



Migration

CONCEPT NOTE ON MIGRATION AND MOBILITY

Introduction

The Civil Society Forum Neighbourhood South is an initiative of the European Union aimed to set up a Framework for structured dialogue with the Southern CSOs around strategic issues shared in the Mediterranean, such as cooperation, peace, prosperity, human rights, migration and mobility, security... Launched in 2014, the 2017 forum will be the Fourth one. Every year the forum focuses on 3 or 4 themes that constitute hot topics and that mobilize the societies or the States in the region. Migration and mobility remain a regular topic of the last forums, such as in the current agendas of the regional meetings and in the political relation in the Mediterranean.

1. Migration crisis

Indeed, the Mediterranean faces an acute migratory and asylum crisis since 2011, following the exacerbation of conflicts and tensions in some coastal countries (Libya and Syria), or in their Neighbouring regions (Iraq, Yemen, African Sahel countries). In 2015, more than 1,8 million illegal crossings were recorded at the external European borders, which correspond to 1 million migrants. 90% of arrivals occurred along the Eastern Mediterranean and the Western Balkan routes. The situation reversed one year after. In 2016, there was a significant decrease in crossings of the EU's external borders: Only 511.000, corresponding to some 382.000 new arrivals (38.2% of those of 2015). This decrease results from the EU-Turkey agreement which allowed the fall of arrivals from Turkey and non EU Balkan countries. Thus, the Central Mediterranean routes took over. 182 000 migrants landed on the Italian coast in 2016, the largest number of arrivals ever recorded before.

One of the multiple factors that complicated the management of this crisis is the mixed character of these flows of migrants who have crossed the external European borders. They consist of two categories of migrants: 1) the refugees who flee war and conflicts zones in the Middle East, Libya and the South of the Sahara; 2) the so called "economic" migrants who are the dominant component of all migrations (both international and internal).

According to EASO¹ 1,35 million of asylum applications were registered in the E.U in 2015 which is an unprecedented level.

2. Stakeholders challenges

The magnitude of the migration crisis in the Mediterranean has placed the European institutions, as well as the transit countries, in a very delicate situation which is amplified by political instability and chaos in some of the departure countries.

¹ European Asylum Support Office

The conditions under which these migrants and refugees leave, travel and arrive represent the main challenges faced by the different stakeholders. CSOs, third countries in the Southern Mediterranean, and European countries are on the 'frontline'.

A quick look at the magnitude of these migratory movements leads to a serious observation: CSOs in the region are virtually unarmed to face the needs of migrants, and the management and administration of arrivals by the different actors involved.

In the same time, many initiatives, declarations and documents² have been taken or released since the beginning of the crisis, without the CSOs being implicated, consulted or informed of the implications of such policies or decisions³

Here are some issues and questions to raise:

- How can we move towards a rebalancing of the EU/CSOs dialogue regarding migrations and mobility, in order to consolidate CSOs' capacities for action and influence? CSOs consider that this dialogue has not resulted in significant and concrete changes in the way migration is managed by the EU and its member states, as well as by the third Mediterranean countries. They want to get out of the posture where they are permanently in the reaction, to a proactive posture regarding migration; topic which is now at the top of the agendas and relationships among stakeholders in the region. The objective is to initiate a fair and results-oriented dialogue. In this sense, CSOs pointed the large number of documents issued since 2015 by the E.U and its third countries governmental partners, mainly from Africa (North and South Sahara).

- The emphasis placed by the European countries on the immediate effects of the current migratory crisis and on the means to solve and mitigate it in Europe, leaves behind the fundamental factors of these migratory movements (poverty, economic precariousness of Third-country populations, imbalances in the terms of trade, political instability). How can this gap in the way the two main stakeholders (EU and CSOs) consider this dimension of the relationship between Migration and Development be reduced? The five priorities listed in the “**Joint Valetta Action Plan**” (JVAP) are worth discussing to see how they can be reappropriated by the Southern CSOs to test their relevance, their operationality and focus on possible inconsistencies.

3. How the Forum will be organized?

The **CS 2017 Forum** will be held through two meetings: 1) the preparatory meeting (Tunis on 25-27 April); and 2) the Civil Society Forum to be held in Brussels on 10-12 July.

² - Malta Declaration by the members of the European Council on the external aspects of migration: addressing the Central Mediterranean route. 3 febr 2017

- HIGH REPRESENTATIVE OF THE UNION FOR FOREIGN AFFAIRS AND SECURITY POLICY: Migration on the Central Mediterranean route Managing flows, saving lives. 25.1.2017 & Migration on the Central Mediterranean route Managing flows, saving lives. Annex. 25.1.2017.

- Joint Valetta Action Plan (Joint Conclusions): 2015 Valetta Summit on Migration/ 2017 Seniors Official's Meeting.

- Commission Communication. New Partnership Framework with third countries under the European Agenda on Migration. 7.6.2016.

- Review of the European Neighbourhood Policy (ENP). 18.11.2015

- Valetta Summit/ Political Declaration. 11-12 november 2015

- Valetta Summit Action Plan (on Migration). 11-12 nov 2015

- Commission Communication. European Agenda on Migration. 13.5.2015.

³ Comments heard from Tunisian CSOs in march 2017.

It aims at identifying the nature of the challenges outlined in this note and in the different documents linked to this issue, and also to understand the responses of different stakeholders⁴, in order to launch the discussion on the results of the dialogue process since its start in 2014 and to identify the scope and level at which Southern CSOs can or should intervene to support, improve or correct the responses of these stakeholders. Participants will gather the views of South Neighbourhood CSOs on their experiences regarding exchanges and dialogues with the different stakeholders.

The **2016 CS Forum's recommendations** were aimed at addressing these challenges. One of the main objective of the sessions organized in the CS 2017 Forum on Migration is to measure the progress realized since the last two sessions (2015 + 2016) in the implementation of these recommendations. Among these, the following can be highlighted⁵:

- Call on EU/EC to respect the rights of people's mobility and of asylum seekers;
- Facilitate mobility and visa mechanism for the populations of the south (abolition of short-term visas; Increase the number of Scholarships; allocate adequate budget to Migration and Mobility; develop innovative tools for inclusive economic development in host countries for both migrants and host communities...);
- Stop the policies of 'hotspots' and 'take back to the border' and replace them with policies of encouragement to return;
- Revise Dublin Convention to respect refugees' choice, providing mechanisms for equitable distribution of refugees between European regions;
- Combat human trafficking and forced labour, and protect victims, especially women, children and marginalized groups through the creation of a mechanism/structure to combat people trafficking.

4. METHODOLOGY - How the workshop will be organized?

The workshop "Migration and Mobility" will be divided into four sub-themes:

4.1. Ways and Tools to advance in the processes of facilitation of mobility and circulation inside the whole area and to share prosperity between the North and the South.

This sub-theme is intended to review the progress (or lack of progress) in the processes of strengthening the frameworks and the means to facilitate mobility and migration between the European countries and the third Mediterranean countries. The recommendations of the previous Forums in this issue should serve as indicators to measure these progresses, to note the lack of progress and/or to show its limits

4.2. Political and institutional responses to the crisis. Even if migration has always been a phenomenon in the region, the goal is to focus on how the different stakeholders (EU Member States as countries of destination, EU institutions, third countries of destination and/or of transit, international organisations and CSOs) have dealt with the crisis since its outbreak in 2011 and especially during its various phases of deterioration since 2014? Obviously, each stakeholder has its interests and its own challenges, but the aim is to cross them and to bring them together.

⁴ Governments (of South and North), EU institutions, international organisations

⁵ European Union: Civil Society Forum Neighbourhood South 2016. Third Edition. Summary and key recommendations. 35 p.

How have migrants been treated? Has there been a dialogue or exchanges between the European stakeholders and Southern CSOs? How have CSOs been involved in external cooperation of the EU on migration (or related actions)? What is the role that the CSOs see they can have in further influencing /advocating cooperation and policy issues on migration in countries where they are active? Another very important political aspect is to be raised during the seminar sessions: have CSOs of the Neighbourhood South been consulted, informed or associated with the various recent declarations, initiatives and programs adopted by the EU since 2015? (See note above). Others initiatives and actions were launched: Frontex restructuring, Mediterranean Sea Operations, agreements with third Mediterranean countries (Turkey, Libya, Tunisia...).

4.3. The legal and the humanitarian dimensions:

*** Protection and promotion of the human rights of migrants and refugees.**

Migrants and refugees need to be protected and their basic human rights respected, regardless of their status and wherever they are: on departure, on arrival or in the transit zones. How have the destination (in Europe and North Africa) and transit (in North Africa) States applied (properly, badly or acceptable) the different legal rules (at national or international level) intended to protect the fundamental rights of migrants, refugees and asylum seekers? What are the challenges that CSOs encounter when advocating for migrants' rights? Are they well heard by their own governments on one side and, on the other side, by the EU members States?

*** Conditions of reception and assistance for migrants: the goal is** to hear about the lessons learnt from the participants' field experiences. It is also aimed at drawing limits of capacity of action for the CSOs of the South. The issue of reception will be at the heart of debates: are States (both in the South or the North) and international organisations investing enough to create the right conditions for the reception of refugees and migrants in distress? What roles and means can Southern CSOs claim to better assist in hosting? What is the distribution of roles and responsibilities between the government and the CSOs in the process of hosting migrants and refugees?

4.4. Preventing and fighting all forms of abuses and violence against migrants:

CSOs can play some determinant roles on two fronts:

* The Mediterranean is the arrival line of migratory routes from war-torn countries or from areas of instability and conflict. Networks of human trafficking and migrant smuggling led hundreds of thousands of migrants to the countries of transit before sending them to Europe. In 2016, more than 5,000 migrants disappeared or died in the Mediterranean. This session will focus on discussing the factors that prevent CSOs' action to counteract and fight these abuses and improve the protection of migrants in all the countries of the region, where these networks are active, particularly in Libya, Lebanon and Jordan. A lot of information report that these networks benefit from local complicities that local CSOs can better detect and neutralize (example: CSOs of the cities of the northwest coast of Libya).

* In fighting xenophobia and discrimination and in strengthening the opportunities of integration of migrants in local societies, Southern CSOs must also be placed on the front line and their capacities strengthened to disseminate the culture of tolerance and welcoming of migrants by local populations (through balancing/improving perceptions in the society vis-à-vis the migrants). This role may also consist in the assistance and protection of victims, or in ensuring safety for victims willing to claim justice and advocacy/participation in the legal framework development.

This session should discuss the tools which CSOs need (and can be provided through international cooperation) to better protect and advocate against all forms of discrimination and violence against migrants.