



## Centre for European and International Policy Action

### Round Table

#### *The New European Agenda on Migration :*

#### *challenges and opportunities*

30 June 2015

Instituto Cervantes,

Av. de Tervuren 64, 1040 Brussels

Organized with the support of the Instituto Cervantes in Brussels, the CEIPA Round table on the New European Agenda on Migration brought together over 90 participants representing governments, civil society, parliaments, EU institutions, international organisations, media and academia.

After opening statements from **Mr. Peter von Bethlenfalvy**, CEIPA Executive Director, **Mr. Felipe Santos**, Director of the Instituto Cervantes and **Mrs Patsy Sörensen**, Former Member of the European Parliament and Director of Payoke, a panel composed of eight distinguished speakers analysed the recent events in the Mediterranean and the European Commission proposed strategy on migration.

In her statement **Mrs. Sörensen** drew attention to the human rights aspect of migration. She spoke of the dashed hopes of many refugees who thought they would receive a sympathetic welcome in Europe, and reminded participants of the unknown number of victims of trafficking among them. The popular expression "The Good, the Bad and the Ugly", she said can be a metaphor to describe different attitudes among EU MS. Countries like Italy and Greece, are the good ones, dealing with huge migratory pressure, whereas the bad ones are those that do very little or nothing. The ugly are those who exploit migrants and facilitate human trafficking. She also emphasised how Europe needs fresh ideas based on human rights. Finally, she said

that experience with victims of trafficking shows that only those in need leave their countries and most of them want to return home as soon as living conditions allow.

What follows is a short summary of the **main highlights**. The panellists' presentations are listed in alphabetical order and not in the order of their contributions.

**Mr. Jacopo Barigazzi**, Politico Reporter, emphasised the geopolitical scenario of failing states, such as Libya, Syria and Iraq. While major powers in the region seek to profit from this situation, in Europe, we face a risk of a "tsunami," including the possibility of an ISIS surge right up to our doorstep. (Libya is 200 nautical miles far from the coast of Sicily). And it seems we have little more to protect us against the tsunami than an "umbrella." The idea of destroying smugglers boats could be exploited by ISIS propaganda. Hotspots are aimed at assisting Italy to fingerprint migrants. But how to handle those who refuse to be fingerprinted? Mr. Barigazzi warned of danger of drafting policy based on media coverage and not on data. Compared to last year, Italy has experienced the rise of only 20% in incoming migrants compared to Hungary with 70% and Greece 23%, as the safer and less perilous Western Balkan land route is becoming the main means of entry to the EU. What we need is to close the gap between policy and what happens on the ground.

**Mr. Filippo Colombo**, JHA Counsellor at the Italian Permanent Representation to the EU Brussels, recalled the Italian EU Presidency's proposal in 2014 to go beyond the emergency approach to migration. The real question is how to better manage migratory pressure, overcome internal differences, and promote responsibility and solidarity. Most migrants arriving on Italian shores want to go further north. The principles of relocation and resettlement put forward by the Agenda on Migration are welcome, especially in the light of high migratory pressure in Italy. The new concept of Hotspots, manned by teams from all EU JHA agencies, should provide operational assistance in processing migratory flows. In situations when thousands of people flee to a country, fingerprinting them all is a daunting task, especially when some refuse to be fingerprinted. Fighting criminals require cooperation with countries of transit, as Italy already does with the countries of North Africa. Mr. Colombo also welcomed the EU's longer term approach, in particular the forthcoming Valletta conference later this year and the planned Western Balkan conference on migration.

**Mr. Giles Merritt**, Secretary General of the Friends of Europe, pointed to European failures in dealing with migration. First, Europe's population is shrinking, and today's ratio of four people in work for every pensioner will become two to one by 2050. Young and not necessarily educated migrants will be needed by the middle of the century to offset the shrinking work force. A second failure was the missed opportunity of the Arab Spring. Europe didn't cause it, but was not able to take advantage. Europe should have launched two parallel programmes: an economic growth plan and a privatisation plan, along with creating a regional security framework (trade between the Arab countries is barely 2%). Those missed opportunities

reflected the lack of political courage to address the root cause of instability in North Africa; hence the need for the European Commission to invest political capital to move this issue forward.

**Mr. David Plunkett**, Ambassador of Canada to the European Union, said his country is closely following the events in Europe. He pointed out to the fact that the Canadian managed migration system primarily focuses on selection of skilled immigrants to ensure that the needs and expectations of migrants and Canadians are met and that there is sufficient capacity to settle and absorb newcomers. Canada has the highest number per capita number of integrated migrants and 80% of Canadians believe that migration has a positive effect. In recent years, Canada has placed more emphasis on economic migrants in the light of demographic changes and demand for skilled labour. The concept of Express Entry introduced in January 2015 aims at providing a better match between employers skill needs and potential candidates, while selecting the best ones. This prevents the build up of application backlogs and achieves efficiency, including faster processing time. Another key feature is Canada's unique governance model, with shared responsibility between government, NGO's and employers in areas such as selection, settlement and integration. The widespread network of stakeholders contributes to different aspects of Canada's immigration, integration and multiculturalism. Canada also promotes private sponsorship programmes for refugees, providing care, lodging, settlement and financial support for a maximum of 12 months or until they become self-supporting. Despite differences in context, the Canadian model may be a useful example for the EU over the longer term. Canada (together with the USA) remains a leader in accepting refugees from overseas with 12300 refugees accepted in 2014. Although it does not face similar pressures from irregular migration as the EU, Canada is managing to integrate migrants and keep national opinions favourable due to the unique narrative of Canadian multiculturalism, a key facet of Canada's national identity.

**Mr. David Reizenzein**, FRONTEX Liaison Officer, quoting Jacopo Barigazzi who said, "Migration is likened to a tsunami in the future", in which case Frontex would be the umbrella of operational EU solidarity. The figures speak for themselves: compared to 283 000 migrants in 2014, Europe has already received 150 000 between January and May this year. Up to the day before this round table, 68.933 new migrants were registered in the central Mediterranean. After 900 migrants perished in the Mediterranean in April 2015, the EU reacted with the budgetary increase for Triton and Poseidon operations. Departing from its core mandate of implementing EU Integrated Border Management and according to international legal obligations, Frontex is also carrying out rescue operations. The new Hotspot approach is an interesting concept through which JHA Agencies jointly support those Member States faced with large-scale arrivals on the spot. This concept has been implemented for the first time in form of the EU Regional task force, which was set up in Catania. Next steps for the EU, although extremely challenging, should consist of establishing cooperation with third countries, notably Libya, Syria and Iraq. Frontex itself is planning to appoint a liaison officer in Turkey.

Finally, he emphasized that coordination at sea is crucial as there is already a panoply of bilateral, private and other initiatives running in parallel, and inefficiencies due to lack of communication amongst all the actors might arise in the future.

**Mr. Marc Richir**, DG Home, European Commission, looked at the current context of European migration policy. Although a priority on the EU political agenda, it is a topic that endangers EU cohesion. Hence the need to restore trust in the EU's capacity to manage migration, following the principles of solidarity and responsibility. The European Agenda rests on the balanced handling of three sets of principles: solidarity /responsibility, legal/illegal migration, the internal/external dimension, as well as on a series of measures that constitute both an immediate response and the longer term solutions. The Member States most exposed must be supported by those less exposed through a comprehensive, pragmatic and long-term solution. In this respect, Mr. Richir mentioned the CEIPA proposal for an EU Migration and Resettlement Agency, but said the focus is to use existing structures better before creating new ones. More legal and labour migration is important key for Europe's future considering its demographic trends. However, support for opening the EU to more legal migration depends on the way irregular migration, return, and people smuggling will be handled. If the balance is lost, then cohesion and support in the EU will be lost. This is particularly important in the light of current public opinion, with 57% showing negative feelings against migration from outside the EU. This may be because asylum requests in Europe increased by 45% in 2014 in comparison to 2013, making Europe the most popular destination, receiving 43% of all asylum claims against 6% for the USA, and the lack of effectiveness of Member States return decisions. As for the external dimension the EU needs to bring in third countries when addressing migration trends. Whereas in 2005 during its first migration crises occurred on the Western African migratory route, Europe had counterparts to engage and collaborate with in countries like Morocco, Senegal, Ivory Coast etc., current migration flows stems from regions with barely functioning governments (Syria, the Horn of Africa, Afghanistan, Iraq etc.). The Commission nevertheless very much aims at establishing good cooperation at multilateral level, with African countries in the context of the Khartoum process for instance, or at bilateral level with countries of transit. Mr. Richir ended by referring to the recent European Council and relocation/resettlement aspects: if the Commission expressed some disappointment regarding the Member States' readiness to only engage in a voluntary based solution, the agreement on a figure is already an important step that needs to be further concretized. He reiterated the need for a more integrated, coherent and coordinated approach, on the basis of existing frameworks and tools.

**Mrs. Judith Sargentini**, Member of the European Parliament, praised the Commission for settling what she called a distribution key, as opposed to a quota system. The European Agenda on Migration fails to address the aspect of labour migration and use the opportunity to identify within the stream of incoming migrants those that are capable of working in the EU economy. The EU should focus on opening up the economy for legitimate low-skilled labour migration,

since there will always be a demand for low- skilled labour in the EU, drawing migrants from outside to move to the EU for economic motives. Touching upon return policy, Mrs. Sargentini suggested that it would only be effective if the EU also offered monetary support so the returnees can support themselves economically in their home countries. Also, because there is no legal opportunity to migrate to Europe, we will see more boats arriving on EU shores. The fight against smugglers is not the solution. Making access to Europe more difficult will only make the journey more perilous and thus more profitable for smugglers. Nor should migrants be considered in the national context, neglecting the wider European demographic challenges. It is necessary to review the EU Dublin Regulation and give the refugees a priority when applying the distribution key. Promoting the idea of working with third countries is also problematic, since developing more effective procedures will fuel more migration. We need to look at migration as an EU, not a national issue.

**Mr. János Szacsúri**, JHA Counsellor at the Permanent Representation of Hungary to the EU, started by asking what the EU can achieve in the light of numerous summits producing limited results. With 67000 migrants arriving so far in 2015, Hungary experienced an increase of 880%, stretching to the maximum its asylum capacities. The problem is not only big numbers of border crossing, but the fact that the land crossing is safer and easier than the sea crossing. More migrants use it than the Trans Mediterranean route that has received heavy media coverage. He said that there is a gap between what the EU can achieve and public and media expectation. The majority of migrants do not wish to stay in Hungary but want to go further north. As to their profile, recent arrivals consist mostly of Kosovars, Syrians, Somalis, and Eritreans who lodged asylum requests in Hungary and need to be registered and provided with shelter. Mr. Szacsuri recommended Hotspots be set up in transit countries. Cooperation with countries of origin and transit, notably with Western Balkan countries is indispensable, and should include technical assistance in border management. The EU mandatory system of quota is a wrong approach as it doesn't take into account the situation in Hungary and Bulgaria and not only raises pressure on the Hungarian asylum system but also encourages more migrants to come. He also said stricter distinctions were needed to prevent economic migrants from using the asylum system. Finally, he stated that migrants with no legal rights to enter the EU should be sent back and the negotiations of accelerated readmission agreements should be combined with trade and development agreements.

## **Discussion**

Mr. von Bethlenfalvy launched the discussions inviting **Ms. Olga Siebert**, Advocacy Officer for the Jesuit Refugee Service Europe to share her observations. Mrs. Siebert raised the issue of the largely uncovered human aspect of migration: migrants are people- women, men and children- who arrive at our borders. She stressed the need for a better management of migration. The use mandatory relocation schemas are steps in the right direction. She suggested that migration into the EU not be seen as a "burden," and that rhetoric around "burden sharing" can

be dehumanizing. The Jesuit Refugee Service advocates for the respectful and fair treatment of all migrants affected by European policy and defends their access to procedures that guarantee their basic rights as enshrined in international law.

**Mr. Keith Best**, former MP as well as Chief Executive of the Immigration Advisory Service noted: The tragedy of loss of life and mass migration across the Mediterranean shows Europe at its worst with civilised nations refusing to take effective joint action to prevent death and share the common burden envisaged by a Common European Asylum System - all are falling over each other to place responsibility elsewhere and deny access required by international obligation. Of the more than 1,000 migrants who reached Italy and Greece in the first six months of 2015 it is reliably estimated that more than 40% were in genuine need of protection which means, of course, that some 60% were economic migrants. Under the current system all have to risk their lives before they are processed. There is, of course, no fully effective remedy which will prevent people taking their chances to reach Europe through the expense of the smugglers or hazard to life but the only way to inhibit this danger is to effect joint processing outside the EU borders. If EU centres in North Africa could document and identify those who, under the Refugee Convention which applies equally in all Member States, qualify for protection in a particular Member State (such as for family reasons) then they could be given safe passage while others would be turned away and more easily removed if found subsequently to have gained access illegally. This is true also of the crisis in Calais: if the French and UK immigration officials processed applications in the area of juxtaposed controls then not only would it enable those few who might qualify as refugees in the UK to be given safe transit but would also require the French to provide access to asylum procedures for those presently in "the jungle" who can find it very difficult to be accepted for processing.

**Prof. Rajendra Abyankhar**, former Ambassador of India to the European Union addressed the CEIPA event in absentia and provided the following comments.

Migration has become a major challenge to countries with political and economic stability in the Mediterranean. The continuation of religious strife in the Eastern and Southern Mediterranean and the failure of governance in these countries has exacerbated the problem. Given that unsettled political, economic and societal conditions will continue in most of north and sub-Saharan Africa and West Asia the need to deal cohesively with the challenge is imperative. At the same time it is equally necessary that EU action fall within its oft-repeated commitment to human rights, humanitarian law and development as it affects the potential immigrant. The European Union has a plethora of agencies dealing with the issue of migration yet lacks the combined political will to comprehensively deal with the emerging situation.

The first task must be to make existing institutions work rather than creating new platforms howsoever useful this may be to defuse intergovernmental tensions. In the long run, however, the EU may well end up with having an agency like the one proposed especially due to the

imperative for an inter-governmental approach. In this connection, the EARMM Terms of Reference appear a bit in vague and unattainable and will require a far greater degree of operational detail. It is a first approximation and hopefully the conference will flesh out the TOR's.

It would be better to link the existing frameworks within the MS labour markets than adding another layer only for foreign workers. Nothing is said on how the proposed Agency would help to tackle the root causes of illegal migration. The issues at stake are admittedly politically sensitive requiring the creation of an effective common immigration policy and a truly common one on asylum. Creating such a policy will require MS to cede part of their sovereignty to a more federalist approach on these issues. Migration has become today a very decisive factor within EU domestic politics, in UK, France, Italy, Denmark, Sweden and others. Already 100000 forced migrants have entered the EU during which has driven a deeper wedge within the EU member-states.

To effectively deal with migration a genuine comprehensive approach by the EU is needed especially since the flow of populations through the South Mediterranean countries is unlikely to reduce. There is need to see how the EARRM proposal can be fitted into EU's Ten Point Action Plan on Migration.

A range of other **comments and questions from the audience** expressed the need to clarify the different interpretations of solidarity between EU Member States. Critical voices were raised regarding the position of Central and East European countries in the debate on quotas. With reference to Europe's demographic challenge and labour shortage, mention was made of the 10% unemployment rate in Europe. Some delegates noted figures of 60% irregular migrants versus 40% genuine asylum seekers. The idea of processing asylum claims outside the European territory was also discussed, as it could provide protection closer to the countries of origin of migrants and ensure safe passage for those who comply with asylum criteria. Further criticism was expressed about the Dublin Regulation, which is particularly onerous for small countries.

In conclusion **Mrs. Jelena von Helldorff**, CEIPA Senior Policy Advisor quoted Angela Merkel who said that the refugee problem is one of the greatest challenges facing the EU, laying bare the limits of European integration and open border principles. Looking at the big picture, migration is a symptom of a modern era, where old habits are dying hard. As the Italian thinker Antonio Gramsci's pointed out "The old world is dying and the new is not yet born". To this Mrs von Helldorff added a remark from a policy meeting held earlier in the day with EC Vice-President Frans Timmermans who said the debate about migration reflects the inconsistency inherent in human nature, whereby we don't want migrants to die but at the same time we do not want them to come to Europe.

## **Comments and observations by CEIPA**

What could be concluded from the discussion is that Europe is not standing up, at least for the time being, to face the global challenges of migration. The results of a number of high level meetings and conclusions by the EU MS and EU institutions are far from being comprehensive, balanced, and effective in terms of policy and migration management. While focusing on the fight against illegal migration, trying to enforce a low key solidarity approach amongst the EU MS towards distribution of asylum seekers, and promoting returns, the EU fails to take an active and fresh view towards root causes of migration and controlled recruitment and admission of migrants. The political and economic stability of Europe in the not too distant future may be adversely affected by the failure to address the EU's need for qualified, highly qualified, and low skilled migration amidst a demographic context of a rapidly aging European population and a burgeoning population increase in neighbourhood countries.

While there is definitely a need to combat and prevent smuggling and trafficking in human beings, reinforce frontier controls, and revisit the provisions of Dublin II convention, there is an even more urgent and pressing need to establish a resettlement and management modus: a modus for selective migration focusing on economic growth in Europe as well as countries of origin of migrants. A distribution key for asylum seekers may remain a contagious issue in the majority of European states and provoke increasing resentment's against the EU and its institutions. Yet, a fresh approach that establishes a well-defined, controlled, and selective migration mechanism, that is also placed in countries of origin and transit of migration, may bring new positive perspectives for Europe's citizens by way of economic stability and security.

During the discussion at the CEIPA event, it was noted that, for a number of reasons, Europe's policy makers are failing to arrive at a conclusion that migration, when well-managed, can bring positive elements in nation building, economic growth, as well as alleviate humanitarian crises. Migration is gridlocked for the time being, in deliberations that are mired by xenophobia, racism, paranoia, terrorism, social parasitism and security. Europe must be realistic in facing the current situation in the Middle East and establish a pragmatic and comprehensive policy to absorb the asylum seekers that come with the baggage of traumatic experience, and who may never be able to return home. We have to learn to confront and work with highly traumatised people. It was fruitful, therefore, that a number of speakers at the CEIPA round table were able to address the issue of orderly resettlement and migration management as a policy priority for the future.