EUROPE 07.10.2019 | Gesine Schwan & Malisa Zobel

Localising Europe's asylum system

The EU should empower cities and local authorities to make their own decisions on accepting refugees

Read this article in German.

The debate on asylum and migration remains heated, even though fewer and fewer refugees arrive in the EU. Also, the terminology isn't always clear. Asylum seekers are often labelled as 'illegal immigrants', while sea rescue, a requirement under international law (and a moral imperative), is increasingly criminalised and described as a 'pull effect'. Not just sea rescue but every proposal that would benefit both sides – the host society and the incoming asylum seekers – currently seems infeasible because of the fear of these supposed pull effects. Many political figures are clearly driven by the implicit assumption that all good regulations simply encourage more migration.

It's paradoxical in this debate that some lament that migration levels are too high, while others claim they are too low. However, it's important for many European cities and municipalities to find ways of alleviating demographic change and gaining skilled workers for their economy. That's why asylum seekers in particular have been welcomed by many cities since 2016. For example, the town of Altena in North Rhine-Westphalia has stabilised its population level by accepting more refugees. And the village school in Golzow in the Uckermark region, famously the subject of a long-term documentary series, has averted the threat of closure.

Furthermore, numerous cities and municipalities offered to accept refugees voluntarily. This shows that many local authorities feel responsible for Germany's and Europe's society and are keen to meet the EU's humanitarian and human-rights obligations. German cities are not alone here. Other European cities such as Barcelona, Gdansk, Naples and Palermo have made it clear that they remain prepared to accept refugees.

The Dublin Regulation

European cities and municipalities have become even more willing to accept arrivals voluntarily ever since Italy and Malta made the landing of ships with people rescued at sea dependent on a commitment to allocation and acceptance ('relocation') of the incoming people. Closing ports is irreconcilable with international and EU law, as repatriation to Libya violates the principle of non-refoulement and asylum-seekers must be granted access to asylum proceedings under EU law. At the same time, the current European legal situation (in particular the Dublin Regulation) presents countries on the external borders of the EU with a major challenge, as they are effectively responsible for the majority of asylum procedures as countries of first entry.

Unequal burden sharing and the lack of solidarity between EU member states has long been a known factor and a major bone of contention in negotiations on reform of the Common European Asylum System (CEAS). Reform of the CEAS was targeted back in 2016, and efforts were stepped up in 2017. However, despite three years of negotiation with proposals for reform from the European Parliament and the European Commission, the European Council is yet to agree on a reform.

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Considering this impasse, the rescue ships' landing and disembarkation crisis in the central Mediterranean has continued to intensify, as the European Commission and the interior ministers of the EU member states have to negotiate the acceptance and allocation of the asylum seekers to various member states each time a ship comes in. These heightened ad hoc negotiations reinforce the impression of a supposed 'refugee crisis' and distract from medium- and long-term solution concepts.

That's why, in an open letter to the German chancellor back in April 2019, organised civil society in Germany called on the German federal government to work at the European level towards a reliable allocation and acceptance formula for asylum seekers rescued in the Mediterranean and to enable relevant action by the local authorities that have indicated their willingness to accept persons seeking protection. The open letter is based on a proposal by the European Council on Refugees and Exiles (ECRE). It proposes a medium-term 'relocation' procedure with a coalition of willing EU member states that is coordinated by the European Asylum Support Office (EASO) and would allow the asylum

procedures to be transferred from the country on the external border of the EU by applying the Humanitarian Clause of the Dublin Regulation.

Reforming Europe's asylum system

In the long term, there's no alternative to a fundamental reform of the Common European Asylum System (CEAS). However, as EU member states have hardened their positions on acceptance and allocation of asylum seekers, it's worth focusing on the cities and municipalities in this context. Instead of a compulsory allocation quota at member-state level, the willing member states could allow their cities and municipalities to accept persons seeking protection.

The cities and municipalities could enter their needs (training places, request for families with children, etc.) and their potential (welcome guides, intercultural projects, existing links with countries of origin, etc.) on a platform. After registering and gaining access to the asylum procedure, asylum seekers could complete a survey on their own preferences. Once the preferences of municipalities have been checked against those of asylum seekers, the latter could select a municipality from the matches.

These kinds of matching processes are not about accommodating the most easily allocated people in our communities. Rather, the diversity and uniqueness of municipalities and people could be used, while mutual expectations could become visible. A small, fairly rural district in urgent need of new inhabitants can be extremely attractive compared with a big city if it welcomes refugees and allows active integration. Not everyone in Germany necessarily wants to move to a big city. Likewise, asylum seekers have varying preferences. The flora and fauna, a good school for their children and a welcoming community are features that make rural districts attractive, too.

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Moreover, Europe could boost voluntary acceptance in cities and municipalities through an investment initiative. Local authorities that are willing to accept people should be directly refunded by the EU for the costs of acceptance and integration and receive funding at the same level for developing their own community as an extra incentive. The EU could set up a fund for this in the next Multiannual Financial Framework 2021-2027 (MFR) and finance the European municipalities directly from it. This would be fair and promote solidarity, as the

local authorities that take on more responsibility would also have the requisite financial resources.

Involving everyone

All of this could revive the cities and municipalities both economically and culturally, as resources for cultural projects would be available, for instance. Furthermore, it could trigger positive momentum within the European regions. If several cities set a good example and show that the whole community benefits – locals and newcomers alike – other cities would tend to follow suit or put pressure on their government to let them accept people and thus gain access to EU funding.

Applications for funding from an EU integration and investment fund of this kind could be accompanied by a local participation campaign. Multi-stakeholder advisory boards at local level could devise a recommendation on whether to accept people and how the municipality can best enable the new arrivals to integrate. Involvement of the various stakeholder groups at local level lends broad legitimacy to the acceptance recommendation. In addition, responsibility is shared, as many different stakeholders are involved. By deciding what should be done with the extra resources, the municipality also adopts a development perspective. Although acceptance and integration of refugees is an important element here, what matters most is the direction in which a community wants to head together.

Europe desperately needs a medium- and long-term strategy that sees the arrival of asylum seekers not as a threat and a crisis, but as an opportunity for lasting development. This strategy should revive Europe from the bottom up through investment and greater participation at local level rather than targeting the externalisation of EU migration and refugee policy that invests EU funds outside Europe and is neither humanitarian nor sustainable. The unilateral refusal to tolerate migration damages relations with African nations. Negotiations on future trade and economic relationships should be conducted on an even footing, rather than being linked to a willingness for migration control. Europe cannot afford to let its values drown in the Mediterranean, as – in the words of Leoluca Orlando, mayor of Palermo – ‘Saving lives at sea means saving our humanity!’



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