



## Resolution 2173 (2017)<sup>1</sup>

# A comprehensive humanitarian and political response to the migration and refugee crisis and the continuing flows into Europe

Parliamentary Assembly

1. The Parliamentary Assembly regrets that, despite much debate and some positive action, no comprehensive humanitarian and political response has yet been found for the challenges presented by the large-scale migratory and refugee flows into Europe. It considers that this state of affairs, although mainly the consequence of armed conflicts in Syria and in other countries, demonstrates the failure of European States to co-operate effectively in addressing its root causes, providing humanitarian assistance, protecting human rights and managing efficiently the reception, asylum processing and integration of refugees and asylum seekers.
2. The Assembly recalls its numerous adopted texts calling for greater co-operation and increased solidarity and sharing of responsibilities between refugees' countries of origin, transit and destination, in particular [Resolution 2118 \(2016\)](#) "Refugees in Greece: challenges and risks – A European responsibility" and [Resolution 2088 \(2016\)](#) "The Mediterranean Sea: a front door to irregular migration". The implementation of the recommendations in these texts would go a long way towards creating the proper conditions for a solution to be found to the refugee crisis, which is more the result of a political and migration-management problem than a lack of resources or capacity.
3. The Assembly points to the range of recommendations made in other resolutions with a more general scope which, when combined, form a coherent set of policy orientations, such as [Resolution 2147 \(2017\)](#) on the need to reform European migration policies, [Resolution 2043 \(2015\)](#) on democratic participation for migrant diasporas, [Resolution 2175 \(2017\)](#) on migration as an opportunity for European development, and [Resolution 2176 \(2017\)](#) "Integration of refugees in times of critical pressure: learning from experience and examples of best practice". A third group of texts applies to particularly vulnerable groups: [Resolution 2136 \(2016\)](#) on harmonising the protection of unaccompanied minors in Europe and [Resolution 2159 \(2017\)](#) on protecting refugee women and girls from gender-based violence.
4. With respect to tapping into the potential of Europe's regions and civil society, the Assembly welcomes the initiative to launch a parliamentary diaspora network and believes that the engagement of diaspora communities is part of the solution to the ongoing crisis and a good basis for the future with respect to the reception and integration of regular migrants and refugees.
5. The Assembly also recalls [Resolution 2137 \(2016\)](#) on the impact of European population dynamics on migration policies, which points to the fact that, in addition to a need for a new workforce in most of Europe's ageing countries, many of Europe's rural regions are suffering from a population exodus despite their good potential for development, and that more incentives to encourage migrants and refugees to settle in these areas would benefit both the new inhabitants and the dwindling communities.

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1. *Assembly debate* on 28 June 2017 (23rd Sitting) (see [Doc. 14342](#), report of the Committee on Migration, Refugees and Displaced Persons, rapporteur: Mr Duarte Marques; and [Doc. 14351](#), opinion of the Committee on Political Affairs and Democracy, rapporteur: Ms Ioanneta Kavvadia). *Text adopted by the Assembly* on 28 June 2017 (24th Sitting).

See also [Recommendation 2108 \(2017\)](#).



6. The Assembly also welcomes the New York Declaration for Refugees and Migrants, adopted by the United Nations General Assembly in September 2016, which underlines the need for fair sharing of responsibilities in hosting the world's refugees and outlines a comprehensive refugee response framework calling for a "whole-of-society" approach.
7. In this respect, the Assembly considers that member States should acknowledge that:
  - 7.1. migration of all types will be an increasing feature of the world's societies in the foreseeable future, and that as a consequence general well-being will also depend on the effective protection of the fundamental rights of people moving from one country to another, especially refugees, who have been deprived of the individual possibility and collective capacity to ensure their livelihood;
  - 7.2. immigration into Europe is instrumental both for renewed dynamic and modernisation of societies and for the survival of the European continent which is entering a "demographic winter";
  - 7.3. one of the next waves of refugees will certainly be driven by extreme climatic unbalance, and that it is therefore essential to work together on devising new provisions in international law for the protection of the victims of forced migration due to climate change, while promoting the full implementation of the Paris Agreements and the successive international conferences on climate change in order to limit the negative effects of man-made ecological disasters in the making.
8. A comprehensive humanitarian and political response to the challenges presented by large-scale migratory and refugee flows into Europe should be based on the principles of human dignity and solidarity and aim at improving co-operation and harmonising human rights protection. Therefore, the Assembly calls on member States and on Europe's neighbouring countries to:
  - 8.1. pursue dialogue with countries in situations of armed conflict and do their utmost to promote peaceful solutions to end the plight of people forced to leave their homes as a consequence of war;
  - 8.2. fully implement the provisions of relevant international treaties to which they are parties, in particular the 1951 United Nations Convention relating to the Status of Refugees and its 1967 Protocol, the European Convention on Human Rights (ETS No. 5) and the United Nations Convention on the Rights of the Child, as well as the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (CETS No. 201, Lanzarote Convention) and the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (CETS No. 210, Istanbul Convention), and to ratify those conventions to which they are not yet parties;
  - 8.3. work towards a more systematic implementation of these treaties and collective supervision of their implementation;
  - 8.4. co-operate in maintaining and developing transnational information systems and databases on asylum applications and their results, returns and refugees who have gone missing (especially children).
9. The Assembly underlines that, for European Union member States, solidarity is a legal obligation emanating from the treaties and is also a fundamental principle of European Union law. It therefore asks the European Union and/or its member States to:
  - 9.1. fully implement without further delay the relocation and resettlement decisions already taken by the European Union, if they have not yet done so;
  - 9.2. speed up the work on the adoption of the new regulation on a common asylum procedure to replace Directive 2013/32/UE on asylum procedures and the reform of the Common European Asylum System, including the revision of the Dublin Regulation and the modalities of applying the principles of fair sharing of responsibility and solidarity in the future.
10. With respect to national practices and regulations, the Assembly further calls on member States to:
  - 10.1. respect the rights and dignity of all refugees and asylum seekers, in particular vulnerable groups such as children and women refugees, members of religious minorities and unaccompanied minors;
  - 10.2. ensure refugees' and asylum seekers' access to legal protection and assistance and their right to appeal;
  - 10.3. align as far as possible levels of protection and social and financial assistance, having regard to the cost of living, in order to encourage a more balanced distribution of refugees within the European territory;

- 10.4. share and implement best practices in areas such as family care and accommodation, education and vocational training, health care and psychological assistance, age assessment, guardianship and mentoring;
  - 10.5. provide full and accurate information to refugees on the possibilities of settlement in different regions, as well as their comparative advantages and challenges;
  - 10.6. explore further incentives for resettled or relocated refugees to reside for a fixed period of time in a host country which has offered assistance and facilitated integration, in order to avoid premature departures from countries which have believed and invested in integration as an asset;
  - 10.7. work hand in hand with non-governmental organisations to ensure that refugees and asylum seekers receive appropriate protection and assistance at all stages of their journey from their country of origin to their settlement in a new destination country.
11. The Assembly calls on the European Union, the United Nations and the Council of Europe to:
- 11.1. step up their supervision of the implementation of legislation related to refugees and migrants and where necessary update provisions to better adapt them to today's needs;
  - 11.2. consider carefully whether the establishment of asylum-processing centres outside the Council of Europe territory, with necessary safeguards and in compliance with international human rights standards with respect to refugees and asylum seekers, could be envisaged;
  - 11.3. continue their denunciation of cases of abuse of the human rights of refugees and asylum seekers when and where they occur, and hold member States' governments systematically to account in these cases;
  - 11.4. recognise that while the level of protection of the fundamental rights of migrants should be similar wherever they find themselves, individual States should have the liberty to seek appropriate solutions as long as they comply with international human rights standards.