



Churches' Commission for Migrants in Europe

Commission des Eglises auprès des Migrants en Europe

Kommission der Kirchen für Migranten in Europa

Caritas Europa

4, Rue de Pascale, B-1040 Bruxelles

CCME – Churches' Commission for Migrants in Europe

174, Rue Joseph II, B-1000 Bruxelles

COMECE – Commission of the Bishops' Conferences of the European Community

- Working group on Migration -

42, Rue Stévin, B-1000 Bruxelles

ICMC – International Catholic Migration Commission

4, Rue De Pascale, B-1040 Bruxelles

JRS-Europe – Jesuit Refugee Service Europe

8 Haachtsesteenweg, B-1210 Brussel

QCEA – Quaker Council for European Affairs

50, Square Ambiorix, B-1000 Bruxelles

Comments

Commission Communication towards integrated management of the external borders of the Member States of the European Union [COM (2002) 233 final]

Joint letter to the Danish Presidency, as well as the Council of the European Union, Commission of the European Communities, Directorate General Justice and Home Affairs of the European Commission, European Parliament, Committee on Citizens' Freedoms and Rights, Justice and Home Affairs

Dear Minister,

It is with particular interest that our organisations, representing Churches throughout Europe and Christian agencies primarily concerned with migrants and refugees, note the European Commission's Communication towards integrated management of the EU's external borders. As you know, we have been monitoring the EU institutions' work on asylum and migration based on the Amsterdam Treaty and the Tampere conclusions, and we have commented on many pieces of draft legislation, informed by our practical experience – in consultations and in our position papers.

Although we do not claim competence to comment on the management tools proposed in Chapter III of the Commission Communication, we like to offer

some general and particular comments on selected points of the five mutually interdependent components of a common integrated management policy (as pointed out on page 12).

We agree that integrated management of borders and the use of most up-to-date management tools necessarily forms part of the EU's policy on the management of migration flows, which is in itself one of the main elements of a broader policy of creating a Common European Asylum System, fair treatment of third country nationals and the partnership with countries of origin. However, although this Communication is mainly about benefits from potential operational synergies to develop better coordination mechanisms, we view it as appropriate to express our deep concern about some of the migration policies to be implemented in the first place. Today the fight against irregular migration, although important, overshadows in a highly problematical way the existing international protection regime, i.e. carrier sanctions make it almost impossible to access asylum procedures by means of normal transport; there are hardly any legal ways of entry to EU Member States for persons seeking protection; more sophisticated control at the EU's external borders in fact trigger more sophisticated ways of irregular entries, resulting in more trafficking and smuggling and, more importantly, greater risk for persons in need of international protection.

We are aware that our case for legal access of refugees is not pertinent in this context. But we view it as appropriate to urge the European Union and its Member States to pay attention to a more balanced policy in the problematic area of combating illegal immigration and offering protection to those fleeing persecution. Otherwise it would appear that the European Union primary concern is to fortify its borders, irrespective of the financial cost involved or its impact in terms of human rights. We remain very concerned about this policy trend.

The Commission states in the Communication that the "common syllabus for the training of border guards" (pt.41) could be realised in the very short term. We agree that the development of European border control with common standards and curriculum is an important aspect of establishing an area of freedom, security and justice in Europe. We particularly welcome the importance *inter alia* of ensuring "training for the border guards about respect for the rights of, and the protection of asylum seekers". As the Commission clearly states, the policy needs to comply with international obligations and human rights. Comprehensive human rights training is therefore indispensable and should include anti-discrimination and race awareness training.

Furthermore we would like to promote the said training in the curriculum development for European immigration officers. Existing best practice could be incorporated as in the intercultural training provided by church services to border police at Frankfurt am Main and Düsseldorf airport in Germany. This could make encounter easier at borders for both, the immigration officials and those arriving at the border. We also support the proposal that the European dimension of the border guards' functions should be given close attention (for example language training).

The proposed placing of immigration liaison officers is certainly a first step. As border controls are by definition points of international encounters, we would like to advocate the establishment of a European, international border guard units composed of different European nationalities.

Finally, we welcome the Commission's proposal of sharing the burden of controlling the external borders among Member States. This is crucial given that several EU Member States essentially do not have extensive external borders to control.

We hope that these comments are useful and that they will be taken into consideration in the further debates on the EU policy regarding border management.

Sincerely yours,

Bruno Kapfer - Migration Officer of Caritas Europa

Doris Peschke - General Secretary of CCME

Felix Leinemann - Legal Adviser of the COMECE Secretariat

Katleen Hayen - Representative Brussels Office of ICMC

John Dardis - Regional Director of JRS Europe

Anita Wuyts - Programme Associate, Quaker Council for European Affairs