

Angelino Alfano
Minister for Interior

Presidency of the Council of the European Union

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Dear Minister,

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**AMNESTY
INTERNATIONAL**



European Institutions Office

JUSTICE AND HOME AFFAIRS COUNCIL ON 4-5 DECEMBER: NEED TO INCREASE RESETTLEMENT AND FIND BETTER ANSWERS TO MIGRATION FLOWS

Today, the Justice and Home Affairs (JHA) ministers are convening – for the last time under your Presidency – to discuss measures to control migratory flows. Amnesty International is deeply concerned that the European Union (EU) continues to respond to migratory flows, such as those currently affecting the Central Mediterranean, with a security driven approach focussed on strengthening the surveillance of external borders, fighting smuggling-rings, and enhancing cooperation with countries of origin and transit with a view to preventing migration to Europe. This approach ignores the extraordinary factors pushing many people to leave their countries and creates more dangers for those attempting to reach the EU.

Tomorrow Amnesty International is publishing a briefing – *Left out in the cold: Syrian refugees abandoned by the international community* – documenting the failure of the international community, including the EU, to respond adequately to the historical scale of the Syrian displacement crisis. In total, 10 million Syrians or 45% of the country's population are believed to have been forced out of their homes; of those nearly 4 million have sought refuge in other countries. Only about 30,000 of them have benefitted from a resettlement or humanitarian admission offer by an EU country. In the three years of conflict, approximately 140,000 Syrians have reached the EU by their own means and applied for asylum there, the vast majority in just two countries, Sweden and Germany. Most have only been able to reach the EU by crossing the Mediterranean Sea on rickety, overcrowded boats and being rescued by the Italian Operation Mare Nostrum. Still many drowned on their way to Europe, alongside other refugees and migrants undertaking these dangerous journeys. Altogether, the Mediterranean Sea has claimed the lives of over 3,000 people this year alone.

In response to this, instead of reaching out to refugees in need of protection, EU countries have rallied their resources to better control irregular migration by contributing to Frontex Joint Operation Triton, which is operating on and closer to EU shores and, unlike the Italian Operation Mare Nostrum, not critically focussed on rescuing people. The phasing out of Operation Mare Nostrum will thus leave an alarming gap in current search and rescue (SAR) needs in the Mediterranean Sea. Without increasing safe legal alternatives, dangerous sea crossings will continue to be a route to protection in the EU.

The EU must provide a better set of responses to migratory flows, one that safeguards lives, upholds rights and gives access to protection. We strongly urge you to take urgent measures which will:

- ensure that refugees who arrive at the EU's external land borders are able to access asylum procedures, thus not being forced to undertake the dangerous sea crossings
- reinforce the humanitarian elements of EU border policies by a collective effort towards strengthening SAR operations in the Mediterranean Sea
- open up more safe and regular routes to the EU for those in need of protection, including by increasing resettlement and humanitarian admission places, and facilitating access to family reunion and humanitarian visa

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We also urge you to maintain Operation Mare Nostrum with its original resources until it can be safely replaced without protection gaps by another viable operation of comparable scale, with at least the same level of resources.

Finally, we take note of ongoing attempts at engaging countries in Africa in more effective management of migration flows, namely within the current Rabat and Khartoum processes. We would like to reiterate once again that the EU and its member states must ensure that the human rights of migrants are central to the negotiation and implementation of any migration cooperation agreement with non-EU states, and that they must not enter into migration control related cooperation with countries where refugees, asylum-seekers and migrants are at risk of human rights violations and/or do not have access to effective protection.

Yours sincerely,



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