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Current migration situation in the EU: Education

May 2017

This report assesses asylum seekers' and refugees' opportunities to access early childhood education and primary, secondary and tertiary education and training. It identifies measures available for their support, as well as possible areas for improvement.

For some Member States, the information does not apply to the whole territory, pertaining only to select regions or localities. More specifically, this report covers the following regions/localities: Styria, Vienna (Austria); Sofia, Harmanli (Bulgaria); North Rhine-Westphalia, Bavaria (Germany); Madrid, Melilla (Spain); Helsinki (Finland); Île-de-France, Nouvelle Aquitaine (France); Lombardi, Emilia Romagna (Italy); Stockholm, Malmö (Sweden); Opatovska Nova Ves, Nitra (Slovakia). The information on Denmark, Greece, Hungary, the Netherlands and Poland does not focus on any particular regions or localities.

Contents

Thematic focus: Education 2
- Main findings 2
- Legal framework 3
- Statistics and numbers 3
- Children in immigration detention 5
- Early childhood education 7
- Primary and secondary education of asylum seekers and refugees 7
- Challenges affecting the education system 11
- Accessibility of services at school 11
- Children with special educational needs 12
- Education of children above compulsory school age 13
- Education of adults 14
- Budget and human resources constraints 15
- Further information 27

Thematic focus: Education

More than 600,000 children applied for asylum in the EU in 2016, including some 100,000 unaccompanied children.[1] In 2017, children continued to account for a large proportion of arrivals in most Member States, in Germany amounting to around 40 %.[2] Providing appropriate education across Member States has been challenging in many respects. In almost all of the Member States covered by the OECD Programme for International Student Assessment (PISA) 2015, for example, the share of low achievers is significantly higher among first-generation immigrant students than among their non-immigrant counterparts.[3]

This report aims to provide an overview of the various practices and policies to make education available to asylum-seeking children and child refugees, from early childhood through to adulthood.

MAIN FINDINGS

- Official statistics on the number of asylum seekers and refugees in various types of formal education exist in most Member States. They are not collected systematically, however, and may refer to various groups including asylum-seeking children, refugee children, non-national children and children with a migration background.
- In nine out of 14 Member States covered by this report, children in immigration detention have no access to any form of education. The main reason stated for this is the short length or the exceptional nature of their detention. The remaining six Member States offer various types of informal education. Only three of them offer it regardless of the short duration of the children's stay.
- The main challenges concerning access to early childhood education include long waiting periods, language barriers, accessibility in terms of distance, insufficient guidance for families, lack of information provided on such opportunities, low allowances for asylum applicants to cover expenses, and the treatment and integration of traumatised children.
- In three Member States, asylum seekers and refugees do not have access to formal school education in some parts or regions.
- Once enrolled in school, asylum-seeking children generally benefit from the same services as national children and in some Member States are also eligible for additional support such as language courses or financial allowances for school supplies or support concerning disabilities.
- Once enrolled in school, asylum-seeking children generally benefit from the same services as national children. In some Member States they are also eligible for additional support such as language courses, financial allowances for school supplies and support concerning disabilities.
- In four Member States, traumatised children have access to some form of psychological support, but this support does not specifically target children with a refugee background. Support that takes account of combinations of vulnerabilities in the individual child is rarely available. Locations in only three Member States report that teachers have received support or guidance in dealing with traumatised children, such as special guidelines and training on identification and treatment of children with trauma.
- Only few Member States specifically address educational needs arising from irregular school attendance before children's arrival in the country.
- Many Member States report difficulties with regard to education of children who are above the compulsory school age. Such difficulties include a lack of sufficient language skills, forcing children to attend classes for younger age groups, and the absence of programmes providing access to vocational training.
- A key obstacle to adults' access to tertiary education and employment is that it is impossible or complicated to recognise diplomas from learning institutions in the asylum seeker's country of origin.
- Most Member States increased their budgets and human resources for education in response to the migration crisis in 2015/16. However, support in some Member States depends on project-based funding.

Legal and policy framework

One of the United Nations (UN) Sustainable Development Goals is inclusive and equitable quality education for all (SDG 4).4 Education is crucial to foster tolerance and peaceful societies and is also a prerequisite for other SDGs, including gender equality and empowering girls (SDG 5), reduction of inequalities within and among countries (SDG 10) and promoting peaceful and inclusive societies (SDG 16).5 At the same time, some 57 million children of primary-school age worldwide were out of school in 2015.6

The right to education applies to all, regardless of legal residence or stay and pursuant to the 1951 Refugee Convention (Article 22),[7] the Convention of the Rights of the Child (Article 28),[8] and the European Convention on Human Rights (Protocol No. 1, Article 2).[9] States must make primary education compulsory and available free to all, and take measures to encourage regular attendance at schools and reduce drop-out rates, according to Article 28 (1) of the Convention on the Rights of the Child.

According to the Reception Conditions Directive (Article 14),[10] asylum-seeking children should have access to the education system on the same terms as children born within the country, as long as an expulsion measure against them or their parents is not actually enforced. Access to the education system should not be postponed for more than three months from the date on which the application for international protection was lodged by or on behalf of the child. The Qualification Directive (Article 27) guarantees full access to education for refugee children under the same conditions as nationals.[11] The proposed recast Dublin Regulation (recital 22)[12] calls on Member States to act in compliance with the EU Fundamental Rights Charter and to ensure that the immediate material needs of asylum applicants are covered. In its opinion on the impact on children of this proposal,[13] FRA has assessed such needs to cover at a minimum an obligation to provide housing, food, clothing and education in addition to necessary healthcare.

The Commission's Action Plan on the integration of third-country nationals considers education and training as key factors in national integration policies. It identifies three main priorities for education to:

(1) integrate newly-arrived migrants into mainstream education structures as early as possible;
(2) prevent underachievement of migrants and to allow them to fulfil their potential;
(3) prevent social exclusion and foster intercultural dialogue through drivers such as sport, culture and youth activities.[14]

The Commission Recommendation on Investing in Children: Breaking the Cycle of Disadvantage (2013/112/EU) refers to the importance of education in reducing social inequality and disadvantage.[15] The recommendation calls for 'integrated strategies' to curb poverty and social exclusion, based on three pillars and including access to affordable quality services such as early childhood education and care, and school education for all children.

Statistics and numbers

In nine out of the 14 Member States covered by this report, statistics were available on the number of asylum seekers and refugees in early childhood education and care, as well as in primary, secondary or (to a lesser degree) tertiary education. However, these data are not collected systematically and may refer to different groups of persons, specific regions within Member States or specific times.

No data were available on vocational training, including apprenticeship schemes, except for Poland, where refugee and asylum-seeking children make up 0.016 % of

As a reflection of the above, the data in Table 1 cannot be compared among countries.

Table 1: Official statistics on asylum seekers and/or refugees in education, 9 EU Member States

EU Member State	Refers to	Time frame (period or point in time)	Early childhood education	Primary school	Secondary school
AT	Only asylum seekers	As of 31 March 2017	962 (only pre-school)	13,931 (in compulsory education grades 1 to 9)	3,100 (grades 9 to 13)
BG	Asylum seekers and refugees	School year 2016/17	12 (only pre-school)	119	
DE	All 'persons with migration history'	1 January to 31 December 2015	n.a.	90,000–120,000	n.a.
DK	Only refugees	1 January to 31 December 2014	784	n.a.	n.a.
EL	Only asylum seekers*	February-March 2017	439	1,344	1,007
IT	Only Emilia Romagna region All non-Italian students (by nationality)***	School year 2016/17	n.a.	35,577	18,645
NL	Only asylum seekers**	As of 1 April 2016	440	2,995	3,290
PL	Asylum seekers and refugees	As of 25 April 2017	0.026 % of the total number of children in school****	0.065 % of the total number of children in school****	0.031 % of the total number of children in school****
SK	Only Nitra region Only accompanied asylum seekers	April 2017	13	14	8

Notes: * *Information from some of the Greek islands was limited and therefore is not representative. This exercise does not include occupied sites and private accommodations, because of the difficulty in collecting quantitative data. Most children in off-site settings attend non-formal education (1,770), including those in UNHCR accommodation schemes (hotels, apartments), other forms of accommodation supported by NGOs and municipalities, shelters for unaccompanied children (UACs), occupied sites and private accommodation. Statistics provided by UNICEF's education exercise.*

** *Children between 6 and 16 years of age.*

*** *Data cover all non-Italian students by nationality, regardless of their residence status.*

**** *Only percentages are available.*

n.a. = not applicable.

Source: FRA, 2017

children in vocational training. Statistics from the region are available only as percentages indicating the share of asylum-seeking and refugee children of the total number of children in education (see Table 1).

The total figures roughly indicate an approximate extent of refugee children's school attendance in the Member States.

Compared to the high numbers of arrivals in some Member States, they may also pinpoint challenges of effectively ensuring access to education.

Compared to the total number of children in schools, the proportions of refugee children may to some extent reflect the level of burden on the education systems. Bulgaria, for example, aggregates data on children applying for or beneficiaries of international protection in primary and secondary schools. The 119 refugee children make up 0.02% in relation to the total 605,729 children.[16] In Emilia Romagna, Italy, for the school year 2016/17, non-Italian children have constituted some 19% in primary schools (35,577 out of 191,856 pupils), whereas at secondary schools, one in four pupils has been non-Italian.

General difficulties in collecting and sharing statistics on asylum-seeking and refugee children in education relate to the lack of data on residence status,[17] the high turnover of persons, making it impossible to properly track numbers,[18] and confidentiality.[19]

Unofficial statistics, collected within projects and/or by NGOs, may be useful for complementary reference. NGOs in Slovakia, for example, report 35 refugee children residing in Nitra in April 2017, of whom 13 attend kindergartens, 14 attend primary schools, eight attend secondary schools and three attend tertiary education.[20] Some 231 asylum-seeking children aged 3-6 years living at Red Cross facilities in Denmark are enrolled in early-childhood education, 280 aged 7-12 years in primary education, 178 aged 13-16 years in secondary education, and 443 persons aged 17–21 years are in vocational training or tertiary education.[21]

In Finland, the Supporting Immigrants in Higher Education in Finland (SIMHE) project provides some indicative figures concerning tertiary education.[22] Of the 130 persons guided by the project in 2016, 30 report having undertaken some form of study within the past year in Finland. Of these, most had taken shorter courses, especially virtual courses, while 11 report having studied towards a diploma. Additionally, some 60 asylum seekers were studying at higher education institutions in Finland, according to the project.[23]

Children in immigration detention

Article 14 (1) of the Reception Conditions Directive requires that asylum-seeking children or children of asylum seekers be provided with access to education on an equal footing with nationals of the relevant Member State "for so long as an expulsion measure against them or their parents is not actually enforced". Article 17 (3) of the Return Directive specifies that children in detention "shall have the possibility to engage in leisure activities, including play and recreational activities appropriate to their age, and shall have, depending on the length of their stay, access to education."[24] This was also confirmed by the Council of Europe Twenty Guidelines on Forced Return (11.3)[25] and General Comment No. 6 of the Committee on the Rights of the Child.[26]

According to the European Commission Return handbook, "the limitation of 'subject to the length of their stay' should be interpreted restrictively. In cases of doubt about the likely length of stay before return, access to education should rather be granted than not be granted. A national practice where access to the education system is normally only established if the length of the stay is more than fourteen days may be considered as acceptable."[27]

The European Court of Human Rights ruled in *Mubilanzila and Mitunga v. Belgium* that detaining a five-year-old unaccompanied child in an adult detention centre for almost two months, without ensuring that she receives proper counselling and educational assistance, is unlawful.[28]

- **FRA data show that in nine Member States education is in practice generally not provided for children in immigration detention (Austria,[29] Finland,[30] France,[31] Bulgaria concerning pre-removal detention,[32] Denmark,[33] Hungary,[34] parts of Germany,[35] Greece with the exception of informal activities provided by NGOs, and Sweden[36]).**

The main reasons provided are the exceptional nature and the presumed short length of children's detention[37] and the fact that administrative requirements and medical checks required by schools take longer than the detention period. Bulgaria gives access to education to asylum-seeking children but not to children detained for removal.[38] Italy does not detain children.[39]

Scrutinising detention of children in the migration context

FRA is preparing a report on detention of children migrating to the EU. The report gives an overview of the situation of immigration detention of children in the EU, illustrating practices of unlawful or arbitrary detention. It will be published on FRA's website on 22 June 2017.

According to the UN rules for the Protection of Juveniles Deprived of their Liberty, education should be provided outside the detention facility in community schools wherever possible, and by qualified teachers. Special attention should be given to the education of juveniles of foreign origin or those with particular cultural or ethnic needs. Juveniles who are illiterate or have cognitive or learning difficulties should have the right to special education.[40]

- **Three Member States (the Netherlands, Poland and Slovakia) provide education in detention facilities regardless of the short duration of the children's stay.**

Dutch alien law limits families' stays at the closed facility for families to a maximum of two weeks, but allows exceptions in case of physical resistance or if the parents start extra procedures.[41] Regardless of the shortness of their stay, children get a special education programme consisting of specially organised activities.[42] Family locations (*gezinslocatie)* are an alternative to immigration detention, where families and children can leave the premises but their movement is restricted to the municipality where the facility is.[43] Most of the family locations have a primary school nearby that is an annex of a regular primary school. At the family locations in Goes and Amersfoort,[44] the children go to a regular primary school near the family location. Children older than 12 years pursue secondary education outside the family location.

Poland and Slovakia usually provide access to education immediately upon arrival at the detention facilities.[45] In Poland, classes are in groups according to children's age, level of education and fluency in Polish, but topics and activities offered do not meet the requirements of the general education curriculum.[46] In Slovakia, swift access to education is supported by an amendment to the Law on residence of foreigners. This ensures access within three months of detention, where the previous law provided this right only if detention lasted longer than three months.[47] Education during detention is provided by NGOs and supported through the Asylum, Migration and Integration Fund.[48]

Spain does not detain asylum-seeking children, except *de facto* if they stay at CETI

reception centres in Ceuta and Melilla. In this context, the temporary nature of their stay and uncertainty over when they might be transferred to the peninsula explain the very low school attendance rate.[49] The Spanish Ombudsman (*Defensor del Pueblo*) also notes that schools are reluctant to organise schooling for pupils who might leave after only a few weeks or months, and families who have not received support (transport, free school lunches, etc.) are reluctant to bring their children to school.[50]

Early childhood education

Early childhood education is the most effective measure to prevent early school leaving and the best guarantee of success at school, according to the FRA Multi-Annual Roma Programme.[51]

Several Member States have reported difficulties in providing asylum seekers with childcare facilities, including long waiting periods (parts of Germany),[52] language barriers (parts of Germany),[53] accessibility in terms of distance (Finland and Greece),[54] insufficient guidance and lack of information on opportunities (Finland),[55] low expense allowances for asylum seekers (France)[56] and handling of traumatised children (Austria and parts of Germany).[57]

Children in Germany have to wait several months before they can enrol in early childhood education. Legal opinions in the federal states (*Länder*) differ on whether or not the statutory entitlement to early childhood education for children older than one year applies to the refugee children placed in reception centres.[58]

More than 40 % of Dutch municipalities that have a reception centre do not have childcare facilities within these centres.[59] The national government makes no extra budget available for the reception of newly arrived children in childcare facilities. Municipalities have to finance the extra places from existing budgets. They consider that to be the biggest obstacle concerning the reception of newly arrived children.[60]

No practical difficulties with enrolling migrant children in early childhood education facilities are reported in Hungary,[61] Bulgaria[62] or Slovakia.[63] Similarly, very few difficulties are reported in Austria, where the last year of kindergarten is compulsory. However, in some locations, there is a lack of available places in early childhood education for younger children, aged three to four.[64]

Providing pre-school support for newly arrived children

The city of Malmö, Sweden, has a pre-school section that functions as an introductory class for newly arrived children as well as other children who speak little or no Swedish. The aim is to strengthen the children's identity and languages, both Swedish and their mother tongues, in the hope that these children will be ready to transfer to a regular pre-school group after about a year. The city also opened a pre-school focusing on newly arrived families. The Pre-school Administration of Malmö developed information leaflets in 21 languages and works extensively with various outreach activities.

Source: Sweden, Pre-school Administration of Malmö (Malmö Stads förskoleförvaltning)

Primary and secondary education

Formal and non-formal types of education at reception facilities

- **Asylum seekers and refugees do not have access to formal education in some specific parts or regions of Germany, Greece (concerning asylum seekers) and Hungary. In these regions they do not attend public schools and the only education available is often provided by volunteers or NGOs.**

In many German federal states, school attendance is not compulsory for children

resident in reception centres,[65] although an individual right to schooling *(unmittelbares subjektives Recht auf Beschulung*) exists in Germany. Local schools can decide on this right in individual cases, allowing but not obliging such children to attend school. The same applies to children from 'safe countries of origin' (*sichere Herkunftsstaaten*), who are exempt from compulsory schooling as long as they are obliged to stay in first reception centres, which is legally connected to the duration of the asylum procedure. During preliminary care (*vorläufige Inobhutnahme*) under the protection of the youth welfare offices (*Jugendämter*), school attendance may not be compulsory for unaccompanied children either. In such cases the only education available is provided by volunteers who offer language classes within the accommodation facilities for unaccompanied children.[66]

In the First Reception and Identification Centres (hotspots) on the Greek islands, where children may have to stay up to several months,[67] asylum-seeking children cannot attend regular schools. They can participate only in non-formal educational activities provided by NGOs and volunteers, such as the preparatory "LEDU" classes, provided by Save the Children Greece, and the Reception School Annexes for Refugee Education (RSARE) classes (see below 'Reconnecting refugee children with the educational process'.[68]

In Hungary, children arriving with their families and unaccompanied children above 14 years of age cannot leave the transit zones during the asylum procedure. This means they do not have access to any formal schooling, except the educational activities provided by NGOs.[69] Unaccompanied children under 14 years of age are accommodated in the István Károlyi Children's Centre in Fót (*Károlyi István Gyermekközpont*), and attend public schools located primarily in Budapest.[70]

Preparatory and support classes

Refugee children are likely not to have attended school regularly before their arrival, also leading to specific educational needs. This may lead to a mismatch between age groups in classes they are able to attend due to their level of schooling as well as create difficulties with their possibility to attend school as they may already be older than the compulsory school age.

- **Almost all 14 Member States under consideration have arranged for special support classes to help asylum-seeking and refugee children follow or join regular classes. The exceptions are Bulgaria, Slovakia and Spain,[71] where children are enrolled in regular classes without any additional systematic support beyond NGO-run language classes and tutoring. The support classes often focus on language proficiency; only few Member States specifically address educational needs arising due to irregular school attendance prior to children's arrival.**

In Spain, so-called special link classes (*Aulas De Enlace*) aim at foreign students who have serious gaps in their basic knowledge resulting from irregular schooling in their countries of origin. However, the application of these special classes has been drastically reduced in practice due to budgetary constraints,[72] and particularly children beyond compulsory school age mostly attend classes for younger age groups fitting their skill level.[73] Also in other Member States, for example in France,[74] children with schooling gaps tend to be placed in lower grades than their age group.

- **In five countries (Denmark, Hungary, Finland, France, and the Netherlands), refugees and asylum seekers generally attend school in separate classes for an initial period, until they are assessed as ready to join regular classes. This can take up to two years in some countries.**

In Denmark, children initially attend either a reception class at a municipality school or a Red Cross asylum school. After a maximum of 11 months, and often sooner, they are assessed for enrolment at a municipality school. Even if enrolled in public schools, asylum-seeking children do not have the right to choose which school they attend.[75]

In Budapest, Hungary, children join regular classes at secondary schools from their second year on.[76] Similarly in Finland, children spend a year in preparatory education before they can attend Finnish public comprehensive schools.[77] In French primary and secondary schools, children are initially placed into separate classes for non-French-speakers (*Unités Pédagogiques pour l'Élève Allophone Arrivant* – UPE2A). After one or two years, and given satisfactory progress, the children usually join regular classes, where additional language support is available.[78]

In the Netherlands, children in primary education stay in newcomer classes until their Dutch-language skills are sufficient to attend regular classes. LOWAN, the organisation which supports primary and secondary schools that receive newcomers, estimates that there are 200 special classes for newcomers at primary school.[79] In secondary education, newcomers, including asylum-seeking children, attend an international transition class (*internationale schakelklas*), which is always part of a regular school, until they know sufficient Dutch to join regular classes. Approximately 100 secondary schools in the Netherlands have international transition classes. Students stay in these classes for a maximum of two years.[80]

- **In seven Member States (Austria,[81] Italy,[82] parts of Germany,[83] Greece,[84] Spain,[85] Sweden[86] and Poland[87]) newly arrived pupils may enrol directly in ordinary classes while benefiting from additional introductory classes, including language support.**

At first reception in Austria, children may join so-called bridge-classes (*Brückenklassen*) at three basic care facilities until they are transferred to the basic care facilities run by the provinces.[88] Children with insufficient command of German are integrated into regular classes but receive additional German-language courses and are not graded (for a period of maximum two years).[89]

Reconnecting refugee children with the educational process

In February 2017, the educational centre LEDU became operational in Leros, Greece. It aims to enhance the skills of refugee students, aged 6–18 years old, so that they regain a basic connection to the educational process and integrate smoothly into the official education system. The LEDU space was renovated to accommodate educational activities for about 80 students per day. Courses include Greek, English, mathematics, geography, computing and art, and are taught by qualified Greek teachers and staff of Save the Children. Teachers also include members of the refugee community. Some 170 students are enrolled in LEDU, and they participate in the educational programme on alternate days. Local Greek students will also be invited to attend language and vocational training courses. A particular difficulty is that some students have been outside the education system for some time, on average for a year and a half, and there are often children who have never benefited from any sort of formal education.

Source: Greece, Save the Children Greece.

Since the beginning of the school year 2016/17, children living in refugee

accommodation centres in Greece have been able to attend additional support classes at Reception School Annexes for Refugee Education (RSAREs). These were established in school districts in which there are also refugee accommodation centres. The annexes are part of existing primary (for children aged 7 to 12 years old) and secondary schools (for children aged 12 to 15 years old). The curriculum at the RSAREs is set by the Institute of Educational Policy, responsible for primary and secondary school education, and the Scientific Committee for the Support of Refugee Education. The curriculum includes Greek, mathematics, foreign languages (such as English), computer science, physical education and arts. Teachers use adapted text books used in the Schools of Intercultural Education for teaching Greek as a second language.[90]

Waiting times

Article 14 (2) of the Reception Conditions Directive requires Member States to provide access to education within three months "from the date on which the application for international protection was lodged by or on behalf of the minor".

The periods between lodging an asylum application and enrolment in school vary significantly depending on Member State, region and the type of detention or accommodation facility concerned. In Austria, children of compulsory school age are enrolled in the regular school system within two weeks of arrival in Vienna,[91] and within three months in Styria.[92] In France, the enrolment of children in schools takes at most 10 days.[93] In Bulgaria, the procedure must be completed within 24 working days of the asylum application.[94] In Hungary, enrolment generally takes longer than 30 days.[95] In Sweden, asylum-seeking children must start school no later than a month after their arrival in the country.[96] This is an improvement compared to the situation in July 2016, when FRA reported on delays of around four to five months in Sweden and up to nine months in Germany;[97] challenges included finding places for additional pupils and recruiting new teachers.

In the German federal states of Berlin, Hamburg, Saarland and Schleswig-Holstein, schooling is compulsory immediately after children enter them. In other federal states schooling is compulsory after certain time limits (between three and six months) and is linked to municipality allocation, which can take several months.[98] Access to schooling for unaccompanied children in Germany is further delayed by long waiting times for legal guardians and the process of referral to one of the 16 federal states. The Federal Association for Unaccompanied Minor Refugees (*Bundesfachverband Unbegleitete Minderjährige Flüchtlinge)* estimates waiting times of nine months for both unaccompanied children and children in families.[99]

Asylum-seeking, refugee and unaccompanied children sometimes have to wait up to one year for a school place in notably large German cities such as Cologne, Duisburg, Essen, Bochum and Gelsenkirchen. According to the Refugee Council North Rhine-Westphalia, some 6,000 children could not attend schools in the school year 2016/17 despite being of compulsory school age (6–18 years) and their application for international protection having been lodged more than three months previously. Children aged 16 and 17 are very often offered no schooling at all, especially if they are unaccompanied.[100] Up to now there has been a lack of teachers and social workers in many municipalities, and this impedes the compulsory schooling of all refugee children within four weeks of referral from reception centres (*Erstaufnahmeeinrichtung*) to municipalities, as provided by the School Law in North Rhine-Westphalia (*Schulgesetz Nordrhein-Westfalen*).

Challenges affecting the education system

Recurrent challenges in integrating newly arrived children in the education systems have included:

- difficulties in following the teaching agenda due to high turnover (Hungary,[101] Finland,[102] Greece[103]);
- language barriers (Greece,[104] Spain[105]);
- large differences between the national education system and the education system in the country of origin (Spain[106]);
- students who do not consider a particular state to be their final destination, so they are unmotivated to study the relevant language (Hungary,[107] Greece[108]);
- trauma, which impedes pupils' ability to 'fit in', and uncertainty about their status, which causes further distress (Hungary,[109] Greece,[110] Germany[111]);
- some refugee boys being disrespectful to female teachers and refusing to take lessons from them (Hungary[112]);
- a lack of well trained teachers who are capable of working in a multicultural environment (Greece[113]);
- a lack of an overall cooperation between stakeholders in this area, to draw up an individual action plan that targets children's specific needs, among other actions (Denmark[114]).

Mapping national laws on age requirements linked to child rights

FRA is currently mapping national laws across the EU governing age requirements linked to child's rights to protection and participation. The areas it covers are the legal definition of a child; political participation; social rights and welfare; education; health and medical treatment; employment; child care and child protection; access to justice (including juvenile justice); children in the digital world; and asylum and migration. The mapping will be available online from November 2017.

Accessibility of services at school

➢ **In all of the Member States under consideration, asylum-seeking children benefit from the same services as national children once they are enrolled in public schools.**

This commonly includes transport to/from school, access to school materials, access to school facilities (sports halls, libraries) and in some cases school meals.

In addition, they may benefit from specific financial, educational or material support. In Austria, basic care allowance for asylum seekers includes a payment of up to €200 for school material once a year.[115] Parents' associations or other organisations usually cover additional needs in individual schools.[116]

Children in Slovakia attend additional courses provided by the NGO *Pokoj a dobro* (language courses, tutoring at home or in school).[117] School-age children are also entitled to financial aid to buy clothing and school supplies.[118]

In Spain, NGOs, refugee associations and religious communities often help asylum seekers to obtain textbooks, classroom material, etc.[119]

In the German federal state of North-Rhine Westphalia, all children regardless of their residence status are eligible for support by the regional fund 'All children can eat' (*Alle Kinder essen mit*). This fund provides grants for school lunches, materials and excursions.[120]

In the Netherlands, asylum-seeking parents receive additional financial support. The Central Agency for the Reception of Asylum Seekers (*Centraal Orgaan opvang Asielzoekers* – COA) has a general scheme under which asylum seekers receive a sum of a money per child for writing materials, a school bag, sports equipment and the like.[121]

In Bulgaria, the Ministry of Education and Science, school principals and teachers in schools with asylum-seeking or refugee children exchange information with NGOs and the UNHCR on children's specific needs for, for example, transport, school materials or legal aid for parents.[122] A joint online platform is being prepared to facilitate this exchange.

In France, financial assistance for the most underprivileged families, including asylum seekers, comes from school social funds (*fonds social collégien/fonds social lycéen*). In practice, however, some asylum seekers may be excluded because of administrative requirements.[123]

Children with special educational needs

Refugee children need time and qualified support to settle into a new environment. Educational facilities in various Member States report that many traumatised children show particular behaviours, ranging from aggressive conduct to social withdrawal. Such children need reliable, stable contacts and access to specialists. These specialists can individually assess and refer children with signs of particular behaviour stemming from trauma, irregular schooling before arrival, disability or a combination of those factors. Currently the particular signs rarely appear to be assessed appropriately based on the individual case.

Refugee children in several Member States may benefit from specific support measures for children with disabilities and, to a generally lesser extent, traumatised children. Few of the available support options seem to result from a comprehensive individual needs assessment that takes into account all forms of 'special needs', however.

Some parts in Germany have no specific measures to support schools in integrating traumatised children.[124] No information on support available for traumatised children is available for Denmark, Greece, Hungary, Italy or Spain.

- **In four Member States (France, the Netherlands, Slovakia and Sweden), traumatised children reportedly have access to some form of psychological support, but this support does not specifically target traumatised refugee children, so it may be inadequate for their specific needs.**

In Slovakia, children in Opatovska Nova Ves have access to a psychologist once a week.[125] Similarly, France involves psychologists in the national educational system.[126] In Sweden, children have access to student health services, but these may not be sufficient in many cases. The Children's Ombudsman in Sweden (*Barnombudsmannen*) reports that there is uncertainty about who is responsible for the health assessments and health services provided to newly arrived children, which may have a negative impact on their health, and that the government needs to act.[127] In the Netherlands, schools can turn to the organisation *Stichting Tussenspel* for specialist psychological support to integrate traumatised children. Using creative therapy, the foundation helps children rediscover their own identity and self-confidence.[128]

- **Locations in three Member States (Austria, Finland and Poland) report teachers receiving support or guidance in dealing with traumatised children.**

The Austrian Federal Ministry for Education has funded the 'Mobile Intercultural Teams' (MITs) since April 2016, to support schools in dealing with refugee children, including communication with parents.[129] Each MIT consists of a social worker, a psychologist and a social pedagogue with intercultural and language skills. The Regional Education Authority in Styria, Austria, has published special guidelines for dealing with traumatised children.[130]

Scrutinising violence against children with disabilities

In December 2015, FRA published Violence against children with disabilities: legislation, policies and programmes in the EU. The report outlines relevant international and European standards, and reviews national legislation and policies addressing violence against children with disabilities. The report also explores the extent of such violence and its various causes, settings and forms, and presents measures and initiatives to prevent it. As it clearly shows, children with disabilities face significant barriers to exercising their fundamental rights in different settings. Girls and boys with disabilities are more likely than their peers to experience violence, sexual abuse and bullying in schools, both from their peers and from teachers. This reflects a lack of proper mechanisms to ensure inclusion in mainstream schools, as well as inadequate teacher training and the absence of robust prevention mechanisms.

Finland has adopted in-service training on identifying and dealing with traumatised persons.[131] In Poland, a child can be enrolled in special preparatory classes if they have adaptive difficulties related to cultural differences, or language-based difficulties caused in particular by crises or traumatic events, including armed conflicts.[132]

Education of children above compulsory school age

- **Many Member States report difficulties regarding the education of children who are above the compulsory school age, particularly where they have not yet achieved the skill levels required by secondary schools.**

Compulsory schooling in Austria ends after the ninth grade at the age of 15. A new draft law currently under discussion allows for a voluntary 10th year for extraordinary pupils, entitling them to language support for an additional year.[133] In Styria, Austria, children above compulsory school age who did not achieve the skills level required by secondary schools are currently not legally entitled to attend school.[134] Their competencies in German, English and mathematics are assessed, and based on the results they are transferred either to one-year courses for basic education or to 'transitional courses' (*Übergangslehrgänge*).[135] The problem is that many pupils do not reach the required level for transfer to ordinary schools and do not graduate, according to Caritas Styria (*Caritas Steiermark*).[136]

In Greece, as in various other countries, children beyond compulsory school age (aged 16–18) are not subject to the Compulsory Education Framework. For enrolment into general or vocational upper secondary schools, they need to hold a lower secondary school completion certificate. As an alternative to attending upper secondary school, teenagers can join the labour market without specialisation, but in practice they usually need a school completion certificate from a lower

secondary school. The Greek education system provides education services ('Second Chance Schools') for those adults who dropped out of school before completing compulsory school education. However, so far it has no legal framework to integrate refugees into these structures.[137]

Supporting children beyond compulsory school age

In Helsinki, a 'skills centre' (*Stadin Osaamiskeskus*) combining vocational education, employment and language training services was created in 2016. Its services mainly target refugees over the age of 17 and those migrants whose language skills are not yet at the level needed for employment and vocational training. In Tampere, the city's vocational college has provided language courses, literacy training and basic schooling to asylum seekers.

In Vienna, a so-called 'youth college' (*Jugendcollege*) with about 1,200 places provides basic education courses for asylum seekers, persons granted international protection and disadvantaged migrants aged between 15 and 20 years.

Sources: Eurocities, Cities' Actions for the Education of Refugees and Asylum Seekers, January 2017. See also: www.hel.fi/www/ammatillinen/fi/esittely/stadin-osaamiskeskus/stadin-osaamiskeskus for information on the Skills Centre in Helsinki; and Austria, Federal Ministry for Education, Representative on refugee children in schools (Bundesministerium für Bildung, Beauftragte für Flüchtlingskinder in der Schule).

In Denmark, unaccompanied refugee children who are between 15–17 years of age are enrolled in a municipality reception class. These are organised for three age groups. The classes focus on language skills, which results in increased educational gaps for these children because they have often attended school only irregularly in their country of origin. Once they have acquired sufficient language skills to be enrolled in an ordinary class, they are often too old to attend a class appropriate to their skill level and therefore have difficulties fitting into the education system.[138]

Education of adults

According to Article27 (2) of the Qualification Directive, adults under international protection should have access to the general education system, and further training or retraining, under the same conditions as legally resident third-country nationals. Member States should also ensure equal treatment regarding existing recognition procedures for foreign diplomas, certificates and other evidence of formal qualifications.[139]

The Qualification Directive (Article 26) further requires Member States to ensure that activities such as employment-related education for adults and vocational training (including training courses for upgrading skills, practical workplace experience and counselling services that employment offices provide) are offered to beneficiaries of international protection, under the same conditions as nationals.

According to Article 28 (1) (c) of the Convention on the Rights of the Child, and with a view to progressively exercising a child's right to education, Member States should make higher education accessible to all on the basis of capacity and by every appropriate means. This in turn is based on compulsory primary education and accessible secondary education.

- **Despite many local, project- and company-based integration initiatives, key challenges remain. These include the recognition of diplomas for labour market integration, particularly in Austria,[140] Greece,[141] Slovakia[142] and Spain,[143] and the language requirement for university admission (for example in Denmark and Greece).[144]**

Recognised refugees in Austria are entitled to access the labour market and can therefore register at the Public Employment Service (*Arbeitsmarktservice* – AMS) and attend their education programmes.[145] The city of Vienna is currently engaged in the EU project CORE, which aims to develop strategies and measures to better prepare asylum seekers for integration into the labour market, and to start as soon as asylum procedures are under way.[146]

In Finland since 2016, the Ministry of Education and Culture has funded a project to reinforce the role of the Finnish higher education institutions in supporting the integration of asylum seekers, refugees and other migrants. The project provides migrants with information on Finnish higher education institutions and aims to streamline the recognition of previous education.[147] A similar support framework has been proposed for vocational education.[148]

In France, the Ministry for Foreign Affairs and International Development has initiated a programme intended for Syrian students in France. Furthermore, the French Embassy in Lebanon has initiated a programme intended for Syrian students in Lebanon who wish to study in France.[149]

In Bulgaria in 2017, the Employment Agency of the Ministry of Labour and Social Policy is operating a one-year Employment and Qualification Programme for Refugees.[150] The programme targets people with recognised international protection status in Bulgaria who are registered at a local Labour Office. It offers professional training and language courses, after which the beneficiaries will be hired for subsidised employment positions.

In Sweden, the government has initiated an integration programme called the 'fast track' (*snabbspår*).[151] The programme aims to help asylum seekers access the labour market in Sweden. It consists of language training, including special language training relevant to various professions, as well as early assessment of existing skills and education, expedited validation of education, trainee jobs in combination with language training, job matching and supplementary education if needed.[152]

Training and employing refugees

In 2016, the Hungarian Association for Migrants teamed up with several Hungarian firms in an effort to encourage their willingness to train refugees, to facilitate integration.[153] The Budapest-based company ProLicht Hungary Ltd, which develops brand visualisation, has employed and trained several refugees, among them Afghan and Somali nationals.

Source: Hungary, 'We hire anyone who wishes to work' (Bárkit felveszünk, aki akar dolgozni)

Budget and human resources constraints

- **Data show that many Member States increased their budgets or human resources for education following the increase of arrivals in 2015-2016, although some reported that the increase was not sufficient (for example Greece) or based on project funding.**

Slovakia reports no increase in state resources. All relevant activities are covered by NGOs funded by separate projects.[154] Public schools in Hungary must also rely almost exclusively on finances from EU programmes and initiatives, although until 2015 they received subsidies from the Hungarian government.[155] The Danish Union of Teachers has also raised concerns over insufficient and decreasing budgetary resources in municipalities.[156]

Finland temporarily amended the Act on the Financing of Education and Culture to increase funding for municipalities preparing migrants for basic education.[157] In August 2016, the Ministry of Economic Affairs and Employment (*Työ- ja elinkeinoministeriö/Arbets- och*

näringsministeriet) allocated supplementary funding of €10 million to accelerate access to integration training for those asylum seekers who have received residence permits.[158] In addition, the Ministry of Education and Culture announced €9.2 million in additional state funding for 2016–17, to provide for apprenticeship and work-based training for those granted international protection.[159] The amount of resources allocated differs among the municipalities.[160]

The Ministry for Education in Austria spent an additional €120 million in 2016–17. Of this, €48 million was because of the increased numbers of schoolchildren and teachers, and €72 million was for additional integration measures.[161]

France also increased its budget by 47 % in commitment appropriations and 31.3 % in payment appropriations, compared with the initial finance legislation for 2016 regarding immigration, asylum and integration.[162]

In Sweden, both Malmö and Stockholm have systems for socio-economic resource allocation between schools. This means that schools receiving newly arrived pupils also receive increased funding.[163] The sum is proportionally higher for pupils seeking international protection.[164]

In the Netherlands, schools that receive children seeking international protection or other migrant newcomers can make use of several additional funding sources. Boards of primary schools are eligible for extra funding if they provide education to four or more such newcomers. This extra funding is regulated by four different schemes, each with its own conditions.[165] Primary schools receive an additional €9,000 per newcomer.[166] Boards of secondary schools can make use of two schemes,[167] whose funds are intended for additional staff and support for newcomers.

In the Bicske, Kiskunhalas, Vámosszabadi and Körmend camps in Hungary, aggregated expenditure related to childcare services and education increased in 2015 and 2016 compared with previous years. Per capita expenditure showed a decrease, however. Costs of kindergarten and primary school education did not increase because the turnover was high.[168]

Budget resources for education increased very slightly in Greece. The budget supports only the cost of additional human resources for refugee education, books for refugee programmes, the creation of 30 units to serve as early childhood schools inside the camps, and management costs. The budget does not cover basic needs such as school management and maintenance.[169] Budget resources are extremely limited, almost non-existent for formal schooling.[170]

Exploring child poverty from a human rights perspective

In November 2017, FRA will publish a report on *Tackling child poverty in the EU: a human rights perspective*. Children growing up in poverty are affected in different ways from adults, and are almost certain to miss out on a good start in life. The consequences of inadequate nutrition, a lack of early stimulation and learning, and exposure to stress last a lifetime and lead to transmission of poverty down the generations. Children growing up in poverty are deprived of educational opportunities, access to healthcare and healthy diets, adequate housing and living environments, family support, and protection from violence. The negative effects of this can also last a lifetime. The forthcoming report looks at child poverty from a rights perspective, bringing together the policy and human rights frameworks and the challenges of implementing them within existing policy cycles.

In Sweden, it remains difficult to find sufficient qualified teachers.[171] Lack of training on how to teach Bulgarian as a foreign language was identified in Bulgaria.[172] In Spain, the Ministry of Education, Culture and Sport has developed

an Intercultural Education Internet Portal (*Aula Intercultural*),[173] which includes skills training for teachers, some of which were implemented in some regional communities.[174] In the Netherlands, another foundation, Augeo, has developed a free e-learning course entitled 'Support for refugee children' for primary and secondary school teachers.[175] The course helps teachers to learn about the effects of chronic stress in (refugee) children, and how they can promote resilience and recovery of children who have suffered stressful events and may be traumatised.

The German federal state of North Rhine-Westphalia provided a total of 7,343 additional positions, predominantly teachers and administrative staff but also 34 school psychologists, for the teaching of migrant students between 2015 and 2017. This includes 1,500 additional positions for promoting German and intercultural school development. Communal integration centres received 237 additional positions, including 98 teachers.[176] In Paris, France, the Academic Centres for the Education of New Non-French-Speaking Arrivals and Traveller Children (*Centres Académiques pour la Scolarisation des enfants Allophones Nouvellement Arrivés et des enfants issus de familles itinérantes et de Voyageurs* – CASNAV) has doubled its staffing levels in the past five years.[177]

The Viennese school authority significantly increased the number of personnel in schools (including specially trained teachers, social workers and mother-tongue teachers), financed out of the federal 'Integration Fund'. This fund was created in reaction to the high numbers of new arrivals.[178] The total number of personnel working to provide basic care at the federal level has quadrupled since the massively increased migration flows began.[179] The Viennese school authority has taken on 14 additional mother-tongue teachers, employing refugees who worked as teachers in their countries of origin. These mother-tongue teachers are important contact persons for asylum-seeking children.[180]

More staff members joined the Immigration and Asylum Office in Hungary in response to the arrivals in 2015/16. The office hired 40 new employees to assist in detention centres and refugee camps in 2016. The majority of new staff members were guards and not social workers, however.[181]

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Further information:

After one year of regular reporting, the EU Agency for Fundamental Rights changed the format and Member State coverage of its regular overviews of migration-related fundamental rights concerns. Current reports cover up to 14 EU Member States and are shorter, including main findings for the Member States covered together with a thematic focus section. References to EU Member States are included when specific findings support a better understanding of the challenges which affect several Member States or the EU as a whole.

For the May 2017 *Monthly data collection on the migration situation in the EU – Highlights*, see:
http://fra.europa.eu/en/theme/asylum-migration-borders/overviews/may-2017.

For all previous monthly and weekly reports, see:
http://fra.europa.eu/en/theme/asylum-migration-borders/overviews

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Print: ISBN 978-92-9239-000-6, doi:10.2811/741246, TKAO17003ENC
PDF: ISBN 978-92-9239-001-3, doi:10.2811/803430, TKAO17003ENN

FRA – EUROPEAN UNION Agency FOR FUNDAMENTAL RIGHTS

Schwarzenbergplatz 11 – 1040 Vienna – Austria
Tel. +43 158030-0 – Fax +43 158030-699
fra.europa.eu – info@fra.europa.eu
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