



MALTA EU 2017
PARLIAMENTARY DIMENSION

Background Note

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MALTA

Migration – Combating human smuggling and trafficking and establishing a humane and effective return and readmission policy

The past year continued to unfold in an unprecedented humanitarian tragedy. Thousands of desperate men, women and children continue to embark on long, gruelling and perilous journeys across land and sea in an attempt to escape war, political persecution and poverty. In a desperate attempt to reach a safe and prosperous country in a relatively short time, migrants pay criminal smugglers huge amounts of money. In most instances, they pay the biggest price, thus that of losing a close relative or ultimately their life.

The Mediterranean route seems to be one of the busiest and most dangerous journeys. The International Organization for Migration estimates that from January to April 2017 a total of 663 people lost their lives in the Mediterranean Sea. The number becomes more tragic when comparing it to deaths recorded worldwide, in this case amounting to 1,178 people¹. This tragic picture is also illustrative of the lucrative business for both human smugglers and traffickers. The increased instability in neighbouring states and the relatively fragmented European response to disrupt the criminal model, produce the perfect conditions for a thriving and enduring criminal human smuggling venture.

The EU Action Plan Against Migrant Smuggling (2015-2020) and the EU Strategy Towards the Eradication of Trafficking in Human Beings (2012-2016) are two key documents that lay down a number of actions specifically targeting the protection of victims, the disruption and criminalisation of the smuggling and the trafficking business and the effective management, reception and expulsion of incoming third country nationals. Chapter 3 of the Bi-Annual report highlights that a majority of national Parliaments discussed these dossiers.

The year 2017 will be significantly important to reassert confidence in the European Union's legislative and political arm to develop a humane and effective return and readmission policy. The EU Return Directive (2010), the Action Plan on Return (2015) and negotiated EU readmission agreements with third countries are important European actions aimed at addressing migration in a systematic way and also acting as a deterrent for prospective irregular migrants. The Commission's Communication of 2 March 2017, entitled *A More Effective Return Policy in the European Union – A Renewed Action*

¹ <https://missingmigrants.iom.int/>

Plan and accompanying Recommendations propose a revised approach for return and readmission agreements. The Commission highlighted that the current structure is failing to effectively implement the provisions of the Directive and that the diverging practices across the Union continue to create an unbalanced and inefficient system. In fact, the renewed action plan proposes:

- i. addressing abuses of the asylum procedures
- ii. enhancing sharing of information to enforce returns
- iii. enhancing return and supporting reintegration
- iv. increasing EU funding for return and readmission; and
- v. to overcome challenges of readmission agreements.

The continuity and respect for the agreed terms between the EU and the third countries increase the prospects of asserting European clout and credibility in the field of border security and migration. Therefore, the scope of a revived return policy is to establish a fair and balanced system divided between legitimate security and social cohesion interests of the EU and non-EU countries and respect for human rights and humanitarian obligations.

The Malta Summit on Migration held on the 11 and 12 November 2015 launched an action plan designed to address the root cause of migration. Migration is being given its due attention during the Maltese Presidency of the Council of the European Union. The Malta Declaration of Heads of State of 3 February 2017 made reference to efforts made for the stabilisation of Libya and the capacity building that is key for the authorities to regain control over the land and sea borders and to combat transit and smuggling activities. The Declaration also refers to keeping track of alternative routes and to a deepening of the dialogue and cooperation with all countries neighbouring Libya.

This session aims to provide participants with an extensive overview of European action, primarily aimed at saving lives and reducing humanitarian tragedies. Members are encouraged to consider the role of return and readmission in combating the criminal model and in which ways could parliamentary diplomacy positively contribute to bridge differences and strengthen dialogue with third countries. Members are also urged to consider whether Parliaments possess the necessary tools to act as significant partners in the European dialogue concerning migration.