

# **Terre des Hommes** International Federation

*For children, their rights  
and equitable development*

## **To the attention of:**

Baroness Catherine Ashton, High Representative of the Union for Foreign Affairs and Security Policy  
Vice-President of the European Commission  
European External Action Service  
1046 Brussels  
Belgium

Mrs Kristalina Georgieva  
Member of the European Commission  
Commissioner for International Cooperation Humanitarian Aid and Crisis Response  
B-1049 Brussels Belgium

Mrs Cecilia Malmström  
Member of the European Commission  
Commissioner for Home Affairs  
B-1049 Brussels Belgium

10th September, 2013

Re: Appeal for substantial increase of humanitarian aid and asylum capacities in EU Member States for victims of war in Syria

Dear Baroness Ashton,  
Dear Commissioner Georgieva,  
Dear Commissioner Malmström,

We are writing on a matter of global urgency.

The war in the Syrian Arab Republic (Syria) killed more than 100.000 people and so far forced six million people or nearly one-third of the country's pre-war population to abandon their original homes since fighting began in March 2011 (UNHCR). Of those, over 4.25 million people have remained displaced inside Syria. The number of refugees who have fled from Syria into neighboring countries has surpassed two million. Half of the IDP's and refugees are children, UNICEF says.

#### **International Secretariat**

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*An international non-governmental network in consultative status with the United Nations ECOSOC, UNICEF, the ILO and the Council of Europe.*

Most probably the war will not end in the near future, but create even more victims.

Considering internal displacement adds an important dimension to the current debate surrounding Syria which must be recognised by the international community, the Syrian government and the media. Hundreds of thousands of men, women and children are being forced from their homes and livelihoods by the current violence, hunger and dehydration and, in many areas, have almost no access to international humanitarian relief.

Terre Des Hommes organisations - from Switzerland (Lausanne), Italy, Netherlands and Germany – are mobilizing increasing resources to deliver emergency aid, medical assistance, food distribution and psychological support for refugee children in Syria, Lebanon and Jordan.

Terre Des Hommes joins the plea for the safe passage of civilians within Syria and across its borders and calls in all possible channels for increased access and a strengthened presence of international humanitarian workers on the ground. Terre Des Hommes advocates for the separation of humanitarian and political tracks to facilitate access to those in need remains a priority and advocates for countries neighboring Syria to maintain open borders in line with international humanitarian law principles for the passage of all civilians without distinction, and facilitate the work of humanitarian actors where necessary.

The European Union (EU) community is laudably the largest provider of humanitarian aid in the world and specifically in the actual context of the war in Syria.

The crisis in Syria has led to significantly increased asylum applications by Syrians, most of them in Germany and Sweden. To date 42'000 Syrians have found refuge in EU Member States.

The twenty-eight EU Member States, together with others non-EU countries in Europe are progressively building a Common European Asylum System..

Nevertheless, variations in refugee protection systems abound, and while some countries may receive only a few asylum applications in a year, others register close to 50,000.

Migration and refugee movements to Europe pose challenges in terms of ensuring that border controls are protection-sensitive and national asylum systems are in line with international norms. The UN Committee on the Rights of the child has recently issued 35 recommendations on the specific issue of children in the context of international migration, including refugee children.<sup>1</sup> Building on this, ensuring access to fair and efficient protection and asylum systems for children and families is therefore an urgent concern of its international campaign “Destination Unknown” to protect children on the move ([www.destination-unknown.org](http://www.destination-unknown.org)). We also call on your capacity to persuade States

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<sup>1</sup> Committee on the Rights of the Child report of the 2012 Day of General Discussion - The rights of all children in the context of international migration.

to abolish the use of detention of minors and provide support to unaccompanied and separated children.

Terre Des Hommes works closely with EU Member States, EU institutions and other stakeholders to support the operation of national asylum systems and develop protection measures with a focus on children and based on solidarity and responsibility-sharing. On a EU policy level, TDHIF has provided policy expertise to MEP Griesbeck, Rapporteur on a Report on Unaccompanied Children for to EP Committee on Civil Liberties, Justice and Home Affairs (LIBE) on the situation of unaccompanied minors in the EU to be adopted this week at the European Parliament.

Economic difficulties have cut into the availability of State services for the reception and integration of refugees. Terre Des Hommes also remains concerned about incidents of racism and xenophobia directed at refugees and follows the specific situation of minors. As other civil society organisations, Terre Des Hommes considers it has a responsibility in raising the awareness of the general public about the plight of displaced children.

A difficult economic situation and the growth of negative attitudes towards foreigners have prompted stricter policies towards asylum in some areas. In the case of the Syrian crisis, the popular support for restrictive policies is undermining political support for efforts to establish more equitable responsibility-sharing mechanisms and solidarity with the main countries of refuge of Syrian population: Turkey, Jordan, Iraq, Lebanon and Egypt.

Following the Recast of EU Asylum Package, high priority has to be given to working with national authorities and European institutions to ensure protection-oriented implementation of the changes. Funding mechanisms have to be developed for local support to ensure quality decision making aiming not only at the correct application of legal standards, but also at ensuring age- and gender-appropriate procedures.

Continued reliance on the Dublin II Regulation to determine the State responsible for assessing an asylum claim, as well as the use of readmission agreements with countries outside the Schengen and Dublin II countries, raises questions about whether acceptable protection standards and adapted standards for children are being met in all countries concerned.

In dialogue with European institutions and often within network of civil society organisations, Terre Des Hommes reports on different aspects of national asylum systems. Terre Des Hommes's work has also been focusing on children victims of trafficking, durable solutions and advocacy to stop the use of detention with regard to "children on the move" in need of international protection.

We welcome developments over the years in European policies: children, adolescents and youth in the context of migration are becoming more visible in European and global discussions, in policy implementation initiatives and in country programmes. Very importantly, this moves beyond a protection agenda, to base the approach to children in

the context of migration on a comprehensive human rights-based, gender-sensitive approach, with a focus on equity.

We welcome unprecedented efforts by some states to allocated resources and engage politically in improving the situation of the rights of children in the Syrian war context.

However, EU Member States are only granting refuge to 42'000 Syrians, a mere 0,002% of Syrian refugees. Terre Des Hommes urgently calls the EU Member States to share the burden concerning the asylum seekers coming from Syria.

In addition, despite being bounded by the Convention on the Rights of the Child, states including EU Member States do not consider every child involved in international migration first and foremost as a child. Today, Child Rights are still largely absent in migration policies and practices and directly violated by some national laws. This situation generates even more urgency for change in situations such as the one of Syrians fleeing their country.

We recall that States have a clear legal framework obliging them to guarantee all the rights enshrined in the Convention on the Rights of the Child to *all* children under their jurisdiction regardless of status. All EU Member States have ratified the Convention on the Rights of the Child.

We focus here on two changes most urgently needed in current policies and practices:

1. A child must be guaranteed access to services, protection and justice regardless of migration status and
2. Immigration detention of children must stop.

The EU community is laudably the largest provider of humanitarian aid in the world and specifically in the actual context of the war in Syria.

In the context of the Syrian war our two advocacy messages and awareness efforts within our constituencies are

1. *Call on the European Union and the governments of EU countries to increase humanitarian aid for victims of the Syrian war*

Terre Des Hommes recognises that EU is the largest donor by far. The total committed EU humanitarian assistance now stands at over € 1 billion (over € 493 million from Member States and € 515 million from the Commission). This includes the pledges delivered after the donors' conference in Kuwait in January. Considering other non-humanitarian EU instruments and in-kind assistance, total funding from the EU in response to the crisis is more than € 1.3 billion.

Nevertheless, the United Nations' appeal calling for US\$4.4 billion in total (7th June), to provide humanitarian aid to Syria and neighboring countries still has unmet requirements of 60%<sup>2</sup>.

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<sup>2</sup> Revised Syria Humanitarian Assistance Response Plan: funded at 43% and Revised Syrian Regional Response Plan (Lebanon, Jordan, Turkey, Iraq and Egypt) : funded at 37%).

2. Call on politicians, inside and outside the EU, to think about our responsibilities and immediately increase the asylum capacities in their countries for refugees from Syria.

European states should not only continue safeguarding international protection space and building effective asylum systems but increase its capacity to welcome more refugees from Syria. Following the Recast of EUAsylum Package, high priority has to be given to working with national authorities and European institutions to ensure protection-oriented implementation of the changes. Funding has to urgently be channeled for local support to ensure an increase in offering asylum and in ensuring quality decision making aiming not only at the correct application of legal standards, but also at ensuring age- and gender-appropriate procedures.

It is imperative that the EU takes the lead to ensure that children on the move fleeing conflicts such as the one in Syria are accorded their full rights under the Geneva Conventions and IHL and specifically as per the Child Rights Convention.

Please do not hesitate to contact us if you require any further information. We plan to provide you, under separate cover, with more detailed information regarding the focus on the obligations under the Child Rights Convention, the specific demands of the Destination Unknown Campaign ([www.destination-unknown.org](http://www.destination-unknown.org)) and the recommendations of the Committee on the Rights of the child following the 2012 Day of General Discussion.

Sincerely,



Ignacio Packer

Secretary General  
Terre Des Hommes International Federation

CC :

Head of Commissioner Cecilia Malmstrom's Cabinet: Mme Maria Asenius

Head of Commissioner Kristalina Georgieva's Cabinet: Mr Hervé Delphin

Head of High Representative of the EU for Foreign Affairs and Security Policy Ashton's Cabinet: Mr James Morrison

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