



THESSISMUN



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Council of Europe

Topic Area A

Ensuring the integration and protection of national minorities and migrants in the economic, political, and cultural sector



Committee of Ministers of the Council of Europe

Study Guide

Topic Area A

“Ensuring the integration and protection of national minorities and migrants in the economic, political, and cultural sector”



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1. WELCOMING LETTER BY THE BOARD MEMBERS

Distinguished delegates,

We warmly welcome you to ThessISMUN 2023, which will be held from the 19th until the 23rd of April in the beautiful city of Thessaloniki. We are more than confident that each and every one of you as part of the Committee of Ministers of the Council of Europe will exceed our expectations through hard work, thorough preparation and close cooperation during the debates. We will ensure that all the necessary guidelines are provided so that the experience can be as enjoyable as it can be.

The present Study Guide will be the basis of your research so that the basics of the topics that are going to be discussed, are better comprehended. It is easier to have a guideline for further inquiries so that you will be fully prepared, until the beginning of the conference. However, we should emphasize that you are required to conduct additional independent research prior to the conference, particularly concerning your countries' positions and policies on the matter at hand. Remember that it is your duty as Ministers to engage in discussion, reach agreements, and put forth workable, practical solutions. Both topics are of great importance, and they constitute a priority for the international community, especially during these eventful times.

Please do not hesitate to contact us at any time so that we can provide further guidance, if need be. Last but not least, we need to remind you that punctuality is of great importance, so as to fulfill your diplomatic duties to the fullest extent that is why we urge you to respect the deadlines. We sincerely hope that this MUN experience will be unforgettable for you. Once again, we would like to welcome you to the Committee of Ministers of the Council of Europe of ThessISMUN 2023!

Kind regards,

The Board of the Committee of Ministers of the Council of Europe,

Sofia-Maria Lialiou, President

Konstantina Psaridou, Vice-President

Vasiliki Charisi, Secretary General



2. INTRODUCTION TO THE COUNCIL OF EUROPE AND ITS COMMITTEE OF MINISTERS

The Council of Europe is an international organization, which was founded in 1949 by the Treaty of London. It is based in Strasbourg, France and it consists of 46 permanent members and 6 observer states.

The Statute of the Council of Europe has three main goals: First of all, it advocates the protection of Human Rights, the pluralistic democracy and the principles of the Rule of Law. The second goal concerns the promotion of the cultural identity and diversity between the European states. As far as the third goal is concerned, the Council makes significant efforts in order to strengthen democratic stability by supporting political, judicial and constitutional reforms. With the aim of achieving all the above, Member States have to be united through common actions, debates and agreements. At this point it has to be mentioned that all European states have the opportunity of the enjoyment of the Council, only if they adhere to the principles of the Rule of Law and only if they fully respect Human Rights and Fundamental Freedoms.

At this part is considered necessary to present the structure of the Council of Europe. According to the Chapter III, Article 10 of the Statute of the Council of Europe its structure includes two main organs. The first one is the Committee of Ministers which constitutes the statutory decision-making body and is composed by the Ministers of Foreign Affairs of each member-state. The second one is the Parliamentary Assembly which is the deliberative organ of the Council of Europe and it consists by 324 members of the parliament from the 46 states. Last but not least it has to be noted that the Council of Europe has introduced other institutions such as the European Court of Human Rights (created under the European Convention on Human Rights), Congress of Local and Regional Authorities of Europe, the Commissioner for Human Rights, the European Committee on Crime Problems and others, which are responsible for the safeguarding of the Council of Europe's principles on several and exceptional issues.¹

To sum up, the Council of Europe has successfully achieved to deal with a majority of issues on human rights violations such as the abolition of the death penalty, the strengthening of human rights law and institutions, the fight against racism, the upholding freedom of expression, the endorsement of gender equality and the protection of children's rights.

¹ Council of Europe, <https://www.coe.int/en/web/portal>.



3. INTRODUCTION TO THE TOPIC AREA

Recent ages have seen increased migration to and within Europe as a result of wars, political upheavals, and economic hardships, giving rise to civilizations with very diverse ethnic, linguistic, and cultural roots. As a result, many minorities have faced discrimination and, in certain circumstances, citizenship denial. Their access to employment, housing, education, health care, and the judicial system has been denied and continues to be argued. It is difficult for them to seek political recourse for rights violations because many of them are underrepresented in European institutions and governments.²

The safeguarding of national minorities has always been a top priority for the Council of Europe, but with the fall of European communist regimes, the emergence of extreme nationalism, and conflicts in certain parts of Europe, the issue has gained even more relevance. Initiatives taken in this area by the Council of Europe are based on the principle that minorities' rights should be upheld by all nations. Its activities include creating standards, collaborating with other governments, bolstering, and consolidating democratic stability, and fostering trust in civil society. It comprises collaboration with a wide number of organizations both inside and outside the Council of Europe, and it covers a broad range of interconnected policy issues.

The Council of Europe's most comprehensive instrument safeguarding the rights of those who are members of national minorities is the Framework Convention for the Protection of National Minorities (FCNM). Among the Member States of the Council of Europe, Belgium, Greece, Iceland, and Luxembourg have signed it, but have not ratified it, while Andorra, France, Monaco, and Turkey have neither signed nor ratified it. Regarding Kosovo, there is a unique monitoring arrangement in place.

The total number of national minority populations in Europe is estimated at 105 million people or 14% of Europeans. However, it is still quite challenging to find reliable data on the proportion of minority groups in European states. This is partially due to the fact that many states do not break down statistics by ethnicity for particular historical and political reasons, as well as the fact that many states do not have accurate or recent census data. Almost every European country has a population that is made up of national minorities. The most marginalized populations in Europe continue to be the Roma communities and nearly all of the Council of Europe's Member States have Roma populations. Their population is estimated to number around 10 million across Europe.

² Council of Europe, "The Framework Convention: A Key Tool to Managing Diversity through Minority Rights" <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016806a8fe8>. Accessed 23.2.2023.



4. KEY WORDS/DEFINITIONS

Minority:³ The Framework Convention for the Protection of National Minorities⁴ does not include a definition of "national minority" due to the lack of a general definition agreed upon by all Council of Europe member states. There is therefore a certain flexibility, or a margin of appreciation, given to states to decide who falls under the protective spectrum of the Framework Convention. This decision must be made in good faith, taking into account the general principles of international law, including free self-identification. The principle of free self-identification is the pillar of minority rights. It highlights the individual's liberty to decide on their own whether they wish to be identified as belonging to a national minority, and which one(s). However, their decision must rely on objective criteria connected with their personal identity, such as their religion, language, traditions and cultural heritage.

According to a general definition of the term "minority", a minority or minority group is a subgroup of the population with unique social, religious, ethnic, racial, and/or other characteristics that differ from those of a majority group. The term usually refers to any group that is subjected to oppression and discrimination by those in more powerful social positions, whether or not the group is a numerical minority. Examples of groups that have been labeled minorities include African Americans, women, and immigrants among others.

The United Nations Human Rights System considers minorities as national or ethnic, religious and linguistic minorities as laid out: in the United Nations Declaration on the rights of persons belonging to national or ethnic, religious and linguistic minorities (General Assembly resolution 47/135 of 18 December 1992) and in Article 27 of the International Covenant on Civil and Political Rights.

Refugee:⁵ According to the 1951 Refugee Convention refugee is defined as "someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion". By the end of 2017, there were 25.4 million refugee men, women and children registered across the world.

³ Perkins, K., Wiley, S. (2014). Minorities. In: Teo, T. (eds) Encyclopedia of Critical Psychology. Springer, New York, NY. https://doi.org/10.1007/978-1-4614-5583-7_188. Accessed 17.1.2023.

⁴ Council of Europe, "About the Framework Convention for the Protection of National Minorities" <https://www.coe.int/en/web/minorities/at-a-glance#%7B%2279030665%22%5B%7D>. Accessed 23.2.2023.

⁵ United Nations, "What Is a Refugee?," UNHCR, 2000, <https://www.unhcr.org/what-is-a-refugee.html>.



Migrant:⁶ Migrant is used as an umbrella term since there is no universally accepted definition of migrant at an international level. The UN International Organisation for Migration(IOM) defines a migrant as a person who moves away from his or her place of usual residence, whether within a country or across an international border, temporarily or permanently, and for a variety of reasons. The term includes a number of well-defined legal categories of people, such as migrant workers; persons whose particular types of movements are legally-defined, such as smuggled migrants; as well as those whose status or means of movement are not specifically defined under international law, such as international students.

Political Representation⁷: Political representation is a process in which one individual or group (the representative) acts on behalf of other individuals or groups (the represented) in making or influencing authoritative decisions, policies, or laws for a polity. The *representative* may hold any of a variety of offices (executive, administrator, ambassador, judge, lobbyist, party leader) and may even be a collectivity (a governmental agency or political organization), but the modern concept most commonly refers to the role of a legislator. Similarly, the *represented* may be almost any individual or group, but is usually understood to be those individuals or groups, typically called constituents, who are entitled to select the legislators. Some important work examines the relationship between legislative and other forms of representation (Stimson et al. 1995), but most has focused on one or more of three dimensions of legislative representation: relationships between the representatives and the represented; among the represented; and among the representatives.

Marginalization:⁸ Marginalization, also referred to as social exclusion, occurs when certain groups of people get denied access to areas of society. Many factors can lead to this denial of access to institutions and opportunities, including historical bias and lack of funding.

Marginalized people don't necessarily belong to one particular demographic: Marginalization occurs due to ethnicity, gender, sexual orientation, disability status, socioeconomic level, and age. Marginalized groups are often at a disadvantage when it comes to obtaining health care, decent education, and employment that would improve their well-being.

⁶ International Organisation for Migration, "Who Is a Migrant? | International Organization for Migration," www.iom.int, 2022, <https://www.iom.int/who-migrant-0>.

⁷ Thompson, D. F. "Political Representation." International Encyclopedia of the Social & Behavioral Sciences, <https://www.sciencedirect.com/science/article/pii/B0080430767012286>.

⁸ Masterclass, "What Is Marginalization? Types, Causes and Effects," Masterclass, September 16, 2022, <https://www.masterclass.com/articles/marginalization-explained#33mrEIRJe4FoezRyggq2ZW>.



Discrimination:⁹ Discrimination is the unfair or prejudicial treatment of people and groups based on characteristics such as race, gender, age, or sexual orientation. It can occur directly or indirectly and severely affects a person's physical, mental and psychological well being.

Integration:¹⁰ Also referred to as social integration, it is defined as the process during which newcomers or minorities are incorporated into the social structure of the host society. Social integration, together with economic integration and identity integration, are three main dimensions of a newcomers' experiences in the society that is receiving them. A higher extent of social integration contributes to a closer social distance between groups and more consistent values and practices.

Culture:¹¹ Irving (1984) said that culture is “the shared and learned information people use to generate meaning and order within a social system” (p.138). Differently put, culture can be a vital go-between for people to make meaning within their societal milieu.

By the same token, Hofstede (1991) claimed that, in a broader sense, culture is “the collective programming of the mind that distinguishes the members of one group or category of people from another” (p.5). From his standpoint, in the vein of Irving's view, culture is not hereditary, but learned; it does not stem from one's genes, but from one's social surroundings. Norton (1995), however, maintained that “culture is not just a body of knowledge; it comprises implicit assumptions, dynamic processes, and negotiated relationships” (p.415).

5. LEGAL FRAMEWORK

5.1. UNIVERSAL DECLARATION OF HUMAN RIGHTS

The Universal Declaration of Human Rights (UDHR)¹² is a milestone document in the history of human rights. Drafted by representatives with different legal and cultural backgrounds from all regions of the world. It sets out, for the first time, fundamental human rights to be universally protected and it has been translated into over 500 languages. The UDHR is widely recognized

⁹ EOC, “What Is Discrimination? EOC,” Eoc.org.uk, 2010, <https://www.eoc.org.uk/what-is-discrimination/>.

¹⁰ Alba, Richard; Nee, Victor (1997). “Rethinking Assimilation Theory for a New Era of Immigration”. *International Migration Review*. 31, 4 (4): 826–874. doi:10.1177/019791839703100403. PMID 12293207. S2CID 41839076.

¹¹ Benzouine, Ikram Abdelhamdi. “Views on Culture and Cultural Representation: An Overview.” *Morocco World News*, 13 December 2012, <https://www.morocoworldnews.com/2012/12/69795/views-on-culture-and-cultural-representation-an-overview>. Accessed 17 January 2023.

¹² “Universal Declaration of Human Rights | United Nations.” *the United Nations*, <https://www.un.org/en/about-us/universal-declaration-of-human-rights>. Accessed 14 January 2023.



as having inspired, and paved the way for, the adoption of more than seventy human rights treaties, applied today on a permanent basis at global and regional levels. According to Articles 2, 7 and 13 of the UDHR:

Article 2: Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 7: All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 13: Everyone has the right to freedom of movement and residence within the borders of each State.

2. Everyone has the right to leave any country, including his own, and to return to his country

5.2. INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS

In accordance with the principles proclaimed in the Charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world. These rights derive from the inherent dignity of the human person and in accordance with the Universal Declaration of Human Rights, the ideal of free human beings enjoying civil and political freedom¹³ and freedom from fear can only be achieved if conditions are created whereby everyone may enjoy his civil and political rights, as well as his economic, social and cultural rights. The obligation of States under the Charter of the United Nations to promote universal respect for, and observance of, human rights and freedoms is undoubtedly one of their most important responsibilities. Article 27 states that:

In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language.

¹³ “International Covenant on Civil and Political Rights.” OHCHR, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>. Accessed 15 January 2023.



5.3. INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

The International Covenant on Economic, Social and Cultural Rights (ICESCR) is a multilateral treaty adopted by the United Nations General Assembly (GA) on 16 December 1966. Early on in the process, the document was split into a declaration setting forth general principles of human rights, and a convention or covenant containing binding commitments. The former evolved into the UDHR and was adopted on 10 December 1948

Drafting continued on the convention, but there remained significant differences between UN members on the relative importance of negative civil and political versus positive economic, social and cultural rights. These eventually caused the convention to be split into two separate covenants, "one to contain civil and political rights and the other to contain economic, social and cultural rights. The two covenants were to contain as many similar provisions as possible, and be opened for signature simultaneously. Each would also contain an article on the right of all peoples to self-determination

The first document became the International Covenant on Civil and Political Rights, and the second the International Covenant on Economic, Social and Cultural Rights. The drafts were presented to the UN General Assembly for discussion in 1954, and adopted in 1966. It is also important to highlight the importance of self-determination and cultural development as rights included in the above Covenants. Self-determination denotes the legal right of people to decide their own destiny in the international order. It is a core principle of international law, arising from customary international law, but also recognized as a general principle of law, and enshrined in a number of international treaties. Cultural development is considered the process of enabling cultural activities, including the arts, towards the realization of a desired future, particularly of a culturally rich and vibrant community. The typological system of culture development was created by two major figures of anthropology: Lewis Henry Morgan (1877) and Edward B. Tylor (1871, 1881). They divided cultures into three basic evolutionary stages: savagery, barbarism and civilization. Both Morgan and Tylor recognized that there were broad patterns of similarity that could be recognized in many different cultures around the world, and developed parallel typologies for categorizing these cross-cultural patterns.

5.4. EUROPEAN CONVENTION OF HUMAN RIGHTS

The European Convention on Human Rights (ECHR)¹⁴ is an international treaty drafted by the Council of Europe. This Declaration aims at securing the universal and effective recognition

¹⁴ "European Convention on Human Rights." *European Court of Human Rights*, https://www.echr.coe.int/documents/convention_eng.pdf. Accessed 14 January 2023.



and observance of the Rights therein declared. The aim of the Council of Europe is the achievement of greater unity between its members and that one of the methods by which that aim is to be pursued is the maintenance and further realization of Human Rights and Fundamental Freedoms. All Council of Europe member states have ratified the ECHR and are, therefore, legally bound by this treaty. The characteristic of the ECHR is that it takes human rights protection further, though, because it was set up as a legally binding treaty rather than a declaration. From the time it entered into force in 1953, the ECHR has been not only extended, but also amended, through various further protocols: further rights and freedoms were added, already existing procedures modified and new competencies indicated. In regards to minority issues the ECHR does not include a clear mention of minority groups as it protects rights to equality and non-discriminatory actions for all people. Other rights that address mainly minority issues are: freedom of religion (Article 9), freedom of expression (Article 10) and the right of effective participation in cultural, religious, social, economic and public life (Article 11 and Protocol 1, Article 3). Any violation that stems from limitation of the above rights shall be resolved by the European Court of Human Rights. The right of individual petition is inherent in the Convention system, and all of the Court's judgements are legally binding on States Parties.

5.5. FRAMEWORK CONVENTION FOR THE PROTECTION OF NATIONAL MINORITIES

The Framework Convention for the Protection of National Minorities was adopted by the Committee of Ministers in 1994 and entered into force in 1998. It is the first legally binding multilateral instrument devoted to the protection of national minorities worldwide and remains to this day Europe's most comprehensive treaty regarding the rights of people who are national minorities. It is separated into five sections that state the fundamental principles of the Framework Convention, its interpretation and application and also contains provisions on the monitoring of its implementation. The Framework Convention particularly focuses on protecting and promoting the use of minority languages in all aspects of public life and ensuring that national minorities have equal access to education. In particular, Article 14 recognizes the right of every person belonging to a national minority to learn their minority language and the States Parties should provide sufficient opportunities for being taught the minority language. Additionally, Article 15 requires the States Parties to create the conditions necessary for the effective participation of national minorities in cultural, social and economic life and in public affairs in order to foster real equality and suggests some measures, such as participation of national minorities in decision-making processes and elected bodies both at national and local levels.



The implementation of the Framework Convention is ensured by the Advisory Committee through state reports that monitor the progress of the member states. The monitoring process is crucial for the improvement of the Convention and its Advisory Committee is internationally recognized for its contributions in minority protection and is a central reference in the work of other international bodies.¹⁵

6. ACTIONS THAT HAVE ALREADY BEEN TAKEN

6.1. AGE ASSESSMENT IN THE CONTEXT OF MIGRATION: NEW COMMITTEE OF MINISTERS RECOMMENDATION

In December 2022, the Committee of Ministers adopted a new Recommendation, setting human rights standards on age assessment in the context of migration.¹⁶ According to the Council of Europe's Secretary General Marija Pejčinović Burić, "Adequate assessment of refugees' and migrants' age is key to providing children and young people with the support they are entitled to and to preventing all forms of exploitation" and will ensure that the process ensures the rights of the child. One of the most important aspects of the Recommendation is the principle of presumption of minority for persons undergoing age assessment and requires from the member states to implement multiple and evidence-based assessment procedures. Furthermore, the Recommendation reminds that a medical examination for age assessment purposes should only be undertaken when reasonable doubts remain about the person's estimated age and the other measures of the procedure have been exhausted.¹⁷

6.2. COUNCIL OF EUROPE ACTION PLAN ON PROTECTING VULNERABLE PERSONS IN THE CONTEXT OF MIGRATION AND ASYLUM IN EUROPE (2021-2025)

The Council of Europe Action Plan on Protecting Vulnerable Persons in the Context of Migration and Asylum in Europe (2021-2025) was adopted by the Committee of Ministers in

¹⁵ Council of Europe, "About the Framework Convention for the Protection of National Minorities," National Minorities (FCNM), accessed January 10, 2023, <https://www.coe.int/en/web/minorities/at-a-glance#>.

¹⁶ Council of Europe, "Recommendation CM/Rec(2022)22 of the Committee of Ministers to Member States on Human Rights Principles and Guidelines on Age Assessment in the Context of Migration and Its Explanatory Memorandum," Council of Europe, December 14, 2022, <https://rm.coe.int/0900001680a96350>.

¹⁷ Council of Europe, "Age Assessment in the Context of Migration: Presumption of Minority, Exceptional Use of Medical Examination, Other Standards Set by New Recommendation - Children's Rights - Publi.coe.int," Children's Rights, December 14, 2022, <https://www.coe.int/en/web/children/-/age-assessment-in-the-context-of-migration-presumption-of-minority-exceptional-use-of-medical-examination-other-standards-set-by-new-recommendation>.



2019. It aims at addressing the main challenges and opportunities that were identified in the previous plan, focusing especially on children.¹⁸ In this Plan, the Council of Europe proposes a targeted assistance package for the member states to identify and address their vulnerabilities in the asylum and migration procedures and improve the access to information, legal aid, and justice for vulnerable persons, emphasizing on child and young refugees. The Action Plan is separated into four main pillars, three of which are based on the core mandate of the Council of Europe- human rights, democracy, and the rule of law- and the fourth focusing on cooperation.¹⁹

6.3. NETWORK OF FOCAL POINTS ON MIGRATION

The Network of focal points on migration²⁰ was officially launched after the initiative of the Special Representative of the Secretary General on Migration and Refugees in 2019 and is composed of members from relevant ministries of each member state.²¹ The main objective of the Network is to facilitate the sharing of good practices and to enhance cooperation between the member states and the Council of Europe in order to effectively address the human rights challenges in the field of migration. In particular, the Network's 5th meeting focused on the situation of the people fleeing Ukraine and its recent developments and discussed about child friendly procedures in migration to protect refugee children and unaccompanied minors.²²

7. TOPIC ANALYSIS

National minorities are groups of people who share a common ethnic, linguistic, or cultural identity that differs from that of the majority population in their country. Migrants are

¹⁸ Council of Europe, "Action Plan on Protecting Vulnerable Persons in the Context of Migration and Asylum in Europe (2021-2025) - Special Representative of the Secretary General on Migration and Refugees - Publi.coe.int," Special Representative of the Secretary General on Migration and Refugees, 2021, <https://www.coe.int/en/web/special-representative-secretary-general-migration-refugees/implementation-ap-vulnerable-persons>.

¹⁹ Council of Europe, "Migration and Asylum: Council of Europe to Increase Protection of Vulnerable Persons - Portal - Publi.coe.int," Portal, May 5, 2021, <https://www.coe.int/en/web/portal/-/migration-and-asylum-council-of-europe-to-increase-protection-of-vulnerable-persons>.

²⁰ Council of Europe, "Network of focal points on migration" <https://www.coe.int/en/web/special-representative-secretary-general-migration-refugees/focal-points-network>.

²¹ Council of Europe, "Network of Focal Points on Migration - Special Representative of the Secretary General on Migration and Refugees - Publi.coe.int," Special Representative of the Secretary General on Migration and Refugees, 2022, https://www.coe.int/en/web/special-representative-secretary-general-migration-refugees/focal-points-network?pk_campaign=newsletter.

²² Council of Europe, "The Network of Focal Points on Migration Discusses the Situation of the People Fleeing Ukraine and Child-Friendly Procedures for Children in Migration - Children's Rights - Publi.coe.int," Children's Rights, June 13, 2022, <https://www.coe.int/en/web/children/-/the-network-of-focal-points-on-migration-discusses-the-situation-of-the-people-fleeing-ukraine-and-child-friendly-procedures-for-children-in-migration>.



individuals who move from one country to another for various reasons, such as work, study, or family reunification. National minorities and migrants often face discrimination and marginalization in the economic, political, and cultural sectors. They may also face barriers to accessing education, employment, and housing, which can hinder their integration into society.

The Council of Europe has developed a number of recommendations for Member States to promote the integration and protection of national minorities and migrants. These recommendations include:

- **Anti-discrimination Measures:** Member states should adopt comprehensive anti-discrimination measures to protect national minorities and migrants from discrimination in all areas of life.
- **Language Policies:** Member states should develop language policies that recognize the diversity of languages spoken by national minorities and migrants and promote their use in public life.
- **Education:** Member states should ensure that national minorities and migrants have equal access to education, and that education systems are inclusive and respect diversity.
- **Employment:** Member states should take measures to ensure that national minorities and migrants have equal access to employment and are not discriminated against in the workplace.
- **Housing:** Member states should take measures to ensure that national minorities and migrants have equal access to housing and are not discriminated against in the housing market.
- **Participation in Political Life:** Member states should ensure that national minorities and migrants are able to participate fully in political life and that their voices are heard.
- **Cultural Rights:** Member states should recognize and respect the cultural rights of national minorities and migrants, including their right to preserve and promote their own cultural heritage.

The integration and protection of national minorities and migrants in the political, cultural, and economic sectors is an important issue for the Council of Europe. Member states should adopt comprehensive measures to promote the integration and protection of national minorities and migrants, and to ensure that their rights are respected and upheld. By doing so, Member States can help to create a more inclusive and cohesive society, where all individuals are able to participate fully and equally in all areas of life.



7.1. THE POLITICAL REPRESENTATION OF NATIONAL MINORITIES AND MIGRANTS

According to the definition provided by Hanna Pitkin, “political representation is the activity of making citizens’ voices, opinions, and perspectives “present” in public policy making processes. Political representation occurs when political actors speak, advocate, symbolize, and act on the behalf of others in the political arena. In short, political representation is a kind of political assistance”.²³

Opportunities for participation are plentiful, but not equally distributed among various parties of a population. Although UN 2030 Agenda for Sustainable Development highlights the importance of access to political participation as an indispensable prerequisite for successful integration (SDG 16, target 16.7 clearly states “Ensure responsive, inclusive, participatory and representative decision-making at all levels”)²⁴ formal ways of participation, such as taking part in elections (both active and passive), referendums and, in a way, membership in political parties, are primarily connected to the condition of citizenship. On the other hand, informal opportunities including civil protest, membership in voluntary associations or engagement in voluntary activities are far less dependent on legal requirements. Moreover, such informal means of participation include submitting petitions, forming interest groups, getting in touch with political decision-makers or simply talking about political issues with friends and family. However, the value of participation exceeds the mere opportunity of taking action. For successful coexistence in immigration societies, it is fundamental that as many citizens as possible, with the diversity of their biographies and political opinions, can assist the political decision-making process. In a society strongly shaped by immigration, the political participation of immigrants not only shapes the quality of democracy but is also a question of social cohesion.

In regard to the citizenship requirement, the Advisory Committee of the Framework Convention for the Protection of National Minorities has pointed out that the inclusion of the citizenship requirement may have a restrictive and discriminatory effect, given that it is often the members of particularly disadvantaged groups and minorities, including those who have suffered or been displaced as a result of conflict, who face difficulties in obtaining citizenship and are therefore affected by this restriction.

As mentioned above, opportunities for political engagement are almost infinite, but it would be prudent to divide two kinds of participation according to the access to them. First, formal political participation, determined by the resource of citizenship, includes any kind of electoral

²³ Pitkin, H. (1967). *The Concept of Representation*. Berkeley: University of California Press. Dovi, Suzanne. “Political Representation (Stanford Encyclopedia of Philosophy).” *Stanford Encyclopedia of Philosophy*, 2 January 2006, <https://plato.stanford.edu/entries/political-representation/#ConAdv>. Accessed 10 January 2023.

²⁴ “SDG 16, Department of Economic and Social Affairs.” *Sustainable Development Goals*, <https://sdgs.un.org/goals/goal16>. Accessed 23.2.2023.



participation. This is essentially true for the electoral process, but also membership in political parties can be restricted through citizenship in some cases. Second, informal political participation describes almost any other activity of political engagement including, but not limited to, engaging in organizations, demonstrating, contacting officials, boycotting certain products, attending party rallies, posting political statements online, volunteering, signing petitions, consuming certain products, and expressing one's political views in music or arts. Those activities reveal much more information about preferences and interests than the voting decision. Interests and demands can be transmitted to decision makers very specifically. However, such informal modes of participation are more time- and cost intensive than formal opportunities, while their outcomes are less predictable. Regarding the political participation of refugees and asylum-seekers, the distinction between formal and informal means for participation is essential given that this group is excluded from the former due to their lack of citizenship.

As stated in Article 15 of the Framework Convention for the Protection of National Minorities²⁵, *“The Parties shall create the conditions necessary for the effective participation of persons belonging to national minorities in cultural, social and economic life and in public affairs, in particular those affecting them”*. The Advisory Committee has adopted a wider approach to the implementation of this specific article, given the fact that the active participation of minorities in public life determines the extent of the impact of minorities to economic and social life. In order to ensure that the opinions and concerns of the various minority populations are effectively taken into consideration, special attention must be paid given the importance of effective involvement of national minorities in public life. In order to ensure that the opinions and concerns of the various minority populations are effectively taken into consideration, special emphasis must be paid given the importance of effective involvement of national minorities in public life. This calls for the effective representation of the diversity within minorities, including women and young people, as well as their varied demands and concerns, in all pertinent decision-making.

The political involvement of refugees and asylum-seekers in decision-making processes depends on a large number of different standards and practices. It has a special role to play in strengthening social cohesion, consolidating democracies and ultimately promoting the integration of this group. After often long and dangerous journeys, these people find themselves in one of the most marginalised groups of their host society. A predominant opinion in the discussion about the needs of refugees is that the main concerns of refugees are related to housing and entry into socio-economic life. At first glance, political participation seems to be a secondary demand here. But participation and determination of central decisions concerning

²⁵ “ADVISORY COMMITTEE ON THE FRAMEWORK CONVENTION FOR THE PROTECTION OF NATIONAL MINORITIES The Framework Convention”,²⁷ May 2016, <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016806a4811>. Accessed 23 February 2023.



one's own living conditions are of central importance for refugees because they rule decisively on their inclusion (recognition as an asylum-seeker or admission as a refugee) or their exclusion (rejection of the asylum application and deportation, if necessary).²⁶

7.2. ENSURING THE CULTURAL REPRESENTATION OF MINORITIES AND MIGRANTS

According to the definition of Stuart Hall, “culture’ is a way to refer to the widely distributed forms of popular music, publishing, art, design and literature, or the activities of leisure-time and entertainment, which make up the everyday lives of the majority of ‘ordinary people’ - what is called the ‘mass culture’ or the ‘popular culture’ of an age”. In a more anthropological context, the word ‘culture’ is used to refer to whatever is distinctive about the ‘way of life’ of a people, community, nation or social group.²⁷ Because ethnic minorities are often perceived as a dying breed, the capturing of cultural images is deemed necessary. Minority peoples’ diverse histories, cultures, and contemporary living as well as the evolving nature of their culture are denied. K. Schaffer argued that such representation further entrenches the idea that minorities are of the past and ‘less developed.’²⁸ These representations may help maintain a tradition of accepted beliefs that legitimize a system of oppression based on ethnic differences.²⁹ According to researcher Erkan Gören, cultural diversity deviates from the concept of ethnic diversity, as it combines both language and ethnicity profiles of a country.³⁰ It is an undeniable fact that European metropolises are becoming ever more diverse. Yet, this cultural and ethnic diversity is rarely mirrored in the art celebrated in museums, the plays produced in major theaters, and the music heard in concert halls. A large gap remains between the vibrant cultural expression of immigrant communities and their participation and representation in mainstream cultural institutions, many of which primarily portray society as it once was rather than as it is today.

²⁶ “How the political participation of refugees is shaped on the local level: self-organisation and political opportunities in Colog.” *Deutsches Institut für Entwicklungspolitik*, https://www.idos-research.de/uploads/media/DP_34.2021.pdf. Accessed 17.1.2023.

²⁷ HALL, STUART. “REPRESENTATION Cultural Representations and Signifying Practices.” *The work of Representation*, <https://eclass.aueb.gr/modules/document/file.php/OIK260/S.Hall%2C%20The%20work%20of%20Representation.pdf>. Accessed 15 January 2023.

²⁸ Schaffer, K. “Women and the bush.” Cambridge University Press, Sydney, 1988, https://books.google.gr/books?hl=el&lr=&id=3gWHrCDW01AC&oi=fnd&pg=PA1&ots=q1mErgSGk7&sig=dR-Sf4jb_x3WZbuRHvNrBUp8upM&redir_esc=y#v=onepage&q&f=false.

²⁹ Yang, Li. “Ethnic tourism and cultural representation.” 2011. *Annals of Tourism Research*, <https://www.sciencedirect.com/science/article/pii/S0160738310001295#b0225>.

³⁰ Morin, Rich. “The most (and least) culturally diverse countries in the world.” *Pew Research Center*, 18 July 2013, <https://www.pewresearch.org/fact-tank/2013/07/18/the-most-and-least-culturally-diverse-countries-in-the-world/>. Accessed 15 January 2023.



As stated in Article 5 of the Framework Convention for the Protection of National Minorities, *“1. The Parties undertake to promote the conditions necessary for persons belonging to national minorities to maintain and develop their culture, and to preserve the essential elements of their identity, namely their religion, language, traditions and cultural heritage.*

2. Without prejudice to measures taken in pursuance of their general integration policy, the Parties shall refrain from policies or practices aimed at assimilation of persons belonging to national minorities against their will and shall protect these persons from any action aimed at such assimilation”.

Therefore, the aim of Article 5 is to underline that in order to acknowledge and protect the cultural characteristics that are recognized as unique to each group, all assistance measures must be adapted to the particular requirements and circumstances of the diverse groups. This may call for specific efforts by the state to revive crucial features of the minority culture, without which it might not be possible to express some aspects of that identity. When compared to numerically smaller groups or dispersed national minorities, which may be striving to maintain their unique traits and oppose assimilation, numerically bigger groups or national minorities usually do not have the same reliance on government support. The Advisory Committee believes that all national minority representatives, including those not formally affiliated with such associations or those representing different views, must be consulted and given effective opportunities to obtain funding for the preservation of their identities and cultures. This is true even though cultural associations are frequently the recipients of funds.

Article 9 of the Framework Convention for the Protection of National Minorities focuses on the issue of the marginalisation of minority identities in the local media. For national minorities, especially the numerically smaller ones, the availability of print, broadcast, and electronic media in minority languages has a particularly distinct symbolic importance. People from national minorities can obtain information through them, and minority language media also enhances the visibility of the minority language as an active form of communication.

Increasing the inclusion of migrants and minorities in European arts and culture holds great promise on several levels: boosting the integration outcomes for individual migrants and refugees; strengthening social cohesion in local communities; and making cultural institutions more relevant, vibrant, and sustainable. Yet, this potential remains largely untapped. Migrants and minorities experience barriers not only to accessing available cultural offerings as visitors and consumers, but also to actively shaping local cultural scenes as artists and creators and as professionals with the power to decide what works of art are produced and celebrated. These include recognised obstacles that hinder these groups’ access to other types of services, such as language barriers and physical distance between where services are concentrated and where migrants and minorities frequently live. But other barriers can go unnoticed, such as the nagging feeling that one is not welcome in a cultural venue or not the intended target of its offerings.



Over the past decade, and particularly since the latest large-scale arrivals of migrants and refugees in 2015–16, a plethora of initiatives have emerged across Europe that aim to improve the inclusion of migrants, refugees, and minorities in art and culture, often led by cultural institutions and civil-society organizations. Most of these strategies fall into three broad categories:³¹

- Promoting access to and participation in mainstream cultural institutions. Some cultural organisations have tried to tackle financial barriers by reducing admission costs. Others have sought to address informational, locational, or psychological barriers by experimenting with targeted forms of outreach, designing welcoming spaces, or providing mobile cultural offerings in underserved parts of a city. Meanwhile, some cultural organisations that provide integration or social services (e.g., language cafes) have used these as entry points to invite immigrants to also partake in their cultural activities. Others have aimed to make their cultural offering more interactive and immersive to attract new audiences. While these initiatives are promising, facilitating access and participation is only the tip of the iceberg; if migrant-background and minority communities do not have a voice in the design of cultural activities and do not feel represented by them, they are far less likely to engage with cultural institutions. Furthermore, the pandemic has taken a toll on the in-person, interaction-based activities many of these approaches to engagement rely on.
- Supporting cultural (co-)production by migrant and minority communities. Some theaters, museums, libraries, concert halls, and other cultural institutions in cities across Europe have sought to involve migrants and ethnic minorities in developing and implementing cultural activities, strengthening their voices as artistic contributors. While these initiatives hold value, they are often scattered, one-off projects that are infrequently evaluated and replicated. These initiatives can also easily fall into the trap of ‘folklorization’ if they emphasize the distance between ‘migrant art’ or ‘ethnic art’ and mainstream culture. The short-term nature of many of these initiatives, combined with the fact that participants are often not paid for their contributions, can lead migrants and minorities to feel like they have been used to boost an institution’s reputation as socially conscious. Some organisations have tried to address these issues by actively involving migrants and minorities in programme design and decision-making, promoting bottom-up initiatives led by migrants themselves, or by working with schools to foster equal access to arts education in diverse or underserved neighbourhoods.
- Anchoring diversity within institutions. Looking inward, cultural institutions still face major diversity and representation gaps in their internal structures, processes, and staff—

³¹ Salgado, Lucia, and Liam Patuzzi. “Promoting the Inclusion of Europe’s Migrants and Minorities in Arts and Culture.” *Migration Policy Institute*, https://cultureactioneurope.org/knowledge/promoting-the-inclusion-of-europes-migrants-and-minorities-in-arts-and-culture/mpie_europe-art-culture-inclusion_final/.



particularly at the leadership and managerial levels. While there is growing recognition among cultural professionals of the need to transform these institutions from within in order to remain relevant in increasingly diverse societies, the path ahead is a long one. Some institutions have taken steps to do so, such as hiring an inclusion advisor, changing recruitment procedures, or partnering with civil-society organisations to identify exclusionary practices and features within the sector. But overall, diversity management in European cultural institutions is still at very early stages and remains largely dependent on the commitment of individual leaders or staff.

7.3. SUPPORTING NATIONAL MINORITIES AND MIGRANTS ON AN ECONOMIC LEVEL

According to the Organisation for Economic Co-operation and Development (OECD), migration contributes to regional economic development in various ways, while it fosters local innovation and strengthens trade connections between regions.³² Despite that, the economic exclusion of minorities remains a recurrent circumstance. Economic exclusion can be defined as non-participation in or blocked access to the labor market, public services, finance, housing, educational and health sector, among other opportunities. In order to combat the economic exclusion of minorities, the states acquire a number of tools. Integration into the labour market is a primal factor of the general process of economic inclusion. Access to employment, sufficient income and opportunities for upward mobility influence the location and type of housing, which then impacts the quality of education by providing access to particular schools. Active employment policies can be a major tool for governments to promote inclusion and labour market interventions are common in all EU Member States, though the degree of intervention varies according to the extent of reliance on market processes.³³

In general, immigrants and minorities lag behind natives and the majority populations in economic, educational, social and political areas. They tend to have higher unemployment rates, lower occupational attainment and wages, a looser labor market attachment, and are most likely to acquire inadequate or rough jobs. Furthermore, upward social mobility remains slow or nonexistent across generations. While governments increasingly emphasize the need for more economic migrants, fear of losing jobs, xenophobia and negative sentiments are widespread among natives. Since migration inflows are affected by policy, migration policy is

³² OECD. "The Contribution of Migration in Regional Development." *OECD Library*, <https://www.oecd-ilibrary.org/sites/99ac61a3-en/index.html?itemId=/content/component/99ac61a3-en>.

³³ "THE ECONOMIC AND SOCIAL ASPECTS OF MIGRATION Conference Proceedings, Conference Jointly organised by The European Commission and the OECD." *OECD*, <https://www.oecd.org/els/mig/15516956.pdf>. Accessed 15.1.2023.



partly responsible for the types of immigrants a country receives, their economic performance, the functioning of the economy, and hence natives' perceptions towards immigrants.

The financial situation of ethnic minorities can be strengthened to the extent that governmental and nongovernmental action can modify the institutional and societal factors that are proven to have a strong influence on the social and economic well-being of ethnic minorities.

Overcoming negative perceptions and outright discrimination is paramount as is taking the specific situation of the respective ethnic minority into account. However, integration has to be achieved in accordance with other changes in a comprehensive plan that approaches all critical aspects. This is not solely an issue of institutional reform; it has to do with the consistent enforcement of and abiding by anti-discrimination legislation. Policies fostering the labor market and social integration of ethnic majorities can work, so long as they are persistent and allow time to become effective; especially when tackling cultural issues such as perceptions and attitudes. The media can also raise awareness by disseminating unbiased information on ethnic minorities, good practices and individual success stories that can stimulate further initiatives.³⁴

³⁴ Zimmermann, Klaus F. "Attitudes towards Immigrants, Other Integration Barriers, and their Veracity." *IZA - Institute of Labor Economics*, <https://ftp.iza.org/dp3650.pdf>. Accessed 17 January 2023.



8. POINTS TO BE ADDRESSED

- Does the active presence of minority groups and migrants advance the political, cultural and economic condition of the host countries?
- What further measures should the Council of Europe take and which actions must be done in order to promote the integration and inclusion of minorities in the Member States?
- What is the importance of ensuring the integration of minority groups and what outcomes can it bring to the states?
- How do global challenges, such as Covid-19 and climate change, affect national minorities and what support can the Council of Europe provide?
- How do discrimination and xenophobia affect physically and psychologically the national minorities and what measures can be taken through the legislative and educational system?
- What measures can the Council of Europe take to ensure the cultural representation of national minorities in all aspects of public life?
- What further measures can be taken by the member states for the equal political representation and participation of national minorities in the governmental and public sector and how can the Council of Europe support their implementation?
- In what ways are national minorities who are also part of vulnerable groups further affected by the discrimination and societal stigma and how can the Council of Europe effectively combat this phenomenon?
- What role do the Non-Governmental Organizations (NGOs) play in supporting the integration and protection of national minorities and how can the Council of Europe enhance their importance?

9. CONCLUSION

The integration of ethnic minorities is a dynamic and intricate two-way process which requires efforts by all parties concerned, including a willingness on the part of refugees and minorities to adapt to the host society without having to renounce their own cultural identity, and a corresponding readiness on the part of host communities and public institutions to welcome minority groups and meet the needs of a diverse population. The process of integration is complex and gradual, comprising distinct but interrelated legal, economic, social and cultural dimensions, all of which are important for refugees' ability to integrate successfully as fully



included members of the host society.³⁵ As far as the political representation is concerned, its scope should far exceed the opportunity of taking action. In order to achieve a comprehensive coexistence in multicultural societies, it is crucial that a multitude of refugees and immigrants with diverse upbringings can fully become active citizens, not only as constituents, but, also, as representatives. The aspect of cultural integration should not go unnoticed, given the fact that the integration of minority groups in the domain of the arts reinforces the coherence of minority communities and freshens and upholds the local cultural institutions. Last but not least, the economic integration of minorities is of the utmost importance for their well-being and growth in the host country. Access to employment and decent salaries set the base for appendant factors, such as housing and healthcare benefits. All in all, there are still many “glass - ceilings”, that minority groups have to face, in order for them to ultimately blend into society and our role in changing the narrative of discrimination and oppression is significant.

³⁵ UNHCR. “The Integration of Refugees: A Discussion Paper.” *UNHCR*, https://docs.google.com/document/d/1ZXrre-v4kW9EB_ODNrdjpEgQguuQznsNEZmbOXrE-3k/edit. Accessed 23.1.2023.





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Zimmermann, Klaus F. "Attitudes towards Immigrants, Other Integration Barriers, and their Veracity."
IZA - Institute of Labor Economics, <https://ftp.iza.org/dp3650.pdf>. Accessed 17.1.2023.

11. FURTHER RESOURCES

[war-in-ukraine-covid-19-and-climate-change-key-challenges-for-national-minorities](#)

https://ec.europa.eu/migrant-integration/library-document/minority-protection-europe-best-practices-and-deficiencies-implementation-common_en

<https://www.jstor.org/stable/24674642>

https://www.mpil.de/files/pdf1/mpunyb_06_kugelmann_11.pdf

<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52018IP0447&rid=3>



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