Thank you, Chair.

This statement has been drafted through a wide consultation and attempts to reflect the diversity of views within the NGO community.

Sharing or Shirking Responsibility?

The 19 September Summit provided a platform for states to re-pledge their commitment to refugee protection and show solidarity for those fleeing desperate situations. Yet despite being a vocal champion of responsibility sharing for refugees at the Summit, European states have since failed to live up to the values and traditions upon which it was founded.

On the very same day, 19 September 2016, a fire broke out in the Moria camp on the Greek island of Lesbos. Deteriorating conditions and rising tensions among the refugees led to further tragedies, such as the death of three men on Lesbos last January. Yet, the European Commission sustained its policy of containment by reiterating that asylum seekers should be held on the islands, rather than transferred to the mainland ‘to avoid secondary movement to the rest of Europe’.

A Call for Leadership

The increasing numbers of refugees and migrants arriving in Europe in 2015 and 2016 demanded a strong and coordinated response from the EU. Yet the EU implemented a strategy promoting negotiations with third countries to curb migration, a stronger application of return policies, and the instrumentalisation of aid to reduce migration flows. This was exemplified by the EU-Turkey Statement, the UK’s decision to end the “Dubs” scheme to resettle refugee children, and a similar arrangement to return Afghan refugees to Afghanistan. Furthermore, instead of setting a global example and ensuring a principled and efficient humanitarian response to the crisis, the European policy response on displacement has focused on targeting traffickers and strengthening external borders.

The NGO community calls on Malta, as the new holder of the Presidency of the Council of the European Union, to step up and ensure a principled European approach to the protection of displaced people on the basis of respect for fundamental human rights, responsibility and solidarity.

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Collective Action

NGOs welcome the Regional Refugee and Migrant Response Plan for Europe. We still have many challenges for 2017, which we can address altogether by connecting short- and long-term thinking. European states must ensure people of concern can become self-reliant by offering protection and safe and regular channels of mobility instead of furthering externalization and securitization.

Troubling human rights abuses and humanitarian challenges have been witnessed. Human rights observers have suggested an increase in the frequency of pushbacks of Syrians attempting to cross into Turkey following EU pressure to curb irregular border crossings. As States continue to tighten their borders, people are taking more risks to reach safety. In Greece, conditions during reception have worsened. Further work on preparedness needs to be prioritized to avoid situations where we fail to provide protection and assistance to people in need.

In the spirit of partnership, NGOs would like to highlight the following key priorities:

1. **Improve and strengthen the asylum procedure system**: First and foremost, people need to be allowed to seek refuge and protection. The system must be improved and made more efficient to ensure that the backlog of refugees waiting in limbo can be granted protection and security.

2. **Improve protection policies**: The EU-Turkey Action plan of December 2016 should end and be replaced by an approach consistent with international refugee and human rights law.

3. **Strengthen social cohesion, stability and security**: Funds should be allocated by the annual EU Asylum, Migration and Integration Fund, to local integration actors and non-traditional actors to enable successful integration that ensures the enjoyment of rights, a welcoming environment and integration programmes beneficial for refugees and host communities.

   Resources and time should be invested in countering xenophobia. Efforts should be anchored in community-based initiatives and face-to-face exchanges.

4. **Acknowledge conditions in countries of return**: State policies to return refugees fail to assess the human rights situations in countries of return. For example, according to OHCHR, in Libya migrants are subject to arbitrary detention, torture, ill-treatment, unlawful killings, sexual exploitation, and forced labour. Likewise, returning people to Afghanistan would put people’s lives at risk. Blocking people from leaving a country or returning them to places that are not safe is not in line with the EU’s fundamental values of human dignity and rule of law.

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systematically be voluntary, based on a thorough and neutral impact assessment of the country’s situation.

5. Development priorities, as enshrined in the Treaty on the Functioning of the European Union, must be identified in close cooperation with stakeholders and decision-makers of the countries concerned, in line with the development effectiveness principles. Instead, the EU has started to pressurise several priority countries to strictly follow its migration control and deterrence agenda. This is undermining the purpose of development assistance and the EU’s expressed commitments to poverty reduction and a human rights-based approach.

6. We have observed positive developments in the inclusion of various actors in the humanitarian response. Yet, national institutions are overloaded and not able to deliver the services they would like to provide. While we all have our parts to play, there are a number of critical actions that UNHCR could take. Specifically:
   a. Improve high level coordination and show leadership in raising concerns around key policy issues.
   b. Ensure needs alone drive response, and curb the increasing trend of tying response to nationality and status.
   c. Routinely conduct and share legal analysis of this rapidly evolving situation, in order to allow for timely response from all actors.

7. Expand safe and legal channels for refugees: In line with the responsibility-sharing principle, European countries need to substantially increase their resettlement offers. EU Member States have at their disposal a toolbox of safe and legal routes to protection, including resettlement, humanitarian visas, private sponsorships, and family reunification procedures. Yet, these should not be used as a pretext to create legal barriers to accessing the protection system. As the world is witnessing the largest forced displacement crisis since World War II, the EU should not shift, but rather share, a greater part of international protection responsibilities with those countries hosting the vast majority of the world’s refugees.

A longer version of the statement will be made available on ICVA’s website at icvanetwork.org.

Thank you, Chair.

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