

ACT Alliance EU

28, Boulevard Charlemagne, BE-1000 Bruxelles

Caritas Europa

43, Rue de la Charité, BE-1210 Bruxelles

CCME – Churches' Commission for Migrants in Europe

174, Rue Joseph II, BE-1000 Bruxelles

COMECE – Commission of the Bishops' Conferences of the European Community (Secretariat)

19, Square De Meeus, B-1050 Bruxelles

Don Bosco International

8, Clos André Rappe, BE-1200 Bruxelles

Eurodiaconia

166, Rue Joseph II, BE-1000 Bruxelles

JRS-Europe – Jesuit Refugee Service Europe

205, Chaussée de Wavre, BE-1050 Bruxelles

European Federation of the Community of Sant'Egidio

26, Rue des Riches Claires, BE-1000 Bruxelles

ICMC – International Catholic Migration Commission

50, Rue Washington, BE-1050 Bruxelles

Protestant Church in Germany (EKD)

166, Rue Joseph II, BE-1000 Bruxelles

QCEA – Quaker Council for European Affairs

50, Square Ambiorix, BE-1000 Bruxelles

Our organisations represent Churches throughout Europe –Anglican, Orthodox, Protestant and Roman Catholic – as well as Christian agencies that are concerned with migrants, refugees, and asylum seekers. As Christian organisations we are deeply committed to the inviolable dignity of the human person created in the image of God, as well as to the concepts of the common good, of global solidarity and of the promotion of a society that welcomes strangers. We hold the conviction that the core values of the European Union as an area of freedom and justice must be reflected by day-to-day politics.

Areas of Focus

Legal and Safe - Pathways: The lack of safe and legal pathways for refugees leads to deaths at the borders and fuels human smuggling and trafficking. A principled response from EU Institutions and Member States is urgently needed. This response must be governed by the respect of the inalienable dignity of every human being and by the values defining European societies, such as compassion, solidarity, hospitality. It should aim at giving the rights enshrined in international law, e.g. the Geneva Convention and European law such as the right to asylum and the principle of non-refoulement, full practical effect. Resettlement, a 20-year-old practice in Europe, must be further expanded. We call for an ambitious scheme to follow the current 50.000 European resettlement programme, active participation in the implementation of the Global Compact on Refugees as well as adoption of the Resettlement Regulation under the Finnish Presidency. That way, the EU could also proportionately contribute to durable solutions globally. We advocate for a toolbox of safe and legal pathways, which includes, complementary to and in addition to resettlement, humanitarian admission, family reunification, private sponsorship and humanitarian visas. This approach acknowledges the different needs of refugee by offering different scenarios. None of these pathways should be instrumentalised for externalisation policies, or to deny the right to asylum for persons in need who are spontaneously arriving.

Humane and effective Common European Asylum System (CEAS): We deplore the trend witnessed in recent years in practice and legislative proposals to externalise international protection to third countries. Europe must bear the responsibility for persons applying for asylum. Regarding the situation within the EU, Members of the Christian Group are deeply

concerned about the weakness of the Common European Asylum System and feel that it does far too little to guarantee the effective protection and human rights of asylum seekers and other beneficiaries of international protection. Among other recommendations, we believe that all asylum applications should be handled in line with high procedural safeguards and with special precautionary measures for vulnerable persons and minors. All beneficiaries of international protection should receive the same benefits and rights. The CEAS should enable asylum applicants and persons with international protection to live in a humane and dignified manner in Europe and to integrate into their host societies. We therefore reject the approach where certain procedural safeguards, like access to reception conditions or social benefits are denied as a punitive measure for secondary movement.

Free movement: We believe that instead of reinforcing restrictions on free movement for beneficiaries of international protection, EU member states need to elaborate the conditions for the mutual recognition of positive protection statuses valid throughout the Union to enable intra EU mobility for those who have been granted protection. Allowing free movement mobility under certain conditions comparable to those of EU citizens would foster access to labour markets and self-reliance.

Dublin and Solidarity: The first irregular-entry criterion is the main pitfall of the Dublin System, as it arbitrarily shifts the main responsibility for asylum application examinations to Member States with external EU borders. Those countries of first arrival are thus overstretched, which not only undermines solidarity among EU member states but leaves many asylum seekers in overcrowded and otherwise precarious living conditions. A future Dublin system or any system of responsibility sharing should provide for the effective protection of asylum seekers and take into consideration asylum seekers' family links, personal ties and preferences in order to determine the country responsible for an asylum application in a way that would facilitate their integration into the host country. Transfer of asylum seekers to member states that cannot guarantee dignified reception and high-quality asylum procedures should not be acceptable.

Return: The EU return policy must guarantee the safety and dignity of returnees, and respect international and European safeguards as well as the Refugee Convention, especially the non-refoulement principle. People should never be returned to unsafe places where their life is at risk. Family unity should be strictly respected in the return process, as well as the best interest of the child. As during the asylum procedure, special safeguards must be put in place for vulnerable persons in return procedures as well. Voluntary return should always prevail over forced return and voluntary return programmes, for which beneficiary only sign up after an informed decision, should provide proper reintegration support. Detention should only be used as last resort, with due regard to proportionality, after alternatives measures to detention have been examined. We are concerned that the desire to increase return rates is at the expense of returnees' fundamental rights and negatively impacting procedural safeguards, especially the right to an effective remedy for appeal procedures including the suspensive effect. The prerequisite of a lawful return decision is a fair and transparent asylum procedure. The legal situation of people leaving in limbo (who cannot be returned due to circumstances beyond their control) should be clarified to avoid destitution.

Integration and Anti-Discrimination: Integration is a two-way process between newcomers and longstanding residents, which involves many actors – the immigrants themselves, the receiving government, institutions, and communities, to name a few. We therefore support integration based on dialogue and shared rights and responsibilities, ensuring full participation in accordance with the law, empowerment and inclusion of everyone in society. The EU should strengthen equal rights and opportunities by fostering anti-discrimination policies, by appropriate diversity management strategies within public institutions and by mainstreaming integration through a wide range of policies. Especially policies on social inclusion should cover asylum seekers, beneficiary of international protection, migrants and other vulnerable groups, too. Existing experiences and best practices at community level should be leveraged when adopting policies and frameworks for inclusion, countering thus racism and xenophobia and promoting integration

Legal Migration: The EU labour migration policy should protect fundamental rights, provide a secure legal status and a guaranteed set of rights in accordance with the respective ILO and UN Conventions and Council of Europe instruments, focusing on the integration of those who are admitted. Opening legal migration channels is beneficial for the migrants and their families, for countries of origin, for the EU and its Member States. The current European sectorial approach to labour migration leads to labour market segregation, a fragmentation of workers' rights and increases the complexity of the system. At the same time, the European migration policy still lacks channels for low and semi-skilled labour. Special attention should be paid to an ethical recruitment in certain sectors and protecting and strengthening human resources in developing countries need to be ensured. For the mutual benefit of the country of origin and destination, circular migration e.g. the portability of some social security benefits, particularly pension rights, should be facilitated. These issues must be addressed in dialogue with the partner countries. Safeguards must be put in place to avoid that the prospect of legal migration opportunities be misused, for instance, as a trade-off for readmission agreements.