

## Europe and the refugees: a crisis of values

*Juliane Schmidt*

20 June is World Refugee Day. This offers an opportunity for the European Union (EU) and its members to reflect on how the EU's approach towards the current crisis is having an impact on its cohesion and image.

Firstly, it is not really accurate to speak of a 'refugee' crisis, because the people fleeing war and prosecution are not the problem. Rather, it is the Union's inability to find solutions to the increased number of irregular migrants arriving on its shores. This crisis is therefore first and foremost a political one. It is also a crisis of solidarity, as member states have demonstrated that they are incapable of finding a common approach and sharing the burden, and a crisis of identity, as Europe's treatment of people in need is at odds with its claim to be a frontrunner for protecting human rights.

With the EU-Turkey deal, readmission agreements with some 17 countries, and the European Commission's 7 June Communication on establishing a new Partnership Framework with third countries, the EU is increasingly aiming to outsource the migration problem to its neighbours. Instead of trying to push the problem away, the EU and its members need to step up as one of the wealthiest and safest regions in the world and deal with the problem by stopping readmission and returns to non-safe countries, opening up more legal avenues for migration, making relocation work, and focusing more on addressing the actual root causes of migratory flows.

Losing sight of our values in managing this crisis means losing sight of what Europe stands for. Only a long-term strategy that acknowledges migration as an opportunity and integrates a values-based approach will prevent the internal disillusionment of citizens with the European project and the external loss of the EU's credibility.

### **Is this the kind of Europe we want?**

The crisis has exposed the limits of EU cooperation and solidarity, not only on a political level but also among many citizens. While there has been overwhelming sympathy and active support from society in parts of Europe, populism and xenophobia have increased in the wake of the crisis. This fragmentation or even polarisation of public opinion in many EU countries has resulted in the Union being accused of building fences and trying to shut itself off, failing to stand by the values that Europe so proudly defended for decades.

The governments of the Visegrád countries have – from the outset – rejected obligatory relocation quotas and are refusing to support the Commission's new proposals on reforming the EU's asylum system. Today, political voices in almost all EU countries are urging for migrants to be kept out. This has recently led Czech Europe Minister, Tomas Prouza, to declare that his country's approach to the crisis was the right one all along. Meanwhile, Austria's Foreign Minister, Sebastian Kurz, is endorsing a system similar to Australia's refugee policy, by turning the Greek islands into camps from where rescued refugees can be sent back to their country of origin, and proposing that anyone who enters in an irregular way should lose their right to asylum in Europe.

### **Outsourcing the problem**

The EU-Turkey deal is the best example of the EU trying to outsource the problem. While the Commission emphasises that each asylum application is evaluated individually, the deal foresees that asylum applications are inadmissible – which

means rejecting the application without examining the substance – in two cases: if people arriving in the EU come from a “first country of asylum” (the person has already been recognised as a refugee or receives protection in a safe third country) or a “safe third country” (the third country can guarantee effective protection to the person).

However, experts and NGOs do not agree that Turkey is a safe country, which has also been confirmed by a Greek appeals committee overturning a Syrian refugee’s rejected asylum application in May. Amnesty International even alleges that Turkey exercises forced returns to Syria, which would violate international law. Furthermore, in order to maintain a positive relationship with Ankara in the negotiations, the EU has had a rather muted response to the erosion of the rule of law and civil liberties and freedoms in Turkey, which has given the impression that the EU is ready to trade its values when strong interests are at stake.

The Commission’s Communication on establishing a new Partnership Framework with third countries identifies 16 priority countries for these new agreements,<sup>1</sup> not all of which can be considered safe third countries or have a good human rights track record. Nonetheless, even if the “safe third country” rule does not apply in these agreements (which is not set out in the Communication yet), the example of Turkey demonstrates the Union’s dependence on those countries and the possibility of the EU growing equally reluctant to speak out against possible human rights abuses there in the future.

### **Can Europe remain true to its values in this crisis?**

Of course, the EU needs to find a way to control and manage migration flows, but keeping people out cannot be the goal. In what is supposed to be a community of values, migration needs to be seen as an obligation and an opportunity, and not merely a challenge. The current approach to irregular migration might be pragmatic and to some degree even necessary, but it risks significantly harming the EU’s credibility in the long run, as it feeds a crisis that engulfs our very understanding of Europe. Concentrating on short-term solutions and not fighting for what the EU stands for risks alienating a whole generation, which is not (yet) disillusioned by the political realities but still believes in Europe and its values.

The EU and its members therefore need to stop focusing predominantly on how to stop people from entering or pushing them back, because migration pressures will not stop. Instead, there is a need to establish legal avenues for migration, which have to be part and parcel of any approach to migratory flows. Readmissions and returns have to be examined carefully, as do the conditions for safe countries. The current relocation scheme is not working, but the EU has to find a way to better incentivise burden-sharing, in order to have all or at least as many member states as possible on board. This Union will not work without solidarity, and neither will the Union be able to manage this crisis without it.

The EU needs to devise a long-term strategy, which requires addressing root causes on all levels and by all means, not only involving a political solution to the conflict in the Middle East but also improving early warning systems, so that the Union and its members can better prepare in the future. Such a long-term strategy is of particular importance because what we are witnessing now is only the beginning. Migration is a global phenomenon and will only increase in the future.

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*Disclaimer: The views expressed in this Commentary are the sole responsibility of the author.*

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<sup>1</sup> Ethiopia, Eritrea, Mali, Niger, Nigeria, Senegal, Somalia, Sudan, Ghana, Ivory Coast, Algeria, Morocco, Tunisia, Afghanistan, Bangladesh and Pakistan.