

EU Response is wholly inadequate

European political leaders have so far failed dramatically to address this growing crisis, instead reverting to uncoordinated and increasingly desperate measures to protect individual state borders. Hungary, for example, is constructing a 13-foot wall along its 109-mile border with Serbia to keep people out. Attempts to cut the fence will result in 4 years in prison. The scale and speed of a coordinated response on the part of EU institutions has been wholly inadequate and beset by division. The European Commission Migration Agenda, agreed in May 2015 highlights the *“immediate imperative is a duty to protect those in need”*, but continues to assess the migration crisis primarily through the lens of EU security. Implementation has been far too slow. Following recent efforts by the European Commission, people will be shared out automatically whenever a country faces a sudden movement of people. However, Member States have been slow to commit to the plan and final numbers will not be agreed until December 2015. **Trócaire regards this delay as deliberate, disregarding the suffering of people essentially in legal limbo and is totally unacceptable.**

Ireland must do more

Ireland, as a country with a strong track record in human rights and humanitarian response, should do a lot more to respond to this crisis. In May, Ireland deployed a naval vessel that rescued 3,400 people in six weeks of duty. The replacement LE Niamh has so far rescued 360 people since taking up station in the Mediterranean.² Ireland has recently agreed to take up to 600 refugees³, who will be brought over the next two years as part of the plan to redistribute 32,500 ‘genuine’ refugees across the European Union out of a possible 400,000 people seeking refuge in 2015. **Trócaire believes this figure is wholly inadequate and Ireland should not wait until the EU comes up with a final allocation in December: it should show leadership through accepting a greater share of people seeking refuge without further delay.**

Urgent, coordinated action is required

The European Union should establish a human rights-based, coherent and comprehensive migration policy which makes mobility its central asset to allow Europe to reclaim its border, effectively combat smuggling and empower migrants.⁴ **The same standards applied to humanitarian crises outside Europe must now also apply in this response. Ireland must be both a responsible actor and a strong advocate for comprehensive responses from European Union member States, which must include a commitment to continuing to save lives at sea; responding to high volumes of arrivals within the EU; targeting criminal smuggling networks and underground illegal labour markets; granting protection of displaced persons through resettlement and long-term political action to tackle upstream crises driving irregular migration and forced displacement.**⁵

How Trócaire is responding

Trócaire is supporting Caritas partners in Europe in response to the growing needs of extremely vulnerable people and has offered support to Caritas Serbia, which is responding on the ground to the needs of refugees arriving in Serbia. Trócaire also works with partners in Syria, Iraq, South Sudan and Somalia, which are burdened by protracted conflicts and in Jordan and Lebanon, countries which are hosting 1.75 million Syrian refugees.

² <http://www.irishtimes.com/news/ireland/irish-news/le-niamh-rescues-over-360-migrants-in-mediterranean-1.2290934>

³ Minister Frances Fitzgerald <https://www.kildarestreet.com/wrans/?id=2015-07-14a.1026>

⁴ UN Special Rapporteur on the human rights of migrants, François Crépeau <http://www.un.org/apps/news/story.asp?NewsID=51713#.Vdy46u-FPIU>

⁵ A detailed policy briefing paper on the migration crisis in Europe - ‘A crisis of Solidarity in Europe’ is available for download on Trócaire’s website. www.trocaire.org

Trócaire calls for human rights to be respected and for key international humanitarian standards to apply in unprecedented European migration crisis

The failure to adequately respond to the current mass movement of people into Europe represents the most serious crisis the European Union has faced in recent times. If this crisis was happening in another part of the world, it would have been officially declared a humanitarian emergency by the UN, ensuring that standards to save lives, protect those most vulnerable and reduce suffering were applied and resources made available to meet their needs. In the absence of such an official UN declaration, **Trócaire calls on member states and EU institutions to ensure border management measures are planned and executed with humanity and in accordance with international obligations of host governments. Basic assistance, family unity and protection of people, particularly women and children and those with specific needs, must be upheld. It calls on Ireland to show solidarity through its actions and be a strong advocate for comprehensive responses from EU Member States.**

Background

Over the past 15 years around 22,000 men, women and children have drowned in the Mediterranean Sea. The vast majority of these people are fleeing conflict and poverty, many from countries where Trócaire works – Syria, Somalia, South Sudan. In 2014, more than 250,000 migrants tried to cross the Mediterranean Sea, of whom 3,702 are known to have died. The deaths of all migrants and refugees attempting to reach Europe by sea in 2015 now total 2,3731. This figure is barely 1,000 short of 2014's final death toll of 3,281. The International Office for Migration (IOM) report that last year, from late August through the end of December, over 1200 migrants died at sea. It is possible that by winter, additional deaths at sea could well surpass 2,000.¹

The number of people reaching Greece by sea had reached 158,000 by mid-August, according to the UN, overtaking the 90,000 who arrived in Italy by sea. In the past two weeks alone, over 23,000 people have entered Serbia, taking the total so far this year to some 90,000. These statistics cannot fail to shock us – as behind each one is a real human being facing unprecedented risks and suffering.

Humanitarian imperative applies

Member states and EU institutions have a duty to respond to this situation under international law. Under the Universal Declaration of Human Rights, every human being has the right to dignity and protection. Article 14 of the Declaration states that "Everyone has the right to seek and to enjoy in other countries asylum from persecution." The United Nations 1951 Convention Relating to the Status of Refugees and the 1967 Protocol Relating to the Status of Refugees guides national legislation concerning political asylum. Under these agreements, a refugee is a person who is outside their own country's territory (or place of habitual residence if stateless) owing to fear of persecution on protected grounds. Protected grounds include race, caste, nationality, religion, political opinions and membership and/or participation in any particular social group or social activities.

With many thousands of extremely vulnerable people surviving without adequate food, water, healthcare or shelter across multiple countries, EU Member States and institutions must provide adequate assistance and immediate support. Even though a percentage of people will be moving for economic reasons, escaping poverty, and ultimately may not be entitled to the status of a refugee or an asylum seeker, every individual is entitled to dignity, protection and basic assistance while applications are being processed. This is not an excuse for inaction.

¹ <http://www.iom.int/news/iom-continues-monitor-mediterranean-migrant-arrivals-and-deaths>