

Fleeing war and persecution, Forced to seek safety in a rickety boat

Brussels, 9 September 2014. With restricted access to the EU territory for people fleeing war and persecution, and asylum seekers ending up destitute or detained in some European countries, the EU remains an elusive safe haven for refugees. Research published today by the European Council on Refugees and Exiles (ECRE) illustrates the persistent gaps between the theory of a Common European Asylum System (CEAS), where people fleeing similar situations are treated alike, and the harsh realities facing asylum seekers in 15 EU Member States of the European Union: Austria, Belgium, Bulgaria, Cyprus, Germany, France, Greece, Hungary, Ireland, Italy, Malta, the Netherlands, Poland, Sweden and the United Kingdom.

While conflicts in Europe's backyard are multiplying, persons fleeing war and persecution are increasingly forced to take ever greater risks in order to reach EU territory and claim international protection. The deaths of migrants in the Mediterranean, despite the efforts of the Italian operation Mare Nostrum that has rescued more than 100,000 people, continue to illustrate the urgent need to make it possible for refugees to reach Europe in a safe and legal manner. Yet regrettably, there is little appetite to engage in such debate at EU level. After the initial shock following the death of over 360 people off the coast of Lampedusa last October and the solemn pledges that everything should be done to prevent this from happening again, the EU's response soon reverted to the same failed measures of more cooperation with third countries and the stepping up of border surveillance measures in an attempt to stem 'irregular migration flows'.

"Creating more obstacles for refugees to reach the EU territory only benefits the business of smugglers. It is absurd that refugees are forced to pay thousands of euro in order to make a life-threatening trip to Europe because visa restrictions, carrier sanctions and border controls prevent them travelling legally, while many of them, such as Syrians and Eritreans, would be granted asylum and allowed to rebuild their lives in Europe if they survived the journey and made it to European soil. How long will the EU look the other way while their policies and unwillingness to create legal and safe avenues for refugees to access the EU are forcing people to risk their lives and contribute to filling the pockets of criminal smugglers?", Michael Diedring, ECRE Secretary General, said at the launch of the report 'Mind the Gap: An NGO perspective on Challenges to Accessing Protection in the Common European Asylum System'

Those asylum seekers who manage to reach the EU continue to be confronted with additional obstacles to having their claim for protection fairly assessed. The research shows that asylum seekers' access to accommodation and support to meet their basic needs, the grounds and conditions of detention and access to quality free legal assistance to properly protect their rights remain problematic in a number of EU Member States. For instance, in France, in 2013, vulnerable asylum seekers had to wait an average of 12 months before being accommodated in a reception centre. On 31 December 2013, 15,000 asylum seekers were on a priority waiting list because of their vulnerability. With no access to shelter, asylum seekers, who are not allowed to work to earn their living, are forced to fend for themselves with some ending up homeless.

Some EU States continue to criminalize asylum seekers by detaining them, including children. For example, in Hungary, asylum seekers are frequently detained. In April 2014, 26% of all asylum seekers and almost half (42%) of single men were detained. What's more, despite being forbidden by Hungarian law, there are indications that unaccompanied asylum-seeking children are detained for long periods together with adults, due to the lack of proper state-funded age assessment mechanisms. In Cyprus, although the majority of asylum seekers are not placed in detention, those who are, are detained in prison-like cells under a high security system. Detainees are permitted to spend only a few hours of the day in public spaces, and are handcuffed by security guards when transferred inside or outside the centre. In the UK, the High Court ruled this summer that the current operation of the 'Detained Fast Track' procedure was unlawful due to, among other reasons, inadequate screening to ensure

that vulnerable people were not detained. Under this procedure, asylum seekers whose claims are deemed 'manifestly unfounded' are detained and subject to an accelerated examination.

While in some countries, such as Belgium and the Netherlands, asylum-seeking families with children are no longer detained at the border, they are still frequently detained in countries such as Malta, Bulgaria and Greece.

Moreover, most of the EU Member States covered by the Asylum Information Database lack functioning mechanisms to effectively and promptly identify asylum seekers who are particularly vulnerable, such as torture survivors or children, whose applications might end up being processed in procedures with reduced safeguards.

Further information

- With violence in the Middle East and Africa forcing people to flee their homes, the number of refugees, asylum seekers, and internally displaced people worldwide [exceeded 50 million people](#) in 2013, the largest figure since World War II. While the numbers of asylum applicants also increased in the EU Member States, reaching 435,000 applicants in 2013, the 28 EU Member States still received less than half of the number of refugees currently hosted by Lebanon alone, a country of just over 4 million inhabitants.
- 'Mind the Gap: An NGO perspective on Challenges to Accessing Protection in the Common European Asylum System' is published in the framework of [AIDA \(Asylum Information Database\)](#), a project of the [European Council on Refugees and Exiles \(ECRE\)](#) in partnership with [Forum réfugiés-Cosi](#), the [Irish Refugee Council](#) and the [Hungarian Helsinki Committee](#). The AIDA project is privately funded by the European Programme for Integration and Migration (EPIM) and the Adessium Foundation.

The database, publicly available, currently contains detailed information on the legal framework and practice with regard to asylum procedures, reception conditions and detention of asylum seekers in 15 EU Member States (Austria, Belgium Bulgaria, Cyprus, Germany, France, Greece, Hungary, Ireland, Italy, Malta, the Netherlands, Poland, Sweden and the United Kingdom). AIDA will expand the number of countries examined in 2014/2015.

Contact

Ana López Fontal

Senior Press & Public Information Officer

afontal@ecre.org

Tel. +32 (0)2 212 08 12 - Mob. +32 (0)4 74 34 05 25

www.ecre.org - www.asylumineurope.org