UCL POLICY BRIEFING - MAY 2014

AUTHORS

Refugee Protection, Migration and Human Rights in Europe

Summary

is policy brie ng discusses key practical aspects of refugee protection, as well as questions of racism and xenophobia in Europe. In particular, it addresses:

- \bullet T $\,$ e inadequacy of Europe's responses to the Syrian crisis and how this illustrates broader problems with refugee protection
- Telack of coordinated action on refugees in Europe

in relation to the length of and reasons for detention, allows for a more of ective appeals system and stipulates a transparent process for assessing applications, the II. D. III. D.

Many of the human rights issues raised above go to the very heart of the Dublin II regime. It is debatable whether they can be addressed without more ______, E - _____. Indeed, the process under Dublin II currently provides a disincentive to some EU Member States, like Greece and Bulgaria, to f x badly functioning national asylum regimes in the rst place.

Human rights issues relating to migration

The lack of concern with the human in the migration process in the EU

European countries in general, and the EU in particular, are is lissues such as the right to leave a country, the right to seek asylum, the right not to be discriminated against, the right to peace, and the right to work, among others, are rarely included in the discourse concerning migration.

To date, EU immigration law seems to be underscored by one primary goal: that of keeping people out. There is however little control over the way in which this is done in the Member States and the impact this has on human lives. For example, in addition to the drawbacks of its asylum system, one of the clearest failures of EU immigration policy more broadly is the

W'J P' D P W0000 00560 p54004 W 12 102 1000 1002 F00 EB002600360001004 B519 < 0046005400 5E0053 > 10 < 004600 of recent reforms is still unclear, in the past, detention periods of over eighteen months have not been unusual, even in cases where there has been a clear decision to deport.

- to listen to migrants' stories and to acknowledge their value. Human rights discourse can play an important role in this regard.

The resurgence of racism and xenophobia

One of the most disconcerting developments in recent years in Europe is the increasing support for nationalist and racist movements, as well as the establishment of a culture of xenophobia

T eEU has regrettably played an important role in these problems First, the shortcomings of EU asylum and immigration policies, particularly the concentration of new entrants to certain states, the lengthy detention periods and the lack of awareness about the reasons for migration and the human rights issues involved, have led to public outcry in a ected states.

Finally, the E - racism is embedded in EU legislation and policy and, particularly, in the term 'irregular migration', which is routinely used to refer to non-EU migrants entering the EU without express permission, even if they seek asylum. e language of law, in addition to the language used in the media, influences public perception, by creating an overall impression of illegality.

being blamed for national problems, and species nationalities (e.g. Bulgarians and ê Ê ! cr q + ! onuseislationandce, ! p wh Q ov

Unfortunately however, the media are often not used to tackling issues like racism, violence against migrants, and discrimination. T us, national reporting is usually ineffective and, at times, non-existent

T is is not only the case in Greece T roughout Europe, ,

. While the debates do of course need to be framed di erently in di erent countries, with economic arguments, e ciency arguments, and welfare arguments discussed where appropriate, overall liberal discourse in favour of migration is largely absent from current debates. e silence of the moderates in respect of these issues in Europe is a particularly worrying development.

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