

FOUNDATION FOR EUROPEAN  
PROGRESSIVE STUDIES  
FONDATION EUROPÉENNE  
D'ÉTUDES PROGRESSISTES



# Building Solidarity in Asylum Policy

Brussels, Concert Noble

5 November 2014

Massimo D'ALEMA

President of the Foundation for European Progressive Studies

For further information

please contact Ernst STETTER, FEPS Secretary General at [ernst.stetter@feps-europe.eu](mailto:ernst.stetter@feps-europe.eu)  
or Alain Bloëdt, FEPS Communication Advisor at [alain.bloedt@feps-europe.eu](mailto:alain.bloedt@feps-europe.eu)

FOUNDATION FOR EUROPEAN  
PROGRESSIVE STUDIES  
FONDATION EUROPÉENNE  
D'ÉTUDES PROGRESSISTES



I am delighted to welcome you all to the fourth edition of the Call to Europe conference, FEPS' yearly meeting, of which I am particularly proud as it marks the progress that the institution I have the honour of presiding over has made since its establishment.

This year I am especially pleased to introduce the Call to Europe, because the topic we are going to address together is crucially important. Asylum policy is in fact a question of life and death for many people. People who leave their countries driven by fear, the fear of violence, wars, genocides, discrimination, famine, economic deprivation, natural disasters. People who are not given the opportunity to live a decent life in the country they were born in, among the people they love, in the culture they know, speaking their mother tongue. And who risk their lives and come to Europe with a hope: leading a better life, ensuring a better future for their children.

I would like to state clearly from the beginning that it is not criminals we are talking about and they do not deserve to be treated as such. Hence, our goal shall be to work out an asylum policy that does not criminalise asylum seekers. What we do now is put refugees in detention centres, interrogating and cross-examining them to make them prove the crimes they have suffered. As if this were not enough, we keep punishing them by excluding them from the possibility of engaging with society and entering the labour market. And when they do enter the labour market, it is often through exploitative informal employment. This kind of treatment is simply unacceptable.

I believe it is time to conceive asylum as a process of coming to terms with the injustices refugees have suffered rather than as a way for subjecting them to further mistreatment. Unfortunately, this approach has been exacerbated by the increasingly nationalistic climate that is fuelling xenophobic sentiments in most EU member states.

These are not the principles and values on which the European Union was founded. And certainly these are not the principles on which the European legislation on immigration and asylum should be grounded.

The European Convention on Human Rights and Fundamental Freedoms provides for the principle of *non-refoulement*, that is, the prohibition to send an asylum seeker back to his or her country of origin, where he or she faces serious threats to his or her life or freedom, or may be subject to torture, inhumane or degrading treatment. This principle derives from the 1951 Geneva Convention and has been fully integrated in articles 18 and 19 of the European Charter of Fundamental Rights. Moreover, article 63 of the Lisbon Treaty established that the Union shall develop a common policy on asylum and immigration aimed at ensuring, at all stages, the efficient management of migratory flows and fair treatment of other-country nationals. Finally, it established that their implementation shall be governed by the principle of solidarity and fair distribution of responsibility, including the financial implications, among the member states.

Article 33 of the so-called Dublin 3 Regulation, which focuses on the mechanism for early warning, preparedness and crisis management, provides instruments that should help the Member States face emergency situations, such as the serious crisis we are currently dealing with in the Mediterranean, in a spirit of solidarity.

Finally, the European Union should arrange for the harmonisation of the national regulations on asylum applications. Regrettably, by all indications, these have all have largely remained on paper and have not been concretely applied in reality except perhaps partially or insufficiently .

According to the last report of the Asylum Information Data Base, in the first half of 2014, 70% of the refugees recognised as such were accepted in only five of the 28 EU member states, in order: Germany, France, Sweden, the UK and Italy. You should know that so far Hungary has accepted only 8% of the asylum claims received against the European average of 52%. These figures clearly show how far we are from the harmonisation of rules and the approaches required by article 63.

The data related to the origin and composition by age of the throng of refugees who try to cross the European borders is impressive. The available data are updated as of 13 August 2014. These numbers indicate that a large percentage of the asylum seekers come from Syria, Iraq, Libya, and Somalia. 21% are under 14 years of age. Often they are children who have been sent away by their parents, trying to save them from the tragedy of war. These youngsters travel alone with unscrupulous smugglers who, often by means of dangerous makeshift boats, ferry them north across the Mediterranean Sea.

Such a tragic emergency calls on Europe, once more, to be consistent with its own founding values, and to live up to that European culture, which is not only the result of the process of integration, but of a history of civilisation which has lasted many centuries. This is an extremely demanding challenge that will not come to an end in the short term and cannot be left to the single member states most exposed to the migration flows. This would not only be clearly unfair, but, as I mentioned earlier, against the letter and the spirit of the Treaties.

The adoption at the beginning of 2014 of the 2014-2020 multiannual financial framework which provided for new allocation of funds for asylum and migration policies is, in my opinion, an important step forward. It should allow the development of a European-wide asylum system with solid financial grounding.

How should we use these funds? Firstly, we should support a common refugee reception policy and sustain the gradual integration of the refugees in the country that is accepting them, also for those refugees that intend to stay in Europe only for a short time. The pursuit of these objectives cannot be entrusted exclusively to national policies and resources. In Italy, for instance, this is a very sensitive issue, also due to the enduring economic crisis.

Let me briefly underline an aspect that we should never neglect, particularly nowadays considering the difficult times we are living in. An effective social integration system also represents an element of stability and security for our countries. It goes without saying that if a State maintains high standards for the acceptance of refugees, the risks that they might turn to organised crime or terrorist groups will be much lower.

Another especially delicate question, which has been and still is at the centre of the debate, concerns the maritime border control and the sea rescue of those people who try to reach our shores. I hope that

today's debate will help clarify a problem that I consider extremely important. Operation Mare Nostrum, of which the Italians are very proud, came to a conclusion just a few days ago. It aimed mainly at the rescue of those people who have been seeking to cross the Mediterranean in a daring and risky way. We certainly cannot forget the tragedy of the thousands of people who died in this attempt. However, without Mare Nostrum the number of casualties would be enormously greater. Now, it is time to understand the scope and the profile of Operation Triton, which, according to the recent statements, will take over from Mare Nostrum and will head Frontex and, therefore, the EU.

To date the situation is quite ambiguous. On the one hand, the Italian government maintains that the European initiative aims at replacing Mare Nostrum. On the other hand, the European Commission – and precisely Commissioner Malmström when she was Head of Internal Affairs – stated, as I just said, that Triton should completely replace the Italian mission. However, I think the point is not so much under whose flag this operates as its objectives, which are two: the reinforcement of the European frontiers and the rescue of the desperate people who wish to reach our continent. Naturally the second objective, that is, saving human life, must be our priority and on no account should it be weakened.

This involves, understandably, a difficult challenge for the EU. The objective that the Union must set for itself is to commit its political and financial resources, and - when necessary - its military resources, to bring back peace and stability in the Southern part of the Mediterranean and to confront and eliminate any form of oppression, terrorism, fanaticism and intolerance. We must go to the roots of evil and remove the causes that have produced the humanitarian emergency in the Mediterranean.

Asylum and immigration policy cannot be separated from overall foreign policy. Any position or action taken by our governments should always take into account the effects they will have on migration flows too. However, what is not acceptable is that in addressing this emergency – up to whenever - Europe fails in its values and its duties. What we cannot accept is selfishness, racism, the assumptions of those who confuse refugees and illegal immigrants, the cynicism of those who prefer to look away and not see the tragedy that unfolds a few miles away from us.

The Europe we want is not this one. Neither can the economic crisis justify the betrayal of the basic reasons – the defence of peace, democracy, people's freedom and dignity – by which our founding fathers established the European Union.

