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EUROMED Migration III International Protection and Asylum

**1st EUROMED Migration Peer-to-Peer Meeting on
International Protection and Asylum
18-19 February 2015, Brussels, Belgium
Report**

Background

In 2014, the United Nations High Commissioner for Refugees (UNHCR) reported the highest ever record of population displacement since World War II. A number of crises in the Euro-Mediterranean (EUROMED) region and beyond have forced millions of people to leave their country of origin in search of protection. Numerous European Neighbourhood Instrument South Partner Countries (ENI SPC) are faced with large influxes of refugees and forced migrants. At the same time, the loss of lives during the perilous crossings of deserts and the Mediterranean continue to make the headlines. In 2014 alone, more than 218,000 persons irregularly arrived in Europe via the Mediterranean Sea, of which 170,000 arrived in Italy alone, compared to 60,000 persons in 2013. Almost half of the arrivals came from Syria and Eritrea. In addition, over 3,500 of these died or went missing in 2014.

The EUROMED region is not unfamiliar with movement of people across borders in search of international protection and asylum (IPA). Over the years, the ENI SPC has traditionally and increasingly hosted some of the largest and longest standing refugee populations in the world. The meeting focused on the recent refugee crises affecting the region, and did not discuss other longer standing and protracted refugee situations given the complexity of the underlying causes and the lack of political solutions in sight. Today, the region has to once again shoulder the bulk of the humanitarian consequences of conflicts, notably in Iraq, Syria and the slumbering crisis in Libya.

ENI SPC continue to show huge generosity towards Syrians fleeing their country in search of safety and protection. With the ENI SPC hosting an overwhelming majority of the flows present in the region, the

number of asylum seekers reaching the European Union Member States (EU MS) remains, proportionally, relatively limited. However, sea arrivals increase constantly, despite the danger of such crossings. The geographical proximity of the ENI SPC, and highly varying protection systems and regimes of the EU MS, lead to an **imbalance in terms of responsibility sharing in the region**, as well as within the EU itself.

As the conflicts in the region persist, host communities, in particular across the ENI SPC, are increasingly affected by the large influx of persons in need of international protection, thus overwhelming social services, infrastructure and government resources, and impacting on food and water security, job markets and on economies in general. ENI SPC have also had to deal with the challenges that the Syria crisis has been posing to regional stability, and to global peace and security in general. The possibility of seeing some conflicts imported across borders and affecting the stability of these host countries is a serious concern. Reception and assistance for displaced populations require the mobilisation of important funds, both nationally and internationally. The EU and its Member States have devoted more than €3.1 billion for relief and recovery assistance to Syrians in their country, and to refugees and their host communities in neighbouring Egypt, Iraq, Jordan, Lebanon, and Turkey. In addition, hundreds of millions of euros more have been spent by the EU and its MS on surveillance and search and rescue operations.¹ Italy, for instance, has spent € 10 million a month on the Mare Nostrum Operation.

The acute crisis, and the **magnitude of the displacement of people and their increased vulnerability**, together with the limitations of the systems in place, all have contributed to a sense of urgency with regard to dealing with the challenges of international protection and asylum in the region, and to providing humanitarian and development assistance. A **coherent and comprehensive approach** is needed to better manage these flows seeking protection. ENI SPC and EU MS, together with international organisations, implicated EU agencies, and civil society, need to encompass all aspects in a comprehensive manner when shaping their cooperation, so as to formulate an adequate and effective response.

As humanitarian resources dwindle, it is vital that refugees and their host communities are not left abandoned to manage their situation on their own, but that they receive the international support they need. And although emergency measures are justified, **viable and sustainable solutions** need to be explored, looking notably at how to best combine humanitarian assistance with development potential, and identifying opportunities for self-reliance, livelihoods and socio-economic prospects for populations in search of protection and host communities. **Regional Development and Protection Programmes (RDPPs)** for refugees and host communities, as part of a long-term development response, to the Syrian refugee crisis for instance, are useful tools to work in this direction. The growing concerns regarding the situation in the region, and the increasingly pressing nature of these matters, led the European Commission (EC) to request the addition of a fifth component to EUROMED Migration III: IPA, bringing the project in line with the Global Approach to Migration and Mobility (GAMM) and enabling countries to have a dialogue on this topic in a dedicated environment.

¹http://ec.europa.eu/echo/files/aid/countries/factsheets/syria_en.pdf

On 18 and 19 February 2015, representatives of 8 ENI SPC,² 15 EU MS³, as well as officials from the EC, led by DG European Neighbourhood Policy and Enlargement Negotiations (NEAR), and accompanied by DG Migration and Home Affairs (HOME), DG Development and Cooperation (DEVCO), and the Humanitarian Aid and Civil Protection department (ECHO), gathered for the first EUROMED Migration III peer-to-peer meeting on IPA. The meeting benefitted considerably from the presence of UNHCR, the European Asylum Support Office (EASO), international organisations and representatives of civil society.

The meeting represented a first step in **introducing an EU-supported informal platform for exchange** in order to develop a common understanding of the protection and asylum situation in the EUROMED region. The discussion of **experiences, and a present state of play** on asylum laws and procedures in place, allowed for taking stock of the current protection and asylum system in the region. Ideas were shared as how best to **combine humanitarian with development assistance**, taking into account both populations in need of international protection, as well as host communities. The **need for sharing responsibilities was supported by all concerned** in terms of resettlement, increased financial support and capacity building initiatives. The EC, EU MS and ENI SPC reiterated their commitment **to work together to focus on the causes of such crises**, and all committed **to addressing the consequences of major movements of people**, the dramatic increase of the refugee population and **the considerable strains put on the limited resources of host countries**. Some participants also called for the urgent need to step up search and rescue operations in the Mediterranean in order to address the tragic loss of lives at sea. Finally, partners called for sufficient means **to tackle the risks of highly dangerous maritime crossings of the Mediterranean Sea**, and **to respond to the needs of people seeking international protection and asylum**.

This report provides an overview of the discussions which took place during the meeting. The first chapter gives a state of play on the trends related to refugee flows and asylum seekers and their impact in the EUROMED region. The overview highlights the main reasons for their arrival, as well as the socio-economic and political impact these flows have in the region and was based on the meeting background paper prepared by the International Centre for Migration Policy Development (ICMPD), the leader of the EUROMED Migration consortium. The second chapter explores access to protection and the possibility of seeking asylum for persons in need of international protection. Practical examples from two ENI SPC and two EU MS, as well as other states and organisations present, showed how persons in need of protection are assisted and protected in practice. This is followed by chapter three which gives an insight into viable and feasible long-term solutions for persons in need of international protection. The fourth chapter focuses on experiences and possible future international cooperation activities in the EUROMED region in the field of IPA. The fifth and final chapter gives an overview of the way forward with regard to national plans, as well as regional and international exchange and cooperation within the EUROMED regional setting. It also provides ideas for future discussions among EUROMED Migration partners.

² Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, Palestine and Tunisia.

³ Belgium, Bulgaria, Cyprus, Denmark, Finland, France, Greece, Hungary, Italy, Luxembourg, Malta, the Netherlands, Poland, Portugal and Romania.

Working session 1. Asylum trends and refugee flows in the Euro-Mediterranean region

Description

The discussion aimed at developing a common understanding of the current situation and the challenges of an effective and human rights-based response, while gaining a more in-depth understanding of the socio-economic and political impact these flows have in the region. The panel included representatives from academia (University of Sousse) and from EASO. The working session was chaired by EUROMED Migration III. UNHCR also presented an overview of the causes behind the dramatic situation in the Mediterranean Sea, and the main components of its Central Mediterranean Sea Initiative to address the situation.

Discussion

As a prelude to the two-day discussions, the numbers and profiles of asylum seekers and refugees in the EUROMED region were described from the perspectives of the ENI SPC and EU MS. While globally UNHCR publishes reliable data on refugees and migrants, which are based on comparable common indicators, at EU level, data collection is harmonised and information from EU MS are centrally collected by Eurostat, the EU's statistical office.⁴

North Africa is a transit or final destination for many migrants fleeing from conflicts in sub-Saharan Africa. Parts of the sub-region continue to be affected by instability, resulting in the increase of asylum seekers. The situation in Libya was mentioned as being of particular concern, for people in search for protection there are often exposed to conflict and violence, making them victims twice over.

By way of an example of the magnitude of refugee flows in the region: the number of Syrians forced to flee their country had reached over 3.2 million by the end of September 2014. Another 4 million people have been displaced within Syria and 6.8 million are in need of humanitarian assistance. The surrounding countries have borne a huge brunt of the Syrian refugee crisis for nearly four years. Lebanon, where the number of Syrian refugees now amounts to a quarter of the local population, bears the largest burden. In Jordan, the Zaatari refugee camp has grown to become the country's third largest 'city'. The Syria crisis has also had a very dramatic impact on Iraq, as the country itself already faces a major crisis and Syrian refugees in the Kurdistan region add to the large numbers of internally displaced Iraqis, and already in mid-2014 its neighbouring countries, such as Jordan, have already registered close to 91,000 new Iraqi refugees.

See for a more complete overview on the trends: the EUROMED Migration III Background paper International Protection and Asylum in the Mediterranean.

⁴ For further details, please see the project Background paper for this peer-to-peer meeting on IPA.

The huge pressure that ENI SPC are currently facing has been acknowledged by all. Accordingly, it is fully understood that the ENI SPC **are the most exposed to the current flows of displaced persons from Iraq and Syria, which are a tremendous burden**, particularly on countries like Lebanon and Jordan, as well as Libya. Additionally, it is noted that flows of Sub-Saharan asylum seekers and refugees transit the countries in the region or, in fact, find their destination in these countries. Also, the region is already hosting large numbers of refugees in a protracted situation.

EU MS, though at a lesser level, have also witnessed an increase of asylum seekers arriving in 2014 compared to 2013. As for the EU MS (plus Norway and Switzerland), it was demonstrated that, according to the latest available figures, in 2014 the numbers of asylum seekers were also on the rise, showing a growth of 40% when compared to 2013. In December 2014, the numbers reached a new monthly high at around 70,000 persons per month. Compared to the same month in 2013, this represents an increase of 93%. Asylum seekers from Syria (20%), Western Balkans (17%) and Eritrea (8%) form the largest groups. Germany, France, and Sweden, followed by Italy and the UK are the main receiving countries.

Besides allowing entry of many asylum seekers and refugees at their borders, many EU MS note that they have provided additional protection by increasing the numbers of places for resettlement, the initiation of humanitarian admission programmes, facilitated visa regimes, sponsorships for family members, etc., which are not always included in official data on asylum seekers and refugees entering the EU.

Both the ENI SPC and EU MS deal with a heterogeneous composition of flows of people, including, among others, asylum seekers, refugees, victims of trafficking, economic migrants, persons willing to be reunited with their family and other categories. Each person has a specific set of vulnerabilities and needs to be assessed and possibly addressed. The most vulnerable amongst them are (unaccompanied) minors, elderly and young persons. All countries underlined the necessity to have a good view on these mixed flows as degrees of vulnerability vary and each group is in need of specific support.

See the UNHCR video “Malta: Refugees Dying at Europe's Doorstep” which gives an idea of the distress faced by people in search of international protection when crossing the Mediterranean Sea.

<https://www.youtube.com/watch?v=qgdwJCQyojQ>

“... you are alive and safe now, but maybe you have lost everything...”

Lessons Learnt

From the discussion, it became evident that sets of different data are being collected and used by different stakeholders. However, since data is a necessary tool on which to base financial and human resource planning, the need for reliable data was repeatedly underlined as being vital. In this context, the use of precise and clear definitions of common indicators has been raised as being an important step

forward. In terms of the development of legal systems dealing with people seeking international protection and asylum, semantics play an important role and there is a clear need to distinguish between asylum seekers, refugees and migrants.

Although **reliable and comparable statistics are considered important**, it was equally acknowledged that more may be gained by analysing the situation in countries of origin to better understand the conflicts and the push factors that force people to leave these countries. It was suggested that monitoring the situation in these countries could contribute to better preparedness upstream in the reception of flows of people in search of international protection. However, accurate data and information gathering and exchange are crucial. An exchange among countries on data collection methodologies and indicators used by the countries for analysing flows would allow for a better communication and mutual understanding of the numbers and data at stake. Countries generally considered this as an important step forward in **achieving a better preparedness and ability to address the different flows by enhancing their ability to plan**.

EASO presented its methodology which has been developed for **early warning and preparedness**, which is mainly built upon data collected from all EU MS, and Norway and Switzerland. Equally, some ENI SPC indicated they are developing contingency plans or are considering to do so, in order to respond appropriately to emerging crises. In this regard, several countries expressed concern about the unfolding situation in Libya and reiterated the need to plan for forced population movements that may ensue.

Finally, data is not only a valid source for planning purposes, but also necessary to **increase the awareness of the communities** of both those who already make large sacrifices in hosting displaced persons, as well as those who may increase their efforts in welcoming them and thereby help to mitigate the pressure in some southern countries.

The discussion demonstrated that public attention is usually considerably high when a crisis emerges, but can then diminish over time. Protracted refugee situations often become forgotten in the public view and so do financial donations: **a long-lasting protection framework, including long-term planning based on long-term** budgets, is then considered necessary to appropriately address the numerous needs of displaced persons.

Possible areas for future focus:

- An **accurate use of terminology to facilitate a clear communication is necessary to work jointly** on IPA. The applications of definitions deriving from the main refugee protection instrument, the 1951 Geneva Convention Relating to the Status of Refugees (1951 Refugee Convention), as well as regional protection instruments, such as the Organisation of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa (OAU Convention) and the EU Asylum acquis are useful to support this.
- A **coherent use of data for planning is considered an important tool to develop** short-, medium- and long-term responses to adequately prepare for migration and refugee flows. At the same time,

the exchange on data collection methodologies used on refugees and asylum seekers may facilitate a mutual understanding between ENI SPC and EU MS on the flows at stake.

- A **joint review of practices and increased cooperation on early warning, preparedness and contingency planning** of ENI SPC and EU MS may further improve its quality and may be extended to joint assessments of certain crisis situations. A dialogue setting, such as EUROMED Migration, could be useful to support work in this direction.
- Public opinion is an important element for any issue related to migration. In this regard, the media plays an important role. A well-informed media may create a positive impact on the public, leading to an **increased understanding and the necessity to show solidarity**. It was recommended that, rather than underline the threat to society of persons who themselves have suffered from persecution and violence, the media should bring the positive impact of refugees and migrants on their host communities to the fore. **Ways to bring this balanced and more positive message under the attention of the public could be further explored** and training on how to address and better involve the media could be given.

Working session 2. Access to protection and assistance

Description

ECHO and the Italian Council for Refugees (CIR) provided an introduction on the way persons in need of international protection are assisted and protected in practice in the region, with suggestions for ways to better facilitate access to protection and assistance. A panel consisting of representatives of two ENI SPC and two EU MS gave practical examples and lessons learnt from their national perspectives. The session was chaired by UNHCR.

Discussion

ECHO presented its work and tasks in the EUROMED region, particularly in Syria, highlighting that the region has gone through significant efforts to host important populations in search of protection. The **need for responsibility sharing** was emphasised in terms of **increasing the number of resettlements, as well as the financial means for the region, the refugees and migrants, and the host countries**. ECHO underlined it is the task of the international community to remove the need, as far as possible, for refugees to take dangerous decisions on their journeys.

While the 1951 Refugee Convention does not contain any provisions on access to territory, it determines in Art. 31 that states shall not impose penalties on account of a refugee's illegal entry or presence in their territory. The CIR representative recalled that, at the time of drafting the Convention, refugees and migrants were already scattered among different host countries, and the question of access to territory for protection thus did not play a significant role at that time. Today, the situation is different and EU MS' asylum legislations require an asylum seeker to be present in the territory to claim for international protection. To support the refugees in the Middle East, **some countries offered legal entry mechanism, such as resettlement, temporary humanitarian admission programmes, sponsorship programmes and**

broader concepts of family reunification or humanitarian or facilitated visa regimes. Nevertheless, these places currently offered are proportionally too limited, but the options for providing access to the territory may be further explored.

The current pledge from UNHCR for the number of resettlement places amounts to around 130,000 persons in search of international protection. Many ENI SPC present highlighted the **increased need for resettlement places to be provided by EU MS, in conjunction with the establishment of long-lasting frameworks supporting refugees and migrants in host countries of the region.** However, the voluntary nature of the EU resettlement programme was considered a disadvantage to increasing resettlement numbers to the EU MS. It was underlined that resettlement is a protection instrument and should not exclusively be seen as a solidarity or burden-sharing mechanism. In this respect, humanitarian assistance programmes, and facilitated visa and family reunification regimes were mentioned as important avenues for certain EU MS with the intended effect to save lives and discourage persons in need of international protection from resorting desperately to smugglers, and thus resulting in dangerous journeys at sea.

Following the first part of the discussions, Morocco presented its new developments on migration management, which follow a **holistic approach including both migration and asylum management.** A one-stop shop for all incoming requests concerning migration processes is the country's target objective. At the same time, Morocco currently aims to integrate refugees from the region within its society. Following amendments in the Constitution, three bills (a Migration Bill, an Asylum Bill and a Fighting Human Trafficking Bill) were submitted to parliament, thus foreseeing a wide range of rights for migrants in Morocco. The Asylum Bill foresees three types of protection: refugee protection according to the 1951 Refugee Convention, subsidiary protection which mainly covers the protection needs deriving from Art. 3 Convention Against Torture (CAT), and temporary protection for cases of massive influx of refugees.

During the discussion, the difficult situation in Jordan was highlighted as regards to hosting a high number of Syrians. In the first place, Jordan has **established a special department to deal with the Syrian influx** and, at the same time, enjoys close cooperation with UNHCR based on an agreement from 1994. Additional cooperation has been signed with the EU and a partnership with EASO has also been established. Refugees in Jordan receive an ID document, which entitles them to services according to their needs. Nevertheless, the number of refugees and migrants is currently at such a level that the health sector is in need of larger hospitals and more personnel; public schools need to work in two shifts as classes are used by Jordanians in the morning and Syrians in the afternoon; **social services, such as infrastructure, water supply and waste management, have all reached their limits; rents are increasing; and the labour market is dominated by competition** between Jordanian citizens and Syrians. This list is not exhaustive and underlines the crisis felt by the Jordanian population.

Portugal provided an insight into the administrative responsibilities and applied procedures in the area of asylum, by paying equal attention to the need to identify vulnerabilities among the arriving flows and appropriately address them. Applications are dealt with by the asylum unit as an integral part of the

Portuguese Immigration and Borders Service (SEF) within the Ministry of Home Affairs. This allows for close coordination between the police services at the border (where most of the applications are lodged), and the refugee and asylum unit. **Civil society** (via the Portuguese Council of Refugees) **is implicated during the whole asylum process, informing the asylum seekers on their rights and access to assistance, as well as the assessment of vulnerable migrants.**

France provided an insight into the structure and division of responsibilities on asylum-related issues between the central authority, the Office for the Protection of Refugees and Stateless People (OFPRA) and the regionally located prefectures. The intervention reminded participants that EU MS conduct a variety of admission programmes besides resettlement. France has only recently **embarked upon resettlement programmes, as well as conducting other specific admission programmes, for example for Syrian and Iraqi refugees and migrants.** In addition to regular procedure, the country conducts a specific border procedure for asylum seekers arriving at air borders.

Contrary to the experience in Jordan, Lebanon has never set up refugee camps. Syrians are thus scattered throughout the country, which, apart from certain security concerns, makes it difficult to organise protection for them. The security situation and increasing impact on natural and other national resources are amongst the main concerns and challenges for all countries in the region, but especially for Lebanon and Jordan. One aspect that was also mentioned is that the size of a country and its specificities (e.g. an island state like Malta with a limited territory) may cause additional challenges when dealing with asylum seekers and refugees.

Lessons Learnt

The presentations and discussions illustrated that access to territory is an inevitable prerequisite to providing and receiving international **protection. While refugees in the region may adequately access neighbouring countries,** the access to non-neighbouring countries further afield, such as the EU, depends on an application at the borders which very often can only be reached after hazardous journeys or, once access has been obtained, in one of the EU MS countries.

Given the increased difficulties for persons fleeing conflict to safer haven, they increasingly set out on a perilous journey, putting their lives into the hands of unscrupulous smugglers who profit from their desperation to find safety and protection. Countries need to defend their territory, but must do so in a refugee-sensitive manner. **Security concerns must be well balanced against protection needs.** Countries deal differently with such protection-sensitive entry mechanisms, which leaves room for exchange and learning from each other's practices.

While EU MS increasingly offer, to a limited extent, **regulated admission programmes and other legal avenues,** which allow persons from the region to seek international protection, these only partially alleviate the region's burden. As for neighbouring countries of conflict areas in the region, policies allowing migrants to seek refuge may well be combined with registration, documentation and identification. To learn further from each other, capacity building measures allowing for an exchange of practices seems an appropriate direction to follow. When it comes to the **disembarkation and reception**

of refugees and migrants travelling irregularly via the Mediterranean Sea (the Italian multi-stakeholder project 'Praesidium' was showcased as a good example **combining different competencies of different actors**, such as UNHCR, the International Organization for Migration (IOM), the Red Cross and the Italian authorities (the importance of training of case workers dealing with minors was specifically mentioned).

Possible areas for future focus:

- Following three years of different EU approaches on granting access to Syrian refugees via different channels such as resettlement, sponsorship programmes, family reunification, facilitated visa regimes or other humanitarian admission programmes, it may be adequate to **evaluate and share their impact, success and lessons learnt**, so as to more effectively address the continuing flow of refugees from Syria.
- The need for further **safe entry** possibilities for people in need of protection, beyond resettlement, became equally evident. Following a review of the different practices for access for Syrian refugees and migrants, efforts can be made to **expand legal avenues to the EU for people seeking international protection**.
- In addition to the entry mechanisms, **protection-sensitive reception systems** for asylum seekers and others could be further explored by looking closer into projects, and following a multidisciplinary approach by cooperation between governmental, international and non-governmental organisations (such as the above-mentioned Italian 'Praesidium' project), with the aim to better address the needs of refugees and others immediately upon arrival, be it in large numbers or as part of regular flows.
- A **firm legal basis and a clear administrative structure**, while putting procedures in place that allow ad minima **refugees and migrants to be swiftly identified according to vulnerability and appropriately registered as early as possible**, would facilitate the better management of flows of people in need of international protection.

Working session 3. Viable and feasible long-term solutions for persons in need of international protection

Description

Introductions were contributed on viable and feasible solutions for persons in need of international protection by a variety of speakers from the EC, the United Nations (UN) system, non-governmental organisations and an ENI SPC. This was followed by a plenary discussion aimed at identifying possible long-term measures for persons in need of international protection, while unlocking the development potential of these populations. Also, measures leading to more solidarity and responsibility-sharing with countries bearing the largest number of persons in need of international protection were discussed.

The working session gathered panellists from the EC (DG DEVCO), the United Nations Development Programme (UNDP), the United Nations Human Settlements Programme (UN-Habitat), civil society

(European Council on Refugees and Exiles - ECRE) and Lebanon (Ministry of Social Affairs). The session was chaired by ICMPD.

Discussion

DG DEVCO, recalled that 75% of the world's refugees live in a protracted situation, which suggests that the approaches used so far, as regards the traditional durable solutions (return, integration and resettlement), might not be the best suited. **The need for long-term solutions, including more strategic development planning**, has been addressed at various levels.

According to this approach, refugees should not be regarded as passive, but as actors in their own right. By providing appropriate support, **refugees should be placed in the position to bring about development in host societies**. The UNDP highlighted that strategic planning focuses not only on vulnerabilities of refugees, but also on their capabilities and development potential. It was then discussed that social and political challenges of refugees and their host communities should be jointly addressed, maximising the possible development impact.

As examples of this new approach, the **EU RDPPs in the Middle-East**, for Iraq, Jordan and Lebanon, are the focus of a comprehensive programme combining protection and development needs. As an example, the UN-led Solutions Alliance⁵ aims at promoting and enabling the transition for displaced persons away from dependency towards increased resilience, self-reliance and development. It was underlined that, regarding capacities to absorb refugees to restore social cohesion, the focus needs to be on working with municipalities and local communities. An inclusive approach, focusing on vulnerable groups when developing long-term solutions, was found to be essential. In this context, the role of the media is important, as wider and more comprehensive informing of host communities and encouraging their solidarity can strengthen this approach. A brief discussion on the approach to understanding refugees as development actors addressed the different situations of displaced persons, who do not necessarily want to be seen as 'refugees' and, at the same time, may also not wish to be recognised as such by governments.

UN-Habitat raised further awareness of the fact that the urban population is ever increasing. The percentage of people living in urban areas will have increased from 37% in 1970 to an expected 60% in 2030. In line with this trend, **refugees mainly settle in urban areas, often ending up living in precarious and unsafe conditions**. It was discussed that, apart from food and medical care, shelter is equally important. Several UN-Habitat projects address this need (e.g. building shelters with local materials, and gathering communities to jointly put up shelters), thus **creating a sense of community** while creating green and affordable housing. All possible efforts should be made to **avoid marginalisation** and the creation of ghettos.

ECRE mainly underlined the responsibility sharing aspect of the subject, thereby dividing this issue into two main elements: **the support to countries to address refugee needs at local level, and the sharing of**

⁵ See: <http://www.endingdisplacement.org/>.

the hosted refugee populations. It was discussed that countries could be supported in a variety of actions addressing reception, and the reducing and monitoring of detention, but also in documentation and access to the procedures. It was highlighted and agreed that local civil society, in many aspects, may be instrumental and should be more involved in capacity building activities. It was also mentioned that EU MS may continue to increase resettlement opportunities, while further avenues, such as the simplification of often tedious and costly family reunification procedures, may be explored.

The presentation of the 2015-2016 Lebanese Crises Response Plan (LCRP) brought into focus the challenges of a country where a quarter of the population is now refugee, and the impact this has on the local population. The LCRP addresses three key priorities: 1) **to ensure humanitarian assistance and protection for** Syrian refugees and support to **the most vulnerable** Lebanese and persons displaced from Syria; 2) **to strengthen the capacity of national and local service delivery systems to expand access to and quality of basic public services;** and 3) **to reinforce Lebanon's economic, institutional, environmental and social stability – emphasising opportunities for vulnerable youth to counter the risk of radicalisation.** Any solution needs to also focus on possible political and non-political solutions within Syria, so as to promote the return of the Syrian refugee population.

During the discussion, **the need for more resettlement places in EU MS was raised both by ENI SPC and civil society,** while at the same time clarifying that resettlement is a protection tool rather than a tool for responsibility sharing. Similar tools, such as **admission programmes or visa facilitation, seem more appropriate to address sharing of responsibilities.** Such programmes may additionally include training components with the aim to empower refugees to strengthen their capacities and eventually, at some point, return to their country of origin, thus contributing to the economy and society as much as possible. Also, the possibility of further access to mobility as a tool to alleviate the burdens in the region was mentioned. Attention was drawn to the fact that refugees and migrants generally do not wait for durable solutions to be offered, but often, by default, search and find their own solutions by seeking to join family members or taking risky routes to reach a safer country or a country where livelihood opportunities will be greater.

Although all participants supported the development of long-term solutions, it was also mentioned that donors, states and civil society have a duty to cooperate and coordinate so as to avoid overlaps and misuse of often scarce human and financial resources.

Lessons Learnt

The need to rethink the provision of support to refugees is clear to all. Current approaches towards durable solutions need to be readdressed and reengineered with a larger emphasis on the positive contributions and potential of refugees and migrants in a host community. Also, the **inclusive approach of placing local communities beside refugees at the centre of consideration** seems to be the way to promote inclusion and to address potential social tension. **Humanitarian assistance thus needs to be more closely linked with development options** from the very start of humanitarian responses to a crisis.

Civil society is instrumental in a number of actions and can be a strong partner for local government at central or community levels when it comes to addressing the challenges at stake. Capacity building actions should therefore also include civil society.

Clear division of responsibilities and a clear understanding and overview of actors involved (with programmes being supported) are prerequisites to using human and financial resources in the best possible way. While cooperation needs to be as broad as possible to include central, regional and local governmental levels, as well as civil society and international organisations, **the driving force behind all solutions should be the state concerned**. Often only the state has the necessary information and is best able to judge which situations are at stake, which resources available and which needs to be covered.

Possible areas for future focus:

- **Seek avenues to promote economic development strategies** which support both host and refugee communities (comprehensive approach). In particular, ways to **foster the coordination and align international humanitarian and development assistance with national development strategies** should be explored to streamline efforts and maximise impact on development.
- **Identify ways and tools for states to be better prepared to take the lead in developing strategic responses** by including regional and local community levels, as well as civil society and the international community.
- **Develop tools to collect and exchange technical information on practical cooperation programmes** that address the development potential of displaced populations together with their host communities. Further involve local civil society in many aspects which may be instrumental in capacity building activities to unlock the development potential of people in need of protection.
- **Further explore alternative avenues of responsibility sharing**, looking beyond the traditional durable solutions. For instance, EU MS may continue to enhance resettlement opportunities, while further avenues, such as the simplification of family reunification procedures, are equally explored.

Working session 4. International cooperation on international protection and asylum in the Euro-Mediterranean context

Description

The working session discussed experiences and possible ways forward in international cooperation on IPA in the EUROMED region. Introductions from DG HOME, UNHCR and EASO set the scene for a plenary discussion. The session was chaired by DG NEAR of the EC.

Discussion

The EC, represented by DG HOME and DG NEAR, highlighted the strategic value of the GAMM as an important tool to promote international cooperation and provide a long-term dialogue to support exchange on how to better protect refugees. It was highlighted that **protection is not a stand-alone issue, but linked to the development and humanitarian component, and an integral part of the**

international policy dialogue on migration and mobility. International cooperation is an important tool in achieving responsibility sharing through the common approach to define and implement actions.

The Asylum, Migration and Integration Fund (AMIF)⁶ of the EU provides for financial incentives to support the EU resettlement programme. It was demonstrated that **RDPPs can be instrumental in the aim to have a long-term development response to refugee crises, allowing for understanding the impact refugees have on host communities and proposing opportunities for development for both refugee populations and the host communities alike.** The RDPPs allow for longterm capacity building to develop national protection systems, and further reception and integration conditions, while providing direct benefits to both the refugees and host communities. In cooperation with EU MS, the EU intends to develop **Mobility Partnerships** with ENI SPC ensuring that the movement of persons between the EU and its partner countries is better managed, and takes place in a secure environment. These partnerships are envisaged to be tailor-made to fit each ENI SPC. EASO highlighted their activities with certain ENI SPC in the framework of these Mobility Partnerships, focusing on capacity building and curriculum support.

The need for better international cooperation in the area of IPA was generally agreed by all participants. UNHCR, by virtue of its mandate of providing international protection and seeking permanent solutions for the problem of refugees, would continue to work with countries in the EUROMED region as it has been doing so far, and support the exchange of best practices and joint cooperation that advance the protection of refugees. It was widely felt that **securing durable solutions for refugees is a joint responsibility of the affected states, donors and relevant UN agencies and organisations dealing with refugees, and the development community alike.** UNHCR highlighted the experience of the above-mentioned Solution Alliance under their auspices which enables parties to jointly address displacement in a comprehensive manner.

Countries reiterated the need to coordinate cooperation activities between EU MS and ENI SPC, and the need to avoid duplication and overlap in activities in the field of protection. It was suggested that **a regional programme tool on these initiatives can help ENI SPC to more effectively cooperate and coordinate at the different levels.** It was also underlined that **EUROMED Migration can be a useful technical platform to improve cooperation and coordination.**

Lessons Learnt

A great number of international and national stakeholders intervene and cooperate in the field of international protection and asylum in the region. The need for coherence between these stakeholders is essential to avoid duplication and overlap in activities. **New forms of international cooperation (bilateral/Twinning-like⁷ cooperation or multilateral), emphasising mutual technical support, the exchange of technical knowledge and experiences, and the engagement in mutual activities,** were

⁶ http://ec.europa.eu/dgs/home-affairs/financing/fundings/migration-asylum-borders/asylum-migration-integration-fund/index_en.htm.

⁷ Twinning is the cooperation between public administrations of EU Member States (EU MS) and of beneficiary countries. See: http://ec.europa.eu/enlargement/tenders/twinning/index_en.htm.

considered as particularly useful. Mobility Partnerships can facilitate the organisation of working groups, thus improving coordination at different levels, including political, technical and operational, and following a more comprehensive approach.

The setting up of migrant resource centres, places where migrants, including those in search of international protection, can find support and accurate information on the risks of irregular migration, was mentioned as a way **to inform and provide migrants with services, while suggesting genuine alternatives to the potentially dangerous irregular routes.**

Border authorities need to **be prepared to respond appropriately to cross-border movements, thereby respecting international obligations relating to the rights of refugees and migrants and, at the same time, following the interests of sovereign states to protect their borders.** Cooperation between EU MS and ENI SPC has proven useful in finding ways to reflect and discuss jointly how to strike the right balance between enabling migrants and refugees to find protection on the one hand, and the protection of national security on the other, while inventorying ways that national asylum procedures effectively contribute to this. As an opportunity, implicated border agencies from different countries could build on that and exchange experiences on these issues to ensure a protection-sensitive border regime and foster the identification of vulnerable groups.

One of the areas where exchange of experience could be useful is reception, particularly on efforts to maintain and enhance reception conditions when faced with the pressure of increasing numbers of arrivals. The “Reception Directive”⁸ shows how asylum in the EU is founded on human rights: in detail, it describes the rights and duties of asylum seekers, and the reasons and procedures to restrict them. **EU MS could provide several good examples of the implementation of standards, which eventually could serve as a compass or road map for interested ENI SPC** with the aim to improve reception standards.

The practical training of case workers, which was evoked by EASO, was seen as a good way to further exchange good practice and experiences. **An efficient, immediate response to crisis situations and the identification of medium- and long-term development objectives which can be taken into account, are possible or potential results of more cooperation in the field of contingency planning.** It was thought that this cooperation would lead to more accurate and coherent contingency planning in the long term, allowing for the identification of priorities and activities.

Finally, the need to strengthen return mechanisms for persons found not to be in need of international protection is crucial for the functioning of the asylum system. **Countries can support each other in finding viable ways for migrants not (or no longer) in need of international protection to return home in a dignified manner.** EU experience, built on implementing the “Return Directive”,⁹ was considered particularly useful. International cooperation will also ease the monitoring of the way these persons are returned to their countries of origin or departure.

⁸ EU Directive 2003/9/EC of 27 January 2003 laying down minimum standards for the reception of asylum seekers.

⁹ EU Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals.

Possible areas for future focus:

Various fields and forms of international cooperation were discussed. Participants were of the opinion that, amongst many others, the following activities could be developed in future so as to avoid duplication and boost coherence of action.

- **Cooperation between ENI SPC and EU MS offers a broad range of potential learning opportunities** to the mutual benefit of countries from the northern and southern shores of the Mediterranean. EU financial solidarity mechanisms, such as the RDPPs and the AMIF, may be instrumental in achieving a proper framework to increase exchange.
- Border Agencies' of the countries could build on this cooperation and **exchange experiences on finding ways to effectively address the needs of vulnerable persons** to ensure a protection-sensitive border regime, and foster the identification of vulnerable groups.
- Exchange and mutual support may be developed at different levels, in the form of **topical exchange at conferences, expert meetings and round tables, complemented by capacity building initiatives.**
- **Joint exchange and learning from mutual experience in developing contingency plans**, their implementation and lessons learnt. Eventually this can be further developed in joint ENI SPC and EU MS contingency planning.
- To further and facilitate practical exchange, a **joint development of a priority list of issues of mutual interest for exchange may be defined at bilateral and multilateral levels, or in the context of the EUROMED platform.** The ways for exchange on issues such as access to procedures, reception conditions, the dignified return of people not (or no longer) in need of international protection, etc., may be worth further exploration.

Working session 5. Way ahead

Description

The last session focused on the way forward with regard to international exchange and cooperation on international protection and asylum, within the EUROMED setting as well as with regard to national plans. It focused on the issues identified during the working sessions and looked to pave the way for future activities in the area of international protection and asylum among EUROMED Migration partners.

It was felt by all participants of the peer-to-peer meeting that the unresolved **refugee crisis in the Southern Neighbourhood** and the irregular crossings of the Mediterranean, as well as the fight against human smuggling and trafficking, remain urgent priorities for cooperation with third countries in the years to come. The participants acknowledged the need to develop a common understanding which means, in the first place, that the EU recognises the advances some partner countries are making in the development of asylum legislation, and the generosity which partner countries have continued to show in hosting refugees, notwithstanding some dramatic consequences for their economies and societies.

In this respect:

- There is a need to **further exchange and develop means of responsibility sharing** among all, and in a spirit of partnership. A platform like EUROMED Migration can be instrumental in facilitating this exchange. Trust building is needed to create a better common basis and mutual understanding of the protection and asylum situation in the EUROMED region, and to explore possibilities to address the challenges and needs the countries face.
- The way ahead needs to follow a **comprehensive approach** towards migration and asylum at global, regional and national levels. This can be enhanced by exchanging on examples of national management systems and tools, which aim at a better management of refugee flows. A comprehensive approach may further include ideas on how to best **combine humanitarian with development assistance**, while taking into account both refugee populations and host communities. A comprehensive approach shall further include an in-depth exchange involving international organisations, civil society and academia.
- International cooperation should emphasise **measures to permanently improve the capacities of the countries in the region, which host large numbers of refugees, in the areas of legal framework and procedures, reception, training of relevant authorities and civil society**. In addition, a **development-oriented approach to protracted displacement** should aim to reinforce the resilience of host communities through socio-economic development, mediation and violence prevention at community level, information campaigns on rights and responsibilities of migrants, and voluntary return whenever possible.
- Working together to **expand legal avenues to the EU for people seeking international protection** is an urgent issue. There is a **need for more safe entry mechanisms** for people in need, and beyond resettlement. Possibilities, such as humanitarian admission, humanitarian evacuation operations, resident permits for temporary protection, flexible use of the visa regime and private sponsorships for refugees, are very marginally used.
- The development of **practical initiatives** can support the **enhancing of international cooperation and coordination**, for instance the mapping of various initiatives on IPA in the region could be of great value, as this would allow countries to better harmonise and adapt activities to their situation, while equally permitting to track records of success stories and projects in various countries in the region. **Jointly addressing contingency planning**, while taking into account the experiences of ENI SPC and those of EU MS, can be a useful (though ambitious) exercise, as it will allow countries to better plan for the necessary reaction to refugee flows. EUROMED Migration, being a platform of technical exchange, could facilitate the development of these practical initiatives in international cooperation and coordination.
- Further **exchanging good practices** on standards and conditions for the reception of asylum seekers and refugees seems to be equally useful, as important lessons can be learnt from

respective EU standards and the implementation of international refugee law by countries in the region.

- Finally, the development of a more efficient and **professional approach towards the media** seems to be a good step forward in order to better inform the public and to raise awareness of the needs of refugees and those of host communities of large numbers of refugees.