

Migration and the Humanitarian Space in Europe

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OVERVIEW

Migration to Europe is a phenomenon that has dominated public and media discourses for some time. State and regional level responses to the needs of people on the move have thereby prioritized security over humanitarian interests. It is mainly the civil society actors, solidarity movements, and NGOs that have filled the gap and stepped in to provide assistance and protection. Especially the obstacles to civil maritime search and rescue operations have been widely discussed in the media. But the space for humanitarian action is also challenged on land. What are the factors that affect the humanitarian space in Europe? How can humanitarian actors act in a restrictive environment in which providing life-saving assistance to and protection of people on the move is criminalized? Which perspectives and solutions are thinkable and how can the different actors engaged in humanitarian action in the context of migration join forces to overcome these obstacles and reclaim the space for humanitarian action?

During this roundtable discussion, both the Centre for Humanitarian Action (CHA) and Groupe URD provided input and perspectives to enhance further discussion on these questions, as well as to identify potential solutions. The presentations were followed by a discussion moderated by **Sonja Hövelmann**, Research Fellow at CHA. Participants came from a wide range of (I)NGOs, intergovernmental organisations, universities and think tanks such as Borderline Europe, UN Habitat, IOM, SOS Mediterranee, SeaWatch, the German Red Cross, Amnesty International, Hertie School of Governance, Diakonie Katastrophenhilfe, Maecenata Foundation, Medair, Cadus, the German Institute for International and Security Affairs (SWP) and more.

Dr. Kristina Roepstorff, Research Fellow at CHA, author of the paper *Migration and the Shrinking Humanitarian Space in Europe* (2019), reflected on the factors that shape the Humanitarian Space in Europe. She suggested the analytical concept of humanitarian space as a complex political, military and legal arena in which a variety of actors interact, struggle over legitimacy and seek access to people on the move. This perspective on 'contested' space helps to better understand the particular political environment, legal and policy frameworks, power relations and strategies of various actors that shape the space for humanitarian action. Criminalisation, the politicisation of aid as well as defamation campaigns and attacks on aid workers lead to a shrinking of this space, ultimately limiting the access to people on the move

in need of humanitarian assistance and protection. From her field experience in Lampedusa, she exemplified this in reference to ports as humanitarian arenas, disembarkation procedures as new humanitarian practice and the functioning of migration processing centres where humanitarian logics become entangled with security concerns.

Valérie Léon, researcher, evaluator and trainer at Groupe URD, author of the study *Solidarity and Migratory Flows* (2018), first described the new pattern of 'mixed migration' flows and focused on the challenge of assisting and protecting people on the move across European countries. At the end, this practice questions the *modus operandi* of a variety of aid actors and the possibilities for collaboration among those, ranging from established organisations to vernacular, citizen-based movements and local authorities. She shared the results of her study on France, underlining the potential tensions between a common ground of values and principles (for instance, the imperative of alleviating suffering and the unconditionality of help) and the protection levels currently reached in Europe. This led her to point out the contradictions of public policies within the European context, where security trumps over humanitarian concerns. She stressed the importance of coordination, and possible room for cooperation, between public authorities and aid actors, notably by striking the right balance between delivery of aid and advocacy strategies.

DISCUSSION

Several questions were laid out to guide the discussion:

- **What are the factors that shape the humanitarian space in Europe?**

Questions on what 'shrinking' humanitarian space is and whether it ever existed or whether there is a migration policy crisis in Europe were posed. Some touched upon terminological issues and consistency (difference between classical humanitarian responses, humanitarian action and solidarity). Herein, the arena-approach, which investigates dynamics and redefines the space, could offer some analytical guidance. In the discussion it was stressed that building bridges between families of actors and the search for common ground is crucial for defending the humanitarian space in Europe. Another aspect mentioned was the quality of services offered by different kinds of actors and the possible effects of constrictive migration policy, complicating integration. When dialogue and collaboration between actors with different values, mandates and objectives are not possible, pilots and experiments for informal cooperation could still be imagined and put in place.

- **What are barriers for humanitarian action or social protection in Europe and what kind of strategies do and could they use to overcome it?**

A point that was raised is whether it makes sense to speak of humanitarian action in Europe at all. It was suggested that Europe, where states have the capacity to respond to the needs of people on the move, was not to be considered a humanitarian context. People seem to be cautious with the label of humanitarianism when it comes to European countries – a controversial point that was discussed. Moreover, in Europe, hesitant response by established humanitarian actors was observed whilst a variety of other actors ('first responders') directly

and massively responded to the emerging crisis in the Mediterranean, for example on the Greek islands. Whether the Global Compact on Migration could provide a suitable framework for a better response was another point that was controversially discussed. The EU's Hotspot approach and the entanglement of security and humanitarian logics within the same was an issue that was brought up several times. With plans to enhance this approach in the future, humanitarian organisations will have to position themselves and decide on their involvement in this migration management policy that poses the risk of undermining the core humanitarian principles. Some participants mentioned the ongoing evolution and trend of closing migration facilities in their various formats, as well as the politicisation of aid.

- **How can there be more cooperation between actors?**

The balance between delivering aid, i.e. providing for basic needs and fundamental rights and engaging in advocacy calls for a complementarity of actors. Among various organisational 'bubbles' there seems to be little interaction and a lack of trust. It was pointed out that current practices of migrant management, such as the establishment of migration processing centres outside of Europe, may lead to a lowering of humanitarian standards for assistance and protection of migrants in countries of origin and transit. Other aspects mentioned were the absence of business actors at the roundtable event, whose importance was stressed; the legal component of this discussion which remained underexposed; and the impact of financial flows from public funds and various institutions on funding conditionality, stressing the interwovenness of politics and aid again.

WAYS FORWARD, REFLECTION, ACTION

- Overcome the semantic battle: solidarity versus humanitarianism, establish (room for) dialogue.
- Focus on a collective strategy: attentiveness towards how aid actors and public authorities in Europe can position themselves. This requires a clarification of their respective roles and opportunities for cooperation and collaboration – in line with human rights obligations and humanitarian principles.
- Formulate charter of common values between diverse actors: build bridges between various aid stakeholders, humanitarian organisations and public and political authorities to establish norms and practices and new partnerships herein.
- Enhance understanding of the *modus operandi* of citizen and solidarity movements for better and stronger collaboration in the future.
- Understand current entanglement of and differences between security and humanitarian logics, to withhold the risk of further politicisation of aid.
- The invisibility of highly mobile people, and thus the difficulty for identifying their priority needs must be countered. This in turn should facilitate access to assistance and the fulfilment of fundamental human rights.