



2015/2095(INI)

16.11.2015

OPINION

of the Committee on Foreign Affairs

for the Committee on Civil Liberties, Justice and Home Affairs

on the situation in the Mediterranean and the need for a holistic EU approach to migration
(2015/2095(INI))

Rapporteur: Demetris Papadakis

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SUGGESTIONS

The Committee on Foreign Affairs calls on the Committee on Civil Liberties, Justice and Home Affairs, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

1. Expresses concern at the recent events on the EU's borders, which are a result of this unprecedented migration crisis and which have exposed the inadequacies of the current reception system for refugees and migrants, and points out the importance of greater harmonisation of migration and asylum policies at EU and international level;
2. Highlights the need for a holistic EU approach to migration, which ensures coherence between its internal and external policies, encompasses all migration routes and is based on solidarity, full respect for human rights, compliance with international law and the values on which the EU is built;
3. Considers that such a comprehensive EU strategy should be a key element of the new EU Global Strategy on Foreign and Security Policy in order to contribute actively to the stabilisation of EU's neighbourhood and prevent other similar humanitarian crises in the future;
4. Calls on the EU and its Member States to halt the construction of walls at the EU's external borders and to stop preventing refugees and migrants from reaching EU territory;
5. Expresses concern about the increased trend for illegal on-the-spot deportations, and rejects these practices as contrary to human rights and the rule of law; expresses deep concern about the fate of third-country nationals and stateless persons readmitted under EU readmission agreements, including cases of indefinite detention, legal limbo or refoulement to their country of origin;
6. Stresses that the persistent instability and conflicts in the EU's neighbourhood have a serious impact on the number of migrants, refugees and displaced persons; believes that a long-term, genuine and effective response to the humanitarian crisis in the Mediterranean will come only from tackling the root causes, especially instability, wars, terrorism, lack of security and violations of human rights, as well as poverty, inequality, persecution, corruption, climate change and natural disasters; stresses the urgent need for the EU to initiate concerted diplomatic efforts with international partners and key regional powers and organisations, such as the African Union and the League of Arab States, in order to address the challenges facing fragile states and to focus on conflict prevention;
7. Is convinced that the current migrant and refugee crisis is linked to the conflict in Syria and other parts of the Middle East and instability in the wider MENA region, which the EU must make every effort to end; calls for proper implementation of the EU strategy to counter Da'esh; calls on the EU and its Member States to proactively support a UN-led effort to settle the Syrian conflict and to step up substantially their diplomatic efforts to settle ongoing conflicts in its neighbourhood and in the Middle East in cooperation with all the actors in the region, with and in support of the UN;
8. Welcomes the adoption of the Valletta Summit Action Plan which should serve as a

platform for a far-looking EU-Africa strategy guided by the principles of solidarity, partnership and shared responsibility in response to the human, social and political challenges of migratory flows between Africa and the EU; calls for the full implementation and monitoring of the outcomes achieved at the Valletta Summit; stresses the importance of the EU's engagement to Africa through development cooperation to address the root causes of irregular migration and forced displacement; acknowledges that greater efforts should be made to advance legal migration and mobility possibilities;

9. Emphasises that the Western Balkans, as a transit route for refugees and migrants heading to EU Member States, have been under increasing and severe pressure with serious humanitarian consequences, and therefore need to be supported; welcomes the proposal in the Council's conclusions of 12 October 2015 (12880/15) to extend the scope of the EU Regional Trust Fund established in response to the Syrian crisis (the 'Madad Fund') to the Western Balkans; supports the Declaration of the High-level Conference on the Eastern Mediterranean - Western Balkans route on 8 October 2015 in Luxembourg and calls for its swift implementation and follow-up;
10. Points out that, according to UNHCR estimates, Syria's neighbouring states have taken in some 4 million Syrian refugees; recalls that Turkey, Lebanon and Jordan are subject to large refugee flows and highlights the need for effective EU support and close cooperation with these countries in order to address the humanitarian crisis and create better conditions for refugees; points out that the active involvement of the Gulf states would have a positive impact by showing solidarity; stresses in parallel the importance of supporting frontline countries such as Greece, Italy and Malta with new or enhanced mechanisms to tackle humanitarian crises of this magnitude;¹¹. Believes that accession countries, namely FYROM and Serbia, should be given full support by the EU when dealing with the migrant and refugee influx; warns, however, of the negative impact their actions can have in their progress towards EU integration and reminds the governments of those countries of their international human rights obligations;
12. Calls for the VP/HR and the External Action Service to be given the necessary tools and mandate to deploy the political and diplomatic action needed in the region within the framework of the Common Foreign and Security Policy, in coordination with the Member States;
13. Advocates broader and intensified EU cooperation with third countries of origin and transit, in full respect of the rights of migrants, through bilateral agreements, mobility partnerships and technical cooperation agreements, of which monitoring mechanisms involving local civil society organisations must be ensured, in order to:
 - develop a forward-looking approach to the migration crisis in the Mediterranean, adapting to and differentiating between the various causes of these migratory flows,
 - fight against smuggling and trafficking networks,
 - ensure capacity building in the fields of asylum systems and border control,
 - provide protection for people in need, in cooperation with the UNHCR and specialised NGOs,

- strengthen the global approach to migration and mobility,
 - establish humanitarian corridors,
 - establish frameworks for safe and legal migration and ease existing restrictions on family reunification,
 - grant humanitarian visas,
 - put into force a humane and effective return policy for irregular migrants;
14. Calls for mobility partnerships and circular migration agreements to facilitate the movement of third-country nationals between their countries and the EU and to sustain the socio-economic development of both parties;
 15. Calls on the VP/HR to take practical steps at the UN with a view to the Security Council giving the European Union a mandate to take action to target, in ports, the infrastructure of groups that organise people smuggling;
 16. Notes the Commission proposal on ‘safe and unsafe’ third countries; calls on key origin and transit countries for irregular migration to the EU to fully and effectively implement existing bilateral readmission agreements as soon as possible; stresses that the conclusion or application of readmission agreements should ensure that the latter comply with the relevant international law and protection of human rights obligations on the part of these third countries; highlights, furthermore, the need to improve cross-border cooperation with neighbouring Member States in this respect, including through enhanced operational and technical cooperation with EASO and FRONTEX;
 17. Believes, at the same time, that the EU should establish a binding resettlement programme for refugees, in close cooperation with UNHCR, with quotas and a permanent, mandatory, but flexible, automatically-triggered relocation system across the EU, based on objective criteria and taking into consideration the situation and reception conditions in the entry Member States as well as the needs and, as far as possible, the preferences of the refugees;
 18. Welcomes the increase in resources for the Triton and Poseidon operations; notes the launch of the EUNAVFOR Med/Sophia operation against smugglers and traffickers in the Mediterranean and supports the reinforcement of the management of the Union’s external borders; acknowledges the transition to the second phase of the operation in accordance with international law and underlines the necessity of cooperation with third countries in order to address effectively the organised criminal networks of migrant smugglers; insists, however, on the need for broader, sustained, coordinated and effective search-and-rescue mechanisms in the Mediterranean to save lives, in particular through the establishment of a European coastguard service, and for an EU policy on asylum, subsidiary protection and temporary protection which fully complies with binding obligations under the Geneva Convention, the UN Convention on the Rights of the Child and the European Convention on Human Rights, and respects the non-refoulement principle;
 19. Points out that migrants and refugees, and in particular unaccompanied children, are very vulnerable and are consequently in danger of falling victim to people trafficking;

emphasises the need to ensure special care for women and children refugees and migrants who are the victims of traffickers and to provide them with medical and psychological assistance and appropriate child protection; calls on the EU and the Member States to include a children's and gender perspective in their policies on immigration, integration and asylum and insists on the need for an EU approach to migration and border management which respects the rights of vulnerable people and the core principle of the best interests of the child;

20. Considers that cooperation and development assistance, in accordance with the Policy Coherence for Development principles, plays a crucial role in tackling the root causes of migration; calls on the Member States to overhaul their development assistance, in line with the 0.7% of GNI commitment, with a view to achieving the sustainable development goals; welcomes the fact that one of the aims of the Valletta Summit is the better targeting of development and cooperation assistance in Africa; stresses that the EU must continue its support, in the long term and on a practical level, to international efforts towards poverty reduction and the eradication of corruption, as well as to peace-building, promotion of democracy and governance, human rights and fundamental freedoms, gender equality, employment and education, regional, political and economic stability, security and prosperity;
21. Believes that the migrant and refugee crisis in the Mediterranean can only be resolved with sustained political will, international cooperation and coordination across EU institutions and Member States, and considers that the EU could take the initiative of convening an International Conference under the auspices of the UN to address the current crisis at humanitarian level;
22. Believes that the Regional Protection Programmes (RPP), which aim to enhance the capacity of non-EU countries in the regions from which considerable numbers of refugees originate or transit, could be significantly strengthened by entering into political dialogues between the EU and third countries, thus giving greater weight and engagement;
23. Calls on the Commission and EU Member States to take the necessary legislative and administrative steps to allow for the provision of emergency visas and facilitate temporary shelter for human rights defenders at risk in the Mediterranean region; urges Member States to pay particular attention to cases linked to requests for political asylum, so as to prevent any return potentially entailing a violation of human rights;
24. Welcomes the set-up of the EU Emergency Trust Fund for stability and addressing the root causes of irregular migration and displaced persons in Africa, which aims to foster stability and contribute to better migration management in the African countries and regions most affected by migration; stresses, however, the need for guarantees regarding where the money will come from and for which actions it will be used; calls on Member States to show their strong commitment by contributing and matching the EUR 1.8 billion which was put forward; underlines the need to mobilise more funding in order to unlock the untapped potential of the African continent which will contribute, through trade and investment, to sustainable development and poverty reduction;
25. Points out that additional EU budgetary resources, especially humanitarian aid, will be required to tackle the migrant and refugee crisis in the Mediterranean; calls for the establishment of migration information centres in third countries and notes the swift

deployment of European immigration liaison officers to EU delegations in key third countries to gather information on migratory flows, co-ordinate with national liaison officers, and co-operate directly with the local authorities, thus enabling the activation of early warning systems at EU level to allow a timely reaction to new migration crises;

26. Encourages the VP/HR and the EEAS to continue to support the process of ratification of the UN Convention against Transnational Organised Crime, the Protocol thereto to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, the Protocol against the Smuggling of Migrants by Land, Sea and Air and the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition;
27. Expresses its concerns about the increasing criminalisation of the current migration issue at the expense of the human rights of the people concerned, and the ill-treatment and arbitrary detention of refugees in third countries; calls on the EU to address this issue, including in the course of its human rights dialogues and in justice, freedom and security subcommittees, and to develop protection capabilities in third countries of transit;
28. Requests that the Commission and the EEAS participate actively in the debate on the term 'climate refugee', including its possible legal definition in international law or in any legally binding international agreement;
29. Recognises statelessness as a significant human rights challenge; asks the Commission and the EEAS to fight statelessness in all EU external action, in particular by addressing discrimination in nationality laws on the basis of gender, religion or minority status, by promoting the right of children to a nationality, and by supporting the UN Refugee Agency (UNHCR) campaign aimed at ending statelessness by 2024;
30. Requests that the Commission consults the European Parliament prior to the conclusion of any agreement between Frontex and a third country; insists that these agreements must provide for adequate safeguards to ensure that human rights standards are fully respected, including with regard to return, joint patrolling, search-and-rescue or interception operations.

RESULT OF FINAL VOTE IN COMMITTEE ASKED FOR OPINION

Date adopted	16.11.2015
Result of final vote	+: 49 -: 6 0: 6
Members present for the final vote	Lars Adaktusson, Michèle Alliot-Marie, Francisco Assis, James Carver, Javier Couso Permuy, Andi Cristea, Arnaud Danjean, Mark Demesmaeker, Georgios Epitideios, Knut Fleckenstein, Eugen Freund, Sandra Kalniete, Manolis Kefalogiannis, Afzal Khan, Janusz Korwin-Mikke, Eduard Kukan, Ilhan Kyuchyuk, Barbara Lochbihler, Sabine Lösing, Ulrike Lunacek, Andrejs Mamikins, Ramona Nicole Mănescu, Tamás Meszerics, Francisco José Millán Mon, Javier Nart, Pier Antonio Panzeri, Demetris Papadakis, Vincent Peillon, Tonino Picula, Kati Piri, Andrej Plenković, Cristian Dan Preda, Jozo Radoš, Sofia Sakorafa, Jacek Saryusz-Wolski, Alyn Smith, Jaromír Štětina, Charles Tannock, László Tőkés, Johannes Cornelis van Baalen
Substitutes present for the final vote	Ignazio Corrao, Luis de Grandes Pascual, Angel Dzhambazki, Tanja Fajon, Mariya Gabriel, Liisa Jaakonsaari, Javi López, Norica Nicolai, Urmas Paet, Miroslav Poche, Soraya Post, Marietje Schaake, Helmut Scholz, Igor Šoltes, Renate Sommer, Traian Ungureanu, Marie-Christine Vergiat
Substitutes under Rule 200(2) present for the final vote	Beatriz Becerra Basterrechea, Claudiu Ciprian Tănăsescu, Ivan Štefanec, Patricija Šulin