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# **A HANDBOOK FOR SOCIAL-HEALTH-LEGAL PROFESSIONALS SUPPORTING THE REFUGEES INTEGRATION**

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# CHAPTER 1

## ACKNOWLEDGMENT AND UNDERSTANDING OF THE CULTURAL DIVERSITY OF THE REFUGEES

### Section 1 General reflections on professionalism in the field of forced migration

#### *1. Professional action in the light of discursive construction of the “refugee” category*

Work with refugees normally takes place in a context which is not free of prejudice. The term “refugee”, and thus society’s ideas about refugees, is essentially a product of historical, cultural and political discursive construction<sup>1</sup> (Hall 1994, p.137); and these ideas largely determine every interaction and above all professional interaction with persons described as refugees. The following are some of the key elements in this construction:

**a) *The victim discourse:*** As a consequence of the Second World War, and with reference to the 1951 United Nations Convention on the Status of Refugees, “the refugee” is defined as a person requiring protection and thus to be regarded solely as a “victim”. A set of structural problems (war, political instability, environmental and humanitarian disaster, etc.) was personified, as set out in the UN Refugee Convention and by individual right to asylum. The character of the refugee was thus built purely on “victim status”. The refugee is defined as a victim forced to flee or displaced, as a consequence of a specific reason for fleeing. Individual motivations, active steps on the part of the refugee are negated or ignored, thus setting up an image of refugees that is reduced solely to passivity, and requiring refugees to limit themselves to an existence as victims, in their capacity as “genuine refugees”. That is why manifestations of their capability of action are basically regarded as disturbing or threatening, since they appear to be calling the existing social order into question. A good example of that is the tendency for any manifestation of their own initiative or activity to be regarded as a criminal tendency of a “non-genuine refugee”. So ability to take action is not only disregarded, but is mostly left out of consideration in construction of the concept of a “genuine refugee”. Achille Mbembe talks in this context about “a time when the only valid morality is reduced to an instinct to take pity, to those thousands or tens of thousands of forms of despising people who are concealed behind charitable activity”<sup>2</sup>

Paternalism and victimisation are thus forms of action and modus operandi based on interaction that reduces refugees to their role as victims.

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<sup>1</sup> Stuart Hall (1994): Der Westen und der Rest: Diskurs und Macht. In: Stuart Hall: Rassismus und kulturelle Identität. Hamburg: Argument (Ausgewählte Schriften, 2), p. 137-179.

<sup>2</sup> Achille Mbembe (2014): Kritik der schwarzen Vernunft. Berlin: Suhrkamp, p. 257

**b) The helper and rescuer discourse:** Maintaining the refugee in a victim status is problematic not least because that in itself affirms the concept of a subject in need of help and thus regarded as subordinate. At the same time it permits the discursive construction of the professional or voluntary individual as a rescuer or refugee helper. The construct of refugees as victims is always in a hierarchical relationship with their “rescuers”. This relationship determines a self-image in interaction with refugees, accepted by the majority of society, which has become established in the form of aid today; on the basis of their own dominant position it means that “the recipients of aid cannot attain the subject status of the helpers”<sup>3</sup> because:

“Representation of the subordinate ‘other’ determines the self-image of the modern subject, which is thus also dependent on the existence of those ‘others’ – they are not supposed to speak for themselves, since otherwise that would cause distortion of the established images”<sup>4</sup>

In this hierarchical order of the paradigm of “helping”, one side demonstrates its humanitarian character, confirming its human qualities, while the other side is defined as requiring help, and declared unable to make any contribution<sup>5</sup> “Where people needing help are represented as being incapable of action, as being pitiable victims, that sets up a position of superiority for their helpers”<sup>6</sup>

**c) Criminalisation discourse and the construction of the “non-genuine refugee”:** Again the problematic point is reduction of the reasons for fleeing to turmoil in the countries of origin, firstly because that obscures their global causes and consequently the involvement of the EU recipient countries in these crises; and secondly, it is hardly possible to draw a line between voluntary migration and forced migration, in view of the widespread poverty resulting from globally induced crises (political, economic, ecological, humanitarian, etc.), which deprive people of their livelihoods and so force them to migrate<sup>7</sup>. Finally, differentiating between voluntary and forced migration in the context of refugees generates a division into “genuine” and “non-genuine” refugees – a differentiation with a major influence on the stigmatisation of refugees. The creation of a distinction between desired/undesired refugees has a major influence on the current European management of refugee movements – outwardly by illegalisation of migrant flows, and inwardly by criminalisation of refugees deemed to be “non-genuine”. This categorisation of migration and refugee movements indicates a perspective which conceals the fact that migration policy decisions are largely based on the host countries’ own economic interests.

#### **d) Funding logic and construction of deficits – the assimilation discourse**

One more mechanism, and the last significant one as a determinant in the construct of refugee, is the logic of target group construction and the funding and subsidy logic

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<sup>3</sup> Astrid Messerschmidt (2009): *Weltbilder und Selbstbilder. Bildungsprozesse im Umgang mit Globalisierung, Migration und Zeitgeschichte*. Frankfurt am Main: Brandes & Apsel, p. 49

<sup>4</sup> *Ibid.*, pp.49 et seq.

<sup>5</sup> Cf. *ibid.* pp.51 et seq.

<sup>6</sup> *Ibid.*, p. 52.

<sup>7</sup> Cf. Louis Henri Seukwa (2016): *Flucht und Handlungsfähigkeit, kulturelle Bildung und globale Ungleichheit*. In: Maren Ziese & Caroline Gritschke (Hg.) *Geflüchtete und kulturelle Bildung: Formate und Konzepte für eine neue Praxis*. Bielefeld: transcript Verlag, p. 107-122.

in social work. These factors mean that the “clientele” always has to be shown as having deficits, as a kind of deficient entity.

The social measures, which can thus only be assimilatory and compensatory, are aimed at eliminating these deficits. In this concept, integration can be successful only if the refugees assimilate, because they lack language skills and other basic requirements and key competencies.

The “culture” they bring with them is regarded as a part of the problem, because it is not compatible with that of the host country. This discourse is problematic in several respects. Apart from the inadequate view of the “cultures” that refugees bring with them, the differences are seen in cultural terms. Furthermore, this discourse operates with a generalised understanding of culture, seeing it only as the culture of a country, i.e. the country of origin of the refugee, and neglecting all other categories of social differentiation, such as milieu, gender, religion, sexual orientation, age, etc. But in fact it has been clearly demonstrated by research that refugees and asylum seekers are equipped with a wide range of competencies acquired in formal, non-formal and informal educational contexts, due to their primary and sometimes also secondary socialisation in various contexts in their countries of origin and due to their transnational biographies and experience gained in the course of fleeing<sup>8</sup> They have acquired transnational experience while fleeing, often under extremely adverse conditions, and this is to be regarded as a biographical resource, giving them resilience and the ability to cope with a wide range of challenges.

In fact refugees, like all other human beings, are individuals with skills, strengths and resources which open up individual development capabilities to them, and provide the basis for any meaningful developmental work.

Naturally some refugees have special needs for support, for example in coping with traumas, but we should not generalise these.

## ***2. Reflective professionalism in work with refugees***

The discursive refugee constructs described above create barriers to understanding; it is necessary to overcome these in order to conduct truly professional work with refugees. Professionalism requires not only ongoing deconstruction of the existing and dominant knowledge in the worker’s own field, but also constant questioning of his or her own motivation for action. This can be achieved by means of reflective professionalism<sup>9</sup>.

A core concern of reflective professionalism is to examine the interrelationships between different forms of knowledge and action in professionalised practice, and

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<sup>8</sup> Louis Henri Seukwa (2006): *Der Habitus der Überlebenskunst. Zum Verhältnis von Kompetenz und Migration im Spiegel von Flüchtlingsbiografien*. Münster: Waxmann Verlag. Joachim Schroeder & Louis Henri Seukwa (2007): *Flucht Bildung Arbeit. Fallstudien zur beruflichen Qualifizierung von Flüchtlingen*. Karlsruhe: Von Loeper Verlag. Heike Niedrig & Louis Henri Seukwa (2010): *Die Ordnung des Diskurses in der Flüchtlingskonstruktion. Eine postkoloniale Re-Lektüre*. In: „Diskurs“, Zeitschrift für Kindheits- und Jugendforschung, Heft 2-2010, p. 406-418.

<sup>9</sup> Cf. Bernd Dewe (2007): *Reflexive Professionalität als Perspektive moderner Sozialarbeit. Sozialarbeit in Österreich*, Zeitschrift für Soziale Arbeit, Bildung und Politik, 21, p. 22-27.

the structure of professional activity. In view of the historical, political, cultural constructs which have produced a stigmatised figure of the refugee, professionals in refugee work have to develop a high degree of self-reflection.

They need to exercise greater vigilance with respect to the risks of culturalisation of conditions, individualisation of structural problems, a deficit-oriented view of competences that refugees bring with them, and the resulting assimilation coercion, power asymmetry in professional interaction, and the risk of non-solidarity under conditions of global injustice, which is the root cause generating migration flows.

Only if this reflective attitude is taken can disturbance in the professional routine of work with refugees be taken as an opportunity for development in their own practice, under conditions of increased social heterogeneity resulting from migration.

Provided that the reflective approach suggested here is applied, the presence of refugees is a resource for the further development of professionalism in the practice of social workers and social education workers, psychologists, legal representatives and advisers, health workers, etc.

The present Handbook contributes to questioning the existing approaches in the various areas. It is intended to encourage discussion and reflection. Based on analysis of the situation, the living conditions and the respective parameters in five European countries, and based on practical experience, it presents examples, concepts, success factors and obstacles, to help readers in their own reflection, thus enriching practice in various fields of activity.

The diversity of the examples and illustrations, taking account of the respective contextual specifics, contributes to a transnational view and activities in a wide range of areas in refugee work. The focus is on health, social, legal and vocational integration.

## **Section 2 Practical guidelines for legal, social and health professionals**

### **1. Cultural Congruity**

Migration contributed to the richness in diversity of cultures, ethnicities and races. Individuals who migrate experience multiple stresses that can impact their mental well-being, their integration process in the new host societies, including the loss of cultural norms, religious customs, and social support systems, adjustment to a new culture and changes in identity and concept of self. Culture has an important role in the every-day life of the refugees, and cultural differences can impact upon the integration process, in part due to linguistic, religious and social variations.

Refugee people come from diverse cultural backgrounds, many of them with already formed cultural identities. The cultural identity is influenced by various factors both during and after the migration process, and cultural loss is a potential inherent consequence for these people.

Cultural identities interact, as the refugees come into contact not only with people of the majority culture from the host society, but also with other immigrants of both similar and disparate cultures. Resultant feelings of a sense of belonging and comfort or a sense of alienation and distress may occur.

For professionals assisting the refugees as part of the complex integration process, it is important to understand the variety of cultural, racial, ethnic backgrounds that characterize the refugee population. It is important to consider the nature of the society from which the individual has come, and the social characteristics of each particular individual, in determining the individual's degree of accommodation during the integration process.

In this section, as part of the handbook, there are provided several guidelines for professionals working with refugees, or those who would like to become specialized in assisting this target group. The guidelines are based on the particularities of each country (Romania, Belgium, Germany, Spain, Sweden).

## 2. Practical Guidelines from Romania

Following the events that forced a person to leave his/her origin country, in the host state it will start a procedure to obtain refugee protection. Once this status is obtained, it is important that from the very beginning the person to have accurate information regarding the rights and obligations according to the legislation. A perfect understanding of the right and obligation is a relevant aspect, as part of the integration process in the host society. Many times the refugees are not able to speak fluently the language of the host country or another international language and are not able to understand complex terms. The legal professionals (legal counselors, lawyers) who are assisting or would like to assist refugees need to adapt their vocabulary in such manner that the explanations are fully understood by the beneficiaries. Failure to comply with certain rights and obligations may not result automatically from ill-intention, but rather due to the fact the refugees did not received sufficient information to become aware of the importance of those rights and obligations of the consequences that may result in their non-compliance.

**! In order to understand the information it is useful to**

- use simple terms and phrases;
- explain words that may not be understood from the beginning;
- speak slowly
- ask the refugee if he/she understood the explanation.

**! Avoid to**

- use terms and expressions taken *mot-a-mot fully from the law*;
- no explanations of terms;
- speak fast, explain briefly the data.

**Context/situation:** how legal and social professionals should present in a simple manner, explanations to a refugee person on his/her rights



## The rights of a refugee person in Romania

### YES (use short phrases, explain terms, speak slowly)

In Romania all the refugees have rights. The rights are presented in Law no 122/2016 regarding the asylum procedure.

Here are the most important rights:

- To stay in Romania. To obtain residence papers and a travel document.
- To have a job in Romania. To have a work contract.
- To open a business in Romania.
- To obtain social and medical insurance. This way the person who is working is protected, can benefit from social and medical support in case the person gets ill.
- To have access to education, to go to school.
- Practice own religion; educate their children in their own religion.
- Protection of personal data (such as name, address, phone number, image, voice of the person).
- Access to all courts.
- To receive (if the refugee will ask) financial support for several months. The refugee can send the petition to the General Inspectorate for Immigration Asylum and Integration Directorate. This is the competent institution (provide contact data)
- To stay in accommodation centres. They are administered by the General Inspectorate for Immigration Asylum and Integration Directorate.

### NO (use complex terms, long phrases, no explanations of certain terms)

According with Law 122/2006 the beneficiaries of a form of protection have the following rights:

- stay on the territory of Romania and obtain a residence permit and a travel document for crossing the border. The beneficiary of a form of protection shall be assigned a personal numerical code, which shall be mentioned on the residence permit and on the travel document. *No explanation of what is a personal numeric code.*
- be employed by natural or legal persons, engage in unpaid work, exercise liberal professions and carry out legal acts, carry out deeds of commerce, including economic activities independently. *No explanation of what liberal profession and deed or commerce mean.*
- benefit from the most favorable treatment provided by law to foreign citizens in respect of the acquisition of movable and immovable property. *No explanation of what movable and immovable property means.*

**Context/situation:** the refugee is referred to a psychologist for counseling/psychotherapy due to his/her poor mental health. The client accepts to attend a first meeting, but she/he thinks that therapy cannot help him/her in any way because psychotherapy is only useful for insane people.

## Do's

- **Make easy to understand comparisons** - when our body is injured or feels “atypical”, you go to a physician; the same way, when you have a psychological discomfort or wound you go to a psychologist;
- **Address the issues that make your client reluctant to psychotherapy** - In order to undergo a therapeutical process one must be able to think, speak, analyze, be aware of him/herself and the surrounding reality, things which a person suffering from insanity can not do.
- **Focus on the positive attributes one need to go through a therapeutic process** - Going to therapy is actually a very courageous and strong thing to do. That requires strength to explore their own emotional and mental limits and boundaries.
- **Make connection with familiar healing practices** - What methods do you use in your country to overcome/heal a difficulty similar to yours?
- **Normalize the need for psychological support in the current context** - Nowadays, in the Western world, many people ask for psychological help when experiencing emotional difficulties.

## Don'ts

- Explain what psychotherapy is using professional terms - Psychotherapy refers to a range of treatments that can help with mental health problems, emotional challenges, and some psychiatric disorders.
- Ignore the cultural background of your client and lose sight of the fact that in his/her country psychotherapy may not be a common practice.
- Promise that change/healing will certainly happen, just to convince your client to accept psychotherapy;
- Affirm in a categorical way that psychotherapy is the only useful method of treatment.
- Ask your client to make a decision regarding therapy before providing him/her with all the necessary information and discuss all his/her fears concerning the therapeutical process.

**Context/situation:** the refugee undergoes a medical check-up, but the only available physician who can assist him/her is of the opposite gender; according to the refugee's cultural norms and values this situation is inappropriate.

## Do's

- **Show your patient that you are aware of the cultural differences and spend a few minute to talk about that** - I understand that in your country this situation is not desirable. In which situation a person of opposite gender can come close to another one to help?
- **Explain the patient why s/he can not be consulted by a physician of the same gender** - Our specialized team on refugees issues is quite small. My other colleague has a full agenda and you have been scheduled to me because we want you to help you as soon as possible.
- **Tell your patient how the doctor-patient relationship is seen in the Western society** - In our country the doctor treats the patient as a person s/he has to help, regardless of the gender. It is a common practice for patients to be assisted by opposite gender physicians.
- **Tell the patient how the medical consultation will take place and ask permission** - I will need you to lift your shirt and lay on the bed; is that ok for you?
- **Allowing the patient to make an informed decision** - You can choose to quit this consultation and wait for another colleague to be available, but this will take time.

## Don'ts

- Get irritated and rush the patient to follow your instructions because the time is running out and you have other appointments.
- Ask the patient to leave if s/he does not want to be consulted.
- Disrespect his/her cultural values saying that this type of claims are not in accordance with the norms of the modern, civilised society.
- Feel offended if the patient asks for a doctor of the same gender and don't accuse him/her of requesting this because s/he does not trust your professional skills.
- Tell your patient that if s/he refuses this consultation s/he will not be scheduled for another one.

## 2. Practical Guidelines from Belgium

Many researches have proven that forced migration and resettlement have a strong impact on both the host country and the refugee: health, economy, social, etc. While fleeing their countries many refugees have often lost everything: properties, even the loved ones. Fleeing your native land and ending up in a foreign country with another language, other values and system is not easy. Many feel lost and have difficulty adapting to this often abrupt change.

After losing control over the course of their lives, some refugees cling to the few things that give them a sense of security. Among these things, 'cultural identity' can be considered as one of the most important. They cling to the values of their homeland, language, eating habits and their compatriots, an attitude often perceived as a lack of integration by the citizens of the host country. When this perception is maintained, it can cause unnecessary tensions between refugees and local residents. The latter expect refugees to embrace the new society and adopt their way of living. Not doing so can lead to conflict and exclusion. We talk here of unnecessary tension because it's based on false assumptions and incomprehension. They cling to their cultural identity because they don't want to integrate."

By wanting to preserve their identity, refugees do not automatically reject the values of the host society. This is sometimes their only way of coping with a difficult situation. For professionals working with refugees, it is crucial to keep in mind that "refugees are ordinary people in an extraordinary situation". By extraordinary, we mean *out of the ordinary*, a situation of forced migration. It takes time to adapt to a new society, especially for adults who are used to a certain way of life.

**Context/situation:** The refugee is a divorced successful businesswoman and a war breaks out in your country. To be safe your only option is to flee from Europe. After a long and difficult journey you find refuge in a country which in comparison to European standards would be considered as being conservative. For example, as a woman you can't wear trousers nor skirt/dress above your ankle. If that lady likes the "forbidden" clothing, it will take her some time before adapting to this society rule.

**Context/situation:** The refugee is a respected human right activist in your country. Because of your political activities you have to flee your country. You lost all your savings and properties while fleeing. After arriving in your host country, you have difficulties finding a decent housing or work because most people don't trust foreigners. You're considered to be low-class now and have to work as a cleaner in order to survive.

*How would you feel in those situations? Would you throw all your convictions out of the window and embrace the new ones without flinching? After all, the host country offered you a safe place. So why would you even complain? You must be thankful!*

These examples illustrate the difficulties faced by refugees and the many remarks they have to put up with in their daily life. Realizing this would help you see things in perspective and empathize with them.

Culture-sensitive guidance or care is encouraged for various professionals working with refugees. It means that they not remain rigid in their way of work. They put things into perspective in order to understand the refugee and help them better. To be able to do so it is of utmost importance that the professional acknowledges the identity struggle this public is confronted with. In order to do so, you must first be aware of your reference framework and values. How do I stand in life and why do I think, talk and act, the way I do? The answer to these questions will be influenced by many elements, among others: gender, age, education, socio-economic status, personality, life experience and so on. After analyzing your framework, you must realize that this is not the norm for all. You can share some value with others, but you will never agree on everything. Acknowledging this will prevent you from being rigid while dealing with refugees or any other target group. You will be open-minded. This doesn't mean you have to lose yourself and accept everything from or about the other. It is important to develop the ability to listen and to try to understand the other before drawing conclusions based on your own values or existing stereotypes. It also means you accept that the adaptation process of a newcomer takes time and that time should be given to them to find their feet. It is not by forcing your views upon someone that you will create understanding and participation. Many citizens as well as professionals working with refugees are not always in favor of this approach because it's time-consuming and because they expect from the foreigner to adapt and not the other way around. They don't feel the need to understand their values or culture. This is of course not a must in all fields of work. But experience has shown us that taking this step towards the refugee is beneficial for the further collaboration especially if you need to build a trust relationship. Understanding why the refugee acts the way(s) s/he does - through the dialogue or intervention of an intercultural collaborator – will not only reduce existing prejudice and mistrust. It will contribute to effective work. What more could a professional ask for.

Even if this method has proved its effectiveness in different situations, it's important for professionals to keep in mind that working with people is not an exact science. Humans are unpredictable and different, so you can't expect the outcome of your actions to be the same in every situation. Stay flexible and adapt your working methods to the person sitting in front of you.

**Context/situation:** Mr. X and his wife are illiterate. In their homeland they were farmers and didn't have to deal with much paperwork. They need guidance to keep their administration in order. During the conversations, the social worker noticed that although the husband doesn't seem to be as clever as his wife, he claims his position as householder and feels responsible for all administration work.

### Advice for a social worker that would assist a similar case

In this situation two approaches could be envisaged

→ Confront Mr. X with his weaknesses and hand over the responsibility to his wife.

→ Allow Mr. X to remain in charge, and thus having to take over and do everything myself.

The first approach could turn around the trust relation and maybe cause conflict in the couple. But by taking over, the social worker can take away their chance to learn and become independent. So the social worker should choose to adapt. Keep addressing Mr. X, but demand the presence of his wife at each appointment knowing that she would remember everything said by the social worker and would help him if necessary. Considering the situation, this seems to be the best approach.

Culture-sensitive guidance or care is about analyzing the situation, understanding the client and finding the best approach possible. To do so, the specialist needs to communicate with them. This will prevent from making false assumptions and/or from falling into stereotypes.

### 3. Practical Guidelines from Germany

In Germany the Vocational Education and Training (VET) is organized mainly in the "Dual" system. That means there are two coordinated learning venues for each VET- programme:<sup>10</sup>

- (1) Delivering work-based VET is an "In-company training" (70% of VET)
  - Legal basis: training contract
  - Company which trains, pays trainee a "training allowance"
  - Company provides systematic training under real-life working conditions (in-company trainer, up-to-date equipment, etc.)
- (2) Vocational school education (30% of VET)
  - Legal basis: compulsory education law
  - Local government finances public vocational schools (facilities, teachers, etc.)

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<sup>10</sup> See Bundesinstitut für Berufsbildung GOVET Präsentation Berufsbildungssystem Deutschland, Data Sheet - Dual VET in Germany. [https://www.bibb.de/dokumente/pdf/govet\\_datasheet\\_vet\\_en.pdf](https://www.bibb.de/dokumente/pdf/govet_datasheet_vet_en.pdf)

- Vocational schools offer lessons in professional (2/3) and general education (1/3) subjects free of charge

State of the art in policy for refugees and asylum seekers in the regular system:

Language training: “Integration courses” - Asylum applicants and other groups of individuals with good prospects to remain may be admitted to attend an integration course, assuming places are available on the courses (from January 2017 Integration Act [Integrationsgesetz]). There are also programs available (nationwide) for vocational language promotion for migrants and Asylum applicants targeted at the special communicative requirements at the workplace. Advice, training and placement by job-centers: There are special measures and courses for asylum seekers (only for those with good prospects to remain) to promote labor market integration. Transitional system for lateral entrants (16-18 years old) subject to compulsory schooling in Hamburg<sup>11</sup>: There are special courses in vocational schools provided for migrants and asylum applicants where the language of country of origin is not German. These courses take two years for full-time participants.

*Framework regarding access to education and labor market in Germany*

Refugees without a secure right of stay were not included in publicly funded programmes for VET and labour market integration until just over ten years ago. For decades, German asylum and refugee policy was characterised by a substantial degree of exclusion. Due to this xenophobic approach it was important that European programmes gave impact. Since 2002, a slow process of paradigm shift has been taking place on the part of government, with respect of the participation of this group in education and the labor market as well as a change of climate among the civil society and on policy level in general.

Refugees and asylum seekers without a secure right to stay have to deal with big challenges because they have had a long-term exclusion from education and training and from the labour market. Or this refers to those refugees who have so far had considerably restricted rights due to their status (asylum seekers, who are currently in the asylum process or tolerated persons with a toleration – and their deportation in their country could take place). That can also mean that they lose their employability because they cannot use the skills and qualifications which they brought with them from their countries of origin. In order to assist the regular system in education and labour market activities and programmes by the labour administration, there are some good practices which can be highlighted:

- In Hamburg, networks have been implemented in various funding streams since 2002, which are financed by the Federal Ministry of Labor and Social Affairs and the City of Hamburg as well as by the European Social Fund. A total of 10 organisations with 12 sub-projects which are coordinated by passage have a

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<sup>11</sup> Hamburg is a federal state. The educational policies of the 16 states are independent, so that are different schooling concepts for education of young refugees from one state to another.

wide range of experience in counselling, coaching, qualification and placement of refugees and asylum seekers. The programmes are free of charge for participants.<sup>12</sup> The Hamburg-based network FLUCHTort Hamburg is one of 41 networks across the entire federal territory which currently supports the professional integration of young and adult refugees and asylum seekers.<sup>13</sup>

- The network formation is an innovative instrument to overcome hurdles for disadvantage persons on the labour market. Why is that happening? The effectiveness of individual integration measures for refugees and asylum seekers can be increased by conducting them in a networked way. Precisely tailored, needs-oriented support principles are used to ensure easy-access opportunities for participants and a flexible concept. The arrangement of various sub-projects in a project group permits implementation of an integrated action approach. The coordination of the individual makes it possible to harmonise the individual measures with one another, giving a wider range with better prospects of success for all the measures. The organisations close to the refugees and the organisations close to the companies and the labour market have mutually related programmes to ensure access to the courses, and a modular system of entry to qualification and placement programmes at a higher level of qualification.
- In addition to cooperation with various strategic partners (Authorities from Ministries, Laboratory Agencies, Chambers and NGOs), cooperation with companies is an important focus in network activities. FLUCHTort Hamburg has built up an extensive pool of more than 200 business contacts over many years of practical experience, which can be used for placement in internships, training and employment.

Context/situation: how legal and social professionals should present in a simple manner, explanations to a refugee on how to access the labor market

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<sup>12</sup> See [www.fluchtort-hamburg.de](http://www.fluchtort-hamburg.de)

<sup>13</sup> Under the name of FLUCHTort Hamburg, the networks FLUCHTort Hamburg 5.0 (funded on federal level) and chances at the FLUCHTort Hamburg (funded by the city of Hamburg) are currently operating.



## The rights and hurdles regarding access to the labor market in Germany

### YES (short phrases, explain terms)

In Germany, the guarantee of life support for refugees takes place through a special law - the Asylum Seekers' Benefits Act. As long as they receive these basic benefits from the social services, they have no access to the services of the Job-centre.

If the asylum procedure has not been finished you have the right to get vocational guidance by the labour agency.

An examination by labor agency/aliens department will take place with regard to the conditions of workplace (standard wage!) (from 16 months)

You have unrestricted access to labor market after 4 years.

The access to vocational education (in companies = dual system) for young refugees is possible from the first day of stay

### NO (complex terms, long phrases, no explanations of some terms)

After entry the country: prohibition of employment in the first 3 months

Many of those who come to Germany are not granted asylum. Without recognition, refugees are required to leave the country again. Many of them get 'tolerated' status (limited leave to stay, subject to review), because deportation is not possible on humanitarian grounds. But this 'Duldung' [toleration] does not give them a right to residence, it is only a time-limited suspension of the deportation of a person who cannot leave the country. Due to this background, access to education and training services is made more difficult.

If the asylum procedure is not finished or you have the status of "tolerated" person, you need a work permit in order to get access to vocational education or to the labor market.

You do have restricted access to language courses if your countries of origin do not have a "good perspective of stay". Access to integration courses are possible only for refugees from Iran, Irak, Syria, Eritrea or Somalia.

**Context/situation:** Vocational Education and Training - Companies are important learning venues in Germany

Through practice and vocational training research, it has long been proven that enterprises are particularly suited for practical pre-employment qualification and increase the opportunities for integration, especially for disadvantaged young people, into the regular labor market or vocational training<sup>14</sup>. Practical work in an operational context makes it possible to approach and grow into the normality of company structures. They also learn the skills to cooperate with other employees in concrete

<sup>14</sup> Christa Oberth; Beate Zeller; Ursula Krings. (2006): LERNORT BETRIEB. Berufliche Qualifizierung von benachteiligten Jugendlichen. Methodische Ansätze für Ausbilder und Ausbilderinnen. Eine Expertise. Bonn: Bundesinstitut für Berufsbildung.

working situations and, in particular, offer young refugees the opportunity to gain an insight into the labor market of the host country and to present themselves to the company with their already acquired and often hidden skills. As a result, the prospect of a possible take-over into an education or employment relationship may be particularly relevant to those young refugees who have had to interrupt their educational careers due to migration and / or have no formal certificates of education from their countries of origin and thus have poorer start-up opportunities. At the same time, the training instructors in companies are facing considerable challenges, especially when young refugees are participating in the learning venue, who do not have yet sufficient German language skills and who are an alien target group for the training staff.<sup>15</sup>

Do's	Don'ts
<ul style="list-style-type: none"> <li>• Look for the legal framework regarding access to VET and also to internship very carefully otherwise both (employers and asylum seekers) could struggle with law. Realise different legal status of beneficiaries.</li> <li>• In order to realise a realistic experience on the German labour market try to motivate you clients to start with an internship in a company.</li> <li>• Start with a training in order to empower refugees and asylum seekers creating a application for employment and a relevant CV.</li> <li>• Use a checklist in order to aquire places for internships or vocational training, aks questions like this:</li> <li>• Are there sufficient occasions for reasonable and serious work in the company?</li> <li>• Do refugees have access to operating systems, new media, modern technologies etc. at work?</li> <li>• Is there sufficient guidance staff with adequate time resources to advise on the development, implementation and reflection of work and learning tasks?</li> <li>• Is it assured that the refugees receive a meaningful assessment in written form?</li> </ul>	<ul style="list-style-type: none"> <li>• Do not raise any false expectations about the procedures to get a work permit and problems with the alient administration in order to start with a training in a company.</li> <li>• Do not focus only on the deficits of the refugees and asylum seekers (not enough language etc.), don't forget to stress also the capability, motivation and needs to welcome him/her in a real world of work.</li> <li>• Do not equalize problems and needs of refugees as a whole. Do not increase cut and dried opinions existing in public discussion and social media regarding xeophobia.</li> </ul>

<sup>15</sup> Maren Gag (2018): Praktika und noch viel mehr... Betriebe als wichtige „Lernbegleiter“ und Bildungsorte. In: Schroeder, Joachim (Hrsg.): Flüchtlinge in der Schule. Vom Krisenmanagement zur nachhaltigen Schulentwicklung. Stuttgart: Verlag W. Kohlhammer. [The book will be published in June 2018]

Context/situation: Mentoring is offering assistance for refugees and asylum seekers in VET

Within the network FLUCHTort Hamburg the “Educational support by mentors” project was set up, bringing refugees together with social work students.

This is about all areas of life that need stabilisation, thus enabling the mentee to continue and complete the training.

This form of support is described in educational science by the term “everyday support”. That makes it possible to get far reaching insights into the life situation of refugees, which is characterised by fear of deportation, poor housing and living conditions, lack of orientation, and discrimination. Mentoring makes it possible to get an overview of this life situation as a whole in the course of time, and thus permits an appropriate response.

What happens then in mentoring may vary widely – it could be support at school, reflections on their own religion, accompanying them to a court hearing, going to a cinema together, or holding a joint discussion with the training instructor.

This is about a contact which may be but is not required to encompass all issues in life, and which does not impose anyone else’s views.

All the activities of the mentors vis-à-vis third parties are effected in consultation with the mentee, and there is a duty of confidentiality, in order to create a basis of trust. The mentees feel safe with this form of support, as they have someone to talk to about all their concerns, and do not have to go and seek out the right source of advice.

This contact also gives them an insight into the life of a German, or of someone who was born here (many of the mentors have a migration background themselves), and in some cases this is their only contact with a “German” person. This intensive contact also gives them an insight into the life of a student, and may thus open up ideas for their own future.

#### **4. Practical Guidelines from Spain**

The absence of an implementing regulation for Law 12/2009 on the rights of asylum and subsidiary protection is one of the major legal impediments for the socio-economic integration of asylum seekers and refugees in Spain. In addition at the time the present study drew to a close, neither Asylum procedures Directive

2013/32/EU nor Reception Conditions Directive 2013/33/EU had yet been incorporated into the Spanish legal system.

**Context/situation:** how legal and social professionals should present in a simple manner, explanations to a refugee his/her rights

## The rights of the refugee in Spain

### **YES** (short phrases, explain terms)

You have the right to apply for refugee status at the border, the Asylum and Refugee Office (OAR), and other specialized offices into the Spanish territory.

You have the right to be informed in a language which you understand concerning different questions related to the procedure (so you can require an interpreter)

You have the right to be assisted by a lawyer (free lawyer if you cannot pay him/her)

After six months that your application has been accepted for processing by the Ministry of Interior, you have the right to work (work permit)

You have the right to receive language courses and labour-market orientation

You have the right to access the public health care services.

You have the right to receive an official reply for your application after six months. If it is rejected you may appeal to a court against the decision

If you get the refugee status you receive an ID and access to public services (employment, training, social security, social services.) Also, you have right to apply for family reunification

### **NO** (complex terms, long phrases, no explanations of some terms)

You cannot apply for refugee status Spanish Embassy or Consulate

If your application is not accepted for processing (for study) you do not have any rights and you have to leave the country

You have no right for housing

You do not have right to get an employment or any subsidy (you can look for an employment if you have the work permit)

You do not have the right to receive psychological assistance nor dental assistance (both treatments are mainly not covered by public health system which only provide basic services)

**Context/situation:** In Spain, refugees and asylum seekers have the right to work six months after their application has been accepted for processing by the Ministry of Interior, regardless of whether they have a residence permit. During the first six months, namely phase 1 (where they do not have access to labor market) refugees and asylum seekers are expected to attend a programme providing language courses and labor-market orientation are offered, among other services. But the availability and quality of those services have been called into question from several sectors. Usually after this first six months the refugee is not prepared to find a job and this becomes the main objective of the next phase 2, called “integration phase”, theoretically helped by the monitoring of a training and employment specialist. In the third phase (Autonomy phase) occasional assistance and sporadic monetary transfers to round off the integration process are available. However, there are not specialized employment services and during phase 2 and 3 asylum seekers and refugees are mostly mainstreamed into general labor-market support schemes and services already in place for economic immigrants and natives.

Despite the particularly negative labour-market context in Spain, there are some good practices that can be highlighted:

- Some NGOs have employment services focussed on providing individualised and tailored employment plans of action for refugees and asylum seekers. These usually consist in initial screening interviews for assessing the qualifications, skills, and needs of the refugees/migrants
- The outreaching and partnering with employers in order to increase their sensitization can also be identified as a good practice.

**Some suggestions for professionals working on labour integration of refugees and asylum seekers are:**

Do's	Don'ts
<ul style="list-style-type: none"><li>• Ask the person to list all the activities (paid or unpaid) he/she can do and ask him/her to select 2/3 which are the ones he/she does or likes best.</li><li>• Ask the person to describe what kind of jobs or works he/she did in the origin country</li><li>• Ask the person how did he/she learn to do those jobs/works?</li><li>• Ask if the person has any formal studies or academic qualifications...and if he/she has academic documentation or can get it from the origin country.</li><li>• Ask what kind of work would he/she like to do in the host country</li><li>• Ask if the person can speak fluently the language of the host country or he/she needs to improve it...</li><li>• Ask the person about the needs he/she thinks should be covered before to get a job: work permit, more training, other needs...</li><li>• Define together with the person a working plan for getting a job, but transmitting him/her that he/she will have supporting points and small goals that can be achieved...</li></ul>	<ul style="list-style-type: none"><li>• Do not treat the person as if he had no chance of finding a job, had no skills or needed to learn everything in the host country.</li><li>• Do not raise any false expectations. Finding a suitable job is difficult and usually a slow process. To find a job he/she will need to "fight" and concentrate efforts and time, but this thing is possible</li><li>• Do not blame the person for being unemployed. If he/she does not find a job it is because there are few available jobs and / or because the support services are often not appropriate</li><li>• Do not focus the employment search as a solitary road, which depends only on the person. He/she must look for support and networks. The fact that a refugee finds a decent job is the responsibility of the whole society that welcomes him, it is not only his/her responsibility.</li></ul>

**Context/situation: Entrepreneurship** - absorption of the refugees and migrants into the formal labor market depends on whether they are granted work permits and on the restrictions that might be attached to such permits. Also troubles with the recognition of qualifications, language barriers and discrimination are important challenges they have to face. The first consequence is that many refugees and migrants end up working in the informal sector<sup>1</sup> without rights and social protection. This is dramatic particularly in the case of women in domestic work (more than 50% of domestic workers are migrant

**Good practices** detected in the Entrepreneurship area are:

- Self-employment and entrepreneurship orientation services (usually provided by professional associations and NGOs) are helpful by providing technical assistance for creating their own business.
- The existence of particular models of enterprises, more adapted to diversity and participatory management forms like Social Economy (cooperatives) and Work Integration Social Enterprises that includes IEs (Integration Enterprises), mainly the companies regulated by Law 31/2015 which qualifies as IEs those liability companies whose social objective is the integration and employment training of people experiencing social exclusion as a way to access the ordinary employment market.

**Some suggestions for professionals working on entrepreneurship services for refugees and asylum seekers are:**

**Do's**

- Ask if the person would be interested in creating his/her own business.... if yes you can ask:
- Did you run any kind of business in your country. Which one? how did it work? what happened at the end? .... TRY to get all the information about past experiences (activity sector, business organization, people involved, financial resources, reasons for business termination....) All the information will be useful to analyze the entrepreneurship profile of the person
- Do you have any idea about what type of business you could develop in this country (the reception country): sector/activity, which consumers-users would be interested in your business, how much money would your business need to be launched... TRY to write with the person a first list of needs
- Try to define with the person which type of unmet needs could be covered: financial needs, training needs, legal requirements....
- You should have prepared useful information related to available resources for entrepreneurship in your local environment (public / private services for supporting entrepreneurs...)

**Don'ts**

- Do not provide any formal information (legal, financial...) if you are not sure about the reliability of data... Is it better to refer the person to the proper services
- Do not raise any false expectations. To create a new business is not easy even for national people
- Do not establish any working plan for entrepreneurship if you feel the person has basically no chance to develop the business plan



## 5. Practical Guidelines from Sweden

The Swedish Alien Act regulate the asylum procedure and refers to the rights and obligations of persons who benefit from an international form of protection, refugee status or subsidiary protection in Sweden.

Professionals assisting refugees need to adapt their vocabulary in such a manner that the explanations are fully understood by the beneficiaries, as communication with a refugee requires certain ethical guidelines.

In the following example there are outlined some guidelines for meeting and communicating with refugees rights so one can understand and comprehend and also to feel respect<sup>16</sup>. The example will also expose a way of presentation that should be avoided.

### Meeting and communicating with refugees

#### YES

- Show empathy
- Show openness, interest and knowledge about different backgrounds and cultural diversities
- Be patient in all communication
- Show clarity and simplicity
- Show courage, respect and equal treatment

#### NO

- Avoid delivering facts without personal interest and engagement in the situation of the refugee.
- Avoid prejudice
- Avoid impatient communication
- Avoid using difficult language and legal terms without simple explanations.
- Avoid disrespectful and discriminatory behavior

**Context/situation: Social Welfare** - A man from Afghanistan together with his wife and children are granted refugee status in Sweden five years ago. They have received permanent residence permit. The man has started his first job in Sweden, a permanent employment.

<sup>16</sup> For more information regarding general ethical guidelines:  
<http://www.vardegrundsdelegationen.se/media/DenGemensammaVärdegrunden2013.pdf>

After several months of employment, a new child, born in Sweden, is added to the family. A representative for the company speaks with the refugee concerning the future work and continued employment in the company, several months after the baby was born. During this conversation, the refugee tells the representative from the company that a new child is added to the family. Neither the man or his wife knew their rights regarding social welfare, that they could receive financial funding, so called parents allowance in Sweden. The man and his wife were illiterate when they arrived in Sweden and didn't know their rights. This is an example of how difficult it might be for some newcomers to understand the rules and rights in the society if no one inform them. It is an example of how lack of correct information affects the life situation and daily life of many refugees.

### Do's

- **Clarity.** The facts that seem obvious, can be completely unknown for a refugee. Make sure that your client knows his/her rights: "Do you know all the social benefits you have when you are going to have a baby?" Then you can list them one by one.
- **Inform the client of his/her rights.** Make sure that the client understands everything you are explaining. Use a simple language, and you can even ask your client in a kind way to explain to you what you have just explained, to make sure that he or she has understood all your instructions.
- **Give each person the time that he/she needs to solve his or her case.** Giving enough time can make a huge difference, if it is used to find the best alternative for a person and to make sure that the person understands and receives all his or her social benefits.
- **Always be polite and show kind manners.** The client will feel much more free to ask questions if the professional keeps a kind and polite attitude.

### Don'ts

- Do not take for granted that your client knows everything about his or her rights. Even if the refugees have lived in Sweden for a long time, they must receive basic and extensive information about their rights.
- Do not just deliver the information just because it is part of the job. The duty is not just to inform, but to make the refugee understand.
- Do not inform quickly because it usually takes just a couple of minutes to deliver certain facts. Instead, spend the necessary time that is needed and clarify the situation, if necessary.
- Do not overtalk, interrupt or show disrespect to your client.

**Context/situation: Social Welfare** - A man from Afghanistan has recently received refugee status and a permanent residence permit. At a meeting at the social authorities, he is given information about his rights, opportunities and housing. He has a lot of questions about how he can work and be integrated into the new society that he has now become a part of.

The refugee finds it difficult to learn the language and gain access to the Swedish society in general. He finds it difficult to break the barrier between him and the hard-to-reach "new world". He finds himself treated with a skeptical attitude and finds it difficult to contact the Swedish people and feel included in Swedish society. He asks the social secretary at the social authorities for advice on how he can integrate into the Swedish society and how he can receive a job.

### Do's

- **Be clear and realistic about the difficulties of the integration**, but help the client to focus on the possibilities.
- **Show professional responsibility towards the clients in vulnerable situations.** Even though there aren't specific rules or norms on how a person is going to find his or her way in the Swedish society, you can give tips and concrete examples.
- **Make him or her focus on all his or her achievements until now**, and to approach this situation as a new challenge, going step by step; "maybe you will not start working at the job of your dreams in the beginning, but after coming all the way here, I believe you will find something to start with".

### Don'ts

- Do not disrespect his/her cultural values, do not deny the difficulties or the challenges.
- Do not accuse your client of not doing everything that is in his or her hands to integrate.
- Do not insinuate that the client is having too high expectations regarding the job he or she wants to find.

## CHAPTER 2

# ILLUSTRATED CONVERSATIONS OF THE MOST COMMON REFUGEES' CHALLENGES

### FAMILY REUNIFICATION in Romania

REFUGEE



LAWYER



#### Context

A foreign citizen obtained refugee status in Romania. He wants to bring in the host country the rest of family members (wife and minor child).

#### Problem

The refugee does not know the procedure, he tried to obtain information from the competent institution, but the data was too complex and he did not clearly understand that he has to do from a legal point of view. The refugee asks the support of a lawyer.

#### Conversation Refugee - Lawyer

(R): Can you help me to get access to family reunification for my family members (wife and child). Can you please explain the procedure (I do not speak well

Romanian language and didn't understand the previous explanations received from the institution); also I need your assistance at the Immigration Office.

(A): Of course. I will explain you in detail. If there is any specific information you do not understand, please tell let me know and I will come back on them.

You as a refugee can ask asylum for your wife and child (even if ther are not yet in Romania). I will help you write the petition, that you will submit to the Immigration Office. You will have to present documents proving the family relation (for example marriage certificate, birth certificate). The Immigration Office will ask the Romanian Embassy from your country to issue a short visa for your family members. If you want, I can write the petition and we can go together to submit it this week.

*Were my explanations clear, or should I explain some of them again?*

(R): Thank you for the explanation. I understood. But there is still another problem. My family doesn't have any travel documents and it very difficult to obtain them from my country authorities. How can this be resolved?

(A) In this situation, the Romanian Embassy (at Immigration Office request) will issue the travel document and the visa for short stay.

## WORK CONTRACT in Romania

REFUGEE



LAWYER OFFICE



**Context A refugee with a form of protection in Romania concluded a work contract on a limited part-time job.**

**Problem:** The employer did not explain very well to the refugee employee his rights and obligations resulting from such a contract. In this moment the refugee wants to register to attend a IT training course but is not able to obtain the employer permission for a leave to attend the training. The refugee asks assistance from a lawyer specialised in labour law to explain his rights.

### Conversation Refugee - Lawyer

(R): In march 2017, I concluded with X Company a work contract on 1 year (part time 4 hours/day). In September 2017 I would like to attend an IT training course, but the employer does not agree to pay my salary for the days when I will be at attending the training. How can I solve this?

(A): According to the Labour Code, it can be paid or unpaid leave. As employee, you can ask the employer an unpaid leave to attend a few days training. The employer can refuse only if he demonstrates that your absence will badly affect the company's activity. If the employer refuses unreasonably for you to attend this training course and decides on an abusive dismissal, you have the right to act him in court (to sue the employer)

*Are my explanations clear, or shall I explain again some of them?*

(R) Thank you for the information. I will ask unpaid leave.

REFUGEE



PSYCHOLOGIST



**Context A refugee wants to undergo a psychotherapeutic process and need to know more information on how can she/he benefit from free of charge therapy.**

### **Factual information**

The situations in which a refugee can benefit from free of charge therapy are:

- **sessions reimbursed by the National Health Insurance House.** To receive counseling, you must have a health insurance; first you go to your family physician that will send you to a psychiatrist, then the psychiatrist decides whether to send you to a psychologist, in which case you can benefit from three counseling sessions free of charge.
- **sessions provided by psychologists working in NGO's dealing with refugee issues,** within the active projects they implement. In Romania, NGOs are funded only on the basis of the approved projects and there is no budget that allows the activities to continue once the project is completed.



*Refugee:* - So in none of these cases I have the certainty that I will be able to benefit from therapy as long as I need it. What will happen if at the end of the free sessions I still need psychological support?

### **Reflection for specialist!**

If the therapy has reached an advanced stage in which the client has the greatest need for psychological support, but she/he cannot pay anymore for the sessions, what would you do?

- Would you end the therapy?
- Is it ethical? Is it moral?
- What solutions do you have for this situation?

REFUGEE



PHYSICIAN



**Context A refugee wants to register to a family doctor and goes to the chosen specialist to find out more information.**

## ***Factual information***

To enroll with a family physician, the following documents are required: identity document, application form, the proof that she/he is medically insured. The family physician has a contract with the Insurance House, through which she/he provides services to the insured person and is paid by National Health Insurance House (NHIH) for the services provided to the insured persons.

### ***Conversation refugee (R) – family physician (FP)***

R: *How can I obtain a health insurance?*

FD: *The aspects related to the quality of medically insured must be addressed to the NHIH representatives, not to the family physician.*

R: *How can I contact them?*

FD: *You can access the NHIH site and there you will find more information.*

### ***Considerations***

- To a refugee, the people's kindness plays a very important role in their integration process. So even if the health insurance aspects do not fall within the family physician's attributions, s/he may spend some time searching together for the information that the refugee need.
- For a refugee person it is quite difficult to deal with ordinary administrative tasks considering that s/he is in a society that she/he has not yet come to know enough.
- It should be considered that there may be differences in the structure and organization of the medical system in the refugee's home country, so understanding of the host country medical system can be difficult.

REFUGEE



JOB EXPERT





## Preparing a CV- Analysing competences in Spain

### Context & Problem:

**Fautomata is a woman, 37 years old, married with two children (3 and 6 years old), from Guinea Conakry. Resident in Spain with her husband and children**

#### *Curriculum information:*

Her educational level prior to her arrival in Spain is the compulsory education up to the age of 16 and the language of study was French. She worked in her home country as shop assistant and cooker. In addition she worked and keeps working on her family's care needs and domestic chores.

It is noticeable she's got the maturity and responsibility enough to assume the process. She is very conscious of her situation and she is concerned about not finding an employment as soon as possible, although she's aware it won't happen shortly. She is motivated with the process.

#### *Personal goals: Employability process.*

The short-term job search goal is initially focused in working as a household employee. Likewise the person is aware that she is going to need a previously defined training to allow her to have a professional capacitation in order to be integrated in the Spanish labor market with certain warranty of success in an occupation with high demand.

*Personal skills: Employment and formation resources information and job search skills handled by the women.*

In the present moment she doesn't know where to go in order to find a job or to study. She neither has connections able to help her find a job in a company. She's currently working on her C.V., she still has problems with the agenda and the registers.

#### *Personal skills: Job search skills (job interviews included).*

Although she has attended some job interviews in the past they were just a few and were outside Spain so she's not familiar with the Spanish job market's communication skills, besides having language issues and lacks technical language for the occupation.

#### *Job seeking and job market's information handled by women:*

She's unaware of the job market channels for job seeking in Spain. She doesn't know how the Spanish job market actually works from the legal point of view, nor the profiles companies that are more interested in the occupations she has already had in her home country.

#### *Another social situation:*

Other daily life difficulties are found as a possible obstacle for the insertion process. On one hand, childcare and unshared domestic work hampering the

formation, job seek and even the job itself in the case than an offer would come out. On the other hand the absence of a support network able to help her on this upcoming process.

### **Employment Orientation (describing the counselling)**

It is agreed with Fautomata a job searching in the following fields:

- Domiciliary child care and elderly care.
- Domestic employee.
- Office cleaning, neighborhood community, new constructions.

Short and medium term goals:

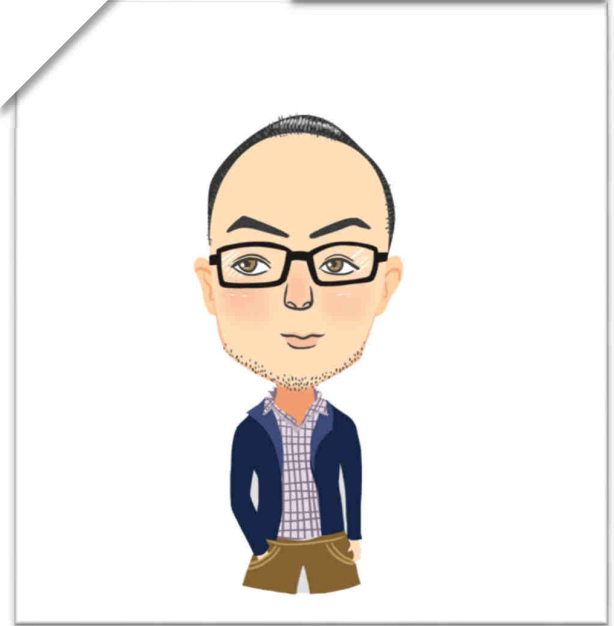
1. Development and management of job searching tools like C.V. and calendar to allow her a direct contact with companies. Individual support from an advisor.
2. Professional training in the field of caring to suit to the job market needs: geriatric nursing, advanced Spanish for foreign people, basic computing skills. She was given specific information about institutions and dates for the formations.
3. Fulfillment of personal development, empowerment and communication workshops to help her build self-esteem and give her the security needed for upcoming actions, thus improving human interactions and expanding her circle of friends. She was given dates and places for those workshops.
4. Attending collective and individual activities. "Active job seeking" to design job search actions on the web. Contacting by phone with rest homes, day care centers for the elderly and domestic employees' lists, preparing the attendance for job interviews.

The social-occupational counseling and personal development service provides dates for the performance of those activities by making-up a personal calendar. She is transferred to other institutions for activities like "advanced Spanish" and "basic computer". Once the formation targets are reached it is agreed to continue with the appropriate individual interviews to keep C.V. and agenda updated and the monitoring and/or appropriate following.

## REFUGEE



## ENTREPRENEUR



## Entrepreneurship in Spain

**Context** M.K. is a Bangladeshi citizen. He has been in Spain since 2013. He is 44 years old. He is an asylum seeker although it has been denied to him. He has a residence permit obtained by settlement for being living in Spain longer than three years.

He's had previous experience as entrepreneur with a kebab restaurant, but he had troubles with his former partner because this one sold the business without consulting him.

He's got experience on different fields. He's worked mainly as a cooker, but he also worked on construction as a bricklayer.

He comes with a lot of anxiety because he's been searching for a commercial premise for two months and he can't find one that suits him. The ones he likes are off his reach for being unable to be up to the required conditions: six months bank guarantee for example. His family is in Spain with him, wife and two children. The woman doesn't work in the job market.

He's been derived from the Social Services who file him under a regional "minimum insertion income" beneficiary. His Spanish level is low.

He came along to Trabe's Entrepreneur Counseling Service with his business partner who speaks good Spanish.

### **Problem**

The reason of their visit is they are looking for a commercial premise in Madrid to start a business and they need help for the search. Up to now he's been searching just walking around and asking. When he makes a phone call asking for a rental many people rejects him or refuses to show him the premises after they realize he's a foreigner.

He doesn't know how to make proper use of internet for the search of the premises and thus he's asking for help.

**Conversation Refugee – Entrepreneurship professional (describe the solution)**

*Business idea:*

He first talked about his business idea, what kind of business he wants to set up. He doesn't know yet if he prefers a greengrocer-food store or a kebab.

Pros and cons for both options were analyzed. In the Kebab's case his previous experience as cooker and owner is an advantage. The disadvantage is that there's a biggest investment required and the local license's demands are more restrictive.

In the case of the grocery store or the food store the excessive offer in Madrid's metropolitan area is a disadvantage but we considered the chance of moving to one of the new neighborhoods flourishing around Madrid where there are less shops.

Considering all the troubles he's having searching for the premises neither any business option were dismissed.

*Business location:*

An internet search for the premises using the most relevant local rent portals was made. The counselor explained to him the terms he is unfamiliar with and gave him good information of about the city. Neighborhoods currently in development and their populations' profile information.

He found some of them interesting so the counselor provided him with the contact information offering help for the phone calls and also offering accompaniment for the appointments in order to improve the landlords' confidence and to provide qualitative information. At the moment he prefers his partner to make the phone calls as she has a good Spanish level.

*Legal and financial issues:*

The counselor suggested him the possibility to work as a cooperative business and he didn't refuse. He's interested and wants to know more about it.

Financial issues: the counselor warned him that some financial resources will be difficult to obtain without providing some information like a business plan. He thinks that given the bank financial difficulties he is going to appeal to his trusted network: family, friends... The counselor pointed him that even within a trust network

it is convenient to write down the agreements and to communicate what it is committed by each one in order to avoid a new negative experience.

*Final counseling:*

- He should improve his Spanish language
- He should improve his computer skills, especially the use of internet.
- He was provided with further information related to cooperative projects and Social and solidarity economy.

REFUGEE



LAWYER



**FAMILY REUNIFICATION in Sweden**

**Context: An unaccompanied minor under the age of 18 has been granted refugee status in Sweden. He wants to bring his parents to his new country.**

**Problem**

The unaccompanied minor does not know the family reunification procedure, he tried to obtain information from the competent institution, the Migration Agency, but the information was too complex and he did not clearly understand what he has to do from a legal point of view. The refugee asks for legal support from a lawyer.

**Conversation Unaccompanied Minor – Lawyer**

(UM): Can you help me obtain access to family reunification for my parents? Can you please explain the procedure?

(L): Yes, I will. The main rule is that a parent who is a citizen of a country outside of the EU who wants to move to Sweden to live with his or her child must apply for a residence permit.

(UM): How can my parents obtain a residence permit?

(L): The first requirement is that you, as a child, must be unmarried and under the age of 18 years. You must have arrived in Sweden without parents or other guardians or have been left by yourself after arriving in Sweden.

(UM): How can my parents apply for a residence permit?

(L): Your parents can apply online from their home country, on the website of the Swedish Migration Agency.<sup>17</sup> In most cases, they will have to pay a fee for the application.

I will write a letter with information to your parents with all the information they need. Please give me the address of your parents and I will send them the letter. Your parents will need to include copies of the pages of their passport proving their personal information, photograph, signature, passport number, passport issuing country, the validity period of the passport-and whether they have permission to live in countries other than the country of origin, documents certifying their reasons for applying for a residence permit in Sweden.

(UM): Thank you very much for your help. I will give you the address of my parents.

## REFUGEE



## LAWYER



<sup>17</sup> <https://www.migrationsverket.se/admextanvandare/?tjanst=ansokangenerell&locale=en>

## FAMILY REUNIFICATION in Sweden

**Context:** An asylum seeker has been granted refugee status and permanent residence permit in Sweden. He wants to bring several family members and siblings to the new home

### Problem

The refugee does not know the family reunification procedure, he tried to obtain information from the competent institution, the Migration Agency, but the information was too complex and he did not clearly understand what he had to do from a legal point of view. The refugee asks for legal support from a lawyer.

### Conversation Refugee – Lawyer

(R): Can you help me obtain access to family reunification for my family members? Can you please explain me the procedure? I do not speak Swedish very well and I did not understand the instructions from the Migration Agency. I will also need your assistance at the Migration Agency.

(L): Of course. I will explain you the legal procedures in detail. If there is certain information you do not understand, please let me know and I will explain you again. The possibility for your family to come and live with you in Sweden depends on what type of residence permit and protection status you have been given. If you have the right to family reunification, you may be covered by what is called a "maintenance requirement".

(R): What does "maintenance requirement" mean?

(L): This means that you must be able to support yourself and your family. You must also have a home of a sufficient size and standards where you can live together when your family moves to Sweden. You need to show that you have regular work-related income that enables you to support yourself and your family members who are applying for residence permits. You also need to prove that you have enough net assets for you and your family members who apply-for residence permits to live on.

(R): Who from my family can join me?

(L): The following are counted as family members: husband, wife, registered partner or cohabiting partner, and your children under the age of 18. Other relatives and children who are under the age of 18 or older cannot join you in Sweden if you have been given a temporary residence permit. If you are under the age of 18, your parents are counted as your closest family. If you have been given a permanent residence permit, the person you plan to marry or cohabit with in Sweden can also apply for a residence permit to join you.

REFUGEE



SOCIAL WORKER



## HOW TO APPLY FOR SWEDISH CITIZENSHIP

**Context: A refugee has been granted permanent residence permit in Sweden and wants to apply for the Swedish citizenship.**

### **Problem**

The refugee does not know the application procedure, he tried to obtain information from the competent institution, the Migration Agency, but the information was too complex and he did not clearly understand what he had to do from a legal point of view. The refugee asks for support from a social worker.

### **Conversation Refugee – Social worker**

(R): Can you please explain me the procedure on how to apply for Swedish citizenship? What are the requirements?

(S): Yes, I will explain the procedure and the requirements. In most cases you must pay a fee for your application for citizenship. You will have to enclose your national passport, travel document or alien's passport in the original. If you have a previously issued passport you must also send the original; if you do not have a national passport, enclose the originals of other identity documents from your country of origin. If you have several documents, number them in the same order in which you entered them in the application form. You should not enclose your and



your children's residence permit card, your Swedish driving license or your Swedish ID card.

To become a Swedish citizen you must:

- be able to prove your identity
- have reached the age of 18
- have a permanent residence permit, a right of residence or residence card in Sweden
- have fulfilled the requirements for the period of residence
- have conducted yourself well in Sweden

(R): Can I include my children in my application?

(L): Yes, you may include your children in your application. If you have unmarried children under the age of 18 who are residents in Sweden they may become Swedish citizens with you if you have sole custody of the child or children, or you have joint custody with the other parent and they have given their consent. You must also enclose the child's passport and a custody decision if you have sole custody of the child and the child was not born in Sweden. If your child has turned 12 years old, he or she must give a written consent to become a Swedish citizen.

# CHAPTER 3

## TRAINING INTEGRATED REFUGEES TO BE CULTURAL MEDIATORS

### Section 1 The intercultural mediator

The intercultural mediator is a professional or a volunteer who acts as a bridge between people of different socio-cultural backgrounds. Cross-cultural interactions often result in conflict because of culturally colored interpretations of each other's behaviors. People naturally interpret or analyze what they see and hear based on their own cultural frame but this that is always is a subjective interpretation and doesn't necessarily coincide with the perception of the other person. A common example is the handshake between man and woman. A western woman might feel offended when an Arabic man refuses to shake hands. She considers this to be condescending, a lack of respect towards her. The reason why she comes to this conclusion is because she analyzes the behavior from a western point of view. After discussing this situation with an intercultural mediator, I realized that not giving a handshake to someone of the opposite sex could have a whole other meaning. It can be motivated by respect because you're not allowed to touch someone's wife or husband if you're not family. Knowing this helped me to put things into perspective.

Another example, perhaps less sensitive, is the place that children have in the household. In some countries, it is quite normal for children to help their parents with the household or even help with their work (for example in a family store). This is considered to be part of their education because children are being prepared for their future tasks as adults. In most European countries children are not expected to help in the household. They play, go to school and can occasionally help out if it is not too much. Even the term 'child' is culture-related.

In the sector of asylum and migration, the intercultural mediator facilitates the exchanges between the refugees and professionals in order to foster integration of every single individual. The role of intercultural mediator is not to be taken lightly given his/her impact on the interaction between people. In order to do a good job – transfer the message correctly and avoid misunderstandings – the person filling this position must first of all know the cultural background of the people he or she works with. By culture we mean the language, the values and norms and subtle principles that may affect the interaction. We must note here that many differences occur between people of a similar cultural background. Social class and education background is equally important when trying to understand the other person in front of you. In the social and health sector, many intercultural mediators have a migration background. This is mostly due to the fact that they master their native language and culture (Arabic, Pashto, Somali, etc.) as well as that of the host country. Knowledge

of language and culture forms the basis of intercultural mediation, but it's far from enough. In order to be effective, other skills must be acquired such as communication skills, social skills, finding balance between distance and proximity, impartiality, professional secrecy etc.

At Caritas International we have more than five years of experience working with intercultural mediators. It started as a small project called "*Peter en Meter*", meaning "godfather and godmother". The project consisted in coupling refugees who had been in Belgium for a long time (>1year with newcomers. Because they themselves have undergone the forced migration and the integration process, they would understand what the newcomer was going through. While helping the newcomer, their experience would also be acknowledged which might lead to a higher sense of utility and self-confidence. They address everyday issues. Such as: the banking system, where and how to do grocery shopping, recycling waste, and so on. But also deal with specific questions such as language courses, administration, energy contracts, housing etc. The *godfather and godmother* worked in pairs with a professional who was responsible for the dossier of the newcomer. S/he managed all aspects of life and ensured the smooth collaboration between refugees. During this project we learned a lot about intercultural mediators, their strengths and weaknesses, difficulties, needs, and so on. The most prominent challenge in this period was that our volunteer mediators were sometimes overwhelmed by the clients. The latter had very high expectations toward them, putting a lot of pressure on them. In order to protect them we began to organize trainings on different topics, among others "how to set limits".

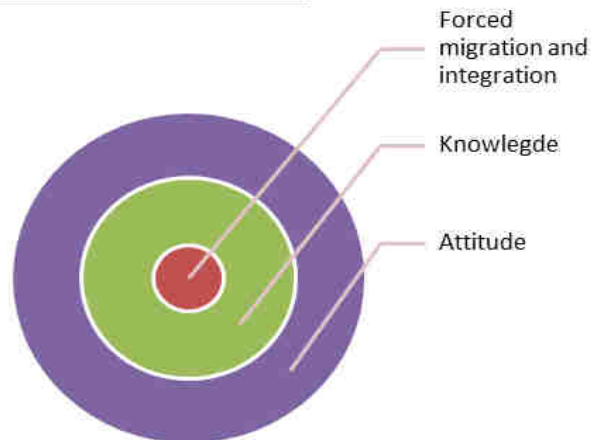
We learned a lot with the project '*peter en meter*', which allowed us to evolve and set up collaboration with professional mediators. Nowadays Caritas employs various intercultural mediators who work in pairs with social workers. Hereafter the profile of the candidates will be discussed as well as the basic training we deemed necessary given their working context. This is obviously influenced by the sector in which intercultural mediator operates.

#### A. The profile of the intercultural mediator

The secret to a successful collaboration with the intercultural mediator starts by finding a good profile. While working with refugees, a group that can be considered vulnerable, it's important to carefully choose your employees.

In Caritas we have made a conscious choice to only recruit people with a migration background for the position of intercultural mediator. A choice mainly motivated by the fact that they are familiar with the realities of refugees. Even though each experience is different, they know what it means to be forced into migration. This gives them an advantage over other candidates. The following elements are important for the profile of an intercultural mediator working with refugees: understanding migration and integration; knowledge and attitude.

## Profile of the intercultural mediator



As mentioned earlier, understanding *migration and integration* is essential for the intercultural mediator. They recognize the refugee's struggle due to the forced migration and steps they must take to integrate into their host country. Understanding of the refugee's background and the expectation of the host country is indispensable in order to facilitate the communication between both cultures. This is the core of our profile.

The requested origin for the intercultural mediator will be determined by the language of the target group with whom we work the most. They don't have to be from the same country. Sometimes we even prefer when the intercultural mediator is not from the same country as the clients (example Palestinian mediator works with Syrian refugees) because it's less likely that they have the same social networks. There is also less chance of emotional transfer while talking about their story and home country.

The second requested component in the profile is *knowledge*: of the mother tongue and values of the refugee, language and standards in the host country. Having a basic knowledge of the local administration is a plus in order for them to be able to inform the refugees correctly. If not they will need an appropriate training.

The third and last component of recruitment concerns the *attitude* of the candidate. Even though they may share a common past of migrating, the intercultural mediator must find a balance between distance and proximity so as not to lose themselves in their personal problems in order to stay professional. They're also expected to adopt a neutral and non-intrusive attitude toward all beneficiaries. It's not their place to impose their point of view but rather to facilitate communication between the two cultures.

Taking into account the fact that intercultural mediators have access to personal and sometimes sensitive information, they are bound to professional secrecy. All they hear and see must remain confidential.

## **Section 2 How to train integrated refugees to become cultural mediators**

Given the diversity in the background of candidates – study, work experience, language, competence, etc. – basic training is important in order to harmonize the profiles of the mediators and prepare them for fieldwork. The content of the training will be determined by the work context in which the intercultural mediator will intervene. Below you will find the overview of topics for training of those working with refugees in a social sector. This is based on the needs expressed by the intercultural mediators themselves and those observed by the social workers.

### **Program:**

#### **1. The general working environment**

For intercultural mediator as well as other professional is it important to know the general framework of the organization they are working in. They have little benefit from a vague description, so this must be clearly and concretely formulated. The existing vision and mission of the organization as well as the internal rules and regulations can be used as a guide to formulate the general framework. It is also important to mention the place of the intercultural mediator in the organization.

#### **2. The work of the intercultural mediator**

“What is expected of him/her?” A detailed job description - with the necessary competences, skills and attitudes - will be addressed here. In this phase the mediator becomes aware of his/her strengths and learns how to deal with his/her weaknesses. The job description is an important work tool for the intercultural mediator and the newcomer s/he will be working with. It relieves the mediator of too much responsibility and tempers the expectation of the client.

#### **3. Communication techniques**

The main task of the intercultural mediator is to facilitate communication between the professional and the client. To do so they must themselves develop some useful communication skills.

Beside the theories, it is crucial to organize workshops or training sessions about different communication techniques to make the mediators feel ready. E.g.: Active listen, targeted communication, assertiveness.



#### **4. Discretion and professional secrecy**

Working with people means that you automatically come into contact with personal information. The sector and organization in which the mediator operates will also determine to what extent he may have access to confidential information. If that's the case, then the discussion on professional secrecy and discretion will be necessary.

Discretion and professional secrecy is the obligation not to release information to persons other than those entitled to take notice in order to protect the client privacy. In some cases their safety depends on it. Confidential information can only be communicated to colleagues and superiors.

### **5. Distance and proximity in relation to the client**

Working with people often requires emotional involvement, which usually leads to empathy. Being compassionate is not a problem, but it becomes so when you as a professional lose yourself into emotions. By doing so you're unable to distance yourself from the situation and think clearly. This is neither beneficial for you, your work nor the client.

Finding a balance between distance and proximity is a learning point for many professional. In the interest of the client and self-care, it is important to pay attention to it.

### **6. Caring for caregivers**

As mentioned earlier, a migration history is a strength for the mediator, but this can also be a weakness. Hearing about the struggle of compatriots or other refugees can be too hard to bear. Sometimes it's as if they relive their own history and pain. It is not unusual for the clients, upon realizing that the mediator is a fellow countryman or refugee, to develop high hopes. They expect them to always be there and to find a solution for all their problems. This puts a lot of pressure on the mediator, who may feel trapped between his job description and the client's expectations.

Organizations and professionals working with intercultural mediators must be aware of this. While working together, they should keep in mind that forced migration is a traumatic experience also for them. Be sensitive when discussing certain topics and pay attention to their well-being. Organizing exchange moments and discussion gives the intercultural mediator the opportunity to express thoughts and feelings. Topics such as stress management, burnout, boundaries, and so on can be addressed here. For some employers this may at first seem a waste of time, but investing in it will contribute to the better functioning of the mediators.

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