Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Resolution 2380 (2021)[1]

Humanitarian action for refugees and migrants in countries in North Africa and the Middle East

Parliamentary Assembly

1. The Parliamentary Assembly notes with deep concern the serious humanitarian situation of refugees, migrants and internally displaced persons in many countries in North Africa and the Middle East, where they are prone to be victims of violence, exploitation and human trafficking. This part of the world is a prime transit region for migrants, refugees and asylum seekers heading towards Europe, many of whom risk their lives on the Mediterranean Sea or in dangerous transit countries along the southern Mediterranean coast, or on the Atlantic when crossing to the Spanish Canary Islands.

2. The United Nations (UN), the African Union and the European Union are working to improve the humanitarian situation, together with many private charities and non-governmental organisations and an enormous number of volunteers. Their work depends largely on political support and financial aid provided, amongst others, by member States of the Council of Europe, frequently pledged at international donor conferences. However, not all these pledges are fully implemented.

3. The Assembly regrets that humanitarian assistance by member States sometimes lacks close co-ordination between European donor countries and receiving countries, thus leading to regional inequalities in the provision of humanitarian assistance as well as less effective aid. Some countries receive more attention than others, which can have serious humanitarian consequences. Such regional disparities put further pressure on migrants and refugees, causing them to move on into other countries.

4. National parliaments debate and approve national budgets, including financial aid to foreign countries. Most parliaments have bilateral or regional contact groups with foreign parliaments. The Assembly is therefore in a key position to raise awareness among its individual members and their parliaments and promote concerted European action. Through its relations with parliaments that have the status of partner for democracy and relations with other parliaments in North Africa and the Middle East, the Assembly has a unique possibility to promote a constructive dialogue on the humanitarian situation and needs of migrants and refugees in this region at the parliamentary level.

5. The budget of the Council of Europe does not include funds for financial aid to non-member States. However, Algeria, Cape Verde, Morocco and Tunisia are members of the North-South Centre of the Council of Europe in Lisbon, which aims to facilitate democratic political transition and helps to promote good governance and reinforce and enlarge Council of Europe regional action in combating transborder and global threats. It is in the shared interest of the member States and the neighbouring countries to continue to create a common legal area comprising Europe and the southern Mediterranean through the promotion of Council of Europe conventions, particularly the following: the European Convention on Mutual Assistance in Criminal Matters (ETS No. 30), the Council of Europe Convention on Action against Trafficking in Human Beings (CETS No. 197) and the Council of Europe Convention on Preventing and Combating Violence against

1. *Text adopted by the Standing Committee*, acting on behalf of the Assembly, on 28 May 2021 (see Doc. 15284, report of the Committee on Migration, Refugees and Displaced Persons, rapporteur: Lord Alexander Dundee; and Doc. 15285, opinion of the Committee on Social Affairs, Health and Sustainable Development, rapporteur: Ms Jennifer De Temmerman).
See also Recommendation 2203 (2021).

Women and Domestic Violence (CETS No. 210), as well as of partial agreements, and through the effective implementation of European and international standards (such as the UN's Paris Agreement, Sustainable Development Goals (SDGs) and Convention on the Rights of the Child).

6. The Assembly highly appreciates the central role of the United Nations Office for the Coordination of Humanitarian Affairs as well as the Inter-Agency Standing Committee of the UN and non-UN stakeholders active in humanitarian assistance, under the leadership of the UN Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator. National humanitarian aid should be provided in the framework of such co-ordinated and targeted action for the individual countries concerned and respond to the needs assessments established. In this context it is important that member States and their parliaments closely co-operate with the United Nations High Commissioner for Refugees (UNHCR) and the International Organization for Migration (IOM), including with their field offices in the countries concerned.

7. Member States should assess, together with the UNHCR and the IOM, the humanitarian needs identified in refugee and other camps and accommodation, including those for internally displaced persons. The most vulnerable persons in these places should receive priority aid and protection against migration-related violence, in particular sexual violence and human trafficking. Accompanied and unaccompanied children account for a disproportionately high number of these vulnerable persons and require special attention so as to protect their best interests and their right to family reunion.

8. Referring to its Resolution 2323 (2020) "Concerted action against human trafficking and the smuggling of migrants", the Assembly calls on member States to support the safety and security of migrants, asylum seekers and refugees in the countries of North Africa and the Middle East. In co-operation with the UNHCR and the IOM, human trafficking must be eradicated from the camps.

9. Referring to its Resolution 2299 (2019) "Pushback policies and practice in Council of Europe member States" and Resolution 2228 (2018) "Human rights impact of the 'external dimension' of European Union asylum and migration policy: out of sight, out of rights?", the Assembly recalls the need to improve relocation and resettlement mechanisms of member States to ease the migratory pressure on countries in the Middle East and North Africa. The Assembly emphasises the fact that facilitating resettlement throughout Europe is key for fairer burden sharing and helps mitigate the unacceptable humanitarian situation for migrants and asylum seekers in Europe's bordering countries. The Assembly also reiterates that front-line member States should also receive greater support and solidarity, taking into account the burden they must bear. Furthermore, the Assembly notes that providing legal pathways for migration helps reduce the risk of pushbacks in the Mediterranean region and protects the lives and rights of asylum seekers.

10. Welcoming the voluntary return programmes for rejected asylum seekers and irregular migrants run by the IOM, which provide individual aid for reintegration, the Assembly calls on member States to take into account the additional humanitarian assistance needed in this context, for the countries of origin as well as host or transit countries in the region.

11. Recalling its Resolution 2214 (2018) "Humanitarian needs and rights of internally displaced persons in Europe", the Assembly emphasises that the humanitarian situation of internally displaced persons in North Africa and the Middle East requires more attention and support. Particular attention should be given to arbitrarily displaced persons, the majority of whom, in these regions, are displaced within their own country.

12. Aware of the additional challenges arising from the Covid-19 pandemic, the Assembly recalls its Resolution 2340 (2020) "Humanitarian consequences of the Covid-19 pandemic for migrants and refugees". Member States should not reduce their humanitarian aid for migrants and refugees in other countries, in particular in North Africa and the Middle East. They should try to increase humanitarian aid in order to reach the targets under the UN Sustainable Development Goals. Furthermore, they should facilitate remittances by migrant workers and diasporas which contribute to meeting the humanitarian needs of the recipients in North Africa and the Middle East. Referring to Resolution 2361 (2021) "Covid-19 vaccines: ethical, legal and practical considerations", the Assembly reiterates its support for the COVAX Facility co-managed by the World Health Organization, which covers several countries in the region and is intended to promote fair access to Covid-19 vaccines. It encourages all member States and neighbouring countries to join COVAX.

13. The Assembly notes that humanitarian situations differ widely in countries in North Africa and the Middle East, which requires more targeted humanitarian aid and assistance for migrants and refugees. In this regard, the Assembly recommends that member States pay particular attention to the following situations:

13.1. countries on the North African shore of the Mediterranean host large numbers of sub-Saharan migrants, many of whom are workers. Under the impact of the Covid-19 pandemic, however, the economic recession has reduced employment opportunities for migrant workers in these countries,

which has led to problems. These countries are also transit hubs for irregular migration and migrant smuggling to Europe and, in particular, the European Union, including by their own nationals. To deal with these two situations, increased aid is required for both migrants and for asylum seekers. More work is also required to set up and run efficient asylum systems in a number of these countries, with the support of the UNHCR. Furthermore, the European Union has a role to play, including through human rights-compliant bilateral agreements;

13.2. countries in the Middle East have a long tradition of hosting migrant workers from neighbouring countries. As a result of the armed conflicts in Libya and Syria, the number of refugees and internally displaced persons has increased considerably. Although very many have returned to their countries and homes, the general situation in these countries still requires major humanitarian support, including in the context of ongoing security issues and the Covid-19 pandemic;

13.3. terrorism has affected many countries in North Africa and the Middle East, which has led to security risks and additional hardship for migrants and refugees in the region, many of whom have become victims of terrorism. While terrorism makes humanitarian action by the international community in these countries dangerous and difficult, it also means that more assistance is required to protect the whole population, whether locals, migrants or refugees. When carrying out humanitarian assessments, particular attention should be paid to specific needs arising from terrorist threats. The Assembly refers to Resolution 2321 (2020) "International obligations concerning the repatriation of children from war and conflict zones" and its deep concern regarding the worrying situation of children in Syria and in Iraq whose parents, believed to be affiliated with Daesh, are citizens of Council of Europe member States. As in January 2020, and faced with the failure to act, the Assembly calls for these children to be repatriated as soon as possible;

13.4. countries which have readmission agreements for irregular migrants require additional support for their reintegration. The same applies for voluntary return programmes for migrants and rejected asylum seekers. Member States should assess and provide the additional humanitarian aid required for these returnees and the communities to which they belong.

14. The Assembly refers to Resolution 1524 (2006) "The need for greater transparency in the arms trade" in which it asked member States to ensure "the highest possible level of … accountability". The Assembly calls on member States to take serious action against arms trafficking and to restrict the sale of arms, which has permanently destabilised several countries in Europe's southern neighbourhood.

15. The Assembly calls on the member States' parliaments to ensure a parliamentary dimension in all decisions concerning the provision of humanitarian assistance for migrants and refugees in North Africa and the Middle East. Interparliamentary co-operation within the Assembly could also play an important role in this context, actively involving partners for democracy as well as the African Union in devising policies for the humanitarian needs and human rights of refugees and migrants. The Assembly calls on parliaments to increase the share of unearmarked or lightly earmarked national contributions to humanitarian organisations as well as the multiyear funding.

16. Welcoming the work of the North-South Centre of the Council of Europe over many years, the Assembly invites member States to work much more with the centre, including on the most pressing humanitarian needs of migrants, asylum seekers and refugees in North Africa and the Middle East.

17. Recalling that several countries in North Africa and the Middle East are members of the European Commission for Democracy through Law (Venice Commission), the Assembly invites those countries to review their national legislation regarding migrants, asylum seekers and refugees in accordance with human rights and international refugee protection standards.