



# WELCOME

Multiple Intelligent Conversation Agent Services for Reception,  
Management and Integration of Third Country Nationals in the EU

Grant Agreement n. 870930

## D9.1

# Privacy, Data Protection, Social & Ethical Issues Preliminary Guide for WELCOME Design and Development

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**Abstract:** This report specifies Ethics and Privacy by producing a preliminary guide on relevant basics of legislation, science and societal values for the WELCOME design and development. It covers key privacy, data protection, socio-cultural and ethical issues for the partners and provides awareness and orientation in their early work on WELCOME.

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**WELCOME**

**D9.1– V1.0**



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## Executive Summary

As a preliminary guide for privacy, data protection and social and ethical issues the following composition provides an overview of the most important rights and principles of legislations and the social and ethical turning points and requirements and draws conclusions for the design, development and application of the technologies in WELCOME.

In detail, General Data Protection Regulation, ePrivacy Directive and the International Human Rights Law are elaborated as relevant legal standards for WELCOME. After their general description possible issues and requirements are formulated to concentrate the legislation on the design and implementation of the WELCOME technologies.

To build a base for the ethical and social standards social terms, norms and categories are defined and build a frame for the considerations of ethical and social requirements, which result naturally on one hand by human interactions with refugees and migrants and on the other hand by the technical contribution through VR/AR.

## Abbreviations and Acronyms

<b>AI HLEG</b>	High-Level Expert Group on Artificial Intelligence
<b>CARITAS</b>	Caritasverband Hamm e.V. (project partner)
<b>CCP</b>	Care Centred on the Person (health model)
<b>CENTRIC</b>	Centre of Excellence in Terrorism, Resilience, Intelligence and Organized Crime Research (project partner)
<b>CERTH</b>	Centre for Research and Technology Hellas (project partner)
<b>DTASF</b>	Departament de Treball, Afers Socials i Famílies. Generalitat (project partner)
<b>EEA</b>	European Economic Area
<b>EES</b>	Eastern European Status
<b>EU</b>	European Union
<b>GDPR</b>	General Data Protection Regulation
<b>ILO</b>	International Labour Organization
<b>IS</b>	Fundació iSocial (project partner)
<b>KEMEA</b>	Kentro Meleton Asfaleias (project partner)
<b>LGBTI</b>	Lesbian, Gay, Bisexual, Transgender and Intersex
<b>METODO</b>	Metodo Estudios Consultores SL (project partner)
<b>MR</b>	Mind Refuge GUG (project partner)
<b>NGO</b>	Non-Governmental Organization
<b>PRAKSIS</b>	PRAKSIS Programs of Development, Social Support and Medical Cooperation
<b>TCNs</b>	Third Country Nationals (TCNs)
<b>UNESCO</b>	United Nations Educational, Scientific and Cultural Organization
<b>UPF</b>	Universitat Pompeu Fabra (project partner)
<b>WHO</b>	World Health Organization

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## 1 INTRODUCTION

The objective of WELCOME is to research and develop intelligent technologies for support of the reception and integration of Third Country Nationals (TCNs) in Europe. WELCOME aims to offer a personalised and societally appropriate solution for both migrants and refugees and public administrations. It will develop immersive and intelligent services, in which embodied intelligent multilingual agents will act as dedicated personalized assistants of migrants and/or beneficiaries of international protection in contexts of registration, orientation, language teaching, civic education, and social and societal inclusion.

Both the reception and integration of TCNs remain a leading societal challenge for many EU countries. The challenge is threefold:

- a) The assistance of such a high number of people calls for allocation of significant resources;
- b) TCNs who come to Europe do not form one homogeneous group. They have diverse educational, linguistic, cultural, and social backgrounds;
- c) Nationals of non-EU and non-Schengen states or non-members of the European Economic Area (EEA) are required to deal with more complex documentation than EU nationals or nationals of states belonging to the EES or to the Schengen area. This implies the need for a big effort in personalised communication, education (including language learning) and cultural and social immersion.

In addition to this human resource and technological challenge, there is a challenge related to ethical and data protection issues. This deliverable addresses this latter challenge. Its goal is twofold: A) To point out the sensitive aspects of ethics and privacy and gives an orientation and anchor to the partners of WELCOME, identifying legal instruments such as the GDPR, ePrivacy Directive and the Human Rights. They are fundamental for WELCOME'S goal to offer a personalized, psychologically and socially competent technical solution for migrants and public administrations to support the reception and integration of TCNs; B) to present a preliminary guide to the partners of WELCOME that will ensure that all ethical and data privacy issues are addressed appropriately during the entire lifetime of the project.

## 2. LEGAL STANDARDS AND REQUIREMENTS

This section focuses on the most relevant legislations for WELCOME, which need to be taken into account for the creation of the legal and ethical guidelines for the design and development of the system. These are the General Data Protection Regulation, the ePrivacy Directive and the Human Rights Law. The first two have a bigger impact on the technical requirements while they handle data protection and the Human Rights take the participants and their rights into account.

### 2.1 Reference General Data Protection Regulation (GDPR)

WELCOME targets two global types of users: TCNs and actors involved in the reception and integration of TCNs in the host countries (mainly public administrations and Non-Governmental Organizations (NGOs). Both groups will be interviewed (either by persons or



by avatars) and will be asked to register in a platform. In order to adequately serve both groups, WELCOME will acquire different kinds of data. Within this context, in what follows, the main legal and ethical considerations in relation to personal data handling are identified. The legal principles related to personal data processing are defined in the General Data Protection Regulation (GDPR).<sup>1</sup> Their importance lies to the fact that these principles set the conditions under which the personal data processing activities are lawful and guarantee the protection of the data subject. As the personal data controllers and processors must comply with these principles, they are of crucial importance for the design of the WELCOME platform, and for the research activities that are going to be conducted under WELCOME project, which will involve human participants. The principles are summarized in Table 1.

Principle	Gist of the principle relevant to WELCOME
Lawfulness, Fairness and Transparency Art.5,§1(a); Recitals 60 and 39.	<ul style="list-style-type: none"> <li>• The data controller must establish a legal base according to the Articles 6, 7, 8 and 9 of GDPR.</li> <li>• The identity of the data controller must be known to the data subjects.</li> <li>• When personal data are collected from the data subject, the data subject must be informed on whether they are obliged to provide the personal data and of the consequences if they do not provide these data.</li> <li>• Any processing of the collected (in particular, personal) data should be lawful, fair and transparent to the subject whose data are collected, used, consulted or otherwise processed; furthermore, the subject must be informed to what extent the data are or will be processed and for what purpose.</li> <li>• The specific purposes for which personal data are processed should be explicit and legitimate and determined at the time of the collection of the personal data.</li> <li>• Any information and communication related to the processing of personal data must be in clear, plain, easy to understand language and be easily accessible.</li> <li>• Any information that the data controller must provide under the transparency requirements cannot be made under the condition of a financial transaction made by the data subject.</li> </ul>
Purpose Limitation Art.5,§1(b)	<ul style="list-style-type: none"> <li>• Data controllers are allowed to collect personal data only for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.</li> <li>• Further processing for the purposes of public interest, scientific or historical research purposes or statistical purposes are not considered</li> </ul>

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<sup>1</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, and repealing Directive 95/46/EC (General Data Protection Regulation) available at <https://eur-lex.europa.eu/eli/reg/2016/679/oj>

	<p>incompatible with the initial collection purposes.</p> <ul style="list-style-type: none"> <li>• Other purposes for the processing may be in accordance with GDPR only if the new purpose is lawful, fair and transparent and the data controller has a valid legal ground to the processing, namely, in such a case the explicit and informed consent shall be obtained.</li> </ul>
<p>Data Minimization Art.5,§1(c)</p>	<ul style="list-style-type: none"> <li>• The data controller must process only those personal data that is adequate, relevant and limited to the amount that is necessary to achieve the pursued purpose. The notions of adequacy, relevance, limitation and necessity are interpreted in relation to the objective pursued.</li> <li>• The purpose of the processing of the personal data cannot be reasonably achieved by alternative available means.</li> <li>• The data controllers must regularly review the collected data and delete what is not necessary.</li> <li>• The data subjects have the right to rectify any data that is inadequate for the processing purpose; they also have the right to request the deletion of any data that is unnecessary for the processing purpose.</li> </ul>
<p>Data Accuracy Art.5,§1(d), Art 16, 17.</p>	<ul style="list-style-type: none"> <li>• Personal data must be accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate are erased or rectified without delay. It is considered that data are accurate when their process leads to the accomplishment of the purpose.</li> </ul>
<p>Storage limitation Art.5,§1(e)</p>	<ul style="list-style-type: none"> <li>• All data must be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed.</li> <li>• Data controllers must take into consideration the purpose of the processing when determining the time periods for storing data.</li> <li>• Data subjects must be informed on the periods during which their personal data are stored or at least be informed on the criteria used to determine that period.</li> <li>• Personal data could be stored for longer periods of time in cases of public interest, scientific or historical research or statistical purpose, but then with the implementation of the proper technical and organizational measures that ensure its protection.</li> </ul>
<p>Integrity and confidentiality Art.32,§1</p>	<p>Confidentiality and integrity fall under the security obligation.</p> <ul style="list-style-type: none"> <li>• The controller and processor shall implement the appropriate technical and organizational measures in all stages of data processing during the whole lifecycle of data by both data controllers and data processors, to ensure a level of security proportionate to the risk of the processing. These may include: (i) Pseudonymisation and encryption of personal data; (ii) The ability to ensure the ongoing confidentiality, integrity, availability and resilience of Processing systems and services; (iii) the ability to restore</li> </ul>

	the availability and access to personal data in a timely manner in the event of a physical or technical incident; (iv) a process for regularly testing, assessing and evaluating the effectiveness of technical and organizational measures for ensuring the security of the processing.
Accountability Art.5,§2	<ul style="list-style-type: none"> <li>• Data controllers are responsible for carrying out the processing of personal data in compliance with the above principles of the GDPR and must be able to demonstrate that compliance to the data subjects, general public and the supervising authorities.</li> </ul>

**Table 1:** Excerpt of relevant GDPR Principles

## 2.2 Reference ePrivacy Directive

The e-privacy Directive 2002/58/CE provides specific rules for e-communication services, in particular on confidentiality of e-communications and related data of both natural and legal persons, unsolicited communications (spam), network and services security, data breach notifications, limited storage of traffic and location data and on cookies, as well. According to its Article 3, the Directive, it applies to *“the processing of personal data in connection with the provision of publicly available electronic communications services in public communications networks in the Community, including public communications networks supporting data collection and identification devices”*.

It is also to be noted that the European parliament has been working over the past years on a new e-privacy directive, which will replace the EU E-Privacy Directive (Directive 2002/58/EC), as amended by the EU Citizens’ Rights Directive (Directive 2009/136/ EC). This new directive will replace Directive 2002/58/EC (e-Privacy) and detail further the GDPR. The objective of both initiatives is to reinforce trust and security in the Digital Single Market, while providing flexible regulatory tools to enable innovation. However, at the time of writing this deliverable, the directive in force is EU E-Privacy Directive (Directive 2002/58/EC), such that it is this directive which will serve us as reference.

The Directive establishes some essential security measures to be applied to the processing of personal data. Most of these measures (including measures concerning, e.g., the security of processing, security breach, confidentiality of the communications, and traffic (meta) data) target mainly providers of public electronic communications services and member states respectively. Their relevance in our context can be summarized as follows:

- ensure that personal data can be accessed only by authorised personnel for legally authorised purposes,
- protect personal data stored or transmitted against accidental or unlawful destruction, accidental loss or alteration and unauthorised or unlawful storage, processing, access or disclosure,
- ensure the implementation of a security policy with respect to the processing of personal data.

One of the measures is of immediate relevance to WELCOME in its entirety, namely the measure on Location of data other than traffic data. This measure states that

“Where location data other than traffic data, relating to users or subscribers of public communications networks or publicly available electronic communications services, can be processed, such data may only be processed when they are made anonymous, or with the consent of the users or subscribers to the extent and for the duration necessary for the provision of a value added service. The service provider must inform the users or subscribers, prior to obtaining their consent, of the type of location data other than traffic data which will be processed, of the purposes and duration of the processing and whether the data will be transmitted to a third party for the purpose of providing the value added service. Users or subscribers shall be given the possibility to withdraw their consent for the processing of location data other than traffic data at any time.”

### 2.3 Reference International Human Rights Legislation

Human rights are regulated in international instruments that have direct application in the legal system of each country. The legal system of each country, therefore, adds to the international conventions and instruments in the field of human rights. At the international level, the conventions and other instruments, that have the greatest impact on social intervention with refugees and migrants, include:

Organism	Treaty or convention	Scope
United Nations	International Covenant on Civil and Political Rights (1966)	Generic rights, individual and collective (freedom, equality, life ...)
	International Covenant on Social and Cultural Economic Rights (1966)	Generic rights related to social policies (work, education, etc.)
	Convention on the Elimination of All Forms of Discrimination Against Women (1975)	Sexist violence, the right to equality
	Convention on the rights of the children (1989)	Childhood
	International Convention on the Protection of the Rights of All Migrant Workers and Their Families (1990)	Migrants
European union	European Charter for the Safeguarding of Human Rights in the city (1998)	Generic, local level
	European Charter of Fundamental Rights (2000)	Generic
Council of Europe	Council of Europe Convention on the Prevention and Fighting of Violence	Sexist violence and domestic violence

Organism	Treaty or convention	Scope
	against Women and Domestic Violence (2011) – Istanbul Convention	

**Table 2:** International conventions and instruments in the field of human rights

In WELCOME, in particular the relevance of the **Universal Declaration of Human Rights** and the **Charter of Fundamental Rights of the European Union** needs to be taken into account.

### 2.3.1 Universal Declaration of Human Rights

The Universal Declaration of Human Rights was the first international document that articulated fundamental rights and freedoms for all people regardless of their race, color, sex, language, religion, national or social origin, birth or other status. Since it was first adopted by the General Assembly of the United Nations on 10 December 1948 and for more than seventy years, it has contributed significantly in creating fundamental values which are shared by all members of the international community. It has had a profound influence on the development of international human rights law although it is a non-binding legal document, to such extent that is considered as customary international law. It includes fundamental civil and political rights, which in the context of the WELCOME project are applicable to beneficiaries of the project, i.e. TCNs. Most importantly, the Declaration has been used as the legal basis for the adoption of internationally legally binding documents, i.e. the International Covenant on Human and Political Rights (adopted by United Nations General Assembly Resolution 2200A (XXI) on 16 December 1966) and the International Covenant on Economic Social and Cultural Rights (adopted by the United Nations General Assembly on 16 December 1966 through Resolution 2200A (XXI)).

The principles of the Declaration are also elaborated in other international legal texts of importance, such as the International Convention on the Elimination of All Forms of Racial Discrimination, the International Convention on the Elimination of Discrimination Against Women, the United Nations Convention on the Rights of the Child, the United Nations Convention Against Torture and many more.

In the context of WELCOME, the following fundamental provisions of the Universal Declaration of Human Rights seem to be of relevance: (i) Article 1: *Human Dignity*; Article 12: *Protection from arbitrary interference with a person's privacy*; (iii) Article 14: *Right to seek asylum*; (iv) Article 16: *Right to family life*; (v) Article 26: *Right to education*.

### 2.3.2 Fundamental Rights of the EU Charta

The Charter of Fundamental Rights of the European Union stipulates the fundamental rights of everyone living in the EU, including TCNs, i.e., the final beneficiaries of the WELCOME project. Some of these rights are supported by the objectives and the work of the project; these are, in particular: Article 11. Freedom of expression and information; Article 14: Right to education, Article 18: Right to Asylum, Article 34: Social security and social assistance, and Article 35: Healthcare. Some other of these rights need to be taken into account when

developing the technologies in the project: Article 1: Human dignity, Article 3: Right to the integrity of the person, Article 7: Respect for private and family life, Article 8: Protection of personal data, Article 21: Non-discrimination, Article 22: Cultural, religious and linguistic diversity, Article 23: Equality between men and women, Article 24: The rights of the child.

### **3. ETHICAL AND SOCIAL STANDARDS AND REQUIREMENTS**

This section draws the attention to the ethical and social aspects, which definitely affect WELCOME, since TCNs must have a special awareness of their circumstances, needs and emotions. On the other side, the partners have to consider the social conditions and opportunities of the TCNs. To bring both sides together is a task every society has to fulfil, and WELCOME aims to support.

#### **3.1 Social terms, norms and categories**

##### **3.1.1 Social terms**

It is important that social terms are correctly defined to assure the accuracy within the projects, especially when using one term or another can change the target group we are referring to. Social terms are often present in general debates, and can lead to confusion if not everybody understands the same. For instance, many people use “Third Country Nationals” to refer to refugees. However, TCN applies to people living within the EU that aren’t nationals from an EU Member State, referring, therefore, to a broader group of people.

To ensure the accuracy of terms within the consortium, a glossary with the most relevant terms for WELCOME has to be prepared; the first version of it is included as an appendix to this document.

##### **3.1.2 Social categorization**

Social categorization has been broadly defined, in social psychology, as the act of spontaneously grouping social targets into categories, which mostly occurs when a person thinks about others as social beings and social targets (Hugenberg & Sacco, 2008). Once a person categorizes an individual, knowledge acquired from previous interactions with members classified into the same group, is used to make inferences about this individual.

Social categorization has many benefits. For the one, it allows individuals to navigate a complex social reality, economizing time when making decisions. Moreover, when the interlocutor arranges an individual into a specific group, he will be able to make inferences about various significant aspects of the interaction, such as goals and intentions, what skills and previous knowledge the person possesses, and what general traits characterize the other (Bodenhausen, Kang, & Peery, 2012). However, it must be noted that social categorization comes at a cost. In particular, social category selection is guided by the content of the perceiver's stereotypes (van Knippenberg & Dijksterhuis, 2000). Social categorization and stereotyping are strongly interlinked, often resulting in cognitive bias (Macrae & Hewstone, 2008).

In the context of WELCOME, categorization will allow us to systemize decisions through the use of technology. To minimize the downsides of social categorization, WELCOME will have to use methods considering Intersectionality. Intersectionality is a theory that establishes that people have multiple dimensions that crisscross and determine the situation of an individual. According to this theory, which has been predominant in debates about feminism in recent years, people cannot be classified alone by gender. It is not the same to be a man or a woman, but at the same time, it is not the same to be white or of colour. In this case, we have four different categories: a white man, a white woman, a man of colour, and a woman of colour. To this classification, we could add other features, such as level of income that would increase the number of groups we'd have in the end. Accepting the existence of intersectionality requires establishing a more complex reality than just focusing on one dimension of an individual (Sigle-Rushton, 2013). According to the European Network Against Racism (ENAR), the use of intersectionality allows policy-makers to implement more targeted and efficient measures in terms of social equality (European Network Against Racism, 2018). By using different categories simultaneously, WELCOME will have to provide the best option for each individual, regarding his circumstances, goals, and needs. Moreover, the participation of end-users, both from the administration and TCN, will reduce the influence of a single perspective, and the specification of the User Cases will establish the meaningful categories for a concrete scenario.

To sum up, in WELCOME, the benefits of social categorization outweigh the risks of stereotyping and generalizing the situation of individuals. Nonetheless, the possible risks have been analysed, and some mechanisms have been included to minimize them.

### **3.2 The vulnerability of migrants and refugees**

The term "vulnerability" refers to the reduction or hindrance in the capacity of a person or a group of access to their human rights or face or recover from a situation of exploitation, abuse and / or violation of their rights. The vulnerability of migrants and refugees refers to the little capacity to prevent, resist, cope and recover damages as a result of situations or factors that place these people at the highest risk of violating their human rights. In any case, it is important to mention that not all migrants or refugees are prima facie vulnerable. In any case, any migratory stream includes people with different situations and characteristics of vulnerability who deserve special attention.

When a person is forced to leave their home due to fear of persecution, they leave behind part of their identity: friends, physical space, country, customs, language and social status, etc. and, often, also the family. These multiple losses may lead to serious mental health issues, particularly for vulnerable individuals, since the loss is aggravated by the absence or weakening of support networks of their own, and the lack of access to psychosocial services to meet their needs. Further and, most severe, psychological impacts are inflicted during the migratory route. Especially in the case of irregular migration, those exposed to physical and psychological threats, including kidnapping, robbery, extortion, accidents, assaults, rape, danger of contracting diseases, mutilation, torture, exposure to forced labour or being captured. This applies in particular to victims of human trafficking and other related

offenses. In addition, limited access to food, drinking water, medicines, and medical care increases the physical risks to the health of migrants.

### 3.3 Ethical and social requirements

#### 3.3.1 Background on ethical and social requirements

All interactions between beneficiaries, project staff and agents must comply with a set of ethical and social requirements, whether carried out by social intervention professionals, or other public and private agents related to the project.

According to Teresa Zamanillo (2012), social intervention is "all social action that aims to transform the existing conditions of people at a disadvantage or social exclusion". However, to limit the characteristics and requirements of social work with migrants and refugees WELCOME needs to take awareness of the multidimensional nature of social reality on which we want to intervene. This multidimensionality has been identified as one of the foundations for the complexity paradigm (Morin, 2009), but also for explaining phenomena such as social exclusion, as defined by several authors (Subirats, Gomà, & Brugué, 2005; Subirats et al., 2004). WELCOME should understand that the social reality is complex, and multidimensional interventions in this reality will require a multidisciplinary approach. With the confluence of different disciplines and professions, which contribute with their knowledge and frameworks of analysis, can be built a joint vision. But this approach will also be influenced by the relationship between the visions of social intervention policies, underlying philosophies and theoretical models. According to the analysis developed by Malcolm Payne (2014), a British social worker, the approach has two parts: On the one hand, the relationship between visions of social intervention (problem solving, empowerment and social change) with political philosophies (liberal / neoliberal, social democracy and socialism) and, on the other hand, the linking of views on social intervention with the theoretical frameworks for its practice. We see the main features in terms of social intervention:

- From the *perspective of empowerment*, the best possible well-being for individuals, groups, and communities is sought through promotion and processes for facilitating growth and self-fulfilment. In this vision, the role of professionals is to help people gain power over their feelings and way of life, and this growth and empowerment will enable them to overcome disadvantaged situations. This view is linked to the political philosophy of social democracy.
- The *vision of social change* seeks co-operation and mutual support in society so that most oppressed and socially disadvantaged people gain power over their lives. Social intervention helps people in the process of learning and cooperation promoted by institutions seek to create more egalitarian relationships in a social model that is not. Lena Dominelli calls them "emancipatory approaches". The underlying political philosophy is socialism.
- The vision of *problem-solving* involves social work as part of the care services for people who have needs, and as an improvement of the supply of these services. The philosophy behind this vision is based on the freedom of people to make decisions



and, consequently, on their obligation to take the consequences of their decision-making. The underlying political philosophy is liberalism or neoliberalism.

Theories of Social Work with vulnerable people led to, in the late twentieth century, the definition of the model of *Care Centred on the Person* (CCP), which is widespread in the field of Social Work in the advanced countries, and which WELCOME should internalize in its interactions with migrants and refugees.

The CCP model, which was initially developed in the context of the research in the health sector, showed the distance between the practice and the concept of health defended by the World Health Organization (WHO), which states that health "is a complete state of physical, mental and social well-being, and not merely the absence of ailments or diseases" (WHO, 1946). This definition would lead us to an idea of integral and continuous attention rather than a fragmented practice.

The analysis emerging from the health system must be added to a new approach promoted by the WHO itself, but in collaboration with the United Nations Educational, Scientific and Cultural Organization (UNESCO), and the International Labour Organization (ILO), which promoted a community development strategy (Community Based Rehabilitation) for rehabilitation, equal opportunity and inclusion of all people. From this background, both in the healthcare and social fields, together with the contributions of Carl Rogers and client centred therapy, the CCP Model that emerged, can be defined as follows:

- Focusing on the person and the meaning it attaches to one's own experience means the recognition of subjectivity and the joint construction of meanings about this subjectivity.
- The dignity of the person as a central value, a dignity that is associated with respect for the human rights, of which every person is the owner.
- Attention to specific human characteristics such as the ability to decide, creativity, or the need for self-fulfilment.
- The interest in the full development of the potential inherent in each person: All people being capable of promoting their maximum development is one of the goals and guides for the CCP.
- The idea of the person, both concerning self-discovery and in their interdependence with others (individuals and groups), refers to the idea of completeness, the person and his context, the person in its entirety, which is what it means to recognize dignity.

WELCOME must also take into account that the CCP model has evolved recently towards the model of *Self-directed Support*. This model has been developed by the Scottish Government through a law passed in 2013: The *Self-directed Support Act in 2013* (Scottish Government, 2013) and is defined as:

- The way in which individuals and families may have an informed choice about the form of support that is offered to them, as it is developed from a "working together" perspective to reach individual goals.

- It allows people to choose how their support will be facilitated and give them all the control they want to exercise through the "individual budgets" tool.
- Includes a wide range of support options
- Employing a co- production approach in consensus with the desired individual results, the various options, and how they are available to the people are taken into account, increasing their control over the way they are covered.

The expected results with the implementation of the *Self- directed Support* model are:

People (users, carers and families)	Workers	Leaders and systems
<p>People have the ability to choose and have control over their support / social care process</p> <ul style="list-style-type: none"> <li>- Involvement in the full decision</li> <li>- Access to quality information, support and practical assistance</li> <li>- Access to a good defence and advisory system</li> <li>- Knowledge to the budget and available resources</li> <li>- Understand how and why budgeting and care decisions are made</li> </ul>	<p>Professionals facilitate and empower people to make informed decisions about their social support.</p> <p>Professionals are involved in all aspects of social care to ensure values, skills, knowledge and confidence</p> <ul style="list-style-type: none"> <li>- Receive clear and consistent information</li> <li>- Develop conversations with people about what affects them</li> <li>- Theoretical framework: Strength-oriented</li> <li>- Act with autonomy</li> </ul>	<p>They create a system and culture that allows the choice and control over social care</p> <ul style="list-style-type: none"> <li>- Included in strategic planning</li> <li>- Achieve the support of communities and entities to provide a wide range of services</li> <li>- Facilitate a creative, flexible and tailored system for service delivery</li> </ul>

**Table 3:** Expected results with the implementation of the Self- directed Support model

These models of social intervention with vulnerable persons, among which are migrants and refugees, have a significant ethical component. The first ethical debate they raise is the dilemma between the highest regard for the individual will, and the obligation of protection in certain situations. Moreover, there is also a debate on the effectiveness of social intervention and how to measure it: Efficiency measured by the results or by the activities (a measurement of the results of the operation versus the measure of the number of activities performed independently of the results). And finally, there is the ethical debate of *stereotypes*, because people who do social work are people who have built their own conceptual world and this affects their social intervention.

### 3.3.2 Ethical and social requirements towards an ICT platform

While the use of VR/AR is not researched sufficiently enough to constitute the critical factors and limits for this new technology undisputedly, you may find some important and relevant concerns in research, which give a disposition for the ethical framework of WELCOME.

Madary and Metzinger (2016) for example, give some first warnings and recommendations in terms of possible affects on the brain. They claim that the mind is plastic to such an extent that three factors have a big impact on the brain:

*“First, there is “context-sensitivity all the way down,” which may involve hitherto unknown kinds of epigenetic trait formation in new environments. Second, there is evidence that behavior can be strongly influenced by environment and context, and in a deep way. Third, illusions of embodiment can be induced fairly easily in the laboratory, directly targeting the human UI<sup>2</sup> itself.” (Madary/Metzinger 2016, p. 5)*

In this context, to be considered are also the **EU Ethical Guidelines for Trustworthy AI**, published on 8 April 2019 by the High-Level Expert Group on Artificial Intelligence (AI HLEG). This independent expert group comprising 52 experts from academia, civil society, as well as industry, was appointed by the European Commission in June 2018, as part of the AI strategy announced earlier that year.

The guidelines identify three components for trustworthy AI, which should be met throughout the technology's entire life cycle: (1) lawful, complying with all applicable laws and regulations (2) ethical, ensuring adherence to ethical principles and values and (3) robust, both from a technical and social perspective to prevent that AI systems can cause unintentional harm.

For the aim of developing ethical guidelines for the work of WELCOME, below, we highlight relevant guidance with respect to ethical and socially robust findings by the AI HLEG. Key guidance derived from Section 1 of the Ethics Guidelines for Trustworthy AI includes developing, deploying and using AI systems in a way that abides to the following ethical principles:

1) Human autonomy, beneficiaries engaging with the developed technology, must be able to keep full and effective self-determination over themselves, and be able to participate in feedback and program development processes. AI developed by the project “should not unjustifiably subordinate, coerce, deceive, manipulate, condition or herd humans. Instead, they should be designed to augment, complement and empower human cognitive, social and cultural skills. The allocation of functions between humans and AI systems should follow human-centric design principles and leave meaningful opportunity for human choice. This means securing human oversight over work processes in AI systems.”

2) The technologies “should neither cause nor exacerbate harm or otherwise adversely affect human beings. This entails the protection of human dignity as well as mental and physical integrity. Technology developed by the project and the environments in which they operate must be safe and secure. They must be technically robust and it should be ensured that they are not open to malicious use.” The Ethics Guidelines for Trustworthy AI stresses that “vulnerable persons should receive greater attention and be included in the

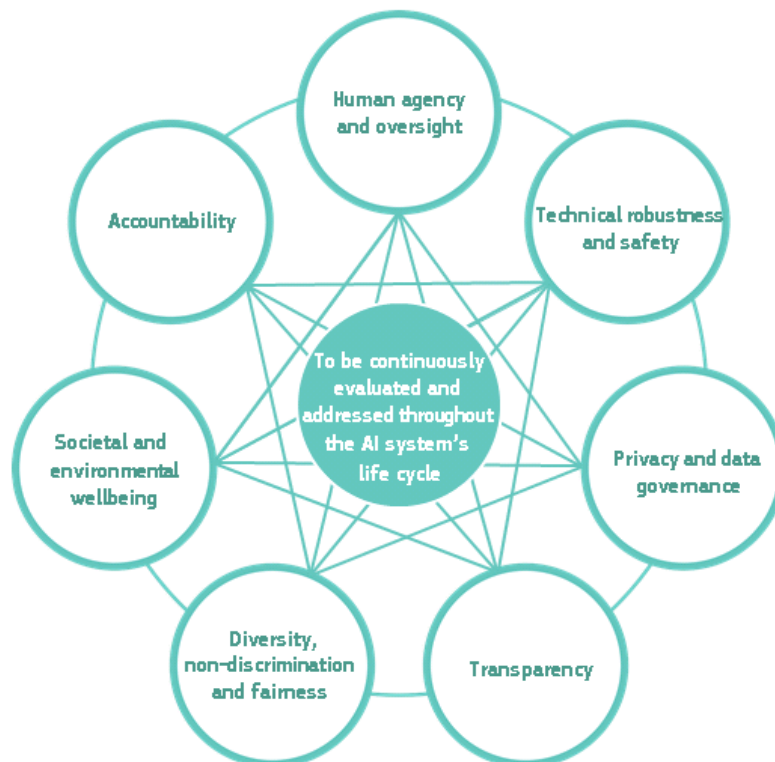
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<sup>2</sup> UI stands for “unit of identification”.

development, deployment and use of AI systems”. This recommendation is crucial for WELCOME, as final beneficiaries of the project are known to be particular vulnerable due to their often traumatic experience in the country of origin, first asylum and/or on their migratory route, their loss of home, security and often family and their lack of knowledge of the local language, system and culture. The guidelines continue pointing out that “particular attention must also be paid to situations where AI systems can cause or exacerbate adverse impacts due to asymmetries of power or information, such as between employers and employees, businesses and consumers or governments and citizens.” This is the case for the work of WELCOME, as final beneficiaries are in an asymmetrical situation regarding their need for information from the authorities and institutions that are involved as users in this project.

3) The development, deployment and use of programs developed by the project must be fair. The consortium is committed to ensure that final beneficiaries are free from unfair bias, discrimination and stigmatization. TCNs are often prone to discrimination in their attempt to access services. As the design of artificial service provision allows for a correction of injustice.

According to the Ethics Guidelines for Trustworthy AI, explicability is crucial for building and maintaining users’ trust in AI systems. This means that processes need to be transparent, the capabilities and purpose of the agents should be openly communicated to TCNs, and their decisions should be traceable and explainable to its users.



**Figure 1:** *Interrelationship of the seven requirements: All are of equal importance, support each other, and should be implemented and evaluated throughout the AI system’s lifecycle (from the Ethical Guidelines for Trustworthy AI, page 17)*

The key “take-aways” offer guidance on the implementation and realization of Trustworthy AI, via a list of seven requirements that should be met: (1) human agency and oversight, (2) technical robustness and safety, (3) privacy and data governance, (4) transparency, (5) diversity, non-discrimination and fairness, (6) environmental and societal well-being and (7) accountability; cf. Figure 1 above.

#### 1) Human agency and oversight

Final beneficiaries should be given the knowledge and tools to comprehend and interact with the technologies to a satisfactory degree and, where possible, be enabled to reasonably self-assess or challenge the system. According to the guidelines, “AI systems should support individuals in making better, more informed choices in accordance with their goals.” Furthermore, “Human oversight helps ensuring that an AI system does not undermine human autonomy or causes other adverse effects.” The consortium commits to human oversight regarding the agents’ decision-making processes.

#### 2) Technical robustness and safety

Technical robustness can be understood as prevention of harm. According to the guidelines “AI systems, like all software systems, should be protected against vulnerabilities that can allow them to be exploited by adversaries, e.g. hacking. Attacks may target the data (data poisoning), the model (model leakage) or the underlying infrastructure, both software and hardware.”

#### 3) Privacy and data governance

Privacy and data protection must be guaranteed throughout their programs’ entire lifecycles.

#### 4) Transparency

“Data and the processes that form the basis of the agents’ decision making, including those of data gathering and data labelling as well as the algorithms used, will be documented to the best possible standard to allow for traceability and to increase in transparency.” Technical explainability requires that the decisions made by the AI solution can be understood and traced.

#### 5) Diversity, non-discrimination and fairness

Identifiable and discriminatory bias should be removed in the data collection phase where possible. The guidelines point out that “The way in which AI systems are developed (e.g. algorithms’ programming) may also suffer from unfair bias. This could be counteracted by putting in place oversight processes to analyze and address the system’s purpose, constraints, requirements and decisions in a clear and transparent manner.”

#### 6) Societal and environmental well-being

The AI solution should be designed in such a way that it contributes to the societal and environmental well-being.

7) Accountability

“Auditability entails the enablement of the assessment of algorithms, data and design processes.” Both the ability to report on actions or decisions that contribute to a certain system outcome, and to respond to the consequences of such an outcome, will be ensured. Conflicts of interests and values implicated by the programs should be identified during project design, implementation and evaluation and if conflict arises, trade-offs should be explicitly acknowledged and evaluated in terms of their risk to ethical principles, including fundamental rights.

**4. GUIDELINES FOR WELCOME**

In this section, the legal and ethical and social guidelines for the work in WELCOME, as distilled from the Legal Standards and Requirements and Ethical and Social Standards and Requirements presented in Sections 2 and 3 respectively, are presented.

**4.1 Guidelines related to legal standards and requirements**

In what follows, we assess what consequences the GDPR principles, the e-Privacy Directive, and the International respectively Human Rights Charters pinpointed to in Section 2 have for the work in WELCOME.

**4.1.1 WELCOME Guidelines reflecting GDPR Principles**

Table 2 derives from the analyzed GDPR Principles the guidelines that shall orient the work with personal data of data subjects in the WELCOME project.<sup>3</sup>

Principle	Guidelines
Lawfulness, Fairness and Transparency Art.5,§1(a); Recitals 60 and 39.	<ul style="list-style-type: none"> <li>• The data controller must establish a legal base according to the Articles 6, 7, 8 and 9 of GDPR.  <span style="color: blue;">The WELCOME Consortium has to establish, prior to any collection and/or processing of personal data, a legal base in terms of a Consent Form signed or agreed upon orally (in this case, legally valid witnesses must be present) by the data subject prior to the collection and/or use (in case the data are already available to user partners of the Consortium); see also Commentary (I) below.</span> </li> <li>• The identity of the data controller must be known to the data subjects.  <span style="color: blue;">The Consortium must outline in a document (and keep it updated) all parties that act as data controllers, i.e., who record, have access to and/or process the personal data collected from the subjects. The Consent Form must specify the principal data controller to whom data subjects can address any concerns, inquiries or claims related to their data. To ensure the maximal proximity to the data subjects, the data controller should be</span> </li> </ul>

<sup>3</sup> For convenience, the Principles are also provided in the table. The guideline(s) related to each of the Principles follows then in the blue font.

	<p>different for each data collection hub in WELCOME (PRAKSIS, Greece; DTASF, Catalonia; and CARITAS, Germany).</p> <ul style="list-style-type: none"> <li>• When personal data are collected from the data subject, the data subject must be informed on whether they are obliged to provide the personal data and of the consequences if they do not provide these data. The contribution of their personal data by data subjects to WELCOME must be absolutely voluntary. This must be made explicit in the Consent Form and must be explained to each data subject during the procedure of recruitment and underlined during the explanation of the Consent Form, prior to its signature; cf. Commentary (II) below.</li> <li>• Any processing of the collected (in particular, personal) data should be lawful, fair and transparent to the subject whose data are collected, used, consulted or otherwise processed; furthermore, the subject must be informed to what extent the data are or will be processed and for what purpose. Cf. the Commentaries I and II below.</li> <li>• The specific purposes for which personal data are processed should be explicit and legitimate and determined at the time of the collection of the personal data. Prior to the collection and processing of any personal data, the Consortium must compile a catalogue of the data that is needed for achieving the objectives of the Project; the purpose of the collection and processing must be made explicit.</li> <li>• Any information and communication related to the processing of personal data must be in clear, plain, easy to understand language and be easily accessible. It must be ensured that the Consent Form and the Briefing of the subjects participating in data collection and prototype trials (cf. Commentaries I, II below) is edited in clear, plain, easy to understand language.</li> <li>• Any information that the data controller must provide under the transparency requirements cannot be made under the condition of a financial transaction made by the data subject. Upon request of a data subject, the Consortium must provide a comprehensive exposé of how their personal data are stored and used, without any quid pro quo by the data subject.</li> </ul>
<p>Purpose Limitation Art.5,§1(b)</p>	<ul style="list-style-type: none"> <li>• Data controllers are allowed to collect personal data only for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes. The collection and processing of personal data in WELCOME must be limited to the achievement of the objectives of the project and not used for any other purpose that is incompatible with these objectives.</li> </ul>

	<ul style="list-style-type: none"> <li>• Further processing for the purposes of public interest, scientific or historical research purposes or statistical purposes are not considered incompatible with the initial collection purposes.</li> </ul> <p>The Partners of the Consortium are entitled to further process the collected data or promote further collection of the data if this is for the purposes of public interest, scientific or historical research purposes or statistical purposes.</p> <ul style="list-style-type: none"> <li>• Other purposes for the processing may be in accordance with GDPR only if the new purpose is lawful, fair and transparent and the data controller has a valid legal ground to the processing, namely, in such a case the explicit and informed consent shall be obtained.</li> </ul> <p>Should further purposes be put forward by any of the Partners of the Consortium, they must be approved by the Ethical Committee and the DPO of the Project.</p>
<p>Data Minimization Art.5,§1(c)</p>	<ul style="list-style-type: none"> <li>• The data controller must process only those personal data that is adequate, relevant and limited to the amount that is necessary to achieve the pursued purpose. The notions of adequacy, relevance, limitation and necessity are interpreted in relation to the objective pursued.</li> </ul> <p>The Consortium is required to compile a catalogue of personal data that is required for the purpose of the WELCOME project (cf. Commentary III below) and that cannot be substituted by fake data. Only those personal data can be collected. The catalogue must be published in the documentation of the publicly accessible version of the platform.</p> <ul style="list-style-type: none"> <li>• The data controllers must regularly review the collected data and delete what is not necessary.</li> </ul> <p>A time schedule must be established in the Data Management Plan (see the “Integrity and Confidentiality” Principle below) for periodic review of the collected data with respect to their continuing necessity and validity; outdated or not needed data must be deleted.</p> <ul style="list-style-type: none"> <li>• The data subjects have the right to rectify any data that is inadequate for the processing purpose; they also have the right to request the deletion of any data that is unnecessary for the processing purpose.</li> </ul> <p>The Consortium must draw the attention of the data subject to the fact that they can correct their personal data, and request their deletion (cf. Commentary II below).</p>
<p>Data Accuracy Art.5,§1(d), Art 16, 17.</p>	<ul style="list-style-type: none"> <li>• Personal data must be accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate are erased or rectified without delay. It is considered that data are accurate when their process leads to the accomplishment of the purpose.</li> </ul> <p>The Consortium must ensure that the information that we collect, process</p>



	<p>and store about individuals are accurate at the point of entry, when moved between data processors and when stored. At all times end-users must be able to confirm the accuracy of their data at the point of entry and technical partners must refer back to the data collected at the point of entry to ensure that the processed data is kept accurate at all times.</p>
<p>Storage limitation Art.5,§1(e)</p>	<ul style="list-style-type: none"> <li>• All data must be kept in a form which permits the identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed. The Data Management Plan (cf. the “Integrity and confidentiality” Principle below) must determine the personal data storage formats, storage limitations and the procedures for pseudo-anonymization and re-identification, as required by the objectives of the Project.</li> <li>• Data controllers must take into consideration the purpose of the processing when determining the time periods for storing data. The Consortium must specify for each type of personal data collected or acquired during trials the time period for their storage and criteria for their necessity.</li> <li>• Data subjects must be informed on the periods during which their personal data are stored or at least be informed on the criteria used to determine that period. Cf. Commentary II below.</li> <li>• Personal data could be stored for longer periods of time in cases of public interest, scientific or historical research or statistical purpose, but then with the implementation of the proper technical and organizational measures that ensure its protection. In case certain collected and processed data are intended to be used beyond the lifetime of the project for a justified purpose, a data protection and management plan for these data must be drafted.</li> </ul>
<p>Integrity and confidentiality Art.32,§1</p>	<p>Confidentiality and integrity fall under the security obligation.</p> <ul style="list-style-type: none"> <li>• The controller and processor shall implement the appropriate technical and organizational measures in all stages of data processing during the whole lifecycle of data by both data controllers and data processors, to ensure a level of security proportionate to the risk of the processing. These may include: (i) Pseudonymisation and encryption of personal data; (ii) The ability to ensure the ongoing confidentiality, integrity, availability and resilience of Processing systems and services; (iii) the ability to restore the availability and access to personal data in a timely manner in the event of a physical or technical incident; (iv) a process for regularly testing, assessing and evaluating the effectiveness of technical and organizational measures for ensuring the security of the processing.</li> <li>• The Consortium must pseudo-anonymize all personal data in order to</li> </ul>

	<p>avoid a direct identification of the data subjects, as long as this pseudo-anonymization does not jeopardize the objectives of the project.</p> <ul style="list-style-type: none"> <li>• The Consortium must ensure that all personal data utilized within WELCOME are encrypted for the appropriate amount of time.</li> <li>• The Consortium must ensure the ongoing confidentiality, integrity, availability and resilience of processing systems and services by establishing, e.g., access control.</li> <li>• A Data Management plan must be compiled that outlines: (i) procedures for the storage of personal data, restoring the availability and access to these data in the event of an incident, and validation of the effectiveness of the technical and organizational measures for ensuring the security of the storage and processing of personal data; (ii) strategies for identification of breaches or the potential of a breach that could affect personal data of end-users and robust plans to deal with them.</li> <li>• The data subjects must be informed of any breaches. For this purpose, a plan must be in place prior to the launch of the platform to inform data subjects about any breach. The plan must also have processes in place for informing the relevant national regulatory bodies and mitigation strategies to repair the breach. Lessons learned from breaches must feed into improving the protection that the platform has for personal data.</li> <li>• Specific security measures must be implemented for the use of the WELCOME platform by end-users: (i) the access to the platform by end-users should be account-based; (ii) each end-user must be able to pseudo-anonymize their identity when creating an account; (iii) the platform should provide the functionality for creation of a secure password protected access via a login to the platform; (iv) a password recovery procedure should be in place; (v) the number of failed login attempts must be controlled and restricted; failure to provide the correct login details must result in users being locked out of the platform at which point they will be required to give extra information to unlock the account and reset the password.</li> <li>• Instructions must be available for the measures (i) – (v) above.</li> </ul>
<p>Accountability Art.5,§2</p>	<ul style="list-style-type: none"> <li>• Data controllers are responsible for carrying out the processing of personal data in compliance with the above principles of the GDPR and must be able to demonstrate that compliance to the data subjects, general public and the supervising authorities.</li> </ul> <p>The Consortium must protocol the compliance with the above guidelines in order to demonstrate it to, upon request, to the data subjects, general public (as long as data protection measures are allow) and the supervising authorities.</p>

**Table 4:** Guidelines derived from GDPR Principles

**I. Consent Form:** Prior to any collection or use of personal data, the Consortium must prepare a Consent Form edited in a clear, simple language that the data subject speaks, which specifies what personal data will be collected and used for what purpose. If required the Consent Form must be translated into the language spoken by the data subject.

It must be ensured that each data subject must have read and understood the Consent Form and have agreed to it orally (in this case, legislation complying witnesses must be present) or in written.

The Consent must be given by a clear affirmative act, establishing a freely given, specific, informed and unambiguous indication of the data subject's agreement to the processing of personal data relating to them.

The standard procedure for obtaining the Consent is in written. In case, a written Consent is not feasible or appropriate (e.g., if the data subject is illiterate), the Consent can be obtained orally via recording under the presence of neutral witnesses.

The consortium has to keep records in order to document the informed consent procedure, including the information sheets and the provided Consent Forms.

**II. Briefing of data subjects:** During the recruitment and in any case prior to signing the Consent Form, the Consortium must brief the data subjects at least on:

- the objectives of the project,
- targeted technologies and the way they will work and use personal data,
- the risks (if any are identified) and benefits for TCNs resulting from these technologies;
- the benefits, burden or discomfort involved in participation in data collection and trials as data subject;
- time and effort expected from data subjects;
- the fact the participation in data collection and trials as data subject is absolutely voluntary;
- the right to withdraw their consent at any time without any consequences, request the deletion of the collected data (as long as these are not administrative data required by law in the host country) and inspect their collected data;
- technical measures (in understandable terms) undertaken for the protection and confidentiality of the collected personal data;
- how the personal data will be processed, who will have access to the data, how long the data will be stored for and details of any external individuals or organisations that might have access to the data.

**III. Nature of the collected data:** The collected data should concern only information related to optimization of the processes of the reception and integration of TCNs (including, e.g., origin, language, health issues, education, employment, accommodation etc.). Which data can be collected must be defined in a data collection preparation manual. The collection of other data than that listed in the data collection preparation manual is not permitted.

#### **4.1.2 Guidelines resulting from the e-Privacy Directive**

The following Guidelines can be distilled from the e-Privacy Directive:

- ensure that personal data can be accessed only by authorised personnel for legally authorised purposes;
- protect personal data stored or transmitted against accidental or unlawful destruction, accidental loss or alteration and unauthorised or unlawful storage, processing, access or disclosure;
- ensure the implementation of a security policy with respect to the processing of personal data;
- ensure pseudo-anonymization of the personal data;
- obtained a consent from the data subject for collecting, storing and processing the data;
- store and use the data only to the extent and for the duration necessary for the provision of a value added service;
- inform the data subjects, prior to obtaining their consent, of the type of the data that will be processed, of the purposes and duration of the processing and whether the data will be transmitted to a third party for the purpose of providing the value added service.
- The data subjects shall be given the possibility to withdraw their consent for the processing of location data other than traffic data at any time.

All of these guidelines are captured by the guidelines derived from the GDPR Principles; cf. Section 4.1.1 immediately above, such that no further comments are necessary.

#### 4.1.3 Guidelines resulting from International Human Rights

The guidelines derived from the pertinent articles of the **Universal Declaration of Human Rights** are summarized in Table 5 below.

Article 1: <i>Human Dignity</i>	The interactions of the WELCOME Agents with the human users must be designed in such a way that they respect the human dignity in all respects. Particular caution must be applied during the design of the applications in WP 6. The Ethical Committee of the Consortium must validate the design and content of these applications with respect to Art. 1 prior to their implementation.
Article 12: <i>Protection from arbitrary interference with a person’s privacy</i>	The Consortium must comply with the data privacy and data minimization guidelines outlined in Section 4.1.2.
Article 14: <i>Right to seek asylum</i>	The WELCOME scenarios targeting reception and orientation should include the support of TCNs in their asylum application.
Article 16: <i>Right to family life</i>	Particular concern and care shall be given to families among final beneficiaries. When collecting feedback during piloting of WELCOME’s technologies, men and women, as members of the family, shall be encouraged to both express their views freely, constituting a natural and fundamental unit group of the society.
Article 26: <i>Right to education</i>	The WELCOME scenarios targeting integration and social inclusion should cover educational aspects such as general and

	vocational language teaching.
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**Table 5:** Guidelines derived from the Universal Declaration of Human Rights

The guidelines derived from the pertinent articles of the **EU Charter for Fundamental Rights** are summarized in Table 6.

Article 1: <i>Human dignity</i>	Cf. Article 1 in Table 5 above
Article 3: <i>Right to the integrity of the person</i>	During the design of the applications into which TCNs will be engaged via the WELCOME platform, the Consortium has to adhere to the maxim of the preservation of the mental integrity of the TCNs.
Article 7: <i>Respect for private and family life</i>	The collection and processing of personal data in WELCOME as well as the way TCNs will be made to interact with the WELCOME platform has to adhere to the maxim that “ <i>Everyone has the right to respect for his or her private and family life, home and communications.</i> ”
Article 8: <i>Protection of personal data</i>	All personal data collected within the Welcome platform must be encrypted and only stored for as long as needed. Personal information shall be pseudo-anonymised when appropriate.
Article 11: <i>Freedom of expression and information</i>	The WELCOME Consortium should promote in the scenarios related to social inclusion and integration freedom of expression and the right “to receive and impart information and ideas without interference by public authority and regardless of frontiers.”
Article 14: <i>Right to education</i>	Cf. Art. 26 in Table 5 above
Article 18: <i>Right to asylum</i>	Cf. Art. 14 in Table 5 above
Article 21: <i>Non-discrimination</i>	The recruitment of the participants for data collection and the WELCOME trials must be guided by a zero tolerance to “ <i>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.</i> ”
Article 22: <i>Cultural, religious and linguistic diversity</i>	When developing technologies for TCNs from different national, ethnical, religious and linguistic backgrounds for the WELCOME project, the consortium must “ <i>respect cultural, religious and linguistic diversity.</i> ” of the final beneficiaries, users, partners and other stakeholders.
Article 23: <i>Equality between men and</i>	Cf. the guideline derived from Art. 21 above, which shall equally apply to non-discrimination and equality between men and

women	women, this must hold for all aspects of the engagement of men and women as subjects in WELCOME, including potential reimbursement of expenses.
Article 24: <i>The rights of the child</i>	The project consortium and technologies shall respect that <i>“In all actions relating to children, whether taken by public authorities or private institutions, the child's best interests must be a primary consideration.”</i> The Consortium should not work with minors of age less than 16.
Article 34: <i>Social security and social assistance</i>	The WELCOME Consortium should include into the applications scenarios related to reception, orientation and social inclusion in order to facilitate assistance of the TCNs by the Agents when applying for housing, child care, social welfare, etc.
Article 35: <i>Healthcare</i>	The WELCOME Consortium should facilitate in its reception and orientation scenarios information on the healthcare system in the host country and provide assistance for application to it.

**Table 6:** Guidelines derived from the EU Charter for Fundamental Rights

## 4.2 Guidelines derived from the ethical and social standards

The guidelines concerning ethical and social standards are structured, in what follows, in to guidelines resulting from social categories, guidelines that address the vulnerable groups and guidelines grounded in ethical and social principles.

### 4.2.1 Guidelines resulting from Social Categories

In accordance with Section 3.1.2, WELCOME should use social categories to find the most suitable solution for each category of individuals in each given circumstance. According to Bodenhausen, Kang, and Peery (2012), the primary classifications are associated with demographic distinctions: age, race, gender, and social class. In WELCOME, although some categories might change, depending on the outcome of the participation of personnel in charge of the reception and inclusion, and of the TCN themselves, we can already identify some relevant categories that should be taken into account:

- **Age:** The age factor is important to assess the needs of the individual that will interact with the WELCOME solutions. The platform should evaluate someone differently if he or she is a minor, a young adult, an adult or an elderly.
- **Gender:** Some specific services should be offered depending on the gender of the individual. For instance, in some countries, it is recommended that women get advice on their rights to avoid gender violence.
- **Mother tongue:** Mother tongue is a fundamental element of the WELCOME platform since it will determine in which language the platform will address the individuals. Moreover, by analysing aggregated data, public authorities will be able to establish the need to include additional languages that are not yet integrated into the service.

- Country of origin: The country of origin can be of importance for some procedures, such as asking for international protection. Moreover, it will provide authorities with information that can be used to establish cooperation programs with the countries of origin of the migrants living in a concrete municipality, region or state.
- Level of education: The level of education will allow the system to make specific recommendations on language acquisition, or on the development of skills to improve the integration rate into the labour market. Therefore, the Agents should be able to inquire or determine the level of education of a TCN.
- Municipality of residence: The municipality of residence of the TCN is vital. Most of the inclusion services should be and are planned to be provided at a local level, in the same municipality where the TCN lives or in a nearby city. Moreover, it will allow authorities to analyse the aggregated data to establish specific needs in a municipality and to develop the most suitable programs according to the rate of the migrant population living in the area.
- Job profile: On one hand, it should allow the system to make recommendations on possible training each individual can access. On the other hand, classifying people regarding their job profile will enable public authorities to make inceptions of possible training required in an area.

#### **4.2.2 Guidelines that address the vulnerability of TCNs**

The Consortium must be aware that TCNs as such may be vulnerable due to their traumatic experiences. Therefore, in what follows, first some generic guidelines are issued on working with TCNs in general and then the identified vulnerable groups are being addressed.

##### **4.2.2.1 TCNs as a vulnerable group**

Overall, the Project Consortium must be aware that no person who flees a country will be exempt from experiencing an impact on his/her identity. The processes of exchange between the people of different cultures can be enriching, but also can have a profound effect when faced with discrimination, which has particular nuances when it comes to migration. Migrants may be exposed to discrimination for being foreigners (xenophobia) base on their sexual orientation or gender identity (LGBTI) or because of the racism based on ethnicity, for example directed to indigenous populations.

The project has to respect the fact that migration involves a redefinition of roles and in some cases individual and collective values. Adaptation processes in destination countries can become a source of discomfort due to the demands of the external environment, causing distress. If these stressors exceed migrants' capabilities, they can lead to decreased psychological well-being and have a severe impact on migrants' physical and mental health. Unfulfilled expectations, difficulties in finding decent employment, as well as inadequate housing, are additional factors that may negatively impact TCN's motivation to integrate, and in the worst case, affect their physical and mental health and thereby influencing the quality of individual, family, and social life.

In the case of interaction with irregular migrants, WELCOME will need to take into consideration that target users may face uncertainty with respect to their status, particularly

in the cases of irregular entrance. Due to dire conditions and experiences in the country of origin and during their migratory route, TCNs are more prone to psychological disorders such as PTSD, depression, anxiety and panic disorder. In this constant state of fear of what might happen to them, the vision of an uncertain future is perhaps the feeling that most accompany these people.

WELCOME must apply all principles set by the EU as set by the Guidance note issued by the European Commission: Research on refugees, asylum seekers and migrants (v.1.1 - 07.01.2020). In particular, during data collection and trials which involve TCNs, the Consortium must be attentive to any signs of psychological or mental unbalance and consult with the Ethical Committee and the authorities upon further implication of the corresponding individuals in the Project.

#### **4.2.2.2 Participation of adult vulnerable groups**

WELCOME interacts with migrants and refugees; the results of the project will be directly linked to the participation of migrants and refugees; therefore, their involvement is vital. This concerns, in particular, vulnerable groups. One prominent adult vulnerable group is constituted by single women. The Consortium must design scenarios which cover the specific needs of single women, such as recommendations of safety precautionary measures, social services that attend women who require help, application for financial and psychological support, guidance in case of pregnancy, etc.

#### **4.2.2.3 Participation of minors**

Migrants and refugees are often minor children. This entails their double vulnerability as a migrant or refugee and also as a child. All research involving children and young people raises significant ethics issues, as children may be less aware of the risks and consequences of their participation. This is also true as regards the processing of their personal data as well as special categories of personal data.

Informed consent is necessary when the participant is a child; however, in this case, the consent will be obtained by parent/legal representative of the child, while the child will be asked to assent to its participation. The child participant will be in age-appropriate and the information communicated to it; in addition, the information will be in plain language that it can easily understand.

Following article 8 of the GDPR which applies to information society services, which is invoked as applicable by analogy, a child may consent themselves to the processing of their personal data without the parent being involved, if the child is at least 16 years old; if the child is below the age of 16 years, such processing shall be lawful only if and to the extent that consent is given or authorized by the holder of parental responsibility over the child. However, the GDPR permits Member States to provide by law for a lower age for those purposes provided that such lower age is not below 13 years. In Greece, for example and according to Law 4624/2019, the minimum age that the child may consent itself in cases Article 6 GDPR is applicable, is that of 15 years old.



The legal setup for unaccompanied minors below the age of 16 years is even more complex. It is not possible for them to oversee all consequences of their participation regarding of their data protection. That is why they are protected more comprehensively by law. There is no parent to consent to the processing of the data of the child; informed consent may be obtained only from the authority appointed under the national legislation. Still, unaccompanied minors could benefit precisely of WELCOME because of the fact that they are one of the most vulnerable groups.

Overall, in order to avoid challenging ethical issues, the consortium should exclude participants under 16 years. PRAKSIS in Greece and CARITAS in Germany will give unaccompanied minors from 16 years the opportunity to participate in their pilot use cases. DTASF in Spain will exclude unaccompanied minors completely.

#### **4.2.3 Guidelines based on ethical and social principles for interactions with TCNs**

The guidelines that aim to take into account the ethical and social principles range cover recommendations that are based on generic principles, guidelines grounded in the model on Care Centred Model, and guidelines grounded in the EU Ethical guidelines for trustworthy AI.

##### **4.2.3.1 Recommendations based on generic principles**

Given the interactions with migrants and refugees of WELCOME, and considering the theoretical foundations outlined in the previous section, we can point out specific principles that these interactions will have to comply with (IOM, 2018):

**A: Psycho-social principle:** The interactions of WELCOME must take into account the social and cultural context of the migrant or refugee, and must have to consist of a two way exchange, and not a one-way aid.

**B: Human Rights principle:** The interactions of WELCOME have to base on the obligations of states and society to guarantee spaces, opportunities and conditions for migrants and refugees to develop their potential and make full use of their citizen rights.

**C: Gender principle:** The interactions of WELCOME have to recognize the different conditions of vulnerability associated with the gender of migrants and refugees.

**D: Differential principle:** The interactions of WELCOME have to base on the specific needs of each person taking into account their characteristics.

**E: Intercultural principle:** The interactions of WELCOME have to recognize ethnic diversity, cultural, and national origin, and promote relations of exchange and mutual enrichment which go beyond coexistence.

**F: Participation principle:** The interactions of WELCOME have to involve migrants and refugees in decision making by giving them the information they need to understand the situation and find solutions that are combined.

**G: Principle of non-re-victimization:** The interactions of WELCOME have to avoid disqualifying migrants and refugees, showing lack of empathy, or imposing decisions resulted in institutions where they were asked for a repeated narrative on their trajectory and situation.

**H: Principle of action without harm:** The interactions of WELCOME will have to display the effects of interventions with migrants and refugees in the short, medium and long term, monitor and review critically the impact of actions developed, and accept that actions that operate in one context are not necessarily the most appropriate in another context.

On the other side, the interactions of WELCOME with migrants and refugees will have to try to:

1. Rebuild the trust: Promoting the trust of migrants/refugees in themselves and others
2. Transform the identity: Re-evaluating the aspects of the life of the migrants/refugees (family, friends, country, dreams, learning ...)
3. Strengthen the Affective Links: Recover ties with people that are important and beneficial for the migrants/refugees, albeit symbolically
4. Identify coping resources: Recover everything the migrants/refugees have been able to do to survive amid adversity
5. Imagine the future: Restoring the ability to face new challenges, projects and dreams, and visualizing opportunities
6. Care for Caregivers: Seeking the well-being and development of migrants/refugees who care for others, more vulnerable people in their family or community

#### 4.2.3.2 Guidelines grounded in the “Care Centred on the Person Model”

The *Care Centred on the Person* (CCP) model is based on a series of principles that are correlated to the intervention criteria, which must be present in WELCOME (Rodríguez Rodríguez, 2013):

- **Autonomy:** Targeted people, who need care, have the right to remain in control of their own lives and, therefore, to act freely.
  - **Diversity criteria:** A diversified response must be offered, tailored to people’s reality, in the form of a range of their choice.
  - **Empowerment criteria:** work will be done on recognizing the competencies of people seeking stimulation so that they can show their preferences and choose and act according to the chosen options.
- **Participation:** It is the right of the people, regardless of their abilities or limitations, to participate in the community and enjoy enough social interactions.
  - **Accessibility criteria:** Contexts need to be planned to ensure enablers that reduce the impact of disability limitations, while integrating social attitudes away from stereotypes.
  - **Criteria of interdisciplinary:** the multidimensionality that characterizes people requires that several professionals come together who, with the knowledge that is their own by discipline, help to provide the most appropriate comprehensive care for the person.
- **Completeness:** A person is a multidimensional being. The biological, psychological and social interaction contributes to the quality of life. These dimensions are dynamic and will change throughout a person's life.

- Criteria of globality: The organization of services and of the social intervention itself must part from a holistic approach, allowing for action in all areas of the person's life.
- Individuality: all people are depositors and holders of rights; each person is unique and different.
  - Personalization criteria: Care and support should be designed in a personalized way, adapted to the reality of each person to avoid people having to adapt to the services.
  - Flexibility criteria: Work will be carried out on the integral knowledge of the person and his / her history, consensus on adaptive and flexible care plans, and the development of people's life plans must be respected.
- Independence: Beyond the need for support and care, all people have capabilities that need to be identified, recognized and strengthened. It is necessary to promote maximum independence in everyday life.
  - Criteria for prevention: Programs must include primary, secondary and tertiary prevention actions as well as rehabilitation actions.
  - Criteria of visibility of capacities: Work is carried out focusing on the capabilities identified, avoiding focusing on the limitations.
- Social inclusion: All people, who are active members of the community and have equal rights, but require specific support must have the right to stay in their environment respected.
  - Proximity Criteria: Supportive resources need to be located in the immediate environment of the recipient, even when it comes to care resources, to ensure that beneficiaries stay in touch with the community. In addition, the use of the resources in the community needs to be encouraged.
  - Community Approach: Community orientation is needed to improve the perception of people with situations of dependency or other limitations, eradicating stereotypes about them (by age, disability, etc.).

#### 4.2.3.3 Guidelines grounded in the EU Ethical Guidelines for Trustworthy AI

The guidelines as sketched in general terms in the Ethical Guidelines for Trustworthy AI apply in more concrete terms to WELCOME (cf. also the guidelines in Section 4.1, which already capture, to a large extent, the essence of the following guidelines):

1) WELCOME must ensure that the TCNs who participate in the data collection and trials of WELCOME, have the absolute control of their data and their participation (i.e., they may request information on what data are collected, how they are stored and how they are processed; they must also understand that their participation is absolutely voluntary, i.e., they can stop participating at any time they choose. They must be invited to give feedback, which must be taken into account when appropriate.

The WELCOME applications should be designed to augment, complement and empower human cognitive, social and cultural skills of the TCNs.

2) The intelligent agents developed in WELCOME should neither cause nor exacerbate harm or otherwise adversely affect TCNs. This entails the protection of human dignity as well as mental and physical integrity (cf. also the corresponding guidelines 4.1.3). Technology developed by the project and the environments in which they operate must be safe and secure. They must be technically robust and it should be ensured that they are not open to malicious use.”

The Ethics Guidelines for Trustworthy AI stresses that “vulnerable persons should receive greater attention and be included in the development, deployment and use of AI systems”. This recommendation is crucial for WELCOME, as final beneficiaries of the project are known to be particularly vulnerable due to their often traumatic experience in the country of origin, first asylum and/or on their migratory route, their loss of home, security and often family and their lack of knowledge of the local language, system and culture.

Given that TCNs as final beneficiaries are in an asymmetrical situation regarding their need for information from the authorities and institutions that are involved as users in this project, WELCOME must avoid any adverse impacts (such as, e.g., the impression of an obligation to participate in data collection or trials) resulting from this asymmetry.

3) The Consortium of WELCOME must be committed to ensure that final beneficiaries are free from unfair bias, discrimination and stigmatization. TCNs are often prone to discrimination in their attempt to access services. As the design of automated service provision allows for a correction of injustice, WELCOME’s intelligence agents must aim at increasing societal fairness. They must provide equal opportunities for all end users in terms of access to education, goods, services and technology. The Project Consortium must be diligent in preventing that the use of WELCOME’s technology may lead to TCNs being deceived or unjustifiably impaired in their freedom of choice.

In addition, the seven requirements formulated in Section 3.3.2 as resulting from the Guidelines for Trustworthy AI, i.e., (1) human agency and oversight, (2) technical robustness and safety, (3) privacy and data governance, (4) transparency, (5) diversity, non-discrimination and fairness, (6) environmental and societal well-being and (7) accountability, should be addressed as follows in WELCOME:

1) Human agency and oversight

Final beneficiaries should be given the knowledge and tools to comprehend and interact with WELCOME technologies to a satisfactory degree and, where possible, be enabled to reasonably self-assess or challenge the system. Furthermore, the Consortium should commit to human oversight regarding the agents’ decision-making processes.

2) Technical robustness and safety

To mitigate against potential malicious activity, and thus ensure technical robustness and safety, all personal or sensitive data in WELCOME will be encrypted, and communicated through secure channels, such as HTTPS. In addition, to ensuring technical robustness, the consortium shall guarantee that programs are reproducible, as well as reliable.

3) Privacy and data governance

The project consortium must guarantee privacy and data protection throughout their programs' entire lifecycles. This includes the information initially provided by beneficiaries, as well as the information generated about TCNs over time through their interaction with the agents. The quality and integrity of the data must be ensured by partners. Data protocols should outline who can access data and under which circumstances, ensuring that only qualified personnel with the competence and need to access individual's data should be allowed to do so. For this purpose, WELCOME should utilize password-protected user accounts and access controls to manage access to data within the platform.

#### 4) Transparency

Data and the processes that form the basis of the agents' decision making, including those of data gathering and data labelling as well as the algorithms used, must be documented to the best possible standard to allow for traceability and to increase in transparency. Technical explainability requires that the decisions made by the agents can be understood and traced by partners. Agents should not represent themselves as humans to end users, TCNs have the right to know that they are interacting with an AI system, in other words, the AI systems must be identifiable as such.

#### 5) Diversity, non-discrimination and fairness

Identifiable and discriminatory bias should be removed in the data collection phase where possible.

In order to ensure non-discrimination and fairness, WELCOME agents should be tailor-made to meet the needs of specific TCN populations and local contexts in Greece, Germany and Spain. The programs should be user-centric and target specific groups of TCNs but designed in a way that allows a wide variety of TCNs to use the programs, regardless of their age, gender, abilities or characteristics.

To further increase trustworthiness, WELCOME should consult different stakeholders working with TCNs who may directly or indirectly be affected by the programs throughout their life cycles. In particular, it is necessary to ensure TCNs' information, consultation and participation throughout the whole process of programing design and implementation.

#### 6) Societal and environmental well-being

WELCOME's programs should be designed to create social impact, namely supporting the integration of TCNs in the EU and contributing to existing service provision for refugees and migrants in Greece, Germany and Spain. In line with the Guideline's recommendations, the Consortium should be committed to "assess system's development, deployment and use process, as well as its entire supply chain, with respect to resource usage and energy consumption during piloting and implementation, opting for less harmful choices."

#### 7) Accountability

In this context, the Consortium should establish mechanisms that facilitate reporting on actions or decisions that contribute to a certain system outcome, and to respond to the consequences of such an outcome. Conflicts of interests and values implicated by the programs should be identified by partners during project design, implementation and evaluation and if a conflict arises, trade-offs should be explicitly acknowledged and evaluated by the Supervisory Board in terms of their risk to ethical principles, including

fundamental rights. Lastly, the Consortium should commit itself to potential redress mechanisms, in line with the Guidelines' advice "when unjust adverse impact occurs, accessible mechanisms should be foreseen that ensure adequate redress. Knowing that redress is possible when things go wrong is key to ensure trust. Particular attention should be paid to vulnerable persons or groups."

### **4.3 Guidelines resulting from practical considerations**

WELCOME's technologies foresee the involvement of Augmented/Virtual Reality environments. It should be taken into account that the amount of time spent with AR/VR and the type of context are decisive. In case of WELCOME, it could be necessary to discuss time requirements and limits for the use of the technique and to review if participants also use it beyond the trials of the project.

But we have also to attest that the content of WELCOME is supposed to be different than in commercial VR/AR using games, more formal, informative and educative. However, to be ethically responsible nonetheless, we have to keep in mind that the participants need to be informed about the potential risks of VR/AR as long as the effects of VR/AR are not researched sufficiently. We are obliged to hold the autonomy and liberty of the participants in high regard (cf. *Madary/Metzinger 2016, p. 4*).

## **5. CONCLUSIONS**

This preliminary guide has built an ethics and privacy relevant framework for WELCOME. It gave in two main chapters a general overview of basic legislation and ethical and social findings and reflected subsequently the possible issues and requirements.

WELCOME has to ensure that it follows the legislations. First, the GDPR with their principles a) Lawfulness, fairness and transparency of processing; b) Purpose limitation; c) Data minimization; d) Accuracy; e) Storage limitation; f) Integrity and confidentiality (security); and g) Accountability, and the basics Confidentiality, Integrity and Availability have to be kept high. Second, for ePrivacy Directive the obligations for WELCOME'S e-communication services have to be fulfilled in order to respect the participants' rights as privacy and confidentiality. And third, the Human Rights have to be guaranteed. They articulate fundamental rights and freedoms and are considered as a basic law not only for the societies in the world but for WELCOME in a special way, although they are not binding as an international legislation. WELCOME has to abide the law with special attention to the rights as for example Human Dignity, Right to seek asylum or the Right to family life, since they affect TCNs in an extraordinary form. Additionally, to grasp the ethical and social multidimensionality and complexity the guide offers an overview of social terms and categories the partners have to know for the project work. Further, one can find a deeper examination of the challenges and violations TCNs have often to go through and the possible effects on their person. Finally, social and ethical requirements and challenges get illustrated, which have to be reflected as early as possible.

WELCOME wants to find a human and ethical access to the participants and deliver appropriate solutions to protect and support TCN, as well as the authorities they depend on to serve both with intelligent technologies.

The consortium of WELCOME has to safeguard the described rights and values to create a fundament for the partners and the project's instruments.

The guide gives a solid base to overcome national differences of the user partners' countries for the practical implementation of WELCOME and give an orientation for ethical and social questions and challenges, which can arise along the project process. However, the Consortium should be aware that there is at least one further critical ethical issue that has not been tackled in this guide since it is beyond the scope of the deliverable and does not imply giving guidelines for WELCOME: the ethical responsibility that WELCOME can assume in its effort to develop conversational agents that overtake the tasks of humans. By combining the functionality of different services of the local administrations as well as helpdesks and other relevant authorities, the agent situated in a VR/AR environment will be expected to offer a more efficient service than a human. Because of the dedication of the agent's full attention, time and other aspects of an environment more conducive to learning, the language learning process with WELCOME is likely to facilitate more fun and effectiveness. Additionally, the agent will potentially have a huge advantage by speaking the native tongue and surrounding the TCN with a pleasant and safe reality. Consequently the WELCOME has a big chance to be perceived as being better than the conventional service provision. However, to make TCNs trust more an artificial agent than a human is dangerous.

Human interactions have qualities which are hard to simulate. An important competence of a human is, for example, to recognize individually the scope of support that a TCN needs. Neutral vast information can be overwhelming for some, but specified information can lead to less autonomy for others. Empathy or the ability to motivate individually depending on the needs of the TCN, and a lot of other soft skills of the consultant are difficult to provide by WELCOME. However, they are crucial for interactions with humans in personal matters and WELCOME has the implicit ethical responsibility to serve these qualities, too. A solution of this problem could be to include human interactions after every session or to hold regular reflection sessions between TCN and the human in wider intervals.

Another challenge could be to recognize potential risks and harms of the TCN, e.g., criminal or suicidal intentions. It is necessary to clarify how to cover these cases, because the target group consists of vulnerable people. An option could be that the decision whether to react and to alert the competent bodies could be made by a human by controlling a protocol which should be generated after the sessions. The protocol could be provided for both, the TCN and the instructor after each session. With the protocol the TCN would also have an overview about the saved data. Thereby his autonomy and rights regarding GDPR and ePrivacy could be safeguarded.

A further ethical dilemma exists in the GDPR's principle of data minimization and the technique's need of data collection. On the one hand, data needs protection; on the other

hand, it is necessary to maximize the input of data for an intelligent and effective technique/agent. The necessities and the limits of data collection have to be well-balanced, transparent and comprehensible.

The three countries WELCOME will take place in, Greece, Spain and Germany, are naturally different from each other and have their individual culture. Especially in the beginning of the TCN's stay in an unknown country, all interactions support the introduction and integration into the new country. Cultural characteristics are transported (often unconsciously) over every contact between TCN and natives and are fundamental for immigrants to successfully stop feeling lost with time. This social requirement has to find a niche in the project, too. Consequently, it could be of interest to think about the attitude of the society regarding TCNs. Are they warmly welcomed or just tolerated? What attitude will the WELCOME agent convey?

Finally, the project consortium itself has to reflect what project is aiming for. To put it pointedly: Does the new technologies deserve a chance to be developed even by neglecting some of TCNs' needs or ethical requirements? Or do they have to serve the TCN in the best way possible, even when it means that the WELCOME technologies do not achieve the quality of the conventional human assistance. To avoid this conflict of interests, self-reflection and communication are required.

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## APPENDIX 1: GLOSSARY

This Appendix outlines the definitions of terms that are of central importance to the deliverable and the work in WELCOME in general.

**Communication:** Means any information exchanged or conveyed between a finite number of parties by means of a public available electronic communication service. This does not include any information conveyed as part of a broadcasting service to the public over an electronic communications network except to the extent that the information can be related to the identifiable subscriber or user receiving the information;

Communication may include any naming, numbering or addressing information provided by the sender of a communication or the user of a connection to carry out the communication.

**Consent:** May be given by any appropriate method enabling a free given specific and informed indication of the user's wishes, including by ticking a box when visiting internet website; provides of services affected by this directive have to offer technical settings to collect the acceptance of the subjects concerning their personal data. Providers must include a clear message about the purpose of collecting this data and how this data will be processed Silence, pre-ticked boxes or inactivity should not therefore constitute consent.

**Electronic mail:** Means any text, voice, sound or image message sent over a public communications network which can be stored in the network or in the recipient's terminal equipment until it is collected by the recipient.

**Location data:** May refer to the latitude, longitude and altitude of the user's terminal equipment, direction of travel, level of accuracy of the location information, to the identification of the network cell in which the equipment is located at certain point of time and to the time location information was recorded.

**Personal data breach:** Means a breach of security leading to the accidental or unlawful destruction, alteration, loss un-authorized disclosure of, or access to, personal data transmitted, stored or otherwise processed in connection with the provision of a publicly available electronic communications service in the Community.

**Traffic data:** Consists of data referring to the routing, duration time or volume of the communication, protocol used, location of the terminal equipment of the sender or recipient, to the network on which the communication originates or terminates and to beginning end or duration of the communication. It may also consist of the format in which the communication is conveyed by the network.

**User:** Means any natural person using a public available electronic communications service for private or business purposes without necessarily having subscribed to this service.

The following social terms have been retrieved from different documents published by the International Organization for Migration, the United Nations High Commissioner for

Refugees, the European Migration Network, the United Nations Human Rights Committee, the United Nations Office of the High Commissioner for Human Rights, and the book, by N. Demireva, Immigration Diversity, and Social Cohesion.

Applicant: In the migration context, a person who formally requests administrative action, such as granting a visa, work permit, or refugee status.

Application: In the migration context, a request, usually written, submitted to the governing authorities by an individual or an employer seeking administrative or judicial action such as the granting of a visa, a work permit, or refugee status.

Asylum: The grant, by a State, of protection on its territory to persons who are outside their country of nationality or habitual residence, who are fleeing persecution or serious harm for other reasons. Asylum encompasses a variety of elements, including non-refoulement, permission to remain on the territory of the asylum country, humane standards of treatment, and eventually a durable solution.

Asylum seeker: An individual who is seeking international protection. In countries with individualized procedures, an asylum seeker is someone whose claim has not yet been finally decided on by the State in which he or she has submitted it. Not every asylum seeker will ultimately be recognized as a refugee, but every recognized refugee is initially an asylum seeker.

Change of status: Procedure whereby a non-national present in a State may seek a different immigration status.

Country of origin: In the migration context, a country of nationality or of former habitual residence of a person or group of persons who have migrated abroad, irrespective of whether they migrate regularly or irregularly.

Cultural diversity: The diversity of forms of culture in a society composed of groups of people from many different cultural backgrounds.

Cultural pluralism: A policy aimed at ensuring harmonious interaction among people and groups with plural, varied, and dynamic cultural identities as well as their willingness to live together.

Data protection: The systematic application of a set of institutional, technical, and physical safeguards that preserve the right to privacy concerning the collection, storage, use, and disclosure of personal data.

Discrimination: Any distinction, exclusion, restriction or preference which is based on any ground such as race, color, sex, language, religion, political or other opinions, national or social origin, property, birth or another status, and which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise by all persons, on an equal footing, of all rights and freedoms.

Economic, social, and cultural rights: Human rights relating to the workplace, social security, family life, participation in cultural life, and access to housing, food, water, health care, and education.

Equality: The effective enforcement of human and fundamental rights, therefore, there must be a legal and administrative basis guaranteeing equality before the law and freedom from discrimination and intolerance in all areas, including impartial treatment by public services and tackling all forms of racism and xenophobia.

Host country: A national or local community in which displaced persons temporarily reside

Human rights: Universal legal guarantees protecting individuals and groups against actions and omissions that interfere with fundamental freedoms, entitlements, and human dignity.

Immigrant: From the perspective of the country of arrival, a person who moves into a country other than that of his or her nationality or usual residence, so that the country of destination effectively becomes his or her new country of usual residence.

Immigration: From the perspective of the country of arrival, the act of moving into a country other than one's country of nationality or usual residencia, so that the country of destination effectively becomes his or her country of usual residence.

International Protection: The protection that is accorded by the international community to individuals or groups who are outside their own country and are unable to return home because their return would infringe upon the principle of non-refoulment, and their country is unable or unwilling to protect them.

Members of the family: Persons married to a migrant or a national, or having with them a relationship that, according to applicable law, produces effects equivalent to marriage, as well as their dependent children or other dependent persons who are recognized as members of the family by applicable legislation or applicable bilateral or multilateral agreements between the States concerned, including when they are not nationals of the State.

Migrant: An umbrella term, not defined under international law, reflecting the common lay understanding of a person who moves away from his or her place of usual residence, whether within a country or across an international border, temporarily or permanently, and for a variety of reasons. The term includes several well-defined legal categories of people, such as migrant workers; persons whose particular types of movements are legally defined, such as smuggled migrants; as well as those whose status or means of movement are not specifically defined under international law, such as international students.

Migration: The movement of persons away from their place of usual residence, either across an international border or within a State.

National: A person having a legal bond with a State

Non-discrimination: Principle obliging States not to discriminate against any persons. Discrimination should be understood to imply any distinction, exclusion, restriction or preference which is based on any ground such as race, color, sex, language, religion, political or other opinions, national or social origin, property, birth or other statutes, and which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise by all persons, on an equal footing, of all rights and freedoms.

Non-national: A person who is not a national or citizen of a given State.

Non-Refoulment (principle of): The prohibition for States to extradite, deport, expel or otherwise return a person to a country where his or her life or freedom would be threatened, or where there are substantial grounds for believing that he or she would risk being subjected to torture or other cruel, inhuman and degrading treatment or punishment, or would be in danger of being subjected to enforced disappearance, or of suffering another irreparable harm.

Permit: In the migration context, documentation, such as a residence or work permit, which is usually issued by a government authority and which evidences the permission a person has to reside and/or carry out a remunerated activity.

Principal applicant: In the migration context, the person who applies for refugee or other immigration status and under whose name the application is made; also referred to as main or primary applicant.

Reception (first line): Initial stage of reception (hosting, identification, medical screening) of newly arrived refugees and migrants.

Reception (second line): Reception of applicants throughout the duration of the asylum procedure in the host state.

Reception facilities: All forms of premises used for the housing of applicants for international protection and other categories of migrants, including refugees, whilst individuals await decisions on applications for admission or international protection.

Refugee: A person who, owing to a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.

Refugee status: Form of protection granted to people who meet the definition of refugee and who are of special humanitarian concern to the United States.

Refugee status determination: Legal and administrative procedures undertaken by States and/or the United Nations High Commissioner for Refugees to determine whether an individual should be recognized as a refugee under national, regional and international law.



Regularization: Any process or programme by which the authorities of a State allow non-nationals in an irregular situation to stay lawfully in the country, by granting them a regular status.

Rejected applicant: In the migration context, an applicant for admission or asylum refused entry or stay into a State by immigration authorities, or access to refugee status or another form of international protection, because he or she fails to meet the relevant eligibility criteria.

Right to seek and enjoy asylum: The right of individuals to seek and enjoy asylum from persecution in a country other than the person's State of nationality or habitual residence.

Social cohesion: While there is no universal definition, social cohesion is usually associated with notions such as "solidarity", "togetherness", "tolerance" and "harmonious co-existence", and refers to a social order in a specific society or community, based on a common vision and a sense of belonging for all communities; where the diversity of people's backgrounds and circumstances are appreciated and positively valued; those from diverse backgrounds have similar life opportunities; and strong and positive relationships are being developed between people from disparate backgrounds in the workplace, in schools and within neighborhoods.

Social inclusion: A process that shifts the one-dimensional focus on migrants as perennials "others" to a recognition of the dynamic, multi-faceted and multi-layered interaction between people as they live and work together. The society provides all members of society with the opportunity to participate equally in political, economic, social and cultural life and encourages a sense of togetherness and instill a sense of belonging.

Social exclusion: The two-way process of mutual adaptation between migrants and the societies in which they live, whereby migrants are incorporated into the social, economic, cultural, and political life of the receiving community. It entails a set of joint responsibilities for immigrants and communities.

Third-country-national: Those who are not citizens of the Union within the meaning of Article 20.1 of the Treaty on the Functioning of the European Union.

Unaccompanied children: Children, as defined in Article 1 of the Convention on the Right of the Child, who have been separated from both parents and other relatives and are not being cared of by an adult who, by law or custom, is responsible for doing so.

Vulnerability: Within a migration context, vulnerability is the limited capacity to avoid, resist, cope with, or recover from harm. This limited capacity is the result of the unique interaction of individual, household, community, and structural characteristics and

Vulnerable group: Depending on the context, any group or sector of society (such as children, the elderly, persons with disabilities, ethnic or religious minorities, migrants, particularly those who are in an irregular situation, or persons of diverse sex, sexual orientation and gender identity (SSOGI)) that is at higher risk of being subjected to



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discriminatory practices, violence, social disadvantage, or economic hardship than other groups within the State. These groups are also at higher risk in periods of conflict, crisis, or disasters.