

## Refugee Flows at Border Crossing Points: Legal, Social and Language Aspects

Valentina V. Stepanova<sup>1</sup>, Irina N. Meshkova<sup>2</sup>, Olga A. Sheremetieva<sup>3</sup>, Jiří Maštálka<sup>4</sup>

### Abstract

Migration as a social phenomenon has always been a part of the world, but it has never reached such scope as in the recent years. Violent conflicts, instability, poverty and natural disasters force people to move in search of protection and better life. In 2017, about one million first instance decisions were issued in EU, most of which were asylum protection for Syrians, Afghans and Iraqis fleeing the war zones and hostilities. In Eastern Europe, the hotbed of tension is associated with Ukraine where the government is using military forces against split-away Donbass. Flows of refugees rushed to EU countries and Russia, which brought about numerous challenges and demanded huge political, organizational, humanitarian, financial and other strengths. The purpose of this research is to investigate limited aspects of refugee crises in Western and Eastern Europe on the example of France, the UK and Russia. Different reasons, character and forms of these mass movements of people are directly related to international legal protection rules. However, common legal basis has found national specific realization in terms of legal and language challenges in addressing the refugee crisis at crossing points and temporary settlement zones. Qualitative analysis of the research combines theoretical and empirical activities of three European countries in refugee settings and is supported by comparative and contrasting methods of analysis. Experiences studied in the article contribute to international practice of dealing with refugee flows in legal and language contexts.

*Keywords: migrant, refugee, refugee status, legal aspects in refugee setting, language aspects in refugee setting, hosting countries.*

### Introduction

Migration as a social phenomenon has always been an important international issue. Though different, the calls for mass migration of people realize in a flow from south to north in search of a better life. Among most common reasons for migration are natural disasters, poverty, instability, civil wars and military actions. However, the world has never seen such massive movements of people as in the recent years. They can only be compared to the migration process during the post-war time (World War II).

According to the UN High Commission for Refugees (UNHCR), over 65 million people were

<sup>1</sup> Assoc. Prof., Dr., Peoples' Friendship University of Russia - RUDN University, [stepanova\\_vv@pfur.ru](mailto:stepanova_vv@pfur.ru)

<sup>2</sup> Assoc. Prof., Dr., Peoples' Friendship University of Russia - RUDN University, [meshkova\\_in@pfur.ru](mailto:meshkova_in@pfur.ru)

<sup>3</sup> Senior Lecturer, Peoples' Friendship University of Russia - RUDN University, [sheremetieva\\_oa@pfur.ru](mailto:sheremetieva_oa@pfur.ru)

<sup>4</sup> Member of European Parliament, Czech Republic Deputy, [jiri.mastalka@europarl.europa.eu](mailto:jiri.mastalka@europarl.europa.eu)

forcibly displaced from their homes by conflict and persecution at the end of 2015, including 21 million refugees outside their countries of origin (Migration Crisis. House of Commons. Seventh Report of Session 2016-17, 2016). Although the developing countries hosted around 86% of refugees by the end of 2014 there is no country in Europe that has not been involved in dealing with this huge problem. Turkey, Greece, Italy, and Cyprus were the first to face forced migration flows from the Middle East and Africa. The further routes involved Bulgaria, Spain, Hungary, Macedonia, Serbia, Austria, Germany, France, UK, Sweden, and many other countries. The top three countries of citizenship of asylum applicants in the EU in 2015 were Syria, Afghanistan and Iraq, who together comprised more than half of all applications (Migration Crisis. House of Commons. Seventh Report of Session 2016-17, 2016).

Migration as a global factor is in the focus of multi-faceted studies investigating political, economic, legal, social, cultural, labour and other factors. However, legislation is the core of refugee flow management, and language stands as an instrument for migrating populations to become aware of the transit/hosting communities rules. The above confirms ***the relevance of the research topic.***

***The research framework*** requires integrated studies from the angle of both international and local national requirements and practices regarding the themes under consideration.

Bearing in mind the above mentioned issues, ***the research has a two-fold goal:*** to study legal and language aspects of refugee influxes with regard to countries affected by European continent from 2015 to present, and to further define promising practices and prospective steps policies regarding increasing move of people from South to North.

The above goal requires the implementation of ***the following tasks.*** First, it is necessary to comment on the terms of *refugee* and *migrant* that both public and academic discourse often use as synonyms. Second, legal settings of refugee management should become subject to analysis across different countries. Third, language policies with regard to the refugees' status are to be considered.

***The research methodology*** stands on the qualitative background and uses comparative analysis and observation to implement the set goal and tasks. The research follows the principle of moving from international to national settings regarding themes of analysis.

***The research materials*** include legislation, statistics, administrative provisions that regulate refugees' move, arrivals and stay in hosting countries, and some academic studies data, as well.

The research has limited capacity in terms of a number of nations to be subject to analysis. Therefore there should be a limited number of countries for the present study.

The research considers France, the UK and Russia as *target countries* due to a number of reasons. On the one hand, these countries have a long-standing experience in receiving citizens of other nations for permanent residence. On the other hand, the chosen countries differ in terms of their status on the European continent. France has always been a major EU policies conductor. The UK has always pursued its own independent stand even before the Brexit move. Russia is recognized as a serious player within the European continent though not being the official EU member.

### Definitions

There is no formal definition of the term *migrant*. Very often, the terms *refugee* and *migrant* are used interchangeably in mass media, academic and public discussions, although there is a certain legal difference between them. The UN defines *migrant* as “someone who changes his or her country of usual residence, irrespective of the reason for migration or legal status” (UN. Refugees and Migrants. Definition, 2018). Basically, a distinction is made between short-term, transitory nature of legal status, covering three to twelve months, and long-term or permanent stay in a hosting country. A *refugee* is defined in the 1951 Convention, regional refugee instruments and UNHCR’s Statute as someone who owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his/her nationality and is unable or, owing to such fear, is unwilling to avail himself/herself of the protection of that country (Migration Crisis. House of Commons. Seventh Report of Session 2016-17, 2016). In other words, refugees are people seeking international protection in fear to be at risk in their home country; they are asylum-seekers subject to assistance from states, UNHCR, and relevant organizations.

Very often, the term *migrant* is used as umbrella for both migrants and refugees. Public and academic discussions as well as mass media and global statistics on international migration widely use the term embracing many asylum-seeking and refugee cases. However, this can lead to confusion and involve serious consequences as the term *migrants* diverts attention from the specific legal protection sought by refugees and asylum seekers. Migration usually implies a voluntary process when people are seeking better economic opportunities. *Forced migration* is

another confusing term; it may cover different kinds of movements both inside the country and across international borders. People can be displaced as a result of natural calamities, famine, local conflicts, environmental disasters and/or ambitious development projects. All categories of displaced people are protected under international law; however, refugees are characterized by specific needs and rights subject to a particular legal framework. because some of their rights may be seriously violated (Ilyas, 2018).

### **Legal Aspects in Refugee Setting**

The basic document setting out the rights and forms of protection of refugees is the Geneva Convention adopted in 1951 and ratified by 145 states. The provisions of Geneva Convention remain the main international norm for assessing measures for protecting and treating refugees. Its most important provision is the principle of non-refoulement forbidding the forced returns of refugees to the countries of their habitual residence (Article 33 of the Convention Relating to the Status of Refugees). In accordance with this principle, refugees must not be expelled from the receiving country if their life or freedom is under threat. States carry the primary responsibility for their protection as the reasons for refugee influxes are directly related to international legal protection rules.

In addition to the established right to non-discrimination, the Council of Europe bodies have a number of procedural measures to protect asylum seekers, to ensure fair trials, as well as objective and individual approach to cases. The purpose of such remedies is to prevent violation of the right to non-refoulement and ensure the expedited legal procedures in protecting human rights. For example, the European Convention on Human Rights (ECHR) guidelines provide for the right to information regarding ongoing asylum proceedings (Principle 4.1) (Handbook on European Law Relating to Asylum, Borders and Immigration. European Union Agency for Fundamental Rights, 2015), along with the access to legal aid, assistance of an interpreter and the right to be interviewed by qualified personnel (Principles 4, 8 and 9).

Under the ECHR, in order to protect asylum-seekers from arbitrary expulsion and ensure proper consideration of their applications, the refugees must be provided with sufficient information regarding the asylum procedures and their rights in a language they understand; they must have access to a reliable communication system with the competent authorities. If

necessary, such persons should be provided with interpreters in the course of interviews, which must be conducted by trained personnel and with legal assistance available.

The ECHR recognizes that certain measures to restrict the freedom of foreigners or the freedom to move may be necessary, for example, reception centers or entry points to the country, including waiting zones or international zones at airports. In most European countries, refugees are kept in camps or temporary settlement zones and their movement is restricted. It is common practice until the decision on their status is reached. In certain cases, refugees can be detained, which is taken as a measure of last resort. Whatever the intensity, duration, nature or set of imposed restrictions, refugee detainees have the right to be immediately informed, in a language they understand, about the nature and causes of the detention, as well as the process of reviewing or challenging the decision on detention.

If detention is found to be lawful by a competent court and meets the principles of accessibility, clarity of wording and predictability, States must ensure that refugees have effective access to such information, including the language and level of education that they understand. If necessary, state authorities must provide legal aid to those who are deprived of their liberty.

The legal status of refugee detained due to immigration control differs from the status of convicted prisoners or persons in remand centers, therefore refugees have the right to appropriate medical treatment, which is inextricably linked to the right to life (Article 17 of the ECHR). Some other rights enshrined by the EU for refugees are connected with education (Article 2 of Protocol No. 1 of the ECHR), employment, housing and social protection (Handbook on European Law Relating to Asylum, Borders and Immigration. European Union Agency for Fundamental Rights, 2015).

### **France, the UK and Russia as refugee destinations**

Mass flows of refugees to Europe encountered a coordinated response. Various EU institutions (agencies) rendered their assistance to the Member States in order to implement Common European Asylum System (CEAS), guaranteeing a fundamental right to international protection. The Member States, particularly affected, received experts, financing, and training. To reduce the refugee flow to EU the Commission signed an Action Plan with Turkey. In spite of urgent and unconventional decisions taken by EU and national

authorities, migration was out of control. The spread of refugees, however, was not even from country to country.

The refugee flows to Russia reached their peak in 2014 after the outbreak of the Ukrainian conflict. According to the report of the UN refugee agency (UNHCR) 99% of total asylum claims in Russia have been filed by Ukrainians and 90% of them have been granted the asylum status due to the lenient national policy concerning this category of refugees (UN Says Ukraine Was Made Russia Top Asylum Destination, 2015).

#### *France as a refugee hosting country*

In 2015 the number of asylum seekers in Germany reached a million, while in France there were only around 80,000 applications for asylum. It is only 20% more than in the previous years. In 2016 European leaders adopted quotas to receive migrants and Francois Hollande, the former French President, committed himself to 25,000 people.

However, migrants do not aspire to France. The latest events in the refugee camp in Calais confirm that they wish to leave France at any cost, even at the cost of their lives. There are numerous reasons making that country less attractive for asylum than its neighbors. Among such reasons are: heavy bureaucracy, greater number of denials, more expensive living, problems with finding a job and accommodation, and the language that very few can speak.

France is not a novice in the issues of migration; it has traditionally been a country with an open border policy. The right of asylum is recognized by the constitution. French asylum law incorporates international and European law and is codified (Code of Entry and Residence of Foreigners and the Right of Asylum). Under French law, there are two kinds of asylum protection: refugee protection and subsidiary protection. The refugee status can be given to a person based on the Geneva Convention, on constitutional grounds and by the mandate of the United Nations High Commission for Refugees (UNHCR) (Asylum Seekers in France, 2015). In other words, asylum is granted to those who can be the victim of persecution or harm in their country of origin.

The subsidiary protection can be given to the person who does not fall into the previous category of refugees but who requires protection because they are exposed to death penalty, torture or are under a severe threat resulting from an internal or international situation of armed conflict (European Pro Bono Alliance. What is the Right of Asylum in France?, 2013).

Once in France, refugees must address a local prefecture for registration. After checking information on the particular asylum seeker, the prefecture provides the applicant with an application form and information on his or her rights and obligations, application process, language and legal assistance they have a right to and organization to apply for help. Then the refugee can send his/her application to OFPRA (French Office for the Protection of Refugees and Stateless Persons) to determine that they are subject to refugee status or subsidiary protection. OFPRA decision can be appealed in the National Court for Asylum Law.

Though clearly defined, the procedure of gaining asylum in France is not an easy task because the state machinery is “too heavy, too slow and too expensive” (How the French Bureaucracy Can Make You Mentally & Emotionally Stronger, 2017). This description was given by the ex-French president Francois Hollande. Numerous migrants’ complaints as well as statements of service workers and organizations protecting refugee rights reveal that in France the procedure for obtaining asylum is much longer than in the neighboring states. On average, it lasts two years, during which a refugee is not allowed to work, and must live on allowance in a special center or camp for refugees. In 2016, after massive criticism by his EU partners the French prime-minister Manuel Valls promised to reform the migration system and shorten the period of granting asylum to nine months. It is worth mentioning that in the UK such decisions are made within six months.

At the same time, the number of refusals to asylum in France is much higher than in other European countries. For example, in 2014, Britain satisfied 39% applications for asylum while France only 22% (Bitoulas, 2015). Refusal to grant asylum is the main reason for illegal staying in the country. Many of those who were denied, did not leave the country, others did not submit petitions at all.

France is rated fourth lagging behind Germany, Sweden and Denmark in popularity among refugees. The above-mentioned reasons are complicated with red tape, delays in making decisions concerning the status and ban to work and housing before they get protection. According to mass media only one third of refugees are lucky to join specialized centers, the rest settle in abandoned houses or live in the slums similar to Calais jungle. Such camps accumulate thousands of migrants causing big problems to local population and authorities because of poor sanitary and accommodation, huge masses of people in one place and as a result, numerous cases

of disturbances. In 2017, Human Rights Watch in its report “Like Living in Hell” documented human rights abuse by the police against children and adult people living in Calais camp.

If we continue comparing France with other European countries accepting refugees it is worth mentioning that they experience great difficulties in job hunting. The unemployment rate in France is much higher than in Germany and UK, reaching 10.4 percent against 4.6 and 5.3 percent respectively (Eurostat statistics of 2015, 2016). Furthermore, British laws are much milder in case of illegal employment and the paper work is limited.

Those refugees who have been granted subsidiary protection acquire the right to live and work in France. They can also bring their family into the country. Those who got refugee status can apply to naturalization straight away. They enjoy similar rights as French citizens in terms of social benefits but are limited in certain special aid programmes for the time when their application for asylum is being processed. If a refugee stays in in one of the refugee centers they get a monthly allowance of about 91 euros per person or up to 718 euros for the family of six persons. If a refugee lives elsewhere because the government accommodation is not available, they have 340 euros per person (Makarova & Safronov, 2016). Apart of that, they have the right to medical aid and standard insurance plan and their children are entitled to education.

Along with the rights, refugees take on certain responsibilities. They have to study certain civic training programmes and learn the French language. The language barrier is another reason reducing attractiveness of France as a destination. Most of refugees can speak basic English, those who do not can learn to speak and understand simple phrases within three weeks. With French, the situation is much more complicated. According to OFPRA experts, it takes months to acquire basic knowledge and skills in French.

#### *UK as a refugee hosting country*

Though the Geneva Convention establishes general description of asylum-seekers rights, it does not guarantee them the right to a refugee status even in case they meet the requirements. That is the privilege of the States. Each of them has discretion to outline their own conditions for granting asylum. However, States have to refrain from endangering refugees’ lives especially from sending them back to the country of their origin. Thus, the task to interpret the Conventions is entrusted to domestic law-makers and courts (Refugee Status under International Law, 2015).

The UK has developed rules to protect refugees seeking asylum but it is well balanced with the rules protecting the public from those who may misuse the asylum system. Refugees can



apply for asylum right at the border. A fast-track procedure, applied by the authorities, is an effective measure to cut down the huge number of cases. Rejected are those who arrive from countries, which are not recognized by the UK as dangerous. This system has been developed as a result of the Syrian crisis and suggests accepting only those fleeing the areas of armed conflicts and terrorist attacks i.e. selected refugees from that region (Refugee Law and Policy: United Kingdom, 2016). The most numerous asylum applicants are Syrians, Eritreans, Sudanese, Iranians and Iraqis.

The candidates denied the refugee status might still be granted the right to stay in the country for humanitarian reasons if there is a risk to their lives or serious harm in their country of origin. Those granted the refugee status get the permission to stay in the UK for a period of five years. This leave suggests accommodation, free access to healthcare, schooling (Home Office. Reforming Support for Failed Asylum Seekers and Other Illegal Migrants: Response to Consultation, 2015), and assistance in integrating including language tuition. Successful candidates can work and apply for welfare benefits (House of Commons Library Briefing Paper. Constituency Casework: Asylum, Immigration and Nationality, 2015). This status can finally lead to UK citizenship in case there are no evident violations on the part of the applicant or in the light of new circumstances.

If an applicant does not fall into the first two categories, there are still chances of his/her temporal permission to remain in the UK. The cases involve the human rights obligations of the country when an applicant has strong family links within the UK. However, such decision is subject to conditions (House of Commons Library Briefing Paper. Constituency Casework: Asylum, Immigration and Nationality, 2015). The need for protection may be reviewed at the end of the temporary period. With situation improved in the refugees' country of origin, the UK may seek to return them back rather than offer settlement. This does not wholly meet the requirements of the UN Convention on the status of refugees, but is in line with the domestic policy, protecting national interests and security.

#### *Russia as a refugee hosting country*

Being the leader in accepting massive number of refugees in 2014 because of the military conflict in Ukraine, Russia hosted hundreds of thousands refugees at the border crossing points.

Flows of people sought refuge on the Russian territory fleeing military hostilities, lost housing, insecurity and fear to be persecuted.

The legal status of refugees in Russia is determined by the nation's Constitution, a set of laws and federal regulations and international obligations. Federal Law "On Refugees" was adopted in 1993 (the current version came into force in 2001) in accordance with the 1953 UN Convention on the Status of Refugees and the UN Protocol relating to the status of refugees approved by the resolution of the UN General Assembly in 1966 and enforced in 1967. Russia joined both the Convention and the Protocol in 1992.

According to those laws a refugee is qualified as a person who is not a Russian citizen and due to well-grounded fear of being subjected to discriminatory persecution, is outside the country of their citizenship (for stateless persons outside the country of his/her former habitual residence) and cannot (or do not want) to enjoy the protection of that country due to these concerns. Petitions for refuge and asylum status are essentially examined by the federal executive body for the migration service or its territorial bodies. Those granted the status are entitled to the same social and medical benefits as Russian nationals.

The grounds for refusing to satisfy an asylum claim may be the following: a person does not have grounds for qualifying him/her as a refugee; a person committed a criminal offence on the territory of the Russian Federation; a person came from a foreign country in whose territory he could have been recognized as a refugee.

Those qualified as refugees (for a period of up to three years) receive an appropriate ID, necessary information and a referral to the temporary accommodation center. There they are provided with food and utility services, access to vocational training, and a one-time cash benefit for every family member. A refugee is assisted to travel to the place of his/her stay. They gain medical aid and necessary medication after compulsory medical examination and obtain a relative medical certificate.

A person loses refugee status if he/she acquires Russian citizenship (or permission to permanently reside in the Russian Federation); if circumstances that served as grounds for qualifying him/her as a refugee are no longer relevant and he/she can return home; if he/she is deprived of such status by the decision of the federal executive body for the migration service or its territorial body.

For refugees coming from the territory of self-proclaimed Donetsk People's Republic and Luhansk People's Republic Russia seems to be an attractive destination in seeking protection for many reasons. First of all, those republics have a common border with the Russian Federation, thus short distance to travel is of prime importance in case of military actions. Second, most of those who reside in the republics identify themselves as Russians; for them the Russian language, Russian culture, common historical roots and traditions are part of their life styles. They are scared of being persecuted for their political views by Ukrainian government in case the territories are returned into Ukrainian reign. Many have relatives in Russia, or used to live in Russia before the 90's when the two countries were constituent republics of the Soviet Union. Ukrainians who were affected by the military conflict can undergo the simplified procedures of gaining a refugee status.

According to UN, over one million Ukrainians had sought asylum or other forms of legal protection in Russia since the outbreak of the conflict in south-eastern Ukraine in April 2014 by mid-2017 (The UN Refugee Agency. Russian Federation, 2017). More than 1.5 million Ukrainians were qualified as labour migrants in 2015, according the Federal Migration Service (FMS). Their contribution to Ukrainian economy is estimated at two billion USD or 11% of the Gross Domestic Product (GDP) of the country (Fund of Strategic Culture, 2018).

### **Language aspects of refugee determination procedures**

#### *Interpreting at interviews and in healthcare*

Reaching the country of their destination in search of protection and assistance does not mean the end of challenges refugees face. Massive movements of people arouse a great number of problems of different character including communication in a foreign language. Immigration interviews, official statements, forms and papers of different kinds, medical examination and health emergencies do not make the whole list of endeavor the refugees have to put to be heard and assisted. The government support in ensuring interpreting and information in the language understandable for the refugee declared in the laws sometimes fails.

Professional services of interpreting in France are provided through the system of 'competitive tendering' (*marchées publics*); they cover both the OFPRA and the CRR/CNDA

(the National Asylum Court, formerly the Refugee Appeals Commission, a French court of the administrative order) (Gibb & Good, 2014).

In the UK, asylum requests are administered by the UK Visa and Immigration (UKBA – UK Border Agency before 2013) operating within the Home Office. This agency hires the professional interpreters who assist at screening and interviews with the refugees (Claim Asylum in the UK, 2018).

An interpreter is provided for the personal interview at the request made in the application form. The role of the interpreter at the stage of refugee status determination is crucial. It is not just communication between the authorities and refuge seekers that has to be ensured, it is the quality of interpreting that often makes the difference. Working strictly within the code of professional conduct their task is to convey, “what is uttered, without adding, omitting or changing anything” (Code of Professional Conduct, 2016). Actually, they are expected to render what the applicant says literally or word-for-word to avoid any misunderstanding (Gibb & Good, 2014).

However, the refugees have reported that sometimes interpreting is too simplified or not in line with their answers. The atmosphere at the interview prevented them from opening up and giving the right picture of what they had to go through. There were cases when the interpreters made personal remarks or got involved in conversation with the protection officer. The attempts of protection officers to act as interpreters themselves did not contribute to successful communication (Forum Réfugiés – Cosi, 2017).

Another situation when a refugee needs an interpreter is the healthcare sphere. Before they resettle, they have to undergo medical examination, a thorough Migration Health Assessment (Refugee Action. Why an NHS interpreter can make the difference between Life and Death, 2018). They also might need an interpreter in case of health emergency (labour, toothache, heart problems, etc.). That is where non-profit organizations and groups of volunteers join in. In France, a number of charitable organizations such as Cimade (association d’accompagnement des personnes étrangères), Gisti (Groupe d’information et de soutien aux immigrés), Amnesty, Emmaüs international and associations of citizens such as Roya citoyenne, P’tits déj à Flandre, le mouvement de Briançon are involved in collecting information and offering practical assistance to refugees on site. Across the English channel the aid to refugees is rendered by well established charities like Refugee Action, Refugee Council with branches in Scotland and Wales, Refugee

Community Organizations (RCOs) and numerous groups of volunteers contributing to refugee integration.

Interpreters engaged in healthcare setting have to demonstrate their awareness in this sphere. Also essential is knowledge of source and target cultures; their manner of interpreting, body language, posture and other things can either create the right atmosphere or result in failure. Moreover, interpreters most often work under stress due to specific situation the psychologically traumatized people find themselves in. Most refugees fled war, rape, torture, were robbed by people smugglers or criminals, experienced sexual abuse, exploitation or even police brutality during their long journey (Dearden, 2016). Thus, their stories demand similar feelings to be rendered into the foreign language.

Deficiency of professional interpreters in practice leads to delays in proceedings, problems with communication in a medical context and other situations where professionals are substituted by family members, friends or volunteers who can speak some foreign language (Atabekova et al., 2018). Obviously, the standard of such communication do not meet the established requirements. The most common reasons of failure are insufficient funding, poor administration and deficiency of professional interpreters (Refugee Action. Why an NHS interpreter can make the difference between Life and Death, 2018).

To finish this section of the research we have to state that Russia did not face any serious language challenges at border crossing and temporary settlement zones with Ukrainian refugees for reasons stated in section 2.3. However, there are certain language problems when dealing with refugees from other countries. For example, the needs of migration services in the Southern Federal District are focused on Uzbek, Tajik, Armenian, Azerbaijani, Kyrgyz, English, Arabic, Vietnamese, Chinese, Georgian, French and Turkish (Vinnikov, 2017). Most applications are filed from citizens of ex-soviet republics. Due to domestic policies, the Russian language is no longer obligatory at national schools so very few graduates can speak it at basic level. The burden rests on Federal Migration Service (FMS) who attracts interpreters originally representing those cultures. Those are not qualified professionals but people who have a good command of the relevant language enough for the purposes of interpreting (Vinnikov, 2017). This does not contradict Russian laws (Article 59 of the Criminal Procedural Code of the

Russian Federation), establishing rules for administrative proceedings, however creates certain problems of administrative, financial and/or language character.

Leaving alone the first two, let us focus on language challenges. To qualify an applicant for refugee status the FMS requires a number of personal documents (passport, birth certificate, marriage and divorce certificates, change of name certificate, etc.). They can be translated into Russian either in the country of origin or in Russia on arrival. In case the national documents are arranged in Cyrillic (though in the foreign language), personal information will be similar in terms of transcribing proper names, but if the papers are issued in Latin characters or in national languages there might be variants of their transcribing into Russian. Papers translated in different places, at different times (thus, with different approaches to transliteration) may bring to absolute confusion, strengthened by altering toponyms, indicating the place of birth or issue of document (Kadikova & Tuischenko, 2010). As a result, a person called Gasimov born in Alma-Ata becomes Kasimov or even Qasimov born in Almati/Almaty. Having personal papers with different spelling in the name causes great difficulties and delays in the proceeding, which raises concern of all the stakeholders.

### *Training and testing*

Those applying for naturalisation in France, UK and Russia are required to have basic language skills confirmed by testing. In Europe, this sphere is regulated by Common European Framework of Reference and prescribes obligatory language lessons to raise the skills to level A1 (50 to 200 hours). This level allows communicating in everyday life. However, to obtain a residence permit an applicant must attain level A2 in French (the rule comes into force in 2018). For this end, he/she can take another 100-hour course (Living in France, 2016).

Language training is offered in specialized schools, sociolinguistic bureaus or in public institutions financed by the state and responsible for creating an additional linguistic proposal adapted to individual needs and located throughout the territory of France, including in the border cities (Living in France, 2016). A sufficiently high level of the French language is a prerequisite for training in secondary and higher education and professional careers.

A special French project of the THOT language awarding school was designed specially to support refugees and asylum seekers (This School in Paris Teaches Migrants who have Never Earned a High-School Degree, 2017). Both volunteers and professional teachers work in this association. The main task is to prepare students for the DELF Programme, that is, to confirm the

ability to enter into a professional environment in accordance with the level of language achieved. Four-month training, designed for 160 hours of classes, is recognized by the state. The course is addressed to refugees or asylum seekers who do not have a diploma equivalent to a bachelor's degree in France (a certificate of secondary education in France). Registration fee at Thot School is only seven euros, due to voluntary donations and free teachers' work. This experience is highly estimated as classes are filled up very quickly and students' motivation contributes to their further successful integration into social and economic life of France.

Similar language requirements for settling in the country are set in the UK, as they are regulated by the Common European Framework of Reference for Languages. Applicants are supposed to prove their knowledge of English by having a recognized English test qualification from an approved test center. The needed qualification is English for Speakers of Other Languages (ESOL). Exams are ranging from A1 to C2 level and involve IELTS Life Skills Tests (A1 – B1), Integrated Skills in English Tests (B1 – C1), Graded Examinations in Spoken English (A1 – B1), and IELTS for UKVI (B1 – C2). A certificate is valid for two years and is a stimulus to further improve language skills (Prove your Knowledge of English for Citizenship and Setting, 2018).

Language courses for refugees and asylum seekers are supported by the state, charitable organisations and volunteer groups, free of charge and life oriented. They teach to communicate to perform everyday living tasks, such as greetings in different social contexts, using public transport, calling an ambulance, etc. at the basic level and communicating with medical professionals, social workers, etc. at the levels of increased language skills.

In Russia, the law on compulsory examination in the Russian language for economic migrants came into force at the end of 2012. From 1 January, 2015 all those wishing to get a work permit are required to undergo a comprehensive test in the Russian language, the basics of law and Russian history, and acquire a certificate.

In many cases, assistance (primarily legal, informational, psychological and linguistic) to refugees is provided by various non-governmental organizations. One of the examples is the Tolerance Programme that has been designed in St. Petersburg ten years ago. The aim of this programme is to help refugees, asylum seekers and migrants to overcome a number of barriers through harmonization of intercultural and interethnic communication.

The Federal Migration Service of Russia (FMS) and the Russian Orthodox Church (ROC) are carrying out the joint project called “Education: Language and Cultural Adaptation of Migrants”, which offers courses on Russian history, civilization (with respect to regional peculiarities), and legal basics of the Russian Federation (Moscow Patriarchate, 2018). For this end, reference materials in various languages and a textbook “Fundamentals of the Russian Language and Culture” have been developed (Russian Orthodox Church, 2018). Many churches across Russia opened up groups for learning the Russian language and culture.

The Grint Education Centre of the Peoples’ Friendship University of Russia (Moscow) has worked out an educational pack called “In the Good Hour!” It provides for a free express preparation for testing in three modules mentioned above.

The most important area of work with refugees in all the countries under study is creating favourable conditions for integration into a new environment.

The present research enhances the previous data of legal requirements implementation regarding the migration populations that aim to stay in the UK, France or Russia.

Moreover the collected data enriches the already shaped (Colic-Peisker, 2005) empirical compendium on the tools that specific countries put in practice to preserve refugee and migrant communities identities and foster their social inclusion in the hosting country. The present findings enhances the understanding of skill- based approach to refugee and migrants’ integration (Lodigiani, Sarli, 2017). The paper highlights concrete tools that countries under study use to provide the coming populations with the employment and education opportunities.

The results of the analysis go in line with studies on the similar topics in earlier periods (Skutnabb-Kangas, Phillipson, 1998), though reveal the increasing role of language in human rights provision at times of crisis. The statement primarily refers to the crucial role of interpreters whose presents at the border crossing areas becomes of vital importance. This was mentioned in the social media though has not become subject of comprehensive research. However, the findings make it possible to raise the question on the need to revisiting the scope and trends in translator and interpreter’s training with regard to the settings under study. Scholars have already mentioned this aspect (Atabekova et al 2018). Nonetheless, the present research findings shed light on particular countries experience to be considered as a kind of promising practices.



Furthermore the present research data enhance the concept of linguistic diversity support (Piller, 2016) by providing concrete examples of the tools to reach the respective goals through language training of migrants in the hosting countries.

### **Conclusion**

The research findings confirmed that in terms of legislation the mass movements of people driven from their places as a result of military conflicts, hostilities and/or persecution are subject to protection under the international laws. The latest developments in the field of unplanned migration have required the European Union to update its legislation on asylum and the recent refugee crisis contributed to further development of the Common European Asylum System (CEAS). This stand goes in line with international legislation in force and does not contradict national legislations though requires their upgrading. The current developments seem to be a must as the 2015-2018 refugee crisis shows that the difference between voluntary and forced migration, migrants and refugees can be crucial in defining the status of people crossing the border as it is connected to their needs and requirements resulting in the right to stay in the hosting country for short/long term or indefinitely. The need for clear formal definition between these terms is obvious as it would remove uncertainty about the future of individuals, big numbers of people, international and national projects and societies at large.

The CEAS is a composition of a number of directives and regulations that the State Members are to follow. The refugee status and subsidiary protection status are defined by EU laws, however, humanitarian reasons are subject to national legislations which brings about diversity in practical approaches.

The country-focused analysis confirms that administrative and organizational activities in managing huge numbers of refugees crossing the international bodies are also a matter of cooperation between local and regional bodies, non-governmental organization, professional organisations and volunteer groups.

The above stakeholders are also engaged in facilitating the language aspects in the refugee context.

Currently language aspects primarily cover interpreting and translation services provision to refugees upon their arrival in the hosting country, first, and language training for adaptation and integration.

Professional services of interpreting screenings and interviews during the refugee determination procedures are provided by certified interpreters both in France and in the UK, which does not exclude certain criticism (quality of interpreting, lack of interest to a refugee and wrong atmosphere at the interview). In Russia, the Federal Migration Service (FMS) often attracts non-professional interpreters originally representing the relevant cultures. Besides, the agency encounters the problems with translated documents of the applicants, where proper names may be written in different transcription, which hinders identification and cause delays in decisions.

Interpreting in medical setting is carried out by professional associations with substantial assistance of charity organisations and volunteers. The criticism concerns fail in administration, finance and deficiency of professional interpreters. Specific context, stress, cross-cultural environment often leading to misunderstanding outline the main difficulties in those activities. Scholars indicate the necessity to codify the involvement of interpreters in the healthcare systems to ensure their access (Undertaking and Tackling the Migration Challenge, 2016).

Educational programmes in all the countries under study are set up by the states and engage a wide range of charity organisations and volunteer groups. Testing and certification of language skills are compulsory for those wishing to settle in the hosting country. In Russia, such test comprises the Russian language, the basics of law and Russian history. Preparation for tests are most often free of charge whereas the test itself is not. The purpose is to contribute to integration of the refugees and asylum seekers into the new environment.

However further studies should focus on language issues within a broader context, considering language as a cultural driver to tolerance among different migrating populations.

Summing up, we can state that practices concerning managing big masses of refugees at cross points and temporary settlement zones in terms of legal and language matters in such countries as France, the UK and Russia have much in common. This can be attributed to the universal principles for protecting and treating refugees and assistance of international organisations including the United Nations High Commission for Refugees (UNHCR). Those experiences can significantly contribute to further the national and international laws, to strengthen international networks and collaboration, and to work out better administrative and financial schemes in tackling the challenges.

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