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The need to reform European migration policies

Report¹

Committee on Migration, Refugees and Displaced Persons

Rapporteur: Mr Ian LIDDELL-GRAINGER, United Kingdom, European Conservatives Group

Summary

A sharp increase in the number of refugees and migrants arriving in Europe across the Mediterranean Sea over recent years has resulted in an unprecedented migratory and refugee crisis in Europe putting enormous pressure on receiving countries, including the countries of first arrival and destination as well as transit countries. The rapporteur calls for a common European approach to the management of migration flows and sustainable solutions as well as for a serious debate on a European level on the migration phenomenon in a long-term perspective, and on its consequences for host societies. He submits for consideration a number of measures and possible solutions aimed at addressing the concerns and challenges with regard to the continuing massive mixed migratory flows.

1. Reference to committee: Reference 4272 of 23 January 2017 (debate under urgent procedure).



Contents

Page

A. Draft resolution	3
B. Explanatory memorandum by Mr Ian Liddell-Grainger, rapporteur	5
1. Introduction	5
2. Deficiencies of the current migratory policies and the main concerns resulting from mass migratory movements	6
3. Security and integration concerns resulting from mass migratory movements	8
4. Possible ways to improve the situation	9

A. Draft resolution²

1. The Parliamentary Assembly is very much concerned about the failure of European leaders to find a common policy approach and effectively address the ongoing migration and refugee crisis, including the continuing loss of lives in the Mediterranean Sea, inadequate reception conditions, responsibility sharing between States with regard to mass inflows of people, violence at the borders and against migrants, and the ensuing loss of public confidence in governments and European institutions to deal with the crisis.
2. Europe's inadequate response to unfolding developments and continuing mass arrivals of refugees and migrants has revealed the irrelevance and systemic weaknesses of existing legal instruments and mechanisms, including the inability to control external European Union borders, the practical inapplicability of the Dublin Regulation, dysfunctional asylum systems as well as divisions amongst countries, depending on their political stances and geographic situations.
3. Furthermore, the Assembly regrets the absence of a global and comprehensive vision for the management of migration flows and sustainable solutions as well as the lack of a serious debate at European level on the migration phenomenon in a long-term perspective and its consequences for host societies.
4. The Assembly welcomes the continuous efforts of Turkey and Germany, which have taken in most of the recent influx of refugees and irregular migrants, and recognises the efforts made by Italy and Greece faced with receiving, as countries of first arrival, the main flows of refugees and migrants.
5. Several recent terrorist attacks committed by refugees or asylum seekers raise questions about security, particularly against the background of failed cultural and social integration and radicalisation of some young people of a migrant background, including second and third generations.
6. Furthermore, the Assembly stresses that the right and obligation to protect national and European Union external borders is not incompatible with the commitment to uphold international humanitarian law.
7. Regrettably, dysfunctional status determination procedures do not allow for quick distinctions between people in real need of international protection and irregular migrants. Combined with inefficient return policies this compromises the concept of international protection and leads to abuses. The Assembly believes that it is of crucial importance to strengthen the existing legal and policy framework at the national and European level with a view to ensuring efficiency of the asylum system
8. The Assembly refers to its [Resolution 2000 \(2014\)](#) on the large-scale arrival of mixed migratory flows on Italian shores, [Resolution 2088 \(2016\)](#) "The Mediterranean Sea: a front door to irregular migration", [Resolution 2118 \(2016\)](#) "Refugees in Greece: challenges and risks – A European responsibility", [Resolution 2073 \(2015\)](#) "Countries of transit: meeting new migration and asylum challenges", [Resolution 2109 \(2016\)](#) on the situation of refugees and migrants under the EU–Turkey Agreement of 18 March 2016, [Resolution 2072 \(2015\)](#) "After Dublin – the urgent need for a real European asylum system", [Resolution 2089 \(2016\)](#) on organised crime and migrants; as well as [Resolution 2113 \(2016\)](#) "After the Brussels attacks, an urgent need to address security failures and step up counter-terrorism co-operation", [Resolution 2090 \(2016\)](#) on combating international terrorism while protecting Council of Europe standards and values, and [Resolution 2093 \(2016\)](#) "Recent attacks against women: the need for honest reporting and a comprehensive response.
9. In consequence, the Assembly calls on:
 - 9.1. the Council of Europe member States to:
 - 9.1.1. engage in a meaningful dialogue involving the Office of the United Nations High Commissioner for Refugees (UNHCR) and other international stakeholders on the interpretation of legal provisions of the 1951 United Nations Convention relating to the Status of Refugees, including the criteria for qualifying for status, as well as on the issue of definition of a third safe country;
 - 9.1.2. step up efforts to find a constructive solution concerning more equitable repartition of responsibility sharing with a view to fully implementing the European Council's decisions of July 2015 with regard to relocation and resettlement of refugees;
 - 9.1.3. continue search and rescue operations in the Mediterranean Sea on at least as large a scale as at present;

2. Draft resolution adopted by the committee on 24 January 2017.

9.1.4. explore possibilities for increasing legal channels for migration, including enhanced resettlement and admission for humanitarian reasons as well as family reunification with a view to putting a halt to illegal migration;

9.1.5. explore and promote initiatives to support institutional and normative capacity building of countries of origin and transit;

9.1.6. reflect on the emerging challenges faced by integration policies, including threats for security and radicalisation of migrants;

9.1.7. make full use of the Council of Europe Development Bank with regard to social projects relating to the reception of migrants and their integration;

9.2. the European Union member States and institutions to:

9.2.1. ensure the efficiency of external border controls by implementing measures proposed by the European Commission in its Package of proposals validated by the European Parliament in July 2016, and in particular by providing for proper funding and functioning of a new European Border and Coast Guard Agency in compliance with the applicable European and international standards;

9.2.2. increase the efficiency of return policies by mandating a newly established European Return Office with adequate financing and operational powers; harmonise return practices throughout Europe and consider possible cost-sharing;

9.2.3. explore possibilities for better identifying people in need of international protection and organising external processing of asylum applications by means of hotspots established outside Europe in safe third countries, provided that the human rights of the asylum seekers are safeguarded as already recommended by the Assembly in previous resolutions;

9.2.4. provide adequate financial and substantial support for Greece and Italy to ensure proper reception conditions for refugees and migrants and the functioning of hotspots in accordance with earlier commitments.

10. The Assembly resolves to continue its reflection on these questions and take stock of the progress achieved on the occasion of the Migration Debate to be held during its June 2017 part-session.

B. Explanatory memorandum by Mr Ian Liddell-Grainger, rapporteur

1. Introduction

1. A sharp increase in the number of refugees and migrants arriving in Europe across the Mediterranean Sea over recent years has resulted in an unprecedented migratory and refugee crisis in Europe. Over 1 million people arrived on European shores in 2015³ as compared to 219 000 in 2014, 60 000 in 2013 and an estimated 40 000 a year between 1998 and 2012. The implementation of the agreement between the European Union and Turkey as from March 2016 and the ensuing decrease in the number of people arriving in Greece, cut the total number of migrants and refugees crossing the Mediterranean to 390 000 in 2016.

2. The explosion in numbers was triggered mainly by the armed conflicts in Syria and Iraq as well as by instability, human rights violations and economic misery in countries such as Afghanistan, Eritrea, Nigeria, Somalia, the Gambia and Sudan. Voyages across the Mediterranean occur along rapidly changing maritime routes which respond to external circumstances such as migration control measures and conditions in the countries of origin, transit and destination. Passage across the sea is almost entirely controlled by well-organised criminal networks that wish to maximise profits and have little respect for human lives.

3. Perilous journeys across the Mediterranean result in a heavy death toll. Despite concerted save and rescue operations carried out by several European countries, over 4 000 people lost their lives in 2016 as compared to 3 800 people in 2015; 3 500 people in 2014; 600 people in 2013 and 500 people in 2012. At least 219 people drowned in the first two weeks of this year alone.⁴

4. The mass arrivals of refugees and migrants across the Mediterranean Sea put the receiving countries under extreme pressure. It quickly became clear that the material reception capacities of the first countries of arrival could not meet human rights standards and the asylum systems revealed structural deficiencies concerning processing of large numbers of applications. Partly as a result of these shortcomings but also due to unco-ordinated border openings and even facilitating transport as well as other factors including migrants' preferences, family ties and, last but not least, smuggling patterns, flows of refugees spread across Europe, affecting transit and destination countries.

5. Europe's chaotic response to these developments immediately revealed the inadequacy and irrelevance of existing legal instruments and migration policies. It was particularly flagrant in the case of the Dublin Regulation which is a European Union legal instrument providing a mechanism to identify the member State responsible for examining a particular asylum application, established in 2003 when migration and refugee flows were of a different qualitative and quantitative nature. As a result, mass flows of migrants were able to choose the country in which they would finally apply for asylum, a scenario that the Dublin Regulation was specifically designed to prevent. What is more, asylum seekers can apply in several countries while potentially abusing the local social welfare systems.

6. This is made possible because of another EU legal instrument, the Schengen Agreement, which is at the heart of EU single market policies and allows for free movement of people between the countries which have to a large extent abolished their internal border checks. In consequence, people who have entered Europe in an irregular way and have never been identified, let alone registered, can move freely within the whole Schengen Area.

7. The failure of the common European policy confronted with mass irregular arrivals has been accentuated by individual national approaches ranging from most restrictive to most generous and often contradicting each other. Several countries have closed their borders even for transit purposes, in some cases going so far as to erect fences. This created unprecedented tensions including violence at the borders. Others have been more flexible and allowed for transit to the point of inviting in refugees and applying a formal suspension of the Dublin Regulation.

8. The ensuing debates at the EU level on responsibility sharing and repatriation on the basis of voluntary or compulsory quotas have clearly demonstrated the inability of EU leaders to address the problem of migration which has resulted in extensive loss of public trust in governments and EU institutions. Tensions in certain countries play into the hands of extremists who, in turn, fiercely oppose migration or even encourage violence against migrants.

3. 1 015 078 people according to the Office of the United Nations High Commissioner for Refugees (UNHCR). All statistics in the report come from the UNHCR unless indicated otherwise.

4. International Organization for Migration (IOM).

9. The question of integration of all newly arrived migrants remains a matter of concern in the light of past unsuccessful efforts in this respect. Worrying reports about the lack of respect for democratic values and attempts to import lifestyles and values contrary to European values by newcomers must be taken seriously. Likewise, reports on protests of radicalisation amongst refugees and migrants cannot be ignored.

10. Some recent terrorist attacks committed by asylum seekers in European countries (for example Germany and Turkey) have shed new light on security failures and raised legitimate questions about the management of migration flows, and more broadly speaking, migration policies. The need for an adaptive European response to these new challenges created by the ongoing refugee and migration crisis has become evident.

11. The majority of these interlinked issues have been dealt with by the Parliamentary Assembly at different stages of the unfolding crisis. There is no need to quote here the full list of relevant reports prepared by the Committee on Migration, Refugees and Displaced Persons; they are easily consultable on the website of the Assembly. I will refer to some of them within the text when appropriate. I also draw your attention to the work of the Committee on Political Affairs and Democracy with regard to terrorism.

12. The present report, prepared under urgent procedure, results from the highest concern about the lack of open dialogue at the European parliamentary level on the risks ensuing from the ongoing migration and refugee crisis, as well as inadequate migration policies. By means of the present report, I hope to launch a debate on immediate responses to threats to security and our democratic values, but also to launch a reflection on the long-term consequences of mass migration. Europe needs a comprehensive approach to the issue of mass migration and a far-reaching vision for our future societies. The Migration Day in the Parliamentary Assembly planned for June 2017 will constitute a good opportunity for such a debate.

2. Deficiencies of the current migratory policies and the main concerns resulting from mass migratory movements

13. For several years before 2011, Italy and Greece were criticised for fighting irregular migration at their borders by practicing push backs. Intercepted boats would be directed to the points of departure and their passengers would have no chance to submit an application for asylum. This practice is called *refoulement* and constitutes a violation of the European Convention on Human Rights (ETS No. 5) as decided by the European Court of Human Rights in its judgment condemning Italy in 2011.⁵

14. The Court's decision paved the way for the establishment of a new practice of bringing intercepted irregular migrants to European shores; be it Italy, Malta, Cyprus or Greece. Smugglers quickly learnt to take advantage of this practice: as soon as the smuggled migrants and refugees have left the 12 nautical miles of territorial waters and reached international waters, they would send a distress signal or call the Italian coast guards using mobile phones and would have a good chance of being transferred onto Italian territory.⁶ There have also been reported cases of signals being sent out before the boat had left the Libyan coast.⁷

15. Unfortunately, not all passengers are lucky enough to be rescued in time from the unseaworthy vessels which are dangerously overloaded and often set sail in bad weather conditions. The number of tragic shipwrecks taking the lives of many people illustrates the risks undertaken by those who set off. It has to be clearly stressed that there is no way to totally eliminate risk. As long as people attempt to irregularly cross the Mediterranean, a loss of lives is inevitable.

16. There has been some progress in combating criminal networks smuggling migrants across the Mediterranean over the last two years,⁸ but the situation is far from being satisfactory in terms of legal shortcomings inhibiting prosecution as well as investigative methods. Efforts to combat the smuggling of migrants should address the root causes of migration that drive them into the hands of the smugglers: once there are no more migrants irregularly crossing the sea, the criminal networks of smugglers will disperse.

17. While the implementation, since March 2016, of the EU–Turkey Agreement has significantly decreased the number of people arriving in Greece (from over 800 000 in 2015 to 175 000 in 2016), the so-called “central Mediterranean route” between Libya and Italy has become the main passage of migration. In 2016, as many as 181 000 people arrived in Italy across the sea as compared to 150 000 in 2015. We should be concerned

5. *Hirsi Jaama and others v. Italy*, judgment of 23 February 2011, Application No. 27765/09.

6. See Assembly Doc. 13942, “The Mediterranean Sea: a front door to irregular migration” (rapporteur: Ms Daphné Dumery, Belgium, NR).

7. Ibid.

8. See Doc. 13941, “Organised crime and migrants” (rapporteur: Mr Irakli Chikovani, Georgia, ALDE).

to note that there are reported to be approximately 300 000 people waiting at the Libyan coast to obtain passage to Europe. Some of them have traversed the Sahara desert before arriving at the point of departure. Deplorably, the Sahara and the Libyan Desert are the scenes of tragedies comparable to those in the Mediterranean but gather little interest from the authorities or public opinion.

18. The introduction of measures to control borders and combat irregular migration is a legitimate prerogative of national States and of the European Union. With no prejudice to the right of asylum, the measures are designed to allow effective management of migratory flows and are also a necessary condition for ensuring security. Proper identification and registration of arriving people is an important element of security policies.

19. Until recently, the lack of identification remained a serious cause for concern. The fact that many people have entered Europe without the European authorities having any record of their presence or information about their identity remains a serious security concern.

20. The Dublin Regulation's requirements are clear in this respect and stipulate, in Article 8, that each "Member State shall, in accordance with safeguards laid down in the European Convention on Human Rights and in the UN Convention on the Rights of the Child, promptly take the finger prints of all fingers of every alien of at least fourteen years of age who is apprehended by the competent control authorities in connection with the irregular crossing by land, sea or air of the border of that Member State having come from a third country and who is not returned back". The Regulation then requires that the "Member State concerned shall promptly transmit to the central unit ... data relating to any alien including the place and date of apprehension, finger print data and the date on which the data were transmitted to the central unit".

21. On this point Italy had been repeatedly criticised by other European countries as it has systematically failed to comply with the European legislation. Until the establishment of hot spots in late 2016, those migrants and refugees arriving on Italian coasts who did not wish to co-operate, were not forced to do so. Consequently, approximately 2% of them were not properly identified.⁹ Once transferred to a reception centre, they could disappear without any record of their identity having been obtained. However, there are still over 150 000 refugees remaining in Italy, and only 1 950 have been relocated.

22. The refusal to co-operate may be explained by the fear that fingerprinting would jeopardise their chances of submitting an application for asylum in another country. However, this leniency of the authorities might have allowed potentially bad-intentioned people to mix with the migrants and pass unnoticed. The threats to the European host countries of these irregular migration channels have been intensified by the public declarations of the leaders of the terrorist organisation called Isis announcing their intention to smuggle their own people along with the flows of refugees, and who are tasked with committing terrorist attacks in Europe.¹⁰

23. In Greece, before the implementation of the EU–Turkey Agreement and establishment of hotspots in 2016, the identification and registration of new arrivals was very unsatisfactory due to the authorities being overwhelmed by the sheer numbers; the estimated rate of new arrivals in mid-September 2015 was between 5 000 and 8 000 persons a day. Following the implementation of the EU–Turkey Agreement and the establishment of hot spots, the situation has much improved in this respect. Unfortunately, the European Union has until now failed to provide adequate support to Greece or ensure that responsibility is shared equitably among its member States. Only a little over 6 000 people have been relocated so far.¹¹ As a result, over 14 000 people are still confined to the islands, a further 14 000 are accommodated in the EU-funded flat scheme and over 33 000 remain in sub-standard reception conditions on mainland Greece. In total, there are over 63 000 people of concern in Greece.

24. Apart from being a direct threat for security, the lack of proper identification and registration upon arrival to some extent might have compromised the status determination procedure itself. The laissez-faire policy encouraged the abuse of the asylum system, was a pull up factor for those who did not qualify for status and discredited the concept of international protection in the public opinion.

9. See [Doc. 13942](#), op. cit.; and [Doc. 13531](#), "The large-scale arrival of mixed migratory flows on Italian shores" (rapporteur: Mr Christopher Chope, United Kingdom, EC).

10. See [Doc. 13764](#), "The human tragedy in the Mediterranean: immediate action needed" (rapporteur: Mr Thierry Mariani, France, EPP/CD).

11. This figure, together with the number of refugees relocated from Italy gives a total amount of just over 8 000 – far from the target of 160 000 decided by the Justice and Home Affairs Council in September 2015.

25. This issue touches upon another question which is often raised with regard to the ongoing migration and refugee crisis: that of the distinction between refugees and people in need of international protection and economic migrants who are simply seeking a better life and do not qualify under any kind of humanitarian status.

26. Lengthy and cumbersome status determination procedures, dysfunctional asylum systems and legislative deficiencies as well as non-compliance with EU legislation by some countries do not prevent abuses, but encourage some economic migrants to take advantage of these shortcomings.

27. The crucial question of the criteria which would qualify people for refugee status and the notion of a safe third country calls for a deeper reflection and debate at the European level. I hope that this report will launch further discussions.

28. Another important issue relates to the return of rejected applicants, or migrants who have not applied for asylum. Few of them wish to go back to their country on a voluntary basis. This is a matter of concern that suggests that forced return policies throughout Europe are entirely inefficient. According to Eurostat, every year between 400 000 and 500 000 foreign nationals are ordered to leave the European Union. However, less than 40% of them are sent back to their home country or to the third safe country from which they travelled to the European Union. There are several reasons for this: the lack of readmission agreements with some countries of origin, long processing times, no effective surveillance of rejected applicants and high costs involved. In practice, it is not difficult for a rebuked asylum seeker or irregular migrant to avoid deportation.

29. A lack of co-ordination between States and of a common approach between European leaders, as well as no comprehensive vision for the future seems to be the biggest obstacle to dealing with the ongoing migration and refugee crisis. Contradictory national migration policies, discussions on quotas and their voluntary or obligatory nature seem to overlook the core issue: the crisis will not end even if all undertakings on the repatriation of refugees are implemented. The next wave of migrants, both refugees and economic migrants, are continuously waiting to embark; deplorably, there will certainly be more loss of lives, and the challenges will remain the same if not greater.

3. Security and integration concerns resulting from mass migratory movements

30. The December truck attack on a crowded Berlin market that killed 12 people and injured nearly 50 others shed new light on security safeguards with regard to mass migratory movements. The perpetrator turned out to be a Tunisian national, a failed asylum seeker who had applied for asylum in six different countries under six different names and who had 14 known aliases. Moreover, he had spent four years in an Italian prison for violence and arson, and subsequently he was arrested in Germany while carrying false documents. For the last six months he was under German surveillance and was known as a radicalised person awaiting deportation which was delayed due to some bureaucratic problems with the Tunisian authorities. Due to lack of speedy and effective co-operation between police forces he managed to cross several State borders before being apprehended in Italy.

31. The terrorist attack in Berlin followed a disturbing pattern of attacks which require little organisational manpower or technological know-how. It was another worrying example of an Islamic operative who was able to conceal his ties with the terrorist organisation. The fact that he had arrived in Europe as an asylum seeker led to a negative impact on the public perception of irregular migrants.

32. Regrettably, the Berlin perpetrator is not the only example of an asylum seeker being radicalised. In July 2016, a failed asylum seeker blew himself up outside a wine bar near a music festival in the German town of Ansbach. The explosion injured 12 people.

33. Earlier the same week, a 17-year-old Afghan refugee seriously injured five people with a knife and hatchet on a train in Germany before police shot him dead. In his room, a hand printed ISIS flag was found. The attacker had come to Germany as an unaccompanied minor two years earlier.

34. Some of the perpetrators of three co-ordinated suicide bombings which occurred in Belgium (two at Brussels airport and one at Maalbeek metro station) arrived in Europe as refugees through Greece.

35. An Uzbek jihadist killed 39 people and injured at least 70 others in a terrorist attack at a night club in Istanbul on 1 January 2017. He crossed the Syrian–Turkish border with his wife and two children along with refugees. ISIL officially claimed responsibility and declared that the attacker was its soldier. The experts who examined the footage of the attack claimed that the gunman was professionally trained in the use of weapons. Turkish police believed the attack was carried out by the same ISIL soldier that targeted Atatürk Airport in June 2016.

36. The few attacks committed by these irregular migrants, who constitute a minimal percentage of those who have arrived in Europe, are sometimes perceived in conjunction with the big wave of international terrorism for which responsibility is claimed by ISIS, and used by radical parties as an argument against irregular migrants in general or migrants of Muslim confession in particular. This is sadly paradoxical, as the vast majority of irregular migrants are themselves victims of international terrorism, and of ISIS in particular.

37. There is, however, a growing concern about possible radicalisation of migrants and refugees as a consequence of failed integration.¹² It has to be stressed that the majority of terrorist attacks in Europe have been carried out by migrants' descendants of second or third generation, born and raised in Europe, and fully fledged citizens of the host countries. A worrying number of people of migrant origin travel to Syria from different European countries.

38. Concerns about security have also mounted after men of North African and Arab appearance assaulted women in Cologne, Hamburg and other European cities on the night of 31 December – 1 January 2016. The simultaneous occurrence of these mob assaults in several cities, their scale, the slow response of the authorities as well as delays in the release of information were most worrying.¹³

39. Questionable social and religious attitudes are held among some migrants, including those settled in Europe for a long time. There are areas where predominating social and cultural norms are inherently incompatible with the way that the host communities view the functioning of society. It is illustrated by closed communities of "old migrants", including second and third generations, their detachment from host societies, so-called no-go areas with imposed laws, different cultural lifestyles, hardening religious attitudes and, in some cases, lack of readiness to adopt and respect democratic values of the European host societies.

40. Some of these issues, which include polygamy, forced marriages, marriages with minors, mutilations or honour crimes, are simply contrary to our law. What is even more dangerous is that some democratic values are openly contested or ignored: religious extremism and terrorism are on the rise.¹⁴

41. Probably most European countries have witnessed an increase in anti-migrant attitudes. The experience of the largely failed integration of numerous previous migrants should be taken into account when shaping future migration policies. This cannot be ignored when trying to identify solutions and remedies for the ongoing migration and refugee crisis.

4. Possible ways to improve the situation

42. It has to be acknowledged that there is a collective European failure in dealing with the current migration and refugee crisis. Migration policies should be entirely reviewed on the basis of past experience with regard to failed integration of migrants and taking into account threats to the integrity of European societies.

43. European border controls should be effective in order to ensure more appropriate protection systems in Europe. The re-introduction of systematic security checks at external borders with a relevant data base and establishment of a new European Border and Coast Guard Agency (EBCG) with more powers as compared to the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex), whose mission had obviously proved to have failed, as proposed by the European Commission in its Package of proposals aimed at securing Europe's external borders and validated by the European Parliament last June, is a badly needed first step towards the better handling of the migration and refugee crisis.

44. The new EBCG agency has a "rapid reaction pool" of 1 500 border guards who will be nominated by member States. It has been mandated with a monitoring and supervisory role to monitor migratory flows towards and within the European Union and to carry out risk analysis and mandatory vulnerability assessments to identify and address weak spots. The Agency will be able to require member States to take measures to address the situation within a set time-limit in case of vulnerabilities. It will also have the right to intervene by deploying a "rapid reaction pool" to ensure that action is taken on the ground even if a member State is unable or unwilling to take the necessary measures.

12. See [Doc. 14031](#), "After the Brussels attacks, urgent need to address security failures and step up counter-terrorism co-operation" (rapporteur: Mr Emanuelis Zingeris, Lithuania, EPP/CD) and [Doc. 13958](#), "Combating international terrorism while protecting Council of Europe standards and values" (rapporteur: Mr Tiny Kox, Netherlands, UEL)

13. See [Doc. 13961](#), "Recent attacks against women in European cities – the need for a comprehensive response" (rapporteur: Mr Jonas Gunnarsson, Sweden, SOC).

14. See footnote 10.

45. The controls will be significantly improved through the use of new technologies, including verification of biometric identifiers in the passports of EU citizens in case of doubts about the authenticity of the passport or the legitimacy of the holder.

46. The agency will also take a leading role in returning rejected asylum seekers or irregular migrants to their country of origin. A European Return Office will be established within the Agency, to allow for the deployment of European Return Intervention Teams composed of escorts, monitors and return specialists who will work to effectively return illegally staying third country nationals. A standard European travel document will ensure a wider acceptance of returnees to their countries. These measures will hopefully provide for efficient mechanisms for the immediate return of those who do not qualify for international protection. However, costs of deportation should also be a subject of shared responsibility.

47. It is too early to assess the effectiveness of these measures as the regulation only entered in force last October; the question of implementation remains crucial for their success.

48. I also believe that the European Union should explore possible ways for closer co-operation including exchange of information and collection of data with other Council of Europe member States. Sharing of expertise and training could also be envisaged.

49. An effective management of the European Union's external borders is fundamental for the good functioning of free movement within the European Economic Area. This is a matter of utmost urgency.

50. Furthermore, we should strengthen the existing legal and policy framework in all member States of the Council of Europe with a view to ensuring greater efficiency of the status determination procedure. The dialogue on the interpretation of legal provisions of the 1951 Geneva Convention on refugees, including the criteria for qualifying for status, should be launched. The issue of a definition of safe third country is of crucial importance too.

51. In May 2015, the European Union established a mechanism called hotspots aimed at helping in the processing of asylum requests and returning of irregular migrants. As part of hotspot teams rolled out in Italy and Greece, experts from Europol, EASO and Frontex deploy on the ground facilities for registering, fingerprinting and interviewing the migrants to ensure that all asylum requests are genuine. Unfortunately, until now, the support in terms of number of experts deployed is insufficient and there are big delays in processing the applications.

52. However, hotspots in Italy and Greece cannot be considered as solutions in themselves to the massive migration crisis. At best they can help to manage an out-of-control situation. They do not address the issue of tragic deaths during the passage across the Mediterranean. European leaders should seriously consider the establishment of hotspots outside of Europe in order to identify people needing international protection before they undertake dangerous sea journeys. I hope that serious dialogue on this question will engage all European leaders.

53. The Assembly has expressed on several occasions its support for the idea of identifying people in need of international protection and organising external processing of asylum applications by specialised agencies and European experts through hotspots set up outside Europe provided that the human rights of refugees and migrants are guaranteed.¹⁵

54. To avoid displaced persons in need of international protection having to resort to criminal networks of smugglers and traffickers and risk their lives making perilous journey to points of departure and then crossing the Mediterranean, resettlement programmes should be put in place in the countries where hotspots would be established. They would provide for legal and safe pathways to enter the European Union for those who are eligible for international protection along the lines of a European Resettlement Scheme adopted by the European Council in July 2015 and operating under the EU–Turkey Agreement.¹⁶

55. Regrettably, nothing has been done in this direction since then. This idea certainly deserves serious attention and I hope that the Assembly will be instrumental in launching the debate on this subject. To this end it is essential to engage in a meaningful dialogue with the African countries of transit in order to jointly manage migration flows.

15. See Assembly Resolutions [2088](#) (2016) and [2000](#) (2014).

16. In the EU Statement from 18 March 2016, it was agreed that for every Syrian national returned from the Greek islands another will be resettled to the EU directly from Turkey. As of 5 December 2016, a total of 2 761 people were resettled from Turkey under this scheme.

56. This would include encouraging initiatives to support institutional and normative capacity building of third countries. EASO should co-operate with third countries to reinforce asylum and reception capacities as well as regional protection programmes. EU funding is also made available by the new Asylum and Migration Fund (2014-2020) for more resettlement and humanitarian admission places.
57. Development of co-operation between Europe and countries of transit should include not only financial support but also economic projects which will contribute to sustainable development.
58. Tackling the root causes of the Mediterranean crisis is a crucial long-term measure for resolving the ongoing crisis. The settlement of hostilities in Syria, Libya, Iraq and Afghanistan is a necessary condition to ending the human exodus from and transiting through these countries.
59. At the same time, a number of measures aimed at increasing safeguards for security and preventing radicalisation should be introduced. The Assembly has already taken position in this respect and I refer to Resolution 2113 (2016) "After the Brussels attacks, an urgent need to address security failures and step up counter-terrorism co-operation" and Resolution 2090 (2016) "Combating international terrorism while protecting Council of Europe standards and values".
60. The Council of Europe Development Bank, which has in its mandate the provision of financing and technical expertise for social projects including those responding to emergency situations, should be more instrumental and increase its efforts in the European countries to address challenges relating to the reception of large numbers of refugees. One of the three sectoral lines of its action plan is the integration of refugees, displaced persons and migrants.
61. The most important factor remains political will for co-ordinated common action including the drawing up of a consistent approach based on a long-term vision and consequent implementation of reformed migration policies. I sincerely hope that the present report and debate will contribute to further debate and action in this respect.