



For a Europe of protection

The European Parliament can play an important role in shaping an EU policy that provides **safe and legal pathways to protection**.

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Did you know that...



People fleeing from persecution or generalised violence in their home countries **have the right to seek and obtain protection in the European Union (EU).**



There are hardly any **legal ways** for these people to reach the territory of the EU.



In 2018 at least **2,275¹ people died** while crossing the **Mediterranean Sea** trying to reach the European territory.



Safe and legal pathways can be established to allow people in need of protection to seek it in Europe without risking their lives.

Examples of such pathways are **resettlement schemes**, facilitation of **family reunification** and the use of **humanitarian visa schemes**.

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Safe and legal pathways are necessary so that people in need of protection can exercise their right to seek asylum in the EU. The EU and its Member States should create more safe and legal pathways to Europe and work toward an EU that leaves no one behind, true to its values of **protection and respect for human rights**.



Protection of human dignity, human rights, right to asylum

are EU fundamental principles

The European Union (EU) is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights. The EU and its Member States are committed to **preserving and promoting these values**.

Coherent with these values, the EU commits not only to protect the rights of its citizens, but also to recognise the fundamental right to asylum. It means that the Member States of the EU offer protection to people who are forced to flee their home countries because of armed conflict or because they are persecuted for reasons such as their religious beliefs, their political views, their ethnic or gender profile or their sexual identity or orientation.



No access to protection

without access to the territory

The EU and its Member States guarantee the right to asylum to those in need of protection who ask for it. However, to ask for it, one first needs to reach the territory

of the EU. This might seem obvious but in practice there is **hardly any legal** way for people to do it.

People who are not EU citizens need a passport and usually a visa to enter the EU. Without such documents they cannot, for example, board a plane and travel to Europe. The current visa regime is designed for tourists, professionals, and students. There are also visas for people who want to join family members already in Europe.



No asylum visa

for people in need of protection

None of these visas are designed for people fleeing armed conflict or persecution. To obtain them, one needs to fulfil several criteria, such as proving the intention to return to the home country when the visa expires, showing that one has enough income to cover expenses during the stay in the EU, or being enrolled as a student in an educational institution. People fleeing armed conflict or persecution are per definition not able to say if and when they will be able to return to their home countries. They often need to leave their countries in a rush, without being able to plan and gather the necessary documents to apply for a regular visa. Also, they might not be able to gather these documents because it would require contact with the very authorities who are persecuting them. For people seeking protection who already have family in Europe, it is also not easy to obtain a **visa for family reunification**. Currently, family reunification procedures are only applicable to the partner and any minor children of a person already in Europe, or to the parents of minor children

who are already in Europe. Existing family reunification schemes generally exclude adult children, siblings, and the parents of adult people.

States can always decide to grant visas to people who do not fulfil the criteria necessary to apply under existing visa categories. Some states do use this power to **grant visas for humanitarian reasons**. However, there are no clear rules about such 'humanitarian visas', so in practice, **states seldom opt to use this power**. Under the current visa system, people who need a humanitarian visa to safely travel to apply for asylum in Europe, cannot be sure they will obtain one.



Resettlement

is not enough

States can also decide to invite people in need of protection through resettlement schemes. Resettlement is generally organised in cooperation with the UN Refugee Agency (UNHCR) and is meant for refugees who have already fled their country and find themselves in a neighbouring country that is not able or willing to provide them with long-term protection.

In resettlement schemes, the selection of candidates is made by the receiving state. This means that refugees cannot apply for resettlement. They can only hope that, if they are selected, a resettlement place will soon become available for them. In 2017, UNHCR estimated that **1.19 million** people in the world were **in need of resettlement**. In the same year **only 102,800** people were **admitted** for resettlement worldwide.



Push-back and deaths

at EU borders

Due to the lack of safe and legal pathways to reach the EU and apply for protection, people fleeing armed conflict or persecution often have no choice but to put their lives in the hands of smugglers. Every year thousands of people embark on extremely **dangerous journeys** and cross EU borders irregularly in the hope of reaching safety. They are often **abused and exploited** during their journeys. Some of these women, children and men are pushed back at the borders. Many others lose their lives on the journey. In 2018 alone, at least 2,275 people lost their lives trying to cross the Mediterranean Sea.

The European Parliament can play a crucial role

in shaping an EU that is true to its values and provides refuge. JRS Europe's electoral support goes to all political forces that commit to create more safe and legal pathways for people to seek protection in Europe, and in particular:

To considerably increase **resettlement commitments**.

To support **emergency evacuation programmes**, such as the evacuation from Libya to Niger, by agreeing to resettle the people rescued in addition to other resettlement commitments.

To **facilitate family reunification** by expanding the definition of family to include, for example, siblings, adult children and parents of adults.

To work towards establishing a **clear legal EU framework** on the use of **humanitarian visas**.

To facilitate **access to other legal pathways**, such as student or workers' visas, for people seeking protection.

¹ UNCHR Operational Portal, Mediterranean situation, <https://data2.unhcr.org/en/situations/mediterranean> [last accessed 18/01/2019]

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