

# Lampedusa, Berlin. Travel journal

Europe for Citizens Program – Strand2: Democratic engagement and civic participation  
2.3: Civil Society Project  
Project: 577736-CITIZ-1-2016-1-IT-CITIZ-CIV

1

## 10 points for a new migration policy in Europe

## 10 points for a new migration policy in Europe

*Migration related to persecution, conflict and human rights violations is not just about Europe. UNCHR data show that world-wide migrants, only in the year 2015, were 65.3 million people. And only one-tenth of these people have found refuge in Europe.*

*Lack of proper information can make us think that there is no solution to the phenomenon of clandestine migrations, the thousands of deaths at sea, and the tremendous suffering that must endure those who escape wars, dictatorships and misery.*

*But this is false. Practical solutions exist.*

*In this decalogue we tried to summarize some of the proposals developed by various civil society organizations. Some of these are actions that could be implemented in the short term, other aspects of a long-term strategy.*

*But they are, however, possible solutions for a better European migration policy.*

### 1 - Restore sea rescue services

Although the New Agenda for Migration mentions "saving human lives", actually this doesn't happen. The new policy of Frontex doesn't include anymore rescues at sea outside territorial waters, which was what the operation Mare Nostrum instead envisioned; this brought to a higher number of deaths, since shipwrecks are almost always out of the territorial waters. And so it happens that Europe is watching hundreds of people die without doing anything. This is really absurd, and in complete contradiction with the principles of solidarity underlying the united Europe. Relief at sea is currently left to the initiative of humanitarian organizations, which are often hindered in this task. That is why it is important to restore rescue operations at sea by the governments of countries facing the Mediterranean.

Obviously, we believe that saving lives at sea is not a structural response to the migration crisis, and that human trafficking must still be fought. But while measures are being taken to resolve the problem in the medium to long term, we believe that saving human lives should still be considered a priority.

### 2 - Agreements with third parties need to be deeply revised

The agreements with the third-party transit countries, or the countries where the migrants come from such as Libya and Niger, have been widely criticized by several organizations. Indeed, we are talking about countries that do not guarantee at all the respect of human rights. For example, in Libya, the migrants are detained in centers where they are victims of mistreatment, sexual violence and torture.

The recent UN condemnation of 14 November 2017 confirms these accusations. the High Commissioner for Human Rights, Zeid Raad Al Hussein, denounce the European Union's policy of assisting the Libyan authorities in intercepting migrants in the Mediterranean and bringing them back to Libya. "The international community can not close its eyes in the face of these episodes of violence - Zeid says - the suffering of migrants detained in Libyan prisons is an outrage to the human consciousness."

According to many NGOs, these are illegal agreements because they violate the established principles of EU law and international law, and particularly the ban on

This project has been funded with support the Europe for Citizens programme of the European Union. This communication reflects the views only of the author, and the Commission cannot be held responsible for any use which may be made of the information contained therein.

collective expulsion and refoulement to countries where inhuman or degrading treatment may be carried out.

Agreements should not be made with countries that do not adhere to the European Charter of Human Rights. At the same time, cooperation should not be linked with border control.

### 3-Legal humanitarian corridors for refugees

Creating legal humanitarian corridors could reduce human trafficking and the phenomenon of illegal landings and shipwrecks, saving many lives. Several experiences already carried out by NGOs demonstrate this. Humanitarian corridors could work releasing a temporary humanitarian permit to enter Europe, in order to proceed with the international protection request.

The importance of humanitarian missions has been cited in the "Report on the situation in the Mediterranean and the need for a holistic EU approach to migration" of the European Commission in 2016, but are actually left to the civil society initiative. Instead, a European program of humanitarian corridors should be promoted.

### 4- Supporting the approval of the reform of the Dublin Regulation, towards better common European law on asylum.

The Dublin Regulation, which requires migrants to apply for asylum in the first EU country in which they stop, has caused many problems in Europe, leading many migrants to escape from the official reception system, to reach, relying on traffickers, countries that they considered more welcoming as Germany and Sweden.

Finally, on November 16, 2017, the European Parliament approved the reform of this regulation. In this reform there are two changes that impose a revolution:

- the unreasonable criterion of the first country of access is deleted and replaced by an automatic and permanent resettlement mechanism to which all States should participate, in order not to have bad consequences for Structural Funds.
- Another important change is the introduction of a principle that takes into account the links between the asylum seeker and the state where he wants to go. For the first time family bond are taken into account, and the concept of significant bond is introduced.
- There is also a new accelerated family reunification procedure and other things, such as better procedural safeguards for asylum seekers, especially minors.

This reform must be approved by the European Council, and the battle will not be easy. Those political forces who have built their political consensus on building the walls and the logic of defense from invasion will fight against this.

We believe that the European institutions must defend this reform, and guarantee - once approved - the rapid implementation.

### 5- Improve the first-reception systems

The arrival of many migrants landing in countries like Italy, Greece, and the inability to move to other countries, has created many humanitarian problems.

The EU's effort has been focused on making sure that the identification of migrants in their landing spots was effective, and this also happened through the Hot Spots. The first problem is that in these centers it takes place - in many occasions - an arbitrary distinction between asylum seekers and economic migrants: the "Statewatch report" states that in the Italian hot spots the praxis is to recognize as asylum seekers Syrian citizens and people

from other specific nations (such as Eritreans, Iraqis and Yemenites), while everyone else is excluded, and they're quickly classified as 'economic migrants', while a large number of these people might reasonably have the requisites to ask for refugee status or international protection.

Generally speaking, in host countries, there are serious concerns about the assessment of asylum or protection claims: the waiting times are very long and the number of denials is over 60% of the requests being considered.

In Greece, more than 50.000 migrants who are mostly Syrians, but also Afghans, Iraqis, Pakistani, have been living for months in camps ran by the Greek army along with the ACNUR, the ONU agency for the refugees, with people kept in horrendous living conditions and a suspension of one's existence that forbids any kind of planning for the future.

The same happens in several European countries.

the reception centers that host migrants in these countries become long-term parking, which hinders the emergence of autonomy routes, and freezes the immigrant project of those who arrive.

this phenomenon favors the irregularities of foreigners and their inevitable marginalization, which often produces consequences such as black labor, precarious housing conditions, exploitation, and micro-crime.

It is important to ensure that reception systems guarantee an adequate recognition of the right of asylum and of fundamental human rights, with the commitment of the European institutions.

## 6 - To revise Frontex Agency

On 14 September 2016, the creation of a "European border and coast guard" was approved, which in practice corresponds to the strengthening of Frontex, the European Border Control Agency.

The role of Frontex has been widely discussed by various civil society organizations; this agency has in fact operated in a perspective of border control as repression rather than as management of the phenomenon, in ways often heedless of human rights. In the face of this we notice the great deployment of resources used.

According to "Border wars report", Frontex's budget, since 2014, it has almost tripled, ranging from 97 million to 281 million euros expected for 2017. Border wars report showed how many companies that are doing business with Frontex are the ones who sell arms to the Middle East and Africa countries from which migrants try to escape, coming to Europe.

We think that Frontex would be revised for its purposes and management, incorporating the principle of solidarity that European Union itself has repeatedly referred to as the foundation of the Union.

## 7- Facilitate the issue of visas for work, study and family reunification

It is almost impossible today to draw a clear line between economic migration and migration for reasons related to the search for a form of protection. There are almost always multiple factors at the base of the choice to migrate: the presence of dictatorial and repressive regimes, poverty caused by climatic factors and the smashing of natural resources, phenomena often linked to the colonial policies of the European countries of the past centuries. The gap between the West and many of the countries where migrants

come from is growing. In the face of this, an increasingly prohibitionist European policy has been spreading against regular entries for work.

To enter on a regular basis in the European Union for work, study or family reunification is in fact getting harder, so many migrants try to come to Europe illegally, relying on traffickers, endangering their lives. A further effect is illegal labor and exploitation, due to the presence of cheap labor force, blackmailed, because without documents.

Some solutions, such as those proposed by the Italian ASGI Association, could include:

- encourage the meeting of demand and job supply in the countries of origin of migrants;
- create a mechanism to allow migrants to enter Europe regularly with a job search visa;
- simplify procedures for the recognition of qualifications and qualifications obtained abroad;
- encourage the negotiation and implementation of bilateral agreements to carry out vocational training programs in the countries of origin of migrants;
- encourage regularization of those who already live and work in Europe.

### **8- Encourage appropriate national legislation on Jus Soli**

One of the issues related to migration is the theme of children of migrants born and raised in the host countries. In some states there are no adequate laws to recognize citizenship rights for these people who, at the age of majority, find themselves irregular foreigners in a country in which they are already part, because it is the place where they were born, where they went to school, where they established their human relationships and embarked on their own life project.

The matter is a national responsibility, so there is no Union law that establishes after how many years or under what conditions a Member State has to grant citizenship. In any case, the European institutions should recommend that each state have adequate legislation for the recognition of second-generation citizenship rights, such as the Jus Soli laws.

### **9- To promote the political solution of the conflicts underlying migration**

Conflicts such as those in Syria and Libya are the cause of the forced migration of many refugees. According to the Syrian Observatory for Human Rights, about one-third of the 210,000 dead between 2011 and 2015 are civilians. Europe's contribution to the return of peace would contribute to a drastic reduction of refugees in the European Union and neighboring countries.

In other countries, such as Eritrea, dictatorship, which limits freedom, and forces all young people to a compulsory permanent military service, forced labor, forces many Eritreans to flee; they represent the largest group of migrants crossing the Mediterranean to arrive in Europe after the Syrians: five thousand leave the country every month. Despite this, according to recent journalistic inquiries, some European leaders are in secret talks with the Asmara government, asking for border closures in the horn of Africa, in exchange for money or a lightening of sanctions.

European Union should sanction the European states that establish bilateral economic and political agreements with countries that violate human rights and, on the other hand, link these agreements to a democratic transition.

### **10 - Supporting development in West Africa**

The vast majority of those who reach Europe in recent years run away from repressive wars and regimes, but a significant minority, between 20% and 30%, is fleeing from poverty. They are people who come mainly from West Africa, from countries where climate change and other factors have led millions of people out of their territories, for lack of any prospect of life. These so-called "economic emigrants" face great dangers, risking death for shipwreck, dehydration, kidnapping and forced labor in Libya, hoping one day to reach Europe by sea, looking for a better life.

European cooperation towards these countries could help economic development and thus limit the migration crisis.

## Presentation of proposals to the European Parliament

*These proposals will be further debated and enriched during the project, also starting with comments and suggestions that may be arriving, so we will be happy to receive any comments you may have. Above all, we consider important proposals supported by direct research or experience where it is considered useful for improving European policies.*

*You can write to this address, **project.labe@gmail.com**, pointing to the subject: Ideas for "10 points for a new migration policy in Europe".*

*The 10 points will be presented at the last meeting in Strasbourg, to representatives of the European Parliament.*

## References and documents

Manifesto ASGI; The 10 points of the reform proposal on immigration, asylum and citizenship for the next Italian legislature: <https://www.asgi.it/documenti-asgi/il-nuovo-manifesto-dellasgi/>  
[https://asgi.it/wp-content/uploads/2013/01/2013\\_manifesto\\_englishTranslation.pdf](https://asgi.it/wp-content/uploads/2013/01/2013_manifesto_englishTranslation.pdf)  
Program for reform of Italian law on immigration, asylum and citizenship: <https://www.asgi.it/wp-content/uploads/2017/02/Manifesto-ASGI.pdf>

Border wars report: <https://www.scribd.com/document/317567609/Border-Wars-Report-Web>  
<http://www.statewatch.org/eu-med-crisis.htm>

Report Statewatch su riconoscimenti sommari negli HotSpot:  
<http://database.statewatch.org/article.asp?aid=37249>

Ecre's recommendations on breaking the link with migration control and preserving the humanitarian focus of resettlement: <https://www.ecre.org/wp-content/uploads/2016/10/Policy-Note-01.pdf>

Protection in Europe: safe and legal access channels ECRE's vision of Europe's role in the global refugee protection regime: policy paper 1 - <https://www.ecre.org/wp-content/uploads/2017/04/Policy-Papers-01.pdf>

Other documents by ECRE: <https://www.ecre.org/ecre-publications/>

## Related Articles

10 ways to manage the migration crisis: <https://www.theguardian.com/world/2015/sep/04/10-ways-to-manage-the-migration-crisis>; <http://www.ilpost.it/2015/09/05/risoluzione-problema-migranti/>

<http://www.santegidio.org/pageID/813/langID/it/idLng/1062/Roma-La-Comunit%C3%A0-di-Sant-Egidio-esprime-preoccupazione-per-le-norme-sugli-immigrati-contenute-nel-pacchetto-sicurezza-votato-oggi-alla-Camera-dei-Deputati.html>

<https://www.internazionale.it/notizie/2015/09/08/migranti-unione-europea-crisi>

**Contacts:** [project.labe@gmail.com](mailto:project.labe@gmail.com)

**Web site:** [www.lampedusaberlin.eu](http://www.lampedusaberlin.eu)

This project has been funded with support the Europe for Citizens programme of the European Union. This communication reflects the views only of the author, and the Commission cannot be held responsible for any use which may be made of the information contained therein.