

## **ACT Alliance call for a collective and rights-based response from EU Member States to the refugee crisis**

*“For I was hungry and you gave me food, I was thirsty and you gave me drink, I was a stranger and you welcomed me. (Matthew 25:35)”*

As of 24 August, refugee and migrant arrivals to Europe in 2015 hit 267,000 after death-defying journeys across sea and land. Less wealthy nations and developing countries take the biggest share of the millions of refugees worldwide, including 4 million Syrian people who found refuge in their region and UNHCR highlighted that major humanitarian operations supporting refugees - such as those for Syrian refugees hosted in the Middle East - are dramatically underfunded.

The majority of those taking the route to Europe are refugees coming from Syria, Afghanistan, Eritrea, Iraq and Somalia and their numbers continue to rise rapidly. Most people arriving are fleeing war, conflict or persecution at home, as well as deteriorating conditions in many refugee-hosting countries and countries of transit which do not offer safety or the possibility to establish a new existence. The lack of a safe and legal path to Europe forces these people to take risks and forces many to rely on smugglers. This puts them in danger of falling prey to traffickers and other criminals and of losing their life. UNHCR estimates that in 2014 more than 3,000 women, children and men lost their lives in the Mediterranean alone.

Migration is part of the human condition and in this conflict torn world, it is inevitable. Therefore the long term investment in the development of a coherent EU migration policy that fully reflects the human rights of migrants as enshrined in both international and regional law must be prioritized.

As faith-based organisations we are deeply committed to the inviolable dignity of all individuals, as well as to the concepts of the common good, global solidarity and the promotion of a society that welcomes strangers. ACT Alliance members are providing humanitarian aid in the countries of origin such as Syria and Iraq, in neighbouring countries such as Turkey, and Lebanon, as well as increasingly in transit countries such as Greece, Serbia and Hungary.

The ACT Alliance calls on the EU to protect the dignity and rights of migrants in crises.<sup>1</sup> We share the conviction that the core values of the European Union must be reflected by day-to-day politics. The response by EU and its Member States to the current refugee crisis must be governed by the values of the Lisbon Treaty such as solidarity, respect for human rights and the rule of law.

EU Member States are bound by several international legal instruments<sup>2</sup> for the protection of refugees which they have ratified, and by the right to asylum as laid down in European Union law (Article 18 of EU Fundamental Rights Charter).

It is against this background that we make the following recommendations for the development of safe and legal paths to protection in the European Union:

### **We call the EU and its Member States to take immediate action to**

- Consolidate and maintain concerted efforts to save the lives of migrants and refugees in jeopardy within and beyond EU borders and to increase the capacities for, preferably civilian, search and rescue operations in the Mediterranean.
- Put in place and finance legal and practical responses that respect the rights and dignity of persons seeking protection and improve their reception conditions - at least in line with EU minimum standards<sup>3</sup>

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<sup>1</sup> [https://info.brot-fuer-die-welt.de/sites/default/files/blog-downloads/act\\_alliance\\_call\\_migrants\\_in\\_crises.pdf](https://info.brot-fuer-die-welt.de/sites/default/files/blog-downloads/act_alliance_call_migrants_in_crises.pdf)

<sup>2</sup> In particular, Convention (1951) and protocol (1967) relating to the status of refugees

<sup>3</sup> Council Directive 2013/33/EU of 26 June 2013 laying down standards for the reception of applicants for international protection

- and to ease their access to asylum procedures in full respect and adherence to humanitarian principles and obligations according to international refugee law and international human rights law.
- Put in place adequate reception arrangements and policy measures to ensure safety and protection of unaccompanied children who e.g. in Italy, represent 8% of all refugees and migrants who have arrived in 2015.
- Considerably increase the places for the resettlement of refugees from different crisis regions to European states in line with UNHCR call to resettle 10 % of Syrian refugees outside the region, over and above a minimum annual resettlement quota for the EU. EU Member States need to come up with credible figures proving their commitment to share the responsibility to protect and the EU could - in addition to funding - offer expertise and policy coordination to encourage pledging of higher numbers.
- Put in place a fair and mandatory sharing of responsibility for refugee reception between EU Member States, and relocation and reception of refugees from Greece, Hungary and Italy to other EU Member States going beyond the pledges reached in July 2015.
- Maintain a regular dialogue and collaboration with civil society organisations, churches and other religious organisations which contribute to cover immediate basic needs, to provide counselling and legal advice to asylum seekers and monitor the situation both in Europe and in the regions in crisis.

**We call the EU and its Member states to review their migration and asylum policies in order to**

- Suspend visa requirements for refugees from war areas and dictatorships like Syria and Eritrea. The majority of refugees receive protection status once they have arrived, but are prevented from travelling safely. Visa applications are cumbersome and lengthy, even for those entitled to join their families.
- Provide humanitarian visas for refugees from crisis regions and to use the discussion on a Commission proposal for a new Visa Code<sup>4</sup> in order to make existing provisions more effective for protection purposes.
- Ensure that asylum applications are examined in the country chosen by the asylum seeker and to move towards mutual recognition of positive asylum decisions within EU and Schengen Member States.
- As laid down in the EU Family Reunification Directive<sup>5</sup>, be more flexible and offer more opportunities for family reunification for refugees.

**Furthermore, in complementarity with measures undertaken in Europe,** the EU and its Member States should invest more in relief and development initiatives, including those undertaken by civil society organisations, which improve the resilience and self-reliance of refugees and internally displaced populations in their region of origin. Financing refugees' reception and settlement in Europe should not be at the expense of the development cooperation and humanitarian aid budgets and should be additional to Official Development Assistance (ODA).

EU Member States obligations and responsibility to provide protection and asylum must be complementary to foreign policy and development cooperation actions with the countries and the regions of origin and the international community to address the root and underlying causes of forced displacement and to find political solution to crises. Rights-based human security and human and social development offering real prospects for local populations and especially for the youth should be the core objectives of EU and Member States efforts in the countries and regions of origin. So that migration becomes a choice and not a necessity.

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<sup>4</sup> European Commission, 1.4.2014: Proposal for a Regulation of the European Parliament and of the Council on the Union Code on Visas (Visa Code) (recast), COM(2014) 164 final.

<sup>5</sup> Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification (OJ L 251, 3.10.2003, p. 12).