

# RIGHTS

10/11 NOVEMBER 2014, ROME

**FUNDAMENTAL RIGHTS CONFERENCE 2014**

## **Fundamental Rights and Migration to the EU**

**PROGRAMME**



Presidenza Italiana  
del Consiglio  
dell'Unione Europea



EUROPEAN UNION AGENCY FOR FUNDAMENTAL RIGHTS

10/11 NOVEMBER 2014, ROME

# RIGHTS

FUNDAMENTAL RIGHTS CONFERENCE 2014

## Fundamental Rights and Migration to the EU



The EU Agency for Fundamental Rights (FRA) is dedicating its annual flagship event, the Fundamental Rights Conference (FRC), to the importance of a fundamental rights-based approach to EU migration policy.

The *Strategic Guidelines for legislative and policy planning in the area of freedom, security and justice*, adopted by the European Council in June 2014<sup>1</sup>, identified the need for “an efficient and well-managed migration, asylum and border policy” in the EU that is underpinned by “full respect for fundamental rights”. It recognised that the EU is “faced with challenges such as instability in many parts of the world as well as global and European demographic trends”. It also noted that “a comprehensive approach is required, optimising the benefits of legal migration and offering protection to those in need while tackling irregular migration resolutely and managing the EU’s external borders efficiently”. As the guidelines emphasise, it is important to “support Member States’ efforts to pursue active integration policies, which foster social cohesion and economic dynamism”.

The Fundamental Rights Conference will highlight key fundamental rights challenges that need to be considered when implementing the Strategic Guidelines. It will discuss means of alleviating the effects of the current migration pressures at the EU’s external sea and land borders, while fully respecting fundamental rights. The conference will also debate the best ways of promoting social inclusion and migrant integration, in order to create an environment in which migrants can take full advantage of their own potential, to the benefit not only of themselves but also of EU society as a whole.

The high-level event is co-hosted together with the **Italian Presidency of the Council of the European Union**. It brings together over 250 policy makers and practitioners from across the EU, including representatives from EU institutions, international organisations, national governments and parliaments, law enforcement, civil society and many more.

### OBJECTIVES

- To ensure fundamental rights remain at the centre of migration policy in the EU.
- To discuss the fundamental rights at stake in the practical implementation of the Strategic Guidelines for legislative and policy planning in the area of freedom, security and justice, which were adopted by the European Council in June 2014.
- To build on the work of the Task Force Mediterranean by supporting the development of fundamental rights-based activities that address current humanitarian emergencies at the EU external borders.
- To address migrant integration from a fundamental rights perspective in order to create inclusive societies, that are free of racial and other forms of discrimination, helping both migrants and recipient countries to develop.

<sup>1</sup> [European Council, Conclusions, EUCO 79/14, 26/27 June 2014](#)

# RIGHTS

FUNDAMENTAL RIGHTS CONFERENCE 2014

Fundamental Rights  
and Migration to the EU

10/11 NOVEMBER 2014, ROME

## BACKGROUND

The EU is part of a globalised and interconnected world where migrant and refugee flows are on the rise. These are not only due to instability, war and poverty, but also respond to demographic trends and labour market gaps in the EU. Asylum, migration and integration, have become closely related to the phenomena of xenophobia and intolerance, and all these continue to dominate much of the fundamental rights debate and concerns across the Union. To meet the challenges faced by EU Societies, policy responses to the movement of people need to keep fundamental rights at the centre of the decision-making process.

### **Borders: guarding EU's external borders while protecting the rights of migrants and refugees**

The EU's external borders are the gateway to the European Union. People come to Europe to seek safety from persecution and war, to join family members or to find a better life. With limited access to legal channels of migration, many people - whether asylum seekers, children, trafficking victims, or other migrants - fall prey to smugglers and traffickers, making them vulnerable to abuse and exploitation. Once in the EU, some are granted protection, some are returned, and some remain in an EU Member State either with or without right to stay.

There have recently been significant efforts by the EU and Member States, in particular Italy, to save the lives of migrants arriving in the EU. The creation in October 2013 of the *Task Force Mediterranean* was a swift and important response that set out a course of action to address unsafe migration at sea. However, the challenges at the EU's borders, both sea and land, points to the urgent need for a more comprehensive, sustainable, coordinated and effective European response that uses a fundamental rights-oriented approach to deal with all aspects of migration from cause to effect. Only in this way can we ensure respect for the inviolable right to human dignity.

### **Building an inclusive society to the advantage of all**

As intolerance and extremism have grown in many countries across the EU, the situation of migrants living and working there has become increasingly vulnerable. Efforts to actively promote migrant inclusion into EU societies, as well as to combat rac-

ism and xenophobia, need to be guided by fundamental rights and the EU values of equality, pluralism, non-discrimination, diversity, and social cohesion.

A proactive approach that builds on these values and promotes inclusion can help to reduce racial discrimination and intolerance, dispel tension, and strengthen security. Protecting fundamental rights is important to empower migrants and thereby provide them with the tools to lead economically productive lives that are to the advantage of everyone in the EU. Strengthening the EU as an area of strong fundamental rights protection will ensure that the EU continues to remain an attractive region for high skilled workers as well as for essential services, and a space of freedom, security and justice for all.

### **The conference discussions will build on FRA's reports on migration, asylum and borders, including the new reports on the fundamental rights situation at the EU's air and land borders.**

- ['Fundamental rights at Europe's southern sea borders'](#)
- ['Detention of third country nationals in return procedures'](#)
- ['Criminalisation of migrants in an irregular situation and of persons engaging with them'](#)
- ['Coping with a fundamental rights emergency - The situation of persons crossing the Greek land border in an irregular manner'](#)
- ['Fundamental rights of migrants in an irregular situation in the European Union'](#)
- ['Guardianship for children deprived of parental care - A handbook to reinforce guardianship systems to cater for the specific needs of child victims of trafficking'](#)
- ['Handbook on European law relating to asylum, borders and immigration'](#)
- ['Inequalities and multiple discrimination in access to and quality of healthcare'](#)
- ['European Union Minorities and Discrimination Survey \(EU-MIDIS\) Main Results Report'](#)
- ['Racism, discrimination, intolerance and extremism: learning from experiences in Greece and Hungary'](#)

# RIGHTS

FUNDAMENTAL RIGHTS CONFERENCE 2014

Fundamental Rights  
and Migration to the EU

10/11 NOVEMBER 2014, ROME

## PROGRAMME

### MONDAY, 10 NOVEMBER 2014, CHAMBER OF DEPUTIES

12.30 – 14.00

#### REGISTRATION AND WELCOME COFFEE

Entrance: Via Campo Marzio 78, Nuova Aula dei Gruppi Parlamentari, Palazzo Montecitorio, Chamber of Deputies

14.00 – 14.30

#### WELCOME

Laura Boldrini, President of the Chamber of Deputies, Italy

Morten Kjaerum, Director, FRA

14.30 – 15.00

#### KEYNOTE ADDRESS

Benedetto della Vedova, Senator, Undersecretary of State at the Ministry of Foreign Affairs, Italy

Dimitris Avramopoulos, EU Commissioner for Migration, Home Affairs and Citizenship

Prince Zeid Ra'ad Al Hussein, UN High Commissioner for Human Rights (video message)

15.00 – 16.00

#### Ensuring the rights of migrants in the EU: from vulnerability to empowerment

Presentations by:

Nils Muiznieks, Commissioner for Human Rights, Council of Europe

Aydan Özoguz, Minister of State, Commissioner for Immigration, Refugees and Integration, Germany

Ardalan Shekarabi, Minister for Public Administration, Ministry of Finance, Sweden

16.00 - 16.30

#### COFFEE BREAK

16.30 – 18.00

#### PANEL DEBATE:

Towards a fundamental rights-based approach to migration and integration: from arrival to inclusion

Focus:

A discussion on the fundamental rights challenges in the area of migration, from arrival to inclusion in the societies of the EU. How can a fundamental rights based approach to migration contribute to the EU's future? The panel will also address EU and Member States' responses to migration and migrant integration policies: how to ensure that such policies are fundamental rights-compliant and compatible with the vision for a cohesive EU society oriented to inclusive growth?

Introduction to the panel debate by **Rainer Münz**, Head, Research and Knowledge Center, Erste Group Bank

**Panellists:**

**Iliana Iotova**, Vice-Chair of the Committee on Civil Liberties, Justice and Home Affairs, European Parliament

**Nicola Anecchino**, Legal Adviser to the Director-General, DG HOME, European Commission

**Giuseppe Iuliano**, Vice President of the External Relations Section, European Economic and Social Committee (EESC)

**Raphaël Sodini**, Councillor for immigration and asylum, Cabinet of the Minister of the Interior, France

18.30

Shuttle to venue of day II (buses departure from [Piazza Colonna](#))

20.00

RECEPTION

# RIGHTS

FUNDAMENTAL RIGHTS CONFERENCE 2014

Fundamental Rights  
and Migration to the EU

10/11 NOVEMBER 2014, ROME

**TUESDAY, 11 NOVEMBER, THE INTERIOR MINISTRY SCHOOL OF ADMINISTRATION**

**08.30 - 09.00**

Registration (late comers only)  
*Scuola Superiore dell'Amministrazione dell'Interno (S.S.A.I.)*  
*Via Veientana, 386 - 00189 Roma*

**09.00 - 10.30**

**PANEL DEBATE:**

**Fundamental rights challenges and considerations in the field of migration, border management, asylum and migrant integration**

Focus:

A discussion on key fundamental rights challenges and considerations that need to be taken into account in the field of migration, asylum, border management and migrant integration, when implementing the *Strategic Guidelines for legislative and policy planning in the area of freedom, security and justice*.

Welcome address by **Mario Morcone**, Prefect, Chief of the Department of Civil Liberties and Immigration, Ministry of Interior, Italy

Introductory contribution by **William Lacy Swing**, Director General, International Organisation for Migration (IOM)

**Panellists:**

**Eva Åkerman Börje**, Swedish Ambassador for Global Cooperation on Migration and Development

**Nicolas Beger**, Director, Amnesty International European Institutions Office

**Vincent Cochetel**, Director, Bureau for Europe, UNHCR

**François Crépeau**, UN Special Rapporteur on the Human Rights of Migrants (video-message)

**Samuel Azzopardi**, Mayor of Victoria, Gozo, Commission for Citizenship, Governance, Institutional and External Affairs (Civex), Committee of the Regions

**10.30 - 11.00**

**TESTIMONIES:**

**Özlem Sara Cekic**, Member of Parliament, Danish Socialist People's Party

**11.00 - 13.00**

**WORKING GROUPS (in parallel)**

**Working group I: A rights-based approach to border surveillance, including cooperation with third countries**

**Chaired by: Giovanni Pinto**, Director of the Central Unit for Immigration and Border Police Management, Public Security Department, FRONTEX Management Board, Italy

Focus:

The discussion will focus on cooperation with border management authorities of third countries, as well as border surveillance activities at the EU's land and sea borders. The *Task Force Mediterranean* lists cooperation with third countries as one of the most effective ways to tackle irregular migration.

Building upon FRA's previous work, the working group will discuss means of ensuring that fundamental rights are upheld in joint operational activities with third countries in the context of land and sea border surveillance. The working group will also address the fundamental rights challenges emerging in the context of information exchange with third countries under Eurosur, the use of EU funds by third countries, and the difficulties of ensuring adherence to the principles of non-refoulement and prohibition of collective expulsion.

# RIGHTS

FUNDAMENTAL RIGHTS CONFERENCE 2014

Fundamental Rights  
and Migration to the EU

10/11 NOVEMBER 2014, ROME

## Panellists:

- **Charmaine Hili**, Policy Officer, Unit Border Management and Schengen Governance Relations with Frontex, DG HOME, European Commission
- **Inmaculada Arnaez Fernandez**, Fundamental Rights Officer, FRONTEX
- **Francesca Friz-Prguda**, Representative in Spain, UNHCR

## Working group II: Smuggling as a means of last resort to enter the EU

**Chaired by:** Tineke Strik, Member of Migration Committee, Parliamentary Assembly of the Council of Europe (PACE)

### Focus:

Due to the limited possibilities of entering the EU legally, migrants and people seeking protection often fall prey to criminal organisations that abuse and exploit them in return for promises to transport them into the EU. The working group will discuss means of combating smuggling from a law enforcement, fundamental rights, and law of the sea perspective. Using the findings and analysis of FRA's paper *Criminalisation of migrants in an irregular situation and of persons engaging with them*, the working group will also debate ways of ensuring that rescue and provision of humanitarian assistance are excluded from punishment. The large numbers of smuggled people and irregular arrivals have given rise to calls for EU solidarity, relocation and exploring legal ways to access Europe. The workshop will therefore also discuss resettlement and possible protected entry mechanisms. Limited resettlement opportunities challenge the capacity of regional protection programmes, but resettlement and protected entry are integral parts of any refugee policy.

## Panellists:

- **Kris Pollet**, Senior Legal and Policy Officer, ECRE
- **Simona Ardovino**, Policy Officer, Unit Immigration and Integration, DG HOME, European Commission
- **Morgane Nicot**, Crime Prevention and Criminal Justice Officer, UNODC
- **David Hammond**, Founder HRAS & Barrister-at-Law, Human Rights at Sea
- **Thomas Spijkerboer**, Professor of Migration Law, Vrije Universiteit Amsterdam

## Working group III: Protection of children in the context of migration and asylum

**Chaired by:** Margaret Tuite, Coordinator for the Rights of the Child, DG JUST, European Commission

### Focus:

Children leave their country of origin for the EU or move within the EU for reasons of survival, security, improved standards of living, education, economic opportunities, protection from exploitation and abuse, family reunification or a combination of these factors. They may travel with their family, with non-family members, or entirely on their own. They may be seeking asylum, have become victims of trafficking, or be undocumented migrants. The status of children on the move may differ at various stages on their journey, and they may find themselves in many differing situations of vulnerability.

This workshop will discuss ways of adequately reflecting international child protection standards in border procedures, particularly with regard to identification and immediate referral and temporary representation arrangements. The discussion will also address challenges related to reception and detention practices, 'best interest' considerations within transfer and return procedures, as well as issues related to transnational cooperation between national authorities in this regard. The workshop takes place against the backdrop of preparatory work for the forthcoming European Commission Communication on integrated child protection systems, and will build on FRA's handbook on Guardianship for Child Victims of Trafficking and selected findings from FRA's work on border crossing points.

# RIGHTS

FUNDAMENTAL RIGHTS CONFERENCE 2014

Fundamental Rights  
and Migration to the EU

10/11 NOVEMBER 2014, ROME

## Panellists:

- **Verena Knaus**, Senior Policy Advisor, Brussels Office, UNICEF
- **Petros Stagos**, Vice-President, European Committee of Social Rights, Council of Europe;
- **Delphine Moralis**, Secretary General, Missing Children Europe
- **François Bienfait**, Head of the Centre for Training, Quality and Expertise, EASO
- **Jan Jařab**, Regional Representative for Europe Office, OHCHR

## Working group IV: Migrant integration in the EU: a fundamental rights' perspective

**Chaired by:** **Han Entzinger**, Professor of Migration and Integration Studies, Erasmus University Rotterdam, FRA Scientific Committee

### Focus:

The ultimate objective of policies aiming at the social inclusion and integration of migrants is full social participation, irrespective of ethnic, racial, national or any other identification or background. In order to ensure that everyone can fully enjoy all fundamental rights, we need to promote effective rights safeguards in the development, implementation and assessment of EU policies in the field of migrant integration.

This workshop will discuss concrete and practical steps needed to bring the fundamental rights perspective to the fore in integration policy. The discussion will examine the policies of social inclusion and migrant integration in the EU that work towards the targets of the EU 2020 Strategy for Smart, Sustainable and Inclusive Growth in the light of fundamental rights standards. The working group will suggest feasible ways to assess, monitor, support and promote national migrant integration policies on a timely and consistent basis that are guided by fundamental rights, boosting the EU's economies as well as social cohesion.

### Panellists and experts' contribution:

- **Chiara Adamo**, Head of Unit, Fundamental Rights and Rights of the Child, DG JUST, European Commission
- **Pedro Lomba**, Secretary of State Assistant to the Minister in the Cabinet of the Prime Minister and for Regional Development, Portugal
- **Elizabeth Collett**, Director, Migration Policy Institute Europe
- **Claire Courteille**, Director, ILO-Brussels
- **Walter Kindermann**, General Director for Integration Affairs, Hessian Ministry for Social Affairs and Integration
- **Thomas Huddleston**, Central Research Coordinator of the Migrant Integration Policy Index (MIPEX), Migration Policy Group
- **Christine Nanlohy**, Policy adviser, European Network of Migrant Women

## Working group V: Equal treatment and participation for more inclusive and pluralist societies

**Chaired by:** **Marco de Giorgi**, Director General, UNAR, Italy

### Focus:

Equal treatment irrespective of ethnic, racial, national or any other identification or background and equitable participation in social and political life are important aspects of migrant integration in the EU. However, the implementation of such policies faces considerable challenges because of negative stereotypes and misperceptions about migrants and diversity.

This workshop will explore ways of building more inclusive societies that will encourage and benefit from the participation of everyone living in them. In this context, participants will discuss how to increase the participation of third-country nationals and their descendants in social and political life, especially at the local level. The workshop will also debate means of addressing negative stereotypes about migration and asylum, as well as how to foster the inte-

# RIGHTS

FUNDAMENTAL RIGHTS CONFERENCE 2014

Fundamental Rights  
and Migration to the EU

10/11 NOVEMBER 2014, ROME

gration of younger generations with migrant descent in order that they can develop diverse and multicultural identities.

## Panellists and experts' contribution:

- **Juan Gonzalez Mellizo**, Team Leader, Non-discrimination policies and Roma coordination, DG JUST, European Commission
- **Nikos Sitaropoulos**, Deputy to the Director and Head of Division, Office of the Council of Europe Commissioner for Human Rights
- **Matteo Lepore**, Vice-President, ECCAR, Bologna
- **Jean-Paul Makengo**, Regional Counsellor, Region Midi-Pyrénées, France
- **Anna Triandafyllidou**, Professor, European University Institute
- **Viorica Nechifor**, President, Associazione Nazionale Stampa Interculturale (ANSI)
- **Anna Ludwinek**, Research Manager, Living Conditions and Quality of Life Unit, Eurofound

13.00-14.00 LUNCH

### 14.00 -14.30 Presentation of FRA's new reports

- **Fundamental rights at airports:** border checks at five international airports in the European Union
- **Fundamental rights at land borders:** findings from selected European Union border crossing points

### 14.30-16.00 REPORTING FROM THE WORKING GROUPS

16.00-16.30 COFFEE BREAK

### 16.30-17.00 CONCLUSIONS

**Angelino Alfano**, Minister of the Interior, Italy  
**Maija Sakslin**, Chairperson of the FRA's Management Board

*Some changes to the conference programme are possible. Apologies for any inconsistencies*