



Resolution 2147 (2017)¹

Provisional version

The need to reform European migration policies

Parliamentary Assembly

1. The Parliamentary Assembly is very much concerned about the failure of European leaders to find a common policy approach and effectively address the ongoing migration and refugee crisis, including the continuing loss of lives in the Mediterranean Sea, inadequate reception conditions, responsibility sharing between States with regard to mass inflows of people, violence at the borders and against migrants, and the ensuing loss of public confidence in governments and European institutions to deal with the crisis.
2. Europe's inadequate response to unfolding developments and continuing mass arrivals of refugees and migrants has revealed systemic weaknesses of existing legal instruments and mechanisms, including the inability to control external European Union borders, the practical inapplicability of the Dublin Regulation, dysfunctional asylum systems as well as divisions amongst countries, depending on their political stances and geographic situations.
3. Furthermore, the Assembly regrets the absence of a global and comprehensive vision for the management of migration flows and sustainable solutions as well as the lack of a serious debate at European level on the migration phenomenon in a long-term perspective and its consequences for host societies.
4. The Assembly welcomes the continuous efforts of Turkey and Germany, which have taken in most of the recent influx of refugees and irregular migrants, and recognises the efforts made by Italy and Greece faced with receiving, as countries of first arrival, the main flows of refugees and migrants.
5. Several recent terrorist attacks committed by refugees or asylum seekers raise questions about security.
6. Another point of concern is that cultural and social integration sometimes fails, increasing the risk of radicalisation of some young people of a migrant background, including second and third generations.
7. Furthermore, the Assembly stresses that the right and obligation to protect national and European Union external borders is not incompatible with the commitment to uphold international humanitarian law.
8. Regrettably, dysfunctional status determination procedures do not allow for quick distinctions between people in real need of international protection and other migrants. Combined with inefficient return policies this compromises the concept of international protection and may lead to abuses. The Assembly believes that it is of crucial importance to strengthen the existing legal and policy framework at the national and European level with a view to ensuring efficiency of the asylum system.
9. The Assembly refers to its [Resolution 2000 \(2014\)](#) on the large-scale arrival of mixed migratory flows on Italian shores, [Resolution 2088 \(2016\)](#) "The Mediterranean Sea: a front door to irregular migration", [Resolution 2118 \(2016\)](#) "Refugees in Greece: challenges and risks – A European responsibility", [Resolution 2073 \(2015\)](#) "Countries of transit: meeting new migration and asylum challenges", [Resolution 2109 \(2016\)](#) on the situation of refugees and migrants under the EU–Turkey Agreement of 18 March 2016, [Resolution 2072 \(2015\)](#) "After Dublin – the urgent need for a real European asylum system", [Resolution 2089 \(2016\)](#) on

1. *Assembly debate* on 26 January 2017 (7th Sitting) (see [Doc. 14248](#), report of the Committee on Migration, Refugees and Displaced Persons, rapporteur: Mr Ian Liddell-Grainger). *Text adopted by the Assembly* on 26 January 2017 (7th Sitting).



organised crime and migrants; as well as [Resolution 2113 \(2016\)](#) “After the Brussels attacks, an urgent need to address security failures and step up counter-terrorism co-operation”, [Resolution 2090 \(2016\)](#) on combating international terrorism while protecting Council of Europe standards and values, and [Resolution 2093 \(2016\)](#) “Recent attacks against women: the need for honest reporting and a comprehensive response.

10. In consequence, the Assembly calls on:

10.1. the Council of Europe member States to:

10.1.1. engage in a meaningful dialogue involving the Office of the United Nations High Commissioner for Refugees (UNHCR) and other international stakeholders on the interpretation of legal provisions of the 1951 United Nations Convention relating to the Status of Refugees, including the criteria for qualifying for status, as well as on the issue of definition of a third safe country;

10.1.2. step up efforts to find a constructive solution concerning more negotiated repatriation of responsibility sharing with a view to fully implementing the European Council’s conclusions of June 2015 with regard to relocation and resettlement of refugees;

10.1.3. continue search and rescue operations in the Mediterranean Sea on at least as large a scale as at present;

10.1.4. explore possibilities for increasing legal channels for migration, including enhanced resettlement and admission for humanitarian reasons as well as family reunification with a view to putting a halt to illegal migration;

10.1.5. explore and promote initiatives to support institutional and normative capacity building of countries of origin and transit;

10.1.6. reflect on the emerging challenges faced by integration policies, including threats for security and radicalisation;

10.1.7. make full use of the Council of Europe Development Bank with regard to social projects relating to the reception of migrants and their integration;

10.2. the European Union member States and institutions to:

10.2.1. ensure the efficiency of external border controls by implementing measures proposed by the European Commission in its Package of proposals validated by the European Parliament in July 2016, and in particular by providing for proper funding and functioning of a new European Border and Coast Guard Agency in compliance with the applicable European and international standards;

10.2.2. increase the efficiency of return policies by mandating a newly established European Return Office with adequate financing and operational powers; harmonise return practices throughout Europe and consider possible cost-sharing;

10.2.3. explore possibilities for better identifying people in need of international protection and organising external processing of asylum applications by means of safer procedures established outside Europe in safe third countries, provided that the human rights of the asylum seekers are safeguarded as already recommended by the Assembly in previous resolutions and according to European Union standards;

10.2.4. provide adequate financial and substantial support for Greece and Italy to ensure proper reception conditions for refugees and migrants and the functioning of hotspots in accordance with earlier commitments.

11. The Assembly recognises the need to engage meaningfully in dialogue with the Turkish Government for effective burden-sharing schemes in face of the magnitude of the refugee crisis faced in Turkey.

12. The Assembly resolves to continue its reflection on these questions and take stock of the progress achieved on the occasion of the Migration Debate to be held during its June 2017 part-session.