

3rd meeting of the European Migration Forum 2-3 March 2017

Final Report

ACCESS - Migrants' access to the EU, to rights, and to services: challenges and way forward

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REPORT

The third edition of the European Migration Forum (EMF) took place in Brussels on 2 and 3 March 2017. This event, jointly organised by the European Commission and the European Economic and Social Committee (EESC), had as underlying theme **Migrants' access: access to the EU, to rights and to services.** This topic was chosen by the Bureau of the EMF in consultation with civil society organisations, recognising the need to move from a crisis management perspective into a long-term comprehensive strategy of migration management. Day 1 focused on "Accessing Europe" and the issues migrants face in reaching Europe by legal means. On day 2, the focus was oriented towards integration, reflecting on the access of migrants to services and the rights they are entitled to. The current negative "narrative" on migration and the public perception of migrants were a horizontal theme.

A participatory approach was adopted throughout the meeting. This allowed for small, informal group discussions in which all participants were at the same level, and facilitated contributions from all relevant actors concerned. Consequently, participants had plenty of time to come up with issues they thought needed further reflection, in an open space format. This increased the level of engagement from all participants, giving them a stronger sense of ownership of the topics under discussion.

Concluding each day, a panel debate served to bring all the discussions together; reflections on this are included in this report. On the first day, the panel debate included the rapporteurs for each workshop, presenting the outcomes of the discussions, engaging in a conversation with: Simon Mordue, European Commission, Deputy Director-General for Migration and Home Affairs; Cécile Kyenge, Member of the European Parliament; José Antonio Moreno Díaz, Member of the EESC. On the second day, the four rapporteurs of the workshops held that day presented and discussed their reflections with: Belinda Pyke, Director for Migration, Mobility and Innovation, European Commission, DG HOME; and Maria Dolores López Fernández, Commissioner for Immigration, Interculturality and Diversity at Barcelona City Council.

OPENING STATEMENTS

The opening statements were delivered by the host institutions: Commissioner Dimitri Avramopoulos of the European Commission and the President of the European Economic and Social Committee (EESC), George Dassis.

Both statements mentioned the difficulty of the present political climate which the institutions have to navigate and the great work that everyone is called to carry out in order

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to change this - tackling populism and xenophobia. Recalling the 60th anniversary of the Treaty of Rome and the future scenarios for Europe published in the white paper of Commission President Juncker², Commissioner Avramopoulos warned against the threat of Europe's future being hijacked by populists exploiting migration to develop a xenophobic political narrative. Mr Dassis also expanded on that point, suggesting that everyone was responsible for working to change the negative narrative that frames the public perception on migration. The media were recognised as a fundamental actor in challenging the negative and biased image of migrants. In the countries of origin, moreover, Mr Dassis added that the media should play an important role in the pre-departure phase, providing migrants with accurate information about the great risks of the journey and about the real situation in Europe.

Both speakers said that Europe has a limit in the number of migrants it can welcome. Commissioner Avramopoulos remarked in particular how important it was, with a view to countering xenophobic speech, that Europe should maintain a well-functioning system of migration governance, including the return of those migrants that did not have the right to stay in Europe legally. In that context, the Commissioner announced that he would be presenting a renewed Action Plan on return that same day. Picking up on these issues, Mr Dassis then said that a clear difference needed to be made between irregular migrants who did not have the right to stay and people in need of international protection. The president of the EESC was very direct in calling upon the Member States of the EU to ensure that they met their obligations under the Geneva Convention.

At the same time, according to both speakers, focusing on return should not mean closing Europe's borders. An efficient mechanism to combat irregular migration and residence was only possible if accompanied by an enhanced commitment to work on legal avenues for migrants wanting to reach Europe. That point had featured in the conclusions of the previous two EMFs, and the speakers highlighted the ways in which the work of the institutions had taken those recommendations into account. Commissioner Avramopoulos in particular highlighted the work the Commission had carried out, by finalising the work on the Students and Researchers Directive³, which had been adopted by the European Parliament and the European Council, and the proposal for a revision of the Blue Card⁴ brought forward by the Commission in 2016. Mr Dassis confirmed the EESC's support, and added that legal migration was vital, as Europe needed migrants to sustain its workforce, adding that the message should be directed to everyone across Europe.

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https://ec.europa.eu/commission/sites/beta-political/files/white paper on the future of europe en.pdf

http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ%3AJOL 2016 132 R 0002

http://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/20160607/directive conditions entry residence third-country_nationals_highly_skilled_employment_en.pdf

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DAY 1: ACCESS TO THE EU

Two statements followed those from the institutions: from François Crépeau, United Nations Special Rapporteur on the Human Rights of Migrants (video message), and Muhannad Bitar, a Syrian refugee who shared his life story, and who was briefly introduced by Marko Den Hartogh from the Boat Refugee Foundation.

Mr Crépeau criticised the security-based response to migration flows, stating that human beings will migrate as long as push and pull factors are in place. Migration, therefore, cannot be blocked with walls or fences. Mr Crépeau deplored the fact that the focus on security has led to measures that breach human rights, like all the work carried out on smuggling in partnership with repressive African states with a very poor record of human rights. The Special Rapporteur to the UN stated that in order to solve the problem of smuggling, it is necessary to offer legal and safe alternatives to irregular migration, especially when families and children are involved. No parent, he added, would risk the life of their children if a legal alternative existed.

Like Mr Dassis and Mr Avramopoulos, Mr Crépeau referred to the current political climate in Europe, and the populist wave that it is experiencing. He suggested a new governance of migration that could adequately address issues of mobility in an orderly manner. An alternative to the status quo in the current narrative on migration should be sought by highlighting the positive effects of diversity on society.

Next, Mouhannad Bitar, a 19 year-old Syrian refugee who worked as an interpreter for the Boat Refugee Foundation, recalled the human dimension of the topics being discussed, beyond the pure numbers.

The Boat Refugee Foundation is an NGO, based in Greece and Malta, where it runs medical and psychosocial missions, together with some trial search and rescue operations from the port of La Valletta. His statement focused the conversation on the realities in the field, drawing attention to the plight of desperate people seeking refuge, as well as to the dire conditions in which they were confined for months upon arrival. After his arrival in spring 2016, Mouhannad started working for the Boat Refugee Foundation, teaching himself English and becoming an interpreter for them.

The moving story of his journey to Europe put a face to the difficulties and problems that are discussed on a daily basis about migration. Together with its personal nature, the striking element of the story was that it resonated with the situation and condition of thousands of people at Europe's borders. Like many, Mouhannad had fled Syria. On turning 18, he left the country to avoid being recruited for military service, leaving his family behind. Before he left Syria, his family had been on the run, trying to find refuge from the bombs and treatment for his mother's cancer. His testimony of the living conditions in Syria was tragic, as was the story of his perilous journey, through Turkey to Greece, on the unseaworthy dinghies that we are all too well accustomed to seeing. However, what Mouhannad particularly deplored was the

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conditions in which he had to live once he reached Europe. Living in a camp with more than five times the people it was designed to accommodate, with queues for food of up to 2 ½ hours and insecure status and conditions. This is what made Mouhannad embark on the Balkan Route. After a failed attempt, he became convinced that a solution could lie in the generosity of what he defined as 'the other face of Europe', that generosity that many people, including some border guards, had shown during his time there. He taught himself English and considerably improved his living conditions by working as an interpreter for various NGOs and, with a combination of goodwill and good luck, he managed to be one of the few selected for relocation. Mouhannad now lives in the Netherlands and carries his terrible memories with him. However, he also communicated a sense of optimism and energy to the whole audience, the institutions and civil society alike, motivating people to make the most of the two days of discussions and to improve life for those in the same situation that he had been in.

What follows is the report of discussions held in each workshop on day 1 and day 2, followed by the reactions from the representatives of the institutions present in the final panel debates of the two days, where the workshops summaries were debated.

WORKSHOP 1: RESETTLEMENT

This workshop was divided into two main pillars: 1) resettlement and 2) private sponsorship.

1) In the first session, following an introductory presentation on the state of resettlement in Europe and on the newly proposed Regulation⁵, discussions were held on what needed to be done to strengthen the EU's position on resettlement programmes, also looking at the supporting role of civil society.

One of the elements that featured most significantly was the need for more exchange of best practice, both within and between Member States. This was because experiences with resettlement vary significantly and support should be available to actors in the resettlement process, from national governments to civil society, especially where this practice is not well established. The Commission should therefore offer support for the exchange of best practice and knowledge, gaining a clearer view of what is happening on the ground. The Commission should use this experience to gain knowledge on how to best support small-scale projects from civil society across Europe, and provide new flexible funding opportunities, also in small quantities.

The work done by the institutions and civil society should take into consideration the need for a more comprehensive and longer-term approach to supporting resettled refugees. Too often, resettled refugees are offered a limited level of support, largely excluding adequate language and vocational training. Across Europe, the duration of support varies significantly, from one

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year in Ireland to three years in Finland. Representatives of Irish civil society stressed that one year is very short and does not allow adequate integration into the host societies. This became a recurrent issue in the discussions, illustrating the importance of enabling refugees to make a life for themselves in their new country, and preventing those in need being left behind after the initial reception. In this connection, the role of local communities as a whole was highlighted, as their involvement, going beyond formal organisations is what gives resettled refugees better integration prospects, a potential that should be fully exploited.

Together with actions to be carried out in Europe, it was recognised that more work needed to be done on shaping and managing the expectations of refugees, who often had very little knowledge of the programme, their rights and the services to which they were entitled. In order to do this, and to avoid disappointment, refugees needed be better advised in the various phases of the resettlement programmes.

2) The second session of the workshop focused on private sponsorship and was introduced by UNHCR, explaining how, despite normally referring to Canada given its long experience, new initiatives were starting to emerge in Europe, allowing for an EU-tailored discussion on the topic. These included Ireland's Syrian Humanitarian Admission Programme and humanitarian admission programmes in Germany (in all but one land), Italy with its Humanitarian Corridor scheme, and the UK's Community Sponsorship programme. Participants recognised that private sponsorship should not absolve government of its responsibilities, delegating everything to the sponsors. Instead, also to incentivise sponsors, the integration process should be clearly centralised and the division of responsibilities between sponsors and authorities should be well defined, including the duration for which the sponsor should be responsible for the refugee. Private sponsorship presented great advantages for integration purposes, given the direct absorption of refugees in the local community. Participants stressed the need to have a collaborative approach to sponsorship, ensuring full support from a range of actors in order to reduce the pressure on individuals, and the need for a comprehensive support package. This should not only focus on pre- and post-arrival measures in Europe, but also identify key issues that should be included in a strengthened pre-departure programme in countries of origin and transit.

In the light of the above, it was recognised that the EU could create the necessary frameworks and provide funding to support such coordination processes at all levels, support training for Member States and civil society alike, as well as develop and share guidelines for private sponsorship actors at all levels.

The workshop proved that civil society was interested in these kinds of programme, as UNHCR received lots of detailed questions on private sponsorship. Also, there was great interest in the Italian Humanitarian Corridor scheme, involving three church-based organisations and the Italian government offering humanitarian visas to about 1,000 Syrian and Eritrean refugees. The interest in these initiatives demonstrated that there was scope for providing more information to civil society on the possibilities of private sponsorship and the need to provide appropriate training.

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REACTIONS FROM THE INSTITUTIONS

On behalf of the European Commission, Simon Mordue said that he considered resettlement in the EU to be a success story. Although there could be more resettlement in the EU, the number of resettled people had been growing rapidly. Because of that, the report on resettlement and relocation⁶ published that same day by the Commission was much more positive on resettlement than on relocation. Mr Mordue argued that the EU needs an official resettlement programme, as for 90% of all migrants and asylum seekers, paying smugglers is the only way to reach Europe and seek refuge. Moreover, deaths at sea continued to grow, with 2016 being the deadliest year so far in the Mediterranean. For those reasons, it is essential to disrupt the smugglers' business model, offering legal alternatives such as resettlement programmes.

MEP Cécile Kyenge echoed the remarks made by Mr Mordue on the importance of resettlement programmes, as well as praising the progress made in this domain. However, at the same time, the MEP stressed that, for the asylum system to be effective, relocation was equally important. Unfortunately, in that area much less was being achieved due to the reluctance of Member States. Countries such as Austria, Poland and Hungary in fact still refuse to take up their share of relocated refugees, pointing to an unacceptable crisis of European solidarity, on which the Commission should act.

José Antonio Moreno Díaz, representing the EESC, expanded on the remarks made by Ms Kyenge, focusing on relocation, given its more problematic nature. Stressing the fact that the Council's decision on relocation is mandatory and not voluntary, Mr Moreno questioned why the Commission did not do more to enforce the legally binding measure, forcing Member States to take up their fair share - just as they had enforced financial measures during the economic crisis.

There were more questions from the audience on these issues, pointing out the responsibility of Member States for stepping up relocation and resettlement, and Simon Mordue responded that in the new Communication the language on relocation was much harder, and that the Commission reserved the right to take all action necessary to enforce the Council's decision on relocation quotas.

WORKSHOP 2: FAMILY REUNIFICATION

Responding to the requests made during the 2nd edition of the EMF for family reunification in Europe to be discussed, one workshop was entirely dedicated to the question.

⁶https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda $migration/20170302_tenth_report_on_relocation_and_resettlement_en.pdf$

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Family reunification is an important driver of migration, given the fact that many migrants move in order to be reunited with their loved ones. Despite the regulation of this right and the associated conditions and procedures in the EU's Family Reunification Directive, obstacles to accessing this legal channel persist, which may in turn lead migrants to resort to irregular means. The discussions in the workshop focused on identifying challenges to the right to family reunification and on finding solutions.

The effective right to family reunification is closely linked to the fundamental right to respect for private and family life, as enshrined in both the EU Charter of Fundamental Rights and the European Convention of Human Rights. Moreover, its importance is linked not only to migrants on the move, but also, importantly, to migrants already residing in Europe, given that being reunited with one's family promotes the successful integration and social inclusion of migrants. The workshop built on existing EU law, prior consultations and Commission guidelines on the issue, and the discussion was structured around four steps towards family reunification:

1) Access to information on family reunification

Official information on the possibility of applying for family reunification is often not accessible for migrants, who therefore have to rely on civil society organisations and their social network to get the relevant information. Moreover, very different standards are applied across EU Member States, adding to the lack of clarity.

There is, therefore, a need for governments to provide better information, and to make information available at all relevant entry points, in the languages spoken in the countries of origin.

2) Submitting applications and providing evidence

There are important obstacles linked to submitting an application. First, a competent embassy is not always accessible in the country of residence of the applicant. A person may therefore have to travel long distances across borders, which in some regions can be dangerous and costly. The financial burden of submitting the application is often very high, counting the travel expenses including visa fees as well as procedural costs such as translation and certification of supporting documents and possible DNA testing. On top of this financial burden, the waiting time before getting an appointment to file an application can be very long, taking from a few months to as much as a year.

It is important to reduce this burden by establishing a sufficiently dense embassy network, increasing the dedicated staff and providing them with specific training in processing requests for family reunification. Workable solutions include giving the sponsor the opportunity to apply on behalf of family members, thereby limiting the number of visits that family members have to make to the embassy. Some best practices were highlighted, such as covering the costs of positive DNA tests or the use of online platforms to submit the application and documents for the procedure.

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The provision of required documentary evidence was identified as one of the main obstacles to effective family reunification. There are considerable problems, especially for those who have left their country of origin in dire circumstances and whose government may <u>not be willing or able to issue acceptable documents</u>. When documents are lacking, refugees may choose not to apply at all, due to negative expectations of the outcome of the procedure.

3) Swift processing and safeguards

It appears that current national practices remain inadequate to address the specific needs of people benefiting from international protection in the EU. There are often tight deadlines and other kinds of time pressure imposed on applicants. Benefiting from the facilitated family reunification procedure for refugees often depends on respecting a relatively short grace period, but, once the application is submitted, there may be a very long waiting time for a response. Lengthy processes push migrants towards smugglers, hoping to be reunited with their families within a more reasonable time. Moreover, several Member States have recently changed their family reunification laws, adding to the confusion of applicants regarding the applicable criteria.

In order to ensure a swift process and close down the irregular route to family reunification offered to migrants by smugglers, these issues should be resolved. Moreover, the restriction of family reunification to immediate family members (spouse, minor children) does not reflect the special circumstances of forced displacement or the wide cultural differences in the concept of the family.

4) Individual and justified decisions

The Directive, as well as reflecting the fundamental right to family life, clearly requires that each case be assessed individually in order to avoid automatic rejection. The decisions should take into consideration the fact that requirements on accommodation, income and insurance cannot always be fully met. It is important to consider the personal situation of the sponsor and the family members when applying these criteria, especially by ensuring that vulnerable persons, such as single female sponsors, can also be reunited with their loved ones. There were concerns that, in many cases, proper individual assessment were only carried out in case of appeal – which in turn requires financial resources and legal aid.

It was noted that, for the purpose of family reunification, many Member States distinguish between subsidiary protection holders and refugees, while these persons are actually in very comparable situations. More stringent rules are applied to beneficiaries of subsidiary protection, with long waiting periods or income requirements, or suspending the possibility for family reunification altogether. This is very worrying and puts additional strain on the asylum procedure, as more and more beneficiaries of subsidiary protection will appeal to be recognised as refugees and get proper access to family reunification.

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REACTIONS FROM THE INSTITUTIONS

Following the presentation of the workshop results by the rapporteur Sabrina Le Noach, the representatives of the institutions largely echoed what had been said, highlighting the importance of family reunification.

Ms Kyenge remarked how family reunification is key to the integration process, adding that today the scope of family reunification is too restrictive, being limited to the nuclear family, and therefore that too few people were able to use this legal channel of migration. Mr Moreno agreed with the MEP, adding that it is hard to explain how at the age of 19 someone can no longer count as sibling, son or daughter. He added that people having to live without their families is a big problem for the individuals concerned as well as for their host societies. Simon Mordue, representing the Commission, echoed the call for more effective family reunification, thanking civil society for the work it does to help migrant families with very serious problems. He added that the Family Reunification Directive is part of the "fitness check" exercise led by DG HOME, taking a step back and looking at what works and what doesn't in EU legislation on legal migration, and inviting civil society to take part in future

WORKSHOP 3: THE EU LEGAL MIGRATION FRAMEWORK

The topic of this workshop was the EU legal migration framework, with the purpose of feeding into the "Fitness Check" work the European Commission is carrying out on its legal migration *acquis*, evaluating if it is fit for purpose. The workshop was meant to consult civil society on what gaps and implementation challenges exist in this legislative framework. Four main issues emerged:

1) A comprehensive framework for all migrant workers

Participants criticised the sectoral EU legislation in place for different categories of workers, with great differences between directives, for example concerning highly skilled compared to low-skilled (seasonal workers). This leads to the fragmentation of different rights according to skill level, also with consequent discrimination on ethnicity and gender. It was recognised that, in the present political climate, it would be hard to overcome such distinctions, moving towards a comprehensive framework for all migrant workers. However, in the meantime, a lot can be done to tackle the problems that are created by the absence of legislation to protect lower-skilled workers. There should be a better matching of skills with the jobs available, and better identification of the existing demand for low and medium-skilled workers who do not have legal ways to come to the EU. Finally, much more effort should be made to flag the existing opportunities in migrants' countries of origin.

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2) Exploitation

More should be done to avoid exploitation and protect low-skilled migrant workers from unscrupulous and exploitative employers. In order to tackle exploitation and trafficking, participants identified the need for better systems to assess and monitor exploitation, training, labour inspection and prosecution, as well as the need to prevent secondary victimisation of migrants with irregular status. It was also suggested to look at the way certain instruments intended to limit discrimination and tackle exploitation, like the Employer Sanction's directive, intersect with the legal migration framework.

3) Family reunification

Without going into the details of a topic already covered in a separate workshop, participants reiterated the need to expand the scope beyond the close family; families were not only made up of a husband, wife and small children, and other family members should be able to reunite as well.

4) Regularisation

Finally, participants called for a stronger position from the EU in favour of regularisation, meeting the need for protection of the human rights of undocumented migrants. This would tackle the issue of the growing numbers of migrants who become undocumented after having entered Europe legally. Once they lose their legal status, it is practically impossible to regularise their status again. This severely impacts the livelihoods of such migrants, who are often active in the (informal) labour market without having access to basic services such as healthcare, housing and education. In relation to this, it is important to stop criminalising the organisations or individuals that provide such services to undocumented migrants. To this end, it was recognized that it would be useful to compile a handbook of regularisation practices across Member States, so as to demystify this practice and share good examples.

Overall, the discussions in this workshop pointed to a need to develop a system that protects all migrants comprehensively, ensuring their basic rights beyond a divisive, sector-based system. While understanding the challenges of running a "rational" exercise such as the Commission's "Fitness Check" in such difficult times, participants in the workshops highlighted that the price to be paid for not ensuring basic services to vulnerable migrants is too great, for both Europe and for the migrants themselves.

REACTIONS FROM THE INSTITUTIONS

In their reactions to the presentation of the points above, the representatives of the institutions confirmed their great interest in hearing the feedback from civil society on the legal *acquis* covered by the "Fitness Check".

Mr Moreno highlighted the importance of the work being carried out by the Commission with its fitness check on the legal migration *acquis*, and the EESC's support for the process. Building

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on his experience as a trade unionist, he agreed that the major problem of the *acquis* was segmentation, which resulted in a vertical approach, with one compartment for seasonal workers, another for highly skilled Blue Card holders, and so on. Instead, he called for going beyond this 'consumption model' of legislation by devising a bottom-up approach that could include different categories in the same framework.

Simon Mordue said that the Commission had already tried to propose a horizontal, unified approach in 2001. The proposal had been rejected, resulting in the fragmented legal migration *acquis* as we know it. He also stated that the cost of not integrating low-skilled migrants far exceeded the cost of making the investment.

Ms Kyenge called for a non-fragmented approach that also includes labour market integration of the lower skilled. This is because Europe also needs such categories of migrants, given its imminent demographic decline and the need for low-skilled labour in certain sectors, such as care and agriculture. For the MEP, it is important to cater both for the needs of Europe and of those migrants, allowing for legal pathways that ensure the protection of rights.

WORKSHOP 4: THE MIGRATION NARRATIVE IN EUROPE

This was an "overarching" theme of the event, cross-cutting the two days with two workshops that focused on the narrative, communication and perceptions of migration in Europe. The conversations in the other workshops also touched on the issue of the climate of hostility towards immigrants, confirming how topical and urgent it is to discuss this dimension of the problem.

On day 1, these issues were tackled by trying to find ways to change the status quo of migration narratives throughout Europe. Inevitably, this led to conversations that focused on the important role of the media in this process. It was also recognised that the perception can be influenced by actions in education, art, culture and sport.

Three broad themes emerged from the discussion. The first was a general agreement that there is a powerful negative narrative on migration. While there are variations across the EU and patterns are not uniform, the framing of the debate emphasises 'permanent crisis', 'fear' and 'threats'. Quite often, the national political situations determine that various political parties spread these messages and, in some cases, even (Member State) governments directly and actively contribute to anti-migration narratives. Further problems emerge when this narrative is not challenged, and a certain way of portraying migrants and migration is followed and amplified by the media.

Secondly, having defined the problem and agreeing on the need to change the narrative on migration, the discussion focused on the audience for a renewed, positive message. There were interesting observations about a section of the population that could be called the 'middle' or 'anxious middle' who are neither implacably opposed to or strongly in favour of

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migration, but concerned about the impact on their livelihoods. There was some ambivalence about whether this middle section of the population could best be targeted by top-down, EU-wide initiatives that aim to change the narrative. It was suggested that a more bottom-up approach that focuses on 'circles of influence' could be more productive. These 'circles' would include friends, neighbours and others in local communities. Particular attention should be paid to the young as a target audience, and to the way such campaigns should be tailored.

Finally, discussions focused on action that could be taken to engage with this "anxious middle", also building on 'what works' from across Europe. The following were suggested:

- Ambassadors: devise schemes with people who might serve as role models because
 of their success in walks of life to which the general public can easily relate, such as
 sport.
- **Migrants in office:** Building on the Irish example, have migrants spend some time in the offices of elected representatives in the parliament to introduce their experiences into debates about migration.
- **Humour**: use humour to contest and challenge anti-migration narratives.
- **Shaping narratives**: develop new communication strategies based on 'snackable' or 'bite-size' information that is more directly accessible to a wide audience.

REACTIONS FROM THE INSTITUTIONS

Ms Kyenge considered the issue of narrative to be key, as it related to the current political climate all across Europe, in which anti-immigrant parties are flourishing, using migrants as scapegoats for Europe's problems. The MEP has always been very active in denouncing this, especially in Italy, where she also became the target of racist attacks. She called for everyone to take responsibility for reacting to this political climate and negative narrative, which often comes from a minority group that is much noisier than the more progressive majority. Individuals from this silent majority across Europe must be louder in bringing forward their positive messages on migration, based on stories about people rather than numbers.

Mr Moreno passionately echoed these remarks, stating that everyone needs to advocate a pedagogical change that has to occur across Europe, changing what had become a "loud", negative, mainstream discourse.

A statement by Kadri Soova from PICUM, a member of the EMF bureau, triggered a discussion on how to best ensure general trust in Europe's migration governance system. Ms Soova voiced the concerns of various civil society organisations as regards to the new Action Plan on Return⁷ that the Commission had published that day, criticising the restrictive approach contained in the new guidelines on applying return legislation.

https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agendamigration/20170302 a more effective return policy in the european union -_a_renewed_action_plan_en.pdf

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In reply to these remarks, Simon Mordue (European Commission) said that, in order to be able to move towards a more generous legal migration system and to offer the necessary level of protection to those in need, it is essential that migrants who did not have the right to stay were returned. Mr Mordue stated that this would not only be necessary to ensure a well-functioning migration system, but it would also be instrumental for winning the support of part of the "anxious middle" that currently had no trust in Europe's ability to control its borders.

Mr Moreno, echoing various other representatives of civil society in the room, disagreed with this statement from the Commission. In the light of significant failures in the EU's migration governance system, such as the very slow progress on resettlement and relocation, Mr Moreno questioned whether increasing returns really is a priority at the moment. He also pointed out that it is not pedagogically effective to approach the problem of the negative narrative by stressing that there were too few returns and that they were not being effectively implemented.

Mr Mordue called on participants not to always focus on disagreements, but to build on the positive points that connected civil society and the EU institutions, moving towards a change in the way migration is debated across Europe. In particular, he called for much more use to be made of the positive stories of migration that were occurring all the time.

DAY 2: ACCESS TO SERVICES AND RIGHTS

The day started with a panel debate in plenary, with Michael O'Flaherty, director of the Fundamental Rights Agency (FRA), Bart Somers, Mayor of Mechelen and winner of the 2016 World Mayor prize, and Lilian Thuram, founder of the 'Lilian Thuram Foundation - Education against Racism'.

In the first statement, Mr O'Flaherty gave an overview of the status quo regarding access to rights and services for migrants across Europe, and the impact that this was having on their integration prospects. This is problematic for regular migrants, but also for irregular migrants, who should be entitled to certain basic rights, and are today particularly vulnerable to discrimination, exploitation and marginalisation. Drawing on research work done by the FRA, he denounced a great inconsistency in the integration action plans of Member States, from guiding principles to monitoring and evaluation. As being of particular concern, O'Flaherty flagged the *de facto* segregation that is present in schools all across Europe, with a lack of attention to intercultural education for young people. FRA research shows that language learning is not adequately provided for by Member States, with few courses that are rarely linked to employment prospects. In presenting this overview of the situation in Europe, O'Flaherty echoed many remarks made the previous day, relating to the difficult political context. However, despite the negative picture he drew, he called for optimism, given that the instruments that Europe has for protecting human rights are numerous. What is needed, O'Flaherty concluded, is the active involvement of every actor –EU institutions, national

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governments and civil society- to ensure that Europe continues to hold human dignity close to its heart.

In the next statement, Bart Somers gave his perspective on how integration could work at the local level, bringing forward the "Mechelen Model". With a population of 86,000 people, and more than 128 different nationalities living in the city, Mechelen has become one of the most diverse cities in Europe. Even before the start of the most recent "migration crisis", Bart Somers recognised the need to invest in integration, repopulating the city by inviting refugees to start a new life there, and making everyone feel a citizen of Mechelen despite their nationality. The 4-pillar approach was successful and led Mr Somers to be elected 'World Mayor 2016'. In the first pillar, great attention was given to security. Renamed the "sheriff mayor" for focusing so much attention on this, Mr Somers stated that this was paramount to tackling the anxiety of people who did not feel secure, investing in surveillance, cameras, the police force and general law enforcement in all areas of the city. Secondly, the mayor actively and comprehensively publicised an inclusive narrative, which celebrated diversity as a contributing factor to the well-being of Mechelen society. Thirdly, also in response to Mr O'Flaherty's concerns about youth segregation, a major campaign had been carried out against ghettoisation. The municipality had reached out to middle class families, urging them to send their children to local schools with a lot of migrants, invested substantially in "black ghetto schools", and tackled the "all white" character of certain other schools. The support he received from Mechelen's middle class families made him realise that the traditional right and left have been categorising migration issues in line with a victim vs. criminal mentality, thus forfeiting the dynamism and capacity to adapt of Europe's middle classes. Because of this, the fourth pillar Somers suggested was to reclaim the "value issue" from the populists, given that their approach was based on a zero sum game, according to which the differences introduced by migrant communities could only endanger the cultural traditions of the West. However, the Mayor argued that that ran counter to the freedom that underlines all western values, the freedom to change, emerge and move up the social ladder, which, if made possible for all citizens without distinction, would develop in them a strong allegiance to a community in which they prospered.

Following this insight into the practical building blocks of a successful integration strategy, Lilian Thuram took the floor. After retiring from a career in professional football that had brought him global fame, Thuram started the 'Lilian Thuram Foundation - Education against Racism', with the aim of combating racism and the means by which it has become ingrained in our societies. Thuram said that his work is based on the belief that racism is an intellectual construct that lies at the heart of the way European societies have been built, and because of this it should be actively challenged. Thuram openly criticised the European way of celebrating human rights, always within European borders, failing to recognise Europe's responsibility to people on the move worldwide. Moreover, Thuram criticised the way societies in Europe have been built on an economic discourse that was, and still is, divisive, especially in relation to race, tracing back its origins to exploitation and Europe's colonial past. It is because of this predatory economic discourse that, when debating migration, economic interests are always at the forefront, emphasising how profitable migrants can be

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for Europe. According to Thuram, this system imposes a divisive hierarchy on people, in which racism flourishes, given the belief that cultures cannot change. Therefore, what Europe needed was to challenge that idea of categorising people, opening up to the possibility for everyone to equally establish and emancipate themselves notwithstanding their ethnicity. To this end, the Thuram Foundation focuses on children and education, trying to push for a different perspective, more open to diversity and to viewing the issue of race and ethnicity as irrelevant in defining human beings.

WORKSHOP 5: SERVICE PROVISION FOR MIGRANTS

Ensuring that services are available and accessible for migrants is essential for their inclusion and integration. For this reason, an integrated approach to social services, coordinated on a personal basis, is necessary to ensure the effectiveness of interventions. This is important for two main reasons. First and foremost, it is integral to protecting the human rights of migrants and to enabling them to lead their lives in dignity by providing pathways towards meaningful societal participation. Secondly, providing social services for the integration of migrants is an investment which pays off economically, contributing to economic growth and a wider tax base in receiving countries by strengthening Europe's workforce. It also constitutes the most effective way to prevent future costs tied to inadequate integration in society. Service quality and accessibility were therefore recognised as key for translating this logic into practice, requiring strong synergies between service providers and other stakeholders like local authorities, employment services and local communities.

To tackle this question and reflect on what actions could be taken to strengthen this integrated approach to service provision, four key elements were discussed: 1) the issue of status, 2) requirements for service providers and successful cooperation, 3) migrants' involvement in service provision and 4) funding.

<u>Legal status of migrants:</u>

As in various other conversations held at the EMF, the issue of the status of migrants was discussed, reflecting on how change in status impacts their access to services, often basic ones. The main point that came across was that service provision should be needs-based. To ensure this, providing humanitarian assistance and support to undocumented migrants should not be criminalised. Overall, policies should be developed that make it much harder to become undocumented, as well as ensuring that gaps in implementation of policy do not leave space for the criminalisation of migrants. Today, this appears to be the case with the Facilitation Directive and the Return Directive.

The status of migrants greatly impacts their access to the labour market. Given that accessing the labour market at an early stage affects the integration process in a very positive way, it is important to develop legislation that caters for this.

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Finally, as evidenced in other workshops, it is essential to build 'firewalls' between (1) social and health care services and (2) immigration services, allowing for unrestricted access to all migrants.

Service providers: requirements and how to ensure further cooperation

Having defined the need to go beyond the status of migrants to allow service provision for all those in need, discussions were held on how to ensure the best quality of service provision.

Firstly, it was recognised that staff working in social and health services for the integration of migrants needs to have an adequate degree of specific knowledge, understanding sensibilities arising from gender, religious and legislative issues that are specific to migrants' situations. Such training could be done by partnering with organisations with specific expertise, such as trade unions, faith communities and religious social welfare organisations, universities, community centres and migrant associations. Partnering with local organisations to achieve such knowledge is also important, as it allows understanding the specific features of the context in which service providers had to work. In gaining such specific knowledge, it is important to include an insight into the contexts of the countries where migrants came from, allowing services to be shaped in accordance with the support needed. Support in migrants' mother tongues was recognised as an important positive element in this process.

In order to ensure that these skills are widespread across Member States, the EU should develop a common policy with guidelines on the skills and knowledge necessary for social workers who work with migrants. To implement such recommendations, centres of expertise with a common framework can be developed, bridging between service providers, providing the relevant expertise and supporting an active referral process.

Key in this workshop was the issue of how to ensure cooperation between service providers and other stakeholders. It was noted that it is essential to develop an integrated approach to service provision, rather than developing a system in which services are provided in parallel to one another, without taking into account their complementarity. To ensure this, mapping exercises need to be carried out together by all stakeholders (e.g. public authorities, NGOs, public employment services, housing services, trade unions, employers' associations), thereby formulating integrated plans to meet those needs together, building on each other's strengths, expertise and resources.

<u>Including migrants in service provision</u>

Cooperation and the provision of services will also be improved if much of this work is driven by migrants themselves and their voices are listened to in the organisational discussions. Migrants have skills, energy and motivation that must be recognised and encouraged when it comes to running their own initiatives and organisations. Their knowledge should be fully exploited, in order to meet their needs, an element that should be reflected in a necessary adaptation of recruitment and selection procedures aimed at embracing diversity. Further

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research should be carried out on the level of inclusion of migrants in service provision, also looking into the possibility of having quotas to ensure their representation.

Optimal use of funding

The main issue discussed as regards funding was the fact that social service providers, as well as other stakeholders, should promote a higher up-take by national authorities of available EU funds for services that could support migrants. Firstly, the need to facilitate access was recognised, addressing the complexity of applying to the AMIF fund, and reducing its high level of bureaucracy.

It was also stated that EU funding programmes should provide greater support to cover the operational costs of organisations involved in service provision. This is also linked to the need not to focus solely on innovation in service provision, but more on the process, which requires sustainability, impact and quality checks. In other words, there is a need to be more focused on outcome than on output.

In order to achieve this, a stronger communication system between the funder and the recipient should be put in place, especially between the EU and local-level NGOs, potentially strengthened also by organising ad hoc training for project managers.

REACTIONS FROM THE INSTITUTIONS

As Commissioner for Immigration, Interculturality and Diversity in the city of Barcelona, Maria Dolores López Fernández shared many of the concerns raised in the workshop, and pointed out how the city of Barcelona had been working to solve such issues. Most importantly, Ms López Fernández explained how an integrated approach to service provision was being used in her city, with the creation of a "one stop shop", a centre where substantial information on accessing all services needed is easily accessible in seven different languages. Access to such information and to such basic services is open to all migrants, irrespective of their status.

Belinda Pyke, Director for Migration, Mobility and Innovation, European Commission, DG HOME, concurred with these remarks, adding that it is often best to look at what is already in place, rather than developing something new, and to offer an integrated package of services, as Barcelona had done. On funding, Ms Pyke picked up on the comments of the workshop, responding that it is essential for the system to be improved in order to reach the local and regional levels more effectively, although Member States are strongly against decentralising funding. Civil society plays an important role in ensuring that the take-up of such funding is quick and efficient, easing the work of the European Commission in allocating more resources, like the EUR 150 m. already allocated for 2017.



WORKSHOP 6: PROTECTING CHILDREN IN MIGRATION

Throughout the discussions on day 1 of the EMF, and as in previous years, the importance of discussing the problematic issues and the sensibilities of vulnerable migrant groups was highlighted. Responding to this call, a workshop of the 3rd EMF was dedicated to the issue of 'Children in migration'.

The issue of the status of children arose, and its great impact on the services that children are able to access, and how these services are delivered by States, or NGOs filling the void. Many NGOs reported that a key area of work was status resolution of children risking discrimination because of their legal situation, as this is critical for the children's well-being and full integration. In this process, NGOs working on procedural issues find that procedures are very often too lengthy and that they are not accompanied by sufficient legal aid, putting the children's wellbeing at risk. This is particularly true during the transition of children to adulthood, when at the age of 18 a sudden loss of services previously available is accompanied by limited and unclear possibilities for continuing their regular residence and/or regularising their status. Moreover, this lack of clarity carried the risk of the 'best interests of the child' being misunderstood and/or misused as a 'box-ticking' exercise used to justify decisions to detain children or deport them to their country of origin.

To tackle these key challenges, civil society representatives in this workshop flagged up various successful policies and practices across Europe. To mitigate the issue of unclear information and assistance, various NGOs across Europe have put in place helpdesks and helpline services. They also provide information through individual case management, trying to help resolve status issues, also referring cases to the appropriate services and thus enhancing coordination of all actors involved. Legal assistance is also provided, especially in those cases where systematic rights violation has occurred or where there could be a case for strategic litigation. This level of assistance and close contact with various sensitive cases often strengthen the case for strategic lobbying and campaigning with relevant authorities. Useful tools to this end include child rights reports, support for legal immigration and assistance with asylum procedures that often ignore the rights of children or are not properly implemented. NGO reports fill this gap and in many cases have successfully influenced the decisions of migration authorities as part of legal proceedings, as in the case of children or families released from immigration detention and changes in policy on access to shelter for undocumented children.

As the problem of status was identified as a key challenge, the importance of regularisations was discussed. The Portuguese participant reported that all children from the age of three attending school are provided with a regular two-year residence permit, followed by a permanent residence permit. Moreover, parents may be regularised in cases where their children are going to school, ensuring that the best interests of children are more effectively guaranteed.

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Together with procedural assistance, participants reported a high level of activity from civil society organisations in Early Childhood, Education and Care (ECEC) and day care for migrant children that needed further support from national and EU authorities. Through this, support is provided to families and single mothers, allowing them to work while their children are being taken care of. Such services offered by NGOs are the only option available for children with an irregular status, providing for meals, regular medical care and easier integration into the school system. Assistance with medical care is of particular importance, and NGOs reported that it is essential to provide migrant children and families with medical records. By so doing, they are able to keep track and compile a file enabling these individuals to receive appropriate care from health professionals wherever they are, thus, for example, avoiding duplication of vaccinations and medications.

Having identified the main key challenges, and having discussed the good practices currently in use that mitigate these issues for families and children, participants in the workshops identified three sets of recommendations: for national governments, EU institutions and all actors working with migrant children.

To governments:

- Equal access to services should be guaranteed for all children, regardless of their legal status. This must include a 'firewall', that is a prohibition on sharing personal data between services and immigration authorities.
- Clear status determination procedures and permanent mechanisms/ pathways to securing residence status for migrant children on various grounds (e.g. length of residence, BID). The status should be stable, provide equal rights and family reunification.
- Implementation by all parts of government of the legal framework providing rights to all migrant children, as well as policies and procedures in place for migrant children.
- Provide legal aid for all children early intervention leads to positive outcomes for all (better first instance decisions, etc.).
- Provide transitional measures for children reaching the age of majority (status and support services should not end abruptly when children turn 18).

To the EU and Member State governments:

- All immigration and asylum procedures should include formal and robust best interests determination procedures with safeguards.
- Take forward a comprehensive rights-based approach to all migrant children, rather than status based on consideration of the children's rights at every stage of migration and asylum policy development, planning, implementation, funding, monitoring and evaluation.

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To governments and all professionals working with migrant children (including NGOs):

- Develop coordination and cooperation structures (not only ad hoc), including across borders.
- Monitor and evaluate implementation of legislation and policies, and include analysis of child-specific impacts.
- Adopt a more child-friendly and child-centred approach, provide information directly to children (e.g. on their rights and the available/ongoing procedures), listen to their views.

REACTIONS FROM THE INSTITUTIONS

In the final plenary debate, Ms Pyke and Ms López Fernández highlighted the importance of catering for the needs of vulnerable groups. In particular, Ms Pyke urged Member States to develop comprehensive integration strategies that included particular needs of children and their families. Moreover, the director added that more attention should be devoted to gender issues when discussing integration, also in relation to children, given the many issues that single mothers are confronted with.

The discussions and recommendations from the Forum and its specific workshop fed into the preparation of the Commission Communication on the protection of children in migration⁸ issued on 12 April 2017.

WORKSHOP 7: COOPERATION BETWEEN DIFFERENT AUTHORITIES AND LEVELS OF GOVERNANCE

In order to ensure that migrants and refugees have access to the services they require, to ensure their wellbeing as well as a smooth integration process, it is essential for all actors involved, from various levels of governance, to cooperate. This is also due to the fact that the services that may be required vary, and their provision needs a coordinated approach from the different authorities and levels of governance, involved in providing language courses, education, labour market integration, housing, health services, social support services, etc.

This workshop aimed at exploring diverse policy approaches to achieving effective coordination of service provision, and exploring different ways of cooperating between local and regional authorities, NGOs, social partners and public employment services.

Key challenges

One of the main challenges identified was the fact that bureaucracy, across all the cases discussed, is far too complex and slow, with migrants and actors involved in service provision

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having to wait too long for decisions to be taken by competent authorities. This is believed to be due to a substantial lack of cooperation among the different authorities concerned, also worsened by the manifest unwillingness of actors in different governance levels to cooperate.

Best practice examples

Some best practices were discussed in the light of these challenges, so as to build successful models to respond to the recognised challenges.

The Italian government's 'Protection System for Refugees and Asylum Seekers' (SPRAR) was praised as a project that maximises cooperation between central government, municipalities and NGOs, in order to promote integration, ensuring access to services such as language courses, education, labour market integration and psycho-social support.

The Welcome Centre for migrants in the city of Stuttgart was also mentioned as a positive example of coordination, acting as an initial service point for newcomers. In this centre, support for different services is centralised and easily accessible, building on the successful cooperation between different partners and their expertise, including the Foreigner's Office, the Labour Agency, universities and migration counselling services.

Finally, highlighting the positive impact of sharing experiences, the case of Bulgaria was discussed, where cities twin together in order to share their insights and ensure a degree of monitoring of their partner city.

Effective responses to challenges

In planning a successful strategy for integration service provision, it is essential to keep in mind that integration takes place at the local level. For this reason, it is necessary to promote platforms for dialogue between actors involved, so as to jointly identify challenges and develop solutions to be implemented locally.

Together with expanding local cooperation, it is also important to put into practice structured exchanges between different cities and municipalities, ensuring that positive examples can be shared.

One of the most powerful tools for strengthening service provision for integration is the funding provided by the EU. However, it was suggested that in order to maximise its potential, it was important to involve civil society and relevant local actors more effectively in the planning of programme funding.

The EU should also ensure that more countries adopt a national strategy for integration of migrants, given that this important element is still missing in some countries. This has to be developed within the current difficult political discourse on migration, and in order for it to

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emerge successfully, it is necessary for an effective communication strategy to be jointly devised.

Overall, the discussions highlighted how strengthened cooperation between different authorities is an essential condition for effective provision of integration services for migrants. The workshop really focused on how to make the most of what is already present, and develop it further, rather than pushing for a wide range of new and different actions. This could also build on a wealth of very useful handbooks developed across Europe, such as the European Network of Cities for Local Integration Policies for Migrants, Intercultural Cities, Eurocities, and many other examples that offer great examples of experiences across Europe. What is ultimately needed is to tweak ongoing practices so as to strengthen the empowerment of competent actors at each level, making the most of expertise at the local level, given the long-standing experience across Europe of integrating diverse societies.

REACTIONS FROM THE INSTITUTIONS

Reacting to discussions held in this workshop, the two speakers agreed that much more needed to be done in order to ensure an adequate level of coordination across levels of governance. Ms Pyke in particular stated that, whilst integration does take place at the local level, it is essential to ensure that all levels of governance involved coordinated substantially, empowering the local level to act efficiently in integrating migrants. Adding to this Ms López Fernández highlighted the fact that on a daily basis she could appreciate the importance of coordination between different levels, adding that a dialogue between cities is essential. Different cities work with different realities, but share many of the same problems relating to local-level integration, and in order to identify those problems it is essential that experiences are shared on a regular basis. This is also important for central levels of governance to be confronted with local-level problems in order to develop successful and well integrated strategies.

WORKSHOP 8: HOW TO BUILD BRIDGES BETWEEN MIGRANTS AND CITIZENS AND LOCAL COMMUNITIES?

This workshop aimed at promoting concepts and practices that can successfully bring together migrants and local communities, building cohesion, sharing knowledge and promoting the full inclusion into society for all. The examples shared by Lilian Thuram and by the Artemisszió NGO (Hungary), helped to understand the importance of fostering cohesion in diverse societies though intergenerational exchanges, intra-community support and community activities.

Discussions were based on 4 main topics, looking at how to create a network for cooperation, how to create acquaintances, how to celebrate diversity through community activities, and critically, how to ensure adequate funding is provided for carrying these activities out.

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1) Sharing good practices – creating a network for cooperation

The group explored the possibility to set-up a tool (website or database) on NGOs and their good practices in the EU with the aim of learning from each other, developing partnerships and adapting successful programmes on topics related to migration, integration and reception. This is due to the fact that the transmission of this knowledge is a value added that can trigger the creation of a networked solidarity and mutual support.

In order for this to happen, funding is necessary to make all actions properly work and through this the EU institutions should support more civil society initiatives.

2) How to create acquaintance

For the group, developing acquaintance is the first step towards a more inclusive society. This ensures the building of trust of both locals and migrants, easing considerably the integration process and labour market integration. Various activities can help to this regard, like supporting the development of sport teams, and football in particular, the organization of multicultural events for exchange, and awareness raising campaigns. In developing such activities, it was recognized that it is essential to empower migrant-led organisations. Moreover, mentorship programmes between locals and migrants were suggested as successful practices, directly creating strong inter-personal connections between migrants and locals.

3) Celebrating diversity

Celebrating diversity is a crucial part of building strong relations between all members of a diverse society. A way to foster this can be the creation of a long term platform for relationships between migrants and locals. The format of activities could be developed throughout a year calendar, with recurrent events comprising activities with kids and families, food, music, dance and discussion workshops. The funding of such initiatives should be supported by public authorities, but participants from Czech Republic also suggested that it is possible to create such events in a self-funded manner, as they do with a festival that has been taking place for 12 years.

Beyond the issue of funding, it was recognized that it is very important to keep a good cooperation with city councils, as this helps to establish a network of relations and raise awareness in local communities. Through these networks, participants recognized it was easier to recruit and retain volunteers from all different categories of stakeholders, coming also into contact with those sections of local communities more sceptical of migrant inclusion. Migrants should be also included in this process, reaching out to Diaspora groups and including them in the agenda setting and implementation of activities, side by side other minority groups, strengthening cooperation.

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As promising practices, the group presented the engagement of volunteers in refugee camps, reflecting on how they are engaged from the design to the implementation of the initiatives with the target groups (locals and migrants). However, the professional and complex nature of the issues was recognized and valued, stating that always a thorough training on specific sensibilities of the issues at stake regarding the various aspects of integration and diversity should be held.

4) Funding

Finally, the ongoing challenge of ensuring adequate funding for the above mentioned project was once again brought up, as ultimately the investment made will determine the success of these initiatives. Civil society actors, volunteers, stakeholders, cannot count exclusively on solidarity to promote effective results. For public authorities, the return to these investments needs to be understood as the migrants' contribution to the economy in the long-run, greatly enhanced by a smooth integration into society.

REACTIONS FROM THE INSTITUTIONS

The issue of funding was picked up by Belinda Pyke, who recognized this as an essential element of any integration strategy. She also stressed the importance for Member States to organise their national strategies on integration in relation to funding, and added that it is essential that the message that comes across to all European Member States is that the EU, overall, cannot afford not to integrate migrants, and any money spent in this direction should be considered as an investment.

Finally, Ms López Fernández shared the attention laid on the role of volunteers and mentorship programs, building from the successful story of the city of Barcelona. In fact, to ensure the maximum level of integration in the local communities of Barcelona, a register had been established of "buddies", i.e. volunteers who offered to help newcomers find their way, physically and in terms of bureaucracy, in accessing the services they needed.