



Marie-Christine Vergiat

For a New Approach to Migration

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Marie-Christine Vergiat is involved in many causes, first and foremost the defence of human rights. She was elected Member of the European Parliament in 2009 as part of the European United Left / Nordic Green Left Group (GUE / NGL). Since her re-election in 2014 she decided to focus her work on the issue of migration. She is a member of the LIBE Committee (Civil Liberties, Justice and Home Affairs), the coordinator of the DROI Sub-Committee (Human Rights) for the GUE group. She is also a substitute member of the AFET (Foreign Affairs), TERR (Terrorism) and DMAG (Delegation for relations with the Maghreb countries) Committees and Co-Chair of the Intergroup on Social Economy of the Parliament.

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For a New Approach to Migration

Marie-Christine Vergiat

PREFACE

I was invited to appear in Paris, on 4 January 2018, before the Permanent People's Tribunal to speak about the violation of the rights of migrants and refugees, and in particular about the responsibility of the European Union and its Member States, notably France, in this area.

The following testimony¹ sets out the fundamental elements of my position on these questions and provides a reminder of

I was elected for the first time in 2009 and upon my re-election in 2014 I decided to focus my work on the issue of migration. It is for this reason that I am a member of the European Parliament's Committees on "Civil Liberties", "Foreign Affairs" and "Human Rights". My objective is to try to promote the development of a global approach to these issues, which are related to both the external and internal policies of the European Union and its Member States.

the realities of the figures regarding migration. I also provide an overview of current European policies and the responsibilities of the Member States in this area. Furthermore, I try to outline different perspectives with a view to developing a different approach to migration and to formulating different policies.

This experience has led me to lend my support to those who feel that there is a need to construct a new narrative for the issue of migration in order to move away from the populist and right-wing discourse which is being spread across Europe, by placing migration in its correct historical and geographical context so as to remove the negative portrayal of migration which feeds people's fears and which, far too often, is supported by those who govern us.

MIGRATORY MOVEMENTS IN TIME AND IN SPACE

Population movements are an inherent part of the history of humanity and Europe has not always been a place of immigration.

Our history is founded on population movements, wars and invasions. For example, France owes its name to the Franks² who came from the North and had nothing to do with "our ancestors the Gauls".

The largest migratory movements in modern times involved 50 million Europeans who escaped poverty and persecution, mainly between 1850 and the First World War.

Both America and Australia are largely populated by these peoples, to the detriment of their native populations.

In 1900, international³ migrations represented 5% of the world's population, compared to 2.9 % in 1990 and 3.4 % today. It is therefore important to keep things in perspective. Whilst figures regarding migration are changing in absolute terms, ultimately the change is only slightly greater than that of the planet's population over the course of the last few decades and is almost insignificant in the context of the globalisation and transformations being generated in terms of communication and transportation in particular.

1 Testimony of MEP Marie-Christine Vergiat before the Permanent People's Tribunal that took place in Paris on 4 January 2018.

2 Invasion by the Franks in 481; France only officially adopted this name in 1190 under King Philip II.

3 An international migrant is considered to be anyone who leaves a given country to establish themselves in another country for a duration of more than one year. For internal movements within the same country, the preferred term is internally displaced people.

However, migratory movements have changed: they have become globalised and now almost all countries throughout the world are simultaneously sending, transit and host-

ing countries. France is an excellent example of this, since its net migratory balance is practically zero.

THE REALITY OF MIGRATION TODAY

There are currently 244 million international migrants in the world.

Eighty million are Asians from a continent of 4.5 billion inhabitants. In recent years, they alone have added more people to the total number of international migrants than all the other continents put together.

There are only 39 million African international migrants and their migration takes place, for the most part (90%), between the different African countries.

Europeans account for 62 million for the entire continent of Europe (40 million for the EU). This means that Europeans also migrate, but no one talks about their migration in these terms and instead the preference is to refer to them as expatriates. Only 50% of their migration takes place within the continent of Europe. So, we should be asking ourselves who is invading, or who has invaded who, particularly since south-south migratory movements have been higher than south-north movements since 2013.

We therefore need to choose our vocabulary carefully. Contaminated by the current discourse, we tend to use the word migrants solely to describe those men and women who encounter difficulties in both getting to Europe and remaining there once they have arrived.

This is particularly inappropriate given that, each year, thousands of nationals from third countries from outside the EU arrive legally on our shores and therefore migrate to the EU each year. Indeed, the EU Member States issued 3.4 million residence permits in 2016⁴.

The most surprising aspect of this phenomenon is the nationality of the main “beneficiaries” of these permits. In 2016, the main recipients were: Ukrainians (588,900), Syrians⁵ (348,000), Americans (250,900), Indians (198,300) and Chinese (195,600). This is the fourth consecutive year that Ukrainians have been the main beneficiaries of these permits and they continue to grow in number. Poland is the country of destination for 86% (512,000) and 81% of the permits issued to them are linked to employment. It is remarkable that nationals from this country are the greatest users of the status of posted worker, which can be considered to be a chain of social dumping.

Eighty-five per cent of the permits issued to Syrians are granted under the term of international protection and two thirds of the Syrian recipients of these permits go to Germany. The Americans, Indians and Chinese go mostly to the United Kingdom, which is the EU country which issues by far the highest number of residence permits (865,800 or 25% of the permits issued in the EU). Brexit will therefore have a surprising effect in this area.

It is therefore important not to be misled by certain figures. There is no “migrant crisis” in the EU. Legal channels of migration certainly do exist, including those which are related to migration for economic reasons: the binary opposition between “good refugees” and other migrants who are considered to be “bad, so called economic migrants” makes no sense, especially since it fails to take into account those who come to Europe for family and education-related reasons and who account for almost 44% of the issued permits. And it is because we deny access to the legal channels to certain people that they then have no other option than to attempt the perilous crossing of the Mediterranean or the deserts which lead to it.

⁴ This figure was 2.6 million in 2015. This does not correspond exactly to the number of migrants coming in to the EU since it refers to the permits which are required for any stay over three months. However, for the same year, 2015, Eurostat estimated the number of migrants from non-EU countries to be 2.7 million.

⁵ In 2015, Syrians were only in fifth position, whilst they were in sixth position in 2014. Previously they had not even been in the top 10.

A CRISIS IN THE RECEPTION OF REFUGEES

So, what has happened between spring 2015 and spring 2016? More than one million people have crossed the Mediterranean, including 850,000 crossing from Turkey to Greece. It is strange, to say the least, that no one has really questioned this spectacular movement of people from a State such as Turkey where the police are forceful, to put it mildly, especially when it is considered that this flow virtually dried up from one day to the next following the signing of the “agreement” between the EU and Turkey. It is impossible not to draw the conclusion that Recep Erdogan used migration as an instrument to place unprecedented pressure on the EU at a time when the authoritarian excesses of his regime were increasingly visible. The very least we can say is that this approach would appear to work...

However, it is also true that there has been a significant increase in the number of applications for asylum over the last few years (626,000 applications for asylum in 2014⁶, 1.2 million in 2015 and in 2016). But it is worth remembering that this figure was 672,000 in 1992 in the EU composed of 15 Member States at the time of the war in Yugoslavia.

Major differences may be observed with regards to the effective granting of international protection according to the Member States⁷ and the nationalities of the beneficiaries. Germany is currently the country which accounts for the greatest share of this increase in applications in absolute figures⁸ and the decisions to grant international protection have mainly been made in favour of Syrians.

France is barely involved in this process: 58,800 first-time applicants for asylum in 2014, 70,000 in 2015 and 76,000 in 2016 and, above all, only 35,000 positive decisions⁹ in 2016 compared to the 445,000 in Germany for the same year. The figures speak for themselves; the demographic issues faced in Germany are not sufficient to fully explain this situation and certainly do not explain why there is such

a huge difference between the two countries, especially since Germany has been the world’s second largest recipient of migrants for several years and this was certainly the case long before 2015.

The fact is that the entire world is faced with a refugee crisis which is without precedence since the Second World War: 65 million displaced people in 2016 compared to 50 million in 2014, 22.5 million refugees in the strictest sense of the term and 40 million internally displaced people¹⁰.

Eighty-six per cent of refugees have arrived in developing countries, whereas in the European Union, which is the world’s wealthiest geographical area, with a population of more than 500 million, we are struggling to cope with the arrival of refugees who, when all the asylum applications for 2015 and 2016 are combined, represent only 0.5% of our population. Is this really a credible situation given that in Lebanon, a small country with a population of 6 million, the 1.5 million refugees represent almost one third of total population?

It is certainly not true to say that the EU, and France in particular, are taking in all of the world’s poor. Indeed, they are not even taking in their fair share. On the contrary, our borders are becoming tighter because of the policies which are being implemented and the states choose who to let in. More than anything, the alleged “migrant crisis” has been used as a pretext to further harden the migration policies which have been in place for several years, even though the situation has stabilised since the second half of 2016 and has continued to become even more stable in 2017¹¹.

6 This figure has been increasing constantly since 2011, having been stable for a fairly long period of time.

7 710,000 international protection orders were granted in 2016 and approximately the same number in 2017, compared to 330,000 in 2015 and 185,000 in 2014.

8 30 % of the applications made in 2014 for a figure of 173,000 and 60 % in 2016 for a figure of 442,000.

9 France is well below the EU average for the granting of asylum (33% compared to an average of 56% and a rate of 65% in Germany).

10 Within the same country.

11 Only slightly more than 17,000 arrivals by sea in 2017 according to the IOM.

SO WHAT ARE THESE EUROPEAN POLICIES?

Over the course of the last 25 years, the European Union has increasingly taken measures to turn itself into a bunker:

- Construction of physical walls in Spain since 1993, between Greece and Turkey in 2002, then Bulgaria in 2014 and, more recently, between Hungary and Serbia in 2016.
- Implementation of “digital walls”, through increasing efforts to keep a record of third country nationals (VIS, SIS¹², EURODAC, PNR, etc.), which is leading to a growing intrusion into personal data (palm prints, facial imaging, etc.)¹³.
- Increasing externalisation of the controls carried out on the EU’s borders to third countries (the EU’s neighbouring countries, notably those of the Maghreb region, which are now becoming new lands of immigration).

This approach was accelerated under the Italian Presidency in the second half of 2014, which was before the famous “crisis”, through the introduction of the Khartoum process, which is aimed at involving the countries in the Horn of Africa, a region that many of the people who risk their life to cross the Mediterranean come from, in the policies regarding the externalisation of border controls. This means that the EU and its Member States are shamelessly working with authoritarian regimes to “fight against the underlying causes of migration” and, in reality, to finance these countries so that they can prevent their nationals from leaving.

After the Valetta Summit in November 2015, a trust fund for Africa was even set up which, under the pretext of expediting the payment of funds to the countries concerned, has resulted in funds which had previously been allocated to development aid being diverted towards these security policies, to the benefit of a certain number of multinationals in the security-military sector.

In reality, the Member States are increasingly taking control of these policies and use the European Union as a scapegoat for the dysfunctions for which they are respon-

sible. This takes us to the very heart of sovereign policies and the more they are externalised, the truer this statement becomes: foreign affairs are the sole responsibility of the Member States. They only give to the EU what they want to give and act in the same way when it comes to the transposition of European directives. In particular, they have rejected the introduction of a genuine European asylum law, as well as a single status for foreign workers¹⁴ and have made a very poor job of transposing the directive on family reunification, not to mention their total refusal to express solidarity with Greece and Italy (cf. *Mare Nostrum* or a relocation plan which in the end only involved 30,000, even though the original target had been 160,000, which still fell way short of requirements).

And the situation only continues to get worse: more than 15 legislative texts which have arisen from the European Agenda on Migration proposed by the Commission in May 2015 are currently being discussed by the European institutions. They continue to pursue the same obsessions:

- To combat so-called illegal immigration,
- To favour expulsions, regardless of the person’s country of origin,
- To prevent secondary movements and “asylum shopping” as they dare to call it,
- To use all means possible to prevent “migrants” from reaching the EU or even leaving their own country,
- To make EU aid and partnerships systematically conditional upon the acceptance of re-admission agreements not only for nationals of the countries concerned, but also for all of those who have transited through these countries (the notion of “safe third countries”).

Our leaders appear to be paralysed by the discourse of the nationalists and the extreme right and have taken ownership of a part of this discourse. Their migration policies are increasingly racist and this is making Europe the deadliest continent for migrants.

12 Wanted persons and stolen vehicles in particular.

13 The Smart borders projects which are currently being adopted through EES and ETIAS are of particular significance in this context, as is the future reform of the visas code.

14 There are currently five different statuses: intra-group, Blue Card, single permit, seasonal work and job-seekers and others (students, voluntary work, training, student exchanges, au pair work).

Rather than breaking up the people smuggling system, they are making it stronger and human trafficking has become the third largest form of trafficking in the world after the trafficking of drugs and arms. Rather than fighting against the underlying causes of migration, they refuse to acknowledge their direct or indirect responsibilities in a certain number of conflicts (notably Iraq, Libya, Syria) and the dramatic situation related to the authoritarian and corrupt regimes in many countries. On the contrary, they

support them and sell them arms, without mentioning the plundering of natural resources, principally through agreements which tend to be economic partnerships and which are established instead of cooperation and development agreements in order to serve the interests of European multinationals. Of course, we could also add the failure to meet commitments made regarding public development aid¹⁵.

ALTERNATIVE POLICIES ARE POSSIBLE

Most of our fellow citizens would be prepared to accept alternative policies, as is demonstrated by the number of solidarity-based movements which are being set up throughout Europe, especially if the political discourse were to accompany these new policies. This is even more possible given that these policies are hugely expensive and inefficient, especially in relation to the targets they set themselves (at least 15 million EUR has been spent barricading the borders since 2000).

Equality and dignity for everyone who lives on our planet, as promoted by the Universal Declaration on Human Rights and the international conventions related to it, must form the basis of these possible alternative policies:

- The right to life and the law of the sea, with adequate resources provided to carry out rescues at sea,
- The right to asylum in compliance with the Geneva Convention: applications made on EU soil and notably in the countries in which the applicants have ties, family or are able to speak the language,
- Children's rights in strict compliance with the International Convention on the Rights of the Child, notably with regard to family reunification and unaccompanied minors,
- The right to education, including education for young adults,
- The right to healthcare for those who are not able to access treatment in their own country or who have begun a course of treatment in the EU,

- The right to work and notably the signing and implementation of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, which has thus far been signed by some fifty States, all of which are in the South; none of the EU Member States have signed the Convention since, amongst other things, it states that all migrants have rights, regardless of their status,
- Finally, the right to mobility for all: today, only one third of the planet's population have the right, in theory, to travel without a visa. This is a fundamental battle which must be won to guarantee equal rights for all.

In an increasingly mobile world in which capital, goods and services travel more and more around the world, it is unrealistic to believe that it is possible to prevent people from moving around, just as it is to think that adopting an inward-looking attitude is a solution.

What is difficult for Europeans, and particularly those that govern them, is that they have to learn to live in a world where they will increasingly be in the minority and will be less and less dominant.

The key to universality is respect for others and otherness rather than the imposition of a model just because it is considered to be "western".

¹⁵ 0.7 % of gross national income has been promised for more than 40 years (142.6 billion dollars in 2016, which represents an average of 0.32 % of GNI), in other words three times less than the total amount of remittances made from the diaspora to these countries, which amounted to 429 billion dollars in 2016 according to the World Bank.