

# Kosovan refugees in the UK: the Rolls Royce or rickshaw

This article examines the different reception and support entitlements offered to spontaneous asylum seekers from Kosovo and their UNHCR programme counterparts, plus the operation of the Kosovo reception programme. It also discusses the Asylum and Immigration Bill and its implications for asylum seekers to the UK.

**K**osovan refugees started to arrive in the UK, as spontaneous asylum seekers, in larger numbers in 1997. In 1998 the Home Office received 7,980 asylum applications from nationals of the Federal Republic of Yugoslavia (FYR), mostly from Kosovan Albanians. Between January and April 1999 there were 3,290 applicants from the FYR. Since 25 April, when the first planeload of Kosovan Albanians arrived in Leeds-Bradford airport, a total of 4,346 Kosovans have come to the UK as part of the UNHCR evacuation. The differing experiences between the two groups - spontaneous asylum seekers and programme evacuees - have been evident.

## i. Spontaneous asylum seekers

The spontaneous asylum seekers, the majority of whom arrived before the start of the NATO air campaign, were mostly men and many had paid substantial amounts of money to traffickers. Under current asylum law, people who apply for asylum at the port of entry are eligible for cash benefits while those who apply in-country are excluded from cash welfare provisions. Around 60 per cent of Kosovan Albanians applied for asylum in-country and, as single people, are dependent on local authority support under the provisions laid out in the National Assistance Act 1948 while asylum seeking families are dependent on

assistance under the Children Act 1989. Local authorities are not allowed to provide cash support to in-country asylum applicants supported under the National Assistance Act 1948. Supermarket vouchers and/or assistance 'in kind' such as food parcels, electricity cards and travel passes are provided instead.

Around 80 per cent of Kosovan Albanians have based themselves in London during the asylum determination process and those who have settled in London have been subjected to hostility from some sections of the British public and press. The inherent mistrust of asylum seekers has been a dominant theme in much of the newspaper coverage, exemplified by one national tabloid newspaper which ran a feature article about 'migrants' from Slovakia and Kosovo seeking asylum in order to exploit the generous welfare provisions and displaying threatening behaviour when good housing was not forthcoming.<sup>1</sup>

## ii. Kosovo programme evacuees

Some 60 per cent of those Kosovan Albanians who were airlifted out of camps in Macedonia were family reunion



Refugee arrivals, Manchester, UK.

cases. Those who had immediate family members who had been through the asylum determination process in the UK were granted permission to enter (in line with whatever status had been granted to their relative) while others have been given Exceptional Leave to Remain on humanitarian grounds (ELR) for one year. This means that they are entitled to cash benefits, in line with UK nationals, and are eligible for employment. The Government granted ELR for one year in the first instance because it is committed to a policy of temporary protection and protection in the region rather than a longer-term strategy of resettlement in the UK. Nevertheless, the Government has guaranteed that they will not curtail

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people's leave to remain and if those on ELR want to apply for refugee status then their cases will go through the usual asylum determination process.

Accompanying the arrival of these refugees have been extremely successful charity appeals for money and other donations. Moreover, local authorities outside London are willing to provide housing and other services for the refugees although they are being fully reimbursed by the Home Office. It is difficult to know exactly why the response has been so positive but there are a number of possible contributory factors. Firstly, the situation in Kosovo attracted a great deal of media attention and so the general public had information about the crisis. Normally the public is not very well informed about refugee producing situations. Secondly, the media coverage enabled people to tell of their experiences. This helped the public understand what it means to be a refugee and the result was a very favourable and hospitable local welcome.

The programme evacuees have been dispersed into available accommodation around the country, although there has been much secondary

migration. When the new Asylum and Immigration legislation becomes operational, all asylum seekers will be dispersed to cluster areas around the country. Under the Kosovo programme, dispersal has been regional with clusters of refugees being placed in any given locality.

### The Kosovo programme

After the Bosnia programme the Refugee Council, the largest NGO working with refugees in the UK, convened an inter-agency group with other NGOs involved in the programme in order to formulate a contingency plan for a future refugee crisis. It was this plan that provided the framework for the reception of UNHCR evacuees from Macedonia. The inter-agency group consisted of the Refugee Council, the British Red Cross, the Scottish Refugee Council, Refugee Action and the Refugee Housing Association.

Initially the Refugee Council was given responsibility for leading the Kosovo

programme. However, when it became apparent that the numbers of refugees would be in the thousands rather than the hundreds, the Home Office took responsibility for the coordination of the programme while the Local Government Association led the local authorities and the Refugee Council coordinated the inter-agency group. Local authorities were, for the most part, responsible for managing the arrival, reception and support offered to programme evacuees although other agencies offered advice and staff support.

On arrival to the UK, the refugees were met at the airport by teams of staff including health workers, immigration officers, local authority officers, a representative from the Refugee Council and a team of bilingual interpreters. After initial processing, people were bussed to their reception centres.

Refugee Action recommended that the locations selected for inclusion in the programme should be places with exist-

ing refugee and ethnic minority communities and where the numbers of refugees from the same community could be built up. Moreover,

there must be good race relations, and availability of language lessons, training provision and any necessary care services.<sup>2</sup> In reality, the selection of reception areas, as with the Bosnia programme, was housing-led and the time-scales were so short that it was difficult to ensure that the correct services and provisions were brought in prior to the arrival of the refugees.

### Community needs

Many of the staff involved in the reception programme were seconded from other agencies or travelled from London to work in the centres. Some had been involved in the Bosnia programme and many of the assumptions made about the needs of the Kosovans were based on the experiences of that project. However, it became apparent very quickly that the only similarity between the two groups was that they were both from the Balkans.

It became evident that the service providers were not aware of the needs of

these particular refugees. For example, in one centre, the local authority had stocked up on pre-prepared frozen foods such as lasagnes that could be cooked in a microwave. But the Kosovans did not want to eat these nor were they familiar with microwave ovens. People wanted water, flour and eggs to make filo pastry pies and they needed orientation sessions to learn how to cook on gas stoves. It was only through talking to refugees that the service providers became aware of their needs. In addition to orientation about basics such as money, where to find the best supermarkets and cooking using gas stoves, the priority of the new arrivals was finding out about family members. There were variations in the sorts of assistance provided to facilitate this. The Red Cross gave people free phone cards and one local authority district gave people telephones to use whenever they wanted, while other centres wanted to promote self-sufficiency by asking people to make choices between buying phone time or buying food. Not surprisingly they found that people were much more concerned about finding family members than they were about eating. A representative from Refugee Action said that it was a mistake not to give people immediate and free access to the telephone.

### Dispersal

The dispersal of Kosovan evacuees has been problematic. A representative from Refugee Action estimated that around 30 per cent have moved to London to be with or near family members. Some of the agencies have tried to discourage secondary migration to London and instead have encouraged family members in London to move to the regional locations. Moreover, local authorities have also discouraged people from moving by declaring them intentionally homeless and therefore not eligible for housing. However, none of these strategies have been particularly successful.

There is more housing available outside London and much more public support and this is one reason why agencies are encouraging people to remain in the centres for three months before finding them accommodation in the region of reception. But community networks, appropriate information and legal advice are located mainly in London and refugees want to be in areas where such networks exist.

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*Some children in schools are already being called 'voucher children' in the playground.*

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## The Asylum and Immigration Bill, 1999

The humanitarian evacuation of Kosovan Albanians has coincided with the Parliamentary reading of the Asylum and Immigration Bill. Opposition to some measures contained in the new legislation corresponded with the events in Kosovo, due, in part, to the fact that these events and the evacuations helped to highlight some of the implications of the legislation.

### i. Vouchers

In the White Paper<sup>3</sup> that formed the basis of the Asylum and Immigration Bill, the Government proposed to change the system of support for asylum seekers to a non-monetary system where people were to receive vouchers redeemable at a designated supermarket. However Members of Parliament (MPs) raised concerns about such an approach and so, in order to stem a rebellion from Labour MPs, Home Secretary Jack Straw was forced to make a series of concessions. Now asylum seekers are to receive some of their benefits in cash and the rest in vouchers or in kind. In the first instance Jack Straw offered £7 per adult and £3.50 per child a week. However, this was deemed insufficient; asylum seeking families will now receive £10 a week for each adult and £10 a week for each child. The value of the package is to remain at 70 per cent of income support with the Government arguing that with the additional non-cash benefits offered such as the payment of utility bills and furniture the whole package has a value which is equivalent to 90 per cent of the welfare benefit income support.

Critics of the new support system note that the costs of implementing the vouchers through a new administrative body will create more expense. This is countered by the argument that money will be saved through its role as a deterrent for asylum seekers. In addition to the administrative costs, such a system also has social costs because it excludes and stigmatises. Some children in schools are already being called 'voucher children' by their peer group in the playground.

### ii. Immigration status

The obvious disparities in the treatment of the evacuees from Kosovo and others seeking asylum in the UK, including spontaneous asylum seekers from the

FYR, has been the subject of Parliamentary debates. One politician used the analogy of a 'Rolls-Royce' welcome for evacuees compared to a 'rickshaw' welcome for others. Jack Straw defended his position by arguing that the UNHCR nominees definitely met the Convention criterion of a well founded fear of persecution while those who had arrived as spontaneous asylum seekers may in fact have 'made it up'. On 15 June, however, Jack Straw announced that all asylum seekers from the FYR were to be given temporary ELR when their cases came up.

There is currently a backlog of around 11,000 cases from the FYR and so the process will take some time to administer. This will mean continued disparities between the programme Kosovans and those who came independently. Such disparities have created some problems. Currently members of the same family have different status in the UK and therefore different access to services. Consequently, some Kosovan evacuees have applied for family reunion for their relatives as dependants and are in the position of sharing their cash benefits with friends and relatives.

While the new policy means that there will eventually be legal parity among Kosovans in the UK it accentuates the disparity between Kosovans and all other asylum seekers. It certainly raises questions about the treatment afforded to those from countries outside Europe where there are equally clear cut grounds for granting ELR.

### iii. Dispersal policies

Under the proposals contained in the Asylum and Immigration Bill, all asylum seekers will be dispersed to 'zones of settlement' or 'cluster areas' around the country. Asylum seekers will be made one offer of accommodation and if they choose not to accept it or to leave that accommodation then they will receive no other offers of housing and will forfeit their food vouchers and cash. While Kosovan programme refugees can move and maintain their benefits because they have ELR, the same will not be the case for other asylum seekers who move to be near their social and community networks.

### Lessons to be learned from the early stages of the programme

The operation of the Kosovo programme does highlight some important lessons. Firstly, the lack of decision making on the

part of the Home Office left very little time to set up centres and to organize the staffing and support services.

Secondly, large amounts of money have been wasted due to the speed at which centres across the country were prepared. Now centres have been set up and remain empty but local authorities will have to be reimbursed for the expense. It is likely, however, that the empty reception centres will be used to house asylum seekers in the future.

Thirdly, it is vital not to make assumptions about the cultural norms of any community. Previous experience needs to be adapted and applied to different situations. Given the numbers of people who seek asylum in the UK each year, it seems that a permanent staff base of skilled workers who would instantly recognize the complexity of the refugee experience and cultural diversity should be put in place.

Fourthly, refugees need to be supplied with much more information to help them make informed choices. Staff need to talk to people not only about their experiences but also about their needs and their choices. It is only this approach which will help to ensure that strategies are appropriate.

Fifthly, the largely positive responses to the evacuees in some areas of the UK indicates that if the public were properly informed through the media then they might be more welcoming to all asylum seekers.

Finally, the Kosovo crisis has highlighted some of the problems with the new legislation, particularly in the area of support and dispersal. Concessions have been forced as a result of the Kosovo programme and it is to be hoped that the change in public opinion and the positive response to the evacuees will force more changes as the Asylum and Immigration Bill works its way through the House of Lords.

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1 Jones D and Doughty S 'The good life on asylum alley', *Daily Mail*, 6 October 1998, pps. 24-5.

2 *Kosovan Refugee Reception Centres: A practical guide*, Refugee Action 1999, London.

3 *Fairer, Faster and Firmer - A modern approach to immigration and asylum*, The Stationery Office 1998, London.