

14th of December 2016



Hon Dr Joseph Muscat, Prime Minister of Malta
Hon Dr George Vella, Minister for Foreign Affairs

Ref: Letter regarding action on the new Migration Partnership Framework

Hon Prime Minister,
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On the occasion of the final summit of the European Council of 2016 on the 15-16 December, on behalf of the Migration group of the LADDER Consortium (composed of 46 Local Authorities, Civil Society organisations and networks originating from 35 EU and non-EU countries www.ladder-project.eu), we would like once again to draw attention to the need for Europe's Heads of States to ensure a humane response to the asylum and migration crisis currently affecting Europe and the neighbouring regions.

One year ago, thanks to the agreement on the 2030 Agenda, the world's leaders agreed to facilitate safe, regular and responsible migration and mobility and ensure full respect for the human rights and human treatment of migrants regardless of migration status. However, since then, more people than ever have been forced to leave their homes.

We would like to reiterate our statement issued in June 2016 in reaction to the Migration Partnership Framework, whereby we express extreme concern with regard to the focus of the EU-Turkey agreement and the new Framework in terms of their focus on deterrence, security and return at the cost of upholding Human Rights and the imposition of responsibility for migration management onto third countries.

We believe the focus of the EU-Turkey deal to stop the arrival of refugees into Europe in exchange for financial means and a promise to grant visa-free travel to Turkish citizens within the EU is in a total discord with the protection of human rights as Turkey is not considered as a safe country.

Furthermore, the process of return and border management in third countries proposed through the Migration Partnership Framework is extremely worrying, as countries such as Ethiopia, Niger and Mali are expected to implement the EU's migration policies with the readmission of citizens and persons who have crossed their territory. With this approach, we can no longer guarantee the protection of migrants within these and other countries and there is a high risk of people being returned to countries where their rights are NOT safeguarded and to countries which are NOT their own (i.e. Eritreans being return to Ethiopia and from there potentially back to Eritrea where they face imprisonment or death).

Moreover, the new Migration Partnership Framework proposed to give aid to third countries according to the level of its cooperation on migration, and there will be "consequences" for those countries that do not cooperate. This type of conditionality on aid is unacceptable and goes against the core principles of development cooperation. Aid should be used to lift people and countries out of poverty and should focus on long-term



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sustainable development and should be delivered in line with commitments on development effectiveness, instead of as a lever to keep people out of Europe at all cost.

We believe the New Migration Partnership Framework does not include sufficient safeguards for human rights, rule of law standards, protection mechanisms, nor positive measures on the linkages between mobility and sustainable development. That is why, we would like to reiterate the need for humane, comprehensive and immediate action on Migration. Instead of implementing a policy of fast and operational return of irregular migrants, we must ensure policies and practices, which respect migrants Human rights and safety and act in accordance with international law. Moreover, EU Member states must uphold their proportional share of responsibility to protect people fleeing their homes rather than attempt to push it beyond the borders of the EU. Indeed, cooperation with non-EU countries on migration and displacement must uphold all human rights. Any return of migrants must be conducted in safety, dignity and respect for their human rights.

In summary, we, the consortium of LADDER, calls on the leaders of Europe to:

- **Respect international conventions of human rights**, including the right to asylum and establish a regulatory framework to ensure safe and regular pathways for asylum seekers and migrants to deliver EU commitments under the 2030 Agenda. We ask you to consider in particular the rights of women and children on the move.
- **Ensure an evidence-based migration strategy**, which takes into account the stark number of deaths at sea on the central Mediterranean route in 2016 and on the appalling conditions in which migrants are living in Europe and its bordering countries.
- We reiterate the need for **more safe and regular channels of migration** to Europe in order to undermine the market for smugglers, including family reunification, humanitarian corridors and humanitarian visas as potential alternatives.
- **Development funding should be used to lift people out of poverty, in support of developing countries' long term strategies**, instead of using it increasingly to keep people out of Europe at all cost, and threatening third countries with the withdrawal of funding if they do not comply.

The upcoming summit is an opportunity to change direction and steer European Migration Policy towards a policy which puts the safety and well being of people fleeing conflict, persecution and poverty as the fundamental objective.

Thank you for your attention



Claudia Taylor-East

SOS Malta, On behalf of the LADDER Migration Path



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