



Joint Rome Declaration on the new European Pact on Asylum and Migration

The 43 signatories of this declaration are NGOs, associations, networks and cities of European countries who have, together, decided to speak out. In 2019, in a "Paris Declaration," several of them faced tougher migrants and refugees reception policies. Then, meeting again in Berlin, they outlined an « Action Plan for a new asylum policy ».

Today, in front of the European Pact on Asylum and Migration proposed on 23 September 2020 by the new Commission to break the deadlock in European politics, these civil society actors, joined by "welcoming" cities, react with this declaration. Although it concludes an online conference, this statement can be seen as a "Rome Declaration", as Italy concentrates on unresolved issues of this policy.

We call on European institutions and governments not to lock themselves into this Pact, so clearly geared towards returns, prevention of arrivals, and defence of Europe's borders.

- 1) We believe that Europe has united and organised on the basis of values which include respect for the right of asylum and, more broadly, fundamental rights which must be recognised to those wishing to migrate to Europe as well as to EU citizens. Member States have to respect these values

and rights, and must be punished when they fail to do so, as well as the Union, which cannot seek consensus among its members on the basis of such breaches.

- 2) A European Pact on Asylum and Immigration cannot ignore the causes and consequences of the increasing mobility around the world, exacerbated by the current pandemic. That's why the new Pact should be concerned by the conditions of entry in Europe, of reception of newcomers, and the protection of their rights, instead of prioritising the prevention of their arrival and organising their returns or even their refoulement.

It should, when dealing with relations with third countries of origin or transit, prioritise actions that tend to improve the condition of refugees and migrants, rather than seeking to outsource the duties of asylum to those countries.

- 3) The new Pact places special emphasis on the procedures to be applied to refugees and migrants arriving at Europe's external borders, giving priority to the early processing of asylum and immigration applications, applied close to the border of arrival.

- It brings together and confuses, in the same place and at the same time, an entry procedure and an asylum procedure, and subjects both to a detention regime of up to twelve weeks or more. It thus makes detention the first face of Europe for all those who arrive there without a permit, including those who apply for asylum. We believe that first reception at Europe's borders must treat asylum seekers without locking them up, and be able to guide them in a predictable manner in the processing of their applications.
- Moreover, the procedures envisaged for both entry and asylum are far from respecting people's rights and dignity: for asylum seekers, the right to an individual examination of their application (instead of orientation on the basis of fixed criteria such as belonging to a certain nationality); the right of access, the right to receive adequate information and advice from independent experts before and during the administrative procedure ; the effective right to assistance and recourse; the possibility for any rejected applicant to obtain a residence permit on another basis; for non-admitted migrants, the dignity of return procedures.
- A monitoring of the respect of fundamental rights is very necessary. We believe that it must be carried out independently, by qualified representatives of human rights organizations.

- 4) The Pact betrays its weakness when it addresses the issue of solidarity between member states in the distribution of asylum seekers.

Not only is the Dublin III rule, which imposes priority responsibility on the first-arrival state alone, is maintained. But the plan to organise mandatory and predictable allocation mechanisms for other Member States has been abandoned: The Pact relies on voluntary and optional forms of solidarity, with no real prospects for relocation.

We believe that the Pact must include, or allow, transparent and predictable relocation mechanisms between voluntary Member States, taking into account people's effective links. This is particularly necessary for asylum seekers identified (or even registered) in a port after the disembarkation of people rescued at sea (otherwise, as UNHCR has often said, rescue at sea may dry up), and more

generally after procedures that would be conducted at the external borders of the European Union. We see this as a condition of the legitimacy of such procedures.

The Pact retains the principle of significant links of an asylum seeker to a particular country, allowing that person to express a preference, if not to exercise full freedom of choice. Family-related transfer procedures for asylum seekers should be more effective and include more cases.

Beneficiaries of international protection must also be allowed, under certain conditions, to settle for professional and not just family reasons in another Member States than the one of asylum, without having to wait for the acquisition of a permanent residence permit.

5) This Pact, which is based on an overall vision of European asylum and immigration policy, lacks essential elements such as:

- Mechanisms for the regular and protected entry of refugees and asylum seekers, such as the "humanitarian corridors" already experimented in Europe for those fleeing conflicts and crises in their countries of origin.
- Labour migration, which is not very open through the current channels of legal migration, although it corresponds to acknowledged needs in Member States, and which has been inflating asylum applications for several years.
- For asylum itself, the lack of harmonization between Member States of reception conditions and, above all, of recognition rates, which causes disorder and wandering in the movements of asylum seekers in Europe.
- The silence on integration policies, including for recognized refugees, in the Member States. Nevertheless, possibilities of integration condition the entire reception chain. Focused as it is on the question of returns, the Pact hardly mentions it.
- Addressed to the Member States, the Council, and the European Parliament, the Pact ignores the growing role played by cities in the reception and integration of refugees and migrants.

*

The "Conference of Rome" concluded with a slogan of mobilization, in order to influence European negotiations that are expected to be long. Mobilization will be sought at three levels:

- By acting at the level of the institutions of the European Union, in particular the European Parliament, but also the Member States, to influence the most critical aspects of the Pact, to propose alternatives, to obtain guarantees and qualified supervision of procedures;
- By seeking a broad coalition of partners in Europe interested in promoting a humane and dignified policy for welcoming refugees and migrants: beyond NGOs and associations and their networks, volunteer cities, Member States willing to move the lines, researchers...;
- By speaking to the societies and opinions of the host countries, taking into account the multiplicity of perceptions but without submitting to the xenophobic ideologies so present, in order to promote a different cultural approach to migration issues.

Signatories

- Arbeiterwohlfahrt Bundesverband e.V.
- A.M.I.S Onlus
- Africa e Mediterraneo
- Africa Express
- Agorà degli abitanti della Terra
- AOI Associazione delle organizzazioni non governative italiani
- ASGI (Associazione Studi Giuridici Immigrazione)
- CIR Consiglio Italiano per i rifugiati
- CRED (Research and development center for democracy)
- Centro Astalli Palermo
- Diakonie Deutschland
- Differenza lesbica
- Forum Réfugiés Cosi
- Forum per cambiare l'ordine delle cose
- Heinrich Böll Stiftung
- Fondazione Orestadi
- France terre d'asile
- FIEI (Federazione Italiana Emigrati Immigrati)
- Filef (Federazione Italiana lavoratori emigrati e famiglie)
- Grei250
- GRIS (Gruppo Immigrazione e Salute) Sicilia
- Istituto Pedro Arrupe
- ICS Italian Solidarity Consortium
- Italian-Tunisian Forum
- GIGI International legal intervention group
- Link 2017
- Ligue des droits de l'homme
- La Cimade
- Movimento europeo
- Matilde
- Nigrizia
- Promidea
- Programma Integra
- ProAsyl
- Republican Lawyer Association Germany
- Sant' Egidio
- Secours Catholique – Caritas
- Società Italiana di Medicina delle Migrazioni (S.I.M.M.)
- Swiss Refugee Council
- Tempi moderni
- Ufficio regionale per le migrazioni della CESI
- UNIOOSS
- Ville de Marseille