

Event Report

The Humanitarian Crisis in the Mediterranean: How to Fix the EU's Failed Approach to Irregular Migration?¹

*Since the beginning of 2015, more than 1,700 people lost their lives trying to reach the southern shores of Europe. The new Mediterranean boat tragedy in the weekend of 18-19 April, which left more than 700 migrants dead, finally created enough political pressure on the Council and the Commission to rethink how to cope with the growing influx of migrants using the central Mediterranean passage to reach Europe. On 21 April Commissioner Avramopoulos presented a ten-point action plan on migration, which, in addition to the Agenda on Migration to be adopted later this month, is meant to lead to immediate actions to be taken in response to the ongoing crisis. Even though this action plan features several good points, it can be doubted that it is an adequate response to the complex challenges. The same can be said about the European Council's Conclusions. The most controversial of the Commission's proposals is that of a systematic effort to capture and destroy smuggling vessels (as is done in the anti-piracy operation *Atalanta*) since it does not take into account the larger problem of failed States in Africa and the Middle East which leaves many people with no other option but to flee. Critics claim that such action will not stop migrant flow; it will only increase the price a migrant has to pay to a smuggler. Another main criticism is related to the fact that the three fold increase of the budget to run Operation Triton is not more than what Italy was allocating alone to Mare Nostrum (which had no effect on the decrease of migration). The rest of the list includes activities that are already ongoing and until now did not show a palpable impact on the unfolding crisis. The European Council's conclusions are just as disappointing. They focus on four priorities, namely to strengthen the EU's presence at sea, to fight the traffickers, to prevent illegal migration flows and to reinforce internal solidarity and responsibility. These are exactly the same priorities that were already addressed after the tragedy of Lampedusa in 2013 with the Task Force for the Mediterranean. So far Europe has not acted in unity to find a solution for what has to be considered a humanitarian crisis and rather than on the safeguard of the rights of migrants the focus has mainly been on security. How will Member States now practically commit to the action plan and conclusions? Will the European Agenda on Migration tackle new territory and what else is needed to solve the ongoing humanitarian crisis in the Mediterranean?*

Having to deal with a large and ever increasing number of migrants at its doorstep is a major challenge for the European Union. While last year more than 600,000 people applied for asylum in the EU, it is most probable that this number will be dwarfed by this year's figures. In the first months of 2015, the EU has already received more than 70,000 asylum applications. However, migration is by no means a new phenomenon for the EU. In the 1990s waves of migrants from Albania and Kosovo arrived at the southern shores of Italy; Greece and Spain experienced

¹ The event took place on 27 May 2015. Guest speakers were: **Maria Ancona**, President of [Associazione Sud](#) and Member of Rosa Bianca National Committee, **Costanza Hermanin**, Senior Policy Analyst, Equality and Migration; Advocacy Manager, Italy, Open Society European Policy Institute, Brussels and **Stephen Ryan**, Deputy Head of Unit, Asylum, DG Migration and Home Affairs, European Commission. The event was moderated by the director of the Heinrich-Böll-Stiftung European Union, **Klaus Linsenmeier**. The opinions expressed do not necessarily represent the opinions of the Heinrich-Böll-Stiftung.

similar phenomena. It appears to be a continuous process. And yet, the scale and, especially, the nature of the migrants' arrivals represent a novelty for the EU.

Reasons for the crisis

There are several reasons as to why this is happening now and why it is happening at this scale. Firstly, we are witnessing an unprecedented number of conflicts in the Mediterranean region and not far from it in the Middle East. The situation in Syria and Iraq, but also the conflicts at the Horn of Africa and the Sub-Saharan region continue to fuel refugee movements. Secondly, refugees are able to commence their journey with greater ease; the break-down of law and order and of border control in Libya have led to an exponential growth of people smuggling over the last years. Among other reasons, the continuing disparity in the standard of living between the EU and other parts of the world plays a major role.

Bearing in mind that, according to Eurostat, the EU's population will decrease by 50 million inhabitants in 2060, the influx of migrants, as such, does not seem complicated; however, politically, it is highly complicated. The rise of right-wing and xenophobic parties in many parts of Europe as well as the challenges, which the integration of migrants involves at local and personal level, have caused national governments to abstain from taking responsibility in the current humanitarian crisis. As a consequence, municipalities and local populations, in the most affected regions, have had to cope with the arrival of migrants in a state of emergency for years, since proper tools and more far-sighted visions have been missing. While criminals and smugglers have been the ones benefitting from *the status quo*, it is migrants and local populations which pay the price for national governments' collective inaction. It will be almost impossible to find a satisfying set of solutions, if national governments continue to prioritise their election-driven concerns over joint European measures.

Addressing the main challenges

Tackling the current crisis requires a more innovative and politically courageous approach in terms of the measures that need to be taken both in the short-term and the long-term. Future solutions need to address the following aspects: the EU's role in dealing with the global refugee situation; the root causes of migratory flow; the humanitarian tragedies that we have been witnessing as a result of the dangerous journeys which the migrants embark upon; and the guarantee for a humane treatment of migrants once they arrive in the EU.

In terms of the global refugee situation, the EU needs to find ways, besides humanitarian aid, to help more directly to share the refugee burden at the international level. The Commission's proposal of resettlement could be a promising solution. It implies the direct resettlement of asylum seekers from third countries to the EU. Until now, the EU has not proven to be a leader in that regard, while other countries, such as the USA and Canada, have been much more forthcoming. It is important that the EU becomes more proactive, more generous and also more inclusive in terms of Member States' involvement in resettlement. For the moment, we are seeing a very uneven situation in the EU with not only Italy, Greece and Bulgaria, but also France, Germany, the Netherlands and the UK receiving many more refugees and asylum seekers per year than other Member States. Therefore, the EU's approach of resettling 20,000

refugees over the next years from third countries to the EU, in accordance with a redistribution key, that is to ensure that the influx is evenly spread, is welcome. If the system will prove to be successful in practice, however, remains to be seen.

Critics point out that resettlement may look like a good solution in theory, but in reality it is not that simple. At the end of the day, it means putting people into countries where they do not have any contacts and where they might feel even more foreign than in the countries in which they arrived in the first place. Considering that many of these migrants have crossed the ocean in order to come to Europe, it is very questionable if they will stay in the countries allocated to them where there is no existing diaspora of migrants from these countries. Doubts are additionally fuelled by the fact that some of the Member States have very poor records in terms of how they treat migrants and asylum seekers. Although the resettlement scheme could function as a catalyst to build up the necessary structures in Member States to host migrants in a humane and appropriate way, whether or not the system will work in practice remains a question mark.

With regard to the root causes, the EU needs to increase its commitment to conflict resolution, to take into account that poor levels of development can result in migration and to deepen its political cooperation with third countries. More specifically, this implies increasing support for countries neighbouring the EU, in particular in North Africa, to help prevent migration flows and inform potential migrants about the dangers and possible alternatives such as resettlement. One of the initiatives put forward by the Commission is the establishment of so-called migration centres. Here, migrants would be informed about the possibility of seeking resettlement and about migration law and policy in the EU before contemplating their journey. Additionally, the Commission is planning on intensifying the use of regional protection and development programmes that are essentially designed to build capacity in countries of origin and countries of transit for the protection of migrants. A further ongoing effort is, of course, to rebuild the maritime border management capacity of North African countries.

In terms of how to avoid further humanitarian tragedies, there are especially two strands that the Commission intends to take up; the tackling of human trafficking and the strengthening of the existing Frontex operations. The most recent action plan aims to break down the often very sophisticated people smuggling business through better intelligence gathering, improved cooperation with financial service providers and internet service providers as well as a more determined prosecution of perpetrators. If the EU is to obtain the necessary UN mandate, it also plans to capture and destroy smuggling vessels. In what way the envisaged destruction of vessels can contribute to solving the deeper causes of the crisis still remains uncertain.

It is also highly doubtful, whether an almost exclusive focus on countering smuggling and human trafficking is the right way to tackle migration. For one thing, it is only part of the problem; and for another, we have to be aware that the EU's main partners in Libya, Egypt, Niger and the Horn of Africa often sponsor human trafficking. In many cases, states and state's security services are directly involved in smuggling activities. It is estimated that up to 10 percent of Libya's GDP can be accounted for by human trafficking and smuggling. In this context, providing money as part of political cooperation for the training of security forces, which are actually part of the business, is the wrong approach. The EU has to be very cautious when engaging in development cooperation with these countries. Rather than being a politically driven instrument,

cooperation must be based upon an effective, regulatory and organised approach; hence, it needs to provide sticks and carrots for third countries to achieve its purpose.

As far as the treatment of migrants in the EU is concerned, more assistance has to be given to the so-called 'front-line states' such as Italy and Greece. Apart from the revision of the Dublin Regulation commencing next year, the Commission proposes to relocate up to 40,000 asylum seekers from these two countries to other Member States. The redistribution would be, once again, exercised in accordance with a distribution key taking into account the sizes and absorption capacities of the different Member States. Although it has been very difficult, so far, to discuss such a system at EU level due to the immediate opposition of some Member States, the Commission is hopeful that it might lead to a more structured approach for a fairer distribution of asylum seekers in the future.

By initiating a revision of the Dublin Regulation, the EU acknowledges that the system in place for managing migration in Europe has failed. For one thing, it has failed regarding its own terms, which is to say that the rules written out in the Dublin Regulation have not been applied properly. For example, the fact that a large number of migrants are not fingerprinted once they arrive in Europe as is foreseen is a clear example for the system's malfunctioning. Furthermore, the Dublin Regulation has led to an unfair system as it leaves certain Member States to a situation that far exceeds their capacities to host migrants and refugees. However, it is not only the system which is to blame, but the individual Member States too. The continuing unwillingness of certain Member States to share the burden more evenly has also been visible in the recent debate. In general, the EU needs to start correcting its stance of treating this humanitarian crisis as purely a matter of migration and security policy. Integrating poor people with a different cultural background is far from being an easy task and goes beyond the scope of the tasks of a Ministry of the Interior. Rather, it should be integrated into social policy, labour policy and development policy. With more regular ways of entry into the EU, there would be considerably less people dying at sea or stranding in Italy's poorest regions.

Conclusion

There is no magic solution to the current situation which could please all parties involved equally. Unfortunately, the humanitarian crisis in the Mediterranean is very much treated as a matter of politics, instead of a matter of solidarity. From the EU's perspective, there will probably be more action plans, more recommendations and measures. But any of the EU's action plans or recommendations will only make a change, if national governments finally commit to them. Even though there is now more discussion about how to ensure a more equitable distribution of the influx of migrants, it appears to be very troublesome for national governments to have a longer-term perspective on migration. Given the continuing resistance at national level for true commitment, short-term measures should lay more emphasis upon harm reduction for migrants and incentives for people to stay in their country of origin. For the long-term perspective, a change of narrative must be fostered acknowledging that international mobility and international migration is historic, impossible to stop completely and, therefore, concerns more than migration and security policy and should be mainstreamed into other policy areas, such as labour and social policy. Perhaps perceiving migration as an opportunity rather than a hazard would lead to a more fruitful discussion.