

Access to social and health services for migrants in Europe: *overcoming the barriers*

Policy recommendations and good practice from
diaconal service providers

October 2014



Eurodiaconia is a **dynamic**, Europe wide **community** of organisations founded in the **Christian faith** and working in the tradition of Diaconia, who are committed to a Europe of **solidarity, equality** and **justice**. As the **leading network of Diaconia in Europe**, we connect organisations, institutions and churches providing **social and health services and education** on a Christian value base in over 30 European countries.

We bring members together to **share practices, impact social policy** and **reflect on Diaconia in Europe today**.

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Eurodiaconia is a federation of organisations, institutions and churches providing social and health services and education on a Christian value base throughout Europe. Eurodiaconia is registered as an AISBL in Belgium.

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FOREWORD

Jarmo Kökkö, Chairman of Eurodiaconia and Heather Roy, Secretary General of Eurodiaconia



Welcome to our report on “Access to social and health services for migrants in Europe: identifying the barriers, policy recommendations and good practice from diaconal service providers”. This report aims to reveal some of the key challenges migrants are currently facing in Europe in terms of their access to services, and consequential barriers to their social inclusion in European society. The findings are based on responses from members of Eurodiaconia who are working locally, regionally and nationally providing social and health services to individuals and migrant communities and therefore are based on real and very everyday experiences. As you read on, you will see that often the very practical barriers and hurdles migrants face reflect greater systemic, political and ideological barriers.

At a time where migration is an increasingly politically sensitive topic, it is essential that as diaconal service providers we make our voice heard and that we can bring to the debate a balanced reflection on some of these challenges. Faced with increasing intolerance and a growing resistance to migration to and within Europe, we hope that Eurodiaconia can give an alternative response, showing the possibilities and opportunities for inclusion and providing a pragmatic and holistic approach to the integration of migrants through our members’ concrete projects and services.

The report highlights the key common challenges that our members observe, and which are usually present right from the grass roots level through to EU level policies. We also break down some of the challenges to reflect on the specific barriers various groups of migrants face in terms of accessing services, right from undocumented migrants through to mobile EU citizens. We show throughout the report how our members are responding to these challenges, in terms of service provision but also in terms of advocacy and being a prophetic voice in society among the many other voices wanting to be heard in an ever changing Europe and increasingly globalised world. Not only do these projects and services meet people’s human needs, you will see that our members speak out against practices and policies which go against principles of social justice.

Given our front line expertise in the integration of migrants, we offer recommendations to improve national policies as well recommendations for European policy makers based on a unique pan-European perspective. We hope that decision makers will take into account our recommendations, but that all readers will be inspired by the good practice examples that directly respond to the challenges identified.

We want to thank those members for contributing to this report but more importantly for your continued commitment to ensuring the dignity of those at the margins of society, and in particular the migrants whose lives we hope to empower through our work!

INTRODUCTION

About this report

Migration is a sensitive and often politicised topic, and there are many approaches and opinions on how to manage migration in Europe. However, access to social and health-care services remains a core priority for Eurodiaconia. In order to identify some of the major difficulties migrants are facing in Europe, in particular in terms of their access to social and health services, Eurodiaconia conducted research among its members running projects and services which seek to meet the needs of different groups of migrants.

Eurodiaconia members are not-for-profit service providers and advocates rooted in the Christian tradition of diaconia. Our members work through the values of service, equality, justice and the dignity of all people. Our members include churches, non-public welfare organizations and NGOs. Many of our members provide support to migrants every day in their different projects and services. Our members' work gives them a unique, up-close perspective on migration in Europe and an ability to answer questions on the kind of daily challenges migrants in Europe face in trying to access social and healthcare services.

By conducting an in-depth member survey, Eurodiaconia was able to create this comprehensive document, reporting not only examples of programs to support and empower migrants, but also exploring some of the challenges these organizations and migrants face daily in trying to provide/access social services.

In this report we refer to migrants that are **Third Country Nationals (TCNs)** (such as asylum seekers or refugees) as they originate from countries

Organization of Report

1. Key challenges for migrants
2. Examples of overcoming challenges from our members
3. Specific challenges for particular migrant groups and how Eurodiaconia members address them
4. Conclusions: policy recommendations
5. Conclusions: future steps for Eurodiaconia
6. Further information and useful links

outside of the European Union and in contrast, **mobile EU citizens** who are nationals from any one of the EU Member States and are moving within the EU.

Although they legally have different statuses, TCNs and mobile EU citizens face similar challenges in integrating into society and trying to access social and healthcare services. The common as well as varying challenges each group faces have been reflected in this report.

The context: Why access to services is a crucial issue in this time, what are the global/ European/overarching challenges to migration in Europe?

Presently, with conflicts in Africa, the Middle East and parts of Asia, there has been a significant increase in the number of migrants in Europe or seeking to come to Europe. With present conditions, this number is expected to rise as more people flee their homelands for Europe through the next decades.¹

2/3rds of Eurodiaconia members surveyed said that the financial crisis has worsened the situation for migrants and deteriorated their access to social and economic rights.

1. Brady, Hugo (2008). EU Migration Policy: A-Z. <http://www.cer.org.uk/publications/archive/essay/2008/eu-migration-policy-z>

With thousands of migrants at the door of Europe seeking asylum, or simply in search of a better quality of life, as well as EU mobile citizens searching for work in tough economic times, European governments, NGOs, churches and many other public service groups are now faced with the challenge to not only provide protection to these migrants and uphold international human rights instruments, but also to support their social integration and to ensure socially cohesive societies.

The global financial crisis of 2008 has exacerbated some of the growing challenges for migrants in Europe, with governments not wanting or not being able to distribute funds to support migrants in the way they are legally responsible to. NGOs and civil society organisations, including our members, have also been affected by this crisis. The number of migrants our members are able to support through various projects has substantially decreased as their funding has been reduced due to public spending cuts as part of widespread austerity measures. Furthermore, the situation in the labour market for migrants has deteriorated in the past five years with fewer job opportunities available in general and as migrants tend to be the first to lose their jobs in times of economic crisis.

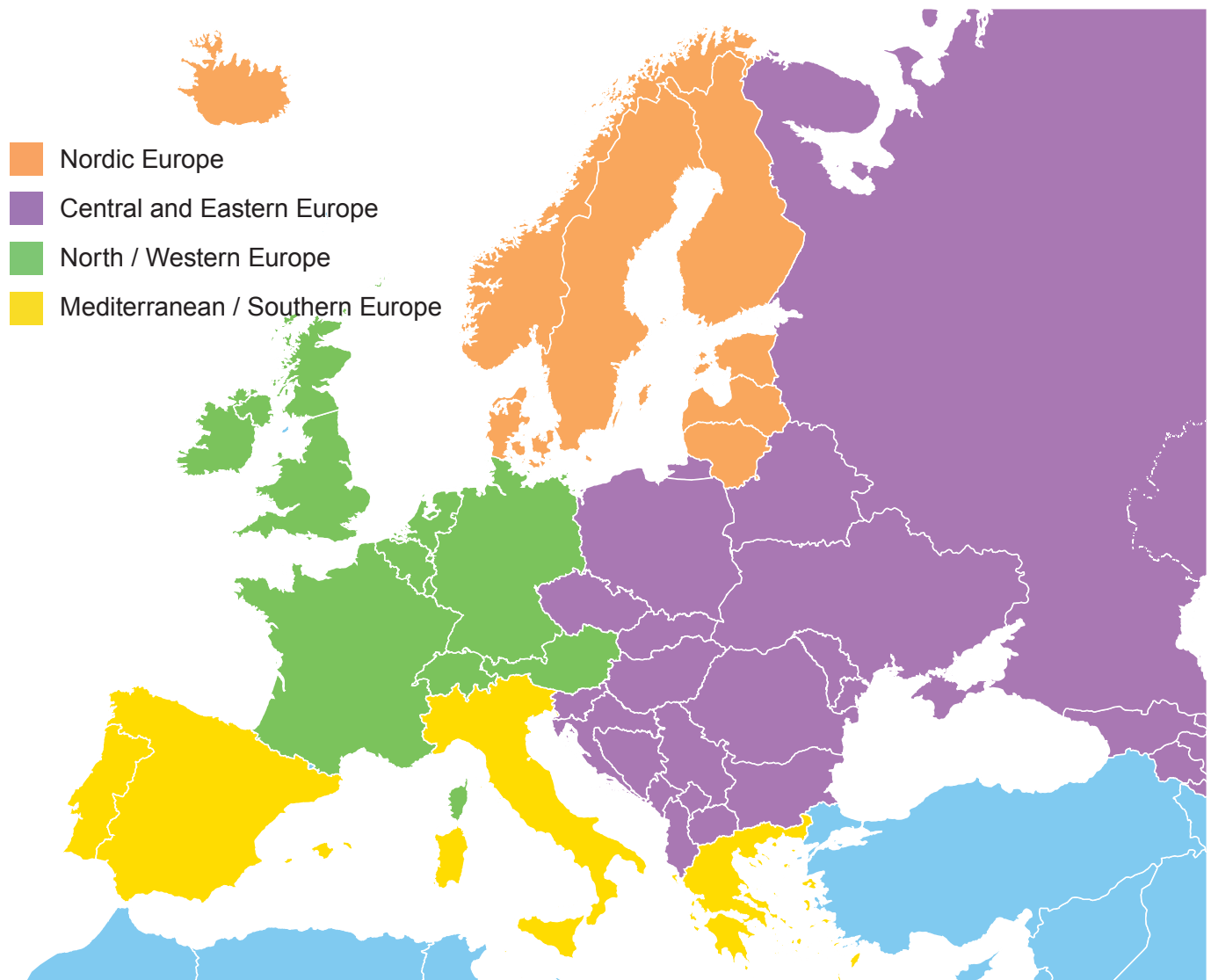
With migrant numbers continuing to rise² and the long-term effects of the global financial crisis, many service providers, including our members, do not have the resources or abilities to access public funds to handle increase in demand properly. And whilst EU funding is sometimes available for short-term integration projects, members say that their dependency on EU funds make the sustainable running of core services difficult. Our members also tell us that they have had to alter their services for migrants greatly

in the last three years; services designed for integration of migrants and community development have had to be replaced with emergency assistance to meet people's immediate basic needs.

The growth of racism in Europe towards migrants, complicated legal and administrative procedures dealing with migration at the national level, and the failure of many Member States to properly implement important EU directives in this area, has left many states in Europe virtually at a standstill with this issue, unable practically to handle the problems and politically unwilling to change policies because of growing public tension. Europe has stood for prosperity, wealth, fairness, peace, and safety for its inhabitants in the last seventy years and has a reputation in the world of human rights that is now slowly being tarnished because of these issues.

In order to handle ever-changing flows of migrants and increasing diversity in Europe, the migration situation "on the ground" in individual European countries must be explored and analysed. By carrying out research among our members who work directly with migrants, we can draw some conclusions of the major hurdles they face as well as gain some insight on how to help them overcome these obstacles through the sharing of good practices from our member organizations. Furthermore, by presenting key policy recommendations from the results of this research, we can hope to take what we have learned from our members and influence EU decision makers and national authorities on how to more effectively address some of the challenges migrants are facing and to improve their respective migration policies.

2. Brady, Hugo (2008). EU Migration Policy: A-Z. <http://www.cer.org.uk/publications/archive/essay/2008/eu-migration-policy-z>



Does migration look different depending on what area of Europe you migrate to?

Migration and the challenges it presents vary depending on which region of Europe one is referring to. According to responses from our members all over Europe, four main geographic regions for migration issues have evolved: **Nordic Countries**, **North-western Europe**, **Central and Eastern Europe**, and the **Mediterranean or Southern Europe** region.

Our members in the **Mediterranean/Southern Europe** region emphasize that their states are encountering large numbers of migrants coming to their shores. Many of these people are coming to Europe from

Africa or the Middle East and are searching for a better life economically or seeking a place of refuge from war or danger. Unfortunately, our members in this region explain that neither they nor their governments have the funds or personnel resources to deal with these migrants as they should. For example, our members found that many migrants who request asylum are being denied unjustly and then fleeing to another EU Member State, further complicating their situation.

According to our members in **North-western Europe** and the **Nordic countries**, these countries are encountering thousands of asylum seekers as well, but not in the quantities that states in southern Europe are. Our members in these areas explain that their

governments are having difficulties with the Dublin Regulations³ that require asylum seekers to complete their request for asylum in the first “safe-third” country in Europe they enter. Our members see this piece of legislation complicating the situation for migrants as many asylum seekers that try to complete their registration process in this area are sent back to the original country they entered, which is most likely an area in **Southern Europe** where many asylum seekers are being turned away unfairly.

Eurodiaconia members surveyed for this report also highlighted that in **North-western Europe** and the **Nordic region**, they are also encountering many mobile EU citizens. Most of these citizens are fleeing tough economic situations in **Southern** or **Eastern Europe**. These mobile EU citizens have the right to live and work in any EU Member State, but our members claim that many are encountering restrictive and discriminating policies in these states. This issue will be further explained in the **“Mobile EU citizens”** section of the report.

Finally, **Central and Eastern Europe** is dealing with migrants in a situation that all of the other regions of Europe for the most part do not encounter: returning migrants. Eurodiaconia members in **Central and Eastern Europe** said that most of the migrants they encounter are people returning to this region from other countries. Our members explain that these migrants are sometimes returning voluntarily, but most of the time they are being forced to return home as their asylum application has been rejected in their host country or their time of “protection” has ended. Members claim that national governments in this region are struggling with how to help these people integrate back into society as these migrants, who are often Roma, often do not speak the local language and need a lot of help to become reintegrated into the society.

“Italy’s socio-economic condition at present, and its labour market mean that it is very difficult people (especially migrants) to find jobs” – Quote from Diaconia Valdese, A Eurodiaconia Member from Italy

3. See the further information section of this report for more information on the Dublin regulations



WHAT ARE THE KEY CHALLENGES FOR MIGRANTS IN GENERAL THROUGHOUT EUROPE?

The Top Three Challenges for Migrants in Europe (according to Eurodiaconia Members):

1. Growing racism and xenophobia towards migrants resulting in lack of political will to change policies
2. Complicated administrative and legal hurdles/ long asylum and registration processes with authorities
3. EU rights and freedoms from international treaties and EU directives not being implemented by Member States

In the section below, we have identified some of the main challenges migrants face on a daily basis in Europe in their quest to integrate into society and access social services. These challenges, barriers or obstacles that all groups of migrants face when settling in a new country have been identified by our members who work daily in this field.

Growing racism and xenophobia towards migrants resulting in lack of political will to change policies

According to our members, in the past decade a political rhetoric of migration as a “security threat” has developed around Europe, influencing public opinion negatively.

Furthermore, our members note that the ramifications of the financial crisis and the consequent austerity measures are still being felt throughout Europe; this fact, along with the growing number of

migrants fleeing their countries of origin either inside or outside of Europe, has made the European public more wary of all migrants.⁴ One of our members, The Church of Sweden, explains that ethnic discrimination and socio-economic segregation has increased as many people in Sweden fear that migrants will take some of the few jobs that are available in their country’s labour market. The public is also concerned that the needs of migrants will lead to a serious depletion of public resources, putting strain on public social and health services, which they fear would result in national citizens not being able to maintain the same access to public services.

All of these fears, tensions, and doubts have led to a growing sense of racism and xenophobia in many areas around Europe that further exacerbate the inefficiency of local and national governments to respond effectively to this issue.

“We need to find a new ethos on migration in Europe, to promote welcoming, fair, and inclusive societies”
– Quote from Eurodiaconia member, the Church of Sweden

Our members see that often in their own countries the general public is not willing to recognize human rights abuses against migrants. Because of public fears and apathy with this issue, our members are having trouble engaging politicians to enact legislative change that would help migrants. Our members see that national politicians are now more willing to push for more restrictive government policies dealing with migrants because of the growing “fear of the foreigner” rhetoric amongst many members of the public.

Growing racist and xenophobic attitudes towards migrants has negatively impacted our members’ ability to provide services in recent years. Our members say that funding is harder to access not only because of the effects of the financial crisis, but because of political and public attitudes towards the issue of migration. Because the topic of migration has been politicized, it is now more difficult for our members to gain financial and public support for projects supporting migrants.

4. <http://www.migrationpolicy.org/article/top-10-migration-issues-2010-issue-4-europe-wary-immigration-and-immigrants-reaches>



A publication from the Church of Sweden, on the importance of welcoming migrants. In English, the title of this document is translated as "When Alienation is Overcome, a New World Can Begin".

Because of the negative impact this kind of rhetoric has on our members and the migrants they seek to support, it is important that the EU combats racist attitudes, maintains a balanced debate on migration in Europe and works to defend migrants' human and social rights.

Only Czech citizens can vote in elections, because of this **"Czech politicians have no real interest in changing laws that discriminate against migrants"** as they are not the ones voting - Quote from Eurodiaconia Member, Diaconia of the Evangelical Church of the Czech Brethren

Complicated administrative and legal hurdles/long asylum and registration processes

Not only do migrants have to face a large amount of racial discrimination and social exclusion when trying to settle in a new country in Europe, but they must also try to navigate often complicated administrative government systems set up in each country that handle migrant registration and support. According to our members, a third country national (TCN) seeking asylum must understand the administrative system and be prepared to wait months or even years to eventually receive their full status; this waiting period costs money that most migrants do not have. People in this situation end up turning to charities and NGOs for material, legal, emotional and even psychological help during this time.

Administrative bottlenecks to deal with asylum claims usually result in long and complicated procedures, but also many Member States are simply denying certain migrants' entry before all of the facts of their situation are investigated or understood. Some asylum seekers are being turned away and left out on the street while they try and appeal their denied request for asylum. These appeals often take between 12-18 months and can be virtually impossible to navigate for many migrants who do not fluently speak the language of their host country.

Housing is one example where administrative barriers exclude migrants. Growing xenophobia among landlords as well as complicated administrative procedures with public authorities leaves many migrants homeless. For example, many of our members, including Diaconia Valdese from Italy, the Church of Sweden, and Diaconia of the Evangelical Church of the Czech Brethren (ECCB), have stressed that many of migrants they encounter in their services struggle with finding appropriate housing. Before being able to rent a flat or room, a migrant must often show proof of their legal status in a particular country to a landlord or housing assistance official, which is difficult to prove for many migrants who go through long processes with authorities to determine their official status.

Furthermore, many of our members, including the Free Churches Group from the UK, say that landlords are openly discriminating against migrants and refusing to rent to people who they think could be of a migrant background, sometimes basing their rejection solely on the surname of the person.

Because of growing numbers of migrants in Europe in recent years and the complicated legal processes required by Member States in registering or applying for asylum, our members have had to step into this gap for many migrants and guide them through registration and asylum

application processes. Although this registration process is run by Member States, many migrants, especially without language skills of a particular host state, are not properly assisted by states in their first attempt to navigate the system. Our members have acted as legal representatives for many migrants and thus have had to use their own resources to help migrants through this public process. If processes were simplified and harmonized correctly throughout the EU, our members would be able to better support migrants in integrating into European society through language courses, vocational training and much more.

EU rights and freedoms from international treaties and EU directives not being implemented by Member States



Kirkens Korshaer (member of the Danish Diaconal Council) runs a program that gives both EU mobile citizens and other migrants necessary information on how to navigate administrative procedures in Denmark.

In recent years as migration issues in Europe have become more prominent, there have also been gaps both at the EU and national government level in terms of guaranteeing basic human rights for migrants. Broadly, the EU has adopted several pieces of legislation guaranteeing some

of these basic human rights and has required all European Member States to adopt the same minimum standards when supporting certain groups of migrants (i.e. asylum seekers). In reality, many of these international treaties that have been ratified and many of the EU directives that have been passed and are not being fully implemented or successfully transposed at the national level, depriving many migrants of the protections stipulated in these documents.

In regard to EU directives, there have been issues in recent years with actual implementation of many of the pieces legislation concerning asylum seekers. For example according to the **2005 EU Asylum Procedures Directive**⁵, asylum seekers that enter Europe's borders have a right to have their story heard and investigated thoroughly when applying for asylum. In reality, our members see that many asylum seekers are being turned away without their cases being fully investigated, and often times, on appeal, the decision is overturned and they are eventually granted refugee status. These appeals take many months and sometimes even years, which leave the migrant in a state of limbo because they are unable to work or fully settle into their destination country.

Furthermore, Eurodiaconia members, such as Kofoed's school in Denmark, say that many of their service users do not know their full rights as EU citizens exercising their right to free movement. Many times, the public authorities that these EU mobile citizens encounter are not familiar with the legal framework of EU

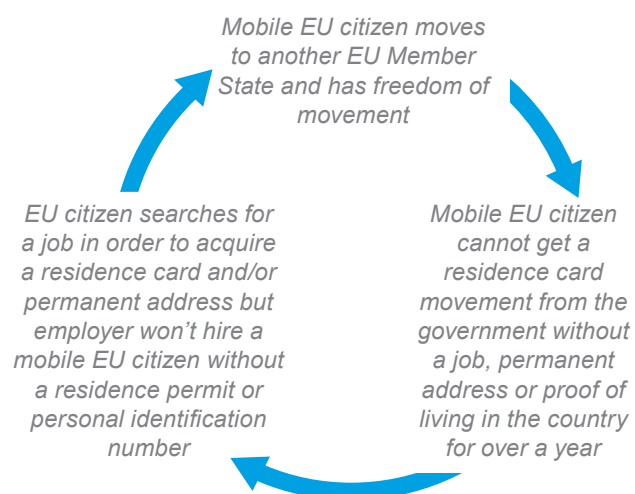
free movement. This overall lack of know-how and clear information often results in miscommunication, contradictory procedures and even exclusionary policies towards these mobile EU citizens that go against the EU principle of freedom of movement.

"The EU should be true to its fundamental values" – The Finnish Evangelical Lutheran Church Council, explaining how Member States are not properly implementing EU directives that protect the rights of migrants.

5. http://europa.eu/legislation_summaries/justice_freedom_security/free_movement_of_persons_asylum_immigration/l33140_en.htm

The Gothenburg City Mission in Sweden gave an example of one of the confusing policies mobile EU citizens sometimes face. They explain that in order for a non-Swedish EU citizen to work, have health insurance and access other public services, they must acquire a “Personnummer”, which is a personal identification number given to all Swedish people upon registration with local authorities. However, in order for a mobile EU citizen to obtain this “Personnummer”, they must have lived in Sweden for a year already (i.e. have a viable address), which is nine months beyond the amount of time EU citizens are allowed to reside in another EU country without registration.

The City Mission goes on to reiterate that in order for a person to receive this number, they must already have a job in Sweden, which is not the case for many mobile EU citizens, who typically move to Sweden in search of work. This example shows the vicious cycle that mobile EU citizens face in needing a job to get an identification number but also needing the identification number to first obtain a job.



Under EU directives and international human rights instruments, most migrants are entitled to access some form of healthcare. This right is not being fulfilled by many Member States because of contradicting policies as well as a lack of understanding of what kinds of healthcare Member States must provide. For example, in the Czech Republic, our member explains that national policy

contradicts the EU’s “Single Permit Directive”, which allows TCNs holding a long-term residence card in a Member State to be given the same rights and access to public services as a national of that country.⁶ In practice TCNs with residence permits in the Czech Republic are only able to access a few of the social services that Czech Republic nationals have access to, meaning that around 100,000 people (students, housewives, children, small business owners) have to pay for their own private insurance. These private insurance companies often refuse to pay for certain treatments and migrants end up having to pay for themselves or incur debt with hospitals.

Eurodiaconia members supporting migrants are greatly impacted when EU directives are not properly implemented at a national level. For example, our members spend valuable resources advocating for migrants’ rights that are in EU and international laws. Instead of being able to use their resources directly supporting the integration of migrants, our members often have to bridge the gap for these migrants, raise awareness to the public about their issues and push for widespread change.

Overall, our members would like to see the EU put in place more effective monitoring and reporting mechanisms so that Member States are held accountable for implementation problems with EU Directives. By having more efficient monitoring, our members hope that more migrants would be able to access social and human rights granted to them by both EU and international law.

Furthermore, it is a key priority for Eurodiaconia members that the various relevant DGs of the European Commission engage in an active dialogue with Member States, the European Parliament as well as civil society actors on migration policies at EU level. Only with this kind of continuous dialogue, can integrated and comprehensive migration policies be implemented throughout Europe that protect the fundamental rights of migrants. A cross-sectoral and integrated approach to migration must then also be mirrored at national and local level.

6. <http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32011L0098>

HOW DO OUR MEMBERS RESPOND TO THESE KEY CHALLENGES MIGRANTS FACE?

Raise awareness of racism and growing xenophobia

Finnish Evangelical Lutheran Church Council

<http://evl.fi/EVLen.nsf>

Because Finland's population was traditionally composed of one homogeneous ethnic type, our members in Finland (and in other Nordic countries experiencing the same racial tensions) fear that racism could continue to grow and stifle any possible political changes that would provide more social inclusion for migrants.



MOD, the "Diversity and Dialogue" program, is run by the FELCC to promote an anti-racism rhetoric among local members of the public in the Nordic countries.

The Finnish Evangelical Lutheran Church Council (FELCC), a Eurodiaconia member, has also recognized the mounting tensions between local ethnic Finnish people and incoming migrants. To combat increasing racial tensions, the FELCC has begun a training program called "Diversity and Dialogue". This training program targets local Evangelical Lutheran churches in the Nordic countries to help church congregations understand the theology behind hospitality, which encourages participants to treat and look at migrants with respect and dignity.

"Only through self reflection and awareness can we tackle our prejudices" – Quote from Eurodiaconia Member, the Finnish Evangelical Lutheran Church Council

Ways our members respond to these main challenges:

1. Raise awareness of racism and growing xenophobia
2. Work as mediators between authorities and migrants
3. Complaints and advocacy towards the EU and Member States

The FELCC sees this program as facilitating a "slow progress towards understanding" for ethnically Nordic people towards the irregular, EU mobile and asylum-seeker migrants that are attempting to settle in their homelands.

Work as mediators between authorities and migrants

Kerk in Actie

www.kerkinactie.nl

In recent years, Kerk in Actie saw that large numbers of Somalis were coming to Amsterdam, requesting asylum and were quickly being denied refugee status. In order to deny status to these people, the authorities claimed that these migrants "were not who they said they were" or "were not from where they said they were from". The authorities assumed many Somalis' stories to be untrue and thus, denied them asylum without lawfully examining their individual situations, leaving them out on the streets of Amsterdam without any public assistance while they appealed this decision.

Kerk in Actie helped many Somalis appeal their case by providing individual legal counseling and assisting with navigating the different

papers, signatures and documents needed to officially appeal their asylum application decision. Also, when tensions escalated between Somalis and Dutch authorities in 2012, Kerk in Actie and PCN as a whole were able to act as mediators between the migrants and the authorities. Through their work as mediators, PCN and Kerk in Actie were able to help end Somali protests as well as provide these migrants with some much needed legal and material help from the public authorities.

Complaints and advocacy towards the EU and Member States

Free Churches Group, UK

www.freechurches.org.uk

Many of our members have launched complaints to politicians in their own national governments or to officials within the EU system. For example, in the United Kingdom (UK), the Free Churches Group helped co-write a letter to the UK government on behalf of the Churches' Refugee Network. Concerns were raised about specific problems refugees are

encountering that are in stark contradiction to either UK or EU law.

For example, in the EU's Conditions of (Asylum) Reception Directive from 2005, a person seeking asylum is entitled to a "dignified standard of living", however, due to the fact that asylum seekers in the UK are only allowed to start seeking legal work after their asylum application has been in process for over a year, the Churches' Refugee Network believes that this "dignified standard of living"⁷ is not being given to asylum seekers in the UK.

To try and make politicians at the national and local level accountable for their actions, letters like these have been written and circulated publicly by our members and the networks they are associated with. These types of letters call the public's attention to the current gap between EU directives and their actual implementation at national level. Through these kinds of efforts, our members hope for better implementation of EU and national policies.

7. 2003/9/EC Council Directive laying down minimum standards for the reception of asylum seekers.



SPECIFIC CHALLENGES FOR PARTICULAR MIGRANT GROUPS AND HOW EURODIACONIA MEMBERS ADDRESS THEM

Overall, Eurodiaconia members operate a wide range of social services to support migrants in Europe, these include: providing accommodation, helping with food and other types of material assistance, providing legal counselling, assisting with language barriers in working with authorities, introducing migrants to other NGOs or authorities that may be able to help them with a specific issue, providing psychological counselling and therapy, offering educational, language and vocational courses, advocating for migrants rights with local and national authorities, helping migrants appeal the decision about their legal status or launch a formal EU complaint, raising awareness in the public and with public authorities of the rights migrants have and the human rights abuses, advocating for specific legislation changes, promoting anti-racism rhetoric in courses and providing informational leaflets for the public, providing healthcare to migrants who are not able to access public health services, and having integration programs with local citizens and migrants to promote social inclusion.

This is by no means a comprehensive list of all the ways our members assist migrants, but many of the core services that our members run have been mentioned. Whilst some of the services our members provide are targeted specifically at migrant communities, many of the migrants they meet will be through mainstream social or health care services.

Key challenges for asylum seekers

The legal process that asylum seekers go through to receive refugee status and a right to officially stay in a destination country is almost always long, complicated, and expensive. Our members note that often times asylum seekers are given assistance by a Member State upon their first arrival into the country; however, after asylum seekers are denied refugee status,

Asylum Seekers:

Main challenges: being rejected without a thorough enough investigation on the part of the authorities, leaving the migrant desolate, on the street and not knowing what steps to take next.

How Eurodiaconia members help: providing shelter, translation services and legal counselling for asylum seekers who have not been taken care of by public authorities.

or because of long processing periods for requests of asylum, many asylum seekers are left homeless and without any access to social services.

Furthermore, many asylum seekers have had extremely traumatic experiences that have led them to flee to a safe third country. Other asylum seekers have experienced severe trauma while trying to flee horrific living conditions (i.e. in war zones). Our member express that there is a serious lack of therapy (specifically, trauma therapy) available for these people. The Finnish Evangelical Lutheran Church Council (FELCC) says that even people who exhibit serious trauma symptoms sometimes have to wait years to go through the asylum process and to receive the necessary therapy.

The Church of Sweden also emphasizes that asylum seekers are often not able to access their full rights to healthcare because of a lack of cultural understanding and knowledge around torture, trauma and violence among Swedish health professionals. This lack of knowledge may result in a migrant not receiving any type of specific care for the experiences

they have gone through. Overall this lack of knowledge and clear information hinders a person's recovery and ultimate ability to integrate into society.

In some Member States, particularly those in the **Mediterranean/Southern Europe** region, our member organizations witness some migrants immediately having their asylum application rejected by government authorities, these rejections are often unjustified and unlawful according to international human rights treaties. Our member organizations report that usually this type of rejection leaves an asylum seeker homeless, without any easy way to access legal or material help.

Our members say that some of the asylum seekers they work with are asking for asylum because of religious persecution in their home country and that many of these applications are being rejected by Member State authorities. Upon rejection, our members have seen some of these asylum seekers go to other EU Member States, and restart their asylum application. Their applications for asylum are approved once in a different EU country. This is one example of differing policies between Member States in regards to asylum seekers, despite the efforts of the Common European Asylum System to resolve these issues.

Good practice example supporting asylum seekers: Diaconia Valdese, Italy

www.diaconiavaldese.org

Diaconia Valdese operates projects to support asylum seekers in both northern and southern Italy. In northern Italy, Diaconia Valdese operates three different centres for asylum seekers that provide food, accommodation, legal coun-

"It is virtually impossible for an asylum seeker who receives no assistance from the government to survive"
– Kerk in Actie on the importance of NGOs, friends and churches in helping asylum seekers in the Netherlands.

selling, and other social services to those limited number of refugees that are approved for the project.

In southern Italy, Diaconia Valdese has another accommodation centre near the island of Sicily. With this program, Diaconia Valdese is able to house 44 male asylum seekers in a section of a local elderly care facility. Asylum seekers who are part of the program are also given legal assistance, courses in reading and/or writing, vocational training, language courses and other social services.

Due to the long waiting period often associated with gaining refugee status in Europe (and especially Italy), centres like these are essential in aiding such migrants who are in legal transition and usually lack any formal social protection. These centres operate to try and decrease the number of asylum seekers out on the streets during this "in between time".

Key challenges for refugees

When talking about a migrant that is a "refugee", for purposes of this report, we are referencing a person who has gone through the full "asylum" process in a safe third country and who has been subsequently given international and national protections.⁸

The 1951 Geneva Convention for Refugees⁸, which has been signed by all EU Member States, entitles TCN migrants who have been awarded this status in a particular country access to many public services and the ability to legally reside in the host country, work in the host country, have legal assistance, material assistance, and much more.

8. The Convention and Protocol Relating to the Status of Refugees (1951). The UN High Commissioner for Refugees. Article 1(A). <http://www.unhcr.org/3b66c2aa10.html>

Refugees:

Main challenges: Not possessing the vocational skills, language knowledge or education needed to actually acquire a job in the labour market of whatever Member State they have Refugee status in.

How Eurodiaconia members help: providing educational courses, language lessons, vocational training and internship opportunities for refugees to give them a better chance of finding a job.

Some assume that once a migrant has this status they do not face many challenges. Unfortunately, our members say that this is not the case for many refugees they support. Our members explain that many refugees still struggle to find work, to integrate properly, and to navigate their way around complicated social service administrations while not fluently speaking the host nation's language.

Eurodiaconia members operate programs specifically designed to support refugees that are technically entitled to many international and national protections but still have difficulty fully accessing them due to administrative hurdles, a lack of vocational training, language barriers and sometimes, illiteracy issues.



Women from the Reformed Church in Hungary's ESF sponsored project helping refugee women through educational courses and vocational skills.

Good practice example supporting refugees, The Reformed Church in Hungary

www.reformatus.hu

European
Social Fund
Sponsored
Project

The Reformed Church in Hungary operated a key project in Hungary for refugees: the Refugee Women's Project, which ran from 2008-2010. The project supported by the European Social Fund, supported 15 refugee women by providing them with accommodation, child care, Hungarian language lessons and training to become child care assistants. As a part of this two-year refugee assistance program, every woman in the program was given the opportunity to have paid employment through a six month contract at a child care centre or crèche.

The women finishing this program not only left with a certificate proving their vocational training in child care, but also with paid work experience that gave them each references. Several of the women were able to find employment in this area after the program ended because of the references, experience and education during the two year program.

Key challenges for mobile EU citizens

One of the most essential rights for EU citizens is the right of freedom of movement. This principle allows EU citizens to freely move and work throughout the different EU Member States. This right, which is guaranteed by the Treaties of the European Union, has encountered issues in recent years with a growing number of Eastern Europeans in particular, wanting to move, settle and work in other European States (although the overall number of EU citizens living in another Member State remains low i.e. below 3%).

The principle, which is further explained by the 2004 EU directive on the rights of EU citizens to move and reside freely within the Member

EU mobile citizens:

Main challenges: Not being allowed to legally work without a residence card, but also not being able to gain that card without a job: a vicious administrative cycle.

How Eurodiaconia members help:

providing counselling on their rights from EU rules and how to overcome some of these legal obstacles. Members also provide language lessons and vocational training that will help them access the labour market in that specific Member State.

States⁹, guarantees that all EU citizens can move to another Member State and stay freely up to three months without any conditions or formalities other than holding a valid identity card or passport. After the first three months, EU citizens need to fulfil certain conditions, depending on their status in the host country, to have the right to reside. Sometimes these conditions include having a job or being able to financially provide for oneself in the new country.

Although these legal and administrative procedures can vary widely across the EU, for those EU citizens who successfully enter the labour market in the new Member State and remain there for some time, there are few problems with accessing welfare services and social security. However for first time job seekers, the situation is insecure and complex.

According to our members, those who are particularly vulnerable to social exclusion and destitution have usually previously experienced a lack of regular and secure employment, have engaged in undeclared work, suffered unfair working conditions, or have been trafficked/ given fake promises of jobs, leaving them without social

security or access to social assistance. Whilst an EU job-seeker may be allowed to work in another Member State, if that person lacks the education, vocational or language skills needed in the job market of that particular country, they are likely to struggle to find employment in the given three month period and can quickly end up destitute and without social assistance.

Member States differ in how they deal with destitute EU mobile citizens. In many Member States, the EU citizen can have access to emergency health care. However some Member States simply deny access to basic services, such as homeless shelters. Others provide integration services, often led by homeless service providers and funded by local authorities. Finally, others focus on 'reconnections' or 'voluntary return' of people the authorities feel are unlikely to find employment. These services can be run by private organisations and funded through public money. Our members who work with EU mobile citizens feel that often returning is the best option if there is no real likelihood of finding employment. However often people do not have the right social networks of support systems when they go home and simply find themselves destitute back in their home country. Our members also try to support

those returning mobile EU citizens and job-seekers to prevent them from falling below the poverty line back in their home country. Our members stress that conditions of poverty and exclusion in the sending countries must be addressed as one of the push factors for intra-EU mobility.

Furthermore, our members also receive a number of third country nationals (TCNs) with long term residency permits from another EU Member State. However in many countries a residency card does not ensure social rights. This is particularly problematic in countries where a residency card from another Member State do not allow them to work (for example in Denmark).

"The circle where EU Citizens (EU mobile citizens and job seekers) find themselves enhances already escalating social exclusion in Sweden"

– Gothenburg City Mission,
Eurodiaconia Member

9. http://europa.eu/legislation_summaries/internal_market/living_and_working_in_the_internal_market/l33152_en.htm

Overall, there is lack of clarity in regards to the rules of free movement and social security coordination outlined in EU directives and regulations (i.e. what rights does a non-active EU mobile citizen have in terms of health insurance?). Due to this lack of a clear legal framework on free movement and fears of so called 'welfare tourism', we have seen some Member States wanting to further restrict the right to free movement.

Good practice example supporting mobile EU citizens, The National Association of City Missions in Sweden (Gothenburg City Mission)

www.sverigesstadsmissioner.se



A volunteer and a mobile EU citizen from the Gothenburg City Mission sit together trying to decipher what steps she needs to take next.

Gothenburg City Mission runs an advice/support centre for socially excluded people, including mobile EU citizens. At this centre, the volunteers and staff help inform EU mobile citizens about their different rights and how to try and successfully integrate into Sweden. The City Mission partners with different local and regional government authorities to assist the many EU mobile citizens that walk through the doors of the centre.

The volunteers act as a mediator, helping the service user in the legal/administrative obstacles by being able to communicate efficiently with government authorities in Swedish. The centre attempts to raise awareness to both EU mobile citizens and the wider Swedish public about the rights that EU citizens have in this area of freedom of movement.

Key challenges for undocumented migrants

Undocumented migrants are usually third country nationals, coming from an area outside of EU, and technically, without the right to legally reside within Europe. This also includes those asylum seekers who have been denied refugee status and did not return home to their country of origin.

Overall, those that are classified as undocumented can come from many different backgrounds, and many are entitled to rights and protections in destination countries but are unable to access these due to language barriers or legal obstacles. This is the most difficult group to support for churches, NGOs and other service providers because many try to go under the radar of society for fear of being found and deported back to their countries of origin.

Undocumented migrants have rights provided by international and regional human rights instruments but our members say that this group is usually not informed of their rights. Furthermore, our members who support undocumented migrants stress that because of a lack of legal status, these people struggle to receive proper health care (except in emergency cases), accommodation, safe work, and much more.

Our members work with these migrants to try and overcome these severe material, legal, psychological and practical challenges that hinder their daily lives. It is important to note that some of our members face their own legal issues when trying to help undocumented migrants because of requirements to report them to the authorities.

Undocumented migrants:

Main challenges: Not knowing their rights from international human rights instruments, being wary of accepting help or connecting with public authorities and other civil society groups due to fear of being detained or deported.

How Eurodiaconia members help: providing health care services to those who do not have normal or public access to these services, assisting migrants with basic needs, psychological issues and other administrative problems.

Good practice example in supporting undocumented migrants: Church City Mission Oslo, Norway

www.bymisjon.no

Oslo City Mission carries out two projects that directly support undocumented migrants in Norway. Their first project is a centre for marginalized women from minority groups in Oslo; many of these women are undocumented migrants and struggle to find many basic necessities for daily life. This centre runs counselling sessions, group dialogues and other workshops focused on health, social challenges, legal issues and human rights problems that the women often encounter. The staff and volunteers support the women by giving them individual counselling in order to help provide for their many needs.



This group of women shows both volunteers from the Church City Mission in Oslo and migrant women from different minority groups that are usually isolated from society in Norway.

The second project that Oslo City Mission carries out is the operation of a primary health care centre for undocumented migrants. This project is run by health professionals who volunteer their time at the centre. The centre is designed to give health care to persons without resident cards. These people are usually former asylum seekers, people that overstay their visa or those that have simply not registered with the government (usually out of fear of deportation). This group of people is usually denied health care support from the government except in an emergency situation; the centre operates so that those without access to regular public health care can see a qualified professional when needed.

“The objective is empowerment and the discovery of one’s own strength and personal skills”

– Church City Mission Oslo, a Eurodiaconia member, on their goals to provide more than just material assistance to marginalized undocumented migrant women.

Key challenges for returning migrants

During the past few years, there has been a growing tendency across Europe to help migrants return to their countries of origin that they may have left because of war, discrimination, or a lack of economic opportunities. Several programs have been developed by Member States to help migrants return ‘home’ with dignity and confidence to succeed once more in their origin countries. Such schemes are called “voluntary return” although in many cases, they are not genuinely “voluntary” on the side of the migrant. Other are returned under specific Readmission Agreements with the EU and various bilateral agreements (i.e. in Serbia).

In other cases, migrants may sometimes be “sent” home or forcefully deported by a destination country after they are found to be illegally residing in a state.

Upon returning home, our members have found that these migrants often do not have the right vocational skills to enter or reenter the labour market. Children and teenagers in particular lack language skills as they may have never lived in their “home” country before. Furthermore, many of these people do not have the necessary social network in this country and lack personal support systems to successfully reintegrate into society. Members from Diakonie Kosova also highlight that lack of housing is the main problem that a family faces when returning.

Some migrants that return may also be met with racism and discrimination (particularly Roma migrants), which may have been why they left their country of origin in the first place. With a lack of education, vocational skills and sometimes a language barrier, these migrants who may also be suffering from traumatic experiences, face enormous challenges finding work and re-entering into society.

Good practice example of supporting returnees (readmitted persons): Ecumenical Humanitarian Organization, Serbia

www.ehons.org

The Ecumenical Humanitarian Organization (EHO), operates a program for migrants returning to Serbia under readmission agreements with the EU. EHO works with migrants whose “protection period” in another country has ended or for those that have had their asylum application refused in another country.

Through legal counselling, education courses, economic support and material assistance, EHO tries to help these migrants reintegrate into Serbian society. EHO cooperates closely with the Serbian government to assist readmitted people by helping them obtain proper

Returning migrants:

Main challenges: Not speaking the local language they are returning to, being discriminated upon returning “home”.

How Eurodiaconia members help: providing language lessons, material assistance through helping returning migrants build homes, running integration programs and coordinating with “sending” countries to make sure the return will be safe.

identity documents before or upon their return home. EHO also works diligently to raise public and governmental awareness of the integration issues these people encounter.

However, EHO emphasizes that one of the main problems they encounter in trying to support migrants is a lack of funds. Their programs depend on EU and national funds, and without a specific allocation of funds for local reintegration of returning migrants, many of their programs would cease to exist. The complicated procedures associated with receiving EU or national funds can hinder organizations like EHO from carrying out support services and could lead to their services being altered drastically on a year-to-year basis because of fund redistribution to different areas of migration support.



EHO assists returning migrants through their Roma Resource Centre by rebuilding houses, offering Serbian classes, and so much more.

CONCLUSIONS: POLICY RECOMMENDATIONS

Having identified some of the major challenges migrants face in Europe and some of the more specific obstacles that exist for different groups of migrants, conclusions can be drawn on what can be done to alleviate these problems both at an EU and Member State level.

Below are examples of policy recommendations that can be put forward to EU and Member State officials working within this field. These specific policy recommendations can be used by interested stakeholders when addressing the European Commission, European Parliament and Member State authorities working on policies, programmes as well as legislation dealing with migration.

The EU should:

- Strengthen monitoring and reporting mechanisms so that the EU can correctly keep Member States accountable for human rights abuses and/or problems in implementation of EU Directives:
 - Break down indicators within the Europe 2020 Strategy on levels of poverty and social exclusion of migrants.
- Ensure integrated and comprehensive migration policies across the relevant European Commission DGs through regular inter-service consultation and dialogue.
- Enhance dialogue with civil society organizations which support and promote the social inclusion of migrants in Europe.
- Counter negative public and political discourse surrounding migration through fact-based communications, research, publications, and campaigns such as a 'welcome the migrant' campaign that promotes an anti-racism rhetoric to slowly change the attitude and fear the general public has towards all migrants.
 - Promote actions through relevant inter-groups in the European Parliament.
- Require Member States to NOT criminalize social service providers supporting undocumented migrants.

"Through cooperation with governmental bodies and through advocacy actions, EHO is now recognized as a leading civil society organization in Serbia that works with readmitted people"
– the Ecumenical Humanitarian Organization, on their work with returning migrants

- Create a knowledge base of discrepancies between Member States in the implementation of the Common European Asylum System (CEAS).
 - Address these discrepancies with migration or social affairs authorities from each Member State.
- Extend the Asylum and Migration Fund and the European Social Fund (ESF) to include migrants IRRESPECTIVE of their legal status.
- Ensure funding is made available from an EU programme specifically to combat the destitution of EU mobile citizens (providing them with social and health care services) (this could for example be made up of proportionate contributions from sending and hosting Member States).
- Remind Member States of their joint responsibility to uphold free movement and ensure social rights are respected, in particular guaranteeing that EU citizens who are not self-sufficient have at least access to emergency accommodation and support.
- Define minimum standards for emergency support services for destitute EU mobile citizens.
- Set clearer rules which would ensure the dignity of all EU citizens is guaranteed and no one is left destitute due to lack of adequate support services or because of access barriers linked to the nationality of the person.
- Raise the visibility of the issue of intra-EU mobility and destitution among the Member States and the need for a pan-European response.
- Develop an EU strategy to combat homelessness and integrate it with national homeless policies.

EU Member States should:

- Ensure that International and European human rights instruments that have been ratified are being correctly implemented and transposed into national laws to protect migrants and the fundamental human rights they are entitled to (i.e. the right to housing, to health, to a dignified life, to social services). Member States must:
 - Protect the fundamental rights of all persons within their territory.
 - Report regularly to the European Commission on progress made in implementation of relevant Directives .
 - Provide local and regional authorities with sufficient funds to fully comply with fundamental and social rights.
- Create a high-level working group in each Member State representing local and regional public authorities to ensure consistent, coordinated and integrated national policies are being implemented cross-sectorally.
- Ensure regular and transparent dialogue between civil society and public authorities dealing with migration issues to ensure capitalisation on civil society expertise and to avoid contradictory policy and practice.
 - Incentivize local authorities to work closely with NGOs and other civil service actors.
 - Create a group/network of key NGOs in each Member State that can act as mediators between public authorities and all NGOs dealing with migration in that country, collect and share best practice examples.
- Allow social service providers, including NGOs, to freely support all migrants regardless of their legal status.
- Begin an anti-racism advocacy campaign to prevent a culture of xenophobic attitudes from increasing and promote this campaign in local / national media outlets to further its impact.
- Design and implement national strategies for the inclusion of mobile EU citizens and allocate a realistic budget for its implementation.
- Provide obligatory legal and administrative training on free movement and social security coordination to all relevant staff of local and regional authorities as well as public employment services dealing with mobile EU citizens.
- Facilitate access to information on social and employment rights, including on social services, health care and identity documents for all migrants and mobile EU citizens.



Member States must “take care of all residents equally; otherwise, societal peace may be threatened” – the Finnish Evangelical Lutheran Church Council.

CONCLUSIONS: FUTURE STEPS FOR EURODIACONIA

There are several areas we as Eurodiaconia would like to address to continue to help our members in their work. Eurodiaconia will follow-up on the findings of this report by engaging with EU decision makers, partner organizations and officials from Member States to communicate some of the key challenges our members have identified through this survey. Eurodiaconia will continue to push for solidarity among Member States in the implementation of EU directives protecting the rights of migrants, international human rights instruments and the Common European Asylum System. Furthermore, we will help our members share best practices through providing platforms for members to meet, providing information and training on accessing EU and other funding resources, and to learn about EU migration policies through study visits and training events.

Eurodiaconia should:

1. Continue to provide a platform for our members working with migrants to exchange best practice, challenges and successes and partner together for future projects. With this sharing of information, our members can improve the effectiveness of their projects across Europe supporting the inclusion and integration of migrants. Members can also feed into specific policy positions for EU level advocacy.
2. Advocate for a strengthening of the Common European Asylum System and the correct implementation of International/European human rights treaties and directives to improve the human rights situation of migrants in Europe.
3. Continue to assist members in trying to access European funds through briefing papers and capacity building activities that will help them implement more or more effective projects to support migrants.

***“Meetings to exchange best practices have been very effective in winning new partners for the case of migrants”** – Quote from the Reformed Church in Hungary, a Eurodiaconia Member, on the importance of the “best practice” sharing that Eurodiaconia enables with its network of NGOs.*

FURTHER INFORMATION AND HELPFUL LINKS

Rights of Asylum Seekers in Europe and a Comprehensive Explanation of European Asylum Law:

http://fra.europa.eu/sites/default/files/handbook-law-asylum-migration-borders_en.pdf

Rights of Mobile EU Citizens and Intra-EU Jobseekers:

<http://ec.europa.eu/social/main.jsp?catId=457>

http://europa.eu/youreurope/citizens/residence/jobseekers/index_en.htm

Rights of Migrants in an Irregular Situation in the European Union (i.e. Rights for Undocumented Migrants in the EU):

http://fra.europa.eu/sites/default/files/fra_uploads/1827-FRA_2011_Migrants_in_an_irregular_situation_EN.pdf

http://fra.europa.eu/sites/default/files/fra_uploads/1848-FRA-Factsheet-fundamental-rights-irregular-migrants_EN.pdf (Factsheet Summary)

Rights of Trafficking Victims:

http://ec.europa.eu/dgs/home-affairs/e-library/docs/thb_victims_rights/thb_victims_rights_en.pdf

PICUM's Undocumented Migrants Have Rights: An Overview of the International Human Rights Framework:

<http://picum.org/picum.org/uploads/publication/Undocumented%20Migrants%20Have%20Rights.pdf>

PICUM's Main concerns about the Fundamental Rights of Undocumented Migrants in Europe:

<http://picum.org/picum.org/uploads/publication/Annual%20Concerns%202010%20EN.pdf>

The Common European Asylum System

http://ec.europa.eu/dgs/home-affairs/e-library/multimedia/infographics/index_en.htm#0801262489daa027/c_

http://ec.europa.eu/dgs/home-affairs/e-library/docs/brochure-migration-and-asylum/asylum_and_migration_en.pdf

The Dublin Regulations

“Dublin” refers to a group of EU directives all explaining how Member States should handle issues with asylum seekers. The directives below are examples of some of the pieces of legislation passed under the Dublin Regulations. An explanatory link can be found here:

<http://www.ecre.org/topics/areas-of-work/protection-in-europe/10-dublin-regulation.html>

ANNEX: EURODIACONIA MEMBERS WHO ASSISTED WITH THIS SURVEY

Finnish Evangelical Lutheran Church Council (Finland) www.evl.fi/EVLen.nsf

Kerk in Actie (the Netherlands) www.kerkinactie.nl

Free Churches Group (UK) <http://www.freechurches.org.uk>

Danish Diaconal Council (Denmark) www.danskdiakoni.dk

The Reformed Church in Hungary (Hungary) www.reformatus.hu

The National Association of City Missions in Sweden: Gothenburg City Mission (Sweden)

www.sverigesstadsmissioner.se

Church City Mission Oslo (Norway) www.bymisjon.no

Ecumenical Humanitarian Organization (Serbia) www.ehons.org

Fédération de l'Entraide Protestante (France) www.fep.asso.fr

Free Church Diaconia Federation: Schwesterngemeinschaft Bethesda and Betheli Humanitarian Charity Association (Europe) www.evfdiakonie.org

Diaconia of the Evangelical Church of the Czech Brethren (ECCB) (Czech Republic)

www.diakonie.cz

Diaconia Valdese (Italy) www.diaconiavaldese.org

Diakonie Kosova (Kosovo) www.diakonie-kosova.org

Church of Sweden (Sweden) www.svenskakyrkan.se

Kofoed's School (Denmark) www.kofoedsskole.dk

Iglesia Evangélica Española (IEE) (Spain) www.iee-es.org/blog/



