



REALISING  
A SOCIAL EUROPE  
FOR ALL

**solidar**

# Belonging as a Right

## SOLIDAR's Vision for Reimagining Migration in Europe



### Introduction

Migration is a fundamental aspect of human history. From ancient trade routes and nomadic movements to modern-day displacement and global mobility, human beings have always migrated - seeking safety, opportunity, community and dignity. Migration is not an anomaly; it is a natural and enduring expression of human agency.

Today, however, the reasons behind migration are increasingly shaped by **global inequalities, armed conflict and the growing impact of climate change**. Millions are forced to leave their homes due to war, persecution, poverty and environmental degradation. These realities underscore the urgent need to approach migration not as a security issue, but as a matter of **human rights and global justice**.

*“The escalating climate crisis is creating a new wave of displacement, disproportionately impacting those in vulnerable situations. Migration justice must go beyond protection - it must be rooted in the recognition of fundamental rights and the dignity of all people.”*

Roula Seghaier, Women in Migration Network

With this vision, SOLIDAR seeks to define our role in representing our members and the work they are doing across Europe with migrants, in support of migrants and migrant led organisations and local communities. Drawing on the lived experiences of our members and grounded in international and European legal frameworks, this document provides concrete recommendations for the European Union and its Member States to make sure that migration is treated as a natural part of our societies, focusing on the right of the individual and their place in society, while upholding their commitments to human and social rights. It calls for a migration policy rooted in solidarity, justice and dignity, ensuring that everyone belongs.

## SOLIDAR's Vision Towards Welcoming Societies

Despite being physically present in European societies, many migrants, refugees and asylum seekers remain excluded from meaningful participation and recognition. The gap between presence and inclusion is shaped by legal status, restrictive policies and structural barriers that limit access to rights, services and opportunities. While migrants, refugees and asylum seekers contribute to the social, cultural and economic fabric of the EU, they are often denied the conditions necessary to thrive. Bridging this gap requires a **shift from managing migration as a security issue to fostering inclusive societies** where all individuals, regardless of status, can belong, participate and flourish.

In addition to legal and structural obstacles, migrants, refugees and asylum seekers face deep-rooted societal barriers that hinder their full inclusion in European societies. Racism, xenophobia and entrenched prejudices continue to shape public attitudes and institutional responses, often reducing individuals to stereotypes and framing migration as a threat. These narratives are reinforced by discriminatory media coverage and political rhetoric that scapegoat migrants for broader social and economic challenges.

Civil Society Organisations (CSOs) and trade unions have long denounced this climate of hostility, warning that it not only fuels exclusion but also legitimises restrictive policies and undermines social cohesion. Tackling these societal barriers requires more a different set of policies, but also something much broader - it demands a cultural shift grounded in solidarity, anti-racism and the recognition of migrants, refugees and asylum seekers as integral members of our communities. At the same time, decisive and sustained action is needed to confront racism and systemic discrimination by **embedding anti-racism and equality as core principles across all migration-related policies, establishing independent oversight to monitor racial profiling and unequal access and collecting disaggregated data** to expose inequalities and inform evidence-based reforms.

### Criminalisation and dehumanisation of migrants

Since 2023, Europe has witnessed a troubling rise in violent acts and hostile rhetoric targeting migrants, refugees and asylum seekers. Civil Society Organisations (CSOs) have documented numerous cases of physical attacks, criminalisation and harassment, often fuelled by political narratives that dehumanise them. In 2024 alone, PICUM recorded at least 91 migrants subjected to criminalisation under counter-smuggling laws, and over 140 individuals and CSOs prosecuted for acts of solidarity - such as providing food, shelter or rescue assistance. These incidents reflect a broader climate of exclusion, where migration is increasingly framed as a threat to national identity and security.

Far-right political forces have played a central role in this escalation. Parties such as Identity and Democracy (ID), the European Conservatives and Reformists (ECR) and the European People's Party (EPP) have used migration as a wedge issue, promoting narratives that link migrants to criminality and social instability. Their manifestos call for mass deportations, expanded border policing and externalisation deals with third countries - often ignoring human rights obligations. This rhetoric has not only shaped public opinion but also influenced mainstream policy, contributing to the normalisation of xenophobia and the erosion of protections for migrants, refugees and asylum seekers.

Local contexts such as municipalities, schools and workplaces play a pivotal role in fostering the social inclusion of migrants, refugees and asylum seekers. Unlike national-level policies that often focus on control and status, local institutions are where inclusion is lived and negotiated daily. Cities and towns are often the first to respond to the needs of migrants, refugees and asylum seekers, offering access to housing, education, healthcare and employment. Schools serve as key spaces for integration, especially for children and youth, while workplaces can be engines of inclusion when rights are respected and diversity is embraced. To make this role effective, the EU and Member States must **strengthen the capacity of local actors by ensuring they have the resources, autonomy and support needed to deliver rights-based services and shape inclusive policies from the ground up.**

Civil Society Organisations and migrant-led initiatives such as SOLIDAR's members are essential partners in this process, providing services, advocacy and cultural mediation. However, their work is frequently underfunded and structurally sidelined. To strengthen local inclusion, **EU and national governments must ensure direct, flexible and transparent access to funding for CSOs and migrant-led organisations**, while promoting long-term partnerships that reflect realities on the ground. Inclusion must be built from the bottom up, with local actors empowered to shape policies that reflect solidarity, participation and human rights. In this context, it is crucial to **recognise and support migrant, refugees and asylum seeker-led organisations, diasporas and individuals with a migrant background as key actors of change**, while systematically documenting and making visible their indispensable contributions to Europe's socio-economic and cultural prosperity - particularly in the face of demographic ageing.

Addressing these issues demands a **fundamental shift in public and institutional narratives - promoting what unites rather than what divides - through coordinated efforts** to support inclusive storytelling, public awareness campaigns and ethical media practices, alongside ensuring migrants' meaningful participation in EU debates, cultural spaces and policymaking. As a progressive membership network rooted in solidarity and social justice, SOLIDAR plays a critical role in driving this transformation by **amplifying the voices of our members and migrant-led organisations, challenging discriminatory narratives and advocating for human rights-based policies at EU and national level.** Acting on this is essential because the narratives that shape migration policies directly impact social cohesion and equality, and therefore the ability of our societies to uphold human dignity - values at the heart of SOLIDAR's mission.

Building on this understanding, SOLIDAR's vision **moves beyond emergency responses and fragmented policies to advocate for inclusive societies** where migration is recognised as a permanent and enriching dimension of European life. Achieving this vision requires dismantling structural and societal barriers that perpetuate exclusion and inequality. It calls for a rights-based approach anchored in international and EU legal obligations, a cultural shift that challenges racism and divisive narratives and the empowerment of local actors and migrant-led organisations as drivers of change.

***The following sections will examine some of the key prerequisites for building inclusive societies necessary to turn this vision into reality.***

## 1. Ensuring a Human Rights-Based Approach to Migration and Asylum

Migration policy and advocacy within the SOLIDAR network are grounded in a robust set of legal and normative frameworks that uphold the rights and dignity of all migrants, regardless of status. At the international level, our work is guided by instruments such as the **Universal Declaration of Human Rights**, the **International Covenant on Civil and Political Rights**, the **1951 Refugee Convention** and its **1967 Protocol** and the **Global Compact for Safe, Orderly and Regular Migration**. In addition, the **2030 Agenda for Sustainable Development** positions migration not as a problem to be solved, but as a driver of development, calling for policies that uphold human rights, promote social inclusion and ensure that migration contributes positively to both origin and destination communities.

At the European level, SOLIDAR's advocacy is informed by the EU's foundational treaties - the **Treaty on the EU (TEU)** and **Treaty on the Functioning of the EU (TFEU)** - as well as the **EU Charter of Fundamental Rights**, the **European Convention on Human Rights** and the evolving **Common European Asylum System (CEAS)**. The adoption of the **EU Pact on Migration and Asylum** in 2024 marked a turning point, introducing fast-track border procedures, expanded detention practices and limited appeal mechanisms for migrants, refugees and asylum seekers. These reforms have raised serious critique among CSOs underlining how these policies when put into practice essentially undermine the right to migration and asylum and erode fundamental safeguards, especially for vulnerable groups.

In parallel, the EU has intensified its **externalisation strategy**, signing agreements with third countries such as Tunisia, Egypt and Lebanon to prevent migrants from reaching European borders. While framed as cooperation, these arrangements often lack transparency and democratic oversight, and they are implemented in contexts where human rights protections are weak or absent. Such deals frequently result in practices that contravene international obligations, including pushbacks, arbitrary detention and denial of access to asylum procedures. CSOs and trade unions further stress that externalisation undermines the EU's foundational values of human dignity and the rule of law, creating accountability gaps and exposing migrants, refugees and asylum seekers to heightened risks of violence, exploitation and refoulement. Rather than addressing root causes or expanding safe pathways, these agreements entrench a securitised model that erodes trust, weakens multilateralism and perpetuates systemic rights violations.

### **Double Standards in EU Protection**

The EU's response to displacement has exposed deep inconsistencies in its protection system. Ukrainian refugees were rapidly granted status under the Temporary Protection Directive, gaining immediate access to housing, employment and essential services across Member States. In contrast, asylum seekers from countries such as Syria, Sudan and Afghanistan continue to face pushbacks, detention and limited access to fair procedures.

To uphold the EU's commitment to human rights, all migrants and asylum seekers must be guaranteed equal access to protection, rights and opportunities - regardless of origin. The solidarity shown to Ukrainian refugees must become the standard, not the exception.

Moreover, the political climate across the EU has become increasingly fragmented and polarised, with many Member States adopting nationalist and deterrence-based rhetoric. This has led to **deterioration and double standards** in the treatment of migrants and asylum seekers, in which **geopolitical interests and racial bias** influence access to protection. Overall, the current trajectory of EU migration policy reflects a growing disconnect between legal commitments to human rights and realities on the ground.

Access to legal aid and justice is not only a cornerstone of democratic societies but also a legal obligation under EU law: Article 2 TEU enshrines respect for human dignity, equality and the rule of law as foundational values, while Article 47 of the Charter of Fundamental Rights guarantees everyone the right to an effective remedy and a fair trial. Yet, for many migrants, refugees and asylum seekers in the EU, this access remains severely restricted. Legal counselling and representation are often unavailable or underfunded, particularly during critical stages of the asylum procedure. According to ECRE, the organisation of legal aid in national asylum systems is largely dependent on national rules and remains inconsistent and inadequate across Member States. In Germany, for example, asylum seekers face long delays in accessing legal advice and independent counselling services are often obstructed by administrative barriers and lack of funding. This undermines their ability to navigate complex legal systems, challenge rights violations or appeal negative decisions.

To uphold its human rights commitments under EU and international law, as required by Art. 3, §5 TEU, the European Union must:

- **Ensure access to fair, timely and rights-based asylum procedures at all stages of the migration journey, actively resisting restrictive measures.** Member States and EU border authorities must refrain from practices such as pushbacks, arbitrary detentions and collective expulsions. Procedural safeguards must be upheld without exception - including access to legal assistance, interpretation and the right to appeal. Reception conditions - whether at borders, in transit zones or prior to lodging an application - must be dignified and guarantee access to essential services.
- **Desist from engaging in or supporting the externalisation of border management, including the practice of funding third countries or private actors** to prevent migrants, refugees and asylum seekers from reaching European territory. Where externalisation practices are in place, the EU must ensure strict compliance with fundamental rights standards, including the right to seek asylum, non-refoulement and protection from arbitrary detention and ill-treatment.
- **Abolish all forms of negative migration conditionality in its partnerships with third countries - including the use of trade, development aid or visa agreements.** Such conditionality undermines the principles of solidarity, human rights and fair cooperation, and often results in discriminatory practices and unequal treatment of migrants. The EU must also ensure equal access to asylum procedures for all individuals fleeing persecution, regardless of nationality, ethnicity, gender, migration route or any other factor.

- **Guarantee meaningful access to justice and legal systems for all migrants, refugees and asylum seekers, while enabling their early and active participation in the political life of host countries.** This includes ensuring access to legal aid (in conformity with art. 47 CFREU), interpretation services and transparent procedures to challenge administrative decisions. Beyond legal access, the EU should promote inclusive civic engagement through citizenship education, support for community-based initiatives and the gradual extension of electoral rights at local, national and regional level.

## 2. Rethink Returns to Uphold Human Rights

Return policies have become a central pillar of EU migration management, increasingly prioritised over fair asylum procedures and long-term inclusion strategies. These policies refer to the administrative and legal processes through which individuals who are deemed not to have a legal right to remain in the EU are sent back to their country of origin, transit or another third country. Returns can be voluntary - either spontaneous or assisted - or forced, often involving detention and deportation. Since the adoption of the **EU Return Directive in 2008**, the focus on increasing return rates has intensified, culminating in the **European Commission's proposed Return Regulation**, which aims to establish a common system for swifter and more effective returns. However, the proposed Regulation expands detention grounds, restricts access to voluntary return and introduces vague cooperation obligations that undermine procedural safeguards and fundamental rights. In cases where a Member State opts to recognise a return decision issued by another, it is imperative that the individual concerned is guaranteed access to legal remedies and safeguards equivalent to those provided under mutual recognition procedures in criminal matters.

The concept of “return hubs” in third countries - where individuals may be held pending deportation - further externalises EU responsibilities, often without clear legal protections, oversight mechanisms or guarantees of non-refoulement. These measures risk criminalising migration and eroding the principle of proportionality. Moreover, return policies frequently ignore the complex realities of migration, including the fact that many individuals cannot be returned due to human rights concerns, lack of documentation or medical and family reasons. As a result, thousands are left in legal limbo, excluded from rights and services and vulnerable to exploitation and abuse. A rights-based approach to migration must critically reassess the role of return policies and ensure that they do not override the EU's legal and moral obligations to protect human dignity.

EU return policies disproportionately affect people in vulnerable situations, including children, survivors of violence, stateless persons and individuals with medical or psychological conditions. The proposed Return Regulation allows for the detention of families and minors, despite international commitments to end child immigration detention. Survivors of trafficking or gender-based violence may be returned without adequate risk assessments or support, exposing them to further harm. People with serious health conditions face deportation despite the lack of medical infrastructure or treatment in their country of origin.

Detention must remain a measure of last resort, applied only when strictly necessary and for the shortest possible duration. In this sense, detention periods should never exceed those currently established in legislation and under no circumstances should unaccompanied children or families with minors be placed in detention.

Monitoring of return procedures across the EU remains fragmented, inconsistent and insufficient to ensure compliance with fundamental rights. There is a lack of comprehensive frameworks to assess whether these rights are upheld throughout the return process - from the issuance of return decisions to post-return reintegration. The absence of robust monitoring mechanisms allows serious rights violations to go unchecked - such as arbitrary detention, deportations to countries with no prior ties and coercive measures that undermine voluntary return options - an accountability gap further compounded by the systemic barriers migrants, refugees and asylum seekers face in accessing justice, including limited legal aid and ineffective complaint mechanisms.

The International Organisation on Migration has developed monitoring and evaluation tools for return and reintegration programmes, but their implementation across EU Member States remains uneven and largely voluntary. Without mandatory, independent oversight and accountability mechanisms, return procedures risk becoming opaque and punitive rather than protective and rights based. Strengthening monitoring is not only a legal imperative, but also essential to prevent harm, uphold dignity and ensure that return policies do not override the EU's human rights commitments.

To uphold its human rights obligations and prevent harm, the European Union must:

- **Uphold and strengthen procedural safeguards throughout all stages of the return process, ensuring full compliance with international and European human rights standards.** This includes guaranteeing access to free legal aid, interpretation services and the right to appeal return decisions with suspensive effect in all cases, as well as prohibiting arbitrary detention as last resort and for the shortest period, while preventing collective expulsions.
- **Remove punitive cooperation obligations and vague criteria such as 'risk of absconding,' which undermine fairness and due process.** Return procedures must uphold fundamental rights by prioritising voluntary departure over enforced return, granting individuals adequate time to prepare and prohibiting return decisions when the country of destination is not identified. Returns must only occur to the country of origin or habitual residence, never based on informal agreements.
- **Ensure that all return decisions are based on thorough individual assessments, not on nationality profiling, administrative quotas or political pressure to increase return rates.** Decisions must consider specific circumstances, vulnerabilities and legal protections, including the principle of non-refoulement, the right to family life and access to effective remedies. In addition, issuing return decisions and applying mutual recognition between Member States should remain optional.

- **Establish mandatory, independent and transparent monitoring mechanisms for all stages of the return process**, from pre-return actions to the final handover to the receiving country's authorities, including oversight of agreements with third countries. Monitoring must be conducted by independent bodies with access to detention centres, deportation procedures and reintegration programmes. It should assess compliance with fundamental rights, including the prohibition of refoulement, the right to appeal and the treatment of vulnerable groups and impact on the fundamental rights of the individuals concerned. Data must be disaggregated and publicly reported to ensure transparency and inform policy reform.

### 3. Advancing Economic and Social Rights of Migrants

Migrants, refugees and asylum seekers in the EU continue to face entrenched structural and systemic barriers that hinder their full inclusion and participation in society. Access to employment is often obstructed by deterrent reception policies, lengthy asylum procedures and legal uncertainty, which prevent individuals from entering the labour market promptly. Even when access is granted, discrimination, lack of recognition of qualifications and precarious working conditions - especially for migrant women in domestic and care sectors - further marginalise them. Education presents another challenge, particularly for children and youth in asylum procedures, who may face interrupted schooling, language barriers and limited access to inclusive educational environments.

Housing insecurity is widespread, with many migrants living in overcrowded or substandard conditions, often excluded from public housing schemes due to legal status or administrative barriers. Healthcare access is similarly restricted, especially for undocumented migrants, who may be denied essential services or face prohibitive costs. Additionally, restrictive family reunification policies, lack of political participation rights and insufficient support for mental health and psychosocial well-being further isolate migrants and asylum seekers.

These issues are compounded by social exclusion, xenophobia and the instrumentalisation of migration in political discourse, which fosters hostile environments and undermines integration efforts. CSOs and trade unions play a crucial role in defending the rights of migrants and asylum seekers and promoting their inclusion in European societies. Across the EU, CSOs provide essential services such as legal assistance, housing support, language training and psychosocial care, often stepping in where state systems fall short - a shortcoming driven not only by structural complexity but also by chronic resource gaps, frequently the result of deliberate underinvestment in migration-related public services by Member States. Various actors, including certain trade unions, have developed networks of contact points to assist migrants with employment-related issues, integration and access to rights. These efforts include advocacy for decent working conditions, protection against exploitation and support for undocumented workers, who are especially vulnerable to wage theft, unsafe working environments and deportation risks.

To ensure the meaningful inclusion of migrants, refugees and asylum seekers in European societies, the EU must:

- **Accelerate meaningful labour market integration for migrants, refugees and asylum seekers by removing structural barriers and ensuring access to decent work.** This includes granting temporary work permits and access to language training from the earliest stages of the asylum process, regardless of final status outcomes. The EU must promote inclusive labour policies that guarantee equal treatment, enforce labour rights and support pathways to long-term employment and social protection.
- **Promote policies to ensure that all people on the move have access to social rights and affordable essential services - including education, healthcare and housing - regardless of their residence status or the stage of their asylum application.** Education systems must be inclusive and responsive to the needs of migrant, refugee and asylum-seeking children and youth, ensuring language support, psychosocial care and uninterrupted schooling. Healthcare must be accessible, culturally sensitive and free from discrimination. Housing policies must eliminate barriers based on legal status and prevent segregation, overcrowding and homelessness.
- **Create an enabling environment for Civil Society Organisations and Trade Unions working to advance the rights and inclusion of migrants, refugees and asylum seekers.** This includes facilitating direct, transparent and clearly regulated access to national and EU funding, removing bureaucratic barriers and protecting the space for advocacy and service provision. The EU should also promote structured dialogue with these actors in policy-making processes, ensuring that migrant voices are represented and that grassroots expertise informs inclusive and rights-based migration policies.

SOLIDAR is a European network of Civil Society Organisations (CSOs) with a global reach working to advance social justice through a just transition in Europe and worldwide. Our over 50 organisations are based in 26 countries (19 of which are EU countries) and include national CSOs in Europe, as non-EU, EU-wide and organisations active at the international level.

**Funded by the European Union. Views and opinions expressed are however those of the author(s) only and do not necessarily reflect those of the European Union or the European Commission. Neither the European Union nor the European Commission can be held responsible for them.**

