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Solidarity and migration, the European dilemna

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European context: A long way from 2015

- So-called «**European refugee crisis** » due to increase of arrivals to Europe in 2015 (1,3 million refugees)

- More an **EU solidarity crisis** than a refugee crisis

➤ Developing regions host 84 % of the world's refugees
➤ In Lebanon, 1 in 6 people is a refugee and in Jordan 1 in 11
➤ Turkey hosts the largest number of refugees worldwide (2.9 million people)
➤ About 0.4% of the total EU population is a refugee (around 0.5% in 1992-1995)

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European context: A long way from 2015

- Initial **welcoming Germany** → migrants transit through the Balkan route. Huge solidarity wave in many countries but also fear and challenges.

- EU core values of **solidarity and responsibility sharing** challenged

- **Relocation mechansim:**
  - ➤ 160 000 people to be relocated from Italy and Greece to EU countries

  - ➤ But some Member states refused to participate and challenged the scheme to the EU Court of Justice.

REFUGEES WELCOME

Borders where fences have been introduced

Hamburg
GERMANY
Frankfurt
Vienna
Munich
Budapest
AUSTRIA
HUNGARY
SLOVENIA
CROATIA
Belgrade
SERBIA
BULGARIA
MACEDONIA
GREECE
TURKEY
Athens
0km

European context: A long way from 2015

- **EU-Turkey deal and « closure of the Balkan route »** :
  - ➢ Germany and Austria behind both ideas
  - ➢ Political tension led to this externalisation approach
  - ➢ Some EU Member states pushing for offshore processing centers

- **Inhumane condition** in several Balkan countries (Serbia, Croatia, Hungary)

- New **Hotpost approach** in Greece and Italy:
  - ➢ Reception facilities put in place in strategic zone of arrivals to swiftly identify, register and process asylum application to support state's authorities.
  - ➢ Challenge to ensure the respect of procedural safeguards, fundamental rights and transparent asylum procedure. Problem of discrimination against some groups, detenion, lack of facilities for vulnerable groups and children.

- **Libya as EU priority** to « close » the central Mediterranean Sea

European context: A long way from 2015

- **Crisis of solidarity**:
  - ➤ **Internal**: lack of solidarity and responsibility sharing among Member states. EU asylum legislation not implemented by some countries.
  - ➤ **External**: EU further externalising migration managemlent policies to third countries that already host most refugees.

- Migration is an **election topic** in most EU countries:
  - ➤ **Extremist** political candidates on the rise
  - ➤ **Anti-migrant parties** seize power or mainstream parties adopt a tougher stance
  - ➤ **Stricter laws** implemented, intergration undermined (eg. Family reunification restricted in Germany and Sweden for subsidiary protection, return to conflict countries such as Irak or Afghanistan)
  - ➤ **Human rights** and Geneva refugee convention challenged

- **Complicated political context** to promote a positive approach to migration

- But **positive initiatives ongoing:** humanitarian admission programme in Germany, humanitarian corridor in Italy, France, community sponsorship in UK.

European agenda on migration (13/05/15)

- **Reducing the incentives for irregular migration**: addressing the root causes behind irregular migration in non-EU countries, dismantling smuggling and trafficking networks, better application of return policies
  → **Externalisation** of migration policies

- **Saving lives and securing the external borders**: better management of EU's borders → Frontex and **border protection**, hotspot approach, returns

- **Strengthening the common asylum policy**: solidarity towards refugees and frontline Member states (ex: Italy)
  → reform of the **common European asylum system**

- **Developing a new policy on legal migration**: aims at attracting qualified workers → Blue card directive

Common European asylum system (CEAS)

- **Reform of the Common European asylum system ongoing:**
  - Aims at harmonizing asylum procedure and protection standards
  - Seeks to avoid secondary movement and "abuses"

- **"Package" of several directives and regulations:**
  - Aims to **clarify** the grounds for granting international protection (eg. Refugee status and subsidiary protection, safe country of origin) →**Qualification regulation**
  - Aims **to fasten** the asylum decisions →**Procedure directive**
  - **Aims to** ensure minimum material reception conditions (eg. housing) →**Reception Conditions Directive**

- **Dublin regulation**:
  - Very important: old system says that the **first country of entry** is responsible for examining the asylum application → border countries (eg. Italy) most affected.
  - European parliament position quite good: deletes the first **country criteria** and introduces a **solidarity relocation mechanism.**

Safe and legal pathways

- EU **Relocation and resettlement** quotas :
  - ➢ **160 000 people** to be relocated and the 22,504 to be resettled by September 2017
  - ➢ Only **27,700 people** have now been relocated (19,244 from Greece and 8,451 from Italy)
  - ➢ 17,305 people have been resettled

- EC **recommandation** to Member States to resettle 50 000 people from Libya, Niger, Chad, Egypt, Ethiopia and Sudan by 31 October 2019

- **EU resettlement framework** in negotiation
  - ➢ Common set of standard procedures for the selection and treatment of candidates.
  - ➢ Risk of migration management conditionality
  - ➢ €10,000 from the EU budget for each person resettled

- **Welcoming initiatives** at national level:
  - ➢ Humanitarian corridors in Italy and France
  - ➢ Community sponsorship being explored

Return is the political priority

- **Pressure** to return migrants to their country of origin to please public opinion

- **Return and asylum protection interlinked**: "*giving refuge to those who need it and ensuring that those who have no right to remain in the EU are quickly returned.*"

- **Cooperation with countries of transit or origin** to speed up returns: readmission agreement, EU-Turkey deal, cooperation with Libya, Tunisia, Algeria

- **European commission Action plan on return:**
  - ➢ Calls on Member states to take measure to increase the number of returns
  - ➢ Use detention if needed and downplay safeguards

- Reinforces the **negative perception of migrants** who are assimilated to criminals.

Human impact of the EU-Turkey deal

- **EU-Turkey statement (18/03/16)**
  - « 1+ 1 »: For one returned Syrian migrant to Turkey from Greece, one is resettled from Turkey to EU country
  - Financial support to Turkey (3 billion €)
  - This deal and the closure of the Balkan route contributed to a dramatic drop of migrants arriving in the EU through the so-called "Balkan route".

- **Border closure** in autumn 2015 with Serbia and Croatia that created a ripple effect, blocking asylum seekers in Greece and Serbia.

- **In limbo in Greece :** bottle neck effect in Greek islands where people are stuck for several months in very bad conditions.

On the "Balkan road"

- **State violence and abuses**: expulsions, push-backs, violence by border police, anti-migration laws criminalizing migrants and refugees, unlawful detentions

  →dogs attacks, forcing people to strip naked in freezing temperatures, beatings with batons, administering electric shocks, extorsion, physical and mental abuse.

"When I first went for the game, we crossed through the wire and walked for 30 minutes. Police saw us and set their dogs on us. The dogs didn't bite us, but they scared us a lot. When the police caught us, they treated us badly. There was a lot of snow. They took our clothes and made us sit in the snow and ice – we were frozen. They broke our mobile phones and took our money, and beat us badly. Then they put us in a car and took us back to the border". (Maalik from Afghanistan)

On the "Balkan road" : the case of Hungary

- **New laws to detain asylum seekers** in so-called "transit zones" and to expel those who do not have a legitimate asylum claim.

  →Asylum seekers including children above 14 years old are held in border camps made of containers surrounded by high razor wire fence at the border for the duration of their asylum application process.

- **Only 10 people per day** are allowed to cross the border from Serbia and access Hungary's asylum system.
  - ➢ People spend months at the border in makeshift camps, waiting to see if their name will be one of the 10 called that day, which would allow them to cross.
  - ➢ People turn to smugglers

"Bulgaria is perhaps the best example of how to protect our borders."
Donald Tusk, President of the European Council, April 2017

"Bulgarian police... put us in a cage, and didn't give us food for three days. They beat us so badly. They even gave us electric shocks."
Isaaq* from Afghanistan, February 2017
*Name has been changed

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The Central Mediterranean route

More than 5 000 people died
in 2016 trying to reach Europe

The Libyan Hell

- **EU and Italian cooperation with Libya** to stop migrants from coming:
  - Financial support, training and materials to Libyan authorities → Italy accused to finance criminal gangs to stop migrants from leaving Libyan coasts
  - NGOs attacked, several search and rescue operation pulled out

- **Horrendous conditions in Libya**: migrants abused, tortured, raped in reception and detention centres, forced labor and slave trade
  → cooperation with Libya risks people being sent back to hell and undermines human rights, Geneva Convention and the non-refoulement principle

Migration and development : the stick and carrot approach

- **Valetta Summit with African countries (November 2015) :**
  - **EU Emergency Trust Fund for Africa:** 3 geographic windows: Sahel region and Lake Chad region, North Africa, Horn of Africa
  - EU cooperation with African countries to **stem migration to Europe**
  - **Development projects** to retain people where they live and better « manage » migration

- **Partnership framework (7/06/16):**
  - "**Compact**" (agreement) with strategic countries for migration: **Niger, Nigeria, Mali, Senegal and Ethiopia** to cooperate in the fight against irregular migration by facilitating readmission

  - Mobilise and focus EU action and resources in EU's external work on managing migration → **"mainstreaming" migration** in all EU policies.

  - **Aid conditonality:**
    "A **mix of positive and negative incentives** will be integrated into the **EU's development** and trade policies to reward those countries willing to cooperate effectively with the EU on migration management and ensure there are consequences for those who refuse"
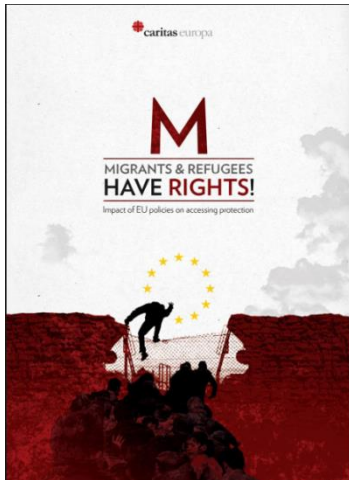
Caritas Europa advocacy

- **Our message**:
  - More balanced migration and asylum policies, counter Fortress Europe
  - Human and refugees rights at the center
  - Safe and legal pathways to Europe: humanitarian corridors, humanitarian visas and admission, community sponsorship, family reunification
  - Promote a culture of encounter and welcoming societies
  - Solidarity and responsibility sharing

- **Advocacy on Dublin regulation** with the "EU Christian group" to get rid of the first entry criteria

- **Advocacy on the EU resettlement framework:** CE joint position paper

- Contribution to EC consultation on the **Mid-term review of the European agenda on migration and legal migration**

- **Draft position on return**: safeguards and redlines

Caritas Europa advocacy

- **One year anniversary of the EU-Turkey deal (18/03)** :
  - critical statement that denounces human costs
  - CE's interview with Vatican radio

- **World refugee day (20/06):**
  - **Opinion piece** "Say yes to human mobility and no to Fortress Europe"
  - CE statement and interview at BBC world news

- **Peak of arrivals in Italy in July and lack of solidarity of EU countries:**
  - CE/Caritas Italiana **joint statement**: "Italy's outcry embodies crisis of solidarity among Member States".

- **Meeting of EU migration and interior minister (14/09/17):**
  - **CE Statement** "Walk the solidarity talk instead of building walls": Asks member states to show more solidarity towards migrants and to relocate more people.

Useful publication

Migrants have rights

Welcoming society

- 10 Myths about migration and development
- Vatican 20 action plan (for the 2 global compacts on migration and refugees)
- 10 acts for the global compacts (CSOs paper on global compacts)

Caritas Europa monthly policy update

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