

MIGRATION CRISIS IN THE MEDITERRANEAN

Policy Paper

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An ongoing global displacement crisis has increased deaths in the Mediterranean. These continued and predicted tragedies at sea constitute a grave indictment of current EU approach to migration focused on security and border controls rather than on ensuring the safety of people arriving on its shores. CONCORD calls for an urgent review of European policies.

Key Recommendations to the EU and its Member States:

- open immediate humanitarian migration channels to enable refugees, asylum seekers and those in need of protection to seek safe and legal refuge
- open immediate legal, safe channels of migration to ensure that people migrate without risking their lives, and allow beneficiaries to join family members, relatives and friends already residing in EU countries different from those of arrival
- share across Europe, including non-EU countries the reception and resettlement of migrants in a way that respects human dignity and the specific needs of vulnerable groups, including unaccompanied minors
- the EU to take immediate measures to deploy serious rescue operation in the Mediterranean to save lives of the expected upcoming boat flux
- increasing investment in inclusive development, decent work and social protection in countries of origin so migration is an option and not a necessity.

CONCORD, Europe's leading confederation of Relief and Development NGOs, is appalled by continued and predicted tragedies at sea in which hundreds of people, refugees, asylum seekers forcibly displaced persons lose their lives in the EU Southern sea borders. In the recent case that happened between 18-19 April 2015 off the Libyan coast, an estimated 900 people may have died. This latest incident, like those that preceded it, constitutes a grave indictment of current EU approach to migration focused on security and border controls rather than on ensuring the safety of people arriving on its shores. The policy of *Fortress Europe* and lack of reasonable legal channels of entry into the EU, have pushed thousands of prospective refugees, asylum seekers and those in need of humanitarian protection to despair, leading to recourse to traffickers in order to get to the EU. It is most unfortunate that the Conclusions of the Extraordinary Council meeting of 23 April reiterated the same approach and policy measures that have contributed to such high levels of loss of human lives.

The termination in November 2014 of the search and rescue operations mounted by the Italian government following the shipwreck that caused 366 deaths in October 2013, has led to a reduction in the number of rescues and an increase in the number of deaths.

An ongoing global displacement crisis has further increased deaths in the Mediterranean. The majority of people who entered the EU via the Mediterranean Sea last year, come from refugee-producing countries such as Syria, Eritrea and Somalia. Information from survivors of various shipwrecks suggests that an increasing proportion of those who have lost their lives in the process this year are people fleeing conflicts and persecution.

Triton policy is ineffective

Since its start in November 2014, Triton has saved some 7,000 people while Mare Nostrum saved over 150,000 in 12 months. It is estimated that over 1500 people have died in the Mediterranean this year, 50 times more than the figure recorded over the same period in 2014. This outcome is partly a result of the cynical and irresponsible claim by some, last year that the Italian search and rescue operation, Mare Nostrum,

was acting as a *pull factor* for irregular migration.

The Conclusions adopted by the Council on 23 April considers the fight against trafficking as top priority and focus of EU immediate action, instead of the saving of human lives in the Mediterranean. Portraying the criminal activities of traffickers as the root causes of people trying to cross the Mediterranean in conditions of high risk to their lives, deliberately ignores the many conflicts that force people to seek protection in the EU.

While boosting funding for the Triton operation, the Council Conclusions failed to undertake outright European level search and rescue operation that commits all 28 EU member states to take part in various forms. Tripling the budget for Triton does not suffice for a search and rescue operation since it will continue to operate "within the mandate of FRONTEX", meaning that its focus will remain border control and its operational outreach only partially and insufficiently extended beyond the initial 30 miles.

Failure to change, albeit temporarily, the mandate of FRONTEX nullifies whatever benefits could accrue from the tripling of Triton's budget.

The emphasis the Council Conclusions put on identifying, capturing and destroying vessels used by traffickers will simply displace the problem, increase prices, introduce ever less scrupulous traffickers and make the journey more dangerous and heighten the risk of further loss of lives.

CONCORD is concerned that the policy measures announced by the Council in response to the crisis in the Mediterranean area, did not consider a temporary suspension of the Dublin regulation, in order to allow people arriving in EU Southern borders to join their family members, relatives and friends who reside in other member states of the EU. Equally disturbing is the absence of a binding commitment to collectively resettle people fleeing from conflicts and persecution.

The Mediterranean: from a sea of hope to a sea of nightmares

In the past twenty years, at least 15,000 people have died trying to reach Europe's shores from Africa and the Middle East. The Mediterranean Sea crossing is the world's most deadly, with 3,500 deaths recorded last year. For CONCORD, so many deaths can be prevented if Europe continued giving priority to saving lives first through an effective search and rescue operation as Italy did until last year. Ultimately, it is a question of giving real political priority to the issue.

For CONCORD current EU border enforcement approaches neither protect the fundamental human right to life nor respect international and regional treaties that require protection: for those fleeing persecution, serious human rights violations and torture; for those abused by human traffickers or smugglers; and for children. Alongside efforts at political solutions and development that address the root causes of this migration, wider resettlement, labour migration and humanitarian channels are needed so that people fleeing for survival do not have to seek transportation services from human traffickers and smugglers, risking their lives in the process.

Restrictions on mobility and border controls that are currently in place create lucrative markets for traffickers as people seeking protection will inevitably continue to cross the Mediterranean on boats that are not seaworthy, as long as legal migration routes remain closed.

CONCORD calls for a balanced approach of the four pillars on migration and mobility, handling with due vigilance the externalization of competencies and responsibilities to third countries, and focusing on ensuring policy coherence and interrelatedness with EU development and conflict prevention strategies.

Lessons learned from Indochinese "boat people" in the 1980s must not be forgotten. Addressing the issue took political leadership and large-scale international cooperation.

Eventually, the receiving countries in South-East Asia agreed to keep their borders open, engage in search-and-rescue operations and provide reception to the boat people. At the same time, an international coalition of governments –including many of today's European Union Member States, – committed to resettle all those who were judged to be refugees. Alternative and humane solutions, including return and alternative, legal immigration channels were found for those who were not refugees in need of international protection. The plan led to millions being resettled and the most immediate humanitarian challenge was overcome and further loss of lives averted.

Today, the number of people crossing the Mediterranean Sea to seek protection in EU Member States is, judging for the total for 2014, quite limited and can be easily resettled through a binding participation of all

Member States. It is important that the solutions found by EU governments reaffirm the need to uphold asylum and refugee protection, and to see these as a shared global responsibility.

Proposals for a new EU migration policy

CONCORD calls for an urgent review of such policies and demands that:

- the EU, in particular Heads of Member States operating through the European Council, urgently puts in place as a priority action adequately resourced – financially and logistically - search and rescue operations in the Mediterranean, in order to save lives of those who, predictably, will continue to seek to arrive on its shores by crossing the Sea on unsafe boats;
- opens immediate humanitarian migration channels to enable refugees, asylum seekers and those in need of protection and who are trapped in transition countries such as Libya and Tunisia to seek safe and legal refuge, under the auspices of the UNHCR and other international humanitarian organisations.
- acknowledges the need for an improved responsibility-sharing mechanism between member states at the forefront of the crisis and the rest of the EU and adopts a binding, and not voluntary, policy of participation by all Member States of the Union in the reception and resettlement of migrants in a way that respects human dignity and the specific needs of vulnerable groups such as women, mothers, children and youth, people with health problems etc. .
- undertake immediate measures to ensure adequate protection, care and support for unaccompanied minors as a specific vulnerable group of migrant and tackle the worrying phenomenon of their “disappearing”
- accompanies the above measure with a temporary suspension of the Dublin Regulation, in order to allow beneficiaries to join family members, relatives and friends already residing in EU countries different from those of arrival.
- opens realistic legal safe channels of migration to the EU, in order to reduce irregular migration and ensure that people migrate without risking their lives.
- increases investment in inclusive development, decent work and social protection in countries of origin so that migration becomes an option among others and not a necessity, for people who migrate.