

EU solidarity under pressure: responses to the migrant crisis in North Africa and the Southern Mediterranean

Policy Dialogue – 31 March 2011

Summary

The EU Commission has responded quickly and positively to the migrant crisis in North Africa, agreed speakers at an EPC Dialogue, but more needs to be done. It was suggested that the EU Directive giving temporary protection to displaced persons should be activated. In the long term, if the region is to succeed, there is a need for capacity building in North Africa that will change the dynamics of society. Representatives from Italy and Malta presented the situation from the perspective of their countries and emphasised the need for EU Member States to translate the principle of solidarity into something practical.

Full Report

Opening the dialogue, **Yves Pascouau**, EPC Senior Policy Analyst, said that the two questions that need to be addressed are, what has been done and by whom, and will the EU overcome the challenge of solidarity?

Explaining how Italy saw the situation, Ambassador **Ferdinando Nelli Feroci**, Permanent Representative of Italy to the EU, said that the migratory crisis is only one of several issues that need to be dealt with. On a broader level the EU is committed to support the transition to democracy in Egypt and Tunisia.

Italy has been involved in the evacuation of EU citizens and the management of the humanitarian crisis on the borders of Tunisia, Egypt and Libya. There are a number of issues and challenges for the European Union.

The first challenge is linked to the people who have fled conflict, and are still in provisional accommodation. The second challenge is the migratory flows towards the northern border of the EU. The overwhelming majority of people leaving Tunisia and Libya are trying to reach the EU through Italy. The numbers are striking, since the beginning of this year approximately 22,000 people have arrived in Sicily, mostly on the island of Lampedusa. This compares with 4,500 irregular migrants in 2010 and 9,500 in 2009. Most of these are irregular migrants from Tunisia, only about 3,300 are asylum seekers, but this figure may increase when more immigrants from Libya arrive.

The Ambassador said that the question at the heart of the debate is what can the EU do? The major responsibilities are national - the instruments available to the EU are limited and this weakness will have to be remedied soon. Italy has organised relocation of irregular migrants to centres throughout the Italian regions, and only 6,000 remain in Lampedusa.

Italy is asking the EU to show solidarity with the instruments it has available - there are some financial resources dedicated to migratory flows and return or repatriation, which should be deployed to handle the most urgent needs. There has been a quick, positive and constructive response from the Commission and it has already made available some resources to deal with emergency issues.

The Commission also responded quickly deploying Frontex in a maritime operation, but this needs the support of countries of origin and transit to be effective. Parliament and

the Council are discussing the Commission's proposals to modify the Frontex regulations to expand its capabilities, but Frontex alone cannot solve the problems - it does not have its own resources, and relies on Member States for personnel and equipment.

There is a need to strengthen dialogue and cooperation with countries of origin and transit about controlling human trafficking, and repatriation and return. Italy is engaged in intense dialogue with Tunisia and has asked the Commission to use all its instruments to convince countries of origin and transit to cooperate in the migratory flow problem.

The EU must be able to translate the principle of solidarity into something practical. Member States were reluctant to accept the principle of relocation of refugees, and more should be done in that respect. Recent incidents on the borders of Italy and France where irregular migrants were rejected by French border police do not sit well with solidarity.

The Ambassador said that there was much hope and commitment towards a local organic management of migratory flows, and Italy will work closely with the Commission to translate the principles of solidarity into effective results.

Simon Busuttil, Member of the European Parliament, EPP Coordinator, Committee for Civil Liberties, Justice and Home Affairs, said that migration was not the most important thing happening in North Africa - the events in Libya, where lives were being lost, were tragic. Humanitarian aid to the border areas of Tunisia and Libya, and to the besieged cities, was a priority. It was also essential to consider what action would be taken if there was a mass influx to the EU of migrants.

Malta handled 17,000 evacuees from Libya, an enormous number for a country with a population of only half a million people, but most of the non-Libyan evacuees have been repatriated to 89 different countries, including 24 Member States. This scenario changed recently when 816 migrants fleeing Libya arrived in Malta, mainly refugees from Somalia, Eritrea and Ethiopia who had no prospect of returning to their own country. There has not been a mass influx of Libyan people.

The reception centres in Malta were almost full - the numbers were equivalent to 120,000 refugees arriving in France, or 180,000 in Germany. This creates tensions between Malta and Italy, but the responsibility was not only theirs, EU solidarity needs to be demonstrated despite strong resistance from the European Council to the proposed intra-EU reallocation mechanism.

Mr Busuttil said he had asked the EU Commission to activate the Directive giving temporary protection of displaced persons, and to enable all the EU Member States to share in relocation of refugees. Now was the time for the Commission to show true political leadership on this issue, and to make its own position clear.

Responding with the perspective of the Commission, **Luigi Soreca**, Head of International Affairs Unit, DG Home Affairs, European Commission, said that it had been responsive from the beginning of the situation. Humanitarian aid to the region had been stepped up - €30 million from the EU besides aid from other agencies and countries - and he paid tribute to the work of the UNHCR and the International Organization for Migration (IOM) in the field. Immediately after the crisis the Commission had asked Frontex to get involved, and Europol had also been engaged. The Commission has identified a further €25 million for use if requested.

The immediate priority now is the continuing flow of migrants from Libya, and it is important to have technical and financial assistance in place to help those in need of international protection. The Commission is considering launching a regional protection programme to help countries in the region, together with UNHCR, develop capacity to deal with the immediate problems, and in the long term develop appropriate national asylum legislation and systems. EU Member States will need to work together with the Commission on a possible resettlement policy. The Commission has also been active in convening frank and positive meetings with Member States. The asylum support office based in Malta could provide support for screening.

Looking at action in the future, he said that, in the short term, Frontex should expand its geographical coverage to all the waters of North Africa, but this would depend on the solidarity of Member States. It will be important to work in partnership with countries of origin and transit. Commissioner Malmström was in Tunisia discussing the protection of refugees and border management, and had visited Egypt, and the Tunisia/Libya border to see the problems at first hand. There is a need to mobilise financial resources and the Commission is ready to respond to urgent requests.

In the long term he said it was vital to consider why people wanted to move to Europe, and the Commission had proposed a partnership for democracy and shared prosperity in the region, which includes a long-term sustainable programme to address migration, mobility, and security related elements in the Mediterranean. This would include legal migration elements, visa facilitation for certain categories, and measures to help countries of origin or transit to deal with irregular migrants.

John Fredrikson, Head of Global Issues/EU Unit, UNHCR Brussels, began by providing the most recent figures. The total number of people who had fled Libya amounted to 423,000, of whom 400,000 were in the region and approx 23,000 had travelled to the EU. The large number of refugees was having a big impact on Tunisia and Egypt.

There was now an increasing number of Libyans leaving - over 60,000 in the last two weeks, but many of these migrants had resources and were renting apartments. UNHCR had mounted an evacuation programme of charter flights costing US\$ 3million per day, without which there would have been substantially more people looking to the EU. The operation needs to decongest the borders of third country nations.

Turning from the immediate situation to the challenges presented by the crisis, he said that there was a need to focus on the humanitarian programme especially for 'persons of concern', for whom voluntary repatriation was difficult. There was a need to find migration solutions to migration problems. The response of the government of Tunisia to the crisis had been exemplary, he said. In the long term, if the region is to succeed, there was a need for capacity building in North Africa that will change the dynamics of society. Libya required a different approach - it is not a poor country, short of food or medicines, and the focus should be on utilising the country's own resources.

Mickaël Franssens, Member of the Board of Migreurop, said it was important not only to focus on the current crisis but also on how the events in North Africa provided an opportunity to reshape EU migration policy. He provided an analogy of EU migration policy as a series of concentric walls, from before the decision to migrate - that required a global approach, sanctions directed towards employers using illegal migrants, and information on the risks of irregular migration - to impeding migrants from reaching the borders of the EU - that involved the external dimension of EU migration policy on illegal migration, agreements between Frontex, Member States and third countries.

In the short term it was important to evacuate all third country migrants stranded in Libya, especially those who cannot return to their own countries. Malta and Italy should not have to carry the burden alone. In the long term it was important to do nothing that would weaken the new authorities in Egypt, Tunisia and Libya, who should not be expected to play the 'policeman of Europe' role. Europe must take on its own role in migration matters.

Discussion

In response to questions about the triggering of the temporary protection directive, Mr Soreca said that the directive had not yet been used - the Commission is investigating the situation in the countries of origin to assess the trends and realities, to report to the Ministers of Member States responsible for migration policy. Ambassador Feroci added that the Italian authorities did not think that the conditions so far were sufficient to trigger the mechanism, but this may change as the situation in Libya developed. Mr Busuttill welcomed the Commission's willingness to consider the directive, and said that the wording of the Directive is vague enough to include the current situation. What is needed is a political initiative from the Commission as a proposal to the Council.

Responding to comments that the situation in the region was short term and should not be dramatised Ambassador Feroci said that there was no dramatisation and he hoped the situation would evolve positively, but it was necessary to deal with the current crisis. Mr Busuttil said that the perspective of the current situation was different in Libya, Tunisia, Lampedusa or Malta. From the Maltese perspective, 800 was a massive influx, the refugees were mainly third party citizens fleeing Libya, and Malta has no hinterland in which to redistribute them like Italy.

Asked a broader question whether the discussions and quarrels in the EU could affect the long term relationship with Tunisia and Egypt Mr Busuttil said that he was optimistic that it could be overcome if the EU acted collectively to manage the problem and provide a response to the transformation that was taking place. The EU should be celebrating the fact that Turkey and Egypt have chosen democracy, and making sure the clear political message 'democracy pays' and Europe will help those who choose democracy is sent. Ambassador Feroci added that the internal debate amongst Member States should not affect the EU's capacity for constructive dialogue with countries of origin or transit to raise matters of concern, in the hope that soon things will develop for the best. Mr Soreca said that the message from the Commission to Turkey and Egypt is that the EU stands ready to help with the problem of refugees, and with capacity building in a wider sense. There is also an element of concern to help the countries reestablish mechanisms in their national administration that allow good cooperation in the management of migratory flows.