



Plenary sitting

B9-0350/2021

8.6.2021

MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 144 of the Rules of Procedure

on the breach of the UN Convention of the Rights of the Child and the use of minors by the Moroccan authorities in the migratory crisis in Ceuta (2021/2747(RSP))

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on behalf of the S&D Group

B9-0350/2021

European Parliament resolution on the breach of the UN Convention of the Rights of the Child and the use of minors by the Moroccan authorities in the migratory crisis in Ceuta (2021/2747(RSP))

The European Parliament,

- having regard to the Euro-Mediterranean Agreement establishing an association between the European Union and its Member States, of the one part, and the Kingdom of Morocco, of the other part which entered into force in 2000;
 - having regard to the “advanced status” granted to Morocco in 2008 within the European Neighbourhood Policy;
 - having regard to the Joint Declaration by the European Union and Morocco for the fourteenth meeting of the Association Council, adopted on 27 June 2021, including the call for an enhanced consultation and balanced cooperation on mobility and migration;
 - having regard to the European Commission's Joint Communication on the renewed partnership with the Southern Neighbourhood establishing a new Agenda for the Mediterranean, notably its fourth chapter on migration and mobility, adopted on 9 February 2021;
 - having regard to its previous resolutions, in particular that of 19 January 2019 on the EU-Morocco Agreement, of 26 November 2019 on children’s rights on the occasion of the 30th anniversary of the UN Convention on the Rights of the Child, of 11 March 2021 on children’s rights in view of the EU Strategy on the rights of the child, and of 19 May 2021 on human rights protection and the EU external migration policy;
 - having regard to the outcome of the special European Council meeting of 24-25 May 2021;
 - having regard to the Charter of Fundamental Rights of the European Union;
 - having regard to the UN Convention on the rights of the child of 20 November 1989, ratified by all EU countries and Morocco;
- A. whereas the European Union and the Kingdom of Morocco enjoy historical relations and maintain close cooperation developed through a broad partnership that covers political, economic and social aspects; whereas Morocco has one of the most developed relationships with the EU, as strengthened by the willingness of both parties to further develop them, including being the first country of the Southern Mediterranean region to be granted "advanced status"; whereas Morocco occupies a strategic position in the Euro-Mediterranean partnership and is a key partner for the EU in the Maghreb region and the African continent at large;

- B. whereas on 17 and 18 May Moroccan authorities let over 10.000 irregular migrants, including more than 1.500 unaccompanied minors and many whole families, cross the international border between the EU and Morocco and into the Spanish autonomous city of Ceuta; whereas most of the migrants have tried to irregularly cross the border by swimming around the fenced border putting their lives at risk; whereas at least one person was reported to have died of drowning; whereas most of the migrants crossing irregularly were Moroccan nationals; whereas such a large movement of persons can hardly be perceived as spontaneous;
- C. whereas this crisis has given rise to diplomatic tensions between Morocco on one side and Spain and the EU on the other; whereas, whatever purposes that could be behind the situation created in Ceuta, this unjustifiable incident does not correspond to the long-established cooperation between both sides, particularly on the field of migration, nor to the confidence-based relationship between partners;
- D. whereas according to Spain's Interior Ministry as of June 1 there remained an estimated 1,000 unaccompanied children in Ceuta hosted in the 3 centres of the Tarajal, Piniers, and Santa Amelia; whereas more than 200 unaccompanied children previously hosted in Ceuta are to be transferred to the Spanish mainland and redistributed geographically; whereas these transfers have already started;
- E. Whereas on 1 June 2021, the King of Morocco instructed his government to facilitate the re-entry of all unaccompanied Moroccan children identified, who are in the European Union irregularly;
- F. Whereas EU and international law prohibit EU Member States from deporting unaccompanied children without a thorough examination of their situation; whereas the right to asylum is a fundamental right in the EU; whereas both an enhanced protection of the right to asylum and a more effective border management by all EU Member States constitute essential priorities of the European Union;
1. Deeply regrets the recent migratory crisis created in the Spanish Autonomous city of Ceuta, in which at least one person died, and the use by Morocco of irregular migration as a political instrument, violating the territorial integrity and sovereignty of a Member State of the European Union; deplores in particular the participation of children, unaccompanied minors and families in the mass crossing of the border, putting their lives and safety at clear risk; believes that this way of action does not correspond to the long-established cooperation between the EU and Morocco, particularly on the field of migration, nor to the confidence-based relationship between both partners;
 2. Highlights the importance of the strategic, multidimensional and privileged relations between the EU and Morocco as a key partner for the Mediterranean region and beyond, and renews its support to continue advancing in these relationship as based in mutual trust and respect; urges in this view Morocco to respect its longstanding commitment to enhanced cooperation on border management and migration mobility;
 3. Reminds that the best interests of the child should be a primary consideration in all decisions concerning children in migration and recalls that the principle of family unity and the right

to family reunification shall be always safeguarded; welcomes the protection provided to unaccompanied children by Spanish authorities in accordance with EU law and the UN Convention on the rights of the Child;

4. Calls on the European Commission to provide emergency funding to address the situation in Spain, including by funding additional shelter capacity for unaccompanied children; deems it indispensable to pay particular attention to the special needs of the most vulnerable profiles, such as minors who are victims of violence, trafficking, with functional diversity or in need of international protection;
5. Welcomes the start of the transfer of over 200 unaccompanied minors from Ceuta to mainland Spain after an agreement was reached between the Ministry of Social Rights and the Autonomous Regions;
6. Welcomes Morocco's decision of 1 June 2021 to facilitate the re-entry of all unaccompanied Moroccan children identified, who are in the European Union territory irregularly; deems it essential, at the same time, to carry out family reunification procedures after assessing each case according to the best interest of the child;
7. Is convinced that future EU cooperation with the countries of the southern shore of the Mediterranean shall be based on the long-term objective of tackling the root causes of irregular migration by strengthening economic development, investments and the creation of new job opportunities and promoting a quality education for all children in the region;
8. Calls on the EU and its Member States to strengthen legal and safe migration routes for migrants seeking international protection and a dignified life, as well as to establish common mandatory mechanisms based on quotas for responsibility sharing, also in view to ensure rapid responses to these situations;
9. Urges EU Member States to fully implement the current Common European Asylum System framework, pending the adoption of the new Pact on Migration and Asylum presented by the Commission on September 2020, in order to improve conditions for all children in migration, and in particular unaccompanied children in the EU;
10. Instructs its President to forward this resolution to the Council, the Commission and the High Representative of the Union for Foreign Affairs and Security Policy, the governments and parliaments of the Member States, the parliament and government of Morocco, the UN Secretary-General and the UN Human Rights Council.