

UNITED Training Seminar
**Goodwill Hunting: Voluntary Work in Support of
Refugees**
22-27 February 2000 near Zittau (D)

**In the framework of the Project
Integration of Refugees: Linking Good Practice Across Europe**

Also take a look at the publication resulting from the conference:
The handbook "[Voluntary Work With Refugees](#)"

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1 INTRODUCTION

The Training Seminar "Goodwill Hunting: Voluntary Work in Support of Refugees" (22-27 February 2000, Begegnungszentrum im Dreieck, near Zittau, Germany), gathered a group of 45 delegates, coming from 18 different European countries (see list of participants in the end of the report).

All the participants came from organisations that are working in the refugee field. However their backgrounds were quite different. The objective was to have a group composed by more experienced people, who are working professionally in refugee organisations, and less experienced people, who are often doing a very hard job as volunteers, in the same organisations.

The main aims of this training seminar were:

Exchange of experiences and information on the situation of refugees in different European countries;

Exchange of information and good practices on voluntary work in support of refugees;

Preparation of future actions to be put into practice within the framework of UNITED.

The program was divided accordingly. The working methods were plenary sessions, working groups, buzz groups and role-plays (see program at the end of the report).

This report is also divided into the three main components of the program (2 - Protection and Integration of Refugees, 3 - Voluntary Work in Support of Refugees and 4 - Future Actions), with sub-divisions for more specific issues. At the beginning of chapter 2 and 3 is included a brief summary of the main findings.

In the final evaluation of the meeting, participants found the exchange of contacts and experiences, the program and documentation distributed very positive. In general terms the seminar was considered as being very well organised. Several participants have shown their interest in participating in future meetings organised by UNITED.

As for the less positive aspects of this seminar, people stressed the fact of the program being too full, the lack of contacts with local organisations and the absence of delegates from refugee organisations representing Asiatic communities as well as organisations of the Roma community.

2 PROTECTION AND INTEGRATION OF REFUGEES: EXCHANGE OF INFORMATION AND EXPERIENCES

2.1 SUMMARY

It was noticed that in spite of the very many differences that exist in Europe, it is possible to identify a certain "negative" trend, as far as access of asylum seekers to Europe and the fairness of the asylum procedures are concerned. The access to the European countries becomes more and more restricted and the national legislation on asylum and immigration accompany this trend. Therefore some discussion took place on how to best use some of the existing legal tools, such as the Geneva Convention of 1951 (see box 1).

The "official" definition of refugee, as it is stated in the Geneva Convention, was questioned in the sense that it does not seem to include all the people who nowadays are in need of protection. European governments try hard to put into practice as many restrictions to refugees as possible, instead of having a more

generous interpretation of the text of the Convention (see UNITED's InfoLeaflet n° 16, A Place for Everyone).

The increase of the militarisation of the European borders, the growing criminalisation of asylum seekers and migrants (lately accompanied by the criminalisation of people who are doing solidarity actions and fighting against "Fortress Europe"), the increase of racism within the local population at the borders, the terrible living conditions and the segregation of asylum seekers who are staying in detention centres are the picture of the asylum and immigration policies in Europe.

All the problems listed before are leading to the death of people who try to come to Europe. For NGO's working in the field this is no longer acceptable and common demands are "Stop Deportation!" and "Equal Rights for All!"

In order to fight the current situation, participants referred to the need of joint initiatives, even when organisations have their own fields of action and priorities. To counteract the negative trends it is absolutely necessary to coordinate efforts at the local, regional, national and European levels.

Dissemination of information is crucial to raise awareness of the public opinion for the problems of asylum seekers and refugees.

As legal aid is a fundamental aspect of refugee work, people stressed the importance to improve in this field.

Particularly shocking for the participants was the "voucher system" that exists in Germany and Great-Britain. It was identified as a system that destroys the self-esteem of asylum seekers and creates stereotypes within the general population. It is unacceptable and should therefore be stopped.

Women and refugee children are particularly vulnerable groups. Therefore NGO's should give them special attention by creating activities and services tailor-made for these specific refugee groups.

Integration of refugees has to be considered a two-direction process. Refugees cannot be demanded to "abandon" their background as a condition to be part of the host society. Especially in this field of work, the role of refugee community organisations has to be strengthened as they represent the interests of the communities. If we speak about equality of rights and empowerment, then refugee community organisations have to be given the importance and the working conditions that they deserve.

Finally, it was mentioned that we need to work on prevention of "refugee crisis" (e.g. Kosovo), because people should never be forced to leave their homeland in the first place.

2.2 PROTECTION

Detention and Deportation

The German organisation Forschungsgesellschaft Flucht und Migration (FFM), based in Berlin, made a presentation on their work monitoring the eastern border of the European Union (EU).

Some facts that illustrate access of asylum seekers to Europe were presented:

the so-called "Domino Deportation" that takes place within 48h, the "militarisation" of the border (increase from 8000 to 14000 policemen), 60% to 80% of the arrests done by the Border Police (Bundesgrenzschutz - BGS) in Eastern Germany are due to calls made by the local population...

Meanwhile the eastern border of the EU is extending. Clear examples of that are the huge amounts of money that the EU is giving to countries such as Czech Republic, with the purpose to "improve" the services of the border police bodies. Another example is how the Czech Republic "Germanised" recently the foreigners' law (e.g. refugees now have to pay for lawyers in order to have legal advice).

UNITED for Intercultural Action presented the campaign on the "Death List", that is being compiled since 1993. This list documents the death of 2063 people (as on 19/06/00) and was shown as a clear illustration that "Fortress Europe" is killing people (for further information check UNITED's Infoposter Death by Policy).

UNITED stated that all over the borders of the EU, policies of fear and despair are being put into action. For example: datalinking (e.g. EURODAC), border militarisation (sniffer dogs, infrared viewers, etc.), criminalisation (sanctions to air and shipping companies, taxi drivers, etc.) and "exportation" of exclusion (concept of "safe 3rd countries", buffer zones, etc.).

Finally the Greek Council for Refugees made a presentation, on the situation at the Greek borders. It is extremely hard for the NGO's involved in the refugee field to provide the necessary legal advice to refugees. There are by far too many people in need. Some lawyers exploit the situation: very often asylum-seekers have to pay for advice and assistance with very low quality standards.

Legal Advice

It was stated that it is extremely difficult for asylum seekers to prove that they have a genuine fear of persecution. Very often the fact that the "burden of proof" is the responsibility of the asylum seekers leads to the refusal of a deserved protection, if the person is not able to prove his/her fear of persecution.

The lack of proper interpreting and translation facilities was pointed out as a factor that makes the instant deportations at the port of entry worse and causes applications to be dealt with unfairly. If asylum seekers cannot know their rights due to language barriers and if they don't access the necessary legal aid (where

good quality of interpretation is crucial), likely they are quite more exposed to negative decisions.

Some recommendations have been put together, as a way of counteracting the problems that have been discussed:

- Providing pro bono legal aid for asylum seekers, refugees and foreigners is extremely important;
- We need to involve more volunteers in the work of legal aid;
- Local law faculties should be encouraged to be part of a support network. Law students could work on cases, write representations, etc. It would be a good experience for law students and encourage them to take this work further;
- Asylum seekers, refugees and foreigners should be counselled and assisted to exercise their rights under municipal law and international human rights treaties;
- We need to make sure that professionals and volunteers engaged in the refugee service have a good knowledge of the rules of the system so that they can provide good quality advice;
- We need to produce leaflets which give general information about the legal procedures;
- Training for the lawyers through organisations like ECRE in London and Brussels is badly needed;
- Lawyers need good resources: countries of origin documentation, alternative documentation on Human Rights abuses, case law, establish a local library/section on refugee law.

Social Benefits

Participants attended a detailed presentation by the North of England Refugee Service, on the social provisions to asylum seekers, after their arrival in England (please check box 2).

The presentation was followed by a discussion about the reasons why in some cases asylum seekers receive vouchers. The participants concluded that is a way of identifying refugees easily for the public, making refugees feel different to the rest of the public and maybe for the government to identify where the refugees are as each voucher carries a different serial number and therefore can be tracked back to the person it was initially given to.

It has cost the British Government £11,000,000 to create and administer the voucher system. Some of the participants felt the money could have been better spent employing more immigration officials to deal with the huge backlog of asylum applications.

Women and Children

The main subjects of concern regarding women and children were education, language difficulties, the isolation of women, access to legal and other services for women and special assistance for unaccompanied minors.

Participants learned that in some countries children can go to school, in some cases it has even been possible to go to third level education. In other countries children do not usually attend school. In some cases different organisations provide informal education and training. In other cases children have no access at all to education. In particular the situation of Roma children was highlighted. Where educational provisions do exist there are other issues, such as language tuition, mother tongue tuition, "bridging programs" and the bureaucracy of finding and having to change schools.

Furthermore it was discussed how organisations could assist refugee women, who quite often are isolated, because of linguistic or cultural reasons. It was felt that the first step must be to build trust between the NGO workers and women. A good way to approach women can be through their children. If childcare can be provided this is often a beneficial factor when offering other programs for refugee women.

Other issues discussed were the separation of women's asylum claims from those of their husbands and how the Geneva Convention definition of a refugee is often interpreted in an unsuitable manner for women's claims.

Finally the importance of being aware of cultural sensitivities and appropriateness when working with refugee women and children was pointed out.

The main recommendations made were:

- Unaccompanied minors need to receive special assistance;
- Legal guardians and other "care" persons have to be appointed as soon as possible;
- Childcare should be provided when offering special programs to refugee women.

2.3 INTEGRATION

Integration was defined as a process that should begin at the first reception of refugees, since how asylum seekers are first hosted, will affect their integration in the society later on.

However it was stressed that "integration" should never be a process that hides "assimilation". Refugees can not be asked to "forget" or "abandon" their background so that they can become full members of a given society.

Therefore it was strongly recommended that:

- Ethnic minorities are involved in designing integration programs;
- Integration training should facilitate the refugees to function in the host society without losing their identities;
- Integration is a two-way flow of exchange: the host community should adapt also;

- Bridging programs should be introduced and improved;
- Compulsary "integration" programs should not be implemented.

2.4 SELF-ORGANISED REFUGEE GROUPS

Two experiences of self-organised refugee groups have been presented (see boxes 3 and 4) followed by a discussion on activities, funding and networking.

Activities

A good example of an activity that can serve different purposes is a radio station (e.g. Radio Robin Hood, in Finland). This can motivate refugees to get organised. It can help to "open" the minds of the general population to cultural differences. At the same time a radio station can be a means to spread a political message and issues of concern to refugees.

Another example that was given was the Refugee Congress that has been organised by The Voice (Germany). It was described as the first self-organisation in Germany aiming to create a network to fight deportation. This network was based on the assumption that work at different levels (local, regional, national and European) is needed. The basic strategy is to motivate refugees themselves and to get them involved in fighting for their rights.

Other examples, of different countries have been given. These examples were mainly focusing on activities that address specific needs of refugees and that can also be tools for empowerment (language courses, computer courses, etc.).

Finally, cultural activities have been mentioned as a way to disseminate the culture of the countries of origin of the refugees and to raise awareness for the positive side of differences.

Funding and Support

Within this topic the discussion focused on how to get support and funding for the activities that the organisations want to put into practice.

The renovation of an old house to be used as an office and to open, in the same place, a café to get funds for the running costs of the NGO and respective activities was one of the suggestions made. Parallel social and cultural activities could take place there.

It is important to gather a motivated group of people that can work for the organisation and disseminate more and more the work that is being done.

Cultural activities have been mentioned as a good tool to fund self-organised activities. It is extremely important and valuable to keep financial independence and this sort of funding leads to more self-determination. Following this idea, it was mentioned that it is very important to balance what we want to achieve politically with the source of financial support. It might be that some funding is not acceptable to our purposes or that it would imply to change fundamentally what we want to do.

Finally it was said that it is important to explore the possibilities offered by the European, national, regional and local funds, that are available for associations, namely associations of the so-called "minority groups".

Networking

The last part of the discussion was dedicated to networking. Participants stated the importance of to use opportunities to meet with each other, in order to network in a more effective way.

We have to keep in mind that very often asylum seekers are prevented from being part of the society, by the fact that they do not have access to the same rights (e.g. in Germany asylum seekers are not entitled to leave the place where they are living, their freedom of circulation is limited to a given area of the country). This constitutes an obstacle to asylum seekers to fully engage themselves in refugee organisations, for instance.

It was also mentioned that in refugee camps in some countries (like the Czech Republic), asylum seekers and refugees are living in a very segregated way. They are prevented to engage themselves in any activities.

If the aim is to increase the participation and empowerment of asylum seekers and refugees such obstacles have to be kept in mind and combated.

2.5 AWARENESS-RAISING and DISSEMINATION OF INFORMATION

In general all the participants referred to the need of developing more activities that are related to awareness-raising of the general public and dissemination of information on refugee issues. Very often the general population is not aware of the reasons why refugees flee and what are the living conditions in the countries they come from.

In this framework it was stressed that words have to be carefully chosen (especially by NGO's), so that we do not contribute to the general prejudice and misinformation around refugee issues (for further information check UNITED's InfoLeaflet n. 13, The Danger of Words and Infoposter It's all a Question of Image).

Many different structures of the society have been mentioned as necessary targets for the dissemination of information: schools, neighborhoods, municipalities, governments, media and NGO's. However the strategies to be used and the information to be spread has to be different from group to group.

A general need exists for the countries that host refugees to recognise the positive aspects of difference. If European policies are becoming more restrictive we should counteract this with solidarity for refugees as well as to appreciate more the values they bring to host societies.

The main ideas that can be extracted from the discussions were:

- To publicise more the positive aspects of refugees and the contributes they bring (arts, sciences, society, economy, etc.);
- To use more of the existing literature on refugee subjects and to inform other people about these resources;
- To establish one "united" media list (newspaper, radio, etc.) that centralises the information and spreads it to other media, NGO's, etc.
- To spread as much as possible "positive" images of refugees so that the general population and politicians stop identifying them as potential problems;
- To organise more international pressures (For example: Germany is a "guide country" for asylum laws in Europe. In this framework we need to show it as a bad example, where Human Rights of asylum seekers are violated).

3 VOLUNTARY WORK IN SUPPORT OF REFUGEES: EXCHANGE OF INFORMATION AND GOOD PRACTICES

3.1 SUMMARY

In the beginning of the debate, participants mainly discussed the concept of "volunteer" work as it is understood in the respective countries. It was agreed that "non-paid work"¹, done voluntarily, should be used in this seminar as meaning "voluntary work".

The diversity of cultures and economic power of the countries reflects on how voluntary work is spread. In Eastern European countries, for instance, the term "solidarity" was misused, so it is difficult to recruit people for voluntary work. Former socialist countries have their own culture of voluntary work, just like the Western countries. In these countries very often volunteers are seen as "strange" because they work for free. In places where finding a job can be very difficult, this is seen as a "strange" attitude towards work which is understood only as a mean of survival.

Normally voluntary work is recognised to be of great value and help for refugee organisations. However the workers of this organisations also pointed out diverse difficulties and obstacles that prevent organisations to involve more volunteers. The most relevant obstacles mentioned were the lack of time to train new volunteers, due to other priorities, and the lack of resources (room, equipment, etc.).

Involving volunteers is not only a way of guaranteeing capacity to develop more activities, but also a form of learning for the organisations. Organisations should open up their structures to volunteers, as this means transparency and a possibility to participate for local communities.

What the organisation is expecting from the volunteer should be clearly defined at the start of his/her work. If the organisations are involving volunteers without

a clear line and aim can only lead to misunderstandings (e.g. to make the paid staff "afraid" of the volunteers because they think volunteers can be a threat to their positions).

Matters related to the recruitment, rights and duties of the volunteers, motivation, training and supervision were discussed, with the purpose of identifying the best practices about volunteers working with refugees.

Finally it was concluded that volunteers should be better organised among themselves, in order to promote the volunteer work and to defend their rights (e.g. to make use of the International Year of Voluntary Work in 2001). Very often volunteers feel undervalued and underestimated. Also very often there is an abuse of the work of the volunteers, accompanied by little respect for the value of their time.

3.2 CONDITIONS TO VOLUNTARY WORK

These conclusions are a result of the discussions in the different working groups, as well as the discussions around a case study (see box 5).

Recruitment

The recruitment of volunteers can be done in many different ways: newsletters, web, radio, TV, posters, word of mouth, etc.

The different places where volunteers can be recruited should be considered, to enlarge the spectrum: schools, universities, activities of the organisation, etc. It is important to target people who have free time and persuade them to become volunteers (retired people, students, unemployed, etc.). Finally it is important to make sure that in places where there are "potential" volunteers there is enough material on refugee issues and refugee organisations.

An interview it is always important but sometimes not valid enough. The NGO should make detailed interviews when recruiting volunteers, and be always aware of the possible failures of this technique.

An application form can be used. Recommendations and a motivation letter can also be requested from volunteers who want to apply for a job.

From the NGO a clear objective should be expected to recruit the volunteers. It is important not to recruit a volunteer before having a written job description.

Finally the NGO should always keep people on file and / or refer them to a similar organisation, when not having the possibility to integrate more volunteers.

Rights and Duties

The volunteers have the same rights and duties that any staff member of the organisation has. The volunteers should be recognised and accepted as equals.

Therefore volunteers should have an "Agreement of Deployment" or any other form of contract, that regulates the rights and the duties between them and the organisation. A job description, to be agreed before the volunteer starts to work, should also be made.

The NGO should demand full responsibility from the volunteers regarding the tasks that he or she is in charge of. Being a volunteer is not a reason for being late, absent without justification, or not fully accomplish the agreed tasks.

Motivation

Motivation needs to be developed among the volunteers. It is also valuable to understand what the particular motivation of each volunteer is. Their motivation is directly related to their aptitude for specific tasks.

Volunteers can have quite "selfish" reasons to do voluntary work (to gain experience, practicing, get data for CV, personal development, adventure, intercultural exchange, etc.), which can be quite far away from the humanitarian objectives of the NGO. This is not exactly a contradiction if it can be clarified well in advance and canalised according to both interests.

On the other hand, volunteers can come mainly motivated "to help", which to a certain extent can be more compatible with the aims of the organisation. However it is always beneficial to hold special training on motivation.

In order to keep volunteers motivated it is important to:

- Give them the chance of attending training that contributes to their personal development (e.g. social and communication skills);
- Keep a good and friendly atmosphere;
- Give the space for the creativity of the volunteers. They should not only conduct, but also plan and create actions;
- Involve volunteers in the decision-making process, promoting a permanent sharing of power and feeling of belonging;
- Give people responsibilities.

Some factors that contribute to a low level of motivation:

- To presume that "everyone knows what you know";
- To overburden volunteers;
- To abuse power: "don't assume you know best";
- To underestimate or undervalue the work of the volunteers.

Communication

It is extremely important to establish a proper communication between the staff of the NGO, the volunteers and clients (service receivers). To guarantee this there needs to be a permanent flow of information among all the different people involved. This can be done through various manners: meetings, informal talks, newsletters, etc.

When conflicts arise very often it is better not to try and solve them at the spot. Usually it is better to wait some time in order to gain distance from the problem and to have some time to consider a way to solve it.

Training

Offering regular training for the qualification of the volunteers is extremely important for their integration in the organisation and to improve their work. A first training course should always include: introduction to the project, target groups, organisation (programs, rules, etc.) and exchanging experiences with other volunteers. When this training is addressed to international volunteers it should also include security, rules and specific information on the country where the volunteer will work. The organisation should take time for this training.

It was suggested to use, as a training resource, the Twinning's Project of the European Council on Refugees and Exiles (ECRE). It provides resources for people to visit other refugee organisations and develop their skills.

Supervision

To have supervision of volunteers is as important as to have supervision of paid staff. Volunteers are part of the team and should not work or be treated in an individualist manner.

Supervision should also be used to talk about the different problems that the volunteer faces when doing the tasks.

When a volunteer is not accomplishing the tasks that have been previously negotiated then cancellation of the contract can be considered. In fact some relationships DO NOT work. Sometimes it is better to cancel because otherwise some other people may suffer the consequences of a badly executed job. In such circumstances it should also be considered that the very same person could have the motivation and capacity to work in a different framework. Therefore some advice should be given on how to find a position in another organisation.

4 FUTURE ACTIONS

The preparation of the follow-up of the conference started with buzz groups, where several suggestions came up:

- To organise more training seminar and exchange visits for volunteers, on different topics (situation of refugees in Germany, etc.);
- To organise more international campaigns on the common problems (e.g. voucher system, dispersal, etc.);
- To find ways, at the European level, of synchronizing the recruitment of volunteers;
- To spread the information about this seminar in other countries.

Afterwards working groups discussed more specific actions, to be carried in the future, within the framework of UNITED. The results of each group is described underneath.

4.1 CAMPAIGNING

The group focused on how to best work with the media and to get them interested in the problems that refugee NGO's face.

When organising a press conference, it is important to find partners to make it stronger. It was said that personal contacts to journalists are usually very valuable, since they can be used to get the press to some events.

A press conference has to be prepared according to the media that we want to target (press, television, radio...) and specific documentation to be distributed needs to be prepared.

The group also found it relevant to find the right strategies to involve more people and to mobilise the public opinion to be on the same side as NGO's. The target groups should be differentiated (children, refugees, teachers, politicians, police, students, etc.) and the ways of addressing each group should be different. To get more people interested it is important to find new ways of communicating (street theatre, innovative material, etc.).

Finally the group identified the actions to be put into practice on the short and on the long term:

SHORT TERM ACTIONS	LONG TERM ACTIONS
<ul style="list-style-type: none">• To continue the "Death list", with the help of more organisations, that should send more information to UNITED;• To prepare Internet adverts (e.g. hotmail) for the "Death List", 21 March Campaign, etc.;• To find some skilled volunteers for the internet work;• To put into practice a community radio action;• To make a leaflet on Borderlands, together with a photo report (to be downloaded);• To organise demonstrations and street actions;• To spread the information on UNITED network to other NGO's, working with other target groups.	<ul style="list-style-type: none">• To organise training for police-officers (especially border police), teachers, students, etc.;• To prepare more documentation on the discussed issues;• To show the inhumanity of the European refugee laws by analyzing the situation and make proposals for changing;• To contact lawyers of other organisations and coordinate some actions with them.

4.2 LOBBY MEETING and NETWORKING

The participants of this working group identified some key topics that should be included in a meeting, to be organised by UNITED, on refugees issues:

- European Charter of Human Rights;
- Citizenship: European citizenship independently from nationality;
- Third Country Nationals;
- Freedom of circulation and movement;
- Voting rights for all residents;
- Legalisation of "illegals": the Council of Europe advises that legalisation is necessary (e.g. Spanish foreigner law: legalisation after 2 years);
- Social rights for all residents;
- Cultural rights for all, including Third Country Nationals (multiculturalism vs. interculturalism);
- Accessibility of legal procedure;
- Refugee rights as part of Human Rights;
- Directives EU on asylum and migration, family reunion for one year residents;
- Rights of minorities;
- Involvement of civil society in "candidate countries";
- Art. 13 of the Amsterdam Treaty on anti-discrimination should apply also to refugees and "illegals";

As for the future networking, participants felt that there should be a stronger engagement to use the internet (e.g. checking web sites like I CARE, participating in discussion lists, etc.). It was also felt that it would be useful to have a list of websites and useful resources for NGO's working with refugees. Finally it was pointed out that the organisations that are part of the UNITED network should have more contacts among them, at the local and national level.

4.3 HANDBOOK and INFO SERIES

The group started by brainstorming on the contents of a handbook, to be produced by UNITED on "Voluntary Work in Support of Refugees". The suggested topics were related with personal development (communication skills, motivation, access to training, etc.) and the rights and duties of volunteers (contract, job description, responsibilities, etc.). People also suggested the importance of compiling a list of organisations that sponsor volunteer programs, as well as a list of organisations that receive volunteers.

The participants advised that the format should be very practically oriented, with guidelines and checklists on both voluntary work in general and voluntary work in support of refugees. The handbook should be written from the perspective of the volunteers and also of the receiving organisations. Therefore the target groups should be volunteers themselves and the organisations working with volunteers.

Regarding information that could be produced by UNITED in the future, the participants identified the following important subjects:

- Situation on Borderlands;
- Benefits of Voluntary Work;
- Dispersal of Asylum Seekers and Refugees & Direct Support.

Other issues were considered to be relevant as well: How to fight detention, Motivation of Volunteers, Equality and Rights, Volunteer Training and Personal Development, Integration, Working with Refugees (cultural sensitivity, confidentiality, etc.).

Participants advised UNITED to include a list of resources and literature in each leaflet to be produced.

ANNEXES

BOX 1

The Geneva Convention and Beyond, Irish Refugee Council (Dublin, Ireland)

Article 1 provides a general definition of the term 'refugee'. The term applies to any person who

"...owing to 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."

The Geneva Convention is not just based on humanitarian considerations. It is a legal instrument used by the industrialised states of the north to prevent people from the south from entering their countries. In other words, these countries have put in place immigration machinery. They know that they have to let some people in, so they use the Geneva Convention to select them.

The 1951 Geneva Convention Relating to the Status of Refugees

The defining articles in the Convention can be said to cover the following areas: the definition; determining status; exclusion clauses; judicial status; gainful employment; welfare; administrative measures; Article 33 - Prohibition of expulsion or return ("refoulement") and cessation clauses.

- **Definition and Determining Status**

In order to be granted protection a person must be outside their country of origin (alienage); must have a genuine fear of persecution due to race, religion,

nationality membership of a particular opinion or political opinion (genuine risk & serious harm); and must be unable to seek the protection of their country of origin (failure of state protection).

One of the most strategic aspects of this definition, that was especially relevant during the Cold War, is that it provided protection for people who were forced to leave their country of origin for pro-Western political values.

- **Exclusion clauses**

The 1951 Convention, in Sections D, E and F of Article 1, contain provisions whereby persons otherwise having the characteristics of refugees, as defined in Article 1, Section A, are excluded from refugee status. Such persons fall into three groups. The first group (Article 1 D) consists of persons already receiving United Nations protection or assistance; the second group (Article 1 E) deals with persons who are not considered to be in need of international protection; and the third group (Article 1 F) enumerates the categories of persons who are not considered to be deserving of international protection.

- **Judicial status**

The Convention makes provision for the personal status, property, artistic rights and property rights, right of association and access to the courts for refugees.

- **Gainful employment, welfare and administrative measures**

A number of articles in the Convention provide for wage-earning employment, self employment, liberal professions, welfare, rationing, housing, public education, public relief, labour legislation and social security, administrative assistance, freedom of movement, identity papers and travel documents.

- **Article 33 - Prohibition of expulsion or return ("refoulement")**

Enshrined in the convention is the notion of non-refoulement i.e. the prohibition of remove a refugee 'in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion'. It may be affirmed that the new prohibition on the return of refugees to countries of persecution has established itself as a general principle of international law; binding on states automatically and independently of any specific assent.

- **Cessation clauses**

The Convention does not provide protection to anyone who commits 'a crime against peace, a war crime, or a crime against humanity', 'a serious non-political crime outside the country of refuge before being admitted as a refugee, and guilty of acts contrary to the purposes of and principles of the United Nations.

The Geneva Convention does not set out procedures for the determination of

refugee status. However, the Executive Committee of the High Commissioner's Programme decided to produce A Handbook Relating to Procedures and Criteria for Determining Refugee Status. It was first published in 1979 and has been updated regularly since.

Unlike other international conventions, the Geneva Convention does not have a monitoring UN agency.

The 1967 Protocol

The 1967 Protocol removed the limitations to extend protection to refugees outside Europe and after 1951. However, some legal experts assert that the drafters of the Protocol missed this opportunity to broaden the substantive content of the definition.

Other forms of status

Even though the West has given birth to the Geneva Convention definition there are a number of other categories and statuses for individuals who find themselves in a refugee-like circumstances, and yet do not fit into the Convention. During the 1970's, a host of European countries introduced the concept of "de facto refugees" in their respective national legislation for displaced persons that did not fit the Convention definition. Once applications began to rise, some states reverted back to their original criteria. Only four countries retain de facto status (Denmark, Finland, Sweden and Switzerland). However, most countries do grant some form of status on humanitarian grounds if a particular case does not meet the criteria of the Geneva Convention, and yet still needs protection. They are granted "humanitarian status to remain" or "exceptional leave to remain" in the UK and "Duldung" in Germany.

Other forms of international protection

there are other forms of protection that are available to persons they include:

- European Convention on Human Rights (1950)
- International Covenant on Civil and Political Rights (1966)
- UN Convention Against Torture (1984)
- UN Convention on the Rights of the Child (1991)

Individuals have found complimentary forms of protection under these international instruments. Indeed, it is generally accepted that the future of refugee protection lies with these international instruments, for it makes sense that refugees would be granted protection under human rights law.

BOX 2

The specific provisions in Great-Britain regarding benefit systems to asylum seekers (until April 2000), North of England Refugee Service (Newcastle, Great- Britain)

Until April 2000 the way Asylum seekers have been identified could be split into two categories².

PORT OF ENTRY APPLICANT SAL1

This term refers to any person who has declared himself/herself to be a person seeking asylum as soon as they reach Great-Britain. Upon arrival they must declare themselves to an immigration officer immediately at the port of entry (ports include airports or any sea port eg; Heathrow Airport or Dover sea port).

The asylum seeker is then photographed, finger printed and their name, date of birth and names and photos of any relatives are documented on a Standard Acknowledgement Letter 1 (SAL1).

A SAL1 form is the main document which is used by all other agencies as proof of identification.

SAL1 asylum seekers are entitled to claim 90% Income Support. Income Support is a benefit awarded to people in England who do not qualify for Unemployment benefit. SAL 1 asylum seekers receive approximately £37 per week. This amount is to cover food, clothing, cigarettes etc. As well as Income Support SAL1 people are entitled to Housing Benefit (money for the rent of accommodation) which can be paid to the asylum seeker or directly to the landlord.

SAL1 people are free to travel and live anywhere they choose to in Great-Britain.

IN COUNTRY APPLICANT SAL2

An asylum seeker who manages to evade the Immigration authorities and passes through a port without notifying the authorities is known as an "In Country Applicant "or SAL 2.

Sometimes people who are fleeing from their country will pay others to transport them to an unknown destination. People are hidden in trucks and have no control over where they are going and also where they can get off. This is one reason people cannot declare themselves at the port of entry.

Transporting refugees for profit is illegal. Another reason could be people are afraid of being rejected by the authorities.

So, the person is in the country. They declare themselves as an asylum seeker, usually to a policeman. They are usually arrested and detained while they go through the same identification procedure as a SAL1 applicant (photographed,

etc). A SAL2 person then becomes the responsibility of the Social Services, which operate in the area where the application was made.

SAL 2 people are not entitled to any kind of Unemployment or Housing Benefit. They receive £25 worth of vouchers, which can only be used in certain shops and also £10 cash per week, from Social Services. SAL2 people have no option about their accommodation and are usually placed in hostels run by private landlords. They are not allowed to move around the country unless one area's Social Services makes an agreement with another Social Service in a different area.

SAL 1+2 people are entitled to free medical care.

BOX 2

BOX 3

The Experience of Tabanca3 African Association (Porto - Portugal)

Tabanca does not have any particular experience in refugee matters - talking about "legally" recognised refugees. There are very few recognised refugees in Portugal. However there are many "illegal" refugees. In fact, they are the great majority of immigrants living in Porto (city on northern coast of Portugal). The "boom" of African immigration to Porto occurred in the 80's. The most parts of these people were youngsters fleeing the war in Angola.

When Tabanca was established, in 1995, there were only organisations of university students in Porto. Tabanca was the first African organisation in Porto and was created specifically for immigrant workers and not for the students. The main aim was to unite and organise the African communities, to think and fight for their interests together: the leading idea was "union is strength". Other aims were to promote exchanges among the African communities and the host society, to organise events that value the African culture, to provide direct support to the African community and to disseminate information about the African communities that are living in Portugal.

The main difficulties Tabanca faced (and still faces) led to a change of its strategy about two years ago:

- Not having an own office which causes or increases other problems;
- Lack of "associative" spirit makes the work of the organisation and the development of the organisation itself difficult;
- Economical problems and fear (because of the "illegal" status) of the majority of Tabanca members raise difficulties in recruiting more members to the organisation.

To face this kind of difficulties and thinking about the future of the immigrant children, a dance group was created. A group of theatre and a group of children

making a newspaper are also planned.

The aim of these activities is to work a change in mentality. The meetings of the dance group are the occasion to talk about all kinds of issues linked to associations/organisations (thinking and working in group) about refugees, solidarity, sociability and so on.

Fortunately it seems that Tabanca has found a good way to promote the associative spirit in our children and to promote sociability among the different cultures that exists in the Portuguese society - as for instance, African, Gypsy and Portuguese children come close together easily in the meetings where they are dancing and having fun.

BOX 3

BOX 4

The Experience of The Voice e.V Africa Forum (Jena - Germany)

The Voice e.V. Africa Forum is the first African Human Rights self-organised refugee group in Thüringen (Germany), founded in October 1994 in the refugees' transit camp of Mühlhausen.

The aims of the organisation were mainly to disseminate information about Human Rights abuses in Africa, environmental and socio-political situation in Africa, better understanding for socio-political integration and equal rights for refugees and asylum seekers.

The Voice was initiated by asylum seekers who were living in absolute inhuman situation of social exclusion and isolation, with continuous deportation threat.

Presently The Voice has around 20 activists and 250 supporting refugees, in different parts of Germany. It is a self-organised refugee forum with support groups in other regions. The central office is in Jena and the network and structure of the groups are coordinated independently at the regional and national level.

The main problems that The Voice is fighting are:

- The situation of "undocumented" people;
- Racist laws, dispersal measures and lack of legal assistance.

The demands of The Voice are:

- Better living conditions for refugees;
- Stop deportation (Anti-Deportation Campaign);
- Closure of the isolated refugee camps;

- Freedom for political prisoners and denounce of Human Rights abuses and the political situation in different African countries;
- The need for civil disobedience;
- Education to explain the origins of the problems (colonialism, weapons, etc.) and to raise awareness for Europe's responsibility;
- The watch words are: "Fighting Deportation", "Socio-political integration of refugees" and "Equal Rights".

The main activities of The Voice are:

- Anti-racist protests;
- Die Karawane Refugee Congress "Unite against Deportation and Social Exclusion".

There is a need to develop international solidarity actions, in order to fight deportation and social exclusion of the refugees. There is a need to encourage the refugees' political activities, to strength the unity amongst different nationalities and resistance against the racist laws for refugees and migrants.

It is difficult to forecast the future of The Voice, because of the hard situation of asylum-seekers and refugees in Eastern Germany (absolute isolation and social exclusion). This situation is due to the German State's discrimination, repression and criminalisation of refugees' political organisations and their continuous threat of enforcing deportation of Human Rights activists. Even for the activists of The Voice the future is quite unpredictable, since many of them are undocumented...

BOX 4

BOX 5

Case Study Why it is impossible to Find/Work with Volunteers in the Refugee Field, Ausländerbeauftragter Zittau (Germany)

It is not impossible but it is difficult to find and work with volunteers in the refugee field in Zittau. The conditions in which refugees live in Saxony are among the worst in Germany. So the working conditions for volunteers are especially difficult.

In general refugees are accommodated in big institutions (with mostly about 130 places and more). Social work is carried out only occasionally and in Saxony it is very hard to get funds to pay staff. It is also very rare that any intercultural work is done. Recognised refugees often do not stay here in this region and for that reason they can not facilitate the arrival of asylum seekers (e.g. as translators). Politicians and the "general" society do not appreciate the work that is done for refugees by volunteers.

Often refugees want to move on to Western Germany. Moving is permitted only in exceptional cases because the asylum seeker is assigned to one city or one rural district.

In 1990 for the first time since the World War II, refugees were sent to Saxony. Refugees are in general seen as rivals for the limited resources (30% rate of unemployment for the past 10 years). Welfare associations, churches and parties in the community have only a small interest in this topic, but there are some positive exceptions.

The existent full-time employees and volunteers are overburdened. Further education, networking, public relations and political work are not done or insufficiently done.

Refugees are not able to pay for legal advice, due to the small amount of money (80 DM) they receive. As a result refugees are seeking help from volunteers in the legal field.

The nearness to the border has negative consequences for the acceptance of refugees by natives. Some of the campaigns that have been done did not contribute to gain more sympathy or acceptance of refugees among the natives.

A part of the volunteers has given up because of the amount of tasks and since they can not hope for changes.

Under these circumstances it would be important to:

- Work more with volunteers;
- Link more migration work with anti-racist work;
- Attract more volunteers and make citizens more sensitive (e.g. To spread information about reasons to flee, the number of refugees, etc.);
- Make the public opinion aware of refugee problems, by campaigning;
- Draw attention to political consequences of the insufficient refugee work.

BOX 5

1 Even if volunteers get some pocket money or other sort of help, this is still considered as being different from paid work.

2 The new support system for asylum seekers was due to come into force on 1 April 2000. According to an "Urgent Action" appeal made by the British Refugee Council (27 January 2000), "after this date asylum seekers in need of support will have to live on a combination of vouchers and cash and will only be offered accomodation outside London and Southeast, possibly in areas with little knowledge or experience of receiving asylum seekers" (for further information see: www.refugeecouncil.org.uk).

3 Tabanca is a word from Guinea-Bissau and Cap-Vert. In Guinea-Bissau means a traditional village and in Cap-Vert a sort of cultural event.

5 UNITED for Intercultural Action

UNITED for Intercultural Action

European network against nationalism, racism, fascism and in support of migrants and refugees

Racism, nationalism, fascism, discrimination, asylum policies... all of them have a European dimension even though they often look like pure national issues. Reports from all over Europe demonstrate the increasing dangers facing migrants, refugees and ethnic minorities. Often these dangers are increased by undemocratic intergovernmental decisions like the Schengen Treaty. Strangely enough, racist and fascist organisations have strong European links from Portugal to Russia, from Sweden to Italy. Fortress Europe needs to be fought at local, regional and European levels - it cannot be fought on one level alone.

Linked through UNITED, hundreds of organisations from a wide variety of backgrounds, from all European countries, work together on a voluntary basis. They base their cooperation on common actions and shared activities on a mutual respect.

UNITED is and will remain independent from all political parties, organisations and states, but seeks an active co-operation with other anti-racist initiatives in Europe.

Through the UNITED network organisations meet each other, work on common actions and share information. Europe-wide action weeks, campaigns and such are planned and discussed on UNITED conferences. Like-minded organisations find each other on such conferences and work together on specific projects on specific topics. The workers in the secretariat are in constant contact with the network organisations, ensuring that information and proposals for action are transmitted rapidly. Information is received from more than 2300 organisations and mailings are sent out to about 2500 groups in Europe.

If you want to get involved... Discuss the ideas and aims of the UNITED network within your organisation. Let us know that you would like to join or receive information. And add us to your mailing list!

More information you can find at www.unitedagainstracism.org or write to info@unitedagainstracism.org

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European Commission - Integration of Refugees in the European Union

UNITED for Intercultural Action

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