



EUROPEAN PARLIAMENT

2014 - 2019

*Plenary sitting*

9.9.2015 B8XXX/2015

## **JOINT MOTION FOR A RESOLUTION**

to wind up the debate on the statements by the Council and the Commission  
pursuant to Rule 123(2) and (4) of the Rules of Procedure  
on migration and refugees in Europe

on behalf of the EPP Group

on behalf of the S&D Group

on behalf of the ALDE Group

**Judith Sargentini, Ska Keller, Jean Lambert, Ulrike Lunacek, Bodil  
Valero, Philippe Lamberts, Benedek Jávor, Bart Staes, Margrete Auken**  
on behalf of the Greens/EFA Group

**BXXX/2015**

**European Parliament resolution on migration and refugees in Europe  
(2015/XXX(RSP))**

*The European Parliament,*

having regard to the Charter of Fundamental Rights of the European Union,

having regard to the European Convention for the Protection of Human Rights and Fundamental Freedoms,

having regard to the Universal Declaration of Human Rights of 1948,

having regard to the 1951 Convention relating to the Status of Refugees and the additional protocol thereto,

having regard to its resolution of 9 October 2013 on EU and Member State measures to tackle the flow of refugees as a result of the conflict in Syria,

having regard to its resolution of 23 October 2013 on migratory flows in the Mediterranean, with particular attention to the tragic events off Lampedusa,

having regard to its resolution of 17 December 2014 on the situation in the Mediterranean and the need for a holistic EU approach to migration,

having regard to its resolution of 30 April 2015 on the latest tragedies in the Mediterranean and EU migration and asylum policies,

having regard to the European Agenda on Migration of the European Commission of 13 May 2015 (COM(2015)240),

having regard to the ten point action plan on migration of the Joint Foreign and Home Affairs Council of 20 April 2015,

having regard to the conclusions of the European Council Special Summit on the Mediterranean refugee crisis of 23 April 2015,

having regard to the Parliamentary Assembly of the Council of Europe (PACE) April 2012 report 'Lives lost in the Mediterranean Sea',

having regard to the Council conclusions of 20 July 2015,

having regard to the "Khartoum Process" EU-Horn of African Migration Route adopted on 28 November 2014 between AU and EU Member States and Institutions,

having regard to the reports of the UN Special Rapporteur on the Human Rights of Migrants, in particular the report "Banking on mobility over a generation: follow-up to the regional study on the management of the external borders of the European Union

and its impact on the human rights of migrants, published in May 2015,

- having regard to the EASO Annual Report on the Situation of Asylum in the EU for 2014,
  - having regard to the debate on migration and refugees in Europe, held in the European Parliament on 9 September 2015,
  - having regard to Rule 123(2) and (4) of its Rules of Procedure,
- A. whereas Europe witnesses, as a consequence of persistent conflicts, regional instability and violation of human rights, an unprecedented high number of persons seeking protection in the EU; whereas the number of asylum applications concerning children increased by 75 percent compared to last year; whereas the summer period has demonstrated once again migration is not a temporary issue and that the surge in refugee numbers looks set to continue pointing once more at the urgent need to do everything possible to save the lives of people who flee their country and are in danger and to the need for the Member States to abide by their international obligations including rescue obligations at sea;
- B. whereas 2800 women, men and children have been reported dead or missing in 2015 in their attempt to reach a safe place in Europe according to UNHCR data; whereas refugees and migrants lose their lives also over land in Europe;
- C. whereas smugglers and human traffickers exploit irregular migration and put at risk the lives of migrants for their own business profits, are responsible for thousands of deaths and pose a serious challenge to the EU and the Member States; whereas traffickers generate profits of EUR 20 billion per year from their criminal activities; whereas according to Europol organised criminal groups actively facilitating the transport of irregular migrants across the Mediterranean Sea have been linked to human trafficking, drugs, firearms and terrorism;
- D. whereas asylum seekers from Syria, Afghanistan, Eritrea and Iraq are the top countries of origin in 2015 according to FRONTEX data; whereas by far most people fleeing from these countries to Europe are granted protection, according to Eurostat;
- E. whereas regional instability and conflict, and the rise of IS/DAESH in neighbouring conflict areas, are having an impact on mass influx of migrants and flows of displaced people and therefore, on the number of individuals attempting to reach the EU;
- F. whereas the last European Council of 25-26 June 2015 and the following Justice and Home Affairs Council meeting on 20 July 2015 failed to produce an agreement on a binding relocation and resettlement redistribution mechanism and instead settled for a voluntary mechanism; whereas Member States failed to reach an agreement on providing 40,000 places for the relocation of refugees from Greece and Italy and instead pledged only 32,256 places;
- G. whereas President of the European Council Donald Tusk called on 3 September 2015 for at least 100,000 refugees to be redistributed;

- H. whereas instead of the current *ad-hoc* decision-making, a more long-term approach to asylum and migration is necessary;
  - I. whereas many citizens demonstrate an unprecedented level of solidarity with refugees warmly welcoming them and providing an impressive level of support; whereas the European citizens thereby show that protecting those in need and compassion remain truly European values;
  - J. whereas the current situation shows a regrettable lack of solidarity by governments towards the asylum-seekers, insufficient coordination and coherent actions; whereas this situation leads to chaos and human rights violations; whereas the different positions taken by different Member States continue to highlight the fact that the EU has 28 fragmented migration policies; whereas the lack of a unified asylum procedures and standards in the Member States provide different levels of protection, in some cases even inadequate guarantees for asylum-seekers;
  - K. whereas some Member States and their leaders took a proactive approach and demonstrated preparedness and good will to receive refugees, as well as to establish a permanent and mandatory mechanism to allocate refugees among all Member States; whereas other Member States should follow this good example;
  - L. whereas the strategic report on a holistic approach to migration of the Committee on Civil Liberties, Justice and Home Affairs will address EU asylum and migration policy in its entirety;
  - M. whereas under the 1951 Convention relating to the Status of Refugees (Geneva Convention) people can seek asylum regardless of their country of origin as long as they have a well-founded fear of being persecuted because of his or her race, religion, nationality, membership of a particular social group or political opinion;
1. Expresses its deep regret and sorrow at the tragic loss of lives of people seeking asylum in the EU; urges the European Union and the Member States to do everything possible to prevent further loss of life at sea or land;
  2. Expresses its solidarity with the high number of refugees and migrants who are victims of conflicts, grave violations of human rights, tangible governance failures and harsh repression;
  3. Welcomes the efforts of civil society groups and individuals all over Europe who are mobilizing in large numbers to welcome and provide aid to refugees and migrants; encourages European citizens to keep up their support and engagement for a humanitarian response to the refugee crisis; believes that such actions demonstrate true adherence to European values and hope for the future of Europe;
  4. Reiterates its support for its resolution of April 2015 on the latest tragedies in the Mediterranean and EU migration and asylum policies; recalls the need for the EU to base its immediate response to the current refugee situation on solidarity and fair sharing of responsibility, as stated in Article 80 of the Treaty on the Functioning of the

European Union (TFEU), and on a holistic approach that takes into account safe and legal migration, full respect for fundamental rights and fundamental values;

5. Reiterates its commitment to open borders within the Schengen area while ensuring effective management of external borders; stresses that free movement of people within the Schengen area has been one of the biggest achievements of European integration;
6. Welcomes the initiatives by the Commission on relocation and resettlement, including the new one for an emergency relocation of an increased number of asylum seekers in need of international protection covering Greece, Italy and Hungary; endorses the announcement by the Commission of a permanent relocation mechanism to be activated in emergency situations taking into account the number of refugees present in the Member State, which is based on Article 78(2) TFEU ; is prepared to deal with the new emergency relocation scheme in a fast-track procedure and declares its intention to advance all other measures proposed by the Commission in parallel to ensure that Member States are not delaying the permanent relocation scheme; reminds the Council that the Parliament is strongly in favour of a binding relocation mechanism which, to the extent possible, takes into account the preferences of refugees;
7. Welcomes the operational support the Commission will provide to frontline Member States such as Greece, Italy and Hungary via ‘Hotspots’ by using expertise from the EU agencies such as FRONTEX, the European Asylum Support Office (EASO) and the European police office (Europol), to help Member States with the registration of people arriving; reminds Member States that the success of such registration centres depends on their willingness to relocate refugees from the ‘Hotspots’ to their territory; believes that such approach should clearly provide for effective mechanisms for the identification of people with specific needs and for their onward referral to services;
8. Notes the Commission proposal to strengthen the “safe country of origin” provision of the Asylum Procedure Directive by establishing a common EU list of safe countries of origin; understands that this approach could limit the procedural rights of citizens from those countries; recalls that the acceptance rate for asylum applications vary greatly from one Member State to another, also as regards particular countries of origin; requests to ensure that this approach does not undermine the principle of *non-refoulement* and the individual right to asylum, especially of those belonging to vulnerable groups;
9. Reiterates its calls on the Commission to amend the existing Dublin Regulation to include a permanent, binding system of distribution of asylum seekers between the Member States, using a fair compulsory allocation key, while taking into account the prospects of integration and the needs and specific circumstances of asylum seekers themselves;
10. Calls on the Commission and Member States to create significant budgetary room and readiness in the 2016 budget and MFF provisions, enabling more swift and substantial support to the EASO and the Member States as regards their actions for reception and integration of refugees, including in the framework of the relocation and resettlement schemes;

11. Calls for a rapid and full transposition and effective implementation of the Common European Asylum System by all participating Member States; urges the Commission to make sure that all Member States are properly implementing EU legislation in order to ensure that common effective, consistent, and humane standards are applied across the EU;
12. Believes that the implementation of the Return Directive should go hand-in-hand with the respect of the procedures and standards that allow Europe to ensure a humane and dignified treatment of returnees, in line with the principle of *non-refoulement*; recalls that voluntary returns should be prioritised over forced returns;
13. Stresses that more emphasis should be given to the already launched Commission initiatives to provide further tools for protection for asylum seekers; considers that the EU and its Member States should explore, in addition to a compulsory resettlement programme, other measures for safe and legal access, such as humanitarian visas; asks Member States to consider the possibility to allow for people in need of protection to apply for asylum at their embassies and consular offices in third countries;
14. Recalls that Member States should lay down strong criminal sanctions against human trafficking and smuggling both into and across the EU; calls on the Member States to combat criminal networks of smugglers, but in the meantime not to sanction those who voluntarily help migrants on humanitarian grounds, including carriers by asking the Commission to consider revising Council Directive 2001/51/EC; takes note of the EUNAVFOR Med operation against smugglers and traffickers in the Mediterranean;
15. Regrets that the leaders of some Member States and the far right parties are using the current situation to fuel anti-migration sentiments while blaming the EU for the crisis, leads to growing numbers of violent actions against migrants; calls on the Commission and Member States to take urgent steps against violent actions and hate speech targeting migrants, also calls on the leaders of the EU and the Member States to clearly stand for European solidarity and the respect for human dignity;
16. Recalls that migration is a global and complex phenomenon that also requires a long-term approach that addresses its root causes, such as poverty, inequality, injustice, climate change, corruption, ill-governance and armed conflict; urges the Commission and the Council to focus the Valletta Summit in November on such root causes; underlines the need for a comprehensive EU approach, strengthening the coherence of its internal and external policies and notably its common foreign and security policy, development policy and migration policy; questions plans to link development aid to more border controls or readmission agreements by third countries;
17. Asks the EU, its Member States and other international donors to urgently deliver on the pledges made at the Financing for Development Conference held last June in Addis Ababa and stresses the need to refocus development policy on building peaceful societies, combatting corruption and promoting good governance as specified in Sustainable Development Goal 16 of the post-2015 global development framework;
18. Urges the EU, its Member States and the international community to reinforce its role in

conflict resolutions and in particular to help find sustainable political solutions in those regions in conflict, such as the Iraq, Syria, Libya and the Middle East, and to strengthen the political dialogue including with regional organisations encompassing all human rights elements, in order to support inclusive and democratic institutions and the rule of law, to build the resilience of local communities and to foster social and democratic development in the countries of origin and among their peoples; calls in this regard for greater cooperation with countries in the region within the Arab League and the African Union in order to manage, resettle, and grant asylum to persons in need of protection;

19. Calls on the Commission and the HR/VP to convene an international conference on the refugee crisis with the participation of the EU, Member States, UN related agencies, the United States, relevant international NGOs and Arab States among others with the aim of establishing a common global humanitarian aid strategy;
20. Instructs its President to forward this resolution to Council, Commission, the HR/VP and the governments and parliaments of the Member States.