

Press Release



EU shouldn't shift its responsibility for refugees to Africa

When meeting this week in Brussels, EU leaders will discuss measures to tackle irregular migration in the Mediterranean, including recent proposals from the European Commission to set up asylum reception and processing centres in Libya.

ECRE is very concerned about any proposal which would allow EU States to evade their obligations to protect refugees by shifting the responsibility to countries with extremely dubious human rights records. *"Refugees are the first victims of the 'fight against immigration' that our governments are undertaking. While Europe is putting all its efforts in preventing as many people as possible from entering the EU irregularly, persons fleeing persecution around the world are finding it ever harder to reach a safe haven in Europe"*, said Bjarte Vandvik, ECRE Secretary General.

Proposals to set up EU-sponsored asylum processing centres in Libya or other third countries leave several fundamental questions unanswered:

- How would such initiatives comply with the 1951 Refugee Convention, the European Convention on Human Rights and other international human rights instruments?
- How will protection be provided to those individuals recognised as in need of protection in order to avoid massive long-term warehousing of refugees? For example, in Turkey, 8000 refugees recognised by the UN Refugee Agency remain without a durable solution and are still awaiting resettlement.
- How would such initiatives work in practice and what would be the financial cost?
- Do such initiatives foresee the use of detention? If so, how will this be compatible with states' obligations under the European Convention on Human Rights?

This debate is not new. Similar proposals have been considered and rejected in the past because they were incompatible with human rights law. When seeking support for his programme in 2004, European Commission President Barroso unambiguously committed before the Members of the European Parliament: *"I assure you that I stand against the setting up of camps outside the Union"*. Earlier discussions should not be forgotten or ignored. Five years on such proposals are still unlawful and untenable.

Facilitating legal entry for refugees to prevent deaths at sea

During his recent visit to Italy, Libyan leader Colonel Gaddafi referred to Africans as having no *"political or personal identity"* and claiming that they *"don't have problems of political asylum"*. In reality, statistics reveal that over 50% of asylum seekers arriving in Italy are recognised as refugees.

At present there are barely any lawful channels for refugees to reach Europe. *"Despite the rhetoric of states recognising the legal right to seek asylum, Europe is not providing refugees with an alternative to dangerous journeys, placing themselves in the hands of smugglers and traffickers in their attempt to reach protection"*, Vandvik added.

Methods employed to prevent unauthorized entry of migrants must allow for those seeking protection to be identified so they are not returned to any country without having their asylum claim examined within a fair process first. If the EU is serious about reducing the number of lives lost at sea, it should focus on ensuring that refugees can safely access protection in Europe by lifting visa requirements for people from certain countries, offering humanitarian visas and a greater use of resettlement.

Notes to Editors

- The European Council on Refugees and Exiles (ECRE) is an alliance of 69 refugee-assisting organisations in 30 European countries, working together to protect and respect refugees.
www.ecre.org/about_us
- ECRE Statement to the European Council is available at:
http://www.ecre.org/files/ECRE_European_Council_Memo_June_2009.pdf
- Last month, over 500 migrants, including pregnant women and children, were intercepted by the Italian coast guard and forcibly returned to Libya without an assessment of their need for protection. ECRE is concerned that the European Union is tacitly accepting this serious breach of Italy's international obligations.
http://www.ecre.org/topics/access_to_europe/pushbacks_to_libya
- In recent years, the European Union has increasingly focused its migration policy on preventing people from reaching its borders. For instance, the irregular arrivals by sea to the Canary Islands decrease over a 70% from 2006 to 2008. Figures have been taken from the Spanish Ministry of Interior.
http://www.mir.es/DGRIS/Balances/Balance_2008/pdf/bal_lucha_inmigracion_ilegal_2008.pdf
- José Manuel Barroso, President-Designate of the European Commission, Speech to the European Parliament, Strasbourg, 26 October 2004.
<http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/04/474>

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