

Ambassador Peter SØRENSEN
*Permanent Delegation of the European Union to the United Nations Office and other
international organisations in Geneva*

United Nations Human Rights Council
**Committee on the Protection of the Rights of All Migrant Workers and Members
of Their Families**

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Europe's refugee and migration crisis

[Check Against Delivery]

Mr. Chair, Dear Mr Carrion Mena,

Dear High Commissioner,

Dear colleagues

I would like to thank the OHCHR and particularly the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families for organising this discussion.

You rightly wanted to take the opportunity of this anniversary to reflect on the human rights violations still faced by migrant workers, and the challenges for States – in all regions of the world – in addressing these issues. Those before me have set out the challenges clearly: like them, I can only underline the fundamental importance that the EU attaches to protecting rights, of migrants, refugees, indeed every individual – both inside and outside our own borders.

I have been invited here for reasons obvious to us all, which go far beyond the scope of the Convention. The crisis gripping Europe right now is less about migrant workers than about people in need of protection – mostly refugees in fact. There are also many newly arrived migrants who may not be entitled to safe haven and a right to stay in the EU. That raises certain different obligations. But it never removes, it

can never remove, the obligation to uphold human rights. EU policy and action is rooted in our commitment to the promotion and protection of the human rights of migrants. It is based on the fundamental principles of non-discrimination and equality.

I am going to focus on the unprecedented crisis in Europe. What we have done, are trying to do, and what my authorities believe we need to do to make it better for everyone involved.

The challenges we are facing are huge. It would be irresponsible to minimize their nature and dimension. Let me recall with a few figures:

In the month of August over 80,000 migrants, refugees and asylum seekers arrived in Greece. Fewer than 6000 arrived in the same month in 2014. We are now at about 3000 each day by sea to Greece. While over land, into Hungary, 2000 people a day arrived in August. It is less the absolute numbers which mark out this crisis – though they are big - it is the very sudden and sharp increase. It is a huge multiplication in figures, for which the systems which were in place are – very visibly – not working.

I have just come back from the annual Ambassadors Conference at EU headquarters. I can assure you that there is certainly no absence of activity and preparation of new, operational actions and proposals. This year has already seen an unprecedented response to an unprecedented crisis. And tomorrow you will see proposals from the European Commission to do more.

And we have not been sitting on our hands until now as you know. It may already seem like the distant past but allow me to recall that special meetings of the European Council – all of the Heads of State and Government in the EU - were convened on 23 April and 26 June 2015. In April, our leaders committed themselves to mobilise all efforts at their disposal to prevent further loss of life at sea and to tackle the root causes of the migration crisis *as it was then*, in cooperation with the countries of origin and transit. It is as a result of decisions taken then that we are now in a situation where thousands are rescued every day from the sea by European vessels. And they are brought to safety in Europe.

UNHCR estimates that 322,000 people have set off for Europe by sea this year. Over 99% of them are now safe on European territory. Most were rescued or picked up *en*

route by European coastguard and other vessels. So the tripling of our Triton and Poseidon operations in April has made a big difference. Last Wednesday 3000 people were saved in waters off the coast of Libya. But I don't need to add it: last Wednesday 3 year old Aylan Kurdi, his 5 year old brother and his mother, were washed up on the shores near a popular beach resort. Those pictures have again alerted the world to the tragic plight of those fleeing persecution.

Again, let me take a step back. In May the European Commission put forward a new framework for action: the ***European Agenda on Migration***. It is comprehensive. It does frame a coherent, consistent and balanced approach to migration. It contains proposals to deal with the current crisis but looks ahead in order to strengthen our capacity to act.

This new Agenda on Migration is based on one fundamental consideration: managing this phenomenon is a shared responsibility. The actions include a number of concrete measures: on saving lives at sea; relocation and distribution mechanisms; an EU wide resettlement scheme; an action plan against migrant smuggling combined with enhanced cooperation with non-EU countries; and increased support for countries already hosting large communities of refugees and asylum-seekers.

So my authorities are deeply committed to delivering on every aspect of the European Agenda on Migration. Implementation is underway, albeit in a difficult context. I already mentioned Triton and Poseidon to save lives, the implementation of the “Hotspots” in Italy and Greece to better manage the flows of migrants that arrive on our shores, and the agreement on resettlement and relocation reached on 20 July. Yet the last few weeks have shown us – very graphically – that this is not enough. Tomorrow the European Commission will unveil new proposals. Much speculation surrounds them – I am afraid that until they come out I will not be able to join that speculation.

What I can say is that the next steps on the Agenda will include:

- a more permanent relocation scheme to relocate people in need of international protection from Member States facing emergency situations of high influxes of migrants at a given moment in time

- a common European list of Safe countries of origin to fast track asylum procedures for unfounded claims.
- measures to facilitate the safe and swift return of irregular migrants that are not entitled to international protection, whilst fully respecting human rights and the principle of non-refoulement.

Over the last weeks also, the EU has mobilised substantial emergency funding to help in the most critical situations. The emergency budget we have is 76.5 million euros. Thus far 34 million euro has been awarded in funding to Italy, Greece, Cyprus, Germany, France, Hungary, Netherlands and Bulgaria – and the 42.5 million left is set to be rapidly deployed as over the past weeks a number of Member States have submitted applications which are currently under accelerated assessment. Vice President Timmermans and Commissioner Avramopoulos were in Athens and Kos last week to work with the authorities there, along with UNHCR, the IOM and other key partners, to help accelerate operational responses.

So yes, we are in the midst of getting to grips with the latest surges in this crisis, but rest assured that the protection of migrants' rights is at the top of our priority list.

And we must not lose sight of the medium to long term while we manage the immediate challenges. The European Agenda on Migration also includes a proposal to increase resettlement efforts in the EU and enhance legal opportunities to work in Europe. We firmly believe that properly managed migration can be to the benefit of all. The policy aims to strengthen the framework for legal migration, taking fully into account the importance of integration into host societies. This is essential if we are to maximise the opportunities afforded by legal migration, and realise the potential that immigration has for the EU.

Again, I must underline that all EU border management and migration operations and policies will remain fully compliant with the Charter of Fundamental Rights and international human rights and refugee law. The EU NAVFOR Operation – designed to stop the people smugglers in their tracks - is conducted in full compliance with international law and human rights standards. There are dedicated human rights and gender advisers in the Operational HQ, and the mission has been cooperating with the UNHCR and the IOM on training for staff.

Mr Chair, Colleagues

Just as migration is a complex phenomenon, the full protection of migrants' rights requires a comprehensive approach managed through partnership, solidarity and cooperation between the countries of destination, transit and origin.

While it is vital to safeguard human rights of migrants who are already "on the move", it is equally crucial to tackle the *root causes* of irregular and forced migration. Why are people driven from their motherlands on risky and treacherous journeys in the first place? Ranging from poverty, conflict and human rights abuses, the root causes should and must be addressed through promotion of good governance, democracy, security, development cooperation and the protection of human rights in general.

With its new European Agenda on Migration, the EU has further broadened its cooperation with countries of origin and transit. It provides funding for many projects to be carried out in partnership with other countries, whose focus is on protecting migrants from abuse and human rights violations. These include, for instance, projects aimed at improving detention conditions, or the treatment of unaccompanied minor migrants, and at improving access to justice for migrants. Political action is already ongoing with key countries (e.g. Niger) and through regional frameworks (Khartoum, Rabat processes, Silk Route programs).

This diplomatic action will continue in New York shortly and through two multilateral processes framing two main points of pressure towards Europe: the EU-Africa Summit in Valetta and the ministerial on the Western Balkan/Eastern Mediterranean crisis.

The EU also supports many activities to combat trafficking in human beings. And last but not least, as the world's biggest donor, the EU has long been engaged in providing humanitarian assistance and development cooperation to ensure stability and socioeconomic development in partner countries.

So this is also a long term challenge, for which we have in place long term actions. But none of that helps those who remain in desperate need in the short term. The EU has been the leading donor to help the people forcibly displaced in and from Syria, with more than 3.7 billion euros since 2011. While continuing to support the efforts for

a political solution of the Syrian crisis – the only real hope for change - the EU remains committed to assisting the countries that are facing most of the refugee burden. We all have a duty to go further into our pockets to help those on the frontline, the real victims of conflict and destruction.

We need a long term agenda on migration, and are building it.

But we also need a short term agenda of humanitarian aid. In recent months more than ever before, the two have proven themselves to be linked.

In rising to the challenge before us, we shall have to continue to dig deeper than ever before. In spite of all the hurdles in our way, I remain confident that the EU will manage to do this.

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