Module 3

Migration

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Introduction

The issue of migration has become a key political priority across Europe, as well as in the European institutions. The European institutions have set up regulations on migrations in Europe, and will continue to do so in the future. It is expected that people will continue to migrate to Europe, especially because of conflicts or climate change. Migration has also become a key factor in elections, including the upcoming European elections in June.

Throughout Europe, anti-immigration ideas have gained in popularity during elections, including recent successes in Italy, Germany or the Netherlands. In several countries, including France, they were even recently included into legislation. These ideas are sparked by politicians among society using the common fear in society of losing one's economic status and/or national "identity".

Thus, it is critical to have knowledge on the topic of migration in Europe, in order to properly analyze the programmes of candidates, and to formulate relevant propositions.

Self-assessment questionnaire:

https://docs.google.com/forms/d/17IGYSKZy232ABNBA_qSdAD5tULL2I4lLeNgVe2vYn1I/edit

Chapter 1

General facts about migration

1.1 Facts and figures about migration

Historically, mobility has been part of humanity almost since the beginning of times: since the first ancient humans who lived on earth spread from Africa to the other continents, around 60 000 years ago.

In 2022, the number of forcibly displaced people in the world reached a new high of 108.4 million people[1]. In 2020, almost half of global migrants were women (48.1%). On a global level, Europe and Asia have the most international migrants: in Europe, migrants represent 11.6% of the population[2]. However, 72% of refugees live in a country neighbouring their country of origin according to the Refugee Council[3]: so, most migrants in the world are welcomed by developing countries.

There are a lot of reasons that push people to migrate. The reasons people leave their country are usually called "push factors", whereas the reasons people are attracted to a country are called "pull factors".

We can separate them into 3 categories:

1. Social and political factors

These can either mean:

1. Persecutions: these are dangers or violence people face because of their ethnicity, religion, race, politics, culture, gender, sexual orientation... People can be victims of violence by a State or someone else, and they are not receiving the protection of the State (police, military) in their home country.
2. Situations of armed conflicts: wars and armed conflicts make it difficult for people to access basic necessities. People who are not soldiers can also be targeted through bombings or forced involvement in armed groups for example. People who flee their home country because of these factors will be drawn to countries where they are more likely to receive protection, with more open policies towards humanitarian migrants.

2. Demographic and economic factors

A growing, shrinking, aging or youthful population has an impact on economic growth and employment. Where a country's labour standards are poor, unemployment is high, and / or the country's economy is unhealthy, people are more likely to be drawn to countries with criteria such as higher wages, better employment opportunities, a higher standard of living...

3. Environment or climate migration

People have always been fleeing natural disasters (floods, hurricanes, earthquakes), but these disasters have been more and more present in the last years and are expected to multiply because of climate change. Environmental migrants are people who are forced to move from their habitual homes, on a short or long term basis.

It can be difficult to identify the specific cause of migration for a specific individual, because the causes can intertwine. For example, climate change can cause a poor economic situation that can later cause an armed conflict, forcing an individual to flee.

A lot of people who move out of their country of origin don't choose to do so, they are forced to either by socio-political, economic, or environmental causes. Yet, the migration route is often a very dangerous one. According to the NGO Missing Migrants, 63 279 migrants have died in the world since 2014. The Central Mediterranean route, meaning the route from Northern Africa and Turkey to Southern Europe, is the most deadly one: 29 087 people have died in the Mediterranean Sea since 2014[4]. On their migration route, people in exile can often be exposed to instances of violence such as trafficking, sexual violence, extortion… It is especially the case for women, LGBTQ+ people, young people and people with physical or mental health concerns.

In Europe, 5.3% of the EU's total population is non-EU citizens, and 8.5% of all EU inhabitants were born outside of the EU. In 2022, 2.25 million people immigrated to the EU. A majority of people stay in Europe because of family, work, or because they receive refugee status.

In order to better understand the figures surrounding migration, one must take into account the returns of foreigners to their home countries.
These returns can take place as a result of decisions issued by the host countries, for people who cannot legally stay in the host country. In 2022, 431,200 non-EU citizens were ordered to leave the EU. To compare, in the same year, 73 600 non-EU citizens were returned to a non-EU country, mostly to Albania, Georgia, Turkey, Serbia and Moldova[5]. 54% of the returns that took place following an order to leave the EU were voluntary, that means that the migrants voluntarily complied with the decision[6]. 75% of the voluntary returns were assisted returns, that means people who received logistical, financial and / or other material assistance.

Returns can also take place independently of an order to leave, as a result of an individual decision of the migrant. This can be the case for foreign students returning to their home countries after studying in the EU, or for retired people who decide to go back to the country they were born in. In France for instance, in 2021, 246,000 immigrants entered France and 45,000 left. In total, the migratory balance was +201,000 people[7].

Another phenomenon that one must take into account when analyzing the migration flows in and out of the EU is that of European citizens who decide to leave their country for another, within or outside of the European Union. All of these figures are taken into account in the migratory balance, that is the difference between the number of people who migrated to the EU and the number of people who migrated from the EU. In 2021, while 3.7 million people migrated to the EU, 2.5 million people migrated from the EU[8].

Migration to Europe is also represented by short-stay visas: in 2022, in the Schengen area, about 7.5 million short-stay visas were requested, 5.9 million short stay visas were issued and 1.3 million were refused[9]. However, to understand this figure, one must take into account the nationalities with the most rejection rates: in 2022, Algerian nationals were refused Schengen visa applications the most, with a total rate of not issued visas of 45.8 %. They were followed by applicants from Morocco (28.2% rejection rate), India (18% rejection rate) and Türkiye (15.2% rejection rate).[10] Thus, there are inequalities in rejection rates according to the country of origin of applicants.

1. 2. Point on definitions

Activity 1

Connect the word to its definition

The following words will be defined:

foreigner | refugee | migrant | asylum seeker | immigrant | emigrant | stateless | unaccompanied minor | human trafficking | people smuggling | migrant person in an irregular situation | internal migration | visa | residence permit | country of transit | country of destination | country of origin

These words are very often misused in the media and society. For example, who is commonly depicted as a migrant? Would a professional who moves from a city to another be depicted as a migrant? Would a Spanish person who moves to the US be depicted as a migrant? Often, that term is used for people on the move who migrate from developing countries to wealthy countries: mostly members of visible minority communities are depicted as migrants. Moreover, the term "refugee" is often used incorrectly, in place of the word "migrant". This oversimplifies the different situations, as all non-European people are depicted as the same. Some words are used with an adverse connotation, such as the terms "clandestine" or "illegal migrants" that are used instead of "migrant person in an irregular situation". That conveys the false impression that people can be illegal: no person is inherently illegal, only actions can be illegal if they don't respect the law. The media also usually depicts the migration topic as a "problem", "a crisis", and migrants as a "mass". It has been proven that the media shapes the way we view the world, and creates strong images that change the way we view people on the move: such misuse of words can lead to negative behaviors towards migrants, as well as anyone who seems to be from abroad. It is thus crucial to know the terms and their correct use.

1. 3. Migration is a human right

International law guarantees everyone freedom of movement. International law is a field of law that gives States responsibilities in their relations to each other, and in how they treat individuals. Although there are debates on whether international law is efficient, as it is difficult to enforce, States who are part of international treaties consent and agree on certain values.

For example, the Universal Declaration of Human Rights is a set of 30 rights that was agreed upon by States after World War 2. This document provides a set of rights that "everyone should have". All 192 States that are recognised by the United Nations, that is practically the entire world, have agreed to respect these rights: as a result, even if the Declaration is not legally binding for States, compared to inter-State agreements or treaties, this document has a very high symbolic value, a value so strong that States consider that they are obliged to respect these rights. According to this document, everyone has the right to seek and enjoy in other countries asylum from persecution (article 14), everyone has a right to a nationality (article 15 (1)), and no one can be deprived of their nationality or denied their right to change their nationality without a valid reason (article 15 (2)).

Moreover, freedom of movement is also protected at the European level. The European Convention on Human Rights is a document at the European level that lists a set of rights that States legally have to respect. These rights are also contained more or less the same way in the Universal Declaration of Human Rights. According to this document, everyone shall be free to leave any country, including his or her own. This document has been agreed upon by a vast majority of countries of the European Union, which makes it very important.

So, freedom of movement is protected at the international level, in documents that are largely agreed upon. Freedom to move implies freedom to enter and settle in another country: thus, the rights to entry, stay, and exit are indivisible.

Moreover, migrants are a vulnerable group, and are protected for this reason. They are vulnerable because they are not citizens of the country they live in, they have crossed an international border, and generally are only allowed to enter and live in another country with the consent of the authorities (unlike citizens). Often, they have to go through administrative processes in order to gain the right to stay in the country for a longer period of time. They are also strangers to the society they live in, and might feel like they don't belong, especially as they often don't know the language, culture, laws, practices. This makes it more difficult for them to access their rights. They can also face discrimination, unequal opportunities, as well as racism or xenophobia. Those with an irregular immigration status in the country are even more subject to vulnerability, abuse, exploitation, trafficking, by employers, migration agents, smugglers… During times of political tensions, they can be suspected and treated as security risks by politicians, and victims of racism and xenophobia by society. For example, there was a lot of stigmatisation around migrants and people with a migration background after Islamist attacks.

As a consequence of this vulnerability, the rights of migrants, asylum seekers, refugees, are protected by international law. It doesn't matter if they arrived legally or illegally: they all should enjoy a basic set of rights. Under international human rights law, States are obliged to keep from attacking the rights of migrants, but they also must prevent violations of these rights, and act in order to make sure that these rights are enforced. States also have a specific duty to care for particularly vulnerable migrants. These rights are protected at the international level in documents such as the Universal Declaration of Human Rights, the Refugee Convention, and the Migrant Workers Convention.

Chapter 2

Migration in the EU: laws, institutions and current trends

2.1. A common policy on migration in the EU

According to the Council of Europe[11], the European institutions have the objective to create an effective, humanitarian, safe migration policy. Within the European Union, States have a common policy on migration. It means that the European institutions created a set of rules concerning migrations that every State should respect: for example on managing the arrival of migrants, reception facilities, asylum and return procedures, protection of vulnerable migrants…

This common migration system was created as a result of the Schengen area. In the Schengen area, everyone is free to move between States, there should be no border controls between the different countries. It is meant to facilitate exchanges of goods and services between States. Because there should be no border controls within the EU, everyone is allowed to circulate everywhere, regardless of whether they are citizens or non-citizens. That doesn't only apply to citizens of the European Union, but to everyone, because there is no possibility to know if someone is a citizen without controlling their documents.

Progressively, citizens of the EU became equal, and the EU created a common European citizenship: a French person or a Spanish person for example is also automatically European, and can live in another EU country, vote in certain elections… But it doesn't mean that people who are not European citizens are equal to European citizens, even if they live in the EU: the EU has created a privileged status for those migrants who have a regular status in a member State, but also strengthened the fight against "irregular migrants", those who don't have a legal status in any State of the European Union. This fight is often conducted at the expense of human rights.

At the beginning of this common European policy, in 1999, the idea of the European Union was a very positive one: politicians believed that the EU should offer its most precious good, freedom, to everyone, including those outside of the Union. Actually, the idea was rather to offer this freedom and these rights to those that the States chose to give it to: often those that they needed to work, to build… However, from 2008, a "security shift" occurred after the first terrorist attacks, as well as after the important migration wave in 2015. The policies became much more restrictive towards migrants. Currently, what is considered by experts as a new security shift is taking place at European level, through the "New European Pact on Migration and Asylum". The main objective of this policy is to filter migrants arriving at European borders: those who are less likely to receive the asylum status will be treated through a different process compared to those who are considered more likely to receive the asylum status.

The first ones would be kept in closed centres, where their asylum request will be examined in an accelerated way. According to NGOs, this rule would set an inequality between migrants, as they would be treated differently based on their country of origin. Moreover, this accelerated procedure is likely to result in less rights for detained migrants, less access to lawyers and counselors, less access to other services… It should be stressed that the official advantage of this procedure is to easily send those who don't receive a legal status back to their country of origin, as these people will be less protected. Indeed, these centres would legally be considered not to be part of the European territory, even if physically they are on the European ground. So, the detained people would enjoy less rights and protections as in other EU countries. To sum up, this new regulation is embedded in a logic of security, of numbers instead of people.

There is a common European policy among member States, but every State is fully responsible: in carrying it out, as well as in deciding about it, through the European institutions. Thus, any European citizen has the power to influence the common policy on migration.

2.2. Border controls at the borders of the EU

Because there should be no border controls within the European Union, it was decided by politicians that the EU should reinforce its controls at the borders of the external borders. The set goal of these controls is to prevent "irregular migration": according to its website[12], the European Commission makes sure that every European country at the border of the European Union controls its part of the border. It also claims to make sure that the fundamental rights of migrants are respected. There is truly an emphasis on the controls of the border, on avoiding what observers call "unwanted" or "undesirable" migrants: those who arrive irregularly on EU territory, unskilled workers. Only then do fundamental rights come into place. This is realised through institutions and laws, for example the policy on smugglers.

The policy on smugglers targets people who help migrants cross European borders illegally. It can mean helping them entering the EU, but also traveling within the EU. On its website[13], the European Commission stresses that smugglers violate the human rights of migrants, and that their actions can lead to the death of migrants, especially in the Mediterranean sea. It is indeed illegal to facilitate the illegal entry of a person into a State, for a financial or material benefit (article 3 of the Smuggling of Migrants Protocol). Smugglers, who are often part of bigger criminal groups, obtain big sums of money from vulnerable people who wish to cross EU borders.

Travels often take place in very dangerous conditions. However, "legal migration", through visas for example, has become more and more rare and difficult, because the European policy on migration has become harder and harder. There are only very few ways to come to the EU legally: visas for foreign workers, researchers or students, marriage to an EU citizen or family reunification processes for beneficiaries of the international protection (refugees). Especially for those coming from countries in development, or those who lack financial or cultural wealth, the process can be difficult, and the acceptance rates vary greatly according to the country of origin. This is a result of the Schengen policy: because the borders inside of the EU are open, politicians have decided that it needs to be harder to enter the EU.

Moreover, according to human rights defenders and experts, the policy on smugglers doesn't only affect people who gain money from helping migrants cross the borders: it also affects NGOs and activists, who are accused of smuggling and crimes associated with it when they actually intend to protect the human rights of migrants. For example, in Greece, in 2021, 24 activists were accused by the authorities of human trafficking and espionage. In fact, they were conducting search and rescue missions to rescue migrants whose boats were drowning. They were found not guilty in 2024, but a lot of NGOs conducting similar missions or even offering free services to migrants (legal aid, food, clothes) are regularly being accused by the authorities, investigated by the police or put on trial.

On the practical side, controls at the outside borders of the European Union are carried out in a shared way, between members of the EU. The official idea is to collectively protect the European territory. To realise these controls, two main tools are used.

The first one is the Europol system, which enables exchanges of information (including personal ones) between member States. That means that States are able to control who is entering the EU, to know whether the person is allowed in or not, whether they were refused before, whether they asked for asylum in another country of the European Union.

The second one is the European Border and Coast Guard Agency (Frontex), an institution meant to support EU member States and Schengen-associated countries when they manage the external borders of the EU. An important institution of Frontex is the "standing corps", composed of border and coast guards. They are tasked, among others, to control the outside borders of the EU. They conduct border checks, they register incoming migrants, but they also have the duty to do search and rescue operations. That means that they conduct search operations, by driving boats in the sea for example or sending drones to control an area, and look for migrants at risk. Then, they alert the authorities of the relevant member State if they detect migrants who need to be rescued: the authorities of the country should rescue the migrants, and bring them to a European shore, so that they can ask for asylum. But instead, there have been a lot of accusations by NGOs against Frontex that they failed to launch alerts for boats in danger.

Moreover, people who arrive at the border of the European Union can be victims of "pushbacks": that is when, instead of bringing them to European coasts, the authorities push the boats back to Libyan or Turkish coasts, often after taking away their motor or committing violent acts against the migrants. These operations do lead to people dying at sea, and it is highly traumatising for survivors. It is also illegal, as it keeps people from asking asylum in the EU, which is a right for everyone. Frontex has been accused multiple times of covering or even partially financing such operations[14]. Moreover, a parliamentary interrogation at EU level was asked regarding this question[15].

Moreover, we understood that there are no border controls within the Schengen area, which is practically the whole EU territory. However, the European regulations give permission to the member States to temporarily reinstall controls at their borders. However, the duration must stay limited, and it can only happen as a last resort. Yet, several EU countries have been regularly reinstating border controls in the last years for long periods of time (from a few months to a year). Since 2015, France has reinstated border controls 19 times, Spain 18 times, and Italy 8 times. It can be considered that the reinstatement of borders questions the entire logic of strengthening outside border controls, as they were decided upon as a result of having no border controls inside of the European Union.

France

In 2022, there were 7 million immigrants living in France. 48,2% of them were born in Africa, 32,2% in Europe. Algeria, Morocco and Portugal were the main countries of origin[16]: this can be explained by the fact that these countries are former colonised countries, or they were fled in the past because of the political situation. France welcomes around 200 000 immigrants a year: 90 000 of them come to join their family and 60 000 of them are students[17]. However, the general opinion is generally critical towards immigration. According to the polls, 60 to 63% of the respondents agree with the sentence "There are too many immigrants in France". The figures have been steady since the 2010s[18]. This reflects a general view that France would be welcoming a lot of migrants, would be getting "invaded", when figures prove the opposite.

The topic is especially present in the media, because of a fear of losing one's economic status or one's "identity". These fears are quite common among the French population, but they are also used by parties defending anti-immigration ideas. These parties also insist on the feeling of insecurity, that they link to immigration. Anti-immigration beliefs are fed by the common assumption that foreigners would commit more crimes than the general population: while foreigners are indeed overrepresented in prisons, it can be explained by several factors.

First, the crimes where the foreigners are the most represented are the crimes that are the most discovered by the police: illegal work, illegal stay… Immigrants are also mostly visible in crimes that are linked to the working-class environment. These statistics must be linked to the systemic inequalities that remain between those who have a migration background and those who don't. Activists and civil society organisations condemn the fact that foreigners are more often controlled by the police, because of racist representations that remain among police forces. Foreign delinquants are also put in prison more than others (provisory detention and police custody); It has been proven that someone who has been put in provisory detention or custody has more chances to get a long prison sentence than someone who comes before the judge free.

A new immigration law was adopted in December 2023 by the French parliament, and was described as an "ideological victory" by the far-right.

This law includes:

- Restrictions on social aids: it will be required from immigrants who do not work to be living in France for more time until they receive social aid than immigrants who work.

- Migration quotas set up by the Parliament.

- Possibility to strip nationality for dual nationals if they have been convicted of intentional homicide against people in "position of public authority" (police…). This represents a strong inequality between people who have a migration background and people who don't.

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- People born in France to foreign parents will have to apply for French nationality, they won't be granted it automatically anymore. That sets an inequality between them and people born with French parents.

- An "offense of illegal residence", punishable by a fine, is reinstated.

- Foreign students will have to leave a deposit, which means they give a sum of money to the State, that they only get back when they leave the country.

While a lot of these measures have been blocked by the Conseil d'État, France's highest administrative jurisdiction in charge of controlling the laws, this law demonstrates a security shift in the immigration policy in France.

Italy

6 million foreigners are living in the country. A central matter is that of the thousands of people in exile that have been landing on Italian shores, from countries such as Tunisia, Nigeria, Bangladesh, Côte d'Ivoire. About 15% of them are unaccompanied minors. There are higher risk for immigrants, especially irregular, to suffer from poverty, unemployment, social exclusion, or to be subjected to trafficking and exploitation[19].

Spain

Spain is both a destination and a transit country for international migrations. 5.5 million of migrants are living in the country in 2022, mostly from Morocco, Romania, Colombia, and the UK. A lot of migrants travel to Spain through the Western African Route, one of the deadliest migration route, and arrive in Spain mostly through the Canary Island, or the Gibraltar Strait and by land into the cities of Ceuta and Melilla[20].

Albania

Albania has a migrant population of 0.53%, mostly from Greece, Italy, the US, and Turkey. The country is also becoming a well-known transit country for migrants going into the EU: they enter Albania from Greece, then join Montenegro, and go to Italy. Another question is that of internal migration in the country: people move from the rural areas to bigger cities, but also from poor urban areas to the most dynamic cities. Because of unemployment, poverty, and lack of individual safety, a lot of educated people move out of the country, for better healthcare and living conditions abroad[21].

Activity 2

Follow a migrant woman's journey

2.4. Focus on asylum

Asylum is the protection that allows people to stay in a country and not be returned to a country where they fear persecution or harm. The people who are granted this protection are called "refugees", they are recognised as refugees.

According to the law, a refugee is

"someone who is unable or unwilling to return to their country of origin, owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion.".

This corresponds to a very specific status: not everyone can get the refugee status, there are criteria that people need to fall into if they want to receive the status:

- **The person left their country and cannot go back because they are scared that something could happen to them.** It needs to be a well-founded fear: an objective fear that also has to be believed by the person who will examine the request. In theory, applicants don't need to prove that there was an attack in the past, but they need to prove that there are strong reasons to believe they would be in danger if they went back. In practice, the person who will examine the request is more likely to believe that they are at risk of persecution in their home country if the person was a victim of persecution in the past.

- The person can be afraid of attacks by the State (police, military…) or someone else, but **they have to show that the State cannot protect them.**

- **It has to be a personal fear**, it means that they could be harmed because of their identity: because of race, religion, nationality, political opinion or membership of a particular social group (for example, women can be targeted because they are women).

- Applicants also have to show that, if they were to go back tomorrow, **the danger would not be less great,** even if they moved to a different part of the country to take refuge there.

Someone who wants to get refugee status needs to go through a process, where it will be evaluated whether the person matches the criteria. The burden of proof lies on the asylum seekers: it means that the asylum seekers themselves will prove that they correspond to the criteria, which can be very tricky. Indeed, how to prove that there was a danger? A lot of times there is no proof, and a lot of time biases of the person examining the request can play a role in whether they will find it plausible or not. For example, LGBTQ people requesting asylum because they are persecuted as gay, lesbian, or transgender, can be required to prove that they are LGBTQ. For example, they are regularly asked how they understood they are LGBTQ, which is very difficult to explain, especially as it is something that they had to hide all their lives, so they might feel uncomfortable sharing it with a stranger. Moreover, the person examining their request might use their Western views to examine whether it is plausible that the person would be LGBTQ. For example, they can base their decision on the looks of the person, and not believe the applicant if they don't correspond to these beliefs.

The processes are different in every country, but the European Union has put in place a regulation to ensure the process is conducted in a dignified way. States also have to ensure that asylum cases are treated fairly and their asylum request is examined following uniform standards, and that the outcome would be the same wherever the request is examined. There are several common points in the process in every country: the person is first registered as an asylum seeker, their personal details are recorded as well as their fingerprints, then there is often an interview, and if after the interview they receive a negative decision, they can appeal the decision through Court.

There is also an opportunity to apply again to the status, in case the first attempt doesn't succeed and new elements appear after the request. But the different EU countries have different policies in terms of asylum, they might be more likely to accept asylum requests or to give an order to leave to migrants, and the processes can take different times according to the country (9 months in Germany, 17 months in Austria).

Which country is responsible for examining the request of an asylum seeker? The Dublin Regulation is the European law that is used to determine which country will examine an asylum request.

There are 3 main criteria:

- Whether the person has a family member present in another EU country: then the applicant can request to join them, that request has to be examined.

- Whether the person has or in the past has had a visa or a residence permit issued by another EU country: then they could join that country if the request is accepted.

- Whether they have traveled to, or through, another EU country.

The third situation is very common. A lot of people arriving in Europe travel through Turkey or Libya and first arrive in Greece and Italy, but then travel to Northern countries such as France or Germany. If their fingerprints have been registered in the European countries they crossed first, they are not able to ask for asylum in any other EU country, because their entry in another country is detected by a common system. Either they are forced to be deported to that other country, or they can register a request for asylum in the country they are in, but only after a certain period of time. So, asylum seekers do not choose where they ask for asylum. This system is overly burdening European countries such as Italy and Greece, where administrative services get overwhelmed, because there are too many requests compared to the capacities. That impacts the length of procedures, the way the request will be processed, the accommodation… For instance, Greece has been recognised as a failing State regarding the bad treatment inflicted upon asylum seekers in the country. Despite the fact that migrants should be transferred to other European countries, that actually happens very rarely.

In 2022, 962 160 asylum requests were lodged in the EU (by non-EU citizens): mostly from Syrians, Afghans, Turks and Venezualians. Germany received the most first-time applications (25%), then France (16%), and Spain (12%) [22]. Today, according to experts, the facts show that the EU is unable to provide dignified reception conditions to asylum seekers. There is also a tendency to limit access to rights and services for asylum seekers.

Even if the EU has set up basic standards for reception conditions, these vary largely according to countries: from Greece and the Netherlands providing housing in collective accommodation, to individual accommodation in some States in Germany and Sweden. Other factors such as financial aid, healthcare, and access to the labor market for asylum seekers also vary greatly. Actually, the reception conditions do vary according to the geographic location.

- Southern countries such as Greece and Italy often do not consider themselves as countries who give asylum to people, and tend to not provide basic reception conditions. The Greek authorities have built reception centres that are meant to host asylum seekers in the first weeks of their process, before they are transferred to other accommodations. These have very bad conditions, for example there is a lack of water, sanitation, access to food, access to healthcare… And in reality, a lot of asylum seekers stay in these camps for their entire procedures, for months or even years. Procedures in these camps are very lengthy, because the systems are often overwhelmed.

- Countries in central Europe are considered "transit countries" and invest little in the accommodations they provide to asylum seekers, which makes it difficult for the authorities to house applicants properly.

- Even inside the different European countries, there are different kinds and qualities of accommodations, according to the location of the accommodation, and even to the nationalities of asylum seekers.

Chapter 3

Vulnerability and migration: stacking discriminations

3.1 Women

While all migrants can be considered as vulnerable people, women are even more vulnerable on the road of migration and upon arrival in Europe.

While women migrate for different reasons, including poverty, conflict, and climate disasters, gender based violence is one of the main causes for migration among them. Violence happens all over the migration pathway meaning before, during and after migration. Rape was the most reported form of sexual violence among refugee women on a global level. Migrant women are raped especially in the country of origin, mostly by intimate partners, but people who are supposed to protect them. A lot of women escape violence such as early and forced marriage, female genital mutilation, gender based discrimination, sexual violence, or domestic and intra-familial violence.

On the migration route, women face higher risks of violence at the hands of smugglers, traffickers, other migrants, and also State officials.

They face higher risk of exploitation (for example sexual exploitation and forced prostitution), as well as rapes. The risk that they get trafficked also is heightened: some migrant women, especially those who don't have documents to legally enter and stay in a country, may be unable to pay their smugglers to cross the borders. They often have debts towards them, and can be trafficked and/or sexually abused to repay these debts. There is also a higher risk for women to be captured by criminal gangs.

In the countries of destination, women face sexual and gender based violence in the workplace, and in public spaces, especially where they are forced to live on the streets in absence of State accommodation, but also where they live, and even more when they are detained because of their migration status. When they work, the vast majority of them in service jobs (including domestic work and health care), it is often illegally in the informal economy: they don't benefit from the same labour protections, and are at risk of labor rights abuses, sexual and gender based violence, racism and xenophobia. When employed as domestic workers, for example as cleaners, nannies, or housekeepers, they are even more at risk of abuse, because they often live in the same place as their employers: they are more isolated, and more dependent on the employers. Abuse can take various forms: withholding of wages or documents, excessive work hours and workloads, food deprivation, inadequate living conditions...

Moreover, in the country of destination, only 22% of working migrants are covered by social protection: without safety nets, migrant women may lose their livelihood and ability to provide for their families, including where they fall sick. It remains difficult for women to report abuse, because of the lack of effective procedures, and to access services.

3.2 LGBTQ+ people

As for migrants who are LGBTQ+, while a lot of reasons might push them to leave their home country, they often flee their countries of origin because of socio-economic exclusion or because they were victims of persecutions and do not receive protections.

The structural discriminations that they face are exacerbated by their situation as migrants: when moving internally within their own country, especially where same-sex relations and / or diverse gender identity are criminalised, LGBTIQ+ migrants often aren't taken into account by institutions that support internally displaced persons.

While on the move to another country, they are more likely to face human rights violations by smugglers, traffickers, and even immigration officers: 83% of trafficking victims who are transgender are used for sexual exploitation, for example through forced prostitution[23].

At the border, non-heterosexual couples and their families face greater risks of being separated, and they may be treated without due consideration of their rights. When detained, LGBTIQ+ migrants face higher risks of isolation, as well as sexual and gender-based violence if their gender identity or sexual orientation gets uncovered by other migrants or officials. Often, transgender migrants who are detained are detained with detainees that do not have the same gender as the one they identify with, which makes them even more at risk of violence.

When they arrive in their country of destination, LGBTIQ+ migrants are also more likely to work in the informal economy, and have higher risks of unemployment and poverty. They are also likely to face similar or higher risks of violence, as well as xenophobia, racism, misogyny, ageism, socioeconomic marginalisation, and isolation. These issues often go unreported, pushed further away from the public eye.

Despite these facts, there is a huge lack of gender-based approach in migration policies: the fact that migration is a gendered experience, that men and women don't face the same risk when they are on the move, that LGBTQ+ people are especially vulnerable, isn't taken into account when migration policies are drafted.

3.3 Minors and young people

13% of the total migrant population in 2020 were child migrants (below the age of 18), and 11% of the total migrant population were young migrants (between the ages of 15 and 24). There were 39,515 unaccompanied minor asylum seekers in 2022 in the EU[24].

Children and young migrants face greater risk of abuse, trafficking and exploitation, especially when they travel alone and through irregular migration pathways.
On their journey, child migrants are more likely to be subjected to trafficking, they can be sold and physically or sexually abused, and they can be recruited before or during their journey. Children can also be separated from their primary caregivers, their parents or relatives, before or during the journey. They then become unaccompanied minors.

Unaccompanied minors are especially more vulnerable to migration risks, because of their young age and because they are unaccompanied. In a lot of countries, their minority status can be questioned by the authorities. It is difficult for a lot of people in this process to prove that they are minors, especially as they often lose their identification documents during their journey. Yet, it is crucial for States to provide special care to unaccompanied minors, especially as they tend more than adults to suffer from physical or mental health conditions.

Either accompanied or not, children also face higher risks of injury or death when crossing borders, deplorable hygiene conditions and conditions unsuitable for children in refugee camps, lengthy asylum procedures, and even detention when they receive the order to go back to their country or origin.

Even when they are born in Europe, young people whose parents are migrants are more likely to have difficulties in social and professional integration, as they often have a lower socio-economic background, more difficult educational paths, and face discriminations.

3.4 Physical and mental health issues after migration

People in exile can have physical illnesses or disabilities, as a result of events in their country of origin, on the migration route, or even from birth. These physical health concerns make them even more vulnerable. While the authorities should assess the physical health of migrants, according to EU regulations, and especially asylum seekers at registration, there remains a general lack of access to health services for migrants. Language barriers, cultural differences and a lack of access to information and services, as well as discrimination, can make it more difficult for migrants to access health services. Many migrants present cases of untreated communicable diseases, such as tuberculosis, viral hepatitis, and HIV, that can lead to serious complications or even death. Especially for women, they can have contracted HIV, often as a result of rape, at any time of their migration path.

Poorly controlled chronic conditions (diabetes, injuries, out of medication…) are also very frequent among migrants. In the country of destination, policies regarding access to healthcare can be very limited, which limits the access of migrants to healthcare. Healthcare systems, such as hospitals, can also be overwhelmed and simply not equipped to treat more people than they were built for : when migrants facilities are built in small cities or on small islands, this can become a big issue and force migrants whose health is at risk to wait for months before getting checked by a health professional.

In terms of mental health, migrants are also more vulnerable to psychotrauma. They often experience adverse or traumatic experiences in their countries of origin, such as wars, physical violence, and gender based violence, especially for women. The migration journey in itself is a particularly intense life event, it often means for a person to flee without a plan, with a hope to reconstruct, and during this journey they can be exposed to other forms of violence. When they arrive in the destination countries, people in exile face, again, traumatic experiences: administrative instability, lengthy waiting times, precarious economic and housing situations, racism, lack of language skills… The administrative processes they go through, and especially the asylum process, can force them to give again and again details about traumatic experiences they had, which in itself is very traumatising.

Indeed, it can be very difficult for them to remind themselves of the difficult experiences they've been through, and to get questioned about these experiences. There is a cruel lack of essential services for migrants, including social services, physical care, and mental health services, especially for women survivors of violence. Moreover, there is a lack of education of health and social professionals to accompany them. For migrant women especially, these mental health concerns can make it more complicated to integrate in the country of destination

Conclusion

Although the migration route is a very dangerous one, and leads to trauma that makes people in exile even more vulnerable, it is safe to say that the current European migration system doesn't take these mental health vulnerabilities into account. These are especially not taken into account during the asylum process, which in itself can lead to retraumatisation. It reflects a general tendency of governments, politicians, but also the media and society at large, to consider people in exile not as humans, but as figures or waves. We hope that our advocacy will help put humans first at the European level, and also for people in exile entering Europe.

Final self-assessment

https://docs.google.com/forms/d/17IGYSKZy232ABNBA_qSdAD5tULL2I4ILeNgVe2vYn1I/edit

Activities

Connect the words related to the migration topic to their respective definitions

Topic	Migration; vocabulary; international law
Title	Connect the words related to the migration topic to their respective definitions
Goals	• Gaining knowledge on the specific legal definitions of words relating to migration; • ability to recognise the misuse of certain words in the media / society / politics; • to increase the participants' critical sense regarding the use of words
Duration	Step 1: 5 minutes; Step 2: 20 minutes Step 3: 15 minutes; Total: 50 minutes

Description

Step 1

The trainers lay down the papers with the words related to migration and their definitions. There should be one column with the words, and the other one with the definitions. The trainers should not lay down the words directly next to the definitions. Moreover, words related to the same area (for example refugee / migration, immigration / emigration) should not be laid down near each other.

Step 2

The trainer divides the participants into several groups. Each group gets assigned to a table, and is tasked to join the words related to migrations to their respective definitions. Ideally, participants in each group should have different levels of knowledge on the definitions, so they can discuss together on what they think is the right definition and learn from each other.

Step 3

The participants all come together, and for every word the trainer asks a different table to say what the definition is. The order of the words below should be followed, in order to pay a specific attention to differences between foreigner / refugee / migrant, immigrant / emigrant, human trafficking / people smuggling, visa / residence permit, as these words are especially misused in the media and society at large. There can be a discussion of the definitions if they are unclear to some participants, or if there were debates among the different groups during step 2.

The following definitions should be used:

Foreigner: Anyone who does not have the nationality of the State in which they live

Refugee: Someone forced to flee their own country and seek safety in another country, who is unable to return to their own country because they are afraid of persecution.

Migrant: A person who moves away from his or her place of usual residence, whether within a country or across an international border, temporarily or permanently.

Asylum seeker: Someone who is seeking international protection, whose request for refugee status or another protection hasn't been examined yet.

Immigrant: A non-resident arriving in a State with the intention to remain for a period exceeding a year.

Emigrant: A resident departing or exiting from one State intending to remain abroad for a period exceeding one year.

Stateless: A person who is not considered as a national by any State.

Unaccompanied minor: A minor who have been separated from their relatives and are not being cared for by an adult who is responsible for doing so.

Human trafficking: The recruitment, transportation, transfer, harbouring or receipt of people through force, fraud or deception, with the aim of exploiting them for profit

People smuggling: The facilitation of a person's illegal entry into a State, for a financial or other material benefit.

Migrant person in an irregular situation: A person who moves across an international border and is not legally authorized to enter or to stay in a State.

Internal migration: Migrants who move within the borders of their country, seeking a new temporary or permanent residence.

Visa: An official document giving permission from a foreign authority for you to enter a country.

Residence permit: Any authorisation issued by the authorities of a EU State allowing a third-country national to stay legally on its territory.

Country of transit: The country, different from the country of origin, which a migrant passes through in order to enter a country of destination.

Country of destination: The country that is a destination for migration flows.

Country of origin: The country of nationality or, for stateless persons, of former habitual residence.

Activity 2

Follow a migrant girl's journey

Topic	Migration; gender; life trajectory
Title	Follow a migrant girl's journey
Goals	Awareness about the difficulties and dilemmas faced by women and girls on their migration journey; ability to empathize with people in exile and people with a migration background; countering common misunderstandings or clichés about migration; increasing the participants' critical thinking
Duration	Step 1: 5 minutes; Step 2: 25 minutes Step 3: 20 minutes; Total: 90 minutes
Resources	Tables (1 per group), chairs, computers or laptops (one per group)
Participants	All participants, divided in different groups

Description

Step 1

The participants form groups of around 5 people.

Step 2

The participants launch the game developed by Femmes Entraide & Autonomie. The game can be found in French or in English on <u>FEA's website</u>. According to the English language ability of the different participants, it can be translated into the relevant language, and in that case a paper with the translation can be handed out. Otherwise, one member of the group can translate to the others. The participants play in autonomy, but the trainers should remain alert during this step, as this game can be rather distressing for some people, and especially those with a migration background, as it puts the participants in the shoes of migrant women.

Step 3

The participants all come together, and discuss what they thought of the games, which emotions they felt, if they need to. A good way to do so is to let every participant share their feelings with the group if they wish to, and to let the other participants react to these feelings by asking questions. Participants should be mindful of each others' emotions, and refrain from using judgmental terms. Again, the trainers should be mindful of the participants' emotional state, and allow them if needed to take a break.

- Migration is totally out of control
- They are taking our jobs / they are an economic burden
- Refugees choose to migrate
- They don't need help, they have a smartphone
- Some tools can be used to debunk these affirmations:
- Migration is totally out of control : the idea of a "migration crisis" is often portrayed in the media. However, there is no scientific evidence proving that global migration is accelerating: migrants represent only 3% of the international population, and this number has been stable over the years. Also, about 80-85% of refugees remain in their region of origin, and thus don't move to Europe. Moreover, a vast majority of people who move from the South to the North do so legally: 9 out of 10 people from Africa moved to Europe legally. There has been an increase in migration to Europe over the years, but foreigners remain a minority in the European population.
- They are taking our jobs / they are a burden for the economy: migrant workers make up for a good part of today's labor force in Europe. Indeed, migrants accounted for 70% of the increase in the workforce in Europe over the past 10 years. They also fill jobs that are not taken by native Europeans, both in fast-growing sectors and in declining sectors of the economy. Moreover, they contribute more in taxes and social contributions than they receive in benefits. They also contribute to innovation and economic growth.
- Refugees choose to migrate: as per definition, refugees are forced to migrate, because of persecution, war or violence. They cannot go back to their home country. In general, migrants do not choose to migrate, and would often rather stay in their home countries if the situation (economic, political, climate) was better. They often leave everything behind to find a better life, including their homes, jobs, families, friends, culture, and language. The migration route is a very dangerous and violent one.
- They don't need help, they have a smartphone : a smartphone or a phone is a critical thing to have, to be able to stay in contact with relatives who stay in the home country, to access the internet in order to register on administrative platforms, to access information, to contact NGOs and administrations… In terms of social aid , they don't receive much either: 210,80 euros a month for asylum seekers in France, for example, nothing for migrants who are not asylum seekers.

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