



KOMPETENTA  
UNGA

# MIGRATION TO INTEGRATION



Co-funded by the  
Erasmus+ Programme  
of the European Union

# Table of contents

<b>List of abbreviations and key terms</b>	<b>3</b>
<b>Introduction</b>	<b>5</b>
<b>1. Theoretical approaches explaining migration, integration and the needs of asylees</b>	<b>6</b>
1.1. Key concepts of migration, integration and asylum	6
1.2. Drivers of successful integration	9
1.3. Integration challenges	10
<b>2. Policy on asylum receivers' integration and provision of health services</b>	<b>13</b>
2.1. Asylum receivers' integration policy in EU and Sweden	13
2.2. Asylum receivers' integration policy in Myanmar	16
2.3. Asylum receivers' integration policy in Colombia	20
2.4. Asylum receivers' integration policy in Kenya	24
<b>3. Good practice analysis</b>	<b>27</b>
3.1. Organising health education sessions in Sweden	29
3.2. Empowering refugees to achieve autonomy in Greece	30
3.3. Promoting immigrant entrepreneurship in Portugal	30
3.4. Helping refugees in Denmark enter and succeed in higher education	31
3.5. Good practice example in Colombia	32
3.6. Good practice examples in Kenya	33
3.7. Good practice examples in Myanmar	35
<b>Conclusion</b>	<b>43</b>
<b>Bibliography</b>	<b>45</b>

## List of abbreviations and key terms

### Abbreviations

**EU** – European Union;

**EUROSUR** – European Border Surveillance System;

**FRONTEX** – European Border and Coast Guard Agency;

**NGO** – non – governmental organisation;

**UN** – United Nations;

**UNHCR** – United Nations High Commissioner for Refugees;

### Key terms

**Migrant** – is a person who chooses to move from their home for any variety of reasons, but not necessarily because of a direct threat of persecution or death. Migrant is an umbrella category that can include refugees but can also include people moving to improve their lives by finding work or education, those seeking family reunion and others (Hebrew Immigrant Aid Society, n.d.).

**Asylum seeker** – “is a person who has sought protection as a refugee, but whose claim for refugee status has not yet been assessed. Many refugees have at some point been asylum seekers, that is, they have lodged an individual claim for protection and have had that claim assessed by a government or UNHCR” (Settlement Services International, n.d.)

**Asylees** – people who have received an asylum or are still waiting for an asylum (Immigration Equality, n.d.). In this paper asylees are the ones who received asylum.

**Refugee** – “is someone who has been forced to flee his or her country because of persecution, war or violence. A refugee has a well-founded fear of persecution for reasons of race, religion, nationality, political opinion or membership in a particular social group. Most likely, they cannot return home or are afraid to do so. War and ethnic, tribal and religious violence are leading causes of refugees fleeing their countries.” (UNHCR, n.d.)

**Internally displaced persons (IDPs)**– are people or groups of people who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of armed conflict, or to avoid the effects of armed conflict, situations of generalized violence, violations of human rights, or natural or human-made disasters and who have not crossed an international border.

**Stateless person** – is an individual who is not considered citizen or national under the operation of the laws of any country.

**Beneficiary of international protection** – a person who has been granted refugee status or subsidiary protection status (European Commission, n.d.), in this paper also called asylum receivers.

**Integration** – incorporation of separate individuals into one unity, which creates a new unified form. Integration can be described as a process involving asylum receivers, institutions and local people of the receiving country (UNHCR, 2013). All these actors are interrelated on a legal, economic and a social-cultural dimension.

## Introduction

In 2018 there were 70.8 million forcibly displaced people around the world (UNHCR, 2019). 40 million were internally displaced, 25.4 million of them were refugees protected by UNHCR and UNRWA, whilst the other 3.1 million people were asylum-seekers. In 2018 European Union (further in the text: EU) received 638 200 asylum applications (Eurostat, 2019a). Therefore, if the numbers of the first-time applicants, since the beginning of the migrant crisis in 2015, would be roughly summed up, it would conclude 3 million 700 000 applications processed by the EU. In the end of 2017, the refugees' population in Europe reached 6 million 114 300 people (Eurostat, 2019a). The question of asylum is important worldwide.

In the past 2 decades there has been a lot of research done with regards to asylum seekers reception conditions, integration process and mental health conditions<sup>1</sup>. Lots of countries have been developing various self-help mechanisms. The studies in Switzerland and Lithuania have shown that successful integration depends more on mental health than poor education or residence status type and that psychological difficulties were the biggest challenge that asylum receivers have faced (Schick et al., 2016; Žibas, 2013).

### **Aim of the research:**

The research conducted in the project countries – aimed to identify the existing good asylum seekers/refugees integration practices, its challenges and ways to tackle them.

Initial research aimed to:

1. analyse asylum seekers/refugees integration experiences;
2. identify the ways to improve existing asylum seekers/refugees integration;
3. analyse the local youth attitudes towards asylum seekers/refugees and their integration;
4. analyse youth workers experiences on asylum seekers/refugees integration;
5. analyse youth workers attitudes towards challenges of asylum seekers/refugees integration.

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<sup>1</sup> (e.g. Kuhlman, 1991; Hauff, E., & Vaglum, 1993; Varvin, 1998; Carta, Bernal, Hardoy, and Haro-Abad, 2005; Žydžiūnaitė, 2012; Galderisi, Heinz, Kastrup, Beezhold, Sartorius., 2015; Giacco & Priebe, n.d.)

# 1. Theoretical approaches explaining migration, integration and the needs of asylees

This chapter presents an analysis of key concepts relevant when discussing migration, asylum and integration phenomena.

## 1.1. Key concepts of migration, integration and asylum

- **Migration**

Migration can be analysed from different scientific perspectives of economy, sociology and politics. In sociology migration is defined as “moving from one place (e.g. country) to another” (Open Education Sociology Dictionary, n.d.). Similarly, in economics, it is defined as “movement of people between the regions or countries” (Black, Hashimzade & Myles, 2013, p. 262). From the political science perspective migration can be described as “people changing their residence to or from a given area (usually a country) during a given time period (usually one year)” (Eurostat, 2019).

All the definitions have the people movement aspect in common. According to the motion amplitude it can be divided to internal and international (King & Skeldon, 2010). As a process, depending on its direction, migration can be divided into immigration and emigration. The EU provides two different definitions. Immigration is described as a process when an individual, being a citizen of a third country or a Member State, resides in a different Member State for a minimum of 12 months (Mihi-Ramírez, Metelski & Rudžionis, 2013). Emigration is perceived as a process on which an individual leaves its country to reside in one of the Member States for a period of 12 months minimum (Mihi-Ramírez et al., 2013). According to United Nations recommendations, migration can be classified as *long term* if it lasts longer than 1 year or *temporary* if it is shorter (Damulienė, 2013).

In general, migration is often explained using a *push - pull* theory developed by neoclassic scientists like Lee and Ravenstein (Kumpikaitė & Zikutė, 2012). The push factors are the unfavourable conditions in home-country. Push factors typically include discrimination, unjust political system, laws, prosecution, lack of freedom for political activities or religion. These factors encourage one to leave one's own country of origin. While the friendly environment of a welcoming country plays a pulling role,

of attracting a person to come (Wang, 2010). The pull factors typically include higher wages, peace and well-being, better career opportunities, higher education quality, more generous social benefit system, etc. However, some of the authors criticise the *push - pull* theory because of its inability to explain all the processes of migration (De Haas, 2008). Also, the theory does not suggest an explanation why all the people in the world do not migrate or why different *push - pull* factors affect people differently (Langley et al., 2016). These limitations can be explained by the *intervening* factors, which are the obstacles for a migration journey. It could be physical factors, like distance and borders. Or it could be political *intervening* factors, like migration law. The *intervening* factors are individually dependent on the country of origin, hence it explains why different people are affected differently by *push - pull* factors and why not everyone migrates.

There are various drivers of migration discussed in the literature, such as: household risk sharing, social networks, socio-economic development, conflict and insecurity. This research discusses the **migration caused by conflict**. Forced displacement drastically differs from the voluntary one. The forced migration usually happens when the *push* factors are greater than the negative *intervening* factors. Then the main *pulling* characteristic is safety and security, so usually forced displacement does not have a pre-set destination (Langley et al., 2016). When people flee the country because of conflict or fear of prosecution, they become asylum seekers.

- **Asylum**

An asylum from a legal perspective can be described as a “refuge granted to an individual whose extradition is sought by a foreign government” (Martin, 2009, p. 38). According to EU law, asylum can be granted under 3 different grounds: refugee status, subsidiary protection or temporary protection (Žydzūnaitė, 2012). Refugee is a person “owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country” (UNHCR, 2010, p. 14). This definition is also used on the EU level. However, it is criticised as well for being not wide enough. This definition covers only the ones who are experiencing the fear of prosecution and have left their country. Hence, the ones who do not fear prosecution, but are in a desperate situation because of natural disasters, poverty or just have not left the country - are not refugees. The **internally displaced people** have all the characteristics as refugees have but

haven't left their country, due to that they are unable to attain full benefits, which would be accessible by refugees (Lister, 2012).

Thus, a **refugee** is a foreigner who cannot use the protection of his own state due to fear or risk of prosecution under the religious, racial, political beliefs or ethnicity-based discrimination (Žydžiūnaitė, 2012). A person who received an **asylum** under a temporary or subsidiary protection is the one who does not qualify for the refugee status but cannot come back to one's country of nationality, because of human rights infringements (European Commission, 2019). Temporary protection is usually provided when an asylum system is unable to cope with the numbers of asylum seekers, and there is a risk that a person will be harmed during the asylum decision period (Eurostat, 2019b). All these groups (refugees, asylum receivers under temporary or subsidiary protection) together in this thesis will be named **asylum receivers/asylees**.

Asylee can be a person who has either received an asylum under refugee status or is waiting for an asylum (Immigration Equality, n.d.). In this thesis the term **asylee** will only be used when referring to beneficiaries of international protection. All the beneficiaries of international protection become the subjects of integration policy under EU law.

At the refugee reception centres, asylum seekers start to prepare (by learning language and adapting to a new culture) for the integration, which will start after the asylum is granted. Depending on the definition, it can be said that integration starts from the very moment of an asylum seeker arrival to the country. There is no unanimous definition of integration process. Integration itself can be understood as incorporation of separate individuals into one unity, which creates a new unified form (Žydžiūnaitė, 2012).

**Integration** also can be described as a process involving asylum receivers, institutions and local people of the receiving country (UNHCR, 2013). All these actors are interrelated on a legal, economic and a social-cultural dimension. Equal rights compared to the local citizens; freedom of movement; the access to education, health facilities, labour market and social assistance are within the legal dimension. Whilst, the economical area covers the importance of a growing economic asylees independence, capability to create sustainable livelihoods and the possibility to contribute to the economics of a local country. The social - cultural dimension stresses on a harmonious life of a foreigner within the local society without any discrimination and with a possibility to contribute to the

social life of the state (UNHCR, 2013). This definition of integration covers all the main areas earmarked in the 2016 June 7th European Commission Communication COM/2016/0377 final on Action Plan on the integration of third country nationals (further in the text: Action plan). Hence, this definition will be used for further analysis in this paper.

## 1.2. Drivers of successful integration

Harmonious life within society is a result of successful integration. The success of the integration depends on both the state's capabilities and the asylum receivers' input. Hence, motivation of a beneficiary of international protection is one of the key aspects for successful integration (Robila, 2018).

According to the philosopher Maslow (1943) nothing motivates a person as the eagerness to fulfil one's own needs. When systemising asylum receivers needs, a special attention to the main human needs must be paid. Maslow (1943) presents five of the most commonly known descriptions on basic human needs, covering the sections of: physiology, safety, belongingness and love, esteem, self-actualization. Physiological needs (air, water, food, health care, shelter, sleep, clothing, reproduction) and safety needs (freedom of fear, stability) are the basis of human existence.

While the needs of belongingness and love (friendship, intimate relations, being with one's family) and the needs of esteem (prestige – feeling of accomplishment) are crucial to one's psychological health. Furthermore, achieving potential, knowledge and creativity are also playing the highest hierarchical role within all the needs. Firstly, a person fulfils ones' physiological needs, then psychological and only then aims for self-realization (Maslow, 1943). The needs of a person help him/her to act. However, it is important to understand the differences in capabilities of fulfilling one's needs.

Gateley (2014), Amartya Sen and Martha Nussbaum research on the importance of the state's role in helping people to be equally equipped for life, suggests focussing on removing obstacles for foreigners' quality life achievement (Gateley et al. 2014). Meaning asylum receivers themselves are eager to attain their needs. Hence, the integration process needs to **enable** them **to fulfil their needs**. It should empower them. In order to achieve a successful migrant integration, **the tools for human**

**needs fulfilment** must be accessible for all. Therefore, an **environment** where asylees would themselves be able to fulfil their needs should be created.

However, the asylum seekers come from various cultural backgrounds and it changes the composition of society. The top 5 countries of asylum seekers applications in 2017 - 2018 EU are from Syria, Afghanistan, Iraq, Nigeria and Iran (Eurostat, 2019a). These are all conflict inflicted areas. People from these countries mostly are at the age of 14-34 who may have been exposed to multiple war-related stressors (Eurostat, 2019a; Sijbrandij et al., 2017).

The Middle East culture is a completely new perspective to most EU countries. The same as, the European culture is new for new asylum receivers. Thus, the vastly increased numbers of beneficiaries of international protection in Europe create a disbalance within states' society. Different needs of society occur, since the composition of it changes. A new challenge to adapt to a changing society characteristic arises. Even though the human rights stated out in the Universal Declaration on Human Rights (1948) are unanimous, the acceptable ways of fulfilling them vary from culture to culture. After all, the regions have different policies and ways to help its societies. Therefore, the current European mechanism has not yet adapted to ensure an acceptable tool for asylees to fulfill their needs. Not all the existing ways are suitable for the migrants coming from different cultural backgrounds.

Asylees themselves are eager to fulfil their needs, so it is important to understand the asylum receivers' challenges of fulfilling their needs and what are their **difficulties of using the existing state mechanism**. Only then the help to adapt to the environment can be provided and improvements of a system can be suggested.

### 1.3. Integration challenges

Generally, the challenges exist on all the levels of integration. Mostly its due to societies closed mindedness and the lack of asylees experience living in the western society system (Robila, 2018). Migrants are often discriminated by landlords when trying to rent accommodation, by employers when getting a job, by the health or education system when failing to get proper facilities (due to the language barrier and cultural unpreparedness of the accepting institutions) (Robila, 2018). So, beneficiaries of international protection experience difficulties when adapting to the new cultures,

state mechanisms, and understanding the western societies' ways of living. The difficulties start at the beginning of integration, when everything is new to a person, when one doesn't know where to go for health service or for job search. Later, it continues when a person fails to attend one's social responsibilities to work, study or pay taxes. All these reasons can be defined as the integration process malfunction.

An integration is not only about enabling the beneficiaries of international protection to act by making improvements in the system. It is also about preparing the grounds for their integration, creating an environment in which asylees could thrive. One way to do that is to educate the society to be open to new cultures and immigrants, to be acceptive and understanding. Studies have shown that one of the most often obstacles for asylum receivers' integration is the discrimination and ignorance of the society (Robila, 2018). Hence, cultural education plays a significant role here.

Another interesting thing is that asylum receivers are expected to fulfil the requirements of financial independence and social integration, despite the probability of mental illness. The research on the residents who stayed in Switzerland for over 10 years showed that they were poorly integrated (Schick et al., 2016). Yet, the study has shown that the poor level of integration has correlations with poor psychological health rather than poor education or residence status type integrated (Schick et al., 2016). This means that even if a person gets a proper education, job or has a residence permit, he/she might still not blend in well to the society, due to the psychological issues.

Moreover, mental illness hinders social and economic integration (Schick et al., 2016). So, psychology does not only determine the success of integration, but also hampers the inclusion in the job market. Here the failure of integration depends on the psychological state of the migrant. In other words, asylees are often expected to meet the requirements which they are simply unable to meet, and the sole focus of integration may have to be shifted to one's health first. Usually it is believed that a failed integration is when a migrant does not become a member of society or starts to burden it. Additionally, if asylees fail to fulfil their social and economic duties they are judged by society, because society is not welcoming nor understanding. 43% of EU citizens think that asylees don't add to the welfare of their country (European commission, 2018).

When migrant faces the exclusion and discrimination it may lead to deeper psychological illness (Perkins, 2018). Unfortunately, asylum receivers tend to reject psychological support, so they end up

with depression, which makes them unable to work and be dependent on social welfare, which in turn creates resentment of society. This process is an interrelated process, thus, the society's requirements for asylee should be reconsidered. The main difficulties that beneficiaries of international protection face are ignorance of welcoming society, unrealistic expectations and a lack of attention to their psychological health. There is a need to: educate society about the asylum receivers, teach tolerance and harmonious life; help foreigners to adapt health and education mechanisms; to educate asylees about western culture, European societal values and society, state working apparatus, and mental health services accessibility.

When the crisis hit, Member States focused on dispersal policies like housing facilitation, pocket money and taking care of all the basic asylees' needs. Since European Union is no longer at the peak of the crisis anymore, a deeper look into further actions than complying with the basic needs can be taken. Now more than ever, the need for an education and health care systems improvement or the asylees inclusions into the labour market and everyday social life can be noticed (Faggian, 2018). Mental health provision, support and treatment is one of the integration procedures stated out in the Action Plan (2016). The EU aims to integrate beneficiaries of international protection at the legal, economic and socio-cultural levels in a way that one would become a fully functioning member of society.

## 2. Policy on asylum receivers' integration and provision of health services

Countries which ratified the 1958 United Nations Refugee Convention are committed to support refugees. Also, the world leaders and the EU States signed the 2016 September 19th Resolution No: 71/7 on New York Declaration for Refugees and Migrants, which reaffirmed the enduring importance of the international refugee protection regime, committed fully to respect the rights of refugees and migrants, pledged to provide more predictable and sustainable support to refugees and the communities that host them, and agreed to expand opportunities to achieve durable solutions for refugees.

As an aftermath, during the United Nations Leaders' Summit 47 States committed to legal or policy changes to enhance refugees' access to education, lawful employment and social services, substantially increased humanitarian aid; and expand access to third-country solutions. The New York Declaration also enabled the discussions on Global Compact on Refugees (UNHCR, 2018). This Compact is meant to ensure that host communities get the support they need and that refugees can lead productive lives. The Compact is prepared with accordance to UN Sustainable Development Goals, which aim to ensure prosperity to all people, leaving no one behind, and include specific reference to refugees and other displaced people (Nahmias & Krynsky Baal, 2019).

### 2.1. Asylum receivers' integration policy in EU and Sweden

Ever since the beginning in 1999 various legislation came into force seeking to form a Common European Asylum System. Now the EU has a shared competence in the legislation on the area of freedom, security and justice, meaning both the EU and the Member States, including Sweden, are able to legislate and adopt legally binding acts in this area. The area of freedom security and justice covers the free movement, asylum and immigration policy, judicial system (Fontaine, 2010). Asylum and migration policy cover the border control, security, asylum and integration procedures.

Asylum policy is mainly regulated by the Common European Asylum System. The core principle of Common European Asylum System is to harmonise the asylum standards in all Member States to prevent the movement of asylum seekers within the Union and to ensure that only one-Member State

is responsible for the same asylum seeker (European Parliament, n.d.). The statistics marks the success of short-term solutions and the Common European Asylum System. According to the latest research the number of asylum seekers was continuously dropping for 3 years (Eurostat, 2019). This may be due to various reasons of faster first instance decision making, better quality of border protection, or better resettling mechanism. However, in 2019 the number of asylum applications was up by 11.2 % compared with 2018. This was the first time the number of asylum applications increased year-to-year since 2015 (Eurostat, 2020). Thus, the crisis has not come to an end, as some would believe. Therefore, now when the quantity of asylum seekers has increased again, it is even more important to focus on the quality of the EU migrants' **integration process** more.

In consideration to the integration of beneficiaries of international protection - the discussions on integration process importance are ongoing (European Parliament, 2018). One of the examples is the Action Plan on the integration of third country nationals (further: Action plan). Its basic objective is to strengthen the integration policies of Member States. Member States are encouraged to: organise an effective resettlement; adapt the education and health systems to the needs of asylees; provide the access to language and qualification courses. Moreover, the cooperation with businesses to ensure migrants' inclusion in the labour market is recommended (Action plan, 2016).

The importance of social services like housing and **mental health provision, support and treatment** is emphasized as well. EU's legal advice to Member States is to enforce the antidiscrimination law which would promote the migrants' inclusion within the local society. The EU also encourages the organisation of orientation programmes for asylees to ensure the understanding of EU values (Action plan, 2016).

Later, in 2017 European Parliament Resolution 2017/2002(INI) on New Skills Agenda for Europe was adopted, an important part is that it encounters the questions of asylum receivers' education evaluation and skills recognition. In 2018 the Commission presented a Toolkit on the Use of EU Funds for the Integration of People with a Migrant Background to help the formation of national and regional funds strategies (European Parliament, 2018). However, all these tasks are in the form of recommendation. So, Member States are there to decide what measures and to which degree will be applied in the integration locally. The absence of a unanimous definition can mark the individuality of the integration process for each state.

- **Sweden**

Sweden has been receiving large groups of refugees since the 1970. Moreover, Sweden is among the EU countries which received the biggest number of the asylum seekers during the autumn and winter of 2015–2016. Due to the rich history of refugee admission, Sweden is perceived to be a refugee country and it is believed to have the best integration policies according to the Migration Integration Policy Index (MIPEX), a cross-country index that benchmarks policies against the highest standards.

Thus, the Swedish Government aims to ensure a sustainable migration policy that safeguards the right of asylum and facilitates mobility across borders, promotes demand-driven labour migration, harnesses and takes account of the development impact of migration, and deepens European and international cooperation (Swedish Migration Agency, 2020). Together with other entities (Ministry of Employment, the Swedish Migration Board, municipalities, NGOs, trade unions and many more) the Ministry of Integration and Gender Equality works towards better integration of refugees in Sweden. It is mainly done through the following measures:

1. a comprehensive strategy entitled Empowerment against Exclusion. Migrant integration in Sweden is meant to be achieved through mainstream policies and labour market policies (European Commission, 2019). Work has always served as the principal instrument to achieve social integration in Sweden. Immigrants who are permanent residents are recognized as enjoying the same rights and obligations as Swedish citizens with regard to their participation in the labour market (Westin, 2000).
2. A mandatory refugee introduction programme. This is an attempt to emphasise refugees' effort that is needed to integrate into Swedish society and labour market.
3. Encouraging social and financial independence through issuing temporary residence permits: a 3-year temporary residence permit for refugees and a 13-month permit for beneficiaries of subsidiary protection. These permits can be prolonged twice, while the permanent residence permit can only be granted if asylees are able to prove their financial self-dependence. In this way, they are encouraged to seek a stable job.
4. A so-called "educational duty" for newly arrived adults with very low education and not deemed to be job-ready. If they refuse or drop out of an education measure there could be sanctions in the form of benefit cuts (Regeringen, 2016).

5. Conditioning the reception of a permanent residence permit on individual efforts to integrate. Newly arrived that are employed and able to support themselves financially can receive a permanent permit.
6. Encouraging various integration measures, allocating funds for labour market programmes, civic orientation courses, interpreters, vocational education and language training of the newcomers.
7. Moreover, special studies to evaluate the migrant integration in Sweden are being conducted (European Commission, 2019).

Overall in Sweden, emphasis is put on ensuring equal rights, obligations and opportunities for all, irrespective of ethnic and cultural backgrounds.

In addition, Sweden has signed the UN Convention Relating to the Status of Refugees, hence it is obliged to examine each asylum application individually.

## 2.2. Asylum receivers' integration policy in Myanmar

Myanmar does not have asylum receivers yet. Myanmar migrants abroad request for asylum seekers in neighbouring countries such as Thailand and to third world countries.

Instead of asylum receiver's integration policy here we collected migrants policy in Myanmar as follow:

On Nov. 14, 2017, Myanmar and the other nine member countries of the Association of Southeast Asian Nations (ASEAN) signed a **Consensus on the Protection and Promotion of Rights of Migrant Workers**, an agreement giving migrant workers from other nations the same level of protection that they give their own citizens. The consensus is a follow-up document to ASEAN's Declaration on the Protection and Promotion of the Rights of Migrant Workers adopted in January 2007 in Cebu, the Philippines. The agreement ensures protection regarding labor contracts and standards, access to legal representation, and fair treatment with respect to gender and nationality. It also prevents recruiters from charging excessive job placement fees, protects workers against violence and sexual

harassment in the workplace, and respects their right to fair and appropriate pay and benefits and their right to join trade unions (Mekong Migration Network, 2017).

In November 2011, the Myanmar government passed **the Microfinance Law**. Where previous microfinance institutions (MFIs), especially those run by NGOs, operated quasi-legally outside the regulatory framework, the law provides for the formal registration of MFIs, intended to expand the reach and range of financial services. Between 2012 and 2015, for example, the share of households that were able to access loans from the Myanmar Agriculture and Development Bank (MADB), Myanmar's largest microfinance provider, increased from 13 percent to more than 70 percent, according to a LIFT household survey. Aside from offering the poorest households accessible credit to complement agricultural livelihoods and smooth consumption during periods of income shock, the law may also inadvertently facilitate mobility. Both internal and international labor migration from Myanmar are highly correlated with household wealth and the availability of credit, according to a LIFT study. Where credit becomes more accessible, therefore, one might anticipate increases in micro-financed migration (Alex Ma, 2017).

Myanmar's two central international migration governance instruments are the **Law Relating to Overseas Employment (LROE)**, enacted in 1999, and **the National Plan of Action (NPA)** for the Management of International Labor Migration, developed in 2013. The LROE, currently undergoing a process of review and revision, sets out the basic architecture for managing international labor migration. It details registration procedures for workers, licensing processes for employment agencies, and a range of rights and responsibilities of both workers and employment agencies. The LROE also provides for the establishment of the Overseas Employment Supervisory Committee (OESC), which the law charges with providing the coordination and cooperation necessary to achieve the law's objectives (LROE, 1993).

A much more recent instrument, the NPA is a national policy document that includes four strategic areas of focus: the governance of migration, the protection and empowerment of migrant workers, the inclusion of migration in the national development agenda, and data collection and management. The plan also designates the main actors and institutions to be responsible for operationalizing the policy. The NPA in particular aims at creating a coherent national legal, policy, and institutional framework in Myanmar for the systematic management of all aspects of cross-border migration for employment. The plan seeks to achieve this aim through a series of channels: the NPA

itself and its five accompanying annual work plans; the revision of relevant legislation, rules, and regulations, including the LROE; improved coordination at the national level through the OESC; the review and revision of bilateral memoranda with destination countries; and the alignment of the national government framework with relevant international standards. The plan further specifies that at the union level, the newly formed Migration Division within the Ministry of Labor would be the focal point within the government for managing labor migration. At the level of States and Regions, the nationwide network of labor exchange offices is to serve as centers for information and services for migrants from pre-departure to return and reintegration (NPA, 2013).

At the level of inter-State migration governance, Myanmar's **two bilateral MoUs with Thailand and Republic of Korea** take the step of formalizing migration channels with key destination countries. The MoU signed in 2010 with the Republic of Korea, provides for formal migration through Korea's Employment Permit System (EPS). The MoU and Agreement on the Employment of Workers with Thailand, signed in June 2016, updates the initial MoU from 2003. An ILO review of Thailand's MoUs noted policy inconsistencies between countries of origin and Thailand, particularly in domestic work and fishing, and offered a range of recommendations for strengthening how the MoUs govern formal migration across all stages of the migration process, from recruitment to protection and return and reintegration.

In recent years, Myanmar's specific bilateral migration cooperation with Thailand has taken shape around how to document and regularize the status of migrants who arrived in Thailand through irregular channels. The nationality verification process, which sought to confirm the citizenship status of Myanmar migrants, has now developed into a system to issue Certificates of Identity with the expectation that migrants will apply for full passports back in Myanmar before the certificates expire (International Labor Organization, 2017).

Other national-level instruments that are relevant to the governance of international labor migration in Myanmar: include the **Code of Conduct (CoC) for Overseas Employment Agencies**; the **Anti-Trafficking in Persons Law** and **Laws relating to labor**. The **CoC**, signed by over 100 recruitment agencies at an unveiling ceremony in August 2016, aims to foster ethical recruitment practices and improve the quality of services provided to migrant workers throughout the process of international migration. Developed through a collaboration between the Myanmar Overseas Employment Agencies Federation (MOEAF) and the Ministry of Labour, Immigration, and Population (MoLIP), with technical

input from the ILO, the code puts in place a monitoring mechanism that sets a standard for recruitment agencies, enabling the ranking of agencies' level of compliance with the code. Moreover, the CoC requires agencies that sign the code to coordinate and cooperate with government and civil society, from multi-stakeholder pre-departure trainings to dispute settlement mechanisms that connect recruiters to relevant government agencies.

The **Anti-Trafficking in Persons Law** was passed in 2005, after Myanmar had ratified the UN Convention against Transnational Organized Crime and its protocols. The law criminalizes sex and labor trafficking in Myanmar, detailing a series of offences and penalties that differ according to gender, age, and the purpose of trafficking in a given incident. Penalties range from fines to imprisonment, including up to life imprisonment for serious offences. The law also specifies the rights of trafficking victims and forms a central body and a series of working groups to focus on the protection of victims. Additionally, Myanmar's domestic legal framework relating to labor and employment has changed considerably since 2011.

Perhaps most importantly, the **Labor Organization Law**, which was promulgated in 2011 and came into effect in 2012, protects workers' rights to form and freely join labor organizations, as well as to strike. Subsequent relevant labor and employment laws include the Settlement of Labor Disputes Law (2012), which details the arbitration process for labor disputes; the Social Security Law (2012), which overhauls Myanmar's Social Security Board and the process whereby workers and employers receive benefits, such as insurance and pensions; the Employment and Skills Development Law (2013), which focuses on employers' responsibilities regarding the education, vocational guidance, and training of workers; and the Minimum Wage Law (2013). The first minimum wage to be set in Myanmar after intense disputes between representatives of employers and workers was agreed upon at 3,600 Kyats for an eight-hour work day.

- **Kachin State**

The (draft) 'Humanitarian Country Team Framework on Durable Solutions to Displacement in Kachin and Northern Shan State' calls for support to be focused not only on IDPs or returnees, but on the broader conflict-affected community (including 'host communities').

It is further encouraging that the Kachin draft framework acknowledges the importance of a political settlement, in order to provide the right context for the return and rehabilitation of displaced communities - including the necessary levels of trust and confidence on the part of conflict-affected civilians. Also, encouraging is the understanding that the peace and political processes in Kachin still have a long way to go, before anything approaching a comprehensive settlement is achieved. It might be useful to develop - in partnership with IDPs and refugees, and other stakeholders - a set of indicators for the conditions and changes which would be necessary, in order to support organized resettlement.

- **Rakhine State**

The government has made the closure of displacement camps in areas affected by conflict a priority, and adopted a national strategy on the resettlement of internally displaced persons (IDPs). The Ministry of Social Welfare, Relief and Resettlement outlined the national strategy on the resettlement of internally displaced persons (IDPs) and closure of IDP camps at a meeting held on 26<sup>th</sup> December, 2019, at the City Hall in Lashio, Shan State. The meeting was attended by members of the Shan State Cabinet, MPs, departmental officials, and officials from IDP camps, representatives of ethnic cultural groups, CSOs, UN agencies, NGOs, INGOs, and displaced persons.

Speaking at the meeting, Union Minister for Social Welfare, Relief and Resettlement Dr Win Myat Aye said the national-level strategy was written in keeping with current requirements and Myanmar law, and it meets international standards. He promised that the strategy would also support the implementation of works, in accordance with the basic social principles of the Union Accord of the second session of the Union Peace Conference-21st Century Panglong. “The strategy was written focusing on all IDPs and IDP camps in the country,” said Dr Win Myat Aye, “However, it is a requirement to draw a separate work plan for each region and to implement it in the long run because the regions are different,” he said. “While seeking ways for ending the issue of internal displacement and to secure the return of IDPs with safety and dignity, the strategy has been drafted, and all are urged to cooperate with the government,” he added (Ministry of Information, Myanmar, 2019).

### **2.3. Asylum receivers' integration policy in Colombia**

Emigration from Colombia has been much more prevalent than immigration to Colombia due to the political unrest and the internal armed conflict. In 2005, it was estimated that 1 in 10 Colombians were living abroad.

Historically, Colombia has not encouraged immigration either. In the late 1800's and early 1900's, Colombia only received a small stream of immigrants compared to other Latin American countries. After World War II, Colombia tried to boost immigration, but due to "La Violencia" and the internal armed conflict the efforts did not have much of an effect and immigration remained low with mostly labor migrants entering the country from Ecuador and Venezuela. In contrast, four million Colombians fled to Venezuela during the 1970s and 80s to escape the violence.

In Colombia, for over 52 years, the internal armed conflict with guerrillas and paramilitary groups resulted in 7,671,124 internally displaced people. This number includes Colombians who have been forced to flee their homes (especially from rural areas), but have not sought safety in another country. The internal armed conflict has given Colombia the dubious distinction of hosting the most internally displaced persons (IDPs) in the world—more than 15 percent of the national population. In addition, hundreds of thousands of Colombians are estimated to live abroad as refugees, primarily in neighboring countries. Violence by guerrillas and paramilitary groups makes return difficult for these refugees.

After four years of negotiations, in December 2016, Colombia formally ended the conflict with the rebel group known as the Revolutionary Armed Forces of Colombia (FARC), the historic peace deal ended the longest-running civil conflict in the Western Hemisphere, one that has taken a huge toll on Colombian society, most profoundly in the area of migration.

As the country enters a post-conflict phase and turns its focus to peace and stability, addressing the main causes of internal displacement and developing effective strategies to improve immigration services, which has been increasing more recently with the decline in violence and signature of the peace agreement beginning with FARC.

As mentioned above, most of the Colombian-Venezuelan immigration has been to Venezuela from Colombia due to the violence and unrest in the country. The trend switched around 2004, when Venezuela experienced mass layoffs from the oil companies and lots of people moved to Colombia looking for jobs. Due to the ongoing political, human rights and socio-economic crisis in Venezuela large waves of immigrants fled to Colombia. According to UNHCR, from the 4.5 million of Venezuelans migrants, 1,603,903 entered Colombia, 719,189 are in a condition of regularity and 911,714 in an irregular condition. However, not everyone requests recognition of the refugee status, because they do not want to lose the possibility of returning to their country.

The scale of the problem and the uncertainty in Venezuela make it difficult to calibrate the most effective response in receptor countries like Colombia where authorities find themselves on the frontlines of the impacts and the responses to the migration from Venezuela and the delicate task of implementing the peace process that ended the country's armed conflict. The Colombian internal situation and the arrival of Venezuelans is overwhelming the local capacity to respond in terms of health, education, sanitation, security, legal assistance and shelter, especially along the migration route.

Hence, recognizing the refugee's status in Colombia is still a challenge due to the lack of institutional resources to respond.

- **Legal Background**

Colombia ratified the 1951 UN Convention relating to the Status of Refugees on 10 October 1961 and acceded to the 1967 Protocol on 4 March 1980 (UNHCR 2006), States Parties to the 1951 Convention relating to the Status of Refugees and the 1967 Protocol, 1 February.

Decreto 2450 dated 30 October 2002 provides for the granting of asylum in Colombia. Decree 2450 "sets out the refugee definition and defines the composition of the Eligibility Commission, the requirements of the asylum petition and the elements of the refugee status determination procedure".

Colombia signed the Cartagena Declaration on Refugees on 22 November 1984 (Decreto 2450 de 20/10/2002, ACNUR website <http://www.acnur.org/biblioteca/pdf/1864.pdf> – Accessed June 2006 – Attachment 2). The Cartagena Declaration on Refugees extends the definition of refugee to include

persons “who have fled their country because their lives, safety or freedom have been threatened by generalized violence, foreign aggressions, internal conflicts, massive violation of human rights or other circumstances which have seriously disturbed public order” (Cartagena Declaration on Refugees, Colloquium on the International Protection of Refugees in Central America, Mexico and Panama (22 November 1984),

- **Procedures to request asylum in Colombia**

There are two procedures to request asylum in Colombia. It will depend on whether the request is made at the time of entry to Colombia or afterwards:

1. Entrance through the borders, ports or airports: the written request must be submitted to the migration authorities, within the following 24 hours to the Office of the Vice Minister of Multilateral Affairs of the Ministry of Foreign Affairs.
2. The applicant is already in the country: the application must be submitted within a period of two (2) months after the entrance to Colombia for the evaluation by the Advisory Commission for the Determination of the Refugee Condition.

Any foreigner who is in the country, regardless of their immigration status, except for those who are in transit, may request at any time the recognition of refugee status when verifiable and supervening circumstances restrict them to return the country of origin or habitual residence.

Application for recognition of the refugee status may be submitted directly by the interested party, before the Office of the Vice Ministry of Multilateral Affairs of the Ministry of Foreign Affairs (Decree 1067 of 2017). People requesting recognition of refugee status are granted a pass which must be renewed every 3 months meanwhile the CONARE carries out the study and the interview to the applicant and its beneficiaries.

1. The possibility of regularization through the so-called SPECIAL PERMANENCE PERMIT, in its different versions, in force for people who entered the territory before November 2019.
2. Special Permanent Permit for Formalization granted by the Ministry of Labor to the migrant who has a job offer in Colombia.

3. The recognition of nationality to minors born in Colombia since August 2015 and until the crisis in Venezuela is overcome
4. The ministries of education and health have regulated some aspects of the integration of children and adolescents in an irregular situation to primary and secondary education as well as to the Health System.
5. Assistance to pregnant migrants-free of charge as well as its controls before and after childbirth.

- **Comprehensive Migration Policy**

The policy integrates guidelines, strategies and intervention actions for Colombians living abroad and foreigners residing in the country. It is focused on: 1) providing a comprehensive treatment to each of the development dimensions of this population and 2) improving the effectiveness of the instruments used for the implementation of strategies and programs related to the migrant population.

As a general condition, the development focus of the National Council for Economic and Social Policy (CONPES) 3603 is the defence, protection and guarantee of the rights of all people involved in migration processes and the creation of scenarios that benefit their decision to migrate under conditions of freedom where citizens build their own destiny with the support and protection of the State.

The document recognizes five principles which should address migration dynamics and public policies to be implemented in the search for alternative solutions to the insufficient care to migration issues (1. Principle of coherence, 2. Principle of comprehensiveness and long-term validity, 3. Principle of consistency, 4. Principle of full respect for individual rights, 5. Principle of targeting).

## **2.4. Asylum receivers' integration policy in Kenya**

Kenya hosts a large asylum-seeking and refugee population. This is due largely to the country's location in a conflict-prone area. For example, neighboring countries like Somalia and South Sudan

have experienced ongoing civil wars that have caused internal and external displacement of large segments of their population.

Refugees in Kenya primarily reside in the Dadaab refugee complex (which is in Garissa County and consists of five camps: Dagahaley, Hagadere, Ifo, Ifo II, and Kambios) and the Kakuma Refugee Camp located in Turkana County.

Kenya is signatory to a number of international treaties applicable to individuals seeking asylum and protection. For instance, it acceded to the 1951 United Nations Convention Relating to the Status of Refugees on May 16, 1966, and its 1967 Protocol in 1981. Kenya is also a state party to the 1969 African Union (AU) (formerly known as the Organization of African Unity, OAU) Convention Governing the Specific Aspects of Refugee Problems in Africa, which it signed in September 1969 and ratified in June 1992. In addition, Kenya acceded to the 1984 Convention against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment in February 1997.

Of particular relevance to refugee issues is a provision in the Convention on nonrefoulement, which states that “[n]o State Party shall expel, return (‘refouler’) or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture.”

A sustainable integration of refugees into a host country is said to have three interconnected aspects: legal (the according of rights to refugees, including the right of employment, property ownership, movement, permanent residency, and citizenship); economic (refugees becoming self-sufficient); and social (the ability of refugees to live among the citizens of the host country).

In theory, refugees in Kenya are free to engage in any form of self-employment without the need to obtain formal authorization and they may take paid employment after obtaining a work permit. The 2006 Refugee Act provides refugees the same rights to employment as other non-nationals. Refugees and their spouses may apply for and obtain a class M work permit. A holder of a class M work permit “may engage in any occupation, trade, business or profession.” Although obtaining a two-year work permit previously cost refugees US\$700, this is no longer the case as Kenya has removed this fee and made permits available free of charge.

While refugees may therefore theoretically work, in practice this is reportedly much more difficult, perhaps due in part to Kenya's high unemployment rate, and high dependence on the informal economy. The Refugee Consortium of Kenya stated in 2012 that the government does not issue work permits to asylum seekers or refugees except in "a few isolated cases." As a result, refugees and asylum seekers are forced to seek employment in the informal sector. However, this is increasingly being made difficult by the country's encampment policy, which restricts the ability of refugees and asylum seekers to move about the country freely.

Refugees and asylum seekers are required to remain in designated refugee camps. The Act requires that all asylum seekers and refugees be issued identity cards or passes. An asylum seeker is issued an asylum-seeker pass after applying for refugee status. The asylum-seeker pass must "specify the time and date" on which the asylum seeker must present himself in the designated refugee camp and includes information that failure to do so "may result in the withdrawal of the pass." After the person is granted refugee status, he is issued a refugee identification card. Any refugee wishing to travel outside of the camp where he resides must first obtain a movement pass.

Integration is fundamentally circumscribed by the remote location of the camps and physical curtailment, and refugees' socio-economic opportunities are further constrained by their lack of mobility and right to work. In providing critical assistance to large numbers of refugees in camps, aid actors reinforce the legal, social, economic and spatial isolation of refugees from surrounding society. This compounds negative perceptions of refugees among host populations, as the large majority of assistance is targeted towards refugees rather than to the communities hosting them. Efforts also rub up against the barrier of the encampment policy: due to the limited job market and that fact that even trained refugees are highly unlikely to obtain a work permit, it is difficult to avoid a saturation of skills, and apparently take-up of these opportunities are affected

Due to the location of refugee camps there is lack of opportunities to integrate into Kenyan society, refugee networks serve as alternative systems of governance, into which refugees integrate in various ways. Refugees use social networks as support mechanisms, including sharing homes and meals;

relying on and providing debt and credit; supporting those in need and the newly displaced; paying zakat<sup>2</sup>; and engaging in community-based rotating savings and credit schemes.

Usually, urban refugees in Nairobi have achieved a form of de facto integration (which has a number of elements including: refugees are no longer in physical danger or at risk of refoulement; not confined to camps or settlements, and have the right of return to their home country; can sustain a livelihood, are self-sufficient and have similar standards of living to their hosts; and have access to public services and are socially networked into the host community) due to their level of self-sufficiency, access to services and social interaction with the host community.

The legal status and access to documentation is a key determinant of integration. Apparently a path to naturalization is not available to refugees. The 2010 Kenyan Constitution provides that “[a] person who has been lawfully resident in Kenya for a continuous period of at least seven years” and who meets other conditions prescribed in the relevant legislation may be naturalized. Kenyan law on citizenship provides additional conditions, including the ability to speak Kiswahili or a local language and the capacity to make a substantive contribution to Kenya’s development. However, in practice, Kenya does not appear to grant citizenship to refugees.

The biggest obstacle for integration of refugees are the refugee camps itself. Segregating people’s social, political and economic lives from the host population fundamentally undermines opportunities for interaction, cooperation and co-existence. It is largely only those refugees who have managed to circumvent the controls resulting from the encampment policy who have made progress, however limited, towards integration.

Refugees will adapt to whichever system is most available. If the receiving society is unwilling to integrate, refugees will adapt elsewhere. Integration is a two-way process between refugees and the host population. With limited opportunities to integrate into the host population in Kenya, there are signs that a natural propensity of refugees towards integration means that they adapt to different systems, including the aid community, ethnic enclaves and transnational networks.

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<sup>2</sup> Zakat is a religious obligation, ordering all Muslims who meet the necessary criteria to donate a certain portion of wealth each year to charitable causes.

### 3. Good practice analysis

It is believed that the mental state of asylum receivers is closely connected to the integration after asylum is granted. For this reason, the importance of emotional support is highly emphasized for asylum receivers' mental health. (Munz & Melcop, 2018; Sandalio, 2018). One of the best ways of providing such support is through psychosocial support. A word psychosocial addresses the link between social factors (separation from the family and other social networks, livelihoods destruction) and mental wellbeing (Meyer, 2013). It is considered to be essential when trying to cope with stress caused by permanent displacement.

Nowadays, psychosocial support is a part of every humanitarian response to any catastrophic events. Hence, this type of support is widely known regarding facing the challenges of mental disorders caused by conflict or disastrous experiences. It describes a range of activities (both material and mental) designed to approach and boost people's wellbeing after displacement and prevent further psychological issues (Meyer, 2013). Psychosocial support assists people when rebuilding their social structures, coping with stress, creating a mentally healthy everyday life and harmonious functioning within society. "It can help change people into active survivors rather than passive victims" (Markovikj & Serafimovska, 2017, p. 14). So, it addresses the social and psychological issues together. Hence, asylum receivers are more likely to have psychological disorders than regular EU citizens and **mental health is crucial for the successful integration**. It can be ensured through psychosocial support.

Good practice examples show that social integration helps for long and short-term to reduce mental disorders (Schick et al., 2016). In the Action plan (2016) European Commission recommends to:

1. Promote exchanges with the host society from the very beginning through volunteering, sport, and culture activities. <...>
2. Invest in projects and measures aimed at combating prejudice and stereotypes (e.g. awareness-raising campaigns, education programmes). <...>
3. Organise civic orientation programmes for all third country nationals as a way to foster integration into the host society and promote the understanding and respect of EU values (Action plan, 2016, art. 4.1.5).

Hence most of the practices amongst countries and NGOs are similar. They provide language learning courses for migrants', cultural competency training to teachers, develop school policy, organise community forums. However, some practices stand out from the others by their success. This subchapter presents the analysis of good practice examples selected by European Commission and presented in its good practice sharing platform or practices that have proven to be effective by researchers.

### **3.1. Organising health education sessions in Sweden**

Sweden has already been implementing the important practices for its asylum residents even before the beginning of the refugee crisis in 2015. Swedish Migration Board suggests not to limit the training for health care professionals by cultural education only, but also to add the education on improving their communication and pedagogic skills (Ekblad et al, 2012). This way the responsibility for educating the asylum seekers was transferred from NGOs to medical practitioners.

As mentioned in the challenges' analysis, one of the difficulties when providing asylum seekers and receivers with mental support, is the ignorance related to such topics and the educational system itself. Hence here, health care professionals were told to organise an informative session for asylum receivers between 2008 October 1 and 2010 May 19, to provide information about the health care and mental health services in Sweden.

There were 39 sessions organised, which gathered 626 participants in total. The sessions were led by nurses and followed by interpreters, both men and women participated in sessions together. Each session was concluded with 2 presentations. The first presentation included the information about: contacting health care providers, Swedish health care system, migrants' rights, laws, costs and NGOs in this area. While the second presentation included the information about: migration stress, mental health and possible ways of helping yourself when being mentally unwell. The sessions were finished by the discussions and questions. The effectiveness of this practice was proven by the research done throughout all this period while sessions were held. After every session everyone was asked to fill in questionnaires about the lecture.

The results of such a survey showed that refugees felt a need for information about the Swedish health services in general, after the lectures people understood its working principles way more clearly. The great gratitude was expressed for being listened to in discussion (Ekblad et al, 2012). Most of the people expressed that they are not used to being treated so kindly. It shows an importance of recognition, acceptance and attention among the refugees. As mentioned in the previous chapter, the recognition of migrants' experience is a first step to healing. So, education is a great way to give an impulse for the usage of mental health services in a country. Here Sweden, shared a good practice of improving asylum seekers knowledge in a field of healthcare and mental health in specific. Also, it shows how the burden of NGOs can be shared with health institutions.

### **3.2. Empowering refugees to achieve autonomy in Greece**

Another successful initiative done by an NGO takes place in Athens, Greece. Za'atar NGO strives to equip refugees with skills required to enter the labour market and become financially self-dependent while doing something that they enjoy. To accomplish it, the initiative Project Layali provides refugees with various classes to develop Greek and English language skills, as well as skills of fishing, tailoring, cooking and computer literacy. Additionally, the framework of the project allows issuing recommendation letters and organising resumé workshops.

All these aspects can play a vital role in finding a job which will eventually lead to a more stable living situation. What is more, as part of Project Layali, Za'atar has set up social enterprises through which refugees and migrants can get permanent jobs that help them achieve independence. So far, the project has opened a hair salon and a shop where refugees sell handmade jewelry, carpets and more. In addition, Za'atar also organizes activities with the idea of integrating refugees into the community more effectively. For instance, every Sunday the organisation organises visits to famous places around Athens city to let them learn more about the city and Greek culture.

### **3.3. Promoting immigrant entrepreneurship in Portugal**

Starting and building businesses is one of the effective ways of providing a path for the professional and social integration of immigrants. However, immigrants face obstacles in creating a business in a foreign country. They might have difficulties with communication, lack of familiarity with the law or the

services related to starting a business and mistrust on the part of suppliers, institutions or customers. In order to overcome these challenges and to promote entrepreneurship among country's migrants, the Migrant Entrepreneur Support Office of Portugal's High Commission for Migration (ACM) together with local institutions have implemented the Promotion of Immigrant Entrepreneurship (PIE) project to focus on the steps that prospective entrepreneurs can or must take to set up a business and on structuring business ideas. The project is divided into two interdependent areas: training sessions to support immigrants in the creation of their businesses and subsequent meetings to implement a business plan.

The responsibilities of this project are divided to 22 different institutions in 16 different municipalities, hence ensuring its successful implementation helping immigrants throughout the country. As a result, from 2009 to 2018, 127 courses were developed and involved more than 2 thousand participants who successfully developed their business ideas.

### **3.4. Helping refugees in Denmark enter and succeed in higher education**

People with refugee backgrounds often face many social integration issues: one of them is the need of guidance on successfully entering higher education. The application process in Denmark is quite complex and different from other countries. For this reason, the Student Refugees project was started in 2017. It is a student-driven project meant to assist young refugees in:

1. Enrolling into higher education institutions. The project provides with all the relevant information about the procedures of applying for a higher education in Denmark, as well as with suggestions and alternative routes to overcome common obstacles that people with refugee status may face when trying to access higher education. It tries to mediate the challenges through personal guidance to refugees and collaboration with educational institutions and the Danish Ministry for Higher Education.
2. Adjusting into the higher education setting once they are accepted. A refugee student is paired with a volunteer who is already enrolled in a higher education programme in Denmark. The volunteer helps the refugee to navigate the system and learn about university culture in Denmark.

In both phases, volunteers offer guidance to refugees in person, as well as via email and Skype. Moreover, an important part of the guidance has been to develop the only comprehensive, online guide to Danish higher education for refugees - [www.studentrefugees.dk](http://www.studentrefugees.dk). Student Refugees has helped around 230 people with a refugee background in their process of entering higher education. Moreover, the Student Refugees is helping the Icelandic Student Union in opening a sister organisation in Iceland to enhance refugee integration there. In addition to the direct benefit to the participating refugees, this project also contributes to enhancing cultural understanding and social networks. Personal meetings and seeing things from the refugees' perspectives is important for the volunteers as well, so they get a better understanding of the refugees as individuals and the struggles they are facing.

### **3.5. Good practice examples in Colombia**

- **Legal assistance network**

Legal assistance to settle in a country remains the most difficult obstacle to surpass. Corporación opción legal has partnerships with 22 universities in different cities in Colombia that are working with professors and students of law providing legal assistance to migrants and IDPs. During 2014, the Project set out to serve 10,500 people with 12,000 legal actions and ten thousand people arrived and 22,713 legal problems were addressed.

In terms of quality, the results are also highly positive: 97% of the legal actions presented by the students were rated as adequate by the regional coordinators of the project; only around 3% of the total cases were totally denied. Opción Legal organized a monitoring system, in real time, on a platform called "Anfora" through which you can strictly monitor each and every one of the consultancies and the results obtained. The Corporation has managed to resolve the situation of disparity in the quality of the universities, training the coordinators and the students and providing support tools that have led to standardizing the advice provided at a medium-high level. A challenge in projects like this is to combine the individual care of displaced people with strategic interventions. In this regard, OL has structured, through the legal clinic methodology, a mechanism to select emblematic cases, which are discussed and presented, in the perspective of generating antecedents with an impact on multiple similar cases.

Different initiatives have been linked to this program, such as "Somos Panas" developed by UNHCR, the inclusion of Migration in the study plans of some universities, participation tables, virtual legal consultancies, research hotbeds, legal brigades and alliances with organizations of Venezuelans. Other organizations in Colombia are participating: "Venezolanos Unidos por Barranquilla", "Fundación de Venezolanos en Cúcuta", "Urabá migrant network" among others.

- **El Centro Pastoral y de Capacitación CEPCA**

CEPCA gives migrants and IDPs an opportunity to restart their life project after losing everything they had (land, family, jobs, education). CEPCA provides them training so that they can reopen the horizon and have a better chance of getting employed or creating small communities linked by work, such as the so-called solidarity boats, another of the foundation's programs. CEPCA is a comprehensive training that offers different courses in bakery, beauty, clothing and computer science and together with this training they are given psychosocial guidance where they are sensitized to forgiveness, reconciliation and the life project in the city with its duties as citizens.

### **3.6. Good practice examples in Kenya**

Integration process has been vital steps towards creation of an avenue for refugees in Kenya. Though it is difficult to describe the level of integration amongst refugees in camps given that they are designed as a temporary measure to limit integration and facilitate the early return of camp residents. Integration is fundamentally circumscribed by the remote location of the camps and physical curtailment, and refugees' socio-economic opportunities are further constrained by their lack of mobility and right to work. We though have another scenario of urban refuges, many who find their way to the urban centres of the Kenya and settle themselves, doing small businesses, working in farms, local industries and some being hosted by refugee serving organizations.

The following has been actions undertaken to help bring about positive refugee integration in the country.

- **The legal and policy environment**

The encampment framework determines the overall level of integration of refugees in camps; however, the actions and policies of local authorities and aid actors also affect outcomes for camp-based refugees. For example, imposing taxation on the refugee businesses and recognition by offering permits and a legal basis for them to operate in the country.

Economic integration shows that only 2% of refugees in Dadaab relied entirely on humanitarian assistance in 2013 (Kamau and Fox, 2013). In 2010 there were an estimated 5,000 businesses in Dadaab, ranging from petty traders to large concerns with an annual turnover of millions of dollars. The refugee economy in Kakuma is similarly dynamic: the majority of refugees engaged in economic activities in the camp work for humanitarian agencies, in shops or in construction, activities ranging from pharmacies to money transfer companies and breweries. Of those reporting a cash income, the largest source was from employment (36%), followed by remittances (29%) and business (20%). Many commentators argue that urban refugees in Nairobi and major towns around the country have achieved a form of de facto integration due to their level of self-sufficiency, access to services and social interaction with the host community (Jacobsen, 2001; Campbell, 2006; Beversluis et al., 2016).

For urban refugees, the pace is open since they are able to be hired by local firms in the country, with some engaged in small scale business including hawking, selling second hand, etc. Though this does not mean they are well off, there are other factors that hinder their penetration and self-development as refugees in the country.

Cultural and socio-political integration of camp-based refugees. Refugees, who achieve a certain level of economic self-sufficiency in such a constrained environment, do so as a result of their own agency, identity and capacity. Ethnicity, social capital and social networks – all elements of Zetter’s social domain – are reported to be the primary determinants of success. Somali and Ethiopian refugees are perceived to be doing best; refugees from DRC are thought to be middling and South Sudanese are at the bottom in terms of livelihoods outcomes. This is attributed to the access to networks and remittances.

The length of stay in the camp and the country is another factor in improved livelihoods. Refugees in the camp and the country for ten years or longer are more involved in small and medium-sized

income-generating activities, whereas new arrivals are more dependent on humanitarian assistance (Kamau and Fox, 2013). In the absence of opportunities to integrate into Kenyan society, refugee networks serve as alternative systems of governance, into which refugees integrate in various ways. Okra (2011) reports that those with greater means and higher socio-economic status tend to do better, using their networks of influence.

Refugees use social networks as support mechanisms, including sharing homes and meals; relying on and providing debt and credit; supporting those in need and the newly displaced; paying *zakat*; and engaging in community-based rotating savings and credit schemes (Lindley, 2011; JAM, 2014). Another set of camp strategies relates to interactions with the humanitarian system: refugees use different methods to maximise the food aid they receive or make efforts to establish good relationships with aid providers to secure assistance, preference or incentive work.

### 3.7. Good practice examples in Myanmar

- **Legal and operational definitions**

**Internal Migrant Worker** There is no internationally recognized standard legal and/or operational definition of an internal migrant worker. Similarly, no legal definition of internal migrant worker has been formally adopted by the Government of Myanmar. Therefore it is important to understand data on internal migration in relation to how it is operationally defined by the data source.

The 2014 Myanmar Population and Housing Census defined internal migration as intertownship movement of more than 6 months. The definition of internal migration used in the Census is designed to capture permanent or semi-permanent changes of residence. The criterion of six months used to establish the time spent in their usual residence results in those who move on a temporary basis of less than six months not being included in the definition of migration. Furthermore, internal migration is defined in the Census as movement between townships.

The ILO developed an operational definition of internal migrant worker in the context of Myanmar for the purpose of its migration study. It defines an internal labour migrant as “a person who migrates or

who has migrated from one place to another inside the country with a view to being employed”, beyond his/her village or ward of origin for duration of more than 1 month.

**International Migrant Worker** A migrant worker (de facto international) is defined in the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143) as “a person who migrates or who has migrated from one country to another with a view to being employed otherwise than on his own account and includes any person regularly admitted as a migrant worker.” Myanmar has not ratified the Migrant Workers (Supplementary Provisions) Convention, 1975.

The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, adopted by General Assembly resolution 45/158 of 18 December 1990 defines the migrant worker as “a person who is to be engaged, is engaged or has been engaged in a remunerated activity in a State of which he or she is not a national.” The 1975 ILO Convention is not as comprehensive since it limits migrant workers to a person who has been regularly admitted. Furthermore, the 1975 Convention also has fewer signatories among member countries of the United Nations.

- **Migration Profile in Myanmar**

The International Organization for Migration (IOM) identifies Myanmar as the largest migration source country in the Greater Mekong Subregion (GMS), with up to 10% of the Myanmar population migration internationally.

The 2014 Census data shows that almost 20% of the population now comprises internal migrants. Another study that included migration as a thematic component and was conducted in 6 regions across Myanmar also revealed that 17-38% of all households have a family member migrating, and overall village population migration levels range from less than 2.5% in Shan State to over 15% in Mandalay Region. The main drivers of both internal and international migration in Myanmar are:

1. Seasonal fluctuations of employment and income opportunities in rural areas;
2. Oversupply of labour in rural areas;
3. Increased levels of education among populations living in rural areas, and the unavailability of jobs that match their skills;

4. Crop failures and income related shocks;
5. Natural disasters and environmental changes;
6. Loss of livelihoods due to conflict;
7. Better job security and stability as well as better incomes in destination areas;
8. Greater professional opportunities in destination areas, especially outside Myanmar.

Broadly speaking, a variety of push and pull factors affect the patterns of movement in the context of Myanmar. These factors and the emerging patterns also have crucial implications for the country. Some of the key implications are:

1. A notable increase in rural to urban, non-seasonal internal migration;
2. Lack of adequate manpower in rural areas during the agricultural peak seasons, resulting in higher labour costs, and mechanization or discontinuation of farming;
3. Greater incidence of family migration as opposed to individual migration in the case of internal migration, and vice-versa in the case of international migration;
4. The emergence of remittances as a main income source among households;
5. Increasing income gap between migrant-sending households and non-migrant households (especially in the case of international migration);
6. The emergence of migration as a viable livelihood choice, increasingly relied upon by rural households;
7. Skewed age distributions in migrant source areas within the country (more elderly and children) and in destination areas (presence of a more young, productive population);
8. Possibility of increased inter-ethnic issues and/or tensions related to escalated levels of migration, especially in Mon, Kayin and Rakhine;
9. A shift towards migrant sensitive urban planning in key urban centres within the country;

10. Greater opportunity to ensure the financial inclusion of migrants and their families through savings and credit products.

Although formal channels of migration, especially labour migration, are increasingly being made available to Myanmar migrants, the majority of the migrant outflows from the country are still considered to be irregular, passing through unofficial channels that are often unsafe for the migrants as well as their families. Smuggling and trafficking across international borders is a lucrative industry in the GMS.

Similarly, the risk of exploitation also exists in internal migration, with a study by the ILO identifying that 26% of the surveyed internal labour migrants are in a situation of forced labour, and 14% are in a situation of trafficking for forced labour. Safe migration, therefore, is an important concern in the context of Myanmar. The impediments to safe migration for Myanmar migrants include:

1. Insufficiently regulated migration brokerage;
2. Lack of safe recruitment mechanisms for low skilled migrants from rural areas;
3. Lack of information and knowledge sharing on safe migration practices;
4. Lack of written employment contracts; unsafe and unhealthy working conditions in destination areas;
5. Irregular documentation and protection in the case of destinations outside Myanmar;
6. Weak legal enforcement or official corruption.

- **Internal Migration**

Note on internal migration data: This working paper is based on data and information compiled from different sources, including independent research papers, where relevant. It should be noted that variation among different sources of data, as well as unavailability of data is a key limitation in the context of migration related research in Myanmar. The information presented in this section is gathered from studies and surveys that relied on different methodologies, and although comparative

data has been provided where possible, the reader should also note that much of the data is unable to account for irregular migration within Myanmar.

- **Demographics**

The 2014 Myanmar Housing and Population Census counted 9,391,126 internal migrants (19.6% of the total population of Myanmar), out of which 4,453,017 were male and 4,938,109 were female. Additionally, the population with state/region of usual residence was different from the state/region of birth totalled 4,834,345 people or roughly 10% of the total population. However, Census data does not include seasonal migration of less than 6 months, and intra-township migration, both of which are believed to be large numbers. Due to the seasonality of agricultural employment in Myanmar, rural to rural, rural to urban, or intra and inter-regional seasonal migration in both source and destination areas is believed to be widespread.

In the context of internal migration, Census data is believed to be more reliable than other surveys despite its limitations. However, a few thematic studies based on sample data have been carried out to map internal migration patterns in Myanmar, and yielded insightful results. A survey on internal labour migration was conducted by the International Labour Organization (ILO) in April, 2015. A total of 7,295 internal labour migrants were interviewed. The key demographic results from the survey are as follows:

1. 94% of the respondents were found to be 18 years or older;
2. 66% were male, and 34% were female;
3. Around 72% identified themselves as ethnic Bamar, while 27% were of other recognized ethnicities in Myanmar;
4. 90% of the respondents were Buddhist, 9% were Christian, and the remaining 1% were Muslim, Hindu or Animist;
5. The average household size of respondents was five members, with an average of two members engaged in economic activities;
6. 63% had completed education up until grade nine, 24% had started high school, however only 6% were found to have graduated.

Census data as well as information from smaller studies suggests that gender is a determinant of migration patterns. However, while the Census recorded more female internal migrants than male, the ILO survey counted more male migrants than female migrants in its sample. This could be due to a combination of different factors, including that:

1. the Census counts all movement whereas the ILO survey only reaches out to workers (i.e. accompanying family members, who are also migrants, are not the target of the study)
2. the ILO survey is not a representative survey and the gender ratio is biased
3. the Census covers the entire nation but the ILO has smaller coverage
4. the Census does not count the movement of less than 6 months but other studies do
5. the Census counts inter-township movement within Yangon (which also includes residential migration).

The Qualitative Social and Economic Monitoring (QSEM) survey, conducted in 2015 across 6 states/regions of Myanmar, also concluded that women were less inclined to migrate than men. In QSEM's survey regions, the vast majority of women who did migrate were found to prefer long term domestic migration to the urban areas of Yangon and Mandalay, with the notable exception of Chin and Shan states from where women were more likely to migrate internationally.

- **Main Reasons for Movement**

The Census recorded data on the main reasons for movement from the place of previous usual residence. Around 41% of the migrant population (9 million) followed family, 34.3% moved for employment or in search of employment, 15.7% due to marriage, 2.2% for education, 0.7% due to conflict, and 5.9% for other reasons.

The QSEM survey results from 2015 suggested a landscape of economic hardship/shock which drives internal migration among the interviewed migrants, while the ILO survey also found the lack of employment opportunities in source areas and a stated need for money among respondents as primary reasons for internal labour migration.

Another survey on internal migration in Ayeyarwady and Magway regions revealed that 20% of migrants from both regions also moved in response to economic shocks faced by their households.

Broadly speaking therefore, it can be observed that the majority of people move to look for work and income, with a smaller percentage of people moving to respond to economic shocks. Broadly speaking therefore, migration is identified as a livelihood strategy by the majority of the households in Myanmar whose members choose migration. For example, for households with medium landholding, it could mean diversifying the livelihood options for family members to protect against extreme events such as crop failures, while for households with large landholding, it could mean opportunities for further skill development and better career prospects in urban areas like Yangon.

- **Safe Migration**

There are numerous risks involved in international and internal migration for Myanmar nationals, including trafficking and forced labour, use of informal brokers, exploitation in destination areas, and lack of legal redressal mechanisms. Often irregular migration mechanisms, particularly in the case of international migration, may be viewed more favourably by migrants due to greater flexibility and a lesser debt burden as compared to regular means (such as government schemes or licensed brokers).

The dangers of smuggling and extortion of migrants have been observed in the case of maritime migration across borders in the Bay of Bengal, as well as land transportation from Myanmar to other countries such as Thailand, Bangladesh, and Malaysia. The barriers to safe migration are often interconnected with the economic compulsions that influence migrants' decisions to move, suggesting a need for better economic opportunities at the local level within Myanmar, as well as better access to knowledge that can help migrants make informed choices.

A survey on safe migration knowledge, attitudes and practices among 625 potential migrant workers, conducted by the ILO and MDRI-CESD in Mandalay region, Tanintharyi region, and Shan state revealed that lack of local livelihood options and low wages are the primary reasons for migration among young people (18-24 years). Inadequate access to information on safe migration consequently creates further risks, especially for the poorest and most vulnerable potential migrants. The survey found that agriculture was the largest employment sector (45%) within Myanmar for potential migrant

workers, followed by the informal sector (27%) which included jobs such as vending, sewing, and unpaid work as homemakers.

The need for a gendered approach to safe migration outreach was identified based on the fact that male potential migrants predominantly worked in agriculture (54%), while women were more engaged in the informal sector (46%). Approximately 66% of surveyed potential migrants expected to migrate irregularly (highest in Shan state at 89%), with the help of friends/family (50%), or on their own (16%). Around 22% expected to use the services of a recruitment agency, or a broker (9%).

The cost of migration via regular channels, and difficulties in obtaining official documents such as a passport were key factors influencing the decision to migrate irregularly in Shan state and Tanintharyi region. Furthermore, in terms of intended destination outside of Myanmar, 94% of migrants planning to work in China and 86% of migrants planning to work in Thailand anticipated migration through irregular channels. In order to cover the cost of migration, 50% of potential migrants (both internal and international) indicated they will be using their own savings, while 32% expected to take out a loan, and 15% anticipated that they will be paying through wage deductions (a practice that has the potential to introduce the possibility of debt bondage upon arrival). Although a majority of migrants (70%) were aware that both a passport and visa are necessary to migrate regularly across borders, only 27% were aware that a job offer is also needed, and 19% understood the requirement of a work permit.

In the context of labour migration (both international and internal), 73% of potential migrants believed that friends and family were the most reliable source of information about migration, indicating the strong role played by social networks. Recruitment agencies and brokers were considered reliable by only 10% of the sample population. Notably, only 1% considered local labour authorities a dependable source of migration information.<sup>138</sup> A low level of awareness was observed among potential migrants of the risks involved in migration, with 37% being aware of the risk of financial burden caused by high expenditure, 23% of the risk of deception, 23% of exploitation, and 16% of complex procedures.

Concerning the crucial interlinkages between internal and international migration, the survey found that many internal migrants from the Dry Zone and Delta regions moving to Shan state and Tanintharyi region respectively, decide to migrate internationally to China and Thailand. However, these migrants become vulnerable to exploitation due to lack of social networks in the region to facilitate cross-border movement. They often resort to relying on the services of local brokers which

increases the risk of exploitation and forced labour. Overall, it is evident that access to information on how to migrate safely, awareness of migrant workers' rights and entitlements, and knowledge of working conditions is very poor among potential migrants in Myanmar.

- **Good Practises**

Myanmar's Law for Overseas Employment (1999) establishes a committee to prescribe the service fee amounts that can be charged to migrant workers. In accordance with Article 8(e) of the Law, it has been stipulated that recruitment agencies charging workers more than four times their basic monthly salary earned will have their licenses revoked (Government of Myanmar, Undated). Although instituting a ceiling on fees is considered a good practice for regulating recruitment agencies in countries where such charges are allowed.

## Conclusion

According to UNHCR data, over 70 million people were defined as displaced people in the world in 2018 and the number of asylum applications has increased over the years. The studies made in Sweden have shown that refugees' mental health is a more important factor than poor education in order to be accepted into society. The measures have been taken to create the suitable environment for asylees to not only help refugees fulfill their physiological needs but also create opportunities to meet psychological needs which play a big role in people's life to attain self-realisation.

Integration into a new society has become even a bigger problem due to the problem that asylees are not aware of western living society systems and societies are closed minded. Those factors make difficulties for refugees to be integrated into the labour market and it might lead to deeper psychological illness such as depression if asylees fail to fulfil their social and economic duties and are discriminated by society.

Thus, having strong integration policies might help to avoid those problems. Sweden is being known as one of the best countries which has effective measures to help refugees integrate into society. This country relies on ensuring equal rights, obligations and opportunities for all people. Moreover, it was signed a Consensus on the Protection and Promotion of Rights of Migrant Workers in Myanmar. This agreement promises migrant workers from other nations get the same level of protection which is being given to their own citizens. Since 2012 the Labour Organization Law protects workers' right to form and freely join labour organizations. The different actions have been taken in Colombia and Kenya. Those countries request to have special passes/cards for refugees which restrict their certain abilities.

Moreover, it is known that social integration helps to reduce mental disorders. Hence, in the Action (2016) plan there are recommendations for countries to help to integrate asylees into societies. Various types of volunteering, sport, culture activities and investment in projects are being recommended to provide to refugees in order to make the process of integration quicker. In addition, Swedish nurses took actions to provide mental support for refugees by organizing sessions to raise awareness of the Swedish health care system and mental health. As a result, it not only helped to get clear information about health services but also refugees felt accepted in the community and treated

very kindly. In addition, In Greece refugees have the possibility to develop Greek and English language skills and improve skills such as fishing, cooking or others while in Portugal there are courses about entrepreneurship and thus a good way to help a set up business and be successful in the business market. Moreover, education is an important factor to be involved in society. Thus, the refugee students can get involved into higher education with the help of Danish volunteers who have experience in it. Those mentioned examples only prove that there are many ways how policies can help refugees be enrolled into society. It is important to take this problem seriously in order to help them to improve their lives in the new environment.

Refugee integration is a complex and multi-faceted two-way process that involves the efforts of all stakeholders, including the readiness of refugees to adjust to the host community without losing their own cultural identity, and the required readiness of host communities and public institutions to welcome and meet the needs of a diverse population. The integration process is complex and incremental, involving distinct yet interrelated legal, economic, social and cultural aspects, all of which are essential for the ability of refugees to integrate effectively as members of the host community who are completely included.

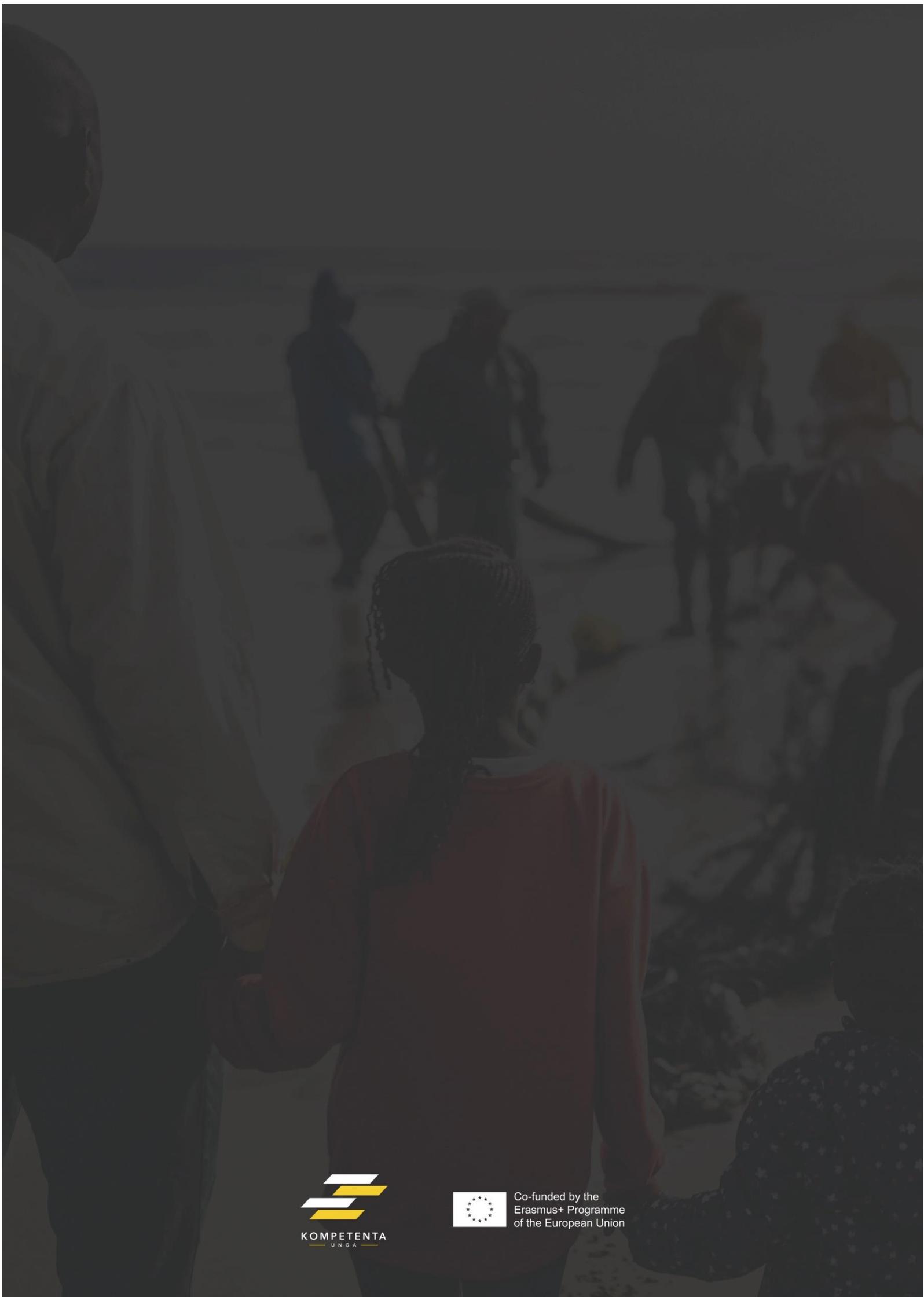
There is no "one-size-fits-all" integration strategy. It is important to examine the situation of refugees in the sense of the respective host community and with regards to the living and working conditions of locals. It is also evident, however, that international activities, discourses and processes have a significant effect on refugee integration and the respective national and local policies. There are a range of broad integration objectives that extend across nations. These include efforts to empower and improve the full potential of refugees, to protect their human rights, to avoid their marginalization, and to promote social harmony and harmonious coexistence.

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Co-funded by the  
Erasmus+ Programme  
of the European Union