



CONFERENCE OF INGOs
OF THE COUNCIL OF EUROPE

CONFERENCE DES OING DU
CONSEIL DE L'EUROPE

Migration Committee on the Rights of migrant people

Comité Migration sur les droits des personnes migrantes

GENERAL PUBLIC DOCUMENT - PRESENTATION OF THE COMMITTEE AND MIGRATION ISSUES

Objectives: This document aims to introduce the Migration Committee and its objectives to the INGOs of the conference and their members, as well as to any person interested in the work of Civil Society within the framework of the Council of Europe. Unlike the works previously carried out and widely communicated throughout this first year of the Committee's mandate and during the general assemblies of the Conference of INGOs, this document has a more general aim and presents in a more simplified and accessible way the work of the Committee, as well as its objectives, its positions and its reflections on current migration issues.



« In Calais, it is difficult to feed oneself, to care for one another, to wash and have access to water »
Jean-François Corty, head of operations in France for Médecins du Monde in 2015

https://www.monde.fr/immigration-et-diversite/portfolios/2015/06/30/a-calais-les-ong-ou-secours-des-migrants_464978_1454201.html

Document written by Salomé Brun - Communication team - Migration Committee.



<https://www.lamanchelibre.fr/actualite-630815-pacte-sur-les-migrations-les-ong-appellent-les-pays-a-agir>

INTRODUCTION: THE MIGRATION COMMITTEE OF THE CONFERENCE OF INGOS

The Migration Committee started its mandate in April 2021 and has been working since then to ensure that the **rights of migrants and refugees** are respected, in close collaboration with **civil society** on the field and with the Council of Europe bodies. The Committee's main objective is to combine the personal skills of each of its members while **ensuring that the voice and wishes of INGOs in the field**, who are direct witnesses of the drifts and abuses related to the management of migration in Europe, **are efficiently represented**.



For over a year, the Committee members have been meeting regularly and have been extremely active in order to be as effective as possible in achieving their goals. A roadmap¹ and the establishment of objectives have been carried out since the beginning of the Committee's work and guide the elaboration of future **documents** and **recommendations** that will serve both INGOs in the field and the Council of Europe bodies. The aim of the Committee is not to act alone but to create a real **momentum of solidarity** and to allow us to **move forward together** for the respect of the rights of migrants or people in exile.

¹ See the links at page 9

MIGRATION ISSUES : ALARMING FINDINGS AT THE ORIGIN OF THE COMMITTEE



The need for the creation of a Migration Committee within the conference has proven to be essential following **repeated alarming observations**; migration issues are related to a **transversality of problems** concerning the respect of the rights of migrants and asylum seekers. The testimonies of **human rights violations** in the care, reception and processing of the files of these people who have lived through an **inhuman journey** are countless and urge us to act actively for a better care and recognition of the needs of these vulnerable populations.



The dramatic **testimonies** we receive regularly point out the following findings:

° A **psychological vulnerability** common to all migrants and asylum seekers who have been forced to leave their family, their country and their landmarks.

Testimony of a Ukrainian refugee:

"On March 6th I put my whole life and my son's life in a suitcase. My husband took us to the border, we crossed the border with my mother; we do not speak English, we only speak Ukrainian and Russian. We have no family, we closed our eyes and started this race forward. It was dark, it was night, we crossed the border, it took us 6-7 hours, I don't remember everything because it was like a dream, as if it didn't concern us. At the border the border guards gave us hot tea, blankets, they were very kind people who welcomed us" ².

"Eight years ago, Clémence had to flee her native village in Guinea. She had been living well with her husband and children until then and had to leave everything overnight, without looking back. After requesting asylum in Belgium, she is first accommodated in a collective reception center. But alone, distraught and suffering from serious psychological after-effects linked to her traumas, she is then welcomed by Caritas in the reception structure for isolated women, in Louvranges"³. (Caritas)*

"For months, our patients at the MSF clinic in Samos have been going to their consultations with the fear of being locked up in this center. They feel completely abandoned and helpless. The majority of them show symptoms of depression and post-traumatic stress. Between April and August 2021, 64% of our new patients reported having suicidal thoughts and 14% were at real risk of acting out." (Doctors Without Borders).



° Difficult, even inhumane **housing conditions**, where overcrowding in "camps" and areas of deprivation of freedom is systematically observed.

² See Annex 1: Testimony of a Ukrainian refugee invited by the Migration Committee at the GA of the conference on April 5, 2022.

³ See the following links:

"Living conditions vary from center to center. Even the best ones are equipped with surveillance cameras and barbed wire. The worst are infested with vermin, lack medical services and, according to a 300-pages study commissioned by the European Parliament, are the scene of riots, arson and suicide. The psychological effects of incarceration can be very serious, especially for young people". (Courrier international-newspaper)

° An **omnipresent violence** which is the direct consequence of the poor living conditions in which these vulnerable populations evolve, and which is recounted throughout the journey of the migrants who are not welcomed properly at any moment of their journey (in spite of the efforts of the INGOs, overwhelmed by the solicitations and hindered by a lack of means and political reluctance).



Moria Camp - Lesbros - March 07, 2020

<https://www.sweet-home.fr/journee/lesbros-le-grec-est-dun-le-nombre-d-ang-es-entres-dans-les-camps-de-migrants-687207/>

° **Various constant risks** throughout the journey but also once arrived in Europe:

These various risks echo the **lack of security** that they bring to these populations, particularly in places of deprivation of liberty, and in the face of the vulnerable profile of **women and children**, which has been highlighted on numerous occasions by the Council of Europe⁴.

In Calais, "the risks of accidents in the camps, the risks of storms, the lack of food and also the stress of waiting, the passages and also the failures..." are commonplace.

(From a report on a field experience in Calais where the situation for migrants wishing to cross the Channel to England is particularly difficult)

The Wędrzyn camp in Poland is also particularly insecure for the migrants who are detained there: daily violence, overcrowding, mistreatment, revolts...



Lubuska Policja

Nadodrzański OSG

Screenshot from a YouTube video by Lubuska Police shows a room in the detention center at Wędrzyn after the riot in November.



Lubuska Policja

Nadodrzański OSG

Around 600 men are being held in the Wędrzyn detention center in Poland | Screenshot from YouTube Lubuska Police video

° A **lack of access to fundamental rights**, such as security, in a **dignified environment** that allows the **proper development** of every human being and includes access to **education, therapies** and **medical care**.

"It is a real challenge to care for and protect the children, but also the adults, who are arriving on the Greek islands in ever-increasing numbers and staying for only a short time. In the cramped consulting room facing the center's doors, Dr. Nikos Pantelarios receives Moissa, 4 years old, and her mother: "They have fled Syria and the little one doesn't want to eat anymore. She is exhausted, probably traumatized by what she has been through." (Médecins du Monde)

<https://www.coe.int/en/web/portal/-/children-s-rights-in-crisis-and-emergency-situations-a-new-council-of-europe-priority-for-2022-2027>

<https://www.coe.int/en/web/portal/-/how-well-are-states-protecting-children-from-sexual-exploitation-and-abuse-during-the-refugee-crisis->

The Migration Committee is also particularly attentive to **pushbacks**, a practice that is unfortunately becoming increasingly normalized by state and European migration actors. INGOs are therefore all the more important as they are the first **whistleblowers** to highlight and denounce to the general public such **inhumane practices**, which are however forbidden by international law according to the principle of "non-refoulement": cornerstone of the refugee protection regime.

Grupa Granica @GrupaGranica · 7 juin

"It's unacceptable that an EU country is forcing people, many fleeing war and oppression, back into what can only be described as hellish conditions in Belarus," said Lydia Gall from @hrw Poland's #pushbacks, violate the right to #asylum and #EU law 🙄🙄🙄



hrw.org
Violence and Pushbacks at Poland-Belarus Border
The effort by Belarus to confront the EU at the Polish border with migrants and asylum seekers as the victims persists, Human Rights ...

8 35 66

Grupa Granica @GrupaGranica

Revealed: @Frontex involved in hundreds of #refugee #pushbacks. In at least 22 incidents, #asylum seekers were taken off dinghies, put into Greek life rafts and left adrift at sea theguardian.com/global-develop... @guardian @katymfallon



theguardian.com
Revealed: EU border agency involved in hundreds of refugee pushbacks
Investigation suggests Frontex's database recorded incidents of illegal pushbacks in Aegean Sea as 'prevention of departure'

Tweets of the NGO Grupa Granica (Poland) from April 29 and June 07, 2022



Solutions, even minimal, temporary and precarious, can at least make a difference in the difficult journey of these people and prevent some of the dangers of the migration process. The INGOs are **essential** to the implementation of these solutions by offering housing, care structures and an environment (even temporary) adapted to the needs of these people.

(Médecins du Monde - https://www.lemonde.fr/immigration-et-diversite/journales/2015/06/26/le-cobis-les-ong-ou-encours-des-migrants_4664778_1634200.html)

The space of the Entrepôt (in Calais) - a solidarity space set up by the association L'Auberge des migrants - hosts at least 8 support associations; support for meals - support for material - support for women and children - support for wood for the camps ... (From a report on a field trip to Calais)



Utopia 56 has been operating in Calais and Grande-Synthe since 2015. They provide outreach, support to people (health, accompaniment ...), shelter and also a phone alert... (From a report on a field trip to Calais)

THE SCOPE OF THE COMMITTEE

The Committee is available and open to any external request. It works within the framework of the Council of Europe but above all for **the rights of migrants and civil society**. In this sense, it takes into account **current events**, carries out a constant **monitoring** of the work of other bodies of the Council of Europe and wants to be **as responsive as possible to requests** from INGOs who wish to submit new ideas and lines of thought. The recent questionnaire whose objective was to survey the various INGOs of the Conference working on migration issues has allowed for the first time to gather opinions, remarks and relevant proposals, highly appreciated by the bodies of the Council of Europe⁵ but also by the other Committees of the Conference and various INGOs. The analysis of this questionnaire⁶ has been published; it is available for consultation by all.

The Committee works for migrants and exiled people, but also with the INGOs that help them. It is well known that the latter face **many obstacles** of various kinds (political, legal...), which should not exist. Thus, it considers that these problems must imperatively be studied, deepened, relayed, each in itself but also in relation to each other. The Committee is currently working on the following findings⁷ :



Border between Macedonia and Greece
http://www.lepoint.fr/monde/migrants-ou-conflits-des-murs-toujours-plus-nombreux-dans-le-monde-27-02-2017-2107901_24.php

- The **difficulties of accessing** migrants and exiled people in need. Many are afraid to go to the reception centers, are not aware of their existence or do not want to be deviated from their well-defined objective of reaching another European country. This also partly explains why many migrants are not registered by the local authorities or are registered, but nevertheless quickly become untraceable or even disappear.



- **Bureaucratic burdens** that are too heavy, complicated and limit the possibilities of action of INGOs; or **legal and regulatory barriers** that limit the work of INGOs to largely reduced objectives (notably refoulement policies).
- **Denial of assistance and coordination** by local authorities.

Illocska, border between Croatia and Greece

https://www.lepoint.fr/monde/migrants-ou-conflits-des-murs-toujours-plus-nombreux-dans-le-monde-27-02-2017-2107901_24.php

"Maritime conventions stipulate that maritime authorities have an obligation to assign a safe place within a reasonable time. However, in the central Mediterranean, NGO vessels conducting search and rescue operations are spending increasingly long periods stranded at sea with survivors on board," says Sophie Beau, Executive Director of SOS MEDITERRANEE France.

⁵ In particular [Mrs. Kayacik](#) (SRSG) and [Mrs. Termacik](#) (Secretary General of the Migration Committee of PACE) with whom we have very good relations and regular contacts.

⁶ See the link page 9

⁷ See the policy paper on NGO access to migrant populations. – link at page 9

These reflections are necessary to improve migration policies and make them more humane. The Council of Europe is certainly active in the realization of these objectives, but **collaboration with civil society** remains **essential** to approach the problems with a more global and humanistic vision; by bearing witness to situations that are only visible on the ground and through direct contact with the first concerned. The Committee is committed to proposing **recommendations** in order to make everyone's voice heard⁸!

It is essential to change the current migration policies with the view that **no migrant or exiled person should be considered illegal**.

⁸ Examples of recommendations provided by various INGOs responding to the questionnaire are available on the link at the bottom of the document: "questionnaire on migration issues".

ADDITIONAL INFORMATION AND CONTACTS

This document is only a small overview of the findings and work of the Committee, other documents have been produced and are available for consultation. If you are interested in the above thoughts, you can access them through the following links:



- [Action plan of the Committee on access to fundamental rights of migrants and exiles.](#)
- [Orientation document on the access of NGOs to migrant populations.](#)
- [Questionnaire on migration issues.](#)
- Various communiqués on monitoring current events ([Polish-Belarusian border](#) - [Afghanistan](#) - [Ukraine](#)).

→ For any request for additional information or solicitation please contact the Committee via the data shared on its [web-page](#) or by writing directly to the President of the Committee, Mr. Daniel Guery (query.daniel@sfr.fr)

ANNEXES

ANNEX 1 : *Anna Mazur, a Ukrainian refugee, shared her experience as a refugee since fleeing her country with her mother and son on March 6.*

"On March 6 I had to leave my country with my son and my mother, it was a difficult decision and after that our life was split in two: the life before and the life after. It was very hard. We all try to live to achieve things, we all want to live at home, under a serene sky. We didn't want to hurt anyone. (...) On March 6 I put my whole life and my son's life in a suitcase. My husband took us to the border, we crossed the border with my mother; we do not speak English, we only speak Ukrainian and Russian. We have no family, we closed our eyes and started this race forward. It was dark, it was night, we crossed the border, it took us 6-7 hours, I don't remember everything because it was like a dream, as if it didn't concern us. At the border, border guards gave us hot tea, blankets, they were very kind people who welcomed us. I could tell you much more but the trip was very long, it lasted 24 hours. My sister left with her daughter the day before us. She went to Poland, she went to a friend's house with 15 other refugees. (...) At this point, all we want is to find our homes, hoping that they are still there." Her husband unfortunately died in combat like many other Ukrainians defending their country from the Russian invasion.

ANNEX 2 : <https://www.infomigrants.net/fr/post/38499/migrants-in-polish-detention-center-stage-hunger-protest>

'Unacceptable' conditions

The center in Wędrzyn was inspected by Poland's Deputy Commissioner for Human Rights Hanna Machińska in 2021, and also by the Council of Europe's Commissioner for Human Rights Dunja Mijatović and her team in November 2021. Their findings were both published at the end of January. Both bodies noted conditions there and in other holding centers were "unacceptable" and "do not fulfil the fundamental guarantees preventing inhuman and degrading treatment."

According to Hanna Machińska, more than 1,500 migrants are in holding centers near the Polish border with Belarus. She told the European parliament's Civil Liberties Committee earlier this week that, during the inspection of holding centers, she had met a 13-year-old girl who had wanted to commit suicide, reported the *EU Observer*.

"Children and families with children, women...victims of torture, shouldn't be sent to such places," concluded Machińska. 'Wędrzyn ...is the worst place'

One facility reportedly housed 600 asylum seekers, 24 to a room. There was only two cubic meters of space per person, said Machińska. She added that "Wędrzyn should disappear from the Polish map. It is the worst place."

Limited access to medical assistance was another failing of the center, Machińska outlined. The Deputy Commissioner said it was important to raise awareness of conditions in these centers and to get Poland to lift its ban on journalists and human rights groups entering the border zone where many of these centers are situated.

The *EU Observer* reported that one Polish Liberal MEP, Róża Thun und Hohenstein had also been refused access to a holding center. She said she had applied for access three times but was refused.

ANNEX 3 : <https://www.infomigrants.net/fr/post/37090/wedrzyn-we-dont-want-another-guantanamo-in-the-woods-of-poland>

They showed me their scars

"It was a very difficult visit for me," Aniśko said. "These are, for the most part, very recent migrants who came [to Poland] within the last couple of months.

"You have 600 men there who all went through some sort of trauma. A great number of them have medical conditions that require attention and it was difficult to stand there surrounded by several

dozen men showing me their injuries, their scars, their stories of kidneys that were being stolen somewhere, their injured eyes and teeth and various skin conditions. Without any hesitation, they were showing me their scars as if I were a doctor."

As well as physical health problems, a large number of the migrants were suffering from mental health conditions, for which they were getting virtually no help, according to Aniśko. Many of them complained of traumatic experiences and depression, he said.

The migrants are held in the Wędrzyn facility for a period of three months during which a decision has to be made on their status. But the process is often slow and their detention can be extended for a further three months, leaving the men anxious and uncertain about their future. "They don't know what's happening to them," said Aniśko. "They don't understand their status, they don't know Polish law. They don't know how long they're going to be there or what's going to happen to them. The situation is totally intolerable for any human being."

A handful of those in Wędrzyn at the time of Aniśko's visit had enough money to hire legal representatives to work on their cases, he said. The rest had no access to legal assistance. The Polish Border police, who are responsible for the facility, say that anyone there can request legal assistance from a nongovernment organization. But Aniśko said that as far as he knew, this had not happened. "NGOs probably don't even know about the existence of the facility and what needs are there," he said. "They are also so preoccupied with the situation on the border with Belarus that I imagine that they really have no manpower to come here and work with those people."

REFERENCES

- i INGO Conference Committees: <https://www.coe.int/en/web/ingo/committees>
- ii SRSG Newsletter: <https://www.coe.int/en/web/special-representative-secretary-general-migration-refugees/newsletter>
- iii council of Europe action plan on the protection of vulnerable persons in the context of migration and asylum in Europe (2021-2025): <https://edoc.coe.int/en/refugees/10241-council-of-europe-action-plan-on-protecting-vulnerable-persons-in-the-context-of-migration-and-asylum-in-europe-2021-2025.html>
- iv Terms of reference of the Migration Committee: <https://rm.coe.int/tor-committee-migrants-rights-280421-280421-en/1680a2d983>
- v Infomigrants.net : <https://www.infomigrants.net/fr/post/38499/migrants-in-polish-detention-center-stage-hunger-protest> ; <https://www.infomigrants.net/fr/post/37090/wedrzyn-we-dont-want-another-guantanamo-in-the-woods-of-poland>
- vi : Twitter Grupa-granica : <https://twitter.com/GrupaGranica>
- vii : Courrier international (french) : <https://www.courrierinternational.com/article/2008/01/10/les-camps-de-retention-toujours-plus-nombreux>
- viii : MSF - camps in Samos (French): <https://www.msf.fr/actualites/grece-ouverture-d-un-camp-a-samos-ou-les-refugies-deviennent-des-prisonniers>
- ix : Médecins du monde " Migration law and health" (French) : <https://www.medecinsdumonde.org/fr/actualites/publications/2017/06/07/migration-droits-sante>
- x : Médecins du monde : "In Greece, the children of the exodus" (French) <https://www.medecinsdumonde.org/fr/actualites/europe/2015/06/30/en-grece-les-enfants-de-lexode>
- xi : SOS Mediterranean (French) <https://sosmediterranee.fr/communiqués-et-declarations/blocages-ete-2022/>
- xii : MdM in Calais (French) https://www.lemonde.fr/immigration-et-diversite/portfolio/2015/06/30/a-calais-les-ong-au-secours-des-migrants_4664778_1654200.html
- xiii : Amnesty International "Asylum and Migration" (French) <https://www.amnesty.ch/fr/themes/asile-et-migrations#>
- xiv : articles on violence in refugee camps in Greece (French) : https://www.lemonde.fr/europe/article/2016/04/29/en-grece-dans-les-camps-de-migrants-il-y-a-trop-de-monde-enferme-depuis-trop-longtemps_4910708_3214.html
<https://www.ouest-france.fr/europe/grece/la-grece-reduit-le-nombre-d-ong-presentes-dans-les-camps-de-migrants-6872207>
- xv : Caritas Belgium – testimonials (French) <https://www.caritasinternational.be/fr/asile-et-migration/video-temoignage-deux-femmes-deux-histoires/>