



Mediterranean City-to-City Migration

Dialogue, Knowledge and Action

Fourth Thematic Peer-to-Peer Meeting: *Refugees*

Thematic paper

Vienna, 14-15 February 2017

This background introduces general concepts and provides a basic framework for discussion of the theme of refugees and local considerations. The examples are meant to be illustrative of some actions already taken by cities in the field.

The document has been drafted by Rachel Westerby for the purposes of the Mediterranean city-to-city Migration project (MC2CM) peer-to-peer meeting on refugees to take place in Vienna on 14-15 February 2017.

The concepts introduced will be further developed and expanded during the meeting discussions.

INTRODUCTION

At end 2015, just over **65 million people** were forcibly displaced worldwide as a result of conflict, generalised violence and persecution, an increase of just under 6 million from the previous year.

Approximately 6 million people have fled the ongoing conflict in Syria, 5 million of whom are resident in neighbouring countries and 1 million of whom have claimed asylum in Europe. The number of refugees across Africa increased by 20% during 2015, with numbers on the move in the Central Africa and Great Lakes region alone increasing by 79%.

Despite large increases in arrivals of asylum seekers into Europe (43% during 2015), the ten largest refugee-hosting countries across the world remain those in developing regions. In 2015, the top 6 hosting countries were Turkey, Pakistan, Lebanon, Iran, Ethiopia and Jordan.

The UN Refugee Agency (UNHCR) estimates that **just over 10% of the world's refugees are currently living in protracted situations**. It defines such situations as those 'in which refugees find themselves in a long-lasting and intractable state of limbo', generally for periods of 5 years or more, and 'in which their lives may not be at risk, but their basic rights and essential economic, social and psychological needs remain unfulfilled ... (and they are) often unable to break free from enforced reliance on external assistance'. Those displaced by more recent emergencies are reliant on humanitarian assistance for their survival and wellbeing,

Despite the traditional image of refugees living in camps, **approximately 60% of the world's refugees now live in urban situations**. This has increased from 42% in 2008 when this trend was first observed. For many refugees the choice to reside in an urban setting is an explicit one: city life for refugees can be precarious, but provides many more opportunities to build a future and live independently than do refugee camps, many of which were intended as temporary but have now been in place for many years.

Now more than ever, supporting refugees presents new challenges and requires new responses from international organisations, civil society actors and local authorities in the cities where refugees seek protection.

1. REFUGEES, ASYLUM SEEKERS & INTERNATIONAL PROTECTION: CONCEPTS, DEFINITIONS & LEGAL ASPECTS

A. INTERNATIONAL PROTECTION: FRAMEWORK, ROLES AND RESPONSIBILITIES

'**International protection**' can broadly be defined as actions taken by the international community to protect access to and enjoyment of basic rights for those unable to access such in their country of origin. It is a relatively recent phenomenon, beginning in the 20th century interwar period and taking full shape in 1951 with the creation of both the United Nations Office of the High Commissioner for Refugees (UNHCR) and the *1951 UN Convention Relating to the Status of Refugees* (hereafter the 1951 Convention).

Initially designed as a temporary regime to meet the needs of the large numbers of displaced people in post-war Europe, UNHCR and the 1951 Convention¹ remain the basis of coordinated global action to protect the rights of displaced people.

As in 1951, states have primary responsibility for enacting international protection in relation to those on their territory or seeking admission to it for these purposes. UNHCR works with governments and other actors to fulfil its mandate of finding solutions to the situation of refugees and displaced people around the world, via one of three **durable solutions**:

- Voluntary repatriation to the country of origin
- Local integration in the country of asylum, with enjoyment of rights commensurate to the general population and a pathway to citizenship
- Resettlement to a safe third country

UNHCR may also operate refugee status determination procedures where states are unable or unwilling to do so themselves, working with state authorities and (often international) civil society actors to identify and assist refugee populations.

B. LEGAL BASIS

The **1951 Convention** sets out key principles for international protection of refugees:

- a refugee definition (with exclusion clauses);
- the principle of *non-refoulement*, or not forcibly returning those seeking protection to their country of origin without providing access to an asylum procedure;
- the responsibilities of states to afford specific rights to refugees; and
- a framework for cooperation between UNHCR and states

C. DEFINING STATUS: REFUGEES, ASYLUM SEEKERS AND GRANTS OF PROTECTION

The 1951 Convention defines a **refugee** as:

'A 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.'

Refugees are those individuals recognised by states as such via the 1951 Convention, the 1969 *Organization of African Unity (OAU) Convention governing the Specific Aspects of Refugee Problems in Africa*, and/or by UNHCR according to its Statute.

Groups arriving into states via mass, rapid movements, generally due to a large-scale emergency, can be presumptively recognised as refugees on a group basis (*prima facie* recognition), based on the objective circumstances in the country of origin that gave rise to their flight.

Asylum seekers are those who have requested that the authorities of a particular state provide them and their family members with protection, on the basis that they meet the 1951 Convention refugee definition, and

¹ The *1967 Protocol Relating to the Status of Refugees* removed the temporal and geographic restrictions of the 1951 Convention, which had a limited scope of 'events occurring in Europe' or 'events occurring in Europe or elsewhere' (although permitted state signatories to the Convention to retain these if they wished)

have not yet received a response to their claim. States operate their own specific asylum systems and procedures to determine to whom they will grant protection.

D. Modes of entry

- **'Spontaneous' arrivals** make up the vast majority of displaced people who leave their countries to access protection, moving across borders independently and not as part of a planned programme. Many of these movements involve periods of residence in multiple countries, often prompted by repeat displacement.
- **Refugee resettlement** involves the selection and transfer of refugees from a state in which they have sought protection to a third country that admits them as refugees, with a long-term or permanent residence status. UNHCR identifies refugees in need of resettlement around the world, and proposes that governments accept them. State participation in receiving refugees is voluntary. Resettlement is a small part of global refugee solutions, providing protection for around 1% of the world's refugees each year.
- **Ad-hoc admission programmes** are established by states to respond to specific emergencies by receiving refugees outside of regular resettlement programme, and include initiatives such as the European Union scheme to receive 10,000 refugees from Iraq established in 2008.
- **Family reunification** is the process by which refugees' family members join them in the country of asylum.

2. NEEDS & CHALLENGES: NEW REFUGEE & ASYLUM SEEKER ARRIVALS IN CITIES

A. PRE-ARRIVAL FACTORS

As previously, refugees and asylum seekers are a diverse population drawn from many different backgrounds and circumstances, who arrive in countries of asylum via different routes and programmes and with differing motivations for having fled their home countries. Some challenges are common, whilst in many cases differing backgrounds, experiences and modes of arrival will affect post-arrival needs, capacities and integration trajectories.

i) Protracted situations vs. short-term displacement

Refugees in protracted situations are reliant for long periods on external assistance, with no means of providing for their own needs or progressing any aspect of their lives independently. Adapting to a situation where they are required to undertake activities such as navigating services, managing personal budgets, and developing long-term perspectives about their future is a daunting transition that can initially impede their settlement.

Whilst those arriving after comparatively shorter periods of displacement may be more flexible in their capacity to adapt to live independently in a new setting, more recent rupture, loss or trauma can create barriers to their integration, particularly in terms of their mental health.

ii) Rural and camp-based backgrounds

Refugees in protracted situations and/or from rural backgrounds will often have lived for long periods in temporary structures without access to basic amenities. Their subsequent lack of experience of city-based living, including for example modern housing and public transport, can have an important impact on their ability to keep themselves and their families safe in their new setting.

iii) Mode of arrival

Within planned programmes, new refugee arrivals arrive into cities with a secure legal status that guarantees long term residency and - in the majority of cases - access to services on a level commensurate with the general population. Whilst the swift transition from one context to another via organised, direct travel can require rapid post-arrival adjustment, residency is secure without the need for further legal process.

By contrast, those independently travelling to a state often undergo long and arduous journeys, in many cases involving significant danger and hardship. Ongoing legal residency will be dependent on the outcome of post-arrival asylum procedures, which are in many cases lengthy and stressful.

B. POST-ARRIVAL: KEY CONSIDERATIONS

i) Post-arrival orientation: safety and independence

All refugees and asylum seekers newly arriving into a city will require access to resources to meet their basic material needs, and some level of orientation in the period immediately following their arrival.

Orientation would typically include the location of key services, amenities in both their immediate neighbourhood and the wider city, and how to use local transport, shop for essential goods and access emergency assistance. Information on the basic legal framework of the receiving country is a crucial aspect of initial orientation, and should focus on legal aspects that present the highest risk of new arrivals acting contrary to the law, such as child protection, driving and public conduct. Those with little or no experience of urban living will require that initial orientation supports basic everyday tasks such as crossing the road safely.

ii) Housing

Newly arrived refugees and asylum seekers have a basic need to access secure housing, together with their family members, directly after arrival.

Collective or centralised post-arrival accommodation can provide a 'soft landing' for particularly vulnerable refugees, enabling them to access on-site support from service providers and their peers and to manage the initial transition into their new context. To prevent institutionalisation and ensure integration progress, collective accommodation should ideally be a transitional measure, with planned or supported move-on within a period of 2-3 months.

Refugees and asylum seekers living with particular disabilities may require adapted accommodation in order to live independently, and options to provide such should be explored as a first preference to centralised accommodation. Single refugees may benefit from sharing accommodation with their peers, in particular younger single people for whom house-sharing may be a natural option amongst the resident population.

Providing independent self-contained housing as soon as possible remains the optimum approach for promote integration from the point of arrival. However, situations of mass influx and/or a lack of immediately available resources with which to provide for independent housing may not always accommodate the above approaches. Refugees may instead be required to source accommodation independently, in which case receiving basic information on the rights and responsibilities of both tenants and landlords will assist in mitigating any potential exploitative practices.

To live safely in any new housing, newly arrived refugees and asylum seekers will benefit from a housing introduction briefing immediately post-arrival, ideally in their native language and covering basic information on accommodation security and safety and the use of appliances.

iii) Legal assistance for family reunification

The lives of refugees and asylum seekers in countries of asylum are often accompanied by a continuous concern for the wellbeing family members overseas, and ongoing family separation creates barriers for refugees' long-term, positive engagement with their new place and country of residence.

Family reunification rights for refugees differ according to domestic law in receiving states. Whilst European law guarantees a right to family reunification for refugees or other beneficiaries of international protection, in many cases exempting them from housing and income requirements applied to other categories of migrant, there the period after arrival during which they can be exercised differs from state to state. In non-European contexts, UNHCR or other international organisations may lead on the operation of family reunification processes in consultation with states.

Family reunification is a complex process that requires access to timely legal assistance as soon as possible after arrival or grant of long-term residence status.

iv) Healthcare

Very many newly arrived refugees and asylum seekers present with health problems linked to their prior experiences. These range from health conditions left untreated for long periods, injuries borne of conflict, torture and flight, undetected infections and conditions, and mental health difficulties related to prior trauma.

It is crucial that refugees and asylum seekers are assisted to access mainstream health services directly after arrival, as a means of establishing relationships, building their capacity to access healthcare in the future, and ensuring both new arrivals and the local population are protected from the potential implications of previously undetected health conditions.

Where possible, information on health services – key contacts, how they operate, what can be accessed and how – should be provided in new arrivals' first language, with interpretation provided as needed for all face-to-face contact with healthcare providers.

v) Language

Very many refugees and asylum seekers will not speak the language of their country of asylum on arrival. Where language ability does exist, it is often not of a standard requisite to give informed consent, navigate services and participate in decision-making. Engaging interpreters for service provision and providing basic translated information is thus hugely important during the immediate post-arrival period.

vi) Education

For refugee and asylum-seeking children, early participation in education is a key facilitator of integration. Intensive language tuition prior to entry into mainstream education can be of great benefit both to children and educational service providers, as can one-to-one language support as a supplementary provision within mainstream classroom settings. Where capacity to integrate refugee children into mainstream education does not immediately exist, civil society and/or international organisations can play a central role in providing temporary educational services that bridge the period before more formal education begins.

Although fulfilling educational aspirations can be a long-term project for refugee and asylum-seeking adults, early assessment of existing qualifications and provision of information on language and other requirements for study can both build positive engagement and assist in ensuring entry into education takes place as early as possible.

vii) Employment

Similarly to adult education, employment for refugees and is an aspiration that is often only achievable in the medium to long term. However, it is possible to build employment capacity from the immediate post-arrival period.

Opportunities to engage in volunteering and work placement schemes can provide certifiable work experience, immerse new arrivals in the receiving country's workplace culture and highlight and develop transferable employment skills. In locations where development assistance is already being used for employment programmes for the local population, adding a refugee element or absorbing refugees (and any resources allocated to facilitate their integration) into this programming can build goodwill and create cost efficiencies.

3. CONSIDERATIONS FOR LOCAL AUTHORITIES

i) Refugees or asylum seekers?

Depending on the legal framework of the receiving country, refugees and asylum seekers can have differing entitlements to enjoy rights and access services based on their legal status, including in terms of healthcare, education, employment and training. Local authorities and their partners can face challenges in operating a 'two-tier' service framework, in which people who share national backgrounds, migratory experiences and other personal circumstances have markedly different rights to assistance. To mitigate this tension, local opportunities to consolidate resources and provide joint services should be explored to the fullest extent.

ii) Central coordination of service provision

Cities boast a multiplicity of actors involved in service provision and assistance for refugees and asylum seekers, including international organisations, mainstream service providers, and civil society, faith-based and community initiatives. Central coordination can ensure that these resources are mobilised in a way that optimises wellbeing and provides clear and coherent integration pathways. Local authorities have a unique capacity to bring actors together, define roles and responsibilities and establish mechanisms for information-sharing and joint action.

Central coordination is particularly important in the post-arrival period, when refugees and asylum seekers have an immediate need to be supported in their orientation and to access core services essential to their health, security and wellbeing. Developing information-sharing protocols and mechanisms can be of additional benefit, for example in ensuring, that housing is adapted as required for specific health needs, case-specific specialist services are engaged in a timely and appropriate manner, and child protection and adult safeguarding issues are identified at the earliest opportunity.

iii) Housing

Whilst the degree to which individual cities have competence to decide how housing will be provided to refugees and asylum seekers varies considerably from state to state, it is possible to state some general principles for housing provision in this context.

Placement is the process by which refugees and asylum seekers are distributed or located within a local authority area. Notwithstanding the key influence of housing availability and affordability within placement decisions, local authorities and their partners should also give consideration to:

- the housing-related needs of specific groups, most pertinently including those with disabilities and health conditions that may require adapted housing and/or easy access to specialist health services;
- the capacity of services in particular neighbourhoods, both in terms of their capacity to work with migrant groups (expertise and resources) and the existing challenges they may face in working with existing local populations; and
- the extent to which specific neighbourhoods provide welcoming environments for migrant groups, including the views of local residents in relation to refugees and asylum seekers.

Engaging private landlords in providing accommodation for refugees and asylum seekers is in many local contexts an essential part of sourcing sufficient accommodation capacity for new arrivals. New arrivals will have no prior tenant history in the receiving city, and proactive efforts to inform landlords about their background and to provide guarantees of tenancy support and management are often necessary to encourage their involvement. When tenancies are established, local authorities and their service providing partners have a key role to play in supporting the development of positive landlord-tenant relationships, including providing early intervention and mediation.

iii) Communications

Informing local communities about a city's activities in receiving refugees and asylum seekers is a highly sensitive and locally specific consideration.

Central coordination of programmes can provide a mechanism to plan elements such as media strategies, public information initiatives and processes for responding to queries and requests for information. Local authorities might also consider the benefits of consulting with civil society groups as to appropriate methods and content of communication, and engaging these actors to deliver information on their behalf.

Proactive media engagement can be beneficial where coverage is likely to be positive and where there is a willingness to present accurate information. Engaging and proactively providing information to local media outlets can also mitigate any existing tendencies toward negative reporting of refugee, asylum and migrant issues. Local and national media are likely to be primarily interested in stories about individual refugees and asylum seekers, and obtaining informed consent from any potential subjects is essential. Consideration should be given to the potential for media coverage to make refugees and asylum seekers visible in a way that is not conducive to creating post-arrival welcome or facilitating their long-term settlement, in particular where the views and opinions of local residents are not wholly positive.

Local service providers – both those core to the programme and others who may encounter locally resident refugees and asylum seekers in the course of their general work – benefit hugely from targeted information delivery concerning legal statuses and entitlements of refugees and asylum seekers, the salient features of particular groups (including for example languages spoken, predominant health issues and family circumstances) and the broad location of accommodation where new arrivals will be located.

4. PROMISING PRACTICES IN CITIES

A. Access to basic assistance:

Amman, Jordan: Food Voucher Program (Collateral Repair Project)

The large-scale arrival of Syrian refugees into Jordan has created situations of acute need in the cities in which they are living. In Amman, the Food Voucher Program was established by the Collateral Repair Project in response to the acute material needs of Syrian refugee families who, whilst having sufficient resources to rent accommodation, could not provide for their basic food needs.

The programme differs from other food security initiatives that provide foodstuffs directly, instead providing regular payments to refugees that enable them to choose which food they purchase and where. In addition to promoting refugee independence, cash assistance also benefits local traders.

B. Employment and consolidation of local resources:

Akkar, Lebanon: Livelihoods Centre (International Rescue Committee)

Opened in Akkar in February 2014 by the International Rescue Committee (IRC), the Livelihoods Centre (LC) in Akkar. The centre assists jobseekers to find work, contracts local providers to deliver relevant training, and helps employers to find applicant suitable for their vacancies.

Information, training and other employment-related services are provided free of charge to all Lebanese and Syrians residing in Akkar. Whilst many jobs are short-term, the centre provides access to temporary incomes for many local residents, boosting the local economy and ensuring its resources benefit the entire locality and its residents.

C. Post-arrival orientation:

Aachen, Germany: local orientation by resident refugees (Save Me)

'Save Me!' is a network of grassroots, local groups of interested persons engaged in advocacy and assistance for refugees and asylum seekers. The local 'Save Me!' branch in the city of Aachen coordinates guided tours of the city for newly arrived refugees and asylum seekers, planned and conducted by refugees and asylum seekers who have been resident in the city for more than 6 months.

The city tours take in venues and services relevant to new arrivals, and the volunteer guides can often conduct them in new arrivals' first language. Local residents active within the 'Save Me!' group act as mentors, providing advice and assistance to new refugee guides as they begin their role.

D. Housing:

Brussels, Belgium: rental deposit loan scheme (Convivial)

The Belgian NGO Convivial identified the lack of resources to pay rental deposits as a major barrier preventing refugees from accessing independent accommodation in Brussels. It also noted the number of enquiries from city residents who did not have the time to engage in volunteering for direct assistance for refugees, but wanted to provide assistance of some kind.

It therefore established a scheme to enable local citizens to deposit their savings into a fund used to loan refugee tenants rent deposits and initial rental payments. Those loaning money can request repayment at any time, and refugees receiving loans must repay the full amount to Convivial within 10 months. To ensure the scheme's security and deal with payment difficulties or non-payment, all loans are bank-registered.

E. Communications:

Cities receiving resettled refugees, United Kingdom: Gateway Refugee Forum

The British Refugee Council worked with refugees of all nationalities arriving via the UK's resettlement programme to establish the Gateway Refugee Forum, a collaborative network organisation led by resettled refugees. The Forum's management committee underwent media training, building their capacity to work effectively with local and national media both to generate positive coverage of refugee issues, and to challenge negative and/or inaccurate coverage.

Campaign to support the reception of refugees in transit to Europe, victims of armed conflicts in the Mediterranean area

The Catalanian Fund for Cooperation and Development (Fons Català de Cooperació al Desenvolupament) has since 2013 run a campaign to support the population affected by the war in Syria. Given the escalation of the gravity of the situation, in September 2015, the Fons Català convened a meeting with municipalities from Catalonia who agreed on a strategy to support and accommodate refugee populations. In view of the needs expressed and in cooperation with related public bodies, the Fons Català has launched a campaign to support refugees along four axis of actions:

- Supporting refugees in their routes to safety
- Supporting municipalities located in the refugee routes
- Planning and management of reception
- Awareness raising actions

<http://monlocalrefugiats.weebly.com/>

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