# Situation in the Mediterranean and need for a holistic EU approach to migration

2015/2095(INI) - 12/04/2016 - Text adopted by Parliament, single reading

The European Parliament adopted by 459 votes to 206 with 52 abstentions, a resolution on the situation in the Mediterranean and the need for a holistic EU approach to migration.

**Dealing with a humanitarian disaster**: Parliament noted that according to Frontex data, in 2015 1.83 million persons were detected while attempting to cross irregularly the EU's external borders, setting an unprecedented record compared to the 282 500 migrants who arrived in the Union in the course of the whole 2014. According to IOM/UNICEF data, around 20 % of all migrants arriving by sea are children.

Recalling the principle of solidarity and fair sharing of responsibility in matters relating to migration, which is at the heart of the whole of the Union system, Parliament starts from the premise that **saving lives must be a first priority and that proper funding**, at Union and Member State level, for search and rescue operations **is essential**. It noted that there has been an increase in the number of irregular arrivals by sea and an alarming increase in the number of deaths at sea, and that a **better European response is still required**.

However, Parliament called for a clear distinction to be made between those persons who are smuggled into the Union and those who are trafficked into the Union because the policy response must be properly targeted. It stated that, in general terms, the criminal smuggling of migrants involves facilitating the irregular entry of a person to a Member State, whereas human trafficking involves the recruitment, transportation or reception of a person through the use of violent, deceptive or abusive means, for the purpose of exploitation.

Parliament pointed to the role of Union agencies in the fight against criminal smuggling. It noted, as a positive step forward, that the Commission adopted a Union Action Plan against Migrant Smuggling on 27 May 2015, under which it provides for the setting up of a Contact Group of Union Agencies on migrant smuggling, to strengthen their operational cooperation and information exchange.

**On relocation**: the resolution noted that, within the last year, the Council has adopted two decisions on temporary relocation measures in the Union, and that they involve the transfer of applicants for international protection from Greece and Italy to other Member States. It observed that, although the Relocation Decisions do not end the current Dublin rules on allocation of responsibility, they do constitute a 'temporary derogation' from the Dublin rules. Parlaiment was concerned that, under the current Relocation Decisions, Member States of first arrival still have to handle the more complicated claims for international protection (and appeals), have to organise longer periods of reception, and will have to coordinate returns for those ultimately not entitled to international protection. It reiterated that **any new system for the management of the Common European Asylum System must be based on solidarity and a fair sharing of responsibility.** It

felt that the preferences of the applicant should, as much as practically possible, be taken into account when carrying out relocation.

**On resettlement**: Parliament took the view that resettlement is one of the preferred options for granting safe and lawful access to the Union for refugees and those in need of international protection, where the refugees can neither return to their home countries nor receive effective protection or be integrated into the host country. It pointed out that, given the unprecedented flows of migrants that have reached and

continue to reach the Union's external borders, the Union **needs a binding and mandatory legislative approach to resettlement**. Such an approach must provide for resettlement of a meaningful number of refugees seeking international protection and be permanent Union-wide resettlement programme, with **mandatory participation of Member States.**

**On the revision of the Dublin III Regulation**: recalling the general principles of common European asylum and the question of humanitarian admission, Parliament observed that the operation of the Dublin III Regulation has raised many questions linked to fairness and solidarity in the allocation of the Member State responsible for examining an application for international protection. **It noted that the current system does not take into sufficient consideration the particular migratory pressure faced by Member States situated at the Union's external borders**. It believed that Member States need to accept the on-going difficulties with the Dublin logic, and that the Union should **develop options** for solidarity both among Member States and the migrants concerned.

Members pointed out that the pressure placed on the system – as established by the Dublin Regulation – has shown that the system has largely failed to achieve its two primary goals of establishing objective and fair criteria for allocation of responsibility and of providing swift access to international protection. It reiterated its reservations regarding the **criterion whereby currently it is the Member State of first entry that is responsible for the examination of a claim** for international protection, and considered that **this criterion should be revised**.

Parliament further pointed out that, at the same time, the incidence of secondary movements across the Union remains high. The Dublin system was not designed to share responsibility among Member States, but to **assign swiftly responsibility for processing an asylum application to a single Member State.** Members recommended that the criteria on which the Relocation Decisions are based should be built directly into the Union's standard rules for allocating responsibility for handling claims for international protection. They took the view that the European Union should support the Member States receiving the most asylum claims with proportionate and adequate financial and technical support. They considered that the rationale of using solidarity and responsibility-sharing measures is to enhance the quality and functioning of the CEAS.

Parliament pointed out that one option for a fundamental overhaul of the Dublin system would be to **establish a central collection of applications at Union level** – viewing each asylum seeker as someone seeking asylum **in the Union as a whole and not in an individual Member State** – and to establish a central system for the allocation of responsibility for any persons seeking asylum in the Union. It suggested that such a system could provide for certain **thresholds per Member State relative to the number of arrivals**, which could conceivably help in deterring secondary movements, as all Member States would be fully involved in the centralised system and no longer have individual responsibility for allocation of applicants to other Member States. Such a system could function on the basis of a number of Union 'hotspots' from where Union distribution should take place.

**Integration:** Parliament underlined that integration measures for all legally residing third-country nationals should promote **inclusion**, rather than isolation. It emphasised that hosting Member States must offer refugees support and opportunities to integrate and **build a life in their new society.** This should necessarily include accommodation, literacy and language courses, inter-cultural dialogue, education and professional training, and also effective access to democratic structures in society – as provided for in the Qualifications Directive. However, integration is a **two-way process** and respect for the values upon which the Union is built must be an integral part of the integration process, as must respect for the fundamental rights of the refugees.

Parliament also stressed the importance of family unity and the rights of the child.

**On a list of safe countries of origin**: Members acknowledged the recent Commission proposal for a Union list of safe countries of origin, amending the Asylum Procedures Directive. They observed that if such a Union list became obligatory for Member States it could, in principle, be an important tool for facilitating the asylum process, including return. They regretted the current situation in which **Member States apply different lists**, containing different safe countries, hampering uniform application and incentivising secondary movements.

**On the European Asylum Support Office (EASO):** Parliament recommended that EASO be developed, in the long term, into a principal coordinator of the CEAS with a view to guaranteeing common application of the rules of that system. It understood that the Commission recently proposed European Border and Coast Guard, which is intended to replace Frontex and is meant to ensure a European integrated border management at the external borders.

**On Schengen and the management and security of the external borders:** Parliament recalled that, since the establishment of the Schengen Area, the Union is an area without internal borders, and that the inherent logic of such a system has always been that the **abolition of internal border controls** has to go hand in hand with compensatory measures strengthening the external borders of the Schengen Area and the sharing of information through the Schengen Information System ('SIS'). It accepted that the Union needs to strengthen its external border protection and further develop the CEAS, and that **measures are necessary to enhance the capacity of the Schengen Area** to address the new challenges facing Europe and preserve the fundamental principles of security and free movement of persons. Members stressed again that, as regards legislation specifically in the area of asylum and migration, in order for legislation on internal and external borders to be effective, it is **essential that measures agreed at Union level are implemented properly by Member States**. It underlined that better implementation of measures by Member States at the external borders, following increased pressure, is essential.

Parliament took note that on 15 December 2015 the Commission came forward with a proposal for a targeted revision of the Schengen Borders Code. It considered that the Schengen Area is one of the major achievements of European integration, and noted that the conflict in Syria and other conflicts elsewhere in the region have triggered record numbers of refugees and migrants arriving in the Union. Members were concerned by the fact that, in response, some Member States have felt the need to close their internal borders or introduce temporary border controls, thus **calling into question the proper functioning of the Schengen Area.**

**Hotspots:** Parliament called for the hotspots to be set up as soon as possible in order to give concrete operational assistance to Member States. It calls for the allocation of technical and financial resources and support to Member States of first arrival, such as Italy and Greece, to enable the swift and effective registration and referral to the competent authorities of all migrants arriving in the Union with full respect for their fundamental rights. It considered that quick and effective support by the Union to Member States and the acceptance of such support is important for mutual trust. One of the main purposes of hotspots is to allow the Union to grant protection and humanitarian assistance in a swift manner to those in need.

Parliament stressed the need for cooperation with third countries on issues related to asylum. It understood that the external dimension should focus on cooperation with third countries in tackling the root causes of, and addressing, irregular flows to Europe. It recalled that the Union has intensified its external cooperation with third countries in migration and asylum in order to respond adequately to the current refugee crisis, and has launched **new cooperation initiatives, such as the EU-Turkey Joint Action Plan.** Members emphasised, in that respect, the need for all parties to fulfil their commitments deriving from the Joint Action Plan, including addressing the root causes leading to the massive influx of Syrians. On addressing root causes, they reaffirmed that the Union must adopt a long-term strategy to **help counteract the 'push factors' in third countries** (conflict, persecution, ethnic cleansing, generalised violence or other factors such as extreme poverty, climate change or natural disasters), which force people into the hands of criminal smuggling networks, which they see as their only chance to reach the Union.

**Funding:** Parliament welcomed the recently established Emergency Trust Fund for Africa and the EUR 1.8 billion pledged to the fund, which has added an additional element to third country funding, and called on the Member States to continue contributing to the fund. It recommended that the four thematic pillars addressing (i) legal migration and mobility, (ii) irregular migration and trafficking in human beings, (iii) international protection, and (iv) the development impact of migration, should be of equal importance in Union external policy and funding.

Lastly, Parliament agreed that, while recent budgetary proposals and the additional funding foreseen in the Union's budget for 2016, including the use of the flexibility instrument, should be welcomed, **medium and longer-term funding remain a concern.** It was concerned that the increase in the amounts proposed for budget lines under AMIF for 2016 have not been accompanied by a proposed revision of the global resources available under that fund for the 2014-2020 funding period. It understood that, left as is, the result will be that funding under AMIF will have dried up long before 2020.