

# Migrants are in danger, Europe is adrift

It's time to react!

La Cimade  
L'humanité passe par l'autre

## Fifteen Proposals for European migration policies that respect migrants' rights

The context of rising xenophobia and bigotry in the EU Member States endangers the common values gradually adopted by the EU. The EU should work to break down the fear of strangers and ease tensions by recognising the positive side of immigration. Current policies, focused on security concerns and symbolised by Frontex, have

taken precedence over the protection of migrants' rights. The drownings in the Mediterranean Sea of 2013 are one of the consequences of these policies. The possibilities of entering the EU "legally" being more and more restricted, migrants have to resort to networks of people traffickers and ever more dangerous routes.

**La Cimade is calling for a break with current migration policies. EU policies must be based upon the respect of migrants' fundamental rights, and upon equality of access to those rights.**

[www.lacimade.org](http://www.lacimade.org)

## **La Cimade requests Members of the European Parliament to make the following commitments:**

**1.** Introduce, through its role as co-legislator, safeguards for the respect and protection of fundamental rights into all European legislative texts which affect migrants and into political guidelines for asylum and migrations.

**2.** Continue to support unconditionally the draft treaty regarding the accession of the EU to the European Human Rights Convention, by encouraging EU Member States and their national parliaments to ratify this agreement.

**3.** Defend a visa policy which facilitates the exercise of the right to mobility for all and disapprove abusive situations and practices in European consulates.

**4.** Question the growing place of biometrics and the filing of foreigners' data in the EU border control policy, which entails risks of violations of fundamental rights, such as the protection of personal data. MEPs must oppose the establishment of the "Smart Borders" programmes proposed by the European Commission.

**5.** Ensure the strict respect of the fundamental right to freedom of movement and blame abusive controls at internal borders of the Schengen area.

**6.** Request the stopping of all Frontex operations and the closing of this agency, as its missions are not compatible with the respect of fundamental rights, a fact that has already been exposed by civil society.

In anticipation of this and without delay, make a full and independent assessment of Frontex's activities since its creation, monitor land and sea operations coordinated by Frontex without restrictions, request the creation of a complaint/appeal mechanism in case of individual violation of rights in the framework of Frontex activities.

**7.** Advocate a different cooperation with third countries, peer to peer, questioning the readmission agreements and partnerships for mobility, and putting an end to the instrumentalisation of official development assistance.

**8.** React to and act against the failures of the EU asylum policy and the Member States' asylum systems, by forbidding the detention of asylum seekers.

**9.** Ask for modification of the "Return" directive (2008/115/EC) to abrogate its most problematic provisions.

**10.** Propose to create an EU body in charge of monitoring places of deprivation of liberty (an EU deprivation of liberty supervisor) or encourage the creation of this body in Member States where it does not exist.

**11.** Use their right of initiative to promote the adoption of a coherent and global legislation that guarantees real access to justice for any person living on the EU territory, whatever his status.

**12.** Require the implementation of article 7 of the Lisbon Treaty, taking into account the situation and treatment of foreigners and asylum seekers in certain Member States of the EU. This article provides for a mechanism of prevention and sanction in case of violation – or risk of violation – of the common values of the EU, such as respect of human dignity.

**13.** Ensure equality of rights between European citizens and migrants on the European territory, with respect to the Charter of Fundamental Rights.

**14.** Adopt a resolution encouraging the EU Member States to associate all residence permits with a right to work and to generalise permanent residence permits to allow administrative stability, excluding residence permits of one year or less.

**15.** Advocate within the EU institutions the ratification, by the Member States of the EU, of the United Nations Convention on the protection of the rights of migrant workers and the members of their families.