

//Interparliamentary Conference on Migration Challenges//

##Monday 16 May 2022##

- Chaired by Mr Gérard LARCHER, President of the French Senate -

The meeting was opened at 9.05 am.

Mr Gérard Larcher, President of the French Senate, emphasised that migration issues feature among the constant preoccupations of our European societies and that Europe has made some progress since the migrant crisis of 2015: when the political will exists, national responses implemented in conjunction with the European institutions, especially Frontex, can effectively stem migratory flows whilst still respecting European values.

At a time when discussions on the European Pact on Migration and Asylum are ongoing, this conference represents an opportunity to define the most appropriate means of improving the European response to migration issues.

Mr Gérard Larcher praised the exemplary solidarity shown by Poland, Slovakia, Romania and Hungary, and also States further away and all of the local authorities in the European Union, that have made it possible to host over 5 million Ukrainians.

Although some unscrupulous States do not hesitate to facilitate movements of populations towards Europe, he expressed the view that welcoming these people is not a humanitarian imperative, but on the contrary encourages regimes that do not respect our principles.

He said that he considers the reinforcement of Frontex since the 2015 crisis as the most successful accomplishment of the European Union in its efforts to respond to migration issues, in collaboration with the national authorities. Paying tribute to the agency's Executive

Director, Mr Fabrice Leggeri, whose term of office comes to an end in July, he called upon all parties not to weaken Frontex by turning it into an organisation in charge of controlling the legality of arrests of migrants made by the Member States.

He pointed out that, although asylum is a right and a duty, there is no absolute right to migrate or obligation to accept a person who has chosen to migrate. In his opinion, abdicating in the face of illegal immigration would amount to denying the very existence of the principle of borders. The corollary of Schengen is solid, reinforced external borders, including in some cases the erection of physical borders as decided by certain Member States. The European Court of Human Rights (ECtHR) acknowledged Spain's right to send back migrants who had illegally crossed the fences round the Melilla enclave, in a judgment in February 2020.

Rather than setting Member States against each other, Mr Gérard Larcher considers that solidarity should begin by an introspective review of the way each country examines applications for asylum or residence permits, rules on disputed cases, and operates its justice system or its administrative departments. He suggested that it should be precisely the responsibility of the national parliaments to oversee government action in this area or to put forward proposals, as the Law Committee of the French Senate has just done in a report entitled *State Departments and Immigration: Restoring Sense and Effectiveness*, which paints an alarming picture of the management of immigration in France.

Experience has shown that wasted energy, excessively complex systems and dysfunctions, even negligence, contribute to creating inappropriate situations with regard to migrants, affecting all of the Member States, in particular when a State proves to be incapable of implementing deportations. Mr Gérard Larcher expressed the opinion that each breach of procedure weakens the edifice of a European Union migration policy by attracting further

flows that break our rules, and encourages *à la carte* immigration. He considers that there is a need to set up a system of mutual recognition of asylum refusal decisions made by Member States, in order to provide a better response to the issue of migrants subject to the Dublin rules.

It also seems to him that there is a need to make more systematic use at European level of the "visa-readmission lever": by recognising the inadequacy of cooperation by a third country in terms of returns and by drawing the relevant conclusions for the granting of visas, it will be possible to put an end to the excessively low rate of deportations, which constitutes a permanent snub to the authority of the Member States and the European Union. (*Applause*)

Mr François-Noël Buffet, Chair of the Law Committee of the French Senate, pointed out that the theme of migration challenges was chosen long before Russia's invasion of Ukraine, and commended the support given by Europeans to Ukraine and to the millions of Ukrainians who have fled the fighting.

This tragic period should nevertheless not lead us to lose sight of the structural issues facing the European Union, in particular the migration challenge, with regard to which he considers that the 2015 crisis revealed that European law and policies were not up to the challenges. Coordination in the management of the external borders and solidarity mechanisms in the asylum field seemed to be particularly insufficient.

Mr François-Noël Buffet emphasised that, although the Covid pandemic temporarily reduced the migratory pressure at the European Union's borders, it had not eliminated the structural difficulties, in response to which the European Commission presented a draft European Pact on Migration and Asylum in September 2020. Although

certain proposals may raise some legitimate concerns, such as the proposed screening process at the European Union's borders, the *statu quo* is no longer an option.

The speaker stated that he considers that the Dublin III Regulation is not working: the countries of first entry are overwhelmed, foreigners concerned by a transfer are using every means possible to avoid it, and when they are removed, it is not unusual to see them back in the country within days. The Regulation needs to be revised, if necessary by abandoning the notion of the country of first entry, which is neither fair nor effective.

Mr François-Noël Buffet also said he believes it necessary to achieve closer convergence between national asylum systems, as too many people are still presenting successive applications in several Member States. Although the new European Union Agency for Asylum (EUAA) should improve the situation, he wondered whether it would be opportune, in the long run, to introduce mutual recognition of refusal decisions.

The representatives of the national parliaments must make their voice heard to enrich the future European legislation, keeping in mind the need to respect the values that unite us, at a time when the return of war in Europe shows us how fragile democracy and the rule of law still remain.

While reiterating that respect for human rights and the protection due to refugees are non-negotiable, Mr François-Noël Buffet emphasised that nor are they incompatible with the implementation of a common policy on the management of migration that is at once effective, fair and operational. This must be the compass that guides Europe. (*Applause*)

Ms Yaël Braun-Pivet, Chair of the Law Committee of the French National Assembly, took the view that the migration issue questions the way Europe interacts with the rest of the world, and is an unavoidable subject in public debate: the rejection of immigration

by a growing proportion of the European peoples constitutes an alarm signal that it is impossible to ignore.

While certain political movements like to raise the stakes on this issue, in France as in many other European countries, she deemed it indispensable to reiterate that immigration represents an individual asset, in that it enables people to elevate themselves by meeting and engaging in dialogue with others, as well as a collective one.

In her opinion, a migration policy involves striking a balance between responsibility, solidarity and humanity. Since the 1980s, immigration has been considered, according to different political sensitivities, either as an unimportant epiphenomenon, or an absolute evil and an existential threat to our countries. It therefore seems necessary to restore some rationality in the political and media debate.

Ms Yaël Braun-Pivet pointed out that, although illegal crossings of the external borders have to be countered, they represent only 0.03% of the population of the European Union, far from the flood sometimes referred to. The massive and worrying rejection of immigration requires more efforts to educate people, but also greater efficacy in managing migratory flows, in order to achieve better integration of the migrants who do have leave to remain and to avoid placing those who cannot be accepted in difficulties.

The speaker said that she considers that, since the migration crisis of 2015, some effective work has been done in this respect: Frontex in particular had seen its mandate widened and reinforced to become the European Border and Coast Guard Agency, now one of the cornerstones of the European Union area of freedom, security and justice. The operations carried out in the Mediterranean between 2015 and 2022 have saved almost 600,000 lives. To continue fighting human trafficking networks in close cooperation with the countries of origin

and transit, some €22.7 billion will fund in particular the creation of 10,000 border guard jobs between now and 2027.

Convinced that the future of the European Union depends in part on its ability to rise to the migration challenge, she emphasised that free movement within the European Union and control of the external borders represent the two sides of the same coin, of which recent events and the 2015 migration crisis have served as brutal reminders. Even if the interests of the Member States differ, the challenge must be overcome collectively.

Ms Yaël Braun-Pivet reiterated that President Emmanuel Macron made control of the borders and the reform of the Schengen Area a priority of the French Presidency of the European Union (PFUE), proposing a gradual approach, with the creation of a "Schengen Council" to reinforce the consistency of decisions made at national level, and the setting up of the EUAA.

Considering that controlling migratory flows also requires resolute action by Europe in Africa and in the Balkans, she hailed the holding of a summit on 17 February between the countries of the European Union and those of the African Union.

In conclusion, she indicated that, although the European response to the Ukrainian tragedy has enabled us to measure the road travelled since 2015, it is important to continue the efforts to meet the challenges of asylum, strengthen the protection of the external borders, and re-establish a bilateral relationship with our British neighbours. *(Applause)*

Ms Marlène Schiappa, Minister attached to the French Interior Minister, in charge of citizenship, recalled that dialogue between national parliaments is part of the European democratic process, and commended the choice of the subject of this conference. The Ukrainian conflict has driven over 6 million people onto the road to exile. It is the duty of

the European Union to welcome and assist them: it has shown itself capable of stepping up to the imperative of solidarity and the defence of democracy and its values.

After an extraordinary Council meeting organised on 27 February 2022 on the reception of displaced persons, the temporary protection mechanism was activated as of 4 March, enabling a million people to benefit from a temporary residence permit within the European Union and access to the labour market, healthcare systems and education. The decision appears historic on two levels: firstly due to the speed with which it was made and secondly, by the unprecedented nature of its application. Ms Marlène Schiappa commended the European Union's commitment and the generosity of its citizens. She emphasised that France, which is already hosting over 80,000 refugees, had quickly taken generous temporary protection measures.

She considered that several subjects must be dealt with quickly and in a coordinated way: provision of comprehensive information to persons fleeing the conflict as soon as they enter the European Union, their orientation towards regions of Europe where they can be settled without risking saturating the facilities for accommodating refugees, and their transfer to the destination. Although Europe has been able to innovate and show solidarity in the face of a situation not seen since the Second World War, non-governmental organisations (NGOs) have raised the alarm about the sexual violence of which some refugees have been victims and the risk of human trafficking.

Ms Marlène Schiappa went on to point out that, under the impetus of the French President, France is pursuing the reform of the Schengen Area. In March 2022, the "Schengen Council" held its first meeting, thereby offering a new framework for discussion between the ministers concerned in order to improve governance of the Schengen Area and anticipate crises more effectively. The reform of the Schengen evaluation mechanism and the ongoing

revision of the Borders Code that have been launched are fully in line with the ongoing work on the draft European Pact on Migration and Asylum, which France supports. The aims are to have more effective evaluation mechanisms, to renovate the legal framework of the controls at the internal borders, and to combat the instrumentalisation of migratory flows more effectively.

The speaker stated that France, which wishes to undertake an in-depth reform of European migration policy taking into account the lessons learned from the 2015-2016 crisis, has been working to establish robust border procedures, combined with sufficient solidarity, that is to say relocations. At the same time, France is working to reinforce its cooperation with the third countries of origin and transit of illegal immigrants, in order to improve the return rate.

Ms Marlène Schiappa asserted that in the context of the presidency of the Council of the European Union which it currently holds, France remains mobilised to make concrete progress on the draft European Pact on Migration and Asylum: in particular, it has proposed a "gradual approach", unanimously approved by the Interior Ministers. She hoped that political agreements could be signed by the end of June this year.

In conclusion, she reiterated that, on migration-related subjects as on many others, the solutions can only be European and that it is necessary to remember that we are talking about the lives of men and women, not figures on a page. (*Applause*)

Mr Mathias Cormann, Secretary-General of the Organisation for Economic Co-operation and Development (OECD), expressed his shock and distress at the atrocities being inflicted on the Ukrainian people by the illegal war waged by Russia: the towns and cities destroyed and the millions of people fleeing the war zones have created a massive

humanitarian crisis. He commended the outpouring of generosity towards the 6 million Ukrainian refugees – including 5.2 million who have been accommodated in the European Union, making it the largest flow since the end of the Second World War – and the 8 million people displaced within Ukraine's own borders.

On 5 May 2022, the extraordinary meeting organised by the OECD in Warsaw to discuss how to respond to the migration crisis was an opportunity to applaud the unprecedented support provided by the bordering countries. The international conference that was then held allowed €6.5 billion of extra funding to be released for humanitarian aid, bringing the total to €17 billion, which Mr Mathias Cormann welcomed. He also commended the activation of the European Temporary Protection Directive, under the impetus of France, which truly extends a helping hand to the refugees by giving them access to employment, education and healthcare for a period of three years.

He pointed out that, although many lessons have been learned from the 2015 migration crisis, the specific nature of the Ukrainian crisis requires appropriate responses. It has thus seen over 2 million Ukrainian refugees move from neighbouring countries to other States in the European Union or the OCDE – 600,000 to Germany, over 300,00 to the Czech Republic, 100,000 to Italy and to Spain in particular –, which requires a high degree of cooperation and coordination between those countries.

He reminded the conference that most of the refugees are women and children, and that between a half and a third are under the age of 18, depending on the host countries, and that it is therefore necessary to take account of their specific needs. The safety of minors, some of whom are arriving without a legal guardian, must be guaranteed. The education systems in the host countries must be able to adapt to meet the needs of Ukrainian

child refugees and maintain a link with their country of origin. Certain States have therefore hired Ukrainian teachers or set up remote teaching solutions.

Mr Mathias Cormann emphasised that it is also important to facilitate refugees' access to the labour market by introducing procedures to evaluate and recognise their skills.

Considering that the crisis could get worse and last for a considerable length of time, he argued that effective public integration policies are required, notably in terms of housing, whilst ensuring that a return to Ukraine is not hindered when the situation allows it.

He welcomed France's commitment to this necessary solidarity. He noted that the country has a solid framework and good territorial coordination to organise the reception of refugees, and that the arrangements for teaching French have been improved, in particular thanks to the involvement of NGOs and the social partners.

While the war in Ukraine is a direct attack on the values of the OECD countries, he said he considers that the ability of its members to receive the Ukrainian refugees with dignity and integrate them represents an essential dimension of the re-assertion of those values. He indicated that the OECD was at the disposal of the European Union to support it in these areas. *(Applause)*

Session 1 – Seven years after the 2015 migration crisis: lessons to be drawn in light of the war in Ukraine?

- Chaired by Mr François-Noël Buffet, Chair of the Law Committee of the French Senate

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Mr François-Noël Buffet, Chair of the Law Committee of the French Senate,
declared the first session open.

Ms Yaël Braun-Pivet, Chair of the Law Committee of the French National Assembly, stressed the need to put the current situation into perspective compared with the migration crisis caused by the Syrian conflict, during which 1,200 people perished off the Greek coast in April 2015 alone. In 2015, a million refugees arrived at the borders of Greece, Italy and Spain and, in 2016, the Member States of the European Union recorded 1.2 million asylum applications. Between 2017 and 2019, this figure oscillated between 470,000 and 744,000, falling to 100,000 in 2020.

Recalling that the European Union at the time showed itself to be incapable of responding to the situation in an effective, coordinated and humane way, the speaker considers that the Dublin III Regulation, which places an excessive burden on the countries of first entry and fails to take account either of the route taken by the asylum seeker or their intentions, has proved its inadequacies. In fact, the system of relocating migrants within the Member States voted for by the Member States in September 2015 at the proposal of the European Commission, was abandoned a year later due to the refusal of some countries to apply it. An agreement in March 2016 gave Turkey the task of carrying out enhanced surveillance of its coast in exchange for €6 billion of European aid.

Ms Yaël Braun-Pivet indicated that ever since then, the European Union has been trying to address the humanitarian emergency and lay the foundations of a new European asylum system, but the negotiations between Member States soon stalled. In this context, the European Commission presented a draft Pact on Migration and Asylum on 23 September 2020, comprising five legislative instruments, including a proposal for a Regulation that had three objectives: to guarantee the sharing of responsibilities by means of a new solidarity mechanism, to make a single Member State responsible for examining an application for

international protection, and to discourage abuses and prevent secondary movements of asylum applicants within the European Union.

Recognising that although this text is accepted in principle by the countries of destination, including France, it is the subject of misgivings on the part of the countries of first entry, Ms Yaël Braun-Pivet said that nonetheless she considers it necessary to reform the Schengen Area and the European Union's asylum policy, in accordance with the French President's wishes, as expressed on 9 December 2021, when he presented the objectives of the PFUE.

She considers that Russia's invasion of Ukraine on 24 February this year, which has been condemned by all of the European countries, constitutes a manifest violation of the principles of the United Nations and represents a major risk to the security of Europeans and the world. With the European Commission and the European Parliament, France has therefore mobilised to provide a strong response during its holding of the rotating presidency: the European Union has adopted unprecedented sanctions against Russia, as well as emergency measures to support Ukraine, involving unprecedented military support and financial assistance.

The Russian invasion has led to the displacement of over 7 million people within the borders of Ukraine, while over 5.5 million Ukrainians have fled their country according to the Office of the United Nations Commissioner for Refugees (HCR), 90% of them women and children. On 1 April 2022, a quarter of the Ukrainian population was displaced or in exile – making this the fastest displacement crisis since the Second World War.

Just a few days after the invasion, the Council of the European Union activated, for the first time, the temporary protection mechanism provided for by the Directive of

20 July 2001 in favour of the refugees coming from Ukraine, a prompt response commended by Ms Yaël Braun-Pivet, whilst recalling that temporary protection allows the issuance of a provisional residence permit for a period of six months, renewable up to three years, for Ukrainian citizens residing in Ukraine, nationals of third countries or stateless persons who were legally resident in Ukraine and the members of their families. The displaced persons thus have the same rights on European Union soil – right of residence, right to work, housing, etc. – and the powers of the Member States concerned with regard to the examination of asylum applications are preserved.

She commended the Member States who have taken in this huge influx of refugees, in particular Poland, Romania, Slovakia and Hungary. She pointed out that France has provided substantial financial assistance to Ukraine; numerous local authorities and voluntary sector organisations, but also private individuals, have also stepped up to welcome the 70,000 Ukrainian refugees who have come through the country.

Considering that, although the European Union has succeeded in providing *ad hoc* responses to the Ukrainian crisis, structural changes to the European asylum model are still to be made, and Ms Yaël Braun-Pivet expressed her wish to see the discussions at this session contribute to moving the reflections on that matter forward. (*Applause*)

Ms Monique Pariat, Director-General of the European Commission's Directorate-General for Migration and Home Affairs (DG HOME), observed that the 2015 migration crisis and the migratory pressures that followed it demonstrated the extent to which migration policy constitutes a constant challenge for the European Union: in total, 2 to 3 million people enter Europe legally every year, whilst between 140,000 and 200,000 illegal arrivals are counted. She made the point that it is necessary to distinguish between economic migrants and refugees.

She said that the multiple crises since 2015 show the need for a genuine European policy on migration, to manage flows between the Member States and with third countries in an orderly, sustainable way. She emphasised that, since 2015, important progress had been made to improve understanding of migration flows, in real time, and to develop the European Union's ability to anticipate the phenomenon, in particular through the Preparedness and Crisis Management Mechanism, known as the "Blueprint Network", which was introduced in 2020. A daily report is therefore drawn up on the developments in the Ukrainian situation and regularly updated data is available on the situation in Afghanistan and in Belarus. The European Union Civil Protection Mechanism (CPM), whose implementation was sought by Slovakia, Poland and the Czech Republic at the end of last February, was also able to be activated quickly.

Ms Monique Pariat explained that the European budget devoted to migration policy and border management amounts to €16.2 billion for the period 2021-2027 – compared to €10 billion for 2014-2020 –, a sum to which must be added the €2 billion of the Internal Security Fund (ISF). In addition, the capacities of the European agencies have been reinforced. Frontex has thus seen its budget increased to almost €1 billion a year to finance in particular a contingent of 10,000 border guards who will be deployed progressively. A reserve force of 500 experts will also soon be constituted within the EUAA. Finally, the European Union's commitment to the countries of origin and transit of the migrants has been improved: as we have recently seen with the Belarus crisis, when it speaks with a single voice on the international scene, the European Union's capacity for action is increased.

Concerning the sensitive question of the distribution of migrants between the different Member States, Ms Monique Pariat reminded the conference that the draft Pact on Migration and Asylum presented by the European Commission in September 2020 proposes a

balance between responsibility and solidarity for the reception of persons arriving on European soil. The example of Ukraine has shown that this is possible: over 5 million Ukrainian refugees have been received without any binding solidarity mechanism. The speaker observed that solidarity is less spontaneous when there is no need for international protection, however.

She said that she considers that the management of migrants saved at sea, however, cannot be a matter solely for the Member States where they land. The draft European Pact on Migration and Asylum includes a flexible solidarity system, involving a number of contributions that range from relocation to taking care of certain returns, and including financial mechanisms. A complementary Regulation is also proposed to take account of crisis situations, which eventually should replace the Temporary Protection Directive.

Ms Monique Pariat said that she believes that, for this form of European solidarity to take concrete shape, the Member States have a duty to give themselves the means to implement it and to ensure they have the hosting and retention capacity necessary to process asylum applications and return procedures. In the case of Ukraine, a solidarity platform was set up immediately. For the long term, it is proposed that the Commission should adopt a European strategy in this area, based on national strategies.

Ms Monique Pariat acknowledged that the negotiations on the draft European Pact on Migration and Asylum are proving difficult. Efforts must continue to find a compromise on a solidarity mechanism, whilst moving forward in other areas and limiting its application to situations where it proves to be necessary, in order to avoid encouraging more illegal migrants to flow in, which would lead to a distortion of the right to asylum. The Pact proposed by the European Commission in September 2020 contains an ambitious proposal in

this respect, to process asylum applications at the borders for all persons whose asylum application is unlikely to be accepted. It also provides for stronger strategic partnerships with the countries of origin and transit.

The speaker stated that the European Commission supports the gradual approach proposed by the French Presidency as part of the negotiations on the European Pact on Migration and Asylum, and hopes that progress will soon be made. The Member States must also work with the European Parliament to find an agreement on the draft legislative acts currently under discussion, only two of which have been adopted.

Considering it important that progress be made to avoid a repeated failure to introduce a European policy on migration and asylum, Ms Monique Pariat stated that she is counting on parliamentarians to advocate for this. (*Applause*)

Mr Marco Minniti, former Italian Interior Minister, President of the Med-Or Leonardo Foundation, said that he sees this conference as an important signal to the European countries and called for further meetings on the same subject, in order to respond to the unprecedented challenge facing the European Union.

He qualified the united response and solidarity shown by Europe to the migration crisis resulting from the war in Ukraine as "extraordinary", but warned of the ensuing risk of a global food crisis, particularly in Africa – the Maghreb countries, for instance depend mainly, for some for over 90%, on wheat from Ukraine and Russia. There is a real risk of famine in some countries, which could lead to serious social crises and hunger riots as in 2011. Europe could then find itself caught between the Ukrainian crisis and another crisis occurring to the South.

He pointed out that migrants have always been used as an instrument of political pressure, as we saw with the Białowieża Forest episode. It is necessary to be able to react quickly, whilst bearing in mind that migration is a structural fact at planetary level. Europe must therefore manage migratory flows by creating legal migration systems, whilst also combating illegal migration.

Mr Marco Minniti said that he considered the summit between the African Union and the European Union held in Paris in February as an important step in this respect. In fact, Europe must build a policy for Africa, so as not to leave this issue in the hands of the Russian and Chinese autocrats: we must act immediately, without waiting for the €150 billion of European investments announced for the coming years. A migration pact for North Africa must be put together in the coming weeks, including economic aid to cope with food shortages, as long as these countries undertake to take measures to combat human trafficking. Legal migration channels must also be set up, accompanied by mechanisms to combat the illegal channels, especially maritime channels. If certain African territories are in the hands of people traffickers, they must be won back.

Mr Marco Minniti argued that the Dublin III Regulation must be reformed, which implies first confronting the problems external to the European Union: curbing the illegal flows of migrants from Africa will in fact facilitate intra-European negotiations on the distribution of migrants arriving in Europe.

Observing that the European population expresses two sentiments – solidarity, and a need for individual and collective security –, he said that playing these off against one another would lead to the death of democracies. Europe has to reconcile them. (*Applause*)

Mr Ondřej Benešik, representing the Czech Chamber of Deputies, pointed out that over 335,000 people have been given temporary protection in the Czech Republic since the beginning of the war in Ukraine, representing 3% of his country's population – the highest proportion in the European Union. He said that he believed that Europe has a duty to meet the needs of the refugees, but that, although it is working – largely thanks to the involvement of civil society –, the system set up by the Czech Republic is under strain. The country is therefore seeking international aid to reinforce its actions in thirteen strategic areas, in particular housing, education, healthcare and social services.

The Czech government has also released €12 million in aid to conduct projects in Ukraine and in Moldova to benefit displaced populations.

Finally, Mr Ondřej Benešik stated that certain Ukrainian refugees have Hungarian nationality, but prefer to stay in the Czech Republic.

Mr Jean-Yves Leconte, representing the French Senate, refuted the expression "2015 migration crisis": at the time, the refugees would have been better served if Europe had respected its commitments under the Geneva Convention. In his opinion, it was more a crisis of reception than a crisis of migration, since the countries of the European Union at the time showed a lack of preparedness and solidarity.

The speaker observed that things have changed in the face of the tragedy experienced by the Ukrainian people: Europe has responded better than in 2015. Citizens, particularly in Central Europe, are trying to respond better to refugees' needs, even if this goodwill is sometimes expressed in a somewhat anarchic fashion. The role of civil society is particularly essential when it comes to integration.

He pointed out that temporary protection has been activated for the first time and offers new rights, such as freedom of movement, the right to work and language lessons. He said that he believes that the system is operating properly, but deplored France's attitude to the freedom of movement of certain persons benefiting from subsidiary protection and said that he was of the opinion that access to language lessons and the job market should be made easier.

Considering that migration is successful when it is organised, Mr Jean-Yves Leconte advocated the extension and reinforcement of the Eurodac system. He also argued in favour of a reform of the Dublin Regulation in order to avoid leaving people in situations where they have no rights for months on end. It is important to combat secondary movements when they are illegitimate, but in this case it is also necessary to work towards mutual recognition of asylum applications between European countries, or where appropriate for some of them, via a common appeal court, for example. He called for the reform of the asylum system to respect people's dignity.

Ms Danuta Jasłowiecka, representing the Polish Senate, stated that 3 million people have fled Ukraine into Poland since the beginning of the Russian invasion of the country. The country is hosting 2 million refugees, which is generating substantial costs for NGOs and local authorities. Two thirds of the inhabitants of some towns in the East of Poland are now Ukrainian; extra funding must be provided to assist them.

The speaker emphasised that Poland has created temporary support worker jobs to ensure continuity of the education of 200,000 child refugees. This situation implies numerous challenges, both in terms of logistics and as regards access to the job market. Training and language classes have been set up. However, the Polish social security system will not be

able to cope over the long term with thousands of extra people who are too vulnerable to return to Ukraine. It will be necessary to adapt the legal framework.

In conclusion, Ms Danuta Jasłowiecka expressed her support for the call for assistance made to the European institutions by her colleague from the Czech Republic, Mr Ondřej Benešik.

To begin with, **Mr Pavel Popescu, representing the Romanian Chamber of Deputies**, thanked France for sending troops to his country to protect the eastern borders of the European Union.

He said it was necessary to tell his friends the truth, even if it is an unpleasant truth. Controlling and protecting 650 kilometres of border with Ukraine represents a considerable task for his country.

Mr Popescu explained that Romania has opened its doors to the Ukrainians, our future European brothers. In spite of the difficulties, it has provided assistance to 1 million refugees. Unlike in the 2015 crisis, the European family has not hidden behind technical arguments to escape its duties. The fact remains that many refugees, mainly women and children, must be helped and this is not easy.

Recalling that Napoleon considered that there are only two forces in the world, the sword and the spirit, the speaker declared that he believes that the cruel sword of Russia will be vanquished by the European spirit. He invited Europeans to remain united for Ukraine.

Mr Ľudovít Goga, representing the National Council of the Slovak Republic, thanked his French colleagues for organising this meeting.

The war in Ukraine shows that crises can arise anywhere at any time. Recalling that in 2015 the countries of Eastern Europe rejected the influx of migrants, he said that he considers that the situation is now different: Ukraine is a neighbour country of the European Union and shares its values; it is our duty to help it. He said that the European Union does not, however, have the capacity to take in millions of refugees from all over the world. He therefore invited the European countries to draw the conclusions of their inability to control the flow of illegal immigration.

In conclusion, Mr Ludovit Goga stated that he considers that welcoming new immigrants does not constitute the response to all the European Union's problems.

Ms Laura Mihaela Fulgeanu-Moagher, representing the Romanian Senate, in turn thanked her French colleagues for organising this interparliamentary conference.

Acknowledging that migration represents a challenge for Europe, she said that in her opinion it also offers an opportunity to assert its values of solidarity and humanism. The 2015 migration crisis placed these questions at the top of the European Union agenda, leading to the adoption of measures to stabilise the situation by the European Commission on 13 May 2015.

Ms Laura Mihaela Fulgeanu-Moagher made the point that, before the war in Ukraine, Romania had only 4,180 people requiring international protection. In the last two months, the country has been faced with an unprecedented situation, which has put a severe strain on its financial and administrative capacities. Romania's efforts have been considerable: it has become a logistics, humanitarian and military base, and no less than 790,000 Ukrainian nationals have entered the country since the beginning of the war.

The speaker reminded the conference that her country shares 650 kilometres of border with Ukraine and 681 kilometres with the Republic of Moldova. Systematic controls are being carried out. Solidarity is the watchword in Romania's actions, with the aim of responding to the call for aid from Ukraine's citizens.

Mr Daniel Milewski, representing the Polish *Sejm*, pointed out that his country opposed the European quotas approach during the 2015 migration crisis. At the time Poland had argued for reinforced controls at the external borders of the European Union and campaigned for the reinforcement of the fight against illegal immigration. However, it took in over 1 million Ukrainians on its soil when their country was ravaged by war in the East of the country. The speaker added that, last year, economic migrants were used cynically at the Polish border by Belarusian President Alexander Lukashenko to undermine the unity of the European Union.

He indicated that Poland, out of solidarity with Ukraine, has taken in over 3 million refugees since the end of February 2022: the Poles have opened their houses to them, millions of social security numbers have been issued so that they can benefit from healthcare and 120,000 of them have been integrated into the labour market. Their dignity is a priority for the country. Mr Daniel Milewski considers that the best way of solving the migration crisis is to provide aid to the neighbouring countries that the migrants come from.

In conclusion, he emphasised that the borders of the European Union must be protected in all circumstances.

Ms Carmen-Ileana Mihălcescu, representing the Romanian Chamber of Deputies, pointed out first that Romania had committed to receive all Ukrainian refugees: the Member States of the European Union must show solidarity by taking in refugees and

adopting a collective response. She emphasised that Romania commends the organisation of the international conference of donors for Ukraine on 5 May at the initiative of Poland and Sweden. In this context, Romania has undertaken to provide €3.2 million of non-financial aid.

Romania also commends the creation of a trust fund for Ukraine. The Romanian government has adopted several humanitarian aid measures, in particular an online platform to coordinate the different actions, which the speaker considers to have been effectively implemented.

Ms Carmen-Ileana Mihălcescu reiterated that the Republic of Moldova is in need of European Union aid to help it cope with the challenges of immigration, access to energy and security. She said that Romania is contributing to the resolution of this crisis with the means at its disposal, within the limits imposed on it by the budget requirements of the European Union.

In conclusion, she invited her colleagues to remain united to deal with the consequences of the war in Ukraine.

Mr Vincenzo Garruti, representing the Italian Senate, observed that the pandemic and war in Ukraine have revealed the fragility of the European social model.

He called upon the conference not to oppose legal and illegal migration, but rather to try and understand this phenomenon, for those who flee war and poverty have much in common. Regretting that the Member States do not treat asylum seekers in the same way, and do not offer them the same chances of obtaining refugee status, which is what drives them to flee, he said that his wish is that the Dublin system should be replaced by a better distribution within Europe and a reinforcement of security by sharing databases. That would avoid asylum "tourism".

It is necessary both to defend the borders of the European Union and to combat human trafficking.

So that countries like France and Italy do not backtrack on the matter of taking in refugees, the speaker called for sanctions to be provided for in the event of failings. Welcoming the European Union's excellent response to the Ukrainian crisis, which ensures uniform rights across all the Member States thanks to the temporary protection mechanism, he called for a new society guaranteeing an inclusive territory where everyone can live in peace and prosperity.

Mr Antonio Gómez-Reino, representing the Spanish Congress of Deputies, regretted the European Union's response to the 2015 migration crisis, which was too conservative and ignored the responsibilities of European countries in the conflicts that generate migration. He condemned the outsourcing of the crisis that has forced thousands of refugees to live in Turkey or in camps and seen thousands of deaths in the Mediterranean, proof of the failure of the Europeans to face up to this challenge.

The occurrence of the war in Ukraine is unprecedented and intolerable, but must not mean that we forget the Sahel, the Canaries, Lampedusa and the Greek islands, all the more given that it risks leading to a food crisis in northern Africa. He hopes that the European Union will be capable of taking the same measures as those benefiting the Ukrainian refugees, if faced with other migration crises that could also be caused by global warming. As the countries of first arrival have long demanded – now joined by the Northern countries –, he called for an integrated asylum system in Europe, for a fair, effective and solidarity-based response. *(Applause)*

Mr Giuseppe Brescia, representing the Italian Chamber of Deputies, asserted that, although migration has always existed and will not stop developing, refugees and economic migrants require different responses, even if the distinction between these two categories of populations is not always very clear. These responses, he believes, cannot be the construction of an impenetrable barrier, but rather efforts to enable migrants to stay in their own country. He said that he wanted to go beyond the Dublin Regulation, which forces countries of first arrival to retain hundreds of thousands of people, often against their wishes – which would not seem to be the best way of integrating them.

Until a unified migration policy is defined, he wishes the Member States to guarantee a good reception. To avoid illegal migration, he called for the creation of legal migration channels and humanitarian corridors for asylum seekers, as well as the signing of agreements with the countries of departure of economic migrants to allow forced returns and assisted returns. Faced with this challenge, he called for unity, as was the case during the public health crisis, for a defeat would be too damaging.

Mr Audronius Ažubalis, representing the Lithuanian Parliament, recalled that a year ago his country was subjected to a massive influx of migrants, mainly from North Africa, instrumentalised by the Belarusian government. He said he wished to see asylum seekers be able to make their applications from outside the territory of the Union.

He indicated that since the beginning of the Russian aggression of Ukraine, Lithuania has taken in over 150,000 refugees, including 1,000 unaccompanied minors, placing it in third position in Europe, after Poland and the Czech Republic. He noted that 81% of Ukrainian refugees are women and that the 19% of males are mainly minors or people suffering from serious illnesses, whereas the illegal migrants who came from North Africa or the Middle East were 72% able-bodied men. He pointed out that the Ukrainians are not asking

for welfare, but work and that all those who can are working – they have even paid €3 million in taxes to Lithuania since they arrived.

Commending the gradual approach advocated by France, in the context of its presidency of the Council of the European Union, the speaker said what he wants are simple and voluntary relocation mechanisms and that he considers that the European Commission's proposal on the reform of the Schengen Area goes in the right direction. He considers it important to take account of the instrumentalisation of migrants by certain States. To Ms Yaël Braun-Pivet, who sees migration as an asset, he responded that it also represents a challenge for our societies.

Mr Lazaros Tsavdaridis, representing the Greek Parliament, observed that the Ukrainian crisis has reignited the debate on the reception of refugees by the European Union. He welcomes the fact that it has triggered, for the first time since in the war in former Yugoslavia, an international protection system capable of responding to the needs for food and housing of the Ukrainian refugees: it is, in fact, necessary to deal with the real issues, in particular concerning unaccompanied minors.

He noted that, since the beginning of the crisis, Greece has honoured its commitments by taking in 26,000 Ukrainian refugees and by committing to help Moldova in this area. He warned about the instrumentalisation of migrants by certain States, such as Turkey, which condones human trafficking on its soil and does not comply with the 2015 agreements. He called upon the Member States to work together and to safeguard human rights.

Ms Nerea Ahedo Ceza, representing the Spanish Senate, expressed her regret that Europeans have not learned enough in the last seven years. Considering migration as

intrinsic to humankind, she advocates policies which prioritise human beings over the current security policies, which have led to the management of refugees being outsourced to third countries that do not respect human rights.

Being from the Basque Country, which is always welcoming and divided between France and Spain, she expressed the wish that local authorities deal with the issue. She reminded the conference that the Spanish government has made a key proposal on the distribution of the refugees between the different Member States according to their population and gross domestic product (GDP), even though account must also be taken of their will.

Although the terrible situation of Ukraine deserves a special effort, she hopes that other migrants will not be forgotten: the law applies to all. She noted that the Ukrainian ordeal has strengthened the European Union, which must not tolerate racist hate speech. She reiterated the pointlessness of putting "doors in fields" as the Spanish saying goes. (*Applause*)

Ms Petra Stienen, representing the Netherlands Senate, stated that the European Union can learn from the work of the Parliamentary Assembly of the Council of Europe, for which she wrote a report on the integration of gender issues into migration policies. She reminded the conference of the need to take the rights of women and children into consideration, to protect them against trafficking, to guarantee reproductive rights and the right to abortion in refugee camps. She insisted on the need to guarantee decent sanitary conditions in the camps and to take action to empower women.

She confided that she feels inspired by the battalions of Ukrainian women, who remind us that women should not be seen as victims or mothers first. She invited the conference attendees to watch *Shadow Game*, a documentary about young men who migrate

to find a better life. She reminded them, in this connection, of the necessity of taking account of the diversity of migrants, which requires data, and of the host countries.

Referring to the difficulties of the Netherlands' fight against the sea, she called for migrants to be seen not as a flow to be stemmed, but as human beings in their own right.

Mr Ernst Gödl, representing the National Council of Austria, related how, living on the border between Austria and Slovenia, in 2015 he saw thousands of people come across the border without any controls, which undermined the credibility of the European institutions – a situation that must not happen again. He pointed out that Austria, which has a population of 9 million, has taken in 150,000 Ukrainian refugees, in addition to 136,000 asylum seekers. He joined President Gérard Larcher in calling for a solid, coherent European migration policy. He called for priority to be given to aid for the countries of origin, African countries, for cooperation and, in the event of mass influxes, for migrants to be taken in by neighbouring countries.

Considering it essential to grant refugees from Ukraine its protection, Austria immediately applied the Directive allowing them to access the labour market, training and social cover. These people must be able to lead a normal life.

Mr Davor Ivo Stier, representing the Croatian Parliament, reminded the conference that, in the past, Croatia had taken in almost a million refugees and displaced people from Bosnia-Herzegovina or occupied Croatian territories. In the same spirit of solidarity, it is currently hosting almost 20,000 Ukrainian refugees.

The speaker noted the failure of the Dublin Regulation and deemed a new pact on migration and asylum necessary. He said the differences between refugees and economic migrants seem increasingly obvious to him. Although economic immigration remains

desirable from a demographic point of view, it must remain legal and regulated. The examples of Morocco, Belarus or Turkey have shown that migration can be instrumentalised for political purposes. The European Union has to be aware of this.

He stated that Croatia looks favourably on the draft New Pact on Migration and Asylum, which no longer places the entire burden on the first line States and pays particular attention to transit countries. He does not see any contradiction between respect for international law and human rights, on the one hand, and the security of borders and citizens, on the other. Finally, he reasserted how impatient Croatia is to join the Schengen Area.

Ms Marina Nikolaou, representing the House of Representatives of Cyprus, stated that she considers that everything is a question of willingness, as the Ukrainian crisis has shown. She pointed out that, for years, Member States have demanded greater cooperation and a better division of responsibilities on migration matters.

Effectively, the Republic of Cyprus has encountered great difficulties in handling the mass influx of refugees and migrants, which have been instrumentalised in an unacceptable way by Turkey. In the last few years, the number of asylum applications per capita in Cyprus has been the highest in the European Union.

Although she commended the European Union's remarkable reaction to the Ukrainian crisis, Ms Marina Nikolaou nevertheless deplored its selective aspect according to the origin of the refugees. She further regretted that, while Turkey has been violating Cyprus's sovereignty since 1974, the European Union has published a joint declaration with the country.

She demanded more solidarity on the part of the European Union towards refugees, without exception, but also towards the Member States that need it. She expressed

the wish to see a Pact on Migration and Asylum that includes a fair relocation mechanism. In her opinion, the European Union and its Member States should invest more in integration policies rather than creating "Fortress Europe", a strategy that has failed. In particular she invited Frontex to abandon refoulement policies, which violate people's fundamental rights. It is necessary, in her eyes, to do more to combat the main causes driving migrants into exile.

In conclusion, the speaker called on the European Union to prioritise the de-escalation of the conflict in Ukraine and diplomatic dialogue in order to reach a negotiated settlement. Europe must be an actor for peace, development and humanitarian solutions. The dignity and prosperity of human persons, migrants and refugees included, must be its priorities. *(Applause)*

Mr Helge Lindh, representing the German *Bundestag* called for humanitarian pragmatism: the Geneva Convention must be fully applied, and therefore, refoulements abandoned. In such a crisis situation, asylum application procedure no longer applies and the temporary protection directive seems to be judicious, he said.

He called for the setting up of innovative systems involving all the stakeholders – civil society, State, municipalities – in the management of the reception of refugees. In his opinion, mandatory distribution does not work: it is necessary to involve the people concerned in the decisions and leave them the choice.

Mr Helge Lindh expressed the wish that more ambitious actions be taken. The large European countries are only hosting 0.6 to 0.7% of refugees from Ukraine in proportion to their population, compared to 6 to 7% in Poland and 3.6% in Moldova. This significant imbalance does not seem healthy to him in the long term.

Mr Hervé Rigot, representing the Belgian Chamber of Representatives,

doubted that the essential lessons of the 2015 crisis have been learned: in a world in crisis, human beings flee to find a future, for themselves and their families. In addition, no borders are totally sealed.

Although he said he is proud of the support given to the Ukrainian refugees, he wondered about what has been done for the migrants from Syria, Afghanistan or Eritrea. The increase in the resources of Frontex has only led to human rights infringements, culminating in the resignation of its Executive Director. Students of non-European origin are blocked at the borders of Ukraine. Pushed back onto the sea, men, women and children are dying in the Mediterranean. Even in the home of human rights, the meagre belongings of those who are stranded in Calais continue to be destroyed.

Mr Hervé Rigot noted that, in terms of taking in migrants, everyone is engaged in buck-passing, but there are few who see them as an asset for our societies. The legislative initiatives that are taken provide meagre guarantees of access to legal aid at the borders and the solidarity mechanisms are far from binding.

As a consequence, populist and xenophobic speech prospers in Europe. The migrant is said to be a barbarian, an advantage-taker, a delinquent... In response to this fantasy, governments attack migrants, when they should be stepping up the fight against people smugglers and against the beneficiaries of the underground economy who are exploiting human misery. In this context, the population is turning to political forces whose ideology is contrary to the very foundations of the European Union.

He called for a strong Europe that shows solidarity towards the victims of atrocities, whatever their origin. He implored the conference to avoid setting migrants against

each other: solidarity must be exercised between all countries. It is no longer possible to hide behind Dublin, abandoning the border countries to their fate; no longer possible to accept that some build walls, whilst others refoul migrants with force and violence.

The speaker asserted that we are Europe or we are not. He said he is convinced, like Angela Merkel in 2015 – "*Wir schaffen das!*" –, that the challenge of humane, solid and responsible migration policy can be met. Concluding his speech with a quotation from Victor Hugo, "“What Paris advises, Europe meditates it, what Paris begins, Europe continues it”, he called for the hope that this conference in the "City of Light" represents to be given substance and therefore to "begin". (*Applause*)

Mr Stefan Schennach, representing the Federal Council of Austria, spoke of his concern following some of things that he had heard in the debate. He made the point that neither the United Nations Organisation (ONU) nor the European Court of Human Rights (ECtHR) make a difference between a refugee from Mariupol and a refugee from Aleppo. We need to be careful not to make injustices worse.

He then welcomed the initiatives that have allowed Ukrainian refugees to bypass the cumbersome process of seeking asylum and access the labour market more quickly. He regretted that the Mediterranean, *Mare Nostrum*, is no longer the place of convergence and coming together that it once was. He said he is scandalised by the fact that a European agency refouls migrants, in breach of human rights conventions.

Mr Stefan Schennach then called for the creation of humanitarian corridors for refugees, migrants and displaced persons. He argued that migrating does not cover the same reality as fleeing, and that new categories of populations to be protected – sexual assault victims or climate refugees – also exist.

Finally, he said he considers it necessary to revise the inadequate Dublin procedure and return to the functioning of the Schengen Area. Europe needs the spiritual and intellectual mobility of the Erasmus programme as much as the physical mobility that the opening of borders allows.

Mr Stephen Nikola Bartulica, representing the Croatian Parliament, confirmed that in the 1990s Croatia took in almost a million refugees from Bosnia-Herzegovina. A similar type of solidarity is being implemented with regard to the Ukrainians, with a recent law having been passed to enable them to benefit from the Croatian social and health system.

He insisted on the necessary distinction to be made between displaced persons and refugees in wartime and economic migrants. The European countries, like the European Union, have limited resources. The migration challenge must be met whilst bearing this principle of prudence in mind.

Mr Stephen Nikola Bartulica observed that, in many countries, the integration of a large number of migrants has failed, due in particular to the issue of religion, which he believes must be taken seriously and give rise to an honest and frank debate. He concluded his speech by emphasising that his conception of the fundamental rights includes the right of children to be born.

Mr Ludvig Aspling, representing the Swedish Parliament, addressed the ethical aspects of European law on migration. He observed that if, to seek asylum in Europe, you have to have gone there first illegally, then the great majority of the people concerned do not benefit from any aid.

He summarised the current policy of the European Union: in one hand, it waves a wad of notes inciting people to empty their banks accounts and give the money to local criminal organisations, in the hope that they will get part of this money back when they arrive at their destination, if ever they manage to stay alive; in the other hand, it holds another wad of notes, destined to fund the police operations intended to prevent the migrants from arriving where they want to go. In his eyes, this is immoral and must stop.

Mr Ludvig Aspling argued in favour of a total overhaul of the system. As the removal of the need for visas and the legal, safe filing of asylum applications in the country of destination are not feasible options, he proposed to do away with the possibility of applying for asylum within the European Union and subcontracting the procedure, in line with international law, to safe third countries. This would put an end to this deadly game of cat and mouse. On this subject, the examples of the United Kingdom and Denmark are interesting to follow, he said. In any case, the economic incentives to come to Europe illegally have to stop.

Ms Romualda Fernandes, representing the Portuguese Assembly of the Republic, stated that the Portuguese Assembly of the Republic congratulated the Council of the European Union for the speed with which it activated the temporary protection mechanism on 4 March.

She added that the Portuguese parliament had already adopted a resolution on 1 March 2022, laying down the specific criteria for granting this temporary protection. Thanks to a fast, simplified procedure, displaced persons from Ukraine have been easily given the documents guaranteeing their access to a set of fundamental rights – healthcare, public services, education, work, etc. A platform has also been set up allowing them to file an application for temporary protection.

Ms Romualda Fernandes then quoted the Portuguese Minister of Parliamentary Affairs: "If we have been able, in a short space of time, to set up an accelerated service which has given such good results, there is no reason we cannot manage to do it with other refugees and displaced persons, whether they be from Syria, Nigeria or any other migratory flows. They all deserve the same humane treatment." In conclusion, she considered that the Portuguese example could constitute a model for the introduction of a global pact on migration. *(Applause)*

Mr Toomas Kivimägi, representing the State Assembly of Estonia, stated that Estonia has taken in almost 48,000 refugees from Ukraine, or 2.9% of its population. In comparison, that would amount to France taking almost 1.9 million refugees.

Although confronted with this huge challenge, Estonia is not favourable to the introduction of mandatory quotas. Mr Toomas Kivimägi said that he considered it preferable to offer Ukrainian refugees the possibility of staying, if they so wished, in countries or geographical areas close to their region of origin, rather than encouraging them to move thousands of kilometres away: this is often easier and the majority of them wish to return to Ukraine after the war. Estonia has 350,000 Russian speakers, which facilitates the integration of Ukrainians in the country. Moreover, 25,000 of them are already working.

He stated that he wished to see the European Union cover the related costs better in the countries taking a high number of refugees. He asserted that Ukraine, which is fighting for freedom in Europe, owes the latter nothing, but that, on the contrary, the Union and its Member States owe a lot to Ukraine. He concluded his intervention with: "*Slava Ukraini!*" *(Applause)*

Mr Markus Leinfellner, representing the Federal Council of Austria, confirmed that the people fleeing Ukraine are genuinely in need of aid. He expressed the opinion that the 2015 migration crisis and the current crisis should not be placed on the same footing. The first involved 2.2 million people considered as refugees under the Geneva Convention. Those fleeing the war in Ukraine do not meet that definition, but fall within the scope of a temporary protection mechanism lasting one or two years, which enables them, in particular, to access the labour market.

He noted that there was nevertheless a point in common between these two crises: the fact that they are limited in time. When the reasons to flee have disappeared, these people must return to their countries. He invited the conference not to forget the existing legal provisions.

Mr Julian Pahlke, representing the German *Bundestag*, said that he considers that the European Union has demonstrated everything it is capable of in terms of taking in refugees, on the occasion of the war in Ukraine. What it has accomplished – by keeping borders open or the solidarity mechanism towards Ukrainian refugees – will go down in History.

Founded following the atrocities committed during the Second World War, the European Union is seeing its heritage and its values threatened. Rather than funding coast guards, it should take care to guarantee the right of asylum and enable refugees to arrive safely.

Mr Julian Pahlke explained how he had accompanied volunteers on boats in the Mediterranean and saved several people from drowning. He saw others disappear. According to him, this has to stop.

The Ukrainian crisis calls for a response in line with European values. Human rights and human dignity must be protected. The common objective of every European must be to leave no-one by the wayside. *(Applause)*

Mr Georgios Kamminis, representing the Greek Parliament, observed that, seven years after the 2015 crisis, Europe is facing a new humanitarian challenge at its external borders. Greece, like other countries, has now been faced with this type of situation for almost ten years, and continues to meet its commitments.

He said what he has learned from these crises is that, like climate change, migration constitutes a cross-border challenge that can only have a European solution. Alas, the provisions of the draft Pact on Migration and Asylum do not allow for a fair balance between solidarity and responsibility.

Mr Georgios Kamminis maintained that the crises of 2015 and the events that occurred on the Greek-Turkish border in 2020 do show that Europe must cooperate, but also that it must stop counting on third countries to manage its migration flows. Making Turkey a partner and a referee in matters of migration by the joint declaration of 2016 was an error which Russia, Belarus and Morocco later exploited. The speaker asserted that, as long as Europe does not work towards adequate integration of refugees, these countries will exploit its shortcomings.

Experience has shown that no-one can act alone: the European Union, UN and OECD must collaborate and act in unison. *(Applause)*

In response to these contributions, **Ms Monique Pariat, Director-General of the European Commission's Directorate-General for Migration and Home Affairs (DG HOME)**, pointed out that temporary protection provides conditions virtually equivalent to

asylum, without requiring any particular procedure and very quickly. She emphasised that similarities exist between the 2015 crisis and the Ukrainian crisis, insofar as the Syrians were also fleeing from a conflict.

She explained that the European Commission's departments are working on setting up a common register for temporary protection registrations, in order to track the people concerned, in particular women and children, and therefore to be able to identify potential situations involving trafficking or kidnapping immediately. This should be completed by the end of May.

On the question of financial support, the European Commission has done what it can to release a maximum of funding and to relax the conditions for the use of structural funds. Anyone benefiting from temporary protection benefits *de facto* from the European Social Fund, the European Regional Development Fund and the different cohesion funds.

Ms Monique Pariat also announced the imminent release of €400 million of funding for the Asylum and Migration Fund. Although modest, a first tranche of these funds will be used to support the actions of first line countries like the Czech Republic, Poland or Romania and a second tranche will go to other countries also affected by the crisis, like Estonia.

She reminded the conference of the solidarity of the European Union with Moldova, which is particularly vulnerable geopolitically. Finally, she emphasised the need to reinforce the fight against arms trafficking. The substantial military arsenal being accumulated in Ukraine needs to be the subject of particular vigilance in the short term.

Mr Marco Minniti, former Italian Interior Minister, President of the Med-Or Leonardo Foundation, said that he thought he perceived a common feeling in the day's

debates. That seemed to him to be important, given the difficult challenges ahead. Once again, he thanked the countries that have led the extraordinary operations to take in the refugees from Ukraine.

Although he wishes the opposite, he said he fears that the crisis is on course to last, which could lead to significant consequences in an interconnected world, including in countries far away from the theatre of hostilities. He therefore called for action, as soon as possible, to deal with the food crisis that is brewing, in particular in North Africa, and which could get entirely out of control: the wheat blocked in Ukraine must be allowed to reach its destinations and, failing that, solutions must be found to help the countries threatened with shortages. So far, the European solidarity system has held up, but it could be undermined by mass influxes of refugees coming from the other side of the Mediterranean.

Admitting that he is profoundly worried on this account, he suggested that, while awaiting the modification of the Dublin Regulation, negotiations should be undertaken with the North African countries as of now. Although Europe has planned to provide €6 billion of aid in two tranches to Turkey, it could release smaller amounts for countries like Tunisia, Morocco or Libya.

According to Mr Marco Minniti, Europe must meet this imminent challenge. No country will be able to do it on its own. Europe knows how to deal with difficult situations, but sometimes it does it slowly. Now though, in a context of armed conflict, a slow reaction is not permitted. (*Applause*)

The meeting was adjourned at 12:20. It resumed at 14:30.

Second session – What measures can we take to control our external borders?

- Chaired by Ms Yaël Braun-Pivet, Chair of the Law Committee of the French National Assembly -

Ms Yaël Braun-Pivet, Chair of the Law Committee of the French National Assembly, recalled that the second session would deal with the control of external borders, emphasising the fact that this is a subject of vital importance in implementing a common immigration and asylum policy in Europe. She pointed out that the shift from national borders to external borders is certainly an unprecedented situation, which has to be monitored. She also mentioned that this control was recently the subject of an interesting report by the French Senate's Law Committee.

Mr François-Noël Buffet, Chair of the Law Committee of the French Senate, said that he believes that controlling external borders is an essential prerequisite for any ambitious migration policy, and that it is therefore no coincidence that this is an integral part of the draft Pact on Migration and Asylum presented in September 2020 by the European Commission.

Mr François-Noël Buffet specified that the effectiveness of our reception and integration systems depends on our ability to control entry and movement within EU territory. He stressed, on the one hand, that flows of illegal immigration increase the pressure on internal integration systems that are already very much in demand, exposing our fellow citizens to greater cross-border crime. On the other hand, he regrets that we have not been able to respond by introducing effective border controls. He then emphasised that, while the measures taken in respect of the health crisis temporarily interrupted crossings to Europe, illegal flows increased by 60% in 2021 compared to 2020. Lastly, he reported a clear redistribution of migration flows in favour of the central Mediterranean route, mainly to the detriment of the eastern Mediterranean route and the Balkans.

Noting the flagrantly inadequate control of our external borders since the 2015 “crisis”, during which 1.8 million illegal border crossings were detected, he stressed that this situation revealed the total inadequacy of the European migration policy to deal with the issues, as well as the major differences between Member States as to the direction that a reform of this policy should take. He criticised the transit agreement with Turkey: in his opinion, it is a second-rate solution which does not resolve the structural inadequacies and forces us to rely on a third state.

He condemned the equally unsatisfactory record regarding returns to countries of origin, explaining that in 2020, only 18% of return orders were executed, with derisory return rates in the case of some States,. He recalled the stance of the French Senate’s Law Committee, which recently submitted a report on French immigration policy: in terms of removals, only a Europe-wide approach can remove the obstacles. In particular, a genuine European policy on visa restrictions would probably bring the most recalcitrant States to better cooperation. The Law Committee is therefore asking for a greater use at European level of the “visa-readmission mechanism” by these States.

In addition, he stated that he believes that serious consideration should be given to tightening the conditions imposed on development aid for cooperation in the fight against illegal immigration.

He pointed out that reforms have already been undertaken to strengthen our control of external borders, including the transformation of the Frontex agency into a real operational support player on the field. He noted the usefulness of this agency in France, especially within the framework of the “Opal Coast Operation”.

More generally, he explained that he considers that the creation of a permanent contingent of 10,000 European border agents by 2027 and the doubling of the Agency's budget to €900 million, are strong signals. He expressed the wish that this development will continue and that the changes announced in the management of the Agency will not call the determined objectives into question.

Mr François-Noël Buffet believes that the draft Pact on Migration and Asylum provides some interesting instruments for strengthening our collective external border control, such as screening or an asylum procedure at the border. In his opinion, its implementation would provide better control of entries into the European territory, without calling people's fundamental rights into question.

In conclusion, he affirmed that the question of setting up partnerships with countries of origin should not be brushed aside, evoking the important role that the European Union has to play in fostering sustainable economic development for these States.

He reminded us that it is up to national parliamentarians to identify the mechanisms to activate in order to guarantee better control of the European Union's external borders. Lastly, Mr François-Noël Buffet said he was sure that the day's discussions would make it possible to move forward collectively in the right direction. (*Applause.*)

Ms Monique Pariat, Director General of Migration and Home Affairs (DG HOME) of the European Commission, pointed out that the protection of the European Union's external borders and European migration policies are linked to the creation of the Schengen area, the world's largest free movement zone. She said that every day more than 1.7 million people move from one country to another within this space to work. She considers

that we can be proud of this achievement, and expressed her desire to preserve such a vehicle for economic development and peace.

Ms Monique Pariat reaffirmed the fact that the main consequence of free movement within Schengen is that it transfers control of migration flows to the “external borders”, with the corollary being the abolition of “internal borders”. She stressed that the 2015 migration crisis highlighted some shortcomings at the external borders. She observed that a consensus has emerged with a view to protecting these external borders better and reducing illegal migration flows within the Union. To do this, various mechanisms must be activated.

The first mechanism is the adoption of an integrated management system of the external borders, based on shared responsibility. Firstly, she was delighted with the transformation of Frontex into a European coast guard agency in 2016, and with the considerable increase in its human and financial resources, of around €1 billion euros per year. She noted that the agency was mobilised quickly to protect the Moldova - Ukraine border.

Ms Monique Pariat stressed that border management also requires interoperability between European information systems by the end of 2023 – Schengen Information System (SIS); Entry/Exit System (EES); European Travel Information and Authorisation System (ETIAS), equivalent to the American ESTA; integrated system for monitoring people subject to visas –, which will result in the European Union having the most modern computerised border control management system. She stressed that this task requires a massive commitment from Member States. To harmonise border practices, the European Commission has proposed a regulation introducing an integrated procedure at the border to ensure identification of persons rescued at sea – the so-called “Screening Regulation”.

According to Ms Monique Pariat, integrated border management also raises the question of trust between Member States. In this regard, she pointed out that a revision of the Schengen mutual evaluation and monitoring mechanism will soon be adopted definitively. A fairly substantial revision of the Schengen Borders Code has also been proposed, taking into account the experience of recent years and the impact of the Covid crisis, along with better police cooperation and reinforced governance of the Schengen area.

Ms Monique Pariat declared that border protection has to be accompanied by the strict, but fair, application of fundamental rights, with no derogation possible from the Geneva Conventions. She said that the European Commission is concerned about reported violations of asylum rights by non-governmental organisations or by the United Nations High Commissioner for Refugees. She advocates transparent control mechanisms, and welcomes the fact that independent national bodies carry out investigations for several Member States. She pointed out that Frontex has demonstrated its capabilities in this area, since the appointment of a fundamental rights officer (FRO) in July 2021.

Ms Monique Pariat explained that the second measure to protect external borders is stepping up the fight against illegal immigration and speeding up the processing of unfounded requests. She added that this measure also provides for the introduction of a more efficient European return procedure, with the participation of a coordinator to encourage operational cooperation between Member States, and assistance from Frontex.

Finally, as a last mechanism, she described better cooperation with third countries, through effective action against migrant smugglers.

As migration is a shared competence, the speaker stressed that the main challenge for the European Union is to speak with a single voice. She cited the joint action plans

introduced with third countries, to help them improve their external border management, combat trafficking and readmit their nationals. At the same time, she advocates cooperation on legal immigration, through partnerships aimed at attracting talent, and perhaps more restrictive visa issuance measures. Ms Monique Pariat concluded by saying that a migration policy can only be effective within the framework of forging cooperation with third-country partners. (*Applause.*)

Mr Claude d’Harcourt, Director General for Foreigners in France at the French Interior Ministry, said that when the issues to be dealt with are complex, it can be useful to go back to basics. He quoted from *Éloges des frontières* (In Praise of Borders), by Régis Debray, “The border is a hospitable boundary that guarantees the diversity of the world.” Also, “Where there is no border, there are walls.” According to Mr Claude d’Harcourt, we must ask ourselves if we are able to build intelligent borders, even happy borders.

He recalled that crises in recent years have severely tested the borders of the European Union: in 2021, France imposed 120,000 refusals to enter the country, double the number in 2019. Within this total, the share of secondary movements of asylum seekers remained constant, at almost 30%.

Mr Claude d’Harcourt indicated that, in the spirit of Schengen, the strengthening of external border controls is the necessary corollary to freedom of movement within this common space and pointed out that France constantly supports the strengthening of external border checks for the purpose of protecting public safety and combatting illegal immigration, in particular the European Commission’s proposals to review the rules in the Schengen Borders Code. He explained that it is a question of providing a response similar to that which France achieved when internal border controls were restored in 2015. He added that the

judgement of the Court of Justice of the European Union (CJEU) of 22 April 2022, which recommends keeping internal border controls when there is a new threat, is currently being analysed by the French Interior Ministry, and that France will draw the necessary lessons from this.

According to the speaker, the draft Pact on Migration and Asylum includes some essential legislation for managing Member States' external borders.

He recalled that it is essential to restore trust between Member States, and to maintain the link between solidarity and responsibility. He noted that the French Interior Minister, Gérald Darmanin, has spared no effort and that France has shown itself to be exemplary in this area. He suggested that, alongside the two texts that are currently being debated – the Screening Regulation and Eurodac –, a political declaration of solidarity in favour of States of first arrival should be adopted.

Mr Claude d'Harcourt stressed that the main challenges are operational and technical, but that France is already devoting very substantial resources to securing its internal borders. He recalled that the most forceful action in recent years has been the strengthening of Frontex. He wanted to mention two important IT tools: the Entry/Exit System, due to come into force in November 2022 to counter overstaying, and ETIAS, which should come into effect in 2023.

He mentioned his wish to guarantee a very smooth movement at the borders, by using pre-registration systems.

He insisted on the fact that Europe can only be credible if it puts effective measures in place to combat illegal immigration. For this reason, in his opinion, better use must be made of three measures.

The first is the “visa-readmission mechanism”, which could soon involve ten countries, where restrictive or incentive measures could be introduced, according to their level of cooperation. Mr Claude d’Harcourt said that he sincerely hopes that progress will be made in this matter, while noting that the coordinated efforts made at bilateral and European level have contributed to a tripling of the number of forced returns since March 1st this year.

The second mechanism is that of development aid. France is in favour of bringing into force the new European Neighbourhood, Development and International Cooperation Instrument, known as “NDICI”, with 10% of funding spent on migrations.

Finally, the third mechanism, which is commercial, could be better mobilised, as suggested by the European Commission in autumn 2021 as part of a review of the European Union’s “Generalised Scheme of Preferences” (GSP).

Mr Claude d’Harcourt explained that the European Commission had proposed a draft Pact on Migration and Asylum in late 2020. Opinion leaders would not understand if, given current events, Europe were not making progress in this area. From this point of view, the coming weeks will be decisives. (*Applause.*)

Ms Augusta Montaruli, representing the Italian Chamber of Deputies, said she considers that European debates on immigration are totally legitimate. The question of migration concerns all European Union Member States, and more especially the countries bordering the Mediterranean.

To face this challenge, she asserted that we must find the right balance between the protection of human rights and border controls. In this respect, she believes that we must work towards a strong common foreign policy; without such a policy, migration flows cannot

be controlled properly and Turkey's attempt to impose its supremacy in the Mediterranean cannot be thwarted.

She also argued that a New Deal with Africa is needed, to help African countries that fail to limit their departures. They could be allowed, for example, to assess the effective right to emigrate of their nationals who wish to go to the European Union. She summed up by saying that Europe has a responsibility to promote legal immigration while preventing organised crime.

Mr Jean-Yves Leconte, representing the French Senate, welcomed the progress represented by the strengthening of Frontex and the establishment of a Schengen evaluation and monitoring mechanism. However, he declared that in his opinion, it is better to have a Europe that attracts rather than a Europe that no longer inspires.

He stressed that it is not reasonable for Europe to outsource its obligations under international conventions to Turkey, Rwanda or other lawless areas located outside its borders. He added that the problems encountered in issuing visas in European consulates are causing a decline in European influence throughout the world.

He also considers it essential that there should be legal immigration channels, especially between Africa and Europe, and that visa blackmail must in no way become a lever for action, especially for the French Government. He considers that the arbitrary closure of internal borders will not guarantee the solidity of Europe's external borders. Finally, he indicated that the difficulties with Frontex stem, to a large extent, from the need for this agency to obtain the agreement of the country in which it is operating.

He said that building a lasting relationship with Africa means not being obsessed with the migration issue. The Mediterranean is a space that has been shaped by trade and has

been essential to the emergence of European civilisation; wanting to make it into a border would mean that our continent was turning its back on its history and its values. (*Applause.*)

Mr Julian Pahlke, representing the German *Bundestag*, forcefully recalled that human rights are violated on a daily basis by some European Union institutions. He also regrets that we speak of “illegal immigration”, when there are no real legal immigration channels within Europe.

After welcoming the resignation of the Executive Director of Frontex, a body responsible for repeated human rights violations, he proposed four measures: firstly, that the new Executive Director be appointed by the Member States and the European Commission; secondly, that a report be produced on the agency’s past activities; thirdly, that the report by the European Anti-Fraud Office (OLAF) be published speedily, and fourthly, that Frontex should be reformed from top to bottom to put an end to all the reported abuses.

Ms Eva Platteau, representing the Belgian Chamber of Representatives, said that solidarity between Member States regarding refugees fleeing violence or war was essential and that, with the countries of Southern and Eastern Europe faced with a massive influx of refugees, we must not forget this duty of solidarity. She said that, like other speakers, she believes that the Dublin Regulation should be rethought, as it has revealed its shortcomings.

In her opinion, the transit agreement with Turkey should also be reassessed. Respect for these rights should lie at the heart of the new Pact on Migration and Asylum. In this respect, she said she is also very concerned about some practices at Europe’s borders and the migration policies of some European States.

She assured us that the role of Frontex is fundamental in this respect, and that she finds the accusations of illegal push-backs and the OLAF report alarming. She believes that the resignation of the Executive Director of the agency is an opportunity to review the agency's operating methods: for example, border controls should systematically lead to asylum seekers' being registered, given access to procedures and individually assessed. Promoting European values in the rest of the world means setting an example in terms of respect for human rights. (*Applause.*)

Mr Francisco César, representing the Portuguese Assembly of the Republic, emphasized the fact that he comes from a land of immigration, the Azores, whose identity was founded on solidarity and the reception of migrants. He believes that Europe should adopt an open and positive position on migration and act for a common immigration policy, as all countries must respect the same fundamental rights.

To develop the feeling of belonging to a common space, the States of the European Union should implement an effective exchange of information, conduct joint risk analysis, conduct joint operations and, finally, share their capabilities and resources using the latest technologies.

The speaker concluded with the need to develop partnerships with third countries, particularly within the framework of a common visa policy, and to promote the social and economic development of emigration countries, in order to slow down migration flows. (*Applause.*)

Mr Markus Leinfellner, representing the Federal Council of Austria, noted that the number of asylum seekers in Europe increased by 31% between 2020 and 2021 and

that two-thirds of them did not fulfil the conditions for acceptance. He added that, during this period, the number of illegal border crossings increased considerably.

Under these circumstances, the question of the resources available to Frontex to turn back illegal immigrants seems to him to be crucial. He indicated that it would be useful to protect Europe's external borders better and to find new ways to drive back illegal immigrants. From this point of view, the draft Pact on Migration and Asylum is not a solution: there is even a risk that it will aggravate the problem.

Mr Andrius Mazuronis, representing the Lithuanian Parliament, stressed that protection of the European Union's external borders and effective control of migration flows are essential for the security of the Schengen area. He argued that the draft Pact on Migration and Asylum can be an effective instrument for controlling these borders and the intake of migrants.

He explained that he considers it necessary to tackle the causes of illegal immigration and fight against the instrumentalisation of population movements. He recalled that a year ago Lithuania had to deal with an influx of illegal migrants instrumentalised by Belarus, which had led to a response from the European Union and sanctions.

Mr Lazaros Tsavdaridis, representing the Greek Parliament, pointed out that Greece has repeatedly insisted on the need to intensify operational activities to tackle the migration problem effectively, in compliance with international law.

He recalled that, over the past three years, Greece has acted to provide more effective protection for its borders, which, as he emphasised, are also the external borders of Europe. The result was an 85% drop in migration flows and a certain degree of success in countering Turkey's attempts to exert political pressure on the European Union and on Greece

in particular. The Greek plan was based on monitoring the activity of NGOs, limiting the benefits provided to refugees, setting up secure and modern screening facilities, and lastly, implementing measures to help encourage people who do not fulfil criteria for obtaining international protection to return to their country.

According to the speaker, the draft Pact on Migration and Asylum, while particularly important, does not strike the right balance between responsibility and solidarity. Rather, it insists on the need for asylum seekers to be transferred before their applications are processed and for a reform of the temporary reception procedure.

Finally, he stated that Greece supports the European priority of establishing partnerships with third countries along the migration corridors, in order to tackle the root causes of migration and forced displacement. *(Applause.)*

Mr José María Barrios Tejero, representing the Spanish Senate, stressed that Spain is one of the countries that takes in most migrants originating from the African continent and that unfortunately Europe's southern borders are very vulnerable. He believes that Member States should all have sufficient resources to control migration flows, insofar as an increase in human and technical resources helps to guarantee the integrity of their borders. He said he would also like to see the negotiating capabilities of the European Union and its Member States strengthened, in order to promote the democratisation of the migrants' countries of origin, in particular via economic development projects.

Mr Georgios Kamminis, representing the Greek Parliament, also raised the issue of the need to find the right balance to reconcile rescue operations at the borders with legal measures to combat migrant smugglers. In his opinion, it is important to prioritise the

fight against the causes of migration, by carrying out legal and police operations and by reaching agreements with the countries of origin.

He said that he considers it essential to set up independent border-monitoring mechanisms, as in this way the stages of pre-entry screening and detention of foreigners can be monitored effectively, while still guaranteeing their fundamental rights.

France currently presides the Council of the European Union and has proposed a gradual approach regarding the draft Pact on Migration and Asylum. Greece will only be in favour if the principles of responsibility and solidarity are the subject of a coordinated study.

(Applause.)

Mr Daniel Milewski, representing the Polish *Sejm*, pointed out that for better control over the external borders, the different Member States must work together. The actions that need to be carried out include improving the system for returning illegal migrants and ensuring that physical and technological barriers are erected at Europe's borders. To deal with crisis situations, he noted that reactive reserves must be available, ready to be mobilised immediately.

He also insisted on the fact that Member States must endow themselves with modern equipment and consolidate their infrastructure to reduce migration pressure. In addition, he considers it essential to set up effective information exchange platforms. He concluded with the need to fight against human trafficking, currently a burning issue given the war in Ukraine. *(Applause.)*

Mr Helge Lindh, representing the German *Bundestag*, pointed out that the situation at the European Union's external borders requires that refugees should be given protection, which they can request. This is nothing more than the application of international

law. He stressed that the European Commission must guarantee border security and surveillance and that this is the task of Frontex. This means that Frontex must comply with the principle of non-refoulement and it would therefore be unacceptable for the agency to tolerate refoulements at the EU borders, and certainly not acceptable to participate in this. Otherwise, the whole Europe would be implicated.

Mr Helge Lindh asserted that the parliamentary representatives of the Member States can likewise not tolerate a situation in which borders are crossed illegally by people who do not have the right to do so, without a legitimate reason. It is possible to enter the European labour market legally; people must therefore not be given false hopes. In this respect, Europe should offer more possibilities. In the opinion of the speaker, it is important to encourage steps taken within the framework of migration programmes, and not look only at return mechanisms. We must promote legal immigration channels, agree to partnerships and rescue people who attempt to cross the sea.

Mr Paulo Moniz, representing the Assembly of the Republic of Portugal, highlighted the fact that President Emmanuel Macron has called for a rethink of the Schengen system. He recalled that one of the challenges posed by the pandemic period was the lack of a coordinated response: some countries closed their borders, while others did not.

He went on to underline how important it seems to him to implement a different approach to the protection of digital borders, which are under threat, through a common policy for the protection of democracy, a “digital Schengen”. He said he was disappointed that this subject is not at the heart of discussions, when Europe is facing silent but very aggressive digital threats, which undermine democracies very profoundly.

Finally, recalling that he is from the Azores, a region that he described as “the last heaven on earth”, he noted that these islands are the westernmost point in all of Europe, and that no border controls are in place. He has alerted the European Union to the need for border controls on all the islands, although this is difficult to implement. (*Applause.*)

Mr Chrisis Pantelides, representing the House of Representatives of Cyprus, recalled that Cyprus is one of the European Union countries most affected by migration. He explained that over the last five years, Cyprus has taken in the largest number of asylum seekers as a proportion of its population: the equivalent of 5%. This situation is the result of practices by Turkey: most illegal immigrants arriving in Cyprus pass through Istanbul, then through the Turkish-occupied area, and cross the Green Line. He asked for more efforts to be made to monitor this line, which is not an external border, but the result of the Turkish occupation.

It would then be necessary, he believes, to focus on returning those people who do not have the right to live in Cyprus and prevent these migration flows. The assistance of the European Union is essential in this respect.

Finally, the speaker confirmed his support for a pact on migration and asylum for the benefit of all Member States, and for the efforts by the French in this regard. (*Applause.*)

Mr Antonio Gómez-Reino, representing the Spanish Congress of Deputies, suggested that a paradigm shift in migration policy seemed essential. He said he was pleased that the morning’s debates had not given rise to racist speeches, which would have been inappropriate.

He stressed that Europe is experiencing a demographic crisis and is in need of labour and help from outside populations to maintain the welfare state. It must therefore

integrate these migrants and asylum seekers who want to build these societies alongside the Europeans. Those who think that the European Union can live in isolation from its Latin-American or African brothers are mistaken. Investing in these areas is not enough. Mr Gómez-Reino said he wants the European Union to be able to welcome those who want to build our societies and construct this mixed Europe that he advocates.

He recalled that, during the first session, “illegal asylum seekers” were mentioned. Weren’t those who once left Europe for Mexico, Argentina or the United States also illegals? Europe needs these people.

Finally, the speaker said he believes that Frontex must be completely overhauled, through an audit; if human rights violations are found, the Agency should report them. In his opinion, priority should be given to rescuing migrants at sea. (*Applause.*)

In response to these various interventions, **Mr Claude d’Harcourt, Director General for Foreigners in France at the French Interior Ministry**, confirmed that this is an important debate for the Government as well as for public service players. He was pleased that today’s debates provided the opportunity to express clear, and sometimes diverging positions, as this shows the work that remains to be done.

It seemed to him that Europe must accept the reality of the situation: the need for workers, the wealth of resources available in Europe, the achievements of free movement allowed throughout the Schengen area, which must be preserved, and finally, the fact that only 30% of asylum seekers are successful. He explained that he believes Europeans are keen for these realities to be taken into account.

Another principle was mentioned during the debates: the imperative to respect international texts and European case-law, which he endorses, even though a recent ruling from the Court of Justice of the European Union challenged France.

Finally, he asserted that decisions need to be taken about Frontex. France has done what it had to do, but it is never satisfactory when an Executive Director has to resign.

Mr Claude d'Harcourt went over the principles that lie at the heart of the European message and insisted on the need for solidarity with the Member States that are most exposed to migration flows, especially Cyprus. Regarding the draft Pact, he said he approves a gradual approach, with the need to agree on the texts relating to Eurodac and the screening of foreigners at Europe's external borders. He also proposed that a quantified declaration on solidarity should be formalised, as an expression of the confidence needed within Europe. In his opinion, the unanimous position adopted on 3 March of this year on temporary protection shows that Europe can act quickly and effectively.

Ms Monique Pariat, Director General of Migration and Home Affairs (DG HOME) of the European Commission, welcomed the remarks made during this debate. With regard to Frontex, she hopes that we can avoid setting border protection against fundamental rights. In her opinion, Frontex is necessary. Some failures were found, but they have been identified and dealt with. Frontex started out as a very small agency and has expanded very rapidly. This resulted in a few "hiccups", which have been corrected. Ms Monique Pariat pointed out that the OLAF report has not been made public because it contains a great deal of personal information on some agency members whose behaviour was called into question. She reminded us that the Commission has thrown all its political weight behind the creation of this agency and still considers that border protection must be compatible with respect for fundamental rights and obligations arising from international law.

With regard to physical barriers, she specified that, even if the European Commission is not in principle opposed to their construction, she does not want European taxpayers' money to be spent on them. She would prefer to invest in more sophisticated means which make it possible to better identify people arriving and, where necessary, protect them. In addition, she observed that it is impossible to put up a physical border everywhere. This is therefore not an entirely satisfactory solution. The example of Cyprus shows that migration flows cannot be halted in this way. Ms Monique Pariat maintained that the European Commission was not created to build walls, but to pull them down. (*Applause.*)

Closing the proceedings, **Ms Yaël Braun-Pivet, Chair of the Law Committee of the French National Assembly**, noted that today's discussions demonstrate the complexity of the migration issue and she reaffirmed her conviction that only a resolute and common European response will bring about a solution to this immense challenge. The discussions also seemed to have highlighted the merits of having a parliamentary component to the French Presidency of the European Union. She declared that these opportunities for discussion were rare but invaluable.

Ms Yaël Braun-Pivet believes it is crucial that the Council of the European Union work together with the European Parliament on developing a new legal basis for migration, and that the national parliaments also have a role to play in this matter. She recalled that the French National Assembly's Law Committee has looked into this subject on many occasions. She said she was pleased that these debates are always very productive and that the European context is very often touched on; they can be useful when shaping European migration policy. She also noted that the work of the national parliaments is also a perfect tool for discussions with civil society. In her opinion, it is only when all these voices are taken into account that Europe can move forward calmly. She therefore welcomed the fact that there are moments of

discussion like this and invited the French National Assembly and Senate to present their views as they carry out different studies on Europe's common migration policy.

Next, the speaker recalled the urgency for Europe and its component countries to take on the migration challenge and to change European texts. She is convinced that Europe is partly staking its future on this point. In her view, the waves of migration described in the course of the day's debates are not isolated events: the world appears increasingly unstable; global warming will result in an increase in waves of migration in the medium term. It will then be the responsibility of the European Union to develop a coherent policy to deal with migrations in the context of climate change.

Ms Yaël Braun-Pivet expressed the wish that Europe should have the means for the dignified reception and integration of the foreigners that are taken into its territory, and for fighting effectively against migrant trafficking. She called for people to live up to European principles and humanism and said she believes in the power of taking small steps and making real progress. (*Applause.*)

In conclusion, **Mr François-Noël Buffet, Chair of the Law Committee of the French Senate**, noted the differences in approach in the positions expressed by everyone on these subjects, bringing many different interests into play: although these may sometimes appear contradictory at first sight, they come together in the end. However, he stressed that the debates had brought to light some real points of convergence, and that above all they showed that the national parliament representatives have their rightful place in the current reflections and negotiations on the draft Pact on Migration and Asylum. In addition, he highlighted the need for the national parliamentarians to assert their position in their respective governments, and also with their colleagues in the European Parliament and the European Commission.

He urged everyone not to lose sight of the fact that behind what we call today – perhaps too modestly– “migration challenges”, there are men, women, and also children who are often fleeing poverty or violence in their country. So many of these individuals, these families, find themselves in the hands of networks of people smugglers who trade in this misery, or even in States which see them as a weapon of choice in their tense relations with the European Union Member States.

And so without being naive, armed with firmness, and with all the lessons learned from European history and respect for shared values, all States must move forward in defining a common European framework. It must not only be fairer and more equitable, but must also ensure that Europe’s borders are protected more effectively, and without sacrificing our respect for shared principles.

He said that for too long we have known that the current European legislation was no longer fit for purpose to deal with the state of permanent tension that the continent was experiencing and which looks unlikely to improve. The time has come for the European Union, on the basis of the European Commission’s proposals on the draft European pact, to endow itself with the appropriate legal tools. He therefore reminded the Czech representatives of the importance of their role, as from 1st July and for the next six months their country will take on the Presidency of the Council of the European Union. He closed the meeting after passing on to everyone the thanks of Mr Gérard Larcher, President of the French Senate, for their participation in this day of debate. (*Applause.*)

The meeting ended at 4.15 p.m.