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A GUIDE

for reception and linguistic service providers

Edited by



ALISEI COOP

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CONTENTS

Competent Authorities and Institutions	5
Glossary and procedures	6
Rights of migrants and refugees	9
Cultural/linguistic awareness	10
Cultural differences and communication management	13
Ethical and intercultural questions in the relationship with refugees	18
Photographic insert	

The first objective of these brief notes is to provide general information on the rights and legal status of the various categories of migrants (especially refugees) and on the aspects to bear in mind when working with them.

These notes are specifically aimed at reception and linguistic service providers in compliance with the provisions of the Council of Europe's Toolkit on linguistic support for adult refugees.

COMPETENT AUTHORITIES AND INSTITUTIONS

Asylum procedures are usually complicated and at times barely comprehensible. Service providers require clarification on which authorities and Institutions are competent, i.e.:

- a. Local and regional immigration offices;
- b. Public institutions appointed to manage Reception Centres;
- c. International organisations committed to managing refugee camps;
- d. UNHCR - United Nations High Commission for Refugees. The UN Agency for Refugees;
- e. IOM - International Organization for Migration;
- f. International NGOs operating in the field;
- g. European Council for Refugees and Exiles (ECRE), a network of 90 NGOs caring for refugees in 38 European countries;
- h. ELENA (European Legal Network on Asylum), part of the ECRE Network which provides contacts with attorneys and legal practitioners in different countries;
- i. NGOs operating locally with expert staff specialised in legal matters.

GLOSSARY AND PROCEDURES

Refugee

According to the 1951 United Nations Convention on Refugees, also known as the Geneva Convention, the term “refugee” 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 [...].”

The United Nations High Commission for Refugees (UNHCR) considers the latter as a specific group of people, who have left their respective homes following a serious threat to their lives and their freedom. The UNHCR warns that refugees should not be confused with other groups of migrants, who move from one country to another for economic or social reasons, as refugees are forced to flee to save their lives or maintain their freedom.

Asylum seeker

An asylum seeker is a person who claims asylum and asks a country other than his/her country of birth for protection against persecution. An asylum claim is regulated by international conventions, such as the Geneva Convention or the Dublin III Regulation, and by national laws.

Subsidiary protection

Pursuant to the 1951 Convention, the UNHCR defines a refugee as a person who has a well-founded fear of persecution for his/her race, religion, nationality, membership of a specific social group or for his/her political opinion. This definition has

evolved. Nowadays, indiscriminate threats of death, physical harm or to freedom arising from generalised violence or events of serious public disorder are considered valid grounds to request Subsidiary protection under the mandate of the UNHCR.

Dublin III - International Protection

The 1997 international treaty, formerly known as the Dublin Convention, was replaced by the Dublin II Regulation in 2003 and by the Dublin III Regulation in 2013. All member states of the European Union ratified this Regulation, together with Norway, Iceland, Switzerland and Liechtenstein.

Dublin III sets out the criteria and mechanisms to identify the competent member state to examine a request for international protection (within the European Union).

As regards Dublin III, we should specify that, in order to establish their own asylum procedures, each country specifically interprets international law to assess the asylum claim, and grant or deny a person the status of refugee or alternative forms of protection. For many years, the European Union has made significant efforts to set common standards of protection and guarantees to ensure an impartial, efficient asylum procedure, that will guarantee equally impartial and efficient decisions and, above all, that member states apply consistent top quality standards while examining the claims.

Today's asylum procedures actually vary from state to state. Thus, asylum claimants should receive expert advice if necessary.

This advice applies specifically to the changes which have occurred in Italy under the recent decree on security (Legislative Decree 840/2018).

Aliseicoop and/or the Reception Centres can provide all the necessary information on the matter.

Migrant

The International Organisation for Migration (IOM) defines a “migrant” as any person who voluntarily or involuntarily moves away from his or her place of usual residence, whether within a country or across an international border, regardless of the person's legal status and of the duration

of the movement.

Migrants leave their home country for various reasons, which may include extreme poverty and very difficult living conditions. Whereas reception for asylum seekers is regulated by international treaties, the reception for other categories of migrants is regulated by each country.

As regards its support work to linguistically integrate adult migrants (LIAM Programme), the Council of Europe uses the term “migrant” to refer to those who have migrated, including asylum seekers, those who have been granted refugee status or similar protection, and the so-called “economic migrants”.

RIGHTS OF MIGRANTS AND REFUGEES

The rights, to which people are entitled, vary considerably according to their legal status.

Obtaining refugee status is usually an individual procedure and may require several months or even longer periods, depending on the applicant's country and specific situation.

Whereas this status is entitled to a wide range of rights, which often includes additional supportive measures (e.g. language courses), asylum seekers or people who have not yet filed a claim can be subject to restrictions, e.g.:

- be confined within a reception centre;
- not be able to travel outside the Municipality of any given region;
- not be given permission to work.

However, regardless of their legal status, anyone is entitled to the basic rights, e.g. the right to accommodation, food, health care and education for their children.

Some aspects to bear in mind

Some aspects should be clarified if you are working as service providers with a particular group of refugees. Furthermore, it could be a good idea to look up the laws, provisions and regulations on the subject, which are applicable to the local context. It is really important to know what you can and cannot allow the refugees in your area to do.

CULTURAL AND LINGUISTIC AWARENESS

Communication between people from different cultures involves many challenges and working with refugees reveals various ethical questions.

It is, therefore, very important to deal appropriately with cultural differences and manage intercultural communication correctly.

Some of the topics discussed openly in European societies are actually considered taboo in certain non-European cultures. Other topics, on the other hand, should be avoided or at least not discussed in public, e.g.:

- the family situation: in some cultures, an orphan or an unmarried woman of a certain age or a widow without a family are considered unusual circumstances to be ashamed of. Furthermore, in some contexts, polygamous families are accepted, although family members may prefer not to talk about their situation;

- we expect people not to talk about their sexual orientation;

- health: talking about illnesses or disabilities, including mental disorders, is often considered a delicate topic.

In fact, European societies may have a different perception of gender roles and family relationships. For example, where extended families are considered the norm, the breadwinner may be considered the most important person, who takes decisions for the other members or who is consulted before the latter take their own decisions. The social status of brothers and sisters can also be determined by their respective age and gender and this can affect the order in which they speak in public. The same applies to the experiences they may have had during their journey to Europe.

Such questions can be painful, especially for those who have lost family members or have left behind a good situation in their own country. We should try to create an atmosphere, in which the refugees feel free to express themselves and share any information they consider appropriate. If someone speaks of the loss of a family member or of their life in their home country, this does not mean that all the other participants are prepared to do the same.

You should not ask refugees to talk about the traumatic experiences they have been through before or after leaving their home country. Circumstances during the journey may have forced refugees to do things they are ashamed of. They may have been imprisoned or seen traumatic scenes involving members of other groups. If you feel some people are continuing to suffer for the experiences they have lived through, the best thing to do is to encourage them to ask for the support of a psychologist. Explain to them that there is an obligation of confidentiality applied to such situations. If a refugee tells you about something illegal which took place during his/her journey, the best option is to avoid discussing the problem. You should, however, report to the police any illegal behaviour, which may threaten the safety or the rights of other members of the group, e.g.: pressure by organised criminal networks, acts of vendetta or conflicts originating in the country of origin or during the long journey.

In Europe, minors are considered to be children under the age of 18. However, in other contexts, adolescents may be considered as adults and are expected to look after themselves and can already form a family at the age of 14. Thus, young people between the ages of 16 and 17 may tell the authorities they are alone, even though they have family members in the same area, as they know European institutions provide Unaccompanied Foreign Minors (UFM) with additional support.

If you are providing linguistic support, you must avoid drawing attention to the participants' levels of literacy or skills in the host country's language or in other languages. When refugees voluntarily talk about their own country or the journey undertaken to reach Europe, you have to try to avoid misunderstandings due to the spelling or pronunciation of place names. Countries, towns, rivers, seas, etc. have different names in the language of each one and refugees may not be familiar with the names used in Italian. Furthermore, they may not know how to spell European place names. You have to bear in mind that if their geographical knowledge is limited, it is far more probable they will say "I walked north for 5 days, I arrived in a large city and I crossed the ocean" rather than "I travelled northwards for 200 km, I crossed the border of country X, I arrived in the city Y and I crossed the ocean Z". If you need further information to describe their stories in greater detail, you have to do so without upsetting them.

From what some of the claimants say, you will be able to understand that they will very probably be

unable to obtain refugee status. Nevertheless, this has to be dealt with by the competent authorities and you should not give your opinion to any members of the group, even if they ask for it.

You always need to respect the privacy of the people you are working with and never accept any practices against human rights, provisions of law or equality between human beings.

CULTURAL DIFFERENCES AND COMMUNICATION MANAGEMENT

What we understand by culture

We understand this to be a series of habits, beliefs, opinions and values, which contribute towards modelling behaviour and creating characteristic models. According to this definition, some aspects of culture are visible (behaviour, the results of human work), others, however, are not (the habits, beliefs, values). When we think of the tangible expressions of culture, especially “material culture” - literature, painting, sculpture, music - we tend to associate culture with different countries and nations. Reality is, however, more complex: there are actually cultural differences not only between the more important geographical regions of the world and between the main religions and nations, but also between specific ethnic, religious, linguistic or regional groups within the individual states.

Thus, even though you know the country, the region or the specific sub-group to which a person belongs, it is impossible to predict his/her behaviour under specific circumstances. This is why it is usually better to avoid talking about culture exchange or conflict. It is better to persevere with the concept of individuals’ “cultural background”, their cultural membership and intercultural meetings of people who think, or the others think they are culturally diverse from one another.

Communicating in an intercultural context

Communication is effective in so far as participants manage to understand one another. We all have a natural tendency to interpret the messages we receive according to our personal beliefs and opinions. However, when communicating with people from a different cultural background, we have to be aware there may be misunderstandings on our part and on theirs. This is not always easy, since we may not take it for granted that there are differences between the message we receive and the

interpretation we give it. The ability to recognise and correct incorrect or misleading interpretations in an intercultural context constitutes a major intercultural skill.

Managing intercultural communication

One way to avoid intercultural misunderstanding is to make the communication as explicit as possible, by explaining and providing details of the topics, which may appear

predictable in a mono-cultural context, and by repeatedly checking that the people you are interacting with have understood what we mean to say. Experience teaches us that by doing so, we not only improve the quality and effectiveness of the communication, but we are also encouraging positive relationships to develop and we can learn new things about ourselves and those with a different cultural background.

If you take this approach to intercultural communication during your linguistic support work, you will lower the risk of misunderstandings between you and the refugees within the group and increase the probability that they will consider their cultural diversity as a resource as a result.

Not all differences are cultural

At the same time, however, it is important to realise that not all the differences between people can be traced back to cultural problems. Even though a group of refugees shares the same background, each individual will have very different opinions, priorities, expectations, preferences and behaviour compared to the others. These diversities are due to the fact that each refugee is an individual with personal characteristics and his/her own story.

*Reflect on the following two descriptions
of a group of refugees*

1. The group divides in half: the men on the one side and women on the other. No group member answers your questions until the eldest person has spoken or has allowed someone else to speak. They are all patiently waiting for information and instructions on what they have to do and they are not asking any questions. Only two young men appear ready to become involved more actively in the learning process. However, they are holding back after noting the behaviour of the rest of the group.
2. Men and women interact freely with one another. Almost all the members of the group actively participate and ask questions whenever they need clarification or information about something. Some participants, however, remain passive and avoid eye contact. They do not answer the questions and keep a low profile.

In both groups, some probably find the situation normal and feel at ease, whereas others are surprised and even frustrated. The behaviour described above may be caused by a series of factors:

- some members of the group are probably behaving as they would in their home country;
- some have probably realised the importance of group solidarity and think they are behaving according to the group's expectations, i.e. differently from how they would have behaved in their own country;
- Some are probably behaving according to their view of the world, a view they have developed since leaving their countries.

This behavioural diversity confirms the fact that, although cultural practices play a major role, we should not try to explain everything with culture. We should also avoid labelling and generalising certain attitudes.

Creating an intercultural space for linguistic support

A good way to minimise the risks of intercultural conflicts and misunderstandings during your linguistic support work is to encourage the group to create its “own culture”, with set rules and shared meanings. This means explaining that the group is a safe space, where all participants can express themselves, their needs and opinions; a space where everyone accepts being open-minded, respectful and supportive of each other.

In some cases, however, you will need to tactfully encourage the group members to behave very differently from how they would act in their own countries.

The concepts of “courtesy” and “politeness”

The meaning of the concepts of “courtesy” and “politeness” can vary considerably from one cultural background to another. In fact, some members of the group may consider it important to speak to another person using their surname or their name and surname, including their professional titles, e.g. “Professor” or “Doctor”. On the contrary, others may consider this an irrelevant aspect and think that courtesy and education are shown by attitudes or behaviour, e.g. by not interrupting the others when they are speaking, avoiding talking for too long, expressing ideas and opinions rather than absolute truths (“I think that...”, instead of “The truth is...”) or simply by being punctual. Some people could judge treating the older participants with respect as normal. Others, on the contrary, may find it unacceptable and think that all members of the group should be treated in the same way. Negotiating a common definition of the concepts of “courtesy” and “politeness” is important in order to be able to construct an effective group culture.

Names

Names can result in misunderstandings and frustration unless the diversity of the traditions within the group is explained. For example, in many cases a name written in a non-European language can

be written in various ways using the letters of the Latin alphabet. Some may prefer a spelling which favours a pronunciation similar to the one in the original language, whereas others may be keen to accept the variations. In Europe, we are accustomed to using one or two first names and one or two surnames, preceded by “Mr”, “Mrs” or “Miss” as titles of courtesy and respect. The situation may be entirely different in the cultural context of the members of “your” group. Their first names are probably used as they are in Europe, but preceded by “Mr”, “Mrs” or “Miss” to formally address another person. Their names could also consist of elements which are not proper names. Instead they are adjectives or words to indicate relationships.

In some cultures you can address a person in numerous ways and not merely by using the name shown on their documents. Some refugees may also come from regions where no distinction is made between name and surname.

ETHICAL AND INTERCULTURAL QUESTIONS IN YOUR RELATIONSHIP WITH REFUGEES

1. European countries have always welcomed refugees. However, in recent years, we have seen a significant increase in the number of those claiming protection in Europe. 2015 saw the highest number of arrivals: just over one million people. 17% were women and 25% were children and young people below the age of 18. The number decreased in 2016, although it remained higher than in previous years. In 2017, 728,470 claims for international protection were filed in the EU, a 44% decrease compared to 2016. In the second quarter of 2018, 136,700 asylum seekers filed a claim for international protection for the first time in one of the member states of the European Union. This was an increase of 4% compared to the first quarter of 2018, which recorded 131,400. However, this was not the picture of a migratory emergency: the number was approximately at the levels recorded in 2014, before they peaked in 2015 and 2016. Nevertheless, the number of migrants, who lost their lives at sea in their attempt to reach Europe, continued to rise.

More specifically, 84% of refugees come mainly from three countries afflicted by the current wars in the Middle East: 49% from Syria, 21% from Afghanistan and 9% from Iraq. Others, however, come from different countries in Africa: the majority are from Nigeria, Eritrea, Somalia and Gambia. Refugees also come from other countries, including Pakistan, Iran, Egypt and some eastern and south-eastern European countries.

A few brief details about these countries of origin are useful.

Starting with Somalia, we should stress that this is one of the poorest countries, with no rule of law and with territories controlled by militant groups, including those of Al-Shabaab (a terrorist group affiliated to Al-Qaeda) and those of the secessionist movement in the north of the country. It has a population of 10 million inhabitants and the official languages are Somali and Arabic.

Moving on to Eritrea, we should clarify: widespread infringements of human rights, permanent,

mandatory military service, a population of 6.4 million inhabitants; there are official languages: approximately half the population speaks Tigrinya; other languages are: standard Arabic, English, Italian, Afar, Beja, Kunama, Nara and Tigré.

As regards Nigeria, we have to consider not only the extensive oil reserves in the region of the Niger Delta, but also the poor areas in the north of the country, where Boko Haram controls vast territories. The population consists of 182 million inhabitants (the most highly populated country in Africa); 521 working languages; English (the official language and mother tongue for the majority of the population).

Taking into account Afghanistan, we should note a persistent instability and continual wars (commencing in the seventies) with vast territories controlled by the Taliban. Al-Qaeda has had a big influence on this country. It has a population of 32 million inhabitants; the languages are Pashto and Dari.

Moving on to Gambia, it has a population of 1.8 million inhabitants and the languages include: English (official), Mandinka, Wolof and French.

As regards Iraq, we have to remember the First Gulf War (1990-1991) and the Second War, which began in 2003, and a population of 17 million inhabitants (65% Arabs, 23% Kurds, Azerbaijanis 5.6%, others,4%). The official language is Arabic, but Kurdish is also spoken.

Lastly, as regards Syria, a civil war has been ongoing since 2011. The population before the war used to be 23 million inhabitants and is now approximately 17 million according to the estimates of 2014; there are 6 million refugees, most of whom are accommodated in refugee camps in bordering countries (Turkey, Lebanon and Jordan); there are over 6 million displaced persons within the country; the languages are: Arabic (official), Kurdish, Turkmen (Azerbaijani), Armenian.

Many refugees arriving in Europe have spent years in refugee camps in Turkey, Lebanon or Ethiopia. The bad conditions and lack of any prospects in these camps or in their countries of origin are among the factors, which drive these people to risk their lives in the attempt to reach Europe.

The majority of refugees use the central Mediterranean or Balkan routes. There are also various, other alternative routes.

The Balkan route:

By sea from Turkey to the Greek islands (especially Kos, Samos, Chios and Lesbos) and then overland through Macedonia, Serbia, Croatia, Slovenia or Hungary, towards central, northern or western Europe.

The central Mediterranean route:

By land from sub-Saharan Africa to Libya, and then proceeding from the Libyan coast to the Italian islands off Lampedusa and Sicily or to the island of Malta, on overloaded, makeshift boats, which are often picked up at sea by Italian ships or by the European Union.

The central Mediterranean route has been popular with migrants from sub-Saharan Africa since the outbreak of the civil war in Libya in 2013. This country's lack of a rule of law and its political instability has enabled networks of traffickers to exploit those going to Europe. The refugees pay enormous sums of money (often accumulated by collecting money from the entire extended family) to be taken across borders or for a place on a boat. Thousands of refugees have drowned in recent years. The updated data is provided by:

- International Organization for Migration (IOM)
- European Asylum Support Office (EASO)
- Migration Policy Institute Europe (MPIE)

Collect information on the background of the refugees in “your” group

There may be various sources of information to bear in mind:

- The information provided by the staff of the institution or organisation managing the camp/reception centre or provided by the main parties involved, e.g. cultural mediators, social workers or psychologists. They hold data regarding the declared nationality of the refugees you will be working with and hopefully also some additional information. Remember, however, that they may not be in a position to share the information with you, due to obligations of confidentiality imposed by their institution or profession.

- The information you can find on your own via the Internet, by reading the headlines in the media and in books. Avoid making generalisations, however: do not think that what you find is automatically applicable to the members of your group. If possible, check the reliability of the sources you use and compare what you read with information from other sources.

Do not ask the refugees directly to give you information about themselves, their country of origin or the migratory route they used. You need to explain to them that your objective is to offer linguistic support: you have no role in the asylum procedure. The refugees may, however, provide information during their linguistic activities (e.g. during a group discussion or in work they produce during those activities). Bear in mind that information and take a look at instrument 3 - The ethical and intercultural questions to know when working with refugees in order to avoid negative and unexpected consequences.

Some aspects to bear in mind when designing linguistic activities

A. Questions not to ask the refugees directly:

- The situation in the country of origin.
- Which countries do the refugees come from?
- If there are significant regional differences, from which region are they from: from large cities or rural areas?
- What languages are spoken in the region they come from?
- What are the main religious groups in their country and which groups do the refugees you are working with belong to?
- Do they belong to an ethnic majority or minority in their country? Are mixed marriages possible/unusual/common? Are they permitted or do they cause problems?
- What was their daily life like before leaving their home country?

- How are families organised in their countries? Generally speaking, how old are they when they get married? At what age is an individual considered to be an adult?
- How is the educational system organised in their home country? Did they attend school? If so, up to what level of education?
- Do they still have any family in their country? If so, are they in contact with family members or would they like to re-establish contact with them?

B. The reasons for their migration

- Are they fleeing from war or persecution?
- Do they want to avoid military service?
- Do they want to avoid a forced marriage?
- Do they want to leave their family?
- Extreme poverty and lack of any prospects?
- Did the family want them to migrate to help those left at home?
- Did they want to join their family or members of their community, who had previously migrated to Europe and found better living conditions?

C. The migratory routes used

- Did the refugees spend time in a refugee camp in a country bordering on their home country? If so, for how long? Where? In what conditions?
- Which countries did they cross?
- Were there any longer stops during the journey? (E.g.: in a detention centre, in a refugee camp managed by a humanitarian organisation, or in a country where they stayed to find work in order to pay for the next stretch of the journey, etc.)

- Did they do a sea crossing? What was this experience like?
- How was their journey organised? (E.g.: individually, with a group from the same community, did they pay traffickers to cross the border or board the boat, etc.).

D. The itinerary in Europe

- What was the access point into Europe? What was the experience of their initial contact like?
- Which other European countries did they cross to reach their current destination?
- Did they travel alone, with their family or with a wider group formed before or possibly after their arrival in Europe?
- Have they filed a claim for asylum/international protection? In which country?
- Is the country they currently find themselves in their final destination or merely a country of transit?
- Which country represents their final destination and why?

If you and/or any family members have experienced migration, reflect on the aspects listed above, beginning with your/their point of view.

This type of reflection will help you understand the reasons, interests and priorities of the refugees in “your” group and presumably the topics they will want to discuss and those they will want to avoid during their linguistic support work.

For additional information, read:

- the following sections of the website of the International Organization for Migration: Countries, News, Research (stories);
- Refworld website of UNHCR;
- the following sections of the main UNHCR website: Stories and Refugees/Migrants’ Responses - Mediterranean.

PHOTOGRAPHIC INSERT



















