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# Migration to the European Union: A Confusing Picture



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## Introduction

Migration to the European Union (EU) has become a focus of political attention since the mass migration of refugees (and economic migrants) from the Middle East and Africa accelerated in the summer of 2014. But while the scale of this movement was unprecedented since the aftermath of the Second World War, the desire of people to move to the EU, and the EU's need for labour for its workforce, is not new at all.

The migration flows since 2014 have been accompanied by much human misery notably in crossing the Mediterranean and many deaths. This migration has raised issues of public policy, including important ethical and humanitarian ones, and had a major political impact in all European countries. Governments and mainstream political parties across the continent have been seriously undermined by public concern about migration and about the failure of the EU's Member State governments and of the EU as a whole to get a grip with the resulting situation. Reactions have included the rise of populist, anti-immigrant parties. Migration has become one of the touchstone issues of the twenty-first century and its longer-term political, economic and social consequences are unclear.

In this paper we explore the issues surrounding migration into the EU after a period of upheaval. This paper is about migration into the EU, and *not* migration within the EU, *i.e.* the free movement of people. It covers EU policy on both legal and illegal migration, taking into account the fact not all Member States of the EU (including the United Kingdom) participate in all aspects of EU migration policy; and that for a large part immigration policy from outside the EU is a national and not an EU responsibility.

The term "migrant" is often used to mean different groups of people who are moving countries. In this context it means a person moving (or seeking to move) to the European Union, whether they are moving legally (*i.e.* with a visa to work or for study), whether they are seeking asylum or are economic migrants.

## Migration: the Scale of the Challenge

### Statistics

The most recent EU figures for legal (excluding asylum-seekers) immigration were in 2014:

- 1.9 million immigrants;
- the average age of immigrants was, at 28, well below the median age (42) for the EU population as a whole;

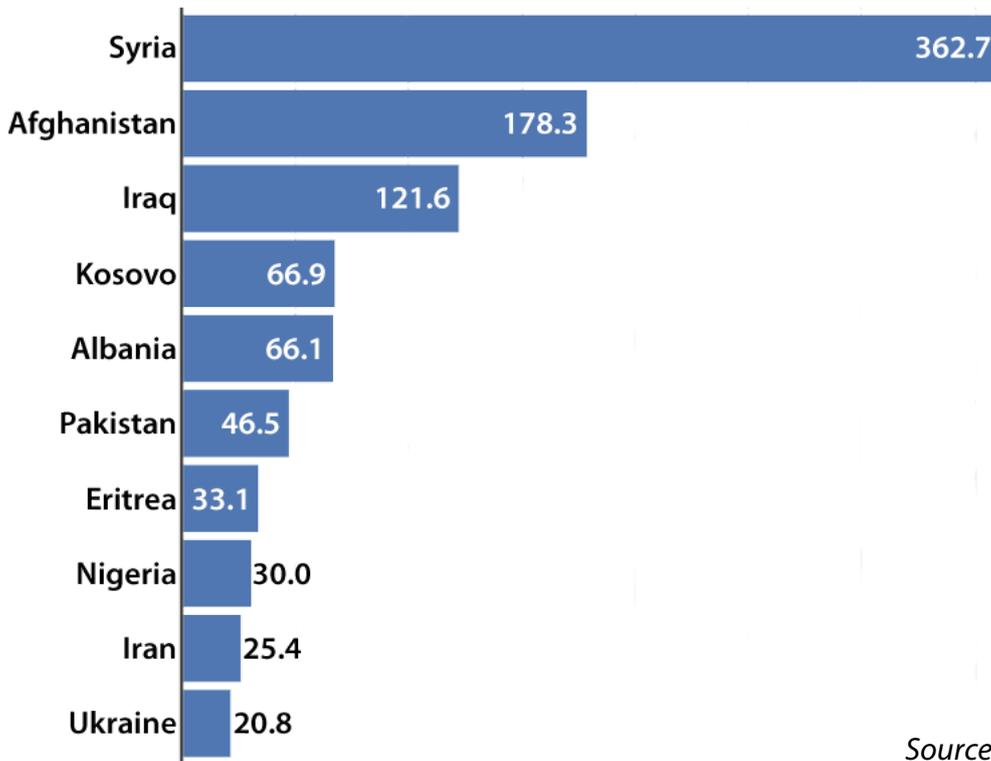
- the largest number of legal immigrants went to (in order): Germany, the UK, France and Spain;<sup>1</sup>
- in the case of the UK, there were 194,000 immigrants in 2014.<sup>2</sup>

For asylum, that is, those seeking protection under the UN Refugee Convention (to which all EU Member States are signatories), the most recent figures are for 2015:

- 1.26 million people sought asylum in the EU for the first time;
- this was more than double the number in 2014;
- the largest number of applicants was in Germany (442,000), followed by Hungary, Sweden and Austria;<sup>3</sup>
- there were 32,414 asylum applications in the UK in 2015.<sup>4</sup>

**Top 10 origins of people applying for asylum in the EU**

*First-time applications in 2015, in thousands*



*Source: Eurostat*

The scale of the flows in 2014 and 2015 to Europe were unprecedented. The number seeking asylum in the EU had previously peaked in 1992 at 672,000, driven by the civil wars in the former Yugoslavia, and had then fallen back to below 200,000 in 2006. Numbers rose gradually after then, jumping in 2013 to 413,000 after the civil war had begun in Syria.<sup>5</sup>

<sup>1</sup> Eurostat, 'Migration and migrant population statistics', 27 May 2016  
<sup>2</sup> This is the net figure of non-EU migrants to the UK, including students: see Office for National Statistics, 'Long-term international migration 2.01a, citizenship, UK and England and Wales', 1 December 2016  
<sup>3</sup> Eurostat, 'Asylum statistics', 19 April 2016  
<sup>4</sup> HM Government, 'Immigration statistics, October to December 2015', 3 March 2016  
<sup>5</sup> As described in Eurostat, *supra* n. 1

### Causes of the flows

Migration is driven by push and pull factors. The push factors include conflict, persecution, poverty, discrimination and human rights abuses. The pull factors are primarily desire for a better life, particularly in economic terms but also better educational opportunities. The strength of these factors will vary from third country to third country and over time. It is important not to over-simplify the factors that trigger migration; people leave their home country for many different reasons and often a combination of factors are involved.

The main cause of the sharp increase in the number of asylum seekers in 2014 and 2015 was people fleeing violence in Syria. The switch in routes taken by these refugees, to one via the Eastern Mediterranean through Turkey and Greece, contributed to the upsurge arriving in the EU because this route was easier and less dangerous than previously used routes across the Western Mediterranean (*i.e.* from North Africa). Research in 2016 found that in the period 2000-15, those crossing the Mediterranean to reach Europe had a two per cent risk of death during the sea passage. In 2015 the Eastern Mediterranean route death rate was down to 0.6 per cent, because of the shortness of the crossing via the Greek Islands. The risk of death in the Western Mediterranean also dropped because of the presence of the Italian Navy (Operation Mare Nostrum), who rescued large numbers of refugees at sea.<sup>6</sup>

Many of the non-Syrian asylum seekers, for instance those from Kosovo and Albania, were subsequently refused asylum on the grounds that they were not fleeing violence or persecution but were economic migrants.<sup>7</sup> Large numbers of illegal economic migrants also came from Eritrea, Pakistan and Nigeria and flows of economic migrants increased after the sudden rise of Syrian refugees in the autumn of 2013; as one commentator has put it, the Syrian refugees in a way opened the door to economic migrants from other countries.<sup>8</sup> This was because the routes opened by the people traffickers could be used by anyone willing to take the risk and able to pay the smugglers.

In 2015, the crisis became acute after the German Chancellor faced with the surge of refugees through the Balkans said that her country would welcome all Syrian refugees and suspended its enforcement of the Dublin Regulation, the EU rule that would normally require a refugee to seek sanctuary in the first EU country they entered.<sup>9</sup> This intervention encouraged a new wave of migrants, not just from Syria, and while it was first welcomed in Germany, it became a political problem for Mrs Merkel and her Government.

### Impact on Member States

The sheer number of migrants arriving in the EU in the last three years has had a major impact on political and public opinion. For some of the EU's smaller Member States, the percentage share of migrants that arrived was very high compared to their native population – the

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<sup>6</sup> Philippe Fargues, 2015: *The year we mistook refugees for invaders*, Migration Policy Centre, December 2015, p. 1

<sup>7</sup> Eurostat, *Record number of over 1.2 million first time asylum seekers registered in 2015*, 44/2016, 4 March 2016; country of origin refers to the citizenship of the applicant (they may have arrived from a different country)

<sup>8</sup> Philippe Fargues, *op. cit.*, p. 4

<sup>9</sup> 'Germany opens its gates: Berlin says all Syrian asylum-seekers are welcome to remain, as Britain is urged to make a 'similar statement'', Allan Hall & John Lichfield, *The Independent*, 24 August 2015

highest rates of immigration in the EU in 2014 were into Luxembourg, Malta and Ireland.<sup>10</sup> In terms of asylum seekers, the highest rates in 2015 were in Hungary, Sweden and Austria.<sup>11</sup>

These relatively high volumes of migrants have come at a time when the continuing impact of the 2008 financial crisis, austerity and high unemployment made the public impact all the greater. Populist politicians have been able to exploit the perception of a large influx of migrants who get financial help and other benefits by contrast to many native citizens who feel they are only just coping with the economic situation.

Public concern may well be exacerbated by the perception that there are a great many more migrants than in fact there are. Successive surveys by Ipsos MORI have found that native populations considerably overestimate the number of migrants in their society. For example, in 2014 it found that across 14 countries the public believed that almost a quarter of their population had been born abroad when the actual figure was 11 per cent.<sup>12</sup> In the 2016 survey there was an equally marked tendency to overestimate Muslims in the population: in France, the average guess was that 31 per cent of the population was Muslim when it is actually 7.5 per cent. In the UK, the figures were a 15 per cent estimate and 4.8 per cent in reality; there were similarly wide discrepancies in Belgium and Germany.<sup>13</sup> There was also a tendency to overestimate how fast Muslim populations were growing. Whether driven by media coverage or the comments of politicians, this disassociation between fact and reality may well be stoking fears about immigration in the West, increasing public anxiety with potential political consequences.

Public anxiety has a lot to do with the perceived association between migration, Muslims and terrorism that followed the attacks of 9/11. Terrorist attacks since then (although they had been on a rising trend since the early 1990s) have inevitably focused attention on Muslim communities in predominantly non-Muslim countries and contributed to a distrust, even fear, of Muslim migrants.<sup>14</sup> This is ironic in that the greatest number of victims of these attacks world-wide have been other Muslims and it is the vicious attacks of the so-called Islamic State group in Iraq and Syria (they are known to have killed 33,000 people between 2002 and 2015, as well as injuring 41,000 and holding hostage or kidnapping a further 11,000) that have been one of the factors, along with the violent oppression of the Assad regime, responsible for the dramatic rise in the number of refugees fleeing to Europe.<sup>15</sup> But, as with the perception problem around the number of Muslim migrants noted above, the fear of a link between migrants and a threat to security is greater than the reality. Many of the terrorist atrocities were committed by citizens of EU Member States. But incidents such as the use by terrorists in the Brussels and Paris attacks of 2015 and 2016 of illegal migration routes into Europe to assist in the perpetration of those attacks only heighten public concern.

The impacts of migration are multiple – the economic, social, cultural and security impacts are most discussed – and they vary in the receiving countries. The security impact has been of great concern

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<sup>10</sup> Eurostat, *supra* n. 1

<sup>11</sup> Eurostat, *supra* n. 7

<sup>12</sup> Ipsos MORI, 'Perceptions are not the reality: things the world gets wrong', 29 October 2014

<sup>13</sup> Ipsos MORI, 'Perceptions are not reality: what the world gets wrong', 14 December 2016

<sup>14</sup> For details of terrorist attacks across the world, see the Global Terrorism Database; it shows that the number of terrorist attacks related to Islam was fewer than 50 in 1970 and rose sharply from 1991

<sup>15</sup> See Erin Miller, *Patterns of Islamic State-Related Terrorism, 2002-2015*, START Background Report, 7 August 2016, p. 1

in recent years but so has the perceived impact on employment and wages (negative in both cases in the opinion of many voters). Increased demand on public services has also been an issue.

A detailed study of the situation in the UK in 2012 by the Migration Advisory Committee found that there was some negative impact on native employment from non-EU migration but none from the operation of free movement of people within the EU. It also looked at the impact on wages, where it found that "migration increases wages at the top of the wage distribution and lowers wages at the bottom of the wage distribution".<sup>16</sup> There was little evidence to judge the impact of migrants on public services and other studies have found that migrants' fiscal contribution is roughly comparable to their use of public services.<sup>17</sup>

## **EU Migration Policy**

### A Shared Responsibility

Responsibility for migration policy remains split in the EU between the EU itself for those Member States who are also in the Schengen Area, and where the EU has adopted common policies, and national governments. This reflects the determination of EU Member States to retain control over the immigrant flows from outside the EU.

The major difficulty for both Member States and the EU is the complexity of migration – it is an issue that involves multiple aspects of domestic policy, covering EU internal matters as well as external relations with third countries. It is also a policy area that is particularly sensitive for Member State governments because of public concern about migration in most Member States. In addition, Member States have had very different experiences of migration over the last 100 years and this has influenced their national politics and policies.<sup>18</sup>

Debate within the EU about migration policy is complicated by those differing historical migration experiences of Member States. For example, the British, French, and Dutch all had empires which led to immigration of people from different cultures and religions to their countries in the twentieth century. Those Member States with no such imperial history, or who spent much of the post-war period behind the Iron Curtain, where strict controls of people's movements largely prevented migration, have not got the level of diversity in their populations which can be seen in France, the Netherlands and the UK (Germany is something of an exception because of post-war Turkish migration there for work, most of it legal). Portugal and Spain also experienced significant migration after the War, particularly after the de-colonisation of Portuguese possessions in Africa.<sup>19</sup> In addition, Western and Northern European countries were from the start in 1951 signatories to the UN Refugee Convention and became receiving countries for asylum seekers as a result.<sup>20</sup>

The absence of diversity in the Central and Eastern European Member States, coupled with the history of Ottoman rule in that part of Europe, has made those countries particularly

<sup>16</sup> Migration Advisory Committee, *Analysis of the Impacts of Migration*, 1 January 2012, p. 65, para 4.42

<sup>17</sup> Migration Observatory, 'Election 2015 Briefing – Impacts of Migration on Local Public Services', University of Oxford, 6 May 2015

<sup>18</sup> For a general discussion of EU migration policy and some comparisons to the situation in the United States, see Nicholas Kent, 'Approaches to Migration both in Europe and the United States' in John Drew & Martyn Bond (eds.), *Transatlantic Relations: A European Perspective – The Regent's Report 2014* (London: Regent's University London, 2014), pp. 72-79

<sup>19</sup> About one million people left Africa and settled in Portugal after the 1974 revolution there: see Pieter C. Emmer & Leo Lucassen, 'Migration from the Colonies to Western Europe since 1800', 13 November 2012

<sup>20</sup> *Convention Relating to the Status of Refugees*, 28 July 1951, United Nations, Treaty Series, vol. 189, p. 137

sensitive to immigration from other cultures. The EU's *Autumn 2016 Eurobarometer* provided a snapshot of those differing attitudes across the EU. They ranged from 64 per cent of citizens in Sweden viewing immigration from outside the EU positively, to 14 per cent in the Czech Republic. It is true that in the UK there was only a narrow positive majority (49/43) and that in France, Germany and the Netherlands the majority viewed immigration from outside the EU negatively but by far narrower margins than in the Central and Eastern European Member States.<sup>21</sup> These differences in view have often frustrated efforts to develop a shared approach to accommodating migrants in the EU. Most recently, an EU-wide scheme for the resettlement of migrants currently in Greece and Italy, many living in camps or other unsatisfactory temporary accommodation, has hit resistance from four Central and Eastern European Member States who have declined to accept their allocations or challenged the process in the European Court of Justice.<sup>22</sup>

### The development of EU Migration Policy

EU policy on migration developed spasmodically in response to particular issues, partly because of the absence of an express Treaty base for joint action. The first major piece of action was the 1990 Dublin Convention, a treaty agreed by Member States to enable the return of an illegal migrant to the country of first arrival in the European Union. This was a response to the practice of "asylum shopping" in which migrants tried to travel through the EU to a country of their choice before applying for asylum; the United Kingdom has made extensive use of this measure to return illegal migrants to other Member States.

The growing need for common action on migration led the EU to adopt provisions in the Treaty of Amsterdam (1997) to establish common rules on asylum, visas and other aspects of immigration policy.<sup>23</sup> Revised in the Treaty of Lisbon (2009) these provisions have enabled the EU to adopt a common set of policies which include:

- an updated version of the Dublin Convention;
- enforcement of common standards at the EU's external borders;
- a border agency, Frontex, to provide specialist support to Member States;
- the establishment of a database and other systems to assist in the control of borders;
- measures to crack down on human trafficking;
- common rules on the rights of third country nationals;
- common standards for asylum-seekers (but the decision on whether to grant asylum remains a national one).<sup>24</sup>

These policies are inter-linked with those that derive from the Schengen Area (see below) and the EU's justice and home affairs policies. For example, the EU's police agency, Europol, plays an important role in tackling cross-border people smuggling, helping Member States to enforce the common measures adopted under EU law.

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<sup>21</sup> European Commission, *Europeans' views on the priorities of the European Union, Standard Eurobarometer 86*, December 2016, p. 46: the UK percentage positive showed a 10 per cent decline since the Spring 2016 survey

<sup>22</sup> See European Commission, *A European Agenda on Migration*, COM (2015) 240 final, 13 May 2015

<sup>23</sup> The UK and Ireland have an opt-out from this part of the EU Treaties

<sup>24</sup> The powers for these policies derive from several Articles in Part V of the Treaty on the Functioning of the European Union (formerly the Treaty of Rome, as revised), notably Articles 78 and 79

As with all EU policies, those on immigration and asylum depend on the effectiveness of implementation in the Member States and on the political will necessary to make them work. Looking at one example, the measures relating to asylum had twin aims:

- to ensure a minimum standard of protection for asylum-seekers;
- to create a fairer sharing of the burden of asylum-seekers.

Evaluating the success of these aims is not straightforward. It is sometimes alleged that the EU's approach has created a "fortress Europe" to keep asylum-seekers out which places a greater burden on third countries but a recent study found these claims to be unfair. As the study pointed out, Member States if left to their own devices, had considerable incentives to adopt an approach to asylum-seekers that made their country as unattractive as possible to those seeking refuge. By establishing a minimum set of standards, the EU sought to ensure that its Member States met their obligations under international law and the measures on sharing the burden (such as the Dublin Convention), helped to ensure that the EU's asylum policies had "credibility and the public's support for the system could be maintained".<sup>25</sup> That does not mean that the EU response to the needs of asylum-seekers has been sufficient or could not be improved, but EU action has ameliorated the situation.

### Schengen & EU Migration Policy

The majority of EU Member States are members of the EU's internal borderless area, the Schengen zone. Originally created outside the EU Treaties in response to the needs of communities living close to the borders of France, Germany, Belgium and Luxembourg, the Schengen system is designed to make travelling across borders inside the EU much easier. To achieve this Schengen countries work together to secure the external border of the area, including common visa policies thus making it safer to allow passport-free travel within it.

The joint management of the Schengen area has resulted in a single database to enable border guards to check passports, a common visa for third country visitors and common rules on the operation of border crossings. By ending border controls within much of the EU (and with several neighbouring countries who have joined this system bilaterally, including Norway, Iceland and Switzerland) the Schengen countries have not just facilitated easy travel for the public, they have also stimulated economic activity as the searching of vehicles at internal borders is no longer required.

This system has always had its weaknesses – such as poor enforcement of entry rules at the Schengen external border –and it was dramatically undermined by the overwhelming tide of migrants in 2015. The difficulties of enforcing security along the sea borders of Greece and Italy and the proximity of some Mediterranean Member States' territory to the coasts of North Africa and Turkey were contributory factors in the partial suspension of the Schengen controls in the summer of 2015. The sheer numbers of migrants crossing Europe led the European Commission to agree to suspend Schengen rules on some of the EU's internal borders, resulting in long delays on the Austro-German border because of the

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<sup>25</sup> Eiko Thielmann & Nadine El-Annay, *European Refugee Policy from a Global Perspective: Is the EU Shirking its Responsibilities?*, paper presented at the Fifth Pan EU Conference on European Politics of the European Consortium for Political Research, June 2010

necessity of searching all vehicles seeking to cross. This partial suspension of the usual procedures remains in force after periodic reviews.<sup>26</sup>

As part of a wider agenda of upgrading the Schengen area controls, the EU has now strengthened and re-badged Frontex as the European Border and Coast Guard Agency, a body that has greater powers and more staff than its predecessor. It will carry out annual stress tests to assess the extent to which Schengen countries are able to secure their borders and it will have access to a reserve pool of border guards who can quickly be mobilised in an emergency to support a Member State under pressure.<sup>27</sup> It will be some time before it will be clear whether this and other measures will be sufficient to ensure long-term continuance of the Schengen area and the lifting of the temporary suspensions. A general suspension of the Schengen area – *i.e.* a return to full checks at all internal borders – has been discussed several times since the summer of 2015 but Ministers have always backed away from such a drastic step.<sup>28</sup>

### External Relations & Migration

A significant element in the EU's migration strategy in recent years has been to work with its neighbours to tackle the factors that cause illegal migration. The arc of instability around the EU's eastern and southern borders has continued to be a major reason for irregular migration. Better relations with neighbouring countries, as well as targeted development policies to support weak states further afield, could help to reduce irregular migration as well as to facilitate the return of those refused asylum.

The most significant examples of this approach have been the EU-Turkey agreement on migration in March 2016 and the creation of the Trust Fund for Africa. The EU-Turkey agreement was a response to the switch of the crossing route from the Western to the Eastern Mediterranean in 2015. This change was facilitated by the reluctance of the Turkish authorities to intervene to stop the flow – an unsurprising response for a country struggling already to cope with two million Syrian refugees in its country. Without such an agreement the authorities in Greece and the Balkan countries would have continued to be overwhelmed in circumstances where there was inadequate facilities to support thousands arriving every day. Since the agreement the flow of migrants via Turkey has somewhat reduced, although some commentators have argued that there is little evidence of a correlation between the agreement and the fall in numbers, which they attribute to other factors.<sup>29</sup>

The Trust Fund for Africa uses a model developed earlier for Syria whereby the EU makes available funds to try and stabilise the situation in the countries where migrants are living or taking shelter so that they feel less need to risk the crossing to Europe. As with previous attempts at deterring migration by improving the lives of people in developing countries, it remains to be seen whether this will be effective. There are over 200 million people aged 15-24 in Sub-Saharan Africa and that figure is not expected to peak before 2060 and when

<sup>26</sup> Council Decision 2016/894 of 12 May 2016 continued the suspension on the grounds that Greece had still not been able to implement all the measures necessary to effectively control its borders identified in a review of November 2015: see *Council Implementing Decision 2016/894 setting out a recommendation for temporary internal border control in exceptional circumstances putting the overall functioning of the Schengen area at risk*, 2016 OJ L 151/8

<sup>27</sup> Frontex, 'European Border and Coast Gard Agency launches today', 6 October 2016

<sup>28</sup> 'EU border controls: Schengen scheme on the brink after Amsterdam talks', Ian Traynor & Helena Smith, *The Guardian*, 26 January 2016

<sup>29</sup> For example, Thomas Spijkerboer, Professor of Migration Law, Vrije Univeriteit, Amsterdam, 'Fact Check: Did the EU-Turkey Deal Bring Down the Number of Migrants and of Border Deaths?', University of Oxford Faculty of Law, 28 September 2016

it does it is forecast to be a number in excess of half a billion.<sup>30</sup> The demographic pressures alone, never mind the security or human rights situation, mean that the African economy will have to be transformed in the next 30 years if migratory pressures are to be reduced.

EU policy has to evolve continuously to respond new causes of instability which can trigger migration. Some of its interventions, for example the anti-smuggling naval task force (Operation Sophia) off Libya, have been criticised for making the situation worse (in this case by making the journey less dangerous for illegal migrants because of the likelihood they will be picked up in international waters, thus encouraging the people smugglers). But taking no action would be equally likely to be criticised. In reality there are no simple solutions to this problem.

### Action against Human Trafficking & People Smuggling

The EU used the United Nations' definition of human trafficking in its 2011 Directive on the Preventing & Combating Trafficking in Human Beings and Protecting its Victims. This definition reads:

the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments and benefits to achieve the consent of a person, having control over another person, for the purpose of exploitation.<sup>31</sup>

As part of its strategy to combat human trafficking, the EU publishes an annual report on its work under the 2011 directive which collates statistical data from Member States and highlights trends.<sup>32</sup> The main policing and criminal justice work in the EU against human trafficking is carried out by Member States but Europol plays an important part because so many of the investigations are cross-border.<sup>33</sup>

Accurate statistics are difficult to collate but in 2013 and 2014 there were almost 16,000 identified or presumed victims of human trafficking, 65 per cent of whom were EU citizens and 67 per cent were being trafficked for sexual exploitation. Those being exploited for sexual reasons are primarily female but most of the 21 per cent of victims being exploited for labour were male. Human trafficking for labour appears to be on a rising trend.<sup>34</sup>

People smuggling into the EU is a large-scale criminal activity involving organised crime. The EU is involved in a wide range of activities to combat the problem but as with human trafficking, Member States have most responsibility. Detecting and prosecuting people smugglers (including joint operations through Europol), the EU's naval-led mission to combat people smuggling in the Mediterranean and sanctioning those who hire illegal workers are some of the ways EU action can help.

<sup>30</sup> United Nations, *Population Facts: Youth population trends and sustainable development*, No. 2015/1, 20 May 2015

<sup>31</sup> The UN definition appears in the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime*, 8 January 2001, United Nations, Treaty Series, A/RES/55/25, art. 3

<sup>32</sup> European Commission, *The EU Strategy towards the Eradication of Trafficking in Human Beings 2012–2016*, COM (2012) 286 final, 19 June 2012

<sup>33</sup> Europol, *Trafficking in human beings in the EU*, Europol Situation Report Ref No: 765175, 18 February 2016

<sup>34</sup> European Commission, *Report on the progress made in the fight against trafficking in human beings (2016)*, COM (2016) 267, 19 May 2016

Operation Sophia, as the EU Naval Force Mediterranean is known, has the task of disrupting people smuggling and helping to prevent loss of life at sea.<sup>35</sup> It was given the additional task in 2016 of building up the capacity of the Libyan Coastguard and Navy; the lack of effective Libyan government authority and forces being a major contributor to the extensive people smuggling off the Libyan coast. The effectiveness of the EU's naval operation has been called into question by the House of Lords EU Committee, which argued in May 2016 that Operation Sophia could not deliver its mandate because it responds to symptoms, not causes.<sup>36</sup> That criticism reflected the strongly held belief of some that placing naval assets off the North African coast would act as a "pull" factor encouraging illegal migrants to risk the sea crossing because of the high chance that they would be rescued. But the launch of the mission in 2015 was a response to the shocking deaths of 700 migrants in one sinking off Lampedusa.

### **The UK & Migration into the EU**

The UK's position on EU migration policy reflects its different legal position to most other Member States – it is not in the Schengen area and it is able opt in or out of EU migration policies. The history of immigration to the UK since the Second World War is an additional factor that influences UK policy. But the UK is still impacted by migration into the EU and although the English Channel provides it with a defensive barrier available to few other Member States, it cannot tackle the problems of migration alone. Indeed, the UK has made extensive use, for example, of the Dublin Convention to deport asylum-seekers from the UK to other EU Member States where they first arrived and of Europol to tackle people smuggling. The Government has made it clear that it would like such co-operation to continue after the UK has left the EU.

On the other hand, UK policy, despite the large British contribution towards financing the cost of refugees in countries neighbouring Syria (the UK is the second largest donor towards the Syrian refugees crisis since 2012), is seen in much of the rest of the EU as unhelpful because of its reluctance to take in refugees.<sup>37</sup> The UK declined to join the EU's refugee quota allocation system and adopted a different approach, taking around 20,000 refugees directly from camps in the Middle East as part of its Syrian Vulnerable Person Resettlement Programme, in addition to the 5,000 who had already arrived from Syria since 2011.<sup>38</sup> It also offered to take an additional 3,000 children and their families from the Middle East and North Africa in co-operation with the UN High Commissioner for Refugees.<sup>39</sup> But the refusal to take migrants from those who had arrived in other EU Member States, and the long-running difficulties over migrants camped in the French ports wishing to enter the UK, caused further disquiet in the rest of the EU.

The Government did agree to take further unaccompanied refugee children as a result of an amendment to the Immigration Act 2016 moved by Lord Dubs but its decision in February 2017 to admit only 350 such children, far less than the 3,000 anticipated by refugee

<sup>35</sup> European External Action Service, 'EUNAVFOR MED and the EU', 1 March 2016

<sup>36</sup> House of Lords European Union Committee, *14th Report of Session 2015–16: Operation Sophia, the EU's naval mission in the Mediterranean: an impossible challenge*, HL 144, 13 May 2016, p. 29, para 107

<sup>37</sup> Cited in HM Government, 'Priti Patel statement in response to \$8bn appeal for Syria in 2017', 24 January 2017

<sup>38</sup> The figure of 20,000 is a target to be achieved by 2020: see HM Government, *Syrian Vulnerable Persons Resettlement Scheme (VPRS): Guidance for local authorities and partners*, 28 October 2015

<sup>39</sup> As with the above scheme, the timetable is up to 2020: see HM Government, 'New scheme launched to resettle children at risk', 21 April 2016

support groups and MPs, led to criticism across the political divide in the UK and could lead to legal challenges. The Government argued that local authorities could not cope with greater numbers and that it had taken over 900 unaccompanied children from the rest of Europe, including 750 from the camps at Calais, during 2016 in addition to those admitted under the Dubs amendment.<sup>40</sup>

### **Future Trends & Policy**

Future trends, as the reference to the growing population of young people in Africa mentioned above highlighted, are likely to include greater pressure for migration to the EU. This is because:

- in the medium-term conflict, poverty and poor governance will remain common;
- climate change is likely to increase the pressure as it renders countries less habitable and natural disasters triggered by extreme weather force populations to move;
- population growth in Africa is out of line with levels of economic growth.

There are other trends that relate to migration. These include the ageing nature of Europe's population and, in some countries, the falling population. These changes will mean that without at least some inward migration countries will struggle to care for their ageing populations and be at risk of declining economic performance, which in turn will inhibit their ability to support older people.

This potential solution to at least some of the migratory pressures points to the need to focus greater efforts on integration, to create more equal, more cohesive societies in which first generation migrants in particular are able to settle and natives are accepting. This is a Member State rather than an EU responsibility but Europe's often poor performance at integration since 1945 suggests that it is an area that needs considerable attention from policy-makers and practitioners alike.

At EU level the need for more co-ordinated, more effective security policies will only grow. No Member State can tackle people smuggling, Islamist terrorism or the collapse of order in the EU's neighbours on their own. All of these problems require close co-operation between Member States and the constant refinement of the EU's policy instruments to address them. And all these problems will still affect the UK even after it has left the EU.

Along with the need for greater security comes the need for more effective European diplomacy. Conflicts such as that in Syria are unlikely to be resolved on the battlefield. Politics will have to take over at some point. The EU has the unique ability to combine economic, development and security policies to focus in a co-ordinated way on addressing the challenges of migration. If it has the political will to do so, it does have some of the necessary tools to make a difference.

***April 2017***

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<sup>40</sup> Robert Goodwill MP, Minister for Immigration, HC Deb 8 August 2017, vol 621, col 9WS



## Senior European Experts

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