

Joint NGO statement ahead of the European Council of 28-29 June 2016
NGOs strongly condemn new EU policies to contain migration

At the upcoming European Council, European Union (EU) leaders will discuss the **European Commission's Communication on a new Partnership Framework with third countries**. The Communication proposes an approach which aims to leverage existing EU and Member States' external cooperation instruments and tools in order to stem migration to Europe. The undersigned organisations express their grave concern about the direction the EU is taking by making deterrence and return the main objective of the Union's relationship with third countries. More broadly, this new Partnership Framework risks cementing a shift towards a foreign policy that serves one single objective, to curb migration, at the expense of European credibility and leverage in defence of fundamental values and human rights.

The proposed approach is inspired by the EU-Turkey deal which although touted as a successful example of cooperation, has actually left thousands people stranded in Greece in inhumane and degrading conditions. This has particularly affected children, with the result that hundreds of unaccompanied children have been held in closed detention facilities on the islands or forced to sleep in police cells on the Greek mainland. **The wider repercussions of this should not be underestimated. It is hard to see how Europe can ask partner countries to keep their doors open, to host large-scale refugee populations and prevent further movements while at the same time Member States refuse to shoulder their fair share of responsibility for protecting people who flee their homes.** The right to asylum is being significantly undermined, and it will become more and more challenging for civilians in conflict zones to seek international protection.

The Commission's proposal ignores all the evidence on the ineffectiveness of deterrence strategies aimed at stopping migration. **This approach will not only fail to "break the business-model" of smugglers but increase human suffering as people are forced into taking more dangerous routes. Moreover, despite the stated commitment to respect the principle of *non-refoulement*, there are no safeguards envisaged to ensure that human rights, rule of law standards and protection mechanisms are in place. As a result, people risk being deported to countries where their rights are not safeguarded.** Responsibility and liability for human rights violations do not end at Europe's borders.

We are disappointed to see that once again the emphasis on deterrence leaves no clear commitments to open up safe and regular channels to Europe for those in need of international protection and for other migrants, e.g. through resettlement, humanitarian admission schemes, family reunification, educational visas, labour mobility and visa liberalisation. Resettlement, labour migration and visa liberalisation are only mentioned as possible leverage with partner countries in a quid pro quo approach.

Another major concern is the financing of the proposed Partnership Framework which would represent a wholesale re-orientation of Europe's development programming towards stopping migration. This is an unacceptable contradiction to the commitment to use development cooperation with the aim to eradicate poverty, as enshrined in the Lisbon Treaty. **Aid is for the benefit of people in need, and should not be used as a leverage for migration control. EU funding should be transparent and adhere to clearly established principles, such as the Busan principles on effectiveness and the Paris principles of ownership by and alignment to partner countries' strategies.** In addition, striking 'migration management' agreements with countries where grave human

rights violations are committed will be counter-productive in the longer term – undermining human rights around the globe and perpetuating the cycle of abuse and repression that causes people to flee.

Migration has many drivers; people may be on the move in search of new livelihood opportunities, an education or to reunite with family, while conflict and violence, human rights violations, climate change, poverty and unemployment can all trigger migration and forced displacement. **Any cooperation to manage migration should take into consideration this complex and multi-faceted reality, be evidence and needs-based, and ensure that the benefits of migration are maximised and the risks are mitigated.**

If the EU wants to call for more global solidarity, it needs to set the right example. The EU, a project built on the rubble of a devastating war, is about to embark on a dark chapter of its history. We urge EU leaders to choose a rights-based system to manage migration, based on a viable long-term strategic vision, rather than pursuing an unattainable and inhumane deterrence objective and thereby abandoning its core founding principles.

As human rights, humanitarian, medical, migration and development agencies, and key implementing partners of development programmes in third countries, we call on European leaders to:

1. Reject the current Commission Communication and develop a sustainable long-term and evidence-based strategy for migration management, in consultation with civil society and experts.
2. Facilitate safe mobility by opening and strengthening safe and regular channels to Europe both for those in need of international protection and other migrants including through resettlement, humanitarian admission and humanitarian visas, family reunification, worker mobility across skill levels and student visas. Member States must commit to clear benchmarks and appropriate timelines for implementing a migration framework that meets the needs of migrants, asylum-seekers and refugees, their families, as well as the needs and obligations of Member States.
3. Exclude any conditionality based on migration control indicators in the allocation of development aid to third countries. Development aid is a tool to fight poverty and inequality, not to manage migration. Vulnerable populations should not be punished because of concerns that are largely political.
4. Stop any readmissions or removals of people by the EU to a third country that violate – or risk violating – fundamental rights and rule of law, including the principle of *non-refoulement*. Ensure access to protection, justice and effective remedy for all people in migration and asylum procedures.
5. Ensure transparency in the development of any instruments to manage migration and accountability for human rights violations resulting from EU migration policies.
6. Commit to a foreign policy and action focused on preventing and unlocking protracted crises. While the Communication mentions the need to address root causes of displacement in the long term, it does not include engagement to prevent and manage crises.

Signatories

1. ACT Alliance EU
2. ActionAid
3. Afrique Culture Maroc
4. Agir Ensemble pour les Droits de l'Homme
5. Aid Services
6. Amnesty International
7. Amycos
8. Asgi - Associazione per gli Studi Giuridici sull'Immigrazione

9. Asociacion por ti mujer
10. Asociacion Salud y Familia - Spain
11. Association for action against violence and trafficking in human beings-Open Gate La Strada Macedonia.
12. Association for the Social Support of Youth
13. Ayuda en Acción
14. British Refugee Council
15. CAFOD
16. Care International
17. CCOO de Andalucia
18. Centre for Youths Integrated Development.
19. Centro de Investigaciones en Derechos Humanos PRO IGUAL
20. ChildFund Alliance
21. Church of Sweden
22. Churches' Commission for Migrants in Europe
23. Citizens' association for combating trafficking in human beings and all forms of gender-based violence
24. CNCD-11.11.11
25. Comisión Española de Ayuda al Refugiado –CEAR-
26. Concern Worldwide
27. CONCORD Sweden
28. Conseil des Béninois de France
29. Consortium of Migrants Assisting Organizations in the Czech Republic
30. Coordinadora Andaluza de ONGD
31. Coordinadora Cantabra de ONGD
32. Coordinadora de ONGD de la Región de Murcia
33. Coordinadora de ONGD del Principado de Asturias
34. Coordinadora de ONGD España
35. Coordinadora de ONGD Navarra
36. Coordinadora Extremeña de ONGD
37. Coordinadora Gallega de ONGD
38. Coordinadora ONGD de Castilla y León
39. Coordinadora Valenciana de ONGD
40. Cordaid
41. Detention Action
42. Detention Forum
43. Doctors of the World International network
44. EU-CORD Network
45. Eurochild
46. EuroMed Rights
47. European Association for the Defence of Human Rights
48. European Council on Refugees and Exiles
49. European Youth Forum
50. Federación Aragonesa de ONGD
51. Federación de Asociaciones de Derechos Humanos
52. Federation of Christian NGOs in Italy
53. FIACAT
54. FIDH

55. FIZ advocacy and support for migrant women and victims of trafficking
56. Flüchtlingsrat Niedersachsen e.V.
57. Forum des Organisations de Solidarité Internationale issues des Migrations
58. Fundacion 1º de Mayo de Comisiones Obreras
59. Fundación Alianza por los Derechos, la Igualdad y la Solidaridad Internacional –APS-
60. Greek Forum of Refugees
61. Habitat for Humanity International, Europe, Middle East and Africa
62. Handicap International
63. Human Rights Watch
64. Human Rights Without Frontiers
65. Instituto Sindical de Cooperación al Desarrollo –ISCOD-
66. InteRed
67. INTERSOS
68. Islamic Relief UK
69. Jesuit Refugee Service Europe.
70. Justice and Peace Netherlands
71. KISA-Action for Equality, Support, Antiracism
72. Koordinierungsstelle der Österreichischen Bischofskonferenz für internationale Entwicklung und Mission
73. La Strada International
74. Lafede.cat - Organitzacions per a la Justícia Global
75. Le Monde des Possibles
76. Macedonian Young Lawyers Association
77. Menedék - Hungarian Association for Migrants
78. Migrant Voice UK
79. Migrants' Rights Network
80. Movimiento contra la Intolerancia
81. Movimiento por la Paz –MPDL-
82. Nasc, the Irish Immigrant Support Centre
83. Norwegian Refugee Council
84. Oxfam
85. PAX
86. Pax Christi International
87. PICUM-Platform for International Cooperation on Undocumented Migrants
88. Plan International EU office
89. Platform Minors in exile / Plate-forme Mineurs en exil / Platform Kinderen op de vlucht (Belgium)
90. Red Acoge
91. Réseau de Compétences Solidaires - Groupement d'Economie Sociale et Solidaire France - Europe - Afrique
92. Réseau Immigration Développement Démocratie - IDD
93. Save the Children
94. SOS Children's Villages International
95. SOS Racisme – Touche pas à mon pote
96. Swedish Refugee Advice Centre
97. Télécoms Sans Frontières
98. Terre des Hommes International Federation
99. The International Federation of Social Workers European Region

100.The International Rehabilitation Council for Torture victims

101.the Norwegian Centre Against Racism

102.Trócaire

103.World Vision Brussels and EU Representation

104.ZOA