European Humanitarian Corridors

in "Volt's Mapping of Policies" - "Challenge 4: Global Balance Migration Policy team"

Context: The European Commission, in the communication of 6 April 2016 "Towards a reform of the common asylum system and for the improvement of the legal routes of entry into Italy", in the title dedicated to "Guaranteeing and improving safe and legal migration routes" reaffirmed that "More legal channels are needed to allow people in need of international protection to arrive in Europe. Specifying that "Member States are also encouraged to make full use of other existing legal avenues for people in need of protection, such as permits for humanitarian reasons, and the Commission will evaluate ways to promote a coordinated European approach also in this respect". This intention is also confirmed in the Commission's proposal for a Regulation for the establishment of a European framework on resettlement of 13 July 2016, art. 3.

According to the lines of action of the United Nations High Commissioner for Refugees, there are three legal possibilities of protection for those who fled their country of origin due to persecution or serious dangers caused by a conflict: social integration in the host state; repatriation to the country of origin, once it has become safe again; resettlement in a country other than the first reception country, in all cases where the latter is unable to ensure the social integration of the refugee in its territory.

Having missed the obligation of international protection through the tools mentioned above, is therefore one of the causes of the many deaths in the Mediterranean Sea in recent years.

Europe persists to offer asylum only to those who manage to reach its borders. However, the Member State **national borders have become unreachable without an entry visa**, in the absence of which it is not possible to undertake the journey in a legal and safe way.

In 2015, the practice of externalisation became a pillar of the European and Italian agenda on immigration. Externalisation is collaboration with countries of origin and transit with the aim of easily expelling migrants from European territory or blocking them before reaching EU shores. It is articulated today, in the African continent, in the instrumental logic of linking migration, development and security. In this situation, usually defined as "**externalisation of borders**", **the lack of some sort of protection outside European borders, according to our values, represents a clear betrayal of the spirit of the Geneva Convention.** That especially if, as it happens, the violation of the principle of non-refoulement hides consequently behind the legal impossibility of arrival.

(For example: between 2014 and 2017 it is estimated that over 600,000 migrants, most of them from sub-Saharan Africa, reached the Italian coast from Libya. Around 100,000 of them were Eritreans, 80,000 Nigerians, 30,000 Gambians, and in this context, the city of Agadez, in northern Niger, has become a crucial hub for migratory flows from West Africa. It is estimated that in 2016 over 300,000 migrants en route to Libya and - in some cases - to Europe have passed through Agadez, coming from all of West Africa. The perception of a "migration crisis" on the continent has prompted the European Union to seek the collaboration of the Nigerian government to combat migratory flows deemed irregular through the externalization of border controls. The EU has ensured the Niamey government growing political endorsement - despite the erosion of democratic and legal standards in the country - and economic support. That turned Niger into one of the main recipients of the new cooperation funds. These measures resulted in a drastic reduction in migratory flows from Niger to Libya, with a consequent reorientation towards the North African route which - although more dangerous -

is subject to lesser control and interdiction. The cities of Gao and Timbuktu in Northern Mali are therefore progressively establishing themselves as alternative platforms to reach North Africa through the Sahara desert and Algeria. The hijacking of the trans-Saharan migration routes to the West also contributed into making Morocco the most attractive destination for migrants from West Africa. At the end of June 2019, Morocco cleverly negotiated an agreement (14367/18) with the European Union that provides for important commercial facilities and a substantial political safeguard in exchange for the contribution to the externalisation of European borders to combat migratory flows and terrorism.)

Recall that the main cause of forced migration remains war and violence and, recently, natural disasters (Undp 2019). Over half of all refugees worldwide come from conflict regions: Syria, Afghanistan and South Sudan. There is also an armed conflict in Myanmar and Somalia. In Germany, over 70% of registered asylum seekers have fled war or violent crises, according to the German Federal Office for Migration and Refugees.

Another compelling reason for migration are human rights abuses. In at least ten countries around the world, homosexuality and transsexuality are punishable by the death penalty. In many other states, it is punished with long-term imprisonment. In addition, the consequences of climate change - which affect the availability of food and water - force people to leave their homes.

We note that **it would be reductive to limit the use of protected entry procedures to migrants recognized as refugees under the Geneva Convention, thus making it the only gateway to international protection rights.**

<u>Beneficiaries must be identified both on the basis of their need for international protection and by referring to the criterion of vulnerability.</u>

Establishing humanitarian corridors could therefore offer a rescue tool for people who do not meet the legal requirements to obtain the formal recognition of international protection, who are not able to reach safely and legally the European borders, and however, due to their accentuated vulnerability, could still benefit from a humanitarian protection measure in place by the State of destination.

The essential procedural steps of the project:

> a. The preparation of a list of potential beneficiaries, based on the evaluation of the personal conditions of the recipients of the project, in compliance with the confidentiality legislation, carried out in the transit countries by the proposing organizations, in collaboration with the UNHCR, regarding people within its jurisdiction.

> b. After the proposers have sent the list to the consular authorities, the Ministry of Interior of the country of arrival will carry out the necessary checks;

> c. Once this list has been approved by the Ministry of the Interior, the Consular Authorities will issue an entry visa, with the exclusive purpose of allowing entry into the host country in a legal manner and in conditions of personal safeness;

> d. The State that receives the migrant, also through associations / private organizations, will have to ensure support to the beneficiaries, also with legal assistance in the subsequent hospitality and reception phase, requesting international protection from the competent national bodies, strengthening the pathways of social and cultural integration, acquisition of linguistic skills and work and social skills, with the aim of promoting the stabilization in the host country of the people included in the project, reducing voluntary secondary movements.

In the current state of art, humanitarian corridors are managed by private entities, such as NGOs and ecclesiastical organizations, which operate with the approval of the state. However, the modalities in Europe are manifold and often contradictory to each other.

Amendment Proposal: Volt believes that **the attitude of the European Union to offer asylum only to those who manage to reach its borders is anachronistic** in the face of the natural phenomenon of migration. In order to create a legal migration system, which allows an organic approach to the challenge posed by this phenomenon, we believe <u>**it is essential to develop a system of European humanitarian corridors that allows to better coordinate the action of the Member States.**</u> Too often, due to the Dublin Regulation and, in particular, the readmission practice contained therein, states adopt discording and disadvantageous demand analysis methodologies and parameters regarding most interested member states.

To combat human trafficking, to end the death of people along one of the world's most dangerous migration routes, **we aim to create hubs, that is, free zones, under the control of international organizations, including the EU itself, which should be placed on the border, on the territory of the neighboring State, with States recognized internationally as unstable and / or involved in internal or international conflict, in order to guarantee a short and safe journey to the subjects concerned by the program.**

The nature of these hubs will be twofold:

- **a first category of hub, considered temporary, will be designed for the temporary management of conflicts and positioned at the borders of the state participating in the conflict**;
- **a second, permanent category will be designed and positioned on the main migration routes.**

This strategic location would allow a greater interception of migratory flows, allowing to offer security, stability and legality to a large number of people.

Asylum applications would be submitted and evaluated in these hubs.

Transportation to safe countries, including non-European countries, **would occur later if protection is assured** and the necessary documents are released.

In the meantime, **the applicant must be hosted inside the hub under the control and protection of the international organization of competence**.

We also find it necessary to **entrust the management of these hubs to international organizations** and not to the government staff of the country where the hub is located. This preference for international organizations is dictated by the desire to avoid cases of exploitation and repression of freedoms that occur, for example, in Libyan camps. The important factor in hub management must be the attention paid to possible radicalization phenomena.

As regards the **criteria for identifying the beneficiaries**, the personal and family situations of the applicants will be examined with reference to a plurality of preferential criteria:

a) People from countries involved in international and / or internal conflict.

b) Persons recognized as deserving by UNHCR, at least prima facie, of the recognition of the refugee status under the 1951 Geneva Convention and its 1967 Protocol;

c) People who, although not included in the previous point, show a proven condition of vulnerability determined by their personal situation, age and health conditions;

d) Each of the criteria indicated in the previous points, if proven in its consistency and seriousness, can motivate the person's admission to the project.

In complementary form and not a substitute for the previous criteria, the following additional factors will be taken into account for admission to the project:

e) Persons who can benefit from support in the European Union or third countries for the declared availability of individuals, religious authorities or associations, to initially provide for their hospitality and support for a suitable initial period;

f) People who have stable family or social networks in European Union member countries and for this reason have declared that they want to establish and integrate in the member country indicated by them.

This criterion serves to facilitate the identification of integration paths and to exclude and / or limit any voluntary secondary movements.

Once arrived in Europe, or in a third country, migrants are welcomed by the promoters of the program and, in collaboration with other partners, are hosted in different houses and structures displaced throughout the country, according to the widespread reception model. Here they are offered an activity of integration into the social and cultural fabric, through language learning, schooling of minors and other initiatives. The reception part will be fulfilled pursuing a correct distribution of the migratory weight, the respect for human dignity and integration.

The currently exposed project should develop along a medium / long-term axis, given the difficulty of the addressed topic .

Implementation: The implementation of the project on humanitarian corridors will be financed, according to the operating entity, with the funds of the same, to the extent deemed necessary, paying attention, however, to the needs of refugees and other categories present in the structures in order to avoid situations of neglect and abandonment. The funds in question must also be used to meet the possible expansion needs of the structures, in the event of particularly serious circumstances, to avoid creating situations of overcrowding.

References

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