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## Case study for discussion in the Masterclass Polyvocal Policy Making

### ***Towards a policy for access to higher education for refugee students***

The story of Semih (Croatia)

*Semih is not just a law student: He has a strong personal passion for law. It is this passion which helped him to strive for the inclusivity of the Croatian education system for refugee students in the past years. Being one of the first students with a refugee status enrolling in Croatian universities, Semih has intensively engaged in sharing his experience and knowledge with policymakers and other people in strategic positions. His engagement has helped policymakers discover blind spots in the existing regulations and develop regulations for better access to universities, student rights and facilities, paving the path for more people with refugee status to access academic education.*

*We could describe the role of Semih as 'advocacy', or specifically, as refugee-led advocacy. This means voicing perspectives by refugee communities to policymakers, in order to bring policies about refugee issues closer to the lifeworld and experiences of refugees themselves. This work, done by many people with refugee backgrounds throughout the world, is crucial to create more inclusive policies.*

*However, for many people taking up this role, this is often a consuming journey, involving little recognition and many disappointments. Without his passion for law and juridical puzzles, this role would be hard to endure for Semih. But his enthusiasm and knowledge of law push him to search for possibilities between existing regulations where others see impossibility. Along the way, Semih discovered that the combination of his understanding of the legal system with his personal experience as a refugee student gave him a unique position which could help policymakers make the system more accessible. But let us tell the story from the beginning...*

Semih: "When I started being a student, I did not have the goal or the intention to change things or to influence policy. I just wanted to study. But I realized along the way that I found myself in a position from which I could see things that were relevant for policy. It is only now, by looking back, that I can say: I have a passion for this, and this passion helped me through it"

This story begins in 2019 when Semih, after obtaining his refugee status, decided to continue his law study in Zagreb. Having been a brilliant student before fleeing his country, he was confident that by working hard he could take up his academic path again. This confidence was however not automatically shared by the people around him, especially those

Semih: “At the refugee reception center, we were told that we have the right to study in Croatia. I said: Great! I want to be a law student. The state officials then said: For primary or secondary education there are procedures and we can help you. But if you want higher education, you have to find your own way”

responsible for supporting his access to the Croatian labor market. The general attitude of people around Semih was to warn him for disappointment: learning a completely new language and master it sufficiently to start a law study was a big challenge, if it was doable at all. S. followed his plan. He dived into learning Croatian and enrolled as a student in the Law Faculty until what others had deemed to be impossible, appeared to be possible.

What also appeared at that moment, was that Semih did not automatically have the same

access as other students to benefits and facilities. He soon discovered that there were many practical and bureaucratic barriers and an absence of clear regulations concerning basic student rights, which were accessible to him only in theory. These included: The right to study without paying the high fee for foreign students, a place in a student dormitory, the possibility to use the student restaurant and the right to apply for a scholarship. For instance, the application for a scholarship and a place in the student dormitory happened through a point system, meant to prioritize the access for students with financial needs, or a higher need of affordable housing in Zagreb. To his surprise, Semih was ruled out by this point system. Being registered as a refugee status holder in the city of Zagreb, the system granted him very low points, because students from Zagreb are considered as having a family and support system in the city itself, differently than students coming from other parts of Croatia. The situation of Semih was not contemplated.

Similarly, while the Ministry of Education assured him that as a refugee he had free access to education, the Law Faculty appeared to lack specific regulations for the enrollment of refugee students, which meant that Semih had to pay the fee for foreign students. The professor and vice-dean who were involved in looking for a solution recognized that Semih’s situation was special, but found themselves bound by their own faculty rules. They proposed Semih enrol in exchange for Turkish language lessons for the staff and other students. So, despite the fact that by the law he did not have to pay the foreign student fee, Semih found himself providing the lessons to compensate for this same fee, in order to comply with the faculty rules. These examples, next to many other barriers Semih run into, made clear that, although refugees formally had the right to study, this right was not actually accessible on the basis of existing regulations. While European Law was clear in prescribing equal access to education, this had not been translated into national regulations that would actually make this possible. Similarly, he had experienced a lack of access to formal rights when concerning the access to official language courses, or, even more importantly, the access to health care. To Semih, the discrepancy between the law protecting the rights of refugee students and the lack of access to education due to the absence of local and national regulations was clear as daylight.

This realization motivated Semih and he started calling and emailing. It was the start of a long list of contacts with people in various layers of decision-making: the Ministry of Education, the university, the faculty board, the municipality and NGOs. His hope was to get answers but also to change the situation, for himself and for all other refugees hoping to access higher education. Exactly this group of refugees appeared to be invisible to policymakers. Indeed, when calling attention to the discrepancies in the law and the absence of regulations, one common answer from decision-makers was that his case was too specific. Oftentimes he got the answer that in Croatia the group of people with a refugee status wanting to undertake an academic study was so small, that there is no real target group to develop policies for. Semih is strongly convinced that is not true. Behind what appears to be a tiny group of people, there is a much larger group of people who repress or do not give space to their ambitions because the barriers are too high. He has these young people in his friend circle, in his broader networks. What did not discourage Semih, does de facto discourage many others, who in this way become invisible.

One opportunity for Semih was the invitation to be part of an advisory group for minority groups. This '*Advisory Group for third-country nationals and persons with migrant background*' has been called into existence by the Governmental Office of Human Rights, with the intention of bringing refugee and migrant perspectives to policymakers in an impactful way. After some time participating in the board, he started to have doubts as to whether this space would allow him to make a real impact. Although the idea of such an advisory group was a step in the right direction, Semih noticed that participants were often asked the same questions and that it was unclear whether their answers were used by policymakers and how. The discussions of the group were often reduced to moments to voice one's problems and frustrations, while there still seemed to be an invisible wall between the discussions of the group members and the world of decision-makers. At one point, the advisory group decided to be more proactive: They gave the government the specific advice to invite Semih to a committee in which all ministries gather twice a year to discuss issues of migration, asylum and integration. However, the Ministry responded that the schedule of the meeting did not allow this and shifted this suggestion aside. For Semih, this was a signal that including the perspective of the board was not an explicit priority for policymakers at that level.

While the influence of the advisory group was limited, through his personal interactions with policymakers around specific issues, Semih certainly managed to make an impact. Although many efforts seemed to lead to no result, there were also breakthroughs. So, in Semih's fight to obtain access to a scholarship, at first, the numerous communications with the Ministry did not help to create any shift in the message that 'rules were rules' and that there was nothing to be done. Until that last phone call with one deputy, in which Semih stopped hiding his frustration. He became angry and emotional and voiced all the injustice of his personal situation. The deputy on the other side of the phone became silent and was clearly touched by Semih's story. She decided to connect him with a higher policymaker with discretionary power over scholarship and arranged a one-to-one meeting with him. The effect of this meeting was unexpectedly strong. Semih could bring his personal experience, his knowledge of the lifeworld of many other young refugees who were currently excluded from higher education by the current regulation, and his knowledge of (European and national) law. What he also brought to the meeting with the policymaker, was a proposal for a new

article to be added to the current regulation. The discussion with the policymaker wasn't easy, but in the end, it led to more contacts and conversations, until, a year later, the new article that Semih had proposed was added to the regulation. The article simply says that refugees, like other students, have access to the same scholarship policy. This meant that in the second year of his study, Semih could actually receive a scholarship.

Another important breakthrough for Semih's advocacy work has been the yearly round table for refugee and migrant advocates organized by NGOs, to discuss problems concerning integration with migrant and refugee communities. State officials from the ministries are invited to this roundtable but generally are not present, but that day, the organizers were pleased to welcome a representative of the Ministry of Education. His presence was very important to the participants. However, confronted with the issues that participants raised, the Ministry official was not convinced that those problems really existed. His reaction was that he had never heard of those problems and that in Croatia there were no real obstacles for people wanting to pursue an education. Semih spoke at the end and had a lot of speaking time. He told the Ministry official his whole story, filled with personal details, which were used to illustrate all that was missing in the existing regulation. He made an argument that the fact that there were no other students should be seen not as the cause (or explanation) of the absence of regulations, but as the *effect* of it. At the end of his story, the Ministry official said that he had no idea of this reality and that his eyes had been opened. Shortly after, he offered Semih a student job at the Ministry for the summer. In this way, Semih could be more easily consulted by policymakers about the changes that needed to be made.

Similarly, after one year of fighting for actual access to student rights at the university, the Faculty of Law asked Semih for help to change their statutes. Despite the intensive and demanding effort that Semih had to do in order to come in contact with people at the right levels, and to be recognized as someone who could actually think along, Semih is happy that at the end, he was asked to help to co-design new regulations at different levels. In the case of the scholarship, this led precisely to the result that Semih had hoped for a new article. Other issues, such as the dormitory, were not structurally adjusted in the regulations, but only solved ad hoc, on the basis of a special decision or giving Semih a special status. In Semih's words: *'This impacts my life because I am not officially involved in the system. For instance: I cannot register at the dorm, which means that I have no official address in Croatia., I am happy with the flexibility of people wanting to help me, but this does not lower the barrier for other people wanting to study. I want to have equal rights, set in official regulations.* There is thus more work to be done.

Despite the impact he could make, Semih is often also discouraged or exhausted. Things work by bumping against the walls of the system until he finds an opening. In time, he has learned to sense when the time is right, when the momentum to make his voice heard is there, and when on the contrary, speaking up will only waste his energy. What would really help, is a structural place at a table, a procedure that would structurally involve his and other refugees' or migrant advocates' perspectives in crafting new policies and regulations.

Semih: “My goal is not to criticize the system. It never was. My goal is constructive. I want to find common ground with policymakers, think along and offer my knowledge and my experience to find solutions to make education and integration more accessible to all refugees”