European Parliament Simulation

“The refugee crisis as a factor in the raise of Euroscepticism in the E.U.: The integration of refugees in Europe under the aspect of secularism and the defense of human rights in light of EU Charter on fundamental rights”
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1. Introduction to the Topic

Since 2015, Europe is facing one of the biggest migrant crises ever recorded in history. The crisis is a result of the war conducted in Syria, which caused a major influx of migrants in the European territories. Although the Dublin Regulation No. 604/2013 (already established in 1990) claims that each Member State is responsible for examining the criteria for asylum provision, Europe, and more specifically the European Union, sought to be unprepared regarding the arrangement of the issue. Thus, there were not appropriate infrastructure or integration policies to facilitate the procedure. As a result, human rights are being violated and the meaning of secularism is starting to be questioned.

For the aforementioned, Europe has been strictly criticized. The EU Charter of Fundamental Rights has established human dignity, freedom, democracy, equality, the rule of law and respect for human rights values that are embedded in the EU treaties too, yet deaths of hundred immigrants have been recorded during their stay in Europe. What is more, Member States have been criticized for their inability to integrate the immigrants, something that occurs due to the fact that there is no coherent migration policy, meaning that there are not unified policies regarding the integration. Health care, domicile and most importantly education, are sectors that have not been adapted to the new era, that one of immigration. Last but not least, there are disputes and differences between Member States concerning the acceptance rates but also conditions of reception and asylum procedures.

In order for these problems to be tackled, the European Union must stand more united than ever, as the crisis has to do with humans and hence, the protection of human rights, the human dignity and the secularism, a value which Europe has always been a supporter of and was always an example for the rest of the world. It is true though, that this venture is extremely difficult, as immigrants come from different cultures, civilizations and religions, making their integration ever more challenging for the European states. Nevertheless, coherent migration policies, development of the appropriate infrastructure, tolerance, and the ability to remain united are only a few solutions towards the crisis. What is more, countries with underdeveloped asylum systems should rearrange their asylum application procedures and legal and safe routes to Europe should be opened up.

This study guide emphasizes on the crucial matter of integration and its importance regarding the value of secularism and human rights. Moreover, as a second matter, it points out the challenges of integration, opening the debate for solutions towards the topic.
2. The role of the European Parliament

The European parliament is the directly – elected EU and law – making body and it is responsible for the legislative, supervisory and budgetary responsibilities of the EU. It consists of 750 Members (MEPs – Members of the European Parliament) plus the President of the Parliament. The current president is Antonio Tajani.

The European Parliament was establish in 1952, firstly as a Common Assembly of the European Coal and Steel Community and was named European Parliament in 1962, having its first direct elections in 1979. It is located in Strasbourg in France, in Brussels in Belgium and in Luxembourg.

The Parliament has three main roles:

Legislative
- Passing EU laws, together with the Council of the EU, based on European Commission proposals
- Deciding on international agreements
- Deciding on enlargements
- Reviewing the Commission’s work programme and asking it to propose legislation

Supervisory
- Democratic scrutiny of all EU institutions
- Electing the Commission President and approving the Commission as a body. Possibility of voting a motion of censure, obliging the Commission to resign
- Granting discharge, i.e. approving the way EU budgets have been spent
- Examining citizens' petitions and setting up inquiries
- Discussing monetary policy with the European Central Bank
- Questioning Commission and Council
- Election observations

Budgetary
- Establishing the EU budget, together with the Council
- Approving the EU's long-term budget, the "Multiannual Financial Framework"

How does the European Parliament work?

The work of the Parliament is divided in 2 stages:

Committees: The role of the Committees is to prepare legislation. The Parliament consists of 20 committees and two sub-committees and each one is responsible for specific areas of policy. The committees examine

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proposals for legislation, and MEPs and political groups can put forward amendments or propose to reject a bill. These issues are also debated within the political groups.

Plenary sessions: During these sessions, the MEPs give a final vote on the proposed legislation and the proposed amendments. Normally held in Strasbourg for four days a month, but sometimes there are additional sessions in Brussels. These sessions are conducted in order to pass legislation.

The role of MEPs²

The Members of the European Parliament are elected to represent each member state in the European Parliament. They discuss, negotiate and vote up crucial matters of the European Union. They belong to European political parties, depending on their political beliefs. Each European country is represented proportionately to its population, but degressive proportionality is also applied, which means that no country can have fewer than 6 or more than 96 MEPs and the total number cannot exceed 751 (750 plus the President).

The President represents Parliament to other EU institutions and the outside world and gives the final go-ahead to the EU budget.

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3. Integration of Refugees

Primarily, it should be mentioned that integration of refugees is a national competence of the EU Member-States, according to the Article 79 par. 4 of the Treaty of the Functioning of the European Union. However, as refugee flows are increasing and the Member-States face similar challenges, the EU institutions endeavor to establish a common legal framework through which they could finance and provide incentives to the national authorities in order to address the current crisis in the most efficient and coherent manner. The Action Plan on the integration of third country nationals proposed by the European Commission at June 2016 aims at the coordination of the Member-States' actions and policies; it is an all-inclusive plan providing a holistic approach in the integration of refugees.

Contrary to the previous actions in the area, which mainly emphasized on the integration to the labor market and the provision of language courses, the new action plan focuses on 5 main fields of interest:

a) Pre-departure and pre-arrival measures
b) Education
c) Employment and vocational training
d) Access to basic services
e) Active participation and social inclusion

a. Pre-departure and pre-arrival measures

3 The Art. 79 of the TFEU reads as follows: “1. The Union shall develop a common immigration policy aimed at ensuring, at all stages, the efficient management of migration flows, fair treatment of third-country nationals residing legally in Member States, and the prevention of, and enhanced measures to combat, illegal immigration and trafficking in human beings.

2. For the purposes of paragraph 1, the European Parliament and the Council, acting in accordance with the ordinary legislative procedure, shall adopt measures in the following areas:
(a) the conditions of entry and residence, and standards on the issue by Member States of long-term visas and residence permits, including those for the purpose of family reunification;
(b) the definition of the rights of third-country nationals residing legally in a Member State, including the conditions governing freedom of movement and of residence in other Member States;
(c) illegal immigration and unauthorized residence, including removal and repatriation of persons residing without authorization;
(d) combating trafficking in persons, in particular women and children.

3. The Union may conclude agreements with third countries for the readmission to their countries of origin or provenance of third-country nationals who do not or who no longer fulfill the conditions for entry, presence or residence in the territory of one of the Member States.

4. The European Parliament and the Council, acting in accordance with the ordinary legislative procedure, may establish measures to provide incentives and support for the action of Member States with a view to promoting the integration of third-country nationals residing legally in their territories, excluding any harmonization of the laws and regulations of the Member States.

5. This Article shall not affect the right of Member States to determine volumes of admission of third-country nationals coming from third countries to their territory in order to seek work, whether employed or self-employed.”

It is observed that the application of special measures as early as possible is of utmost importance in order to accelerate the integration of refugees. Pre-departure measures could include the provision of language and vocational training as well as information for the country of destination and the designated duties and rights of the refugees who would resettle. At this stage, Member-States are advised to prepare individuals for arrival in the EU, including by appointing Integration Liaison Officers in Embassies in key third countries.

Likewise, pre-arrival measures emphasize on the preparation of the communities to welcome refugees though awareness raising and active involvement of stakeholder so as to combat prejudice against third countries nationals.

b. Education

Except for a fundamental human right, education appears to be the most powerful tool to ensure the full empowerment and participation of refugees into the European Society. Learning destination country’s language is the essential element of achieving communication by the local citizens, whilst knowing about the civilization and daily norms could contribute to the mutual understanding and thus, the social inclusion for refugees.

In this context, apart from the linguistic courses that already take place in many Member-States, European Commission will provide online language assessment and learning through the Erasmus+ online linguistic support. Following, the inclusion of all children to education- in particular unaccompanied minors- with the provision of tailor-made educative opportunities and catch up lessons when necessary is promoted. Special focus is given on the non-formal learning- learning outside school, with the participation in extracurricular activities like sports and youth associations- as it would be the key to fully integrate.

c. Employment and vocational training

Employment is designated as the core of the integration process as it results in the real involvement of the refugees to the economic and social life. However, it is observed that third countries national are often unemployed or underpaid even though they usually are overqualified or over-skilled. The Commission applauds the good practices of many Member-States in order to remove barriers to the access in labor market such as the facilitation of employment offered to the asylum seekers (Germany), the offer of job
opportunities to refugees (e.g. Sweden, Denmark, Finland, Portugal, Estonia) and reaffirms its commitment to fight any kind of discrimination.

Another important step through which integration in labor market could be achieved is the matching of the refugees' (and potential workers') skills which the needs of labor market. This could be completed by the provision of vocational training to the under-skilled refugees. Training and mentoring on how to draft a complete business plan might boost entrepreneurship.

However, the fundamental innovation of the 2016 Action Plan is not other than the revision of the Blue Card scheme as a means of attracting high skilled refugees. Bearing in mind that few of the migrants of the OECD prefer to migrate to EU countries (only 31%), the Blue Card grants a series of benefits for the highly educated refugees that seek asylum in an EU Member States, including but not limited to quicker access to the international protection status for them and their families, aiming at making EU a more appealing destination.

d. Access to basic services

One of the main priorities of the EU institutions not only in addressing the issue of integration by primarily in facing the refugee crisis as a whole is the access to basic service such as housing and healthcare. The need of adequate housing that would come up to both the immediate and the long-term needs of the refugees is underlined, while the provision of healthcare, particularly in the reception centers, by specialized personnel is necessary. Both could be achieved by the active involvement of citizens and Non-Governmental Organizations and the cooperation with European Investment Bank.

e. Active participation and social inclusion

The last field of interest is actually the main goal of integration: the active participation of the displaced people to the European Society. This field aims at the real inclusion of the most vulnerable and marginalized groups such as women, unaccompanied and separated children, trafficking and Gender-Based Violence victims. Commission intends to ensure active participation of refugees by launching EU funded projects promoting: participation in political, social and cultural life and sports; social inclusion through education, training and youth; preventing and combating discrimination, gender-based violence, racism and xenophobia, including hate crime and hate speech, and fostering better understanding between communities, including religious communities.
4. The aspect of secularism in the integration procedure

Secularism is defined as “the principle of separation of the state from religious institutions”\(^5\). As European states are secular and the flows of refugees are coming from deeply religious states, a new aspect of the refugee crisis may arise, the religious one.

First of all, the European societies seem to overemphasize to the religious identity of the beneficiaries of the international protection status rather than their need of help. This means that a vast majority of the European citizens focuses on the fact that the people coming to the continent are Muslims and thus different or even dangerous. In the light of these presumptions, they refuse to help them or even harass them in multiple ways (hate speech, violence, discrimination in the labor market, healthcare, social life).

On the other hand, most of the refugees are coming from a very religious state and are not able to immediately get used to the secular European society. In consequence, they are often being marginalized. Additionally, some faith-based agencies are playing a predominant role in supporting the settled refugees; this may be considered as dangerous as they replace the state and may take advantage of vulnerable people for purposes of conversion.

Nevertheless, the EU institutions fight in order to ensure equality and non-discrimination of all religious groups. The new action plan provides for inclusion for all minorities, including the religious communities. It is important to examine whether the integration procedure could be completed with respect to the religious identity of the refugees. Can they be integrated into the European Society as such or they must discard their religious identity to do so?

5. The protection of human rights during integration; the EU Charter

One of the fundamental values of the European Union is the respect for fundamental rights. The Charter of Fundamental Rights of the European Union (herein “EU Charter”) which came into force as a legally binding document with the Treaty of Lisbon (2009), contains a bill of human rights that must be protected by the EU institutions and the Member-States authorities.

When it comes to the application of the provisions of the EU Charter to the refugees and migrants, a preliminary clarification is needed: there are certain rights to which the displaced people are entitled whether they have obtained the status of international protection or not, as they are fundamental for every human being e.g. the human dignity (Art. 1 of the EU Charter) and the Right to life (Art. 2); on the other hand, the rest of the rights are applicable only to refugees (not to migrants) e.g. citizen's rights (Chapter V of the EU Charter), right to seek a job (Art. 15).

Special attention is to be drawn to the Right to Asylum which is explicitly protected according to the EU Charter. The Article 18 reads as follows:

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“The right to asylum shall be guaranteed with due respect for the rules of the Geneva Convention of 28 July 1951 and the Protocol of 31 January 1967 relating to the status of refugees and in accordance with the Treaty establishing the European Community.”

Other fundamental rights of crucial importance in order to ensure integration are:

- **Freedom of thought, conscience and religion:** “1. Everyone has the right to freedom of thought, conscience and religion. This right includes freedom to change religion or belief and freedom, either alone or in community with others and in public or in private, to manifest religion or belief, in worship, teaching, practice and observance.” (Art. 10)

- **Freedom of expression and information:** “1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers.” (Art. 11)

- **Cultural, religious and linguistic diversity:** “The Union shall respect cultural, religious and linguistic diversity.” (Art. 22)

- **Equality:** “Equality between men and women must be ensured in all areas, including employment, work and pay. The principle of equality shall not prevent the maintenance or adoption of measures providing for specific advantages in favour of the under-represented sex.” (Art. 23)

- **Healthcare:** “Everyone has the right of access to preventive health care and the right to benefit from medical treatment under the conditions established by national laws and practices. A high level of human health protection shall be ensured in the definition and implementation of all Union policies and activities.” (Art. 35)

- **Rights of Children:** “1. Children shall have the right to such protection and care as is necessary for their well-being. They may express their views freely. Such views shall be taken into consideration on matters which concern them in accordance with their age and maturity. 2. In all actions relating to children, whether taken by public authorities or private institutions, the child’s best interests must be a primary consideration. 3. Every child shall have the right to maintain on a regular basis a personal relationship and direct contact with both his or her parents, unless that is contrary to his or her interests.” (Art. 24)

- **Right to an effective remedy and to a fair trial:** “Everyone whose rights and freedoms guaranteed by the law of the Union are violated has the right to an effective remedy before a tribunal in compliance with the conditions laid down in this Article. Everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal previously established by law. Everyone shall have the possibility of being advised, defended and represented. Legal aid shall be made available to those who lack sufficient resources in so far as such aid is necessary to ensure effective access to justice.” (Art. 47)
6. Challenges of Integration

As it has been already mentioned, integration is a very difficult task which comes with serious challenges that the European countries have to encounter. WHATSOEVER, before they tackle the problem, they must recognize two facts: firstly, their so far inability to create policies in order to integrate the ever escalating number of immigrants in Europe, and secondly, that the influx of immigrants has empowered the voices of far-right parties, which are based on the fear and insecurity, to express their extreme perceptions concerning this issue.

The challenges of integration are numerous, yet solvable. The first one is the exclusion. According to a speech given by FRA Director Michael O’Flaherty, during the 3rd European Migration Forum in Brussels on 3 March; “Often [migrants] live and work in the shadows, denied their rights and vulnerable to discrimination, exploitation and marginalization.” Thousands incidents of exploitation or crimes against the immigrants have been published, making the integration even more difficult, as fundamental rights are constantly being violated.

The next big challenge is the education. Many immigrants who come to Europe have no access to education, or some of them, limited. Given the fact, that a high percentage of the immigrants are children, this is a very crucial matter. Moreover, people who immigrate in Europe come from mostly eastern civilizations meaning that they have different history, religion and values. Language learning is the most significant factor in this issue, as it is the first step to feel more integrated, eliminate the marginalization and facilitate the communication between the western and eastern civilization. Adjunctive to the education, is the challenge of employment. It is of high importance to employ the immigrants in order to assist them economically and socially. This will not only help the immigrants themselves, but the economies and the production of the European countries too. This is also a great way to make them more integrated to the countries they live in and to develop relations with the natives.

Last but not least, domicile and health care should be provided to the immigrants, as they come from conditions of war and wretchedness. Domicile will help them live in dignified conditions and make the integration more normal. Health care is also very important, not only for the health of the immigrants, but also for the European citizens and their health which may be in danger due to the possible illnesses that may spread.

These challenges are difficult to be encountered, as they demand the financing of the European countries, in a period where the economic crisis still consists one of the most significant problems for the states. The greatest challenge for the European countries though, is the ability to create coherent policies in order to achieve a normal integration, given the fact that some countries are reluctant to accept immigrants. Concrete proposals should be made and meters should be taken, such as asylum procedures and acceptance rates. But above all, the meaning of secularism and the importance of human rights must be seriously taken into consideration, in order to promote them and to stop violating them.

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7. Questions Raised

1. Under which legal framework does the EU respond to the refugee crisis? Is it binding for the Member-States?
2. How can refugees be integrated in the labor market?
3. What is the role of education during the integration procedure? Are there any special provisions applying to the education of children?
4. In which ways can the active participation of refugees in the European social and economic life be ensured?
5. Could the integration procedure be completed with respect to the religious identity of refugees? How this identity could be protected?
6. Which are the fundamental human rights playing a crucial role in the integration of refugees? How can the EU institutions ensure their protection and promotion?
8. Further Reading


European Web Site on Integration: https://ec.europa.eu/migrant-integration/home


UN High Commissioner for Refugees, Shouting towards the Sky: the role of religious individuals, communities, organizations and institutions in support for refugees and asylum seekers: http://www.unhcr.org/554764b49.pdf
Getting in touch with RESTART Project

ONLINE
Information about the Project is easily accessible on the official website of the Project www.europe-restart.eu

IN PERSON
You can always consult either the Project’ Lead organization I.R.T.E.A. in Greece, Athens during the Project’ activities or the Partnering organizations in the participating countries

ON THE PHONE OR BY MAIL
RESTART Project Team is always at your disposal for any inquiry at the e-mail of the Project europe.restart@gmail.com or by phone at I.R.T.E.A. on +30 2130250217

READ ABOUT
Dissemination material of the Project and further information are easily accessible on the website www.europe-restart.eu while also many useful information about Europe for Citizens Programme can be also retrieved at the website of the European Commission on http://ec.europa.eu/citizenship/europe-for-citizens-programme/

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