Immigration toward Europe; the EU Policy to Challenges of Immigration Crisis

FURKAN ÇAY
UNIVERSITY OF SZEGED

Abstract

During summer 2015, Europe has received roughly 1.2 million asylum applications, nearly double the number registered in 2014. The vast majority of asylum seekers arrived in Europe through the Mediterranean Sea and arrivals from Turkey to Greece have had put pressure on the Greek-Turkish sea border. Consequently, the EU member states faced various challenges as they did not know how to manage the impacts of the crisis over security, economic, political, and social sphere. This article examines that due to the member states avoided responsibility sharing the situation worsened and the crisis deepened. The article will shed light on the immigration policy challenges of the EU and the EU cooperation with third countries on migration and asylum.

Keywords: Immigration crisis, 2015, EU, challenges, cooperation

1. Introduction

Following the Second World War, the direction of immigration changed rapidly and Europe became the main destination of immigrants. Several European countries, among others Germany, France, Netherland, Belgium, and the UK needed extra labor for the reconstruction of their ruined economies. Therefore, countries provided workers either from their former colonies, as France and Britain did, or from several Muslim countries such as Morocco, Turkey, and Tunisia. However, the 1980s caused another change in immigration characteristics and during this particular time, guest workers had been replaced by asylum seekers and refugees. Subsequently, European countries experienced a heavy influx of immigrants caused by the war in Yugoslavia and the dissolution of the USSR by the 1990s. Thus, political discourse mainly focused on asylum seekers and remained at the center of European political discussions.

By 2015 summer, European Union member states have received more than a million people. It marked the most dramatic forced migration in the continent after Second World War. Most asylum seekers mainly came from war-torn countries of Syria, Afghanistan, and Iraq while attempting to escape from poverty, war, and oppression. Indeed, such situation created a chaos on border crossings and train stations. In response; various European countries reintroduced border checks. Later, the situation worsened due to the EU decision of reallocating 160.000 asylum seekers from the main entrance countries of Greece and Italy

to other EU member states. Nevertheless, the EU decision is not welcomed by several countries among others Poland and Hungary and the EU has faced strong resistance. It has indeed divided European leaders on how to respond to the crisis due partly to reasons including providing food, water, accommodation, and health care strained first arrival countries of Greece and Italy.

The first section will address the challenges that EU member states faced due to the mass influx of immigrants. In the second section, EU Cooperation with third Countries on migration and asylum will be examined and highly criticized return agreements will be given emphasis.

2. Immigration Policy Challenges of the EU

2015 immigration crisis has proved that mere cooperation with third countries is not enough; the EU should also commit itself to the effectiveness of cooperation. However, the EU faces some challenges for effective cooperation. The first challenge occurs due to migration flows from African countries. Such migration is caused by various reasons including poverty, natural disasters, deep-rooted conflicts, overpopulation, unemployment, and lack of security. These reasons push people to leave their countries to find better places where can provide the basic needs of human beings. Therefore, migration flows will more likely continue in the upcoming decades, particularly from Sub-Saharan Africa and the Southern Mediterranean. The second challenge is related to global economic crises which trigger migration flows. Migrants sending countries are often economically doomed countries and cannot afford to feed their population.[1]

It is a fact that such challenges cannot be merely solved by the EU. What the EU can do is to have close cooperation with partner countries. On this matter, European Parliament Policy Department C points out that:

> From a more specific migration policy perspective, the European Commission appointed in 2014 underlined EU migration policy as one of its ten political priori-ties for its five-year mandate. In accordance with this, the European Agenda on Migration, proposed by the Commission in May 2015, aims to deal in a comprehensive way with all aspects of migration: the development of a Common European Asylum System, a new European policy on legal migration, the fight against irregular migration and human trafficking and the securing of the EU's external borders. The European Agenda on Migration has so far been largely dominated by short-term considerations and a focus on the response to the ongoing migration crisis in the Mediterranean. Although it also refers to cooperation with third countries in the field of migration, especially in fields more closely related to security aspects, surprisingly the GAMM does not feature as one of the framework approaches for the implementation of the new Agenda.[2]

---

[1] European Parliament Policy Department C. (2015), *EU Cooperation with Third Countries in the Field of Migration*, Study for LIBE Committee. Brussels. Publisher: European Parliament.
[2] Ibid. p. 16.

2.1. The Main Challenge: Economic Immigrants and Refugees

It is highly difficult to distinguish economic migrants from refugees. Foster argues that "the terms 'economic migrants' and 'economic refugees' are often used interchangeably, apparently under the assumption that their meaning is self-evident."[3] Economic migrants are usually perceived as persons who leave their home countries voluntarily to achieve better economic conditions and life. Therefore, these persons have no legitimate right to claim protection from the destination state. Whereas refugees have legal rights for protection since they are leaving their home countries for various reasons including escape the war, persecution, and natural disaster.

Push factor and pull factors make the main distinctions between refugees and migrants. Push factors of persecution and war, and pull factors of better economic life and the attractiveness of destination country can determine characteristics of migration. As Zolberg, Suhrke and Aguayo pointed out that the distinction can be seen in the following simplistic formula: "voluntary economic = migrants' and 'involuntary political = refugees."[4] However, Foster argues that the motive for the migration based on voluntariness might be a bit deceptive. He gives an example of a person who has fear of political persecution leaves his country involuntarily and become an involuntary migrant.[5]

It is claimed by United Nations High Commissioner for Refugees (UNHCR) that seven out of ten people crossing the Mediterranean Sea are not refugees; they are rather economic migrants. On this matter, Frans Timmermans, vice president of the European Commission, has told during the interview that more than half of entire migrants in Europe are motivated by economic reasons rather than fleeing from the war or persecution. He also said that "economic refugees should be returned as quickly as possible to make sure that support for people fleeing war is not damaged. If they could be sent back, it would make an enormous difference."[6]

2.2. Security Challenges of Refugees

In recent years, terrorist attacks in Europe carried out by Islamic State and Jihadists made people believe that influx of refugees from Middle Eastern countries is a security threat. According to the Global Terrorism Index "the total number of deaths from terrorism globally is reported to have reached 32.685 in 2014 alone."[7] This number is not only the result of Islamic terrorism; it is caused by namely, "Jihadist" terrorism.

---

[3] Foster, Michael, (2007), *International Refugee Law and Soci-Economic Rights*. New York: Cambridge University Press, p. 5.
[4] Ibid. p. 7.
[5] Ibid.
[6] Dutch News. (2016). *60% of refugees are economic migrants: Dutch EU commissioner*, article retrieved on January 28, 2019, http://www.dutchnews.nl/news/archives/2016/01/60-of-refugees-are-economic-migrants-dutch-eu-commissioner/
[7] Brady, Erika. (2017), an analysis of security challenges arising from the Syrian Conflict: Islamic Terrorism, Refugee Flows and Political and Social Impacts in Europe, *Journal of Terrorism Research*, p. 54.

Europe has been highly affected by jihadist terrorist organizations, particularly Islamic State. In 2014, Islamic State has officially declared a caliphate and started to recruit foreign fighters. Afterward, ISIS has gained more territory and carried out terrorist attacks in several countries. In this regard, Brady argues that Islamic State found an opportunity to claim that Western countries are at war with Islam due to Western involvement in the Syrian war.[8] The number of terrorist incidents in Europe is low compared to Syria, Iraq, and Afghanistan. (See figure 1) However, it is not to say that terrorist attacks aren't considered a security challenge in EU countries.

Furthermore, the high increase in the number of refugees caused an alert in Europe because Europe still struggles with people who are seeking asylum in the refugee camps. Some factors such as being unemployed, unable to integrate into the society in which they are based create alienation for refugees. Haider argues that:

> Over time, refugees can develop into highly organized and militant states-in-exile. Besides, protracted situations result in reduced expectations for the future, increasing feelings of hopelessness, and desperation among refugees/displaced persons. Further, host societies are likely to become less hospitable the longer a refugee/IDP crisis lasts.[9]

This situation, in the long term, may lead to terrorism or violence. For example, when 63 people were killed in Nairobi, the capital of Kenya, Kenyan authorities have blamed Dadaab (refugee camp) for the shopping mall attack. Secretary of interior ministry talked to national broadcaster and said "Dadaab is a nursery for terrorists."[10] Parallel discussions can be seen throughout Europe as well. After the Paris attack, in 2015, the media has shown perpetrators as refugees and it has shifted the public opinion from the favor of refugees to against refugees. It has also affected people's feelings toward refugees by distrust and anger.

Many refugees have been arrested in Europe due to terrorist connections but it is risky to put all the refugees into terrorist categories. Refugees and asylum seekers can probably radicalize in the camps but often it draws the attention of authorities. In such cases, refugees and asylum seekers are living under surveillance and authorities gather information. For example, counter-terrorism in Italy doesn't even hide that refugee phones are tapped and Italian authorities are using refugees to spy on others.[11]

Ben Emmerson, a United Nations expert on counter-terrorism, has presented his report to the General Assembly of the United Nations on October 21, 2016, and warned that the restrictive and harsh migration policies may create a fertile atmosphere for terrorism. He has pointed out that "overly-restrictive migration policies introduced because terrorism

---

[8] Ibid. p. 55.
[9] Ibid. p. 59.
[10] Cora, Currier. (2016). *Refugee camps are factories for terrorists?* article retrieved on January 30, 2019, https://theintercept.com/2016/02/06/refugee-camps-are-factories-for-terrorists-not-really/
[11] Latza, N. Barbie. (2016), *Europe Stops nothing to Hunt Down Terrorists in Refugee Camps*. Article retrieved on January 30, 2019. https://www.thedailybeast.com/europe-stops-at-nothing-to-hunt-down-terrorists-in-refugee-camps

concerns are not justified and may be damaging to state security."[12] However, Emmerson underlined the fact that there is no direct link between migration and increasing terrorist attacks. Refugees and asylum seekers are victims of terrorist activities. Therefore, they should be treated as victims, not as potential terrorists.
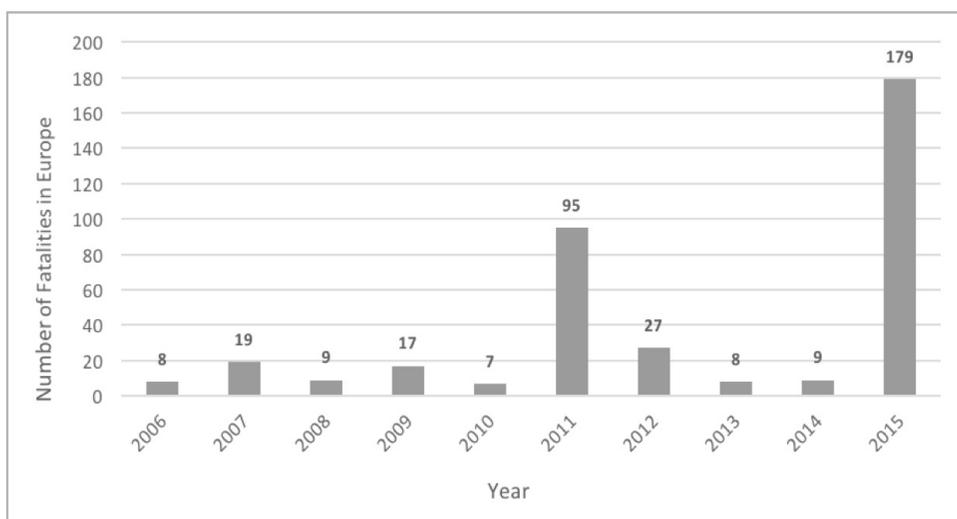

Figure 1. Number of fatalities arising from ISIS-related attacks in Europe between 2006 and 2015. Source: Brady, p. 58.

In conclusion, Brady states that security issues and migration crisis will continue across the European continent in the future as well due to that destruction over war-torn countries such as Syria, Iraq, and Afghanistan. Ongoing war conflicts will cause new refugee flows and create tension in EU countries. European countries are afraid of new terrorist attacks and assuming that attacks are caused by refugees. However, there is no clear connection between terrorist activities and refugee flows. Thus, EU countries need a review of state policies in terms of refugee issues due to restrictive policies are not reducing the level of threat but increases radicalization, alienation of refugees, and potentially increase terror threat.

2.3. Political and Social Effects of Refugee Crisis

In recent years, immigration and terrorism issues deliberately have been exploited by right-wing parties and politicians to promote fear in Europe. This fear can be seen clearly during the Brexit Referendum on June 23, 2016. The decision of the referendum favored the exit-

---

[12] OHCHR (2016), Refugees and terrorism: "No evidence of risk" – New report by UN expert on counter-terrorism, article retrieved on February 3, 2019.
https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20734

ing from the EU and led to resign of some politicians in the UK. On this matter, Brady points out that:

> (…) Within hours of the decision, the political backlash in the UK became evident: David Cameron resigned his position as Prime Minister; Nigel Farage, the leader of the United Kingdom Independence Party (UKIP) also resigned; the Labour Party, the opposition party in the UK, began what has become an extended crisis of faith in its controversial leader, Jeremy Corbyn (following Brexit, the party lost over 20 members of its shadow cabinet); and Scotland, which voted overwhelmingly to remain in the EU, raised yet again the specter of separating from the rest of the UK.[13]

Brady also argues that fear from the immigrants has been exploited by other politicians as well, such as Prime Minister of Hungary, Victor Orban. In his speech, he pointed out that the increasing terror threat is the reason for "uncontrolled migration" and Brexit is the result of the failure of the political Elite of the European Union.[14]

Furthermore, Islamic terrorism has been perceived as deeply connected with the refugee issue and used by right-wing parties and supporters. This concern is highly connected with Islamic radicalism and can be seen across the continent. According to Soufan Group, between 27.000 and 31.000 people from 86 countries have traveled to Syria and Iraq to fight for ISIS.[15] Notably, the number of foreign fighters in Iraq and Syria is more than in Afghanistan and Iraq wars. Soufan Group also reported that 6000 Islamic State fighters came from Europe and this number doubled since June 2014. It is claimed that 760 Jihadists traveled to Iraq and Syria from the United Kingdom and it is estimated that half of them returned while 50 of them died in Iraq and Syria.[16]

Indeed, the conflict in Iraq and Syria attracted Islamist and Jihadist fighters, particularly from Europe. European countries are afraid of these Islamic State fighters due to fighters from Europe can enter European countries easily and carry out attacks for revenge of military defeats in Syria and Iraq. Terror chief Max Hill has told *The Telegraph* that Islamic State is planning indiscriminate attacks on civilians and expressed his concerns about the danger of return fighters. He warned that: "it's an enormous concern that large numbers – we know this means at least hundreds of British citizens who have left this country in order to fight – are now returning or may be about to return."[17]

Besides, freedom of movement helps ISIS fighters to carry out revenge attacks in Europe. Related to revenge attacks Interpol issued a list of 173 Islamic State fighters who may have been trained to target European countries to take revenge for military defeats in the Middle East for the reason that there is a high risk of military defeats in Syria and Iraq may

---

[13] Brady, p. 62.
[14] Ibid.
[15] Telegraph. (2017), *Terror chief Max Hill warns risk of attacks in Britain is highest since dark days of IRA*, article retrieved on February 3, 2018, http://www.telegraph.co.uk/news/2017/02/25/terror-chief-max-hill-warns-risk-attacks-britain-highest-since/
[16] Ibid.
[17] Ibid.

end Islamic State caliphate and some suicide bombers can seek to come to Europe.[18] (See figure 2)
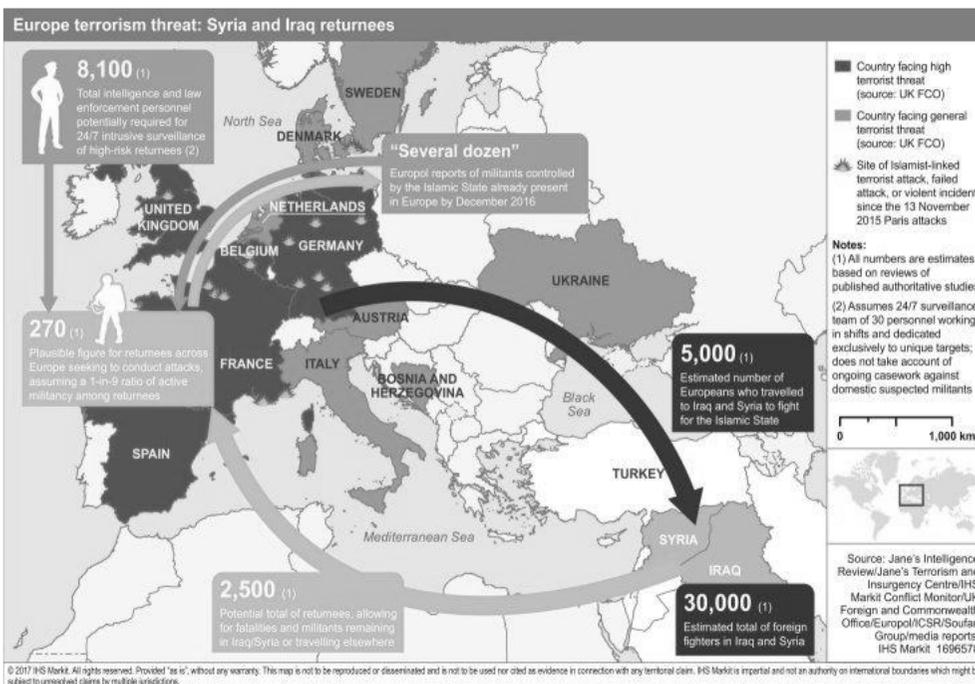

Figure 2. Europe Terrorism Threat: Syria and Iraq Returnees. Source: Islamic State returnees pose threat to Europe, HIS Jane's, 2017, p. 1.

Besides, Brookings Institution has reported that foreign fighters are less threat to intelligence services due to some of them are killed during the war while others will more likely to stay in war zones rather than coming to Europe. There are also some other optimistic opinions that foreign fighters will deradicalize and start a new life to avoid trouble. However, those who are involved in the activities related to terrorism will be watched by intelligence services and if it is needed they will be arrested.[19]

So far, many Western countries – except Denmark – have crushed the ISIS returnees who came back from liberated parts of Iraq and Syria. Many of them have been arrested or banned to enter the country due to the belief that jihadists pose threat to society. According to information provided by *The Guardian*, at least 30 ISIS fighters face trial in Germany

---

[18] *Terror chief Max Hill warns risk of attacks in Britain is highest since dark days of IRA.*

[19] HIS Jane's. (2017), *Islamic State returnees pose threat to Europe,* article retrieved on February 23, 2018.

while 46 jihadists in Belgium are accused of being part of ISIS recruiters.[20] Besides, some Western countries such as Denmark launched an unprecedented deradicalization program to reintegrate returnee jihadists. The program not only aims to reintegrate returnee fighters, but it also aims to deradicalize the young people who want to join ISIS in Denmark and make them feel part of Danish society. This deradicalization program consisted of providing housing, healthcare, and mentor. *NBCNEWS* has reported that:

> (…) The program uses the same methods as community policing – communication between teachers, counselors, parents, other members of the community, and police. If someone suspects a young man or woman of being radicalized, they can report it. The police, with the help of an imam, reach out to the at-risk man or woman, and offer help. About 250 people are directly involved in the program, more than half of whom are "scouts" or monitors, looking for signs a young man or woman is becoming radicalized.[21]

Despite the efforts made by the Danish government, the program is highly criticized by conservative parties and found as naïve, soft, and shortsighted. However, *NBCNEWS* reported that the Danish government has decided to continue the program and funded around a million euros.[22]

The social impacts of refugees are also noteworthy. As UNHCR clarified the social impacts of refugees in a meeting that in some cases, particularly when refugees do not share the same cultural and linguistic identity with receiving country, refugees may create social tension.[23] It is the case for refugees in Europe due to refugees do not share the same cultural and linguistic affiliations with European countries. Therefore, the recent refugee crisis in Europe has reflected social tensions and led right-wing parties to gain upper hand in elections. Populist parties have also benefited from these social tensions to promote separatism, isolationism, hatred, and xenophobia. As a result, this situation led to the alienation of refugees for integration into European societies.[24]

Despite the alienation, some organizations like Solidaritynow, Greece based NGO, make significant efforts to integrate refugees. George Kanaris, Social Services Coordinator

---

[20] John, Henley. (2014), *How do you deradicalize returning Isis fighters?* Article retrieved on 3 February 2018. https://www.theguardian.com/world/2014/nov/12/deradicalise-isis-fighters-jihadists-denmark-syria

[21] NBCNEWS. (2015), *Denmark De-Radicalization Program Aims to Reintegrate, Not Condemn.* article retrieved on February 5, 2018, https://www.nbcnews.com/storyline/isis-terror/denmark-de-radicalization-n355346

[22] Ibid.

[23] UNHCR. (1997), *Social and economic impact of large refugee populations on host developing countries.* Article retrieved on February 8 2019.
http://www.unhcr.org/excom/standcom/3ae68d0e10/social-economic-impact-large-refugee-populations-host-developing-countries.html

[24] Al-Azrak Abdulkader. (2016), *The impact of Syrian refugees on European politics*, article retrieved on February 9, 2019, http://www.orientnews.net/en/news_show/105299/The-impact-of-Syrian-refugees-on-European-politics

at SolidarityNow, explains the integration of refugees in 3 steps.[25] In the first step, Kanaris argues that the most important problem of refugees is language and communication. Refugees do not know the local language. Therefore they are struggling while attending classes and looking for a job. In the second step, Kanaris emphasizes that refugees are having problems with accessing public services such as accommodation, proper healthcare, and school. Without proper accommodation, they cannot focus on studying and looking for a job. He also points out that public services usually treat refugees rude and disrespectfully. Therefore, Kanaris find the integration in proper behavior and states that "integration is all about proper behavior, dignity, and acceptance. In the final step, Kanaris points out that:

> Social bonds and connections are really important for integration of refugees. Refugees make family reunification for their priorities and this situation prevents them for looking for a future. All in all, Kanaris finds integration in cultural sensitivity, openness, understanding and mutual respect and acceptance.[26]

2.4. Economic Challenges of Refugees

In recent years, European countries face an unprecedented challenge with not only the arrival of new migrants but also with the economic impacts of refugees on host countries. The influx of refugees indeed created chaos and thus, EU countries had to provide housing, healthcare, financial support, social programs, and training for newcomers. Various EU countries perceived it as a short-term burden due to in the short run, extra spending on newcomers increases the demand in the market and leads to extra burden on native workers. Related to this matter, the European Commission explained that "the refugee influx has led to additional fiscal expenditure in 2015 in the EU-28 of approximately 0.2 percent of GDP, with a smaller further increase expected in 2016."[27] Parallel to this, IMF estimates that:

> By the end of 2017 GDP in Austria, Germany, and Sweden – three countries which have received large numbers of refugees per capita – will have been boosted by 0.5%, 0.3%, and 0.4%, respectively. In Germany, by far the largest recipient in absolute terms, refugee-related expenditure amounted to more than EUR 20 billion last year.[28]

Furthermore, from the economic point of view, it is highly difficult, in the short run, to integrate refugees into the labor market due to their educational background and skills. However, in the long term, success depends on how long they will stay in host countries

[25] Solidarity Now. (2017), *Refugee Crisis and Integration*. Article retrieved on February 7, 2018. https://www.solidaritynow.org/en/integration_article/

[26] Ibid.

[27] European Commission. (2016), *The future of the EU migration policy*. Article retrieved on March 5, 2019, http://ec.europa.eu/immigration/who-does-what/more-information/the-future-of-the-eu-migration-policy-general-context-and-new-initiatives_en

[28] Reynolds, Oliver. (2017), *Bounty or burden? The impact of refugees on European economies is far from clear*. article retrieved on February 9, 2019, https://www.focus-economics.com/blog/impact-of-refugees-on-european-economies

and how European countries are successful to integrate them. It is noteworthy that asylum seekers and refugees are highly diverse and do not usually share the same country of origin, age, and skills. Therefore, to integrate asylum seekers into the labor market, European policymakers should provide job training as implemented in Denmark and Sweden but it costs high prices and refugees may wait years for it to happen.

To speed up the integration process, granting work permits to asylum seekers and refugees is the key factor. However, asylum seekers and refugees have to wait to access the EU labor market after several months from submitting their applications to host countries. But, there are two EU member states, Ireland and Lithuania, which ban asylum seekers to reach the labor market and work. The reason behind this is that accessing the labor market easily will create a pull factor and increase the number of asylum-seeking applications. In that matter, Ireland Refugee Council examined that people whose asylum-seeking is in process should have the right to work after 6 months. It also states that the right to work will be beneficial for both sides, help the integration and keep asylum seekers in good mental condition. It has also refused the concerns that it will create a pull factor and attract more people to come to Ireland.[29]

3. The EU Cooperation with Third Countries on Migration and Asylum

The influx of migrants beyond EU borders can be regarded as one of the most challenging issues. EU has to deal with human trafficking, smuggling of human beings, saving the life of asylum seekers on the sea, and promotes mobility in cooperation with third countries. To implement the policies in the field of migration, the EU uses continental, regional and bilateral dialogues, mobility Partnerships with Mediterranean countries, Common Agendas on Migration and Mobility (CAMMs), Visa Facilitation Agreements (VFAs), and Frontex. European Parliament Policy Department C points out that CAMM heavily focuses on South Caucasus countries, Western Balkans, and Eastern Europe however, CAMM recently started to improve cooperation with Sub-Saharan and Eastern African countries as well.[30] European Parliament divides EU cooperation with African countries into 3 levels:

a. Continental Level

On the continental level, the EU has a continuing dialogue with African Union. In 2014, during the EU-African Union Summit, the political declaration was approved in terms of migration and mobility and signatory parties expressed their political commitments to fight with smuggling of immigrants, irregular migration, and strengthen border management. The 5th EU-African Union Summit was held in November 2017 and in a joint declaration, migration and mobility were mentioned in the strategic priority area. Signatories declared to have a commitment for positive and constructive migration approach and respect inter-

---

[29] Fiona, Gartland. (2017), *Right to work for asylum seekers after 6 months, council urges*. article retrieved on February 9, 2019, https://www.irishtimes.com/news/crime-and-law/right-to-work-for-asylum-seekers-after-6-months-council-urges-1.3142372

[30] European Parliament Policy Department C. (2015), EU Cooperation with Third Countries in the Field of Migration. *Study for LIBE Committee*. Brussels. Publisher: European Parliament, 2015, p. 10.

national law to maximize cooperation. Signatories have also declared that they will secure the lives of immigrants and deter irregular migration.[31]

b. Regional Level

On the regional level, Euro-African Dialogue in Migration and Development, namely Rabat Process, was founded in 2006 to reduce migration flows and fight against irregular migration. This process was initiated by France, Morocco, Senegal, and Spain. On the other hand, Khartoum Process was launched in 2014 in Rome to deal with migration flows in the Eastern Mediterranean Sea. The main objective is similar to Rabat Process and aims to establish a long-lasting dialogue on migration and mobility. It also aims to fight human trafficking and the smuggling of immigrants.

c. Bilateral Level

On the bilateral level, cooperation agreements have been made by European Union and African countries under Mobility Partnerships and Common Agendas on Migration and Mobility. The main idea of bilateral cooperation agreements is to ease visa restrictions and stop irregular immigration. Hitherto, such agreements were signed between the EU and African countries of Morocco, Tunisia, Nigeria, and Cape Verde. European Parliament Policy Department C explains the bilateral cooperation as following:

> Bilateral cooperation is established by individual Member States and third countries in those fields within which the Member States retain exclusive or concurrent powers in accordance with the EU distribution of competences. This bilateral cooperation takes various forms according to the types of instruments used to undertake it. First, formal cooperation has traditionally been established through legally binding international agreements concluded with main countries of origin and transit. Bilateral treaties mainly concern readmission agreements; agreements on management of admission of labour migration; social security conventions; agreements on short-term visa exemption for holders of diplomatic passports, and on facilitations regarding long-term visas; police cooperation agreements against criminal activities, including trafficking and smuggling; and also local border traffic agreements as an exercise of the exclusive EU competence in this field delegated to Member States.[32]

Besides, various European countries such as Spain, France and Italy signed bilateral agreements with individual countries from Africa. The main aims of these agreements are to stop irregular migration, and the smuggling of migrants. For example, Italy has signed agreements with third counties in terms of labor migration and set annual quotas. If partner

---

[31] European Council. (2017), *5th African Union-European Union Summit – Joint declaration.* article retrieved on February 14, 2019, http://www.consilium.europa.eu/en/press/press-releases/2017/11/30/african-union-european-union-summit-joint-declaration/

[32] *Study for LIBE Committee*, p. 64.

countries cooperate properly, Italy will receive some economic migrants from those countries. However, in case of abuse of agreements Italy can restrict the numbers.[33]

3.1. Effects of EU Cooperation with Third Countries on Migration and Asylum

It is highly difficult to assess EU cooperation in the field of migration and asylum due to the lack of applicable information. The European Parliament points in terms of lack of applicable information that "there are not enough data and information available to evaluate, in a consistent and scientific way, the efficiency and impact of migrant support measures."[34] However, the success of EU cooperation with third countries can be assessed into two pillars.

a. Mobility, Legal Migration, and Integration

Legal migration and mobility is defined by the European Commission as following:

> The policy aims to establish a framework for legal migration, taking fully into account the importance of integration into host societies. The EU measures on legal immigration cover the conditions of entry and residence for certain categories of immigrants, such as highly qualified workers subject to the 'EU Blue Card Directive' and students and researchers. Family reunification and long-term residents are also provided for.[35]

It is worth mentioning that the EU has visa facilitation agreements that are deeply connected by readmission agreements, with the following countries Russia, Ukraine, Moldova, Georgia, Bosnia and Herzegovina, Montenegro, Serbia, Albania, Armenia, Azerbaijan, Former Yugoslav Republic of Macedonia, and Cape Varde. Based on these agreements the EU aims to increase social and cultural ties with signatory countries and facilitate the return of irregular immigrants by readmission agreements. In doing so, EU grants travel right for citizens of signatory countries up to 90 days out of 180.

b. Irregular Migration and Return Agreements

European Union has a wide range of challenges in terms of immigration however irregular migration and return of immigrants are alarming issues. It is highlighted by European Commission that each year Europe orders immigrants to leave the EU territories between 400.000 and 500.000 but only 40% of immigrants are successfully sent back to their home countries.[36] Therefore, the EU has adopted numerous measures to control and regulate

---

[33] Ibid. p. 65–66.
[34] Ibid. p.70.
[35] European Commission. (n.d), *Legal migration and Integration*. article retrieved on February 16, 2019, https://ec.europa.eu/home-affairs/what-we-do/policies/legal-migration_en
[36] European Commission. (n.d), *Return & readmission*, article retrieved on March 2, 2019, https://ec.europa.eu/home-affairs/what we-do/policies/irregular-migration-return-policy/return-readmission_en

irregular migration. In 2008, the most important measure in terms of return migrants was signed with the name of Common Rules of Return, also known as 'Return Directive'. The directive has entered into force in 2010 and since then member states should implement the Return Directive objectives.

Member states indeed are responsible for the implementation of the Return Directive. Since 2011, European Commission gathers detailed information and asks to member states to provide data. European Commission report, released in 2011 in terms of evaluation of EU readmission agreements, gives detailed information on readmission issue and states that only 21 member states responded to European Commission and 5 member states have limited the conclusions. The report also argues that there is a clash on the number of returns between data provided by member states and EUROSTAT.[37]

The European Migration Network published a Synthesis Report in 2014 to evaluate the effectiveness of EU readmission agreements at the national level. The report states that Greece is the only EU member state which carried out a study to assess effectiveness at the national level. According to this study, Georgia was assessed and found as a very effective readmission partner due to readmission rate increased to 94% from 36% after the readmission agreement has entered into force. However, the readmission rate is not satisfactory for some other countries as Pakistan due to fact that it has failed on the issues of delay response and loss of documents.[38]

Apart from that, in 2017, European Commission has adopted a 'Recommendation and Renewed Action Plan' and taken some measures on returns and detention. The main aim of renewed Action Plan is to guarantee effective implementation of current EU legislation on return. However, before measures, the Commission did not consult NGOs and local authorities in terms of adopted new return policies. Therefore, these measures led to some concerns in terms of the implementation of return agreements. For example, the European Council of Refugees and Exiles, namely Ecre, criticizes the new measures on detention and returns and argues that Commission's new measures will create the condition and then EU member states will detain migrants more quickly and for a longer period. Therefore, it will lead to the violation of human rights.[39]

Alternatively, Daniela DeBono, a fellow lecturer at European University Institute, argues that EU Commission's new plans on returns are in connection with security and only give rights to those who fulfill residence conditions to stay in the EU.[40] The renewed plan has also led to some concerns in terms of human rights violations due to migrants are returned to places where human rights are not assured. EU-Turkey Refugee Deal is a good example for this case due to deal has created a condition that Turkey should accept every irregular migrant arrived Greece through Turkey. However, most of the return migrants are

---

[37] European Commission. (2011), Communication From the Commission to the European Parliament and the Council, *Evaluation of EU Readmission Agreements*. Brussels.

[38] European Parliament. (2015), *Facilitating the return of irregular migrants,* article retrieved on February 28, 2019.

http://www.europarl.europa.eu/thinktank/en/document.html?reference=EPRS_BRI(2015)554212

[39] *5th African Union-European Union Summit – Joint declaration.*

[40] Debono, Daniela. (n.d), *The EU's emphasis on migrant returns has some serious human rights problems*. article retrieved on March 6, 2019, https://www.huffingtonpost.com/entry/the-eus-emphasis-on-migrant-returns-has-some-serious_us_58ebefdfe4b081da6ad006ca

coming from Syria, Afghanistan and Iraq and Turkey is not their country of origin. Oktay Durukan, Director of the NGO Refugee Rights Turkey, points that:

> A significant number of the people returned [under the EU-Turkey readmission agreement] will be refugees who need international protection, which they are not being given by EU countries. Turkey risks deporting the migrants in turn.[41]

Besides, there are some potential risks that returnees will be living in inhumane conditions in their country of origin or country of return. On that matter, Kondylia Gogou, Amnesty International's Greece researcher, argues that Syrian asylum seekers have been forced to return to Turkey and could not even appeal to upper courts. He also argues that Turkey has returned the Afghan, Syrian, and Iraqi asylum seekers to their countries where basic human rights are not provided.[42]

Conclusion

By 2015, Europe has experienced an unprecedented influx of asylum seekers, and more than a million people flooded into European countries. Asylum seekers used mainly the Mediterranean Sea via Greece and Italy and along with these border crossings, a total of 3550 people lost their lives – 2889 died on the way of Italy, while more than 700 died in the crossings from Turkey to Greece.[43] Therefore, the so-called refugee crisis noticeably put enormous pressure on European countries, and in an early response border controls introduced and wire fences built through the borders.

What's more, European Union has taken several measures to successfully deal with the refugee crisis. For example, European Parliament called for a strengthening European Border and Coast Guard Agency, known as Frontex, and accordingly signed an agreement with Turkey in March 2016 to stop irregular crossings from Turkey to Greece. Nevertheless, European leaders did not appropriately understand the tragedy into a broader context and purposefully ignored that 65 million forcibly displaced people exist throughout the world and 22.5 million of whom are regarded as refugees.[44] Notably, a large majority of asylum seekers mainly came from Syria, Afghanistan, and Iraq where the wars took the lives away in the last decades. For example, a civil war launched in Syria in 2011 caused more than 5.6 million people to flee from Syria to seek asylum in neighboring countries of Turkey, Lebanon, and Jordan. For the time being, Lebanon hosts more than a million Syrians, Jordan with slightly over 655.000, and Turkey with the largest number of Syrian refugees with 3.3

---

[41] Rais, Mehdi. (n.d), *European Union readmission agreements,* article retrieved on February 28, 2019. http://www.fmreview.org/destination-europe/rais.html

[42] Gogou, Kondylia. (2017), *The EU-Turkey deal: Europe's year of shame*. article retrieved on February 28, 2019. https://www.amnesty.org/en/latest/news/2017/03/the-eu-turkey-deal-europes-year-of-shame/

[43] BBC. (2015), *The migrant crisis,* article retrieved on March 10, 2019, One million enter Europe in 2015, http://www.bbc.com/news/world-europe-35158769

[44] UNHCR. (n.d), *Figures at a glance*, article retrieved on March 2, 2019,
http://www.unhcr.org/figures-at-a-glance.html

million.[45] Admittedly, by 2015 their capacities have stretched to the breaking point, and accordingly millions of refugees have decided to seek asylum in Europe.

In summary, the so-called "Refugee Crisis" that occurred in 2015 has proved that the EU has failed to take immediate actions to control the tragic situation and quickly process the status of asylum seekers. It has therefore caused several clashes between EU member states and some of them restrained from responsibility sharing. However, as this research scrutinized, the EU can effectively implement policies and resolve the challenges. Indeed, the return of asylum seekers does not solve the main source of the problem but by contrast, these returns simply put returnees' life at risk. Therefore, it is highly suggested that the EU needs a new concept on asylum policy to avoid new challenges and provide more humane conditions to asylum seekers since refugees will most likely risk their lives to reach European soil in the future as well.

---

[45] Ibid.