NGO Statement on Europe

Mr. Chair,

This statement was drafted in consultation with a wide range of NGOs.

2019 is an important year for refugee protection as it will set the direction for GCR commitments to be implemented. Europe should play a leading role in this regard by developing ambitious and concrete pledges ahead of the first Global Refugee Forum. However, we regret that the EU’s GCR commitment may be undermined by various measures designed to shirk rather than share responsibility for refugees.

The overall number of people arriving in Europe seeking protection has been reduced at great human cost over the past year. For instance, despite steep declines in deaths in the Central Mediterranean, the rate of deaths at sea per number of people attempting the journey rose sharply in 2018. Disparities in how European countries grant international protection to people fleeing persecution and war also persisted. However, practices aimed at refusing access to protection sadly remain an endemic problem across the continent. As the humanitarian crisis continues, a toxic political debate and initiatives to segregate asylum seekers are undermining support for newcomers and the establishment of inclusive societies in many European countries.

In light of this situation, NGOs call European governments to:

1. Preserve access to protection in Europe and focus on applying EU asylum law.

Faced with large refugee arrivals since 2015, Europe has replied by stepping up efforts to prevent access to European territory and asylum procedures. By externalising asylum, Europe has worked to persuade or pressure third countries to assume additional responsibilities. This came in addition to policies of non-entrée and pushbacks, including at EU internal borders, which violate non-refoulement. The race to the bottom on asylum policy and practice such as the increased use of detention must stop. Instead, we call on governments to ensure that EU asylum law is applied consistently and that the right to claim asylum in Europe is upheld.

2. Ensure EU asylum law reform is rights-based and remove dysfunctionalities of the current system.

Large influxes of people seeking protection in 2015-16 revealed problems with the Common European Asylum System. Allegedly to address gaps in this system, the European Commission tabled seven legislative proposals for reform, published in mid-2016. Since then, progress has been uneven across the different files and unclarity remains over the eventual adoption of proposals. Nevertheless, any sustainable solution must include a deep overhaul of the Dublin system with permanent responsibility sharing and procedural safeguards to protect asylum seekers from fundamental rights violations.

3. Agree on an immediate contingency plan for disembarkation in Europe for people rescued at sea.

In 2018 and early 2019, the persisting divisions between EU Member States on Common Asylum reforms – the Dublin Regulation in particular – have fuelled a “disembarkation crisis” in the Central Mediterranean. The current ship-by-ship approach is causing suffering, risks and reputational damage. People stranded on-board ships are used as bargaining chips to extract concessions for political reasons.
Sustainable arrangements should be developed to ensure timely disembarkation and distribution of rescued persons among EU Member States. This can build on concrete NGO proposals for relocation arrangements following disembarkation. Work on such a contingency plan does not preclude the necessary deep reform of the Dublin system to ensure fair sharing of responsibility across the EU and to foster protection and trust between asylum seekers and authorities. However, whatever progress is made on a plan and the reform, the humanitarian imperative always remains to disembark first, save lives, and argue later.

4. **Create and expand safe and regular routes to access asylum in Europe.**

Significantly expanding safe and legal routes to the EU and safeguarding the right to claim asylum are key contributions Europe can make to the GCR implementation. The EU should continuously expand its resettlement from the current 50,000 places pledged over a two-year period, a commitment that runs out in October 2019. At the same time, EU resettlement policies must safeguard the humanitarian nature of resettlement and avoid attempts to instrumentalise it to support migration control or introduce exclusion grounds based on an individual’s “integration prospects”. In addition, European governments should expand other safe and legal routes for refugees. Withdrawing restrictions for family reunification – including for beneficiaries of subsidiary protection – and broadening family reunification criteria would be an important step in the right direction.

5. **Invest in building inclusive societies in Europe.**

European States must invest in mechanisms benefitting both refugees and host communities. This will help build bridges, avoid xenophobia and social exclusion. Adequate resources, both at national and EU level, are needed to support inclusion and should build on local innovative partnerships with municipalities, local Chambers of Commerce, civil society, private citizens and businesses. Those actors facilitate refugee participation in the local community, enabling them to find social and professional opportunities necessary to start a new life.

6. **Promote refugee rights and address forced displacement in EU external action.**

The EU has supported the CRRF implementation in many contexts and is one of the main donors in this context. European governments and the EU also have a strong commitment to humanitarian-development cooperation within their approach to forced displacement. However, this should not come at the expense of applying GCR commitments inside Europe. Promoting refugee rights and addressing causes of forced displacement must be part of an overall approach from EU institutions and Member States in accordance with the objectives set out in the Lisbon Treaty. It should be led by services in charge of external action service as opposed to ministries that follow home affairs objectives.

To conclude, the GCR applies to European governments both domestically and in their approach to third countries on asylum, displacement and migration. We call on Europe to rise to the challenges and opportunities presented by the GCR implementation and take it forward within and outside Europe.

A detailed version of this statement is available on icvanetwork.org.

Thank you.