

UNHCR's reaction to Statement of the EU Heads of State and Government of Turkey, 7 March

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This is a summary of what was said by UNHCR spokesperson William Spindler - to whom quoted text may be attributed - at the press briefing, on 8 March 2016, at the Palais des Nations in Geneva.

UNHCR has taken note of the Statement of the EU Heads of State and Government of Turkey last night and we are concerned with some aspects of the proposal.

Turkey hosts close to 3 million refugees and has made enormous contributions for years and just recently adopted a work regulation for Syrian refugees, but, in light of the enormity of the task, still struggles to provide for all the basic needs of the swelling Syrian population. We welcome the EU's financial contribution to support Turkey and the refugee communities in Turkey.

As for the statement released yesterday after the meeting between EU and Turkey, UNHCR is not a party to it nor privy to all the details and modalities of implementation.

On the face of what appears to have been agreed, we are, however, concerned about any arrangement that involves the blanket return of all individuals from one country to another without sufficiently spelt out refugee protection safeguards in keeping with international obligations.

An asylum-seeker should only be returned to a third state, if (a) responsibility for assessing the particular asylum application in substance is assumed by the third country; (b) the asylum-seeker will be protected from refoulement; (c) the individual will be able to seek and, if recognized, enjoy asylum in accordance with accepted international standards, and have full and effective access to education, work, health care and, as necessary, social assistance.

Legal safeguards would need to govern any mechanism under which responsibility would be transferred for assessing an asylum claim. Pre-departure screening would also need to be in place to identify heightened risk categories that may not be appropriate for return even if the above conditions are met.

Details of all these safeguards should be clarified before the next meeting of the EU Council on 17 March.

On the resettlement point, we welcome of course any initiative that promotes regular pathways of admission for refugees in significant numbers from all neighbouring countries in the region - not just Turkey and not just Syrian refugees - to third countries. Europe's resettlement commitments remain however, very low compared to the needs (i.e. 20,000 places within 2 years on a voluntary basis). Easing family reunification is another important avenue to be pursued, and we hope that individuals returned to Turkey who have specific resettlement needs, such as family reunification, would be considered for the resettlement/admission programme to the EU.

The high-level meeting on global responsibility-sharing through legal pathways for admission of Syrian refugees, to take place in Geneva on 30 March will be a good opportunity to put the spotlight on this important aspect of responsibility sharing and we hope for concrete pledges.