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B8-0384/2015

MOTION FOR A RESOLUTION

to wind up the debate on the statements by the European Council and the Commission

pursuant to Rule 123(2) of the Rules of Procedure

on the latest tragedies in the Mediterranean and EU migration and asylum policies
(2015/2660(RSP))

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on behalf of the S&D Group

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European Parliament resolution on the latest tragedies in the Mediterranean and EU migration and asylum policies (2015/2660(RSP))

The European Parliament,

- having regard to the Charter of Fundamental Rights of the European Union,
- having regard to the European Convention for the Protection of Human Rights and Fundamental Freedoms,
- having regard to the Universal Declaration of Human Rights of 1948,
- having regard to the Geneva Convention of 1951 and the additional protocol thereto,
- having regard to the outcome of the European Council conclusions of 23 April 2015,
- having regard to its resolution of 17 December 2014¹ on the situation in the Mediterranean and the need for a holistic EU approach to migration (2014/2907(RSP)),
- having regard to the speech by the President of the European Parliament during his visit to Lampedusa on 2 and 3 October 2014 to mark the anniversary of the tragedy of 3 October 2013,
- having regard to the reports of its Committee on Civil Liberties, Justice and Home Affairs on the visits by its delegations to Lampedusa in November 2011, to Jordan on refugees from Syria in February 2013, and to Bulgaria on the situation of asylum seekers and refugees, in particular from Syria in January 2014,
- having regard to the debates in its plenary session of 9 October 2013 on EU migratory policies in the Mediterranean, with particular attention to the tragic events off Lampedusa,
- having regard to the debates held, since the beginning of the current legislature, in the its Committee on Civil Liberties, Justice and Home Affairs on 22 July 2014 on the implementation of the communication on the work of the Task Force Mediterranean; on 4 September on Frontex activities in the Mediterranean and on the Task Force Mediterranean; on 24 September on the Commission 5th annual report on immigration and asylum (2013)² and on the European Asylum Support Office (EASO) annual report on the situation of asylum in the European Union (2013),
- having regard to the Commission communication on the work of the Task Force Mediterranean of 4 December 2013 (COM(2013)0869),

¹ Texts adopted, P8_TA(2014)0105.

² COM(2014)0288.

- having regard to the European Council conclusions of 20 December 2013,
 - having regard to the Commission working document of 22 May 2014 on the implementation of the Communication on the work of the Task Force Mediterranean (SWD(2014)0173),
 - having regard to the conclusions adopted by the European Council at its meeting of 26-27 June 2014, in which it defined the strategic guidelines for legislative and operational planning for the coming years within the area of freedom, security and justice,
 - having regard to the political guidelines for the next Commission, presented by President Juncker at Parliament’s plenary on 15 July 2014,
 - having regard to the European Economic and Social Committee opinion on European immigration policies of 11 September 2014,
 - having regard to the commitments made by the Commissioner for Migration, Home Affairs and Citizenship, Mr Avramopoulos, at his hearing in front of the Committee on Civil Liberties, Justice and Home Affairs, on 30 September 2014,
 - having regard to the Council conclusions on taking action to better manage migratory flows, adopted on 10 October 2014,
 - having regard to the Parliamentary Assembly of the Council of Europe (PACE) April 2012 report ‘Lives lost in the Mediterranean Sea’,
 - having regard to the annual reports of the UN Special Rapporteur on the Human Rights of Migrants, in particular the report, published in April 2013, on the management of the EU’s external borders and its impact on the human rights of migrants, and the report, published in April 2014, on labour exploitation of migrants,
 - having regard to Rule 123(2) of its Rules of Procedure,
- A. whereas within the last two weeks more than one thousand migrants have died, with more than 30 000 potential fatalities in the Mediterranean sea over the course of this year, according to estimates by the International Organisation for Migration, pointing once more to the need to do everything possible to save the lives of people in danger and to the need for the Member States to abide by their international sea-rescue obligations;
- B. whereas asylum seekers from Syria, Afghanistan and Iraq are among the leading countries of origin in February 2015, whereas more than two thirds of them have right to asylum or subsidiary protection¹;
- C. whereas the 10-point plan announced by Commission and the Ministers of Foreign Affairs and the Ministers of the Interior on 20 April 2015 and the conclusions of the European Council of 23 April 2015 are disappointing;

¹ <https://easo.europa.eu/wp-content/uploads/EASO-Newsletter-March-2015.pdf>

- D. whereas the Mare Nostrum operation devoted solely to search and rescue in the high seas so as to enhance humanitarian rescue activities in the Mediterranean rescued 150 810 migrants in a period of 364 days¹; whereas the assertion that that operation constituted a ‘pull-factor’ and that in consequence its termination would reduce the number of migrants trying to cross the Mediterranean – and those who might die trying – was unfounded, the number of arrivals in 2015 to date being considerably higher than for the same period in 2014;
- E. whereas the Triton joint operation coordinated by Frontex became fully operational on 1 November 2014 with an initial budget of only EUR 2.9 million per month, compared with around EUR 9 million for Mare Nostrum;
1. Expresses its deep regret and sorrow at the tragic loss of life in the Mediterranean;
 2. Welcomes the fact that the VP/HR and the Latvian Presidency immediately convened an extraordinary joint council of Ministers of Foreign Affairs and Ministers of the Interior in Luxembourg, in which a broad first debate was held on options for saving lives, fighting against smugglers and traffickers and sharing responsibility as regards reception and protection among Member States;
 3. Welcomes the fact that the Member States immediately convened an extraordinary summit in order to find common solutions in response to the crisis situation in the Mediterranean; considers it regrettable, however, that the measures taken are still largely insufficient, and urges all Member States, all European institutions and all European agencies to take immediate action in response to the crisis situation in the Mediterranean, which should be based on solidarity and fair sharing of responsibility, as stated in Article 80 TFEU, and on a holistic approach that takes into account all of the dimensions of the phenomenon, including safe and legal migration, full respect for fundamental rights and fundamental values and third countries’ cooperation;
 4. Calls on the Member States to respect the principle of non-refoulement, in compliance with existing international law;
 5. Welcomes the European Council commitment to reinforcing the EU Triton operation by increasing funding and assets; urges the EU to establish a clear mandate for Triton so as to expand and increase EU search and rescue operations in the high seas beyond the 30-mile limit, with the purpose of saving lives of migrants in distress;
 6. Deplores the fact that the European Council failed to set up a credible EU-wide binding mechanism for solidarity which would encompass a compulsory resettlement scheme along with emergency relocations between Member States. In this context, it is essential to proceed to revise the Dublin III Regulation and create a fair distribution quota between the Member States, based on GDP, size and population, unemployment rates, the number of refugees already present and, to a certain extent, their personal choices; urges the Member States, in the meantime, to fully use the criteria provided for in the Dublin III Regulation, such as the unaccompanied children, family reunification and discretionary clauses;

¹ <http://www.marina.difesa.it/EN/operations/Pagine/MareNostrum.aspx>

7. Calls for a rapid and full transposition and effective implementation of the Common European Asylum System by all participating Member States, thereby ensuring common European standards under existing legislation;
8. Stresses that in 2014 nearly half of the asylum seekers arriving in Europe were entitled to asylum or subsidiary protection or were authorised to stay for humanitarian reasons; emphasises, therefore, the need for an increased use of safe and legal avenues, such as humanitarian visas, and a credible and substantial EU-wide compulsory resettlement scheme, including a binding quota for distribution; stresses that, in addition to a strong resettlement programme, Member States should agree to provide other legal avenues, such as enhanced family reunification, private sponsorship schemes and flexible visa arrangements, including for study and work purposes;
9. Calls on the Council of Ministers, in this context, to trigger the Temporary Protection Directive of 2001 or Article 78(3) TFEU, which both provide for a solidarity mechanism in the event of mass and sudden inflows of displaced persons;
10. Recalls that asylum is a fundamental human right guaranteed by international laws and obligations that are binding on all Member States; stresses, therefore, that Member States should make increased use of the procedures at their disposal as to how urgent protection claims can be dealt with, by making increased use of the existing legal framework¹, including the examination of applications for asylum lodged at their consulates in third (non-EU) countries;
11. Recalls the need to support third countries – particularly those under pressure – through institution- and capacity-building and, in particular, by supporting viable and well-functioning asylum systems;
12. Recalls that close cooperation and partnership with third countries of origin and transit is essential in order to define a comprehensive approach to EU migration and asylum policy; calls on the Commission and on the VP/HR to scale up efforts for renewed cooperation with strategic partners in the existing framework in order to define joint actions for fighting against criminal networks, building and reinforcing protection and asylum capacities for stranded migrants along main routes and offering safe options for people qualifying for international protection, in close cooperation with the United Nations High Commissioner for Refugees (UNHCR);
13. Welcomes the intention to convene an EU-African Union summit in Malta, with the participation of all key African countries concerned; recalls the need for the summit to address not only the fight against smuggling and trafficking, but also the need to secure access to protection and asylum and, more broadly, the root causes of migration, including poverty, conflict and persecution;
14. Welcomes the efforts of the VP/HR in support of the UN-led negotiations for the

¹ At the end of 2013, the EU's main court (the CJEU) already ruled in the Koushkaki case that the EU's current visa code requires Member States to issue visas to applicants if the criteria for issue are met. According to the current visa code, an LTV visa 'shall be issued...when the Member State concerned considers it necessary on humanitarian grounds, for reasons of national interest or because of international obligations'.

establishment of a government authority in Libya;

15. Recalls that migration is a global and complex phenomenon that also requires a long-term approach that addresses its root causes, such as poverty, inequality, injustice and armed conflict; urges the EU, its Member States and the international community to help find sustainable political solutions in those countries in conflict and to strengthen the political dialogue encompassing all human rights' elements, in order to support inclusive and democratic institutions, to build the resilience of local communities and to foster social and democratic development in the countries of origin and among their peoples;
16. Welcomes the idea of joint processing asylum applications in frontline Member States with the support of EASO teams; stresses the need to examine the possibilities of mutual recognition of asylum decisions as an additional form of solidarity;
17. Stresses the need to develop, in addition to the abovementioned points, joint actions, in close cooperation with the relevant agencies, against criminal networks of migrant-traffickers, in order to prevent them from earning money by putting migrants' lives at risk; calls on the VP/HR and on the Commission to increase cooperation with third countries of origin and transit in association with the relevant EU and UN agencies and international organisations;
18. Recalls that the purpose of this resolution is to respond to the recent tragic events in the Mediterranean, to the European Council Conclusions of 23 April 2015 and to propose a set of urgent measures to be taken immediately, bearing in mind that the Committee on Civil Liberties, Justice and Home Affairs – the competent committee for such matters – is currently drafting a report which will reflect Parliament's medium- and longer-term policy orientations on migration;
19. Calls on the Commission to develop and come up with an ambitious European agenda on migration based on a holistic approach and solidarity that takes into account the measures and proposals included in this resolution;
20. Instructs its President to forward this resolution to Council, Commission and the governments and parliaments of the Member States.