

## About the British Red Cross

- > The British Red Cross (BRC) provides practical and emotional support to vulnerable refugees and asylum seekers in the UK, as a part of our humanitarian mandate, as one member of a global Red Cross Red Crescent movement.
- > We operate in 48 towns and cities across the whole of the United Kingdom working with asylum seekers and vulnerable migrants.
- > Every year we help around 10,000 asylum seekers and refugees, of which two thirds are destitute. We often find ourselves as the final port of call across the UK for desperate people in crisis seeking the basic essentials of life such as food and clothes.
- > We seek a world in which all those seeking sanctuary are able to do so with dignity and safely, and where no one is left destitute as a result.

### 1. Executive Summary

- 1.1. We are grateful that the committee is focussing on an issue of such humanitarian importance and are pleased to submit our views as to the priorities in this regard.
- 1.2. Whilst we recognise that committee inquiry is toward the EU action plan, we feel, however that the proposals in the plan are woefully inadequate in addressing the situation.
- 1.3. We advocate that the prioritisation should be on providing safe and legal routes into the EU for humanitarian protection, rather than on smuggling, which is the core emphasis of the plan.
- 1.4. As such, this submission talks more to core issues and general humanitarian principles to which we urge EU member states, including the British Government, to work collectively to achieve. These include:
  - Ensure that people fleeing conflicts have effective access to asylum procedures in the EU.
  - Ensure effective access to family reunification procedures to make the right to family life a reality.
  - Commit to resettling more refugees on a regular basis.
  - Develop mechanisms for identifying and addressing the additional vulnerabilities of migrants linked to the migratory trails

- 1.5. The key recommendations outlined have been formulated in collaboration with our EU Red Cross office colleagues (Brussels) and jointly agreed by all EU member National Societies.
- 1.6. The BRC will join with the International Federation of the Red Cross and Red Crescent Societies (IFRC) in their new campaign entitled “*Protect humanity – Stop indifference*” (to be launched shortly in September) in order to re-emphasise these issues outlined below. We can provide the committee with further details in due course.

## 2. General Principles

- 2.1. In the past few years, the number of people embarking on dangerous journeys by sea, land and across borders to seek protection or better life opportunities has grown exponentially. Their journey has become more perilous greatly due to the migration policies and border control practices that limit their access to protection. With it, the risks faced by these people, as well as the episodes of xenophobia, discrimination, exclusion and violence have also grown. These contribute to increasing the vulnerability of people on the move, their families and, eventually, host communities.
- 2.2. We renew our call on the 194 State Parties to the Geneva Conventions to ensure that people on the move fully enjoy Human Rights and protection as anyone else. Specifically, we ask them to:
  - Protect the dignity and ensure the safety and wellbeing of all migrants, wherever they may be and regardless of their legal status
  - Grant migrants access to international protection determination procedures and ensure their access to relevant services, such as Restoring Family Links
  - Stop labeling migrants as ‘illegal’
  - Promote respect for diversity, non-violence and enhance social cohesion between migrants and host communities.

## 3. Key Recommendations

### 3.1. Outlined below are the key

### 3.2. Legal avenues

#### A. Legal avenues to access international protection

- **Allow for exemptions from EU visa regulations and promote the issuing of humanitarian and protection visas.** Visa obligations should be suspended for nationals and residents of countries in a significant humanitarian crisis and where there are no opportunities for issuing visas

within the country of origin, as in the case of Syria at the moment. The EU should consider exempting from EU visa regulations refugees who are formally recognised by UNHCR and whose protection needs cannot be fully covered in their country of residence or are in situation of protracted displacement. Their legal entry for the purpose of lodging an asylum application in a Member State should be facilitated.

- **Ensure that people fleeing conflicts have effective access to asylum procedures in the EU.** EU Member States should keep their borders open to people fleeing conflicts and set up appropriate and effective legal avenues for potential asylum seekers so they can reach EU territory and lodge an asylum application in safety and dignity.
- **Do not penalise irregular entry of asylum seekers.** Irregular entry for the purpose of seeking international protection must not be penalised in accordance with Article 31 of the 1951 Convention relating to the status of refugees.

More information: Legal Avenues to Access International Protection in the EU and Access to international protection in the EU for people fleeing Syria.

## **B. Family Reunification**

- **Ensure effective access to family reunification procedures to make the right to family life a reality.** This requires further reflection so as to ensure effective access to embassies and consulates abroad, without unnecessary obstacles such as disproportionate documentary evidence or unjustified presence requirements. This also implies allocating resources for legal assistance and travel costs, and scrutiny of the practices employed by consulates and embassies.
- **Family reunification procedures should be protection-oriented.** Rules and conditions should be applied flexibly, with better understanding of the realities of forced migrants being promoted, in particular through adequate resource allocation by national authorities and training of the staff dealing with these issues.

## **C. Resettlement**

- **Commit to resettling more refugees on a regular basis.** Not all EU Member States have adopted a national resettlement programme, and many of those with a programme have the potential to increase their quotas. Resettlement is a concrete and accessible legal avenue to accessing international protection in the EU. EU Member States should increase their share of the global resettlement intake with a view to resettling larger numbers of refugees.

- **Establish additional dedicated resettlement places to respond to emergency humanitarian situations.** Member States should establish additional dedicated resettlement or humanitarian admission places in response to emergency humanitarian situations. The case of persons fleeing the Syrian conflict illustrates the need to provide an immediate response to an unfolding crisis, while ensuring the continuity of resettlement opportunities for refugees from the rest of the world.
- **Prioritise the most vulnerable in resettlement programmes.** Resettlement programmes should benefit the most vulnerable based on an assessment of their humanitarian needs according to UNHCR's resettlement submission categories: legal and/or physical protection needs, survivors of torture and/or violence, refugees with medical needs, women and girls at risk, children and adolescents at risk, and any other groups in urgent need.
- **Ensure high quality reception conditions and integration measures, in particular through local and civil society engagement.** Member States and local authorities in charge of the reception and integration of resettled refugees should work in partnership with migrant communities and civil society organisations, including National Red Cross Societies, to improve integration and reception practices.

### 3.2 Vulnerabilities along the migratory trail

In October 2015, RCEU will publish a new position paper on the vulnerabilities faced by migrants along the various migratory trails to the EU. Given the current context and pressing need for action, the paper will outline concrete steps for the EU and its Member States to take in order to reduce the risks and resulting vulnerabilities associated with these migrant journeys to the EU.

Recommendations will be along the lines of calling for developing mechanisms for identifying and addressing the additional vulnerabilities of migrants linked to the migratory trails; setting up dedicated search and rescue operations and supporting assistance to migrants in distress.

Likewise, once these key recommendations are finalised, we can update the committee should they be useful.

3 September 2015