Editorial
Fr Patrick H. Daly

Feeling cheated by the European dream

We are all possessive to the degree of being ourselves possessed by our belongings. And what applies to individual EU citizens applies to the EU as a whole.

Easter was early this year so, by the time the April issue of EuropeInfos reaches its readers, the austerities of Lent will have been replaced by the legitimate return to the looser discipline of normal life. It would be a mistake to let paschal joy blind us to the good the penitential season has done us. Nor should we forget that an increasing number of people in Europe, our home continent, have the asceticism and sobriety of Lent forced on them three hundred and sixty five days a year. The terrorist attacks in Brussels on 22 March, reprehensible in their callous violence, offensive to the foundational values of an open democratic society, remind us of how fragile is the hold any of us have on life.

The children reared in poverty in Balham, Batignoles, Ballymun or the fifth Bezirk of Vienna; the young unemployed university graduates of Greece, Portugal or Spain; the low-paid shop workers at the check-outs of our supermarkets on Sunday afternoons; and the huddled masses of migrants from the Middle East gathered in increasing frustration at the closed gates of the new Jerusalem we began to build on the firm foundations of the Treaty of Rome, all feel cheated by the European dream. And yet it is a simple fact that our dream could become a reality for all the above and many more if we - the entitled, the citizens, the employed, the home-owners of Europe - could live with less and could carry the spirit of the Christian Lent into our year-round day to day lives.

Therese of Lisieux, known by many as the Little Flower, said that it was her ambition to return to God empty-handed (les mains vides). Therese set the bar high and was recognised almost immediately as a saint. For the rest of us our ambition will be more modest. We are all attached to our possessions. We speak of goods and chattels, and the unquestioned assumption is that what we own, what we possess is "good" for us. The problem is we all want too much. We all have unbridled appetites. We are all possessive to the degree of being ourselves possessed by our belongings. And what applies to individual EU citizens applies to the EU as a whole. We are too focused on growth modelled on material possessions, on having property and on acquiring more of it. The emerging Social Pillar of the EU may signify a more equitable sharing of the EU cake, but we have a long way to go in breaking loose of the power our acquisitive appetites have over us.

Anselm Grün – and I am an inveterate fan! – has just published a book on Greed. It was wonderful spiritual reading for Lent. Avarice plays its part in our European literature: we all know Molière’s miser, we all know Dickens’ Ebenezer Scrooge. Anselm Grün analyses greed, yet his book also touches on a virtue in which the aspirational “community of values” which the EU proclaims itself to be is singularly lacking. That virtue is temperantia, temperance. If the EU could run a permanent temperance audit on all its policy proposals, the family of member states we are still seeking to construct could be fairer and its goods more equitable distributed. Our poor could feel we cared about them, that we gave them a bigger slice of the cake, and that we opened the door to all in need. By saying ‘no’ to ourselves the way we do in Lent a little more often, we might feel more relaxed about saying ‘yes’ to others, especially those who have less than we have. A pipe dream, perhaps, but I always understood that the European project was also a dream.

Fr Patrick H. Daly
COMECE
Is the Pillar of Social Rights the basis for a fairer Union?

Social affairs
European Commission

In response to the on-going crisis, the European Commission has launched a public consultation on the European Pillar of Social Rights. A first preliminary outline has been put forward, but uncertainties remain concerning its implementation.

Eight years after the onset of the global economic crisis, the consequences continue to be felt in Europe. High unemployment figures and growing social inequality both between and within the Member States have dampened particularly the enthusiasm of the low-income earners for the European project. Moreover, young EU citizens increasingly find themselves in new forms of work, such as zero-hours contracts, which offer flexibility but are practically not covered by any legal framework.

The European Commission recognises that, under these present conditions, social cohesion and long-term economic growth are at stake. In his State of the Union speech back in autumn 2015, Commission President Jean-Claude Juncker announced the development of a European Pillar of Social Rights. This is intended to contribute to the plan for a deeper and fairer Economic and Monetary Union (EMU) and to provide a consolidated set of rules summarising social rights in Europe.

What is the European Pillar of Social Rights? The consultation is the first step in this direction. Up until the end of the year, interested organisations and European citizens are asked for their opinions on the social situation in the Eurozone and the EU’s social acquis. Likewise, they are invited to comment on what possible form the Pillar of Social Rights should take. In spring 2017, all contributions will flow into the White Paper on the future of the Economic and Monetary Union.

When launching the consultation in March, the Commission already presented a first preliminary outline. For the moment, the initiative will only apply to the 19 Eurozone members, but it will eventually be open to the participation of the other EU Member States. The current proposal covers 20 policy areas, which extend far beyond the limited powers that the EU has in the field of social policy. Not only does the Pillar aim to guarantee fair working conditions, it also includes some rights designed to guarantee access to individual vocational guidance, long-term care and social housing.

The final document will not have any legal force with rights that are enforceable in court, but, according to the accompanying Communication, it “should become a reference framework to screen the employment and social performance of participating Member States.” The Pillar is thus intended to “drive reforms at national level and, more specifically, to serve as a compass for renewed convergence within the euro area.”

On which economic model should Europe base its future? It remains to be seen how the Commission will adapt the first draft after the consultation round. But after years of restrictive austerity policies, which have encouraged nationalist tendencies rather than stabilising the Eurozone, the initiative in itself sends an important signal to the citizens of the EU. It seems that, finally, the social dimension is again playing a stronger role in the European integration process.

Via the Lisbon Treaty, Europe’s Heads of State and Government have laid down the concept of a competitive social market economy as a main objective in the EU treaties. Up until now, the Union has failed to introduce instruments that help reaching the goal. Already in their statement in 2011, the Bishops of COMECE spoke in favour of a social market economy in Europe. In keeping with Catholic social teaching, this model is designed to not only promote competitiveness, but should also guarantee decent working conditions, solidarity with the most vulnerable, and also limit its negative impact on the ecology and the global economy.

How can the Pillar initiate effective improvements? The Pillar of Social Rights is a good starting point, given its broad scope and applicability. The question remains, however, of how it would promote reforms at EU level and particularly within the Member States. In order to drive policy changes, it should become a reference document for the process of economic policy coordination, the European Semester. In this way, the EU could link social rights with the poverty and employment goals of the Europe 2020 Strategy and, at the same time, strengthen the social dimension of the European Semester. It also remains unclear how the EU would like to prevent the minimum standards from undermining higher targets in some Member States.

The consultation will hopefully provide answers to these questions, thereby making the Pillar of Social Rights an effective instrument for breathing new life into the founding idea of a Europe growing together.

Markus Vennewald
COMECE

Translated from the original text in German
Forced migration and the Turkish “gate-keeper”

Migration & Asylum
European Union

According to Eurostat, a total of 1.3 million persons have applied for international protection in the 28 European Union member states in 2015. Among them is a Somali girl whom JRS met in Italy.

Yasmin is 19 years old and had to flee her home in Somalia in order to avoid the unwelcome advances of a member of the Al-Shabaab terrorist group. Saying ‘no’ was not an option. She said: “Someone from Al-Shabaab wanted to marry a friend of mine and her father said ‘no’. Both father and daughter were killed.” Fleeing was especially difficult for Yasmin, whose legs had been badly maimed two years earlier, when her home in Mogadishu was caught in crossfire between the army and Al-Shabaab.

The majority of forced migrants who come to Europe are from war-torn countries like Somalia, Iraq or Afghanistan. Others flee from indiscriminate violence and severe human rights violations in countries like Eritrea or Sudan. Or they have been victims of including severe violations of economic, social and cultural rights like the Roma in Serbia.

What is the European Union’s response to their tragedies?

Commission and Member States are making every effort to organize a close cooperation with countries of origin or transit countries. Most prominently it is the Turkish government who is expected to keep away refugees from Europe at all costs. Greece is, for instance, currently considering Turkey as ‘a safe third country’ and attempts to return indiscriminately all migrants including protection-seekers from its borders to Turkey.

At a first glance the Greek authorities have the right to do so. The EU “Dublin Regulation” allows Member States to design lists of “safe third countries” where people in need of protection should apply for asylum. And the European Commission has explicitly invited Member States to put Turkey on such a list. But on a second glance many doubts about the legality of such a measure arise.

The cornerstone of the international refugee protection system is the principle of non-refoulement. This principle prohibits the transfer of anyone in any manner whatsoever to a place where they would be at real risk of serious human rights violations. It has been codified in the 1951 Refugee Convention and numerous international human rights instruments. A breach of this principle can occur in a variety of ways, including directly through forcible returns to the country of origin, or through a transfer to a place where the person risks onwards refoulement.

Can Turkey be considered as ‘safe’ for refugees?

Amnesty International has recently issued an “Urgent Action” in the case of a young Syrian man: M.K. fled Syria in December 2012 and went to Jordan. In November 2015 he decided to go to Turkey, as he thought his orphaned sisters living in Syria may be able to join him there. He was detained on arrival in Istanbul Airport on 9 November 2015. The Turkish authorities attempted to send him back to Jordan the following day, but M.K. said he wished to seek asylum in Turkey. M.K. was then taken to a room at the airport in which he has remained ever since.

M.K. is being detained in a space with no natural light and in which artificial lights are permanently on. He is allegedly denied the medical assistance that he is in need of. Being kept confined in such a space for an extended period of time (in this case since 9 November 2015) may amount to cruel, inhuman or degrading treatment.

Can a state where such severe violations of human rights including the non-refoulement principle really be considered as being ‘safe’ for refugees? Rather not. The European Union and its Member States are in danger of betraying their own core values and norms. There are alternatives to these policies. European leaders need to think about opening up more legal and safe routes for forced migrants. There are concrete proposals on the table; in November 2014, several faith-based organizations issued a joint policy paper on safe and legal paths to protection in Europe. Such measures should be given top priority. Then the European Union would be living up to its own standards and values.

Stefan Kessler
Policy Officer for the Jesuit Refugee Service
Germany
“Missed” unaccompanied refugee children in Europe

Migration & Asylum
European Union

Thousands of unaccompanied refugee minors disappear from reception centres in Europe, and national authorities do not know where they are.

“Missed” minors are part of the more than 69,000 unaccompanied children seeking asylum in the EU in 2015, according to Eurostat. Some others were separated from their families on the way to the destination country. Despite the fragmentary information, reports show that disappearance of refugee children placed in shelters by national authorities in Europe has taken place for years.

A 2009 study published by Terre des Hommes already stated that “up to half of the unaccompanied migrant children vanish yearly from reception centers in Belgium, France, Spain and Switzerland, mainly in the first 48 hours after their admission in the centers.”

More recently, on February 2016, EUROPOL reported that for the past two years more than 10,000 children seeking protection in Europe had disappeared from refugee centers where they were placed by authorities (5,000 in Italy and 1,000 in Sweden).

The problem is also of public concern in other countries: 60% of the unaccompanied migrant children accommodated in UK social care centres go missing and are never found, according to the British Asylum Screening Unit. In Greece, already in 2014, 20% of unaccompanied minors disappeared from reception centres within 24 hours of their placement.

Forced disappearance?
The phenomenon of missed minor refugees represents a challenge for authorities because it usually happens during the first days after the arrival to the center. In a 2010 report on Unaccompanied Minors in the Migration Process, Frontex compiled information provided by Dutch and Swiss authorities on Nigerian human trafficking rings that usually traffic 15-17 year-old girls by airplane. Upon their entry to the EU, they immediately applied for asylum, and once in the accommodation centres for minors, they called a contact person on the spot who abducted them from the centre.

This organised criminal system might explain in some cases why unaccompanied minors disappear: they are sent purposely to apply for asylum in order not to be stopped at the border. In other cases, the unaccompanied minor is trafficked after his/her entry. Those who have been separated from their families in the way might well escape from centers to look for them. But a decisive factor in explaining their “running away” is that big part of minors are 14 to 17 years old boys, able to assess their own situation and get their own perception about their future under the authorities’ protection. Frequently, they are placed in institutions normally designed for the youngest minors, and get the perception that reception centres are the stage previous to return. These youngsters do not see the protection system as providing an answer to their long-term interests. Moreover, distrust towards authorities is reinforced by their traumatic experiences in countries of origin and transit.

What to do?
Minors should be treated predominantly following child protection standards instead of irregular immigration criteria. In this respect, the UN Convention on the Rights of the Child, ratified by all EU Member States, highlights the relevance of special protection and assistance by States “when [a] child [is] temporarily or permanently deprived of his or her family environment” (Art. 20.1). Not less, this UN Convention imposes upon States Parties the obligation “to trace the parents or other members of the family of any refugee child in order to obtain information necessary for reunification with his or her family” (Art. 22.2).

Unfortunately, speed in active searching for missed refugee minors is not the same as it is in procedures to detect ordinary child disappearance. Preventing disappearance requires direct contact with the child and an understanding of his personal needs and expectations from the beginning. Facilities and services should also be in accordance to their age (most of them are male youngsters and not infants). Finally, involvement of “friendly” institutions (including Churches and religious communities) in public reception centers would create a more trustful atmosphere.

José Luis Bazán
COMECE
Integrating refugees in Europe

Education
European Union

The humanitarian crisis opens up a number of opportunities. In a position paper, the European Office for Catholic Youth and Adult Education calls for expansion of EU programmes and the political framework to support the integration of refugees in Europe.

With the current immigration of refugees, Europe is facing major challenges. However, if sound integration and participation concepts are developed in time and across disciplines, the humanitarian crisis can also provide many opportunities. Many Christians are currently involved in a wide range of activities to support refugees: from voluntary activities in the dioceses, to the launch of youth work initiatives, to offering language and integration classes, and also professional and political training.

Implementation of EU regulations and directives
The Common European Asylum System comprises the Asylum Procedures Directive, the Reception Conditions Directive, the Qualification Directive, the Dublin III Regulation, and the EURODAC Regulation which governs Europe-wide fingerprint matching of asylum seekers and persons without a residence permit. But how can integration of refugees succeed at all if Member States do not transpose these provisions properly into their own national legislation?

On 23 September 2015, the European Commission announced forty decisions to instigate infringement proceedings against several Member States in the context of the European Asylum System. The Reception Conditions Directive (cf. Directive 2013/33/EU) should have been transposed by 20 July 2015. Germany is one of the nineteen Member States which did not implement it before deadline.

On 10 February 2016, the European Commission issued reasoned opinions in nine cases for incomplete or defective implementation of the Common European Asylum System. The decisions concern Germany (two cases), Estonia, Slovenia (two cases), Greece, France, Italy and Latvia.

The Reception Conditions Directive sets out common minimum standards in the Member States for the reception of people applying for international protection. They cover access to accommodation, food, health care, education and employment as well as medical and psychological care. The Directive also limits the detention of people in need of protection, especially minors.

Article 14 of the Reception Conditions Directive governs the school education and further education of minors. If a minor has applied for international protection, access to the education system must not be postponed for more than three months. In addition, Article 16 governs vocational training and Article 24 covers the framework for unaccompanied minors. To ensure the integration of refugees across Europe, it is vital that the Reception Conditions Directive be transposed consistently throughout Europe.

EU aid programmes for the integration of refugees
Comprehensive integration concepts need to be developed in a timely manner and in the framework of the subsidiarity principle at European, national, regional and municipal level, targeting all aspects of integration. It is important here that EU law should be transposed by the Member States and that EU programmes are fully utilised. In addition, EU programmes such as Erasmus plus, the Asylum, Migration and Integration Fund (AMIF) and the European Social Fund (ESF) must be taken into consideration for the integration of refugees. They should receive appropriately financial extension in the context of the mid-term review of the 2014–2020 Multi-annual Financial Framework.

Language classes must be made available to all refugees, regardless of their status in the asylum procedure. Although accommodation centres should not be regarded as acceptable long-term solutions, in these circumstances also there should be solid provision of access to education and language and integration classes (inspired by Article 14 of the Reception Conditions Directive). In particular, opportunities for non-formal education in the area of youth and adult education must also be expanded. This includes political education, in order to counteract right-wing extremism. In addition, qualification schemes for voluntary workers must be further developed, and offers for group work, leisure activities and intercultural encounters with refugees must be extended and the protection of their rights assured.

It has also been suggested that a European platform should be set up for exchanging examples of best practices for the integration of refugees. The platform could be made up of EU Commissioners, delegates of the European Parliament, national ministers of education, youth and employment, and representatives of the Church, civil society, entrepreneurs, trade unions and science. This could result in stronger networking in the context of the integration of refugees throughout Europe.

Judith Wind-Schreiber
Head of the European Office for Catholic Youth and Adult Education

Further suggestions can be found in the Catholic European Office’s Position Paper on the Integration of Refugees in Europe

Translated from the original text in German

[Refugee education © DPA]

Further networking in the context of the integration of refugees
Fr Patrick H. Daly takes leave of COMECE after four years.

Four years may seem very short. When it comes to an end one has the feeling it just started yesterday. There are so many programmes and initiatives that are just up and running, there are projects that are still only in their early days, there are so many other ideas germinating about what could still be done! The fifth General Secretary of COMECE since 1980 leaves the stage on 15 May 2016, the day of Pentecost. It is a good day to open a new chapter and move to pastures which one hopes to be even greener than the ones on which one has grazed since 2012. It seems a good idea, as the mandate draws to a close, to advance certain reflections on Europe's and the Church's history between 2012 and today.

The General Secretary took up his appointment in the pontificate of Benedict XVI at a time when Cardinal Tarcisio Bertone was still at the helm in the Secretariat of State. José Manuel Barroso was President of the Commission, Count Herman Van Rompuy was President of the European Council. Martin Schulz may still remain President of the European Parliament, but the EP's relationship with the other two institutions was radically changed by the election. So, the toile de fond against which the in-coming General Secretary found himself operating in the early days of his mandate were, to put it mildly with British understatement, a little different to the scene of which he takes leave in 2016. The intervening years have been, to invoke the well-worn Chinese curse, interesting times.

The election of Pope Francis as the first non-European pontiff in almost a thousand five hundred years and the political and institutional impact of the European Parliament elections in 2014 were bound to make an impact on the workings and mission of COMECE. For the new Bishop of Rome, Europe was not the centre of his world. Certainly, as the papal visit to Strasbourg and the message given clearly indicate, the European project was something Pope Francis takes immensely seriously. Europe acknowledges this fact through having Charlemagne's city, Aachen, offer our Argentinian pope the Karlspreis. But Francis' horizon is wider, an eclipse of home base is inevitable. The Catholic Church remains, however, with its eye firmly on the European ball (and not just because it is European Football Championship year!), and the leadership profile of COMECE is strong and focused. The COMECE Secretariat team too is bristling with good and creative ideas. It is a legacy to Europe in which the out-going General Secretary is proud to share.

As the tide ebbs for the General Secretary in office since 2012, the tranquil sea that once was a peaceful, prosperous, outward-looking Europe has become dark and turbulent. A scriptural image which might bring sobering comfort to both our Church and our continent in these troubled times is that of Jesus in the boat. When the squall rose on the lake, he rebuked the wind and the rough water. Europe is currently in the eye of a pretty rough storm. It has been the conviction of the General Secretary, whose swan song was sung at the close of the spring Plenary Assembly, that COMECE too has Our Lord at the helm.

Patrick H. Daly
COMECE

Patrick H. Daly