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> Written by: Csaba Tasner

This publication is part of the Facing All the Facts online course on anti-migrant hate crime. www.facingfactsonline.eu • www.facingfacts.eu

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Facing all the Facts is a project coordinated by CEJI – A Jewish Contribution to an Inclusive Europe (Belgium) that takes a collaborative approach to unmask the full extent and nature of hate crime and hate speech working through a coalition of civil society organizations, policy leads, national law enforcement authorities and practitioners.

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# Introduction

This publication was developed in the framework of the **"Facing all the Facts"** project, an EU funded initiative led by **CEJI – A Jewish Contribution to an inclusive Europe** in partnership with a diverse coalition of civil society organisations and national law enforcement authorities, aiming to unmask the full extent and nature of hate crime and hate speech through a collaborative approach. Facing Facts fosters and advocates for better cooperation among civil society and public authorities in recording and monitoring of hate crime. We hope this guide will support better recognition and appreciation of migrant and refugee communities and organisations towards better responses to anti-migrant hate crime.

Along with research and advocacy, training is one of the key activities of the Facing all the Facts project. This booklet stands as an important component of the new Facing Facts Online course on recognizing and identifying anti-migrant bias indicators for civil society and law enforcement. The course was developed in close cooperation with partners and relevant experts in the field of anti-migrant hate crime. The course is available on the project's e-learning platform http://www.facingfactsonline.eu along with additional online courses on other bias motivations (antisemitism, anti-disability, anti-Muslim, anti-LGBT, anti-Roma, anti-Black), three online courses on hate crime for police in UK, Italy and Hungary and an online course on recognizing and combating hate speech currently available in English, French, German and Italian.

Lead partner: CEJI-A Jewish contribution to an inclusive Europe

# Facing All the Facts partners:

- Community Security Trust (CST)
- Dutch Centre for Documentation and Information Israel (CIDI)
- C ENAR Ireland
- European Network on Independent Living (ENIL)
- European Roma Information Office (ERIO)
- O Movimiento Contra la Intolerancia (MCI)

- National Police Chiefs' Council (NPCC)
- National University of Public Service (NUPS)
- Osservatorio per la sicurezza contro gli atti discriminatori (OSCAD)
- O Praksis



International migration seems to be one of the greatest challenge for Europe in the 21st century. It provides many opportunities both for societies and migrants but along with it, there is also an increasing wave of anti-migrant hatred and fear. Interestingly, current research shows that the fear reaches a peak in countries where the immigration is below the average. People in these counties are unlikely to gain any first-hand experience with migrants or refugees, yet a day hardly goes without multiple media reports with migration in the focus, commonly on its negative aspects. Therefore, these views are shaped by political campaigns and social media news instead of facts or personal involvement.

This guide is intended to help you understand migration as a global phenomenon and to recognize its specificities on national level, so when you face an anti-migrant hate crime, you will be aware of the context: possible causes and terms as well as relevant data and statistics. They are all essential to acknowledge the common misunderstandings and negative prejudices about migrants and migration as well as for the factual clarification. Ideally, it will help you identify the problems and contribute to more evidence-based analysis in general and in case of anti-migrant hate crimes as well.

First of all, it will discuss what cultural diversity is; an essential concept to understand the wider context of dealing with migration. Following this, we will shortly recap the main reasons behind migration and the current situation in Europe.







### "Culture is the collective programming of the mind which distinguishes the members of one group or category of people from another."(Hofstede, 1991)

The term cultural diversity stands for the variety of societies and cultures in a specific region. Firstly, there are main characteristics that give a society its identity and to differ from others such as their languages, dress and traditions, beliefs, moral values, cuisine or even the ways they interact with their environment. In this booklet we focus on the activities, living style and the symbols that give significance to immigrant groups and distinguishes them from the majority of European citizens.

Furthermore, it can widely differ how people of different backgrounds live together. The host country plays a primary role of this development by how it responds to their immigrants. The receiving country's attitude can alter on local, national and global level, which strongly determines the result of the integration process. In most cases, as people migrate within Europe, the transition is not significant. For immigrants coming from outside of Europe, the change and the new situation can be demanding; to adapt to a society they are not familiar with. In such cases, they might move to specific areas where other immigrants live already, many times becoming marginalized rather than finding their part in the host society (UN, 2017).

The way migrants integrate into the given country and the level they keep the characteristic of their culture can be divided into four categories. (Knott, 2011; Castles, 1993)

• Assimilation: a one-sided process of adaption, in which migrants have to become like the majority population of the new country and give up their distinctive linguistic, cultural or social customs;

- Integration: a two-way process between immigrants and the majority population, in which minority and majority groups learn from each other, on the basis of shared values;
- Multi-culturalism: the development of immigrant populations into ethnic communities, in which they live together with the wider society without being required to adapt to the major population;
- Segregation: a complete separation between the minority groups and host society.

It can be concluded that each country has its own characteristics, therefore migration groups can vary from as many as the number of nations living on the globe. To bring some concrete examples of these characteristics, we will at the end of this booklet look at the main minority groups of non- European origin, residing in Europe.

# Migrants and refugees

## **Reasons for migration**

Since human exists, people have been on the move. But why would anyone leave their home? The followings are essential, but not exclusive reasons (Gyulai 2011).

#### O Push/Pull factors

Migration is often analysed in terms of the "push-pull model". The push factors, which drive people to leave their country and the pull factors, which attract them to new country. Factors behind migration are several, relating to economic prosperity, inequality, demography, violence and conflict, and environmental change.

#### • Forced/Voluntarily migration

Leaving your home is never an easy decision, still matters whatever is your choice or a forced movement. While the majority of people migrate internationally for voluntary reasons in search of better opportunities related to work, family and study, we need to take into consideration that the most vulnerable individuals within the migrant





population are displaced people. The ones who have no choice, but to leave, who are "pushed out" of their homes such as refugees. Refugees leave their home countries for compelling reasons, such as armed conflicts, fear of persecution and/or natural disaster.

# **Regular and Irregular migration**

According to the legal aspect of the international migration, it can be separated into two groups: regular and irregular. Most of the international migration happens legally, but much of the public fear is associated with irregular migration.



**Regular** migration takes place in accordance with national regulations with the necessary documents e.g. valid passport, travel documents, required visa. For instance, a French student applying for her Masters in Sweden and living there for two years is a regular migrant. **Irregular** migration is outside the regulatory norms of the sending, transit and receiving countries. **Illegal** migrant is someone who is crossing borders without the necessary documents, but has the right to enter the target country due to international protection by claiming asylum. **Legally** speaking, every refugee is an asylum-seeker first, and they become refugees once the refugee status is granted to them. Because both asylum-seekers and refugees are a result of forced- migration, they might be **irregular** migrants, but not **illegal** ones.

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An asylum seeker is a person who seeks safety from persecution or serious harm in a country other than his or her own and awaits a decision on the application for **refugee status** under relevant international and national instruments. Until the final decision he/she can rightfully stay in that country, but in case of a negative decision, the person must leave the country and may be expelled, as may any non-national in an irregular or unlawful situation, unless permission to stay is provided on humanitarian or other related grounds.

Refugee is a person who meets the criteria and qualifies for the protection under the 1951 UN Convention relating to the Status of Refugees. According to the article, a refugee is as a person who "owing to well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinions, 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".

# Irregular migration – Challenges and impact on both sides

Irregular migration not only causes several challenges to countries of transit and destination, but also to the migrants themselves. Migrants in irregular situation are particularly vulnerable to discrimination, exploitation and abuse whether committed by the authorities, private individuals or groups. They often end up being victims of hate crimes or even human trafficking.

Due to the increasing numbers of refugees, asylum seekers and migrants entering the EU, xenophobia has risen in many member states, which can be found as a main motive behind anti- migrant hate crimes. According to Cambridge Dictionary (2017), "Xenophobia is an extreme dislike or fear of foreigners, their customs, their religions, etc." It is the fear and hatred of anything strange, unknown or different. Xenophobia is so powerful, it can contribute to a range of difficulties for refugees, asylum seekers, migrants and for anyone who is perceived to belong to these groups.

There is an accumulation of evidence which shows that hate crimes hurt more than similar, otherwise motivated crimes (Iganski and Lagou 2015). Whereas being the target of any violent crime may negatively influence the victim, targets of anti-gay violence are at heightened risk of psychological distress (Herek 2009; Herek, Gillis, and Cogan 1999). Mental health issues connected with experiencing a hate crime may include depression, anxiety, and post-traumatic stress disorder.





Apart from psychological consequences for the immediate victims, hate crimes may also negatively affect people who share the characteristic which motivated the crime. For example, if a few anti- migrant hate crimes happened in a certain area, any foreign people especially with noticeable characteristics such as skin colour, language, etc. may feel less safe there, as they may think that they will be the next targets. Witnessing a hate crime happening to a fellow group member may cause additional distress. Hate crimes cause people to change the way they behave - when and where they go, how they dress, how they speak. It is hard to be 'you' if you're afraid that you may be attacked for it. In this sense, hate crime is a message crime – it threatens both the individual and the group to which they belong and sends a message of intolerance, a message that any transgression will not be allowed.

Within the migrant population refugees make the most vulnerable group. Once they are recognized as refugees, the host country guarantees not to send the individuals back to a country where their life and freedom are threatened. Therefore, they are obliged to rebuild their life with the help of often inconsistent and discriminatory services while facing xenophobia and racism. In addition, many of them has to deal with PTSD as they have witnessed war, death, brutal violence and experienced terrible conditions in refugee camps as well as during their journey.

Post-Traumatic Stress Disorder, PTSD, is a mental health condition that is caused by terrifying event. Its symptoms can interfere with the ability to deal with simple daily tasks in social and work situations and it requires special help and time to recover. Violent hate crimes experienced by refugees can trigger their previous traumatic experience, leaving them even more vulnerable.

Xenophobia has a strong impact on the realities of refugees, asylum-seekers and migrants, as it encourages policies that undermine access to basic human rights protection. Fear of violence may prevent the vulnerable population from seeking available services, such as education, health care, food aid and even the formal asylum procedures. Undocumented migrants might be afraid to identify themselves, leading to large numbers of underreported cases of violent attacks and day-to-day harassment – including by state officials. (Human Rights First 2009) This makes the recognition of anti-migrant hate crimes even more urgent and imperative.



According to FRA's survey, as less as 10% of the victims of harassment and violence reported the most recent incidents to authorities in the past 5 years before the survey. In other words, 90% of the incidents remained underreported and never brought to attention. When the hate-motivated incident reached the level of serious physical violence, the intention of reporting it was slightly higher, around 28%. The majority of victims decided not to report for the reason of not being convinced that anything would happen.

People seeking asylum often find it hard to trust authorities and people wearing uniform because of prior traumatic experiences in their countries of origin. A large number of those experiencing such anxieties were fleeing from persecution. The fear of detention, deportation and fear of becoming re- victimised prevents them from reporting hate crimes. In serious cases, migrants and refugees chose to stay indoors and leave the flat only when absolutely necessary to buy food which leads them to the edge of society as the first step to becoming marginalized.

Workers of organizations, refugee camps or refugee help centres that organize events, support rallies, sometimes study courses for migrants and refuges can also be and often are targets of hate crimes (FRA, 2017).

# Facts – The situation in Europe

In 2017, the number of international migrants reached 258 million and after Asia, Europe hosts the second largest group, about 78 million people. (UN, 2017). Based on the United Nations report Migrant Stock (2013), only 35 million were born outside of Europe, that means **over 50% of the total number were European citizens living elsewhere in the region,** as the main advantage of the 1985 Schengen Agreement. The second major migrant group is from Asia (27%), followed by Africa (12%) and Latin America (6%).

We will now look specifically at the following two groups:

- Migrants residing in the region, who were born in one of the other regions (e.g. Africa or Asia).
- Migrants born in the region and residing outside their country of birth, but still within the European region.





In 2011 Turks, Arabs and Black Africans are the main three foreign groups of birth accounting respectively for 12%, 6.9% and 6.8% of Europe's foreign-born population, followed by Indians and Pakistanis. (EUROSTAT, 2011)

Meanwhile in the EU-28, half of the total foreign-born people were Europeans who where residents in an EU-28 member States and approximately 36.9 % were born in another EU Member State (18.8 million). Being the largest group of people born in an EU Member State who are living abroad in another EU Member State, are Polish (22%) and Romanians (14%) . (EUROSTAT,2011)



The migrant communities

As it is often when talking about a minority group, it is almost impossible to talk about migrants or refugees as one single community. International migrants have a varied background, as they can literally come from any places on the globe which is considered foreigner. Refugees can also share this characteristic and they are also not one unified group, contrary to how they are often portrayed. Keeping this in mind, in this chapter we will try to discuss a bit more in depth how these communities work, that will hopefully also show their diversities.

## **Events and Traditions**

Migrant communities within the EU often celebrate their national holidays, traditions even when residing in another country. These are usually smaller-scale events e.g. Polish or Indian people in England, Romanians in Italy or Frenchs in Portugal all tend to have some sort of national celebrations during the year.

International days concerning migrants and refugees, as the World Refugee Day on 20th June or the International Peace Day on 1st January each year can also mark an event for migrant and refugee communities. These days can gather migrants and refugees together to celebrate or protest for their cause. Political events in the home countries can also result in events, often protests in the host country. Migrants or refugees from one nation (together with supporting ones) can gather to step up against something happening in their home countries, which often overlaps the very reason they had to leave. Peaceful protests can be important part of their identities and of expressing care for those left behind in their home countries, while also gathering with fellow nationals.

# **Community Buildings**

Community buildings can be essential in preserving migrant cultures and in nurturing the relationship with their host country. Almost every EU nation has a cultural institute or something similar in other EU countries, or even beyond – as British Council, Institute Francais, Polish Institute, etc. Community houses can be devoted to one nation or even to a bigger region. Restaurants and shops dedicated to one nation or the other are also spots where migrants and refugees often gather and can serve as an informal centre of community life.

# **Related Organizations**

Apart from the national embassies, there are many organizations, mostly CSOs, that provide help and assistance to refugees and migrants in every country. From major organizations, as UNHCR or IOM to local NGOs as e.g. Amnesty International, Welcome to Europe, Refugee Council, ANAFÉ, ARSIS, Menedék, etc. These organizations protect refugee and migrants' rights and/or provide practical assistance to them.

What kind of help might a migrant need and where can they receive such assistance?

There are tremendous needs what migrant communities might have. It is unique and differs in every case but there is a common pattern we can follow. Regarding the phase of their journey there are very likely to require different needs at the period of their departure, transition, long-term staying or even before returning to their country of origin. You might need to consider places where they get access to shelter, food, health and general safety, not only in migration camps, but for external services as well such as education or employment.

Are there organizations that generally deal with vulnerable groups, support undocumented people or centres that provide legal counselling and assistance? Psychosocial support is highly important to overcome traumas especially for refugees who might flee conflict zone, which can be found in hospitals or at civil organizations.





Is there any place where the services are accessible without official documents? (International Federation of Red Cross, 2018) Beyond the general assistance from governments and different organizations, the cultural centres are worth noticing in this matter. Community and cultural centres are beside the humanitarian services, but they provide essential support for integration or even keeping traditions and cultural identities alive.

Is there any community that provide cultural programs, language exchange and associated with foreigners? On the bottom of the following link you can find information of numerous organisations offering migration related services, divided by country. It can be very helpful as a source of relevant information when investigating anti-migrant hate crimes.

#### http://www.refugeelegalaidinformation.org/refugee-resources

### Intersectionality

As stated in the beginning of this chapter, migrants and refugees are not one single homogeneous group. Moreover, even within these heterogenous groups, there are more diversity than one would naturally think of.

There is more religious diversity; contrary to the common belief spread by media, not all refugees are Muslims. The Yazidis from Syria are Christians, and so are many Lebanese. Iranians are Persians, and not Arabs. Refugees are not only men, but also women and often children; too often unaccompanied without an escort of any family member.

Yet, there is even more diversity within the refugee community such as groups of disability, Roma, Muslim, people of African descent, LGBT, etc. Members of the LGBT community often fear for the life in their home country, and while they fled together with people from their own nations, they do not feel secure amongst them. They are more likely to feel safe among other refugees from the LGBTI community, even from other nations. Intersectionality exist in migrant and refugee communities too, and it is extremely important to be aware of this when dealing with them, especially within the context of hate crimes. Top immigrant nations within the EU-28

Cultural diversity today in the EU-28 even vary from the picture of the whole European continent. To move on to practice from theory, in this article we only look at the top foreign-born communities living in the EU-28. (EUROSTAT, 2011)

## O Born outside of Europe: Moroccan and Turkish people

Most of the people of Arab descent living in EU today are from the Maghreb region or Berber world. This is northern Africa, that consists Algeria, Libya, Morocco, Mauritania, Tunisia and partly of Western Sahara. They are mostly concentrated in France, Spain, Germany, Italy and the Netherlands. The majority from this region were born in Morocco: over 2.3 million people, which is the largest community from outside of EU and 7.2 % of all foreign-born residents from non-member countries. They are followed by people born in Turkey, over 2.1 million people, that consists of the second largest community. The great majority of Moroccan people are considered religious and almost the entire group known to be Muslim. The major religion is Islam for Turkish people as well, therefore, please visit the Facing All the Facts anti-Muslim bias indicator module for further information on these communities.

## O Born outside of Europe: Indian and Pakistani people

Indians and Pakistanis are also in the top foreign-born communities living in the EU-28. They make the largest foreign-born groups in the United Kingdom. We list them here in one group, as their immigration mainly leads back to the last century, when India gained independence and was separated into two states. However, Pakistan remained mostly Muslim and India is predominantly Hindu. India itself has a complex linguistic and racial diversity, but Hinduism can be considered as the most important unifying factor. Concerning international migrants in 2017, India was the largest country of origin with 17 million emigrating from there.





# O Born in an EU-28 Member State, but living in another: Polish and Romanians

In 2016, 19.3 million people were born in one of the 28 EU states and were living in another, out of the 510.3 million total EU-28 population. In 2011, every fifth residents were Polish, who were born in an EU Member State and living in another. While in 2016, on the top of this list are Romanians (almost 3 million), Polish (2.3 million), followed by Italians and Portuguese (over 1 million).

## O Displaced people - Asylum seekers, Refugees, Stateless people

In 2016, 65.6 million people were considered forcibly displaced globally and Europe hosted 17% of them, over 11 million people. Between 2015 and 2016 the top origin of asylum seekers in the EU-28 Member States were Syria, Afghanistan and Iraq. Syria remains the top country of origin for first time asylum seekers also in the period between the 3rd quarter of 2016 and 2017 with almost 700,000 people. At the same period, the main destination countries within the EU-28 are Germany, followed by Italy, France and Greece. (EUROSTAT, 2017)



In 2015, according to UNHCR estimation Europe had around 600,000 stateless people from the 10 million people globally. Stateless is to not be recognized as a citizen by any state and it often prevents people from accessing fundamental rights. It refers to people, who are not considered as nationals by any State under the operation of its law. (IOM, 2016) "Statelessness may occur for a variety of reasons, including discrimination against



particular ethnic or religious groups or on the basis of gender. It is often the product of policies that aim to exclude people deemed to be outsiders." (UNHCR, 2017) In Europe it occurred mostly as dissolution of former states or the effect of the break-up of the Soviet Union. Additionally, it can occur as there are states which do not allow the women to hand over nationality to their children. In case the father is missing or unknown, statelessness can occur. For instance it happens with many children asylum seekers in Europe coming from Syria, as under the Syrian law, a child can inherit nationality only from its father.

# Terms

As there are no universally accepted definitions for the terms used in migration-related context, we refer here for the International Migration Law - Glossary on Migration text (IOM 2004)

#### O alien

A person who is not a national of a given State.

#### O assimilation

Adaptation of one ethnic or social group – usually a minority – to another. Assimilation means the subsuming of language, traditions, values and behaviour or even fundamental vital interests and an alteration in the feeling of belonging. Assimilation goes further than acculturation.

#### O asylum seekers

Persons seeking to be admitted into a country as refugees and awaiting decision on their application for refugee status under relevant international and national instruments. In case of a negative decision, they must leave the country and may be expelled, as may any alien in an irregular situation, unless permission to stay is provided on humanitarian or other related grounds.

#### O displacement

A forced removal of a person from his/her home or country, often due to of armed conflict or natural disasters.





#### economic migrant

A person leaving his/her habitual place of residence to settle outside his/her country of origin in order to improve his/her quality of life. This term may be used to distinguish from refugees fleeing persecution, and Is also used to refer to persons attempting to enter a country without legal permission and/or by using asylum procedures without bona fide cause. It also applies to persons settling outside their country of origin for the duration of an agricultural season, appropriately called seasonal workers.

#### O emigration

The act of departing or exiting from one State with a view to settle in another. International human rights norms provide that all persons should be free to leave any country, including their own, and that only in very limited circumstances may States impose restrictions on the individual's right to leave its territory.

#### • forced migration

General term used to describe a migratory movement in which an element of coercion exists, including threats to life and livelihood, whether arising from natural or man-made causes (e.g. movements of refugees and internally displaced persons as well as people displaced by natural or environmental disasters, chemical or nuclear disasters, famine, or development projects).

#### • freedom of movement

This right is made up of three basic elements: freedom of movement within the territory of a country (Art. 13(1), Universal Declaration of Human Rights, 1948: "Everyone has the right to freedom of movement and residence within the borders of each state."), right to leave any country and the right to return to his or her own country (Art. 13 (2), Universal Declaration of Human Rights, 1948: "Everyone has the right to leave any country, including his own, and to return to his country.").

#### • host country/receiving country

Country of destination or a third country. In the case of return or repatriation, also the country of origin. Country that has accepted to receive a certain number of refugees and migrants on a yearly basis by presidential, ministerial or parliamentary decision.

#### O immigration

A process by which non-nationals move into a country for the purpose of settlement.



#### O integration

The process by which immigrants become accepted into society, both as individuals and as groups. The particular requirements for acceptance by a receiving society vary greatly from country to country; and the responsibility for integration rests not with one particular group, but rather with many actors: immigrants themselves, the host government, institutions, and communities.

#### O internal migration

A movement of people from one area of a country to another for the purpose or with the effect of establishing a new residence. This migration may be temporary or permanent. Internal migrants move but remain within their country of origin (e.g. rural to urban migration).

#### O international migration

Movement of persons who leave their country of origin, or the country of habitual residence, to establish themselves either permanently or temporarily in another country. An international frontier is therefore crossed.

#### • irregular migrant

Someone who, owing to illegal entry or the expiry of his or her visa, lacks legal status in a transit or host country. The term applies to migrants who infringe a country's admission rules and any other person not authorized to remain in the host country (also called clandestine/ illegal/undocumented migrant or migrant in an irregular situation).

#### • irregular migration

Movement that takes place outside the regulatory norms of the sending, transit and receiving countries. There is no clear or universally accepted definition of irregular migration. From the perspective of destination countries it is illegal entry, stay or work in a country, meaning that the migrant does not have the necessary authorization or documents required under immigration regulations to enter, reside or work in a given country. From the perspective of the sending country, the irregularity is for example seen in cases in which a person crosses an international boundary without a valid passport or travel document or does not fulfil the administrative requirements for leaving the country. There is, however, a tendency to restrict the use of the term "illegal migration" to cases of smuggling of migrants and trafficking in persons.





#### • migrant

At the international level, no universally accepted definition of migrant exists. The term migrant is usually understood to cover all cases where the decision to migrate is taken freely by the individual concerned for reasons of "personal convenience" and without intervention of an external compelling factor. This term therefore applies to persons, and family members, moving to another country or region to better their material or social conditions and improve the prospect for themselves or their family.

#### O minority

Although there is no universally accepted definition of minority in international law, a minority may be considered to be a group which is numerically inferior to the rest of the population of a State and in a nondominant position, whose members possess ethnic, religious or linguistic characteristics which differ from those of the rest of the population and who, if only implicitly, maintain a sense of solidarity directed towards preserving their culture, traditions, religion or language.

#### O non-discrimination

The refusal to apply distinctions of an adverse nature to human beings simply because they belong to a specific category. Discrimination is prohibited by international law, for example in Art. 26, International Covenant on Civil and Political Rights, 1966, which states: "All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status."

#### O persecution

In refugee context, a threat to life or freedom on account of race, religion, nationality, political opinion or membership of a particular social group.

#### O protection

All activities aimed at obtaining respect for individual rights in accordance with the letter and spirit of the relevant bodies of law (namely, Human Rights Law, International Humanitarian Law, Migration Law and Refugee Law).

#### Quota

A quantitative restriction. In the migration context, many countries establish quotas, or caps, on the number of migrants to be admitted each year.

#### O racism

An ideological construct that assigns a certain race and/or ethnic groups to a position of power over others on the basis of physical and cultural attributes, as well as economic domination and control over others. Racism can be defined as a doctrine of or belief in racial superiority. This includes the belief that race determines intelligence, cultural characteristics and moral attitudes. Racism includes both racial prejudice and racial discrimination.

#### • refugee (mandate)

A person who meets the criteria of the UNHCR Statute and qualifies for the protection of the United Nations provided by the High Commissioner, regardless of whether or not s/he is in a country that is a party to the Convention relating to the Status of Refugees, 1951 or the 1967 Protocol relating to the Status of Refugees, or whether or not s/he has been recognized by the host country as a refugee under either of these instruments.

#### • refugee (recognized)

A person, who "owing to well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinions, 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" (Convention relating to the Status of Refugees, Art. 1A(2), 1951 as modified by the 1967 Protocol).

#### • refugee status determination

A process (conducted by UNHCR and/or States) to determine whether an individual should be recognized as a refugee in accordance with national and international law.

#### • refugees in transit

Refugees who are temporarily admitted in the territory of a State under the condition that they are resettled elsewhere.

#### O regular migration

Migration that occurs through recognized, legal channels.





#### O resettlement

The relocation and integration of people (refugees, internally displaced persons, etc.) into another geographical area and environment, usually in a third country. The durable settlement of refugees in a country other than the country of refuge. This term generally covers that part of the process which starts with the selection of the refugees for resettlement and which ends with the placement of refugees in a country.

#### • residence permit

A document issued by a state to an alien, confirming that the alien has the right to live in the State.

#### Smuggling

The procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident (Art. 3(a), UN Protocol Against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, 2000). Smuggling contrary to trafficking does not require an element of exploitation, coercion, or violation of human rights.

#### • trafficking in persons/human trafficking

The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation (Art. 3(a), UN Protocol to Prevent, Suppress and Punish trafficking in Persons, Especially Women and Children, Supplementing the UN Convention Against Organized Crime, 2000).

#### O unaccompanied minors

Persons under the age of majority who are not accompanied by a parent, guardian, or other adult who by law or custom is responsible for them. Unaccompanied minors present special challenges for border control officials, because detention and other practices used with undocumented adult aliens may not be appropriate for minors.

#### • undocumented alien

An alien who enters or stays in a country without the appropriate documentation. This includes, among others: one (a) who has no legal documentation to enter a country but manages to enter clandestinely, (b) who enters using fraudulent documentation, (c) who, after entering using legal documentation, has stayed beyond the time authorized or otherwise violated the terms of entry and remained without authorization.

#### • vulnerable groups

Any group or sector of society that is at higher risk of being subjected to discriminatory practices, violence, natural or environmental disasters, or economic hardship, than other groups within the State; any group or sector of society (such as women, children or the elderly) that is at higher risk in periods of conflict and crisis.

#### O xenophobia

At the international level, no universally accepted definition of xenophobia exists, though it can be described as attitudes, prejudices and behaviour that reject, exclude and often vilify persons, based on the perception that they are outsiders or foreigners to the community, society or national identity. There is a close link between racism and xenophobia, two terms that are hard to differentiate from each other.





Lead partner



# Full partners



















# Associate partners







# **Funders**









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# Notes

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# Notes




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