Beyond emergency measures: The need for a holistic and truly European approach to migration

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Abstract
Since mid-2017 there has been a reduction in irregular migrant arrivals, and this has partially been attributed to the various initiatives undertaken by the EU. However, migration remains a controversial and pressing issue for which the EU is still struggling to find an adequate and shared response. Migration has become a divisive issue among EU member states, calling into question the meaning of solidarity within the EU and within the member states themselves. This article argues that it is time to move beyond short-term emergency measures and work on a long-term, holistic and truly European approach to migration, combining internal and external policies. Reinforcing control of the European borders will not be enough. While it is necessary to reduce the number of irregular arrivals, the EU needs to equip itself with a future-proof, efficient migration policy that also addresses the Union’s internal weaknesses, as the challenge is not only to reduce the number of arrivals, but also to increase the capacity to manage the flows.

Keywords
Migration, Mediterranean, Africa, Third countries, External dimension, Externalisation, Dublin reform

Introduction
Since 2015 migration has dominated the EU and national agendas. Since mid-2017 there has been a reduction in the number of irregular migrant arrivals. This has been partially attributed to the various initiatives undertaken by the EU, including closer cooperation
with Turkey to the east and Libya to the south. However, irregular migration remains a pressing issue for which the EU is still struggling to find an adequate and shared response.

Migration has become a divisive issue among EU member states, calling into question the meaning of solidarity and the sense of unity. This is also happening within the member states themselves, where extremist or populist parties are exploiting the issue of migration for political reward, contributing to an increase in fear and xenophobic sentiments. The result is significant disagreement on the solutions to be taken, especially at the EU level, and a more general lack of a common vision. These problems are combined with the difficulty of addressing the issue in a realistic and thorough way, which seems to be less appealing to public opinion.

The aim of this article is to review concrete proposals to overcome the emergency and manage the phenomenon, both within and outside the EU, highlighting the interconnection between the different policies. It argues that it is time to move beyond short-term emergency measures and work on a long-term, holistic and truly European approach to migration, combining internal and external policies without losing momentum and while also considering possible future challenges which might affect migratory flows.

After setting out the current situation, the article will discuss three main policy elements of the EU response: (1) actions outside EU borders; (2) the possibility of externalising the asylum process; and (3) the revision of the EU migration and asylum system, in particular, reform of the Dublin system. Finally, the article will outline ways to move forward.

The situation on the ground

Since the ‘migration crisis’ erupted in 2015, migration has been recognised as a priority for the EU as a whole. Under the European Agenda for Migration, the EU has made an enormous effort to overcome the challenge, trying to restore efficient management of the migratory flows through new or reinforced measures (for the major policy and legislative initiatives, see e.g. Atanassov et al. 2018). The crisis revealed the limits and weaknesses of the entire system developed for asylum and migration. The main problem centred on the difficulties of promoting collective action within the Union on an issue considered highly sensitive and strictly related to national sovereignty and interests. The crisis therefore called not only for a reactive response to overcome it, but also for a strategic rethinking of the EU’s approach to migration, including its own competences, values and shared priorities.

The EU member states found it easier to reach consensus on two points: (1) the need to restore control of the external borders of the EU; and (2) the need to reaffirm the importance of cooperation with partner countries outside the EU, notably the countries of origin and transit of the migratory flows. As regards the former, while the whole borderless Schengen system has been put under attack, a reinforced agency to strengthen the external borders, the European Border and Coast Guard, was approved in record time (European Parliament and Council 2016). Moreover, EUNAVFOR Med or Operation
Sophia, a mission in the framework of the EU’s Common Security and Defence Policy focused on the fight against the smuggler and trafficker networks in the Central Mediterranean, was launched in 2015 (Council of the EU 2015). Outside its borders, the EU has launched various initiatives to instigate cooperation on the specific challenge of managing migratory flows by establishing migration partnerships with key countries, especially in Africa (e.g. Niger, Mali, Nigeria, Senegal and Ethiopia). Other initiatives have aimed to address the root causes of emigration, for instance, providing support to numerous projects for job creation or access to education through the newly established EU Emergency Trust Fund for Africa.

When it comes to the management of flows inside Europe, however, tensions have arisen and the EU has revealed its fragilities. The whole Dublin system, established to identify the EU member state responsible for examining each specific asylum application, collapsed, with EU member states unable to cope with the increasingly mixed flows and the consequent secondary movements. Reinforced support for front-line member states, in terms of financial assistance and operational support on the ground through the hotspot system, was adopted, but attempts to redistribute the refugees within the EU through a temporary relocation system created major disagreements.

Through a combination of various factors and initiatives, irregular arrivals to the EU dropped by around 60% in 2017 (Frontex 2018b) and even more in the first half of 2018. Yet migration still represents one of the most controversial and debated issues at the European level. According to Frontex, overall pressure on Europe’s external borders has remained relatively high, while there have already been some changes to the migratory routes being used, with numbers travelling via the Western Mediterranean route hitting a record high and the relative share of African nationals increasing (Frontex 2018b). The situation is fragile, and so are the national migration systems. Moreover, even if the numbers dropped significantly, the trend for the years to come and factors in migration dynamics, such as climate change, and security and demography in the EU and its neighbourhood, point to migration remaining a challenge for decades (European Commission 2017, 2). With a turbulent neighbourhood and the risk of new routes opening up, Europe urgently needs to equip itself with a system capable of coping efficiently with any future crisis.

Cooperating with third countries

The biggest challenge for the EU remains effective management of the flows, which should disincentivise irregular migration and ensure the security of the external borders, while protecting people in real need. This process already starts outside the EU’s borders, with an attempt to intervene at the earliest possible stage in the countries of transit and origin of the migrants and asylum seekers.

Strengthened cooperation with third countries has therefore achieved greater consensus among the EU member states, becoming one of the EU’s core responses. On the one hand, this cooperation aims to promote co-responsibility between all the actors involved in the migration flows, which are called upon to jointly manage the phenomenon. To this end, new initiatives promoted and led by the EU have flourished, such as the migration
compacts and ad-hoc forms of cooperation, like the EU–Turkey deal. Cooperation with third countries is based on the assumption that migration presents common challenges that can be managed better and more efficiently together. On the other hand, the external migration policy is related to the need to address the root causes of migration, such as instability, poverty and a lack of democracy. This constitutes a long-term approach, which is associated only to some extent with migration-related objectives (for a definition of external migration policy, see Boswell 2003).

The EU is surrounded by an unstable neighbourhood, and demographic projections for the African continent show not only that Africa has the youngest population in the world, with 41% of its population under the age of 15, but also that it is growing fast (Yahya 2017). Africa is projected to see the largest increase in its population over the next years, with an additional 1.3 billion people on the continent by 2050 (UN, Department of Economic and Social Affairs, Population Division 2017). A long-term approach is needed to deal with some of the most frequent reasons for people to leave their countries and to give opportunities to the younger generations at the local or regional level.

On a more general level, while involving third countries in migration management is essential, it requires a critical evaluation of the impact of such cooperation in terms of the coherence of EU action and the respect of human rights (on coherence in migration policy, see e.g. Angenendt et al. 2017), and raises some challenges in terms of the incentives used to ensure cooperation and the use of conditionality.

Moreover, there is still a great need for a clear consensus on the EU’s goal and the tools it can use to reach it. Better coordination between EU member states is essential, not only internally, but also to build the EU’s credibility as a reliable and coherent partner, able to speak with one voice when addressing third countries. This means clearly identifying the role the EU is expected to play and embedding bilateral initiatives in a comprehensive European strategy, for instance, using privileged relations with third countries—for historical, cultural or other reasons—to obtain fruitful cooperation for the EU as a whole, and including a commitment to all the initiatives developed at the EU level (for further analysis, see Teodorescu 2017).

Finally, while strengthened EU external action on migration is indeed a fundamental component of the EU response to the challenge, it cannot replace internal solutions. Solving the problem of irregular migration very much depends on enhanced coordination between member states and their capacity to act as a whole, as a single actor in the international arena.

**Externalising the asylum process**

One proposal related to cooperation with third countries has recently been regaining attention. This is the idea of externalising the asylum process, making it possible for asylum seekers to ask for international protection while outside the EU (for further analysis, see Garlick 2015; Collet 2016; Carrera and Guild 2017). The territoriality principle at the core of the current EU asylum system, which requires asylum seekers to reach EU territory before claiming asylum, mostly in an irregular way, seems ill-suited to address
the current challenges being faced at Europe’s borders. Indeed, the idea of processing applications in countries of first asylum, which re-emerged in the most recent debates and also in relation to the new concept of disembarkation platforms (European Council 2018), aims to provide immediate protection to people in need closer to their homes, reducing the incentive to undertake the dangerous and risky journey to Europe, while facilitating the return of people whose asylum applications have been rejected. Thus this proposal would respond to both the migration management and the humanitarian challenges at Europe’s external borders.

This proposal raises many questions, such as legal and procedural issues, possible violations of the principle of non-refoulement, and the need to rely on the cooperation and willingness of third countries. To become a realistic alternative to the dangerous journeys to Europe and to comply with international and European legal requirements, such a process would need to be quick and efficient, and this would require substantial funding. It would likely exist in conjunction with the ordinary territorial asylum system, as it is neither possible nor desirable to return asylum seekers to third countries without processing their asylum claims (see European Commission 2018b). Most importantly, if the process is to be introduced on an EU-wide basis, at protection centres, national consulates or EU delegation headquarters, a definition of the criteria for the distribution of refugees is needed. However, the recent experience of dividing refugees between member states shows the difficulties of establishing an EU-wide redistribution system. Finally, the proposal again highlights that any solutions outside the EU’s borders need to be combined with an efficient system within the EU.

While debates and reflections on the issue should continue, at present the most feasible solution seems to be to enhance the support provided to third countries hosting refugees and to increase the opportunities for resettlement as a legal avenue for access to the EU by swiftly adopting the EU Resettlement Framework (European Commission 2016). Private sponsorship schemes that allow and facilitate private groups or civil society organisations to organise and finance resettlements in accordance with national legislation should also be considered (for further analysis, see Collet et al. 2016; Collyer et al. 2017). In this way it would be possible to find a balance between protecting refugees inside and outside Europe.

**Acting within the EU’s borders**

Under the pressure of the crisis, EU member states showed a lack of collective action and solidarity. Some front-line member states did not properly implement the EU’s migration and asylum policies, while others refused to take their fair share of responsibility. Achieving a common vision depends on the political willingness of the member states, including when it comes to the clear need to rethink the EU migration and asylum system. However there are diverging views on the role the EU should play, which recall the broader dilemma of ‘more or less Europe’.

First of all, a reform of the Dublin system is needed. The whole system collapsed with the arrival of more than one million people in 2015, putting an excessive burden on the
EU countries of first entry, contributing to the temporary loss of control of the EU’s external borders and overwhelming reception centres, with consequent security and political risks for all member states. The same system, created 15 years ago in a completely different environment and only slightly reformed over the years, seems unable to cope with the current and possible future scenarios. It is therefore important to create new and expanded criteria for establishing the country responsible for assessing asylum claims and giving protection to genuine refugees, as the migrant flow is currently unevenly affecting some member states. In addition, a stronger focus on the correct and efficient implementation of policies on the ground by individual countries is necessary, for instance, making national procedures regarding registration, assessment and return more effective.

The real test for the EU and the reform of the system relates to burden sharing. The rising divide between the Western and the Central and Eastern European countries is linked to different perceptions of the migratory phenomenon, which affects these countries in different ways. In an increasingly thorny debate, a lot of attention has been given to relocation decisions, which has created a climate of scaremongering in some countries while not really solving the issue for the most affected ones. As consequence of these tensions, after two years of negotiation on reform of the Dublin system, talks are still stalling, with the risk that there will not be any concrete results until the end of the current European institutions’ mandate. Moreover, any attempt to revise the internal system, or to introduce new concepts, such as the voluntary ‘controlled centres’ that are to be eventually set up in the member states (European Commission 2018a), requires the reinforced engagement of the EU. And this same engagement is required to redistribute those who are genuine refugees and to return the others.

Finally, while advancing on the issues where there is consensus, EU member states should also bear in mind that all the policies are interlinked and go hand in hand. The question of how to share the burden within the EU and reform the Dublin system is unavoidable; it needs to be dealt with and diplomatically solved in order to elaborate an efficient response. More solutions are on the table, and the most feasible one seems to be a combination of the different proposals, supporting and showing real and concrete solidarity with the states most affected and taking into consideration the fears and anxieties of some of the countries that are less experienced with migration management. A prerequisite of creating an EU solution to the migration phenomenon is to recognise that a joint response is in the interests of both the EU member states and the EU as a whole. In order to overcome the current deadlock, a coalition of willing states, likely those most affected, could advance in a more coordinated manner, paving the way; but there is a concrete risk that this would undermine the unity of the EU as a whole, as the thorny debate on burden sharing and quotas has already gone too far.

**Conclusion**

While it is necessary to reduce the numbers of irregular arrivals, the EU needs to equip itself with a future-proof, efficient migration policy: the challenge is not only to limit the
numbers, but also to increase the capacity to manage the flows. As recent events have shown, the EU has reduced the migration crisis in terms of individuals, but is facing a challenge in terms of policies and management at the EU level, and is struggling to find an adequate response to cope with future crises. At the same time, the recent tensions among states are calling into question the whole European structure, along with its unity and sense of community.

Therefore the EU needs to develop a truly European, revised approach to migration. This includes changing its narrative to communicate its ability to bring together European and national efforts to effectively address migration, overcome divisions and restore citizens’ confidence. The revised approach should be holistic, taking into consideration all the elements and policies which are essential to efficient management, and which are all inter-connected. Cooperation with third countries is an essential element. However, this should not serve as a substitute for joint EU solutions on immigration, asylum and external border control. The EU member states should advance further on the issues where there is consensus, such as cooperation with third countries and external border management, taking into consideration the impact and coherence of their actions. Member states should also widely recognise that the migration challenge is common and therefore the response should be too. Thus, it is important to develop a way to address the challenge internally and alleviate the burden on the front-line EU member states, whose inability to cope with excessive pressure may result in security and political risks for all. Finally, it is time to move beyond the emergency and work on a long-term strategy both within and without the EU, incorporating the lessons learned in recent years, without undermining the efforts made and the results obtained so far. There is no alternative to pressing forward. The stakes are too high and go beyond the current migration challenge.

Notes

1. According to Frontex (2018a), the total number of irregular border crossings fell 46% in the first five months of 2018 compared to a year ago, mainly due to lower migratory pressure on the Central Mediterranean route.

2. The principle of non-refoulement prohibits returning people to a country in which they would likely be in danger of persecution for discriminatory reasons.

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