



Statewatch coverage of the migrant crisis in the Mediterranean 15 July 2015

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New key documents and Commentaries

1. [Migration crisis: EU discussing common list of "safe countries of origin" and resettlement programmes](#) and see documents:

[Draft Conclusions of the Representatives of the Governments of the Member States meeting within the Council on resettling through multilateral and national schemes 20 000 displaced persons in clear need of international protection](#) (LIMITE doc no:10595-1-15, pdf)

[Draft Resolution of the Representatives of the Governments of the Member States meeting within the Council on relocating from Greece and Italy 40 000 persons in clear need of international protection](#) (LIMITE doc no: 10849-15, pdf)

[Draft Council Conclusions on safe countries of origin](#) (LIMITE doc no:10687-15, pdf)

Meeting: JHA Counsellors: [Notice of Meeting and Provisional Agenda](#) (CM 3274/1/15, pdf)

2. EU: MED-CRISIS: Council of the European Union: [Commission Recommendation of 8.6.2015 on a European resettlement scheme - Proposal for a Council Decision establishing provisional measures in the area of international protection for the benefit of Italy and Greece = Main outstanding issues](#) (LIMITE doc no 10524-15, pdf)

And see: [Draft Report on the proposal for a Council decision establishing provisional measures in the area of international protection for the benefit of Italy and Greece](#) (pdf):
Rapporteur: Ska Keller MEP

The discussion paper for Coreper (Member States' representatives to the EU) confirms that the Council is still intending to adopt the Commission's proposal to relocate 40,000 asylum-seekers from Italy and Greece. There seems no prospect of increasing the numbers to 50,000, to take account of the increased numbers coming to the EU, as the draft Keller report suggests. Nor is it clear yet what the Council will do if Member States do not offer voluntarily the full 40,000 places, given that the Commission's idea of mandatory quotas will be dropped.

However, the Council is considering amending the rules on which nationalities are covered by the rules. This would mean that not only Syrians and Eritreans would be covered by the Decision; nationalities could be added or removed depending on refugee recognition rates (for instance, Afghans and Somalians also have a fairly high rate of successful claims).

The draft Council document shows great concern to avoid 'secondary movements', ie refugees or asylum-seekers moving between Member States. However, it says nothing about the part of the draft Keller report which would most obviously address this issue: allowing refugees to express a preference over which country they go to, and giving them a veto over their relocation. If refugees are only sent to countries which they prefer to and/or agree to be in, they are much less likely to move to another Member State.

See also: [EU Naval Force EUNAVFOR MED sets sail in troubled waters](#) (CEPS, link)

3. EU: MED-CRISIS: Council of the European Union: [Valletta Conference on Migration \(Malta, 11-12 November 2015\) - Orientation debate](#) (pdf):

"Delegations will find enclosed at annex a note issued under the responsibility of the Cabinet of the President of the European Council, in close cooperation with the European External Action Service and the Commission services...."

The Summit will bring together the leaders of the most concerned countries of origin, transit and destination as well as regional organisations to identify, agree and launch actions to jointly address immediate and long term migration challenges as well as to reinforce the current mechanisms to implement and follow up high level political decisions on migration. Therefore, the aim is to invite the Heads of State and Government of the European Union Member States and of the countries parties to the Khartoum Process and the Rabat Process, as well as the African Union Commission and the ECOWAS Commission.

Libya is central to irregular migration to Europe but its participation to the summit will depend on the evolution of its internal political situation....

Making progress on return and readmission agreements (actions for both the EU and the countries of origin to facilitate returns of irregular migrants, with particular attention to assisted voluntary return and integration and the establishing of readmission agreements with countries of origin)"

4. EU: MED CRISIS: HUNGARY: [Remarks by Commissioner Avramopoulos after his visit to Budapest](#) (pdf) He:

"offered the possibility to deploy "hotspot teams" to help in the swift processing of asylum requests and help with the return of irregular migrants. These teams will include experts from the European Asylum Support Office (EASO), Frontex and Europol in order to improve the capacity of fingerprinting, identify abusive asylum claims, and ensure effective returns."

See: European Council Conclusions: [European Council meeting \(25 and 26 June 2015\) – Conclusions](#) (pdf). For "hot spots" the term "structured border zones" is now referred to as "first reception facilities".

It is not all clear what the legal powers the Commissioner is referring to for Europol, Frontex or EASO [European Asylum Support Office] to ensure the "swift identification, registration and fingerprinting" of migrants or for EASO and Europol to: *"identify abusive asylum claims, and ensure effective returns."*

5. EU: MED-CRISIS: HUNGARY: [Letter from Hungarian PM Orban to Commission President Juncker](#) (pdf) stating that Dublin provisions will be adhered to but "technically temporarily not capable of receiving people sent back from the Western direction"

6. EU: MED CRISIS: TURKEY: Council of the European Union: [EU Action on Migratory Pressures - targeted update and the outcome of discussion on Turkey](#) (LIMITE doc no: 9491, pdf):

"The visa regime in Turkey was a source of concern for many delegations. Both Egypt and Algeria have introduced visa requirements for Syrian nationals. Turkey maintained visa-free travel, which has been identified as a source of concern. Turkey had the capacity to act as a significant transit point for migrants from the wider Middle East-North Africa region: migrants may legally enter Turkey but then illegally enter the EU. Along with Syrians, Moroccan, Tunisian, Libyan, Georgian, Jordanian, Lebanese and Iranian passport holders do not require a visa to enter Turkey."

7. EU Council: [European Council meeting \(25 and 26 June 2015\) – Conclusions](#) (pdf). Some change in terminology but same intent: For example, "structured border zones" now referred to as "first reception facilities"... and it not at all clear what the legal powers of Europol, Frontex or EASO are to ensure "swift identification, registration and fingerprinting":

"the setting up of reception and first reception facilities in the frontline Member States, with the active support of Member States' experts and of EASO, Frontex and Europol to ensure the swift identification, registration and fingerprinting of migrants ("hotspots")."

Background:: ["War" to be declared on migrants who - fleeing from war, persecution and poverty - have arrived in the EU are to be contained and detained in "Structured border zones" to be set up to "ensure the swift identification, registration and fingerprinting of migrants](#)

[\("hotspots"\)](#)" and Statewatch Briefing on a "Working Document" issued for discussion by the Commission: [Coercive measures or expulsion: Fingerprinting migrants](#) (pdf):

8. EU: MIGRATION POLICY: Council of the European Union: Incoming Luxembourg Council Presidency: [Strategic coordination of the work of the Council preparatory bodies in the area of migration](#) (LIMITE doc no: 10249-15, dated 25 June 2015, pdf):

The Council Presidency seem to have forgotten that migration policy is subject to co-responsibility with the European Parliament: How can a legislative body fully play its role if it is not associated when strategies are defined and when legislation is implemented?

"the Luxembourg Presidency proposes to start working on a short and concise paper on the Strategic Coordination of the work of the Council preparatory bodies in the area of migration, in order to better integrate the work on the internal and external aspects of migration and to improve the efficiency and coherence of the Council preparatory bodies in this area.

The paper would define, under the responsibility of the Trio of Presidencies, the Strategic Coordination in the area of migration. It should be used to mainstream these priorities into the work of the Council preparatory bodies dealing with migration, in particular SCIFA and HLWG, but also other relevant thematic and geographical groups (CODEV, COHOM, etc.)."

9. Special Report: European Summit (meeting of Prime Ministers) Conclusions: [European Council \(25 and 26 June 2015\) - Draft conclusions](#) (dated 24 June 2015, LIMITE doc no: 8395-15,pdf).

These Conclusions, drafted yesterday, still contain the same, worrying, and far-reaching measures on migration as the earlier draft and are based on: [Letter from Commissioner Avramopolous to Ministers with Annex](#) (pdf) which spells out in more detail where the EU is going:

See: Statewatch Special Report: ["War" to be declared on migrants who - fleeing from war, persecution and poverty - have arrived in the EU are to be contained and detained in "Structured border zones" to be set up to "ensure the swift identification, registration and fingerprinting of migrants \("hotspots"\)](#)" and Statewatch Briefing on a "Working Document" issued for discussion by the Commission: [Coercive measures or expulsion: Fingerprinting migrants](#) (pdf)

10. EU: [German-Italian-French non-paper on EU migration policy](#) (pdf) and [Letter](#) (pdf). Includes:

- Dialogue with source/transit countries: At upcoming EU-Africa summit in Malta "we should also discuss the relationship between migration and mobility and their impact on development, the promotion of fair trade and the strengthening of security cooperation as well as return and readmission issues"

- Proposal for EU CSDP civilian mission in Niger: [EUCAP Sahel Niger](#) to become permanent and "work even more closely with Nigerien authorities in the fight against smuggling and trafficking in human beings"

- Adequate funding for continued "engagement" with countries in the Horn of Africa, to deal with migration from/through those countries (in the recent ISF-Police work programme some money was put aside for this, see: [Annual Work Programme for 2015 for support to Union Actions under the Internal Security Fund – Police cooperation and crime prevention](#) (pdf)

- "We must increase the effectiveness of return and readmission programmes"

And: "Our migration policy goals should relate to other relevant horizontal foreign policies such as counter-terrorism, maritime security, water and climate policy and a reviewed European Neighbourhood Policy which also considers the neighbours of our neighbours."

11. Statewatch Special Report: ["War" to be declared on migrants who - fleeing from war, persecution and poverty - have arrived in the EU are to be contained and detained in "Structured border zones" to be set up to "ensure the swift identification, registration and fingerprinting of migrants \("hotspots"\)"](#)

This is set out in the Draft Conclusions of the European Council [the EU Heads of State] meeting on 25 and 26 June 2015: [Draft conclusions](#) (pdf)

Section 5.c says: **"the setting up of structured border zones and facilities in the frontline Member States, with the active support of Member States' experts and of EASO, Frontex and Europol to ensure the swift identification, registration and fingerprinting of migrants ("hotspots");"** [emphasis added]

Will the "swift fingerprinting" of those described here as "illegal" migrants involve coercive measures? See: Statewatch Briefing on a "Working Document" issued for discussion by the Commission: [Coercive measures or expulsion: Fingerprinting migrants](#) (pdf):

*"If the data-subject still refuses to cooperate it is suggested that officials **trained in the "proportionate use of coercion"** may apply the minimum level of coercion required, while ensuring respect of the dignity and physical integrity of the data-subject.."*

Statewatch Director, Tony Bunyan comments: "Where is the EU going? Migrants, including pregnant women and minors, who have fled from war, persecution and poverty are to be forcibly finger-printed or held in detention until they acquiesce or are expelled and banned from re-entry."

Steve Peers, Professor of Law, University of Essex comments on the Draft Conclusions:

"It is remarkable that Member States (if this draft is accepted) are indeed willing to accept the relocation of 40,000 asylum-seekers from Italy and Greece, and 20,000 resettled refugees.

It is also notable that all Member States will participate in the latter decision - with even the UK agreeing recently to resettle a few hundred more Syrians. This is a very modest amount of the numbers needing protection however.

The European Asylum Support Office does not seem to have the powers to participate in fingerprinting asylum-seekers, and the reference to 'bringing together' rules on fast-tracking asylum applications is very vague. Is the intention to lower standards, and if so, how exactly? Any moves to negotiate more readmission agreements and to expel more people who supposedly have no need for protection will have to comply fully with EU, ECHR and all national and international human rights standards.

Equally if Frontex is to gain more powers over expulsion it must be made more fully accountable, including as regards individual complaints against it."

12. EU: MED-CRISIS: European External Action Service (EEAS): [European Union Naval Force - Mediterranean](#) (Press statement, pdf): Contributing States: Currently 14 Member States (BE, DE, EL, ES, FI, FR, HU, IT, LT, LU, NL, SE, SI, UK):

"The Council shall assess whether the conditions for transition beyond the first phase have been met, taking into account any applicable UN Security Council Resolution and consent by the Coastal States concerned."

Consent is needed for the EU to act within the territorial waters of another state (eg: Libya) and see: Comments below on this position.

13. [EU migration policy: comments on the results of the latest European Council](#) (EU Law Analyses, link)

[Letter from Commissioner Avramopolous to Ministers with Annex](#) (Statewatch version, 75KB) or [link to Council's 10.5 MB version](#) (pdf)

14. Statewatch Briefing on a "Working Document" issued for discussion by the Commission: [Coercive measures or expulsion: Fingerprinting migrants](#) (pdf):

NEWS

1. EU: MED-CRISIS: [Migrant dies on UK-bound freight train near Calais - Death is second in two weeks amid migration crisis at French port, causing delayed passenger services and freight traffic](#) (Guardian, link)

2. [Greek island of Lesbos struggles to cope with migrant influx](#) (BBC News, link): "Record-breaking numbers of migrants are arriving on the Greek island of Lesbos, overwhelming local authorities, local police say. About 1,600 landed on the island on Saturday alone, the island's chief of police said."

3. [Hungary MPs approve border fence and anti-migrant law](#) (BBC News, link): "Hungary's parliament has passed new legislation tightening asylum rules, and backed plans to erect a border fence to keep out migrants. The new law allows the detention of migrants in temporary camps, the speeding up of asylum assessments and limiting the possibility for appeal. The move was criticised by the UN and human rights groups."

4. [Balkans: Refugees and migrants beaten by police, left in legal limbo and failed by EU](#) (AI, link): "Thousands of refugees, asylum-seekers and migrants – including children – making dangerous journeys across the Balkans are suffering violent abuse and extortion at the hands of the authorities and criminal gangs and being shamefully let down by a failing European Union (EU) asylum and migration system which leaves them trapped without protection in Serbia and Macedonia, said Amnesty International in a [new report](#)."

5. [ECRE has expressed its disappointment following the Conclusions of the European Council meeting](#) of 25 June and is particularly concerned about the incapacity of EU leaders to reach an agreement on a mandatory scheme to relocate 40,000 asylum seekers and resettle 20,000 refugees. In ECRE's view, even these numbers are insufficient, notwithstanding the complete failure to achieve solidarity and trust between Member States on asylum policies; at the expense of asylum seekers.(link)

6. [EU Military in Our Waters Only if We're in Control – Libya PM](#) (Migrant Report, link): "“We expect that if there is such an intervention to stop smugglers or illegal immigrants from crossing to Europe, it should be under the supervision, guidance and coordination of the new national government... we would only (would it be accepted) if it is under the control of the new government...” he said in an exclusive interview in Malta, where the Prime Minister is currently on an official visit."

7. [UN agency worries as Hungary rushes to tighten asylum rules](#) (Yahoo News, link)

8. [UN says one million refugees should be no problem for EU](#) (euractiv, link): "The UN rights chief yesterday (15 June) called for the European Union to take bolder steps to address its swelling migrant crisis, insisting the bloc could easily take in one million refugees"

9. [Update from Boukhalef: large-scale evictions and mass deportations](#) (No Borders Morocco, link):

"For several years already, migrants, mainly subsaharans, have found refuge in Boukhalef, a district in the periphery of Tangier. Some just live their lives, others have been regularized or are being hosted by their respective community while trying to cross to Europe. Subsaharans get harassed in the quarter or beyond on a regular basis, sometimes violently, by Moroccans reproducing racist ideologies. Regularly, the authorities decide to evict migrants violently, which has provoked several

tragedies. On 1st of July 2015 more than 200 police officers and soldiers were deployed to the district Boukhalef in order to evacuate all the "blacks"....

Hundreds of people were deported further South, others are now on the streets, hiding in the Tangier medina, and need urgent support. A delegation of migrants' NGOs from Tangier and Rabat is calling for funds to support the evicted inhabitants of Boukhalef. The priority would be to provide at least some shelter for the most vulnerable people for the coming days, as they have lost all their possessions and are just staying in the streets! Please let us know if you can donate any sum of money to buy some blankets, plastic sheets, some cooking utensils, food and medicine. Please email to nobordersmorocco@riseup.net and we will give you the account details. Any sum is welcome!"

10. [Serbia receives assistance to stem illegal migrant flows](#) (euractiv, link): "Police chiefs from Germany, Austria and Hungary have agreed to help Serbia crack down on waves of illegal migrants transiting its territory heading for the European Union. Meanwhile, Budapest said it will forge ahead with plans to erect a fence at its border with Serbia."

11. AUSTRIA: ['No let-up' in asylum seeker crisis](#) (The Local.at, link): "Tent cities for 400 asylum seekers are being set up in Carinthia and Burgenland - with Interior Minister Johanna Mikl-Leitner saying that she sees no end in sight for the refugee crisis."

12. [Hungary government condemned over anti-immigration drive - Activists accuse Fidesz party of stoking xenophobia to divert attention from escalating poverty and corruption scandals](#) (Guardian, link)

13. UNHCR: "A large majority of the thousands of people who made dangerous sea journeys across the Mediterranean into Europe in the first six months of 2015 were fleeing war, conflict or persecution": [UNHCR Tracks: The Sea Route to Europe People risking their lives to reach Europe are often called migrants, but the current Mediterranean crisis is primarily a refugee crisis](#) (link)

14. ITALY: [Renzi says suspending Schengen won't stop migrants](#) (ANSA, link) and EU: MED-CRISIS: [Seeking Refuge: Central Europe balks at refugees. But then there's Ukraine.- Central Europe, and Poland in particular, could be key to easing the EU's migrant crisis. The region has been cold to the idea of taking in refugees – but Ukraine conflict could force the issue.](#) (Yahoo News, link): "The most deadly and pressing elements of the current migration crisis are focused on the southern Mediterranean. But pressure is coming from the east, too. And Poland could emerge as a key powerbroker for the region &SHY; not just if a refugee crisis takes shape in Ukraine, but also by setting the example in the region as the EU scrambles to get all 28 members of the bloc to see the refugee problem as their concern."

15. [Denmark to impose controls on border, risking EU ire](#) (Reuters, link): "Denmark will impose controls on its border to stop smugglers and illegal migrants, its new foreign minister said on Tuesday, in a move likely to worry the European Union but please a right-wing party on whose support the government now depends. More police, machines screening number plates and other measures would increase security without breaking EU rules guaranteeing freedom of movement through the bloc, Kristian Jensen told Reuters."

16. [The hidden frontline of Europe's migration crisis - As a gateway to both the EU and the Schengen passport-free zone, Hungary has seen more than 50,000 migrants trying to cross its border this year. Now it is planning a 100-mile wall to keep them out](#) (Daily Telegraph, link) and [Top French court approves border controls with Italy](#) (France 24, link): "France's top administrative court said Monday that border controls on migrants at the Italian frontier were legal and did not violate the Schengen agreement that created Europe's passport-free zone. The court dismissed a complaint by three organisations in support of scores of migrants stranded at the border between France and Italy since mid-June."

17. [Mediterranean migrants: EU leaders agree voluntary intake after heated talks - Long, fractious meeting finally reaches deal on resettling 60,000 asylum seekers, but exempts Hungary and Bulgaria, while UK opts out](#) (Guardian, link):

"The national leaders of Europe have engaged in one of their most bitter rows in years over how to respond to the influx of refugees from across the Mediterranean after they scrapped plans for a quota system to share out the resettlement. The meeting descended into name-calling and recrimination as the leaders fought over a modest scheme to share the intake of 60,000 Syrian and Eritrean asylum seekers between their countries over two years..."

Italy and Lithuania traded barbed insults, while two EU presidents – Donald Tusk, chairing the summit, and Jean-Claude Juncker, the head of the European commission – fought for hours over the wording of the summit statement, which could not be agreed."

18. [EU to create new quarantine system for Mediterranean migrants - Italian PM accuses EU of betraying basic values as draft summit papers reveal plans to give police and border agencies enhanced powers of coercion](#) (Guardian, link):*"Where is the EU going?" asked Tony Bunyan, director of Statewatch, a watchdog monitoring civil liberties in the EU. "Migrants, including pregnant women and minors, who have fled from war, persecution and poverty are to be forcibly fingerprinted or held in detention until they acquiesce or are expelled and banned from re-entry."*

19. EU: [Jailing migrant families together with convicted criminals: A desperate EU policy to deter irregular migration](#) by Steve Peers, Professor of Law, University of Essex:

"Taken together, the loss of these protections will mean that irregular migrants, including irregular migrant families, will not only be detained in ordinary prisons, but mixed in with the ordinary prison population of convicted criminals and those awaiting trial for serious crimes. Moreover, their capacity to challenge their detention by means of judicial review will be severely curtailed."

Coupled with the recent Commission paper offering guidelines for using force, including against pregnant women, on migrants who refuse to be fingerprinted, this represents a significant turn in EU policy - turning toward direct and indirect threats of physical violence to control their behaviour and induce them to leave."

To say the least, this is hard to square with the EU's frequent professions of support for the human rights and decent treatment of migrants."

20. [UNHCR says Greece faces 'unprecedented' migrant emergency](#) (ekathimerini.com, link):

"Greece is facing an "unprecedented" emergency as migrants fleeing war and poverty stream into the country's islands in huge numbers, the U.N. refugee agency said Friday. The UNHCR said 77,100 people have arrived in Greece by sea this year, an average of 1,000 per day, overwhelming local authorities. The country's precarious economic situation is putting severe strain on small islands that are unable to cope, the agency said."

"Greece is part of the European Union and this is happening in Europe," UNHCR spokesman William Spindler said in Geneva. "We would like the European Union to have a much more active role in responding to the situation in Greece."

21. GERMANY: [Authorities abandon comprehensive fingerprinting due to refugee numbers](#)

Deutsche Welle reports that: "Border authorities in Bavaria have given up trying to take the fingerprints of all the refugees entering the country, reported "Der Spiegel" on Monday."