

Understanding Approaches to Migration: Visegrad Expert Roundtable



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Migration Policy Task Force

Expert group of the European Values Think-Tank that deals with migration and asylum policy on the Czech and European level. Its goal is to create proposals of solutions and legislative measures that will provide control over how many people, of what background and qualification stay in the Czech Republic and the EU.

The European Values Think-Tank is a non-governmental policy institute defending liberal democracy.

1. The current state of the migration crisis

I. Migration Crisis in Numbers

- In 2015 1,25 mil. first time asylum seekers were registered in the EU and 1,1 mil. came via Central Mediterranean and Eastern Mediterranean Routes. Between January and April 2016, 184,000 refugees came via these routes.
- According to Eurostat, in 2015 the main countries of origin were Syria (29 %); Afghanistan (14 %); Iraq (10 %); Kosovo (5 %); Albania (5 %); Pakistan (4 %); Eritrea (3 %); Nigeria (2 %) and Iran (2 %).
- It was estimated in 2015 that over 90 % of migrants travelling to the EU used facilitation services of the smuggling criminal networks. The estimated turnover of smuggling networks ranges between 3 and 6 bn. EUR.
- 1,500 asylum seeker were estimated to have relocated from Italy and Greece to other member States to date. In September 2015, the Council of the European Union adopted a decision to relocate 160,000 asylum seekers within a two year period.

II. Milestones of the migration crisis

- On 13th of May 2015, the European Commission introduced the European Agenda on Migration.
- On 22nd of June 2015, the EU launched a European Union military operation in the Southern Central Mediterranean (EUNAVFOR MED).
- On 22nd of July 2015, the Council adopted a conclusion on the European Resettlement Program.
- On 14th of September 2015, the Council reached a consensus and adopted a decision to relocate 40,000 asylum seekers from Italy and Greece within the upcoming two years.
- On 22nd of September 2015, the Council adopted a decision to relocation 120,000 asylum seekers from Italy and Greece in the upcoming two years by qualified majority voting. The Czech Republic, Hungary, Slovakia and Romania were outvoted.
- On 15th of October 2015, the EU-Turkey Joint Action Plan was agreed.
- On 15th of December 2015, the Commission introduced a proposal on European Border and Coast Guard.
- On 18th of March 2015, the EU and Turkey declared a joint statement on their cooperation on migration.

2. Current challenges

I. EU – Turkey Cooperation: is a Plan B needed?

The controversial deal between the EU and Turkey on cooperation on migration seems to be working. The intensity of migration pressure coming through the Eastern Mediterranean has rapidly fallen, however, the continuation of EU – Turkish cooperation remains uncertain since its establishment in March 2016. The current cooperation is based solely on an action plan put forth in last autumn and was further deepened in the spring through a statement made by both sides during a summit of the European Council on the 18th of March 2016. As such, no part of their cooperation is binding and its fulfilment is merely dependent on both sides' credibility.

EU – Turkey relations however have long been problematic and nowadays visa-free cooperation seems to be the only valuable commodity which the EU can offer Turkey to stop migration flows towards Europe. Although 96% of short term Schengen visa applications made in Turkey were determined to be positive in 2015, and despite a possibility to restore visa obligations, the fear of a potential security risk and rampant abuse of a visa-free regime remains strong enough for the EU to question such a risky deal. Turkey has reiterated that if no full visa free regime is granted, the secular country will not be holding refugees back from moving ahead to European destinations any longer. In the case that EU institutions will not approve the lifting of visa obligation, a “plan B” should be created which bypasses Turkish decision-making and influence. The EU should have an alternative road map, not only for practical reasons which would address the handling of migration flows to Europe, but would also prove the EU's ability to be a leading negotiator within the international system.

II. Restoration of the Central Mediterranean Route

With the closing of the Eastern Mediterranean Route and the improving weather conditions, concerns regarding the restoration of the Central Mediterranean Route have been on the rise. To address these concerns, the EU has begun to cooperate with the Libyan Government of National Accord. Is the European Union however prepared to face a possible influx of migrants from Northern Africa?

III. Smuggling

A report published by Europol in February 2016 during the launch of Europol's European Migrant Smuggling Centre labelled 'Migrant Smuggling in the EU' identified more than 90% of migrants travelling to the EU as having used the facilitation services of smuggling criminal networks. In 2015 alone, criminal networks involved in migrant smuggling are estimated to have had a turnover of between 3bn. and 6 bn. EUR.

The fight against the smuggling of persons remains an important policy on which all the Member States agree. The Commission has introduced an EU Action plan against migrant smuggling during the first package base of the European Agenda on Migration. In June 2015 the EU launched a European Union

military operation in the Southern Central Mediterranean (EUNAVFOR MED) to fight smuggling and trafficking of persons. The military initiative moved to its second, more effective, phase (called Operation Sophia) in October last year. In mid-May 2016, the House of Lords published a report which states that 'Operation Sophia' is failing to achieve its objectives.

3. Policies on the table: Long-term Solutions

I. Reform of the Common European Asylum System

On the 6th of April 2016 the European Commission introduced a framework of possible reforms for the Common asylum system. Besides a transformation and modification of CEAS Regulations, the Commission proposed a reform of the current Dublin system which had proven to be inapplicable at times of crisis. According to a legislative proposal from the 4th of May 2016, the applicants should be distributed in cases where some Member States are overburdened to 150% capacity (derived from the number of inhabitants and GDP of the state). Distribution should work as long as the workload of the affected state does not drop below 150%. Within these distributions the refusing member state would need to pay 250,000 EUR for every unaccepted asylum applicant to the member state taking responsibility for such applicant. The proposed regulation of the Commission should be adopted within the proper legislative procedure by the EU Council and the European Parliament. The EU Council is to adopt the legislative proposal by qualified majority voting while the European parliament adopted the resolution supporting the intentions of the Commission to reform the Dublin system on its April plenary session. Furthermore, the European Parliament (mostly the EPP and S&D fractions) has supported such shared burden principles. Although the V4 are rejecting any proposal on relocation mechanisms, the general approval of this proposed reform can be expected.

However, the EU should not waste its political capital on a topic where no political consensus among the Member States exists and which, taking into account the total of 1,500 relocated asylum seekers, has not proven to be effective so far. The EU should focus more on those measures which have been agreed or at least supported in principle by all the Member States vis-a-vis protection of external borders; funnelling investments towards improving the situation of the refugees in host countries such as Turkey, Lebanon or Jordan; information campaigns toward refugees; a strong position for negotiation with third countries of transit and origin; the fight against smuggling et al.

II. Schengen

Although the Schengen area has been facing various challenges, from secondary movements inside the EU to securing its external borders, the European discourse concurs that Schengen is the most valuable achievement for Europeans which must be maintained. Nevertheless, the migration crisis has brought about several question marks. Firstly, how to effectively prevent the secondary movement of the asylum seekers if they were to relocate to an "unwanted" state (despite of their prior agreement to be relocated)? The Czech Republic has resettled 89, very carefully chosen and long-term prepared, Iraqi refugees

residing in Lebanon: 25 of them left for Germany to apply for asylum shortly after. Recently the Council prolonged the legal possibility of reintroducing internal border protections in order to secure public order and safeguard internal security. In fact, to prevent secondary movement inside the Schengen area such internal borders are a temporary necessity. Transit and destination countries assertively asked the Commission to so implement these aforementioned security measures which paralleled with the Commission's intentions to prolong these in response to the insufficient and ineffective securing of Greece's external border. How can the Schengen external borders be effectively secured? Fences - a route Hungary opted to take last summer in order to stop the uncontrolled migration flows from Balkan – which were a target of harsh criticism by the European leadership. However, thereafter many other Member states took similar measures. Austria's buffering attempts to reduce migration flows to the country seem to stem from its border crossing with Slovenia, another Schengen country, which remains much more controversial. The V4 provided some operational support to Member and non-Member EU States and boosted regional bilateral or multilateral cooperation to handle the situation. Thereafter, similar cooperation was initiated by Austria, which had been accused of unilateral uncoordinated action. Besides for physical (tangible) border protection attempts, registration, identification and fingerprinting must be unconditional, fully implemented and strictly demanded. Fingerprinting has been failing in Italy and Greece and according to the Commission's reports on the state of play in Greece and Italy from February 2016, the fingerprint rate in Greece was only 8 % in September 2015 but improved to 78 % in the next 4 months and Italy's rate went from 36 % to 87 % in the same that period. How can Member states be sanctioned when they are not able to fulfil their commitments towards the rest of the Union? The migration crisis has come up with a completely new debate – the possibility to suspend the membership of any Schengen member country in the Schengen zone. Such a possibility has never been considered before considering the Schengen's as the pride and job of the European Union.

III. European Border and Coast Guard

In response to the situation on the Greece's external border, a proposal on the European Borders and its Coast Guard was introduced in December of 2015. After removing the principle of a European Border Coast Guard, (hereinafter referred to as EBCG) deployment without a request or express permission from the hosting Member State would now be possible. Planned adoption of the Regulation establishing the EBCG may now be expected. The effectiveness of deployment which currently proposes 1,500 officers does not seem to be very plausible and thus capacity may become increased at a later stage. The importance lies in the following principle – to move securing external borders from being a national competence to a European one (on a supranational level), the rest of the countries will be fully dependent on the capability of the country responsible for securing its external border.

IV. External Dimension of the Asylum and Migration

Despite of controversies, development of cooperation on migration with Turkey means an important precedent for establishing similar cooperation with other third countries. Although Turkey has closer relations to the EU, the EU can use its stronger position to negotiate with African countries whose socio-

economic situation and position within the international system is much weaker. Such a premise opens a good initial position for the EU and now it is time to take this strategic advantage for the benefit of all, short- mid- and long-term measures. The EU has started negotiating a readmission agreement with Nigeria, which is a transit and origin country producing largely economic migrants. Inspired by the EU – Turkish cooperation, Niger has offered to take steps in order to stem transiting or arising migration flows in exchange for 1 bn. EUR. Putting aside Italian concerns regarding the restoration of the Central Mediterranean Route, Italy has come up with a “Plan for Africa” which has found support among European leaders. The plan calls upon Europe to focus on solving the causes of economic migration through investments in third countries, to provide security support and to extend resettlement programs and ways for legal migration. In exchange, third countries would be demanded to protect their own borders, to actively take steps to stem migration flows toward Europe and to create areas similar to today’s European hot spots where reception centres financed by the EU would be created and where sorting of the economic migrants and refugees would be carried out. Italian Prime Minister Matteo Renzi intends to introduce the plan during the European Council summit to be held between the 28th and 29th of June 2016.

4. A perspective on long term Social and Security Consequences

Germany, as the main destination country, seeks an opportunity for economy development within the migration crisis. The governing coalition went on to approve a new integration law proposal this spring. The proposal is to be adopted on the 24th of May 2016. The law supports the distribution of asylum-seekers dispersedly across the country to avoid establishing ghettos and closed communities, as well as introducing work requalification and language training. Nevertheless, fear of intercultural and inter-civilizational clashes, radicalization of incomers as well as of European citizens, continues to pose challenges for coexistence - mainly for communication in both directions. Several European countries are considering raising awareness which would target refugee communities and long-term immigrants to respect law and custom in the host country.

Besides for integration and non-conflict coexistence, an enormous challenge remains in eliminating of radicalization among refugees. Although migratory flows have not been systematically used by terrorist groups to infiltrate terrorist cells in Europe, refugees, particularly Sunni Muslim Syrians, are becoming vulnerable to radicalization once in Europe and are being specifically targeted by Islamic extremist recruiters as Europol’s January’s 2016 report “Changes in Modus operandi of Islamic State terrorist attacks” states. Effective and successful integration of refugees, who mostly gained subsidiary protection, is a necessary policy which must not be underestimated.

5. Impact on EU cohesion and integration

Since the V4 have continually opposed and even refused any refugee distribution mechanism to be implemented, relations between Member States and EU institutions are a bit reserved. Basic principles and further integration of the Union have not been so intensively discussed to such an extent before. How deep the Union should be integrated, where the boundaries of the particular Member States are, interests and sovereignty as well as EU burden sharing.

I. V4 in the EU and Slovak presidency

As V4 under the Czech presidency was able to coordinate its position, its attitude towards burden sharing principles has caused serious criticism by Western Europe, while Eastern countries have not yet understood the European Union project as such. In the next half and a year, Slovakia will hold the Council presidency. This might be an important opportunity for the V4 - to be led by Poland from the 1st of July 2016 - as well as Slovakia's turn for EU presidency, to explain their position on the migration crisis and their attitude towards European integration and European Union as such.

6. Future perspectives of the asylum and migration policy

EU Member States and the Union as a whole should start setting up strategies and scenarios for how refugees, mostly under pro-longed subsidiary protection, would be treated once the situation in the country of origin would be solved, stabilized and how the relatively benevolent but also very costly and structural complicated European asylum and migration system should be re-defined with respect to the migration flow potential - not only in the European neighbourhood, but also in Africa and the Middle East.

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The European Values Think-Tank is a non-governmental policy institute defending liberal democracy.

Our vision is that of a free, safe and prosperous Czech Republic within Central Europe that is an integral part of the West.

We help to face aggressive regimes, radicalisation within the society, the spread of authoritarian tendencies and extremist ideologies including Islamism.

We provide decision-makers with expert recommendations and we systematically watch and evaluate their performance. We consider active citizens, accountable politicians, political parties that fulfil their role, as well as cohesive society that shares the values of individual freedom, human dignity and equal rights to be the principle elements of a functioning liberal democracy.

Since 2005, as a non-governmental and a non-profitable organisation which is not linked to any political party, we have pursued research and educational activities. In addition to publishing analytical papers and commentaries for the media, we organise conferences, seminars and training sessions for both experts and the wider public. Our events provide a platform for dialogue amongst politicians, experts, journalists, businesspeople and students.

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