

## Terre des Hommes Position Paper

# There is no more time. Fortress Europe has to open its doors to human lives.

*Terre des Hommes urges the European Council and the High Representative of the European Union for Foreign Affairs and Security Policy to initiate clear and decisive interventions recognizing and protecting the right to life and finally tackle the legal vacuum adding to death and despair in the Mediterranean.*

### Human life has to be at the very heart of priorities of what we call our 'Union'

#### Given that

1. There is an urgent need to establish legal escape routes from conflicts and persecution as the only possible mean to outweigh smuggling and organized crime.
2. There is an urgent need to resume Mare Nostrum or an equal operation in order to save lives and prevent the mass deaths we are witnessing, as the crises in the Middle East and Libya will not be resolved in the short term.
3. There is an urgent need to review the Dublin regulation and make sure that the European Member States cooperate for once united in the sense of responsibility, mutual loyalty and justice.

#### Terre des Hommes demands

- To, first and foremost, ensure an international protection system for all children fleeing war and persecution.

#### We further demand

##### In the countries of origin:

- An intervention of the High Representative of Foreign Affairs and Security Policy of the European Union in order to pass a resolution establishing the immediate coordination of all the embassies and consulates of European Member States present in countries neighbouring those affected by armed conflict, to issue entry visas to the EU on humanitarian grounds, thus only implementing what is already provided by the Schengen agreement;
- The automatic recognition of the right to protection to all those who enter these embassies and/or consulates with the intention to apply for asylum;

- To open an official protection channel directly in the refugee camps of the affected countries via an agreement of close cooperation between UNHCR, EU and NGOs;
- To implement a reception plan providing for transfers to safe places and protection for asylum seekers;
- To review the priorities of EU Development Cooperation Programming, with particular review of EU Budget Support Policy, ensuring that resources are redirected towards services to the population and support civil society-oriented local development;

### **In the Mediterranean**

- We urge the Council of Europe and the High Representative for External Affairs and Security Policy of the European Union establish a search and rescue operation at European scale, enabled to extend its range beyond 30 nautical miles off the Italian coast, and provided with fleet and resources from all European Member States, following the example of Mare Nostrum (in contrast to Triton, whose mandate is limited to border control and not to search and rescue).

### **In Europe**

- The establishment of a **European Reception Plan** providing for proportional commitment amongst all EU Member states (and non-EU Member States) and guaranteeing the fundamental right to asylum in a perspective of relocation, while respecting the will of the refugees. Particular attention should be given to the **protection of and to the reception conditions for unaccompanied minors and families with children**.
- The immediate implementation of *EC Directive 55, 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof*. This directive aimed at enabling Member States to deal with extraordinary migration flows - the scenario Europe is facing today. It provides for an instrument assisting the Member States in order to respect the non-derogable international obligations in situations of emergency and to guarantee the protection of fundamental rights of individuals. As it is well known, the admission to temporary protection measures entitles the issuance of a permit for temporary protection that does not preclude the submission of the application for recognition of international protection.

- **To overcome the Dublin III Regulation**, replacing it by new instruments providing for real *burden sharing of responsibilities and reception* amongst the Member States, following the path already indicated by recent European Court for Human Rights rulings. (Shafiri v. Italy and Greece, Tarakhel v. Switzerland).

## The Syrian case: An explosive emergency

Of a total of **3.922.166 Syrian refugees** (OCHA data to 2 April 2015)

1,738,448 have found refuge in Turkey, amounting to 2.2% of the population of the country

1,180,185 have found refuge in Lebanon, amounting to 28% of the population of the country

627 295 have found refuge in Jordan, amounting to 9.3% of the population of the country

246 836 have found refuge in Iraq, amounting to 0.7% of the population of the country

133 619 have found refuge in Egypt, amounting to 0.2% of the population of the country

**INTERNALLY DISPLACED IN SYRIA: 7.6 million**

**POPULATION IN NEED OF EMERGENCY RELIEF IN SYRIA: 12.2 million**

**These are the enormous numbers of emergency, which contribute to the immigration in Europe**

**According to Frontex** (the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union) **280,000 refugees and migrants** arrived in Europe in 2014, amounting to 0.05% on the European population of 507 million people.

In Italy, the number of refugees remains modest compared to the number hosted by some others European and non-European countries. Italy is officially hosting 1 refugee out of 1000 inhabitants. The rate is of 11/1000 in Sweden, 3.5/1000 in France.

In 2014, 626,000 asylum applications were received in all 28 EU Member States (453, 000 in 2013). Germany has the highest number of asylum seekers: approximately 202,700. Italy received 64,600 asylum applications, compared to 170,000 arrivals in 2014, thus welcoming approximately one refugee for every thousand people, well below Sweden, with more than 11 refugees per thousand and France (3.5 per thousand).

**Syrians seeking asylum in Europe were 149 641 in 2014, compared to 56 346 in 2013.**

These data clearly demonstrate that the phenomenon is growing exponentially, in all the countries of the Union, and confirms the EUs lack of preparation to ensure a welcoming reception, inspired by the protection of human life and the dignity of the person based on the principles of solidarity between Member States.

**END**

**Terre des Hommes - 23 April 2015**