

# 2021 REPORT: Refugees in Spain and Europe EXECUTIVE SUMMARY



**CEA(R)**

Comisión Española  
de Ayuda al Refugiado



Noursaid fled his hometown out of fear: he was trying to escape war and poverty. He travelled almost six thousand kilometres from Kabul (Afghanistan) to Bihac (Bosnia-Herzegovina) to avoid being forced to join Taliban ranks. He moved on foot, by rail, by bus, by motorbike. He was chased. He crossed mountains, forests and deserts. But now he is trapped in the cold. Last winter, he tried to cross the border four times: a very risky attempt called *'The Game'*. This is the penultimate limit before entering the 'good' Europe, the one with first-world countries: the Schengen area. © Pablo Tosco.

**Cover and back cover photo:** On 17 November 2020, a Guardia Civil patrol boat intercepted two boats packed with migrants near the Southern coast of Gran Canaria. The Guardia Civil escorted them to the camp at Arguineguin dock, which already housed more than 2,000 people from previous arrivals. © EFE / Quique Curbelo.

# Executive summary

## 2021 Report

Refugees in Spain and Europe



# 1. Introduction



Thousands of people arrived to the Dar Agg refugee camp after losing all their animals and wandering through the desert. They finally reached this valley, where a small water source is found.

The consequences of the 2016 drought that struck the entire Horn of Africa still persist; they are obvious and unforgiving. In Somaliland and Somalia, almost 5 million people experience food insecurity, and there are 2.6 million internally displaced people, out of an estimated population of 14-15 million.

© Pablo Tosco.



The nineteenth annual Report of the Spanish Commission for Refugees (CEAR) analyses the situation of refugees in the world, the European Union and, more particularly, in Spain. As every year, and despite the impact of the COVID-19 pandemic, the overall figure of forced displacement has reached a new high: 79.9 million people in June 2020. Syria, Palestine, Venezuela, Afghanistan and South Sudan are the main countries of origin of refugees, while Colombia, Syria and the Democratic Republic of the Congo have the highest number of internally displaced persons.

In 2020, the European Commission exposed the contents of the new Pact on Migration and Asylum, which deepens the restriction of rights and guarantees, the commitment to the externalisation of borders and the policy of returns, to the point of drawing an increasingly gloomy horizon for international protection in the European Union.

Once again, Spain was the third largest recipient of asylum seekers in the EU, with Venezuela and Colombia as main countries of origin. However, only 5% of the almost 115,000 resolved applications were granted international protection (far from 33%, the EU average), while 45% obtained a residence permit on humanitarian grounds, and 60% were left unprotected.

Moreover, the humanitarian crisis in the Canary Islands starting in August was especially worrying. The improvised camp at Arguineguin dock, where thousands of migrants were hosted, became the symbol of a situation that is never to repeat itself. As every year, through this report, CEAR presents national and European authorities with its main proposals to enhance refugee protection based on an unconditional commitment to the principles of the right to asylum •



Ahmed wanders the ruins of a dwelling next to his father's garage in the Syrian city of Kobane, devastated in 2015 in order to expel ISIS. Hundreds of people died and more than 300,000, mostly Kurds, were forced to seek refuge by crossing the border with Turkey, a country that does not provide security, nor does it recognise the rights of the Kurdish people. © Pablo Tosco.

## 2. Refugees in the world

In June 2020, there were 79.9 million forcibly displaced people due to violence, human rights violations, war and prosecution. This is about 9.1 million more than by the end of December 2018. Among them, 26.4 million were refugees: 20.7 million were under the umbrella of UNCHR, and 5.7 million refugees of Palestinian origin were under the protection of UNRWA. Moreover, there were 45.7 million people displaced within their countries, 4.2 million applicants for international protection and 3.6 million Venezuelans abroad.

Syria (6.6 million), Venezuela (3.7 million), Afghanistan (2.7 million) and South Sudan (2.3 million) were the main countries of origin of the refugees. On the

other side, Turkey (3.6 million), Colombia (1.8 million), Pakistan (1.4 million) and Uganda (1.4 million) were hosts to the largest number of refugees.

Internal displacement increased by 4.4 million globally in 2019. Once again, Colombia was one of the most affected countries, with figures ranging between 5.6 and 8.1 million people, according to the sources. In Syria, the number of internally displaced persons grew by almost 2 million to 6.5 million, which means that, after a decade of war, three out of four Colombians have been forced to leave their homes. Likewise, the Democratic Republic of the Congo (5.5 million) and Yemen (3.6 million) are largely experiencing this dramatic situation.

Together with Syria, with more than 6.6 million refugees scattered across 127 countries, Venezuela has the highest number of exiles, with 138,600 people recognised as refugees, 808,200 asylum seekers and 3,6 million internationally displaced people as of June 2020, all of them dispersed across 66 countries, mainly Colombia (1,8 million) and Chile (454,000). Moreover, the evolution of one of the longest-running conflicts, Afghanistan, remains worrisome: more than 2.7 refugees in 96 countries, especially Pakistan (1.4 million) and Iran (951,000).

Faced with this situation, the UN 2030 Agenda for Sustainable Development, which includes 17 goals, is a necessary reference in a world shattered by the pandemic. Although this UN programme, established in September 2015, has an overly generalist approach to migration, it represents an opportunity to move beyond rhetoric towards international engagement with migrants and forcibly displaced persons. Furthermore, these efforts are strengthened by the

Global Compact for Migration and the Global Compact for Refugees, as well as the 2035 agenda for facilitating human mobility, put forward by the Special Rapporteur on the human rights of migrants.

Since 2017, successive Spanish governments have defined different responsibilities for the fulfilment of the commitments within the framework of the 2030 Agenda, to the point that today there is a specific Secretary of State for this programme. In 2020, the progress report included references to positive initiatives carried out locally, such as the Network of Refugee Cities, or regionally, such as the Euskadi Social Pact for Migration. However, implementing the 2030 Agenda and achieving the Sustainable Development Goals both nationally and globally requires addressing migration and the arrival of persons in need of international protection from a human rights perspective •

A migrant girl from Honduras at a reception centre in Ciudad Juarez (Mexico). © ACNUR / Jeoffrey Guillemard.





With the closing of EU borders, many refugees and migrants remain trapped in third countries. In recent years, the Balkan route has become one of the most widely used, and people wait in countries like Bosnia Herzegovina for an opportunity to cross the border. In the photo, the Lipa camp, in Bihac (Bosnia). © Ane Irazabal y Cosimo Caridi.

## 3. Refugees in Europe

Throughout 2020, the irregular arrival of migrants to the European Union fell by 23% compared to 2019. Of the 99,475 persons registered, 86% arrived by sea: 85,809 persons. 40,106 persons (47% of the total) arrived on Spanish coasts, and more than half (23,023) arrived to the Canary Islands, a migratory route that resumed strongly from September 2019.

Last year, 1,417 persons died or disappeared in the Mediterranean Sea, 330 of which were headed to Spain. In addition to these deaths, 539 people died on the North-West coast of Africa, mainly on their way to the Canary Islands. These are the figures of

an unacceptable tragedy, stemming from the lack of legal and safe ways for people in need of international protection to access the European Union.

In 2020, 471,270 people applied for international protection in the EU, 32.5% less than in 2019. Once again, Germany (121,955), France (93,470) and Spain (86,762) were the largest receiving countries. Again, Syria (64,540), Afghanistan (48,578) and Venezuela (30,643) were the top three countries of origin. The rate of recognition of international protection remained stable at 33%; although in Spain's case, it came back to 5% only.

In this context, in September 2020 the European Commission presented the new Pact on Migration and Asylum, which had been announced by its president, Ursula von der Leyen, in July 2019. Despite the expectations raised by Von der Leyen's speech, the text that the Commission put forward, which shall be discussed in European Parliament and the Council, retains the current core of EU policies, even deepening the restriction of rights. It elaborates on key issues such as return, placing an inordinate emphasis on it, or the externalisation of border control, using the EU-Turkey agreement signed in March 2016 as a paradigm.

More specifically, the proposed new monitoring instrument, the "pre-entry screening", applicable to all third country nationals entering the EU without authorisation to determine the most appropriate procedure, as well as the accelerated procedure to settle certain applications for international protection, pose a serious threat to procedural guarantees and the compliance with the basic principle of non-refoulement. Additionally, the excessive use of detention entails the risk of extending the situation of refugees on the Greek Islands to all EU borders. The new Pact on Migration and Asylum paints an even bleaker picture for international protection in the European Union •

Hundreds of people fled Moria after a fire devastated the refugee camp on Greek island of Lesbos on 9 September 2020.  
© AP Photo / Petros Giannakouris.





An African migrant tries to jump the fence on the border between Spain and Morocco, in Ceuta. This young man is the last one to be intercepted by the Guardia Civil out of a group of 60 people who had tried to approach the barbed wire fence after evading the Moroccan security forces. He was intercepted by agents of the Guardia Civil on the last stretch and immediately returned (a "hot return") to the Royal Moroccan Gendarmerie. © José Antonio Sempere.

## 4. Refugees in Spain

### 4.1. LIGHTS AND SHADOWS OF A CRITIAL YEAR

In 2020, 88,762 people applied for international protection in Spain, 87% of whom came from Latin America. This 25% reduction from 118,264 in 2019 (the all-time high) put an end to uninterrupted growth since 2012. Venezuela (28,365), Colombia (27,576) and Honduras (5,536) were the main countries of origin. Certainly, the rate of filing of applications adapted to the evolution of the pandemic. Thus, while

the monthly average in January and February was close to 15,000; in April and May, it averaged only 60; between June and October, it rose to 8,000 per month; and in November and December, it fell back to 4,000. Furthermore, due to the closure of air borders since mid-March, the percentage of applications made at border posts fell from 6% (2019) to 1.9%.

On a positive note, there was a significant increase in the number of resolved applications for international protection. In 2020, 114,919 applicants were informed of the resolution of their case, slightly more than twice as many as in 2019 and almost ten times more than in 2018. This expedited processing reduced by more than 20% the number of people awaiting the outcome of their application, although there were still 103,385 pending cases at the end of December 2020.

Particularly worrying is the low rate of approval of applications for international protection, which again stood at 5%, very far from the EU average and even more so from countries such as Greece (55%) or Germany (44%). In Spain, of the 114,919 applications resolved, only 4,360 obtained the status of refugee and 1,398 were granted subsidiary protection. 95% of cases were denied international protection, although 40,726 persons (99% from Venezuela) were given a residence permit on humanitarian grounds. However,

68,435 persons were left unprotected. This amounts to 60% of the total (29% in 2019).

Once again, there are concerns around the persistence of barriers to access the procedure, which worsened in 2020 as a result of the pandemic. Strict lockdown in spring led to the suspension of all face-to-face procedures for international protection at the Office of Asylum and Refuge and the relevant police stations, including the appointments for the filing of applications, initial interviews or the issuing and renewal of documentation proving the applicant's status. From June onwards, the situation began to settle down, although new measures to prevent the spread of COVID-19, such as capacity limitation, added further constraints to access the procedure. On the other hand, in 2020 difficulties continued in ensuring access to asylum procedures and legal assistance for people arriving as stowaways in Spanish ports •

A group of sub-Saharan migrants wait at Arguineguin dock (Gran Canaria) to be transferred to the Barranco Seco premises.  
© EFE / Quique Curbelo.





A minor is disembarked at the Arguineguin dock from a Maritime Rescue boat that rescued him (along with 29 people) to the South of Gran Canaria. © Borja Suárez.

## 4.2. FROM CEUTA AND MELILLA TO THE HUMANITARIAN CRISIS IN THE CANARY ISLANDS

The pandemic caused a very significant drop in the number of arrivals to Ceuta and Melilla, which fell by 62% in Ceuta and 75% in Melilla. Similarly, the number of applicants for international protection dropped sharply: only 285 in Ceuta (compared with 579 in 2018) and 1,412 in Melilla (compared with 4267 in 2019). Likewise, the health emergency had a direct impact on the management of the Migrant Temporary Stay Centres (CETI), which were relieved by measures such as the transfer of part of their residents to the mainland or other reception facilities in Ceuta and Melilla.

In the area of judiciary, two sentences were especially relevant. Firstly, in July the Supreme Court ruled in favour of CEAR and recognised the fundamental right of persons seeking international protection to free movement throughout the national territory. Four months later, the Ministry of Home Affairs complied with this ruling and its consequences, and in December, the Government expressly committed to guarantee that right.

On 19 November, the Constitutional Court released a ruling endorsing the so-called “hot returns” that the Spanish State Security Forces carry out at Ceuta’s and Melilla’s borderline. The sentence, however, made some clarifications on how this practice should be approached: international regulations on the protection of human rights and the right to asylum, with particular focus on vulnerable people, must be respected and applied on a case-by-case basis, with full judicial control. In CEAR’s opinion, the first final provision of the Organic Law on the Protection of

Citizens’ Security, establishing a special system of border rejection for Ceuta and Melilla, should have been declared unconstitutional and, therefore, null and void. The manner in which it is being implemented, with no action protocol at the fences, makes it impossible to comply with international regulations or with the provision itself. This provision should be amended to include a clear border rejection procedure that respects the legislation in force while ensuring real access to international protection and compliance with the principle of non-refoulement.

In terms of migration, the most concerning development in Spain in 2020 was the humanitarian crisis that erupted in the Canary Islands in August, when the Arguineguin dock, located in Mogan, Gran Canaria, became a makeshift camp, crammed with hundreds of migrants in inhumane conditions. Furthermore, a dramatic and deeply regrettable decision was taken to separate arriving family members, including children and babies, in some cases for more than a month.

After the Arguineguin camp was dismantled by the end of November, the Government’s proposal (the so-called “Plan Canarias”, whereby 7000 reception places would be created, most of them in very poor conditions) was clearly insufficient. It is imperative to resize the humanitarian reception programme and provide it with a stable and flexible structure, as well as an agile and transparent policy for the transfer of migrants and adequate protocols for minors. It also needs a clear line of political communication to deter fake news and lies, in order to counteract hate speech and prevent xenophobia •

### 4.3. THE PANDEMIC'S SEVERE IMPACT ON THE RECEPTION AND INTEGRATION OF REFUGEES AND INTERNATIONAL PROTECTION SEEKERS

Since March 2020, the pandemic has clearly hindered the long and difficult integration process of refugees and international protection seekers in Spain. Moreover, it has forced public administrations and specialised organisations to redesign their programmes and adapt them to dramatic, sudden and unprecedented circumstances.

The first decisions included a whole set of measures to protect the arriving persons from COVID-19 at initial reception points, such as Detention Centres for Foreigners (CIE), Migrant Temporary Stay Centres (CETI) or National Police stations. Soon after that, international organisations and entities such as UNHCR or the European Asylum Support Office issued their recommendations for such exceptional circumstances. In Spain, autonomous regions implemented different protocols for dealing with sea arrivals, and on 5 June, the Secretary of State for Migrations disseminated its guidelines for potential cases of COVID-19 imported in the context of irregular migration. These guidelines were updated on 25 July. The most complex aspect was for humanitarian

host organisations to cover the quarantine of newly arrived migrants.

Similarly, the pandemic had a deep impact on the programmes of the Spanish State reception system aimed at international protection seekers and beneficiaries, who, on the other hand, showed an unprecedented capacity to adapt and develop protective measures. Particularly noteworthy are the measures implemented by the Spanish Government for applicants, such as the automatic extension of documentation that had expired during lockdown, or the possibility of prolonging the stay in reception facilities.

However, as happens in any crisis, the health and social emergency has hit this group even harder in terms of psychosocial problems, employability and access to housing and other basic needs. This is aggravated by a clear digital divide during the months of lockdown and social isolation, which was even more pronounced for women seeking and benefiting from international protection •



Abdoul comes from Senegal and has been working in Barcelona for years, where he is part of the Popular Union of Street Vendors. Since the outset of the pandemic, this union, which created the brand @topmanta\_bcn, sews surgical masks, gowns and hats to be distributed among Catalonia's hospitals and nursing homes. In a statement, this union reminded that street vendors are paying a very high price for the COVID-19 crisis. They claim that "the 'manteros' (street vendors) have lost their jobs, and many of us struggle to pay rent and basic food". Barcelona, April 2021. © Anna Surinyach.

# Proposals to improve refugee protection

Against the backdrop of the health emergency caused by COVID-19, many challenges persist in terms of access to the right to asylum, as well as reception and inclusion. Furthermore, Spain is back at the centre of migration and asylum debates, due to the increase in arrivals in the Canary Islands. CEAR has drafted a series of proposals to the Spanish authorities aimed at guaranteeing the rights of migrants, asylum seekers and refugees, regardless of the situations of emergency that may arise.

1. Ensuring that the measures adopted to restrict the freedom of movement are consistent with international human rights and the right to asylum.
2. Encouraging negotiations on the European Commission's proposals contained in the new EU Pact on Migration and Asylum to remedy the shortcomings that have been evident since 2015, by reducing the excessive focus on returns and border externalisation. It is urgent to push for the implementation of a system of responsibility sharing to establish mandatory relocation quotas among member States in order to avoid a situation of solidarity 'a la carte', which is an unacceptable approach to the migration problem.
3. Proposing measures for the new EU Pact on Migration and Asylum to guarantee full compliance with the obligation to protect human rights in connection with the new pre-entry screening procedure and the accelerated procedure at the border. These situations must be analysed individually and subject to the principle of non-refoulement.
4. Correcting the deficiencies in the Dublin system by putting forward a new Regulation on migration and asylum management, especially as regards the undue burden placed on the first country of entry in connection with the processing of asylum applications.
5. Making a greater commitment to relocation, the only legal and safe way available: raising the agreed quota, increasing the number of definite relocations and expanding the number of nationalities that are eligible.
6. Activating other complementary legal and safe pathways. It is worth recalling that the ruling of the Supreme Court of November 2020 allowed for the application of Article 38 of the Asylum law, promoting the transfer of international protection applicants from embassies and consulates to Spanish territory so they can formalise their application in Spain. It is crucial to increase the granting of humanitarian visas and relax family reunification requirements.
7. Managing the migration challenge in the Canary Islands through planned policies in coordination with regional and local institutions, civil society and citizenship, to avoid reactive and emergency measures, because they only provide short-term and reductionist responses to a reality that is multifaceted and requires a broader time perspective.
8. The increase in arrivals requires the activation of territorial solidarity mechanism, by redistributing people among all the regions in Spain.
9. Guaranteeing an agile, transparent, free from discrimination and systematic policy of transfer of new arrivals (especially for the most vulnerable profiles), from the Canary Islands, Ceuta, and Melilla to the mainland, in order to prevent the Islands and the ultra-peripheral areas from becoming large holding areas. It is important to highlight the ruling of the Supreme Court allowing asylum seekers free movement throughout Spanish territory.
10. Resizing the humanitarian reception programme and providing it with a stable and flexible structure to respond adequately to sea arrivals.
11. Modifying the protocols of care for minors arriving to the coasts or to Ceuta and Melilla, in order to ensure a territorial distribution in line with their best interest, through consistently managed reception services in the autonomous regions.
12. Examining the applications for international protection on an individual basis, with no standard criteria per nationality. The speed in the examination and resolution of the cases must not compromise the quality of the procedure. It is also urgent to close more than 100,000 pending cases.



*This is our nineteenth annual report. As we present it, we are still shaken by the recent military aggression against Gaza, in the face of the passivity of the international community and the passivity of a European Union that is not capable of acting outside Washington's umbrella. (...)*

*We are also writing these lines just a few weeks after the humanitarian emergency in Ceuta, with over eight thousand migrants dramatically entering Spanish territory and more than half of them being subjected to "hot returns" (contrary to International Law). Morocco has once again proven the importance of its role in border control, using young people as a currency in its negotiations with Spain.*

*We are moved by the situation of refugees around the world, in a planet shattered by the COVID-19 pandemic and a very difficult social and economic situation. According to UNHCR, In June 2020, 79.9 million people had abandoned their homes due to persecution, human rights violations or war. Such a figure had never been reached before - it is nearly twice as high as it was a decade ago. (...)*

*We are not getting great news from Brussels, either. The Commission's content proposal for the new Pact on Migration and Asylum includes very disturbing points, which further restrict the rights of the people in need of international protection and entrench the choice for return policies with*

*no guarantees and the externalisation of border control. (...)*

*In Spain, 2020 has been a year of lights and shadows. Our country has provided attention to a significant number (88,762) of international protection seekers. In fact, it continued to be the third receiving country, after Germany and France. Moreover, there was a substantial acceleration in the processing of cases, which made it possible to resolve 114,919 applications. However, only 5% of them were granted international protection. (...)*

*Throughout 2020, CEAR has expressed its concern about the lack of coordination and organisation that was witnessed during the migration emergency in the Canary Islands, at the makeshift camp of Arguineguin, where a genuine humanitarian crisis unfolded in August. (...) The situations and conditions that hundreds of migrants underwent on that dock are intolerable and must never happen again. (...)*

*The pandemic has completely shattered our world and our form of coexistence. It has taken the lives of millions of people around the globe. Nonetheless, we cannot let it endanger the respect for human rights or the right to asylum, too, because this is the last shield for the victims of persecution, violence or threat.*

*From the preface by Carlos Berzosa, president of CEAR*



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