

Live online consultation: Migrants in Crisis

Summary report of the online consultation event organized on 29 June 2015 by PHAP in collaboration with IOM and the NGO Committee on Migration in support of the World Humanitarian Summit

About this report

This report summarizes the outcomes of the online event organized by PHAP in support of the World Humanitarian Summit consultations on 29 June 2015.

The World Humanitarian Summit will take place in Istanbul in May 2016. The objective of the event – which will be the first-ever humanitarian summit of this scale and scope – is to set a future agenda for humanitarian action to ensure improved responsiveness to the changing humanitarian landscape in terms of greater needs, more diverse actors, new technologies, and political and economic shifts.

As the only individual-based professional association bringing together all parts of the humanitarian sector, PHAP's mission is to enhance the capacity of the global humanitarian community to respond effectively and professionally to current and future crises. PHAP's truly global network – including staff of local and international NGOs, intergovernmental organizations, the UN, the Red Cross and Red Crescent movement, academia, governmental agencies, and the private sector – can make important contributions to consultations and discussions, engaging as experienced professionals concerned with the future of humanitarian action as a whole.

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Live online consultation: Migrants in Crisis, 29 June 2015

Speakers

Mohammed Abdiker, Director, Department of Operations and Emergencies, International Organization for Migration (IOM)

John K. Bingham, Head of Policy, International Catholic Migration Commission (ICMC)

Facilitator

Angharad Laing, Executive Director, International Association of Professionals in Humanitarian Assistance and Protection (PHAP)

Executive Summary

On 29 June 2015, PHAP hosted a live online briefing and consultation event on the topic of “Migrants in Crisis.”¹ Supporting the World Humanitarian Summit consultations, the event was organized in collaboration with the International Organization for Migration (IOM) and the NGO Committee on Migration.

The event included a panel discussion and input from over 200 participants. Presentations were given by Mr. Mohammed Abdiker, Director of IOM’s Department of Operations and Emergencies, and the International Catholic Migration Commission’s (ICMC) Head of Policy, Mr. John K. Bingham. The session was moderated by Ms. Angharad Laing, Executive Director of PHAP. The focus of the consultation was to discuss migrants affected in situations of humanitarian crisis, proper humanitarian response, and specifically to raise awareness and create impetus for action regarding this topic.

Besides the above-mentioned presentations, the consultation also involved a Q&A session, a variety of interactive polls for participants, and a chat, where listeners could pose their questions and express their opinions regarding the topic.

There were a number of points that were of particular importance during the event, these being:

- The definition of crisis situations for migrant populations.
- The need to include migrants and migrants in crisis within the humanitarian agenda in order to prevent these populations from falling through the cracks of international humanitarian response systems, especially considering the growing number of migrants around the globe and the particular vulnerabilities migrants often experience as “foreigners” during crisis situations.
- Considerations to be made regarding upholding the human rights of migrants prior to, during, and after a crisis, and highlighting that the lack of rights prior to crisis can exacerbate vulnerability of migrants during and after a crisis.
- Recognizing the aptitude that migrants have to deal with risk and the importance of treating migrant groups as capable and with dignity, rather than helpless.
- The need to develop a systematic way in which governments, intergovernmental organizations, and civil society are able to deal with migrants facing crises.

As part of the Q&A session, three subjects were raised by the participants and discussed:

- The adequacy of the current legal framework that exists when it comes to dealing with crisis- affected migrants and what reforms or definitions may need to be included or altered.
- An evaluation of the migration crisis in the Mediterranean, specifically focusing on the way that the European Union and EU member states have been responding to the issue at hand.
- The most effective response mechanisms that the speakers have had experience with when it comes to assisting and protecting migrants in crisis.

1 A full recording of the event can be accessed at <https://phap.org/WHS-29Jun2015>

Panel Discussion

Presentations

Both speakers gave a brief presentation on the subject, in order to highlight the main issues regarding migrants in crisis, reflect on past experiences, and suggest possible solutions and outcomes.

Mohammed Abdiker highlighted that the Libyan crisis in 2011 triggered the need for the humanitarian system to deal with migration crises, and while it was not the first crisis where the need may have been identified, it is the one that compelled a formal state-led initiative to form and begin real discussion. Mr. Abdiker's presentation centered on four main points: 1) the specific vulnerability of migrants; 2) the variety of operating contexts, solutions and actors involved; 3) while evacuations are often the best option to protect migrants we ought to also address long-term consequences and the development impact of short-term solutions to migrants in crisis in general; and 4) the direct link between the human rights situations of migrants before the crisis and their vulnerabilities and exposure during the crisis.

The presentation highlighted the challenges and solutions to situations where migrants find themselves in crisis in the country of destination are extremely diverse. He stressed that experiences of major crises that impacted migrant populations have highlighted vulnerabilities that are specific to migrants, giving rise to numerous assistance and protection challenges. The point is not about creating a new category or status but to ensure that the specific needs of migrants during times of crisis are assessed and taken into account by all the different stakeholders. For example, some issues may stem from gender differences; access to the legal system depending on the migrants' legal situation in the country; the inability to leave the crisis zone to seek safety elsewhere mostly due to practical barriers; the capacity to help themselves and the willingness to leave,

typically for fear of losing assets or being unable to return to the country or place of work after the crisis subsides; becoming displaced to a different region in the country of destination; or crossing an international border to seek safety in a country which is not their country of origin. IOM is increasingly responding to situations of strandedness or humanitarian crises arising from mobility itself.

Mr. Abdiker called to strengthen the humanitarian response system to avoid migrants falling through the cracks. Mr. Abdiker spoke of the clear visibility of evacuation processes of migrants as a solution, and the lack thereof when it comes to follow-up after migrants have been returned to their homes – specifically the fact that they may find themselves in situations of poverty, unemployment, and debt. Countries already struggling with poverty and unemployment are

Participant poll highlights: What would be your ONE recommendation to better meet the needs of “voluntary” or economic migrants in humanitarian contexts?

“Engage migrants directly in such response.”
Programme Coordinator, intergovernmental organization, United States

“Set up information portals or lines for migrants.”
Humanitarian Affairs Officer, UN organization, Kenya

“Engage directly with migrants and keep families together.”
Capacity Building Advisor, Gibraltar

For a list of all participant responses, see Appendix A

now facing large numbers of migrants returning; these countries often lack appropriate policies to manage reintegration, leading to a destabilizing effect on local communities who had often relied on migrants' remittances as a source of income.

Mr. Abdiker underscored that if migrants' human rights are limited prior to when a crisis hits, they are likely to find themselves more vulnerable during and afterwards. To this end, he called for multi-lateral action among a broad framework of operational actors, such as governments, intergovernmental organizations, potential employers and the diaspora, which would involve appropriate domestic legal frameworks, strong social protection, and applying international norms.

Mr. Abdiker concluded that the issue of migrants in crisis requires a broad framework including both humanitarian and development solutions, where operational actors like IOM, destination, transit and origin countries, employers, migrants associations and diaspora groups work together to factor migrant populations into crisis response. IOM has developed the Migration Crisis Operational Framework to look at all interrelated aspects of vulnerability of migrants and other vulnerable mobile populations and communities.

John K. Bingham welcomed the discussion and highlighted the need to have a systematic humanitarian response to situations of migrants in crisis, corresponding to each vulnerability and type of situation that migrants find themselves in. He also underscored the imperative of recognizing migrants as persons with dignity and resourcefulness, before during and after crises, and not assuming that migrants are simply helpless or vulnerable.

Participant poll highlights: How would you recommend that migrants be more empowered to improve possible preparedness for or resilience to the shocks they would suffer during a crisis?

"Give realistic solutions and long term solutions, we should learn from history, migration is not a short term item, most people once they start to be migrant, they never go back HOME."

Programme Assistant, Research and Policy Center, Austria

"Inform them about their rights, who to contact in case of crisis, maintain a relation with their embassies or with IOM country offices."

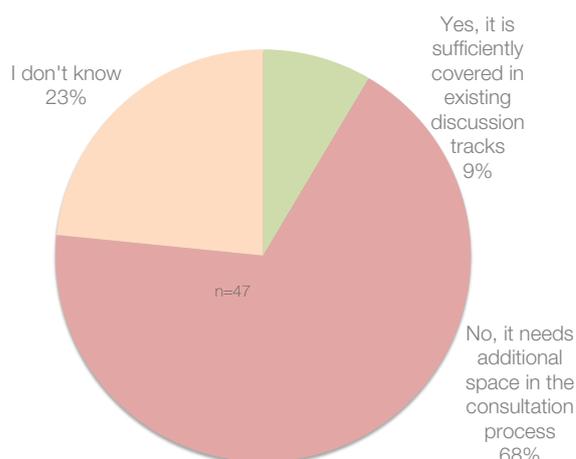
Emergency Coordinator, intergovernmental organization, Turkey

"Migrants should be part of the planning and solution making process. They should feel as part of the process and not left out. That builds their confidence and need to think of creative ways of helping themselves. Solution should be cooked with them."

Communications Officer, Ghana

For a list of all participant responses, see Appendix B

Participant poll:
Is the issue of migrants in crisis sufficiently covered in the World Humanitarian Summit consultations?



His remarks focused on three main points. He pointed out that there has been progress in elaborating a definition of crisis in relation to humanitarian response and migrants, and an increasing focus within the international agenda on the issue of migrants in countries experiencing conflict or natural disasters. To this end, Mr. Bingham expressed a broad concern of civil society actors globally that migrants facing crisis in transit situations also must be included in the definition and the agenda – urgently – for more consistent humanitarian response to migrants in crisis. Citing numbers and suffering of migrants in such transit situations comparable to those in conflict and disaster situations, and common usage of the term “humanitarian crisis” to describe them all, he stated that such situations also require real rescue, needs-first humanitarian assistance and protection, and then careful differentiation among migrants for referral according to further specific rights that many have under the great number of widely-ratified conventions (e.g. as refugees, children, or victims of human trafficking).

With that sense of the similarity of humanitarian urgency, rights, and need for response cross-

Participant poll highlights: What are some of the most promising protection and assistance measures provided to migrants caught in crisis that you have seen or experienced as humanitarians?

“Issuing work permits while migrants are seeking adjudication on their cases.”

Law Student, United States

“If they are to go back to their countries of origin, resettlement mechanisms should be more rapid for these groups.”

Head of Office, intergovernmental organization, Philippines

“Coordinated response between service provider/humanitarian assistance organizations on the ground. Involving Diasporas and host communities in the process of educating receiving communities on the needs and contributions of immigrants.”

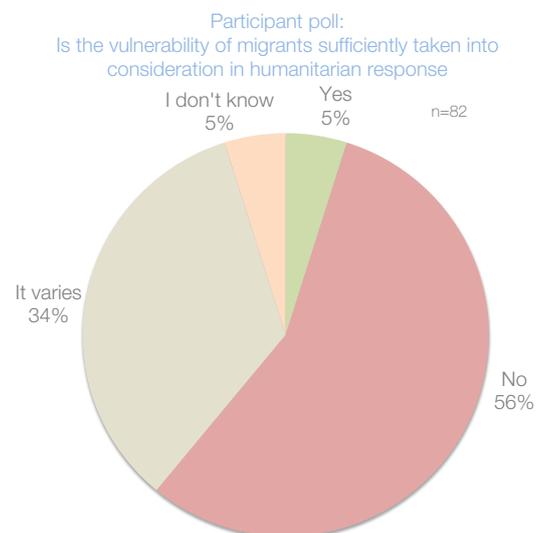
Project Coordinator, NGO, United States

For a list of all participant responses, see Appendix C

cutting these crisis situations, he enthusiastically welcomed the process and consultations being organized by the US and Philippines for their initiative on “Migrants in Countries in Crisis”, but encouraged a widening of focus to include similar humanitarian response to migrants in transit crises as well.

Mr. Bingham’s second point regarded the distinct vulnerabilities of migrants. As a starting point, not all migrants are in crisis or vulnerable all the time; many have skills, great resourcefulness and capacities – including migrant and diaspora networks – that they bring to bear in crisis situations. Across the board, however, the greater their rights in normal times, the better they will fare during crises. Otherwise migrants’ situation will worsen in crisis situations including through discrimination, or being left behind or isolated. He stressed that migrants are widely isolated or invisible in decision-making and implementation of humanitarian response, citing that there is no cluster on migrants, no single global governance of migrants, and no mention of migrants in the MDGs, though that will likely change in the new SDG formulation.

Mr. Bingham’s final point focused on three possible solutions that he considers imperative when dealing with situations of migrants in crisis. First was the need to recognize migrants’ own abilities to manage risk and become first responders in crisis situations. Migrants are not merely helpless victims but oftentimes first responders in situations of crisis. Second was finding the balance between understanding the resourcefulness of migrants in crisis situations – specifically through the diaspora, faith-based groups and their personal networks – while not undermining the need for outside assistance or assuming these resources to be a fully autonomous response to crisis situations. In this regard, he highlighted the importance of dialogue with migrants, that migrants must be involved in the design of humanitarian response and engaged in direct humanitarian action as partners. Finally, and in tune with Mr. Abdiker’s presentation, Mr. Bingham once more highlighted the fact that upholding the rights of migrants prior to a crisis has a strong impact on defining the level of vulnerability during and after a crisis situation – i.e., the more secure their rights in ordinary times, the greater their ability to help themselves during crisis.



Q&A

The panel discussion continued with questions submitted by the event participants.

Question 1: Do you believe that the existing international legal framework on refugees and asylum seekers is robust enough to respond to the existing migration crisis? If not, what changes do you think are needed in order to make it more effective?

Question 2: Could a solution be to reform existing international protocols, such as the 1951 refugee convention, to include certain kinds of migrants?

John K. Bingham responded that not only the refugee regime but the broader human rights framework is robust and clear about rights that are key to migrants in crisis, such as the right to life, health and freedom to move from danger, etc.,. However, those rights are not always accessible as such, especially for migrants and especially in crisis situations.

Mohammed Abdiker highlighted the need to differentiate between migrants in crisis situations and refugees. To this end, he said that it is important to understand that as there is an increasing number of migrants, there will always be migrants caught in crises. The current humanitarian structure through the Inter-Agency Standing Committee only focuses on refugees and IDPs, leaving migrants to fall through the cracks of the system.

Question 3: How do you evaluate the current EU response on the Mediterranean migration crisis? Do you see it as a unique situation or is it easier to draw parallels with other situations in the world.

Mohammed Abdiker stated that the current response mechanisms implemented by the EU could be better and that potential issues can arise as the result of militarizing the response which could further endanger vulnerable migrants. He specifically highlighted the fact that the EU is not necessarily trying to provide assistance to the various types of migrants coming in, instead putting up quotas, barriers to entry and threatening to revoke Schengen visas. On the other hand, Mr. Abdiker mentioned that there is currently momentum to start implementing a positive response, with one of the main issues on the table being ensuring the safety of asylum seekers, especially in situations when they are being smuggled or trafficked into the country.

John K. Bingham highlighted the fact that the current suffering and situation of migrants in the Mediterranean is shocking, but actually not unique to Europe and the region, as we see it in other waters and on land crossings, and have seen in before, e.g., in the 70s and 80s. He advocated for a range of responses as these are mixed groups of people with a range of specific vulnerabilities and rights. In his opinion, the real “crisis” here is a crisis of confidence, with some of the reactions going in exactly the wrong way, e.g., moving from search and rescue of boat people towards search and destroy of the boats. In spite of this, Mr. Bingham did mention that many of the response mechanisms being promoted by the EU in its new Agenda on Migration are quite positive and forward-thinking. However, he expressed concern over the fact that the full global community is not responding sufficiently to the crisis – that the failure to react is the crisis, not the movement of people itself. He recalled the Southeast Asia crisis

Participant poll highlights: How do you evaluate the EU response on the Mediterranean migration crisis?

What procedures should we use to select those migrants that are granted asylum and those who are not?

Lawyer, Cameroon

The EU should not invest further in deterrence, but rather in better response, i.e. search and rescue, and admission of refugees to Europe.

Policy adviser and campaign coordinator, INGO, Germany

I think it is a modern response and an example of current trends of European sentiments about migrants... moving away from compassion and towards security and self-protection.

Migration Policy Associate, International NGO, Canada

For a list of all participant responses, see Appendix D

a generation ago which prompted a Comprehensive Plan of Action, globally supported as a response to much larger numbers of boat people in that period, as a good example of what to do today.

Question 4: What are some of the most promising protection and assistance measures provided to migrants in crisis that you have witnessed that could be held as examples to move the conversation forward? The responses to this question were combined with concluding remarks.

Adding to his reference to the Comprehensive Plan of Action for the boat people of the 70's and 80's, **John K. Bingham** mentioned some specific protection and assistance measures: the Recommended Principles and Guidelines on Human Rights at International Borders published a few months ago by OHCHR alongside multiple partners; the "Frameworks for Action", including protection, stemming from the Protocols against human trafficking and migrant smuggling, by the UNODC, and the "10-Point Plan of Action on Refugee Protection and Mixed Migration developed by the UNHCR involving multi-level cooperation. In terms of on the ground response, he mentioned the success of the "Praesidium Project" cooperation between IOM, the Italian government, UNHCR, Save the Children Italy and the Red Cross in responding to boats arriving in Lampedusa, Italy, specifically the swiftness with which the organizations are able to evaluate the arriving migrants and refer them to the corresponding authorities.

Mohammed Abdiker spoke about the protection measures through evacuation, as is being implemented in Yemen, with evacuation boats and planes taking migrants back to their countries of origin. He highlighted the challenge of ensuring that these migrants have proper documentation, as this may have been lost during the crisis, so that they are eligible for evacuation. He also highlighted the need for reintegration systems upon their return home. Mr. Abdiker spoke about the work of the Migrants in Countries in Crisis initiative where IOM is working as the Secretariat with UNHCR and the ICMPD to support states in this initiative..In closing, Mr. Abdiker posed the following question: As the number of migrants increases, how do we ensure we have the right approach to respond to their needs, and bring together all the different actors? The situation of migrants in crisis is not a new phenomenon, and is a phenomenon that will only increase.

Appendix A

Participant poll question: What would be your ONE recommendation to better meet the needs of “voluntary” or economic migrants in humanitarian contexts?

Deal with them as human beings.

Psychologist – Counselor, INGO, Jordan

Pay a particular attention to vulnerable groups, especially unaccompanied minors and people victims of violence.

Protection Officer, intergovernmental organization, France

Disengage on the war and take steps for reconciliation for permanent peace keeping.

Human Resources Manager, Nigeria

Their qualifications be recognized in the host country so at least they can support themselves.

Chairperson, Development network, Australia

Protection from the human rights abuses in the country of origin, and reparation mechanisms in place for safe return.

Student, Switzerland

Engage directly with migrants and keep families together.

Capacity Building Advisor, Gibraltar

Greater cooperation between humanitarian actors.

Lawyer, Cameroon

Set up information portals or lines for migrants.

Humanitarian Affairs Officer, UN organization, Kenya

I agree it's important to engage migrants in response efforts.

Primary Healthcare Operations Programme Manager, governmental organization, Qatar

Help them to assimilate with employment rights.

Independent Consultant, Switzerland

Engage migrants directly in such response.

Programme Coordinator, intergovernmental organization, United States

Involving the migrants in integration process of the host country. So far they lack of possibilities to involve in their new society.

Blogger, Poland

Better coordination of involved response provider actors.

Business Development Manager, Development Network, Turkey

Appendix B

Participant poll question: What are some of the most promising protection and assistance measures provided to migrants caught in crisis that you have seen or experienced as humanitarians?

Give realistic solutions and long term solutions, we should learn from history, migration is not a short term item, most people once they start to be migrant, they never go back HOME.

Programme Assistant, Research and Policy Center, Austria

Don't strand them at sea!

Law student, United States

Like John Bingham said, with the recognition of their invaluable action in a first response to a crisis. So, migrants should be included in discussions and responses on the ground.

Migration Policy Associate, INGO, Canada

Involve them in different types of actions, many good suggestions from previous answers.

Vice President, NGO, Switzerland

Proper planning and genuine involvement of the world assistance.

Human Resources Manager, Nigeria

Inform them about their rights, who to contact in case of crisis, maintain a relation with their embassies or with IOM country offices.

Emergency Coordinator, intergovernmental organization, Turkey

Integration in the local process (NGOs, government organizations, emergency planning, etc.) and the international process (international orgs, regional discussions/forums, UN, etc.)

Recent graduate, United States

In Africa for instance after the colonial period, national boundaries played havoc with ethnic loyalties and created dozens of mini states, in terms of population if not always of land area, which is not viable economically let alone politically!

Capacity Building Advisor, Gibraltar

To include them in every emergency national plan and to focus on bridging the gap between the host society and migrants when planning activities.

Humanitarian Interpreter and Research Assistant, UN organization, Turkey

Allow them to form associations and unions that teach them about survival tactics in case of crisis. Most are caught unprepared.

Technical Advisor, intergovernmental organization, Botswana

Participation into society and representation in policy making, enabling social networks to enhance, quick filtering& screening, ensuring access to the rights, facilitating 'legal' immigration.

Project assistant, intergovernmental organization, Turkey

APPENDIX B

Include them in the negotiation process to seek solution. Until repatriated, they should have right to employment, education etc.

Independent consultant, Switzerland

Pre-departure session informing migrants of their human rights and information about the organizations and authorities to contact if they find themselves in a crisis situation.

Treasurer, NGO, United States

They should be taught or made aware of their basic human rights and how and where to obtain them.

PhD law student, Spain

Allow access to their rights during ordinary times to ensure their protection in times of crisis.

Programme Coordinator, intergovernmental organization, United States

To register with their Embassies or Consulates in whatever country they are. It makes it easier for outreach, assistance, etc.

Chief of Mission, Intergovernmental organization, Côte d'Ivoire

Provide education and opportunity to respond while granting them their basic rights.

Student, Lebanon

Building co-responsibility among society and cultural Diasporas and local organizations to involve migrants in integration process.

Blogger, Poland

Local involvement.

Chairperson, Development network, Australia

Migrants should be part of the planning and solution making process. They should feel as part of the process and not left out. That builds their confidence and need to think of creative ways of helping themselves. Solution should be cooked with them.

Communications Officer, Ghana

To be involved in humanitarian discussion meetings and preparedness plans.

Protection Officer, intergovernmental organization, France

Raising awareness in their home countries via civil society organizations.

Intern, UN organization, Austria

It is important to popularize the cavalry that migrants face in the North. Not before arriving. For example, they need to know that upon arrival (in case they survive), they are kindly sent to jail.

Coordinator, NGO, Democratic Republic of the Congo

Communicate their rights

Intern, International Red Cross and Red Crescent Movement, Australia

Ensure proper legal status

Migration Consultant, intergovernmental organization, United States

Stronger connection between responders and community leaders.

Visa Officer, India

This can only be achieved in a country with working population management policy, where immigrants are put into consideration and are seen as part of the community development.

Inspector, government agency, Nigeria

Appendix C

Participant poll question: What are some of the most promising protection and assistance measures provided to migrants caught in crisis that you have seen or experienced as humanitarians?

Issuing work permits while migrants are seeking adjudication on their cases.

Law Student, United States

IOM evacuation of migrants in crisis mechanisms.

Migration Policy Associate, NGO, Canada

The Red Cross and Red Crescent has in many countries been able to offer immediate assistance - nutrition, medical and safe shelter.

Capacity Building Advisor, Gibraltar

If they are to go back to their countries of origin, resettlement mechanisms should be more rapid for these groups.

Head of Office, intergovernmental organization, Philippines

Cooperation with local authorities and the civil society, psychological assistance and providing living and a work permit.

Student, Lebanon

Local response: personalized services (alphabetization, psychological assistance)

Blogger, Poland

Screening, needs assessment, psychosocial support, access to basic rights, legal counseling.

Project assistant, intergovernmental organization, Turkey

Social & psychological assistance.

Psychologist – Counselor, INGO, Jordan

Coordinated response between service provider/humanitarian assistance organizations on the ground. Involving Diasporas and host communities in the process of educating receiving communities on the needs and contributions of immigrants.

Project Coordinator, NGO, United States

Appendix D

How do you evaluate the EU response on the Mediterranean migration crisis? Do you see this crisis as unique, or do you find it useful to draw parallels to other situations?

The EU is not really helping refugees except of some countries (Sweden). EU likes to complain, EU didn't get more than 0.2% of the refugees around the world, and EU has historical responsibility to fix what they destroyed in other countries.

Programme Assistant, Research and Policy Center, Austria

EU should not invest in further deterrence but rather in better response, i.e. search & rescue and admission of refugees in Europe.

Policy adviser and campaign coordinator, INGO, Germany

I think it is a modern response and an example of current trends of European sentiments about migrants... moving away from compassion and towards security and self-protection.

Migration Policy Associate, International NGO, Canada

Not enough. Definitely useful to draw parallels.

Vice President, NGO, Switzerland

While the situation is definitely unique, it reminds me of the MS St. Louis and the US and Canada's refusal to accept the 915 Jewish refugees (1935). While things have evolved and asylum seekers are arriving via more dangerous channels, this is not new.

Recent graduate, United States

The response will be led by military and police. It is said that only smugglers will be affected. However there are questions about safety of migrants and collateral damage.

Humanitarian Affairs Officer, UN organization, Switzerland

Tackling the smugglers should be one of the ways that EU can respond positively.

Capacity Building Advisor, Gibraltar

What procedure do we use to select migrants who should be granted asylum or other form of help or not?

Lawyer, Cameroon

I am appalled by the focus on how to keep people out, rather than address the root causes as to why people are risking their lives on boats to go to Europe.

Humanitarian Affairs Officer, UN organization, Kenya

The response was not comprehensive. Traffickers were not stopped. Many people died in the middle of the sea.

Independent Consultant, Switzerland

Insufficient sense of urgency, especially on quotas.

Treasurer, NGO, United States

APPENDIX D

It is a shame for the EU states not able to find sustainable or concrete solutions to most of these innocent migrants in crisis, but are able to support in all dimensions interventions without plans for migrants.

PhD Law Student, Spain

EU response could be improved, but the real problem is commitment of its Member States, as migration and asylum remain in the hands of Member States.

International Relations Officer, intergovernmental organization, Belgium

The response is rather not satisfactory, but this crisis is the first of its kind hard to deal with for both decision-makers and the European people.

Student, Lebanon

There is just so many. I think the officials do the best they can, this crisis has no precedent.

Civil Celebrant, Australia

The response is not sufficient. Day after day the number of migrants is growing and the quotas are just a drop in the ocean and yet illegal crossing of the seas will occur producing massive population without papers - without any legitimate entry.

Blogger, Poland

