



PRESS RELEASE

SVR urges greater Europeanisation of refugee protection

The Expert Council of German Foundations on Integration and Migration (SVR) presents guidelines for refugee policy in Europe. The current refugee crisis requires a fair system of refugee distribution with the involvement of every EU Member State. This also includes the introduction of a permanent distribution mechanism which is mandatory for all Member States.

Berlin, 15 September 2015. As a result of the current refugee crisis that was triggered by the civil war in Syria and other trouble spots at 'Europe's doorstep', Germany and the European Union as a community of shared values are facing acute challenges which, until recently, were almost unimaginable in terms of their intensity and dramatic nature. The EU's existing refugee policy instruments are not up to the task.

Not only are immediate measures called for, but the structure of the Common European Asylum System (CEAS) needs to be further developed for the medium term. "We urgently need greater Europeanisation of refugee protection. A joint European response is the only way to handle the current refugee crisis," said Prof. Dr. Christine Langenfeld, Chairwoman of the Expert Council of German Foundations on Integration and Migration (SVR). "Greater Europeanisation, however, cannot mean closing Europe's doors – this would contradict its fundamental humanitarian values – nor can it mean completely opening the borders and allowing asylum seekers to freely choose which country they would like to apply for asylum in. Which is exactly what has happened over the last few days. This has led to chaotic situations and once again plainly highlights the collapse of Dublin in the current crisis," said Langenfeld. "The temporary introduction of border controls is a response to this but also a response to the EU's inability to take action thus far in the refugee crisis."

"The resolutions passed by the EU's Home Affairs Council yesterday evening lag far behind the urgency of the situation," said the SVR's Chairwoman. "It is important the EU Interior Ministers were able to agree on a system of refugee distribution within the EU as a first step. However, the crucial element is a permanent and mandatory distribution mechanism for refugees clearly in need of protection in which all Member States participate. Exceptions would only be allowed for justified reasons consistent with the values of the EU. The countries concerned, however, would then have to provide financial compensation. The eastern European Member States in particular should reconsider their position. It is essential that consensus be found before the next session of the EU Council of Interior Ministers on 8 October. The asylum crisis is a litmus test for the EU. The situation is too serious for further indecisiveness." If agreement cannot be reached, pressure on the freedom of movement guaranteed under the Schengen Agreement will intensify. This would be a huge step backwards.

"One of the highest priorities is to establish a system for the fair distribution of refugees with the involvement of all EU Member States," said Langenfeld. On the one hand, refugees in need of protection have to be immediately relocated from countries like Hungary, Italy and Greece, which are unable to cope in terms of logistics and infrastructure. On the other hand, we need a permanent and mandatory quota for the future to redistribute refugees clearly in need of protection who are fleeing civil war and terror en masse and can therefore overwhelm the countries of reception. Other elements of a crisis-resistant EU refugee policy include rapid establishment of registration facilities (Hotspots) at Europe's external borders which are operated in collaboration with European institutions (EASO, Frontex, Europol and Eurojust), collective reception programmes that ensure safe and calculable access to asylum and the



broad field of working to eliminate the root causes for flight. "A fair and well-functioning system of refugee reception is essential for maintaining public acceptance and preventing political radicalisation."

At the same time that refugee policy currently is renationalising, humanitarian reception conditions have begun a downwards spiral, leading to inhumane conditions in the reception and accommodation of refugees in a number of EU countries. "A sustainable concept for managing the refugee crisis must eliminate these extremes and find acceptable practical policies for restoring order in the asylum system," said Langenfeld. "Europe must meet its humanitarian obligations towards refugees – together and in solidarity. But Europe also has to regain control of asylum migration, further develop the Common European Asylum System and – most importantly – enforce it in the Member States."

The SVR's recommendations in detail:

1. Greater Europeanisation of refugee policy, form an international alliance

The SVR is resolutely in favour of greater Europeanisation of refugee policy. The Expert Council expressly supports the most recent proposals of the European Commission on refugee policy. Especially in times when the influx of refugees is extremely high, it is essential that all of Europe share this responsibility because otherwise individual countries reach the limits of their capacity. Fair distribution of refugees strengthens the Member States' willingness to meet reception standards and accept more refugees. In this context, the Expert Council supports the European Commission's proposal to relocate 160,000 refugees clearly in need of protection from the reception facilities in Italy, Greece and Hungary to other EU countries. Under this proposal, Germany would take in a total of around 40,000 refugees. But first, in view of the enormous challenges and dramatic events, short-term emergency measures are needed that require political agreement in the EU. All EU Member States are hereby called upon to assume more responsibility for refugees within the means at their disposal. Accepting refugees must be viewed as a shared European responsibility. Countries with existing 'opt-out/opt-in clauses' (United Kingdom, Ireland and Denmark) should make a substantial contribution to these efforts. These formal 'non-responsibility clauses' do not release these countries from their humanitarian responsibility and European solidarity, particularly in these extreme times.

The intake of refugees cannot just be limited to the countries in the crisis region and the European Union given the sheer numbers of refugees. Other industrial nations also need to play a greater role. To this end, the UNHCR should convene a global conference in the near future at which all countries commit to taking in a certain number of refugees.

2. Rapidly establish registration facilities (Hotspots), distribute refugees in solidarity

Setting up registration facilities (known as Hotspots) for large numbers of protection seekers arriving spontaneously at the EU's external borders, as is currently planned in Hungary, Greece and Italy, is a step in the right direction. Because without them, refugees cannot be redistributed. At these Hotspots, the competent European institution agencies (EASO, Frontex, Europol, Eurojust) will work together with the respective national authorities to register new arrivals and screen them to determine if they are in need of protection. This process is necessary because the countries mentioned are unable to handle systematic registration and accommodation on their own given the large numbers of refugees.

The Expert Council supports the EU Commission's proposal to apply a permanent and mandatory redistribution mechanism for refugees after this first reception. The mechanism should also take into account the refugee's interests to the extent possible, i.e. whether the refugee has family, linguistic or other ties in a certain reception country. In every case, it must be ensured that the treatment of refugees upholds the commonly agreed standards for recognition, processing and accommodation.



3. Reorganise structure of CEAS independently of acute crises

To strengthen European asylum policy over the long run, the Expert Council also proposes a structural reorganisation of the CEAS, one that is permanent and extends beyond acute crises, as we are currently experiencing it given the many tens of thousands of refugees from the civil war regions of the Middle East. This reorganisation, however, requires that the humanitarian standards established in the Common European Asylum System are also actually applied in all EU Member States. At the core of the Expert Council's proposal are the rights to freedom of movement in the EU after a refugee's status has been recognised in a Member State. We propose retaining the responsibility of the first country of entry (Dublin principle), but then combining 'Dublin' with the principle of free choice of EU destination country *after* the asylum procedure has been successfully completed in accordance with the following principles: the country of first entry is still responsible for reception, the asylum procedure and the return of refugees whose status is not recognised. It receives calculable financial and logistical aid for assuming this shared responsibility which eases the burden on all other Member States. The countries of first entry, for their part, would be required to strictly comply with the standards set forth in the CEAS for refugee housing and the asylum procedure. If this is successful, and the countries of first entry in southern and eastern Europe applied recognition criteria the same way as the other EU countries, the right to freedom of movement within the EU for recognised refugees could be introduced in a second step. For refugees, implementation of the Expert Council model would mean that *after* their asylum petition has been approved, they would be allowed to move to the EU country of their choice to pursue economic opportunities or join family members.

4. Expand collective reception programmes for civil wars and similar situations

Collective reception procedures for refugees from third countries which free up administrative capacities to process individual asylum applications also need to be expanded for the future. Experiences with the temporary acceptance programme for Syrian refugees have been positive. These programmes should be structurally optimised and continued in Germany and could serve as model for other EU countries. All EU countries should also participate here based on the principle of fair responsibility and financial burden-sharing. A mechanism of this kind that enables EU-wide acceptance of a large influx of refugees outside of the individual asylum process and outside of the Dublin system is already embedded in EU law in the Temporary Protection Directive. However, no binding quotas can be defined under the scope of this Directive, the Member States participate on a voluntary basis. The EU Commission's proposal to include a mandatory redistribution mechanism in the Dublin Regulation rightly goes beyond this.

In addition, the Joint European Resettlement Programme which gives people from third countries in need of protection access to and permanent residence in Europe should be expanded as quickly as possible. These kinds of programs prevent people who are seeking protection from embarking on the dangerous journey to Europe and entering the EU illegally. The pledges made by the European governments in June to provide 20,000 new resettlement places over the next two years are welcome, but not nearly enough to alleviate the situation for individuals in search of protection. The Joint European Resettlement Programme must, as a result, be considerably expanded.

5. Provide more support for crisis regions, address the root causes for flight

The inner-European redistribution and acceptance of refugees from third countries must go hand-in-hand with greater EU commitment to provide support for refugees in the crisis regions. Aid for countries that have taken in large numbers of refugees (Lebanon, Turkey, Jordan) must be significantly and rapidly increased; resources must be provided to the UNHCR. In these countries, accommodation for refugees continues to be inadequate and inhumane which leads many to migrate to Europe. The diplomatic initiative planned by the EU Commission to end the conflicts in Syria and Libya is emphatically



welcomed. Successfully ending the violence in the countries would be the most effective refugee policy. In addition, efforts to eliminate the root causes for flight must be intensified.

6. Return individuals not entitled to protection, provide information about legal immigration option

To maintain a high level of public acceptance for taking in refugees and be able to provide the resources in the asylum system for people in need of protection, it is important that humanitarian protection is only given to the people who actually need it. For those driven to Europe by economic hardship, asylum is not an appropriate option. The asylum process is intended to grant protection in crises, from persecution and civil war; however, it may not and is not intended to be an alternative to labour migration. This means that asylum seekers whose applications are rejected also have to be returned. At the same time, legal migration options must be expanded for labour immigrants and existing channels communicated more effectively. What are known as mobility partnerships should also be significantly expanded with suitable countries as part of these efforts, preventing many people from embarking on the dangerous trip across the Mediterranean Sea. More information needs to be provided about the current options for legal immigration so that people who want to come to Europe in search of work do not go down the asylum road.

7. Strengthen public acceptance, punish attacks on refugee homes

While refugees in Germany have been received, on the one hand, with great openness and impressive support from private citizens, anti-refugee assaults and attacks on refugee homes are also on the rise. These crimes must be punished to the full extent of the law. In addition, it is one of the primary responsibilities of politicians to provide extensive information to the public and include them in planning at the local level as much as possible. Refugee policy must be explained and a case made for accepting refugees time and again. This dialogue is a never-ending responsibility which is creating huge challenges for policymakers and government authorities. But it also needs the involvement of other societal actors including churches, charitable organisations, foundations, media, etc. The refugee crisis can only be successfully managed working together with society as a whole.

Your contact for press enquiries:

Dorothee Winden, Communication
SVR GmbH, Neue Promenade 6, D-10178 Berlin
Tel. 0049-(0)30/288 86 59-18 and presse@svr-migration.de

About the Expert Council

The Expert Council of German Foundations on Integration and Migration is based on an initiative of the Stiftung Mercator and the VolkswagenStiftung and consists of seven member foundations. In addition to the Stiftung Mercator and the VolkswagenStiftung, these are: Bertelsmann Stiftung, Freudenberg Stiftung, Robert Bosch Stiftung, Stifterverband für die Deutsche Wissenschaft and the Vodafone Foundation Germany. The Expert Council is an independent and non-profit monitoring, evaluating and advisory council which takes a stand on issues relevant to integration and migration policy and offers practically oriented policy consultation. The results of its work are published in an annual report.

The SVR includes nine researchers from different disciplines and research institutes: Prof. Dr. Christine Langenfeld (Chairwoman), Prof. Dr. Ludger Pries (Deputy Chairman) as well as Prof. Dr. Gianni D'Amato, Prof. Dr. Thomas K. Bauer, Prof. Dr. Wilfried Bos, Prof. Dr. Claudia Diehl, Prof. Dr. Heinz Faßmann, Prof. Dr. Christian Joppke and Prof. Dr. Hacı Halil Uslucan.

More information can be found at: www.svr-migration.de