

2023 REPORT: Refugees in Spain and Europe EXECUTIVE SUMMARY



CEA(R)

Comisión Española
de Ayuda al Refugiado

Khaliq and his sister return to their family's tent after fetching water from an IDP settlement. His sister suffered head injuries during fighting between government and non-government forces prior to the Taliban takeover. Afghanistan, July 2021.
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Cover photo: Members of a family embrace at Pokrovsk train station moments before separating and leaving the region on an evacuation train to a safer location in the west of the country. Pokrovsk, Donetsk Oblast, Ukraine. 22 March 2023.
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Executive summary

2023 Report

Refugees in Spain
and Europe





1. Introduction

The XXI Annual Report of the Spanish Commission for Refugees (CEAR) analyzes the situation of refugees in the world, the European Union, and, above all, Spain. For yet another year, the total number of forced displacements reached a new high, with 103 million displaced persons in June 2022. Syria, Ukraine, Venezuela, Afghanistan, South Sudan, Myanmar, and Palestine are the main countries of origin for refugees. The impact of climate change and environmental degradation continued to increase internal displacement in countries such as the Democratic Republic of the Congo and Somalia during the first half of 2022.

In the European Union, the Pact on Migration and Asylum did not make the expected progress in 2022. There are still major disagreements on issues related to solidarity and shared responsibility. In this sense, the 2023 Spanish Presidency of the Council of the EU represents a unique and critical opportunity to put people at the center of migration and asylum policies.

Spain once again ranked third among EU countries accommodating asylum seekers in terms of volume, with Venezuela and Colombia being the main countries of origin. However, only 16.4% of the 86,997 applications ruled on were granted international protection. Although this is an increase compared to the previous year, it is notably far from the EU average of 38.5%. Moreover, 22.9% obtained a residence permit for humanitarian reasons.

The tragedy in Melilla on June 24, 2022, resulted in 37 deaths, 77 disappearances, and 470 pushbacks. These serious events have not yet been clarified, thus depriving the victims and their families of justice, truth, and reparation.

It is worth noting the response of the Spanish government to the arrival of people forcibly displaced due to the Russian invasion of Ukraine. Following the implementation of the Temporary Protection Directive in the EU, the professionalized joint response given by civil society is an example of the capacity of the national system to respond quickly and effectively in sudden emergencies. It represents a good practice that should be extended to other experiences.

Lastly, for another year, CEAR has compiled a list of its main proposals to bolster the protection of refugees based on a firm commitment to the right to asylum and respect for human rights •



Ali was a fisherman, like his father and grandfather. In this country, the lack of water has the same devastating effect as Daesh. Leaving is the only only alternative for seven million people in the land of the Tigris and Euphrates: they have no food and no water because of the extreme drought in lakes like Hamrin in Iraqi Kurdistan. This year and last year, water levels have reached critical lows, affecting crops, livestock affected crops, livestock and fisheries throughout the region. 2022. © Pablo Tosco

2. The global exodus

In June 2022, there were 103 million forcibly displaced people in the world, a record figure that represents “the largest increase recorded in years” according to the United Nations High Commissioner for Refugees (UNHCR): Of these, 58.4 million were internally displaced people; 32.5 million were refugees, of whom 26.7 million were under the mandate of UNHCR and 5.8 million were Palestinian refugees under the protection of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA); 1.3 million were stateless Rohingya; 4.9 million were asylum applicants; and 5.3 million were displaced from Venezuela.

As of mid-2022, the top five countries of origin of people forced to cross borders in search of protection were: Syria (6.8 million), Venezuela (5.5 million), Ukraine (5.4 million), Afghanistan (2.8 million), South Sudan (2.3 million) and Myanmar (1.2 million). The countries to host the largest number of displaced persons were Turkey (3.7 million), Colombia (2.5 million), Germany (2.2 million), Pakistan (1.5 million), and Uganda (1.5 million). As a whole, 74% of forcibly displaced people are received by the most impoverished countries. This figure decreased slightly last year due to the reception of displaced Ukrainians in European countries.



In 2022, the Taliban regime's persecution of women and girls in Afghanistan put their health, freedom, and dignity in jeopardy, as well as the humanitarian aid needed by 28 million people in the country. After 11 years since the start of the war, Syria is still not a safe country for the return of the 6.8 million refugees who have fled and been hosted in 130 countries. Venezuela remains immersed in a serious humanitarian crisis that displaces some 5,000 people every day. In Somalia, the worst drought in the Horn of Africa in 40 years coincided with decades of relentless conflict, forcing 3 million people from their homes. There was also a concerning upsurge in violence in Sudan, where displaced people from across Africa unsuccessfully sought refuge, many of whom ended up caught in human trafficking and smuggling networks on the migration route from Libya to Europe.

Lastly, more than four years after the approval of the Global Compacts on Migration and Refugees, there has been insufficient progress in their implementation due to their non-binding nature.

Regarding the Global Compact on Refugees, of the 1,626 commitments made by the States parties, only 164 had been marked as completed in 2019. With a view to the next Review Forum on the implementation of the objectives, in December 2023, Spain must face challenges such as the proliferation of hate speech, obstacles to accessing asylum on the Southern Border, and increasing safe and legal vias and durable solutions such as resettlement.

Regarding the Global Compact for Migration, the relationship between climate change and migration was emphasized in the last Review Forum in May 2022. Other challenges that must be resolved for this instrument to be fully implemented in Spain include committing to development cooperation focused on human development and not border externalization, increasing the commitment to safe and legal routes, and defending the adoption of a safe disembarkation agreement with subsequent relocation in the European Union •



40 migrants from Côte d'Ivoire and Guinea Conakry wait in a metal boat to be rescued by the crew of the Basque humanitarian vessel "Aita Mari", 40 miles off Lampedusa. 21 February 2023. © María Ximena Borrazás

3. The European Union and refugees

In 2022, EU Member States received 963,067 international protection applications, 53% more than in 2021 (630,630) and the highest number recorded since 2016. This increase corresponds to the end of COVID-19 restrictions and the global increase in forced displacement. Additionally, over 5 million Ukrainians applied for temporary protection in EU Member States in total.

Germany (243,835), France (156,455), Spain (118,842), Austria (108,755), and Italy (84,290) responded to the highest number of applications, 78% of the total. For yet

another year, Syria (135,465) and Afghanistan (124,125) were the main countries of origin, followed by Turkey (52,585), Venezuela (50,730), and Colombia (43,020).

Most undocumented migrants that arrived in the EU (189,620) in 2022 came by sea (149,659), through the Central Mediterranean to Italy (105,131), representing a 35% increase for this country compared to 2021. Spain remains the second EU country with the most arrivals, with the Canary Islands (15,682) being the main point of entry via this sea route.

Across the EU as a whole, international protection was granted to 38.5% of applicants in 2022, which is 3% more than in 2021 and the highest rate in five years. This was mainly due to a 65% increase in the number of applicants who were granted subsidiary protection as compared to 2021. However, the number of applications pending resolution increased in 2022, with 877,785 applications unresolved across the entire EU, the highest this figure has been since 2017.

Regarding the New European Pact on Migration and Asylum, with just one year left in the legislature (2019-2024), there has been little progress in the negotiations. While in 2021 the only agreement made by the co-legislators was to approve the recast of the blue card directive and the Regulation on the European Union Agency for Asylum, in 2022 the entire remaining legislative package is still pending negotiation: Screening Regulation, Regulation for Asylum and Migration Management, Regulation for Crisis and Force Majeure, the Amended Asylum Procedures regulation, and the Returns Directive. In September 2022, the EU Council, Commission, and Parliament established a roadmap to finalize all negotiations before February 2024. Following this roadmap, in December 2022 the negotiations on the

Eurodac Regulation were unblocked and an agreement was reached on the Reception Conditions Directive and the Union Resettlement Framework Regulation.

There are still major disagreements on issues related to the solidarity and shared responsibility demanded by the countries of the South. The proposal is especially focused on the externalization of borders and the reinforcement of returns. In this sense, the possible introduction of a legal fiction of “no entry”, the extension of potential repeals of asylum regulations, as well as the extension of accelerated border procedures for asylum and return, which threaten the principle of non-refoulement and personalized treatment of asylum applications are especially concerning.

In the second half of 2023, Spain will assume the Presidency of the Council of the European Union. This is a unique opportunity to advance in the construction of a Common European Asylum System that prioritizes the protection of people and the guarantee of their rights, as well as the solidarity and shared responsibility of Member States •



A Ukrainian couple walks through the destroyed streets of Mykolaiv, Ukraine. 8 April 2022. © Diego Ibarra Sánchez

4. Access to the right of asylum in Spain

In 2022, 118,842 people applied for asylum in Spain, 81.5% more than in 2021. Thus, the upward trend that started in 2012 remained in place, with the only interruption to it being the COVID-19 pandemic. In addition, in 2022 Spain granted temporary protection to 161,037 people displaced by the Russian invasion of Ukraine.

All this despite the existing difficulties in accessing the asylum procedure. The first obstacle continued to be access to Spain, both due to the persistence of pushbacks on the Southern Border and the transit visas required of nationals of countries in conflict such as Syria, Palestine, and Yemen. Likewise, the unavailability of online appointments to formalize international protection applications not only caused delays in access to the asylum procedure but also resulted in the emergence of illegal networks dedicated to selling appointments, thus taking advantage of unprotected people.

Seven of the 10 main nationalities applying for international protection in 2022 in Spain came from Latin America. For the seventh consecutive year, Venezuela was the top country of origin, representing 38.5% of all applications. Colombia came in second place, followed by Peru, Morocco, Honduras, Nicaragua, Mali, Afghanistan, El Salvador, and Cuba. The predominant profile of international protection applicants changed in 2022: the number of women increased (46%), reducing the gender gap to 8%, and 15% more applications were made by children, of which 1,585 were alone without family members.

Madrid, Andalusia, Catalonia, the Valencian Community, and the Canary Islands were the five autonomous communities to register the most applications in 2022, in that order. At the Foreigner Detention Centers, 963 asylum applications were registered, almost double the number in 2021. CEAR condemns the reopening of these centers following the positive experience of their closure during the pandemic and defends the use of alternative measures, as outlined in the Immigration Law.

Regarding the decisions, 86,997 files were resolved in 2022, which represents a 21% increase compared to 2021. Colombia and Venezuela were the main nationalities of applicants. However, at the end of the year, there were still 122,035 files pending resolution.

Last but not least, the increased protection recognition rate stands out at 16.4%, almost 6% higher than in 2021 (10.5%). This increase is associated with the greater recognition of subsidiary protection, especially for Mali nationals. However, Spain is still far from the European rate of 38.5%, and six out of 10 applications for international protection are denied •





Two migrants of sub-Saharan origin are attended to by Red Cross staff, after disembarking exhausted at the Port of Arguineguín in the south of Gran Canaria, 2022.

© Borja Suárez



5. Situation on the Southern Border

In 2022, there was a general decrease in the number of arrivals at the Southern Border, except for the Balearic Islands, where arrivals, mainly from Algeria increased. There was also a slight increase in arrivals by land in Ceuta and Melilla.

One key milestone that explains this change in trend was the re-establishment of “neighbor” relations and cooperation in migration between Spain and Morocco in March 2022 as a result of the Spanish Government’s new position in support of Morocco concerning Western

Sahara. However, the influence of Spain’s cooperation agreements with countries such as Senegal, Niger, and Mauritania mustn’t be overlooked in the increased immigration and border control, as well as the proliferation in recent years of agreements established for the same purpose by the EU itself.

As a result, Western Sahara ceased to be the departure point for the majority of migration routes to the Canary Islands. Arrivals to the islands fell by 30%, although the risk of the route remains the same, according to the In-



One of the people who crossed the fence separating the border between Melilla (Spain) and Morocco on 24th June is arrested by the Spanish Civil Guard.

During that tragic event, at least 23 people died, 77 are still missing and, according to the Ombudsman, 470 were sent back "without the guarantees provided for by law". Melilla, 24 June 2022.

© Javier Bernardo

ternational Organization for Migration (IOM), with 559 deaths recorded in the Atlantic in 2022.

Bolstering immigration control in the autonomous cities of Ceuta and Melilla did not prevent increased arrivals at the end of 2022, but it did result in a terrible tragedy that is hard to forget. On June 24, 2022, in the attempt to scale the Melilla fence, at least 37 people died, 77 went missing and 470 were pushed back. These serious events have not yet been clarified, thus depriving the victims and their families of justice, truth, and reparation.

Children traveling alone without a relative remained a challenge in 2022, due to the lack of more balanced regional distribution policies and resources for receiving them at the main points of arrival on the Southern Border. Some progress has been made, such as the approval of the Migration Contingency Management Model for unaccompanied children and adolescents in September 2022, as well as the impact of the reform of the Immi-

gration Law Regulations in the process of including migrant children.

On the other hand, the route to the Balearic Islands from Algeria was consolidated in 2022. The main obstacles to an adequate humanitarian response to the increased arrivals in the Balearic Islands include delayed family DNA test results and the destination of people who do not meet the requirements for reception in Mallorca or referral to the peninsula.

Managing the expectations of asylum seekers as well as the increase in arrivals of people in vulnerable or very vulnerable situations are key elements of the humanitarian response that require continuous work from a rights-based approach. Likewise, the reconfiguration of migration routes and the new challenges identified require more flexible responses with greater coordination to guarantee an adequate humanitarian response and face the changing reality on the Southern Border, while always putting people at the center •

6. Reception and integration

The reception and integration of refugees in 2022 were marked by the Russian invasion of Ukraine and the consequent departure of millions of people from the country in search of safety. Thanks to the activation of the Temporary Protection Directive at the European level and its rapid application in Spain, it was possible to guarantee immediate reception and protection for 170,193 Ukrainian people.

The Spanish Government's humanitarian response to the large volume of arrivals was organized around two axes: the addition of 21,000 reception places and the implementation of Reception, Care and Referral Centers (CREADE). At these centers, new arrivals receive up-to-date information, orientation, reception, regis-

tration, and documentation within 24 hours. This was possible thanks to the close collaboration of the various administrations involved (Ministry of Inclusion, Social Security and Migration, and the Ministry of the Interior) and organizations within the asylum system (Spanish Red Cross, ACCEM, and CEAR), and thanks to the support of the health and employment services of the autonomous communities and town halls.

In this context, the mobilization and spirit of solidarity of Spanish society was also a key component of the response. Specifically, one positive measure to be highlighted, which has helped channel citizens' offers of support, was the first-ever launch of an official foster care program by the Ministry of Inclusion, Social

One of the Spanish classes that are held on a regular basis at the CEAR Reception Centre in Getafe (Madrid). Language learning is one of the main tools in the process of inclusion of a refugee, but it is not the only one. All those who are part of the organisation's programmes are provided with an individualised itinerary, according to their needs. 23 September 2022. © Nacho Peña | Triodos Bank





One of the centres set up in Humanes (Madrid) to offer a first shelter to people who were forced to leave their homes after the Russian invasion of Ukraine. March 2022. © Abraham Blázquez/CEAR

Security and Migration in collaboration with the La Caixa Foundation and the organizations in the reception system.

Unlike other recent situations of forced displacement, such as the conflict in Syria, the physical and psychosocial conditions of Ukrainian people have not been affected by a long, dangerous, and arduous journey from their country of origin. This was so thanks to the immediate activation of safe and legal channels (European Temporary Protection Directive) that allowed them to access the much-needed spaces for safety, protection, and reception without obstacles or risks.

The great milestone of 2022 in terms of reception and integration of international protection applicants and refugees was the change in the regulatory instrument of the national reception system, which has gone from being managed by a model of subsidies to joint action. This change, demanded by CEAR and other organiza-

tions for years, provides the system with greater planning, stability, and transparency, which are needed to face the exponential increase in the number of international protection applications in the last decade, which has gone from 2,588 applications in 2012 to 118,842 in 2022.

Finally, there is concern about the proliferation of hate speech and a stigmatizing and dehumanizing narrative against the migrant and refugee population in the media, which directly affects their process of integration and social cohesion. The blaming discourse, the normalization of deaths on migration routes, and dealing with the phenomenon from the perspective of security are permeating the public. Taking into account the significant role that the media play in building social images, it is essential to transform these narratives to put people and their rights at the center •

Proposals for the 2023 Spanish general election

On the occasion of the Spanish general election on 23 July 2023, CEAR presents the following proposals addressed to political parties so they can add to their electoral programs and political agendas improved international protection in Spain and respect for the human and fundamental rights of asylum seekers, refugees, and stateless persons priority items. A national pact is urgently needed to protect the right to asylum and guarantee it is effectively complied with regardless of any political changes that may take place.

1. Guarantee access to the international protection procedure and compliance with the principle of non-refoulement

1. Guarantee adequate, unified, and personalized access to the international protection procedure and any information about it at all air, maritime, and land border crossing points under the provisions of Directive 2013/32/EU on common procedures for granting and withdrawing international protection. Ensure that no person may be returned to a country where their lives are at risk, in compliance with the principle of non-refoulement set forth in the Geneva Convention.

2. Improve and eradicate the deficiencies in the appointment system for formalizing international protection applications. More appointments for formalizing international protection applications must be made available and they must be assigned more quickly. Asylum applications must be registered immediately and never later than the 3-to-6-day period stipulated in Directive 2013/32/UE to ensure that people are documented and can access the reception system as soon as possible.

3. Guarantee the end of pushbacks of people who arrive in Ceuta and Melilla and retract the Tenth Additional Provision of the Immigration

Law, which puts the right to asylum at serious risk as it fails to describe the procedure and due guarantees under which "rejection at the border" will be carried out. Under this rule, many people deserving of international protection continue to be illegally expelled to Morocco, where their lives are in danger, without any way to access the asylum procedure. This is a serious violation of European and international law.

4. Adopt measures to put a stop to the criminalization of solidarity towards migrants and refugees and put people's lives at the center of migration policy management. For this, it is essential to safeguard the job of saving human lives at sea as a public service and always guarantee safe disembarkation.

5. Eliminate the current transit visa requirement for people from countries in conflict such as Haiti, Syria, Palestine, Yemen, Turkey, and Cameroon, whose populations suffer serious human rights violations and are eligible for international protection.

6. Implement safe and legal access routes to the asylum procedure: develop the procedure in Article 38 of the Asylum Law to transfer people in need of international protection to Spain through embassies and consulates and process their application in Spanish territory; facilitate the issuance of humanitarian visas; fulfill the

commitments acquired regarding resettlement and approval of an ambitious and permanent resettlement program and relaxation of the family reunification requirements. All of this, in addition to guaranteeing access to asylum and facilitating family unity, would prevent refugees from ending up in the hands of traffickers, only to risk their lives and, too often, lose them on dangerous land and sea routes.

II. Personalized treatment with full legal guarantees of applications for asylum and protection of people in especially vulnerable situations

7. Guarantee early and correct identification of international protection applicants in especially vulnerable situations by implementing the provisions of Article 46 of the Asylum Law before giving the State Security Forces and Corps access to these people to ensure appropriate and differentiated treatment, especially when the international protection procedure is applied at the border or Foreigner Detention Centers.

8. Guarantee appropriate quality standards throughout the entire international protection procedure and ensure compliance with the minimum requirements of interviews to formalize international protection applications, objective and impartial evaluation of applications that considers all factors, and updated information from the country of origin, and avoid excessive delays in the investigation and resolution thereof. To this end, the Asylum and Refuge Office and the National Police must have sufficient material and human resources, as well as continuous training on asylum and human rights.

9. Urgently conclude the investigation of the more than 122,000 files that have undergone multiple unjustified delays and promote the registration, processing, and resolution of family extension files to effectively guarantee the right to family reunification of the beneficiaries of international protection.

10. Move towards broad and inclusive interpretations of the definition of “refugee” established in the Geneva Convention to guarantee the protection of people fleeing from situations prompted by climate change and environmental degradation.

11. Relax the requirements for family reunification for refugees. To do this, the limits on family extension not outlined in the legislation must be eliminated as they have resulted in extension requests not being settled for years now. In addition, uniform criteria must be established for the accreditation of the family relationship and, where appropriate, dependency or prior cohabitation, adapted to the sociocultural realities of the countries of origin and residence of the relatives, as well as the conditions of their safety.

12. Adopt effective identification and protection measures for trafficking victims with the participation and assistance of multidisciplinary teams, applying gender mainstreaming and a focus on their protection. To achieve this, it is necessary to approve the Comprehensive Law for the Protection and Assistance of Human Trafficking Victims addressing all types of trafficking, whether or not they are related to organized crime, regardless of the sex, age, administrative status, or nationality of the victims.

13. Guarantee adequate protection of child migrants and asylum seekers at border posts and in Spain, ensure that under no circumstances they are detained, look out for their best interests, and ensure proper identification of those who are unaccompanied. This necessarily implies revising the current age determination procedure, so that appropriate tests may be applied that not only take into account radiology tests and/or the physical appearance of children, but their psychological maturity, as well, based on unbiased, safe, and scientific criteria, following the latest recommendations of The Council of Europe and the Convention on the Rights of the Child.

14. Urgently process the transposition of the European directives on Procedures, Qualification, and Reception to Spanish Law 12/2009 of 30

October, regulating the right to asylum and subsidiary protection. The more than 15- year delay in the approval of the Asylum Regulation is impeding fundamental aspects of its application. This, in addition to the difficulties in concluding the revision of the Common European Asylum System, compounds the fragility of the legal framework, which has consequences for the rights and lives of asylum seekers and refugees.

III. Reception and integration of all asylum seekers and refugees, regardless of place of origin

15. Guarantee the orchestration of a flexible and sustainable reception system that ensures an effective integration process for all asylum seekers, adapted to the changing social and labor needs of Spain, as well as the appropriate means to serve people with special needs, from a perspective of gender and sexual identity, religion, inter-culture, and age, among other factors.

16. Guarantee the quality standard of the Spanish reception and integration system based on the methodological design of intervention by phases and levels through personalized integration itineraries, and design equitable territorial distribution mechanisms to serve people in the international protection reception system and in response to humanitarian emergencies.

17. Maintain the Reception, Care and Referral Centers (CREADE) set up in response to the emergency in Ukraine as spaces for registration, documentation, and access to the procedure and the “exclusive asylum window” for all international protection applications regardless of their place of origin.

18. Create an administrative structure (an agency or the like) dependent on the Presidency that unites all powers in matters of asylum and refuge. This structure must have decision-making and management capacity, as well as the necessary budget and mechanisms for consultation and participation of civil society.

19. Adopt a national action plan to improve the humanitarian response and protection of rights in emergencies resulting from increased arrivals of migrants and refugees, which includes agile action protocols designed to expand the system’s capacity and guarantee the identification of people with protection needs and their referral to the appropriate protection channels, and which guarantees financial and institutional sustainability at all times.

20. Agree to the closure of the Foreigner Detention Centers and contemplate other alternative measures set forth in the Spanish Immigration Law.

IV. Fight hate speech and racial or ethnic discrimination and promote coexistence and social cohesion

21. Approve a social and political pact against hate speech and prevent political uncertainty and interests linked to earning votes from affecting the right to asylum and migrants and refugees. Faced with the alarming increase in xenophobic, racist, and hateful messages towards migrants and refugees, political leaders must act responsibly and use their discourse to promote equality, tolerance and build inclusive societies.

22. Guarantee that plans for intercultural coexistence, social integration, and non- discrimination are designed and effectively implemented at all levels of administration, using a community approach and maximum proximity to citizens, along with the necessary budget allocation. These plans must include awareness strategies and measures to fight and prevent xenophobic, racist, and hateful attitudes and narratives, as well as disinformation in the media and online platforms, which damage the dignity of, stigmatize and criminalize migrants and refugees while also seriously threatening social cohesion.

23. Guarantee the application of the Comprehensive Law on Fair Treatment and Non-Discrimination, establish an independent equality board, reinforce

the penalty system, and improve the comprehensive protection of victims so that all rights may be enjoyed without discrimination and to broadly and comprehensively comply with the principle of equality. Maintain and provide adequate resources to the Assistance Service for Victims of Racial and Ethnic Discrimination of the Council for the Eradication of Racial and Ethnic Discrimination (CEDRE) so that it can continue to provide independent assistance to people who suffer direct or indirect discrimination due to their racial or ethnic origin and help reduce under-reporting.

V. Eradicate obstacles to accessing Economic, Social and Cultural Rights (ESCR)

24. Eradicate existing obstacles in the access of migrants, asylum seekers and refugees to Economic, Social and Cultural Rights (ESCR). To do so, the requirement of city registration to access social services and basic rights such as education or health care must be eliminated. In addition, actions must be taken to oblige banks to comply with current regulations on access and maintenance of basic payment accounts to ensure the financial integration of refugees and asylum seekers in vulnerable situations.

25. Design policies to fight residential exclusion and facilitate access to housing for international protection applicants, refugees, and migrants in vulnerable situations. Among other actions, expanding the social housing stock and reserving a percentage of public housing for refugees should be considered, as should the implementation of tax incentives for homeowners who rent to asylum seekers, refugees, stateless persons, and migrants.

26. Guarantee universal access to the public health system, ensuring that international protection applicants, refugees, and migrants can access health services, as well as their reunited family members in Spain, regardless of their administrative status.

27. Promote the integration of asylum seekers, stateless persons, and refugees in the workplace

through a ministerial Instruction that facilitates the recognition by businesses and public administrations of the validity of the identification document of international protection applicants (red card or white slip).

28. Apply the Lisbon Recognition Convention for higher education qualifications to expedite the diploma certification process and professional accreditation of refugees and international protection applicants. Likewise, the recognition of driving licenses of international protection applicants must be promoted since they are essential for many occupations. With these measures, it would be possible to eradicate the main obstacles that these people face in finding a job that aligns with their education, expectations, and experience.

29. Design social protection policies for international protection applicants and refugees that take into account the unemployment rate among this population, as well as the rate of people at risk of poverty and social exclusion.

30. Support the Popular Legislative Initiative for the Extraordinary Regularization of Foreigners in Spain.

31. Implement training programs by the National Institute of Public Administration on human rights, migration, and asylum, with a special focus on the obstacles faced by migrants, asylum seekers, and refugees in accessing basic public services and resources. Likewise, the obligation of Public Administrations of the same level to collaborate and pursue effective inter-regional management must be promoted, so that they include knowledge about the documentation of international protection applicants in their public policies.

VI. Migration policies aligned with human rights, development cooperation, gender equality, and the fight against climate change

32. Guarantee coherence between migration policy and the 2030 Agenda for Sustainable Development,

the Global Climate Action Agenda, the UN Women Strategic Plan 2022-2025, the Spanish Urban Agenda, and the Global Compacts for Migration and Refugees, ensuring a human rights and intercultural approach based on human rights, gender equality in their implementation.

33. Establish appropriate mechanisms to monitor respect for human rights at border control, review the action protocols of the National Security Forces and Corps to prevent deaths at the borders, and guarantee the detection of people in need of international protection, children, and human trafficking victims.

34. Put an end to the instrumentalization and conditionality of development aid at border control, and focus the aim of these policies on human development and the eradication of poverty. Under no circumstances should development aid be used as a pressure mechanism on the countries of origin and transit so they collaborate in containing people in flight from conflicts or in search of decent living conditions.

35. Spain must ensure that its actions abroad and the international activities of Spanish companies do not put human rights defenders at risk, in accordance with the United Nations Guiding Principles on Business and Human Rights. Moreover, Spain must provide stable, comprehensive support with gender mainstreaming for these people, their communities, and their organizations both at the place of origin and in Europe, in accordance with Royal Decree 1257/2007 of September 21.

36. Involve Spanish diplomacy in conflict resolution based on International Law, including the promotion of durable solutions for refugees, such as the right to voluntary, safe, and dignified return, or local integration, and without allowing discrimination against forgotten conflicts such as in the Sahara or Palestine. These durable solutions must be complemented by addressing the root causes of forced displacement to ensure that the necessary conditions exist so that those who want and can return can do so safely.

37. Defend a protective position in the negotiations of the New European Pact on Migration and Asylum to move closer to achieving a Common European Asylum System (CEAS) based on the principles of solidarity and shared responsibility between Member States, which places asylum seekers, refugees and their rights at the center.

Proposals to the Spanish Presidency of the Council of the EU regarding the New European Pact on Asylum and Migration

1. Promote a deep reform of the Dublin Regulation to guarantee a truly equitable distribution of shared asylum responsibilities between Member States. Move past the country of first entry criterion with a new hierarchy of criteria to determine responsibility that gives greater importance to family ties in the broad sense and takes into account situations of serious illness and/or disability as well as other vulnerable situations of asylum seekers.

2. Promote the approval of a mandatory and permanent solidarity mechanism based on a minimum number of mandatory relocation quotas as the only solidarity contribution possible. Reject the alternative of return sponsorships and capacity support in the external dimension, placing the protection of people at the center.

3. Defend search and rescue at sea in the face of the criminalization of humanitarian work and adopt an agreement for a safe and predictable European disembarkation mechanism, with subsequent mandatory relocation.

4. Oppose the obligatory nature of expedited border procedures and reject the legal fiction of no-entry since they delay access to the international protection procedure and the due procedural guarantees and jeopardize respect for the principle of non-refoulement.

5. Guarantee personalized treatment and full legal guarantees for asylum applications, as well as free

legal assistance in all phases of administrative and judicial procedures with no exceptions.

6. Guarantee respect for the principle of non-refoulement. Reject automatic return decisions with the denial of the asylum application and guarantee the automatic suspensive effect of all appeals.

7. Oppose channeling asylum applications to border procedure based on nationality, and comply with non-discrimination, as established in Article 3 of the Geneva Convention.

8. Reject broad derogations of the EU asylum acquis and eliminate the extension of the deadline for registering asylum applications and the mandatory nature of the asylum procedure at the border in crises.

9. Guarantee that the basis of the response to crises is access to the international protection procedure with all the legal guarantees and mandatory shared solidarity.

10. Defend the Temporary Protection Directive against the risk of its repeal and replacement by the "immediate protection" of the Regulation on Crises, which offers less protection, and promote its application to respond to situations similar to those resulting from the invasion of Ukraine.

11. Advocate for safeguards to prevent racial profiling, intrusive screening, or abuse of discretion when processing biometric data, and protect individuals

from the stigma of criminality associated with these practices.

12. Guarantee that the collection of biometric data is never carried out coercively and that it takes into account children, protection, and human rights and promotes family reunification when this is in the best interest of the minor.

13. Defend the eradication of the legal fiction of non-entry, and guarantee access to the asylum procedure with full guarantees for international protection applicants.

14. Implement a mechanism for the early identification and referral of people in vulnerable situations to reinforce the protection guarantees for trafficking victims, people with specific needs, and unaccompanied children.

15. Promote and strengthen independent national mechanisms for monitoring compliance with fundamental rights in all surveillance and control activities at external borders. These mechanisms must guarantee their independence and involve national human rights institutions, the FRA, and civil society organizations when being operated; they must also include a mandate to investigate any violation of fundamental rights at the borders, as well as the ability to impose sanctions.

16. Promote the approval of an ambitious resettlement mechanism with mandatory quotas for all Member States. Make a greater commitment to adopting safe and legal paths: promote the possibility of requesting asylum at embassies and consulates abroad, the issuance of

humanitarian visas, relax the requirements for family reunification and facilitate access to employment and training mobility in the EU.

17. Reject the concept of “instrumentalization” and the normalization of exceptions to the asylum regulations, set forth in the Instrumentalization Regulation and the modification of the Schengen Borders Code; instead, promote greater alignment of the rules of the Common European Asylum System.

18. Lead a European development cooperation policy that responds to the objectives of eradicating poverty and fighting inequality, with the 2030 Agenda as a reference and rejecting the instrumentalization and conditionality of development aid at border control. Oppose the use of development aid as a pressure mechanism on the countries of origin and transit so they collaborate in containing migration flows and readmitting people who have been expelled.

19. Guarantee decent and aligned reception standards in all Member States, access to and exercise of ESCR, and a decent standard of living for international protection applicants.

20. Promote a more inclusive and egalitarian European host society by placing value on multidisciplinary professionals and teams, including intercultural mediators. Fight discrimination and hate speech with intercultural dialogue and coexistence as key elements to promote integration and social cohesion.





Venezuelan migrants wait at the Rumichaca border crossing between Ecuador and Colombia at night in freezing temperatures. They wait to stamp their legal documents to continue their journey to Peru.
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We hereby present our XXI Annual Report, once again dismayed by the various conflicts, environmental disasters, and violations of human rights that have led to the dismal milestone of 100 million people being forced to flee their homes in 2022 (...). This year, we look not only at the more than 8 million people forcibly displaced following the Russian invasion of Ukraine, but also at the dignity of the women and girls who continue to flee the Taliban regime in Afghanistan, other forgotten conflicts such as Syria, the serious humanitarian situation in Venezuela, and the escalation of violence and chaos in Sudan (...).

With just one year left to finalize negotiations and approve the New Pact on Migration and Asylum, Member States continue to search for formulas to achieve the long-awaited balance between shared responsibility and solidarity (...). We believe that the Temporary Protection Directive is an effective tool that consolidates the best recipe for handling emergencies like the one in Ukraine: guaranteed rights and quick access to protection.

On the Southern Border, we analyze the impact of the new relations between Spain and Morocco on the reconfiguration of migration routes: Western Sahara ceased to be the main starting point for routes to the Canary Islands. Nevertheless, the drop in arrivals along the Atlantic route was compensated for by increased arrivals in the Balearic Islands, where the humanitarian response had to face new challenges in 2022. We look at the tragic event that took place in Melilla on 24 June 2022, (...) events that may constitute serious violations of human rights must undergo independent and unbiased investigation since they must not go unpunished.

(...) Lastly, we value the importance of transforming the narratives about the migrant and refugee population so that the positive response offered to Ukrainians can be extended to people of other nationalities who also require refuge.

*From the prologue by Carlos Berzosa,
CEAR president*

CEA(R)

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