

Centre européen  
Robert Schuman  

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Maison de l'Europe  
Scy-Chazelles

# EDUCATIONAL PRACTICE OF HUMAN RIGHTS

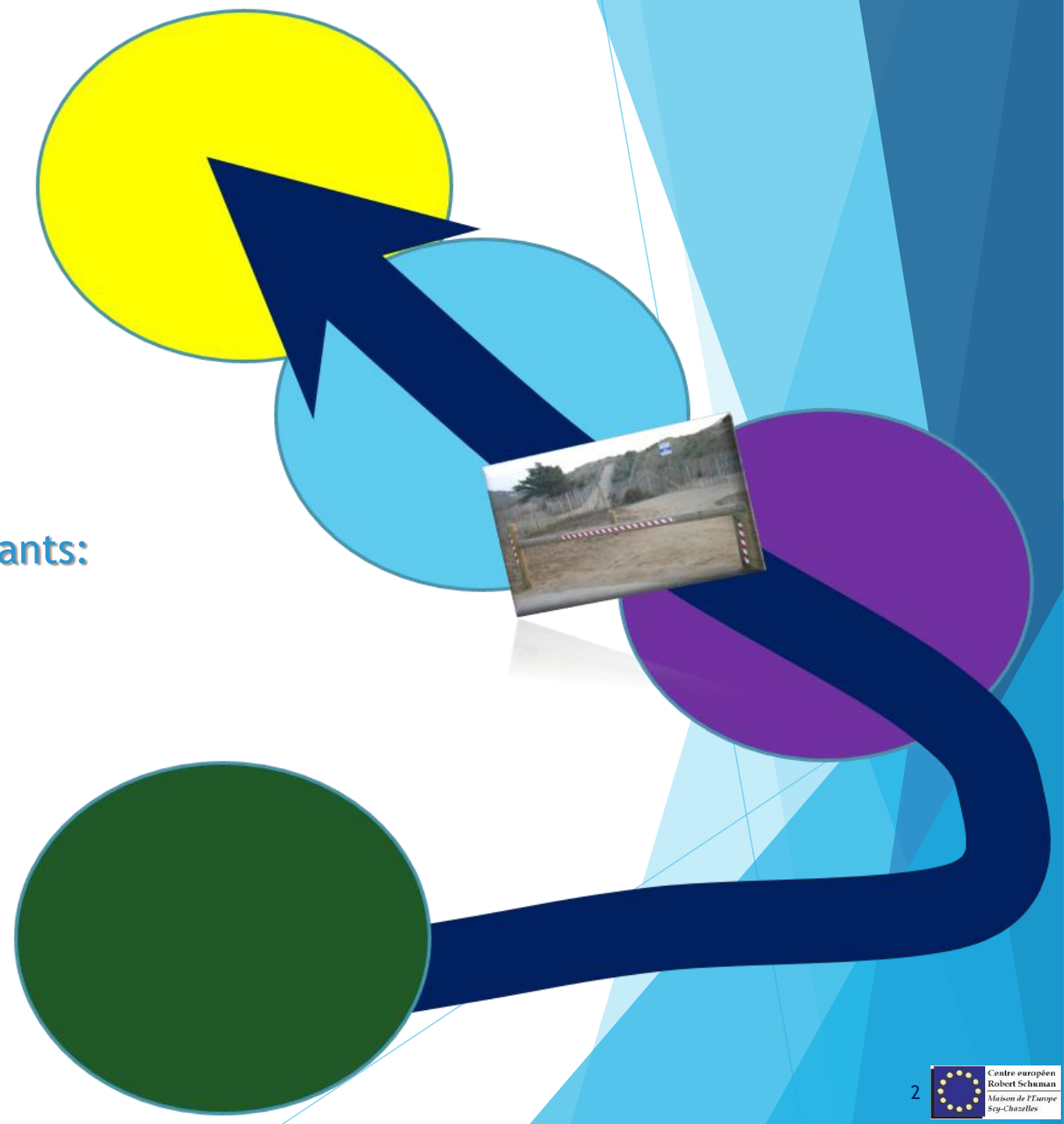
Education for active democratic citizenship

## THE RIGHT OF ASYLUM



# Plan

- ▶ Prologue
- ▶ The protection of the human rights of migrants: instruments and mechanisms
- ▶ Roleplay: MAY I ENTER?
- ▶ Learning through experience





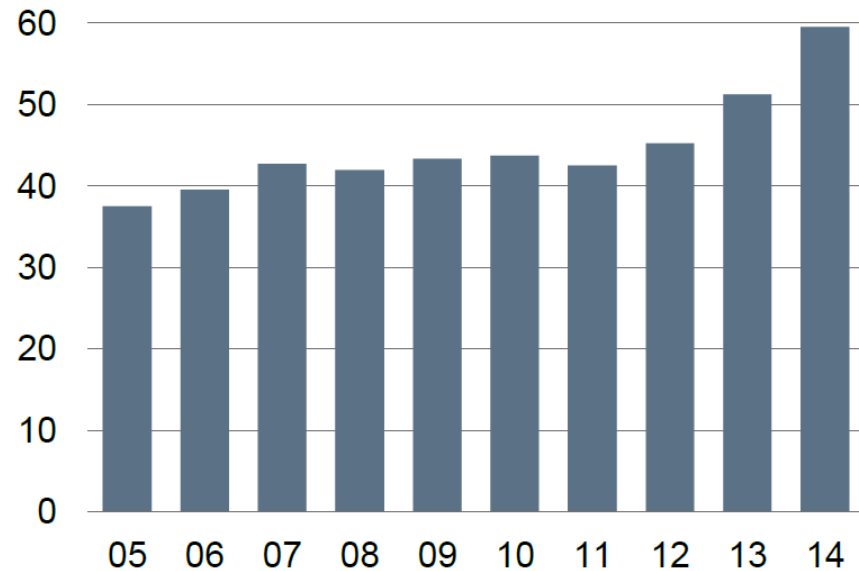
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# Prologue



# Worldwide, more than 60 million people are fleeing

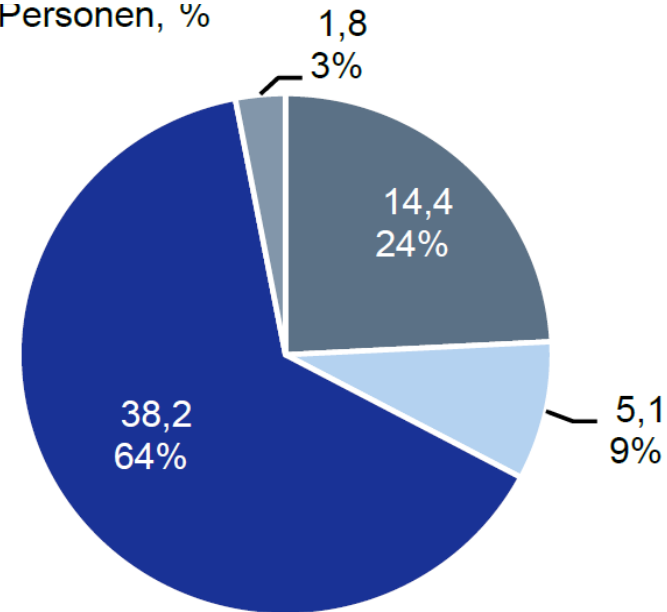
Millionen Personen



Quelle: UNHCR

Around 2/3 flee to other parts of the country

Millionen Personen, %

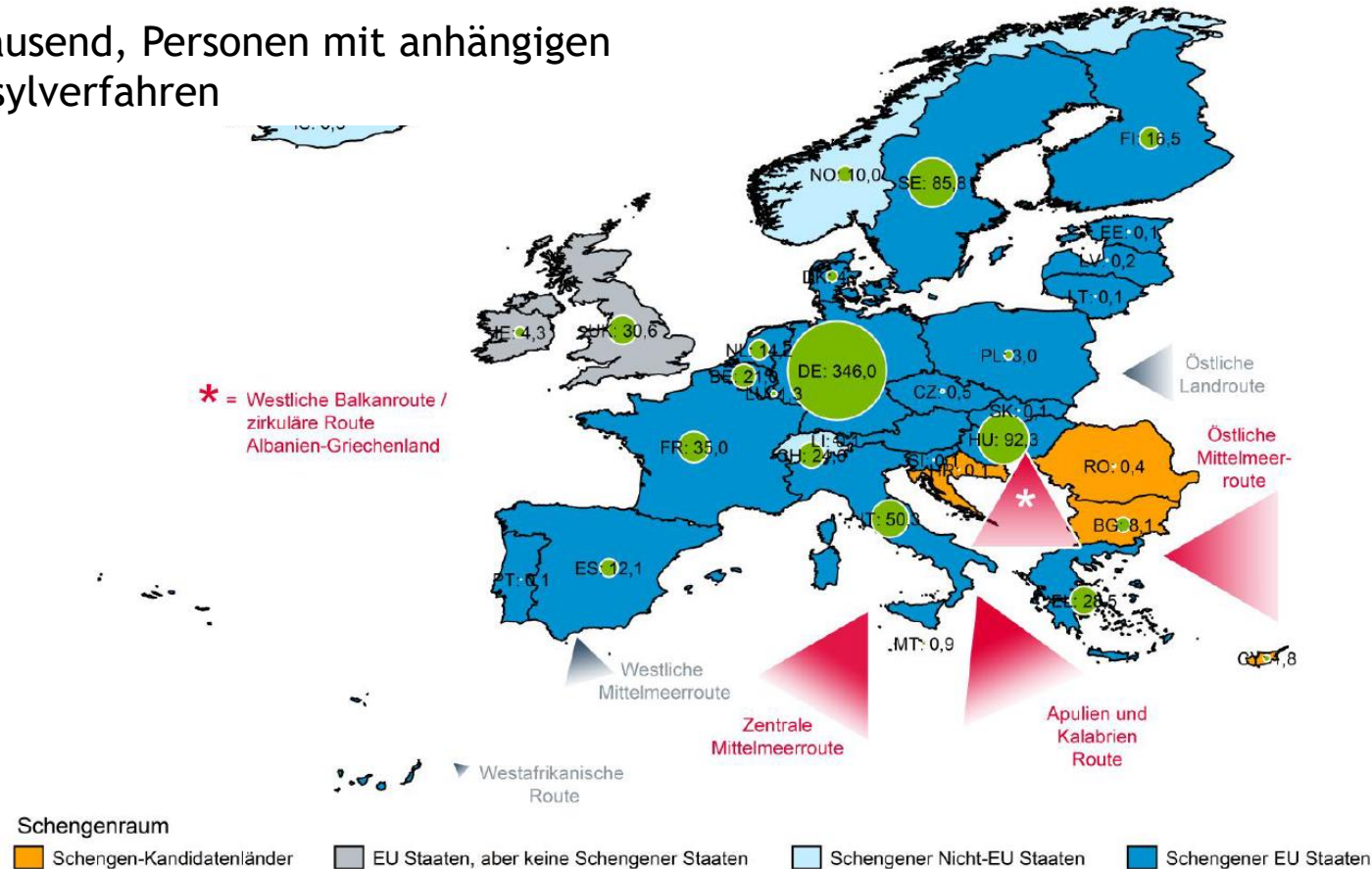


- Flüchtlinge unter UNHCR Mandat
- Palästinensische Flüchtlinge, UNRWA registriert
- Binnenvertriebene
- Asylsuchende



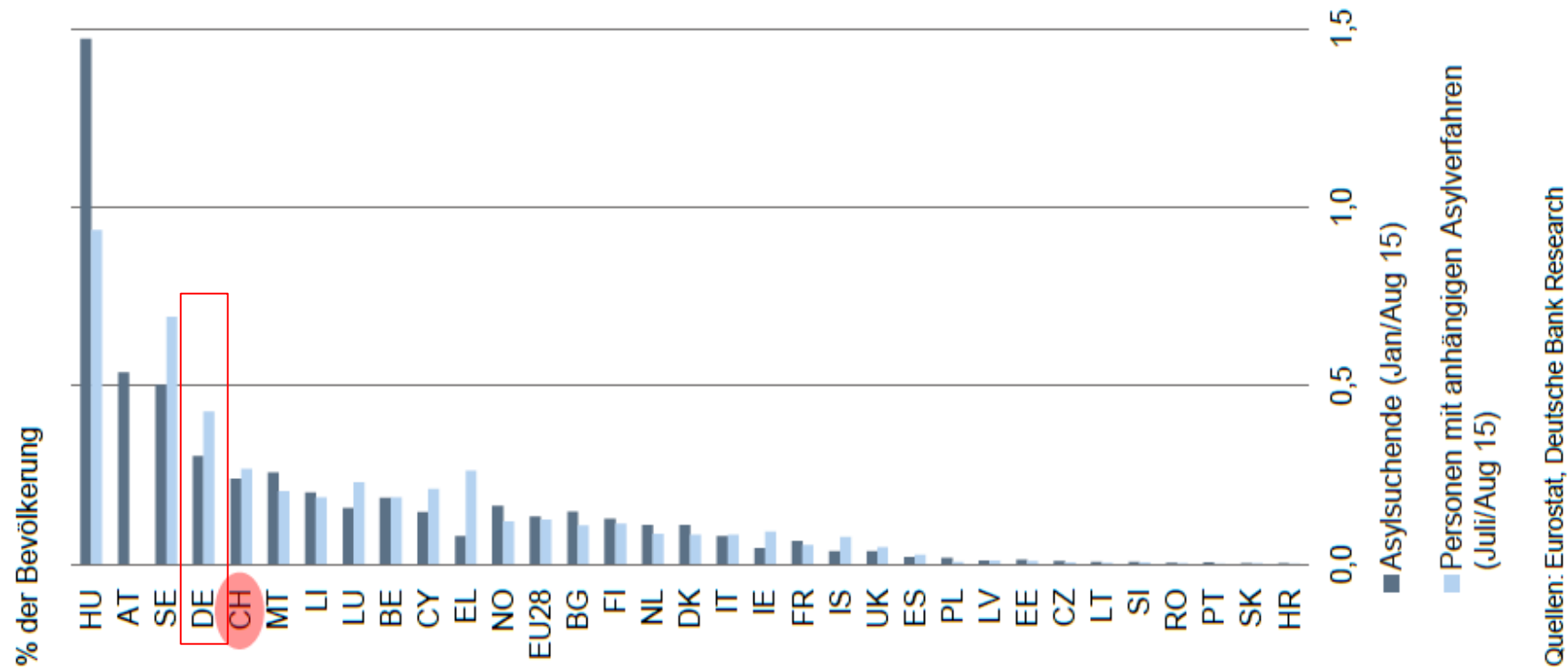
# The influx of refugees in Europe occurs almost entirely through three main routes

Tausend, Personen mit anhängigen  
Asylverfahren



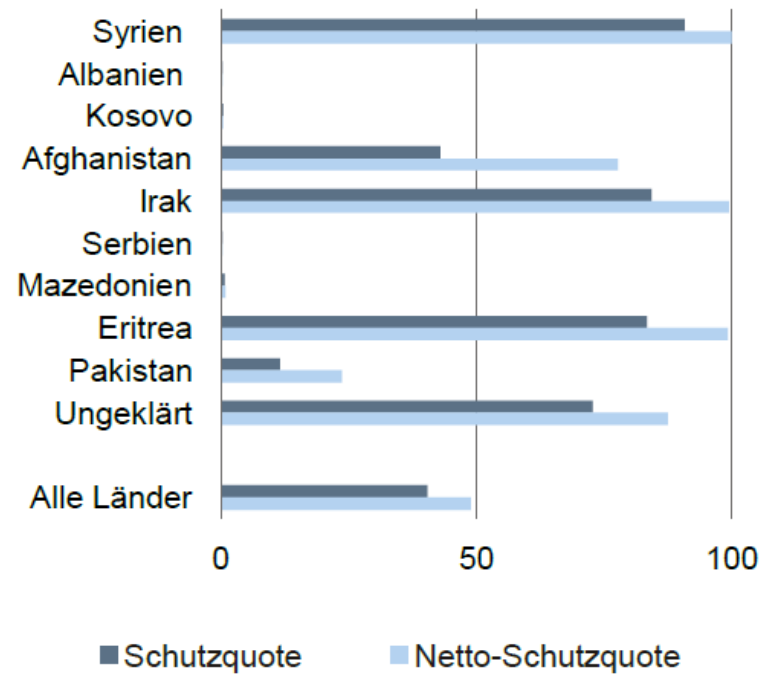
Daten für Juni/Juli/August/September 2015  
Quellen: EUKommission, Frontex, Eurostat, Deutsche Bank Research

# A relatively high proportion of refugees in... Hungary



# Rate of protection of the asylum seekers from the top 10 countries 2015\*

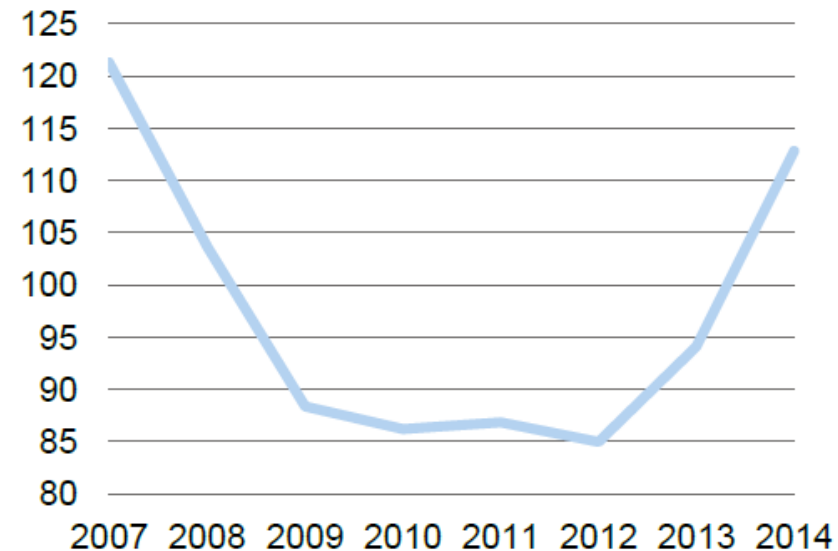
Anteil positiver Entscheidungen an Erstanträgen,  
%



\* Januar - September

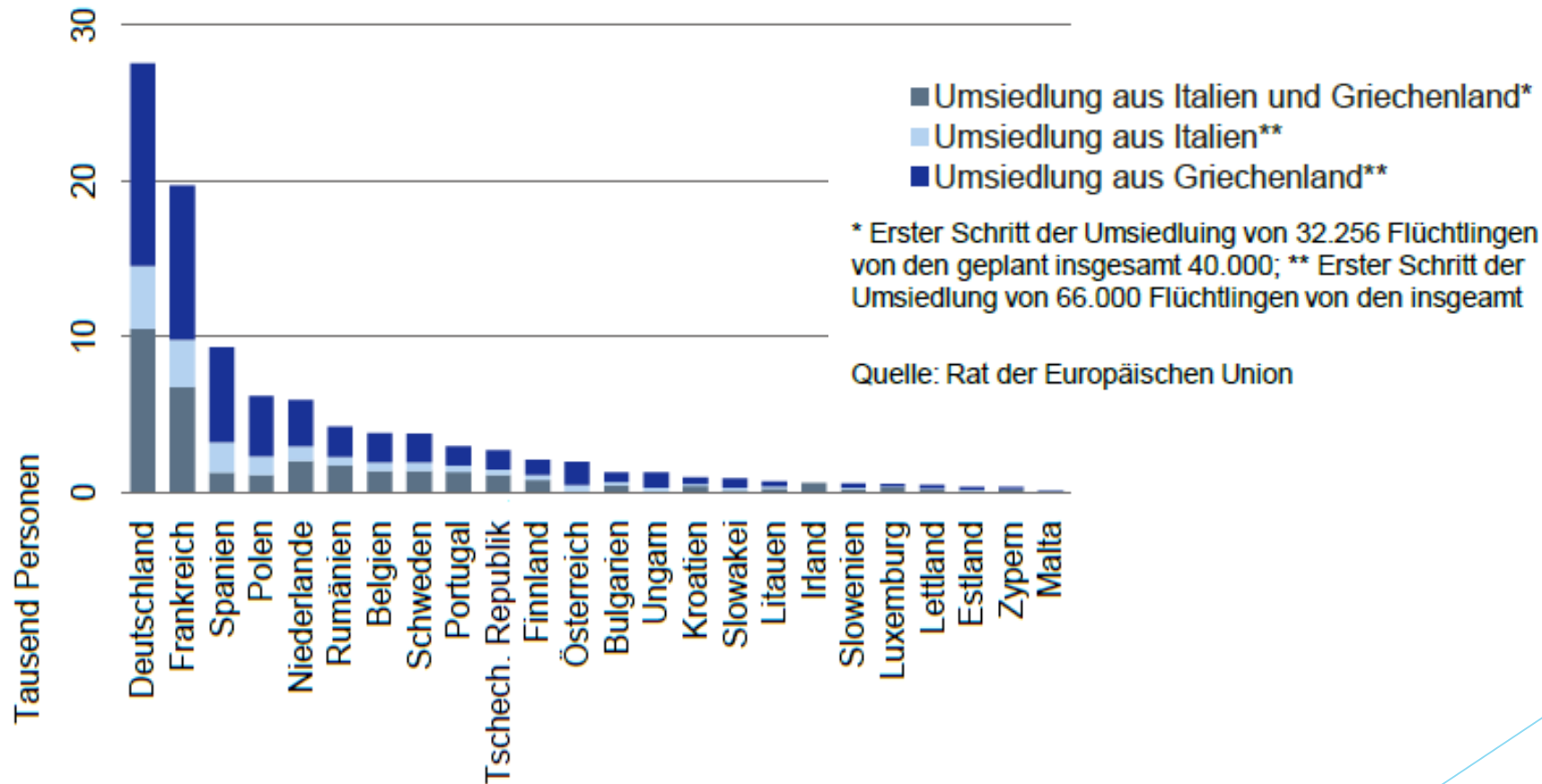
Quellen: BAMF, Deutsche Bank Research

**The number people tolerated in  
Germany coming from third countries,  
entering the EU 28**



Quelle: Statistisches Bundesamt

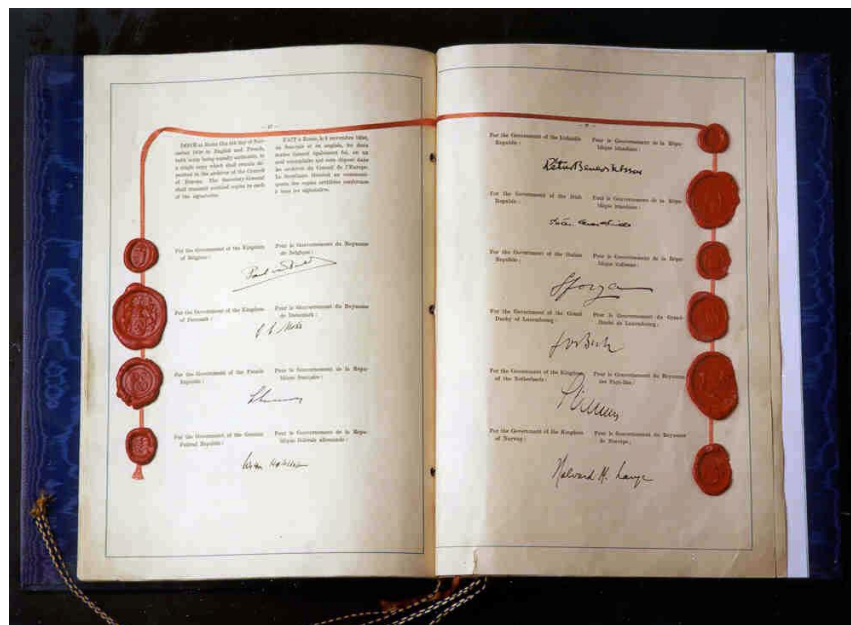
# Agreement of the resettlement of 160.000 refugees



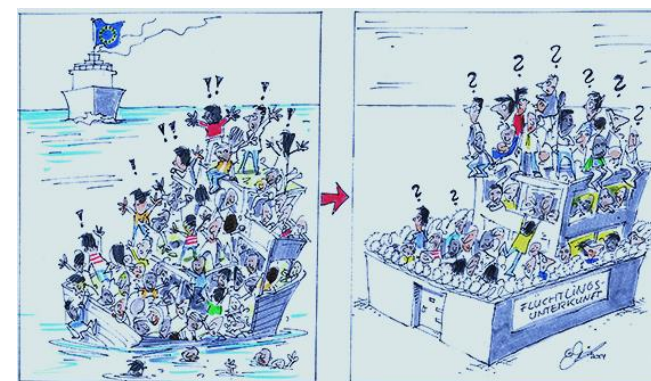
# Young people and migration

- ▶ Young people have always formed a significant part of migrants.
- ▶ However, perspective of the young people is rarely taken into account in national and international debates on migration.
- ▶ But it would be better to understand the needs of young people and recognize their role in the European society.
- ▶ The framework document of The Council of Europe on youth policy, Agenda 2020, pays special attention to the support that must be brought to the youth work, lead towards young people, be they refugees, asylum seekers or displaced people inside their country.





# The protection of the human rights of migrants: international instruments and mechanisms



# The right of asylum: The protection of refugees

- ▶ This right constitutes the base of the Convention relating to the Status of Refugees adopted by the United Nations in 1951, which, together with its 1967 Protocol, has become the universal standard for asylum.
- ▶ This Convention, also known as the **Geneva Convention**, is the centerpiece for the protection of refugees.
  - ▶ It is based on several fundamental principles including non-discrimination, non-penalization and non-refoulement.
    - ▶ The **principle of non-penalization** means that a person, coming from a territory where their life or freedom was threatened on the grounds of his ethnic background, religion, nationality, belonging to a particular social group or his political opinion, and who seeks asylum to the authorities immediately after entering a state that has ratified the Convention, cannot be accused of illegal entry or presence.
    - ▶ The **principle of non-refoulement** means that an asylum seeker cannot be sent back to the borders to territories where his life or freedom would be threatened for the reasons mentioned above.
    - ▶ According to the Convention, the movements of refugees can only be restricted to the necessary extent.

# The right of asylum: The protection of children

- ▶ The children who come alone receive special protection because they are particularly vulnerable to violations of their human rights.
- ▶ The authorities in charge of migration must determine the best interests of the child.
- ▶ The Commissioner for human rights of the European Council has called on the governments to ensure that the views and interests of refugee children are taken into account in the official procedures.

# The migration policy of the European Union (EU)

- ▶ The Schengen agreements (1985, 1990) account for the freedom of movement and the possibility of travelling without limits for **citizens of the member states of the Schengen area** (there are currently 22 member states of the European Union as well as Iceland, Norway, Liechtenstein and Switzerland), who can live, study and work wherever they want.
- ▶ However, though it abolished the old border controls, the EU has adopted a doctrine to protect the external borders of the Schengen area.
- ▶ The EU Member States have developed **a common policy** on migration and asylum.
  - ▶ The **Schengen system**, with its border controls, and the Dublin Convention (1997), with its rules on safe third countries, which facilitates the control and the return of unwanted migrants entering one of the Schengen member states , has caused a decrease in the number of **asylum seekers** and an increase in the number of illegal migrants.



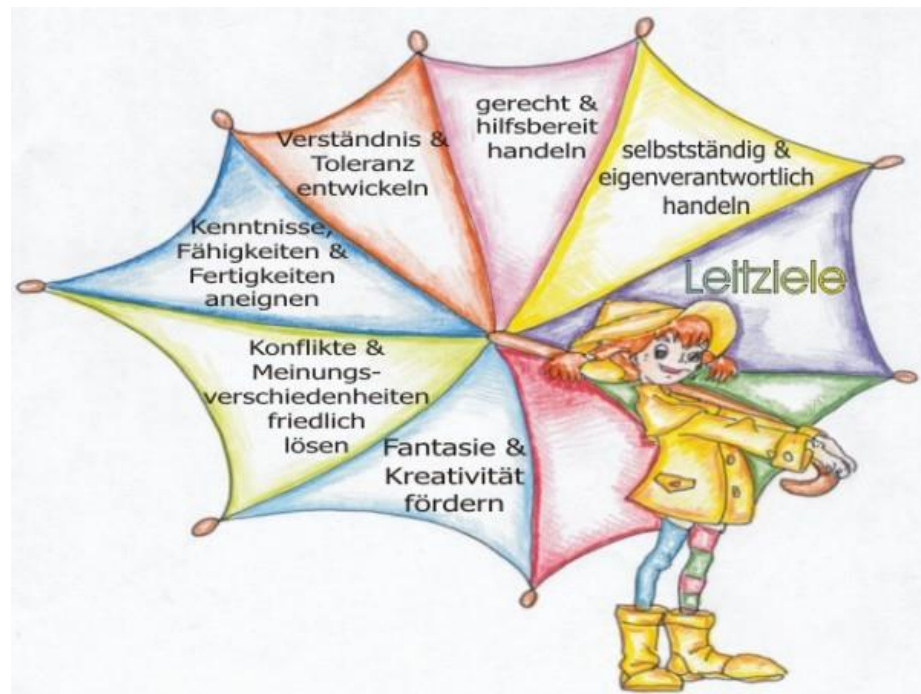
# The European Union's Dublin Regulation

- ▶ The **Dublin Regulation** (which replaces the former Dublin Convention) determines which EU member state is responsible for processing asylum requests.
  - ▶ The Regulation introduced a basic fingerprint database of asylum seekers, called EURODAC.
  - ▶ Asylum seekers must file their request in the first country they arrive and where their fingerprints are taken.
  - ▶ Asylum seekers can be sent to another EU member state if it can be proven that they have either entered the EU by that state (by air, sea or land), or that they have made an application for asylum in that other state.
  - ▶ The territory covered by the Dublin Regulation has been extended to some non-European Union member countries such as Norway, Iceland and Switzerland.
- ▶ This system puts a huge burden on several EU member states that are geographically more likely to be the country through which asylum seekers enter the EU.



# The instruments and mechanisms of the Council of Europe applicable to migrants

- ▶ Under the **European Convention on Human Rights (ECHR)**, the 47 member states of the Council of Europe guarantee the rights formulated in the Convention not only to their own citizens but also to everyone within their jurisdiction.
- ▶ The implementation of the **Dublin Regulation** has been discussed on numerous occasions by the **European Court of human rights**.
  - ▶ For example, in the MX case against Belgium and Greece (2011), the Court found that Belgium had violated the ECHR by returning an Afghan asylum seeker to Greece, where the detention and living conditions were inhumane and humiliating.
  - ▶ Belgium, aware of this situation, nevertheless sent him back.
- ▶ Greece is not the only one who does not meet the detention standards, the system of the Dublin has been questioned because it is based on the incorrect assumption that all EU member states are safe and able to handle refugees.



# Learning through experience



# Cooperative learning

- ▶ Learning to respect others and working together.
- ▶ Learning by working with others to achieve results that are both beneficial to oneself as well as the entire group.
- ▶ Increasing the skills on the social level and increasing one's self-esteem.
- ▶ It is the opposite of « competitive » learning, which tends to favor personal interests, the disdain of others and a certain arrogance of the « winners » while the « losers » are often demotivated and no longer have respect for themselves.

# Emperical learning

- ▶ Learning through discovery is the pillar of the education of human rights, since the fundamental skills and values regarding human rights, such as communication, critical thinking, the defense of a case, tolerance and respect cannot really be taught; they have to be acquired through experience and implemented in the field.
- ▶ Even though it is important to have a theoretical knowledge about human rights, it is not sufficient.
- ▶ The learners have to understand on a deeper level the link between human rights and individual's needs, as well as the reasons for why one must protect these rights.

# Knowledge and understanding

- ▶ Fundamental concepts:
  - ▶ freedom, justice, equality, human dignity, non-discrimination, democracy, universality, rights, duties, interdependency and solidarity;
- ▶ The concept of human rights as the framework of negotiation and collective acceptance of behavioral norms within:
  - ▶ The family, the school, the city, the society in general and the entire planet.



# Abilities

- ▶ Active listening and communication: the ability to listen to different points of view and to defend one's rights and those of others;
- ▶ Critical thinking: research of relevant information, critical analysis, awareness of certain prejudices and partisan opinions, recognizing different types of manipulation and making decisions based on enlightened judgements;
- ▶ The ability to work cooperatively and to tackle conflictual situations in a positive manner;
- ▶ The ability to participate in social groups and organize social groups;
- ▶ The ability to recognize violations of human rights;
- ▶ Action in the direction of the promotion and the safeguarding of human rights, both locally and globally.

# Attitudes and values

- ▶ Sense of responsibility for one's actions, commitment to personal progress and to changing society;
- ▶ Curiosity, open mindedness and positive appreciation of diversity;
- ▶ Empathy and solidarity towards others and commitment to support all those whose rights are threatened;
- ▶ Sense of human dignity, one's own value and that of others, regardless of social, cultural, linguistic or religious differences;
- ▶ Sense of justice and the will to serve the ideals of the universality of human rights, equality and respect of diversity.

# Roleplay: MAY I ENTER?

This activity has been adapted from the manual: First Steps: A Manual for starting human rights education, Amnesty International, London, 1997.

## Themes



## Difficulty



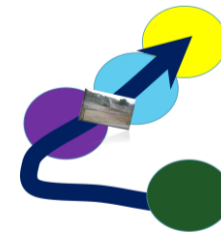
## Size of the group: 6 - 20



## Duration: 60 minutes

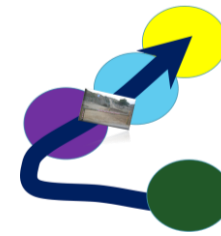


# Roleplay: MAY I ENTER?



- ▶ It is a roleplay featuring a group of refugees trying to escape to another country.
- ▶ It deals with:
  - ▶ The plight of refugees;
  - ▶ The social and economic arguments underlying the granting or refusal of asylum.
- ▶ Related rights:
  - ▶ The right to seek asylum in other countries and be accepted;
  - ▶ The right of non-refoulement (the right not to be sent back to a country where one is in risk of persecution or death);
  - ▶ The right not to be discriminated against.

# Roleplay: MAY I ENTER?



## ► Objectives:

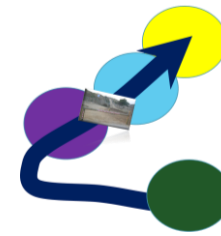
- To improve the knowledge and the understanding of the questions concerning refugees and their rights;
- To train one's abilities in presenting arguments and forming judgements
- To promote solidarity with people who are suddenly forced to flee their home.

## ► Materials:

- Playing cards
- Flipchart (optional)
- Chalk and/or furniture to materialize the border post
- Pens and sheets of paper, so that the observers and journalists can take notes
- (Video)-camera for the journalists



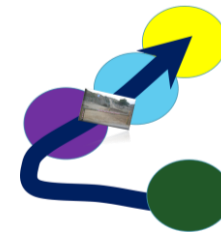
# Roleplay: MAY I ENTER?



- ▶ Preparation:
  - ▶ Playing cards:
    - ▶ Officials of the immigration office,
    - ▶ Refugees,
    - ▶ Observers,
    - ▶ Journalists.
  - ▶ Set the scene of the roleplay:
    - ▶ With the chalk, draw a line on the ground to represent the border, or place the furniture so as to materialize a physical border
    - ▶ A space for the border crossing: a table to materialize the counter of the immigration office
    - ▶ Information papers about the regulation of entry into the territory.

# Roleplay:

## MAY I ENTER?

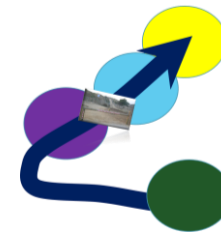


### ► Instruction 1

- Explain that this is a roleplaying game acting out a group of refugees fleeing their home country to take shelter in another country.
- Begin with a reflection of on the participants' knowledge regarding the situation of the refugees. Note the points raised on a big sheet of paper or the flipchart, in order to make references to it later in the subsequent discussion.
- Present the backdrop of the room and read the following text:

«On a dark night, cold and wet, numerous refugees present themselves at the border between Blue country and Violet country: they are fleeing the war in Green country and want to enter Yellow country. They are hungry, cold and tired. Some of them have a bit of money, and only a few of them are in possession of identity documents or passports. The officials of the immigration office of Blue country have differing points of view - some want to let the refugees cross the border, while others don't. The refugees are desperate and come up with several arguments while trying to convince the officials of immigration.»

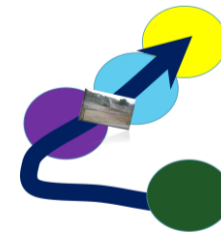
# Roleplay: MAY I ENTER?



## ▶ Instruction 2

- ▶ Divide the participants into equally sized groups: The first group represents the refugees from Green country, the second group represent the officials of the immigration office of Blue country, a third group is made up of European and international observers as well as a fourth group of journalists.
- ▶ Distribute the role cards and allow the players a quarter of an hour to prepare. Ask the participants to think up a role for everyone, as well as their arguments.
- ▶ Start the roleplay. It is up to you to decide when to stop, around 10 minutes should suffice.
- ▶ Give 5 minutes for the observers to prepare their feedback and for the journalists to prepare a brief press review; then start the debriefing and the evaluation.

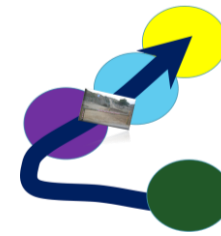
# Roleplay: MAY I ENTER?



## ▶ Instruction 3

- ▶ Begin by asking the observers to express their general reactions to the roleplay.
- ▶ Continue with the journalists' press review.
- ▶ Then gather the comments from the players about their impressions of being a refugee or an official of the immigration office.
- ▶ Then come to a general discussion regarding the points raised and the lessons learned by the participants.
  - ▶ To what extent is the treatment of refugees just?
  - ▶ The refugees have the right to be protected under Article 14 of the Universal Declaration of Human Rights and the Convention of 1951 under the Status of Refugees. Have they received such protection? Why? Why not?
  - ▶ Should a country have the right to send back refugees? When? For what reasons?
  - ▶ Would you send back a refugee if you were an official of the immigration office? What would you do if you knew that this person risks death in his own country?
  - ▶ Which problems will the refugees be confronted with in your country? Which human rights are being violated?
  - ▶ What is necessary to do in order to solve some of the problems the refugees are meet with once in your country?
  - ▶ What can one and should one do first to prevent the refugee problem?

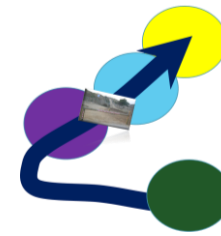
# Roleplay: MAY I ENTER?



- ▶ Advice for the leader
  - ▶ Use the reflection phase to assess what the participants know about the reasons for the existence of refugees, the causes of their flight, about their origin and destination countries. This will help you decide how to direct the debriefing and evaluation, and what additional information to provide at this stage.
  - ▶ Consider the possibility that one of the participants is a refugee. Depending on his country of origin, you can make use of his experience and call him in as a resource person. But you must also know that this can be traumatic for him. In order to not make the refugee re-experience trauma, the refugee should not be playing the role of a refugee.
  - ▶ The four groups don't necessarily have to be of the same size. For example, you can decide to only have three or four observers and journalists and let the other participants be protagonists of the roleplay.
  - ▶ As the setting is a dark, cold and wet night, why not turn off the lights and open the windows during the roleplay?
  - ▶ If it seems more fitting in your case, you can set the scene at the moment of the time of arrival of a group in a small boat taking in water.
  - ▶ To add to the confusion of refugees, you can write the signs and information notes in a foreign language (or invented). Don't forget to indicate the significance of the signs to the officials of the immigration office, the observers and journalists!



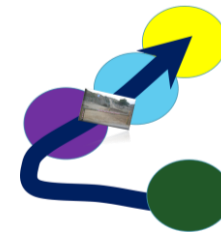
# Roleplay: MAY I ENTER?



## ► Variants

- Start the exercise again by reversing the roles of the officials of the immigration office and the refugees.
- The observers and the journalists will then have the task of noting the differences between the two versions, notably in the case of a better protection of the refugees' rights.
- Organize a following roleplay involving an official team of The UNHCR responsible for giving help to the refugees of Green country.

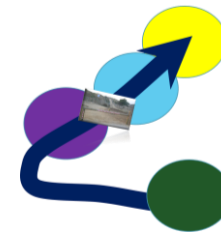
# Roleplay: MAY I ENTER?



## ► Ideas for action

- Get in touch with a local or national organization that works with refugees in your country and see how to support it.
- Young people coming without their families seeking asylum are particularly vulnerable. The group could investigate what happens to these unaccompanied minors in their country and think about how to support them.
- Invite to your organization an NGO working with refugees, or a refugee, to learn about how refugees enter to your country, the asylum process and the life these people lead today.
- The website for Refugees (UNHCR) of The United Nation's High Commission offers a lot of information, flyers and videos to the organization of a workshop about refugees in your organization or school: <http://www.unhcr.org>.

# Roleplay: MAY I ENTER?

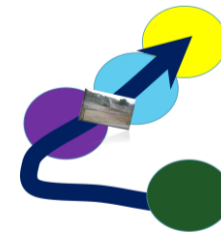


## ► Following suggestions

- Inquire about refugees in your country, particularly about the realities of their daily lives. The participants can contact a local association of refugee aid and interview its staff, volunteers and refugees.
- Visit [www.newtimes.dk](http://www.newtimes.dk) to read stories written (in English) by asylum seekers and refugees in Denmark. Choose one article and discuss your answer.
- The British Red Cross manages information and activities on refugees as part of its project entitled Positive Images project: [www.redcross.org.uk](http://www.redcross.org.uk).
- A school may wish to pursue the study of this question by researching information on the role of UNHCR (<http://www.unhcr.ch>) and then writing up an "official report" including the following points:
  - The arguments that convinced the officials of the immigration office to let refugees enter;
  - Any inappropriate behavior on the part of the immigration office officials;
  - Recommendations on what Blue country should do to protect the rights of refugees.
- Ask if the Geneva Convention meets the current needs or whether it should be updated. For example, in a lot of countries, in order to get the status of a refugee, asylum seekers must prove that they have been personally persecuted; being a member of a persecuted group or coming from a region affected by conflict is not enough. Similarly, the Convention does not cover the case of climate refugees.

# Game card of the refugees

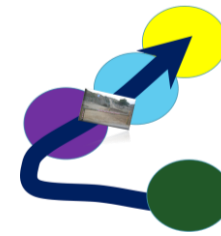
## *Options*



- ▶ You need to stage a diverse group of refugees. Everyone must decide their identity: age, gender, family status, occupation, financial situation, religion and property.
- ▶ Before starting the role play, think about the following options:
  - ▶ Are you going to seek asylum as a group or individually?
  - ▶ Are you willing to be separated, if officials of the immigration office you ask to?
  - ▶ What will you do if they try to send you back? Are you willing to go back? Will you ask them to let you pass in order to go to the Yellow country?
  - ▶ Do some of you have travel documents? Are they authentic or fake?

# Game card of the refugees

## Arguments

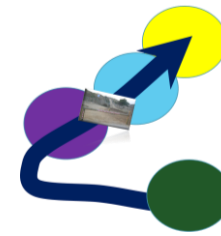


- ▶ Prepare your arguments and your strategy. Every member of the group is responsible for their own arguments.
- ▶ You can use these arguments or any other conceivable argument:
  - ▶ We have the right to seek asylum.
  - ▶ Our children are hungry; your moral responsibility requires you to help us.
  - ▶ I will be killed if I return to my country.
  - ▶ I have no money.
  - ▶ I have nowhere else to go.
  - ▶ I was a doctor / nurse / engineer in my hometown.
  - ▶ I only want shelter until I can go home safely.
  - ▶ Other refugees have been allowed in your country.
  - ▶ Where are we ? The smugglers agreed to take us into the Violet country.
  - ▶ I'll try to bribe officials to let me in.



# Game card of the officials of the immigration office

## *Options*



- ▶ Before starting the roleplay, think about the following options:
  - ▶ Will you let all the refugees enter?
  - ▶ Will you let some cross the border?
  - ▶ Are you going to separate them according to their age, occupation, financial status, etc.?
  - ▶ In what other way are you thinking you will act?
- ▶ Prepare your arguments and your strategy. Every member of the group is responsible for their own arguments.

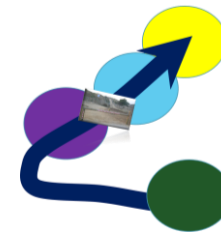
# Game card of the officials of the immigration office

## Arguments



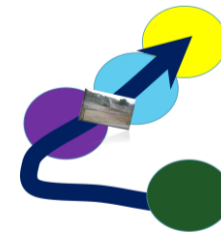
- ▶ You can use these arguments or any other conceivable argument:
- ▶ They are desperate: we can't send them back.
- ▶ If we send them back, we will be responsible if they are arrested, tortured or killed.
- ▶ We are legally obliged to accept refugees.
- ▶ They have no money and they will need help from the state. Our country can't afford it.
- ▶ Are they in possession of travel documents or of ID? Are they authentic or fake?
- ▶ Do they seem like real refugees? Maybe their sole objective is to get a better standard of living?
- ▶ Our country is a military and business partner of Violet country. We can not appear to be the protectors of these refugees.
- ▶ They may have the skills we need.
- ▶ Our country has enough refugees. We must look after our own people and first give work to our unemployed people. They should approach richer countries.
- ▶ We could ask them to give us a bribe to let them in.
- ▶ If we let them in, others will follow.
- ▶ They don't speak our language, they practice another religion, and they have other eating habits. They will not succeed in integrating themselves.
- ▶ Terrorists or war criminals might hide among them.

# Game card of the observers

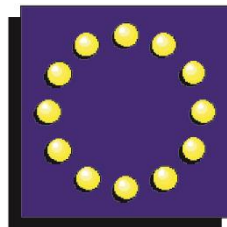


- ▶ Your task is to observe the roleplay.
- ▶ You must decide how you are going to take note of the course of the roleplay; you can split yourselves into two groups:
  - ▶ One observes the officials of the immigration office and
  - ▶ the other observes the refugees.
- ▶ At the end of the roleplay, you will be called upon to give your feedback. Choose one member to represent you.
- ▶ During the observation of the roleplay, you should be aware of (among other things):
  - ▶ The different roles played by the refugees and the officials of the immigration office.
  - ▶ The arguments used and the way of presenting them.
  - ▶ The violations of human rights and of the refugees.

# Game card of the journalists



- ▶ Your mission consists of observing the roleplay.
- ▶ You must decide how you are going to report on the course of the roleplay:
  - ▶ You can decide to split yourselves into three groups: one observes the officials of the immigration office, the other the refugees and the last observes the observers.
  - ▶ You can do interviews with the refugees, the officials and the observers; but you cannot intervene in the negotiations.
- ▶ At the end of the roleplay, you will be called upon to comment, in the context of the press review, on the behavior of the refugees, of the officials of the immigration office and of the observers.
- ▶ Choose a member who will be responsible for representing the news program (radio or television, if you take videos and pictures during the game).
- ▶ During the observation of the role play, you should be aware of (among other things):
  - ▶ The different roles played by the refugees and the officials of the immigration office.
  - ▶ The arguments used and the way of presenting them.
  - ▶ The violations of human rights and of the refugees.



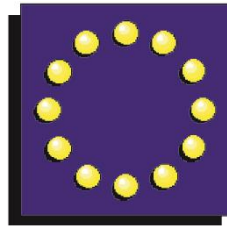
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THANK YOU FOR YOUR  
ATTENTION!





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# EDUCATIONAL PRACTICE OF HUMAN RIGHTS

Education for active democratic citizenship

## THE RIGHT OF ASYLUM

