.2002)

the age for first-graders in the country. However, children above the age of seven are requested to prove level of completed schooling in order to be placed in grades corresponding to the curricula they followed in their home countries. Since the majority of incoming asylum seeking children do not carry any school certificates upon entry into the country (in 2010 only 8 per cent of the children in school age presented school certificates before school authorities) they go through a special school enrolment test.

The educational integration of RASCs thus undergoes two stages: **a)** preparation for school enrolment – to last from three to six months – and **b)** integration into the public school system. While special training and support schemes are implemented during the first stage, no such schemes are provided in the second (core) stage of the educational integration process.

Institutional context: At present the assistance and integration services targeting refugees and asylum seekers in Bulgaria are being provided on a centralised basis. The State Agency for Refugees, which is responsible for conducting procedures assuring the access of refugees in the country in accordance with international standards, is also the institution responsible for managing the funds and implementing the activities related to integration, including the educational integration of RASC. Those activities are implemented in accordance with the National Programs for the Integration of Refugees in the Republic of Bulgaria (2008 – 2010 and 2011 – 2013). The core of the integration activities are provided within the Integration Centre of SAR by SAR experts with supporting activities being commissioned to refugee support and human rights NGOs such as the Bulgarian Red Cross, the Bulgarian Helsinki Committee, the Assistance Centre for Torture Survivors, the Council of Refugee Women and some other organisations.

The process of RASC educational integration is being organised according to a centralised model as well with SAR implementing and controlling stage one and the Ministry of Education and Science being responsible for stage two of the process. SAR responsibilities with regard to the first stage of the process involve providing a three-month preparatory course in the Bulgarian language to asylum seeking children, arranging pre-enrolment tests at the

Regional Inspectorate on Education, arranging the legalisation of school certificates of RASC children, providing assistance in the submission of school enrolment applications, and actual school registration of RASC. One NGO – the Bulgarian Red Cross – is assisting the process by organising a summer camp with Bulgarian language training for newly arrived RASC and providing free school appliances to RASC pupils enrolled in school. Once enrolled in school, RASC pupils are trained according to programmes and curricula for Bulgarian children. No training programmes, teaching materials or assistance schemes tailored to the specific needs of RASC pupils are available.

The Terra d'Asilo practice (Appendix 1) was selected by the CSD research team as it provides a system of educational services to RASC (upon and after their admission in schools) that could offer a solution to some of the identified gaps of the system of RASC educational integration in Bulgaria. These shortcomings will be listed along with the three criteria selected for the SIA investigation:

RASC inclusion in the public school system

1. There is no correspondence between the preparatory pre-enrollment course offered at SAR and the mandatory school enrollment test given to RASC at the Regional Inspectorate on Education. While the preparatory course offers training in the Bulgarian language only, the Test Committee at the Regional Inspectorate on Education examines general subjects as well as knowledge of Bulgarian. In this context a methodology is needed to harmonise the areas and levels of knowledge required by the pre-enrollment test with those offered at the preparatory course;
2. MEYS has not developed an official school enrolment test for assessment of RASC knowledge prior to their admission in school. The tests that are currently being conducted by the Ministry are informal and do not correspond with the pre-enrolment preparatory training that RASC receive at SAR;
3. The pre-enrolment preparatory training at the Integration Centre of SAR is offered in parallel with one more training service – providing help with homework to RASC already enrolled in school. Both training services are provided by a single teacher in the same training room to a

dynamic group of RASC of different ages and different school grades;

4. The preparatory Bulgarian language course offered at the Integration Centre of SAR offers no personal textbooks and study notebooks to RASC and is not equipped with audio-visual devices highly relevant to modern standard language trainings;
The specificities of the pre-enrolment preparatory training listed in points 3 and 4 then affect the quality of training received in the preparatory phase of school enrolment which is crucial for the grade allocation of RASC.
5. The general rule is to place RASC of older ages (thirteen and above) in the first classes of schooling (1st to 3rd grade) as they usually demonstrate low results at the school enrolment test. This however, furthers a number of undesirable tendencies: it lowers significantly their motivation to attend school and their concentration in class. In addition, it poses methodological difficulties in the work of their teachers, and strains the group dynamics of the class due to the age and psychological disparities between small and older children. All these result in a high dropout rate for refugee and asylum-seeking children;
6. Schools and respectively RASC teachers receive no prior information about the RASC pupils who are enrolled in their classes as there is no system of individual profiling and (educational) needs assessment in the pre-enrolment phase.

Quality of education provided to RASC

1. The absence of translators or/ and mediators at both the SAR Integration Centre and the school has two important negative consequences:
 - hindered or no communication between RASC parents and the school;
 - hindered communication between teachers and RASC pupils especially during the first six months after school admission, which effectively slows down the training process and adds to the psychological burden of children after their introduction to the new school environment.
2. Once in school, RASC are expected to follow the mainstream curricula and receive no additional training in Bulgarian or in general subjects. The absence of additional training programmes tailored to the specific needs of RASC in school leads to two important negative outcomes:

- RASC performance at school is lower than that of Bulgarian pupils;
 - the work of teachers is being hindered (and in fact considered by themselves sometimes ineffective) as schools have no tools and funding at their disposal to assist RASC outside of the mainstream curricula and programmes.
3. Generally RASC lack the necessary school appliances such as working notebooks, as well as basic school supplies which are not provided freely as there is no sustainable mechanism assuring their provision. Very often they are short of school supplies which also affects the level of their involvement in class work. Therefore, they are often deprived from taking part in class-work;
 4. No particular trainings have so far been provided to RASC teachers in: teaching Bulgarian as a second language; intercultural education; work with traumatised and psychologically distressed children;

Empowerment of RASC and RASC parents

1. RASC and their parents are not well informed about the overall education process and about all educational opportunities available in Bulgaria's public schools;
2. The experience and opinion of RASC and RASC parents have not been systematically solicited or taken into consideration by the respective institutions in the policy making process as regards RASC education.

Similarities and differences between the contexts in Bulgaria and Italy:

RASC community: While Italy is a country characterised by significant refugee inflows (as opposed to Bulgaria), the municipality San Pietro Veronico where the Terra d'Asilo practice was evaluated has a population of 15,000 people and a small number of refugees. Integration services within Terra d'Asilo are based on customised and individualised approach with a total of fifteen beneficiaries being assisted at one time. The size of the project and its individualised approach are advantages in terms of applicability and transferability to the Bulgarian situation.

Legal framework: The educational integration of RASC in Italy (Appendix 3) is organised in one

stage – within the school with parallel supportive training activities being provided by outside organisation/s (ARCI, training institutes). No school certificates from home countries and no knowledge of Italian are required for RASC enrolment at school. RASC are placed in classes according to their age.

In Bulgaria both school certificates from home countries and a beginner's level of knowledge of Bulgarian are required for school enrolment. For this purpose the process of RASC educational integration is organised in two stages. The first preparatory stage includes a three-month Bulgarian language course, official pre-enrolment test and school registration. The second stage of training at school is not supported by any parallel training activities neither inside nor outside school.

While public schools in Italy have significant autonomy in deciding upon grade placement of RASC pupils and the specific training paths they are to follow, public schools in Bulgaria accept RASC according to centrally issued decisions of grade placement.

General integration approach: While the integration system in Italy is based on a decentralised model, based on sharing responsibility between the Interior Ministry and local agencies (Appendix 2), in Bulgaria integration measures are centralised with services provided exclusively in the capital of Sofia – with implementation, control and supervision being the prerogative of the State Agency of Refugees.

3. STAKEHOLDER IDENTIFICATION AND ANALYSIS

The provision of integration services to asylum seekers and refugees in Bulgaria has gone through two stages. From 1993 to the late 1990s refugee protection and assistance care was funded predominantly by UNHCR with activities in the realm of integration being dominated by the NGO sector. The main organisation involved in the educational integration activities for adult refugees and RASC was the Bulgarian Red Cross (an NGO).

TABLE 53. MAIN STAKEHOLDERS INVOLVED IN THE TERRA D'ASILO PROJECT IN ITALY

Stakeholders	Role and level of participation in the intervention
Ministry of the Interior	Holder of ENSPA (National Fund for Asylum Policies and Services) that assures funding for Terra d'Asilo on the basis of tenders (with a 20.0 % co-financing requirement)
National Association of Italian Municipal Councils	In charge of CENTRAL SERVICE of SPAR (System of Protection for Asylum Seekers and Refugees): provides information, promotion, consultancy, monitoring and technical support to local agencies (including those working under the Terra d'Asilo project).
Municipalities	Act as Local Agencies responsible for SPAR implementation at local level; Apply for tenders at ENSPA, selects local implementing agency and commit to 20.0 % co-funding.
ARCI (non-profit social promotion association with offices throughout Italy)	Implementing agency and main service operator
Local Schools	Local partner
Training Institutes	Local partner

The organisation held Bulgarian language courses, out-of-school subject training for RASC, provided school materials and appliances to RASC pupils free of charge and assisted them with school registration and enrolment. Since the mid 1990s the financial involvement of the Bulgarian state gradually started increasing as it covered 25 per cent (after 1997) and later 50 per cent (after 1999) of related costs. The establishment of a Registration and Accommodation Centre and an Integration Centre for refugees in the capital of Sofia (2001) marked a significant expansion of the Bulgarian state's responsibilities in the area of refugee access and protection. Since then, via the Integration Centre at SAR, the Bulgarian state

has become ever more directly involved in the implementation of integration services for refugees. Those services are designed in accordance with the National Integration Programs for Refugees in the Republic of Bulgaria (2008 – 2010 and 2011 – 2013) which are funded by SAR.⁷ In this new context the dominating role of the NGO sector in the realm of refugee integration was gradually diminished as the Integration Centre at SAR became the leader in the field. At present the core of the integration services for asylum seekers and refugees, including those dealing with the educational integration of children, are implemented at the Integration Centre of SAR.

TABLE 54. DIRECT COUNTERPARTS AND CORRESPONDING COUNTERPARTS TO THE TERRA D'ASILO STAKEHOLDERS IN ITALY

Terra d'Asilo stakeholder in Italy	Direct counterpart	Corresponding counterpart
Ministry of the Interior	Bulgaria's Mol operates with funds allocated to border management and administrative controls over the foreign population in the country.	According to LAR, art. 46 the State Agency for Refugees (SAR) is the state body with special competences in the field of refugee protection and integration. SAR is: <ul style="list-style-type: none"> • responsible for administering and managing the state fund for the implementation of the National Programs for the Integration of Refugees (NPIR) in Bulgaria; • the competent body and manager of the European Refugee Fund (ERF), LAR, art. 53 (12). (the two major funds for refugee integration services in the country)
National Association of Italian Municipal Councils	The National Association of Municipalities in the Republic of Bulgaria was never involved in the refugee reception and integration system.	SAR as the agency managing the NPIR and ERF funds provides information and monitoring to selected implementing agencies (usually NGOs). However, services such as consultancy and technical support are still to be developed by SAR.

⁷ Резюме на дейностите на Интеграционния Център към ДАБ, с 17, (Summary of the activities of the Integration Centre of the State Agency for Refugees, p. 17), www.eref.bg, <http://www.eref.government.bg/?cat=16> (accessed 15 July 2011).

TABLE 54. DIRECT COUNTERPARTS AND CORRESPONDING COUNTERPARTS TO THE TERRA D'ASILO STAKEHOLDERS IN ITALY (CONTINUED)

Terra d'Asilo stakeholder in Italy	Direct counterpart	Corresponding counterpart
Municipalities	A total of 262 Municipalities. None of the 262 Bulgarian Municipalities, including the Sofia Municipality, have been involved in the refugee reception and integration system.	Integration services to asylum seekers and refugees are provided in the existing two registration and accommodation centres in the country (in Sofia and in the village of Banya) which are under the jurisdiction of SAR. ⁸ The comprehensive package of integration services, however, is offered in Sofia only where the SAR Integration Centre is located.
ARCI	As ARCI is neither a governmental nor non-governmental body, there is no organisation of similar status in Bulgaria.	One NGO – The Bulgarian Red Cross (BRC) has twenty-eight offices throughout the country and long standing experience (130 years) in humanitarian and social activities. According to LAR, BRC is a major partner institution of SAR in the implementation of social, medical and psychological services (art. 53, 4); the organisation of information activities and humanitarian campaigns (art. 53, 5); the organisation of labour activities leading to acquisition of profession (art. 56, 1). The Refugee and Migration Service at BRC, however operates in the central office in Sofia only.
Local schools	Public schools in Bulgaria are placed under the responsibility of two institutions: <ul style="list-style-type: none"> • Issues of training and methodology are under the direct central jurisdiction and supervision of MEYS via the Regional Education Inspectorates (RIE). • School budgets are being distributed by local Municipalities which have responsibilities only in the fields of school buildings, safety and food. 	
Training Institutes	There are a number of language training institutes throughout Bulgaria yet none of them has been directly involved or commissioned to implement training of refugees and asylum seekers.	The Integration Centre located at SAR provides: <ul style="list-style-type: none"> • language courses for adult refugees; • preparatory language courses for RASC; • professional/vocational training for adult refugees.

⁸ A third such centre is about to be opened in the village of Pastrogor, near Svilengrad.

Relevant stakeholders in Bulgaria were identified by way of a two-step exercise. **First**, the direct Bulgarian counterparts of the Terra d'Asilo stakeholders were approached and their role within the RASC educational integration system in the country was assessed. The **second step** was undertaken if divergences were identified between the roles of direct stakeholders in Italy and in Bulgaria. In this case those institutions in Bulgaria were approached which displayed responsibilities and functions similar to those of the Terra d'Asilo institutions in Italy.

Direct counterparts and corresponding stakeholders in Bulgaria

The two-step stakeholder identification process is displayed in the following table. The identification exercise demonstrates that most of the direct Bulgarian counterparts do not have the mandate and experience of the analogous institutions in Italy. At the same time the corresponding Bulgarian stakeholders, while holding similar mandates and responsibilities, operate within a framework that differs from that in Italy as it is based on centralised approach to integration, dominated in terms of implementation and supervision by the State Agency for Refugees (SAR).

Based on the above identification process the following stakeholders were approached with questions regarding their opinion on the potentials of the implementation of the Terra d'Asilo practice in Bulgaria.

State Agency for Refugees: Displays an interest in some of the elements of the Terra d'Asilo practice. Its view is that the practice could not be implemented in full due to the legal and institutional differences in the field of RASC educational integration in Italy and in Bulgaria. The implementation of the practice in its ideal form would lead to giving up some of SAR's integration implementation mandate to Municipalities and NGOs. It is believed that this could potentially lead to a worsening of the quality of and the control over the educational integration services which, SAR officials believe, are now guaranteed by eight years of experience

and expertise accumulated at the Integration Centre of SAR.

Sofia Municipality: Displays weak interest in the Terra d'Asilo practice for two reasons. First, municipalities in Bulgaria have so far not been involved in refugee integration and have insignificant or no experience working with refugees or immigrants. Second, they serve as distributing and controlling agencies with regard to public school budgets but have no authority over the training process or the quality of education which is in the hands of the Ministry of Education, Youth and Science. If implemented in the context of Bulgaria, the Terra d'Asilo practice would add a new segment of responsibilities to municipalities, whereas they have no trained and experienced staff in this field. The eventual inclusion of municipalities is conditional upon the introduction of respective regulations stipulating their responsibilities in this respect, available funding and training of staff.

Public schools: Display strong interest in the Terra d'Asilo practice as it is perceived to offer a package of services assisting the education of RASC within the school. Schools are eager to take part in such a practice as teachers and school administration will be actively assisted in their work. Especially important for the school is perceived to be the figure of the "cultural mediator" whose corresponding counterpart in Bulgaria is the so called "resource teacher."⁹ If implemented in the context of Bulgaria, the Terra d'Asilo practice will have a strong positive influence on the work of schools, providing much needed tailored parallel support to RASC pupils and facilitating the work of teachers. The effective participation of schools in such a package of services would be conditional upon changes in the regulations of school enrolment of RASC aiming to allow schools the autonomy to decide in which grades to enrol RASC.

Bulgarian Red Cross: Displays strong interest in the practice and the decentralised approach in the provision of integration services to refugees. It is seen that such approach will be highly relevant in case of increase of the refugee and RASC inflow in the

⁹ Resource teachers have been introduced in Bulgarian public schools in recent years. They are recruited in schools where pupils with special needs are enrolled. The main responsibility of resource teachers is to facilitate the socialisation of children in school by way of providing consultations to teachers, parents and pupils. Resource teachers are expected to collaborate with the school administration, teachers and parents, and to be actively involved in the training process by means of additional individual or group trainings, in-class support, and other relevant interventions.

country. The perception is that BRC has the regional network of offices and the accumulated experience and expertise to take over the responsibilities of an implementing organisation (outside of schools). The inclusion of the BRC would be conditional upon the securing of funding at least on a bi-annual basis to make possible long-term employment and engagement of professional staff to guarantee consistency and sustainability of project activities.

Council of Refugee Women: As a social support organisation managed by refugee women who are in constant and direct contact with members of this group, the organisation displays interest in the Terra d'Asilo practice in that it provides a framework facilitating the initial adaptation of RASC pupils at school and facilitating ongoing contacts and communication between parents and the school. If implemented in Bulgaria, the Terra d'Asilo practice might involve recruiting CRW to select and provide training to potential cultural mediators.

RASC parents: display interest in the Terra d'Asilo practice as they consider it could facilitate the initial adaptation of their children at school and make possible their regular contact with teachers and the school administration.

4. EVALUATION/SOCIAL IMPACT ANALYSIS

The present evaluation is based on assessment of the potential impacts and risks in the implementation of the Terra d'Asilo practice in Bulgaria. Three different scenarios of implementation are offered. The potential positive and negative impacts of these three alternatives will be discussed in comparison to an ideal set of positive outcomes to emerge in case of direct transference of the practice in an ideal (best fitting) context.

This set of maximum positive outcomes includes:

Improvements in the school integration process of RASC:

By way of permanent in-school support to RASC; by mediating their needs and concerns with the school

and their parents; and via ongoing monitoring of the individual situation and needs of RASC children – the following outcomes would be achieved:

- RASC would be enrolled in school grades corresponding to their age with the significant strain on them and their classmates thus being relieved;
- An increased share of RASC of older age (thirteen and above) will be better motivated to attend school;
- Children would feel supported and more secure in the school environment (i.e. RASC psychological comfort especially in the first months of schooling would be significantly improved);
- Increased attendance rates among RASC pupils in general and among older RASC pupils in particular.

Improved quality of education

By means of successful communication of RASC level of knowledge obtained in their home countries to their teachers; implementation of parallel training schemes, involving language, subject and vocational training to respond to RASC individual needs and profiles; ongoing mediation to compensate for language barriers between teachers and RASC pupils especially in the first months of schooling – the following outcomes will be achieved:

- RASC pupils would participate fully in the school training process;
- RASC's Bulgarian language proficiency will be improved;
- RASC's school performance and results will be improved;
- Teachers' work with RASC would be facilitated and eased and thus would become more effective.

Empowerment of RASC (and their parents)

By means of ongoing mediation (and translation support) the following outcomes would be achieved:

- RASC and their parents will be well informed about the educational opportunities available to their children;
- RASC and their parents would have a strong voice in choosing the best educational schemes and alternatives;

- RASC and their parents would feel comfortable to voice their concerns before the relevant educational institutions;
- Children's views would impact upon educational services delivery.

An important additional outcome would involve the provision of good quality educational integration services at the regional level.

A: Direct replication of Terra d'Asilo – scenario 1

Due to the divergences in the legal procedures for school enrolment of RASC in Italy and Bulgaria and the difference in the general integration approach in the two countries, the Terra d'Asilo practice could be replicated in Bulgaria in its pure form if only a number of important pre-conditions are met first. These pre-conditions include:

- legal changes with regard to RASC school enrolment regulations (abolition of requirement for proof of level of knowledge, acquired in the home country and pre-enrolment test; enrolment decisions transferred to the schools);
- introduction of regulations stipulating the involvement of municipalities as actors who manage integration funds at local level;
- transformation of the SAR Integration Centre into a body managing, supervising and consulting on the provision of integration services via the municipalities and local stakeholders;
- capacity building and training of local municipalities, starting with those municipalities that host Reception Centres (Nova Zagora and Svilengrad) and those which have larger refugee or immigrant populations;
- relevant capacity building training to the staff of the SAR Integration Centre;
- training of cultural mediators (or resource teachers).

The enactment and implementation of these pre-conditions will require political will, a preparatory period (of at least eighteen months) and the allocation of financial resources. While some of the approached NGOs expressed the opinion that an integration approach based on the network of municipalities in Bulgaria would improve the system in the long run and would assure access to services throughout the country (not only in Sofia as is the present reality), this was not the case

with state institutions. An eventual readjustment of the system at place to a decentralised one based on the network of municipalities is not perceived as necessity in view of present realities by the leading state stakeholders in the field. A discussion of possible readjustment of the centralised system with regard to integration might emerge if Bulgaria were to witness much higher refugee migration pressures.

If enacted, after the outlined preconditions are met, the Terra d'Asilo practice would lead to the outcomes of the ideal scenario, including two additional ones:

- the capacity of the SAR Integration Centre as a managing and controlling body with regard to refugee integration services would be improved;
- the capacity of the Bulgarian Red Cross (if selected as an outside-to-the-school implementing agency) will be further developed and improved.

B: Modified implementation – scenario 2

The Terra d'Asilo practice could be integrated into the present centralised approach to refugee integration and introduced and implemented at the central level only. Such a transfer approach would not require the involvement of municipalities, while it would offer improved educational integration services in the capital where the majority of refugees and RASC are based. In such a scenario the following conditions would have to be at place:

- legal changes with regard to RASC school enrolment regulations (abolition of the requirement for proof of level of knowledge acquired in the country of origin and pre-enrolment test; enrolment decisions transferred to the schools);
- rendering autonomy to schools to decide upon the specific educational paths to be followed by RASC pupils;
- capacity building at the SAR Integration Centre;
- training of cultural mediators (or resource teachers).

The enactment of these pre-conditions would require less in terms of preparatory financial resources than would be needed in Scenario 1. Political will is required in only one sphere – that of school enrolment rules which has already been put

under discussion in Bulgaria. Most of the refugee integration NGOs voice the idea of improvement of the school enrolment rules and the abolition of the need of proof of knowledge before enrolment.

The implementation of the Terra d'Asilo activities – the orientation interview, personal inclusion project, ongoing mediation and monitoring, organisation of remedial classes, homework assistance and extra-curricular activities – could be organised in cooperation between the SAR Integration Centre, BRC and local schools in accordance with the mandates and the accumulated expertise of each institution. A possible selection of activities that could be put under discussion might involve:

- orientation interview and personal inclusion project could be organised between the SAR Integration Centre and the local school (possibly also BRC);
- supportive language training could be provided by SAR and BRC provided that advanced and intermediary groups are formed, as well as possibilities for individual consultations at school are provided;
- supportive subject training provided within the school, based on respective provisions for individual consultations (by MEYS);
- cultural mediators (to conduct ongoing mediation and monitoring) could be recruited either via the SAR Integration Centre or BRC. They could also be transformed into “resource teachers” to play the role of assistant teachers;
- extra-curricular activities could be shared by the SAR Integration Centre and BRC.

This modified form of the Terra d'Asilo practice in Bulgaria would lead to a set of positive outcomes similar to the ones identified in the ideal scenario. The major difference however, relates to the fact that implementation will be realised at the central level only. While the centralised approach to RASC educational integration will still be preserved, certain elements of decentralisation would be implemented in the capital. Those would include rendering more responsibility to local schools as well as NGOs in the decision making and service provision with regard to effective RASC school integration. This in turn would bring about two major developments at central level. First, it would serve to facilitate RASC inclusion in public schools and improved quality of training – realised by way of attending

to the individual needs of children. Second, it would relieve some of the workload from the SAR Integration Centre and at the same time would also serve to confirm its role as a major expert and controlling body with regard to integration services. The role of SAR would thus remain strong with its managing and controlling responsibilities being preserved while its capacity for consultancy and technical support is enhanced. At the same time such implementation scenario will allow the empowerment of public schools in the process of educational integration of RASC.

The introduction of the Terra d'Asilo practice at the central level may serve to test the potential of this approach which, if successful, may become the pilot phase of a wider intervention to gradually involve other regions of the country and set the practice in accordance with local organisational capacities.

C: Modified implementation – scenario 3

To fit in the present legislative and institutional realities the Terra d'Asilo practice could be implemented in modified form to still address one of the major gaps of the system at present: the lack of support in the second (crucial) phase of the educational integration of RASC that takes place in public schools. A modified form of implementation would preserve the two-stage model of educational integration of RASC in Bulgaria, providing interventions in the second phase. The main Terra d'Asilo activities (orientation interview, personal inclusion project, ongoing mediation and monitoring, organisation of remedial classes and homework assistance together with extra-curricular activities) could be provided once RASC are enrolled in school, after the preparatory three-month phase is completed. Those activities could be introduced in stages with regard to the original region-wise approach of the Terra d'Asilo practice. The first stage might involve implementation at the central level only by the Integration Centre of SAR or by an outside organisation (BRC) commissioned and supervised by the SAR Integration Centre. In such a scenario the following conditions would have to be at place:

- While the implementation of such an approach would not require a lengthy preparatory period, both implementation alternatives (via SAR or via BRC) would require relevant funding and capacity

building with regard to establishing relevant project teams and training cultural mediators (or resource teachers).

- A gradual introduction of this approach at the regional level would involve the allocation of additional resources and regional-level capacity building related to the establishment of adequate regional project teams (irrespective of whether they operate within the SAR or the BRC network).

The negative aspects of this modified approach would be that with the system of school enrolment preserved, older children would remain placed in lower school grades. This in turn would not solve issues related to the difficulties that teachers of RASC of this category face in the training process (due to tense group dynamics in classes with children of different ages and psychological stages). In addition, the need of developing a proper official school enrolment test (on the part of MEYS) and improving the Bulgarian language training scheme at the SAR Integration Centre would remain highly relevant, thus posing both financial and time challenges for all involved institutions.

The supporting activities to be provided outside the mainstream school curricula would thus need to focus on compensating for the difficulties caused by the enrolment of older children in lower grades. Supporting activities will have to be designed in such a way as to enhance the motivation of older children to attend school and to speed up their transfer to higher school grades closer to their age.

The potential advantages of this scenario are related to the presence of cultural mediators and interdisciplinary project teams ensuring the smooth communication between all involved parties and channelling the concerns, fears, difficulties and desires of RASC pupils – which would result in a better understanding of the deficiencies in the approach of placing older children in lower grades on the part of decision making stakeholders.

The positives aspects of this approach relate to the potential for improving the educational inclusion and the quality of training for all RASC pupils. The psychological distress that RASC of older age face as a result of their allocation to lower grades would be communicated and mediated, therefore relieved to some extent.

5. RECOMMENDATIONS AND CONCLUDING REMARKS

It should be noted that the Terra d'Asilo practice which is being implemented in the municipality of San Pietro Veronico has a strong focus on providing educational services to unaccompanied RASC. This aspect of the practice could be very helpful in discussing potential solutions within the Bulgarian context as the present reality is such that unaccompanied RASC effectively remain outside of the educational system. However, the aspects related to unaccompanied RASC have not been discussed in the present social impact assessment as the issue would require separate attention to an additional set of stakeholders, and a discussion of a set of needed legal preconditions related to the appointment of a guardian. A social impact assessment of this aspect of Terra d'Asilo could however be undertaken additionally in order to trigger debates regarding the problems related to the educational integration of this specific group of RASC.

The three implementation models of the Terra d'Asilo practice discussed in this study regard the educational needs of accompanied refugee and asylum seeking children in Bulgaria. The indicated pre-conditions for Scenario 1 demonstrate that the introduction of the Terra d'Asilo practice in Bulgaria in this form would require a significant investment in terms of preparation time and financial resources, as well as a change in the views and positions with respect to managing integration on the part of the key state institutional stakeholders. It is very likely, therefore, that the positive potential of Terra d'Asilo could be better realised in Bulgaria by means of a modified mode of implementation.

Of the three scenarios discussed earlier, the optimum one is scenario 2, presenting a modified application of the Terra d'Asilo practice at the central level only. This modified form of application takes into consideration the present institutional frameworks in Bulgaria, as well as the trends of refugee migration and the profile of the target group of RASC. This modified scheme would take care of integrating and upgrading the existing institutional capacities and expertise, rather than investing significant financial resources and time in securing the involvement of new actors. Therefore,

it is likely to present an optimal opportunity for the improvement of the system in a reasonable timeframe with no significant preliminary resource allocation. At the same time, this modified scheme of application would address some of the significant shortcomings in the educational integration of RASC, related to what are rather non-flexible RASC school enrolment regulations, and to the absence of in-school tailored support to RASC and their teachers. The modified implementation of the practice in Sofia where most RASC support institutions and NGOs are placed could serve as a pilot phase of a broader intervention to be planned and designed carefully, taking into consideration refugee migration trends, institutional capacities and financial resources. The preparatory work needed for the introduction of this modified form of Terra d'Asilo could be managed within a moderate timeframe. Both the preparatory activities and the modified practice could be reasonably funded by allocations from the NPIR funds and targeted external sources such as ERF.

Some of the elements of the Terra d'Asilo practice could indeed be adjusted into the existing framework of RASC educational integration services taken separately from the overall framework of the practice. Such an important element is the work of cultural mediators with knowledge of RASC mother tongues and close familiarity with RASC communities. Cultural mediators are very much needed in Bulgarian public schools in order to ensure communication between RASC pupils, teachers, parents and SAR officers. It is advisable that in the Bulgarian context the role of the cultural mediator should be transformed into that of a resource teacher – a position that in the Bulgarian context involves more comprehensive responsibilities. While the function of cultural mediators (in the framework of Terra d'Asilo) includes providing translation and consultations between teachers, RASC pupils and their parents, and monitoring of ongoing school performance and results, the functions of resource teachers (following the framework of the Bulgarian

educational system) would also involve active participation in the training process with tailored training being provided to pupils in need. For this purpose resource teachers need to be well acquainted with the general curricula programmes and all related terminology as well as with the main training methods used in Bulgarian public schools. In the Bulgarian context the figure of resource teacher would be in a position to provide more comprehensive and effective in-school support than that of a cultural mediator. Reflecting their differing responsibilities, the positions of cultural mediators and resource teachers should involve different skills backgrounds. While the knowledge of RASC home languages and familiarity with the refugee community as a whole will be sufficient in the case of cultural mediator, some level of pedagogical training as well as a high school diploma, in addition to the former two, might be requested in the case of resource teachers. It is also highly recommended that both figures are in contact with children still in the first stage of the education integration process – that of preparation for school enrolment. Resource teachers could be used in schools where more than ten RASC or so are enrolled, while cultural mediators could be used in schools where only a few RASC are enrolled.

The conducted SIA exercise in Bulgaria has been very helpful in shedding light on some important shortcomings in the present system for educational integration of RASC. It was also very helpful in exploring alternatives for improvement of that system. The study has demonstrated that differences in legal and stakeholder frameworks, target groups and educational structures should not be viewed as a hindrance to the transfer of effective educational integration practices from one context to another. These differences however, need to be carefully investigated so that realistic and doable modified implementation schemes come to shape. Such modified schemes need to recognize and integrate local modalities, resources and mentalities and build on existing (often unused) potentials.

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LIST OF ABBREVIATIONS

AIRM	– Association for the Integration of Refugees and Migrants
ARCI	– Italian Non-profit Social-promotion Association
BCRM	– Bulgarian Council on Refugees and Migrants
BRC	– Bulgarian Red Cross
CRW	– Council of Refugee Women
FNSPA	– National Fund for Asylum Policies and Services in Italy
LAR	– Law on Asylum and Refugees
MEYS	– Ministry of Education Youth and Science
NPIR	– National Program for the Integration of Refugees in the Republic of Bulgaria
RASC	– Refugee and Asylum-seeking Children
RIE	– Regional Inspectorate on Education
SAR	– State Agency for Refugees
SPRAR	– The (Italian) System of Protection of Asylum Seekers and Refugees

APPENDIX 1

THE SPRAR TERRA D'ASILO PRACTICE

ORGANISATIONAL STRUCTURE: The Project Terra d'Asilo is implemented over the national territory of Italy. It is funded by the National Fund for Asylum Policies and Services (a fund set up by the Italian Ministry of the Interior) and is being implemented at the local level by the respective municipalities on the principle of fund applications. Project Activities are implemented by various organisations selected by municipalities and follow a national model for the reception and integration of asylum seekers – termed the System for Protection of Asylum Seekers and Refugees (SPAR). The present project summary describes the implementation of the Terra d'Asilo project in the Municipality of San Pietro Vernotico (with a population of 15,000) by the national non-profit association ARCI (which has branches all over the territory of Italy).

AIM: **1.** To ensure effective and comprehensive reception and integration of asylum seekers and refugees on the territory of Italy, including the integration of refugee children into the educational system. **2.** To enable operators throughout the territory to work together in a network in such a way as to optimize the opportunities and resources made available by all the players in the system, and thus provide the fullest possible support to refugee children and families with a view to enabling their full social emancipation, their ability to participate autonomously in the labour market, their education and training and, once they have completed the entire protection programme project, their full autonomy in the Italian social context.

GENERAL FRAME OF ACTIVITIES: The Terra d'Asilo project implements a wide range of services for a wide group of beneficiaries which includes asylum seekers and refugees (individuals or families) of all ages, including minors (both accompanied and unaccompanied). These services include: reception; housing; food (shopping vouchers); legal consultancy; psychological assistance; health protection; Italian language courses; extra-curricular activities (for children between six and fifteen years of age); job placement.

The overall annual cost of the project in the Municipality of San Pietro Vernotico (including services, operation, personnel, and other related costs) is 182 000 EUR.

EDUCATIONAL INTEGRATION OF RASC UNDER TERRA d'ASILO

BENEFICIARIES: The project has a particular **focus on schooling and minors' formation**. It fosters a series of processes designed to favour the integration of **pre-school age children, compulsory school-age children** (between six and sixteen years of age) and **children older than fifteen years of age**. Since 2004 the project has assisted 209 minors (137 boys and seventy-two girls; of all of them seventy-two unaccompanied), from the following countries: Afghanistan, Eritrea, Ethiopia, Gambia, Ghana, Kurdistan, Nigeria, Sierra Leone, Somalia, Togo, Turkey.

ORGANISATIONAL FRAME: The educational integration of RASC into the Italian school system is implemented by project operators, local schools and RASC families working together in close cooperation – all three parties take active part in the development and implementation of personal education plans. The major figure assuring the communication between these parties including RASC themselves is the cultural-linguistic mediator. The relationship and cooperation between ARCI and local schools is formalised and arranged by way of mutually signed Protocols of Understanding.

EDUCATIONAL INTEGRATION ACTIVITIES UNDER TERRA d'Asilo:

- conducting an **orientation interview** to evaluate the student's skills and aptitudes and to provide him/her with information regarding facilities, personnel, project organisation, and regulations (ARCI, cultural-linguistic mediator);
- developing a **personal inclusion project** setting minimum formative targets in the different educational fields (prepared jointly by ARCI and schools and/or professional training centres);
- **enrolling** in school (implemented by local schools in cooperation with ARCI);
- **monitoring** children's study activities (implemented by ARCI cultural-linguistic mediator);
- holding (out of school) **remedial classes** in Italian as a second language or providing support with

school subjects to help completion of elementary or middle school (implemented by ARCI, general educators);

- assisting with **school homework** (provided either at RASC homes or ARCI offices, by ARCI general educators);
- organising **extra-curricular activities**, such as soccer tournaments or thematic workshops related to the local cultural heritage and traditions (these aim at complementing educational integration with socialisation activities and integration into the wider community) (implemented by ARCI).

PROJECT TEAM: The project team hired by ARCI includes a cultural-linguistic mediator, general educators, and a psychologist who also serves as Supervisor to the team.

APPENDIX 2

THE ASYLUM SEEKER AND REFUGEE RECEPTION AND INTEGRATION SYSTEM IN ITALY

The reception and integration system with regard to asylum seekers and refugees in Italy is designed according to the “National Asylum Programme” promulgated in 2001 via a Memorandum of Understanding signed between the Department of Civil Liberties and Immigration of the Interior Ministry, the National Association of Italian Municipal Councils (ANCI) and the United Nations High Commissioner for Refugees (UNHCR). The “National Asylum Programme” sets the framework of a public-sector system for the reception of asylum seekers and refugees, implemented throughout Italy, with the involvement of centralised and local institutions, and based on the sharing of responsibility between the Interior Ministry and local agencies.

The system was subsequently formalised (Italian Law No. 189/2002 on Immigration) with the establishment of the National Fund for Asylum Policies and Services (FNSPA); the System of Protection for Asylum Seekers and Refugees (SPRAR) and the SPRAR co-ordination infrastructure – the Central Service. The SPRAR coordination infrastructure – the Central Service is responsible for providing

information, promotion, consultancy, monitoring and technical support services to local agencies – entrusting its the management of these services to the National Association of Italian Municipal Councils (ANCI).

SPRAR is financed by ENSPA and a minimum of 20 % in co-funding provided by local agencies. The ENSPA funding is ensured via tenders issued by the Ministry of the Interior for the assignment of projects. Until 2008 tenders were issued on an annual basis. After 2008 they became biennial, and since 2010 they have become triennial. The increasing duration of the programmes was determined by the need to give continuity and stability to the projects undertaken in the individual areas.

APPENDIX 3

BASIC ELEMENTS OF ITALY’S EDUCATIONAL SYSTEM AS IT RELATES TO THE INTEGRATION OF FOREIGN STUDENTS, INCLUDING RASC

- According to Italian educational regulations and the guidelines which Italian schools need to follow, RASC should be accepted in schools at any time during the school year;
- The officially accepted rule is to enrol children from this group in classes corresponding to their age;
- Italian schools have the autonomy to organise the particular organisational path of RASC in school;
- No official school certificates or formal proof of the level of knowledge (by means of tests) is required in order to enrol RASC between the ages of six and fourteen in Italian schools;
- Children above the age of fifteen could be enrolled in an upper secondary school class (without official proof of the level of knowledge) and following an evaluation of their level of knowledge they could attend after-school courses /adult learning courses/ to help them obtain primary and/or lower secondary school diploma;
- No knowledge of the Italian language is required

in order to accept RASC in Italian schools;

- The provision of additional Italian language courses in Italian schools is not always possible as it is dependent on the number of foreign pupils and the available resources. In this context, the TERRA d'Asilo project is instrumental in providing additional training in Italian as a foreign language to RASC pupils;
- The enrolment and allocation of RASC into the Italian public school system follows a national requirement quota of up to 30 per cent of foreign students in one class.

APPENDIX 4

STAKEHOLDER GUIDELINE QUESTIONNAIRES

School directors and teachers

- Which needs of RASC remain not taken care of by the present educational system? At pre-enrolment level? In school?
- What should be changed in the training schemes to respond to RASC specific backgrounds, home training curricula, skills and culture?
- How could effective language training be provided to RASC in order to allow them to participate fully in the school training process?
- What kind of guidelines, tools and standards are needed to meet the educational needs of RASC?
- (Following a short description of the Terra d'Asilo practice) What do you like and dislike about such a programme?
- What could motivate RASC and their parents to participate in such programme?
- Will your school be interested in participating in such a programme? Why (not)? Under what conditions?
- Which organisations could provide funding for a similar programme?
- Which organisations could implement the programme in cooperation with the school? The cooperation of which institutions would be indispensable (absolutely necessary)?
- Which organisations could block or hinder the implementation and why?
- Are there any requirements regarding training

for staff members within the framework of such a project?

- Will the educational situation of RASC be changed for the better or for the worse by their participation in the programme? Why (not)?
- Will your situation as an educational professional be changed for the better or for the worse by participating in the programme? Why (not)?
- Could RASC enrol in school grades corresponding to their age?
- Will RASC attend the programme regularly? Will the dropout rate of RASC decrease if the programme is implemented?
- Will that programme result in better Bulgarian language proficiency on the part of RASC?
- Is it important (and possible) for the views of RASC and their parents to be taken into account?
- How could RASC and their parents take part in the process of the design, implementation and evaluation of the educational programme?

Potential implementing and funding organisations

- (Short description of the Terra d'Asilo practice) What do you like and dislike about such a programme?
- Would you be interested in implementing/funding such programme? Why (not), and if so under what conditions?
- What do you think should be the most relevant specific target group to be addressed by the programme? Why?
- What are the needs of this specific group of RASC that should be met by such an educational programme?
- How could the beneficiaries (RASC and their parents) be involved in the programme?
- How could your institution and other participating organisations motivate RASC and their parents to participate in such a programme?
- How could RASC and their parents take part in the process of designing and implementing the educational programme?
- How could other relevant stakeholders be involved in the programme?
- What kind of specific educational services and extracurricular activities should and could be offered to RASC under the framework of this programme?
- Does your organisation have the capacity (number

of staff and relevantly trained professionals) to become a key stakeholder of the project?

- If the answer is no – what should be done in order to secure the necessary staff with relevant professional capacities?
- Are you willing to cooperate with other organisations? Which ones? To what extent?
- How could relevant funding be secured for the implementation of the programme?
- What minimum requirements do organisations involved in the development and implementation of such a practice have to fulfil in order to be able to successfully implement the practice?
- What will be the actual positive and/or negative impacts on the practice for the implementing organisation, the situation of the beneficiaries as well as other relevant stakeholders (parents of pupils, teachers, etc.) and environments (educational system, labour market integration of youngsters, housing situation, etc.) in comparison to the stated goals of the practice? (alternatively: What are the externalities, i.e. any unintended positive and/or negative impacts of the practice on other than immediate beneficiaries?)
- Will the educational situation of RASC be changed for the better or for the worse by their participation in the programme? Why (not)?
- What could be the major obstacles encountered during the implementation of the programme?
- What do you think are the main factors enabling successful implementation (in the sense of achieving the objectives defined) of the programme?
- How viable and sustainable is the practice in the long term?
- What kind of long-term perspectives and opportunities could be provided to participants after completing the project?

Experts in the field of educational integration of RASC

- What kind of support related to the education of RASC do teachers need?
- What should be changed in the training schemes to respond to RASC specific backgrounds, home training curricula, skills and culture?
- How could effective language training be provided to RASC in order to allow them to participate fully in the school training process?
- What kind of guidelines, tools and standards are needed to meet the educational needs of

RASC?

- (Following a short description of the Terra d'Asilo practice) What do you like and dislike about such a programme?
- What could motivate RASC and their parents to participate in such a programme?
- Which organisations could provide funding for a similar programme?
- Which organisations are best suited and equipped to implement the programme in cooperation with the schools?
- The cooperation of which institutions would be indispensable (absolutely necessary)? Which organisations could block or hinder the implementation and why?
- Would Bulgarian schools be interested in participating in such a programme? Why (not), and if so under what conditions? What kind of schools?
- What kind of specific educational services and extracurricular activities should and could be offered to RASC in the framework of this programme?
- Will the educational situation of RASC be changed for the better or for the worse as a result of their participation in the programme? Why (not)?
- Will the programme provide RASC with the same opportunities for inclusion into the educational process as other children have?
- Could RASC enrol in school grades corresponding to their age as a result of the programme's implementation?
- Will RASC attend the program regularly? Will the dropout rate of RASC decrease if the programme is implemented?
- Will that programme result in improved Bulgarian language proficiency on the part of RASC?
- Do you think that the views of RASC and their parents should be taken into account?
- How could RASC and their parents take part in the process of designing, implementing and evaluating the educational programme?

RASC parents

- What are the main problems/difficulties that your child faces at school?
- What are the needs of your child and family that should be met by an educational programme? What could motivate you to participate in such a programme?

- (Following a short description the Terra d'Asilo practice) What do you like and dislike about such programme?
- What kind of educational services and extracurricular activities should be offered to your child?
- Will the educational situation of your child be changed for the better or for the worse by their participation in such a programme? Why (not)?
- Will the programme give your child the same opportunities for inclusion into the educational process as other children have?
- Could your child have better chances to be enrolled in school grades corresponding to his/her age?
- Will your child attend the programme regularly?
- Will that programme effectively improve the Bulgarian language proficiency of your child?
- If your child is older than thirteen years– do you think he/she will have greater motivation to attend school? (e.g. via enhanced opportunities for language and vocational training?)
- Is it important for your views and those of your child to be taken into account in the design of such a programme?
- Would you like to take part in the design, implementation and evaluation of the educational programme?

POLICY RECOMMENDATIONS

This section provides recommendations aimed at informing the work of practitioners and policy-makers in the field of education and decision-making at the EU and national levels. Though the content and organisation of education and training are the responsibility of national governments, the common challenges for refugee protection stimulate dialogue and the exchange of good practices across the EU. The project's review of best practices in the integration of refugee and asylum seeking minors at school has encompassed an unprecedented number of European states with very diverse compositions of refugee and asylum seeking populations, educational systems, legal and policy frameworks on migration and integration, policies and practices in educational integration of RASC. Though it is extremely difficult to summarise all national specificities, based on the analyses and conclusions provided in the country reports and the evaluation/social impact assessment reports, several key policy recommendations could be outlined in the following areas:

1. General policy recommendations.
2. Policy recommendations in specific areas.
3. Recommendations related to the evaluation and transfer of best practices in the area of educational integration of RASC.

1. GENERAL POLICY RECOMMENDATIONS

The state should assume primary responsibility for the implementation of educational integration of RASC. Based on well-established and international human rights and refugee law obligations, the establishment of the appropriate legal framework and the setting up of dedicated educational policies, strategies and programmes is firmly a task of each national government. Both top-down and bottom-up approaches should be applied in a complementary manner. Governments should

cooperate with all stakeholders – NGOs, social foundations, church-based organisations, teachers' networks, researchers as well as local initiatives and private bodies. Schools, although usually part of the state structure should be considered as key stakeholders. Efforts should be made to ensure that national policies and general recommendations are carefully implemented and systematically monitored at the local level. Integration policies, programmes and systems should be constructed with a clear long-term vision about the perspective of New EU Member States transforming into countries of immigration.

There is a need for more sustainable integration measures in RASC education. Governments should assume primary responsibility to secure the sustainability of RASC educational integration. Project-driven activities should rather be developed into long term programmes funded by local and state governments to allow development of stake holder capacities and avoid frequent staff changes in a given program team. Governments should take on the responsibility for compensating and overcoming the strong dependency on EU funding for the variety of NGO initiatives, activities, and programmes, which makes them difficult to maintain following the termination of EU funding. Instruments for the smooth take-over by central and local authorities funding should be developed. For example, it is possible to provide extra funding for schools accepting RASC in higher proportions, or to remove administrative burdens on obtaining additional government funds that could enable schools to offer targeted assistance for RASC.

National Policies and General Recommendations should leave space for local adaptations and an individual approach to RASC pupils. While centrally drafted general standards and regulations are instrumental for the implementation of well synchronised educational integration measures, local adaptations can best secure the fine-tuning of policies in accordance with local context specificities.

Educational opportunities for RASC need to be sensitive to the specific needs, the challenging contexts, and the possibly traumatic experiences of individual pupils. Moreover, such educational services should also highlight the distinct resources and capacities of students of refugee backgrounds. Greater transparency in the educational system and the establishment of schools which encourage and rely on the exchange of opinions between students and teachers would further strengthen such an approach.

The educational integration of RASC should be seen as going well beyond traditional concepts, e.g. language training and acquainting with national context and culture of the receiving country. Social work and psychosocial assistance, kindergarten programmes, mother tongue language support, creative and recreational activities, etc., are of equal importance to help the young person attain a level of comfort in the host society. The provision of intercultural education aimed at creating spaces for sharing cultural experiences and creating mutual respect and understanding between children with different background are also of key importance.

Targeted educational integration measures for specific and particularly disadvantaged groups of RASC, such as unaccompanied children, trafficked children and victims of crime, small children at pre-school age, children with disabilities, etc., should be expanded. In some countries funding schemes should be adopted in order to allow distant and poor host communities to deal with challenges faced by RASC.

Educational systems should avoid early selection. School achievements and careers of RASC prove to be better in the less selective educational systems where students are assigned to different specialisation tracks later. An effective national preschool and child care system also serves as an important factor that facilitates RASC school integration at later stages.

Open and decentralised educational systems may offer better services for RASC pupils. School systems that allow the implementation of individually designed curricula for RASC pupils

provide better opportunities for accommodating the educational needs of RASC. Such an approach should render autonomy at the local level and at the level of the school so that the specific strengths and vulnerabilities of RASC pupils are integrated and addressed.

In order to assure more effective protection from acts of racism or xenophobia in schools, **all respective institutions have to elaborate short and long-term strategies of awareness-raising, intercultural tolerance and communication.**

National governments should take the responsibility of developing relevant legal regulations concerning racism and discrimination. Public debates and political statements should highlight the benefits of diversity and commitments to open, inclusive societies. Schools are not only educational institutions but also powerful agents for RASC integration. Integration should involve learning the visible and invisible cultural rules, and social competences training. It should be approached as a two way process, allowing and encouraging the host society to embrace its factual plurality. Viewed from this perspective, integration cannot be successfully accomplished by individual schools and teachers, but should also be supported by national and local authorities and by society as a whole.

There is a strong need for state-funded research on the educational integration of refugee children, including for unaccompanied children and victims of crime. Such research should be focused on qualitative studies on topics such as assessments of access to education, school performance and achievements, inter-cultural dynamics in school, costs of social exclusion and discrimination for society, social impacts of policies and programmes for RASC educational integration, etc. In addition, such research should provide statistics and empirical data on RASC education and well-being, to establish evidence for monitoring and policy-making (including, for instance, research on the experiences of children following the granting of refugee status). Setting up a focal point or centre of excellence in the EU countries could act as a meeting point for research, initiatives and discussions on educational integration of RASC.

2. POLICY RECOMMENDATIONS IN SPECIFIC AREAS

2.1. Access to education

Free and equal access to education, independent of legal status and in accordance with human rights standards, should be secured for all RASC.

Legal obstacles and restrictions, such as on freedom of movement, temporary or conditional residence permits (or “tolerated” stay), detention pending deportation for children and young persons, and age limits reduced to sixteen in asylum matters, etc, should be reconsidered and abolished in line with the standards mandated by the UN Convention on the Rights of the Child. Access to school should become a right for all children, whether they are nationals or not; and it should be free of charge to avoid exclusion due to socio-economic difficulties. This right should be effectively guaranteed by law and implemented in practice.

Opportunities for RASC to complete their education which has been interrupted by conflicts and wars in their home country should be expanded

by way of easier access to schools during a school year which has already started, and by means of quick recognition of school certificates from abroad. Traumatized RASC or victims of serious human rights abuses should have free and mandatory access to psychological assistance. The experience of refugees’ often excessively long journeys to reach their destination, and the underlying motivations and pressures behind those, should be carefully taken into consideration during RASC integration in the school system by the means of structured and standardised policies.

Educational integration needs to reflect the personal development of children.

There is a clear need for having a plan designed for each and every RASC in order to ensure their smooth and timely integration, particularly by facilitating access and enrolment to schools as soon as possible. Such individual plans should be developed based on careful screening of RASC background and legal status, effective communication with parents and building of trust with the child. The preparation, dissemination and use of diagnostic tools for RASC that would evaluate their previous educational experience and skills should lead to the proper

placement in school type and grade. Central and local governments need to address structural inequalities in education, such as school admission systems that work against families with limited knowledge of the host country and the education system’s resources.

2.2. Quality of education

There is a strong need for diversity training for teachers and training on intercultural approaches and skills. Preparation for dealing with the new RASC groups at school should be an important component of teacher training in EU Member States. Teachers should be trained to develop skills and confidence in dealing with classes of diverse cultural backgrounds, as well as skills in intercultural learning and communication. Training teachers in intercultural education is crucial for promoting diversity in schools and society as an asset and opportunity for mutual benefit. Teacher training modules and on-line teaching resources for intercultural learning should be developed as many schools lack competent mother tongue teachers or bilingual teachers. Last but not least, diversity and migration should become focus areas of training of social workers and NGOs working in areas of refugee protection, migration and education. New models for easier cooperation between schools and social welfare institutions should be developed.

The integration of RASC into schools could be facilitated by trained school assistants or support teachers of migrant or refugee backgrounds

who would act directly on schools premises and in the classrooms. Integration assistance should be provided not only by the employees of social assistance services and non-governmental organisations, but also by already integrated individuals who share refugees’ own ethnic backgrounds. An example is the innovative form of “ethnic mentoring” in the Netherlands which has proved to be successful in improving school performance.

Training in the language of the receiving country is of crucial importance for the successful integration and academic performance of RASC and should be a central part of pre-school and school education. RASC should obtain full command of the language of the host country as early as possible. The development of strategies,

guidelines and programs for language training should be a priority for educational authorities that deal with RASC pupils in their school. Various forms of language training have been developed and could serve as good practices: variety of introductory language classes, special language classes; intensive language classes; preparatory studies facilitating entry into secondary education, etc. Transition and preparatory classes facilitate the preparation of RASC for inclusion into schools, however, they could lead to a students' feeling of segregation from regular education. Thus, it is important that pupils should be transferred to regular classes as soon as possible.

Mother tongue training is of central importance as well due to the fact that good knowledge of the mother tongue is a precondition for learning another language, e.g. the host country language. Moreover, language forms part of a child's identity, and the child should not be forced to deny it. Therefore, it is recommended to provide mother tongue training to RASC, and to secure adequate personnel resources for its implementation. Mother tongue training and indeed holding classes in other subjects in RASC native languages where possible is of particular significance in countries where refugee children and their families are not planning to reside permanently but are instead planning to move on to other EU Member States or to return to their country of origin.

Language training initiatives must be carefully weighed against practical considerations in transit countries. Rather than spend scarce resources on extensive language training of RASC in the language of the host country, in many situations basic training would be sufficient while RASC should be allowed, where possible, to attend classes in languages that they already have sufficient understanding of. For instance, RASC from former Soviet Union countries may be taught in Russian if they already understand the language and are residing in a country from which they are planning to move in a few months. This would be preferable to forcing refugee children to master a language they are not going to use extensively in the future, while allowing them to fall behind in their general studies. Similarly, if information is available regarding the intent of RASC or their families to move to another EU Member State in the near future, attempts should be made to

educate the RASC in question in the language of that country where the child already has sufficient knowledge of the language, or to train the child in the language of the country to which he/she is planning to move. Thus, a refugee child from an Arab-speaking country in CEE planning to move to France in a few months should be allowed to be educated in a local school where subjects are taught in Arabic, while also being offered French lessons. General educational achievement (i.e. avoiding RASC lagging behind in their general studies) should also be a benchmark against which RASC educational integration should be measured, particularly in transit countries.

Innovative and interactive teaching methods, e.g. role-playing, dramatisation activities, discussions and group exercises, etc, may assist RASC immensely in establishing awareness about the importance of education and developing pro-active attitudes towards their participation in the educational process. Such an approach in turn would generate knowledge in a sustainable manner and promote an enjoyable learning environment.

RASC need additional support even after the transition to a regular class. In order to avoid structural discrimination and the exclusion of RASC, targeted support structures within schools should be organised whenever possible, accommodating mixed groups of pupils who are nationals and RASC. Examples could include the setting-up of learning and homework centres after regular classes at school, or organising summer camps during vacation time. The use of interactive teaching methods, e.g. theatre education ("Theaterpädagogik") or e-learning, should be expanded.

RASC coming from particularly vulnerable groups should be a specific focus of integration efforts. There is a need for specific programs aimed at disadvantaged groups of RASC, such as unaccompanied children or child victims of crime. The often traumatic experiences of these children and the lack of family support need to be addressed by specially tailored programs involving cultural mediators, interpreters, experienced and well-trained guardians. The educational needs of these children should be considered to be of the same priority as their safety, accommodation and wellbeing. They should be provided with proper and clearly understandable information regarding

their education, housing, transport, health and other issues vital for their survival and integration.

Specific measures should be taken targeting the group of children aged sixteen and above. This group is not subject to compulsory education in most countries and is therefore often no longer guaranteed any integration measures provided for RASC of less than sixteen years of age. Thus, for young people aged above the mandatory schooling age, specific programmes to continue with either higher secondary (and, later on, tertiary) education, or with vocational training and access to the labour market, are essential. Some children in this group have no educational qualifications and no knowledge of the host country language. Measures should be identified and introduced for overcoming their vulnerable condition. Alternatives to school education could be provided for those who never attended school: for instance, vocational courses along with additional language support. The alternative or “second chance” education, however, should not lead to segregation or stigmatisation for not having succeeded in the mainstream school system. Mentoring programmes, attendance of courses at adult educational institutions or at regular schools by teaming up with native pupils seem to be promising approaches to offer support and learning opportunities for RASC pupils of the age of sixteen and above.

Extracurricular activities should be considered an important part of the educational integration process of RASC. Out of school activities such as sports and sports tournaments, summer language camps or art clubs should be part of RASC educational experiences as they facilitate enjoyable communication with other RASC and native children, and are highly conducive to language learning in a stimulating environment.

2.3. Empowerment and participation

Taking children’s perspectives into consideration is indispensable. RASC should be considered as active agents and participants rather than passive recipients of services and education. Full and effective participation on the part of RASC has to be encouraged in mainstream education. The right and principle of direct involvement of children and young people in decision-making processes should

be emphasised more strongly. Adequate ways to mainstream children’s experiences into policy and programming both at the national and local levels should be found. RASC should be provided with all the necessary information in a format that is clear and understandable to them. They should be consulted and their views should be taken seriously into consideration whenever a decision concerning their situation is being made.

A culture of respect for difference should be promoted. An inclusive ethos and environment are crucial for the adoption of approaches to support all children, irrespective of legal status, language or ethnicity. Diversity is a crucial dimension of the inclusive curriculum tailored to the needs of children. Learning materials should not include negative images of or prejudices against any migrant groups. Child-friendly schools and participatory methods should take the evolving capacities of the child into account and ensure a safe, welcoming and encouraging environment. A shift of focus is needed away from service provision towards capacity development, advocacy, and individual empowerment.

Schools should respect the dignity of the child and promote self-esteem and self-confidence. An important tool to enhance the self-image of RASC could be the integration of elements of their cultures of origin (traditions, songs, rituals, symbols, etc.) into school curriculums and textbooks. Mother-tongue training is of crucial importance here as well. Children would also benefit from more frequent social interactions with other children in their neighbourhood or at school. Young people should be in an environment with others of the same age, which would allow them to feel included among peers and participate in various leisure activities. The clusterisation of RASC in particular schools and classes should be avoided.

The “teachers – pupils – parents” nexus is crucial for achieving integration in a sustainable and successful manner. The trust and confidence of parents and children in teachers and schools are paramount for the sustainable integration of RASC in the educational system. Improving parents’ integration into the host society is an important precondition for the integration of their children. Engaging parents in school is a crucial factor to both pupils’ educational success and for the

integration of refugee families in local communities. If possible, schools can include RASC parents as elected members of their school councils. Parents should be considered as partners, even though some of them may lack the knowledge and skills to interact effectively with teachers, and therefore should be supported in building these capacities. Special attention needs to be paid to RASC whose parents are themselves illiterate and lack proper education. For facilitating parents' communications with teachers and school authorities, translation or interpretation services should be provided, if necessary.

The participatory approach should also enable the input of a large spectrum of stakeholders – not only teachers, parents and children, but also community leaders, civil society organisations, activists and volunteers. Civil society organisations constitute a pool of expertise on both the needs of RASC and migrant children and on the ways to satisfy these needs; they act as service providers and contribute to holding duty bearers accountable. The more stakeholders are involved in the educational integration of RASC, the more effectively can diverse interests be taken into account and balanced so that effective good practices may be developed. Often good practices are both initiated and implemented by active individuals and inspired by the values of tolerance, anti-discrimination and intercultural dialogue.

Art and sport activities demonstrate impressively high potential. They help prevent or overcome misunderstandings and tensions, foster creativity and intercultural learning, create opportunities for group or team building, playful exchange and dialogue, and empower participants. Stimulating opportunities for play and recreation are essential elements of a child-friendly environment. The right of all children to play should be secured and support should be provided for after school activities and programs focused on games and children's interests. The opportunity for RASC to present their own culture and share their values, interests and experiences with other children is of utmost importance.

Policies to support refugee children need to be seen as the responsibility of all school staff. Active and committed individuals with intercultural sensitivity would need favourable conditions within the school context in order to be able to implement

innovative and promising experimental practices. They should be encouraged to build bridges of understanding and intercultural dialogue.

3. RECOMMENDATIONS RELATED TO THE EVALUATION AND TRANSFERRING OF GOOD PRACTICES IN THE AREA OF EDUCATIONAL INTEGRATION OF RASC

The mechanism of reliable evaluation is the main precondition for the successful transfer of good practices. The evaluations and social impact assessments of best practices in the educational integration of RASC should be carried out to facilitate the transfer of knowledge and good models. The transfer of good practices is not an easy and automatic process – a lot of specific factors and obstacles should be taken into account when trying to replicate a good practice. The rationale behind the evaluation and social impact assessment (SIA) exercises lies in their potential to explore the possibility and conditions for transferring good practices in the educational integration of RASC from one specific national/local environment to another. By taking into account the feedback gathered through evaluations and impact assessments, it is possible to re-formulate and modify good practices according to the perceived needs of the target group. It is crucial to receive feedback not only from the initiators of the good practices, e.g. officials, experts, teachers and NGOs activists, but also from RASC and their parents.

The approach to evaluation and SIA should take a proactive stance towards the educational integration of RASC across the EU. It should aim to integrate and analyse key experiences in the field of educational integration of RASC and test their transferability and applicability across the EU. The methodological and analytical framework developed by the INTEGRACE project should be promoted in the EU Member States as a tool of assessment whether, to what extent, under what conditions or

following what modifications a practice in the field of educational integration of RASC, proven to be successful in a given country, can be implemented in other environments. EU Member States which have been found to be lacking in good practices or preparation initiatives should be strongly encouraged if not required to implement best practices in the educational integration of RASC, or preparation initiatives or stress tests, by utilising the mirror evaluation and SIA methodology developed by the project.

The differences in target groups, institutional settings and stakeholder frameworks should not prevent the transfer of best practices from one context to another. However, the similarities and divergences between origin and reception contexts should be carefully analysed in order to identify the most appropriate (feasible and effective) implementation scenarios. Good practices developing creativity and imagination are relatively easy to transfer, because of two facilitating factors: they do not need significant funding and children everywhere enjoy them. Some practices like placing separated children with families from a similar culture, religion and language are interesting and promising, but need preliminary assessment before their replication in different national contexts.

Research in the field should be promoted. An effective factor for increasing the transferability of best practices is to support the established network of NGOs and universities promoting the integration of refugee children in the educational systems of EU Member States, and researching related issues. The funding of evaluations and SIAs in the field should be an integral component in the development and implementation of policies and programmes.

Education is a key factor to ensure that refugee and asylum seeking children are well prepared to become an integral part of receiving society. Educational integration should be perceived in the broader social cohesion context because any failure to fully integrate refugee and asylum seeking children within schools “is likely to be echoed in a broader failure of social inclusion”.¹ The best approach to RASC integration involves building inclusive, participatory and accountable education systems which treat children with dignity and as bearers of rights. Such educational systems could be the outcomes of sustainable policies and innovative local and national initiatives, given political will to achieve these outcomes.

¹ As concluded similarly with respect to migrant children in EC (2008). Green paper: Migration & mobility: challenges and opportunities for EU education systems. Brussels, European Commission, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2008:0423:FIN:EN:PDF>

APPENDIX 1. METHODOLOGICAL GUIDELINES FOR BEST PRACTICES IDENTIFICATION AND PREPARATION OF COUNTRY REPORTS

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1. BACKGROUND

1.1. Project context

These Guidelines are prepared in the context of the project “Integrating Refugee and Asylum-seeking Children in the Educational Systems of EU Member States: Evaluation and Promotion of Current Best Practices” (INTEGRACE), under grant agreement number JLS/2009/ERFX/CA/1013, European Refugee Fund, Community Actions 2009.

The main objective of the INTEGRACE project is to promote the educational integration of refugee and asylum-seeking children (RASC) in the EU by developing common standards and sharing best practices in policies and programmes development and evaluation, with a specific focus on the needs of vulnerable groups (e.g. unaccompanied children, children who have been victims of crime). The project aims to contribute to the development of a common approach to addressing the educational needs of refugees and asylum seekers by identifying best/good practices¹ in the integration of RASC in education, designing a common European methodology for program evaluation and impact assessment and establishing a network of NGOs and universities promoting the integration of refugee children in the educational systems of EU Member States.

The project will identify and describe best good practices in the integration of refugee and asylum-seeking children in schools and conduct program evaluations of selected initiatives in three Western European EU Member States (Italy, Sweden and Austria) and impact assessments for their implementation in two Eastern European countries (Bulgaria and Slovenia). Project partners and individual

experts will prepare country reports describing best practices/offering situation analysis in the field of educational integration of RASC. Best practices identified will be catalogued in the “Inventory of best practices in the field of educational integration of refugee and asylum-seeking children.”

Country reports will contain comprehensive reviews of best practices in the integration of RASC, situation reports where best practices are scarce, and examples of the design of preparedness initiatives (“stress tests”) where the target group is small. All of these, as well as the summaries of the program evaluations and impact assessments will be integrated into a “Handbook on the Integration of Refugee and Asylum-seeking Children in the Educational Systems of EU Member States.”

EU Member States (MSs) have varying levels of experience of accepting and integrating refugees in their societies. Old MSs are traditional destinations for refugees and host the largest share of such populations in Europe, while the new MSs are now facing the challenge of intensified flows of refugees and asylum seekers. According to UNHCR, 20,000 refugees enter the EU via CEE each year.² While old MSs have experience with various integration programmes in the field of education, housing and employment, new MSs have to develop effective policy responses to the rising number of refugees and asylum seekers.

The project team will provide a comprehensive overview of the features of the most successful types of initiatives, and will draw conclusions

¹ The concept of “best practice”, as explained later in paragraph 2.1, will be interpreted in a broad sense, so the term “good practice” will also be equivalently used.

² UNHCR. *Protecting Refugees in Central Europe*, UNHCR 2008.

regarding the types of policies and educational programmes that may work under specific conditions. At the same time, the significant number of MSs to be covered presumes great diversity of country-specific social, economic and political backgrounds, of migration situations and refugee population make-ups, of national educational systems, etc. The methodological guidelines aim to develop a common approach to identifying and reporting good practices in the integration of RASC in education in a variety of national contexts. They would also give maximum freedom to the experts in identifying relevant national good practices in the field and in providing new insights which may be acquired during the course of the work.

The present methodological guidelines have several main goals determining their content and structure:

- to define the key concepts and terms to be used;
- to outline the scope of work in terms of geographical coverage and target groups;
- to specify criteria for the identification of best/good practices in the integration of RASC at schools;
- to suggest data sources and methods for best practices identification;
- to propose the content of country reports/situation analysis, summarising the findings, conclusions and recommendations of the research process.

1.2. Policy and legal context

The contextual background for the INTEGRACE project is presented below through a summarised review of the main international and European legal instruments and policy documents related to the educational integration of RASC. This will be further elaborated for each individual country to include the specific national, regional and local frameworks in place with regard to educational support for RASC.

The documents discussed below set out the background against which the project is implemented and also the framework within which the results of the project will be used, in particular with regard to EU instruments and policies on integration.

The following list is by no means exclusive and will be updated where further relevant information becomes available.

International human rights documents

Universal Declaration of Human Rights (UDHR) of 1948

Although the Universal Declaration of Human Rights is a declaration and therefore not binding on states, it is considered to be part of customary international law and as such binding for all states. As education is vital to the development of children, it is recognised as a universal human right. Article 26 of this declaration formulates the right to free and compulsory education at the elementary level. The declaration further states that education should work to strengthen respect for human rights and promote peace.

International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) of 1965

This UN convention obliges all countries to condemn every form of racial discrimination as well as to pursue policies to eliminate racial discrimination in all of its forms. Article 5 of the ICERD states that “in compliance with the fundamental obligation laid down in Article 2 of this convention, States Parties undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of the following rights... the right to education and training.”

International Covenant on Economic, Social and Cultural Rights (ICESCR) of 1966

This UN treaty contains some of the most important international legal provisions establishing economic, social and cultural rights. The right to free and compulsory education at the primary level and accessible secondary-level education is articulated in Article 13 of the Covenant. The Covenant calls for basic education to be made available to those who have not received or completed primary education. Emphasis is put on improving conditions and teaching standards.

Convention on the Rights of the Child (CRC) of 1989

The United Nations Convention on the Rights of the Child (CRC) is another fundamental instrument in the protection of the rights of children. It sets out the civil, political, economic, social and cultural rights of children. With regard to education, Article 28 calls for states to make primary education compulsory and free for all, and to stimulate the development of accessible secondary education, including vocational training. The need for quality and relevance in education is laid out in Article 29, which mandates an education that builds on a child's potential and supports his or her cultural identity. This article stresses upon psychosocial support and curriculum elements covering human rights, peace, tolerance, gender equality and respect for the environment are stressed in this article. In addition, Article 31 protects a child's right to culture and recreation.

The CRC also addresses the issue of non-discrimination. Article 2 outlines the non-discrimination principle, including access to education for children with disabilities, gender equality, and the protection of linguistic and cultural rights of ethnic minority communities. Article 22 of the CRC obliges States Parties to take "all appropriate measures to ensure that a child who is seeking refugee status (...) whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights" in the CRC and other treaties on international human rights.

The Committee on the Rights of the Child has issued a General Comment (no. 6) that gives special attention to the obligations of States Parties towards unaccompanied and separated children outside the country of origin. The General Comment points to the particularly vulnerable position of these child migrants and sets out the "multifaceted challenges faced by States and other actors in ensuring that such children are able to access and enjoy their rights, irrespective of their nationality, immigration status or statelessness."

UNHCR Guidelines on Determining the Best Interests of the Child, May 2008

In order to ensure the optimal implementation of the best interests' principle in actions affecting

individual children, this UNHCR document elaborates the following procedures: 1) the best interests' assessment and 2) the best interests' determination (BID).

Refugees and asylum seekers related international documents

United Nations Convention Relating to the Status of Refugees of 1951 and the Protocol of 1967

The Refugee Convention of 1951 together with the Protocol of 1967 form the basic foundation in international law relating to the education of refugee children. The Convention guarantees the rights to elementary education for refugee children and affirms that they are entitled to the same opportunities as nationals from the host country. Article 22 of the Convention reaffirms the responsibility of the government of the country of asylum to provide education for refugees.

International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW) of 1990

The third section of this UN Convention addresses the right to education of all migrant workers and the members of their family, irrespective of their migratory status. Article 30 states that "each child of a migrant worker shall have the basic right of access to education on the basis of equality of treatment with nationals of the State concerned." It should be noted, however, that since 2003 when the ICRMW entered into force, no EU Member State or any other major migrant 'receiving' country such as the United States, Canada or Australia, has ratified the convention.

UNHCR, Guidelines on Policies and Procedures in Dealing with Unaccompanied Children Seeking Asylum, February 1997

This UNHCR document provides important definitions regarding unaccompanied children seeking asylum. Education is one of the issues addressed in the context of interim care and the protection of children seeking asylum.

EU legal instruments

In the European Union, integration has been brought to the forefront of political attention with a number of Council Conclusions with a special focus on the Brussels European Council Conclusions of 4/5 November 2004 on The Hague Programme and the Thessaloniki European Council conclusions of June 2003 which highlighted the importance of establishing common basic principles (conclusion 31), and existing developments on integration within the European context.

Council Conclusions, Immigrant Integration Policy in the European Union, 14615/04 of 19 November 2004 and the Communication from the European Commission on A Common Agenda for Integration – Framework for the Integration of Third-Country Nationals in the European Union, September 2005, COM (2005) 389³ set out a number of Common Basic Principles (CBP) to provide guidance for EU and Member State integration policies. They also call for the development of a common approach at the European Union level. The CBP list is indicative and not exhaustive and it leaves it to the Member States to set priorities and select the actions as well as the way in which they are to be carried out within the context of their own national situations and traditions. They should be seen as main elements of all national and EU integration policies. A gender perspective should be incorporated into all relevant actions, and specific attention should be paid to the situation of migrant youth and children. Of particular relevance to this project is CBP 5, which recognises the education of immigrants and in particular of their descendants as critical in the process of successfully integrating migrants and encouraging their more active participation in society.

The Council Directive 2003/9/EC of 27 January 2003⁴

This Directive lays down minimum standards for the reception of asylum-seekers. The EU's reception directive outlines a number of provisions concerning the education of asylum seekers and stresses the

need to provide minors with special attention, including access to psychological assistance. It obliges Member States to grant children access to education "under similar conditions as nationals"; to provide language courses to enable them to attend regular schools; to avoid postponing access to the education system for more than three months from the date of filing an asylum application (or one year in exceptional circumstances); and to allow access to vocational training, irrespective of whether the asylum seekers have the right to work. According to this directive, Member States may: provide schooling in an accommodation centre; refrain from withdrawing secondary education from an asylum seeker "for the sole reason that the minor has reached the age of majority"; and provide rehabilitation services for minors who have suffered from violence or war.

Council Directive 2004/83/EC of 29 April 2004 on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted.⁵

In this qualification directive of the EU, Article 27 of chapter seven (on the "Content of International Protection") calls on Member States to grant refugees, and those with subsidiary forms of protection, full access to education (for minors) under the same conditions as nationals; access to general education (for adults) under the same conditions as other third country nationals residing legally in the country; equal treatment in recognising foreign diplomas, certificates and other evidence of formal qualifications; and access to programmes to facilitate integration.

Council Directive 2005/85/EC of 1 December 2005 on minimum standards on procedures in Member States for granting and withdrawing refugee status (Asylum Procedures Directive)

This directive on the procedures to examine an asylum application and to withdraw the protection

³ Commission of the European Communities. *A Common Agenda for Integration Framework for the Integration of Third-Country Nationals in the European Union*, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52005DC0389:EN:NOT>

⁴ The Council of the European Union. *Council Directive 2003/9/EC of 27 January 2003*, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2003:031:0018:0025:EN:PDF>

⁵ The Council of the European Union. *Council Directive 2004/83/EC of 29 April 2004*, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32004L0083:EN:HTML>

granted contains specific guarantees addressing the vulnerability of unaccompanied minors seeking asylum.

Council Directive 2008/115/EC of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals⁶

Article 17 of chapter IV on ‘detention of minors and families’ notes that “unaccompanied minors and families with minors shall only be detained as a measure of last resort and for the shortest appropriate period of time; minors in detention shall have the possibility to engage in leisure activities (...) and shall have, depending on their stay, access to education; and the best interest of the child shall be a primary consideration in the context of the detention of minors pending removal.”

Council of Europe documents

An important document of European legislation related to RASC education is the Convention for the Protection of Human Rights and Fundamental Freedoms (Rome, 4th of November, 1950). Article 2 of the Convention’s Protocol 1 (Enforcement of certain Rights and Freedoms not included in Section I of the Convention) states: “No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching in conformity with their own religions and philosophical convictions.”

Council of Europe Assembly, Recommendation No 1596 (2003) on the situation of Young Migrants in Europe, 31 January 2003

This document of the Parliamentary Assembly of the Council of Europe provides for important policy guidelines regarding the treatment of young migrants in Europe, including children. At its paragraph 6 the document lists specific recommendations “with a view to using education effectively as an instrument to foster equality, multiculturalism and mutual understanding.”

Council of Europe Recommendation 1652 (2004) on Education of refugees and internally displaced persons, 17 January 2005

At the 911th meeting of the Ministers’ Deputies on 12.01.2005 the Committee of Ministers acknowledges the right of children to education irrespective of their status in compliance with the United Nations Convention on the Rights of the Child, and recognises the importance of education for the successful integration of refugees and internally displaced persons (IDPs) into society. Furthermore, The European Committee on Migration of the Council of Europe (CDMG) undertakes extensive work in the area of integration, including issues relating to ensuring adequate access to education. One of the sub-committees of the CDMG, the Committee of Experts on Integration and Diversity (MG-ID), is currently completing work on developing an effective system of integration indicators.

Council of Europe Committee of Ministers, Recommendation CM/Rec (2007) of the Committee of Ministers to Member States on life projects for unaccompanied migrant minors, July 2007

This document of the Parliamentary Assembly of the Council of Europe provides for important policy guidelines regarding life projects for unaccompanied migrant minors. Education is seen as an important objective regarding life projects understood as developing “the capacities of minors allowing them to acquire and strengthen the skills necessary to become independent, responsible and active in society.”

European initiatives, programmes and documents

SCEP, Statement of good practices (4th edition) 2010

The Separated Children in Europe Programme (SCEP) started as a joint initiative of some members of the International Save the Children Alliance and the United Nations High Commissioner for Refugees (UNHCR). It has grown and evolved and is now

⁶ The European Parliament and the Council of the European Union. *Directive 2008/115/EC of 16 December 2008*, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:348:0098:0107:EN:PDF>

comprised of many non-governmental partners throughout Europe who continue to work closely with UNHCR. The document provides *inter alia* a statement on good practices regarding “education, language and training” (section D.8.3.).

European Migration Network, Reception, Return and Integration Policies for, and numbers of, UNACCOMPANIED MINORS, May 2010

The EMN Synthesis Report summarises in a comparative study the main findings of National Reports produced by twenty-two of the EMN National Contact Points from Austria, Belgium, the Czech Republic, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Netherlands, Malta, Poland, Portugal, Slovak Republic, Slovenia, Spain, Sweden and the United Kingdom. It provides information on policies on unaccompanied migrant minors in the EU, including identified best practices on education.

Fundamental Rights Agency, Separated, asylum-seeking children in European Union Member States – Summary Report, 2010

On 30 April 2010 the FRA published a summary report on ‘Separated, asylum-seeking children in European Union Member States’ that reveals many shortcomings and deficiencies in the care provided to asylum-seeking children in the European Union. Based on its findings, the report includes a number of recommendations as to how the needs of these children can be met, to facilitate the implementation and fulfilment of their rights (as enshrined in the Convention on the Rights of the Child and the EU Charter of Fundamental Rights).

Eurasylum Ltd, The protection of the rights and special needs of irregular migrant minors and asylum seeking children: A thematic discussion paper prepared for the Fundamental Rights Agency, 2008

This paper aims to identify policy interventions, legal measures and administrative procedures at EU level to protect the rights and special needs of irregular immigrant minors and asylum-seeking children. A major theme running through the paper concerns the “best interests” of the child and the necessary changes to ensure those best

interests are met. Education is one of the main issues addressed.

Other important international initiatives and commitments

Millennium Development Goals

Expanding access to good quality education is also seen as an important means to halving extreme poverty and hunger before 2015, one of the eight Millennium Development Goals (MDGs), as emerged in September 2000 from the commitments made by world leaders at the UN Millennium Summit. The second MDG is to make sure that all boys and girls complete a full course of primary schooling by 2015.

United Nations Study on the impact of armed conflict on children (also known as the Graça Machel Report) of 1996

This study is a seminal research on the impact of conflict on children and their need for protection and education. It is of particular relevance when addressing issue of trauma experienced by refugee children.

Education for All (EFA)

Most of the world’s governments have committed themselves to EFA’s goals, articulated and reaffirmed at the 1990 World Conference on Education for All in Jomtien and the 2000 Dakar World Education Forum. One of the Dakar Goals is to ensure that by 2015 all children, particularly girls, children in difficult circumstances and those belonging to ethnic minorities have access to and complete free and compulsory primary education of good quality.

Related instruments and documents

Many of the problems confronting RASC are the same as those confronting other child migrants and sometimes the solutions being similar. In this context some migration and integration related documents could be of interest as well.

A number of best practices have been identified in the **Handbook on integration for practitioners**

and policy makers published in 2004 and updated in 2007 and most recently in April 2010.⁷ The latest edition of the Handbook builds on the above-mentioned CBP 5 related to education and presents strategies to raise the educational attainment of immigrant pupils. These are divided in three areas: improving the school system, enhancing the capacity building of teachers and administrators and actively engaging young immigrants and their parents. Strategies are implemented through measures such as ensuring access to primary and secondary education for all (in line with the UDHR and the CRC), accurate assessment of prior learning abroad, identification of needs and ongoing support, resource allocation mechanisms, training teachers for diverse classrooms, outreach and partnership with parents from disadvantaged groups, and after school assistance.

It also sets a number of benchmarks for planning, research, analysis and implementation of the practices through which progress can be measured. The Handbook also points to the respective National Contact Points on Integration in each EU Member State.

Part of the Lisbon Agenda 2000/10 to make the EU the world's most dynamic and competitive knowledge-based economy is to increase the number of young people completing upper secondary education. In this regard, providing opportunities for pursuing higher education or vocation training is also crucial for the successful integration of refugees. The Handbook notes that immigrants are underrepresented in higher education and training and have a high drop-out rate and proposes a series of outreach measures to address these issues.

In 2008, European Commission's DG Education and Culture launched an EU debate on these issues with its Green Paper entitled "Migration and mobility: challenges and opportunities for EU education systems." Further analysis and examples of practices can be found in the study attached to the Green Paper, Education and the Integration of Migrants.⁸

Integrating Immigrant Children into Schools in Europe prepared by DG Education and Culture's Eurydice information network on education in Europe⁹ deals with the issue of communication with immigrant families and teaching of heritage languages in schools. In this regard, the work of the Organisation for Economic Co-operation and Development (OECD) should also be mentioned. The OECD has conducted a Thematic Review on Migrant Education and A Review of Evidence and Policy Options and thus published the report **Where Immigrant Students Succeed: A Comparative Review of Performance and Engagement in PISA 2003**.¹⁰ This report analyses evidence from the OECD Programme for International Student Assessment (PISA 2003) on outcomes of schooling for immigrants in the OECD member countries (which include a majority of EU MS, as well as the European Commission as an observer). It includes analysis on how well immigrant students perform in key school subjects at the age of fifteen, as well as how they assess themselves as learners and what their general attitudes are towards school. The findings for first-generation students who were born outside the country of assessment and whose parents were also born in a different country are particularly relevant, identifying support in the language of instruction as key in enhancing pupils' outcomes.

2. DEFINITIONS AND INTERPRETATIONS OF THE KEY CONCEPTS

The main task of the first project activity is to identify best practices in the field of educational integration of refugee and asylum-seeking children. In this context, the key concepts of "best practices" and "educational integration" have to be defined and explained.

⁷ European Commission, Directorate-General Justice, Freedom and Security. *Handbook on Integration for policy-makers and practitioners*, http://ec.europa.eu/ewsi/UDRW/images/items/doc1_12892_168517401.pdf

⁸ Heckmann, Friedrich et al. *Education and the Integration of Migrants*, www.efms.uni-bamberg.de/pdf/NESEducationIntegrationMigrants.pdf

⁹ Eurydice et al. *Integrating Immigrant Children into Schools in Europe*, http://eacea.ec.europa.eu/education/eurydice/documents/thematic_reports/101EN.pdf

¹⁰ Organisation for Economic Co-operation and Development et al. *Where immigrant students succeed – A comparative review of performance and engagement in PISA 2003*, www.oecd.org/dataoecd/2/38/36664934.pdf

2.1. Defining “best practices”

The first important question is: What kind of practices will be studied? The scope of the practices to be examined in the field of educational integration of RASC will be kept as broad as possible. There will be no restrictions to specific educational areas and levels, institutional set-ups and organisational forms, educational methods and techniques, etc. Best practices are sometimes conceived as a programme, a method or a technique that could be picked out of a toolbox and applied on the spot. Sometimes a ‘good practice’ is not so much a technique or programme, but a policy or an administrative measure like the change in educational policy or the creation of expertise centres. A fixation on ‘good practices’ in the narrow sense can distract attention from the need for deeper changes of societal and/or educational systems.¹¹ That is why, it is important to adopt a more systematic approach, considering how all features of the schools, country educational systems, national and local institutions and society as a whole help or hinder the integration of refugee and asylum-seeking children. In this context, some of the generally defined educational practices to be explored could be:

1. Educational policies at European, national and local level;
2. Educational programmes for refugee and asylum-seeking children;
3. Curriculums, methods and techniques relevant to RASC;
4. National and local educational projects targeted at RASC;
5. Administrative measures to solve specific problems of RASC;
6. Additional activities and opportunities for out-of-school-hours learning;
7. Services provided to refugee children and families to help with their immediate needs;
8. Measures to ensure safe and secure school environment for refugee and asylum-seeking children;

9. Involvement of key stakeholders (families, refugee and migrant groups, local receiving communities, non-governmental organisations, and others);
10. Relevant funding schemes;
11. Monitoring and evaluation methods.

The second key questions will be: On what grounds to label some specific practices as best/good ones and select them for description? The answer of that question is far from clear and straightforward.

- Good for whom?

Different stakeholders could have different views about certain policy, program, measure or method, based on their perspective, institutional role or specific experience.¹²

- Good to what extent?

The term “best practice” in the project context will be used in a broad sense, including more modest concepts of “good” and even “promising” practices.¹³ Sometimes “best” implies that the same solution can be ideal in all countries, which is doubtful. So both terms “best” and “good” practices will be used equivalently.

- Good on what ground?

Many criteria could be used to identify best practices and much more indicators could be constructed. Criteria for the identification of best practices could be defined also on several levels of generalisation. Different lists of general criteria for identification of best/good practices have been suggested. At a very general level, Padilla et al. (2007)¹⁴ quote four UNESCO criteria, which apply to almost any field of intervention.

1. **Best Practices are innovative.** A Best Practice has developed new and creative solutions to common problems that are consequence of immigration, poverty and social exclusion.

¹¹ For more in-depth discussion on the topic, see the chapter “The importance of structural change: why ‘good practices’ are not enough”, in: Portugal, R., Padilla et al. (2007) *Good practices on health and migration in the EU*. Lisbon: INSA. <http://mighealth.net/eu/images/f/f6/Padilla1.pdf>

¹² Watters, C. & Ingleby, D. (2004). *Locations of care: meeting the mental health and social care needs of refugees, in: Europe. International Journal of Law and Psychiatry* 27, pp. 549-570.

¹³ See the arguments to use the term “good” instead of “best” practices in Padilla et al. (2007).

¹⁴ Portugal, R., Padilla et al. (2007) *Good practices on health and migration in the EU*. Lisbon: INSA. <http://mighealth.net/eu/images/f/f6/Padilla1.pdf>

2. **Best Practices make a difference.** A Best Practice demonstrates a positive and tangible impact on the living conditions, quality of life or environment of the individuals, groups or communities concerned.
3. **Best Practices have a sustainable effect.** A Best Practice contributes to sustained eradication of poverty or social exclusion, especially by the involvement of participants.
4. **Best Practices have the potential for replication.** A Best Practice serves as a model for generating policies and initiatives elsewhere.

Helmut Sax and Margit Ammer proposed several criteria, which refer to a variety of interventions:

- **Part of an overall strategy:** Is the initiative elaborated and implemented as part of an overarching strategy?
- **Impact:** Is there any evidence that the initiative has a measurable output in reaching its aims?
- **Transferability:** Does the initiative have the potential to be one that others can copy, and that can be transferred to other settings and/or Member States?
- **Sustainability:** Does the initiative have the potential to lead to enduring structural changes?
- **Innovation:** Is the initiative of a new type, does it present a new way of doing an existing task? Is there any added value?
- **Relevance for the aims:** Is the initiative an adequate means to reach the aims?
- **Stakeholders' involvement:** Are the stakeholders effectively involved in the initiative?
- **Monitoring and Evaluation:** Is there a permanent review procedure established, is it conducted regularly, is an assessment made, and is the evaluation findings fed into the process on a continuous basis?

In Watters et al. (2003)¹⁵ the following criteria were used:

- How accessible is the intervention?
- How are the needs or wishes of users reflected in the intervention?
- To what extent have users influenced, directly or indirectly, the form of the activity?

- How much attention, and what kind, is paid to possible effects of cultural differences?
- Is the intervention original?
- Are attempts made to evaluate the success of the intervention?

Some more specific criteria to identify best practices in the field of educational integration of refugee and asylum-seeking children will be proposed in *Section 4. Criteria for identification of best practices.*

2.2. Defining the concepts of “integration” and “educational integration”

Defining the terms “integration” and “educational integration” is even more difficult than defining “best practice” as they mean different things to different people and may have different meanings across the EU.

There are two parallel regulating processes within the EU relevant to the integration of immigrants, including refugees and asylum seekers – EU migration law and the EU framework on integration. After 1999 there are significant changes in the way EU MSs understand integration within the boundaries of these two processes. At the meeting in Tampere, the EU outlined certain principles that would guide EU integration policy. They are known as the “EU fair and near-equality treatment paradigm.” This includes a just approach toward the legal immigrants and refugees; active integration policy that guarantees legal rights and obligations as near as possible to those of EU citizens. The Tampere (1999), Hague (2004), and Stockholm (2009) programmes define migration within the justice and home affairs framework. Under the influence of some MSs, integration has become conceived as another type of regulatory mechanism that can control the inflow of foreign citizens until they receive a legal permit to stay. Integration in this sense is interpreted as a tool to control migration and a precondition for acquiring legal rights.

In the specific project context there is a need to arrive at a working definition of integration. One

¹⁵ Watters, C. et al. (2003). Good practices in mental health and social care for asylum seekers and refugees. Final Report of project for the European Commission (ERF). Canterbury: University of Kent, p. 344. <http://mighealth.net/eu/images/b/b5/Goodprac.doc>

of the options is to adopt an “official” definition concerning migrants in general. For instance, the Commission suggests the following **definition of integration** in its policy paper entitled “Immigration, Integration, and Employment” from 3 June 2003:

“A two-way process based on mutual rights and corresponding obligations of legally resident third country nationals and the host society which provides for full participation of the immigrant. This implies on the one hand that it is the responsibility of the host society to ensure that the formal rights of immigrants are in place in such a way that the individual has the possibility of participating in economic, social, cultural and civil life and on the other, that immigrants respect the fundamental norms and values of the host society and participate actively in the integration process, without having to relinquish their own identity.”¹⁶

This definition could be a starting point but is not enough because the central concern of the project is the integration of RASC into the educational system of the receiving country. Thus, a more specific working definition of educational integration of RASC should be proposed. It can be developed along three basic aspects of “educational integration” of RASC as a two-way process:

1. RASC and those with subsidiary forms of protection should have full access to education under the same conditions as nationals and demonstrate similar educational achievements.
2. Education as a main factor for cultural integration should promote the effective acculturation perceived as internalisation by RASC of the main components of the host society’s culture.
3. Unequal treatment of RASC in the educational system and different forms of discrimination, xenophobia, racism, anti-semitism, islamophobia, etc. should be eliminated.

The first aspect of educational integration refers to the fact that RASC are typically disadvantaged,

at least at the outset, in terms of level of access to education and enrolment, duration of attending school, indicators of achievement, drop-out rates, types of school diploma reached, and others. Thus, effective integration in the educational system could include policies, programmes, educational methods, measures, affirmative actions etc. to ensure educational opportunities to RASC as near as possible to nationals from the host country and to allow them to reach similar levels of school performance and attainment.

Acculturation as a second aspect of educational integration does not mean assimilation or total acceptance of the host society’s culture, but refers to the degree major elements of the receiving country’s culture (values, norms, rules of behaviour etc.) are learned and internalised by RASC, without necessarily giving up their national and cultural background. Special attention should be given to the learning of the host country language, which is absolutely vital for effective integration of RASC children in all its aspects.

The third aspect of educational integration is related mainly to the treatment of RASC by the host society (officials, teachers, peers, parents, native citizens). Adherence to the non-discrimination principles should ensure that all forms of discrimination of RASC are prohibited and eliminated and the right to education and training is guaranteed without distinction as to race, national or ethnic origin. The EC also considers that segregation, tracking and ability grouping can have particularly negative impacts on migrant and ethnic minority children.¹⁷ These practices are therefore forms of “institutional discrimination” and should be critically evaluated in the light of their consequences for RASC. Stereotyping on the achievement of RASC is another problem to be solved in this perspective. RASC should also receive appropriate protection and humanitarian assistance in the context of the host country’s educational system.

¹⁶ European Commission. Communication from the commission to the council, the European parliament, the european economic and social committee and the committee of the regions on immigration, integration and employment, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52003DC0336:EN:HTML>

¹⁷ EC (2008). *Green paper: Migration & mobility: challenges and opportunities for EU education systems*. Brussels, European Commission <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2008:0423:FIN:EN:PDF>

3. SCOPE OF THE WORK

3.1 Geographical coverage

The project's review of best practices in the integration of refugee minors at school will encompass an unprecedented number of MSs. In cataloguing best practices, the research conducted by the project team will encompass all 26 EU Member States participating in the European Refugee Fund, as well as Denmark, Norway, and four Western Balkan states at various stages on their way to EU Membership (Bosnia and Herzegovina, Croatia, Montenegro and Serbia). The project partners will be researching best practices in the educational integration of refugee children in their country as well as in several other European countries that are close geographically and/or linguistically. Where the target group is relatively small, best practices in the design and implementation of preparedness programmes (as in, for instance, Estonia) will be reviewed. Where best practices are lacking (Bulgaria being a notable example), preparing a situation analysis and highlighting areas needing improvement would be relevant.

3.2. Target groups

The main target group and direct beneficiaries of the action are children who have been granted refugee status or are seeking to be granted asylum in EU Member States participating in the ERF, as well as Denmark, Norway, Bosnia and Herzegovina, Croatia, Montenegro and Serbia. Definition of "children" is based on the United Nations Convention on the Rights of the Child (CRC) – all persons below the age of eighteen. Since UNHCR estimates that over 40 per cent of all refugees and asylum seekers worldwide are children, it could be estimated that approximately 650,000 such children live in the EU.

The Refugee Convention of 1951 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." An asylum seeker is someone who has made a claim that he or she is a refugee or qualifies for another form of protection, and is waiting for that claim to be accepted or rejected. The term contains no presumption either way and simply describes the fact that someone has lodged the claim. Though both refugee and asylum-seeking children are the main target groups of the project, their situation is rather different and all the distinctions relevant to their educational integration should be made clear.

Children with subsidiary protection status (which are likely to be equated with recognised refugees in the near future),¹⁸ temporary protection status and humanitarian residence permits will also be included as target groups. Strictly speaking they are not 'refugee children', but they are treated by the same system, subject to the same rights and obligations concerning education, and considered as refugee children in most projects. The distinction between these various types of asylum varies and is often influenced by political factors. It is also suggested that after a first stock-taking phase on the national level to have a review of the existing focus areas, to identify the most widespread target groups of RASC, the common and specific challenges they are facing and then to continue with best practices identification on the basis of the conclusions made.

It will be relevant to include also 'failed' asylum seeker children (those whose claim has been refused). The issue of children, who have a right to stay up to age of eighteen whereas their parents are supposed to leave the country, is another important case. In some countries asylum-seeking children are allowed to stay after reaching eighteen in order to complete their course of study.

A specific vulnerable group to focus upon will be that of unaccompanied and separated children (UASC). The challenge of unaccompanied minors is growing: a considerable number of third-country nationals or stateless persons below the age of eighteen arrive on EU territory unaccompanied

¹⁸ For example, see the proposed recast of the qualification directive: Commission of the European Communities. Proposal for a Directive of the European Parliament and of the Council, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2009:0551:FIN:EN:HTML>

by a responsible adult, or are left unaccompanied after they have entered EU territory.¹⁹ Statistics on unaccompanied minors are most comprehensive for those unaccompanied minors who apply for asylum. In 2008, a total of 11,292 applications for asylum were lodged by unaccompanied minors in the twenty-two Member States.²⁰ In 2009 Europe received 15,100 UASC claims. Their number was the highest in the UK – almost 3,000, Norway (2,500), Sweden (2,250) and Germany (1,300).²¹ This particularly vulnerable category of children seeks asylum for different reasons: to escape from wars and conflicts, poverty, natural catastrophes, discrimination or persecution, and often they are victims of trafficking as well.

Attention will be paid also to best practices in the integration of other vulnerable groups, such as newly arrived immigrants and ethnic minority children, but only to the extent that any such practices can be feasibly and successfully applied with respect to refugee and asylum-seeking children.

4. SPECIFIC CRITERIA FOR THE IDENTIFICATION OF BEST/GOOD PRACTICES

The search for adequate and more specific criteria and indicators for identification of best/good practices in the educational integration of refugee and asylum-seeking children could be facilitated by understanding what these practices are intended to overcome, which main problems of RASC they are supposed to solve and what goals and objectives are meant to be reached. In this respect the objectives of the “Education Strategy 2010 – 2012: Education for All Persons of Concern to UNHCR”, developed by UNHCR and published in Geneva (September 2009), could be taken into account. The strategy is trying to achieve three main complementary and mutually reinforcing education objectives:

- increased access and enrolment;
- improved quality of education;
- enhanced protection.

From a human rights perspective the “AAAQ” (availability, accessibility, adaptability, quality) criteria for protection of social and cultural rights and service provision established by UN treaty bodies should also be taken into account:

- **Availability of educational services**, including school types (primary/secondary/vocational training).
- **Accessibility** of educational services (non-discrimination in general, gender, disability, rural/urban); physical accessibility; economic accessibility/affordability; access to information).
- **Adaptability/acceptability** of educational services: e.g. cultural sensibility, child protection standards against violence/exploitation.
- **Quality of educational services** (qualification of teachers/training, monitoring/accountability).

Criteria for identification of best/good practices will also be based on the human rights and in particular child’s rights perspective, as per the UN Convention on the Rights of Child. From this perspective children should be perceived as members of society not only equal in rights but whose rights are of highest priority. This principle is confirmed in the World Fit for Children Declaration of UN General Assembly as its first objective set: “Put children first. In all actions related to children, the best interests of the child shall be a primary consideration.” Child rights approach and its underlying principles (empowerment and accountability, non-discrimination and equality, participation, indivisibility of rights, respect for the voice of the child) will be incorporated in the relevant criteria for identification of good practices of educational integration of RASC.

On this basis of defining the priority problems of educational integration of refugee and asylum-seeking children, the adopted interpretation of educational integration and the rights-based approach, several specific criteria for identification of best practices could be identified. Gender and age should be considered a cross-cutting issue and all practices (policies, programmes, projects, methods etc.) should be assessed also as to their impact on girls and boys in different age groups.

¹⁹ COM(2010)213, *Action Plan on Unaccompanied Minors* (2010 – 2014), SEC(2010)534.

²⁰ European Migration Network: <http://emn.sarenet.es/Downloads/prepareShowFiles.do?directoryID=115>

²¹ UNHCR, 2009 *Global Trends*, p. 19.

1. Access and enrolment

The problem: The right to education is a basic right endorsed by the Convention on the Rights of the Child of 1989 and the Refugee Convention of 1951. At the same time, UNHCR's Global Strategic Priorities recognise that access to free primary education remains elusive for many refugee and asylum-seeking children.²² In 2007, out of 2.6 million refugee children at school-age globally, only an estimated 67 per cent were enrolled in primary and secondary schools, leaving a third (around 900,000 children) without access to education.²³ The EU has provided the initial legal basis for granting access to education to these children under Council Directive 2004/83/EC of 29 April 2004, yet further progress is needed in identifying and disseminating practical initiatives.

Access and enrolment of female RASC, "promoting girls' education, gender equality and sensitivity"²⁴ is an important part of the process of educational integration of RASC. Reported data indicates that there is a "disparity between the percentage of girls and boys enrolled in grades 1-6, where the gender parity index (GPI) is 0.83, meaning a disparity in favour of boys. In secondary schools the GPI Index is 0.77."²⁵ Therefore, RAS girls are less often enrolled in school than RAS boys and more girls than boys drop out of secondary schools. Good practices to provide access to education to RAS girls should be accompanied by variety of measures, related to issues like early pregnancy and marriages. In this context the level of involvement in education process of the RASC parents could be also a criterion for the identification of good practices.

Some feasible criteria for good practices identification: Practices which: a) ensure that RASC have the same opportunity to access education as all other children; b) increase the share of RASC at school-age enrolled in primary and secondary schools; c)

ensure that the RAS girls have the same opportunity to access education as the RAS boys; d) prevent the postponing of access to the education system for more than three months from the date of filing an asylum application; e) increase attendance and reduce drop-out rates, especially for girls; f) increase opportunities for language, vocational and skills training.

2. Quality of education

The problem: According to UNHCR policy documents, even when access to education is secured, the educational integration of children is marred by obstacles such as language barriers, lack of training for teaching personnel, etc.²⁶ Data on achievement of school children show that as early as at the end of primary school education migrant children score lower compared to native children.²⁷ The OECD PISA studies on standard academic skills of fifteen-year-old children also show substantial disadvantages for migrant children, though the differences vary from one country to another.²⁸ Among the main identified challenges in achieving higher quality of education of RASC are: the low percentage of qualified (and certified) teachers, the use of different curricula in home and host countries, the lack of recognition for diplomas, insufficient teaching and learning materials, insufficient number of schools and classrooms, lack of catch-up classes as well as insufficient means for teacher compensation.²⁹ Secondary school system still does not provide to a satisfactory degree (1) the quality education RASC need to engage in the labour markets and (2) the life skills to positively face life challenges.

Some feasible criteria for good practices identification: Practices which: a) improve the teachers' qualifications and skills to work with RASC; b) develop relevant for RASC curricula, innovative and participative teaching methods and techniques;

²² UNHCR, *Draft Global Strategic Priorities*, April 2009, p. 13, available at: <http://www.unhcr.org/49e89fe62.html>

²³ UNHCR, *Educational Strategy 2010 – 2012*, Geneva, 2009, p. 4.

²⁴ UNHCR, *Education field Guidelines*, Geneva, 2003, p. 5.

²⁵ UNHCR, *Educational Strategy 2010 – 2012*, Geneva, 2009, p. 5.

²⁶ See UNHCR, *Draft Global Strategic Priorities*, April 2009, p. 13, available at: <http://www.unhcr.org/49e89fe62.html> and UNHCR, *Educational Strategy 2010 – 2012*, Geneva, 2009.

²⁷ Stanat, P. et al. (2007), Statement, in: *Bundesministerium für Arbeit und Soziales 2007a*, p. 43.

²⁸ OECD (2006), *Where immigrant students succeed. A comparative review of performance and engagement in PISA 2003*. Paris: OECD Publishing.

²⁹ UNHCR, *Educational Strategy 2010 – 2012*, Geneva, 2009, p. 6.

c) disseminate programmes, guidelines, tools and minimum standards for education of RASC; d) provide effective language courses to RASC to attend regular schools; e) ensure that RASC have the same school performance as native children; f) conduct needs assessments and programme evaluations; g) disseminate good practices and lessons learned.

3. Enhanced protection

The problem: Education should provide physical, psychosocial and cognitive protection for RASC. Some of the main challenges to achieve the objective of enhanced protection are cultural practices such as early pregnancies and marriages; insufficient safe learning environments in urban settings, e.g. abuse by teachers and fellow students; large numbers of out of school adolescents with high protection risks; weak monitoring and response capacities, etc.

Special attention needs to be afforded to refugee children from vulnerable groups, and educational programs need to take into account their specific needs.³⁰ According to UNHCR, such vulnerable groups are: children with disabilities, children with special needs, ex-child soldiers and militia workers, separated children, children victims of crime and involved in drugs, prostitution, exploitative labour or street children, etc. Health protection, psychological care, and accessibility of school environment are important to the educational integration of such children, as well as special educational practices.³¹

Some feasible criteria for good practices identification: Practices which: a) promote, establish and expand a safe learning and favourable protection school environment for RASC with a particular focus on girls; b) promote multiculturalism and tolerance in education not only of RASC but of all children; c) increase protection interventions in all phases of displacement from the outset of an emergency, in urban and protracted settings; d) provide special health and psychological care, rehabilitation services for minors who have suffered from violence or war; e) provide civic and health education (unwanted pregnancy protection, HIV protection etc.); f) protect RASC from drug, sexual or other forms of abuse; g) protect from discrimination.

³⁰ UNHCR, Education Guidelines, Geneva 2003, p. 7.

³¹ UNHCR, Education field Guidelines, Geneva, 2003, pp. 7-8.

4. Empowerment and participation

The problem: Refugee and asylum-seeking children are often perceived as passive objects/recipients of care of different integrational policies, programmes, projects and measures. The framework adopted in the INTEGRACE project combines the child rights based approach with a social inclusion perspective, aimed at establishing the right educational environment for RASC, with an empowerment perspective, defined as the expansion of assets and capabilities of RASC to participate in, influence, control and hold accountable the institutions which affect their lives. The empowerment approach emphasises the RASC's role as agents of positive change and assets for development.

Some feasible criteria for good practices identification: Practices which: a) take into account the views of RASC children; b) stimulate active participation of RASC in the design, implementation and evaluation of educational practices they are involved in; c) provide feedback from RASC on availability, acceptability, quality of different initiatives, policies, programmes etc.; d) ensure that children's views have impact on educational services delivery; e) promote the principle of empowerment of the child as a right holder through child rights education, awareness-raising campaigns with child and youth organisations, etc; f) conduct child rights-based research and collect child rights-based data; g) develop child focused indicators and include subjective indicators for evaluation/assessment; h) set up independent child rights institutions.

5. DATA SOURCES AND METHODS OF GOOD PRACTICES IDENTIFICATION

In order to collect information regarding successful initiatives and policies for the educational integration of RASC, the project team will use the following sources of information:

- Academic research and publications;
- Reports by government institutions of EU Member States;
- Reports by EU institutions and agencies;
- Reports and studies by other international

- organisations;
- Reports and studies by non-governmental organisations in EU Member States;
- Interviews with stakeholders, conducted over the phone or in person – conducted during fact-finding visits (primary data);
- On-site visits.

The data collection process will be based on several main instruments:

- **Desktop research:** to collect information on background studies and stakeholder information and to identify relevant resources to be used in the development of data collection tools. Databases such as ISI Web of Knowledge and EBSCO will also be utilised. These databases contain publications in various EU Member States languages, and searches will be conducted in all languages spoken by the team members. Reports by governmental institutions in the EU Member States, legislation (international, EU and national) as well as project reports and academic research in this area will be used as a source of information about policy initiatives undertaken by the countries in the field of educational integration of RASC.
- **Official correspondence:** to collect information from relevant institutions and experts on existing policies, programmes and initiatives for the educational integration of RASC and specific cases. Such relevant institutions could be: governmental institutions related to refugees, refugee camps, detention centres, UNHCR offices in each country, ministries of education, municipalities or other regional structures, NGOs, schools, other institutions providing educational courses for RASC and/or their parents.
- **Interviews:** to collect data on policies, stakeholders and best practices, as well as to gain an understanding of the main strengths and weaknesses of the policies and programmes for the educational integration of RASC. Interviews with policy makers, representatives of public and private organisations running relevant programmes, NGOs and academic institutions, practitioners, teachers (especially teachers with refugee backgrounds) and parents of RASC (if possible) will be carried out.
- **Observations:** to collect first hand information on places of RASC education – schools, classrooms in refugee camps and detention centres, places

where educational courses of RASC are being provided, NGO offices, etc.

Each project partner or individual expert will summarise the results and conclusions regarding the best practices identified in the respective EU countries in written form and will produce a country report (approx. 25-30 pages).

6. CONTENT OF THE COUNTRY REPORTS

The following section aims to introduce a common structure to be followed by all experts in the elaboration of the country reports and situation analyses. It also sets down the main methodology for describing the good practices identified throughout the research.

1. Methodological introduction (2-3 p.)

It should be based on the methodology presented above with emphasis on:

- country specificities that allow or prevent certain methodological tools;
- methods used for data collection and issues related to data reliability and comparability;
- main sources of information (National Statistical Offices, National Integration Focal Points, National Refugee Agencies, UNHCR, etc.).

2. Refugees and asylum seekers: general background (3-4 p.)

This section should outline the background regarding the situation of refugees and asylum seekers in the country. It should include statistical data on trends and flows of migrants, refugees and asylum seekers to the country; current makeup of the refugee population (incl. main countries of origin, regional distribution/pockets of high concentration, age structure etc.); numbers and types of RASC; asylum application procedures and interim status and conditions of stay, facilities available, duration of procedures; levels of overall integration of the major groups of refugees and asylum seekers (incl. limitations and barriers of entry and stay, housing and living conditions in reception centres, and issues

related to segregation, speaking the local language, social integration, etc).

3. Institutional set-up, legal and policy framework (3-4 p.)

The national authorities responsible for integration of and service provision to refugees and asylum seekers in the country should be identified:

- 3.1.1. National level (Ministries, State Agencies, National Commissions, NGOs, etc.);
- 3.1.2. Regional level (Regional authorities, NGOs, etc.);
- 3.1.3. Local level (local councils, schools, migrant organisations, etc.).

The international legal and policy context has been set out in the introductory chapter. This is the same for all EU Member States with only slight possible exceptions, which should be noted. The focus here should be directed to the national legal basis, and to policies and programmes promoting the educational integration of RASC. Special attention should be paid to the transposition of relevant EU directives into national legislation. Budgetary allocations for refugees and asylum seekers and their integration should also be included. The gathered information should similarly be pertain to the national level (national regulations, policies and strategies; national budget available for integration, specific provisions for integration of children, programmes for specialised training of teachers, etc); to the regional level (programmes specific for regions with higher number of RASC, co-operation mechanisms, etc); and to the local level (degree of independence of local schools, availability of trained teachers, etc)

4. Overview of the educational system and the education status of refugees and asylum seekers in the country (4-5 p.)

Information here should include:

- 4.1. National specifics of the education system in the country in question (elementary, secondary and high-school education; vocational training; institutional stakeholders national government, local authorities, educational institutions, immigrant/refugee organisations).
- 4.2. Characteristics of RASC and their parents

relevant to the educational process (if available: previous education of both children and of their parents, language abilities, social and cultural characteristics, etc).

- 4.3. Status of RASC in the national educational system – access, enrolment, gender ratios, quality of education, protection, discrimination, barriers to entry and stay, etc; analyses of trends, problems and perspectives of RASC in the educational system of the respective country.
- 4.4. Provision of education for various legal categories (refugees, asylum seekers in procedure, children with subsidiary protection status, temporary protection status and humanitarian residence permits) and vulnerable groups of RASC (children with disabilities, children with special needs, ex-child soldiers and militia workers, separated children, children victims of crime and involved with drugs, prostitution, exploitative labour or street children).

5. Good practices description and analysis (10-15 p.)

This section will focus on detailed description and analysis of identified good practices or measures that have proven successful in promoting the integration of RASC at various levels of the education system. These can be presented in the form of case studies and, in countries where this is possible, should cover different practices, based on various criteria and indicators. It should be noted again that the success of a good practice is largely defined by the context in which it is being implemented, so special attention should be paid to describing that context.

Best practices identified will be catalogued in the Inventory of best practices in the field of educational integration of refugee and asylum-seeking children (see Annex 1).

Concrete examples of policies, programmes and methods, which have contributed to the achievement of increased access and enrolment, improved quality of education, and enhanced protection of RASC, should be given:

- **Policies** (national and regional educational policies, educational programmes for RASC, policy initiatives to identify and solve problems

- specific to RASC);
- **Programmes** (introduction of language training, after-class activities, national and local education projects targeted at RASC);
- **Methods** (special training modules implemented in schools, methods for the participation of parents, migrant and local community organisations, curriculums, methods and techniques relevant to RASC, monitoring and evaluation of programmes and policies).

This should include the main actors involved and their relationship, providing where possible, background information on organisational culture and local attitudes, substantiated by interviews with relevant stakeholders.

Attention should be paid to various examples of good practices, recognising that a good practice is not necessarily exhaustive or perfect. Rather, it can be seen as representing the best available solution to a specific problem in light of available resources and the working environment in a given context. Hence, description should focus both on the process, as well as on the outcome, of an identified practice.

Information regarding the financial resources available and their source(s) should be included if possible. Feedback by various actors should also be included in the description. The use of other available training material, the Handbook

for Integration, UNHCR, etc. in developing and implementing the good practices should be noted. Special attention should be devoted to gender differences and the situation of vulnerable children or children who have experienced trauma or stress.

In the countries where good practices are scarce, situation analyses will be produced describing the measures in place with regard to education of RASC with the aim of identifying gaps in coverage and opportunities for improvement. Where relevant, some unsuccessful practices of educational integration of RASC should also be mentioned and analysed in comparison with the good ones.

6. Areas in need of change/policy recommendations/opportunities for policy and programme improvement (3-4 p.)

Some country-specific recommendations will be put forward on the basis of the data gathered and the practices identified. In particular, in countries where measures for the integration of RASC are scarce gaps will be identified and some recommendations will be proposed in this regard.

Recommendations should be both general (referring to the implementation of international and EU standards and guidelines) and specific (introducing specific methods, programming, consultations mechanisms, etc.).

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LIST OF ABBREVIATIONS

CBP	– Common Basic Principles
CDMG	– European Committee on Migration of the Council of Europe
CRC	– Convention on the Rights of the Child
FRA	– Fundamental Rights Agency
MDG	– Millennium Development Goals
MSs	– Member States
OECD	– Organization for Economic Co-operation and Development
RASC	– Refugee and Asylum-seeking Children
UASC	– Unaccompanied and Separated Children

ANNEX 1

TABLE 55. INVENTORY OF BEST PRACTICES IN THE FIELD OF EDUCATIONAL INTEGRATION OF REFUGEE AND ASYLUM-SEEKING CHILDREN

GENERAL INFORMATION	COUNTRY	
	WORKING TITLE OF THE BEST PRACTICE	
	IMPLEMENTING INSTITUTION/ ORGANISATION	
	GEOGRAPHICAL COVERAGE	
	TARGET POPULATION (including 1) the type of protection status – refugees, asylum seeker, subsidiary protection etc.; 2) specific vulnerable group – victims of crime, unaccompanied or separated children and others)	
	TIMING	
DESCRIPTION OF THE BEST PRACTICES	TYPE OF THE BEST PRACTICE	1. Policy
		<ul style="list-style-type: none"> Policy area (e.g. education, migration, integration, social protection, etc.) Policy level (local, regional, national, EU)
		2. Educational programme
		<ul style="list-style-type: none"> educational level (primary, secondary, vocational training)
		3. Curriculum (syllabus, instructions)
		4. Teaching method
		5. Targeted project
		6. Services provided to refugee children and families
		7. Stakeholders involvement
		8. Funding scheme
		9. Organisational set-up
10. Monitoring and evaluation methods		
11. Other (please specify)		

TABLE 55. INVENTORY OF BEST PRACTICES IN THE FIELD OF EDUCATIONAL INTEGRATION OF REFUGEE AND ASYLUM-SEEKING CHILDREN (CONTINUED)

DESCRIPTION OF THE BEST PRACTICES	COUNTRY	
	PROBLEMS ADDRESSED	1. Access/Enrolment
		2. Quality of education
		3. RASC protection
		4. Discrimination, segregation
		5. Empowerment, participation
		6. Others
	INTERVENTIONS IMPLEMENTED	Short description
	INDICATORS OF SUCCESS	1. Impact indicators
		2. Outcome indicators
3. Process indicators		
4. Efficiency indicators		
5. Other		
CRITERIA FOR IDENTIFICATION	PART OF AN OVERALL STRATEGY	
	INNOVATION	
	SUSTAINABILITY	
	TRANSFERRABILITY	
	EFFECTIVENESS	
	IMPACT	
	STAKEHOLDERS INVOLVEMENT	
	MONITORING/EVALUATION	
	OTHER CRITERIA	

APPENDIX 2. GENERAL METHODOLOGICAL GUIDELINES FOR BEST PRACTICES EVALUATION AND SOCIAL IMPACT ASSESSMENT

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1. INTRODUCTION: OBJECTIVES AND RATIONALE

These Guidelines are prepared in the context of the project “Integrating Refugee and Asylum-seeking Children in the Educational Systems of EU Member States: Evaluation and Promotion of Current Best Practices” (INTEGRACE), under grant agreement number JLS/2009/ERFX/CA/1013, European Refugee Fund, Community Actions 2009.

The proposed Guidelines are developed in accordance with two of the INTEGRACE project objectives and are a key step towards their fulfilment:

- to enhance the effectiveness of policies and programmes for the integration of refugee and asylum-seeking children in the EU;
- to develop analytical tools for the evaluation and impact assessment of programmes and policies for the integration of refugee children at schools.

The methodological guidelines aim to develop a common approach to the evaluation of good practices in the integration of refugee children in educational systems of the Old Member States (Austria, Italy and Sweden) and to the social impact assessment (SIA) of potential initiatives in the New Member States (Bulgaria and Slovenia).

The guidelines have several main goals:

- to define the objectives and the rationale of the evaluations and SIA of the best practices in the field of educational integration of refugee and asylum-seeking children (RASC);
- to outline the general design of the evaluation and SIA of best practices in the educational

integration of RASC;

- to propose the content of the national reports on the evaluation and SIA research.

An important objective of the INTEGRACE project is to promote the integration of RASC in the educational systems of EU Member States by developing common standards and designing a common methodology and analytical tools for the evaluation and social impact assessment of best practices. First, the project will identify and describe best/good practices in the educational integration of refugee and asylum-seeking children, which will be presented in written country reviews of best practices in the integration of refugee and asylum-seeking children. Situation reports where best practices are scarce and examples of the design of preparedness initiatives (“stress tests”) where the target group is small will be also prepared. While Old MSs have experience with various integration programmes in the field of education, New MSs have to develop effective policy responses to the rising number of refugees and asylum seekers.

The rationale of the evaluation and social impact assessment exercises lies in the need to explore the possibility of transferring good practices in the educational integration of RASC from one specific national/local environment to another. The main purpose of the evaluation of existing best practices in the three Old Member States (Austria, Italy and Sweden) will be to analyse to what extent and under what conditions they could be replicated in a different context. The principle aim of the SIA will be to assess the possibility of replication and the social impacts of the eventual implementation of a practice which has already been identified and evaluated as a good one in some of the Old MSs.

Based on the identified best practices and areas in need of improvement, evaluations of selected

initiatives in three Western European EU Member States (Austria, Italy and Sweden) and social impact assessments for their implementation in two Eastern European countries (Bulgaria and Slovenia) will be conducted. The evaluations and social impact assessments carried out will facilitate the transfer of knowledge from Old to New Member States, thereby allowing the latter to deal more effectively with the new migration realities. Evaluations and SIAs will also provide the grounds for developing a common EU approach to addressing the educational needs of refugees via conducting methodologically thorough and standardised evaluations and impact assessments.

The Guidelines aim to advise on the steps and methodologies to be employed in the three programme evaluation exercises (to be conducted in Austria, Italy and Sweden) and in the two social impact assessment exercises (to be conducted in Bulgaria and Slovenia). Further, the social impact assessment methodology described by this document aims to contribute to a process of adaptive management in countries with modest experience in refugee integration, and to inform the design and operation of needed interventions.

Based on these general guidelines, specific analytical tools, questionnaires and indicators should be developed by the CENSIS Foundation, the Ludwig Boltzmann Institute of Human Rights (BIM) and the University of Halmstad (UH), relevant to the concrete interventions to be evaluated. Specific analytical tools, questionnaires and indicators should also be developed by the Center for the Study of Democracy (CSD) and the Peace Institute (PI) for the social impact assessment of potential good practices.

For the purposes of these particular evaluation and SIA exercises and their aims, the following principles/criteria should be integrated to guide its methods and processes:

- **Comprehensiveness:** the evaluation and social impact assessment should identify and involve all affected groups (to be full participants in the evaluation and SIA exercise). This involvement must reach out to groups that do not routinely participate in government decision making because of cultural, linguistic or economic barriers.

- **Impact equity:** identification of all groups likely to have been affected by the introduction of the respective best practice. The varying benefits as well as the possible adverse impacts should be considered for all involved parties.
- **Focus:** the evaluation and SIA need to be focused on the most significant outcomes and/or impacts by order of priority. They need to identify all significant positive and negative outcomes and expected impacts for all affected groups.

2. GENERAL DESIGN AND METHODOLOGY FOR BEST PRACTICES EVALUATION AND SIA

The methodological guidelines are developed to help examine whether best practices in countries with vast experience in the field of refugee integration (such as Austria, Italy and Sweden) can be transferred and utilised in countries with relatively recent refugee regimes and instruments (such as Bulgaria and Slovenia). The proposed approach for evaluation and SIA stems from a proactive stance towards the educational integration of RASC across the EU. The present guidelines constitute an approach which aims to integrate and analyse key experience in the field of educational integration of RASC and test its transferability and applicability across the EU. For this purpose, the present document provides the framework of what actions need to be taken and how to proceed in order to analyse whether, to what extent or following what modification/s a practice in the field of educational integration of RASC, proven to be successful in a country with a long-established refugee assistance regime, can be implemented in an environment with little experience in this area. In this context the methodological guidelines for evaluation and SIA of best practices should be very well synchronised – keeping their distinctive characteristics yet complementing each other.

The evaluations and SIAs should be based on a common methodological design, which will include several basic steps:

1. Selection of best/good practices to be evaluated/assessed;

**OPERATIONAL DEFINITIONS: PROGRAMME/POLICY EVALUATION
AND SOCIAL IMPACT ASSESSMENT**

“Evaluation is the systematic assessment of the operation and/or the outcomes of a programme or policy, compared to a set of explicit or implicit standards, as a means of contributing to the improvement of the programme or policy.” (Weiss, 1998: 4)

“Social Impact Assessment includes the processes of analysing, monitoring and managing the intended and unintended social consequences, both positive and negative, of planned interventions (policies, programmes, plans, projects) and any social change processes invoked by those interventions.” (Vanclay, 2003: 5)

“By “social impacts” we mean the consequences to human populations of any public or private actions that alter the ways in which people live, work, play, relate to one another, organise to meet their needs and generally cope as members of society. The term also includes cultural impacts involving changes to the norms, values, and beliefs that guide and rationalise their cognition of themselves and their society.” (Guidelines and Principles for Social Impact Assessment, 1994).

2. Description of the practice to be evaluated/assessed;
3. Stakeholder identification and analysis;
4. Data collection;
5. Assessing outcomes, impacts and risks of the practice being evaluated/assessed;
6. Conclusions regarding the transferability of the best practice.

The main questions the evaluation and SIA research should answer will be: could the practice under consideration be transferred to different national/local environments? What should be the preconditions for the practice to be replicated successfully in different national and/or local contexts?

National reports on the results of completed evaluations and SIAs in each of the three Old MS (Austria, Italy and Sweden) and in the two New MS (Bulgaria and Slovenia) will be prepared. The main deliverable will be the summary report on the evaluation/SIA of select initiatives for the integration of refugee children at school in the three old EU MS and the two new MS.

2.1. Selection of best/good practices to be evaluated/assessed

In order to coordinate the evaluation and SIA activities the Center for the Study of Democracy

(CSD) and the Peace Institute (PI) will propose areas in need of improvement so that the selection of best practices for evaluation takes place in these fields. CENSIS Foundation, Ludwig Boltzmann Institute of Human Rights (BIM) and University of Halmstad (UH) will propose up to three best/good practices to be evaluated based on their potential to be replicated.

The good practices to be proposed for evaluation and SIA in the field of educational integration of RASC could be of different types. There will be no restrictions with respect to specific educational areas and levels, institutional set-ups and organisational forms, educational methods and techniques, etc. Some of the generally defined educational practices to be explored, as agreed at the Capacity building seminar in Sofia, could be:

1. Educational policies targeting the integration of RASC at European, national and local level;
2. Educational programmes for refugee and asylum-seeking children;
3. Curricula, methods and techniques relevant to RASC;
4. National and local educational projects targeting RASC;
5. Administrative measures to solve specific problems of RASC related to their educational needs;
6. Extracurricular activities and opportunities for out-of-school-hours learning;

7. Services provided to refugee children and families to help with their immediate needs;
8. Measures to ensure a safe and secure school environment for refugee and asylum-seeking children;
9. Involvement of key stakeholders (families, refugee and migrant groups, local receiving communities, non-governmental organisations, and others);
10. Relevant funding schemes;
11. Monitoring and evaluation methods.

Based on an intensive consultative process project partners will agree on the good practices to be selected for evaluation and social impact assessment. The main criteria for the selection of already identified good practices in educational integration of RASC to be evaluated will be their potential for replication in the identified areas in need in the New MS (Bulgaria and Slovenia).

2.2. Description of the best practices to be evaluated/assessed

Each practice should be described in details with attention being paid to the respective national and local context. The description and evaluation of the selected good practice could be organised along the following lines:¹

- What was the problem the practice addressed and who identified the problem?
- Who initiated the practice, who were the main stakeholders and how were they involved in the initiative?
- How did the practice develop and what were its stages?
- What were the positive and/or negative consequences?
- What are the impacts of the practice (effectiveness)?
- What are the externalities, i.e. any unintended positive and/or negative impacts of the practice on other than immediate beneficiaries?
- How viable and sustainable is the practice in the long term?
- What is the significance of the practice for the target group of RASC (relevance)?

The first step in the description of the intervention being evaluated/assessed is to define the problem, the objectives and the context of the intervention.

Problem identification should be precise and clear. This is a key prerequisite in the programme evaluation and SIA process. The precise and informed problem definition will serve a critical precondition for the recognition of the success of concrete actions, the identification of the type of the intervention and the formulation of adequate objectives and appropriate instruments for its achievement. SIA research should explore if the problem to be solved in a new context differs from the problem addressed in the original context of the intervention.

Objectives should be identified in accordance with the so called SMART principle. They should be **S**pecific, **M**easurable, **A**ccepted, **R**ealistic and **T**ime-dependent. Objectives should be clearly defined to be understood in the same way by all involved parties (specific). They should name desired improvements, with possibly quantifiable indicators, to make possible verification of future achievement (measurable). Objectives should be realistic and reasonable, as well as accepted and motivating for all parties to be responsible for their achievement (realistic and accepted). Finally, objectives should be tied to specific deadlines (time-dependent).

Objectives should be identified based on the following distinction:

- **General goals** to involve the principal impacts and the future social condition to be achieved through the intervention (e.g. widening the scope of social inclusion of refugees, decrease in illiteracy rates, enhancement of child protection among vulnerable categories of refugees, etc.).
- **Specific outcomes** define the direct impacts and results of the intervention (policy, programme, project) over its target groups (e.g. diversified social services provided to RASC with special needs, improved local language proficiency of RASC, improved protection of unaccompanied RASC, etc.).
- **Specific outputs** involve the specific products and services that have been provided by the particular intervention (e. g. number of established social service contact points, number of local language training courses and number of

¹ See for similar guidelines: Handbook on Integration for Policy Makers and Practitioners, European Communities, November 2004.

trainees, number of refugee consultation centres, number of information brochures distributed among beneficiaries, etc.).

Context analysis should aim to identify the impact and restrictions that the local conditions, institutional settings and legislative frameworks, have had or will have upon the realisation of the intervention and its objectives. This analysis should be based on the description of the **historical and political specificities** related to the problem that has been addressed or will be addressed by the intervention. It should also consider the respective **institutional set-up and legislative frameworks** playing a role in the process of intervention implementation. In particular, this analysis needs to shed light on the nature of inter-institutional cooperation, conflict zones among different stakeholders, the identification of their institutional interests and the implications for the roles played in the intervention implementation process. Similarly, a review of the respective legislative framework will clarify whether the implemented intervention has been hindered by legislative gaps or has been eased by well designed regulations. Finally, it is important to pay attention to the social and cultural characteristics of the social groups related to the intervention to predict and take into account the potential attitudes to the intervention.

The evaluation and SIA process should involve a clear **description of the implemented/planned intervention** and its key parameters (financial resources, institutional capacities and experience, stakeholder cooperation, time-period, etc.). The description should involve an analysis of the **limitations to the implementation** of the intervention (e.g. financial constraints, legal regulations, institutional capacities, etc.) that may render its objectives or the proposed means for their achievement unrealistic. The evaluation and SIA will thus make possible the identification of pitfalls to be avoided and of ways of improving the future implementation of the relevant best practice in new environments.

In the context of the planned SIA **one to three intervention alternatives (scenarios)** should be defined and described together with the model intervention. Both the model intervention and the identified alternative scenarios should be subject to SIA. The social impact assessment will thus make

possible the identification of the best intervention approach, balancing between social benefits, the potential to mitigate adverse effects (costs) and the level of achievement of intervention objectives.

As part of the intervention description, a logic model² of the implemented or proposed intervention (as well as separate logic models of the SIA alternatives, as applicable) could be constructed. Logic models help focus attention to the most critical elements of the proposed action and also help illustrate the action as it unfolds through time in a concise and vivid manner. In the case of SIA (as opposed to programme evaluation exercises in Western Europe), the already constructed logic models for the analogous best practice to be borrowed from WE should inform the construction of the logic models for Bulgaria and Slovenia. Expert/academic interviews would need to be conducted at the beginning of the SIA process in order to judge to what extent the proposed intervention would be practicable in the local context, as well as to modify the logic models as needed and adapt them to the new environments. The logic models would also help identify key stakeholders – and in turn the identification and analysis of stakeholders should inform the logic models, which could then be modified accordingly.

2.3. Stakeholder identification and analysis

This analysis should include all groups and institutions that have been influenced by, or influence the intervention and its results in a positive or a negative way. Clearly identified and defined problems and respectively context analysis would facilitate precise identification of the involved parties, their interests and behaviours and possible strategies for their involvement in the evaluation and social impact assessment.

This process should involve:

1. Identification of the key stakeholders;
2. Analysis of their interests, their importance with respect to the intervention and the level of their influence over the intervention implementation;

² See Annex I on practical steps/tips in constructing logic models.

3. Analysis of the impacts of the intervention on them;
4. Identification of successful strategies for the meaningful involvement of interested parties, and pitfalls to avoid.

The stakeholder analysis should include those directly involved (intervention implementing parties and beneficiaries) as well as groups that have been indirectly influenced either positively or negatively. Depending on the intervention context, such indirectly involved or influenced parties in initiatives relating to the educational integration of RASC might include: RASC parents, or relatives in the respective home countries, public school teachers, pupils who are nationals of the host country, etc. If needed, these groups might be further subdivided according to demographic (age, gender), educational (level of education, literacy), national or other relevant indicators.

2.4. Data collection: sources and methods of the evaluations and SIAs

The evaluations and SIAs to be conducted should pay keen attention to the specifics of the local contexts. They should build on local knowledge (refugee communities, expert community, etc.) and therefore utilise participatory methods to analyse the concerns of interested and affected parties. They should involve stakeholders in the evaluation and assessment of social impacts and the analysis of alternatives of the planned interventions.

The proposed evaluation and SIA process should be based on thorough research to include desk research and qualitative methods of analysis. Different types of data should be collected at the different stages of the process according to the respective analytical needs.

Desk research should involve the collection of available statistical data, related surveys, institutional reports as well as academic literature. Data collected by way of desk research is particularly important in the preparatory stages of the evaluation and SIA aimed at thorough analysis of the intervention context and its objectives.

Qualitative methods rather than quantitative ones appear more relevant in view of the small and

dispersed target groups of the interventions. They will allow for the accumulation of understanding regarding beneficiaries' and other stakeholders' perceptions, motivations and concerns to be integrated into the integration formulation. The proposed qualitative methods should include rapid assessments by means of:

- Semi-standardised interviews with individuals representing different stakeholders. Semi-structured interviews could be conducted with representatives of involved institutions or local community members (up to 6 interviews) to help define stakeholders' interests, expectations, potential as well as limitations. Semi-standardised questionnaires should be developed by each project partner in accordance with the local and intervention contexts.
- Focus group discussions to guide the process of stakeholder analysis and social impacts identification and analysis. Focus group discussions might appear especially beneficial in the process of social impacts identification and analysis as well as in the process of scenarios development. They will allow for the collection of comparative data from a variety of stakeholders. Depending on the local and intervention context relevant focus groups might involve: RASC parents, RASC pupils, RASC public school teachers, social service practitioners, and Ministry of Education officials. Focus group agendas and questionnaires should be developed on the part of the project partners in accordance with the local and intervention contexts.

Depending on the specific country interventions and local contexts, other methods (qualitative or quantitative) could be also considered appropriate. They may include: participant observation, on-site study visits, workshops, surveys, content-analysis, social experiments.

2.5. Assessing outcomes and impacts of the practices being evaluated/assessed

Identification of outcomes and social impacts

The most important social outcomes/impacts of the implemented/planned intervention and their scope (local, regional, national, international) should be

identified. Consideration should be given to both impacts perceived by the implementing agencies and to those perceived by affected groups and/or beneficiaries.

The variables along which social outcomes/impacts could be measured and analysed could follow a model, modified after Vancley (Vancley, 2003: 8) in accordance with the purposes of the present program evaluation and SIA exercise:

- way of life – daily interactions and routines of people or group of people involved in or influenced by the intervention;
- culture – how values, customs, beliefs and language have been or are influenced by the intervention;
- community stability and cohesion;
- political system and/or empowerment – levels of participation in decision making, levels of control over resources;
- human rights – hindrances to or enhancement of the respective human rights;
- fears and aspirations – perceptions about the levels of security with respect to personal plans and aspirations for the future.

The proposed model could be modified further to fit most closely the local and intervention contexts respectively in project partners' countries.

Selection of social outcomes/impacts to be analysed as part of evaluation and SIA.

Out of the identified social outcomes and impacts, those that are most important should be selected to be scrutinised under comprehensive evaluation/social impact assessment. Selection criteria should include but not be limited to: higher probability of the impact occurring in the new environment; larger scope of influence (more people are impacted) of both positive and negative (pitfalls to avoid) influence; long-term over short-term duration of the influence; sustainability; overall relationship between benefits and costs over impacted groups (although detailed cost-benefit analysis of the initiatives selected is not to be conducted as part of programme evaluations or SIA). Additional criteria to be considered might include: higher potential for adverse influence, likelihood of causing subsequent impacts, relevance to present or future policy decisions and developments.

Comprehensive social impact assessment should be carried out based on thorough context analysis and intervention objectives, the identification of all stakeholders and their interests, and the selection of key potential social impacts. A successful approach in the area of educational integration of RASC in countries with relatively new refugee instruments and institutions might include:

- **comparative methods:** analysis of differences in future social conditions in the case of implemented or unimplemented intervention;
- **expert evaluations:** of the qualitative and quantitative characteristics of the expected social impacts;
- **scenario analysis:** logical hypotheses based on the construction of possible futures through a process of mentally modelling the assumptions about the variables in question; and (2) fitted empirical-similar past cases used to analyse the present case with experts adjusting the scenario by taking into account the unique characteristics of the present case (Guidelines and Principles for Social Impact Assessment, 1994).

While SIA should focus on direct social impacts, planned by the intervention objectives, it should also pay attention to indirect social impacts, which might be prompted at a later stage by the social processes triggered by the intervention.

3. CONTENTS OF THE EVALUATION/SOCIAL IMPACT ASSESSMENT NATIONAL REPORTS

3.1. Methodological introduction

(2-3 pages)

This section of the report should include a summary of the specific methodological tools used for the respective evaluation/SIA. It should explain the country-specific evaluation/SIA methodology designed in accordance with the Guidelines and the local and intervention context. The section should list the sources of data, the data gaps encountered and the research and analytical methods employed to make the evaluation/SIA possible.

3.2. Background and local context

(3-4 pages)

This section should provide description to the historical, institutional and legislative characteristics of the problem to be addressed by the intervention, as well as the profile and the history of the related target group/s. The analysis to be provided could be summarised using Tables 56 and 57.

3.3. Stakeholders identification and analysis

(4-5 pages)

The section should summarise the key findings with regard to the stakeholders' context of the intervention with detailed description of their interests and

responsibilities over the interventions, and the likely developments and changes (impacts) they are to encounter as a result of its implementation. The analysis to be provided could be summarised using Table 58.

3.4. Evaluation/social impact analysis

(8-10 pages)

The section should provide an extensive list of all identified actual outcomes and/or potential impacts, along with a detailed analysis of the key ones. Correspondingly, conclusions should be drawn regarding the model intervention and the proposed alternative scenario/s. The logic model(s) (including all variations for all assessed alternatives, as applicable), completed at the beginning of the

TABLE 56. PROBLEM ANALYSIS

Problem identification and description	General goals	Specific Outcomes	Specific Outputs

TABLE 57. CONTEXT ANALYSIS

Context analysis	Potentials/ Positives	Limitations
Institutional Settings		
Legislative Frameworks		
Local Community		

TABLE 58. STAKEHOLDERS

Stakeholders	Interests	Potential intervention impacts over them	Significance and level of influence of stakeholder over the intervention	Inclusion strategies

process of conducting SIA, will need to be included in this section in order to illustrate and support the analysis and conclusions.

3.5. Recommendations and concluding remarks

(2-3 pages)

The section should include a list of key findings to justify recommendations with regard to the most appropriate intervention design. Conclusions should be drawn on the main questions of the evaluation and SIA: could the practice under consideration be transferred to different national environments and what are the preconditions for the practice to be replicated successfully in different national and/or local contexts.

ANNEX I. BUILDING A LOGIC MODEL³

The logic model serves as a useful advance organiser when evaluators and others are designing evaluation studies and performance measurement systems. It helps them to focus on the important elements of the programme and identify what evaluation questions should be asked and why and what measures of performance are key. The logic model also helps evaluators frame evaluation reports so that findings from the evaluation and measurement can tell a performance “story” and results can be linked to programme elements and assumptions about them.

A programme can also be thought of as a hypothesis: if a programme is implemented as planned, then certain results are expected to follow. Logic modelling is a tool that can be used as an aid in understanding the underlying assumptions and creates strategies to test the hypothesis. The model presents a description of how the programme staff members or other stakeholders believe the programme works. If the evaluation finds that the programme is successful in achieving its aims but works differently in practice, the logic model may be revised.

A logic model is a plausible and sensible model of how a programme is expected to perform, and what sorts of problems it is expected to resolve. The typical elements of a logic model are resources, activities, outputs, short-term outcomes, intermediate outcomes, and long-term outcomes. Sometimes the programme beneficiaries are added as well as the relevant external contextual (antecedent and mediating) influences.

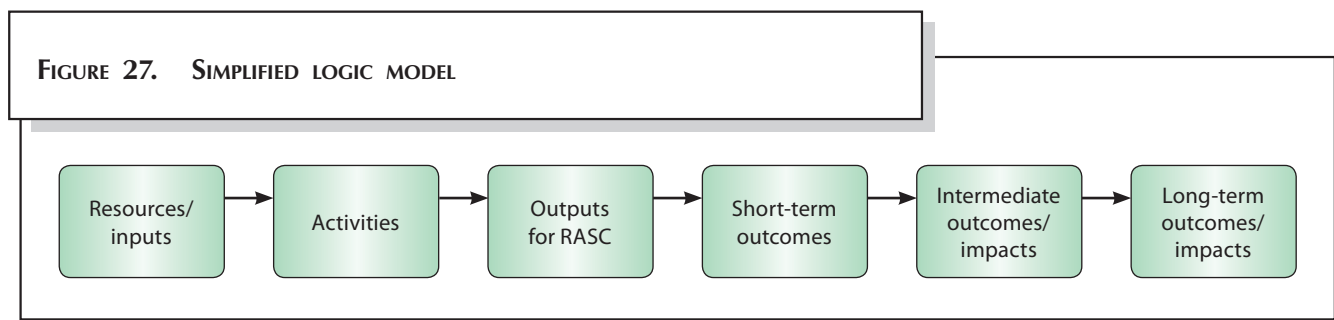
Simplified logic model

Resources: human and financial resources supporting the programme.

Activities: the action whereby programme outputs are produced.

Outputs: the products, goods, and services provided to the programme’s direct beneficiaries or programme participants (RASC).

Outcomes/Impacts: changes or benefits to RASC, refugee organisations, or other programme targets



³ This is based on *Handbook of Practical Program Evaluation* by Wholey et al., as well as on *Developing a logic model: Teaching and training guide* by Ellen Taylor-Powell and Ellen Henert (<http://www.uwex.edu/ces/pdande/evaluation/pdf/lmguidecomplete.pdf>), with modifications for the purposes of the INTEGRACE project.

that are expected to result from RASC's being exposed to activities and outputs. It is necessary to distinguish short-term outcomes/impacts, the benefits most closely associated with the action and outputs related to the best practice evaluated. Second are the intermediate outcomes (e.g. learning new skills), which are expected to result from the short-term outcomes (e.g. participating in some form of training). Long-term outcomes could not have been manifested even until the RASC have become adults (e.g. this could be increased rates of enrolment at schools and universities, or employment in a region where a best practice has been implemented).

The best practice under consideration may have been influenced by external contextual factors, also affecting the success of the programme and logic model. These have to be taken into consideration and integrated into the logic model. Such external factors could be classified as antecedent (those the programme starts out with, such as socio-economic environment in the area concerned). Mediating factors are the influences that emerge as the programme unfolds, such as new policy developments or complementary programmes.

Although tools such as flowcharts, risk analysis, and systems analysis can be used to plan and describe programmes, logic models more comprehensively address the increasing requirements for both outcomes measurement and measurement of how the programme is being implemented to allow for improvement.

One of the benefits of the logic model is that unlike other more static methodologies, such as flow charts and risk/system analysis, they are more dynamic as they show the unfolding of the best practice through time. They facilitate improvement via outcomes measurement and measurement of how the programme is being implemented. Another benefit is the enhanced communication with those outside the programme. Logic models would help to communicate the programme's goals and design in a concise and compelling way. They could greatly aid those wishing to transfer a best practice to their environment to gain an understanding of how the programme works and what elements need to be in place to make it work.

The stages of building a logic model are:

1. Collecting relevant information

- Interview people associated with the programme, starting with those closely associated with its design and implementation (Ministry/School officials) and then moving to others either affected by the programme (RASC, RASC parents) or having a stake in its results (Refugee Associations, NGOs, immigration experts and academics, etc);
- For the purposes of SIA in Slovenia/Bulgaria, it may be best to start with the logic model developed for the WE best practice chosen; academics/experts may need to be approached first in order to verify the practicality of transferring the best practice in question in local conditions, and the best ways of modifying the logic model to fit local conditions.

2. Defining the problem the best practice has to/will solve and its context

- Define the specific aspect of educational integration that the best practice addresses;
- Determine whether the programme can be modified to address the contextual factors identified, as well as different contextual factors in CEE countries;
- Identify possible synergies/partnerships with other programmes or organisations whose results affect the best practice outcomes.

3. Defining the elements of the model in a table

- As you are categorising elements of the logic model, define the target audiences and expected effects of the programme for each;
- Put the outcomes into a sequence;
- Map both forward and backward to develop and check logic and assumptions;
- Ask questions such as: How do [did] we make this happen? Why do [did] we do this? What follows from this? What is the causal relationship?;
- Check up, down, and across for associations with other programmes and partners.

4. Drawing the model

- Start with simple forms of the diagram (as above, or see Fig. 1 here: <http://www.uiweb.uidaho>).

edu/extension/LogicModel.pdf), and then move to more complex diagrams (See for instance the multi-component logic model for a parent support initiative on p. 77 here: <http://www.uwex.edu/ces/pdande/evaluation/pdf/lmguidecomplete.pdf>). However, avoid overly complicated diagrams like the multi-dimensional planning model on Fig. 2, p. 2 here: <http://www.uiweb.uidaho.edu/extension/LogicModel.pdf>;

- Persevere – several drafts may be necessary before a version is arrived at, which successfully describes the key features of a programme;
- Limit the words in the diagram. Provide more detail in separate tables, charts or the core text;
- Show only the most critical relationships/arrows;
- Do not treat the logic model as an organisation chart: make separate organisation charts if needed.

5. Verifying the model with stakeholders

- Engage the appropriate stakeholders in the logic model review process where possible. Use the logic model diagram and the supporting table(s) and text for the purpose;
- These logic model design questions can be addressed in the final verification process:
 - Is the model detailed enough to clarify the elements and their interrelationships?
 - Is the model complete: are all key elements included?
 - Do all elements fit logically?
 - Have all key external contextual factors been identified and described?

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LIST OF ABBREVIATIONS

- | | |
|------|---------------------------------------|
| RASC | – Refugee and Asylum-seeking Children |
| MSs | – Member States |
| SIA | – Social Impact Assessment |

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