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**The EU, immigration and the “refugee crisis”: reasons to hope?**

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The creation of hotspots and a European Border and Coast Guard, the EU-Turkey statement, the closure of the Western Balkan route, and support to Lebanon and Jordan are several of the actions undertaken by the EU to face the exceptional migration flows recorded since 2015. While some of these measures have had some effect, the results achieved more than one year after the beginning of the so-called “refugee crisis” lead to a mixed assessment, if not a failure.

**A series of failures and lacking success**

Failure to mobilise existing tools to address the situation. The early warning mechanism enshrined in the Dublin III Regulation to “prevent a deterioration in, or the collapse of, asylum systems” in case of particular migratory pressure didn’t work and was not able to prevent the “crisis”.

In addition, the “Temporary Protection” Directive, which sets “minimum standards for giving temporary protection in the event of a mass influx of displaced persons,” was not activated even though the situation in 2015 fulfilled the criteria for its implementation.

Failure of political and operational responses. Political management of the crisis was disastrous. Unilateral and antagonistic national decisions, divided between welcoming people and building fences, created the conditions for humanitarian chaos to take place at the EU’s borders. This situation fueled public fears that borders were no longer under control, and were thus a security threat.

Actions developed to “restore order” have had a counterproductive effect. The principle to relocate 160,000 asylum seekers on a mandatory basis has shed light on deep divisions between member states regarding the reception of asylum seekers and more generally on issues related to common values. In addition, lasting disagreements between member states have limited consensus to strengthening border controls and returning migrants in an irregular situation.

Operational results have not been satisfactory either. The establishment of hotspots on Greek and Italian islands was difficult due to limited staff contributions from other member states.

The relocation of asylum seekers, i.e. their transfer from Greece and Italy to other states for their application to be examined, did not function as planned. In early December 2016, more than one year after the process started, 8,162 asylum seekers were relocated - less than 10% of agreed commitments…

Finally, while the EU-Turkey statement has contributed – with the closure of the Western Balkan route - to decreasing the number of arrivals in Greece, the statement remains legally fragile and politically depends on Turkish authorities. The latter can indeed decide to stop controlling departures from their coasts if commitments contained in the statement – visa liberalization and accession process negotiations – are not respected. Putting an end to border controls would lead to an increase of arrivals in Greece.

**Conditions for an immediate and long term solution**

While the current situation looks quite dark, it is not desperate insofar as all players accept to contribute to necessary changes.

Member states must first of all implement rules they have agreed to adopt at EU level. This entails implementing border management measures, relocation commitments and more generally EU Regulations and Directives adopted in the field of asylum and immigration.

Secondly, any modification of asylum rules to adapt them to the current migratory phenomenon requires a thorough reflection. If merely the revision of Dublin rules is necessary, then a profound reform of the Common European Asylum System as proposed by the European Commission does not seem relevant.

The rules governing the Common European Asylum System were adopted recently and have only started to have an impact in the member states. Proposing a revision of these rules without any assessment of their implementation and relevance is not desirable. It also runs against the principle of “better regulation” heralded by the Juncker Commission.

In addition, the legislative package presented by the Commission aims primarily at sanctioning asylum seekers who move without authorisation within the Schengen Area rather than deepening the Common European Asylum System. Stopping the reform negotiation process for a while would allow a needs assessment and better preparation for the future.

Finally, the current approach of putting border management issues at the forefront of migration policies should be overcome. Migration begins far away from EU borders and its management has a foreign policy dimension. Once inside the EU, many migrants and refugees remain for a long period of time, which leads to the question of integration. Hence, migration policy equally deals with foreign policy, border management and integration.

This transversal approach is key. National and European decision-makers have to factor it into their political mindset. They must also improve their understanding of how migration and human mobility will play out in the next decades in order to plan for the future. This is a prerequisite if leaders want to seriously manage an ancient phenomenon that will only continue.

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