

European Network of National Human Rights Institutions (ENNHRI)

Statement of the European Network of National Human Rights Institutions – January 2014

The European Network of National Human Rights Institutions (ENNHRI) is made up of 41 National Institutions for the Promotion and Protection of Human Rights from across wider Europe and is part of the International Coordinating Committee of NHRIs.

The efforts made by the international community fail to prevent the Syrian crisis from expanding in impact. A considerable influx of persons are becoming displaced within their own country or becoming refugees in neighbouring countries. According to the latest figures of the UNHCR, 2.2 million people are registered, or undergoing the process of registration, as Syrian refugees. These movements of populations result in an important burden for neighbouring countries such as Lebanon, Turkey, Egypt, Jordan and Iraq, where the vast majority of the displaced persons are living in difficult humanitarian conditions.

During the 1990s, conflicts in the former Yugoslavia demonstrated the need for special procedures to deal with mass influxes of displaced persons. The 2001 Directive on Temporary Protection was the EU's concrete response to this need. However, the provisions within this Directive, based on solidarity between EU States, have not been triggered thus far. This instrument could provide today for better conditions to organise the resettlement operations and the sharing of the burden of reception among Member States.

Many people fleeing the Syrian conflict have died at sea trying to reach the European border. These repeated tragedies show the need for common action by all European states for an enhanced rescue and research capacity for those people missing at sea. This would be to align with the international obligations subscribed by the Member States. The EU response should also take into account the decision *Hirsi Jamaa et alii c. Italy* (23 February 2012) of the European Court of Human Rights. This decision confirmed the applicability of the European Convention of Human Rights (the Convention) in high sea rescue operations and concluded that collective deportation was contrary to the Convention and its Protocols, given the absence of individual evaluation of eventual asylum applications.

The ENNHRI and its Asylum and Migration Working Group call on the EU institutions and its Member states to take urgent action regarding the Syrian refugee crisis, in particular the immediate application of the EU Directive on Temporary Protection and coordinated action for enhanced sea rescue and individual evaluation of refugees. ENNHRI / A&M WG refers to and endorses the French NHRI, the Commission Nationale Consultative des Droits de l'Homme, statement of 20 November 2013 in this regard.