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# ESCAPE RACISM

TOOLBOX TO PROMOTE INCLUSIVE COMMUNITIES

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communities”**

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## **Table of Contents**



<b>1.</b>	<b>13</b>
<b>Gaming and “out of box” methodologies</b>	<b>13</b>
<b>The Need for Play</b>	<b>13</b>
<b>Curiosity in Meaningful Play</b>	<b>15</b>
<b>Out of the Box Game Types</b>	<b>16</b>
<b>2.</b>	<b>22</b>
<b>Best practices and overview in Europe</b>	<b>24</b>
<b>Edutainment tools/projects in Europe</b>	<b>30</b>
<b>3.</b>	<b>29</b>
<b>Public and private contexts dealing with edutainment</b>	<b>32</b>
<b>4.</b>	<b>34</b>
<b>Three case studies</b>	<b>38</b>
<b>5.</b>	<b>40</b>
<b>Overview</b>	<b>45</b>
<b>Best practices</b>	<b>48</b>
<b>6.</b>	<b>50</b>
<b>Online and offline Escape Rooms</b>	<b>57</b>
<b>7.</b>	<b>53</b>
<b>European legislation dealing with the topic of racism and discrimination</b>	<b>60</b>
<b>Racism in Europe</b>	<b>66</b>
<b>Racism and discrimination in the countries involved in Escape Racism project</b>	<b>82</b>
Italy	82
United Kingdom	85
Spain	88
Hungary	90
<b>Infographic on racism and discrimination</b>	<b>93</b>
<b>8.</b>	<b>90</b>
<b>Starting point</b>	<b>98</b>
<b>The vision of disability in Europe: politics and society</b>	<b>99</b>
<b>Attitudes and discrimination towards women with disabilities</b>	<b>101</b>
<b>Discrimination due to disabilities in the partner countries involved in Escape Racism project</b>	<b>109</b>



Italy	109
<b>United Kingdom</b>	112
Spain	114
Hungary	117
<b>Infographic on Discrimination and disability</b>	<b>120</b>
<b>9.</b>	<b>113</b>
<b>Notion and process of bullying</b>	<b>125</b>
<b>Types of bullying</b>	<b>125</b>
<b>The cycle of bullying</b>	<b>127</b>
<b>Legislation dealing with the topic of bullying</b>	<b>128</b>
<b>Data on bullying in the countries involved in Escape Racism project</b>	<b>129</b>
Italy	129
United Kingdom	132
Spain	133
Hungary	134
<b>Infographic on Bullying</b>	<b>137</b>
<b>10.</b>	<b>128</b>
<b>Notion and general situation in Europe</b>	<b>142</b>
<b>Unconscious fostering slavery: exploitations in supply chains</b>	<b>151</b>
<b>Modern slavery in the countries involved in Escape Racism project</b>	<b>155</b>
Italy	155
United Kingdom	160
Spain	164
Hungary	166
<b>Infographic on Modern Slavery</b>	<b>168</b>
<b>11.</b>	<b>156</b>
<b>Notion of Border and European Legislation concerning borders</b>	<b>173</b>
<b>Borders in the countries of the project</b>	<b>192</b>
Italy	192
United Kingdom	195
Spain	197
Hungary	200
<b>Infographic on Borders</b>	<b>204</b>
<b>12.</b>	<b>189</b>
<b>13.</b>	<b>192</b>





## Description of the project

**Escape Racism - Toolbox to promote inclusive communities** is a project co-funded by the Erasmus Plus program with the main aim to build inclusive societies where young people are capable of promoting respect for human rights, combating racism, discrimination, and acting as multipliers for their peers. The innovation of non-formal methodologies and gaming tools will facilitate the professional growth of youth workers and foster the personal development of youth, especially those who have fewer opportunities in life. The project is considered to be especially important as across the EU people still face hatred because of their skin colour, ethnicity, religion, gender, or sexuality; despite various efforts to tackle this problem. Laws against hate crimes are in place but it is still not enough. In fact, statistics gathered from within the project's partner countries show alarming data relating to the escalation of racism, hate speech, and discriminatory acts.

Which are the main objectives of the project?

- 1) To create innovative practices in the field of youth work through the creation of a toolkit of methodologies which promotes the development of soft skills within youngsters such as leadership, communication, team-working, problem-solving, critical and lateral thinking skills, whilst at the same time promoting human rights, social inclusion and intercultural dialogue.
- 2) To increase the availability of innovative and non-formal methodologies by developing on-line tools which will be at the disposal of all the organizations and opportunities.
- 3) To develop organisational capacity of five institutions with different cultural and organisational experiences and the strengthening of the strategic partnerships amongst them.

In order to achieve these objectives, the project foresee the development of the following outputs:

- Creation of a Training kit for Youth Educators (Intellectual Output 1). It is divided into two different parts. The first one is represented by this essay and it includes the development of non-formal methodologies, techniques and approaches useful for youth workers or educators active in the field of human rights, intolerance and racism prevention. The second part, the Escape Room kit, will include the practical instructions on how to develop and create an educational escape room, with the scenarios realised during this project.
- Implementation of a pilot phase (Intellectual Output 2) - Testing the Output 1 through workshops. The pilot phase includes the development of a methodology for testing the training, and escape room kits. This is followed by implementation and evaluation that takes



place at the beginning and at the end of the pilot, with the aim of amending and improving the project outputs;

- Development of online tools (Intellectual Output 3): the material and kit produced for the IO1 are converted through the creation of online tools, webinars, digital material, and videos that will be included in an online platform to assure maximum visibility and accessibility for the project outputs and products, guaranteeing sustainability beyond the project lifetime.

All of the communities involved in the project will benefit in the long run. The communities will benefit from a raised awareness of racism and discrimination.

Which is the target group?

Young boys and girls! They will be involved in the project to raise their awareness about topics like racism and discrimination, acting as multipliers with their peers and families, sharing a more inclusive idea of society and relations among people. In a long-term perspective, an international community of organisations and youth workers will be created, which will be strongly connected to a non-formal educational background, engagement of youth with fewer opportunities, and the ability to create a lasting impact within their communities and other sectors of society. The e-learning platform is also conceived as a sustainable tool accessible at European level, where the project will share best practices that can be enriched by new inputs Europe-wide.



## Description of partnership

The project is carried out by a consortium made up of 5 organisations coming from 4 different countries: Italy, UK, Spain and Hungary.



CEIPES, International Centre for the Promotion of Education and Development is an International non-profit association founded in Palermo in 2007 with antennas in other 8 European countries. Its mission is based on the belief that education and development are fundamental values to achieve peace and dignity for all human beings. Each individual and community has the potential to fulfil its rights. CEIPES acts as a facilitator for activating the community, through an educational approach in order to create and transform energy and resources. This process is necessary for both individual and social development. The mission of CEIPES is to foster and support the sustainable development of local communities and individuals' empowerment through education and training, human rights and international cooperation.

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Coventry University is a dynamic, global, enterprising University based in the UK with a long tradition of undertaking training, research and consultancy services. The participation to the project has been via Coventry's Disruptive Media Learning Lab (DMLL) that is capitalising on research and development excellence in innovative pedagogies and technology-enhanced learning across the university, including excellence in game-based learning R&D of the Serious Games Institute (SGI).

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Eufemia, based in Turin (Italy), is an association for social promotion focused on youth mobility, social inclusion of people with fewer opportunities, active citizenship, and intercultural dialogue. Its work is directed towards lifelong learning, sustainability and the development of digital skills, using methodologies such as: non-formal education, peer to



peer education and learning by doing. In order to achieve this, we develop educational programs in a European context (especially in the field of Youth within the Erasmus+ program), as well as collaboration with local partners.

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ASPAYM Castilla y León Foundation is a Spanish organization whose aims are to promote autonomy, equal rights and opportunities as well as increasing the quality of life of people with physical disabilities. ASPAYM CyL seeks to be a leading association, providing its target users with the tools to achieve that mission. That goal is reached thanks to the quality of its programs and activities, research and the proper use of new technologies.

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Támaszpont MOPKA is a Hungarian NGO acting at local and international level within the field of youth, run by volunteer board members. Established in 2011, since its foundation has been managing the youth centre of the city Veresegyház. Támaszpont, has been a Eurodesk partner since 2012, and the regional coordinator for Central Hungary since 2013. The aim of Támaszpont is to offer a free and safe place where the youngster can feel free to come and participate.

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## What is this Handbook about

This Handbook is the first outcome of the Escape Racism project. It includes research and analysis conducted by the project consortium about five topics related to the discrimination chosen as main issues of the project: racism, disability, bullying, modern slavery and borders. The research is carried out both in the European context and in the four countries involved in the project.

In the first part of the book is presented an excursus on the theme of edutainment and good practices in the field of play for educational purposes. In the second part, in-depth research is carried out on data and legislative references on the topics chosen within the project, mentioned above.

To make reading the data collected in the research more usable and pleasant, infographics on specific thematic are included at the end of each chapter. The infographics are divided into a first part concerning the European data and a second part concerning the data of the 4 countries of the project, following the structure of the research.

This Handbook have the following main **goals**:

Sharing best practices and competences in non-formal education and to reach a compared analysis on the topic of racism and discrimination.

Improving the competences of the involved organisations by evolving and developing skills for youth, especially those with fewer opportunities to create a training kit of sessions and an escape rooms kit with 10 different scenarios.

The handbook is developed with the aim of supporting youth workers and educators in their work with different topics and target groups such as refugees, migrants, NEETs, youngsters from rural areas and with geographical obstacles, Roma, and youth with disabilities.

This work will have an impact on staff organisations that will be directly involved and will go through a capacity building process, ensured by the empowerment of their learners, youth workers, and trainers, who will each receive an innovative set of tools to improve their work. One important result of this first output is made by the comparison among different contexts and needs related to the current situation of racism and discrimination in the different countries, the increase of the awareness on the topic, as well as the sharing and improvement of non-formal educational methodologies with the creation of a completely new and innovative learning path.

The handbook foreseen by the project is constituted of different parts.

**The present essay represents the first part**, which is the **theoretical section** that includes information about gaming and “out of box” methodologies as part of non-formal education, providing theories about the results given by the use of educational escape rooms. Another



section is designated for the best practices in Europe and in the countries involved in this project about gaming as a tool of learning, and in particular the use of the escape rooms for this purpose. The following part is constituted by 5 different chapters which are dedicated to five different topics related to discrimination: Racism, disability, bullying, modern slavery and borders. The research shows statistics contextualised in Europe and in the different countries focusing on the escalation of racism, hate speech and discrimination. Each research is also represented by an infographic that shows data and information given in the chapter in a visual way.

In the last part there the conclusions and the bibliography which are useful for a good understanding of the method. This will encourage youth workers to learn more and document their activities in a scientific way, with verified information, research, and resources.

The **second practical part**, represented by the **Escape Room Kit**, is developed in another volume and will include the detailed sessions of the workshops, general recommendations for educators in using these methods, details about group dynamics, and the logistical organisation of groups. The Escape rooms kit is based on the knowledge developed by the University of Coventry and Eufemia association, partners of the project. It will contain guidelines on how to create an educational escape room along with the different steps to take, logistics, and materials. These guidelines are tested by the partners in the escape rooms they created in their countries. Ten scenarios will be created, each utilising different escape rooms related to racism and discrimination, bullying, modern slavery, disabilities, and borders. The designed escape room scenarios will be put into practice in dedicated spaces for each partner organisation. CEIPES will create it in its Rise – Lab, Center for Innovation Empowerment and Networking, built in a property confiscated from the mafia and entrusted by the Municipality of Palermo. Placed in one of the most disadvantaged neighbourhoods of the city of Palermo, it is 600m large and already contains a STEM Lab, an I-LAB, a Training and workshop room, a European Infodesk, a social pocket Cinema/Theatre. Coventry University will use the Disruptive Media Learning Lab and the University groups (Coventry, London, Scarborough, Dagenham) spaces. Eufemia will use a space of around 80 square meters that is currently running as an educational escape room in a big multifunctional youth and artistic centre situated in Torino. ASPAYM will locate their escape room in one of 15 wooden cabins of "El Bosque de los Sueños", a superior tourist lodge run in Cubillos del Sil, a small town located in a rural area fully adapted for people with disabilities. The cabin is composed of two rooms, a living room and kitchen, and a bathroom. More than 2000 young people currently pass through this resort annually, which reviews both the impact and sustainability of the project. Támaszpont MOPKA will create an escape room in its Youth centre, which is approximately 160m square, has a big training room with a stage to hold activities in, as well as a large garden (over 870m Sq.) with a football field, a stage for performances and concerts, a tennis table, a football table, and a terrace.



Special attention is dedicated to the format of the kits, making them accessible and user friendly, in order that they can be used in different contexts, adapted to different target groups, and contextualised to the needs of the involved communities. In this way, the curricula will be easily transferred to other organisations not participating in the project.

We hope that this work will be useful to all those young people who want to approach the world of human rights and to educators who want to discover the world of non-formal education and educational approaches through play.



## 1. Gaming against racism and discrimination

### Gaming and “out of box” methodologies

The following section outlines a review of play and ‘out of the box’ gameful methodologies. A discussion is presented around the key factors to support the use of game-based learning for education and behavioural change strategies, particularly in harnessing the power of player curiosity in Escape Room games.

### The Need for Play

#### Game-based learning

Game-based learning is an educational methodology that utilises games as a pedagogical tool applicable to any field of formal and non-formal education. This specific methodology aims to:

- Improve student motivation
- Increase autonomy in decision making, reasoning and problem resolution
- Control student learning
- Activate the learning procedure: ability to experience knowledge
- Provide useful information to the teacher about the evolution of the student body
- Foster creativity and imagination
- Develop social and personal skills
- Support the teaching-learning process, facilitating the acquisition of cognitive and social skills

Promote educational inclusion, promoting the participation of all the agents involved, giving special importance to students with special educational needs. Thus, this student body would always remain in the classroom. According to Tavares & Sanches (2013), inclusion is not achieved by removing students in need to receive educational reinforcement, but by removing the teacher from the teaching centre.

The important role that play has formed culturally and historically within our society has often been the source of much discussion, particularly on its benefits when it is freely encouraged. Supporting these beliefs of the benefits of play, Dutch historian Johan Huizinga, examined play within his book '*Homo Ludens*' (Huizinga 2014) in which he proposed that every social system in its first steps starts through a playful interaction. Huizinga believed that;



*"Play is a free activity standing quite consciously outside 'ordinary' life as being 'not serious,' but at the same time absorbing the player intensely and utterly. It is an activity connected with no material interest, and no profit can be gained by it. It proceeds within its own proper boundaries of time and space according to fixed rules and in an orderly manner."* (Huizinga 2014)

Huizinga believed that play was central to how we learnt and experienced the world, and that connecting through playful interactions enhanced our social interactions and relationships with others.

With this fundamental understanding of play, the field of playful and gameful experiences as learning and engagement strategies has developed to cover areas such as game-based learning, serious games, gamification and the concept of 'Meaningful Play'. Meaningful Play is described as what occurs when the relationships between actions and outcomes in a game are both discernible and integrated into the larger context of a game. Meaningful Play is often used in the discussion surrounding the concepts of serious games and gamification in which the motivational activity of 'play' also has additional benefits such as learning, or behaviour change within the player. If Meaningful Play has the power to help form connections and make sense of people, the environment and objects around us, then it is a powerful method that can help build enquiry, experimentation and empathy.

Meaningful Play can be developed via a range of game types including analogue and digital experiences. Games by their very nature, offer a vast array of sensory and content driven experiences. It is easy to watch players gathered around a colourful board, rolling dice and excitedly chattering together or the solo player perched excitedly in front of their computer, creatively building a new civilization, and imagine all senses and attention are fully engaged to the experience of the game at hand. But what happens when you create a playful experience that is driven by the need to know more information? When curiosity sits at the heart of play it becomes a motivational drive to want to experience and explore new environments and content. By building on the idea of using curiosity as a primary engagement drive, exciting 'out of the box' game types have evolved to take the entertainment games world by storm. Further still, adaptations of these 'out of the box' methodologies have allowed educators to explore potential scenarios in which these experiences can be adapted for a range of 'Meaningful Play' outcomes.

## Curiosity in Meaningful Play



Curiosity in games can be experienced through many forms, but perhaps the aesthetics or genre most associated with generating player curiosity in this particular medium, are those of mystery and/or puzzle games.

Certainly, using mystery as an educational motivator is not a new concept and several studies have been conducted that have shown the introduction of mystery to have positive effects. One such case of adapting mystery as a powerful motivator in education is found in Keller's work (2008) in developing an understanding of motivation in distance learners through e-learning strategies. His work developed a theory-based approach to understanding and documenting the first five principles of motivation and volition that characterize learning systems that effectively motivate students. He concluded that 'a deeper level of attention, or curiosity, is aroused by using mystery, unresolved problems, and other techniques to stimulate a sense of inquiry in the learner' (Keller, 2008).

But what about the mystery game genre itself? Well, there has always been a fondness for mystery games, especially in a digital capacity. Digital games such as *Myst* (Cyan Worlds, 1993), *Heavy Rain* (Quantic Dream, 2010), *Fire Watch* (Campo Santo, 2016) and *Everybody's Gone to the Rapture* (The Chinese Room, 2015) have captured players attention and have opened up the genre to think outside of the traditional 'who done it?' narrative. However, it wasn't until the company 'Telltale Games' who developed '*The Walking Dead: Episode 1*' (Telltale Games, 2012), that the industry really saw a push towards the episodic, narrative led games that are quite popular today. These games feel closer to the style structure of 'Choose Your Own Adventures' in which players are given problems or choices with limited information. Players are put in the role of the story writer and asked to direct the course that the games narrative plays out. Whilst not all of these narratives can be strictly labelled 'mysteries', there is often a good deal of the unknown attached to each choice, putting or exposing the player to a situation in which the unknown becomes a central point.

It seems then quite the coincidence that whilst this style of games was becoming increasingly popular in the digital market space, allowing for more player choice centred playstyles, something similar was happening in the real world. The rise of interactive live action games such as Escape Room experiences.

## Out of the Box Game Types

### Alternate Reality Games



Alternate Reality Games otherwise known as ARG's, are transmedia-led experiences that deliver a story over time. One such company that uses an adaptation of the ARG genre is that offered by the 'Mysterious Package Company'.

Established in 2013, the Mysterious Package Company provides an experiential service which provides stories, puzzles, and mysteries. According to the company they;

*"Specialise in remarkable deliveries that intrigue, befuddle and delight."*

(Mysterious Package Company, 2012).

Experiences are purchased as gifts online and then delivered through the mail to the intended recipient (usually someone who doesn't know they have been bought an experience). An experience that is purchased, is usually made up of at least two to three packages and/or envelopes that get mailed over a series of weeks in a manner that releases the story slowly and in segments to the player. In this way it is quite similar to an escape room 'box' experience but without pre-set time. Each package contains various items that can include such items as thematic props, fake letters, photos, newspaper clippings, audio clips and handwritten diaries. These experiences are made to be semi-personalised, with the intended recipient's name written with some of the letters and props that make up the experience. What is not obvious at first from the experiences, however, is that they go much deeper than a narrative delivered in an interesting way. When players delve deeper into the experience, they may begin to notice strange symbols written on a letter, or a reference in a newspaper clipping, matching a word in the diary they had been reading. It soon becomes evident that there is more to the experience than originally thought. A key part of the experiences is that of a role-play nature. Unknowingly, recipients of the experience, are drawn into a fictional world, within which they are placed in the role of a researcher or detective, attempting to piece together once again the unknown surfaces here, and is used as a drive to arouse a curiosity within the player, inciting them to piece together the disjointed pieces of information that they have at their fingertips. If you have more time to play with, or don't want to place your players under a time stressor, try adapting a similar approach that blends the game types of escape rooms and ARG's together so that players can have a game experience that runs for a longer period of time.

### Playful Simulations

Simulations are defined as an imitation of a situation or process. They are recognised as a means of enabling learners to experience things themselves, that might otherwise remain beyond their imagination (Twelker, 1970), in an environment within which the learner can



practice skills safely and without fear of embarrassment (McCormick, 1972). Within education, simulations are capable of engaging students in what is termed 'deep learning', which increases understanding of the issues being simulated, rather than the 'surface learning' which occurs when reading a book, for example, and only requires the learner to utilise their memory.

As with escape rooms, it is well-known that simulations offer a high-level of engagement within participants. Simulations fall into two categories, physical simulations, which take place within the real-world, or a digital environment, either generated by computer or using video projected onto screens.

Physical simulations place a learner into a situation within a physical environment, meaning that the learner will experience it with all five of their senses: taste, smell, touch, sound, and vision. This wealth of inputs causes the learner to react to the situation in what they perceive as a realistic manner and, in acting out their role, they will begin to engage their imagination and experience ludicity. At this point, the learner will have begun to suspend their disbelief and the physical simulation becomes a game (Goutx et al. 2019). Physical simulations are often used for training a learner's responses to crisis management. Indeed, governmental bodies and emergency services worldwide often use simulations to better prepare responders for the dangerous situations that they might encounter such as large fires, large scale accidents, or terrorist attacks.

Digital simulations utilise computers or video footage projected onto large screens to recreate a real-world experience as closely as possible. More recently, digital simulations have been driven by the increasing availability and use of virtual reality headsets. However, digital simulations utilise handheld controls which allow the learner to point and click to perform actions, meaning that suspension of disbelief is harder to overcome. Large simulations such as those used to train pilots, or Formula One drivers often utilise full-size props such as a plane or F1 car cockpit to increase the experience and realism. However, in general digital simulations deliver a lower sensual experience than those of a physical nature as they are based on only three of the five senses: sight, touch, and sound.

### **Choose Your Own Adventure**

'Choose Your Own Adventure' books are a series of children's books within which the reader takes on the role of a story's protagonist. Each book is based in either a fantasy or science fiction setting and presents the reader with a short, numbered passage of story text and a series of numbered options. The reader must select which of these options they would like



to take and then flick through the book to find the correspondingly numbered passage. Each new passage repeats this process until the story reaches a conclusion.

The roots of Choose Your Own Adventure books are based within the world of role-playing games. Edward Packard is credited with being the first author to utilise the method in the mid-1970's. The format Packard created was taken up by Vermont Crossroads Press, who created a series of books titled under the heading 'Adventures of You'. The Choose Your Own Adventure series, for which the genre became known, was first published in 1979 and went on to sell over 250 million copies, making it one of the most popular children's book series ever. In Europe, the concept of Choose Your Own Adventure books was expanded upon by authors Steve Jackson and Ian Livingstone who together wrote 'The Warlock of Firetop Mountain'. This was the first of what came to be known as the Fighting Fantasy (FF) series. The FF series incorporated more elements of RPG's, allowing the reader to encounter other characters and interact with them. Some of these might help the player whilst others would hinder them, in some cases the player was required to roll dice to pass a test or combat an enemy in a similar manner to an RPG. The FF series was exceptionally popular and remains in print to this day.

In educational settings, the Choose Your Own Adventure format has been utilised as a replacement for traditional passive learning or discursive lecture methodologies. 'A 'Choose your Own Adventure' lecture provides the opportunity for students to decide on content direction, rather like 'Choose Your Own Adventure' books' (Moody & Consoli. 2013). Learners attending these lectures are presented with a number of different pathways to explore a subject, through taught content and may select which route they take along their learning journey. For example, students studying Archaeological theory may be given the choice of learning about Processual or Post-Processual Archaeology. Students utilising this lecture method were noted to enjoy the power to explore and decide what they are taught. This had the additional effect of increasing engagement, participation and motivation whilst leading to more open group discussion.

### **Immersive Theatre Games**

Immersive theatre is a form of theatre that pulls the audience into a story or events as they are played out. The audience is not simply a passive viewer to events on stage, they are an active participant with a given role. This role may be as simple as asking the audience to witness a crime or more complex, with members of the audience becoming characters within the story themselves. The audience might be given free will to roam around the



performance's location so that they each view events from different perspectives, or the audience may be guided from location to location to view the story's key events.

Over the past decade, several immersive theatre games have appeared within the UK. These merge aspects of immersive theatre with that of games and even game shows. The most famous of these is based on the popular '90s UK television show, since rebooted, The Crystal Maze. The Crystal Maze Live experience first opened its doors in London in 2016 with another venue being added in Manchester the following year. The experience places participants into the same role as players of the original TV format. That is to say that the participants become contestants vying to successfully complete various timed mental puzzles and physical games within four differently themed 'zones'; Industrial, Futuristic, Medieval and Aztec. Upon successful completion of a game or puzzle, the participants are granted a crystal, which provides them with 5-seconds of time within 'The Crystal Dome'. The more crystals the participating team gains, the more cumulative time they are granted within the dome (<https://the-crystal-maze.com>).

Sherlock, the Official Live Game is a more recent addition to the list of immersive theatre games within the UK. As with the Crystal Maze Experience, this immersive escape experience is based on a popular television show, Sherlock, and utilises scripts written by the show's creators, Mark Gatiss and Steven Moffat, as well as recreated sets. Players take on the role of a detective and must solve puzzles to resolve a mystery before the 100-minute event timer runs out (<https://www.thegameisnow.com>).

In education, the immersive theatre company 'Punchdrunk' has been working within schools and communities to deliver interactive educational productions for children and young people since 2008. Performances meld together 'classical texts, physical performance, award-winning design installation and unexpected sites' (<https://www.punchdrunk.org.uk>) to deliver an immersive theatre experience through which the audience may roam and view the story as it is being told.

#### **Moving Between Game Genres**

One of the key understandings of designing and applying game-based learning, is that it is OK (and encouraged!) to be creative within your games design. Don't feel restricted to one game type or genre when you start to map your learning/ behaviour change outcomes against your gameplay. Instead, look at a wide range of games and assess how they motivate people. What can you learn? What can you take away and put into your own game? You can use the guide above on some of the different and less-heard game types to take some inspiration for your designs. For example, you may wish to create an Escape Room that has elements of Immersive Theatre Games designed into it. Where at key points, the games timer stops, and the players



watch a scene played out by actors around the chosen subject matter. This can add story depth to the game and also give your players a bit of breathing space to reflectively think on why they are playing. Or you can add elements of Choose Your Own Adventure style games design to your Escape Room by setting up multiple pathways in which your players can play out the game. Depending on their choices, they will be presented with a new set of puzzles and story. This adds re-playability value and gives a sense of personalisation and ownership over the game back to the players. By looking closely at what you want your players to get from playing your game, you can add and subtract different game elements to suit your narrative, based on the experience that you want to achieve. Whilst Escape Room games traditionally have a 60-minute Timer mechanic, it doesn't have to be set as that. If you need your players to take more time over the game, make it longer. If you want to give them short bursts of gameplay over a series of days, create several 20-minute games that they can piece together. The design and the gameplay should reflect what you want to achieve, alongside realistic expectations of being able to implement and run the game smoothly.

### **Escape Rooms**

*Live-action team-based games where players discover clues, solve puzzles, and accomplish tasks in one or more rooms in order to accomplish a specific goal.”*

(Nicholson, 2005).

These experiences have grown their popularity worldwide, with rooms available across most continents including Europe, America, and Asia. These live interactive games offer something different than just popping to the pub with friends or going to the cinema. They give an opportunity to be immersed into a narrative. To work together and to make choices with friends and family to overcome the unknown. Since 2002, these experiences have grown to become more elaborate and multi-faceted in their own quest to produce engaging and enjoyable experiences to accommodate small teams of a few people, to thousands of players participating in event settings.

Themes and narratives for entertainment Escape Rooms have ranged from horror (zombies, murderers, haunted houses) to mystery and adventure (detective, Indiana Jones). These themes and narratives, set the games atmosphere and lay the foundations of emotional investment and curiosity within the player. Players essentially take on roles of different characters, although usually the same role such as a hostage, detective etc., within a Game Masters (Escape Room facilitator's) story. A sense of urgency and risk is usually maintained throughout the experience through the methods of time management, actors and props and outside influences, to generate a passionate response and investment from the players into completing the challenge in time. A series of different puzzles that can include physical and



logical components need to be cooperatively solved in a set time in order to win the game by escaping the room/ solving the story.

The popularity and use of these interactive games in an entertainment capacity has inspired educators to adapt these escape room game systems into various areas of education such as induction and learning in higher education environments (Cable, 2017; Clarke et al., 2017; Nicholson, 2018), library and information services in higher education (Walsh, 2017), as a method to develop playful and productive failure techniques for encouraging continuous development (Whitton, 2018) and as a way to encourage curiosity-led learning (Duncan et al., 2018).

The first escape room was created in 2006 in Silicon Valley by a group of technicians who developed a computer game in which there is a limited time to fix a riddle. However, it became quickly more popular in Japan, where the first life escape room was created.

In Europe, the first escape room was made in Budapest in 2011 by Attila Gyurkovics, known as Parapark. The difference between Parapark and the Japanese game was that the Japanese games were based on role-playing, the adventure, and with a team member escorting the players through the experience, while Parapark was focused on solving the mystery.

In 2018 a whole host of interactive experiences have grown and developed from the seedlings of merging the real with the fantasy, adopting a wide range of narrative twists and player choice and curiosity to ‘complete’ the story as the drivers. But what they all have in common is the unknown. Escape experiences can be created in a number of ways depending on the environment including as a ‘room’ experience where players are physically locked in a room, in a table-top ‘box’ experience where the whole game is contained in a box, as a card game with an assistant app where players find clues on cards and enter their answers into the app, or as a fully digital experience which is played on a computer/ phone. Another game type that uses a similar approach of utilising curiosity, narrative and puzzles is that of Alternate Reality Games.



## 2. Educational escape rooms: efficiency and results

### Best practices and overview in Europe

#### Edutainment: Definition and historical context

According to the Cambridge Business English Dictionary, the term edutainment refers to “the process of entertaining people at the same time as you are teaching them something”.

The relationship between education and entertainment has always been analysed. For centuries pedagogists, theorists and philosophers have studied and declined, in many different ways, the connection between the two, according to the different eras and cultures. We can easily find examples looking at the past: just think about primitive rock art forms, ancient Greeks tragedies, Jesus parables, eastern philosophies such as Zen; they all offer beautiful stories aimed at imparting deep spiritual truths and important lessons with a light and sometimes funny style. The Roman used to say “*ludendo docere*”, make fun while teaching!

Closer to the present day, at the beginning of the 20th century, we find two precursors of the contemporary edutainment concept: Maria Montessori and Marshall McLuhan. She guessed that “leaving room for fun, passion, creativity and sharing, the learning possibilities increase and determine true culture sedimentation and solid maturation in the child”<sup>1</sup>, while Mc Luhan also supported this idea by saying “anyone who tries to make a distinction between education and entertainment doesn't know the first thing about either”.

But it is with post-modernity (from the post-war period to the 1990s), that the culture of entertainment begins to spread alongside the traditional concept of education. The society that had been industrial in the nineteenth century, in the new globalization era, strongly characterized by consumerism, marketing and advertising, changed profoundly and became a society based on services, environmental policies, and new technologies. Material needs renewed at a very high speed, the same at which goods were consumed and preceded by; and in this rapid aging process, culture and knowledge were subjected to rapid renewal too.

This “liquid society”, as it was defined by the contemporary sociologist Zygmunt Bauman<sup>2</sup>, where there were no clear, intercultural boundaries and the rigor of cultural processes was

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<sup>1</sup> M. Montessori, *Education for a new world*, 1947

<sup>2</sup> Z. Bauman, *Liquid Modernity*, 1999



decreasing, became a sort of "de-intellectualized" society, due to the growing attention to frivolity, the futility of the contents and, therefore, to leisure, pleasure, entertainment.

Shortly after the end of the Second World War, from 1948 and until 1960, Walt Disney Productions with "True Life Adventures", a series of mini documentaries on nature, actualised the new concept of edutainment. But the term is officially recognised as being used for the first time in 1973 by Robert Heyman, to describe his documentaries for the National Geographic Society.

So, from the '70's on, the term edutainment as a neologism, has been used to indicate playful forms of communication aimed at allowing people to learn while having fun. An initial approach to the school education sector was followed by an extension to any type of entertainment with educational purpose.

#### **Characteristics: target, types, purpose**

There are many methods and techniques that make it possible to learn effectively and quickly. Edutainment follows the concept according to which learning with pleasure and passion, assures better results and makes it easier to achieve objectives.

While planning and implementing edutainment proposals, regardless of the type, in the process we must consider several elements:

- the audience or target groups we intend to involve;
- the most suitable tools to communicate, according to the target;
- the objective that we want to achieve, always keeping in mind the mission of the promoting body.

The quality of the proposal is also determined by good upstream communication and should be evaluated by fixing success criteria and collecting feedback from the target.

#### **Target**

- We can distinguish at least three different types of edutainment/users corresponding to three age groups.
- Pre-school edutainment, oriented towards the so-called digital natives; in this case the child, at their first approach to information technology and is urged to make precompiled choices following a kind of simple hypertext narrative with an educational background.



- Edutainment for children at different school levels, where the product, essentially software, is designed as a support and integration to the normal teaching activity. As an example, in-School edutainment may be used to teach nearly any topic, including math, language, history, geography, and science. For example, teachers may use entertaining science videos to help students learn new concepts. Parents can use math or language software to help children learn at home.
- Edutainment for a non-school audience, which offers insights about general culture topics and where the experience is consumed not so much on their own computer, for by means of digital media, but rather on the site of the experience itself, in direct contact with the phenomena and objects under examination, by means of innovative virtual interaction technologies. Edutainment services, anyway, are open to the enjoyment of a mainly extra-curricular public, made up of people whose personal preparation is very varied and specialised in the most diverse sectors.
- In order to be effective, the edutainment project should develop innovative, dynamic proposals aimed at satisfying different needs and tailored to the target. It is therefore very important for promoters to know their users and to focus on the specific requests of each sector, considering target needs, desires, and opinions.

### Types

Edutainment exists across several types of media, some are mainly passive, while others are more interactive.

Examples of **passive** forms of edutainment include:

- Fictional books with educational themes;
- Movies and TV shows with entertaining characters who teach viewers;
- Music and songs that help people learn;
- Fictional radio shows and podcasts designed to educate listeners;
- Live shows and contemporary cultural exhibitions.

Examples of **interactive** edutainment include:

- Video games and board games designed to educate players;
- Quizzes that provide goals and rewards as users progress through each level;
- Software that allows users to compete against each other in learning exercises;
- Educational websites with interactive elements, such as clickable images and animations for e-learning;
- Workshops, laboratories and activities based on non-formal education methods;
- Educational escape rooms;
- Theme park experiences.



We can notice that multimedia and digital components are significantly present in both lists.

Indeed, a strong integration between technologies and culture allows a type of experience that is more aware and at the same time more immediate and intuitive, since it is based on the principles of immersive participation, recognition, and plurality of stimuli.

Multimedia devices perfectly suit this purpose, as they "allow the integration in a single system of all the previous means and methods of communication" according to the contemporary researcher Vittorio Midoro studies.

The new digital technologies have proved to be fundamental for the development of the entertaining education sector, which are approaching a very large audience using simple to use tools. They guarantee a quick and intuitive access to cultural contents, allowing a democratic use of knowledge without, at the same time, losing the pleasure of watching a movie or TV series.

Today, play and fun are two key elements that underlie most entertainment products and it is no coincidence that the entertainment industry is among the largest in the world in terms of turnover and the one that invests most in the world of education.

### Purposes

Combining the words "education" and "entertainment", edutainment refers to any form of entertainment that is educational, so basically its goal is to make learning enjoyable and funny.

That could be valid for a general definition, but it could also be declined in more specific ones, according to different action fields such as teaching knowledge, training soft skills, and fostering social change.

To teach means to set up a learning process where the teacher conveys notions, nevertheless this process is difficult or highly boring when there is no fun, passion, or involvement. Only in a perspective whose learner is at the centre of his training path true knowledge can be guaranteed. Edutainment, involving the subject in its entirety, places him at the forefront of everything he experiences first-hand.

Furthermore, it is important to remember, in favor of multimedia in didactic methodologies, that "we remember 10% of what we see, 20% of what we hear, 50% of what we see and hear (multimedia) and 80% of what we hear, see and do (interactivity)" (Edgar Dale)<sup>3</sup>.

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<sup>3</sup> Dale, Edgar. Audio-Visual Methods in Teaching, 3rd ed., Holt, Rinehart & Winston, New York, 1969.



Today, the common idea is that education has to go beyond the boundaries of classical teaching and mere information transfer, it is recognised as being a process that encompasses multiple aspects of existence and considers the entire life span of individuals, in which forces converge which contribute variously to the growth of the person and where a fundamental role is played by experience and relationship with others. We speak in this sense of "educational pluralism".

By creating a fun learning environment, edutainment can make education easier and enjoyable. There is no doubt, in fact, that learning by doing, learning in a group, observing an active attitude towards information favors the consolidation of notions, increase the pleasure of knowledge and, in the long run, support economic and social benefits.

With edutainment activities it is possible to encourage new skills, new models and above all interdisciplinary approaches. They contrast phenomena such as early school leaving, encourage inclusion and participation by bringing out new skills, interests and talents often clouded by routine.

Provocations such as "Learning through TV shows" have been accepted and brought into scientific research, as professor La Ferrara explains in an interesting talk.

<https://www.youtube.com/watch?v=0mCv5U5LRG4>

Some of the main benefits of the escape rooms as learning based on games are:

- Development of the activity. Instead of spending many hours sitting, the students are in continuous movement.
- The inclusion of any curricular content. While the students are involved in the atmosphere of the escape room, the teacher can include the contents of any subject.
- The promotion of collaboration and team working. Working as a group is essential in this kind of experience. The progress is acquired with essays, trial and error, and during this period interactions are created.
- Development of problem-solving capacity. The participants get the initiative, create hypotheses, and execute them, being involved in the scientific investigation.
- Verbal competences increase, as do communication skills. The participants have to exchange ideas, at the time they have to create a dialogue, both essential tasks in life.
- Challenges to be overcome mean working with perseverance. It is very important for the participants, teaching them not to give up when confronted with problems, to be constant and insist on achieving a goal.
- Deductive thinking, which helps to develop functional learning, so the old knowledge can be filled with the new ones.
- Participants learn to work under pressure, knowing how to manage with nervous and @bad feelings.



- The participants will lead the learning. This is one of the main benefits of the escape room, because they can adapt the contents to their needs and interest, as they are the main characters of the learning process.
- It is fun and always improves the capacity to create real knowledge and fully participate in the learning process.

## Edutainment tools/projects in Europe

European programmes highly promote innovation in learning methods, often involving stakeholders from different countries, thus creating an interesting mix of backgrounds and cultures.

Besides the projects described in the next sections about best practices in the involved countries, there are listed some valuable projects and tools that are crossing the national borders.

### **Looking@Learning**

Born thanks to an Erasmus+ project, L@L team is deeply involved in creating fun ways of learning and understanding the reasons for an environment is more or less useful for a successful creative learning process. During the first two years L@L also developed Eduesc@peroom, a practical learning tool for building educational escape rooms.

### **EscapED**

<https://gamify.org.uk/portfolio/escaped/>

Embedded into the Game Changers initiative by Disruptive Media Learning Lab - Coventry University, EscapED is an experience that borrows the principles of the traditional escape rooms to develop valuable skills for working teams.

### **Escape4Change**

[www.escape4change.com](http://www.escape4change.com)

Started as a cross-sectorial project with the aim to communicate the international cooperation in a more involving way, E4C is now a brand for educational escape rooms connecting people to social, cultural, and economic topics.



### **Borderline Board Games**

<https://bb-games.eu/>

From a long experience in non-formal learning projects at the European level, educational board games are now built to promote reflection and social actions. The games come together with the facilitator, who takes care of the whole process and its outcomes.

As the establishment and experience of game-based learning and edutainment tools in both formal and non-formal education, as well as in educational legislation, differ among all EU member states, there will be an individual overview of particular best practices in the four participating countries.



### 3. Best practices and overview in Italy

#### Public and private contexts dealing with edutainment

Entertain while educating is the challenge that many educators, teachers, and parents choose to take as a prerogative. The edutainment phenomenon in Italy is not so widespread as in other countries, where it already seems to be a steady process.

The USA is one of the leading countries in this field, followed by China and Northern European countries, which invests a lot on edutainment and had already used ludic approaches in the 70s to solve social and sanitary issues, such as drug addiction, vaccination, child pregnancy, AIDS, and cancer.

Nevertheless, there are specific contexts where edutainment learning tools and methods are more and more applied.

Let's have an overview about the most relevant ones.

##### **Formal education: schools and university**

In formal education, one of the most common issues for student learning processes is related to their poor interest and motivation in studying.

Different research, some of them also mentioned within this paper, state that more interactive and inclusive teaching ways have the power to influence this motivation and produce better school performances.

With this assumption, the edutainment approach should be a great solution. In fact, through interactive and entertaining teaching methods, students are stimulated to find again their motivation in the school subject, experimenting knowledge learning in more effective ways.

The concept of teaching in a funny/enjoyable way dates back to a long time ago: "ludendo docere" was an Ancient Romans saying. It has been taken over and supported over the centuries by many theorists and pedagogist; among them is worth to mention Maria Montessori, who in the early 1900s, highlighted that by encouraging fun, passion, creativity and sharing, the learning opportunities increase.

These days, innovative teaching methods and learning approaches that are edutainment oriented are also recognised and promoted by official channels such as the CONFAO national network (acknowledged by the Italian Ministry for Education, University and Research) for learning and professional updating.



Nevertheless, the current situation is a bit different, as far as most of the teachers are still anchored to traditional didactic methods.

But why do edutainment approaches still struggle to spread in Italy?

One of the reasons could be the fact that in Italy there is the deep-seated and widespread idea that formal and traditional education learning has to "cost effort" because it is a "serious matter". And this prejudice is further rooted with the growing seriousness of the study level. In high school, play and games are almost gone and at university it is almost impossible to find some edutainment activities. In addition to that, there is a widespread attitude to insist on knowledge, at the expense of practical application and soft skills development.

Another reason could be related to the digitisation process in schools, which in Italy is slowly and with many difficulties happening. The school system has been facing many issues in the last decades, so even if the Italian government tried to introduce some edutainment measures related to IT tools and digital media usage (e.g. "Divertinglese"), technological progress in school is not the priority when it comes to economic investment.

We need to point out that the new technologies have certainly brought new formats to the fore, lowered tuition costs and have made contents much more "experiential". Nowadays in the definition of "edutainment" we can see more and more references to technological and multimedia components. Moreover, the internet has helped to clear boundaries between what is meant to entertain and what teaches: are Ted talks a source of knowledge? Is Minecraft just a videogame?

So, even if we could state that new technologies combined with edutainment approaches are close friends and could be effectively combined in school, we are far from seeing massive implementation in school.

As a result of these reasons, in Italy the current situation of different school grades is as follows:

- In primary school, where teachers have to deal with children strongly stimulated by the surrounding reality and who very often have short but intense attention spans, edutainment approaches are recognised as effective and well-integrated in the learning programs.
- In secondary school some edutainment approaches are proposed but the general flow is on more traditional education. A current trend for schools is to ask external professionals to increase their training offerings with extracurricular workshops or laboratories. Nonetheless we can also find many cases where teachers take the initiative and propose edutainment activities, often with the support of IT tools and digital media.
- On the academic and university level, edutainment approaches are mostly absent and left to each single teacher; except for some special cases, such as the Bocconi



University, where students have the possibility to experience in economics and are able to develop great skills while they are placed in concrete business situations by playing simulation game.

There are of course great projects and examples through the years, some even lasting from the 90s until today, with alternate fortunes.

All of the projects have had an impact at the local scale, generally not expanding their influence outside the region where they were implemented.

Two among the best known are:

- *Provaci ancora, Sam*, a project aiming to reduce school dropouts in the city of Turin, launched in 1989. It now involves children aged from 9 years old, up to teenagers aged 18-19, with more than 40 schools cooperating with NGOs and external educators.
- *Maestri di strada* was a volunteering initiative for teachers that spent their free time to go into the infamous alleys of Naples and teach children that couldn't, for different reasons, go to school. It is now a non-profit organisation supported by different institutions with the aim of promoting inclusive education for all children and youth in the Campania region.

#### Culture: museums, exhibitions and theme parks

In the last few years, the request of good quality proposals that are able to combine fun, culture, performance, and interactive experiences has increased.

To meet these needs, cultural institutions such as museums, theaters, and galleries have started to support their visitors with different communication tools, sometimes unusual ones, but perfectly suitable for transferring knowledge and information about the presented works.

Italy is not among the best in the field, but we can say that interest in edutainment approaches is quickly increasing; museums are more and more developing didactic proposals, finalized to a more engaging experience based on fun activities that could at the same time entertain the audience and increase its interest towards various forms of art and culture.

Cultural visits are increasingly becoming more and more tailored, unique, and optimized for the audience, in this process the interactive approach seems to be fundamental. Traditional paper guides are no more functional and again technology has a crucial role; audience requests are often satisfied by digital content, sometimes supported by simulations and three-dimensional reconstructions.



Some relevant examples in the Italian panorama are:

- “Historical Museum”, Bologna: innovative technologies, workshops, and didactic theatrical performances.
- “Marini Museum”, Firenze: direct interaction with the exhibited works for an emotional experience.
- “Trauttmansdorff Castle”, Merano: showmanship, multimedia support, and multisensory experience.

Beside museums and historical structures, we can see the spread of a similar phenomenon in exhibitions, events and theme parks, where the current trend seems to invest more and more money in edutainment proposals in order to offer the most interactive and enjoyable experience, with technological support. It is reasonable to think that a rising business competition for profit in this field, could lead to the risk of focussing more on entertainment to the detriment of the educational purpose. However, Italy is far away from taking this risk.

Today, the biggest cultural centre in Italy, completely dedicated to Edutainment, has been open in Rome since 2017. In Guido Reni District, 5 big expositions are hosted: "Cosmos Discovery: the history and the future of space conquer", "Real Bodies: discovering human anatomy", "Scientopolis: the city of the Science", "Dinosaur Invasion", and "Brickmania: a world of Lego".

### **Business companies**

The entertainment industry is among the world's largest in terms of turnover and innovation and it is the biggest for investments in education. Play and fun are two key elements that underlie most entertainment products like movies, live shows, cartoons, and videogames.

In Europe, we can find examples of an increasing interest to invest in the edutainment field by business companies; as an example we can quote Credit Suisse Asset Management which was recently willing to invest in and to promote digital education by dedicating specific thematic investment house funds (Credit Suisse (Lux) Edutainment Equity Fund) on edutainment development.

Italy is still far from that, but we identified at least 3 interesting areas:

- Animations and graphics: they are more and more used in presentations to make them more engaging (and less boring).
- E-sport and online games: the phenomenon has been largely underestimated for years, but its trend is increasing rapidly, both in terms of players as well as investment by sponsors and business companies. In 2017, the official Italian federation for E-sports was created, as a recognition to the national movement.



- Training and team building: specific workshops and training experiences aimed to create positive dynamics between colleagues, to allow the achievement of company objectives, without losing all work team members well-being.

#### Other realities: “Ludoteche”

In Italy, the legislation related to children and youth centres as well as the interaction between schools and organisations running educational projects, is demanded by the regional authority.

Regional laws often promote alternative methods and youth work as a mean for reaching out to those excluded by the standard/formal education, but there is no national approach to include non-formal education and edutainment methods in the everyday life of young people.

Nonetheless private companies, start-ups and non-profit organisations are becoming more and more central in the use and spread of edutainment projects, tools, and initiatives.

There is a wide adoption of the approach merging experiential learning and games, mainly at the local and regional level, with the blossoming of a number of private organisations that foresee an opportunity to innovate in the field of education.

One of the most common experiences for Italian children related to game-based learning are the so called “Ludoteche”, from *ludus*, a game in ancient Latin, places where expert animators are offering a wide number of edutainment tools, meetings, and proposals.

The *ludoteche* started in the ‘80s as a public service in different Italian cities. In the ‘90s they grew in number, offers, and quality, also adding a national charter with main principles and basic activities.

With the reduction of public investment in education, the *ludoteche* started to close or to become private centres and today their presence is very much reduced, but still valuable.

Teens and young adults in Europe can generally profit from the activities organized in youth centres, where edutainment plays a great role as well. Unfortunately, in Italy youth work is not officially recognised, so the offer is promoted by NGOs or religious organisations (mainly Catholic ones), with no minimum standards, nor titles/experience required to the educators.



## 4. Best practices and overview UK

### Three case studies

**Case study 1 - Exploring the perspectives of dermatology undergraduates with an escape room game.**

J. Guckian, A. Sridhar and S.J. Meggit

*Department of Medical Education, Newcastle University, Newcastle, UK*

Reviews of the UK's undergraduate dermatology curriculum undertaken in 2002<sup>4</sup> and 2009<sup>5</sup> were shown to indicate that the systems used to deliver learning around the subject were heavily reliant upon the use of seminars and lectures that were not led by medical professionals unless opportunity to do so arose. The dermatological curriculum was therefore suffering due to pressures related to staffing and clinical availability. This left many undergraduate students feeling that they were underprepared to treat dermatology patients, and many misconceptions about the subject. Several key areas of improvement were identified. These included the requirement to deliver teaching sessions in more innovative ways, the consultation of students when planning the curriculum, a greater focus on teaching smaller student groups, and provision of additional time and opportunities for undergraduate students to research medicine. However, contemporary research<sup>6</sup> has shown that these improvements have failed to materialise, with seminars and lectures remaining the primary methods used to deliver learning. This led a group of researchers from Newcastle University Medical School to examine new ways of delivering dermatological learning, specifically the use of educational escape rooms, with the aim of determining their effect on dermatological study.

Researchers from the Newcastle University Medical School created an escape room with a theme based around an outbreak of a deadly skin disease that turned people into zombies. The escape room was created within a theatre which allowed instructions, a timer, and clues to be projected onto a screen. To escape, teams of students were required to solve

<sup>4</sup> Burges S. Teaching dermatology to medical students: a survey of current practice in the U.K. British Journal of Dermatology 2002; 146: 295-303.

<sup>5</sup> McCleskey P, Gilson RT, DeVillez RL, Medical student core curriculum in dermatology survey. Journal of the American Academy of Dermatology 2009; 61: 30-35

<sup>6</sup> Yaakub A, Cohen SN, Singh M, Goulding JM. Dermatological content of U.K. undergraduate curricula: where are we now? British Journal of Dermatology 2017; 176: 836.



six puzzles of different types utilising the dermatological skills and knowledge they had gained during their course:

- **Odd One Out** – A set of numbered images where students would need to recognise the odd one out. This would supply a lock code which led to puzzle 2.
- **Keys in Boxes** – Students were given an image of a fungal infection and 6 treatment cream boxes. Students would find the key to puzzle 3 within the fungal treatment cream box.
- **Reading** – Students were provided with several images of rashes and a medical textbook. By looking up the cause of each rash and noting the page numbers they appeared upon, students would gain the code that unlocked puzzle 4.
- **Crossword** – Students were given crossword clues relating to dermatology, as they filled the clues in highlighted boxes revealed the code used to unlock puzzle 5.
- **The Right Order** – Students are provided with the steps of a dermatological examination, to find the code to unlock puzzle 6 they were required to place them in correct order.
- **Letter** – Students were provided with a Dictaphone and tape. Listening to the tape revealed clues that would lead them to the word ‘melanoma’, the password to open the door and escape.

Prior to entering the escape room, participating students were given an introductory 1-hour lecture on the basics of dermatology, as well as experience within a dermatology clinic and contact with patients. Immediately before entering the escape room, each of the participating students were given an induction and asked to complete a questionnaire. This required them to answer questions relating to their perceptions of dermatology, preferred learning environments, and their confidence in the courses taught content. Once students had successfully completed the escape room, they were debriefed and asked to re-examine their questionnaires, modifying their previous answers if any changes in their perceptions had occurred.

A total of 16 students participated in the escape room experiment, these were divided into three groups. Within the pre-experiment questionnaire, student preferences for learning environments were divided between lectures (43.8%), self-directed learning (31.3%) and small group teaching (25%). Upon completion of the escape room, 100% of students strongly agreed that they had enjoyed the escape room session. When asked if they felt confident diagnosing skin conditions, 81.3% of students stated that they were confident post-experiment compared to just 31.3% before. 68.8% expressed that they felt confident to conduct a skin examination compared to 12.5% before experiencing the escape room.



Interestingly, all students felt that they had learnt something from another member of their team<sup>7</sup>.

**Case Study 2 - EscapED: A Framework for Creating Educational Escape Rooms and Interactive Games for Higher/ Further Education.**

S. Clarke et al., 2017

*Disruptive Media Learning Lab, Coventry University, Coventry, UK*

Clarke et al., begin by summarising that a larger percentage of serious games design research has previously focused on the adoption of various technologies and digital gaming preferences as a means to delivering educational games content. This combined with an exploration of techniques to maintain motivation and engagement of varying user types, often at the detriment of different materials, approaches and pedagogies, indicates there is a gap in the literature concerning non-digital game design examples such as table-top, card, board or role-playing games.

To address this gap, the escapED programme was developed. The escapED programme is a smaller project under the Game Changers initiative ([gamify.org.uk](http://gamify.org.uk)). The Game Changers initiative was set up by the Disruptive Media Learning Lab, Coventry University, to explore, experiment and exploit game design thinking in fostering creative problem solving and cross-disciplinary design collaboration.

A pilot escape room ran in which the objective was to observe Higher Education practitioners' reactions to using escape rooms as a teaching method. The theme of the game was based around disarming a bomb, which was done through releasing an engineer hostage. Players were tasked to solve riddles and tests to find the key code that would release the hostage's locks. members of staff signed up to time slots and were put into teams no larger than 6 players. 3 teams participated in the game, with an overall total of 13 players taking part in the event.

Feedback from a post-game questionnaire indicated that lecturers thought the game was 'Fun', 'Innovative' and 'Engaging', which were repeated throughout the feedback. Some players indicated that they did not realise that 20 minutes had passed. All 8 feedback sheets stated that they could see the educational value of escapED, especially if the puzzles and theme of the experience were worked into their taught subject matter. All feedback sheets indicated that the players would consider using escapED in their lesson plans but were unsure how to facilitate it. A few responses indicated that they thought the experience would be

<sup>7</sup> Guckian J, Sridhar A, Meggit SJ. Exploring the perspectives of dermatology undergraduates with an escape room game. Clinical and Experimental Dermatology 2019: Vol. 45, Issue 2.



good as an induction into their lessons to encourage getting to know other students. One concern brought up through a number of the feedback responses was that the participants were curious to see how the experience would work with larger groups of players. None of the feedback received suggested that there were improvements that could or should be made to the experience.

Following the pilot, Clarke et al., developed the escapED framework which was used to design the prototype game experience for the University staff training event. The framework provides a methodology for creating educational escape rooms for learning and behaviour change.



From:escapED

### **Case Study 3 - Escape to the Library: Reframing the Library Induction.**

Chesworth S.

*Liaison and Research Support Librarian, University Library, Keele University, Newcastle-under-Lyme, UK.*

Traditionally, university library inductions have taken the form of lectures whereby knowledge of the resources and services available with a library are communicated. Lectures hold the benefit of being capable of delivering this information to a large body of students in a short amount of time. However, this method only imparts basic knowledge and further development of skills and abilities are crucial to achieve real understanding of a subject.

When Keele University's forensic science department requested that library staff provide a treasure hunt instead of a standard induction lecture, Keele University's Liaison and Research Support Librarian, Scott Chesworth, saw an opportunity to conceivably alter the induction



paradigm, accelerating the acquisition of the knowledge and skills gained from inductions via the use of an escape room. This would enable learning through engagement, evaluation, and reflection and therefore the obtainment of higher order thinking skills.

Normally, inductions utilising the lecture format would involve teaching 96 students over the course of four weeks. The use of an escape room format would therefore be problematical, due to timetabling and availability, as each run through of the room was expected to take approximately 2-hours, including introduction and debrief. To alleviate these issues, it was decided to utilise the entire library and incorporate four separate routes around it. This would allow multiple groups to play the escape room concurrently without crossing paths. This was desirable, as participants would be likely to swap their discoveries should they meet.

To facilitate the forensic science department, an escape room based on the theme of a crime scene was created. The content of the escape room took the form of paper-based activities and cryptic puzzles. At the beginning of the escape room, participants were handed a letter containing guidance and starting clues. A3 posters of journal articles were placed onto the library walls to act as clues that would lead participants to books and online journal articles. By collecting the class marks of specific books and information from online journals the participants would be able to generate a 6-digit code and unlock the final safe containing the key to exit the room. The correct order of this code, as well as other clues, were hidden in plain sight, written in invisible ink upon one of the posters. Participants would therefore need to find a blacklight and its batteries to view these and work out the correct order of the final code.

Tests were conducted with library staff who, whilst having a clear advantage in knowledge over students, failed to solve the escape room within time. It was therefore recommended that a system of hints be added to the escape room to make it easier. This was done by supplying the participants with 'hint tickets' that they could trade in for information by asking specific questions. However, some groups did not know what to ask making the system redundant.

During live runs of the escape room, a few additional issues were discovered. The creators of the escape room expected students to be at ease talking with each other. However, it was discovered that this was not the case. To alleviate this, the furniture within the waiting room was rearranged to encourage discussion amongst each team. This appeared to work on one level, although it led to teams missing vital clues which were placed into the waiting room itself. The creators of the escape room therefore recommend the use of team building activities prior to the start of the escape room challenge. At the end of the first week, the escape room remained unsolved. This fact was advertised to incoming teams, which had the result of creating a sense of competition amongst participants. This led students who had previously participated requesting to take part in the escape room experience for a second



time. Feedback from the escape room has been exceptionally positive, however, the room remains unsolved.



## 5. Best practices and overview in Spain

### Overview

The Spanish public administration regulates the national educational system under the Organic Law 2/2006 of May 3 on Education. This regulation establishes that education will be oriented towards achieving the following purposes, among others:

- a) The full development of the personality and abilities of the students.
- b) Education in respect for fundamental rights and freedoms, in equal rights and opportunities between men and women, and in equal treatment and non-discrimination of people with disabilities.
- c) Education in the exercise of tolerance and freedom within the democratic principles of coexistence, as well as in the prevention of conflicts and the peaceful resolution of them.
- d) Individual responsibility and in personal merit and effort.
- e) Training for peace, respect for human rights, life in common, social cohesion, cooperation and solidarity between peoples, as well as the acquisition of values that promote respect for living beings and the environment, in particular to the value of forest areas and sustainable development.
- f) Developing the ability of students to regulate their own learning, trust their skills and knowledge, as well as to develop creativity, personal initiative, and entrepreneurship
- g) Training in the respect and recognition of the linguistic and cultural plurality of Spain and interculturality as an enriching element of society.
- h) The acquisition of intellectual habits and work techniques, scientific, technical, humanistic, historical, and artistic knowledge, as well as the development of healthy habits, physical exercise, and sport.
- k) Preparation for the exercise of citizenship and for participation in economic, social, and cultural life, with a critical and responsible attitude and with the ability to adapt to changing situations in the knowledge society.

To achieve these ends, the educational administration and teaching teams must make available to the educational community, educational, didactic and methodological resources appropriate to the characteristics of all students at all educational levels: Primary Education, Compulsory Secondary Education, Baccalaureate, Professional Training and Higher Education.

Evolution of society and the educational community has to adapt, developing new teaching-learning methodologies. Social settings, social groups, and families are diverse. To this must



be added the rapid evolution of new information and communication technologies. Each of these elements will determine the needs that the educational community will require for a comprehensive and high-quality development of education.

In this research, the aim is to reflect those practices based on gaming that have been applied in education within Spain, innovative methodologies in the teaching-learning process.

The authors Maureen Meneses & María de los Ángeles Monge [1] developed the classification of the games, according to the qualities that children acquire:

1. Sensory games: are those that develop the different senses of a human being. They are passive and give priority to the application of some senses over others.
2. Motor games: allow the motor maturity of children.
3. Anatomic development games: they stimulate the muscular and articular development of the child.
4. Organised games: promote social interaction and emotional development. This type of game will be educational.
5. Pre-sports games: they include all the games that have, as a function, the development of specific skills of different sports.
6. Sport games: its objective is to develop the foundations and regulations of a sport, as well as competition and winning or losing.

This classification is a base for the development of the methodologies that have been used from the last few years, which are used routinely in day-a-day of formal education. Thus, it is shown how the main ideas of non-formal education are used as a process and as an aim of the formal learning-teaching process, by using the game as the central axis of the educational process.

Today, some of the most used methodologies which look for the integral development of students are:

- Flipped classroom. It is a pedagogical model in which the traditional elements of the teacher's lessons are inverted: the educational elements are studied by the students at home and then, they are worked at home. The main aims of this methodology are, for example, to attend the special needs of each student, to develop cooperative projects, or to work with projects.
- Learning based on projects. This methodology lets the students to gain knowledge and key competences through the elaboration of projects that answer real problems. This methodology allows youngsters to work on a specific and real problem, instead of the theoretical and abstract model. There is evidence that shows the opportunities for developing



complex competences, such as critical thinking, communication skills, collaboration or problem-solving; competences that are strongly needed in the real life of every person.

- Cooperative learning. This can be summarised as “stronger together”. To develop this methodology, the teacher groups the students, because this aspect shows that this methodology increases the attention, implication, and the acquisition of knowledge. The main characteristic of cooperative learning is that each member of the group (formed by 3-6 people) has a specific role, and to be able to get the objectives it is necessary to interact and to work in a coordinated way. Instead, the aim is always a common goal and it will only be achieved if every member develops its tasks.
- Gamification. The integration of games and videogame’s mechanics and dynamics in non-ludic environments has been used during the last few years. This methodology is used in the modern methodologies and the future EdTech industry. Within this methodology, the game provides the ability to improve the capacity of learning, at the same time as developing competences and key skills.

These are just some examples about how a methodology can be used, not only as an intermediary for achieving the aims but also an objective as its own. In the following lines, it is explained that those examples are also an important part of the methodology that we are going to develop in the escape room.

## Best practices

In formal and non-formal education in Spain, active methodologies such as game-based learning are being developed for different age groups. In the following lines, we can find a list of pedagogical experiences that use the game as a pedagogical tool.

### Game to Learn Project

Game-Based Learning to enhance logical-mathematical, naturalistic and linguistic intelligences in Primary Education. University of Oviedo.

This is a project that has been developed in 12 classrooms of primary schools in Valencia. The Department of Education Sciences of the Faculty of Teacher Training at the University of Oviedo has carried out a study of the impact that this educational experience based on play has had. Game-Based Learning (GBL) based on the Game-Based Learning methodology, uses video games or serious games to promote the development of multiple intelligences (Gardner, 2012) aimed at students in Primary Education (from 6 to 12 years old).



According to this article, “*This GBL methodology rescues the social component of the game to enhance social skills, cultural and social values (Gros, 2000), in addition to developing critical thinking.*”.

Focusing on each of the areas in which this methodology was applied, the article explains the competencies and skills that students develop:

Logical-mathematical area: they develop logical thinking through problem solving and the search for solutions, using the contents of the subject. Sorting, classification, measurement, etc. An example would be brainstorming or mind training games.

Naturalistic area: this is related to mathematics. Therefore, they also develop problem solving skills. Take the Spore games, whose content is about the evolution of the species from the most primitive stage. Also Kokori games to learn about human cells. In this area, the ability to know the environment is developed, through observation and experimentation.

Linguistic area: According to Antunes (2011), this intelligence is an essential instrument for communication, and requires vocabulary and grammar to be mastered. In this article they refer to several games: Scribblenauts and role-playing video games.

Therefore, in this project, the research team has selected a list of games applied in the aforementioned subjects that can be consulted through the document. In general, these types of projects favour leadership development, cooperation through the use of video games and an increase in the degree of student involvement in tasks.

The results obtained in this research reflect the positive influence of teacher training in the use of different resources, a determining factor in the success of this project. A significant evolution was also observed in the different types of intelligence.

#### **Educational inclusion through learning based on board games**

Investigation carried out by the University of Valladolid.

Game Based Learning is an active methodology that promotes student participation and seeks to create a cooperative environment. In this experience, 45 board games were used, in which students, teachers and family participated cooperatively. The period of use of these games was distributed by trimesters to give the option to all the students to know most of the board games. This methodology has to be applied for two purposes:

- Support in the teaching-learning process, facilitating the acquisition of cognitive and social skills.
- Promote educational inclusion, promoting the participation of all the agents involved, giving special importance to students with special educational needs. Thus, this student body would remain at all times in the classroom. According to Tavares &



Sanches (2013), *inclusion is not achieved by removing students with needs to receive educational reinforcement, but by removing the teacher from the teaching centre.*

#### **Introduce the gender perspective through the game.**

Experiments carried out by the University of Cantabria, at Castro Urdiales Adult Education Centres and at the Torrelavega Conservatory.

This project consists of a Board Game with different versions of interaction on women scientists in Social Sciences. The objectives are as follows:

- Development of skills such as decision making, problem solving or communication are some of the skills that are achieved in the application of the Game Based Learning methodology (Martínez Frías, 2012).
- Double objective: First, to value the social sciences as part of science. Secondly, to make visible women scientists who have made relevant contributions in the fields of philosophy, economics, or history, among others.
- Active participation of the entire educational community in the development and application of this methodology.

#### **Designs of active learning environments based on gamification: The Fiscal Re-Game.**

This teaching experience is based on the gamification teaching-learning methodology. It consists of the transformation of the subject Fiscal Regime of the Company of the Degree of ADE in the Rey Juan Carlos University, in the game Fiscal Re-Game.

The objective of this game is to increase the motivation of the students in the learning process, in such a way that each game is focused on a theme of the subject. The final reward is the classification of the subject. This methodology encourages participation and students therefore dedicate more time to the subject.

The teacher is the facilitator of learning whilst the student is the builder of the training process that will allow them to learn and achieve greater autonomy. The active methodologies used in this project are gamification through two techniques: the inverted class and the gamification class. On the other hand, there is the jigsaw technique (Karacop and Doymus, 2012) where each student is part of a puzzle in which each one becomes an expert in a single part of the topic or activity. This technique is used to configure a topic, but not to pass the subject. For this, the inverted class technique is used, from the solved cases the most relevant aspects are discussed. Finally, through the gamified class, the students are tested to motivate them to achieve results in the subject.



At the end, the game offers many possibilities to reduce abandonment and lack of motivation, being necessary for it to meet certain conditions such as the following:

- Make games more attractive
- That they provide a level of reward to involve the students.
- That they can be used both individually and collectively in the classroom setting.

#### ASPAYM Castilla y León experience

The association ASPAYM Castilla y León has a large range of examples where the educational methodologies based on the game are effectively used.

Some of these examples can be found within Erasmus+ projects, such as "The Gamification of Employment" and "Gammopoly, the game of life". Both are based on the use of board games to achieve expected results.

On the one hand, "The Gamification of Employment", for which ASPAYM is the coordinator, is based on the use of board games as a tool to teach the main competences for improving the participants' employability. To develop this project, it is used as a formal methodology, starting with an analysis of the competences searched for by the employers. After that, those competences were related with those board games which could be used to acquire them. This base research showed many possibilities could be utilised within board games when they are applied to non-formal education, including the specific aspect of improving employability. The created methodology and its subsequent testing showed that, it supplies more than just the acquisition of the proposed competences, it also gives participants the opportunity to explore their environment, to share experiences and knowledge with the others and, as a sum, the final result of the activity is much better than only the acquisition of the main aim we are looking for.

ASPAYM association also participated to the project "Gammopoly", coordinated by partners from Romania, in which the board game becomes the protagonist as well. In this case, the objective is to work through this tool on the most important and crucial moments of human development, thus learning how to deal with development crises and achieve optimal growth at all levels of people. Given the enormous possibilities offered by an element such as a board game, in this case, one will be created that satisfies the specific needs of the final users. It is another example of the benefits of the use of gamification as a methodology, that not only enables the participants to have fun, but also gives them the opportunity to improve their personal skills by using this educational element whilst at the same time socialising with other people who are in similar situations.

In this point of view, we have also developed a project called "Board games as a tool for inclusion", based on the training of youth workers for the acquisition of new tools focused on



the use of board games to improve inclusion at every level. In this project, the different commercial board games that exist in the market have been analysed, including their level of playability, the age-groups that they are designed for and their possibilities for adaptation have been analysed to ensure their accessibility to the highest audience as possible. This has led youth workers from different contexts to become aware about how the same game can be applied with different objectives and how can ensure the full inclusion of the final groups. Once again, it is demonstrated with practices like this, how gamification, and specifically, through board games, can ensure inclusion, help improve key competencies and soft skills, and can facilitate access to meaningful and functional content.

Another example of best practices of the association, and still in the context of Erasmus +, is the participation in the project "Gymkhana 3.0", within which we participate as a partner, alongside CEIPES. This project has the aim, one more time, of guaranteeing the inclusion of young people, by taking advantage of the gamification methodology in an inclusive atmosphere, where the physical and other barriers are removed.

However, at ASPAYM Castilla y León, we understand that gamification is not only based on the use of the most conventional or commercial board games, so we also support the inclusion of this methodology through "learning by playing", as a fact that is part of the day-to-day life of the young people whom our initiatives are aimed at.

Thus, at a local and regional level, we use game-based-learning in workshops that we develop in schools, youth associations and other non-formal educational entities which work with people from the age of 3 to 30-year-old. These sensitisation workshops include several kinds of activities, but they are always focused on the game and its learning possibilities. On the one hand, the workshop "Put yourself in my shoes" that varies depending on the age of the target group, is based on the creation of simulated contexts, in which children and young people must put themselves in the role of a person with a disability in order to overcome several tests related to daily life. Therefore, they must take on a different role than their own, as it takes place in role-playing games. The tests are worked dynamically, putting on the table a certain level of competitiveness towards oneself, which helps to increase the degree of involvement and development of the task. Group tasks are also carried out, especially with younger children, in which socialisation takes on an important role, an essential competence that also develops in their day-to-day life. The use of this methodology has confirmed to us that the application of playful tools can help socialisation, awareness, and sensitisation, among other benefits.

Secondly, we also bring these values through adapted sport as a way of raising awareness of disability. In this case, adapted sport as a universal game methodology, becomes not only a moment of knowledge of new sports modalities, but helps once again to generate an effective socialisation, with values based on the principles of inclusion and respect for others. This



educational method is also applicable to a very wide age range, since it allows an easy adaptation according to the educational level within which it is applied.

Thirdly, in relation to the activities of the association, we also take advantage of the benefits of board games to develop the workshops "Via-life", in which a board game is used on a large scale, although in this case it is not a commercial game but has rather been specifically designed for its application in the disability sensitisation workshops and its correlation with road safety. On drawing a road, which helps to understand what is being worked, different forms of communication are used to solve tasks related to road safety, such as answering questions, choosing between true and false, mimicry and choosing between various answers from a set. This game, in addition to transmitting knowledge directly when answering questions, also generates the improvement of skills such as group work, communication or divergent thinking. It also, once again, guarantees the inclusion of young participants, regardless of their individual characteristics, which will establish principles of socialisation, empathy, and active listening, among others.

Finally, at the local level, we have also participated with the Youth department in different initiatives promoted by the Valladolid Local Youth Council, of which we are part. Among the activities based on gamification, and more specifically on the application of educational escape rooms is the case of this project, the realisation of an escape room for youth participants stands out with the aim of making the association known to all those who are interested in the same. This moment is used to generate a completely inclusive activity, in which the participation of young people from different contexts was increased.

### **Best practices on Escape Rooms**

In this country, there are also many good practices related to the use of Escape Rooms developed in educational centres.

### **Resilience World Tour**

The SIAD Association develops its works in the field of prevention of teenagers' risk behaviors. Since some years ago, this entity has been developing different activities, such as the "European Observatory of Drugs and Toxicomania". Based on their research, SIAD developed the Resilience *World Tour*, in which 600 students from 2nd and 3rd Compulsory Secondary Education have participated. The objective is the prevention of the early consumption of Drugs. It is about using the Escape Room as a pedagogical tool that encourages learning and training in social, emotional and cognitive skills.

Four escape rooms have been developed and proposed to deepen the tutorial hours in each task planned. The main intervention areas were:



- I Share: Interpersonal relations, communication styles, assertiveness, empathy, roles and group pressure.
- I decide. Steps for decision-making individually and in a group (democratic or authoritarian) and the factors that influence in the decision-making.
- I feel. Internal dialogue, discrimination and emotions regulation.
- I enjoy: Addictions: use/abuse/dependence (drugs and new technologies). The use of leisure and free time. Protection factors (resilience)

### **The Deitania Galaxy Engagement**

The School CEIP Deitania Comarcal from Murcia (Spain) has developed an escape room based on the film Star Wars to work on Maths competences with a group of 8-year-old students. More specifically, the escape room promotes the work operations (additions, subtractions and multiplications) and the division initiation. Also, the students worked the universe before and after practice the game.

The students had to enter that room because the 3rd class, a group very committed to peace, had been selected by the Jedi (luminous side of the strength of the Star Wars universe) to help end the conflict between the two sides. The students were traveling two million light years on an intergalactic ship until they reached the Sith command room. There they would have 50 minutes for each team (five teams in total) to get the key with which all the lightsabers in the galaxy would be extinguished forever. But beware, if they did not get it in the indicated time, the command room would be invaded by the clones, who had already been launched because they had learned of their plan to the conflicts that were unfolding in the galaxy between the two sides.

Each team had some clues in order to solve the enigmas they had to make different kinds of mathematical operations. Individually, each student had its sheet with the answers and then they had to compare the results, using the *peer tutoring* methodology. After solving the problems, they wrote the results in the laptop, where they could find the solution to “save the World”

### **Escape Room Chronicles of Narnia**

Looking for the magic rings to leave Narnia is the mission entrusted to the students of a school in Palencia (Spain). The theme is based on a film directed at boys and girls. This factor facilitates motivation and learning of mathematics, a subject that is usually tedious.

In this room, they had clues and they had to use their imagination to find the exit, which was in a padlock with 3 digits which had a metallic box with the key for escaping from the library



of the school (the escape room). Students from 5<sup>th</sup> and 6<sup>th</sup> degree of the Primary School (11 and 12-year-old) were divided in groups and they had 45 minutes to find the solution.

Every step was filmed with a GoPro camera connected by WiFi, letting the teacher to see on live the game. In order not to make a very long game, as the padlock had 3 digits, they had to solve 3 challenges and between them, they could find a clue to find the next one. The proof that the students had to solve were related to the school competences, such as math, solving puzzles, mathematics accounts and logic activities.

#### **Where is Van Gogh's painting?**

This experience was developed in a Primary School from Zaragoza (Spain). After the presentation of the experience to the students during some months of trials, they have faced working with learning landscapes. And it was created with the title: "Super detectives of words and texts – Super numbers and operations detectives". It is a very visual and motivating methodology for them that collects contents, objectives and activities. In addition, it serves as a virtual book that they access whenever they need it.

During the trial period, the students could work the main school competences, and they have been detectives of mathematical statements, operations, poetry and poetic figures, diphthongs and determinants. But also, of fractions and have had the opportunity to know the figure and work of Van Gogh working several of his techniques and creating a chair of "The Room of Arles" in 3D.

After that, the class participated in an escape room and passed several tests to reach the end and get the painting of Van Gogh that has been stolen from the museum and replaced by a forgery. It will be done in cooperative groups, beginning with the reading of a news story published in a newspaper about the disappearance of the famous painting "The Room of Arles". Groups that manage to pass all tests and find the original will receive 10 points in ClassDojo that can be redeemed for various options. Those who manage to exceed half five and so on.



## 6. Best practices and overview in Hungary

While Hungary was the first country in Europe to realise Escape Rooms for leisure activities, unfortunately, in the Hungarian educational system non-formal educational methods are used vaguely and are mostly restricted to after school programs and used by civil organisations.

### Online and offline Escape Rooms

#### **Erzsébet Ifjúsági Alap Közösségi Tér, Szeged**

Erzsébet Ifjúsági Alap Közösségi Tér in Szeged, Hungary is a youth centre that offers leisure time activities to youth. During the emergency situation due to the global Covid-19 pandemic they had to close their community space in the spring 2020. As the youth workers were not able to contact the youngsters personally anymore they figured out another way to keep in contact with their community. They opened a discord channel and started to develop online escape rooms together with youngsters.

The team of youth workers and volunteers created 3 different escape room games, all of them were managed on discord using other online tools such as: kahoot, mentimeter, google applications, videos, character card maker, puzzles, etc.

The rooms of the discord channel were modelling the different spaces of the youth centre as entrance, workshop room, kitchen, office, toilet, etc. The game designers wrote a story around the escape game that was mostly focusing on cooperation and team building concerning the fact that the players are isolated and have the need to meet and interact with the community.

When the escape room closed, more than 100 players had experienced the escape room over the course of three weeks. After each game, the organising team evaluated the activity with the players, discussing real-life related topics.

#### **PlayIN'clusive- Tudatos Ifjúságért Alapítvány, Budapest**

PlayIN`clusive was a 25 month long strategic partnership. The goal was to improve tools of



non-formal education by developing innovative games that educate European youth workers about the importance and role of gamification and game development.

The PlayIN`clusive project was initiated by youth who came forward with the intention to participate in European youth affairs. They wanted to create new educational tools with the use of their own creativity and innovations. Furthermore, they wanted to carry out an active and inclusive project where their opinions would be heard and could create useful things.

The project focused on the youth. With their ideas and developing competencies they worked together on innovative and creative games that can enhance social inclusion in Europe while providing the youth sector and other educational fields with new and modern tools.

The project provided the youth and groups with the possibility to carry out their ideas and to develop games that encourage social inclusion and are easy to practice in non-formal education.

As a result of the project, 10 games were developed by the youth that revolve around social inclusion and are designed to enhance inclusion in our communities. The best 3 out of the 10 games were chosen and these are now being disseminated as the intellectual output of the project.

As an addition to the games we created a handbook. The “Handbook for young game developers” was developed specifically for youth that are interested in the process of game development, whether it be on their own or with help. As an integral part of the project, the development of the Handbook was carried out together by professionals and the youth in order to meet the needs of youth.

#### **Artpedagogical camp – Támaszpont MOPKA, Veresegyház, Hungary**

The 3 goals of the camp community building give youth the opportunity to deepen their knowledge about their local town and the experience of being an active citizen.

**Methodology:** Art pedagogy is a combination of various artistic methods and approaches that are designed to work in connection with each other and provide the foundation of participants' experience. Participants in such dramatised play are not passive viewers but actively involved in the present flow of the game, the individuals in the group contribute to the meaning and the content of the play. Even though the context and the situation are presented in a fictitious situation the experience and the emotional involvement can be as real as any event of reality.

Through a unique alliance we will be able to visit local institutions such as museums, the library, the police, the post office, the local sewage plant all embedded in the context of this



fictitious world and story in which officials and workers of the institutions are partners and one way or another are involved in the story.

For the second part of the camp, we will visit City Hall where – with the help of the Vice-Mayor we will have a treasure hunt through which the youth, through play, will have the chance to understand the way such an organisation operates. After a bit of preparation, with the assistance of the local TV channel we will conduct interviews with locals to find out what they like most about their town and what they might like to change or develop. Based on the answers and our own ideas we will create a suggestion plan that we will present to the Mayor in the Town Hall meeting room. It is most important in my view to have at least one of the items on the plan executed fully to provide the group with the experience of such success. Designing and building a bench in a public place, for example.



## 7. Racism and discrimination in Europe: an overview

### European legislation dealing with the topic of racism and discrimination

People across the EU continue to be targeted by racism, xenophobia, and other forms of intolerance just because of their race, colour, religion, descent, national or ethnic origin, sexual orientation or gender identity, disability, social status, or other characteristics.

The EU rejects and condemns all forms of racism and intolerance, as they are incompatible with the values and principles upon which the EU is founded.

A broad set of rules exist at the EU level which contribute towards better tackling different forms and manifestations of racism and intolerance.

Among the European legislative achievements there is The *Convention for the Protection of Human Rights and Fundamental Freedoms* (ECHR), drafted by the European Court of Human Rights, Council of Europe and signed in Rome in 1950. Any person who feels their rights have been violated under the Convention by a state party can take a case to the Court. Protocol 12 (Rome, 2000) of the Convention, art. 1-2:

*1. The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status. 2. No one shall be discriminated against by any public authority on any ground.*

The *Charter of Fundamental Rights of the European Union* ("the Charter") was drafted by the European Convention and solemnly proclaimed on 7 December 2000 by the European Parliament, the Council of Ministers and the European Commission. However, its then legal status was uncertain and it did not have full legal effect[1] until the entry into force of the Treaty of Lisbon on 1 December 2009. It brings together the fundamental rights of everyone living in the European Union (EU). It was introduced to bring consistency and clarity to the rights established at different times and in different ways in individual EU Member States.

The Charter sets out the full range of civil, political, economic, and social rights based on:

- the fundamental rights and freedoms recognised by the European Convention on Human Rights
- the constitutional traditions of the EU Member States, for example, longstanding protections of rights which exist in the common law and constitutional law of the UK and other EU Member States
- the Council of Europe's Social Charter



- the Community Charter of Fundamental Social Rights of Workers, and other international conventions to which the EU or its Member States are parties.<sup>8</sup>

The Charter became legally binding on EU Member States when the Treaty of Lisbon entered into force in December 2009.

Any discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation shall be prohibited.

Within the scope of application of the Treaty establishing the European Community and of the Treaty on European Union, and without prejudice to the special provisions of those treaties, any discrimination on grounds of nationality shall be prohibited<sup>9</sup>.

This right is enshrined in article 21 of the *Charter of Fundamental Rights*<sup>10</sup>.

The Charter is sometimes confused with the European Convention on Human Rights<sup>11</sup>. Although containing overlapping human rights provisions, the two operate within separate legal frameworks:

The Charter of Fundamental Rights of the European Union was drafted by the EU and is interpreted by the Court of Justice of the European Union (CJEU).

The *European Convention on Human Rights*, on the other hand, was drafted by the Council of Europe in Strasbourg and is interpreted by the European Court of Human Rights. The *Charter* can be seen as the overarching framework for human rights in the EU, of which the European Convention on Human Rights forms only one part, albeit an important one. Unlike the European Convention, which has been incorporated into UK law by the Human Rights Act, the Charter of Fundamental Rights only applies to matters concerning EU Law but it can be raised in courts in the United Kingdom on such matters.

*Council Framework Decision 2008/913/JHA of 28 November 2008* on combating certain forms and expressions of racism and xenophobia by means of criminal law provides for the

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<sup>8</sup> Equality and Human Rights Commission: What is the Charter of Fundamental Rights of the European Union? URL:<https://www.equalityhumanrights.com/en/what-are-human-rights/how-are-your-rights-protected/what-charter-fundamental-rights-european-union>

<sup>9</sup> European Commission: Non-discrimination. Know your rights. URL: [https://ec.europa.eu/info/aid-development-cooperation-fundamental-rights/your-rights-eu/know-your-rights/equality/non-discrimination\\_en](https://ec.europa.eu/info/aid-development-cooperation-fundamental-rights/your-rights-eu/know-your-rights/equality/non-discrimination_en)

<sup>10</sup> EU Charter of Fundamental rights. URL:<https://fra.europa.eu/en/eu-charter/article/21-non-discrimination>

<sup>11</sup> European Convention on Human Rights. URL:[https://www.echr.coe.int/Documents/Convention\\_ENG.pdf](https://www.echr.coe.int/Documents/Convention_ENG.pdf)



approximation of laws and regulations of EU countries on offences involving certain manifestations of racism and xenophobia. Certain serious manifestations of racism and xenophobia must constitute an offence in all EU countries and be punishable by effective, proportionate, and dissuasive penalties.

This Framework Decision applies to all offences committed:

- within the territory of the European Union (EU), including through an information system
- by a national of an EU country or for the benefit of a legal person established in an EU country. To that end, the Framework Decision provides criteria on how to determine the liability of legal persons.

Certain forms of conduct are punishable as criminal offences:

- public incitement to violence or hatred directed against a group of persons or a member of such a group defined on the basis of race, colour, descent, religion or belief, national or ethnic origin
- the above-mentioned offence when carried out by the public dissemination or distribution of tracts, pictures, or other material
- publicly condoning, denying or grossly trivialising crimes of genocide, crimes against humanity and war crimes as defined in the Statute of the International Criminal Court (Articles 6, 7 and 8) and crimes defined in Article 6 of the Charter of the International Military Tribunal, when the conduct is carried out in a manner likely to incite violence or hatred against such a group or a member of such a group.

Instigating, aiding, or abetting in the commission of the above offences is also punishable.

With regard to these offences listed, EU countries must ensure that they are punishable by:

- effective, proportionate, and dissuasive penalties
- a term of imprisonment of a maximum of at least one year.

With regard to legal persons, the penalties must be effective, proportionate and dissuasive and must consist of criminal or non-criminal fines. In addition, legal persons may be punished by:

- exclusion from entitlement to public benefits or aid
- temporary or permanent disqualification from the practice or commercial activities
- being placed under judicial supervision
- a judicial winding-up order.

The initiation of investigations or prosecutions of racist and xenophobic offences must not depend on a victim's report or accusation.



The Framework Decision on Racism and Xenophobia establishes legally binding minimum standards in the EU for criminal law definitions and deterrent criminal sanctions to counteract severe forms of racism and xenophobia. Yet, 10 years after its adoption, a number of Member States have not fully and correctly incorporated into national law its provisions on the offences of denying, condoning and grossly trivialising certain crimes, reports by the European Commission and international monitoring bodies show.

The European Commission in 2018 continued discussions with Member States authorities in view of ensuring the correct transposition and implementation of the Framework Decision on Racism and Xenophobia. In the same spirit, the EU High Level Group on combating racism, xenophobia and other forms of intolerance has adopted a guidance note to help national authorities address common issues of practical application of the framework decision and ensure effective investigation, prosecution and sentencing of hate crime and hate speech on the ground.

The *Racial Equality Directive (2000/43/EC)*<sup>12</sup> is the key piece of EU legislation for combating discrimination on the grounds of racial or ethnic origin and for giving effect to the principle of equal treatment. The aim of the Racial Equality Directive is to establish a framework for combating discrimination and give effect to the principle of equal treatment in the EU Member States. It operates alongside the Employment Equality Directive, which prohibits discrimination on the basis of religion or belief, disability, age or sexual orientation, and the Gender Equality Directive and Gender Equality Directive on Goods and Services which prohibit discrimination on the basis of sex<sup>13</sup>. The Racial Equality Directive obliged EU Member States to implement a series of measures to maintain a legal and procedural framework for the promotion of equality for racial and ethnic minorities. For some Member States this has meant the introduction, for the first time, of a detailed non-discrimination regime covering the grounds of racial and ethnic origin. These include Bulgaria, Cyprus, Estonia, Lithuania, **Hungary**, Poland, Romania, the Slovak Republic, Slovenia, and **Spain**. For others, which had pre-existing non-discrimination frameworks, the application of the directive has required more modest changes, such as Denmark, Ireland, the Netherlands, Sweden, and the **UK**. Nevertheless, the directive has required the adoption of various specific measures which were not universally present across the Member States before its adoption, including: the creation of civil and/or administrative procedures to enforce the prohibition on discrimination; the creation of an equality body; allowing civil society organisations to engage in judicial and/or administrative procedures to enforce the obligations under the directive;

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<sup>12</sup> Gazzetta ufficiale delle Comunità europee: DIRETTIVA 2000/43/CE DEL CONSIGLIO del 29 giugno 2000. URL: [http://www.unar.it/wp-content/uploads/2018/03/unar\\_razzismo\\_italia\\_4\\_12.pdf](http://www.unar.it/wp-content/uploads/2018/03/unar_razzismo_italia_4_12.pdf)

<sup>13</sup> EU Agency for fundamental rights: The Racial Equality Directive.  
URL: [https://fra.europa.eu/sites/default/files/fra\\_uploads/1916-FRA-RED-synthesis-report\\_EN.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/1916-FRA-RED-synthesis-report_EN.pdf)



promoting dialogue with the social partners and with non-governmental organisations; and the introduction of a ‘shared’ burden of proof in legal proceedings.

*The European Union Agency for Fundamental Rights (FRA)*<sup>14</sup> is the institution that provides independent advice to EU institutions and Member States on the rights set out in the Charter. FRA also engages in legal and social science research to identify areas in the EU where further work needs to be done to meet international standards. The European Union Agency for Fundamental Rights (FRA) was set up to provide independent evidence-based assistance and expertise relating to fundamental rights, in the domain of European Union law. It supports EU institutions and bodies, as well as Member States (as far as they are acting within the scope of EU law). In this way, the Agency is delivering on its overall objective to support the EU and its Member States when they “take measures or formulate courses of action within their respective spheres of competence” so that they can “fully respect fundamental rights”. To achieve this objective, FRA collects and analyses comparable, objective, reliable information, and data. The Agency situates its work in the wider context of the Charter of Fundamental Rights of the European Union, which with the entry into force of the Lisbon treaty became a legally binding ‘bill of rights’ for the EU, when implementing Union law. FRA’s activities are organised around three main tasks<sup>15</sup>:

- Data collection, research, and analysis
- Providing independent evidence-based advice to policymakers, cooperating and networking with stakeholders
- Communicating the results of its work and raising awareness of fundamental rights.

## Racism in Europe

Eighteen years after the adoption of the Racial Equality Directive 2000/43/CE<sup>16</sup> and 10 years after the adoption of the Framework Decision on Racism and Xenophobia<sup>17</sup>, people with minority backgrounds and migrants continue to face widespread harassment, structural discrimination, entrenched prejudice and discriminatory ethnic profiling across the EU. Racism, hate crime, and ethnic discrimination are rooted deeply in society. Persons from

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<sup>14</sup> <https://fra.europa.eu/en>

<sup>15</sup> EU Agency for fundamental rights: 2020-2022 programming document. URL: [https://fra.europa.eu/sites/default/files/fra\\_uploads/fra-2020-programming-document-2020-2022\\_en.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/fra-2020-programming-document-2020-2022_en.pdf)

<sup>16</sup> Gazzetta ufficiale delle Comunità europee: DIRETTIVA 2000/43/CE DEL CONSIGLIO del 29 giugno 2000. URL: [http://www.unar.it/wp-content/uploads/2018/03/unar\\_razzismo\\_italia\\_4\\_12.pdf](http://www.unar.it/wp-content/uploads/2018/03/unar_razzismo_italia_4_12.pdf)

<sup>17</sup> EUR-Lex: Framework Decision on combating certain forms and expressions of racism and xenophobia by means of criminal law. URL: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM:l33178>



across the social and political spectrum perpetrate them and they manifest themselves in all areas of life. Still, victims and witnesses rarely report such experiences to authorities.<sup>18</sup>

Across the EU, racist harassment, violence, and discrimination are an everyday reality for persons of African descent. In December 2018, FRA published the findings of EU-MIDIS II, which, among others, surveyed 5,803 people with African descent in 12 EU Member States. Across these 12 EU Member States (Austria, Denmark, Finland, France, Germany, Ireland, Italy, Luxembourg, Malta, Portugal, Sweden and the **United Kingdom**), nearly one in three people of African descent (30%) said they had experienced racist harassment in the five years before the survey, the findings show. Experiences of racist violence vary greatly across EU countries.

In **Italy**, for example, a far-right sympathiser shot at and injured six African migrants. He was sentenced to 12 years in jail for attempted murder and racial hatred<sup>19</sup>. In 2018, Afrophobia and racism against Afro-Europeans was acknowledged at the EU level in a resolution (Resolution on fundamental rights of people of African descent in Europe 2018/2899 RSP)<sup>20</sup>, but not systematically tackled at the national level. Various research results published during the year underlined how pervasive this issue is. Simply having dark skin means being regularly discriminated against in all areas of life, these findings highlight. This includes experiencing discrimination in access to housing and facing precarious living conditions such as living in overcrowded housing (45%, compared with 17% of the general population in the EU-28) and living in conditions of severe housing deprivation (12 %, compared with 5 % of the general population). Further, only 15% of people of African descent own their home, compared with 70 % of the general population in the EU-28. In the **United Kingdom**, one in four employees with a black, Asian or minority ethnic background had witnessed or experienced racist harassment or bullying from managers in the last two years, the governmental review 'Race in the workplace' found<sup>21</sup>.

Recognising ubiquitous racism against people of African descent, the European Parliament's Committee on Civil Liberties, Justice and Home Affairs (LIBE) adopted a motion for a

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<sup>18</sup> EU Agency for fundamental rights: Fundamental Rights Report 2019. URL: [https://fra.europa.eu/sites/default/files/fra\\_uploads/fra-2019-fundamental-rights-report-2019\\_en.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/fra-2019-fundamental-rights-report-2019_en.pdf)

<sup>19</sup> Al Jazeera: Italian sentenced to 12 years for shooting of African migrants. URL: <https://www.aljazeera.com/news/2018/10/3/italian-sentenced-to-12-years-for-shooting-of-african-migrants>

<sup>20</sup> European Parliament: Resolution on fundamental rights of people of African descent in Europe. URL: [https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?lang=en&reference=2018/2899\(RSP\)](https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?lang=en&reference=2018/2899(RSP))

<sup>21</sup> The prince's responsible business network: Race at work 2018. URL: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/746970/BITC\\_Race\\_At\\_Work\\_Report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/746970/BITC_Race_At_Work_Report.pdf)



resolution calling on the EU and the national authorities to develop antiracism policies and measures to tackle prevalent discrimination against Afro-Europeans, racial profiling and to take steps to make reparations for European colonialism. Still, only 15 Member States had action plans against racism in place in 2018. The EU High Level Group on combating racism, xenophobia and other forms of intolerance also emphasised the importance of preventing and countering discrimination and racism against persons of African descent. It highlighted the issue of structural racism that needs to be addressed by raising awareness of the history of slavery and colonialism among the general population, among other steps. For more information on reducing inequalities under the 2030 UN Agenda for Sustainable Development, refer to sustainable development goals 'Reduce inequality within and among countries' and 'Peace, justice and strong institutions'.

### **Being black in the EU**

Close to one in three respondents (30%) indicated that they experienced racist harassment in the five years before the survey, with a great degree of variation between EU Member States. There are some notable differences between individual countries. For example, 51% of people of African descent experienced hate-motivated harassment in Ireland, compared with 21% in the United Kingdom; or 41% in both Sweden and Denmark, compared with 63% in Finland; or 23% in Portugal, 32% in France, and 48% in Italy. About one in five (21%) of respondents say they experienced racist harassment in the 12 months before the survey. In comparison, the 12-month rate of hate-motivated harassment is 30% for Roma interviewed in EU-MIDIS II, 29% for immigrants and descendants of immigrants from North Africa, and 23% for immigrants and descendants of immigrants from Turkey, for example. These average results are, however, based on different countries and contain notable differences from country to country. Differences between countries in terms of the prevalence of racist harassment in the 12 months before the survey show similar patterns as the results for the five years before the survey. A country by-country breakdown of the 12-month rates can be found in the EU-MIDIS II main results report.

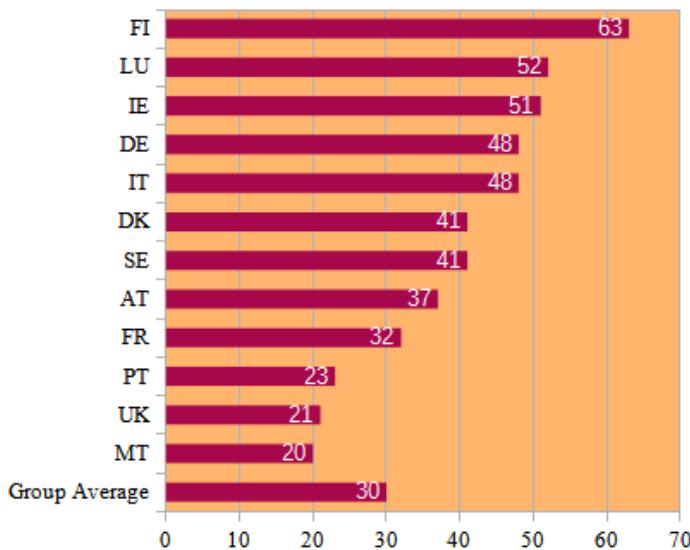
*From: European Union Agency for Fundamental Rights<sup>22</sup>*

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<sup>22</sup> [https://fra.europa.eu/sites/default/files/fra\\_uploads/fra-2019-being-black-in-the-eu-summary\\_en.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/fra-2019-being-black-in-the-eu-summary_en.pdf)



Figure 1: Prevalence of perceived racist harassment in 5 years before the survey, by country (%)



Notes: out of all respondents of African descent (n=5803), weighted results

#### Antisemitism

**Antisemitism** in the EU is widespread and normalised. More than 70 years after the Holocaust, widespread antisemitism affects Jewish people in all areas of life in the EU, as evidenced by FRA's second survey on discrimination and hate crime against Jews in the EU, which was published in 2018<sup>23</sup>. The survey interviewed almost 16,400 Jewish respondents in 12 EU Member States (Austria, Belgium, Denmark,

France, Germany, **Hungary**, **Italy**, the Netherlands, Poland, **Spain**, Sweden, and the **United Kingdom**). These states are home to over 96% of the EU's estimated Jewish population. The survey findings vary between the Member States; the survey provides both information about countries individually as well as on the EU average. On average, more than one quarter (28%) of Jewish respondents said they had been harassed at least once in the year preceding the survey because of being Jewish; 34% said they avoid visiting Jewish events or sites because they do not feel safe; and 38% say they have considered emigrating because they do not feel safe as Jews. Overall, 70% of Jewish respondents consider that Member States' efforts to combat antisemitism are not effective. A 2018 CNN poll among more than 7,000 respondents from the general population in Austria, France, Germany, **Hungary**, Poland, Sweden and the **United Kingdom** found that one in three adults (28%) say Jewish people have too much influence in finance and business across the world, compared with other people. The Brussels Institute of the Action and Protection Foundation, a Hungarian Jewish cultural organisation, criticised the findings on Hungary and the poll's research method.

**Political hate speech and right-wing extremism** targeting Muslims and refugees have become mainstream across the EU. The Italian member of European Parliament Cecile Kyenge was subjected to racist insults in 2013 by the Northern League party and is currently facing a

<sup>23</sup> EU Agency of fundamental rights: Discrimination and hate crime against Jews in EU Member States: experiences and perceptions of antisemitism. URL: [https://fra.europa.eu/sites/default/files/fra-2013-discrimination-hate-crime-against-jews-eu-member-states-0\\_en.pdf](https://fra.europa.eu/sites/default/files/fra-2013-discrimination-hate-crime-against-jews-eu-member-states-0_en.pdf)



defamation case against her by the party and its leader, the Deputy Prime Minister, for accusing the party of racism<sup>24</sup>. Also in **Italy**, on 2 June 2018, a 29-year-old Malian man, a trade union activist supporting migrant farm workers, was shot to death, just hours after the Deputy Prime Minister, who was also Minister for the Interior, declared: "The party's over for illegals".<sup>25</sup> The perpetrator was arrested. Furthermore, the Deputy Prime Minister declared his intention to impose a curfew at 21.00 for all "ethnic shops and activities", suggesting that these kinds of businesses attract drug dealers. The hate crime monitoring organisation Chronicles of Ordinary Racism registered 628 racist incidents in **Italy** in 2018<sup>26</sup> and 564 in 2017. Certain political rhetoric and impunity for such speech can fuel neo-Nazism and extremism, according to the UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia, and related intolerance

In the **United Kingdom**, one person died and 10 were injured after a man who had expressed hatred of Muslims drove a van into a crowd of Muslim worshippers in London on 19 June 2017<sup>27</sup>. Against this background, the number of people referred to the 'Prevent' anti-radicalisation programme over suspected far-right extremism increased by 36% from 2016/2017 to 2017/2018, and referrals over Islamist extremism decreased by 14% in the same period, according to the Home Office.

### Hate speech

When we talk about "*hate speech*" we refer to those messages that stimulate, encourage, and incite hostility, discrimination, hatred and violence against members of particular groups, especially on the basis of nationality, ethnicity, "race" or religion. These characteristics intersect with aspects of class, social status, gender, sexual orientation and other<sup>28</sup>. In **Italy**

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<sup>24</sup> European Parliament Anti-Racism and Diversity Intergroup (ARDI) (2018): Letter to The Guardian about defamation charges against Cecile Kyenge', Open Letter, 7 November 2018

<sup>25</sup> Matteo Salvini's Official Facebook Page (2018), 'The party is over! (La pacchia è finita!)', post, 20 November 2018

<sup>26</sup> Lunaria. Associazione di Promozione Sociale: Un'estate all'insegna del razzismo. URL: <https://www.lunaria.org/wp-content/uploads/2018/10/FOCUS62018unestateallinsegnadelrazzismo.pdf>

<sup>27</sup> The Guardian: Finsbury Park mosque attack: suspect named as Darren Osborne, 47-year-old who lives in Cardiff – as it happened. URL:

<https://www.theguardian.com/uk-news/live/2017/jun/19/north-london-van-incident-finsbury-park-casualties-collides-pedestrians-live-updates>

<sup>28</sup> Cronache di ordinario razzismo: Words are stones - hate speech Analysis in Public Discourse in Six European Countries. URL: [http://www.cronachediordinariorazzismo.org/wp-content/uploads/2WASINTERNATIONALREPORT\\_GRAPHIC\\_SINGLE\\_PAGES-1.pdf](http://www.cronachediordinariorazzismo.org/wp-content/uploads/2WASINTERNATIONALREPORT_GRAPHIC_SINGLE_PAGES-1.pdf)



the law explicitly cites “race”, religion, nationality and ethnicity among discriminatory reasons and punishes the propaganda of ideas based on “racial” or ethnic superiority that incites acts of discrimination or violence for racial, ethnic, national or religious reasons. In a similar way, **Spain** punishes crimes committed on the basis of ethnicity, “race”, national origin, or sexual orientation<sup>29</sup>.

Among the critical issues related to the analysis of reported hate speech – and in particular that of political nature, is the lack of an official and standardised data collection system. This is a direct consequence of the absence of a shared normative definition at the international level. Each country adopts different methodologies for collecting data on hate crimes, and no country, among those considered, has an official data collection system dedicated to hate speech.

**Italy.** The national official statistics does not offer data specifically referring to hate speech. The most reliable official reference source is that offered by the *ODIHR* (OSCE Office for Democratic Institution and Human Rights)<sup>30</sup>. Considering only those provided by law enforcement, a worrying trend can be detected: documented hate crimes were 555 in 2015, 736 in 2016 and 1048 in 2017. The distribution of hate crimes documented according to the motive shows a clear prevalence of racist and xenophobic crimes that include all the crimes recorded in the SDI database (Inter-agency Investigation System) with a motive related to prejudice against the “race”/skin colour, Roma and Sinti ethnicity, nationality, language, antisemitism, Muslims and members of other religions. In 2017 the crimes of racist and xenophobic matrix were 828, 79% of the total. The breakdown of data by type of crimes committed includes for the first-time offenses of incitement to racist violence: these are 337 cases, which represent 40.7% of the crimes reported on the basis of a xenophobic or racist motive. It is also appropriate to mention the data gathered by Oscad which, unfortunately, are not disaggregated on an annual basis. Between 10 September 2010 and 31 December 2018 Oscad received 2.532 reports. The crimes of discriminatory matrix were 1.164, plus 368 discriminatory crimes on the Web. 59.3% of the total of the 1.564 crimes are related to an ethnic or racist motive.

**Spain.** In 2018, the Spanish Observatory on Racism and Xenophobia presented a report that analyses judicial sentences concerning hate speech, in order to analyse the advantages and disadvantages of the legal system. The results deriving from the 83 cases analysed in 2014, 2015, and 2016 show important structural trends. First, hate crimes and hate speech acts usually occur in the public sphere or on the Internet. Secondly, they are mainly detected in the administrative regions of Catalonia, Madrid, Castilla-León, and Valencia. Thirdly, these are

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<sup>29</sup> *ibid.*

<sup>30</sup> OSCE: Hate Crimes in Italy. URL: <https://hatecrime.osce.org/italy>



mainly of the racist, xenophobic, and homophobic type. Racism and xenophobia in Spain are not occasional: they are institutional, structural, and systematic. The data published by Ecri for 2016 and 2017 relating to the cases of discrimination are there to confirm this: 416 acts and behaviours of xenophobic and racist origin constitute 32% of the total of the 1,272 cases of discrimination recorded in 2016. Among the 1419 cases of hate crimes reported to ODIHR for 2017, 524 were racist or xenophobic, 6 anti-Semitic and 103 have hit “members of other religions” that is the 45% of the cases reported that year. The data is unfortunately not disaggregated according to the type of crime and therefore do not allow the specific identification of cases of threats or incitement to hatred.

In **Italy**, France, **Spain** and Cyprus, the disparaging, violent, xenophobic, and racist political discourse has also targeted those civil society groups that work with migrants as a target. It is what has been called the criminalisation of solidarity. It is interesting in this case to note that the attack on NGOs carrying out search and rescue operations of migrants was stigmatised as “Taxi” in two very similar declarations, pronounced at different times and in different places by an Italian and a Spanish politician<sup>31</sup>.

In Spain the issue of insecurity is mainly used to stigmatise black migrants, Roma, street vendors, and unaccompanied foreign minors (who come mainly from the Maghreb, particularly from Morocco). Each of these racial groups is criminalised due to an association with various types of crimes (burglary, theft, falsification or other forms of delinquency) in an attempt to generate a general social climate of insecurity, fear, and other negative feelings which ultimately leads to the “rejection” of these groups. Insecurity and fear are also frequently used to “protect (white) women” from sexual assaults, violence and aggression from certain (non-white) groups, identified as those likely to perform sexual violence. In Italy, the most common terms used refer to the semantic sphere of delinquency and violence (in particular against women), of “degradation” and social dangerousness. But the concept of security is often also associated with defending borders against the spread of diseases or alleged Islamic terrorists.

Before 2018, **Spain** was one of the very few EU countries where no far-right party was present in regional or national parliaments. In December 2018, the situation changed with the emergence of VOX; a relatively new extreme right-wing party. The party entered the regional parliament of Andalusia (southern Spain) after obtaining over 400,000 votes, which resulted in 12 elected members taking seats in the regional parliament. The extremist speech by VOX fits perfectly into the rise of far-right transnational populism in Europe.

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<sup>31</sup>Cronache di ordinario razzismo: Words are stones - hate speech Analysis in Public Discourse in Six European Countries. URL: [http://www.cronachediordinariorazzismo.org/wp-content/uploads/2WASINTERNATIONALREPORT\\_GRAPHIC\\_SINGLE\\_PAGES-1.pdf](http://www.cronachediordinariorazzismo.org/wp-content/uploads/2WASINTERNATIONALREPORT_GRAPHIC_SINGLE_PAGES-1.pdf)



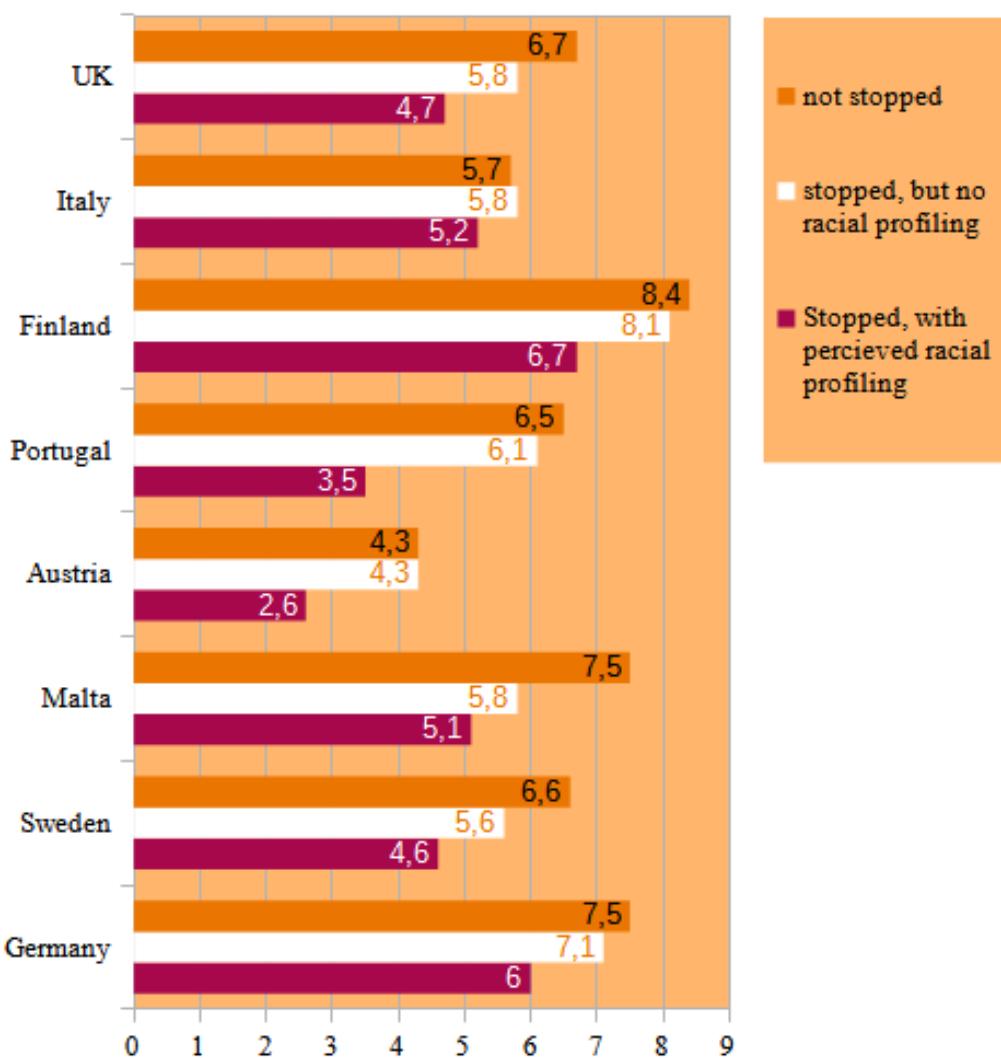
### Curbing hate speech online

On the internet, fundamental rights can be violated, and crimes can be committed with real consequences for victims. For example, the vast majority (85%) of Jews in the EU perceive antisemitism as a very big or fairly big problem, FRA's survey on experiences of Jewish people in the EU reveals. Of the many ways in which it can manifest itself, 89 % of respondents stressed antisemitism on the internet and on social media as a very big or fairly big problem. Respondents most commonly come across statements they consider antisemitic online (80 %), followed by media other than the internet (56%), and at political events or in social situations (48% and 47%, respectively).

Discriminatory ethnic or racial profiling was identified as an issue in previous FRA fundamental rights reports. It remained a serious concern across the EU in 2018. Such profiling can undermine trust in law enforcement among persons with ethnic minority backgrounds who *may frequently find themselves stopped and searched for no reason* other than their appearance. In the **United Kingdom**, individuals from black and minority ethnic groups are four times more likely to be stopped than those who are white, the Home Office's latest statistics show. In particular, black individuals are over nine times more likely to be stopped than those who are white. Similarly, black people were stopped and searched for drugs at almost nine times the rate of white people, research findings show, while Asian people and those in the 'mixed' group were stopped and searched for drugs at almost three times the rate of white people. The 'find' rate for drugs is also lower for black than white people, suggesting that such searches are carried out on black people on the basis of weaker grounds.



### Levels of trust in the police, and experiences with police stops among persons of African descent, by country (%)



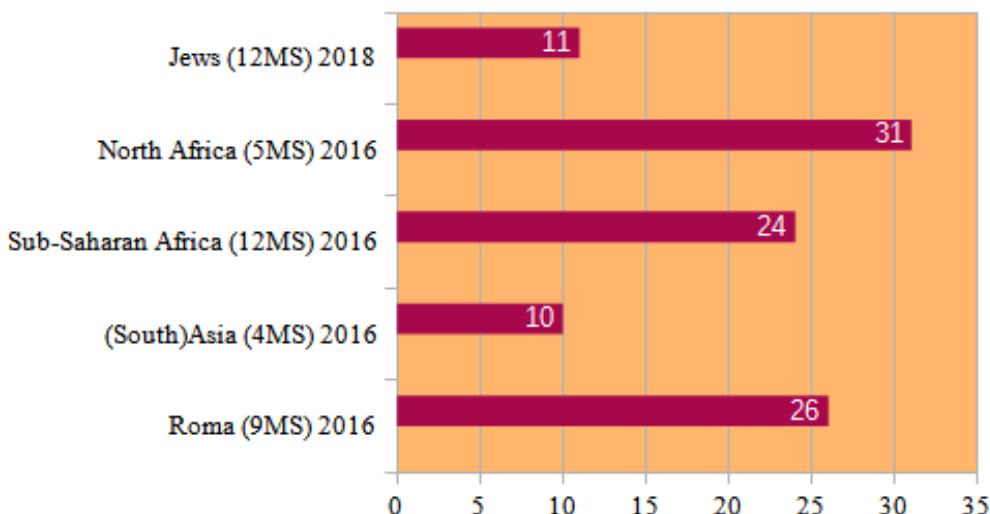
Training for police officers is an important tool in minimising the risk of unlawful profiling. Several countries including Finland, **Hungary**, **Italy**, Portugal, Slovakia and Slovenia have implemented educational measures and training aimed at raising human rights awareness among law enforcement officials. These include initiatives to counter racism and ethnic discrimination and on policing diverse societies.

*Immigrants, minorities and LGBTI persons in the EU are exposed to a higher rate of discrimination.* Eurostat's 2018 SDG report does not include data on discrimination experiences of immigrants, minorities and LGBTI persons in the EU. FRA collects such data



through large-scale surveys on experiences of discrimination based on sexual orientation or gender identity, ethnic origin, skin colour, religion, or immigrant background, including their reporting to competent authorities. These data highlight persisting challenges regarding non-discrimination, prohibited by Article 21 of the Charter, and could be used in monitoring progress in the implementation of SDGs at both EU and national levels. The data show alarming rates of experiences with discrimination among several surveyed population groups. For example, the EU-MIDIS II survey on immigrants and minorities illustrates that a large proportion of Roma (26%), as well as immigrants and descendants of immigrants with North African origin (31%) or Sub-Saharan (24%) origin, felt discriminated against in the 12 months before the survey due to their ethnic or immigrant background – especially in employment, both when looking for work and at work, and when accessing public or private services.

**Rate of discrimination experienced due to ethnic or immigrant background in the 12 month before the survey, in selected EU-Member States (MS) (%)**



Certain population groups, such as children, people with disabilities, immigrants, and Roma, are at greater risk of poverty. Eurostat data and FRA's findings indicate that these groups are more frequently affected by income inequality and poverty. Thus, they often face greater challenges in the enjoyment of their fundamental rights on equal footing as compared with the rest of the population. It can be further challenging when being Roma or having an immigrant background is combined with other grounds that may have an impact, regardless of ethnic or immigrant identity or background such as, for example, being a child.



**Estimated at-risk-of-poverty rate for the EU-28 general population and for immigrants and descendants of immigrants, as well as Roma, in selected Member States in 2016 (%)**



Notes: At-risk-of-poverty based on the EU-MIDS II survey are all persons with an equivalised current monthly disposable household income below the twelfth of the national at-risk-of-poverty threshold 2014 (published by Eurostat). The equivalised disposable income is the total income of a household after tax and other deductions, divided by the number of the household members converted into equivalised adults; using the so-called modified OECD equivalence scale (1-0.5-0.3).

The table shows the striking differences between the at-risk-of-poverty rate among the EU-28 general population and among various minority groups, including Roma, as estimated according to FRA's survey on minorities and discrimination conducted in 2015-2016 (EU-MIDIS II). It shows that, in comparison with an overall at-risk-of-poverty rate of around 17% for the general population, 80% of Roma, 63% of persons of North African descent, and 55% of persons of Sub-Saharan African descent, on average in the surveyed countries, had an income below the at-risk-of-poverty threshold. This underlines the need to disaggregate data to monitor policy targets and to reach out to vulnerable and often invisible groups.

#### Lack of policy responses to racism

The UN Durban Declaration and Programme of Action signed in September 2001<sup>32</sup>, emphasises states' responsibility to combat racism, racial discrimination, xenophobia, and related intolerance. Examining national strategies for combating racism, xenophobia and other forms of intolerance is one of the aims of the EU's High-Level Group on combating racism, xenophobia, and other forms of intolerance. A national action plan against racism, ethnic and racial discrimination, and related intolerance can provide the basis for the development of a comprehensive public policy against racial discrimination. By developing

<sup>32</sup> World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance: Declaration and Programme of Action. URL: [https://www.ohchr.org/Documents/Publications/Durban\\_text\\_en.pdf](https://www.ohchr.org/Documents/Publications/Durban_text_en.pdf)



such a plan, Member States demonstrate that they take action to counter the challenges they face in eradicating racism and racial discrimination. Yet, as last year's Fundamental Rights Report reported, only 15 EU Member States had dedicated action plans against racism, racial/ethnic discrimination, and related intolerance in place in 2018 (Italy<sup>33</sup>, Hungary<sup>34</sup>, UK)

The UK government has announced a series of measures to tackle barriers facing ethnic minorities in the workplace including a consultation on ethnicity pay reporting and the new Race at Work Charter. The latest ethnic minority employment rate is 66.5%, up 1.4 percentage points from last year; the highest since records began in 2001. Ethnic minority employment has risen by 603,000 since 2015, taking us 91% of the way to our target of increasing ethnic minority employment by 20% by 2020<sup>35</sup>.

In the UK, since 2012 the Home Office hate-crime report has presented the number of hate crimes recorded by the police and the number of hate crimes reported in a representative national victimisation survey<sup>36</sup>. The police recorded a total of 94,098 hate crime offences in 2017/2018 an increase of 123% compared with 2012/2013. This increase results from improvements in recording, a larger number of people reporting these crimes to the authorities, as well as spikes following certain events. Still, the Crime Survey for England and Wales (CSEW) of the Office for National Statistics estimates that there are about 184,000 hate incidents a year. Comparing the two numbers allows law enforcement and policymakers to understand the reporting gap, 'the dark figure of unreported hate crime', and develop measures to address it.

In Spain, the State Secretariat for Security of the Ministry of the Interior set up the National Office for Combating Hate Crimes. The office is a coordinating body that provides strategic and technical information for the adoption of public policies in relation to hate crimes. SOS Racisme has managed the Servei d'Atenció i Denúncia per a les Víctimes de racisme i

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<sup>33</sup> Presidenza del Consiglio dei Ministri Dipartimento per le pari opportunità: Piano Nazionale d'azione contro il Razzismo, la Xenofobia e l'intolleranza (2014-2016). URL:

<http://www.unar.it/cosa-facciamo/strategie-nazionali/piano-nazionale-azione-razzismo-xenofobia-intolleranza-2014-2016/>

<sup>34</sup> Vlada Republike Hrvatske Ured za ljudska prava i prava nacionalnih manjina: Dokumenti. URL: <https://ljudskaprava.gov.hr/dokumenti/10>

<sup>35</sup> UN Human Rights Council 41: UK response to the Special Rapporteur's report on racism. URL:

<https://www.gov.uk/government/news/un-human-rights-council-41-uk-response-to-the-special-rapporteurs-report-on-racism>

<sup>36</sup> United Kingdom, Home Office (2018): Hate Crime, England and Wales, 2017/18.



xenofobia (Said) since 1992, offering a free legal and psychological service to victims of racist discrimination. More specifically, regarding hate speech, SOS Racisme and Catalan Institute of Human Rights (IDHC) edited manuals and studies (including definitions, legal provisions, and guidelines for illegal hate speech reporting) as a tool to fight against it.

The awareness of the close relationship existing between the diffusion of hate speech and the propagation of aggressive and violent acts and behaviours of xenophobic and racist origin is deeply rooted in all the countries considered, what seems to be missing is a coordinated approach. The initiatives specifically dedicated to combating hate speech are still relatively few, fragmented and with a limited capacity to have a strong impact on the public debate.

Associations have a great role in combating racism. The many NGOs active in the field of guidance and legal assistance in **Italy** operate mainly in the field of immigration and asylum. Among the few Italian exceptions, ASGI (National Association for Legal Studies on Immigration) is active in the promotion of anti-discrimination appeals, but still has limited experience in protecting against crimes and hate speech.

### Conclusions

In today's world, contemporary forms of racism and racial discrimination are complex and disturbing. In Europe, these issues increasingly lie at the heart of political and social concerns. In the immediate future, European Governments will face several challenges, two of which are very significant: enforcing action against racism and racial discrimination in an environment increasingly affected by the fight against terrorism; and addressing the issue of integration, which is widely debated in most European countries. It's interesting to report FRA recommendations to EU states at the end of its 2019 report:

EU Member States should:

- "ensure that any alleged hate crime, including illegal forms of hate speech, is effectively recorded, investigated, prosecuted, and tried. This needs to be done in accordance with applicable national, EU, European and international human rights law."<sup>37</sup>
- "make further efforts to systematically record, collect and publish annually data on hate crime to enable them to develop effective, evidence-based legal and policy responses to

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<sup>37</sup> EU Agency for fundamental rights: Fundamental Rights Report 2019: 100. URL: [https://fra.europa.eu/sites/default/files/fra\\_uploads/fra-2019-fundamental-rights-report-2019\\_en.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/fra-2019-fundamental-rights-report-2019_en.pdf)



this phenomenon. Any data should be collected in accordance with national legal frameworks and EU data protection legislation.”<sup>38</sup>

- “ensure that equality bodies can fulfil their tasks, as assigned by the Racial Equality Directive, by supporting them in raising public awareness of their existence, of the anti-discrimination rules in force, and of ways to seek redress. This can help strengthen the role of equality bodies in facilitating the reporting of ethnic and racial discrimination by victims.”<sup>39</sup>

- “develop dedicated national action plans to fight racism, racial discrimination, xenophobia and related intolerance. In this regard, EU Member States could draw on the practical guidance offered by the Office of the United Nations High Commissioner for Human Rights on how to develop such plans. In line with this guidance, such action plans would set goals and actions, assign responsible state bodies, set target dates, include performance indicators, and provide for monitoring and evaluation mechanisms. Implementing such plans would provide EU Member States with an effective means of ensuring that they meet their obligations under the Racial Equality Directive and the Framework Decision on Combating Racism and Xenophobia.”<sup>40</sup>

Reporting the words of Executive Secretary to the European Commission against Racism and Intolerance (ECRI), Isil Gachet’s, we can say that in the final analysis, encouraging signs at the national and European levels demonstrate that Governments and civil society are genuinely involved in fighting racism and racial discrimination in Europe. But the fight is far from won and advances are needed now more than ever to guide our countries and give practical effect and full meaning to the universal principle: “All human beings are born free and equal in dignity and rights”<sup>41</sup>.

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<sup>38</sup> EU Agency for fundamental rights: Fundamental Rights Report 2019: 100. URL: [https://fra.europa.eu/sites/default/files/fra\\_uploads/fra-2019-fundamental-rights-report-2019\\_en.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/fra-2019-fundamental-rights-report-2019_en.pdf)

<sup>39</sup> EU Agency for fundamental rights: Fundamental Rights Report 2019: 100. URL: [https://fra.europa.eu/sites/default/files/fra\\_uploads/fra-2019-fundamental-rights-report-2019\\_en.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/fra-2019-fundamental-rights-report-2019_en.pdf)

<sup>40</sup> EU Agency for fundamental rights: Fundamental Rights Report 2019: 100. URL: [https://fra.europa.eu/sites/default/files/fra\\_uploads/fra-2019-fundamental-rights-report-2019\\_en.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/fra-2019-fundamental-rights-report-2019_en.pdf)

<sup>41</sup> United Nations: Combating Racism and Racial Discrimination in Europe. URL: <https://www.un.org/en/chronicle/article/combating-racism-and-racial-discrimination-europe>





## Racism and discrimination in the countries involved in Escape Racism project

### Italy

Over the past year, episodes of racism, hate crimes, hostility towards foreigners, and xenophobic attacks seem to have increased in a worrying way: the latest news of this type reported by the media concerning racist writings against Bakary Dandio, the Senegalese athlete adopted by a couple from Melegnano, in the province of Milan; the insults expressed by an elementary school teacher against a Nigerian child in a school in Foligno; the repeated physical attacks on a twelve-year-old Egyptian boy in front of a school in the Portuense district of Rome.

In Italy, as in most western countries, hate crimes, motivated by ethnic, religious, and racial reasons, have been on the rise for years, although the causes of this increase are difficult to establish. The main problem is that in Italy there is no official database that collects and publishes statistics on this type of attacks cyclically, as is the case in other European countries.

Since summer 2018, the Italian media have been talking about "a *racism emergency*" in the country, taking on alarmist tones that are downsized by the former Interior Minister Matteo Salvini and his government<sup>42</sup>.

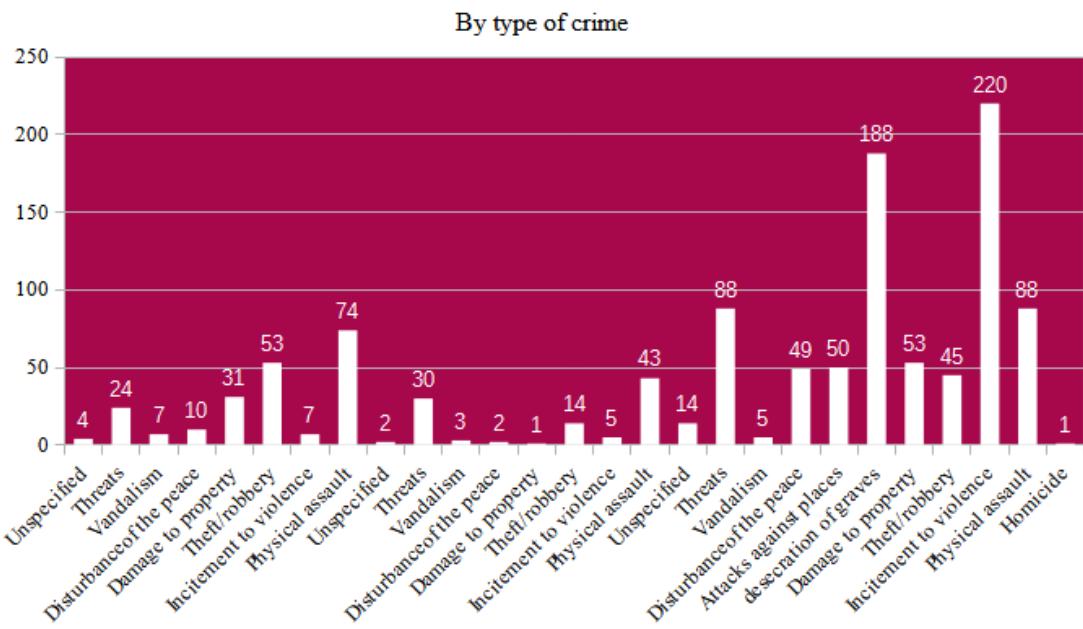
Actions by the Lega Nord have been criticised as xenophobic or racist by several foreign sources, for example by The New York Times, by The Washington Post and by BBC News. Matteo Salvini, the former Italian prime minister with its political campaigns but overall with its "security decree" (October 2018) had a bad influence on the public opinion as concerned immigration and intolerance.

One of the most striking episodes of racism in the political speech within Italy occurred in 2013. Following the nomination of Cécile Kyenge, a Congolese-born Italian immigrant, as Minister of Integration in the government of Enrico Letta, she became subject to several racial slurs by local and national politicians. One of these slurs was made by Roberto Calderoli, a prominent figure of the anti-immigration and populist party Lega Nord. Calderoli claimed that whenever he saw Minister Kyenge, an orangutan came to his mind. During a speech by Kyenge at a meeting of the Democratic Party a few days after Calderoli's slur, some members of the far right and neo-fascist New Force threw a clump of bananas at the minister. These episodes, together with the strong and well-known opposition to party immigration, do

<sup>42</sup> Annalisa Camilli: C'è un aumento degli attacchi razzisti in Italia. URL: <https://www.internazionale.it/bloc-notes/annalisa-camilli/2019/02/27/attacchi-razzisti-italia>



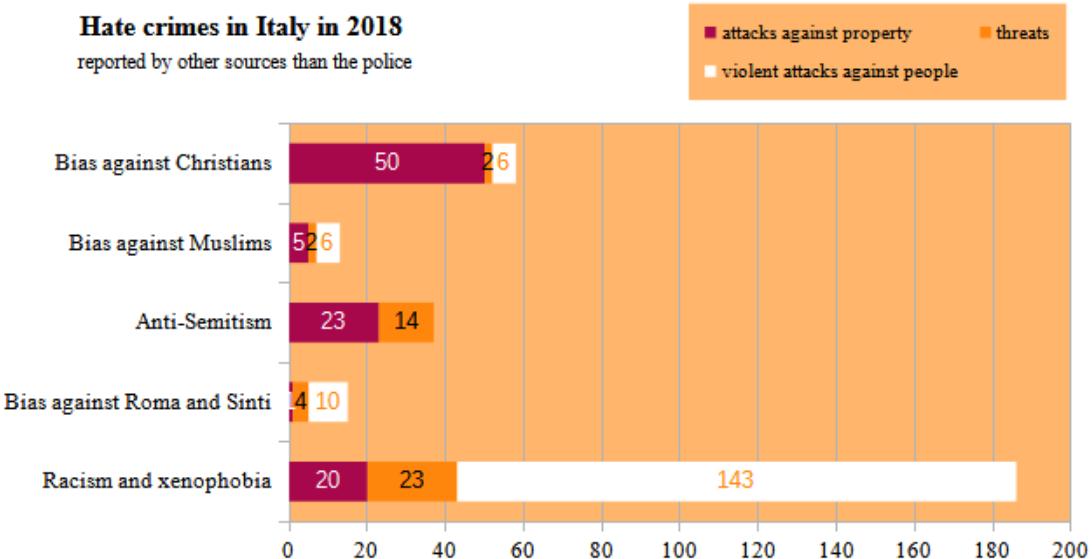
nothing but fuel a senseless and wandering hatred for the different and fear for those belonging to an ethnic group other than the main nation. Italy regularly reports hate crime data to ODIHR. Italy's Criminal Code contains general penalty-enhancement and substantive offence provisions. Hate crime data are collected by law enforcement authorities and the Ministry of Interior.<sup>43</sup>



<sup>43</sup> OSCE: Hate Crimes in Italy. URL: <https://hatecrime.osce.org/italy>

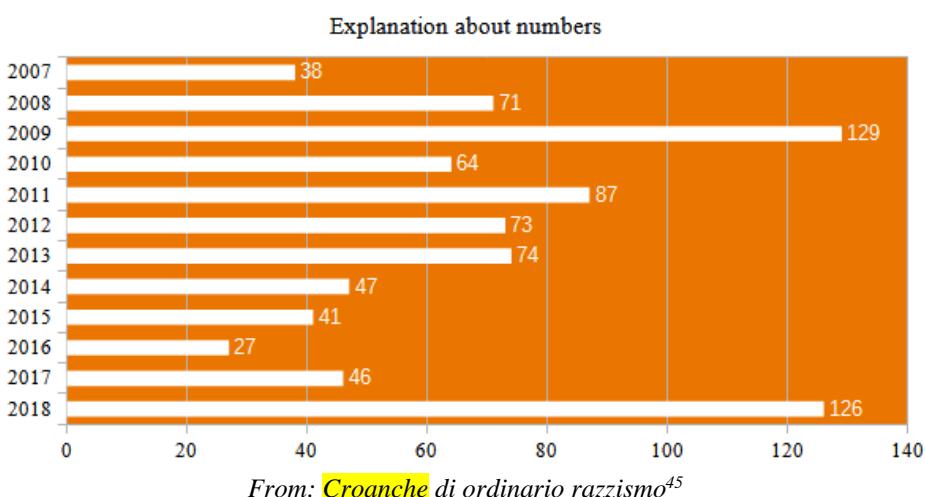


### Hate crimes in Italy in 2018 reported by other sources than the police



From: OSCE<sup>44</sup>

### Physical violence with a racist background in Italy



From: Croanche di ordinario razzismo<sup>45</sup>

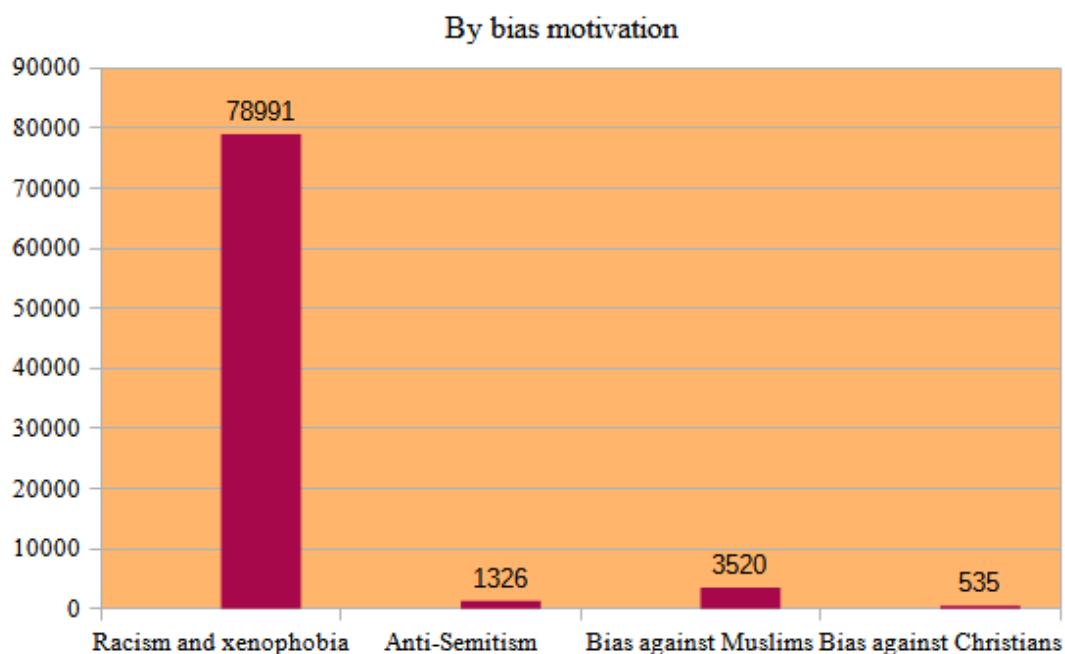
<sup>44</sup> <https://hatecrime.osce.org/italy>

<sup>45</sup> <http://www.cronachediordinariorazzismo.org/>



## United Kingdom

The United Kingdom regularly reports hate crime data to ODIHR. The United Kingdom's hate crime laws are a combination of general penalty-enhancement provisions and substantive offences. In England, Wales, and Northern Ireland, hate crime data are collected by the Association of Chief Police Officers, the Crown Prosecution Service, and the Home Office. In Scotland, data is collected by the Procurator Fiscal. Police and prosecution data, which cover the reporting period from April to March of the following year, are regularly published. The United Kingdom conducts regular victimisation surveys to measure unreported hate crimes.

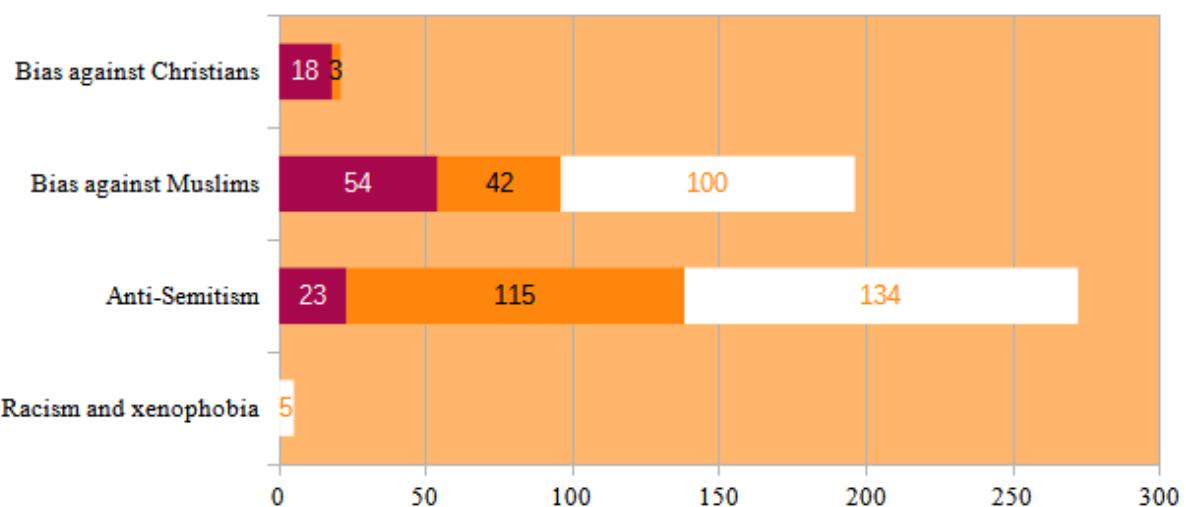
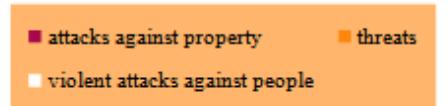


From: OSCE<sup>46</sup>

<sup>46</sup> <https://hatecrime.osce.org/united-kingdom>



**Hate crimes in UK in 2018**  
reported by other sources than the police



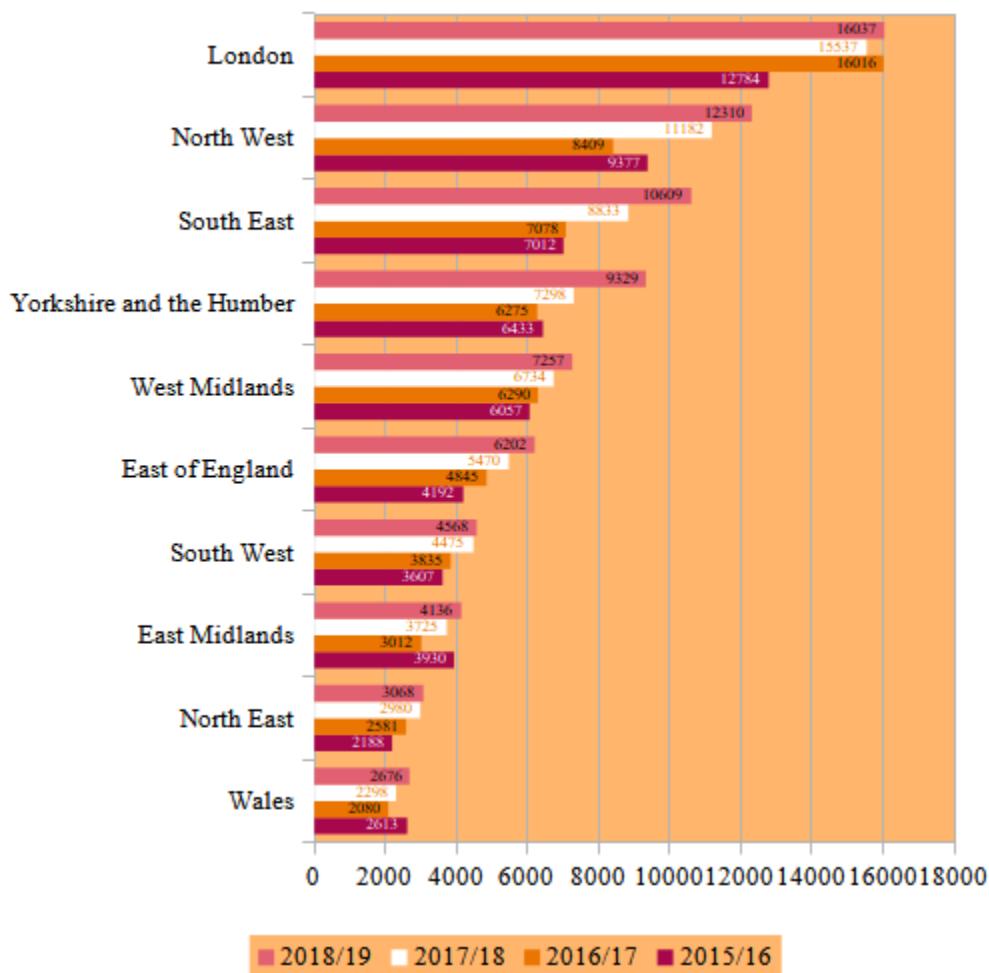
From OSCE<sup>47</sup>

The following chart illustrates racist incidents recorded by the police in England and Wales from April 2015 to March 2019, sorted by region. While the fewest racist incidents were reported in the North East and Wales, the most occurred in London with more than 16 thousand cases recorded in 2018/19. The North West experienced the second highest number of racist incidents:

<sup>47</sup> <https://hatecrime.osce.org/united-kingdom>



### Number of racist incidents, reported by the police, by region



From: Statista<sup>48</sup>

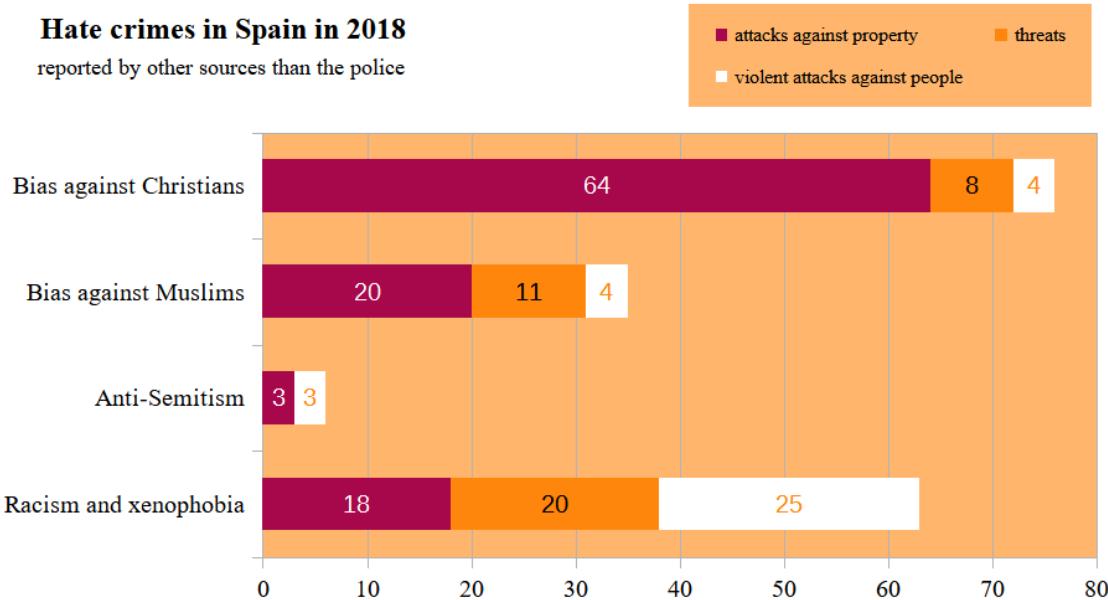
### Spain

Spain regularly reports hate crime data to ODIHR. Spain's Criminal Code contains general penalty-enhancement and substantive offence provisions. The Interior Ministry's State

<sup>48</sup> <https://www.statista.com/statistics/624038/racist-incidents-in-england-and-wales/>

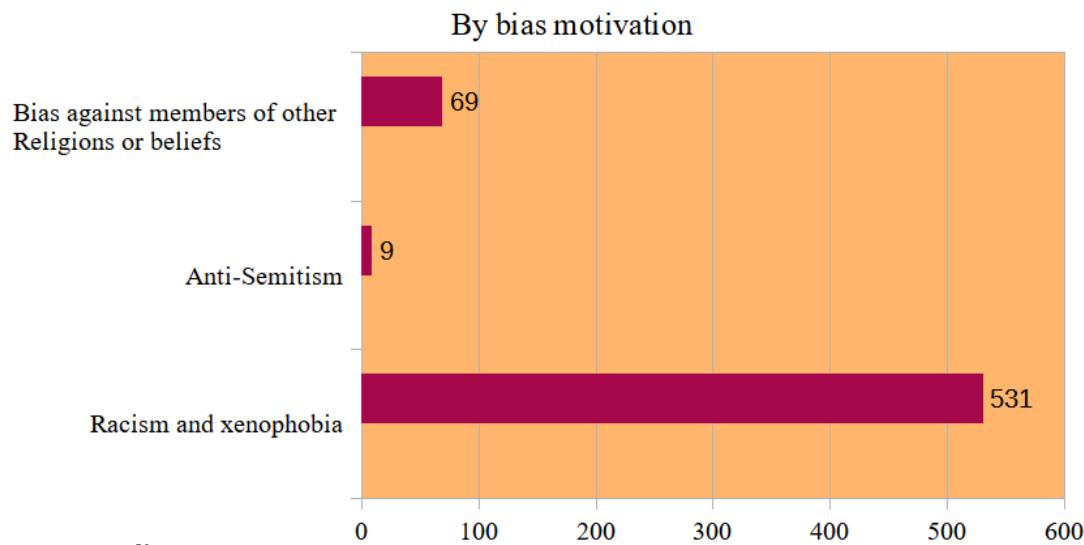


Secretariat of Security collects hate crime data from the Catalan Autonomous Police, the Autonomous Basque Police, Navarre Police, National Police Force, and the Civil Guard. Spain publishes annual reports on hate crimes. Hate crimes recorded by police in 2018:



From: OSCE<sup>49</sup>

<sup>49</sup> <https://hatecrime.osce.org/spain>



From: OSCE<sup>50</sup>

Moreover, the SOS Racism Federation of Spain, draws up a report each year that collects data on complaints received at its information and complaint offices. This study allows them to identify the types and areas of discrimination, agents of discrimination, age, gender, nationality, and documentary status of the complainants.

It is relevant to note that the data collected in this report does not represent "the absolute reality" of racial discrimination in Spain, since many complaints do not reach the information offices or people decide to remain anonymous and not judicially process the complaint for fear of retaliation. Faced with this reality, SOS Racismo Madrid creates the "ES Racismo" campaign, an initiative that consists of publishing on the web "news, testimonies and reflections on the great and small racisms" that go unnoticed day by day.

From their Annual Report on racism in the Spanish State issued in 2018, the general data is extracted on the types of discrimination that have been registered in the information and complaints offices of the SOS Racism Federation in Spain. Most of the data corresponds to Aragon (130) and Catalonia (91), data that does not imply that these are the Regions (Comunidades Autónomas) where there is more discrimination. The same resources are simply not available in the territories in which the entities are present.

One of the resources that promotes institutional racism in Spain are called CIES, Centres for Internment of Foreigners where there are people whose documentation is not in order as established by the Immigration Law on the Rights and Freedoms of Foreigners in Spain.

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<sup>50</sup> <https://hatecrime.osce.org/spain>



“Spanish law allows, despite not having committed any crime, these people to be locked up for a period of up to 60 days.” (SOS Racismo Madrid, 2016)

## Hungary

During the meetings FRA held with government and public officials, statutory human rights bodies and civil society organisations in Hungary, it became apparent that while the legal apparatus offers a good level of formal protection in principle against racism, xenophobia and related intolerance, there is evidence to suggest that this apparatus and the policies that derive from it are nevertheless not implemented effectively. Secondary data and information analysed by FRA also point to a number of barriers concerning the implementation of relevant legal and policy provisions. Despite evidence to the contrary, many public officials with whom FRA met maintained that discrimination, racism, intolerance, and extremism are not a particular problem in Hungary. Limited awareness, as well as a lack of acknowledgement of the extent of these phenomena and their negative impact on social cohesion can be a barrier to fighting these phenomena. It could also hamper Hungary’s efforts to promote the social integration of minority ethnic groups such as Roma.<sup>51</sup>.

Cases of discrimination, racist violence and intolerance in Hungary have already been reported in the past by international bodies such as the Council of Europe’s European Commission against Racism and Intolerance. In 2000, the second ECRI report noted growing acknowledgement of problems of racism and discrimination particularly towards Roma<sup>52</sup>.

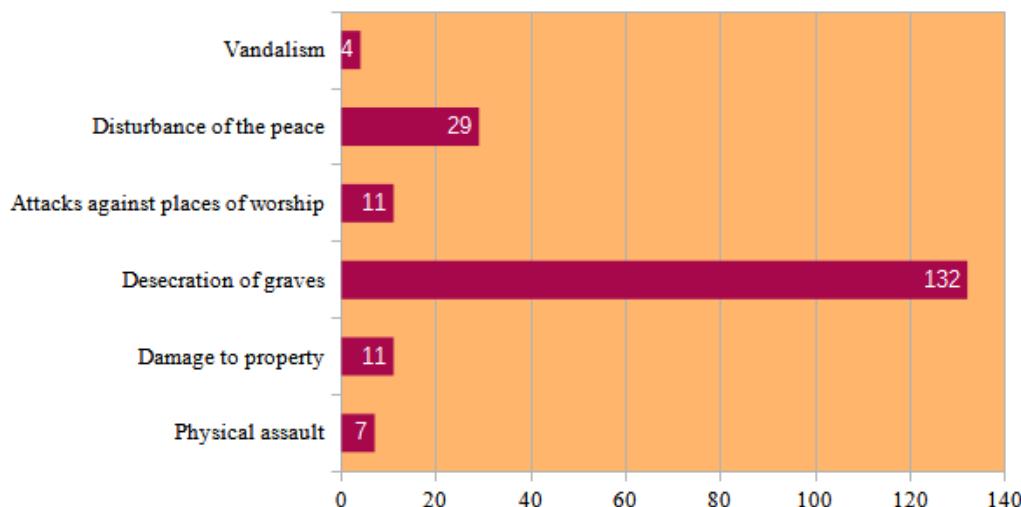
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<sup>51</sup> EU Agency for fundamental rights: Racism, discrimination, intolerance and extremism. URL: [https://fra.europa.eu/sites/default/files/fra-2013-thematic-situation-report-3\\_en\\_1.pdf](https://fra.europa.eu/sites/default/files/fra-2013-thematic-situation-report-3_en_1.pdf)

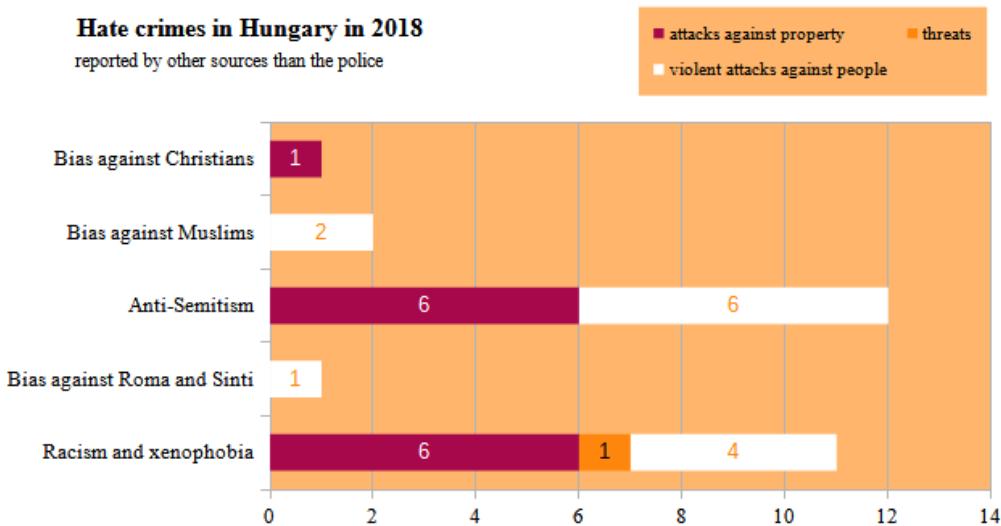
<sup>52</sup> ibid.



By type of crimes



Hungary regularly reports hate crime data to ODIHR. Hungary's criminal code contains several substantive offences. The Ministry of Interior, the Prosecutor's Office and the Criminal Police Department of the National Police Headquarters collect data on hate crime as part of general crime statistics.



From: OSCE<sup>53</sup>

*Hungary and immigration.* In the spring of 2015, Hungarian Prime Minister Viktor Orbán turned the issue of migration into a major political campaign issue. Many Hungarians felt a

<sup>53</sup> <https://hatecrime.osce.org/hungary>



sense of unease about the thousands of refugees who were crossing the Hungarian border each day, mainly on their way to Austria, Germany, and other EU nations. Against this backdrop, Orbán promised to deliver a crackdown on "illegal migration" and to protect the country against Islamic terrorism, mass immigration and cultural alienation. In the early summer of 2015, Orbán's government built a fence along the border with Serbia. By September 2015, the country further sealed off that border hermetically, and has since deployed thousands of border guards to the area. At the same time, the Hungarian parliament adopted a set of special laws relating to migration after announcing a "state of emergency." These have been in force since the beginning of 2016. The provisions of the "migration emergency" give law enforcement officials and the military wide-reaching operational powers across the country. For example, civil rights such as freedom of movement or freedom of assembly can unduly be withdrawn, and homes can be searched without a legal warrant. Hungary's refugee and migrant policies have been in breach of international human rights conventions as well as EU regulation for years. Along the country's border with Serbia there's now a new, underreported trend affecting migrants: deliberate starvation. Near Hungary's two major border crossings of Röszke and Tompa, two so-called transit zones have been set up in response to the onset of the so-called refugee crisis in 2015<sup>54</sup>.

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<sup>54</sup> Keno Verseck: Hungary's slow descent into xenophobia, racism and human rights abuses. URL:

<https://www.infomigrants.net/en/post/20220/hungary-s-slow-descent-into-xenophobia-racism-and-human-rights-abuses>



# RACISM AND DISCRIMINATION

"The EU rejects and condemns all forms of racism and intolerance, as they are incompatible with the values and principles upon which the EU is founded" (European Commission)

## RACISM AND DISCRIMINATION IN EUROPE



European Legislative Achievements:



**CONVENTION FOR THE PROTECTION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS**



Art.1. The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.



**THE CHARTER OF FUNDAMENTAL RIGHTS OF THE EUROPEAN UNION**

**THE RACIAL EQUALITY DIRECTIVE**

Introduced to bring consistency and clarity to the rights established at different times and in different ways, it sets out the full range of civil, political, economic and social rights.

It obliged EU Member States to implement a series of measures to maintain a legal and procedural framework for the promotion of equality for racial and ethnic minorities.



European Data: **BEING BAME (BLACK, ASIAN AND MINORITY ETHNIC) IN EUROPE:**

Discrimination in access to housing, precarious living conditions:

**45%**  
bame people

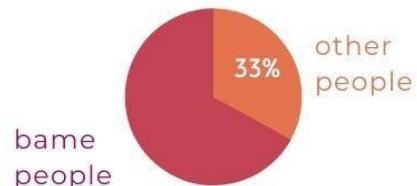
**17%**  
other people

Owing a home:

**70%**  
other people

**15%**  
bame people

Racist harassment:



People say "nothing would change by reporting racist harassments"



Bame people stopped by the police say it was because of their skin colour

Racist harassment and violence is common in the EU but remains invisible in official statistics





# RACISM AND DISCRIMINATION

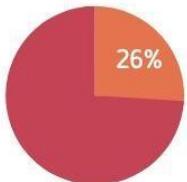
"The EU rejects and condemns all forms of racism and intolerance, as they are incompatible with the values and principles upon which the EU is founded" (European Commission)

## RACISM AND DISCRIMINATION IN EUROPE

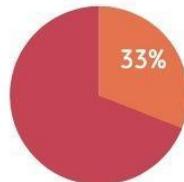


### DISCRIMINATION AT WORK:

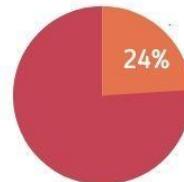
Due to their ethnic or immigrant background, looking for work and at work



ROMA

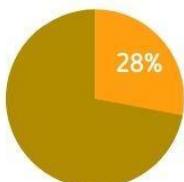


Immigrants and  
descendants of immigrants  
with North African origin

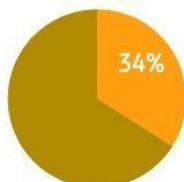


Sub-Saharan  
origin

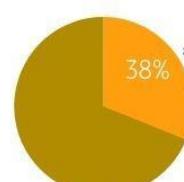
### ANTI SEMITISM:



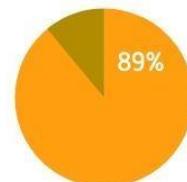
Jews  
harassed for  
being Jews



Jews do not feel  
safe during Jewish  
Events



Jews considering  
emigration because  
they didn't feel safe



Jews consider  
anti-Semitism on  
Internet and  
social media as a  
big problem



Jews consider emigration because they do not feel safe as Jews



# RACISM AND DISCRIMINATION

"The EU rejects and condemns all forms of racism and intolerance, as they are incompatible with the values and principles upon which the EU is founded" (European Commission)

## RACISM AND DISCRIMINATION IN EUROPE



### HATE SPEECH:

"Messages that stimulate, encourage and incite hostility, discrimination, hatred and violence against members of particular groups, especially on the basis of nationality, ethnicity, "race" or religion"



Political hate speech and right-wing extremism targeting Muslims and refugees have become mainstream across the EU.



Immigrants, minorities and LGBT persons in the EU are exposed to a higher rate of discrimination.



There's a lack of an official and standardized data collection system. This is a direct consequence of the absence of a shared normative definition at international level.

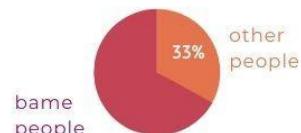
### NATIONAL RESPONSES:

15 states of the 28 in the EU dedicated action and strategies to combat racism and ethnic discrimination



Racist harassment:

**45%**  
bame people



**17%**  
other people

People say "nothing would change by reporting racist harassments"

Racist harassment and violence is common in the EU but remains invisible in official statistics



# RACISM AND DISCRIMINATION

"The EU rejects and condemns all forms of racism and intolerance, as they are incompatible with the values and principles upon which the EU is founded" (European Commission)

## RACISM AND DISCRIMINATION

Rise of hate crimes  
motivated by ethnic, religious  
and racial reasons



But no official database that collects  
and publishes statistics in this type of  
attacks cyclically

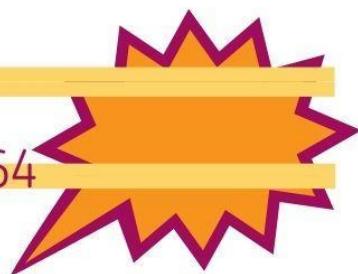
IN ITALY



political hatespeech:

2018: 628

2017: 564



hate crimes:

2017: 1048

2016: 736

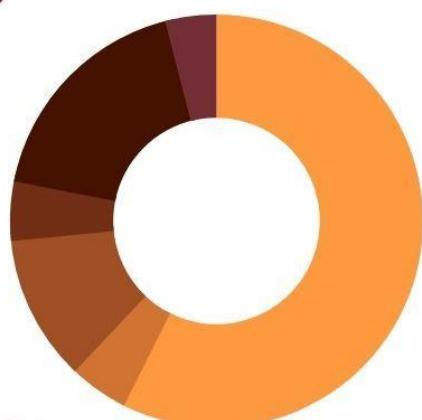


2015: 555

**48%**  
of racist harassment for BAME  
Black, Asian and Minority Ethnic

against other groups

4%



From OSCE HATE  
CRIME  
REPORTING:

racism and xenophobia

57.4%

Causes of  
300  
Incidents  
(violence  
against  
people &  
property,  
threats)

**criminalisation of solidarity**



xenophobic and racist political discourse has also targeted  
those civil society groups that work with migrants as a target



# RACISM AND DISCRIMINATION

"The EU rejects and condemns all forms of racism and intolerance, as they are incompatible with the values and principles upon which the EU is founded" (European Commission)

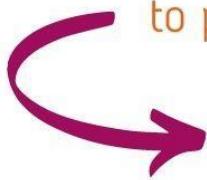
## RACISM AND DISCRIMINATION

### IN SPAIN



institutional, structural and systematic hate crimes and hate speech acts

Insecurity and fear, non-white groups, identified as those likely to perform sexual violence



rise of far-right extremist speech

after 2018

 **40%**

racist or homophobic hate crimes

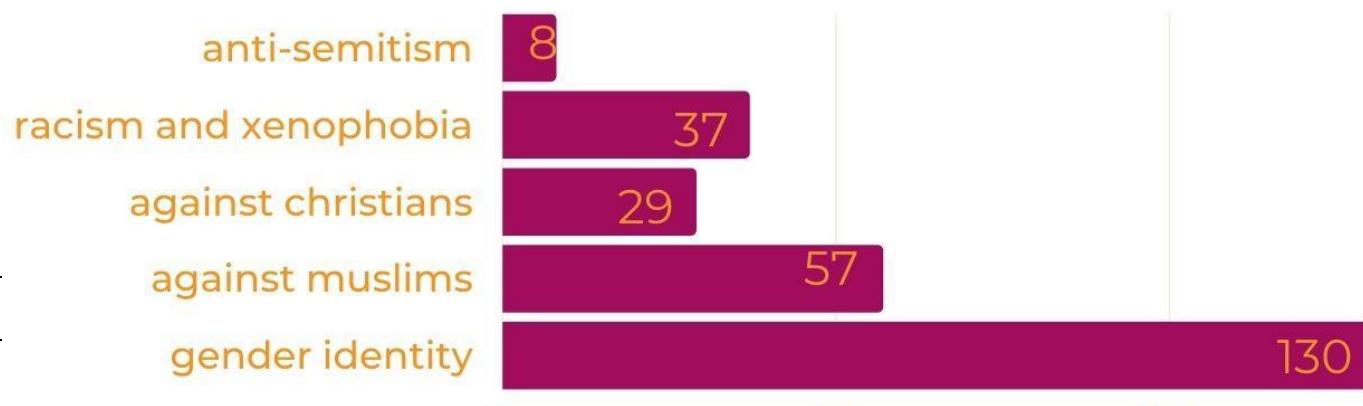
**32%**

homophobic or racist discrimination

xenophobic and racist political discourse has also targeted those civil society groups that work with migrants as a target



### From OSCE HATE CRIME REPORTING 2018:



Causes of  
240  
Incidents  
(violence  
against  
people &  
property,  
threats)

150

100

0



# RACISM AND DISCRIMINATION

"The EU rejects and condemns all forms of racism and intolerance, as they are incompatible with the values and principles upon which the EU is founded" (European Commission)

## RACISM AND DISCRIMINATION

hate crime  
increase in  
the past 6  
years:  
**123 %**

### IN UNITED KINGDOM



**21%**

**25%**  
  
Discrimination at work  
for workers with  
immigrant backgrounds

of racist harassment for BAME  
Black, Asian and Minority Ethnic

increase of far-right extremism  
in the past two years

**36%**

## From OSCE HATE CRIME REPORTING 2018:





# RACISM AND DISCRIMINATION

"The EU rejects and condemns all forms of racism and intolerance, as they are incompatible with the values and principles upon which the EU is founded" (European Commission)

## RACISM AND DISCRIMINATION

### IN HUNGARY



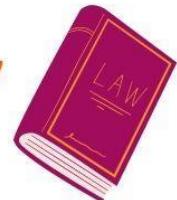
# 2015



Prime Minister Viktor Orbán turned the issue of **migration** into a major political campaign issue.

A **fence** along the **border** with Serbia was built.

The legal apparatus offers a good level of formal protection in principle against racism, xenophobia and related intolerance  
**but it's not effectively implemented**



limited awareness & lack of acknowledgement of the extent of these phenomena

against muslims

7.4%

### From OSCE HATE CRIME REPORTING 2018:

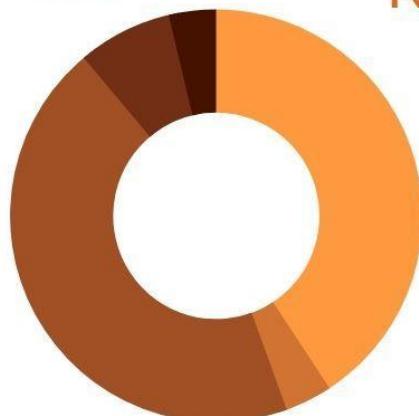
racism and xenophobia

40.7%

Causes of 25 incidents (violence against people & property, threats)

anti-semitism

44.4%



against sinto and roma

3.7%



## 8. Disability and discrimination in Europe: an overview

### Starting point

When talking about discrimination against people with disabilities, we must start from the idea that it is a dynamic process<sup>55</sup>. From this foundation, it is argued that a person's disability comes from the environment, since that is where the barriers appear, which prevent the normal development of people within it. Along these lines, the United Nations Convention on the Rights of Persons with Disabilities (2006) stated that "disability is an evolving concept that results from the interaction between people with disabilities, environmental barriers and the attitude that prevents their full and effective participation in society on an equal basis with others"<sup>56</sup>. Thus, a person's level of disability will depend on the degree to which social disabilities hinder him or her in his or her daily life.

Now, understanding the starting point of the concept of disability, 4 broad types of disabilities must be generally distinguished according to the limitation assigned to them:

- **Physical disability.** Refers to the limitation derived from the decrease or elimination of motor abilities. This type of disability appears derived from spinal cord problems, traffic accidents, traumatic brain injury, medical illness that generates physical limitation, amputations, congenital malformations, or strokes.
- **Sensory disability.** It is related to the limitations generated by the deficiency in some of the senses, which makes the perception by these, not optimal or to become null. These limitations can appear in any sensory organ, although the most common give rise to visual and hearing impairment.
- **Intellectual disability.** It refers to the limitation in intellectual functioning, detected mainly by showing an IQ equal to or less than 70. That is, notorious limitations are detected in intellectual functioning, as well as in behaviours for adaptation to the environment, both social and practical. It hinders the development of autonomy and in areas such as academics and work. Like other types of disabilities, this classification includes different levels depending on their difficulties.

<sup>55</sup> European Union: The European Social Fund and Disability. URL: [https://ec.europa.eu/employment\\_social/esf/docs/br\\_disability\\_en.pdf](https://ec.europa.eu/employment_social/esf/docs/br_disability_en.pdf)

<sup>56</sup> United Nations: Convention on the Rights of Persons with Disabilities. Preamble (5). URL: <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities/preamble.html>



- **Mental or psychic disability.** It refers to the disability in which behavioural or adaptive behaviour disorders occur, which is why this category is also known as "mental illness" and "psychosocial disability".
- **Multiple disabilities.** This would include all those cases in which several types of disabilities converge simultaneously. There are many cases in which the same person has more than one disability, so they could be included in this group, considering the characteristics of each one individually.

In 2006, on December 13, it was formally agreed to the *Convention on the Rights of Persons with Disabilities*. The objective of this convention was to make life easier for people with disabilities, based on human rights, freedoms, and equality of all. The importance of this document focused on its ability to protect and reinforce the rights of the nearly 650 million people with disabilities that exist worldwide. Among these rights, reference is made to autonomy, non-discrimination, and participation in society from, among others, equal opportunities, and accessibility.

## The vision of disability in Europe: politics and society

When talking of disability at the European level, we must keep in mind that, including both mild and severe disabilities, it refers to a total of 80 million people, which implies one in six people on the continent<sup>57</sup>. In addition, the data has shown that difficulties are increased for access to work when the job seeker is a person with a certain type of disability. This has resulted in this group registering a poverty rate 70% higher than the average<sup>58</sup>.

Although it is true that there are regulations aimed at creating improvements in the quality of life of people with disabilities, two different views can be distinguished. On the one hand, the policies that fight for the equity of all people, regardless of their abilities; and on the other hand, the generalised vision of society in this regard.

It can be highlighted that we are currently in the final period of the "European Disability Strategy 2010-2020: A Renewed Commitment to a Barrier-Free Europe", focused on the 120 million people estimated to be on the continent by 2020<sup>59</sup>. In it, a series of objectives are

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<sup>57</sup> Eurostat (2002): European Union Labor Force Survey (LFS AHM). Ad hoc modules. Employment of people with disabilities.

<sup>58</sup> Eurostat: Statistics on income and living conditions in the EU (SILC). URL: <https://ec.europa.eu/eurostat/web/microdata/statistics-on-income-and-living-conditions>

<sup>59</sup> European Union: Conclusions of the Council of the European Union and of the representatives of the Member States, meeting within the Council, on access to sport for people with disabilities (2019/C 192/06). URL: [https://eur-lex.europa.eu/legal-content/ES/TXT/PDF/?uri=CELEX:52019XG0607\(03\)&from=EN](https://eur-lex.europa.eu/legal-content/ES/TXT/PDF/?uri=CELEX:52019XG0607(03)&from=EN)



established related to the most relevant issues, related to people with disabilities and their development in society. These objectives include areas such as accessibility, participation, equality, employment, education and training, social protection, health, and foreign action. (The latter refers to the promotion of the rights of people with disabilities in actions outside the European Union).

This strategy aims to make the most of the possibilities offered by the Charter of Fundamental Rights of the European Union, the Treaty on the Functioning of the European Union and the aforementioned United Nations Convention on the Rights of Persons with Disabilities, as well as the Europe 2020 Strategy. Thanks to these documents, the training of people with disabilities for full participation in society is promoted, under conditions of equality with the rest of the citizenry. At the same time, efforts are being made to involve the institutions of the European Union and the Member States to collaborate in the development of building a Europe without barriers.

Thus, even though we are in a context in which there are policies and movements that seek the full participation of all citizens, the data that shows the still existing discrimination towards people with disabilities should not be ignored. In this regard, the Eurobarometer data "Discrimination in the EU in 2012" of the European Commission, showed widespread discrimination on the continent on the basis of disability. More exactly, 46% of the population at European level considers it this way, compared to 40% in Spain.

In the past year 2019, a Eurobarometer was conducted where the most relevant data at a European level related to the population with disabilities and the policies raised from years ago were analysed. From there, a series of conclusions have been drawn that are of special interest regarding the perception of discrimination that people with disabilities still suffer. Among these conclusions, statements such as the fact that disability and illness are mentioned on numerous occasions as reasons for not participating in sports and physical activities can be highlighted. It has also been found in sports a key element for the inclusion of people with disabilities. Other information extracted from this document is the greater possibility of facing socioeconomic levels in disadvantaged positions, such as poverty, social isolation, more limited access to the labour market and transportation, etc. In the labour market, 41% of the European population has considered that having a disability is a disadvantage to being hired.

At the European level, the groups that have been classified as the population with the highest discrimination due to disability are: women (47% vs. 41% men), people between 15 and 24 years old (51%) or those who have suffered discrimination for one reason (53%) or several (64%).



## Attitudes and discrimination towards women with disabilities

There are, in many areas of daily life, a series of prejudices and stereotypes referring to certain groups of people such as women or people with disabilities.

These stereotypes are formed based on what the sociocultural context promotes at various times, they are socially constructed over time and the context in which people live and interact. As socially constructed stereotypes, they do not objectively reflect the reality of the people to which they refer, but rather attribute to these a series of characteristics, limitations, capacity, roles, and values that are arbitrarily assigned.

In relation to women, for example, the United Nations (2014) refers to the existence of social attitudes, according to which women and girls are considered to be in a situation of discrimination with respect to men.

In the case of women with disabilities, the woman-disability binomial acquires a decisive weight when it comes to explaining the greater degree of stigmatisation that they suffer. They are expected to fulfil the socially constructed roles of women, however, given the stereotypes associated with disability, they are seen as dependent, childish and in need of care, which prevents them from fulfilling those established roles. In this way, these parameters make women with disabilities asexual, eternally childish and unproductive. (Mañas, 2009).

The United Nations (2014) alludes to the existence of harmful practices that are carried out directly or indirectly and that affect adult women and are rooted in gender attitudes and stereotypes. It also emphasises the gender dimension, power imbalances, inequalities, and discrimination, perpetuating the widespread existence of practices that often involve violence or coercion. Thus, it also draws attention to the fact that discrimination based on sex and gender intersects with other factors that affect women and girls, particularly those who belong to disadvantaged groups and therefore run more risk of being victims of harmful practices, such as women and girls with disabilities.

In the specific case of women and girls with disabilities, practices such as sterilisation and forced contraception, genital mutilation, sexual exploitation, sexual abuse, institutionalisation or economic exploitation are observed (United Nations Committee on the Rights of Persons with Disabilities, 2016).

Stereotypes will also have an important influence on the perception that the person in question has of herself, thus shaping her identity and the construction of his self-concept by incorporating the attributed characteristics.

For women with disabilities, the fact that they are outside the canons of beauty and success and the socially imposed gender roles, as well as the internalisation of stigmas assigned since



childhood, can lead to a decrease in their self-esteem and generate a conception of herself negative and biased for not complying with the canons imposed (Gomiz, 2017). In addition, the perception of their bodies can acquire special relevance in women, and women with disabilities can feel different, which entails significant suffering, as the women themselves say.

Different studies and initiatives have long helped to identify negative stereotypes and their objectification in situations of discrimination, specifically towards people with disabilities. Furthermore, when people with disabilities have revealed how disability is a social construction that has evolved over time and have championed the change in the understanding model of it, from the so-called medical models to current social models and rights. There have also been a lot of work from institutions, associative movements, people with disabilities and researchers, which have led to proposals to address the discrimination found, which have been reflected in policies and action plans whose implementation has contributed to improve the living conditions of these people.

We also have multiple initiatives, feminist movements, actions and studies that have contributed to making the role of gender visible as a cultural stereotype, created in a culture and context dominated by the masculine gender, which attributes women characteristics of inferiority and submission to men.

All these initiatives and studies, in the field of disability and in the field of gender studies, allow us to have an approximation to the situation of women with disabilities since they are part, albeit timidly and sometimes marginally, of both types of initiatives.

There are few and recent studies directed at this specific group and focused on double discrimination, but it is encouraging to find women with disabilities who are organised and proactive in defending their rights and developing proposals to eliminate specific forms of discrimination that affects them and that have been forgotten for a long time. The work carried out by the movements of women with disabilities is reflected, among others, in the Second Manifesto on the Rights of Women and Girls with disabilities in the European Union (European Disability Forum, 2011). In these documents, for the first time, the need to carry out studies that contemplate the interaction of different forms of oppression is raised: being a woman and having a disability. This interaction is observed in the difficulties in accessing information and training, in having the necessary support according to their specific characteristics and conditions, in decision-making capacity, in control of their own lives and in the search for satisfaction in the different areas of life: education and training, employment, participation in artistic, cultural and sports activities, in activities of citizenship and community life, social activism, social relations, affective-sexual relations, family relations, motherhood, health and well-being. Only by knowing and understanding these experiences of women with disabilities, we will be able to become aware and identify the situations, relationships and shapes, subtle and not so subtle, of double discrimination to



which these women are exposed and make them more vulnerable to experiencing abuse, negligence, violence (by action, omission, physical, psychological or institutional) and violation of fundamental rights.

Since women with disabilities are a broad and internally diverse group, it is important and necessary, as reflected in the Convention on Persons with Disabilities (United Nations, 2006) and the Convention on the Elimination of All Forms of Discrimination against women (United Nations, 1997), that in studies on women with disabilities, incorporate an intersectional analysis, which allows identifying discrimination based on the type of disability, the economic situation, ethnicity and other variables such as the scope of housing (rural or urban) that interact and add to discrimination based on gender and disability.

#### **Women with disabilities as subjects of rights: gender perspective in legislation**

As already mentioned, being a woman and having a disability implies having a special vulnerability and living experiences of discrimination for both reasons. For this reason, special attention and protection of the collective is necessary. In this sense, there are two main instruments to protect the rights that affect them and that are mandatory in the countries that have ratified it. These two instruments are the ones that will be exposed next.

#### **Convention on the Rights of Persons with Disabilities**

The Convention on the Rights of Persons with Disabilities is a mandatory treaty that applies to all persons with disabilities and, therefore, to women with disabilities. With respect to these, the Convention explicitly recognises in the preamble that "*girls and women with disabilities are often at increased risk, outside and inside the home, of violence, injury or abuse, abandonment or neglect, abuse or exploitation and underlines the need to incorporate a gender perspective in all activities aimed at promoting the full enjoyment of human rights and fundamental freedoms by persons with disabilities*" (United Nations, 2006).

In addition, this convention recognises the greater vulnerability of women with disabilities, so it dedicates a full article to them in which it is established that the States that are part of the convention must recognise that women and girls with disabilities experience multiple forms of discrimination and, for this reason, they have to commit to adopt the necessary measures to ensure that women with disabilities fully and equally participate in all human rights and fundamental freedoms. They also commit to take the necessary measures to ensure the participation of women with disabilities and to develop in all areas of social, political and community life.

This convention also emphasises that gender equality is essential in the context of human rights and, therefore, recalls that in order to guarantee the human rights of women, a broad



understanding of the social structures and power relations that shape laws and policies, as well as the economic, social, family and community life dynamics, and cultural beliefs.

#### **Convention on the elimination of all forms of discrimination against women**

The Convention on the Elimination of All Forms of Discrimination against Women (United Nations, 1997) entered into force in 1981, and is another legal defence instrument applicable to the defence of the rights of women with disabilities. It condemns discrimination against women in all its forms and expresses the commitment of the State Parties to continue with all means, policies aimed at eliminating discrimination against women.

The convention compels all participating State Parties to ensure the full development and advancement of women with the aim of guaranteeing the exercise and enjoyment of human rights and fundamental freedoms on equal terms with men, and to take the necessary measures for the elimination of discrimination in areas of life related to employment, education, health, economic life, social, cultural, sports, etc. It also refers to the elimination of all stereotypical concepts related to the allocation of male and female roles. However, it is important to mention that in this convention no reference is made to the group of women with disabilities.

#### **Condition of women with disabilities regarding discrimination, marginalisation, violation of rights and violence**

Despite the existence of international instruments that are binding on member States, in defence of the rights of women and people with disabilities, the World Health Organisation continues to warn about the probability that women and girls with disabilities experience this double discrimination, gender violence, abuse and marginalisation.

As a result, women with disabilities often face greater disadvantages compared to men or women without disabilities. Some of the factors that directly influence this disadvantage of women with disabilities, point to the multiple barriers they must face in accessing care, education, employment, social services, home services, and transportation.

Analysis by the Committee on the Rights of Persons with Disabilities on Women and Girls with Disabilities (United Nations Committee on the Rights of Persons with Disabilities, 2016), indicates that there is strong evidence showing that women and girls with disabilities face obstacles in most areas of life and that these obstacles generate situations in which there are multiple and intersectional forms of discrimination against them.



It is further noted that these forms have to do with access to education, economic opportunities, social interaction and justice, equal recognition as a person before the law and the ability to participate in political life and exercise control over their own lives in diverse contexts such as health care, including sexual and reproductive health services, and decision about where and with whom they want to live. It also highlights that women and girls with disabilities have more problems being discriminated than men and boys with disabilities.

The committee also indicates that international laws and policies on disability have historically neglected aspects related to women and girls with disabilities and that laws and policies related to women have also ignored disability in general.

In this way, women with disabilities are in situations in which various reasons or factors, such as sex and disability, among others, interact at the same time, so that they are inseparable and lead to complex and specific situations of discrimination.

Although women are a diverse group, based on all the aforementioned, it is necessary to warn about the need to take this into account, since the interaction of various variables leads to situations of increased discrimination based on the complex of interactions (United Nations Convention on the Rights of Persons with Disabilities, 2016).

This committee highlights three main reasons of concern regarding the protection of human rights:

- Violence
- Sexual and reproductive health and rights
- Discrimination

In its concluding observations, the Committee expressed concern about the prevalence of multiple and intersectional discrimination against women with disabilities. In other words, discrimination suffered by women with disabilities due to their gender, their disability and other factors that are not adequately addressed in laws or policies, such as the right to life, equal recognition as a person before the law, persistence on violence against women and girls, including sexual violence and abuse, forced sterilisation, female genital mutilation, economic exploitation, institutionalisation, exclusion and insufficient participation of women with disabilities in the process of participation in decision-making, in public life and in politics, the absence of a gender perspective in disability policies, the absence of a disability perspective in policies that promote gender equality and the lack of measures to address the employment and education of disabled people (United Nations Convention on the Rights of Persons with Disabilities, 2016).

In this sense, it can be affirmed that the fact that women with disabilities experience more oppression than men, especially as age increases, is not only due to biological conditions, but due to the interaction of these situations and experiences of discrimination related to the inability to make decisions about their own lives and the paternalism with which they live, the



lack of information and the lack of autonomy in decision-making in their daily lives (Gomiz, 2017).

As previously discussed, the story of women with disabilities is also a story of resilience. Certainly, despite the existence of situations of discrimination, exclusion, lack of visibility, violation of rights, and violence against them, many of these women are already organised in active movements and determined to fight to defend their rights. From the work carried out by these women's groups, many proposals and approaches have emerged to advance in the improvement of their living conditions, which are detailed, among others, in the Second Manifesto of the Rights of Women and Girls with Disabilities of the European Union (Women's Committee of the European Forum on Disability, 2012).

On the other hand, through their increasing participation in public and private spheres, they are making important contributions and proposals to achieve the goals necessary and widely shared by humanity for the development of a richer, fairer, more egalitarian and sustainable society.



## Discrimination due to disabilities in the partner countries involved in Escape Racism project

### Italy

According to the Committee on the Rights of Persons with Disabilities and the report issued for observations towards Italy in 2016, it is reflected how a medical definition of disability continues to be maintained, which is not related to the definition proposed by the committee itself and does not comply with binding legislation at both the national and regional levels.

It also notes with concern the lack of consultation with persons with disabilities through their representative organisations and the fact that the National Observatory on the Situation of Persons with Disabilities is not a permanent advisory body. It is also concerned that contributions from organisations of persons with disabilities are not prioritised, giving equal treatment to the views of all stakeholders and thereby limiting the contributions of persons with disabilities, including those of women and children, in direct decision-making processes.

Neither women nor girls with disabilities are included in gender equality plans and programs. Furthermore, the data for the whole country on the number of children with disabilities between 0 and 5 years of age, disaggregated by age, disability and sex, do not have a sufficient scope and degree of detail to understand the situation of these children. Thus, there is a need for immediate improvement in data collection to ensure early detection and intervention and timely delivery of services to all children with disabilities, especially in the 0-5 age group. In the policy framework to face poverty of children with disabilities it is insufficient and there are no monitoring mechanisms.

In general, there is a lack of effective and adequate measures to promote the capacity of people with disabilities, as well as a lack of measures to combat stereotypes and prejudices through public awareness campaigns and the use of the media.

Finally, it highlights the insufficient information on complaints and supervision regarding accessibility standards, in the use of public procurement, among other things, and the lack of application of the rules and sanctions in the event of non-compliance.

### Community inclusion

There is a trend towards the institutionalisation of people with disabilities who are in a situation of dependency and that there is not an adequate economic redistribution to guarantee that people with disabilities have an autonomous and independent life within their



own community. In this sense, it is highly recommended to include the figure of personal assistance to specify this right.

### **Education**

In the educational system there are a series of cares and limitations that hinder the active participation and enjoyment of the right to education of children with disabilities. There is attention to resources for inclusive education within classrooms and that guarantees access to universal education at all educational levels. There are also no adapted learning materials, which hinders the quality of education and learning for children with disabilities. It would also be necessary to include sign language interpreters in schools if necessary.

### **Healthcare system**

The Committee for the Rights of Persons with Disabilities reported in 2018, on the lack of physical accessibility, as well as information on the general sexual and reproductive health services, including discrimination and stereotypes that mainly affect women and girls. It urges the Italian State to incorporate sexual and reproductive health services, as well as provide the necessary training to professionals on the rights of people with disabilities. Also, of concern is medical treatment given without the person's free and informed consent, including sterilisation.

### **Labour market**

Unfortunately, despite progress in the legislative field, people with disabilities continue to experience much higher unemployment rates than the rest of the population. Therefore, we can affirm that in Italy, despite some virtuous cases of companies that are inclusive and accessible to workers and clients with disabilities, the attitude of the business world to disability remains somewhat prudent and cautious. In addition, in the academic framework there are agreements and studies on social inclusion of people with disabilities that must begin to be implemented since they have not been put into practice.



DECLARED PROFESSIONAL CONDITION	Presence of disabilities	
	No	Yes
Employed	45.2	3.7
Seeking employment	10.6	2
Housewife-husband	13.2	31.2
Withdrawn from work	20	51.7
Other condition	10.5	2.3
Unable to work	0.5	9.1
<b>Total</b>	<b>100</b>	<b>100</b>

From: Istat<sup>60</sup>

The Italian legal framework regarding the labour market for people with disabilities begins with Law 68 of March 12, 1999, which establishes the regulation on the right to work of people with disabilities. Despite being enacted 16 years after its approval, Law 68/99 still faces problems for its implementation. It shows how companies do not fulfil their obligations regarding the hiring of people with disabilities, preferring to be sanctioned. In this sense, for the labour inclusion laws to have a positive effect, incentives must be introduced for workers as well as for companies that allow the adaptation and adjustment of the workplace.

## United Kingdom

Although the WHO (World Health Organisation) defines disability as "a restriction of the operation of an activity, caused by a deficiency, in the form or within the scope considered normal for the human being". Within this utilitarian model, disability has a pathological origin and, for a long time, there have been numerous oppositions from social organisations defending people with disabilities, as in the case of the Union of the Physically Impaired Against Segregation, from the United Kingdom, which since 1976, insists on taking into account a social model of disability, which values the difficulties that society imposes on people with disabilities for their integration.

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<sup>60</sup> <https://www.istat.it/en/>



However, the policies that have been carried out in the country hinder the full integration of this group, as can be seen through the following data published by the United Nations Development Program (2018):

- Approximately one and a half million people with disabilities live in poverty.
- 32% of people with disabilities live in a household in a situation of poverty compared to 17% of citizens who are in that group.
- At the employment level, 20% of working-age citizens living in the UK have a disability, and of these, half are unemployed. This figure is higher than that of unemployed people without disabilities which stands at 17,8%. In addition, 35% of workers with some type of disability have lower-paying, part-time, or temporary jobs.

This data is also directly related to situations of violence experienced by people with disabilities, of people who are in an age range between 16 and 34 years, 39% of people with disabilities have experienced situations of violence compared to 28% of people without disabilities.

Regarding the youngest, there are 800,000 children with disabilities in the United Kingdom, of whom 31% have ever felt discriminated against.

### **Barriers to accessing inclusive education**

In late 2017, the UN Rights Committee recommended that the United Kingdom stop establishing a segregated education system that places children with disabilities in special schools. Furthermore, the training of teachers in inclusion skills does not reflect the requirements of an inclusive education. In this sense, it is necessary to promote inclusive education in classrooms, and provide training for teachers.

### **Limitations in medical care**

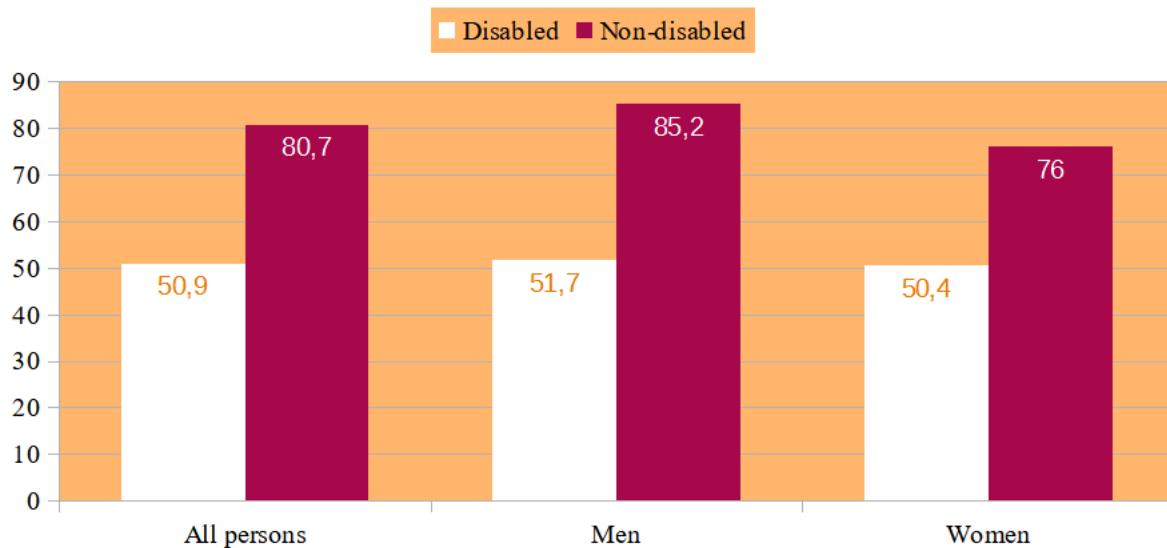
In the United Kingdom, people with disabilities experience difficulties in accessing optimal health resources despite being one of the groups that need it most. Because of this, people with disabilities in the United Kingdom report having less satisfaction with healthcare than the general population. Some of the barriers that arise are: structural issues related to physical access into buildings and a lack of transportation, financial barriers, including the affordability of medicines, cultural and attitudinal barriers such as misconceptions about disability, and disabled people feeling that their needs are not understood. In this sense, it is necessary to readjust the services necessary to understand the needs of the group, as well as the need for a health intervention from a multidisciplinary approach, in order to correctly cover the health needs of the group. This is how in 2010 the Equality Act 2010 was carried out.



### Lack of inclusion in the open labor market

In 2018, 50.9% of people with disabilities aged between 16 and 64 years old had a job, while people without a disability had an employment rate of 80.7%. The employment rate is similar for both men and women, as can be seen in the following figure:

**Percentage of employed people by sex and disability status in UK in 2018**



From: Office for National Statistics UK

In addition, people with disabilities were more likely to be economically inactive (44.3%) than people without disabilities (16.3%). The data also shows that employed people with disabilities had 12.2% lower income than people without disabilities.

### Spain

There are different studies showing that at the year of 2016, the number of unemployed people with disabilities has increased during the last 10 years more than 200%.

Social prejudices related to the disabilities means people with disabilities are excluded, because many of them are automatically tagged as “non-valid”. This affirmation is based on the State Disability Observatory, where it is confirmed that in Spain there are almost a million



and a half people in poverty risk with one of the reasons being the difficulty in accessing the labour market. More than half of the population with disabilities of working age don't have the opportunity to work, so they don't have the tools for stopping poverty and exclusion. Also, more than half of the people that work, also lack benefit income, making their daily life a matter of survival.

It was published in the Labour Atlas of People with Disabilities in Spain report that in 2012, the rate of people with disabilities at risk of poverty in Spain was about 15.8%. This rate put Spain in the last Europe positions, only before Greece and Romania. However since 2016, the gap of the poverty and social exclusion risk between people with and without disabilities has been reduced more than 8 points.

Public spaces are where people who suffer discrimination feel it most. It should also be noted that the Eurobarometer studies have highlighted that Spain is among the most inclusive countries on the continent, having applied important political initiatives, as well as based on the social perspective expressed by the interviewees of the study. In percentages, this situation can be seen in that 59% of the Spanish population considers disability discrimination "rare", while the European average is 51%. Despite this data, 37% of the Spanish population considers that disability is a disadvantage when a company has to choose between two or more candidates with equal skills and qualifications.

On the other hand, it is important to highlight that in 2019 for the first time people with disabilities could enjoy their right to vote in the state elections, showing an important step up in the human rights of equality.

One of the key difficulties that explains the unsuccessful completion of educational inclusion in Spain is undoubtedly the lack of specialised support resources in ordinary settings. Despite the fact that the experience in other social settings such as that of inclusion in employment or leisure, shows us the effectiveness of the involvement of representative organisations of people with disabilities and their families, there are very few autonomous communities that contemplate the participation in the classroom of support specialists from these organisations, limiting this "external specialised advice". Another key element for inclusion focuses on *capacitismo*<sup>61</sup> that dominates the evaluation criteria and therefore the obtaining of degrees. Despite the fact that there are enough references in the state and regional legislation about the flexibility of the evaluation criteria and the possibility of curricular adaptation, and that they place the aim of the educational system beyond the mere acquisition of knowledge, reality shows us that only the latter justifies obtaining a basic qualification for success in the labour market. The difficulties related to the teaching staff and, in general, to the staff that currently support the ordinary education system, which in

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<sup>61</sup> <https://blog.handtalk.me/capacitismo/>



some cases suffers from a lack of training and awareness with educational inclusion, are also fundamental.

#### **Healthcare system**

It is necessary that the health laws have the specificity of people with disabilities, guaranteeing their right to enjoy the highest level of health without discrimination on the basis of disability and ensuring equal access for people with disabilities to gender-sensitive health services, including health-related rehabilitation. For this, it is necessary to broaden the traditional priorities of public health, which has been mainly oriented towards primary prevention and had relatively little concern with health promotion and the prevention of diseases and secondary conditions in people who already have a disability. The specific needs of those groups of people with disabilities in which other factors that increase vulnerability, and that cause them to encounter additional difficulties in exercising their rights, must be considered. These include women with disabilities, children with disabilities, people with mental illnesses and disorders, people with severe disabilities, people with intellectual disabilities who have very significant limitations in intellectual functioning, people with disorders of the spectrum of the Severe level autism, people with severe brain damage, immigrants with disabilities, and people with disabilities living in a rural environment.

Furthermore, it is essential to decisively address the improvement of the availability, quality and effectiveness of rehabilitation resources and benefits. The continuity, for as long as necessary, of rehabilitation treatments must be ensured, especially in those diseases that need permanent rehabilitation in order to prevent the progression of pathologies or injuries and to preserve, where appropriate, and enhance capacities that remain.

#### **Inequality in access to work**

In Spain, the high unemployment rates of people with disabilities, especially women, are concerning. According to the Statistics National Institute, 34.5% of officially recognised persons with disabilities were active, 0.5 points less than in 2017. This activity rate was 43.1 points lower than that of the population without disabilities. The unemployment rate for the group was 25.2%, with a decrease of 1.0 points compared to 2017. This rate was 10.1 points higher than that of the population without disabilities. The employment rate of people with disabilities was 25.8% (65.9% for people without disabilities), with a decrease of 0.1 points compared to 2017. 88.7% of those employed were salaried and the 73.3% among them had an indefinite contract. In 2018 there were 1,899,800 people with disabilities of working age (from 16 to 64 years old), which represented 6.3% of the total population of working age. Of this number, 654,600 were active. Within this active population with disabilities, a higher percentage of men was observed, with the majority being aged 45 to 64 years, and less representation of people with higher education than in those without disabilities.



## Hungary

Regarding the discrimination derived from the disabilities in Hungary, there are some points that express the good direction of the society and some others that shows how many aspects should be improved.

Related to the school system, there is a well-developed training program for experts in complex needs assessment that has been accredited and which is a precondition for participating in a qualification course outside of the school system. Also, special education needs as a status include the provision of special education services (e.g. special curricula, teaching materials and teaching tools, special education with pedagogical specialists), and provisions in the school system (e.g. smaller classes, exemptions, alternative exams; as well as school catering discount, school book support, travel reimbursement).

After that, in adult life, the classification of disability and the changed work capacity are more common and involve a larger number of people. One option is a certificate of disability or changed working capacity (this would be an official decision). With this, on the basis of the classification of disability, the applicant can receive the disability allowance for which he receives an official ID card.

In July 2007, Hungary ratified the United Nations Convention on the Rights of Persons with Disabilities. It is working to ensure that Hungarian laws and codes comply with the Convention. However, the accessibility for people using a wheelchair is not always a reality and many employment opportunities are limited for them. Also, it has to be known that the law fights against discrimination through people with disabilities, so employers have to guarantee that workers with disabilities are not disadvantaged because any physical feature of the workplace. Any kind of discrimination can be reported to the Authority of Equal Treatment.

Another example, from the United Nations Congress 2013, determined that discrimination based on disabilities had not been eliminated and the obligation to guarantee the rights of people with disabilities was not respected, including the vote right, from an equal point of view as for the rest of the citizens. In these studies, some Hungarian authors with intellectual disabilities claimed to be victims of an infringement from Hungary related to the rights included in the Convention on the Rights of People with Disabilities. In this claim, it was remarked that once a person with disability starts to be under tutelage, some court decisions are deleted. For example, the right to vote. In this respect, the Hungarian electoral law of 2013 says that the tribunals have to determine if a person with intellectual disability can vote or not at the elections. The law decrees that "due to his/her psychic state, intellectual disability or addictions, the tribunal can exclude those people whose capacity to vote is



reduced or void". Almost 50.000 Hungarian people are affected by this law and cannot participate in the elections because of it.

On the other hand, there is some help focused on improving the quality of life of people with disabilities, like the supportive houses. Since 2013, there are many people in Hungary that use this service, almost 265 in 2015.

Below it is listed a series of data on the limitations experienced by people with disabilities in Hungary:

- Underdeveloped social and community services

Indicates a lack of accessible housing and the lack of programs to adapt existing housing. In addition, there is a lack of orientation towards people with disabilities about the possibilities of accessing social housing, therefore increasing the risk of being left homeless. This especially affects people with intellectual disabilities, as they lack support to purchase a home outside of institutions. 25% of the institutionalised population are people with intellectual disabilities, so there is an over-representation of this group.

- *Barriers to accessing inclusive education*

72% of people with disabilities are part of general education, which is a very positive fact, however, there are still segregated classes and schools for children with disabilities within conventional schools. In addition, there are deficiencies in the adaptation of the modes of transport used to reach the schools.

- Limitations in medical care

There is inaccessibility in most health care centres, thus the few possibilities of receiving mental health support outside of hospitals and psychotherapy are not included as a public health resource, so it especially affects people with mental disabilities. In addition, there is very little training on disability for health professionals.

- Lack of inclusion in the open labor market

People with disabilities face problems with access to the labor market. 26% of people with disabilities in Hungary have part-time jobs, also their income is also reduced compared to people without disabilities. In addition, 52% of people with disabilities say they have trouble ending the month with optimal income. It is also important to highlight that 41% of disabled people in Hungary do not have the purchasing power to face unexpected expenses.



# DISCRIMINATION AND DISABILITY

The purpose is to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities and to promote respect for their inherent dignity." (Art 1 - UN Convention on the Rights of Persons with Disabilities ratified by EU in 2011)

## DISCRIMINATION AND DISABILITIES IN EUROPE



### GROUPS WITH THE HIGHEST DISCRIMINATION DUE TO DISABILITY



### LIMITATIONS OF PEOPLE WITH DISABILITIES:

#### Social isolation

70% more poverty than the rest of the population

Limited access to sport

Limited access to the labor market

Limited access to transportation

Health systems poorly adapted

Limited access to inclusive education

Low participation in sociocultural activities



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## DISCRIMINATION AND DISABILITIES

### IN SPAIN



#### POLITICAL PARTICIPATION

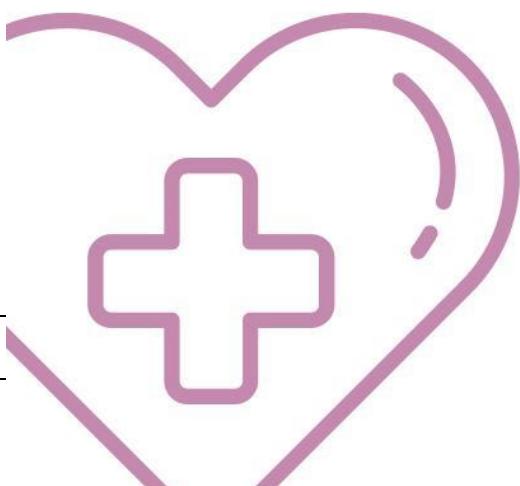
2019

was the first time that people with disabilities voted in the elections.

#### HEALTHCARE SYSTEM

**Health laws** do not contain specifications on people with disabilities.

Limitation on rehabilitation resources



#### LABOR MARKET

37%

of the Spanish Population considers that disability is a disadvantage for hiring in companies.

In  
2018

unemployment was

**65.9%**

for people with disabilities.



#### EDUCATION

Lack of qualified external personnel in general education.



Evaluation criteria not adapted in general education.



Segregated schools for children with disabilities and without disabilities.



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## DISCRIMINATION AND DISABILITIES

### IN ITALY



#### COMMUNITY INCLUSION

#### INSTITUTIONALISATION of people with disabilities.

Few resources to guarantee an independent and

#### AUTONOMOUS LIFE.

#### Lack of measures to combat STEREOTYPES AND PREJUDICES

through public awareness campaigns and the use of the media.

#### ISTAT INFORMATION FOR 2017

9.3%

of people with disabilities take part in social life (go to cinemas, theatres, concerts or museums)

9.1%

practice sport regularly

31.5%

of schools don't have any physical barrier

31.5%

of people with disabilities are satisfied with their own life - compared to 44,5% in the whole Italian population



#### LABOUR MARKET

45.2%



of the population with disabilities has no job.

Companies do not fulfil their obligations regarding the hiring of people with disabilities.

#### EDUCATION

##### LACK OF:

- adapted learning materials
- qualified external personnel in general education.



Voters in Italy, who would like to be accompanied to the polling station by a relative must first register with the municipal electoral office as a person with a permanent disability



No political parties produced their manifestos in accessible language for the European parliament election in 2014



# DISCRIMINATION AND DISABILITY

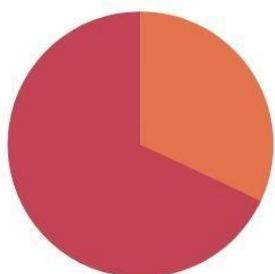
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## DISCRIMINATION AND DISABILITIES

### IN UNITED KINGDOM



#### HIGH LEVELS OF POVERTY



32%  
of people with  
disabilities live in a  
household in a  
situation of poverty

Half million people with disabilities live in  
poverty.



#### EDUCATION

Segregated education system for children  
with disabilities and without disabilities.

Poor teacher training in inclusion.

#### LIMITATIONS IN MEDICAL CARE

Limited access to optimal health resources

Financial barrier to access medicines.

Lack of understanding of health personnel about  
the needs of people with disabilities

#### LABOUR MARKET

##### IN 2018

**50,9%.**

of people with disabilities between  
16 and 64 years old had a job, while  
people without a disability had an  
employment rate of

**80.7%**

**35%**

of workers with some type of  
disability have lower-paying, part-  
time or temporary jobs.

**44.3%**

People with disabilities are more  
likely to be economically inactive:

**800,000**

children with disabilities in the  
United Kingdom, of whom 31% have  
ever felt discriminated against.

Employed people with disabilities  
had 12.2% lower income than people  
without disabilities.

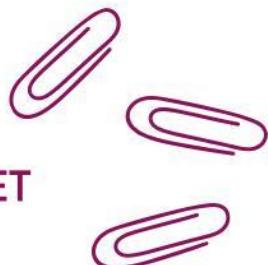


# DISCRIMINATION AND DISABILITY

The purpose is to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities and to promote respect for their inherent dignity." (Art 1 - UN Convention on the Rights of Persons with Disabilities ratified by EU in 2011)

## DISCRIMINATION AND DISABILITIES

### IN HUNGARY



#### SOCIAL AND COMMUNITY SERVICES



**24%**

of the total institutionalized population are people with intellectual disabilities.

Lack of guidance for access to living.

#### LABOUR MARKET



**26%**

of people with disabilities have part-time jobs.

**52%**

have trouble ending the month with optimal income.



**41%**

do not have the purchasing power to face unexpected expenses.

#### EDUCATION



**72%**

of people with disabilities are part of general education, however, there are still segregated classes and schools for children with disabilities within conventional schools.

About the Political Participation, almost

**50K**

people with disabilities can't participate in the elections



## 9. Bullying and discrimination in Europe: an overview

### Notion and process of bullying

According to the Cambridge Dictionary bullying means: “the behaviour of a person who hurts or frightens someone smaller or less powerful, often forcing that person to do something they do not want to do”<sup>62</sup>. The dictionary also mentions that bullying is often a problem in schools and in workplaces, it is also very common on online platforms. Bullying is an ongoing and deliberate misuse of power in relationships through repeated verbal, physical and/or social behaviour that intends to cause physical, social and/or psychological harm. Single incidents and conflict or fights between equals are not defined as bullying.

### Types of bullying

There are several understandings on the categorisation of bullying types but most of the research is about direct and indirect forms.

#### **Direct bullying**

Direct bullying can be considered a face to face interaction among the aggressor and its victim, it deals with the physical assault and with the direct verbal insult. Some examples of direct bullying:

- Physical bullying: hit, kick, push, spit, etc. Damage or steal personal items
- Verbal bullying: threats, mockery, slander, blackmail, insult, mocking, teasing repeatedly, inventing nicknames, making fun of, making sexually suggestive comments, etc.

#### **Indirect bullying**

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<sup>62</sup> Cambridge Online Dictionary: Bullying. URL: <https://dictionary.cambridge.org/dictionary/english/bullying>



Indirect bullying is a psychological or social aggression, which leads to isolation and exclusion, especially linked to verbal violence as spreading rumours. It is more difficult to detect because it is carried out in a very subtle way and often behind the backs of teachers.

Some examples of indirect bullying: exclude, ignore, spreading gossip, refusing to fulfil the demands of the peer.

### **Cyberbullying**

Bullying carried on through modern information technologies (e.g. social media, email, mobile phones, etc...) using videos, photographs, drawings, or chat to promote the humiliation of the victims.

Cyberbullying has a strong difference compared to the other forms of bullying because it is carried on mainly by peers. That means that the different level of power is not given by the age or the physical strength but, somehow, by the technological capability of the aggressor to produce a “content” that can reach (potentially) billions of users at the same time.

Cyberbullying does not depend on the personal characteristics, implies an insensibility toward the socially disvalued, and can become a multiplier for crimes like defamation. Due to the technological methods employed it is hard to identify the active subject (aggressor).

Some examples of cyberbullying are: cyberstalking (continual threatening and rude messages); outing (sharing personal and private information, pictures, or videos about someone publicly); masquerading (create a fake identity to harass someone anonymously or impersonate someone else to send malicious messages to the victim); impersonation (steal the virtual identity of the victim); cyber bashing/happy slapping (video of an aggression spread online).

### **Discriminatory bullying**

We can identify a broader category of discriminatory bullying that includes:

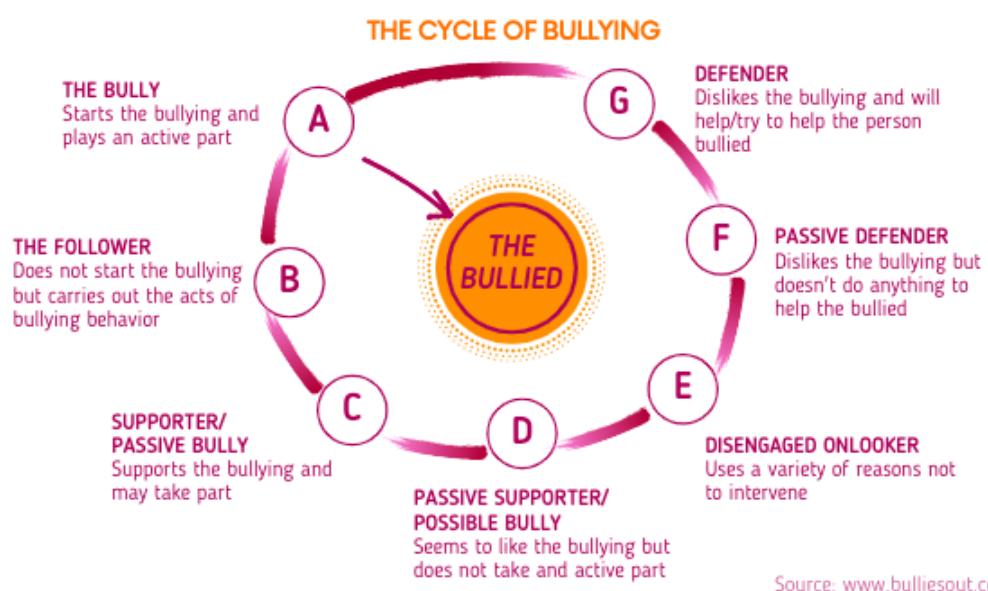
- homophobic bullying - the persecution and harassment of those considered homosexuals
- racial and/ or racist bullying - aimed at people from foreign countries
- bullying towards people with disabilities - aimed at disabled persons with physical or mental disabilities, or learning difficulties
- bullying of a sexual nature - found especially among teens, is through sexual harassment, is unwanted sexual attention (verbal, psychological and physical).



## The cycle of bullying

Bullying can involve an individual or a group misusing their power, or perceived power, over one or more persons who feel unable to stop it from happening. Bullying of any form or for any reason can have immediate, medium, and long-term effects on those involved, including bystanders and the whole community where it happens.

From: BulliesOut<sup>63</sup>



## Legislation dealing with the topic of bullying

### United Nations Convention on the Rights of the Child:

- Article 19 par. 1 "establishes the obligation for States Parties which have ratified it, in order to take all the appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child."
- Article 28 par. 2 provides that States Parties take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity.

<sup>63</sup> BulliesOut: Understanding the Bullying Circle. URL: <https://bulliesout.com/need-support/young-people/helping-someone-else/understanding-the-bullying-cycle/>



- With article 37 it is provided that States Parties should be alert that no child shall be subjected to torture or other cruel, inhumane, or degrading treatment or punishment.

#### **European legislation:**

- Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establish minimum standards on the rights, support, and protection of victims of crime<sup>64</sup>.
- Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography<sup>65</sup>.
- Directive (EU) 2016/800 of the European Parliament and of the Council of 11 May 2016 on procedural safeguards for children who are suspects or accused persons in criminal proceedings<sup>66</sup>.
- Council Framework Decision 2008/913/JHA of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law<sup>67</sup>
- Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data<sup>68</sup>.

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<sup>64</sup> EUR-Lex: Directive 2012/29/EU. URL: <http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1486939704096&uri=CELEX:32012L0029>

<sup>65</sup> EUR-Lex: Directive 2011/93/EU. URL: <http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1486939746460&uri=CELEX:32011L0093>

<sup>66</sup> EUR-Lex: Directive 2016/800. URL: <http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1486939841600&uri=CELEX:32016L0800>

<sup>67</sup> EUR-Lex: Directive 2008/913/JHA. URL: <http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1486939877073&uri=CELEX:32008F0913>

<sup>68</sup> EUR-Lex: Directive 2016/679. URL: <http://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1486939913107&uri=CELEX:32016R0679>



## Data on bullying in the countries involved in Escape Racism project

### Italy

Bullying can represent a violation of the fundamental principles of the Italian Constitution that gives to the State the task of promoting and encouraging the full development of the human person pursuant to the following principles: equality (art. 3), freedom of education (art. 33), the right to education (art. 34).

Depending on how the behaviour is expressed, violence can also be considered a violation of the Criminal Code (criminal offense). For example: beatings (art. 581), injury (art. 582), damage to property (art. 635), insult (art. 594) or defamation (art. 595), harassment or disturbance to people (art. 660), threat (art. 612), persecutory acts - stalking (art. 612 bis) Impersonation (art. 494 of the Criminal Code), when a person pretends to be another.

Bullying actions can break the rules of Private Law (tort). The legal reference for the tort is art. 2043 CC "Any malicious or negligent, which causes unjust damage to others obliges the one who committed the crime to pay compensation". The damage recognized by law and can be compensated is moral, biological, or existential.

The decree of the President of the Republic n. 249/1998 art. 4 also provides that schools should adopt their own disciplinary regulations with which you address the issues related to bullying by providing sanctioning procedures.

The Self-Regulation Code for preventing and combating the phenomenon of cyberbullying was approved by the Ministry of Economic Development, on January 8, 2014. The intervention was also considered necessary as a result of the serious current events involving youngsters.

The Italian Parliament is in the final stage of discussion and approval of the proposed law 3139 that focuses on the prevention of cyberbullying among minors.

During the years 2014 and 2015, the Italian National Institute for Statistics (Istat) conducted a detailed analysis of bullying in Italy.<sup>69</sup> The collected data is the result of an investigation that defines the phenomena of bullying starting from three conditions: intentionality, persistence over time, and asymmetry in reporting the event. Bullying consists therefore of an interaction between peers, usually characterised by an aggressive behaviour, by an imbalance of strength / power in the relationship and a temporal duration of the vexatious actions.

<sup>69</sup> Istat: Indagine conoscitiva su bullismo e cyberbullismo. URL: <https://www.istat.it/it/files/2019/03/Istat-Audizione-27-marzo-2019.pdf>



The participants aged from 11 to 17 were asked whether they have been subjected to bullying / harassment actions in the previous 12 months. Examples of bullying situations were presented to them in order to avoid the underestimation of the phenomenon. Moreover, information was collected on those who have witnessed acts of abuse and / or violence between peers and on the strategies that children consider most effective to stay out of bullying situations. More than 50% of the interviewed children confirmed they had experienced offensive or violent episodes. Another significant number of participants, the 18.8% of boys, stated they had been victims of typical bullying actions more times every month, while 20.9% of girls affirmed the same. Girls are in fact, more often victims of bullying than their male peers. Bullies usually attend the same class of their victims or, at least, the same school. Verbal bullying clearly prevails over physical bullying; 42% of the participants stated that bullies had made fun of them, around 30% suffered offenses while 23.4% of the subjects reported having suffered slanders. With regards to psychological violence, 3.4% had been subjected to isolation and approximately 11% had been threatened. Physical bullying is more frequent among boys, while verbal episodes prevail among girls and younger people.<sup>70</sup>

One of the existing bullying forms is cyberbullying, i.e. the episodes of offense / threats / violence / harassment, which occur in the virtual space of the internet. This situation is allowed by the fact that 72% of the participants aged from 11 to 17 surf the internet every day. Among the bullying victims, 22.2% also experienced cyberbullying and again girls, who use smartphones more than boys, are more exposed to such experiences. As for bullying in general, cyberbullying targets in particular younger people. For instance, among the interviewees, children aged from 11 to 13 are more likely to be victims than children aged from 14 to 17.

The study carried out by Istat also investigated the integration of scholars with a migratory background in primary and secondary education, and their experiences as bullying victims. Foreign children experience more episodes of bullying, when compared to Italians: the share of those who have experienced at least one offensive and / or violent episode by other children during the previous months is 17% higher than that found for their Italian peers.

Amongst the participants with migratory background, the ones who seem to be more "exposed" to episodes of bullying by their peers are the Filipinos (42% more than the Italians), the Chinese (32% more than the Italians), and the Indians (27% more than the Italians). The most "protected" communities are Ukrainians and Albanians.

When asked about the potential strategies to avoid bullying situations, most of the participants, especially girls, replied that reporting the events to their loved ones, such as

<sup>70</sup> Educazione&Scuola: Scuola. URL <https://www.edscuola.it/archivio/statistiche/bullismo.html>



friends or family members, is very useful to control the reactions or to better define how to behave in such situations. 65% of children think that asking for help from their parents is a positive strategy and 41% also tends to report to teachers. Moreover, a high percentage of children think that indifference can be a very effective way to protect themselves.

## United Kingdom

The Department for Education (DFE) has produced guidance for all schools, including academies and free schools, which outlines their duties towards preventing and tackling bullying in schools<sup>71</sup>.

The Education Act 2002 Section 175 placed a legal duty on maintained schools and Local Authorities to safeguard and promote the welfare of children.

Some incidents of bullying may also be a child protection issue. A bullying incident should be addressed as a child protection issue under the Children Act 1989 when there is 'reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm. These concerns must be reported to the member of staff in school responsible for child protection and then reported to the local authority's children's social services.

Section 89 of the Education and Inspections Act 2006 states that maintained schools must have measures to encourage good behaviour and prevent all forms of bullying amongst pupils. Some schools choose to include this information in an anti-bullying policy, whilst others include it in their behaviour policy. These measures must be communicated to all pupils, school staff and parents. The head teacher must follow through and adopt the policy and all students, parents and teachers should be notified of it once it has been decided.

The Independent School Standards Regulations 2012 states that the proprietor of an academy or other independent school is required to ensure that an effective anti-bullying strategy and health & safety strategy is drawn up and implemented. Under the Public Sector Equality Duty of the Equality Act 2010, schools and childcare providers must take steps to prevent and respond to discriminatory language.

Schools have the powers to intervene in bullying incidents outside of school grounds including on home-to-school transport, in the community and online. Most bullying incidents are not crimes. But some types of bullying are illegal and should be reported to the police. This includes bullying that involves violence or assault, theft, harassment, and intimidation over a

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<sup>71</sup> Gov.UK: Guidance preventing bullying. URL: <https://www.gov.uk/government/publications/preventing-and-tackling-bullying>



period of time including calling someone names or threatening them, making abusive phone calls, sending abusive emails or text messages (one incident is not normally enough to get a conviction), and anything involving hate crimes.

Some cyberbullying activities could be criminal offences under a range of different laws, including the Malicious Communications Act 1988 and the Protection from Harassment Act 1997. There have been some instances of such prosecutions in the UK.

## Spain

At national level, in Spain there are different laws on this topic. Organic Law 2/2006, of May 3, on Education and the Organic Law 8/2013, of December 9, on the improvement of the quality of education (LOMCE) establishes as an end of the education system education in the exercise of tolerance and freedom within the democratic principles of coexistence. Subparagraph (k) emphasises the need for education for conflict prevention and peaceful resolution, as well as for non-violence in all areas of personal, family, and social life, especially school bullying.

Organic Law 1/2015, reforms the Spanish Criminal Code introducing a new article which focuses on harassment.

The Law 26/2015 on the modification of the system of protection of Childhood and adolescence, assure protection against all forms of violence, including physical or psychological abuse, humiliating and degrading physical punishment, neglect, exploitation, exploitation through new technologies, sexual abuse, corruption, gender-based or family, health, social or educational violence, including bullying, trafficking in human beings, female genital mutilation, and any other form of abuse.

The Royal Decree 275/2007, of 23 of February, by which the State Observatory of the School Coexistence ("convivencia") is created.

In Spain, the education competences are each one of the 17 autonomous communities of the Spanish State, so in addition to laws and action plans at national level, there are laws and protocols in each autonomous community. The Valencian Community was the advanced one when creating its Observatory for the Coexistence School by the Decree 233/2004, of October 22, of the *Consell de la Generalitat*, which creates the Observatory for School Coexistence in the centres of the Valencian Community, amended by the Decree 2/2008 which created the Observatory for School Coexistence in the Valencian Community Centres, adapting it to the new structure of the *Consell* and the Decree 136/2012 which created the Observatory for School Coexistence in the Centres of the Region of Valencia. The Order 62/2014 updates the



regulations governing the preparation of plans for coexistence in schools in the Region of Valencia and establishes protocols for action and intervention in cases of school violence.

Additionally, the Law 12/2008, on Comprehensive Protection of Children and Adolescents of the Region of Valencia, regulates the integral protection of children and adolescents, the promotion and development of the basic rights of the child, regulating comprehensively and systematically the recognition, promotion and development of modern tendencies and guidelines on the protection of children and adolescents.

## Hungary

Bullying is legally controlled in Hungary. It is very important to make a distinction between bullying as a felony and bullying as a discriminative act (Varga, Pánczél & Kollár 2016).

The latter is regulated by the:

- 2003 CXXV. Law on Equal Treatment and Promotion of Equal Opportunities<sup>72</sup>, which specifies the definition of bullying as follows: sexual or other natured behaviour that violates human dignity. An offensive behaviour in order to be qualified as bullying should contain three elements: (1) behaviour that violates human dignity- as it was mentioned before. (2) The behaviour has to be in connection with the protected features. (3) Aimed or realised hostile, humiliating environment.
- 2011 CXC. law on National Public Education<sup>73</sup>. Since the law on National Public Education provides every child and student the opportunity to have their educational institute respect his or her rights, this act contributes to indirectly preventing bullying.

The criminal concept of bullying was mentioned in 2012. The law of the Criminal Code<sup>74</sup> states that bullying is one of the felonies against basic rights.

According to a study made by UNICEF Hungary in 2018 asking more than 6000 students from elementary and secondary school 51% of the students were involved in bullying as a bully or

<sup>72</sup> Wolters Kluwer: évi CXXV. törvény az egyenlő bánásmódról és az esélyegyenlőség előmozdításáról. URL:  
<https://net.jogtar.hu/jogsabaly?docid=A0300125.TV>

<sup>73</sup> Wolters Kluwer: 2011. évi CXC. törvény a nemzeti köznevelésről. URL:  
<https://net.jogtar.hu/jogsabaly?docid=A1100190.TV>

<sup>74</sup> Wolters Kluwer: 2012. évi C. törvény a Büntető Törvénykönyvről. URL:  
<https://net.jogtar.hu/jogsabaly?docid=A1200100.TV>



as a victim in the last 3 months. 25% of the students were bullied in their school in the last three months and 38% of them were part of a fight in the previous year.

Bullying in schools were connected to the following aspects:

Self-declared ethnicity, grade point average, test scores, gender, acceptance, perceived popularity, socio-economic status, physical appearance, athletic abilities.

Self-declared Roma students are more often reported by others as both perpetrators and victims of mocking, physical bullying, and cyberbullying than self-declared non-Roma students. Roma students, moreover, are more frequently reported as gossiping about their classmates than non-Roma students.

Girls are more frequently nominated than boys as gossiping about their classmates. In contrast, boys are more frequently reported than girls as both perpetrators and victims in direct physical and verbal incidents of bullying.

Students with disadvantaged socio-economic backgrounds are more frequently reported by others as perpetrators of mocking, physical bullying, and cyberbullying than students with higher status. Low status students, furthermore, are more often reported to be victims of physical aggression than high status students.



# BULLYING IN EUROPE

Bullying is unwanted, aggressive behaviour among school aged children that involves a real or perceived power imbalance. The behaviour is repeated, or has the potential to be repeated, over time



## DIRECT BULLYING

Direct bullying can be considered a face to face interaction among the aggressor and its victim, it deals with the physical assault and with the direct verbal insult.

## DISCRIMINATORY BULLYING

- homophobic bullying
- racial bullying
- bullying towards people with disabilities
- bullying of a sexual nature

## INDIRECT BULLYING

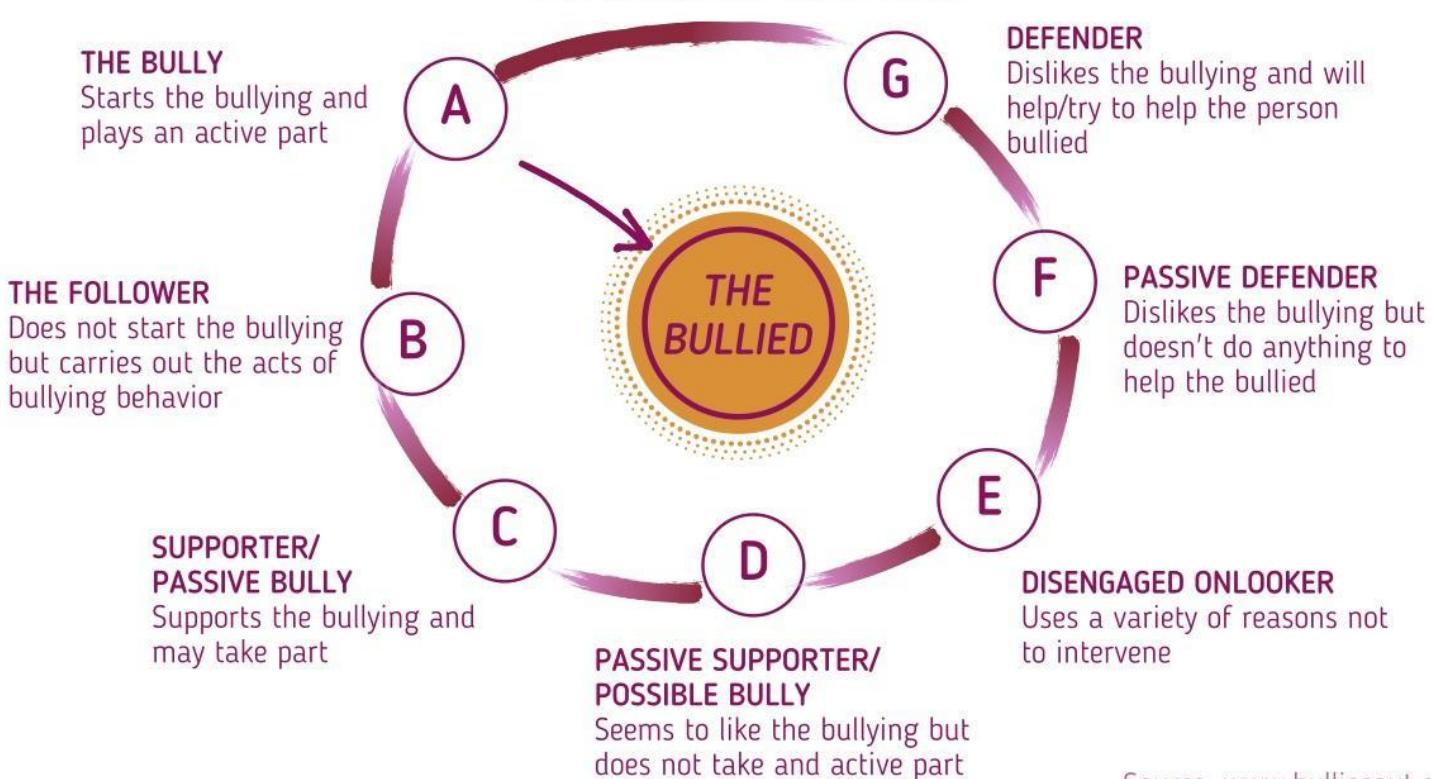
Indirect bullying is a psychological or social aggression, which leads to isolation and exclusion, especially linked to verbal violence as spreading rumors.



## CYBERBULLYING

The level of power in cyberbullying is not given by the age or the physical strength, but - somehow- by the technological capability of the aggressor to produce a “content” that can reach (potentially) billions of users at the same time.

## THE CYCLE OF BULLYING





# BULLYING IN EUROPE

Bullying is unwanted, aggressive behaviour among school aged children that involves a real or perceived power imbalance. The behaviour is repeated, or has the potential to be repeated, over time

## BULLYING

### IN ITALY



#### A REPORT DURING 2014 AND 2015

from Italian National Institute for Statistics shows:

Participants aged from

**11-17**

More than



have experienced offensive or violent episodes and



states to have been victims of typical bullying actions more times every month while



who affirm the same.

Children aged from **11 to 13** are more likely to be victims than guys from **14 to 17**



Foreign kids experience more episodes of bullying, if compared to Italians:  
**17% higher** than that found for the Italian peers.



Physical bullying is more frequent among boys, while verbal episodes prevail among girls and younger people.

**23.4%**

of the subjects reported having suffered slanders;

**3.4%**

has been subjected to isolation where approximately

**11%**

has been threatened

**22.2%**

also experienced cyberbullying

Chinese  
32% more

Indians  
27% more

Filipinos  
42% more

65% of kids think that asking for help from their parents is a positive strategy, 41% also tends to report to teachers



# BULLYING IN EUROPE

Bullying is unwanted, aggressive behaviour among school aged children that involves a real or perceived power imbalance. The behaviour is repeated, or has the potential to be repeated, over time

Between  
2017 and 2018  
the Ministry of Education  
detected a total of  
**5557**  
cases of Bullying.

## BULLYING IN SPAIN



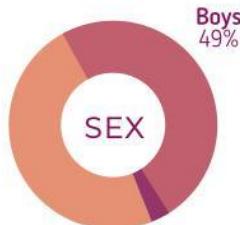
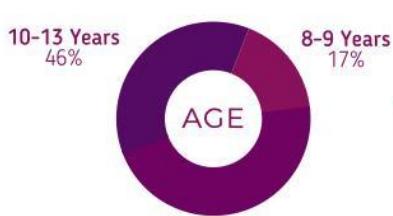
**73%**

of the cases correspond to people who have been harassed for months of even years.

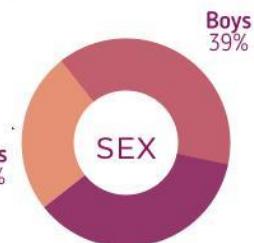
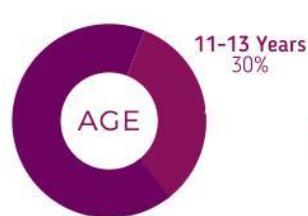
**54%**

of cases are victims of harassment on a daily basis.

### VICTIMS



### BULLIES



### TYPES OF BULLYING

#### PSYCHOLOGICAL

**39%**  
Abuse  
**15%**  
Nicknames  
**24%**  
To speak badly about someone

#### PHYSICAL

**64%**  
Blows and Pushes  
**20%**  
Theft and breakage of belongings

#### SEXUAL

**18%**  
Threats  
**11%**  
Sexual abuse  
**50%**  
Obscene insults  
**39%**  
Harassment and bullying

#### 12%

Fights and beatings  
Theft and breakage of belongings

#### CYBER BULLYING

**78%**  
Insults  
**16%**  
Broadcast recordings on social media  
**5%**  
Sexual content

#### SOCIAL

**33%**  
Prevent social participation  
**23%**  
Disability vexations  
**9%**  
Physical vexations



# BULLYING IN EUROPE

Bullying is unwanted, aggressive behaviour among school aged children that involves a real or perceived power imbalance. The behaviour is repeated, or has the potential to be repeated, over time

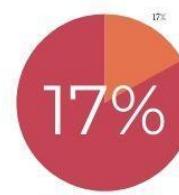
Department for Education:  
Bullying in England and Wales  
Survey from  
April 2013- March 2018

## BULLYING IN UNITED KINGDOM



Participants aged from

**10 - 15**



of the youngsters were bullied in the previous 12 months:

Boys



**21%**

14%

Girls

**22%**

of 10 year old stated that they had been bullied in the last 12 months compared to

**8%**

of the 15 year-olds



**89%**

said they had suffered some kind of verbal bullying

**60%**

of those who had been bullied said they had experienced some kind of physical attacks

**18%**

said they had suffered theft or damage to their property



**16%**

suffer from long-term illnesses or disabilities



# BULLYING IN EUROPE

Bullying is unwanted, aggressive behaviour among school aged children that involves a real or perceived power imbalance. The behaviour is repeated, or has the potential to be repeated, over time

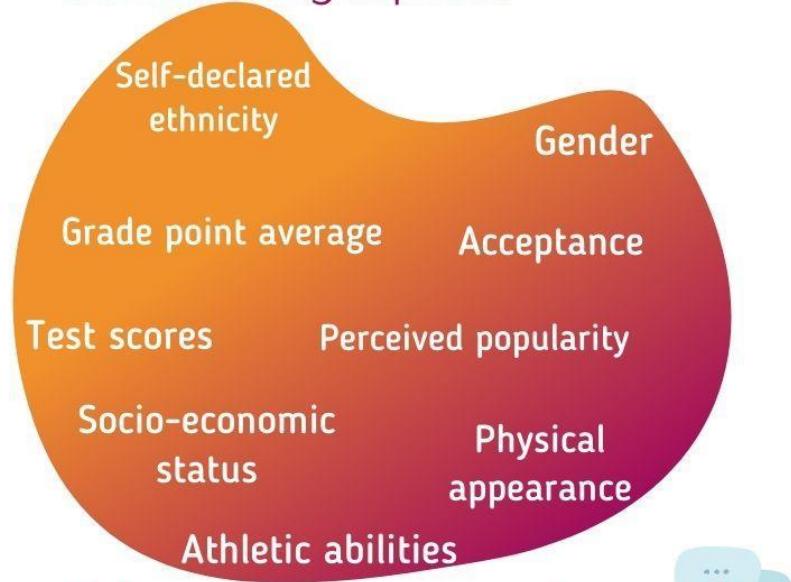
According to a UNICEF study in Hungary in  
**2018**

including more than 6000 students from elementary and secondary school,

**51%**

were involved in bullying as a bully or as a victim in the last 3 months.

Bullying in schools is connected to the following aspects:



Girls are more frequently nominated than boys in gossiping about their classmates

While boys are more frequently to be perpetrators and victims in direct physical and verbal incidents of bullying.

## BULLYING IN HUNGARY

**25%**



of the students were bullied in their school in the last three months and

**38%**

of them were part of a fight in the previous year.

Self-declared Roma students and students with disadvantaged socio-economic background are often and frequently reported by others as perpetrators of



while it also often happens to self-declared Roma students to be victims of the same above mentioned.



## 10. Modern Slavery in Europe: an overview

### Notion and general situation in Europe

According to most of the sources, the word *slave* derives from the Latin *sclava*, i.e. captive, but it originally meant Slav: Slavonic people were, in fact, reduced to slavery after the conquest of their territory in the 9th century. The definition of *slavery* provided by the Cambridge Dictionary seems to propose an unacceptable image of this phenomenon in the contemporary time, describing it as “the activity of legally owning other people who are forced to work for or obey you”<sup>75</sup>. This definition obviously refers to the common condition of belonging to an owner and being obliged to respond to their decisions, which was legal in the past. As affirmed in the Universal Declaration of Human Rights proclaimed by the United Nations General Assembly in Paris on 10 December 1948, though, “No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.”<sup>76</sup>

The perception that most of the people have with regards to the word *slavery* reminds them images of shackles and transatlantic ships full of slaves navigating towards the new continent between the 15th and the 19th century or, thinking even further, the Egyptian slaves building the pyramids. In reality, the phenomenon of slavery is closer than we think, since more people are enslaved today than at any other time in history. According to the data collected by experts, during the period of the transatlantic slave trade, approximately 13 million people were reduced to slavery, whereas today, it is estimated that over 40.3 million people are experiencing a form of the so-called *modern slavery*.<sup>77</sup> This data clearly shows that, even if abolished and considered as an illegal practice violating human rights, slavery keeps remaining a current phenomenon which todays societies have to fight.

The concept of *modern slavery* includes a wide and undefined range of conditions. In the very ancient past of Europe, for instance during the Roman Empire, slavery was the recognised status of people who, for some reasons, lost their freedom, were sold, and became property of an owner. Nowadays, instead, the term encompasses various forms of exploitation existing

<sup>75</sup> Online Cambridge Dictionary: Slavery. URL: <https://dictionary.cambridge.org/dictionary/english/slavery>

<sup>76</sup> United Nations: Universal Declaration of Human Rights. Article 4. URL: <https://www.un.org/en/universal-declaration-human-rights/>

<sup>77</sup> Hodal, Kate: One in 200 people is a slave. Why?. URL: <https://www.theguardian.com/news/2019/feb/25/modern-slavery-trafficking-persons-one-in-200>



all over the world. The notion of *modern slavery* mostly refers to slavery, forms similar to slavery, forced labour, child labour and trafficking of human beings. The concept is though, unfortunately not defined enough in international law. This is a question which negatively influences the coordination of the different countries in fighting the problem and even the possibility to collect data for a correct estimation of it.<sup>78</sup>

In order to have a clarifying overview of the definition of slavery, the categories listed below indicate each of the recognised existing forms in which this phenomenon takes place:

- Human Trafficking:** The act of moving someone for the purpose of exploitation. This is determined by: The recruitment, transportation, transfer, harbouring or receipt of persons by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power.
- Sexual Exploitation:** Including but not limited to sexual exploitation and sexual abuse, forced prostitution and the abuse of children to produce child abuse images/videos.
- Forced Labour:** Victims are forced to work long hours for little or no pay in poor conditions under verbal or physical threats of violence to them or their families.
- Servitude:** Involves a victim being forced to work in private households, usually performing domestic chores and childcare duties. Their freedom may be restricted, and they may work long hours often for little or no pay, often sleeping where they work.
- Debt Bondage/Bonded Labour:** The world's most widespread form of slavery, when people borrow money they cannot repay and are required to work to pay off the debt, then losing control over the conditions of both their employment and debt.
- Descent-based Slavery:** Where people are born into slavery because their ancestors were captured and enslaved; they remain in slavery by descent.
- Criminal Exploitation:** The exploitation of a person to commit a crime, such as pickpocketing, shoplifting, cannabis cultivation, drug trafficking and other similar activities that are subject to penalties and imply financial gain for the trafficker.
- People Smuggling:** Moving someone across a border illegally without further intention of exploitation.
- Other Forms of Exploitation:** Organ removal, forced begging, forced benefit fraud, forced marriage and illegal adoption.

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<sup>78</sup> European Parliament: Contemporary forms of slavery. URL:  
[https://www.europarl.europa.eu/RegData/etudes/STUD/2018/603470/EXPO\\_STU\(2018\)603470\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2018/603470/EXPO_STU(2018)603470_EN.pdf)



Even today, the base of international law concerning slavery is represented by the Convention of Slavery 1926 and the United Nations Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery signed in 1956. With regards to the European Union legislation, the prohibition of any forms of slavery is stated by the Article 5 of the section **Dignity of the Charter of Fundamental Rights of the European Union** (CFR), turned into fully effective through the Treaty of Lisbon on the 1st December 2009. The article 5 reads as follows:

#### “Slavery / Forced Labour

1. No one shall be held in slavery or servitude.
2. No one shall be required to perform forced or compulsory labour.
3. Trafficking in human beings is prohibited.”<sup>79</sup>

The explanations regarding the article specifies that “*forced or compulsory labour* shall not include: (a) any work required to be done in the ordinary course of detention imposed according to the provisions of Article 5 of this Convention or during conditional release from such detention; (b) any service of a military character or, in case of conscientious objectors in countries where they are recognised, service exacted instead of compulsory military service; (c) any service exacted in case of an emergency or calamity threatening the life or well-being of the community; (d) any work or service which forms part of normal civic obligations.”<sup>80</sup> Within the European Union, moreover, each member country has additional national constitutional laws which are often diversified pursuing more specific forms of modern slavery.

Modern slavery is often addressed as a problem concerning only poorest countries of the world. Despite the large number of laws existing to prevent all forms of exploitation, there is evidence that even in Europe such laws are not strong enough to eradicate the practice. But why does slavery exist? It occurs everywhere in the world because slavery is a big source of business, the profit generated by such a phenomenon is ca. \$159 billion every year, more

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<sup>79</sup> EU Agency for fundamental rights: EU Charter of Fundamental Rights. Article 5. URL: <https://fra.europa.eu/en/eu-charter/article/5-prohibition-slavery-and-forced-labour>

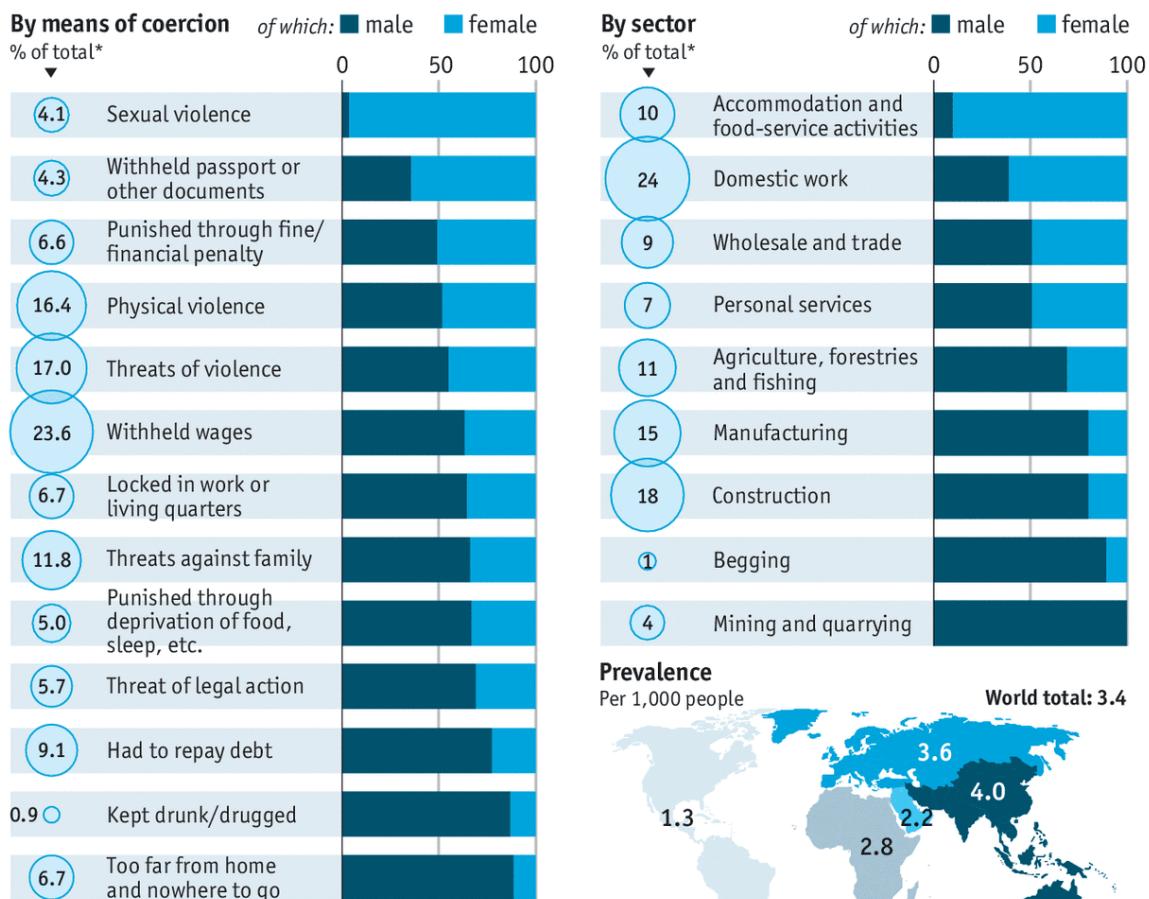
<sup>80</sup> ibid.



than one third of this figure comes from developed countries, including those within the European Union.<sup>81</sup>

## Not free to choose

Worldwide exploitation of forced labour, 2016



Sources: International Labour Organisation; International Organisation for Migration; Walk Free Foundation

Economist.com

From: *The Economist*<sup>82</sup>

<sup>81</sup> Hodal, Kate: One in 200 people is a slave. Why?. URL: <https://www.theguardian.com/news/2019/feb/25/modern-slavery-trafficking-persons-one-in-200>

<sup>82</sup> <https://www.economist.com/graphic-detail/2017/09/20/modern-slavery-is-disturbingly-common>



The figure above, depicting the worldwide exploitation of forced labour in 2016, demonstrates that forms of modern slavery encompass an extremely wide range of activities carried out anywhere in the different countries and it shows how Europe is fully involved in this phenomenon.

Human trafficking is among the most common forms of slavery. The elements characterising the practice of trafficking are the selling and buying of human beings as goods with a commercial value. Manifestly, human trafficking is driven by the huge amount of profit that it produces for traffickers. The legal definition of trafficking is provided by the European Union Directive 2011/36/EU concerning the measures for preventing and fighting human trafficking.

Article 2 of the afore-mentioned EU Directive defines the crimes concerning trafficking in human beings as follows:

- “1. Member States shall take the necessary measures to ensure that the following intentional acts are punishable: The recruitment, transportation, transfer, harbouring or reception of persons, including the exchange or transfer of control over those persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.
2. A position of vulnerability means a situation in which the person concerned has no real or acceptable alternative but to submit to the abuse involved.
3. Exploitation shall include, as a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, including begging, slavery or practices similar to slavery, servitude, or the exploitation of criminal activities, or the removal of organs.
4. The consent of a victim of trafficking in human beings to the exploitation, whether intended or actual, shall be irrelevant where any of the means set forth in paragraph 1 has been used.
5. When the conduct referred to in paragraph 1 involves a child, it shall be a punishable offence of trafficking in human beings even if none of the means set forth in paragraph 1 has been used.

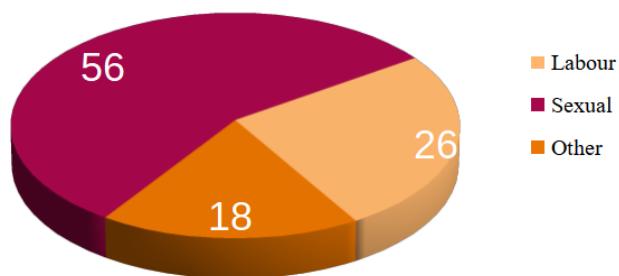


6. For the purposes of this Directive, 'child' shall mean any person below 18 years of age<sup>83</sup>."

Among the forms of exploitation that the Directive refers to, sexual exploitation is listed. Even if encompassing all categories of people, sexual exploitation especially involves women. The women enslaved in Europe in the sexual field are both European citizens and non-EU nationals, victims of a real trafficking process producing a huge business. Kept as slaves, deprived of their freedom, and threatened with violence by their owners, the female victims of prostitution forced to work against their will counted in the millions throughout Europe.

#### Form of exploitation

in the EU28 (2015-16)



From: European Commission<sup>84</sup>

The graph above refers to the year 2016 and shows that sexual exploitation covered more than half of the exploitation forms existing in Europe.

According to data provided by the Council of Europe, far from diminishing, all forms of slavery such as labour trafficking and exploitation have increased. The number of the identified victims of labour trafficking, for instance, is on the rise in all EU countries. In some of them, in particular Belgium, Cyprus, Portugal and U.K., labour exploitation has become the most widespread form of human trafficking, even more so than sex trafficking. The data collected

<sup>83</sup>European Commission: Data collection on trafficking in human beings in the EU. URL: [https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-security/20181204\\_data-collection-study.pdf](https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-security/20181204_data-collection-study.pdf)

<sup>84</sup>[https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-security/20181204\\_data-collection-study.pdf](https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-security/20181204_data-collection-study.pdf)



by the Group of Experts on Action against Trafficking in Human Beings (GRETA), an independent body of experts engaged in monitoring the application of international law against human trafficking, is discouraging. Indeed, it shows that more and more people are being trafficked to be exploited both within and outside the borders of the European Union.

The people exploited in Europe and in the wider world pertain to different social categories and ethnicities, they can be of any age and any gender. They are enslaved because they are obliged to work against their will, having lost their freedom to make decisions on their lives and to move freely, they are owned by someone else who decides for them, they are sold as objects or forced to work in dehumanised conditions. The tasks which modern slaves are obliged to carry out are varied, and range from cleaning houses to working in industries, from picking fruits and vegetables to being forced to sell their body. In Europe, men are mostly victims of labour exploitation especially within the agriculture, hospitality and industrial sectors, whereas women are more often exploited in domestic, care, and sexual works<sup>85</sup>. A very exposed people's category is constituted by migrant workers, often recruited via the internet and social media, especially misled because of their need for a job and economic support.

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<sup>85</sup> Hevrey, Ginger: 'Modern-day slavery' on the rise in Europe: report. URL:

<https://www.politico.eu/article/labor-trafficking-exploitation-modern-day-slavery-on-the-rise-in-europe-report/>

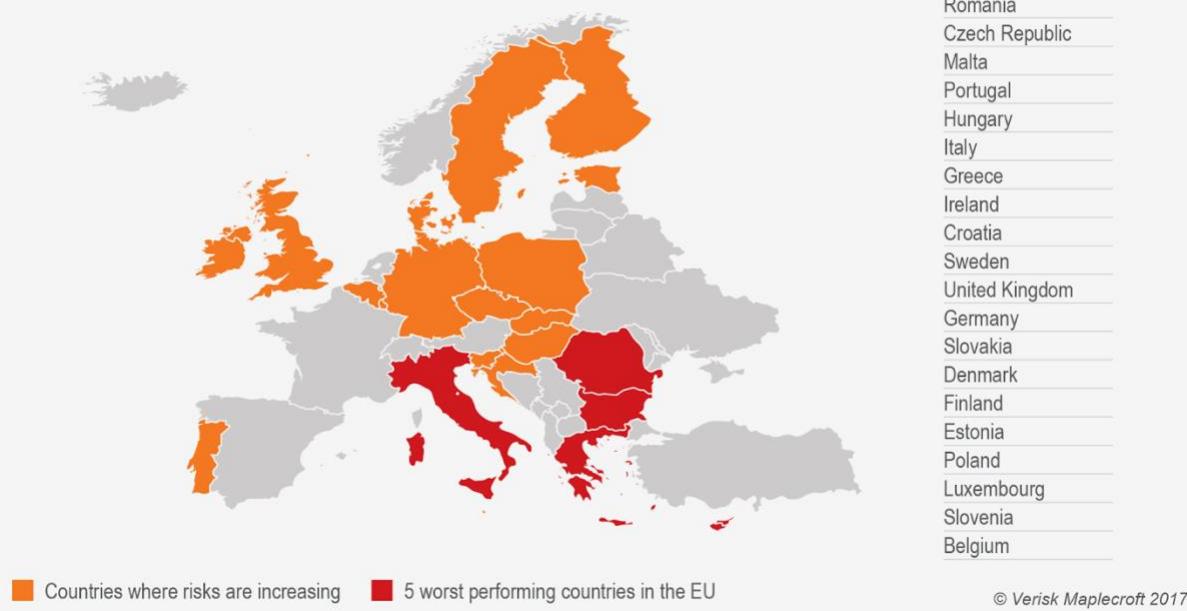


Modern slavery risks have risen in 20 EU countries

**Romania** has plummeted 56 places in the ranking to 66th highest risk – more than any other country.

Countries where risks are increasing:

Romania  
Czech Republic  
Malta  
Portugal  
Hungary  
Italy  
Greece  
Ireland  
Croatia  
Sweden  
United Kingdom  
Germany  
Slovakia  
Denmark  
Finland  
Estonia  
Poland  
Luxembourg  
Slovenia  
Belgium



© Verisk Maplecroft 2017

From: Verik Marplecroft<sup>86</sup>

As shown by the figure above, indeed, the countries of the EU where the risk of modern slavery is increasing are numerous and, in particular, the five worst performing countries are Italy, Bulgaria, Romania, Greece and Cyprus; i.e. the ones exposed to the migrant routes and placed on the most external regions of Europe. These countries represent gateways for migrants crossing borders and coming to Europe. According to the data proposed by the 2nd edition of the Modern Slavery Index (MSI) assessing 198 countries on the strength of their laws, Italy and Romania have the worst score in the classification of the European countries: this means that within these two member States the most serious violations of people's rights through slavery in the EU occur. This happens because most of the illegal migrants entering the EU have paid huge amounts of money for their journey and are, for this reason, surmounted by debts and end up working for free or becoming slaves of exploiters taking advantage of their situation.<sup>87</sup>

<sup>86</sup> <https://www.maplecroft.com/insights/analysis/20-eu-countries-see-rise-in-modern-slavery-risks/>

<sup>87</sup> Versik Maplecroft: 20 EU countries see rise in modern slavery risks. URL: <https://www.maplecroft.com/insights/analysis/20-eu-countries-see-rise-in-modern-slavery-risks/>



This scenario is even worse if considering that the same people who become slaves in the countries where they first get into the EU have already experienced slavery conditions in their home country or in other stages of their journey to Europe. Almost all the migrants who have crossed the Mediterranean Sea sailing from Libya, for instance, had been reduced to slaves in this north African country. In the Libyan detention camps, in fact, thousands of migrants are stuck and sold off by smugglers as bargaining chips. Moreover, they are often held in inhumane conditions and tortured for the smugglers' aim of forcing their families to send money in order to save their loved ones' lives.

## Unconscious fostering slavery: exploitations in supply chains

Within the majority of Europe, people declare they are against any form of slavery, although it often appears to be *unconsciously* (or partially consciously) fostering it. According to the data collected by the Walk Free Initiative in 2019, considering 183 countries of the world, fewer than 40 have signed a system of laws which tries to prevent business from buying goods whose supply chain could have employed forms of slavery<sup>88</sup>. Even these countries though, have difficulties in putting in place a real and accurate control system in order to avoid putting such products on the market.

Indeed, the global circulation of goods makes this attempt even harder, since it is challenging to trace back the origins of all the components within a product; if goods are assembled in Europe, for example, as a consumer it is difficult to assess where all the elements composing them derive from and whether they were produced in slavery-free chains. In most of the countries hosting industries, there are people working in dehumanised conditions, for extremely long shifts, without any rights and for ultra-low salaries. Fashion and high-tech industries are listed among the sectors which mostly make use of forced labour. Simple actions, such as buying clothes in a European fashion store or a new mobile phone can, thus indirectly foster slavery conditions since, behind the finished products, there are several hours of exploitation and human suffering.

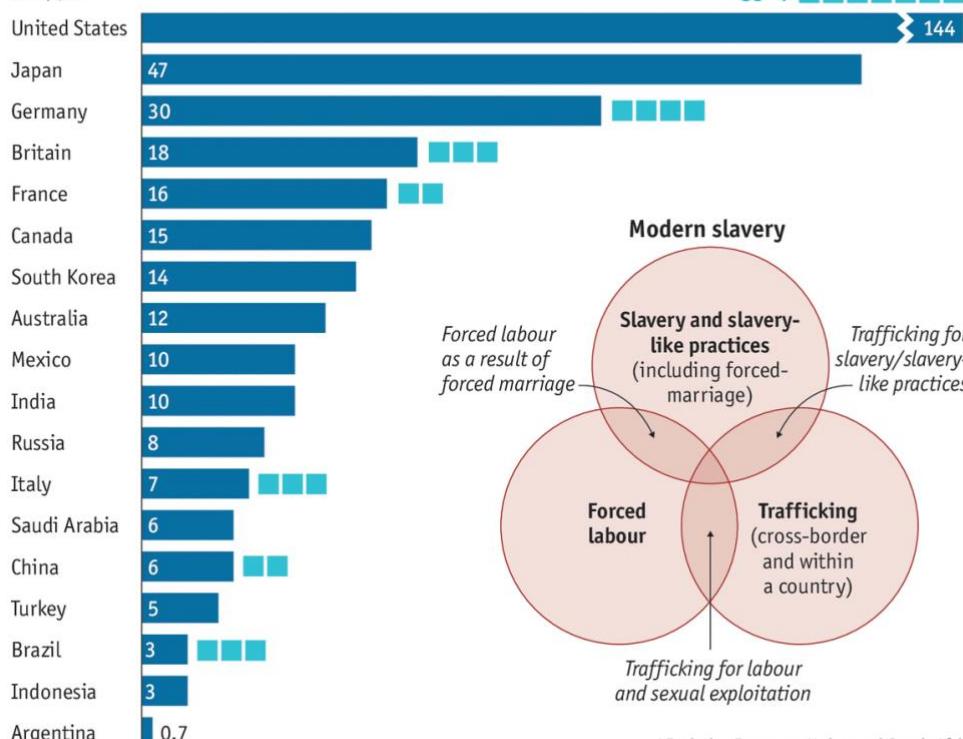
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<sup>88</sup> Merelli, Annalisa: There are 16 million slaves around the world making our stuff. URL:  
<https://qz.com/1667463/the-global-business-supply-chain-employs-16-million-slaves/>



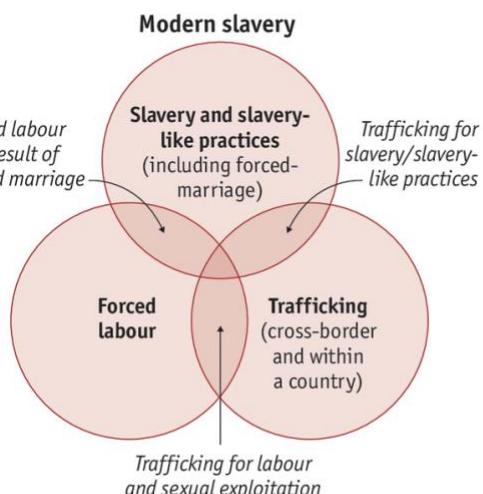
## Chains of misery

G20 countries\*, imports of the five most “at risk” goods†  
2017, \$bn



Number of government policies to prevent sourcing  
goods and services linked to modern slavery

US = 7



\* Excludes European Union and South Africa

† Likely to have been produced by forced labour

Economist.com

From: The Economist<sup>89</sup>

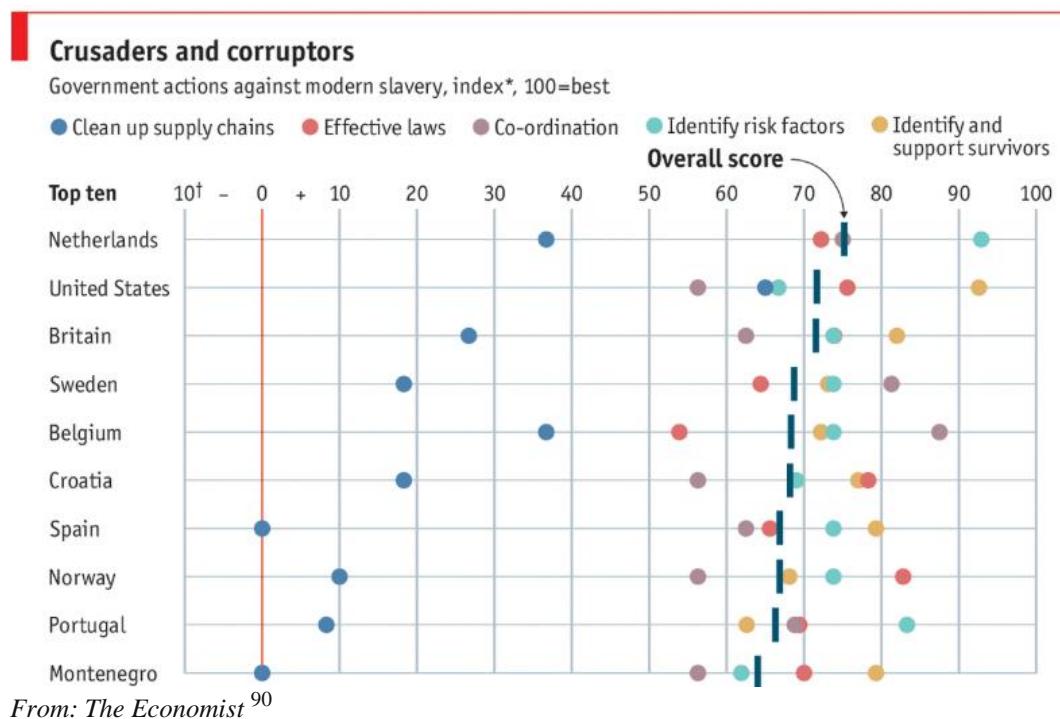
The graph above, classifying the G20 countries in relation to the import of the five most *at risk* goods (i.e. likely to have been produced by forced labour) demonstrates how this issue is far from being eradicated. It is evident that even European countries hold a questionable position, in particular Germany, whose amount of business of at risk goods for the year 2017 is \$30 billion. The graph also refers to the number of government policies adopted in order to prevent sourcing goods linked to modern slavery; this data shows that EU countries are among the most engaged in fighting legally against this problem, but the laws elaborated so far seem not to be enough.

Despite that, the afore-mentioned report stated that, among the G20 countries taken into account, of the top ten countries classified as delivering the best government actions against

<sup>89</sup> <https://www.economist.com/graphic-detail/2018/07/19/supply-chains-based-on-modern-slavery-may-reach-into-the-west>



modern slavery there are mostly EU member countries, whereas in the bottom-ten there are North Korea, Libya, Eritrea, CAR, Iran, Equatorial Guinea, Burundi, Congo, Sudan, and Mauritania.



As shown in the graph above, European government actions against modern slavery seem to move in the right direction, even if an effective clean-up of the supply chain from all slavery form shows to be still far from achieved.

It is important to shed light on the fact that modern slavery forms are not only employed in the production chains taking place in non-EU countries. Goods linked to slavery and made in Europe do exist. A prime example is provided by the agricultural sector. The exploitation of migrants in agriculture is, in fact one of the forms of slavery closest to us, since it is strictly linked to, for instance, the 'produced in Italy', 'produced in Spain' and so on, that we can read on the package of goods that we buy. Illegal recruiting is an historical phenomenon existing in some of the European countries where it has never been really eradicated. The impunity of agricultural businesses that benefit from the criminal exploitation of workers is, moreover,

<sup>90</sup><https://www.economist.com/graphic-detail/2018/07/19/supply-chains-based-on-modern-slavery-may-reach-into-the-west>



the cause of an unfair competition which comes at the expense of those who, instead, respect the rules of workers' safeguarding. The European Commission has indicated "a balanced political strategy" to be adopted, theoretically, through measures to mitigate the phenomenon and interventions that, thanks to the involvement of the social partners, ensure their application. Despite this, the real enforcement of these political strategies still seems to be not enough since the dignity of thousands of migrants is not respected in Europe to this day. Furthermore, the same people who are enslaved in agriculture in order to support the production of vegetables and fruits that Europeans eat every day, are forced to live in indecent housing, without access to water, electricity and health services. Their lives are, moreover, exposed to the risks linked to the pesticides employed within the agricultural industry and to the lack of professional training and suitable work equipment<sup>91</sup>.

In addition to required European measures coordinating the systems of control of all the member countries, therefore, to fight against exploitation a vigilant commitment of all the citizens is needed. Conscious consumers can promote companies respecting human beings' dignity and boycott those production chains that still benefit from slavery.

Moreover, it is necessary to increase people's awareness about the rights that one has in Europe. As seen before, according to the European Charter of Fundamental Rights, in fact, "no one shall be held in slavery or servitude, no one shall be required to perform forced or compulsory labour and trafficking in human beings is prohibited"<sup>92</sup>. If someone feels that their rights have been violated in a context covered by the EU law, they should report the breach of right, contacting the national equality body that all the EU member states must designate.

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<sup>91</sup> Dongo, Dario: Sfruttamento dei migranti in agricoltura, origine Italia e origine Spagna. Come fare gli acquisti? URL: <https://www.greatitalianfoodtrade.it/consum-attori/sfruttamento-dei-migranti-in-agricoltura-origine-italia-e-origine-spagna-come-fare-gli-acquisti>

<sup>92</sup> European Commission: Prohibition of slavery and forced labour. Know your rights. URL: [https://ec.europa.eu/info/aid-development-cooperation-fundamental-rights/your-rights-eu/know-your-rights/dignity/prohibition-slavery-and-forced-labour\\_en](https://ec.europa.eu/info/aid-development-cooperation-fundamental-rights/your-rights-eu/know-your-rights/dignity/prohibition-slavery-and-forced-labour_en)



## Modern slavery in the countries involved in Escape Racism project

### Italy

The Global Slavery Index estimates that on any given day in 2016 there were 145,000 people living in conditions of modern slavery in Italy, a prevalence of 2.4 victims for every thousand people in the country.

According to data published by the Global Slavery Index in 2018, the total number of people living in the Italy under a situation is modern slavery was 145,000. Also, 2.43 out of every 1000 people live in slavery, and 28.29 out of every 100 people are vulnerable to live it.

In 2016, the Italian government detected 1,172 cases of trafficking victims who were treated in the national protection program. The most common forms of exploitation are known to be:

- Forced sexual exploitation (674)
- 81% women of the total victims (954).
- 10% children (111)
- 59% from Nigeria (696)

Between 2016 and 2017 the organisation against organised crime of the Ministry of Economy and Finance (Guardia di Finanza) reported 22 actions and 14 arrests under trafficking (article 601 of the penal code) forcing or maintaining slavery (article 600), and buying and selling of slaves (article 602).

In Italy, agriculture, textile production, construction, and domestic work are the sectors in which it has detected cases of forced labour.

Type of slavery	Location	Victim's Nationality	Sex / Age



Forced labour: ● Agriculture ● Textile production ● Domestic labour ● Construction	South of Italy Ragusa, Prato, Tuscany, Emilia Romagna Sicily	West Africa, China and India	Men and women/ 18 – 55
Sexual exploitation of adults and children	Italy	Nigeria	Women and children/ 16 a 55 years
Forced marriage	Italy	Bangladesh, Sri Lanka, Mauricio Eritrea,	Women/ 18 - 55

Below, you can see the imports of products at risk of modern slavery in Italy, according to global slavery index in 2018:

Product at risk of modern slavery	Import value (in thousands of US\$)	Source countries
Apparel and clothing accessories	3,845,061	Argentina, Brazil, China, India, Malaysia, Thailand, Vietnam.
Laptops, computers, and mobile phones	2,833,167	China, Malaysia



Fish	192,270	China, Ghana, Indonesia, Japan, Russia, South Korea, Taiwan, Thailand
Cocoa	227,271	Ivory coast, Ghana
Cattle	225,155	Brazil, Paraguay

Nearly 30% of Italy's total imports of apparel, as well as laptops, computers, and mobile phones, come from countries considered at risk of using modern slavery in the production of these goods. Italy imports cocoa from Côte d'Ivoire and Ghana at a value of US\$227 million. Both countries are considered to be at risk of using modern slavery in cocoa agriculture. Other significant at-risk imports to Italy include cattle from Brazil (US\$225 million) and fish from China, Ghana, Indonesia, Japan, Russia, South Korea, Taiwan, and Thailand (US\$192 million).

#### **Forced Labour - agriculture**

Especially in southern Italy, there are the largest number of farms in the country that use cheap and exploited labour of migrants from mostly African countries. They are unpaid for the work done and live at their workplace in dilapidated housing in isolated rural areas or shanty towns. Some of them have residence permission in Italy, but many don't. Some work contracts alone, this increases the segregation and isolation of society. Furthermore, vulnerability to human rights abuses, being subject to inhumane conditions. According to the investigation carried out in 2016, agricultural migrant workers in Sicily were paid €15 / day on average, equivalent to €2.50 / h.

Migrants arrive in southern Italy, where criminal organisations recruit people to work in agriculture. The migrants arrive without identity documents. Many migrants reported being beaten by employers, who also make sexual demands. Violence, especially against women, is common.

Exploitation of migrant workers is also known to take place on farms in southern Italy, notably for the harvesting of oranges and tomatoes which allegedly end up being used in canned goods bound for Australia. A seasonal worker of Sudanese origin died on a farm. This event



was investigated in late 2017, in which two of Italy's largest companies were accused of obtaining tomatoes from suppliers. They subjected the migrants to long hours of work for 7 days straight, without interruption, for little money and without access to medical assistance. Subsequently, as a result of this investigation, many workers from Romania suffered physical violence, sexual abuse and exploitation while working in Ragusa.

There is also evidence of forced labour suffered by the Indian migrant community, particularly Punjab Sikhs, on farms in Latina, near Rome. The consequence of this is the consumption of drugs to support the hard-physical work, and some are even forced to pay debts to those who promised them a job and accommodation and organised the trip from India.

However in Italy, there is some good news to come out of the COVID-19 pandemic. "Italy approves temporary changes to migrant work permits after weeks of political disagreement", "Italy's governing coalition parties have finally agreed to introducing changes to employment permits for migrants in the country".

### **Textile production**

Prato, in Tuscany region, is one of Italy's textile and apparel production centres offering cheap clothing for "fast fashion" companies, as well as designer brands based in Italy and elsewhere in Europe. Companies of this sector run by the Chinese community in Italy account for 80 percent of the total. They are provided a visa to stay for 3 months in Italy, but even with this benefit in place they still break the law by staying longer in Italy, working until they get enough money to return to China. It is estimated that 2 out of 3 of the people from China don't get documents. Working conditions are inhumane. They work 10 hours a day, producing 70 shirts a day and sleep in cardboard cubicles, according to the testimonies of the people interviewed.

### **Domestic work**

Emilia Romagna and Tuscany are two regions where domestic workers are predominant. They come from Romania, Ukraine, Moldova, Albania, the Philippines, Sri Lanka, India, Peru, and Ecuador. Lack of contracts, excessive working hours, precarious wages, restriction of freedom of movement, physical, verbal, and mental abuse are rife.

The reasons why exploitation occurs is a tendency to not respect the laws, the need to save, and the belief that domestic work is a lower category of work, that it is "not real". Therefore, migrants should be grateful for the opportunity to work.



### Forced sexual exploitation of adults and children

According to the International Organisation for Migration (IOM), 27,289 migrants arrived in Italy in 2016. Around 7,500 migrants were women. Many of these are Nigerian, and it is estimated that 80% of the women and girls who arrived by sea from Nigeria have been victims of human trafficking for sexual exploitation. Women from Nigeria, before leaving their country, undergo a process of coercion in order to travel. They sign a contract in their country of origin through a process of religious rituals that harm their physical and emotional integrity. Traffickers psychologically manipulate these women into paying the debt for getting them to Europe. This debt will be paid when women, under the control of "madams" are sexually exploited in Italy. It is a one-way trip payment method. The first obstacle to detect these cases is the absence of complaints from the victims. They are afraid of traffickers.

### Forced marriage

According to the Global Slavery Index (GSI), there are no official statistics on forced marriage in Italy, but there is a 2014 study of forced marriages affecting immigrants, including from the Indian subcontinent and sub-Saharan African countries. The interviewees came from Bangladesh, Sri Lanka, Mauritius and Eritrea and were between the ages of 16 and 55. In 2011, an investigation was carried out in which it was found that 47 of the 74 respondents (64%) were married before the age of 18 and 22 respondents (30%) were married below the age of 16. The youngest victim was 12 years old at the time of the marriage. Of the respondents who married under the age of 18, five women stated that they were forced to marry against their will.

### United Kingdom

In 2016, The Global Slavery Index estimated that there were 136,000 people living in modern slavery within the United Kingdom (UK) on any given day, reflecting a prevalence rate of 2.1 victims for every thousand people in the country.

According to data published by the global slavery index in 2018, the total number of people living in the UK under a situation of modern slavery still was 136,000. Also, 2.08 out of every 1000 people live in slavery, and 11.13 out of every 100 people are vulnerable to live it.

Below, you can see the imports of products at risk of modern slavery to the UK, according to global slavery index in 2018:



Product at risk of modern slavery	Import value (in thousands of US\$)	Source countries
Apparel and clothing accessories	9,289,350	Argentina, Brazil, China, India, Malaysia, Thailand, Vietnam.
Laptops, computers, and mobile phones	8,054,996	China, Malaysia
Fish	480,224	China, Ghana, Indonesia, Japan, Russia, South Korea, Taiwan, Thailand
Cocoa	285,731	Ivory Coast, Ghana
Rice	177,225	India, Myanmar

In 2014, according to data recorded by the UK Home Office, there were 10,000 to 13,000 potential victims of slavery. But the National Crime Agency ensures that the number is higher. Many victims are unable to report or they aren't recognised as victims.

The National Crime Agency states in their 2017 annual report that 5,145 people are at risk of being victims of slavery:

45% were female (2454)

52% were male (2688)

0.06% were transgender people (3)

The types of slavery records of the National Referral Mechanism include:

- Domestic servitude
- Labour exploitation
- Organ harvesting
- Sexual exploitation



- Unknown exploitation

The five nationalities of people suffering from slavery in the UK, are English, Albanian, Vietnamese, Chinese and Nigerian. To these figures, we must add those of the people who do not report.

#### **Forced labour**

Of those 5,145 potential victims identified through the MRN in 2017, 46 percent (2,352 cases) were victims of labour exploitation. Sectors of forced labour in the UK:

- Seafood and food packaging
- Car washes
- Nail bars
- Paving of driveways and blocks
- Construction
- Agriculture
- Food processing.

In 2017, cases of Vietnamese child victims of human trafficking were detected in the UK, enslaved on cannabis farms. Within the UK, the Modern Slavery Law defends those children who have been forced to commit crimes under duress. Gangs use children to deliver drugs, as they are easier to control and less likely to be detected by the police, using a variety of techniques including bullying, debt bondage, violence, and grooming.

Regarding domestic work, in 2017, 488 cases were detected from all the references of the NRM, of which 119 people were boys and girls. The rest are people exploited by their partner, the couple's family or relatives, and people outside the family sphere.

A recent report by The Guardian identified a group of Filipino domestic workers who were exploited and mistreated by their Saudi, Jordanian and Qatari employers in London.

#### **Forced sexual exploitation of adults and children**

The 2017 NRM statistics report that Albania, the United Kingdom, China, and Nigeria are the most common nationalities for referrals for sexual exploitation, a total of 1,744 cases. 34% of cases are children. Immigrants come to the UK hoping to get a job. However, they end up working in the sex industry under duress and drug use. In 2018, 18 individuals among foreigners and locals, were arrested for committing crimes of sexual abuse, drug supply, and



human trafficking. According to the police investigation, 700 women and girls were victims in Newcastle.

The Salvation Army delivers the UK government contract to administer support services for adult victims of modern slavery in England and Wales.

### Forced Marriage

In London, the percentage of people who have been victims of forced marriages has increased in recent years; in 2016, 307 cases were detected. The Joint Unit of the Home Office and the Forced Marriage Unit (FMU) of the Office of the Foreign and Commonwealth Affairs Unit offered advice and support to victims of possible forced marriage. Forced marriages that have been investigated have a link with several countries: Pakistan (43%), Bangladesh (8%), and India (6%).

Through the export of UK products to other countries, the risk of slavery is also exposed. Politicians, companies, and consumers must be aware of this reality, which represents a great risk.

### Spain

In Spain, there are 105,000 people suffering slavery, according to the GSI (Global Slavery Index). Since January 2019, the country's Civil Guard have inspected up to 952 premises where labour exploitation may have occurred. It also released 68 victims and arrested 38 criminals.

According to data published by the Global Slavery Index in 2018, the total number of people living in Spain within modern slavery still was 105,000. This means that 2.27 out of every 1000 people live in slavery, and 12.80 out of every 100 people are vulnerable to live in it.

In 2018, the Federation of Progressive Women of Spain (FMP) prepared the report "I Do Not Accept", a preliminary investigation that aims to expose forced marriages in this country.

This report collects information on statistical data on the number of people who have been victims of forced marriages. According to data from the INE (National Statistics Institute) of 2018, in Spain there are controlled communities from different countries:

NATIONALITY	WOMEN 15 - 44 years
Morocco	186,316



China	53,376
Pakistan	10,175
Senegal	7,658
Nigeria	13,426
India	7,297
Mali	1,644
Gambia	2,735
Bangladesh	1,838

#### **Purposes of labour and sexual exploitation**

The report made by the Spanish Ombudsman, made in the year 2018, for the development of this section, has been taken as a reference.

According to the data collected from the State Prosecutor's Office and Social Security, it is known that foreign people, who were not residents of Spain, were hired illegally. The main nationalities of the victims are from Romania, Morocco, Guatemala, and Bangladesh. The work areas for which people were hired are agriculture, construction, hospitality, food, domestic work, and care for the elderly, all without the necessary qualifications to practice.

Begging is another type of work that encompasses labour exploitation, which does not discriminate in terms of age, sex, physical or mental ability. The objective is to carry out criminal acts using the most vulnerable people, considering the aforementioned factors. This data was collected by the General Directorate of the Labour and Social Security Inspection.

In the case of sexual labour, Spain is the European country with the biggest prostitution demand, and the third in the world. Is not socially recognized, but according to the UN, 39% of Spanish men has paid at least once for sex. In Spain, Portugal and Italy prostitution is still



not regulated and the complex debate on how to judge it has braked politicians to move along.

The Spanish Penal Code punishes trafficking and pimping with prison sentences, where it has been used violence, intimidation or deception or abusing a situation of superiority, need or vulnerability which forces the victim to practice prostitution.

In the case of clients, the Citizen Security Law has persecuted clients that pay for sexual services in the public transit areas since 2015. This includes places where there may be minors such as parks or schools. The fines range from 1000 to 3000 euros. In the case of prostitutes, penalties go from 100 to 300 euros for offering these services and can rise to 750 euros if this is done near a school.

"The Police dismantled in Valencia, a clandestine textile workshop whose employees worked 11 hours a day for 25 euros", news published in the Spanish digital newspaper "eldiario.es" on March 4, 2017. Source: EUROPAPRESS.

"The National Police has dismantled in Torrent (Valencia) a clandestine workshop dedicated to textile manufacturing and the manufacture of pillows, cushions and home textiles. The two responsible have been arrested for allegedly having employees without registering them in Social Security and in working hours of up to 11 hours for a daily salary of 25 to 30 euros, as reported by the Headquarters in a statement".

"After several surveillance stakeouts, the police found that an average of eight workers attended each day, almost all of foreign origin, who entered at 8 hours and stayed up to 11 hours inside, while the premises were always closed".

## Hungary

According to data published by the global slavery index in 2018, the total number of people living in Hungary under a situation is modern slavery was 36,000. Also, 3.67 out of every 1000 people live in slavery, and 23.57 out of every 100 people are vulnerable to it.

According to the IOM (International Organisation for Migration), between 5,000 and 20,000 people are currently victims of sexual exploitation in Hungary, twice as many people suffer from labour exploitation.

Balázs Lehel, in charge of the IOM Office in Hungary says that "it is important to emphasise that the many forms of trafficking in persons could affect anyone. Contrary to the deep-rooted general belief, human trafficking in most cases does not start with kidnapping, but rather occurs with the consent obtained through false promises.". Faced with this reality,



there is high ignorance and unconcern about human trafficking among the Hungarian population. This is evidenced by research at the national level.

Lehel also states that “unfortunately, due to a general lack of knowledge, it is not surprising that our study revealed that 40% of respondents would submit a request for a job ad that does not even mention the name of the company that advertises it. They would also apply for jobs abroad where knowledge of the foreign language is not required”

This survey shows that more than 80% of the people interviewed believed that to be a victim it is necessary for violence and kidnapping to be involved.

The Balkan route has been crossed by many people since 2015 and a large proportion of these have suffered sexual exploitation. This route passes through Greece, Bulgaria, the Republic of North Macedonia, Serbia, and Hungary, as well as in Germany and Italy. There are difficulties in finding statistical data on human trafficking in this part of Europe and especially in Hungary. From the Program against Trafficking in Persons, investigations have been carried out that indicate that the people who make the journey from the Balkans to Hungary are exploited in the service industry and sexual exploitation. This route is used by criminal organisations to transport people and use them in drug trafficking.

The European authorities, the police and social workers lack the resources to identify the people who are victims of human trafficking and the people responsible for this deprivation of liberty.



# MODERN SLAVERY

Art 5 Charter of Fundamental Rights of the European Union, 2000 "Slavery / Forced Labour

No one shall be held in slavery or servitude. No one shall be required to perform forced or compulsory labour.  
Trafficking in human beings is prohibited"

## MODERN SLAVERY

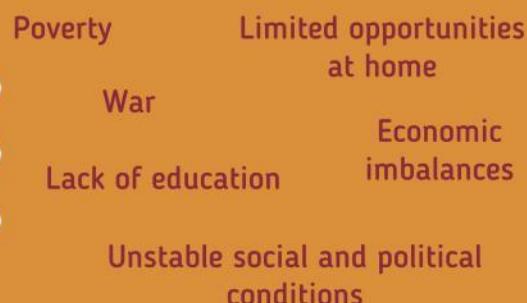
### IN EUROPE



#### WHAT FORMS DOES IT HAVE?



#### CAUSES OF MODERN SLAVERY



#### WHY IS THERE SLAVERY TODAY

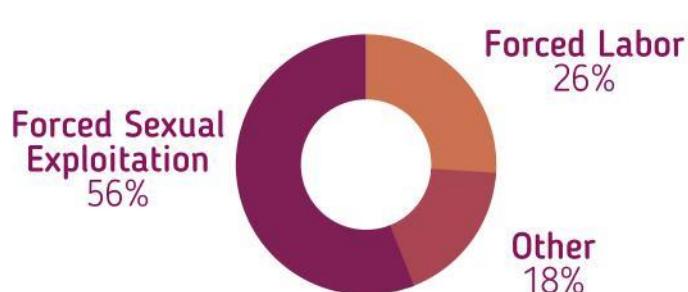


It is a business source, generating more than



**159\$ BILLIONS / YEAR**

#### MOST EXPLOITED SECTORS:



#### EXPLOITATION BASED ON GENDER



Domestic care  
Sexual work



Agriculture  
Tourism  
Industrial sector

#### COUNTRIES MOSTLY AT RISK OF IMPORTING PRODUCTS UNDER CONDITIONS OF SLAVERY:

Germany

France

Britain

2019  
ONLY 40 countries out 183 of the world have signed a system of laws to prevent business from buying goods whose supply chain can have employed forms of slavery.



# MODERN SLAVERY

Art 5 Charter of Fundamental Rights of the European Union, 2000 "Slavery / Forced Labour  
No one shall be held in slavery or servitude. No one shall be required to perform forced or compulsory labour.  
Trafficking in human beings is prohibited"

## MODERN SLAVERY IN HUNGARY



### THE POPULATION MOST AT RISK OF SLAVERY

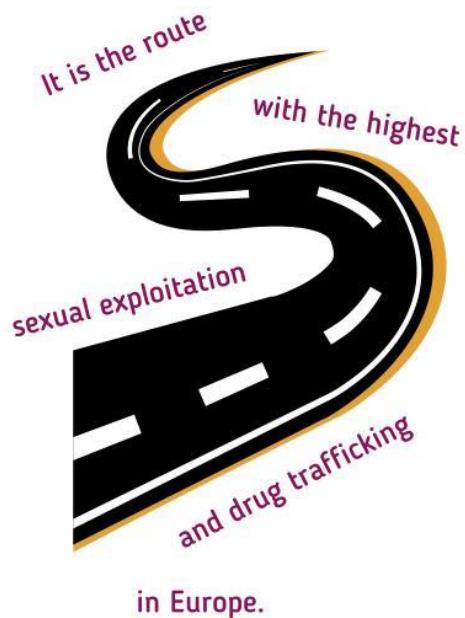


Women

Children



### THE BALKAN ROUTE:



### THE MOST AFFECTED SECTORS

#### Sexual Exploitation:

Trafficking of  
human beings



# 36K

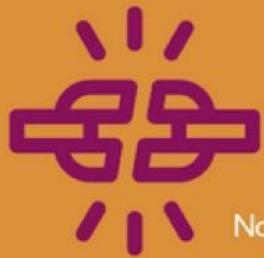
People living in  
modern slavery

# 3.67

out of every 1000  
people live in slavery

# 23.57

out of every 1000 people are  
vulnerable to live it



# MODERN SLAVERY

Art 5 Charter of Fundamental Rights of the European Union, 2000 "Slavery / Forced Labour  
No one shall be held in slavery or servitude. No one shall be required to perform forced or compulsory labour.  
Trafficking in human beings is prohibited"

## MODERN SLAVERY

IN ITALY



IN 2016

**145K**

people were living in conditions  
of modern slavery

**2.43**

out of every 1000 people live in  
slavery

**28.29**

out of every 1000 people are  
vulnerable to live it.

## THE POPULATION MOST AT RISK OF SLAVERY

**81%**

Women

**59%**

Migrants

**10%**

Children

## IMPORTED PRODUCTS AT RISK OF MODERN SLAVERY IN ITALY:

Laptops  
Computers  
Phones



Cattle



Apparel and  
clothing  
accessories



Fish  
Cocoa



## THE MOST AFFECTED SECTORS

Forced  
Labour

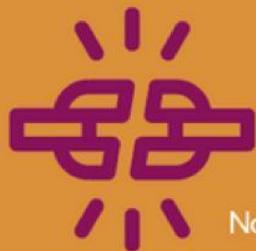
Agriculture, textile  
production, construction and  
domestic work.



Sexual Exploitation

Trafficking in human  
beings.





# MODERN SLAVERY

Art. 5 Charter of Fundamental Rights of the European Union, 2000 "Slavery / Forced Labour  
No one shall be held in slavery or servitude. No one shall be required to perform forced or compulsory labour.  
Trafficking in human beings is prohibited"

## MODERN SLAVERY IN SPAIN



**105k** People suffer from slavery

**2.26** out of every 1000 people live in slavery

**12.80** out of every 100 people are vulnerable to live it.

### THE MOST AFFECTED SECTORS

#### Forced Labour:



Construction



Agriculture



Hospitality and food



Domestic work and care for elderly

#### Sexual Exploitation

Trafficking in human beings.

### THE MOST VULNERABLE POPULATION OF BEING IN SLAVERY



Women

Children



Migrants

### NATIONALITY OF PEOPLE SUFFERING FROM MODERN SLAVERY:

Morocco

Nigeria

Bangladesh

Pakistán

India

China

Gambia

Senegal

Mali





# MODERN SLAVERY

Art. 5 Charter of Fundamental Rights of the European Union, 2000 "Slavery / Forced Labour"

No one shall be held in slavery or servitude. No one shall be required to perform forced or compulsory labour.  
Trafficking in human beings is prohibited"

## MODERN SLAVERY IN UNITED KINGDOM



# 136K

people are living  
in modern slavery  
in the United  
Kingdom in 2016

## THE POPULATION MOST AT RISK OF SLAVERY



Women

Migrants

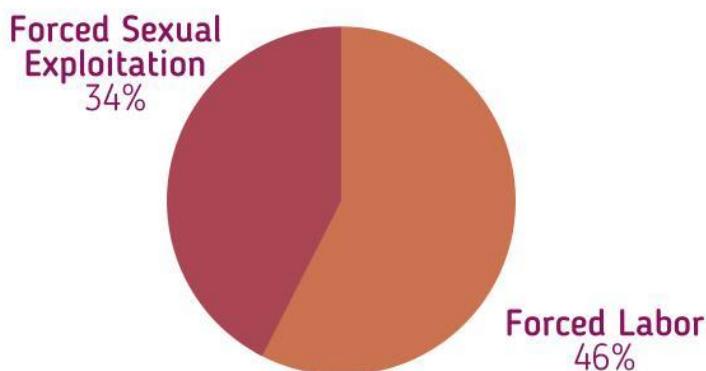


Transgender people

1 out of 4

victims are Children

## MOST EXPLOITED SECTORS:



## IMPORTED PRODUCTS AT RISK OF MODERN SLAVERY

Laptops  
Computers  
Phones



Apparel and  
clothing  
accessories



Fish  
Cocoa  
Rice



## REGISTERED TYPES OF MODERN SLAVERY:

Domestic  
Servitude  
Organ  
Harvesting

Labor  
Exploitation

Sexual  
Exploitation





## 11. Borders in Europe: an overview

### Notion of Border and European Legislation concerning borders

The term *border*, according to the definition provided by the Cambridge Dictionary, refers to “the lines that divide one country from another”. It is also defined as “the strip that goes around or along the edge of something, often as decoration”.<sup>93</sup> This latter interpretation of the word seems to be connected to its etymology; *border* has origin in the Middle High German word *borte*, that arrived in English through the Old French word *bordure*.<sup>94</sup> The old words which *border* derives from, in fact, had the meaning of trimming, i.e. putting a decorative border, an ornament. This etymology of the term seems to suggest the non-natural origin of today’s borders dividing countries, imaginary or material lines which establish the end of a land and the beginning of another one. A *Border* is, though, an ambiguous concept, since it indicates at once the barriers which close and the gateways which open to the outside; it can be at the same time protective and oppressive, a point of conflict and a meeting point.

The notion of border encompasses different meanings and applications within the area of the European Union. In the EU, in fact, it is important to distinguish between the internal and the external borders of the Union. One of the most important achievements of the EU regarding borders is the creation of the Schengen Area through the Schengen Agreement signed on the 14th June 1985 by five members of the EC community in the town of Schengen in Luxembourg. Over time, more and more EU states signed the Agreement which was incorporated into the European Union law in 1997 through the Amsterdam Treaty. The Schengen Agreement was conceived in order to enable the EU’s citizens to freely travel and settle across the different countries and to guarantee, therefore, free movement within the area. Today, the Schengen Area encompasses most EU States, except for Bulgaria, Croatia, Cyprus, Ireland, and Romania. However, Bulgaria, Croatia and Romania are currently in the process of joining the Schengen Area. Moreover, Iceland, Norway, Switzerland, and

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<sup>93</sup> Cambridge Online Dictionary: Border. URL: <https://dictionary.cambridge.org/dictionary/english/border>

<sup>94</sup> Fine Online Dictionary: Border. URL: <http://www.finedictionary.com/border.html#etymology>



Liechtenstein are the Non-EU States that have joined the Schengen Area.<sup>95</sup> Joining this free movement space is not just a political decision, but the states have to fulfil certain requirements. In fact they have to take responsibilities about the control of the external borders, to cooperate with the other Schengen States in the maintenance of a high level of internal security, to apply the common set of Schengen rules and to endure a "Schengen Evaluation" before joining the area. The aforementioned set of rules established by Schengen concerns in particular the visas needed to cross external borders and the security checks related to them, the judicial cooperation through a faster extradition system and the Schengen Information System (SIS).

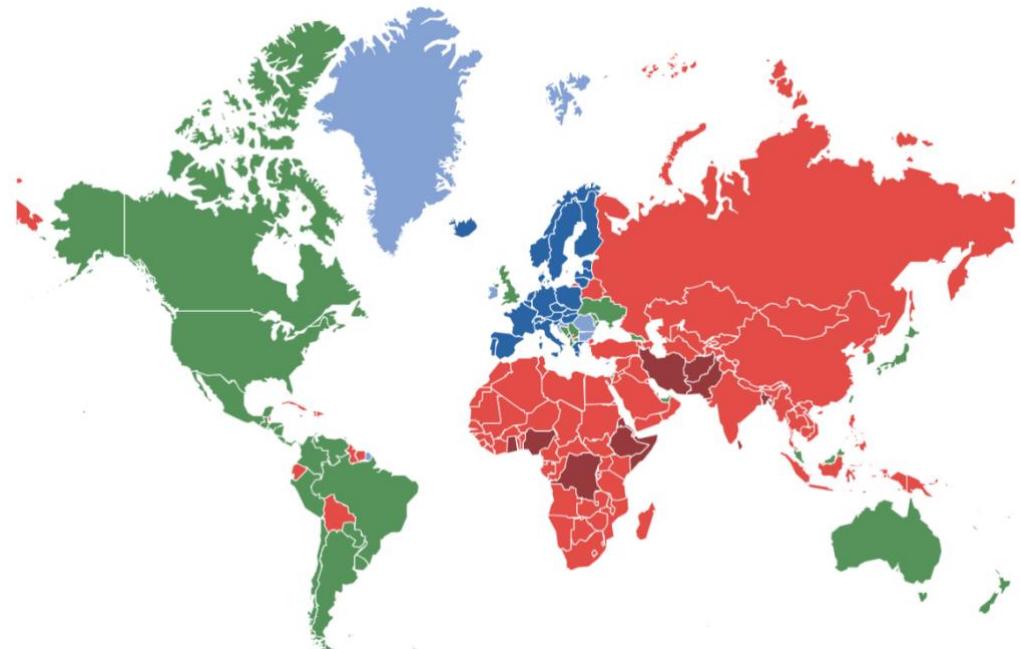
Therefore, thanks to the establishment of the Schengen area, anyone, regardless of their nationality, can move within it crossing internal borders without being checked, even if the single national authorities decide to carry on police controls. The conditions utilised by the Schengen Agreement can be suspended in case of emergency or serious threat to the security of the states joining the area. It happened, for instance, in France after the terrorist attacks in 2015 and it is actually occurring in 2020 because of the Covid-19 emergency.

Since, in normal conditions, internal borders are cancelled in the Schengen zone, the checks at the external borders are made more intensive and accurate. The uniformity of all members to the set of rules determined by Schengen also includes the procedures for issuing short-stay visas. There is, indeed, a list of countries of the world whose citizens need a visa to enter the European Union and another list of countries whose citizens, instead, are not required to have it. In general, non-European citizens travelling through the EU with a visa issued according to the common agreements of the different states are allowed to remain in the area for "90 days per period of 180 days", but the exact length can be calculated by means of a short-stay calculator.<sup>96</sup>

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<sup>95</sup> European Commission: Migration and Home Affairs. Schengen Area. URL: [https://ec.europa.eu/home-affairs/what-we-do/policies/borders-and-visas/schengen\\_en](https://ec.europa.eu/home-affairs/what-we-do/policies/borders-and-visas/schengen_en)

<sup>96</sup> European Commission: Migration and Home Affairs. Border Crossing. URL: [https://ec.europa.eu/home-affairs/what-we-do/policies/borders-and-visas/border-crossing\\_en](https://ec.europa.eu/home-affairs/what-we-do/policies/borders-and-visas/border-crossing_en)



From: Rotax Karts<sup>97</sup>

The above figure depicts the Visa requirements for the Schengen Area, indicating in blue the area itself, in green the countries whose citizens do not need a visa, in red the countries which do need a visa, and in dark red the ones whose citizens are required a visa and an additional transit visa (ATV).

The regulation of the system changes when it concerns the crossing of external borders by people coming into the European Union not for short stays, but as immigrants. A common migration policy manages the so-called *legal migration*, regulating the conditions of entry and residence of certain migrants' categories, such as, in particular, high qualified workforce, students, researchers, and immigrants aiming at familiar reunification.

The EU policy regulating migration, though, does not interrupt the so-called *illegal migration*, i.e. the flow of all migrants who do not fulfil the requirements needed to be included within the categories accepted for the legal migration. With the intention of avoiding the smuggling of migrants, in 2004 the EU established the *European Agency for the Management of Operational Cooperation at the External Borders*, transformed after the migrant crisis in 2015

<sup>97</sup> <https://www.rotax-kart.com/de/Max-Challenge/Grand-Finals/Grand-Finals-2014/Travel/Visa>



into a fully-fledged *European Border and Coast Guard Agency*, better known as *FRONTEX*. According to *FRONTEX* statements, the vision of the agency is the “European Area of Freedom, Security and Justice” and the mission is ensuring “safe and well-functioning external borders providing security” thanks to the cooperation among all the members.<sup>98</sup>

The legislative measures adopted by the European Union to prevent the crossing of illegal migrants include the strengthening of *FRONTEX* and the intensification of the coordination among the surveillance authorities of the different states, even considering the creation of a European system of border guards.

Moreover, the agreement between the EU and Turkey closed in 2016 that stipulates the return to Turkey of those illegal migrants that arrive to Greek Islands, has had a huge impact in the number of migrants that arrive to Greece from Turkey. This figures dropped from 10.000 arrivals per day to an average of 84, according to the European Commission.

All the legislations mentioned so far demonstrate that controlling borders has become a significant issue to place under the attention of the policy management, in particular for those external countries involved in problematic situations occurring on their borders.

To support the countries in the filtering system to distinguish between migrants who are allowed to remain and the ones who are not, the EU has built a Common European Asylum System, and an effective return and readmission policy. In addition to the afore-mentioned categories of migrants who are allowed to enter the area and remain legally in the EU, people fleeing persecution or exposed to serious dangers in their home country can apply to receive international protection. According to the data provided by Migration and Home Affairs of the EU, the number of asylum applications is not constant, but it changes over time: for instance, the number of asylum seekers was 425,000 for 27 States in 2001, 200,000 in 2006, and 335,895 in 2012.<sup>99</sup> A set of common rules has been settled over time among the different States, forming the current legislation regulating the asylum procedure in Europe and establishing the common minimum standards of protection for refugees.

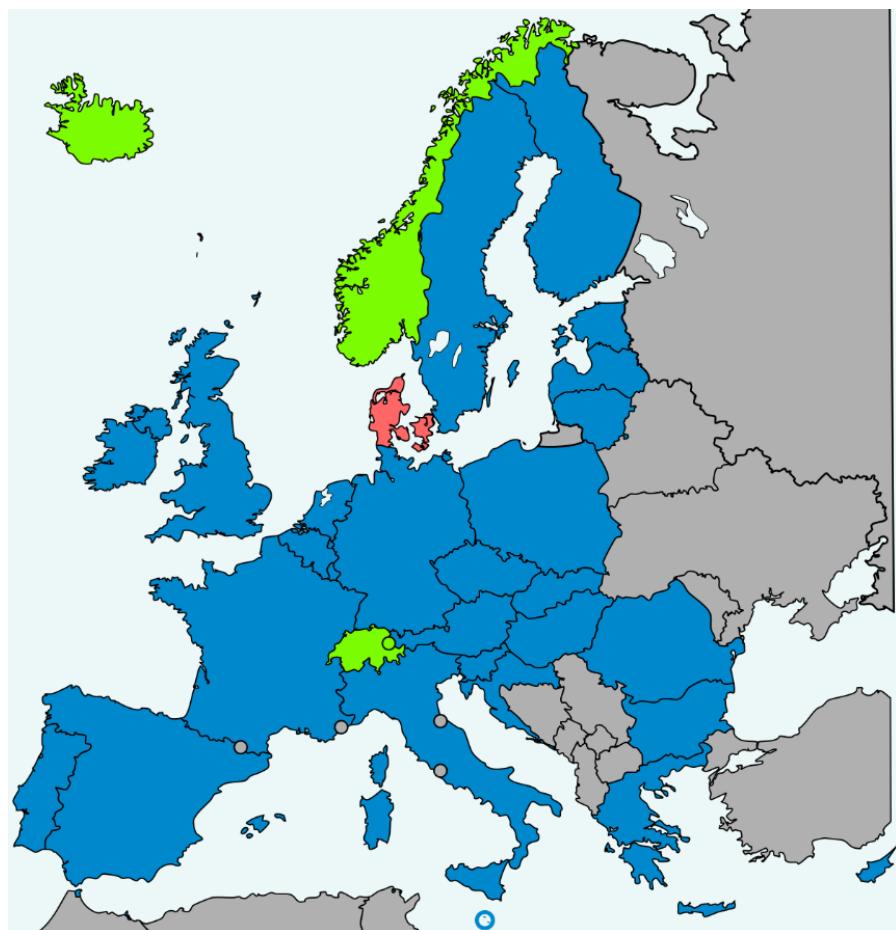
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<sup>98</sup> *Frontex: Mission, Vision and Values.* URL: <https://frontex.europa.eu/about-frontex/vision-mission-values/>

<sup>99</sup> *European Commission: Migration and Home Affairs Common European Asylum System.* URL: [https://ec.europa.eu/home-affairs/what-we-do/policies/asylum\\_en](https://ec.europa.eu/home-affairs/what-we-do/policies/asylum_en)



Within this Common European System of Asylum, a significant position is covered by the Dublin Regulation. This system originated in the Dublin Convention signed on the 15th June 1990 and turned into Dublin Regulation II in 2003 before becoming the current Dublin Regulation III, approved in 2013. Dublin III is the regulation applied to decide which country is responsible for an asylum claim. The countries taking part of the regulation are the ones in blue (EU-states) and the ones in green (non-EU-states) depicted in the following figure:



From: Wikipedia <sup>100</sup>

The Dublin III regulation has the aim of establishing which country will be responsible for the asylum procedures of a third-country national making an asylum claim. If, according to the

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<sup>100</sup> [https://static1.squarespace.com/static/597473fe9de4bb2cc35c376a/t/5b801b3d4d7a9cc4d58e4c04/1535122240426/Dublin\\_Regulation.svg.png](https://static1.squarespace.com/static/597473fe9de4bb2cc35c376a/t/5b801b3d4d7a9cc4d58e4c04/1535122240426/Dublin_Regulation.svg.png)



regulation, the country that has to carry on the asylum procedures is different from the one where the application was done, there can be different reasons:

- The asylum seeker has a close family member living in another country and can therefore apply for family reunification
- The asylum seeker had been issued a now expired visa previously in another country
- The asylum seeker had their fingerprints taken in another country
- There is evidence that the asylum seeker travelled through other European countries before getting to their final destination.<sup>101</sup>

Therefore, according to the conditions established by Dublin III, the country responsible for the asylum procedures is, in most cases, the one where the asylum seeker first entered the EU. This assumption, which the Dublin Regulations are based on, considers the asylum procedures of all member countries equal. However, the asylum legislation varies from one country to another and asylum seekers receive different treatments depending on where their application has been done.<sup>102</sup>

How does Dublin III really work? People entering the EU area have their fingerprints taken and stored with their personal data in a common database where the information will remain for ten years. This database enables the EU-states to trace back where the third-country national first entered the EU and to decide whether the person has to be sent back to that country to apply for asylum. Even in cases where the fingerprint has not been registered, train tickets and other transport documentations can prove which route the asylum seeker took and where they started it in Europe. States, therefore, can take a period of time called *Dublin-phase of assessment* to check these conditions before deciding which country is responsible for the asylum procedures.<sup>103</sup>

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<sup>101</sup> Mobile Info Team: The Dublin III regulation. URL: <https://www.mobileinfoteam.org/dublin-3/?gclid=EA1alQobChMlmp-PvL7J6AIVQ8DeCh2NCQ5vEAAYASAAEgLWGPDBwE>

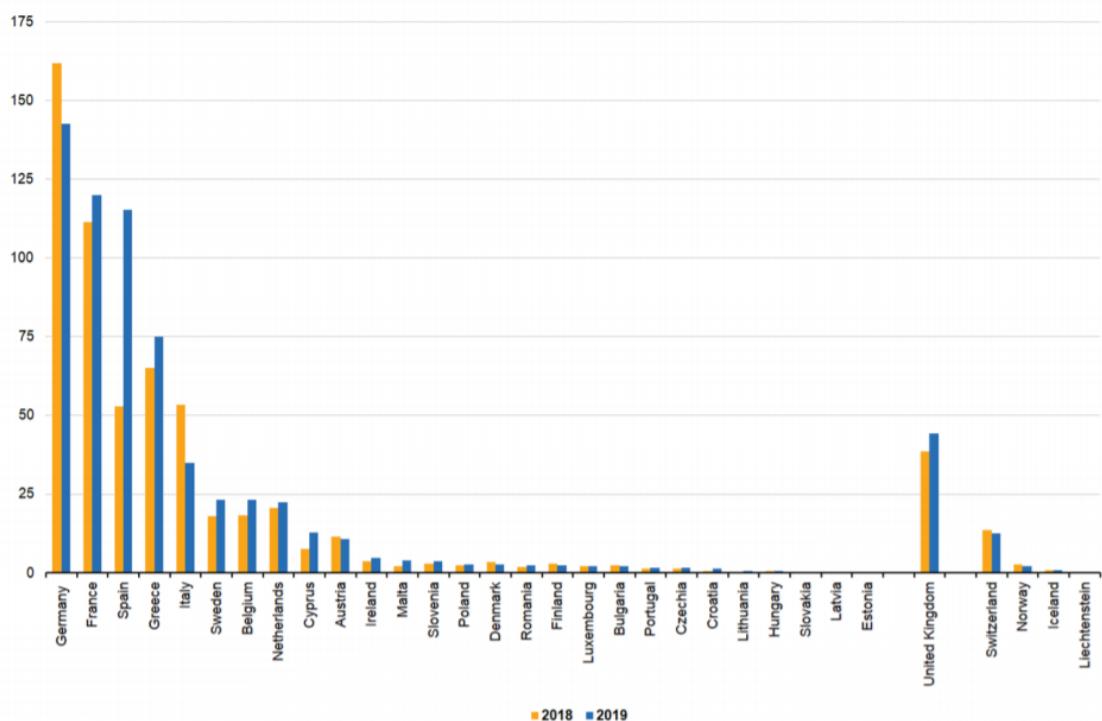
<sup>102</sup> UNHCR: Regulation establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national. URL: <https://www.unhcr.org/4a9d13d59.pdf>

<sup>103</sup> Ammirati, Annarita: What is the Dublin Regulation. URL: <https://openmigration.org/en/analyses/what-is-the-dublin-regulation/>



This implies that the countries placed on the external borders of the EU and on the most exposed position to the refugee routes have to grant protection to the people entering the EU through their territory. The most coveted destinations remain Germany and France, which are in the highest positions for the number of asylum applications. As demonstrated by the figure below, after these two countries, the next highest number of applications takes place within countries where migrants most often arrive without prior identification. These are known as 'gateway countries' and consist of places such as Spain, Greece, and Italy.

**Number of (non-EU) asylum seekers in the EU-27 Member States, the United Kingdom and EFTA countries, 2018 and 2019**  
(thousands of first time applicants)



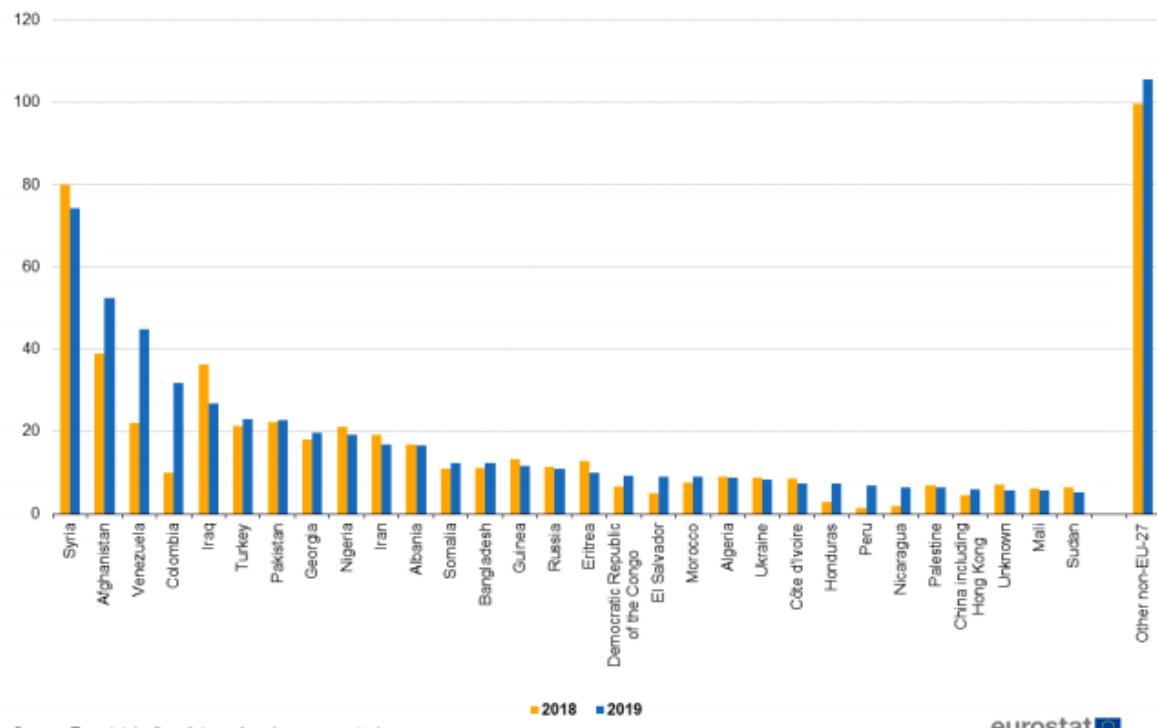
From: eurostat<sup>104</sup>

The graphs below indicate, respectively, the main citizenships of first-time applicants in 2019, the first three being people from Syria, Afghanistan and Venezuela, and the number of asylum applications from 2006 to 2019.

<sup>104</sup> <https://ec.europa.eu/eurostat/statistics-explained/pdfscache/5777.pdf>



**Citizenships of first-time asylum applicants (non-EU-27 citizens),  
EU-27, 2018 and 2019  
(thousands)**



Source: Eurostat (online data code: migr\_asyappctza)

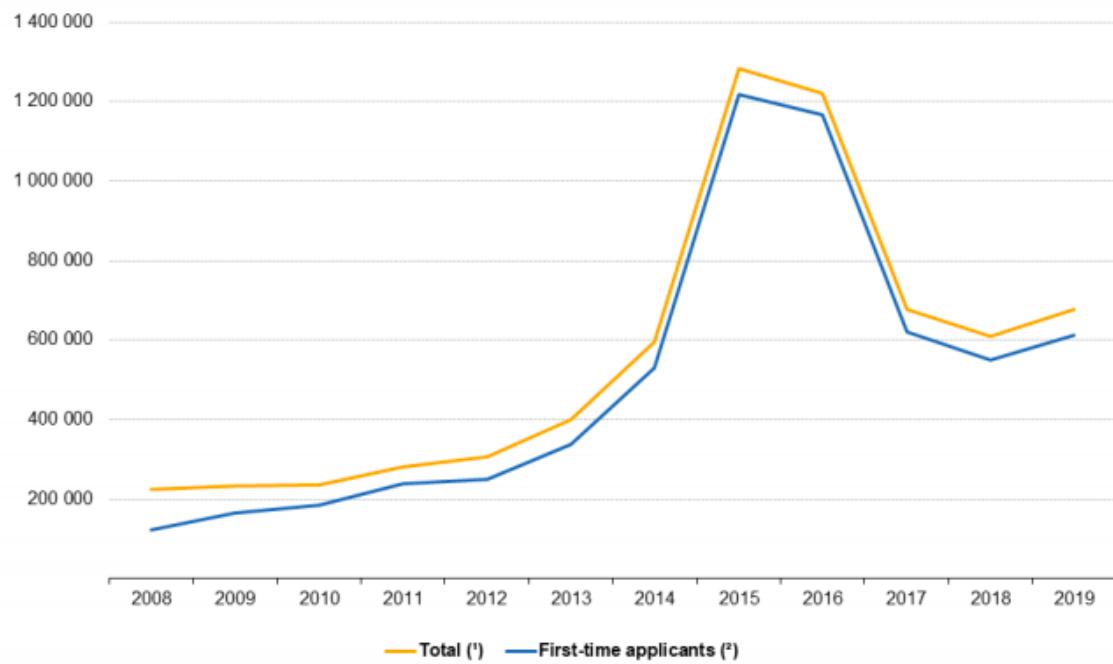
eurostat

From: eurostat<sup>105</sup>

<sup>105</sup> <https://ec.europa.eu/eurostat/statistics-explained/pdfscache/5777.pdf>



### Number of asylum applicants (non-EU-27 citizens), EU-27, 2008–2019



(¹) 2008–2014: Croatia not available.

(²) 2008: Bulgaria, Greece, Spain, France, Croatia, Lithuania, Luxembourg, Hungary, Austria, Romania, Slovakia and Finland not available. 2009: Bulgaria, Greece, Spain, Croatia, Luxembourg, Hungary, Austria, Romania, Slovakia and Finland not available. 2010: Bulgaria, Greece, Croatia, Luxembourg, Hungary, Austria, Romania and Finland not available. 2011: Croatia, Hungary, Austria and Finland not available. 2012: Croatia, Hungary and Austria not available. 2013: Austria not available.

Source: Eurostat (online data code: migr\_asyappctza)

eurostat

From: eurostat<sup>106</sup>

### Invisible borders: social exclusion and passport powers

The Dublin III Regulation sheds light on the geographical consistency of border areas, since it strictly considers the movement of crossing the line which divides Europe from non-Europe. The logic underlying this system, thus, establishes the responsibilities of countries focusing on the “gateways” through which people cross the borders. This implies that the regulation is unfair both towards the asylum seekers and towards certain Member States. In fact, the

<sup>106</sup> <https://ec.europa.eu/eurostat/statistics-explained/pdfscache/5777.pdf>



system produces, on the one hand, more pressure on the external regions of the EU and, on the other hand, more obstacles in asylum seekers' lives.

In addition to the real borders defining the area of the EU, indeed, other invisible borders do exist. These borders are, for instance, the effects of the European Asylum System on people's lives. In fact, the system builds insurmountable borders between the achievement of people's life goals and their chances of achieving them. In order to reach their goal destination and start the desired new life, migrants have to be lucky enough to not be caught or checked during their illegal journey across Europe.<sup>107</sup>

If identified, asylum seekers are obliged to ask for protection in the country decided by Dublin III, whose culture, language, lifestyle, and employment opportunities are often far from what the migrant was hoping for. Moreover, once the asylum claim has been presented, the assessment phase and the development of procedures take a long period of time while migrants are left in a limbo.<sup>108</sup> During this time, asylum seekers, often in detention and separated from their families, have to face the invisible borders of social exclusion. While refugees who have already gained asylum can have access to normal services, asylum seekers live a non-defined status that acts as an obstacle to their integration in the host society.

Most asylum seekers experience *dispersal* within the EU. Dispersal is the effect of certain well-reasoned policies adopted by states that, on the one hand, avoid the concentration of the same communities in an area, but on the other, produce it anyway, mixing people coming from different ethnicities. In most of the cases, people are sent to deprived urban areas with low-cost housing where the scarce resources available increase the competition among the minorities and the confinement produces isolation and social exclusion.<sup>109</sup> This policy is often carried on by governments in order to deter migrants from coming to the EU, and from applying for asylum in their country. There is evidence that such policies and programs are condemnable, since they are discriminatory and negatively influence people's lives precluding

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<sup>107</sup> Ammirati, Annalisa: What is the Dublin Regulation. URL: <https://openmigration.org/en/analyses/what-is-the-dublin-regulation/>

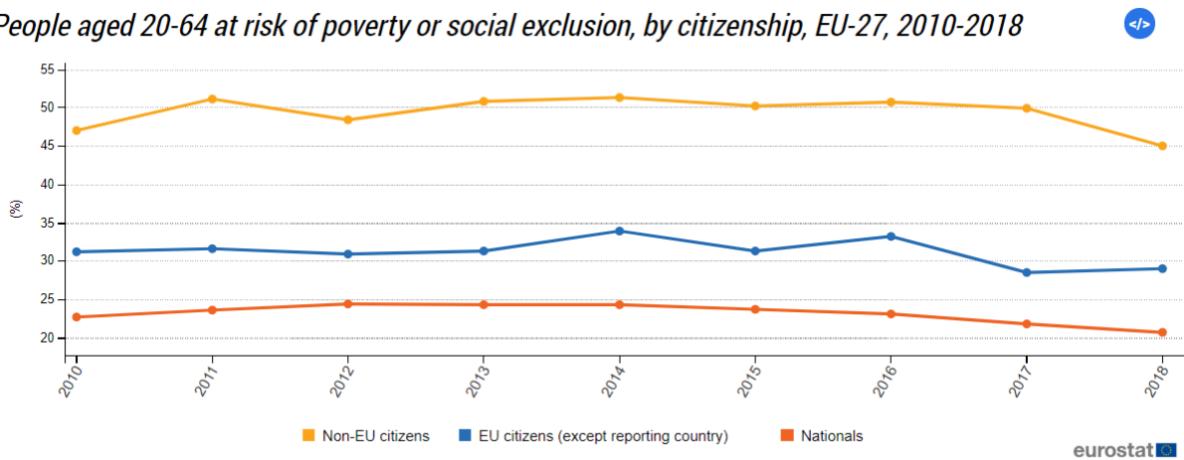
<sup>108</sup> UNHCR: Regulation establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national. URL: <https://www.unhcr.org/4a9d13d59.pdf>

<sup>109</sup> Schuster, Liza: The Exclusion of Asylum Seekers in Europe. URL: [https://www.researchgate.net/publication/237388731\\_The\\_Exclusion\\_of\\_Asylum\\_Seekers\\_in\\_Europe](https://www.researchgate.net/publication/237388731_The_Exclusion_of_Asylum_Seekers_in_Europe)



the possibility of integration.<sup>110</sup> In fact, even upon arriving within Europe, asylum seekers are divided from the host society by geographical and social distances by being confined in deprived areas which constitute an invisible but overwhelming border around them. As mentioned before, the main effect of dispersal is, therefore, social exclusion, described as “what can happen when people or areas suffer from a combination of linked problems such as unemployment, poor skills, low incomes, poor housing, high crime, bad health and family breakdown” (ODPM, 2000, p. 1)<sup>111</sup>. Thus, the lack of resources, the inconsistency of the labour market, the racial segregation of minorities in a deprived area are all components producing an undesired and serious limitation that asylum seekers are obliged to face.

*People aged 20-64 at risk of poverty or social exclusion, by citizenship, EU-27, 2010-2018*



From: eurostat<sup>112</sup>

As shown by the figure above analysing the statistics on the risk of poverty and/or social exclusion among working-age communities in the EU, throughout the period from 2010 to 2018 the people most exposed to risk remain Non-EU citizens, a wide category which encompasses refugees, legal and illegal migrants, and asylum seekers living within the EU borders.

<sup>110</sup> Philimore, Jenny, Goodson, Lisa: Problem or Opportunity? Asylum Seekers, Refugees, Employment and Social Exclusion in Deprived Urban Areas. URL: <https://journals.sagepub.com/doi/pdf/10.1080/00420980600838606>

<sup>111</sup> ibid.

<sup>112</sup> [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Migrant\\_integration\\_statistics\\_-\\_at\\_risk\\_of\\_poverty\\_and\\_social\\_exclusion](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Migrant_integration_statistics_-_at_risk_of_poverty_and_social_exclusion)



Moreover, an additional invisible border remains in existence even after that the asylum application has been accepted and the asylum seeker has turned into a refugee. This border is the difference of freedom and possibilities between EU citizens, on the one hand, and refugees on the other. Even people who an EU country has accorded the international protection to, are forced to live, and remain in that country. Indeed, the freedom to travel across the Schengen Area which is one of the most important achievements of the EU community is not fully accorded to refugees. They are allowed to travel only for a limited period of time, i.e. three months, and cannot decide to move to another country neither for work nor study.<sup>113</sup> The current frontiers existing within the EU area, thus, do not equally allow people to have the mutual recognition of international protection and the freedom to live anywhere in the Union.

It is possible to recognise another existing situation which is strictly related to the aforementioned invisible boundaries; this is passport power. "The colour of passport is like the skin colour, you cannot choose it. The possibility of obtaining a visa depends on the economic potential of those who apply for it, so poor people do not have the right to move freely", this is a heart-breaking but eye-opening statement of Maria Sàncchez, president of the Mesoamerican Migration Movement.<sup>114</sup> The image clearly pointed out by Sàncchez outlines an overview of the question concerning the power of passports. This essential document which permits people to cross borders does not always have the same value. It has the form of a small booklet responding to the requirements decided by the International Civil Aviation Organisation and it is delivered by the State which also chooses its colour. The power of a passport depends on the international agreements signed by the country that issued it and is indicated by the *Openness Score*. This score is determined by the number of countries which the passport allows the bearer to enter without the requirement of any visa. The classification of the world countries, according to the Passport Index elaborated by the society Arton Capital, is divided into different ranks depending on the power of these documents. For the classification referring to the current year 2020, all European passports are included in the first nine ranks, whereas other countries of the world are placed in the hundredth rank, the

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<sup>113</sup> Ammirati, Annalisa: What is the Dublin Regulation. URL: <https://openmigration.org/en/analyses/what-is-the-dublin-regulation/>

<sup>114</sup> Internazionale: Il portere di un passaporto. URL: <https://www.internazionale.it/video/2019/09/25/potere-passaporto>



last one of the index.<sup>115</sup> This question clearly demonstrates how people do not share the same right to move freely all over the world, but their entire lives are influenced by a single document and, therefore, by the country where they are born in, by chance and not by choice.

Considering the classification conducted in 2020, people with a passport from the United Arab Emirates, the first country according to the index, can travel across 178 countries: 118 without any visa, 60 with a visa required on arrival and 20 with a visa previously required. With regards to EU-States, the first in the classification for 2020 is Germany, whose citizens can travel across 171 countries: 128 without any visa, 43 with visa on arrival and 27 with visa required. On the other side of the classification, i.e. in the last rank, there is the Afghan passport. Afghan people can only travel in 35 countries, visa free in 5, 30 with visa on arrival and the rest with a visa required.<sup>116</sup> The difference among the stated countries entry requirements is incredibly huge and shocking, but it clearly demonstrates how such a well-known and simple document can build an invisible but enormous border in people's life, influencing their present and future freedom in making significant decisions.

#### **Visible borders: walls and fences across Europe**

Invisible borders are not, though, the only boundaries existing on the continent. Even in Europe, whose area is characterised by the freedom of movement for its citizens and the lack of border checks between the countries joining the EU, real material borders do exist. Despite the tendency, increased in the last several years, to bind the policies of the different states concerning migration within a common European legislation, some countries, especially the ones placed on the more external regions of the continent, have decided to diverge and take their own particular measures. This means that some countries did not appreciate enough the work carried on by the EU controlling external borders and keeping away "unwanted" migrants. The depicted situation is demonstrated by the decision of different countries to build walls and fences, i.e. to adopt measures in conformity with their repelling interest and

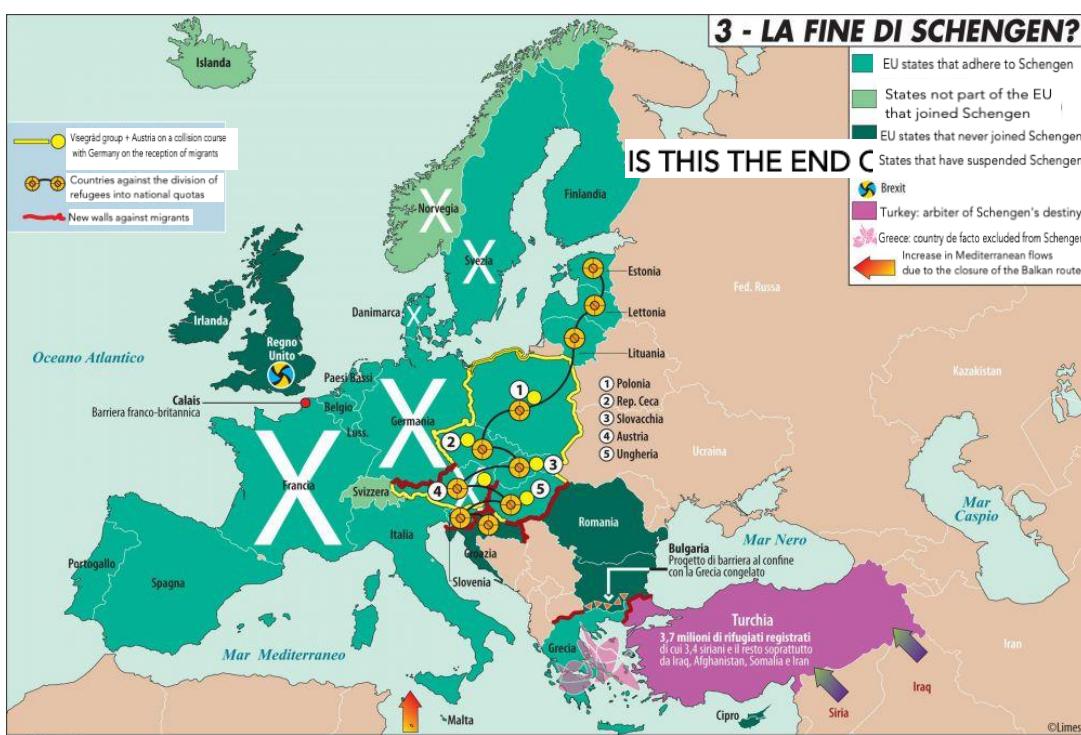
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<sup>115</sup> Chambre, T.: La géopolitique des passeports. In: Carto, Le monde en cartes, n. 48, August 2018: p.43-44

<sup>116</sup> Passprt Index: Global Passport Power Rank 2020.URL: <https://www.passportindex.org/byRank.php>



their realistic and material perception of borders.<sup>117</sup> For these countries, indeed, the European idealistic perception of borders, considered just as symbolic entities, and the rules established by the Schengen Agreement represent an obstacle to their policy based on closure, defense, and rejection of what comes from the outside.



Fonte: Limes Online<sup>118</sup>

The figure above indicates in red the walls built in Europe in order to avoid the entrance of non-European migrants. As clearly visible on the map, these borders were widely extended in the last several years and they appeared not only in external regions of the continent, but even in central countries such as France and Germany.

Since the migration crisis faced by Europe during the year 2015, over 800 miles of fences have been built by Austria, Bulgaria, Slovenia, Hungary, and others, to “protect” themselves from the arrival of migrants fleeing from war. For instance, the Hungarian Prime Minister Viktor

<sup>117</sup> Cicero, Teresa, Tavares da Silva, Jorge: The European Union and the Member States: two different perceptions of border.URL:[http://www.scielo.br/scielo.php?script=sci\\_arttext&pid=S0034-73292016000100203](http://www.scielo.br/scielo.php?script=sci_arttext&pid=S0034-73292016000100203)

<sup>118</sup> <https://www.limesonline.com/la-fine-di-schengen-2/104924>



Orban decided to allocate \$1 billion in electrified fences with cameras to keep migrants away from the territory of the country. He considered refugees like "Muslim invaders" and used the pretext of the protection offered by the wall as a new source for gaining consent.<sup>119</sup> In 2012, Greece built a cement and barbed-wire fence along its border with Turkey, employing over 2,000 guards to supervise the area and prevent the entrance of illegal migrants. In Calais, in the northernmost part of France and in the middle of Europe, after kilometres of barbed-wire fences spreading throughout the town, in 2016 the prefecture decided to also build a wall 4-metres high and one kilometre long to prevent intrusions by migrants into the port of Calais. Most of the construction works regarding fences in the region Nord-Pas de Calais are funded by the British Government which, thanks to the Touquet Agreements, has externalised the UK borders onto the European continental area, in order to prevent the migrants' crossing of the Channel.

According to some people's opinion, fences do work. The company responsible for the Eurotunnel between the UK and France points out that there has been no disruption of service caused by migrants, since the fences have empowered the border. Actually, fences do not seem to work at all, they rather deteriorate the crossing. In Calais like in other border regions of the world, fences do not stop people from trying to cross, but they make them choose more dangerous routes and people-smugglers.<sup>120</sup>

#### **Social and bureaucratic barriers**

In Spain, the current legislation that regulates border control is Organic Law 4/2000, of January 11, on the rights and freedoms of foreigners in Spain and their social integration.

In Article 2ter, it is established that "the public powers will promote the full integration of foreigners in Spanish society, within a framework of coexistence of diverse identities and cultures with no other limit than respect for the Constitution and the Law." And in point 3 of this article "will include among its objectives the integration of unaccompanied foreign

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<sup>119</sup> Hjelmggaard, Kim: Trump isn't the only one who wants to build a wall. URL: <https://eu.usatoday.com/story/news/world/2018/05/24/donald-trump-europe-border-walls-migrants/532572002/>

<sup>120</sup> Baczyńska, Gabriele, Ledwith, Sara: How Europe built fences to keep people out. URL: <https://www.reuters.com/article/us-europe-migrants-fences-insight/how-europe-built-fences-to-keep-people-out-idUSKCN0X10U7>



minors." The reality is that, in Spain this group faces significant obstacles that hinder their chances of having a decent life and of reuniting with their relatives, despite current legislation.

Foreign people who cross Spanish borders, according to the law, have a period of a few months to gain residence in Spain. While this time passes, many of them have to spend a period of time in the so-called foreigner detention centres in conditions that are far from what is human, supposedly until their situation is regularised. As for unaccompanied foreign minors who stay for months and even years, up to the age of majority, this right is not guaranteed. This inhumane situation is being denounced by various Spanish activist organisations asking the institutions to regularise the situation of vulnerable people and not to deny their rights.

Obtaining the legal documentation to stay in Spain, the time that each one deems necessary, implies that these people endure situations of discrimination.

Institutional discrimination: depending on the origin of a person, they will have different opportunities to obtain this document, since the Spanish state has agreements with certain countries such as Egypt, which implies that people from that country with a certain threshold of purchasing power have the right to acquire residence in Spain without the need to obtain stable employment.

#### **Physical barriers**

Being a foreigner and trying to cross the southern border of Spain carries risks that men, women, and children from the African continent suffer on a daily basis. According to Organic Law 4/2000, of January 11, on the rights and freedoms of foreigners in Spain and their social integration,

In order to know the current situation of the Southern Border, it is relevant to consider the work being carried out by organisations and activities in Spain to fight against actions that threaten the human rights of refugees, asylum seekers and immigrants and that are being promoted in Spain:

Red Migureurop, ANDALUCÍA ACOGE, APDHA - Pro Rights Association of Andalusia, Spanish Commission for Refugee Aid, SOS RACISMO, Elín Association, organised in the European



Parliament on 9 and 10 September 2014 the Conference "Southern Border Are there alternatives?" In Brussels. They proposed 4 urgent measures to alleviate the emergency situation suffered by many immigrants in Spain:

1. Guarantee the protection of refugees and asylum, respecting the principle of non-refoulement and not penalise people who enter the Spanish territory irregularly "for being contrary to article 31 of the Geneva Convention on the Status of Refugees "
2. Respect for the Human Rights of migrants in transit, in Morocco and effective possibility of access to the regularisation process.
3. Facilitate family reunification of those who have relatives in Europe
4. Reconsider the less restrictive visa policy for citizens of African countries. A radical change in European migration and asylum policies. For this, the Euro-African network Migreurop proposes the creation of a Table of Entities, groups and Institutions representative of the situation to deal with and manage the problem, referring the proposals to national, community and international institutions with competence in migration policies. These proposals could be applied to other European borders, establishing a unique coordination and response.

As for the CA-MINANDO FRONTERAS Association, it prepared a report of the investigation carried out on the events that occurred on February 6, 2014 in Tarajal, Ceuta. Several immigrants from the African continent tried to cross into Spanish territory, in Ceuta. Upon arrival, they suffered violent attacks by Civil Guard Agents, which ended in several deaths and injuries. According to the testimonies collected in this investigation, human rights were violated, through verbal and physical contact with defenceless people, help was denied, and deportations were made that are against the current legislation on foreigners. This is one of the examples of so many that have happened over the years, even today. Clearly, this is a racist and xenophobic act against which the Spanish state must put in place urgent measures.



## Borders in the countries of the project

### Italy

Italy has ratified the 1974 International Convention for the Safety of Life at Sea (1980), the 1979 International Convention on Maritime Search and Rescue (1989), and the 1982 United Nations Convention on the Law of the Sea (1994). The international law of the sea therefore provides that Italian authorities have the obligation to take all necessary measures to ensure that all rescued persons can disembark as soon as possible in a safe place. The refusal to allow the disembarkation, in particular of vulnerable persons, who have escaped torture and violence, violates the rules protecting fundamental human rights and the protection of refugees as well as the principle of non-refoulement and the right of access to seek asylum enshrined in the Geneva Convention. Crucial to border surveillance is the Council Regulation (EC) No. 2007/200433 that established the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex). In 2016, with Regulation (EU) 2016/162434, the Agency was renamed European Border and Coast Guard Agency. Frontex's objectives include coordinating air, sea, and land border patrol missions at the external borders of EU Member States, as well as supporting Member States in joint return operations for irregular migrants (for details see Karamanidou and Kasparek 2018). The Italian authorities involved in Frontex activities are the Coast Guard (Guardia Costiera), the Financial Guard (Guardia di Finanza), and the National Police (Polizia di Stato).

Regarding the northern borders of Italy as reported by AIDA (2017, 2018), there have been several issues in access to the Italian territory in the past few years. Beyond problems linked to barriers to disembarkation in ports, crossing/access to the territory by land is also problematic. In particular, with regard to the Northern borders, in 2017 readmission measures have been implemented against migrants arriving from Austria, and "controls have reportedly been based on racial profiling, intercepting mostly Afghan and Pakistani nationals". Moreover, in several cases migrants were "not provided with written notifications or explanations of the reasons for their readmission". Push backs have also been reported on the Slovenian border, "under no formal readmission procedure". In this regard, a crucial aspect to highlight is that Italy lacks any official border monitoring activities, which are fundamental to assess whether border management operations comply with refugee and human rights law. However, some NGOs and non-governmental actors carry out such activities. At the Northern borders, the situation in Bolzano is particularly crucial. In fact, unlike Como/Ventimiglia (relevant for outgoing flows from Italy) and Trieste (relevant for



incoming flows from the Balkan route), Bolzano represents a link between outgoing and incoming movements between North and South. As for the flows from the North, it concerns individuals “who have applied for international protection in other countries” (Germany, Belgium, Sweden) where they have had a negative outcome. They therefore travel to other countries, especially Italy and France, hoping to make a new asylum application.

Flows from the South mainly concern persons with a valid residence permit by Italy but without a passport or travel document, persons arriving from Greece or Turkey who have not yet applied, or do not intend to apply, for asylum in Italy, or persons who have arrived in Sicily/Calabria but have not applied for asylum in any Italian city and who wish to continue towards Northern Europe.

With regard to access by sea, search and rescue operations provided by NGOs have been discouraged as a result of the issue of a Code of Conduct by the Ministry of the Interior (AIDA 2018), according to which signatory NGOs enter into commitments such as that of not to enter Libyan territorial waters and not to obstruct search and rescue activities by the Libyan Coast Guard (Ministry of the Interior 2017). Several criminal investigations against NGOs, which have been accused of encouraging departures from Libya and favouring irregular immigration, were opened (Amnesty International 2018). However, as of early 2019, despite some enquiries, public prosecutors have found no evidence of crimes carried out by NGOs. Criticism of humanitarian search and rescue operations by NGOs revolves around the argument that the mere presence of rescue boats in the Mediterranean constitutes a ‘pull factor’, that is, a factor leading to more crossings.

As a legal expert has commented, the Italian approach to border management in the last few years can be defined as ‘schizophrenic’. There have been times of harsh restriction in access to the territory and times of openness, above all as far as search and sea rescue operations are concerned. The same definition might apply to the discourses developed in the public debate. As the analysis shows, there has been an alternation of narratives over humanitarianism and securitisation of border management and migration control, with a constant emphasis on solidarity and externalisation. Narratives of humanitarianism have been focusing on the commitment by the Italian government and EU institutions to save migrants’ lives and protect their human rights. However, the humanitarian discourse is strictly intertwined with that of securitisation. Indeed, humanitarianism and securitisation have often gone hand-in-hand. Crucial to the analysis of the “securitarian-humanitarian nexus” is the discourse developed around the Mare Nostrum operation, officially an humanitarian mission launched by the Italian government in October 2013 as a response to the Lampedusa shipwreck of 3 October 2013, when 368 migrants died after their boat sank before reaching



Italian shores. In fact, “although the stress was mainly put on the humanitarian aim of saving lives at sea, Mare Nostrum was also presented as a security mission aiming at capturing smugglers. Indeed, besides the thousands of migrants rescued, authorities can also boast about the hundreds of smugglers detained” (Cuttitta 2014: 27). The securitarian-humanitarian mix has also characterised the discourse over the need to establish cooperation with, and aid, North African countries even before 2011. Decision makers from both the centre-left and the centre-right have always considered the externalisation of border management and migration control as the winning strategy to curb migratory flows.<sup>121</sup>

## United Kingdom

Since 2009, there have been anywhere from 100 to 5,000 migrants in Calais attempting to cross into the UK, with many other communities scattered across the coastline of northern France. People have come from all over the world, from Iran, Afghanistan, Pakistan, Somalia, Egypt, Syria, Sudan, Palestine, Chad, Eritrea, Iraq, Albania, Senegal, Kurdistan, Libya, and Ethiopia with the biggest communities often being those from East Africa and Afghanistan.

There are often many children and teenagers travelling through Calais, frequently travelling alone. As the number of people coming from Eritrea and Ethiopia has increased in the last couple of years, so has the number of women travelling through Calais.

UK immigration law makes it near impossible for the vast majority of non-nationals to enter the country. You need a visa to do so, for which you need money and must satisfy a strict criterion. Unless you are already in the country on a visa, you cannot claim asylum from abroad. British law therefore necessitates illegal entry to the UK for almost all those who want to claim asylum. This forces migrants, most of whom have survived war or human rights violations – and many of whom are very young, to risk their lives making clandestine entries in or under lorries that travel to the UK. Many people have died, and countless others have been injured in this process.

Calais is the biggest and busiest port operating between the UK and north west Europe. It has both a ferry port and the Eurotunnel, and therefore the most amount of traffic and shipping across the border. This also makes it one of the most dangerous places for people to be crossing from.

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<sup>121</sup> Andrea Terlizzi: Border management and migration controls in Italy. In.: Working Papers Global Migration: Consequences and Responses Paper. 17 June 2019



In 2003 the British and French governments signed the Le Touquet treaty<sup>122</sup> in which they agreed to establish juxtaposed immigration controls on cross-Channel ferry routes. This meant that all travellers between the two countries would have to clear immigration in the country of departure rather than on arrival. This pushed the entire UK border to France. It was done to ensure that the majority of people caught attempting to cross the border would still be on French rather than British soil. The main outcome of this is a creation of a bottleneck in the city of Calais. At any given time, hundreds to a few thousand people are caught there, the British government having poured millions and millions of euros into preventing them leaving.

By concentrating the migrants into such a small area, they made the population as a whole much easier to police. There have been a number of instances since the beginning of the camp known as ‘the jungle’, where the police have shown, through force, how easy it was for them to shut down access to and from the jungle, and how willing they were to do it. The quick changes were an obvious creation of a ghetto on the outskirts of Calais, furthering the segregation of the town that already existed. The springing up of shops, bars, churches, mosques, a hospital across the jungle, add to the feeling that a new town had been opened up outside Calais. The two-hour daily pilgrimage across the city to the tunnel was often the only time people were in the city.

This concentration had also created some tensions between the different communities, who had very rarely chosen to live all together. Added security on the crossing routes was also playing into this as people and communities were pitted against each other in the effort to cross.

This increase in security is due, in a large part, to massive and detrimental interest in Calais and the alleged ‘migrant crisis’ of Europe from the British media plus pressure and money from the British government. There has been huge tightening of the border and a rise in the security measures around the port, the tunnel, the highways, and lorry parks over the last three years. And a very big drive over the summer 2015.

The new priority clearly stated as concentrating on humanitarian provision to justify tightening controls at the port and tunnels. A new fence has been erected on the highway leading up to the port, massive increases in police numbers (which were already significantly high for a city the size of Calais), more dog-handlers have been hired for everywhere, and for

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<sup>122</sup> Government of the United Kingdom of Great Britain: The Touquet treaty. URL: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/238209/8117.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/238209/8117.pdf)



the first time British police forces are actively involved in policing in Calais. A serious consequence of the tightened security measures at the port has been a devastating rise in deaths and serious injuries at the Channel tunnel. It is estimated that since 2014 at least 135 people have died trying to cross the English Channel.

## Spain

Spain is the third European frontier in the number of migrants arrived by sea, after Italy and Greece. The origin of this reality rises from the instability of the main origin and transit countries (Morocco, Algeria, Ivory Coast, Guinea Conakry and Gambia) and also the dismantling of camps where these people were being held in Morocco or Algeria.

The European Union's policy of "selected (chosen) immigration" which concerns only those migrants needed by the European economy, aims to avoid having to accommodate what it calls "inflicted (imposed) immigration": refugees and all those fleeing poverty, environmental catastrophes and conflict. In adopting this policy, the EU member states are willing to renounce all principles. They have, for example, declared "sure" a country like Libya, where arbitrary detention of foreigners, mass deportation and mistreatment are commonplace, to justify Italy's regular practise of deporting to Libya entire charter flights full of the boat people stranded on Lampedusa island. And they have transformed Morocco into a veritable trap where thousands of transiting Africans are held under threat of police repression in inhuman conditions, with no concern for the fate of those requiring international protection. Over 6,500 people have died over the last ten years to cross the maritime and land borders between Morocco and Spain.

The Spanish enclaves Ceuta and Melilla, located on the North African coast are surrounded, respectively, by a 8.3km-long and 10km-long fence.

Since the "cayuco crisis" in 2006, Spain succeeded in adopting several agreements with African countries like Niger, Gambia or Morocco with the aim of limiting the entrance of boats to the Canary Islands and the south of the mainland. However, detention centres have been created using Official Development Assistance for border control, and leaving the future of migrants to countries that do not comply with human rights standards.<sup>123</sup>

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<sup>123</sup> Comisión Española de Ayuda al Refugiado, 2017



Additionally, to these two physical fences in Ceuta and Melilla, the externalization of frontiers, the digital surveillance of irregular migration is now a central part of the Spanish government's policy. The Integrated System of External Surveillance (SIVE) is one of the largest surveillance systems in Europe aimed at monitoring the Spanish maritime areas targeted by irregular migrants. The SIVE was first applied in 1999 around the strait of Gibraltar, where the majority of irregular migrants were arriving at that time. The Spanish government has subsequently extended the SIVE to the east and to the west to cover respectively the whole of Cadiz province in 2004, the entire Andalusia coast in 2005, and, finally, the Canary Islands. The SIVE has been implemented through the gradual addition of border-control and management technologies, including long-distance radar systems, advanced sensors that can detect heartbeats from a distance, thermal cameras, night vision cameras, infrared optics, helicopters, and patrol boats.

Jorge Carling argued that the development of SIVE has not only led smugglers to adopt new routes but has also resulted in technical and organisational changes on the part of the smugglers. Carling explained this conclusion, based on some previous studies, using four points: First, smugglers have developed new boats purpose-built for smuggling, rather than relying on fishing boats. Second, in order to increase their profit, smugglers double the number of passengers on each journey through the use of larger dinghies and rubber boats (zodiacs). Third, they organise collective journeys to include a group of dinghies which spread out when they approach the coast. This makes it difficult for the Guardia Civil to intercept all the boats that have been detected by the SIVE. Fourth, the SIVE program makes the journey of migrants, especially those who lack nautical skills, more dangerous, while the smugglers run no additional risk of arrest by Spanish authorities. Additionally, in reaction to sophisticated virtual-control systems applied in the western Mediterranean and Atlantic Ocean, migrants try to reach European soil from eastern Maghrebi coasts (from Algeria, Tunisia and Libya) especially via the Italian islands of Lampedusa, Pantelleria, Linosa, and mainland Sicily. Moreover, it must be stressed that irregular migrants who enter Spain, as well as other host countries, by sea are heavily outweighed by migrants entering via other channels.

According to Human Rights Watch, the Spanish police establishments do not comply with the minimum standards compatible with human dignity. Human Rights Watch is just one out of many organisations that have reported about this situation. Famous examples are the activist Helena Maleno, whose actions were investigated by the Spanish police due to the scope of her reports, and the famous organisation Open Arms, whose mission is focused on the direct rescue of migrants trying to reach Europe by sea.



Indeed, the fences around the two enclaves, as the first European walls that were built after the destruction of the Berlin wall, are a stark and literal reminder of the cultural, political and economic barriers that remain to be overcome between Europe and its Mediterranean neighbours.

## Hungary

During the 2015-16 European migrant and refugee crisis, the European Union asked Hungary to find homes for 1,294 refugees. Rather than accepting the EU request, the Hungarian government spent approximately 28 million euros on a xenophobic anti-immigrant campaign. The government called on voters to defend Christian values and Hungarian national identity in order to stop Hungary from becoming a “breeding ground for terrorism”. The fear that Muslim women will bear many children and the local population will be outnumbered, somehow diluted or “discoloured” by Muslims and multiculturalism, was palpable in pro-government media. By the end of 2015, a total of 391,384 refugees and asylum seekers entered Hungary through the southern border, most intent on transiting the country to get elsewhere in Europe. This means that the government spent around 70 euros per refugee on a campaign of intolerance, in a country where the monthly welfare check is around the same amount. Undoubtedly this amount could have been used more effectively either to provide transitional assistance to refugees, or to facilitate integration of asylum seekers who wanted to settle in Hungary. Attracting migrants to stay would be in line with the governmental strategic goal to stop the long-declining Hungarian birth rate and the aging of the Hungarian society.

Instead, Hungary decided to go a step further, and in September 2015 amended its Criminal Code to make unauthorised crossing of the border closure (fence), damaging the border closure, and obstruction of the construction works related to the border closure punishable by three to ten years imprisonment. The Act on Criminal Proceedings was also amended with a new fast-track provision to bring the defendant to trial within 15 days after interrogation, or within eight days if caught in flagrante. With these new provisions, the Hungarian government declared a “state of crisis due to mass migration,” during which these criminal proceedings are conducted prior to all other cases. Between September 2015 and March 2016, 2,353 people were convicted of unauthorised border crossing. These people generally remained in immigration detention pending removal to Serbia, which Hungary deemed a safe country to which asylum seekers could return. The Hungarian-Helsinki Committee (HHC) argued that Serbia could not be regarded as a safe third country as it recognised virtually no asylum seekers. Applications for a stay of proceedings referring to the non-penalisation principle of the 1951 Convention were systematically dismissed on the grounds that



“eligibility for international protection was not a relevant issue to criminal liability.” In order to gain the public’s support for criminalising migration and rejecting the European Union’s request to admit a few hundred refugees, the Hungarian government organised a national referendum.

### The Referendum

On October 2, 2016, the citizens of Hungary were asked a simple question: “Do you want the European Union to prescribe the mandatory settlement of non-Hungarian citizens in Hungary without the consent of the National Assembly?”

Voter turnout was only 39 percent, far short of the 50 percent participation required to make the referendum valid under Hungarian law. Orbán, whose Eurosceptic Fidesz party has more support than all opposition parties combined, said in a televised speech:

*“The European Union’s proposal is to let the migrants in and distribute them in mandatory fashion among the Member States and for Brussels to decide about this distribution. Hungarians today considered this proposal and they rejected it. Hungarians decided that only we Hungarians can decide with whom we want to live. The question was ‘Brussels or Budapest’ and we decided this issue is exclusively the competence of Budapest.”*

Orbán decided that the 3.3 million Hungarians who voted “no” in the referendum spoke for all 10 million Hungarians. After his speech, there were fireworks over the Danube river in the colours of the Hungarian flag.

In order to prevent the European Union from sending refugees to Hungary, Orbán proposed a constitutional amendment to reflect “the will of the people.” It was presented to the Parliament on October 10, 2016, but the bill was rejected by a narrow margin. The far-right Jobbik party, which contends that some of the new arrivals pose a national security threat, sealed the bill’s rejection by boycotting the vote. However, it held out a lifeline to Orbán by indicating that it would support the ban if Orbán scrapped a separate investor visa scheme under which foreigners could effectively buy the right to live in Hungary (and move freely within the Schengen area) in exchange for buying at least 300,000 euros in government bonds with a five-year maturity. Some 10,000 Chinese have utilised this scheme at the time of writing to move to Hungary, as did smaller numbers of affluent investors from Russia and the Middle East.

The Orbán government feared that the referendum alone would not deter potential asylum seekers from trying to enter Hungary. In order to ensure that the situation from the summer



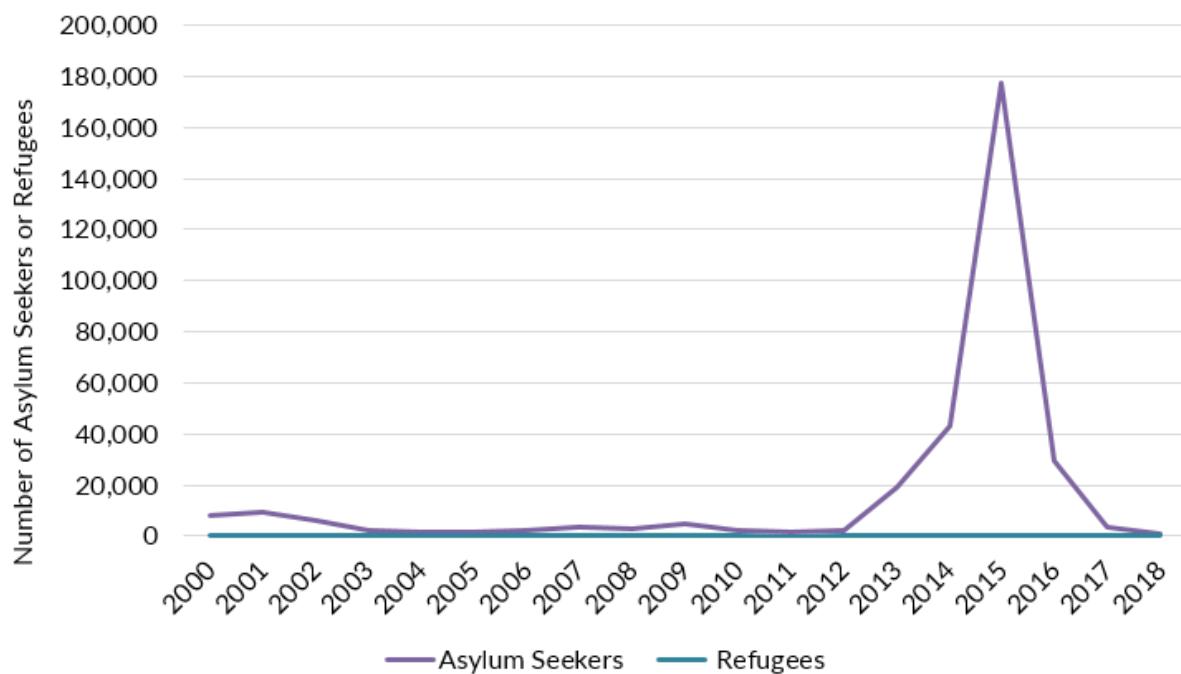
of 2015 would not be repeated, the government began to further strengthen the borders and to close existing refugee camps.

### **Border Hunters**

In 2016, the Hungarian police started recruiting 3,000 “border hunters” to join some 10,000 police and soldiers patrolling a 100-mile-long, four-meter-high, razor-wire-topped fence erected on Hungary’s southern borders with Serbia and Croatia to keep refugees out. The recruitment posts were scattered all over Budapest, including the Keleti railway station that became a de facto refugee camp for tens of thousands of people fleeing violence in the Middle East in 2015. Today, the thousands of police and border hunters deal with fewer than 200 refugees who reach Hungary’s southern border with Serbia every day.

The border hunters must have a high school diploma and receive six months of training. They earn approximately HUF 200,000 (US \$709) a month and receive other perks such as housing and clothing allowances, as well as discounts on travel and cell phones. During a recruiting fair in early October 2016, a pack of teenagers ogled a display of machine guns, batons, and riot gear. A glossy flier included a picture of patrols in 4x4s, advanced equipment to detect body heat, night-vision goggles, and migrant-sniffing dogs.

At a swearing-in ceremony in Budapest for border hunters in spring 2017, Orbán said Hungary had to act to defend itself. The storm has not died, it has only subsided temporarily, he said. There are still millions waiting to set out on their journey in the hope of a better life (in Europe).



From: Migration Policy Institute <sup>124</sup>

<sup>124</sup> <https://www.migrationpolicy.org/article/orban-reshapes-migration-policy-hungary>



# BORDERS IN EUROPE

"The colour of passport is like the skin colour, you cannot choose it. The possibility of obtaining a visa depends on the economic potential of those who apply for it so poor people do not have the right to move freely" (Maria Sánchez)

.....

## About European Legislation



## BORDERS IN EUROPE



### 1) SCHENGEN AGREEMENT

From 1985 EU citizens started to be able to travel **freely** and to settle across different EU countries.

### 4) DUBLIN

The Dublin Regulation 1997 (Dublin III 2013 currently in force) establishes which country will be responsible for the asylum procedures of a third-country national making an asylum claim.

3

States can take a period of time called **Dublin-phase of assessment** to check these conditions before deciding which country is responsible for the asylum procedures.

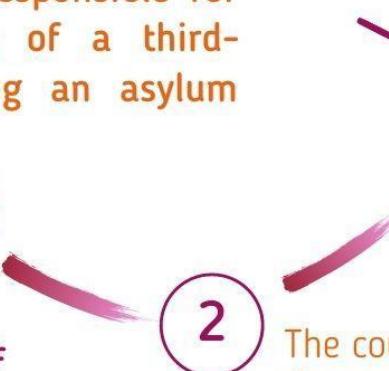
### 2) FRONTEX

The European Border and Coast Guard Agency has the mission of ensuring «safe and well-functioning external borders providing security».

### 3) MIGRATION POLICY

Regulates the conditions of entry and residence of certain migrants' categories, such as high qualified workforce, students, researchers and immigrants aiming at familiar reunification.

### HOW DOES DUBLIN III WORK?



People entering the EU are get their **fingerprints stored**, with personal data, in order to track the person who entered and is applying for asylum.



The country that has to carry on the asylum **procedures** is **different** from the one where the application was done, if the **asylum seeker**:

- Has a close family member living in another country and can apply for **family reunification**;
- Had **issued** a visa (now expired) in another country;
- Had the **Fingerprints** taken in another country;
- **Traveled** through other European countries before getting there (evidence).



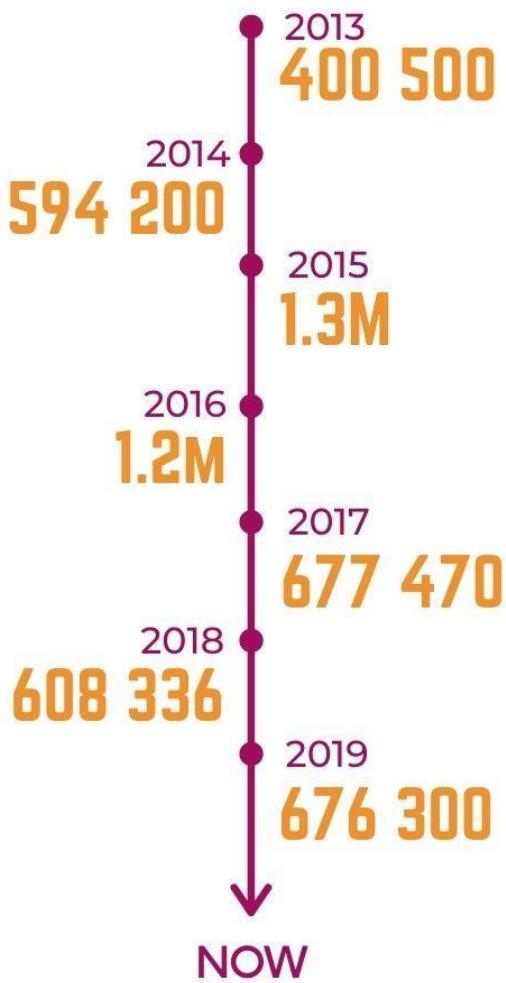
# BORDERS IN EUROPE

"The colour of passport is like the skin colour, you cannot choose it. The possibility of obtaining a visa depends on the economic potential of those who apply for it so poor people do not have the right to move freely" (Marta Sánchez)

.....  
European Data on Asylum



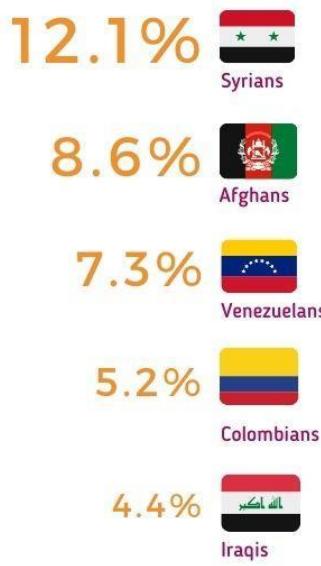
## ASYLUM APPLICATIONS IN EUROPE



## MAIN COUNTRIES OF DESTINATION FOR FIRST TIME APPLICANTS



## MAIN CITIZENSHIPS OF FIRST-TIME APPLICANTS IN 2019





# BORDERS IN EUROPE

"The colour of passport is like the skin colour, you cannot choose it. The possibility of obtaining a visa depends on the economic potential of those who apply for it so poor people do not have the right to move freely" (Maria Sàncchez)

## BORDERS IN EUROPE



### INVISIBLE BORDERS

#### EFFECTS OF DUBLIN III

The regulation is unfair and produces more pressure on the external regions of the EU and more obstacles in asylum seekers' lives and projects.

#### THE PASSPORT POWER

«The colour of passport is like the skin colour, you cannot choose it. The possibility of obtaining a visa depends on the economic potential of those who apply for it, so poor people do not have the right to move freely»  
(Maria Sàncchez).



#### NUMBER OF COUNTRIES CITIZENS CAN TRAVEL ACROSS IN 2020

**178**



United Arab Emirates

(1st position in the world)

**171**



Germany

(1st position in the EU)

**35**



Afghanistan

(last position in the world)

#### SOCIAL EXCLUSION

Asylum seekers, refugees and migrants are often divided from the host society by geographical borders-they are confined in deprived areas- and social distances.



Work-aged people at risk of social exclusion in the EU countries in 2018:

- Nationals:

**23.3%**

- EU-Citizens:

**29%**

- Non-EU Citizens:

**20.7%**





# BORDERS IN EUROPE

"The colour of passport is like the skin colour, you cannot choose it. The possibility of obtaining a visa depends on the economic potential of those who apply for it so poor people do not have the right to move freely" (Maria Sánchez)

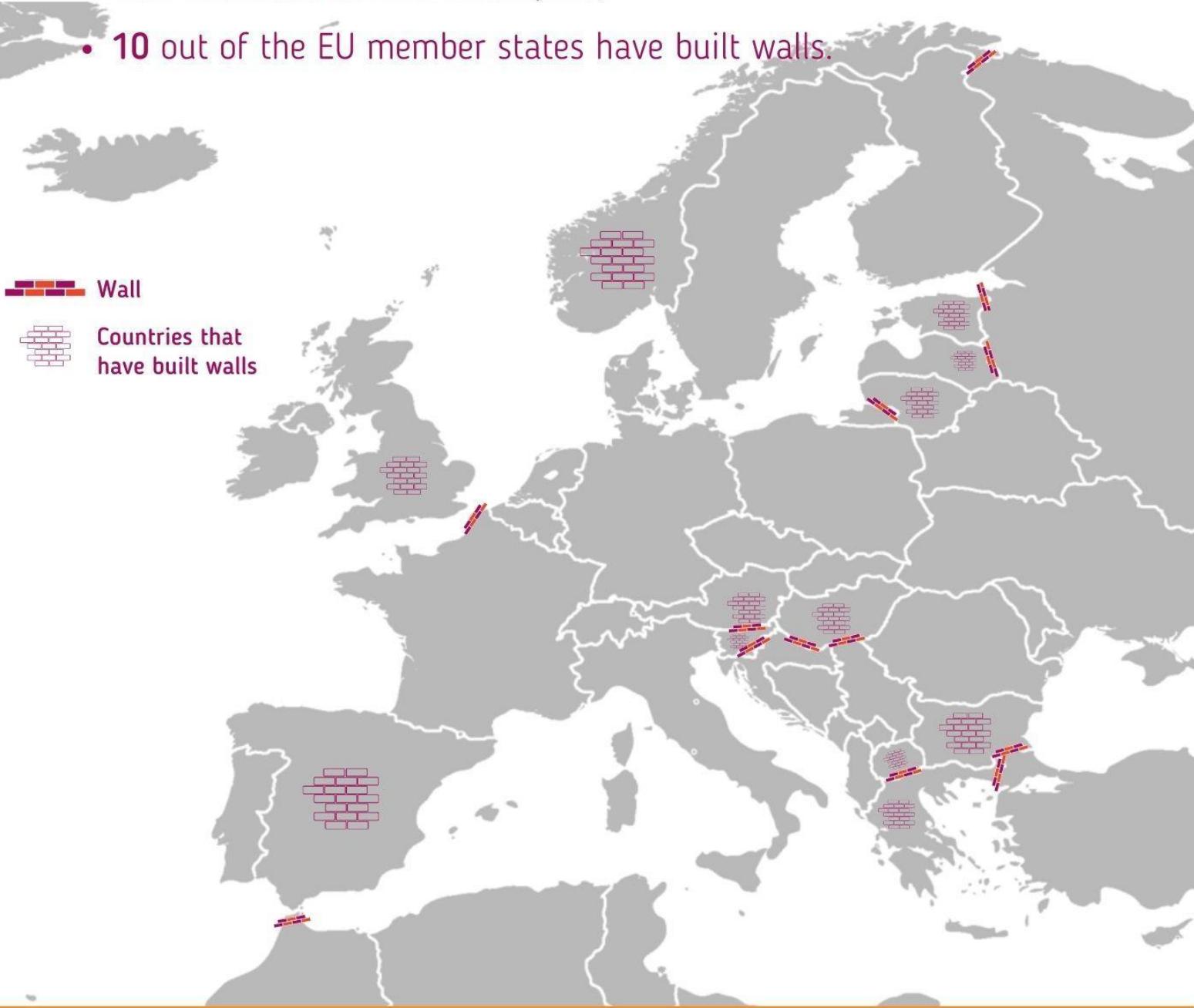
## BORDERS

### IN EUROPE



#### PHYSICAL BORDERS

- Over **1000 km** of walls built in Europe since the fall of the Berlin Wall;
- Over **500 millions** of Euros spent;
- **10** out of the EU member states have built walls.





# BORDERS IN EUROPE

"The colour of passport is like the skin colour, you cannot choose it. The possibility of obtaining a visa depends on the economic potential of those who apply for it so poor people do not have the right to move freely" (Maria Sánchez)

## BORDERS IN EUROPE



### IN ITALY



Libya  
Agreement  
signed in

2017

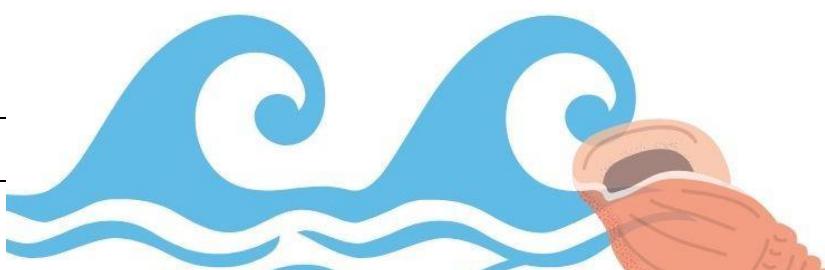
€570  
Millions

Spent to outsource the  
management of migration  
flows and to finance Italian  
and European Naval  
Missions



died crossing the  
Mediterranean Sea to  
get to Italy since 2014

18500  
people



### IN HUNGARY



28M€

spent on xenophobic  
anti-immigrants  
campaigns.

100 MILES-LONG

&

4 METER-HIGH

fence on the  
southern border



2,353

people convicted of  
unauthorized border  
crossing between  
September 2015 and March  
2016



3000

"border hunters" and

10 000

policemen and  
soldiers on the border



# BORDERS IN EUROPE

"The colour of passport is like the skin colour, you cannot choose it. The possibility of obtaining a visa depends on the economic potential of those who apply for it so poor people do not have the right to move freely" (María Sánchez)

## BORDERS IN EUROPE



### IN UNITED KINGDOM



Touquet Treaty signed in

2003

to carry British border checks out in France

ca.  
**150M£**

spent by UK on border security measures from 2015 to 2018



**1 KM**

Long fence on the French border in Calais



### IN SPAIN



SIVE (System of External Surveillance) applied in **1999**

ca.  
**€17B** spent on border security measures from 2014 to 2016



**6500** people died crossing the border between Morocco and Spain since 2010





## 12. Conclusions

The research conducted in this Handbook in the scope of Escape racism project – Toolbox to promote inclusive communities - is the result of a cooperative work carried out by the five partners of the consortium. It can be divided into two main sections: the first one concerning the concept of “edutainment”, a neologism used to indicate playful forms of communication aimed at allowing people to learn while having fun and the best practices of edutainment implemented in Europe. The second section presents a snapshot of the situation in Europe and in the countries involved in the project in terms of racism and discrimination, modern slavery, disability, bullying and borders.

The deep research conducted by the consortium focused on highlighting the need for increasing attention to what concerns the various types of discrimination and the protection of human rights in Europe.

Nowadays it might seem superfluous to discuss racism and discrimination, but unfortunately the current circumstances, the increase of hate speech, the lack of respect for human rights especially as regards the protection of social categories at risk of exclusion such as refugees and migrants, people with disabilities or at risk of conditions of modern slavery, make this reflection urgent, to be spread as much as possible.

It has been demonstrated that being able to associate important and committed issues such as those relating to human rights with playful activities is a winning way to involve the youngest and lead them to reflect on these issues. Through edutainment, it is possible to add an educational purpose to the entertainment. Different good practices have been presented, and a positive experience lived in Italy and UK is represented by the escape room as innovative educational tool. This is the case of the project: the escape rooms are the tools chosen to have fun and the educational purpose is linked to raise awareness among young people about the situation in Europe and in the four countries involved in the project, concerning different aspects of human rights. The data presented in the handbook through graphics, infographics and legislative references give a panoramic in terms of racism and discrimination on disabilities, bullying, modern slavery and borders, intended both in physical and metaphorical sense. It is clear that despite the progress made in the last decades, Europe still has a long way to go to improve its performance in terms of respect for human rights and protection of the weaker social categories. These data highlight persisting challenges regarding non-discrimination and show alarming rates of experiences with discrimination among several surveyed population groups such as migrants, minorities and LGBTI+ persons



who in the EU are exposed to a higher rate of discrimination. Concerning the people affected by disabilities, it is possible to see that they are victims of social limitations and the governments should improve their performance taking the right direction to guarantee their rights and the fulfilment of their basic needs.

As it is possible to read in the relative infographics, the most marginalized social categories can be easily victims of bullying, such us foreigner children that are more bullied than national youngsters. What we can deduce from this research is that the percentages of bullied youngsters are still high in Europe and in the different countries considered, and that it is important to continue in implementing projects and action aimed at reducing this phenomena.

The last two chapters of the research are dedicated to two pressing topics, very recurring in the current debate: borders and modern slavery. The research shows how the most marginalized categories of people are at serious risk of modern slavery, such as women, migrants, transgender people, and that there is high ignorance and unconcern about human trafficking in general, thinking that the idea of slavery belongs to the past, but the reality shows that this opinion is totally wrong. Linked to this topic is the one about borders. The handbook, making a distinction between physical and invisible borders, shows that the geographical origins have a strong impact on the possibilities that a person can have, from different points of view, such as the power to travel (crossing borders) given by a stronger or weaker passport, or the possibility to have a good job or the risk to live under the poverty line. This thinking is strongly linked to the condition of migrants and the reasons why they try to cross the European boundaries.

The research aimed to let the readers think about the connection among the different topics discussed, finding the common thread that links the various problems faced in the research, in order to increase the critical sense and understanding of the current reality among young people.

Thanks to this cooperative work the consortium wants to give its contribution in spreading awareness not only among youngsters but among people in general, believing that this is a positive way to do steps ahead towards a higher protection of human rights, that is the key to build a better future avoiding social exclusion of categories at risk improving their involvement in the social life.

In conclusion, we invite you to follow the activities of the Escape Racism project in order to view the second part of this Handbook, the one relating to the creation of educational escape



rooms. It will be possible to follow and update you on the developments of Escape Racism through the social channels and the project website.

So, stay tuned and remember to escape any form of racism and discrimination!



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