



STOP FIGHTING THE HUMANITARIAN SMUGGLERS, CREATE SAFE PASSAGE INSTEAD!

Adopted by FYEG General Assembly on 27 May 2017 in Madrid, Spain

The fight against refugee and migrant smuggling has evolved into a central paradigm of EU asylum and migration policies in the past several years and has played a pivotal role in the public discourse ever since the adoption of the EU Agenda on Migration and the Action Plan on Migrant Smuggling in 2015. We consider the policy prerogative of fighting smugglers misconceived in several ways:

First and foremost, the prosperity of smugglers' networks is the direct consequence of the current EU Migration Policy which aims at reducing the number of migrants and refugees to enter Europe by over-militarising borders. As long as safe and legal ways to Europe remain scant, migrants including refugees are dependent upon the smugglers to reach European shores. Most smugglers are not motivated by humanitarian reasons, and it is their complicity with mafia networks that allows them to flourish. These smugglers often attempt to exploit or otherwise harm migrants including refugees. In many European countries such as Hungary or France, migrants including refugees are also very likely to experience violence from border authorities and police. It is hypocritical to fight smugglers and leave state-sponsored violence untackled, covered with the veil of impunity while criminalising practical solidarity of Europeans intending to support migrants including refugees on their dangerous journey. The only way to lower the risk for the migrants including refugees involved and to fight smugglers' networks at the same time is to provide for alternative, legal ways to Europe.

NGOs providing vital assistance at High Seas as well as individual activists facilitating migrants' and refugees' transfer for humanitarian, non-profit purposes keep being attacked for having connections or even cooperating with criminal smuggling networks. From France to Sweden to Greece, individuals who have helped migrants including refugees cross the border for humanitarian purposes are being put on trial. We understand assistance in border crossing - which does not involve financial or material benefit for the smuggler - as an instance of "humanitarian smuggling", an act of civil disobedience and an example of practical solidarity in the face of European borders.

Considering the above, we demand the EU:

1. To stop pouring money into militarized fight against migrant and refugee smuggling which has proven not efficient and which is dangerous to the migrants and refugees themselves. In particular, we require militarized operations aiming at seizing and destroying smugglers' vessels, such as the EU NAVFOR MED operation Sophia, to be ceased. The financial means gained herewith are to be channeled towards increased search and rescue operations.



2. To create legal, safe ways to Europe by easing access to humanitarian, student and work visas, by widening the criteria for family reunification and by making increased efforts at resettling refugees. Legal ways to Europe will make migrants including refugees less dependent on the illicit means of transport which expose them to risks inherent in such journey. Also, we see application for asylum as a valid reason to receive visa, as it is right now impossible to apply in the countries of origin.

3. To launch proper investigation into reported cases of border violence and border deaths from the hands of state authorities as well as the Frontex.

4. To stop accusing humanitarian actors of having ties and cooperating with criminal smuggling networks. They provide crucial help which the EU has failed to provide and should be respected as such.

5. To amend the EU Facilitation Directive in order to create a clear distinction between smuggling and humanitarian smuggling. EU member states shall be prohibited from criminalizing the facilitation of irregular border transfer which does not involve an element of financial or material gain.

6. To stop making fight against migrant and refugee smuggling a precondition for development cooperation, to repeal the EU-Turkey deal and to stop any agreements aiming at curbing migration flows with countries in Northern Africa.

7. To establish asylum procedure centers in the countries of origin and transit to ensure that persons with granted asylum status are able to travel safely to Europe, that persons in regions of crisis don't need to give up everything to apply for asylum and that the whole process goes on in a coordinated way. At the same time, the EU must ensure sufficient human and financial capacities for these centers in order to avoid long-term "externalization of asylum" in form of containment of refugees outside of Europe and long procedure terms.

8. To introduce a European migration law that makes legal migration for the reason of working possible. This includes establishing migration centers in the countries of origin where persons are informed about their possibilities and the conditions of working in Europe, are set into contact with potential employers and, if they are not qualified enough yet, get the needed education for free or on credit to fulfill the needed qualification.

9. Last but not least, we call on the civil society to stand in solidarity with the migrants including refugees, to support them in their struggles and to continue engaging in acts of legitimate civil disobedience vis a vis the Fortress Europe. Solidarity is not a crime!