



## **Panel discussion**

### **The Current Migrant Crisis: an Aftermath of the Arab Spring?**

*In the framework of the commemoration of the Human Rights Day  
and International Migrants Day*

11<sup>th</sup> December 2015, from 10:00 to 13:00  
Room VIII - Palais des Nations, Geneva

## **REPORT**

### **Introduction**

On December 11<sup>th</sup>, the Geneva Centre for Human Rights Advancement and Global Dialogue (hereinafter "GCHRADG"), in collaboration with *Union des Nations pour l'Enseignement, la Science Universelle et les Droits de l'Homme* (hereinafter "UNESU"), held a panel discussion in order to mark the 2015 Human Rights Day and International Migrants Day.

The panel discussion, entitled ***The Current Migrant Crisis: an Aftermath of the Arab Spring?***, aimed to raise awareness and share experiences on the current migrant crisis, notably in the Mediterranean region and Europe, and to analyse the interrelation between security and international migrations. In this context, the debate focused on international migration as a consequence of political instability and, particularly, as a possible side-effect of the Arab Spring.

The debate stimulated discussion on good practices and challenges ahead for the promotion and protection of migrants' rights in host countries, as well as on practical measures to support human rights promotion and democracy building in potential migrant-sending countries. Finally, the panel discussion aimed to promote dialogue on concrete steps to undertake in order to manage the current migration crisis, both at the national and international level, and outline proposals to improve pre-crisis preparedness, emergency response and post-crisis recovery.

The panel discussion benefited from the presence of Ambassadors and representatives from several Permanent Missions in Geneva, representatives from various UN agencies and International Organizations, as well as members of civil society organizations, such as NGOs and associations.

#### **Moderator:**

**Judge Fatsah Ouguergouz**, *Senior Policy Advisor at the Geneva Centre and former Vice President of the African Court of Human and Peoples' Rights*



**Opening remarks:**

**Dr. Hanif AL-QASSIM**, *Chairman of the GCHRAGD's Board of Management*

**Panellists:**

- **Mr. Hassan Abdel Moneim**, *Senior Regional Advisor for North Africa, the Middle East and the Gulf States at the International Organization for Migration (IOM)*
- **Mr. José Riera**, *Senior Advisor at UNHCR*
- **Mr. Nicolae Schiau**, *Journalist and Producer at Radio Télévision Suisse*
- **Dr. Nasr Mohamed Arif**, *Founding Executive Director at Zayed University*
- **Dr. Ibrahima Guissé**, *Senior Researcher University of Applied Sciences and Arts Western Switzerland (HETS/HES-SO)*
- **Mr. Christian Degiorgi**, *Chief Administrative Officer at UNESU*

## **Details**

**Dr. Fatsah Ouguergouz**, *Senior Policy Advisor at GCHRAGD and Former Vice President of the African Court of Human and Peoples' Rights*, moderated the panel and provided the audience with a brief introduction into the matter of discussion. He launched the debate by showing to the audience the cover page of the very last issue of the UNHCR magazine "*Refugees*", published in 2007 (Number 148, Volume 4), presenting the topic "Refugee or Migrant: why this question matters" (*Réfugié ou migrant: pourquoi cette question compte*). Dr. Ouguergouz noted that, at the precise moment when the rescue of a human being is at stake, the question on its status is not relevant, and what really matters is to save a life. However, once the critical phase is over, clear definitions and distinctions have to come into play. Dr. Ouguergouz then touched upon the burning debate currently raised by migration in European countries, as well as upon the perceptions that depict migrants as a threat to national security.

Dr. Ouguergouz also highlighted the need for global solutions in response to this global crisis, and briefly explained the objectives of the event, which focused on shedding light on the migration crisis by analysing its connection to the events of the Arab Spring. Dr. Ouguergouz then welcomed the panellists and gave the floor to **H.E. Dr. Hanif Hassan Ali Al-Qassim**, *Chairman of the GCHRAGD Board of Management*, for the opening remarks.

**H.E. Dr. Al-Qassim** reminded the audience of the celebration of the International Human Rights Day on 10<sup>th</sup> December, as well as the International Migrants Day on the 18<sup>th</sup> December. He stated that the current climate of insecurity caused by recent terrorist attacks, on the occasion of which several E.U. countries started to rethink their old migration policies aiming towards more control of their borders, brought to light even more the need for a constructive dialogue on concrete and effective responses to the migrant crisis. He then underlined that it is time for the international



community to work collectively and take a more proactive role in this situation, since its implications are no longer confined to one country or region. There is a need for more support for human rights and democracy building in potential migrant sending countries.

His Excellency concluded his opening remarks by affirming that it is furthermore essential to create a united front in the interest of the effective management of the migration crisis and to translate such crisis management plans into specific action, prioritising long-term and systemic solutions to the serious problem of irregular immigration rather than enforcing mandatory quotas.

**Mr. Hassan Abdel Moneim**, *Senior Regional Advisor for North Africa, the Middle East and the Gulf States at the International Organization for Migration (IOM)*, put into perspective, through his intervention, the excessive burden in terms of refugee influx that affects middle-income countries in the Arab world, such as Jordan and Lebanon. Mr. Abdel Moneim encouraged States to adopt a full-picture perspective and to understand that only a coordinated, collective effort can lessen the burden of the crisis.

Mr. Abdel Moneim underlined the unprecedented phenomenon of human mobility, with more than 900'000 arrivals in Europe (as of 4<sup>th</sup> December 2015), and over 3'000 losses of life, in 2015 alone. According to the latest statistics of IOM, Greece and Italy are the main migrants-receiving countries. Faced with such impressive numbers, he questioned the real success of the Arab Spring, and whether it would be more accurate to designate it as a "winter", rather than a "spring". While recognizing the advancements in Tunisia, Mr. Abdel Moneim noted nevertheless that the phenomenon of massive migration is a reflection of mistakes on the way towards democracy, in the aftermath of the Arab Spring, notably in countries affected by ongoing conflict, like Syria today. He mentioned that the IOM focuses on working with its partners on a "4 Ps" approach to the crisis: protection, prosecution, prevention and partnerships.

In terms of recommendations, Mr. Abdel Moneim urged for increased support to *the* countries of destination, particularly referring to small countries with limited resources. He called for the opening of legal channels for migrants, and for moving from the current "crisis-mode response" to a more sustainable, long-term response to the phenomenon.

**Mr. José Riera**, *Senior Advisor at UNHCR*, highlighted the need to fully comprehend the definitions of "migrant" and "refugee", and to formulate a coherent and united response from the part of the European states. He mentioned that the UNHCR is working closely with the IOM and the Special Representative on International Migration, Mr. Peter Sutherland, to identify efficient measures in response to the crisis. To this purpose, he mentioned: the need to improve the reception capacity, in a manner that ensures humane accommodation, registration and screening of people; the need to identify those in need of protection and those in need of relocation, and ensure efficient family reunification; the need to identify the persons who do not qualify for protection as refugees, but may qualify on other grounds, as well as those for whom a dignified return is the best option.



Mr. Riera, furthermore, warned against the issue of smugglers and the danger that it represents to migrants and refugees. He explained that Syrian refugees who have lived in neighbouring countries, such as Jordan, are left in inhumane conditions, which push them to risk their life crossing to Europe.

Mr. Riera also underlined the need for development agents to work closely with humanitarian actors, particularly as we are witnessing an increased burden on middle-income countries – which are nevertheless excluded from many instruments of international development. He then echoed Mr. Abdel Moneim of IOM in asking for more support to these host countries, and for the creation of legal channels to avoid further loss of life due to smuggling.

On the issue of rejecting refugees, Mr. Riera stated that the current refugee flows are the results of war and terror, and not their cause or root. Moreover, the rejection of refugees on the basis of religion will only boost and enhance radicalization. Refugees should not pay the price for home-grown extremism.

Quoting the Chinese adage that “times of turmoil are also times offering new opportunities”, Mr. Riera concluded that international migration has the potential to contribute to growth and sustainable development, as long as socio-economic dimensions, and respect for human rights of those involved are high on the agenda. In this context, the World Humanitarian Summit in May 2016 will be an opportunity to review the humanitarian system.

**Dr. Nasr Mohamed Arif**, *Founding Executive Director at Zayed University*, provided a brief historical overview of migration, noting that, despite it becoming an alarming issue for Europe only when it reached its borders, mass migration is a phenomenon that has always accompanied conflicts in various locations. Dr. Arif noted that in the past, migration was treated with more freedom and less legal constraints. In general, society had the upper hand over the state, deciding over the fate of those seeking refuge. On the contrary, Dr. Arif underlined that in a sovereign state, human values are secondary to citizenship and sovereignty, and thus concluded that the refugee crisis is connected to the rise of the nation state, and the apparition of the concept of nationality.

Dr. Arif condemned the approach of the international community, rewarding the offenders and punishing the victims, as a distorted logic that places the blame on countries unable to accept refugees, instead of the countries that create or maintain crisis and conflict. He echoed, as the two previous panellists, the disproportionate burden on neighbouring, small states, and the need to better share the burden and unite in an efficient and sustainable response. Finally, Dr. Arif touched upon the responsibilities of both origin and destination countries, but also of the UN in tackling this issue, reminding the audience that the right to asylum is enshrined in Article 14 of the Universal Declaration of Human Rights.



After a brief session of questions and answers with the audience, the panel discussion continued with the intervention of **Mr. Nicolae Schiau**, *Journalist and Producer at Radio Télévision Suisse*. He provided the audience with a passionate account of his personal experience in following a group of 6 young Syrians on their way from the small town of Kilis, at the border between Turkey and Syria, to the migrants' camp in Calais, passing through all the hotspots of the current migrants route, including Greece, Serbia, Hungary and Germany. Mr. Schiau accompanied the group of migrants in all the aspects of their journey, and thus gained first-hand experience of their struggles and anxieties. The six young Syrians fled their country with the objective of pursuing their studies in Europe – a goal that had become futile in their country torn by war for years - and their initial target was to reach Germany.

Mr. Schiau also underlined the issue of smugglers and deplored the way these illegal activities are carried on in plain sight, in the heart of Istanbul. He equally deplored the inhumane conditions in the Lesbos camp in Greece and particularly in Hungary, where basic needs such as beds and food, are not met, and the fundamental rights of the migrants are violated.

Mr. Schiau particularly stressed that the journey in itself is not exhausting from a physical point of view; however, the psychological and emotional stress experienced by the migrants was described as severe, particularly due to the lack of information on the destination, the living conditions and other factors. This creates an environment of uncertainty and doubt, which also translates in sudden changes of destination.

Mr. Schiau recommended the creation of hotspots, allowing to sort migrants depending on their destination, before they leave. This would allow a better sharing of information on the journey and the destination point and would contribute to lessen the psychological burden of uncertainty. Mr. Schiau also suggested the creation of a smartphone application or virtual platform, allowing continuous access to constantly updated information to migrants.

**Mr. Christian Degiorgi**, *Chief Administrative Officer at UNESU*, addressed the numerous preconceived ideas with regards to migrants and migration, deploring the focus of the media on the emotional factor, rather than providing the general public with an accurate image of the reality of migration. Mr. Degiorgi noted that the reasons of migrants are often overlooked by the media, which contributes to a lack of awareness and may enhance reactions of rejection or fear. He spoke on the need to redefine the response to the crisis, as societies and as individuals, in order to escape cultural, political and economic ethnocentrism.

Mr. Degiorgi also underlined the importance of education and access to information with regards to migrants. He then suggested the creation of a “Moral Council” or a “Council of the Wise”, to better guide international governance from a moral point of view.

**Dr. Ibrahima Guissé**, *Senior Researcher at University of Applied Sciences and Arts Western Switzerland HETS / HES-SO Genève*, made a brief analysis of the phenomenon of migration, from a



socio-cultural point of view. Dr. Guissé approached the issue of the dismantling of asylum law, and the erosion of the right to asylum in the current context. Dr. Guissé deplored the double standards applied in the treatment of refugees, drawing a comparison between the refugees of the Cold War period and those of today.

Dr. Guissé also spoke on the phenomenon of “outsourcing” of the issue of migrants and the lack of a united, responsible solution agreed upon by all actors. Pinpointing normative deficiencies, he questioned whether the migration crisis should not be considered rather as a crisis of the normative instruments available to states in dealing with this phenomenon, which are often ill-adapted and outdated.

Also underlining the issue of clandestine passages, human trafficking and other issues related to illegal migration, Dr. Guissé called for the restructuration of the migrants’ protection regime, by ending temporary solutions and, particularly, stopping the restrictive interpretations of the 1951 Convention relating to the Status of Refugees. He denounced the approach focused on national security to the issue of migration, built on the principle of “containment”, and highlighted the need to defend fundamental principles, particularly freedom for all.

## **Q&A sessions with the audience and concluding remarks**

During the two sessions of questions and answers with the audience various issues were raised, including the need to mention Libya as well in the discussion on the current migrant crisis, as it is affected by the phenomenon as much as Yemen and the countries of the Horn of Africa. Mr. Patrick Taran, from the *Global Migration Policy Associates*, gave a large array of statistics showing the significant increase in the number of arrivals over sea - about 25% increase of over the last decade. To put things in perspective, he highlighted that the EU estimates also show a significant reduction in workforce by 2050, and thus encouraged to look at the opportunities of the current crisis. It was also mentioned that the ongoing Syrian conflict is at the heart of the problem, with 170 victims on a daily basis and 25 000 people injured every month, most of them being civilians. His Excellency Mr. Slimane Chikh, Ambassador of the *Permanent Delegation of the Organization of Islamic Cooperation to the United Nations Office and other international organizations in Geneva*, highlighted the primary need to carefully distinguish between refugees and migrants. He then underscored that the current migrant crisis is above all a crisis in the destination countries, where migrants are used as a scapegoat and the crisis itself is instrumentalized for internal political purposes. H.E. the Former *Ambassador of Yemen to the United Nations*, Dr. Ibrahim Al-Adoofi, also intervened and underlined that attitudes of withdrawal, containment and scapegoating are typical for countries in crisis, and that there is a need for unity among European states. He finally encouraged to better understand the added value of migration for the countries of destinations.

The second part of the questions and answers session focused on the issue of smugglers and illegal migration, as the participants recognized the need for a concerted effort to tackle smuggling, which has become one of the most profitable business today. Mr. Riera highlighted the impact of the crisis



on the political situation at the national level – referring to the current rise of extreme right-wing parties in countries like France – and concluded that there is a need for dialogue, engagement and concerted efforts to find common solutions. From the migrants’ point of view, Mr. Nicolae Schiau restated that the migration crisis brings along an identity crisis, and that migrants struggle to find their place and rebuild their identities, along with their lives. He thus called upon the international community to ensure support and most of all, dignity to all migrants.

**H.E. Dr. Hanif Hassan Ali Al-Qassim** closed the meeting, thanking all the participants for such an enriching and educative debate.