

Adopted resolution

on Refugee Camps in countries outside the European Union

In connection with the humanitarian refugee crisis in the Mediterranean the German and the Italian Ministers of the Interior have proposed the idea of building refugee camps in countries outside the European Union, notably in North Africa.– A similar UK proposal had been rejected at the June 2003 Thessaloniki Council.

Subsequently Ministers from Austria and Baltic States have suggested that such camps should also be built in Ukraine for Chechen refugees.

And in October 2004, Italy has begun collectively expelling hundreds of Africans to Libya before they had had access to asylum procedures.

We strongly believe, that the transfer of responsibility for refugee status determination to third countries outside the EU is incompatible with international law such as the Universal Declaration of Human Rights, the Geneva Refugee Convention or the Charter of Fundamental Rights of the European Union. Under the Geneva Convention an effective access to the territory and to a fair asylum procedure is essential.

Therefore, the European Parliament has declared on October 14th 2004 that "*refugee camps outside the Union should not be envisaged since they entail a clear risk of fundamental rights being violated*". At the so-called G5 summit the French and Spanish Ministers of the Interior have also strictly opposed the idea of building refugee camps outside the European Union.

There are alternative solutions!

The restrictive asylum policy of the European Union has caused a humanitarian crisis – not just in the Mediterranean. For many years now, thousands of people have died the external borders of the EU. It is not known how many of these men, women and children were actually applicable to refugee status under the Geneva Convention.

What is do be done?

Long-term solutions can only be found in a balanced migration policy and through accepting the need to further engage in preventive action against root causes. An immediate response to the human tragedies such as in the Mediterranean should be the development of new avenues for entering the EU territory – as suggested recently by the Commission and UNHCR.

We support the establishment of an EU resettlement scheme and the improvement of the capacity of countries in refugees' regions of origin to protect them. The EU should give practical assistance to those countries which for decades have shouldered the greatest burden by responsibly accepting a large number of refugees. We support the initiative of the European Commission to provide sufficient support for third countries to establish a humanitarian refugee policy instead of building refugee camps as proposed by German and Italian Interior Ministers.

Future cooperation by the EU or any of its Member States with neighboring third countries to control travel to Europe by asylum seekers and immigrants must be based on full respect of human rights, including the principle of non-refoulement and access to adequate asylum determination

procedures. In addition, these activities must go hand in hand with improvements to national asylum procedures, reception conditions and the integration of refugees within Europe.

It is of critical importance, that refugees must be able to spontaneously access EU territory and to refugee status determination procedures within the European Union.

Expressing our respect for the courageous aid of many civilian ship crews, who have rescued migrants and refugees from distress at sea - we support the implementation of a clause in national law exempting humanitarian aid for refugees from punishment in consistency with the Council-Directive on illegal entry from November 2002. We also want to facilitate the disembarkation of refugees which were rescued from difficulties at sea as being proposed by the relevant UN-Agencies this year.