



TEXTS ADOPTED

Provisional edition

P8_TA-PROV(2016)0404

Human rights and migration in third countries

European Parliament resolution of 25 October 2016 on human rights and migration in third countries (2015/2316(INI))

The European Parliament,

- having regard to the Universal Declaration of Human Rights (UDHR)¹ of 1948, and in particular Article 13 thereof,
- having regard to the Convention Relating to the Status of Refugees² of 1951 and the additional protocol thereto,
- having regard to the International Covenant on Civil and Political Rights³ of 1966 and to the International Covenant on Economic, Social and Cultural Rights⁴ of 1966 and their additional protocols,
- having regard to the Convention Relating to the Status of Stateless Persons⁵ of 1954 and the Convention on the Reduction of Statelessness⁶ of 1961,
- having regard to the International Convention on the Elimination of All Forms of Racial Discrimination⁷ of 1966,
- having regard to the Convention on the Elimination of All Forms of Discrimination against Women⁸ of 1979 and the additional protocol thereto,
- having regard to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment⁹ of 1984 and the additional protocol thereto,

¹ <http://www.un.org/en/universal-declaration-human-rights/>

² <http://www.unhcr.org/3b66c2aa10.html>

³ <https://treaties.un.org/doc/Publication/UNTS/Volume%20999/volume-999-I-14668-English.pdf>

⁴ <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>

⁵ http://www.unhcr.fr/4b151d05e.html#_ga=1.17778361.1048611796.1455186445

⁶ http://www.unhcr.fr/4b151d040.html#_ga=1.95759772.1048611796.1455186445

⁷ <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CERD.aspx>

⁸ <http://www.un.org/womenwatch/daw/cedaw/cedaw.htm>

⁹ <http://www.ohchr.org/en/ProfessionalInterest/pages/cat.aspx>

- having regard to the Convention on the Rights of the Child¹ of 1989 and the additional protocols thereto,
- having regard to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families² of 1990,
- having regard to the International Convention for the Protection of All Persons from Enforced Disappearance³ of 2006,
- having regard to the Convention on the Rights of Persons with Disabilities⁴ of 2006 and the additional protocol thereto,
- having regard to the report of the United Nations Secretary-General of 3 August 2015 on the promotion and protection of human rights, including ways and means to promote the human rights of migrants⁵,
- having regard to UN General Assembly Resolution 69/167 of 18 December 2014 on the protection of migrants⁶,
- having regard to the work of various international human rights mechanisms, including the reports of the United Nations Special Rapporteur on the human rights of migrants, François Crépeau⁷, and of other Special Rapporteurs, the Universal Periodic Review and the work of other treaty bodies,
- having regard to the work and reports of the Office of the High Commissioner on Human Rights (OHCHR), including the Recommended Principles and Guidelines on Human Rights at International Borders and the Report on the Situation of Migrants in Transit,
- having regard to the UN Guiding Principles on Business and Human Rights,
- having regard to the Dhaka Principles for Migration with Dignity⁸,

¹ <http://www.ohchr.org/en/professionalinterest/pages/crc.aspx>

² <http://www2.ohchr.org/english/bodies/cmw/cmw.htm>

³ <http://www.ohchr.org/EN/HRBodies/CED/Pages/ConventionCED.aspx>

⁴ <http://www.un.org/disabilities/convention/conventionfull.shtml>

⁵ http://www.un.org/ga/search/view_doc.asp?symbol=A/70/259

⁶ http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/69/167

⁷ ‘Banking on mobility over a generation: follow-up to the regional study on the management of the external borders of the European Union and its impact on the human rights of migrants’, 8 May 2015, available at:

http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session29/Documents/A_HRC_29_36_ENG.doc

‘Regional study on the management of the external borders of the European Union and its impact on the human rights of migrants’, 24 April 2013, available at:

http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session23/A_HRC.23.46_en.pdf

⁸ As launched by the Institute for Human Rights and Business in December 2012, available under the link <http://www.dhaka-principles.org/>

- having regard to Article 21 of the Treaty on European Union,
- having regard to the relevant reports of the European Union Agency for Fundamental Rights,
- having regard to the Commission communication of 18 November 2011 entitled ‘The Global Approach to Migration and Mobility’ (COM(2011)0743),
- having regard to the Commission communication of 13 May 2015 entitled ‘A European Agenda on Migration’ (COM(2015)0240),
- having regard to the Commission communication of 14 October 2015 entitled ‘Managing the refugee crisis: State of Play of the Implementation of the Priority Actions under the European Agenda on Migration’ (COM(2015)0510),
- having regard to the Commission Decision of 20 October 2015 on the establishment of a European Union Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced persons in Africa¹,
- having regard to the Conclusions of the European Council meetings of 25 and 26 June 2015² and of 15 October 2015³,
- having regard to the Council Conclusions on the Action Plan on Human Rights and Democracy 2015-2019⁴, adopted on 20 July 2015,
- having regard to the Council Conclusions of 9 November 2015 on measures to handle the refugee and migration crisis⁵,
- having regard to the political declaration and action plan adopted at the Valletta summit on 11 and 12 November 2015⁶,
- having regard to its previous resolutions on migration-related issues, in particular those of 17 December 2014 on the situation in the Mediterranean and the need for a holistic EU approach to migration⁷, of 29 April 2015 on the latest tragedies in the Mediterranean and EU migration and asylum policies⁸, and of 12 April 2016 on the situation in the Mediterranean and the need of a holistic EU approach to migration⁹,
- having regard to its resolution of 9 September 2015 on empowering girls through education in the EU¹⁰,

¹ https://ec.europa.eu/europeaid/sites/devco/files/commission-decision-2015-7293-20151020_en.pdf

² <http://data.consilium.europa.eu/doc/document/ST-22-2015-INIT/en/pdf>

³ www.consilium.europa.eu/en/meetings/european-council/2015/10/15-euco-conclusions

⁴ <http://data.consilium.europa.eu/doc/document/ST-10897-2015-INIT/en/pdf>

⁵ <http://data.consilium.europa.eu/doc/document/ST-13880-2015-INIT/en/pdf>

⁶ <http://www.consilium.europa.eu/en/press/press-releases/2015/11/12-valletta-final-docs/>

⁷ OJ C 294, 12.8.2016, p. 18.

⁸ OJ C 346, 21.9.2016, p. 47.

⁹ Texts adopted, P8_TA(2016)0102.

¹⁰ Texts adopted, P8_TA(2015)0312.

- having regard to its resolution of 8 March 2016 on the situation of women refugees and asylum seekers in the EU¹,
 - having regard to its resolution of 5 July 2016 on the fight against trafficking in human beings in the EU's external relations²,
 - having regard to the Final Declaration of the Second Summit of Speakers of the Parliamentary Assembly of the Union for the Mediterranean on the topic of immigration, asylum and human rights in the Euro-Mediterranean Region, adopted on 11 May 2015³,
 - having regard to its resolution of 17 December 2015 on the Annual Report on Human Rights and Democracy in the World 2014 and the European Union's policy on the matter⁴,
 - having regard to the resolution of the ACP-EU Joint Parliamentary Assembly of 9 December 2015 on migration, human rights and humanitarian refugees⁵,
 - having regard to various reports by civil society organisations on the human rights situation of migrants,
 - having regard to Rule 52 of its Rules of Procedure,
 - having regard to the report of the Committee on Foreign Affairs and the opinion of the Committee on Development (A8-0245/2016),
- A. whereas human rights are inherent to all human beings, without distinction;
- B. whereas migration is a multidimensional global phenomenon caused by a wide variety of factors, such as economic conditions (including changes in wealth distribution and regional and global economic integration), social and political conditions, the employment situation, the situation with regard to violence and security, the gradual deterioration of the environment and the growing severity of natural disasters, and whereas global interdependence is contributing to the growth and diversification of migratory movements; whereas this phenomenon must be addressed in a coherent, balanced manner, on the basis of a comprehensive approach which takes account of its human dimension, including the positive impact it has on demographic trends and economic development;
- C. whereas migratory routes are extremely complex and movements often occur within regions as well as between them, and whereas, according to the UN, international migration is on the rise, despite the global economic crisis; whereas currently nearly 244 million people are considered to be international migrants;

¹ Texts adopted, P8_TA(2016)0073.

² Texts adopted, P8_TA(2016)0300.

³ http://apum.parlement.ma/Future_Meetings/Docs/IISummit-of-Speakers_Lisbon-11MAY2015/DeclaracaoCimeira_EN.pdf

⁴ Texts adopted, P8_TA(2015)0470.

⁵ OJ C 179, 18.5.2016, p. 40.

- D. whereas the rights set out in the UDHR and other international conventions are universal and indivisible;
- E. whereas migration is also a consequence of increasing globalisation and the interdependence of markets;
- F. whereas the different factors involved in migration prefigure its effects and make it essential to frame appropriate policies;
- G. whereas changes in migration flows, especially in times of crisis, have far-reaching economic, social, and political repercussions for migrants' countries of origin and for their countries of destination;
- H. whereas it is essential to have effective ways of monitoring, and checking on, the entry and exit of foreign nationals, together with analyses and projections of the impact of migration, in order to provide the basis for drawing up migration management policies;
- I. whereas the factors behind migration are diverse and can be multidimensional, stemming from economic, environmental, cultural and political reasons and family or personal motivations; whereas a growing number of migrants are victims of enforced displacement and need special protection because they are fleeing, for example, the instability of states, conflicts and political or religious persecution;
- J. whereas the distinction between refugees, asylum seekers and migrants is becoming increasingly difficult to make, partly because many countries do not have appropriate legal and institutional instruments and frameworks;
- K. whereas the authorities and staff working in reception centres in transit and destination countries must be made aware of their responsibilities and be prepared to treat migrants and asylum seekers flexibly, in accordance with their individual circumstances;
- L. whereas migratory movements are now global and regional; whereas South-South migration flows, 80 % of which are between countries with a common border and very little difference in income, are now slightly higher in volume than South-North flows;
- M. whereas Europe has always been a region of destination but also of origin of migration; whereas, in addition to contemporary expatriate migration by members of the upper social classes, Europeans have also emigrated to escape economic hardship, conflict or political persecution; whereas the ongoing economic and financial crisis has led many Europeans to emigrate, including to emerging economies in the South;
- N. whereas women and children account for an ever greater proportion of migrants, and an even higher proportion of refugees; whereas more and more migrants and refugees are graduates, and whereas the 'brain drain' was already estimated to involve 59 million people in 2010; whereas Asia is the continent most affected, but Africa suffers the most because only 4 % of its population are graduates and 31 % of them migrate¹;

¹ UN International Migration Report 2015, available at: http://www.un.org/en/development/desa/population/migration/publications/migrationreport/docs/MigrationReport2015_Highlights.pdf

- O. whereas, according to the UN High Commissioner for Refugees (UNHCR), conflicts and instability in some regions have caused a humanitarian crisis affecting 65 million refugees and displaced persons, particularly in developing countries;
- P. whereas the UNHCR estimates that there are at least 10 million stateless people;
- Q. whereas Article 13 of the UDHR states that everyone has the right to freedom of movement and residence within the borders of each State and to leave any country, including his own, and to return to his country;
- R. whereas cooperation and sharing of information and good practice among countries of origin, transit and arrival are essential in order to prevent and combat illegal migration and trafficking in human beings, serving as they do to identify common interests and concerns;
- S. whereas a holistic approach to migration should address the global challenges of development, world peace, human rights and climate change, with particular regard for the improvement of humanitarian conditions in countries of origin, so that local people can live in safer areas;
- T. whereas the rights of refugees are laid down in the Geneva Convention and the protocols thereto;
- U. whereas living conditions, including as regards health, are deteriorating in many refugee camps in the Middle East and Africa, and whereas the safety of refugees, particularly vulnerable people, and most of all women and minors, is often not guaranteed in the camps;
- V. whereas, according to the World Bank, remittance transfers from international migrants totalled more than USD 550 billion in 2013, of which USD 414 billion went to developing countries;
- W. whereas xenophobia, discrimination and violence against migrants, anti-migrant sentiment, hate speech and hate crimes have increased perceptibly in the ACP countries;
- X. whereas an appropriate, well organised, specific response to migration matters constitutes an opportunity for individuals and countries; whereas such a response must be underpinned by the principles of fighting poverty and promoting sustainable development and respect for the rights and dignity of migrants and refugees; whereas it must be based on close cooperation among countries of origin, transit and destination;
- Y. whereas migration is an important, dynamic factor in countering the demographic crisis and the percentage drop in the working-age population in some countries;
- Z. whereas the number of irregular migrants is hard to assess, making it difficult to establish indicators for their living and working conditions, even though it is they who are most in need of protection, as they are particularly vulnerable to being abused, exploited and denied the most basic of human rights;
- AA. whereas international migration can be used to remedy specific manpower shortages;
- AB. whereas migrants help to enhance diversity and the cultural richness of receiving countries; whereas if this is to happen, they must be fully integrated into their host

societies, so that the latter can tap their economic, social and cultural potential; whereas political decision-makers must, as a matter of priority, inform the public about the economically, culturally and socially beneficial impact that migrants have on society, thereby forestalling xenophobic and discriminatory attitudes;

- AC. whereas proper reception and integration policies ensure that the impact on migrants of the traumatic events that many of them experience in their lives is not exacerbated or prolonged;
- AD. whereas sociocultural development is contingent on integration, and whereas this requires serious commitment on the part both of migrants, who have to be willing to adapt to their host society without necessarily giving up their native cultural identity, and of institutions and communities in host countries, which have to be prepared to receive migrants and meet their needs;

Challenges and risks in respecting the rights of migrants

1. Expresses its solidarity with persons who are forced to leave their countries on account of conflicts, persecution, violations of human rights and extreme poverty, among other factors; expresses deep concern at the grave human rights violations faced by many migrants in numerous countries of transit or destination; stresses that migrants' dignity and their human rights must be respected;
2. Stresses that the EU and its Member States must lead by example in promoting and protecting the human rights of migrants, in particular within their own borders, in order to be credible when discussing migration and human rights in third countries;
3. Recalls that the majority of the world's refugees and migrants are being hosted by developing countries; recognises the efforts made by third countries in receiving migrants and refugees; stresses that the support systems of these countries face critical challenges which may jeopardise the protection of a growing displaced population;
4. Recalls that 'everyone has the right to leave any country, including his own' and to 'return to his own country'¹; emphasises that the social status and nationality of the person concerned should in no way impinge upon this right and that each individual has the right to take decisions concerning migration in a dignified way; calls on all governments to address the human rights protection gap which migrants continue to face; urges national governments and parliaments to do away with punitive legal rules which criminalise migration and to implement short-, medium- and long-term solutions in order to maintain the safety of migrants; condemns the cases involving the imposition of limitations or bans on departure from or return to certain states and the consequences of statelessness for access to rights;
5. Notes that the growing number of refugees around the world is overshadowed by the even greater number of internally displaced persons; emphasises that the latter should not be discriminated against for the sole reason that they have had to seek safety without crossing international borders, and therefore stresses that displaced persons should have their rights, including access to health and education, upheld;

¹ Article 13(2) of the UDHR.

6. Recalls the importance of identifying stateless persons in order to afford them the protections available under international law; in that connection, urges States to introduce statelessness determination procedures and share good practice, including with regard to legislation and ways of preventing new cases of childhood statelessness;
7. Draws attention to the ongoing need for the EU to address statelessness as part of its external relations policy, particularly given that statelessness is a major cause of enforced displacement; recalls the commitment made in the EU Strategic Framework and Action Plan on Human Rights and Democracy, published in 2012, to ‘develop a joint framework between Commission and EEAS for raising issues of statelessness and arbitrary detention of migrants with third countries’;
8. Expresses concern at the arbitrary detention and ill-treatment of migrants and refugees, and recalls that detention must be used only in cases of absolute necessity, underpinned by the appropriate safeguards, including access to judicial remedy;
9. Calls on States to recognise their obligations under international law with regard to asylum and migration and to enact national laws for the effective implementation of those obligations, also providing for the possibility of applying for international protection; calls for these laws to take into account the degree and the nature of the persecution and discrimination that migrants have suffered;
10. Recalls that migrants have the right not to be sent to countries where they risk ill-treatment and torture; recalls that collective deportations and push back are prohibited under international law; expresses concern at the treatment of migrants who are forcibly returned to their countries of origin or to third countries without adequate follow-up of their situation, and calls, whatever the situation, for account to be taken of the difficulties that they encounter when they return to these countries;
11. Proposes the introduction of reintegration programmes for migrants returning to their countries of origin;
12. Stresses the importance of upholding the right of migrants, regardless of their status, to seek access to justice and to effective remedy without fear of being denounced to immigration enforcement authorities, detained and deported; is concerned that many countries lack mechanisms for monitoring procedures concerning violations of the rights of migrants and guarantees regarding the quality of the information and legal assistance provided to migrants; recommends that staff who come into contact with people seeking international protection should receive appropriate training so that they can take due account of the general, personal and gender-specific circumstances involved in asylum applications;
13. Calls, further, on the Commission and the EEAS to enhance exchanges of good practice with third countries, particularly in providing training to aid workers in identifying more effectively the different characteristics, backgrounds and experiences of migrants, particularly the most vulnerable, in order to better protect and help those migrants in accordance with their needs;
14. Emphasises that the concepts of safe countries and safe countries of origin should not preclude individual assessments of asylum applications; calls, irrespective of the circumstances, for migrants who need international protection to have their applications

considered; insists that they must enjoy appropriate guarantees with regard to non-refoulement and have access to a complaints procedure;

15. Draws attention to the physical and psychological violence suffered by migrants and to the need to recognise the specific types of violence and persecution to which migrant women and children are subjected, such as human trafficking, enforced disappearance, sexual abuse, genital mutilation, early or forced marriage, domestic violence, slavery, honour crimes and sexual discrimination; recalls the unprecedented and ever increasing number of victims of sexual violence and rape, including when used as a weapon of war;
16. Expresses concern at the practice of recruiting children into armed groups; stresses the need to promote policies for their disarmament, rehabilitation and reintegration;
17. Stresses that separation from family members, including when in detention, exposes women and children to greater risks;
18. Recalls that unaccompanied women and girls, women heads of household, pregnant women, people with disabilities and the elderly are particularly vulnerable; stresses that girls fleeing conflict and persecution are at a heightened risk of rape, sexual and physical abuse, prostitution, early or forced marriage and early child-bearing, even once they have reached places deemed secure; calls, therefore, for them to be given special protection and assistance during their stay in reception camps, especially with regard to health conditions;
19. Recommends that gender issues be incorporated into migration policies, including in the form of measures to prevent and punish trafficking and all other forms of violence targeting women and discrimination against them; urges that gender equality be fully realised, *de jure* and *de facto*, as a key element in preventing violence against women, with a view to empowering and emancipating them;
20. Expresses concern at the numerous reports and testimonies highlighting the increase in violence against migrant children, including torture and detention, and even disappearance; emphasises that, in line with the opinion of the UN Committee on the Rights of the Child, detention of children solely on the grounds of their migration status or that of their parents is a violation of children's rights and is never in their best interests;
21. Recalls that migrant children are especially vulnerable, particularly when they are unaccompanied, and that they are entitled to international protection based on the best interests of the child, in accordance with the provisions of international law; stresses the need to include the issue of unaccompanied minors in development cooperation, promoting their integration in the countries in which they have settled, particularly through their access to education and medical care, by preventing the risks of violence, abuse, exploitation and negligence;
22. Expresses concern at the difficulties encountered in registering children born outside their country of origin, which may increase the risk of their becoming stateless; calls, in that connection, for registration of their birth to be possible irrespective of the migration status of their parents;

23. Urges the EU to cooperate closely with UNICEF, the UNHCR and all competent international institutions and organisations in order to do everything possible to increase capacities for protecting migrant children and their families, irrespective of their migration status, along migration routes, by funding appropriate programmes, particularly to provide education and medical care, making specific facilities and psychological support available for children, identifying family links and bringing together children who are unaccompanied or have become separated from their families, and applying the principles of non-discrimination, non-criminalisation, non-detention, non-refoulement, non-application of undue penalties, family reunification, physical and legal protection and the right to identity;
24. Recalls that criminal networks are taking advantage of the lack of safe migration channels, regional instability and conflicts and the vulnerability of women, girls and children trying to flee, for the purposes of trafficking and sexual exploitation;
25. Draws attention to the specific types of violence and the particular forms of persecution to which LGBTI migrants are subjected; calls for support for the establishment of specific socio-legal protection arrangements for LGBTI migrants and asylum seekers in order to ensure that their vulnerability is taken into account and that their applications for protection are considered rigorously, even upon appeal;
26. Reiterates that economic, social and cultural rights, and in particular the rights to health, education and housing, are human rights which all migrants, and particularly children, should be able to enjoy regardless of their migration status;
27. Is concerned about breaches of labour law and the exploitation of migrants; stresses the need to combat all forms of forced labour by migrants, and condemns in particular all forms of exploitation of children;
28. Expresses concern at the discriminatory practices to which certain sociocultural, linguistic and religious minorities are too often exposed and which contribute to migrants' unequal access to rights;
29. Calls on host countries to safeguard migrant women's right of access to sexual and reproductive health;
30. Draws attention to the need to avoid creating separate districts for migrants, by promoting inclusion and the opportunity to take up all the social opportunities on offer;
31. Considers that the right to education and the right to work help to make refugees self-sufficient and help to further their integration, as does the right to a family life and family reunification; insists on the importance of ensuring social protection for migrant workers and their families; notes that the effective integration of migrants must be underpinned by a rigorous assessment of the labour market and its future potential, better protection of migrant workers' human rights and labour rights, and constant dialogue with labour market stakeholders;
32. Recalls that learning the language of their host country can significantly improve migrants' quality of life and their economic and cultural independence and also help them to obtain information about their rights in the host society; considers that the authorities of the host country should ensure that teaching is provided; recommends that migrants should be involved in all social and political decision-making processes;

33. Considers that access to employment, training and independent status are key factors in the inclusion and empowerment of migrant women; calls for efforts to bring this about to be stepped up in the case of migrant women, who are for the most part under-represented, in order to overcome the greater obstacles they face to inclusion and empowerment;
34. Recalls that host states must help to empower migrants, and in particular migrant women, by providing them with access to knowledge and the necessary social skills, above all those linked to professional and vocational training and language learning, as part of an approach geared to sociocultural inclusion;
35. Considers that all workers should receive a contract in a language they understand and be protected against contract substitution; emphasises that bilateral agreements between countries of origin and destination should strengthen human rights protection;
36. Considers that coherent and comprehensive gender-sensitive national migration policies should be established which address all stages of the migration process and that they should be coordinated across government and developed in widespread consultation with national human rights institutions, the private sector, employers' and workers' organisations, civil society and migrants themselves, and with the support of international organisations;
37. Recalls that everybody is entitled to safe and fair working conditions which are fully consistent with the rights of workers, in accordance with international standards and instruments relating to human rights and the core ILO conventions;
38. Emphasises that the precarious work in which migrants, and migrant women in particular, tend to be employed in host countries adds to their vulnerability; recalls that exploitation through work is often a consequence of trafficking or smuggling, but may also occur in the absence of these two factors; expresses, in that connection, concern at the impunity enjoyed by many employers in receiving countries even when they are responsible for breaches of international labour law standards in their treatment of migrant workers; expresses concern at the fact that in some countries labour laws allow practices which violate international standards; believes that any effort to eradicate labour exploitation of migrants must take the dual approach of effectively prosecuting employers who commit abuses while protecting the victims of such exploitation;
39. Draws attention to the need to recognise the qualifications obtained by migrants in their countries of origin as a means of facilitating their independence and social inclusion in various aspects of society, particularly the labour market; stresses the need for migrants to be able to join organisations, including trade unions, which defend workers' rights, and to recognise these structures;
40. Encourages businesses to implement the UN Guiding Principles on Business and Human Rights, in an effort to ensure that their operations do not have an adverse impact on human rights, to address any such impact when it occurs, and seek to prevent or mitigate any adverse human rights impact directly linked to their operations;
41. Calls on the EU to continue its concerted diplomatic efforts with the US and other international partners to actively collaborate with third countries to address the urgent need for a common strategy to meet the current global migration challenge;

42. Urges the High Representative of the Union for Foreign Affairs and Security Policy to take whatever practical steps are necessary in order to secure an effective commitment from the third countries involved;
43. Stresses the need for the EU to step up its foreign policies so as to bring peace and stability to those areas where war and conflict trigger enormous migration flows towards the EU;
44. Recalls that the EU and its Member States have a duty to take positive action to eliminate the underlying causes of the crises which lead to these mass migration phenomena;
45. Calls for humanitarian conditions in countries of origin and transit to be improved in order to allow the local population and refugees to live in safer areas;
46. Urges warring parties to cease their attacks on civilians, to protect them and allow them to leave areas affected by violence safely or receive assistance from humanitarian organisations;
47. Highlights the impact of ISIS and its evolution on the mass influx of legitimate asylum seekers and irregular migrants; acknowledges the crucial role of security and counter-terrorism policies in tackling the root causes of migration;
48. Recalls the recent statement by the UNHCR that a large number of migrants are victims of terrorism and of serious human rights violations, and that these refugees should therefore be treated accordingly;
49. Recalls that resettlement programmes under the auspices of the UNHCR are a useful tool for managing the orderly reception of persons in need of international protection; emphasises that, if resettlement is impossible, all States should be encouraged to establish and implement humanitarian admission programmes or at the very least to create conditions which enable refugees to remain close to their country of origin;
50. Notes the growing financing needs and the persistent financing gap in respect of humanitarian aid provided to countries near Syria, which have led the World Food Programme (WFP) to take measures which include cutting food rations for refugees; calls on the UN member countries and on the EU and its Member States, at the very least, to honour their financial pledges; stresses the importance of focusing aid to refugees in those countries on providing basic foodstuffs, the safety of refugees and the enforcement of their fundamental rights, in particular access to healthcare and education, in close cooperation with the UNHCR, the WFP and the competent bodies;
51. Recalls that migration and development are linked and that development cooperation in the fields of education, health, labour law, poverty reduction, human rights, democratisation and post-conflict reconstruction, as well as combating inequalities, the consequences of climate change and corruption, are key factors in preventing forced migration; notes that land and resource grabbing can have a major impact on humanitarian crises and that social, political and humanitarian crises may drive people to migrate; considers that migration is recognised globally as being a powerful tool for sustainable and inclusive development;
52. Calls for the EU and the international community to identify specific measures that governments can take to increase the potential of legal migration as a development

enabler; stresses that political leadership and strong advocacy are required, especially in destination countries, to combat xenophobia and to facilitate the social integration of migrants;

53. Considers that migration has root causes (in particular of an economic, political, social and environmental nature); considers that development aid should address these root causes, by improving capacity-building, supporting conflict resolution and promoting respect for human rights; emphasises that these causes are linked to an increase in the number of conflicts and wars, human rights violations and a lack of good governance;
54. Emphasises that migration governance should be based on regional and local cooperation, with the involvement of civil society;

A human rights-based approach

55. Urges all actors involved in policy development and decision-making regarding asylum and migration to ensure that the definitions of migrants and refugees do not become merged; recalls the need to pay particular attention to refugees who are fleeing conflicts or persecution, and who therefore have the right to asylum as long as they cannot return to their countries of origin; recalls that the majority of refugees seek refuge in countries and regions which are neighbours of their country of origin; considers, therefore, that a holistic approach should be taken towards them in the context of the EU's external policy;
56. Calls on states to ratify all international treaties and conventions and to apply the standards applicable to migrants' rights which are set out in a variety of legal instruments, including the main international human rights instruments and other instruments dealing with issues relevant to migration, such as the UN Convention Relating to the Status of Refugees of 1951 and its protocols and the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families; considers, in that connection, that the non-ratification of the latter by the EU Member States undermines EU human rights policies and its stated commitment to the indivisibility of these rights;
57. Recalls that the opening of safe and legal migration channels is the best way of combating human trafficking and smuggling and that development strategies should recognise migration and mobility as motors for development, through remittances and investments, in both the host country and the country of origin; calls on the EU and the most highly developed third countries to work together to open up legal channels for migration and establish cooperation protocols between countries of origin and countries of destination in order to create effective temporary migration schemes, drawing inspiration from the good practices employed in certain countries, in particular in order to foster the reunification of families and mobility, including for economic reasons, and to do so for all skill levels, including for less skilled migrants, in order to combat illegal work;
58. Welcomes the specific provisions concerning migrants, asylum seekers and displaced and stateless persons in the European Instrument for Democracy and Human Rights (EIDHR) for 2014-2020; calls on the Commission to continue to treat the protection and promotion of the rights of migrants and refugees as a priority in the mid-term review of the human rights instrument in 2017-2018; calls on the EEAS and the Member States to honour their commitments under the EU Action Plan on Human Rights and Democracy

adopted in July 2015 and to include and reinforce the human rights guarantees in all migration-related agreements, processes and programmes with third countries; considers that all agreements and programmes should likewise be accompanied by an independent human rights evaluation and should be evaluated on a regular basis; recommends implementing communication and awareness-raising campaigns to improve the way in which people view migrants and concerning the opportunities that migrants can bring to society in both countries of origin and host countries; recalls, in that connection, that the EIDHR should continue to finance projects to boost the fight against racism, discrimination, xenophobia and other forms of intolerance, including religious intolerance, and to adopt programmes;

59. Calls on the Union to adopt specific guidelines on the rights of migrants to complement its guidelines on human rights and, in that context, to carry out impact assessments and establish arrangements for monitoring policies on development and migration in order to ensure that public policies on migrants are effective; emphasises the importance of mainstreaming respect for human rights in all migration-related policies in the EU's external relations, with particular reference to foreign affairs, development and humanitarian aid; draws attention to the need for all the EU's external policies, in particular policies on trade, development, the environment and migration, to respect human rights, to pursue the objectives set out in Article 21 of the Treaty on European Union and to implement the human rights clauses in all EU agreements, including trade agreements; calls, in that connection, for all cooperation with third countries on migration to involve an assessment of those countries' systems for helping migrants and their ability and willingness to tackle human trafficking and smuggling; calls on the EU and its Member States to liaise more closely with countries such as Canada, which are implementing effective resettlement policies; stresses that no policy in this area should undermine development aid policies;
60. Calls for freedom of movement and the right to education, health and work to be included as priorities in funding instruments for EU external cooperation, and calls for developing countries to be given support in adopting long-term policies which respect these rights; calls on the Commission and the EEAS to pay particular attention to the rights of migrants in the context of EU Human Rights Country Strategies;
61. Wishes to see the rights of migrants and refugees included as a separate item on the agenda for dialogues between the EU and the relevant third countries, and for European funding for projects to protect people in vulnerable situations, NGOs, human rights defenders, journalists and lawyers active in defence of migrants' rights to be made a priority;
62. Calls on countries, in this context, to allow independent observers, NGOs and national and international institutions and organisations and the media access to all places where migrants are received and detained; encourages EU delegations and Member States' embassies, as well as visiting delegations from the European Parliament, to monitor the situation of migrants in these places and to engage with national authorities on this matter in order to guarantee respect for migrants' rights and transparency for the public;
63. States that human traffickers sell a distorted picture to many refugees; reiterates the importance of combating human trafficking, cutting the money flow and dismantling the networks, as this will have a positive effect on the human rights situation of refugees from third countries seeking to flee war and terror;

64. Advocates close cooperation on the protection of migrants' rights with the competent international organisations and other institutions and organisations active in migration management, particularly in the countries most affected, in order to help them to receive migrants in a dignified manner which respects their rights;
65. Emphasises the need to strengthen cooperation with these organisations in order to prevent smuggling of migrants and human trafficking by enhancing training, capacity-building actions and information-sharing mechanisms, including an evaluation of the impact of the Immigration Liaison Officers networks and ratification of the Palermo Protocols in this field in order to promote cooperation in criminal matters, identify suspects and assist judicial investigations in partnership with national authorities;
66. Calls for the European Parliament to be more closely involved in setting up a cross-cutting approach to human rights in migration policies and for these issues to be covered in the EU's annual reports on human rights and democracy in the world, including in the country-by-country section; calls for more stringent parliamentary oversight of the working arrangements concluded with third countries and other external cooperation activities of the EU's relevant agencies; calls for better account to be taken of the expert reports drawn up and the data collected by the European Asylum Support Office on refugees' countries of origin;
67. Acknowledges the role of civil society in and its contribution to political dialogue; stresses the importance of consulting civil society in the framework of the EU's external policies, paying particular attention to full participation, transparency and proper dissemination of information on all migration-related policies and processes; stresses the need to increase the involvement of women's organisations in conflict resolution at decision-making levels and the need for refugee, displaced and migrant women to be appropriately involved in decisions that affect them; calls on the Commission and the EEAS to build up the capacity of the national human rights institutions in third countries so that they can step up their efforts to protect the rights of migrants and combat inhuman and degrading treatment and hate speech and hate crimes directed against migrants, as set out in the Belgrade Declaration adopted by 32 national human rights ombudsmen and institutions;
68. Urges host countries to assign greater importance to migrant associations, which should be directly involved in community development programmes;
69. Calls on the Member States to honour their pledge to earmark 0,7 % of their gross national income (GNI) to development aid; calls for this aid not to be made conditional on cooperation with regard to migration, and calls on the EU and its Member States not to make funding for the reception of refugees part of development aid;
70. Stresses that development assistance programmes should not be used solely for migration and border-management purposes; urges that EU development projects aimed at migrants and asylum-seekers should implement the 'leave no one behind' principle, by focusing on access to basic social services, in particular health care and education, and by paying special attention to vulnerable persons and groups, such as women, children, minorities and indigenous peoples, LGBT persons and persons with disabilities;
71. Notes the positive aspects of migration for the development of migrants' countries of origin, such as their remittances, which may represent an important contribution to

family and community development; calls on States to minimise remittance-transfer costs;

72. Calls for the EU and its Member States to ensure efficient and effective Policy Coherence for Development and to prioritise respect for human rights in their migration policy in relation to third countries;
73. Urges the EU to integrate the migration dimension into the post-Cotonou framework which will define future relations between the EU and ACP countries; notes that greater involvement on the part of third countries in the design and negotiation of GAMM instruments would enhance the 'partnership' nature of these instruments, improving their local ownership and their effectiveness;
74. Calls for debt relief for impoverished countries, in order to help them develop public policies that guarantee respect for human rights; insists that sustainable debt solutions, including standards for responsible lending and borrowing, must be facilitated by a multilateral legal framework for sovereign debt restructuring processes, with a view to alleviating the debt burden and avoiding unsustainable debt in order to create the conditions for the protection of human rights in the long term;
75. Welcomes the inclusion of migration in the Sustainable Development Goals (SDGs), namely in SDG 10, which sets the framework for global development policy until 2030; recalls that states have committed themselves to cooperating internationally to 'ensure safe, orderly and regular migration involving full respect for human rights and the humane treatment of migrants regardless of migration status, of refugees and of displaced persons'; notes that enforced displacement is not only a humanitarian issue, but also a development challenge, and that there should therefore be better coordination between humanitarian and developmental actors; considers that the implementation of the SDGs is an opportunity to reinforce a rights-based approach to asylum and migration policies and to mainstream migration into development strategies; calls on the international community to adopt measurable indicators of the SDGs on migration, and to collect and publish disaggregated data on migrants' access to decent work, health care and education, especially in developing destination countries, in order to improve migration governance;
76. Stresses the need for the EU and its Member States to support the LDCs in the context of the fight against climate change, in order to prevent a worsening of poverty in those countries and an increase in the number of environmentally displaced persons;
77. Calls on the Union to participate actively in the debate on the term 'climate refugee' and in the possible formulation of a definition in international law;
78. Highlights the need for more effective coordination and for an assessment of the implementation, impact and continuity of the various financial instruments available at EU level for third countries in the field of migration, which currently cover areas such as migration policy, international development cooperation, external policy, the neighbourhood policy and humanitarian support, and which mobilised more than EUR 1 billion for more than 400 projects between 2004 and 2014;
79. Stresses the impact EU cooperation instruments have in the field of immigration, asylum and human rights protection; notes the creation of the Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced persons in

- Africa; calls for assessment and monitoring of the use made of this fund and of similar agreements, such as the EU-Turkey declaration and the Khartoum and Rabat processes;
80. Stresses that agreements with third countries must focus support on resolving the social, economic and political crises that lead to migration;
 81. Highlights the importance of increased EU involvement with third countries in the field of Global Approach to Migration and Mobility (GAMM) instruments in order to enhance the partnership nature of these instruments, their effectiveness and their contribution to resolving migratory challenges;
 82. Considers it necessary to improve the coherence of the GAMM, integrate rigorous human rights, monitoring and oversight mechanisms into all external agreements and prioritise projects in countries of origin and transit that will improve the human rights of migrants;
 83. Encourages the EU to sign mobility partnerships with its closest partners;
 84. Calls on the Commission and the Member States only to consider return policies which involve sending migrants back to countries where they can be received safely and without being endangered, in a manner entirely consistent with their fundamental and procedural rights, and, in that connection, calls for priority to be given to voluntary, not forced, returns; stresses the need for agreements concluded in the framework of these policies with third countries to include safeguard clauses that ensure that migrants returning to their countries do not face violations of their human rights or persecution; recognises the importance of periodic evaluations in order to rule out the conclusion of agreements of this kind with countries that fail to abide by international human rights standards;
 85. Calls for action to target smuggling networks and stop trafficking in human beings; calls for safe and legal routes, including through humanitarian corridors, to be established for people seeking international protection; calls for permanent and mandatory resettlement programmes to be established and humanitarian visas granted to people fleeing conflict zones, including to enable them to enter a third country to seek asylum; calls for legal migration routes to be established and for general rules to be drawn up governing entry and stay, to enable migrants to work and seek employment;
 86. Insists on the need to create and better implement protection frameworks for migrants in distress and in transit and at the borders of the EU;
 87. Welcomes operations against smugglers and traffickers and supports the reinforcement of the management of the Union's external borders; emphasises the need for rapid action and a long-term comprehensive and concrete roadmap that involves cooperation on the part of third countries to combat organised criminal networks of migrant smugglers;
 88. Stresses that migrant smuggling is linked to human trafficking and is a serious violation of human rights; recalls that missions such as EURONAVFOR MED are an effective way of tackling migrant smuggling; calls on the EU to continue and step up missions of this kind;
 89. Regards it as necessary to consider ways of strengthening border policy and security and of improving the future role of Frontex and EASO; calls for solidarity and

commitment to be shown in the form of sufficient contributions to these agencies' budgets and operations;

90. Emphasises the need to improve the functioning of 'hot spots' and entry points at the EU's external borders;
91. Calls on the EU to integrate data protection into agreements on sharing and exchanging information at borders and on migration routes;
92. Calls on the EU and host countries to create effective tools for the coordination and alignment of information flows and the compilation, cross-referencing and analysis of data;

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93. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States, the United Nations, the Council of Europe, the African Union, the Organization of American States and the League of Arab States.