

**The Migration Crisis and the European Union:  
The Effects of the Syrian Refugee Crisis to the European Union**

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## **Abstract**

In this paper, I will be discussing about the Syrian refugee crisis in the European Union. The Syrian refugee crisis, which is currently being experienced in European countries is said to be the one of the largest forced migrations since World War II. More and more refugees are heading towards European countries which are renowned to have good living conditions despite the perilous journey wherein thousands have died and face very inhumane conditions in getting to their destination. Because of this, the European Union has begun to undergo measures to help control the influx of refugees, most of which are at the cost of these refugees' safety.

*Keywords: Syrian Refugees, Migration Crisis, European Countries, European Union, Syrian Civil War*

## **The Syrian Conflict**

In February 2011, there were protests which erupted in the Southern city of Dar'a as a response to the apprehension of 15 middle school aged boys who had spray painted the common Arab slogan of the protests which bears pro-democracy slogans, wanting the ouster of the Syrian President, Bashar al-Assad (Abboud, 2016). The protests at first simply wanted the Government to release the boys including political prisoners, but later began to evolve towards anti-regime tones which targeted the emergency laws, poor socio economic conditions, corruption, police brutality, and indiscriminate detention (Abboud, 2016). Dar'a began to experience the first protests of the Syrian uprising which was then called 'Day of Anger' on February 17, 2011 (Abboud, 2016). Come March 15, 2011, a second protest began to take place, while a third one started on March 18, which made the protesters bolder and placed themselves in direct confrontation with security forces, whom open fired using live ammunitions on the protesters (Abboud, 2016). While this happened, there was another group of hundreds of protesters, including a sit-in led by women around the Ommayed Mosque in Central Damascus who demanded the release of all political prisoners (Abboud, 2016). Protests then broke out throughout Syria in Aleppo, Hama, Dar'a, Damascus, al-Hassakeh, Deir ez-Zor, and Aleppo, which were noted by the middle of March (Abboud, 2016).

These protests overtime became organized and began to possess national momentum, but such were not coordinated; they were mainly informal as they used social, familial, and neighbourhood ties (Abboud, 2016). Their main demand was regime change, which they wanted to be achieved through the removal of the security apparatus, President Asaad's resignation, and the movement of the elite away from the political, security and economic sphere (Abboud, 2016). The other demands included the call for

political reforms that would repeal emergency laws which would make the judiciary independent with a new constitution, and creating more representative political institutions and laws that are not under authoritative control (Abboud, 2016).

The Government however, was unable to properly answer to the complaints, and instead blamed foreign infiltrators and Islamist groups of the ongoing protests whose intent was to destabilize Syria (Abboud, 2016). The Government then underwent a two way response to the uprising. First was 'repression', wherein the security apparatus- the army, *mukhabarat* (intelligence services), police and *shabiha* (thugs) – would continuously take part in brutalizing the protesters and any individual who would support protests through indiscriminate imprisonment, beatings, torture, kidnapping and murder (Abboud, 2016).

The second one was a series of strategical reforms, wherein the Government would pass significant reforms aimed at appeasing the protesters (Abboud, 2016). Some of these included the discharge and the bestowing of clemency to some 200 political prisoners from the infamous Saydnaya prison; the extension of citizenship towards stateless Kurds; the removal of the Emergency Law which has been in place since 1963; the reforming of the Government; and the closing of the Higher State Security Court to pave way for a new law which legalizes and regulates certain forms of protests. However, such were negated by the fact that in practice, the security apparatus continues to operate with impunity, showing that such reform measures had no effect on the repression of the protesters (Abboud, 2016).

Despite the efforts of the Syrian Government, the momentum of the protests continued to increase, spreading throughout all major population centers of the country as well as the rural areas (Abboud, 2016). Still, the Government continued to enact reforms to pacify the uprising, and yet the death toll of protesters continued to increase at the hands of the security forces (Abboud, 2016). As Abboud (2016) states, "Political reforms had no chance of being taken seriously while repression continued. The confrontation between the regime and activists was quickly spiralling out of control".

The United Nations announced that 90,000 people had been killed in the Syrian war by June 2013, which increased to 250,000 by August 2015 (Rodgers, Gritten, Offer and Asare, 2016). The conflict then, which previously was only of those for and against the Syrian Government, began to include local and world powers whom turned Syria into a proxy battleground, and Islamic terrorists and other jihadists groups, which drew international attention (Rodgers, et. al, 2016).

More than 12 million Syrians were displaced, while more than 450,000 people are dead which includes 50,000 children as a result of this war (I Am Syria, n.d.). The displaced Syrians began to migrate

to the nearest bordering countries, which includes Turkey, Lebanon and Jordan, but many opt to continue to European countries, especially to the wealthier ones such as Germany Sweden and Denmark as they believe they will lead better lives there away from the conflict.

This mass migration of refugees caught the European Union (EU) in surprise; the member states struggled to accommodate the huge number of people passing their borders. As a result, the EU began to enact and impose several policies to help control the influx of refugees, which many criticize to be detrimental to the safety of the very people they want to help. Syria's role in the European migrant crisis results from the high number of refugees coming from the country as a result of the Syrian war, making the country the top source of refugees in 2015 (United Nations High Commissioner for Refugees, 2015).

### **The Response to the Influx of Refugees**

#### ***The general response of European Union member states***

Generally, the member states were divided into two; those who are for and against the flow of refugees into their country. It was also classified as that of between the East (comprising of the Visegrad Four) and the West (comprising of Greece and Germany) of Europe (Ramirez, 2016). The Visegrad Four, comprised of Czech Republic, Hungary, Poland and Slovakia, mainly proposes to put the migration flow under control and stop the influx of refugees. Germany on the other hand, led by the German Chancellor Angela Merkel, seeks to open borders and help refugees, asking other EU members to do the same (Ramirez, 2016).

Though initially some EU member states went against each other, a general consensus began to emerge; the EU has begun to favour reinforcing its external borders and while at the same time asking third countries to stop people from crossing to EU borders through monetary and political avenues. (Lehne, 2016)

#### ***The European public opinion***

Based on a survey conducted in 10 European countries which includes Hungary, Poland, Germany, Netherlands, Italy, Sweden, Greece, Norway, U.K., France and Spain, it was found out that Europeans have mainly a negative reaction regarding the refugee crisis (Poushter, 2016). It was mainly due to the concern of many Europeans that the high number of incoming migrants and refugees will result to an increase in terrorist activities, and will encumber their country, as they believe that the refugees are taking their jobs and the social benefits that should be allocated for its citizens (Poushter, 2016).

This negative view towards refugees is thought to be tied together with negative views regarding Muslims in general, which may be due to the blurring of line between the definition of fundamentalism and extremism. It was also found that many Europeans do not think that increasing diversity equals the bettering of their countries, with a statistic of 4 out of 10 people saying so in each country surveyed. Europeans though do believe that the EU is doing a shoddy job of handling the refugee crisis, a clear majority in all of the countries surveyed (Poushter, 2016). In the end, this resulted to a shift towards anti-immigrant parties in Europe (Poushter, 2016).

## **The European Union: Policies and Agreements**

### ***Monetary help***

One of the first things the EU did was to provide monetary help amounting to 6.8 Billion Euros, making the bloc the largest international donor in humanitarian and development assistance since the Syrian conflict started in 2011 (European Union, 2016c), with an additional 3 Billion Euros for the year 2016 in support of those still in Syria, including Syrian refugees and the countries hosting them (European Union, 2016c).

### ***The 10 point plan and 4 point policy plan***

On April 20, 2015, Home Affairs and Citizenship Commissioner Dimitris Avramopoulos, at a joint meeting of Foreign and Interior Ministers, proposed a 10 point plan in response to the crisis situation in the Mediterranean, where many refugees would risk their lives crossing on overloaded smuggler boats to reach European states. The plan, which received full backing of the Foreign and Interior Ministers, composed of the following as taken from the EU press release database (European Commission, 2016c):

1. Reinforce the Joint Operations in the Mediterranean, namely Triton and Poseidon, by increasing the financial resources and the number of assets. We will also extend their operational area, allowing us to intervene further, within the mandate of Frontex;
2. A systematic effort to capture and destroy vessels used by the smugglers. The positive results obtained with the Atalanta operation should inspire us to similar operations against smugglers in the Mediterranean;
3. EUROPOL, FRONTEX, EASO and EUROJUST will meet regularly and work closely to gather information on smugglers modus operandi, to trace their funds and to assist in their investigation;
4. EASO to deploy teams in Italy and Greece for joint processing of asylum applications;
5. Member States to ensure fingerprinting of all migrants;

6. Consider options for an emergency relocation mechanism;
7. A EU wide voluntary pilot project on resettlement, offering a number of places to persons in need of protection;
8. Establish a new return programme for rapid return of irregular migrants coordinated by Frontex from frontline Member States;
9. Engagement with countries surrounding Libya through a joined effort between the Commission and the EEAS; initiatives in Niger have to be stepped up.
10. Deploy Immigration Liaison Officers (ILO) in key third countries, to gather intelligence on migratory flows and strengthen the role of the EU Delegations.

A 4 point policy plan (also known as the '4 Pillars to manage migration better') for the medium and long term was also introduced by the European Commission on May 13, 2015 in a 'Communication' entitled 'The European Agenda on Migration' to further the previous 10 point plan (European Commission, 2015b). According to the European Commission (2015b), these are "the reduction of incentives for irregular migration, saving lives and securing external borders, the creation of a strong common asylum policy and lastly, a new policy on legal migration policy".

### ***Relocation and Resettlement***

One of the controversial immediate response plan, as included in the European Agenda on Migration, is the relocation of migrants among EU member states, known as the 'Emergency Relocation Mechanism' (European Commission, 2016a). Because of the overwhelming number of migrants and refugees arriving on the borders of Greece and Italy resulting to an emergency situation, the European Commission has decided to help ease the burden by relocating a total of 40,000 asylum applicants among the EU member states in 2 years (16,000 from Greece and 24, 000 from Italy), which increased to a proposal of 120,000 people, including refugees from Hungary over the period of 2 years (15, 600 from Italy, 50,400 from Greece and 54,000 from Hungary) (European Commission, 2016a). This included the proposal of a permanent system to distribute refugees, whose need for international protection in the EU is recognized to be at the rate of 75% including Syrians as a result of the ongoing conflict in their country, among member states (European Commission, 2016a). This was called the 'Relocation Framework' policy which will be implemented through an annual resettlement plan, serving as a unified procedure among member states (European Commission, 2016b).

Along with the relocation plan is the introduction of the resettlement plan, wherein the EU will provide a total of 50 million Euros to support the scheme, which will encompass all EU member states (European Commission, 2016b).

### ***The CEAS reform***

As part of the 4 point policy plan, the European Commission has proposed to reform the Common European Asylum System (CEAS) to establish an efficient, just and humane asylum policy (Raithel, 2016). The CEAS, having been negotiated and adopted in 1999, serves as a “unified asylum system” which functions to answer problems such as: ‘asylum shopping’ wherein asylum applications denied in one EU member state would just apply to another EU member state; the unequal approval of asylum applications among member states, leading asylum applicants to move towards EU member states where their applications have a higher chance of being approved; and lastly, the fact that there are different treatments and benefits among EU member states led asylum seekers to apply in member states that has the best social benefits to be given (Raithel, 2016).

The CEAS includes 5 key components (European Union, 2016b): the Asylum Procedures Directive, which states the same standard of safeguards and guarantees for a fair and efficient asylum process; the Reception Conditions Directive which states the same standards of living conditions are to be given, including housing, food, employment and health care; the Qualification Directive, which states the same grounds for awarding international protection and the rights of the recipients; the Dublin Regulation, which establishes the member state who will be responsible for processing an asylum application; and the Eurodac Regulation, which establishes an ‘EU asylum fingerprint database’, recording and transmitting the data to the Eurodac central system the fingerprint of every asylum applicant.

As a result of the current migration crisis, which has placed considerable strain on the EU’s asylum system, the European Commission sought to revise the CEAS in May and June 2016, including its 5 key components (European Union, 2016b). First is the reform of the Dublin system, wherein there is a proposal for a new Dublin Regulation to pave way for a more fair, efficient and sustainable system in allocating asylum applications among member states. Next is the reinforcement of the Eurodac System, wherein there is a new proposal for a new Eurodac Regulation in adapting, reinforcing and expanding its purpose for it to facilitate returns and help tackle irregular migration and support the practical application of the reformed Dublin System. The third is the proposal for a new mandate for European Union Agency for Asylum which is to impose a regulation on the ‘European Agency for Asylum’, and transform the current

EASO into the European Union Agency for Asylum which includes an enhanced mandate with more involved tasks in order to face any structural weaknesses that may show in the application of the asylum system.

Lastly, there is also the proposal for greater convergence in the EU asylum system, wherein the remaining key components of CEAS- Asylum Procedures Directive, Reception Conditions Directive, and the Qualification Directive- will establish a mutual EU process for asylum applications as well as consistent protection standards and rights including reception conditions among member states, reducing the problems as mentioned above (European Union, 2016b).

### ***Stricter border controls***

The EU also focused their efforts on strengthening their borders as part of their 10 Point Plan, and furthered with their 4 Point Policy Plan. With this, the EU strengthened the role of Frontex, which was created on October 26, 2004 through Council Regulation (EC) 2007/2004 as the 'European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union' (later renamed the 'European Border and Coast Guard Agency' through Regulation (EU) 2016/1624 on September 14, 2016), which aims to "promote, coordinate and develop European border management in line with the EU fundamental rights charter and the concept of Integrated Border Management" (Frontex, n.d.b).

One of the actions EU has taken to strengthen the role of Frontex is the launching of Operation Poseidon, which gives technical assistance to Greece with the goal of fortifying its border surveillance, the capacity in saving lives at sea, and its registration and identification capabilities and Operation Triton, which will assist with Italy's border control and surveillance, including search and rescue operations in the Central Mediterranean. Both are Frontex led (European Union, 2016a).

The EU also dispatched its EU Naval Force (EUNAVFOR) Mediterranean Operation Sophia on June 22, 2015, which is mandated to "identify, capture and dispose of vessels and enabling assets used or suspected of being used by migrant smugglers or traffickers" (European Union, 2016a). The operation has so far rescued 25, 993 migrants with an additional 38, 031 from EUNAVFOR Med aero-naval support; 87 arrested smugglers and traffickers; and impounded 296 illegal vessels (European Union, 2016a).

Another external border control the EU strengthened is its Schengen external border area, which has its origins on June 14, 1985 when 5 countries, Belgium, France, Germany, Luxembourg and the Netherlands signed the Schengen Agreement (Council of the European Union, 2015). To date, the

Agreement now encompasses several other states, amounting to 26 countries (Council of the European Union, 2015).

The Schengen Agreement allows the removal of internal border control, providing the right to move freely to the Schengen members state's citizens (Council of the European Union, 2015). In order to compensate for the removal of internal border controls, the Agreement provides for the strengthening of its external borders, hence the creation of Frontex to complement each Schengen member's 'national border management systems', composing of the Schengen's area 50, 000 km long border (Council of the European Union, 2015).

The European migration crisis however, has made several Schengen members impose temporary border controls as a huge number of migrants and refugees would take advantage of the open internal borders as a way to travel north and apply for asylum in wealthier countries such as Germany, Sweden and Denmark, hoping for better accommodation than those they received in Hungary and Greece (European Union, 2016d). The Dublin Regulation however, which states that the country which an asylum seeker first enters is the one responsible for examining their asylum application (United Nations High Commissioner on Refugees, 2015), is not properly implemented as shown when Greece, Italy, and Croatia would allow refugees to pass through the Schengen zone towards northern European countries (BBC News, 2016a), instead of processing their asylum applications in the country of entry, resulting as one of the reasons for the Dublin Regulation's need for reform. This led the EU to help strengthen its external border controls by giving Frontex a stronger role, including the procurement of European border guards and high tech surveillance systems, and the agreements with Third Countries in managing border control.

### ***The Turkish deal and migrant compact***

Another of the controversial actions taken by the EU in response to the migration crisis is the EU-Turkey deal, wherein a large number of refugees illegally crossing the Aegean towards Greece would be returned to Turkey in exchange of boosting the monetary support Turkey receives, such as the capacity to build facilities for Syrian refugees in Turkey amounting to 3 Billion Euros (European Union, 2016e), and a faster processing of visa liberalization for Turkish nationals (Collett, 2016). This agreement was criticized largely for the reason that the main basis for returning of the refugees to Turkey is that Turkey is deemed as a 'safe country'. Many international organizations, most prominently Amnesty International, proves it is not so, as they document cases in Turkey wherein refugees were being returned to places of conflict; they were denied of full refugee status including integration to refugees; the country lacked the capacity to

process asylum applications; and an estimated 3 million refugees were left to fend for themselves, with no shelter and no help from the Government (Amnesty International, 2016c).

This agreement, though fraught with controversy, became the blueprint for EU's 'Migration Compact' which was published in a 'Communication' on June 7, 2016, wherein the EU proposes a cooperation with identified key partners (countries) to deal with the EU migration crisis in exchange for benefits the EU may bestow, such as investment projects, legal migration opportunities, a cooperation on security, and 'EU-Africa bonds' to facilitate the access of African countries to capital markets (Italian Government, 2016). However, this was also criticized for the seemingly responsibility shirking of the EU; the migration compact was seen as an action of EU and its member states trying to buy their way out of their responsibilities (Amnesty International, 2016b).

Amnesty International then published a public statement on June 27, 2016, stating 4 major flaws of the migration compact, first of which relates to the releasing of financial assistance to partner countries by how well they comply with EU demands, making it political (Amnesty International, 2016b). The next one is the lack of a credible and detailed plan to accomplish the said goals as stated in the 'Communication' (Amnesty International, 2016b). Third, there is the absence of mechanism to help monitor and ensure the respect for international human rights law and standards regarding the implementation of the migration compact, as seen with what happened with Turkey (Amnesty International, 2016b). Lastly, the method being proposed on dealing with people-smuggling which, like the strategy of 'Fortress Europe'- the building of more fences and increasing the number of border guards and high tech surveillance- would not work, as the joint study of INTERPOL and Europol this 2016 shows: people-smuggling increased in response to the EU's stricter border controls (Amnesty International, 2016b).

### **Critiques on the Actions Being Done by the EU**

Many of the actions taken by the EU were seen in a negative light; its stricter border controls which includes the building of fences, additional border guards, and the procurement of high tech surveillance equipment; the larger amount funds for external borders than the funds for helping refugees; the resourcing of third countries to help manage border control or the sending of refugees back to Refugee host countries such as Turkey in exchange of monetary and political help; and the closing of internal borders among others is totalled by Amnesty International as the actions of a 'Fortress Europe' (Amnesty International, 2014). This fortress, which was originally supposed to prevent the entry of economic migrants, now targets even refugees who are simply fleeing the war ongoing in their own country, such as Syrians.

As EU imposes stricter border controls, refugees have started to traverse on more dangerous routes to reach European countries. They instead turn to smugglers, risking their lives travelling in overcrowded boats only for it to capsize at sea, such as the tragedy off the coast in Lampedusa where 400 refugees died in 2 shipwrecks in October 2013, while 50 people died in 2 consecutive shipwrecks dated May 11 and 12, 2014 between Libya and Italy, wherein hundreds more were reported missing (Amnesty International, 2014). Those who do reach their destination though, are sent back to where they came from in a more horrid condition, while some were even sent back to places of conflict, such as what was documented in Turkey. This led to many international organizations, mostly non-governmental such as Amnesty International, to condemn EU's actions in response to the migrant crisis, most of whom were affected are Syrian refugees.

## **The Current Situation**

### ***The Syrian war***

Currently, the war in Syria is still on going. The country's most recent news is the takeover of the Syrian army of the strategic district of Aleppo, while Russia is preparing to launch airstrikes over Aleppo (Al Jazeera, 2016). The rebels though, has warned that the fight was not yet over (Al Jazeera, 2016).

Just recently, newly elected U.S. President Donald Trump has stated that he fully supports the government of Syria and would instead focus efforts on fighting the Islamic State of Iraq and Levant (ISIL, also known as ISIS), stating that he does not know who the rebels fighting in Syria are anyway, and that since Russia and Iran are fully aligned with the Syrian government, then he will too (Alalam, 2016).

### ***The new political trends in EU***

Due to the migration crisis, there have been shifts in the political trends in the EU, which are mostly surging towards right wing parties (BBC News, 2016b).

This is shown through the elections all over Europe, which has been dominantly leaning towards right-wing parties, such as Austria's far right Freedom Party (FPOe), which managed to push out both of the main parties in Austria while running for presidency in April 2016 (a rerun of the elections is scheduled to December 4); Cyprus' far right ELAM, which is affiliated to Greece's Golden Dawn which many see as a neo-Nazi, secured two seats in the parliamentary in May 2016 elections; Denmark's Eurosceptic Danish People Party (DPP) came second in the 2015 general elections garnering 21% of the votes, including getting 27% of the votes in the 2014 Denmark's European Parliament election; Finland's Nationalist Party

(previously called 'True Finns') also came second in last year's general election, advocating strict immigration controls; France's National Front led by Marine Le Pen has 2 seats in the French National Assembly, and won 25% of votes in the French European Parliament election in 2014; Germany's right-wing Alternative for Germany (AfD), whose success is seen as discontent for the current German Chancellor is gaining more support by uniting the people against immigration; Greece's far right Golden Dawn which is widely considered to be neo-Nazi, gained prominence during Greece's economic meltdown; Hungary's far-right Jobbik won in 2014 with 20.7% of the votes in the general election; Italy's Eurosceptic and anti-immigration Northern League (Lega Nord) has gotten huge gains from the 2015 local elections; the Netherlands' anti-EU Party for Freedom (PPV) led by Geert Wilders has topped Dutch opinion polls; Slovakia's ultra-nationalist People's Party-Our Slovakia managed to win 14 seats in the parliament this year for the first time, led by Marian Kotleba; and Sweden's nationalist Sweden Democrats (SD) won 13% of the votes in the general elections in 2014 (BBC News, 2016b).

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