KEY MESSAGES

ADDRESSING THE REFUGEE AND MIGRATION INFLUX IN EUROPE

November 2016
Respecting International Legal Obligations

Migrant and refugee children should always be treated, first and foremost, as children, and their best interests must be paramount in any action or decision which affects them.

Child Protection

Migrant and refugee children face extreme challenges, and encounter particular risks. Girls can face specific difficulties and risks of rape or other sexual violence, gender-based violence and human trafficking.

Whether they are travelling with their families or alone, all migrant and refugee children have the right to be protected from violence, abuse, neglect and exploitation. Children need to be protected at all stages of their journey: at sea, in hotspots and detention and reception centers, during their status determination process and afterwards either throughout integration or return procedures. Particular attention needs to be paid to ensuring the protection of unaccompanied and separated children.

Gender and Age Sensitive Response

Throughout the migration chain, children and young people have different needs to adults, and girls have different needs and challenges compared to boys. Tailored responses, which recognise and meet these varied and specific needs, must be put in place.

Asylum procedures that are both child and gender sensitive must be provided. This includes ensuring that all arrivals to Europe receive information about their rights through a language they can understand in a cultural and age
appropriate manner. Adequate legal and translation services must be provided and women and children’s asylum claims must take their particular situation into account.

**UPHOLD THE RIGHT TO EDUCATION**

Safe, inclusive and quality education, including learning opportunities for youth aged 19-24, provides children and young people with a sense of normality amid chaos, and improves psychosocial wellbeing.

Migrant and refugee children’s right to education must therefore be upheld as an urgent priority.

**RESPONSIBILITY AND SOLIDARITY**

EU Member States have responsibilities towards each other and partner countries, on and beyond Europe’s borders. Responding effectively to migration and refugee flows requires a coherent and generous response, which goes beyond the lowest common denominator.

Acting together, EU Member States must uphold their obligations by not only fulfilling resettlement and relocation pledges, but by increasing them. EU Member States must facilitate safe and legal routes for entry and in particular must ensure that the right to family reunification is upheld and expanded.

As the world’s wealthiest continent, Europe is in a position to show solidarity with other countries around the world who receive a far greater number of refugees and migrants than EU Member States themselves, by facilitating resettlement and creating safe and legal routes for entry to the EU.

**NON-DIVERSION OF DEVELOPMENT AID**

The EU is the world’s largest development and humanitarian aid donor. An ambitious external aid budget is critical to ensure the EU meets its existing commitments to poverty reduction, while maintaining its leadership and credibility in shaping sustainable development policy.

However, policies such as the new Partnership Framework have seen a shift in emphasis on the purpose of aid, compromising its integrity as a tool dedicated to tackling poverty and inequality. This trend has continued in the EU’s 2017 budget. We have witnessed the wholesale reorientation of aid, with money earmarked for traditional development cooperation and humanitarian aid being diverted away to finance new initiatives aimed at border control and migration management.

This not only compromises the integrity of development aid, which is meant to address poverty and inequality, it is also unclear whether such an approach will achieve the EU’s stated aims to “tackle the root causes of migration”.

Migration control must not undermine and detract from existing EU development and humanitarian commitments. The purpose of development aid must remain the reduction of poverty in developing countries.

**COMPREHENSIVE AND COHESIVE APPROACH**

Migrant and refugee children are among the most excluded and marginalised in society. EU and world leaders have signed up to the principle of leaving no one behind, through the adoption of the 2030 Agenda for Sustainable Development.

Taken together with the Addis Ababa Action Agenda and the Paris Climate Agreement, implementation of these commitments by the EU and its Member States will help address development deficits, conflicts and climate change impacts which drive displacement.

A comprehensive, integrated and ambitious EU strategy is essential to meet these global commitments, based on the principle of policy coherence. EU policies, for example in trade, agriculture or fisheries, must not create a push factor which forces people to leave their homes and countries, or negatively impact on the realisation of a person’s human rights.