

MAPPING THE MIGRATION CHALLENGES IN THE EU TRANSIT AND DESTINATION COUNTRIES

E.N. Rózsa (Ed.), M. Bučar, Ch.Druck, G.Herolf, A. Hettyey,
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Foreword

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The year 2015 was a serious stress test for the stability and cohesion of the European Union. The so-called refugee crisis has induced not only emotions, positive and negative, but continuous shifts both in public opinion and government actions. The crisis has also revealed several divisions within the European Union among its member states, and also disclosed certain limitations of the European project.

The inflow of refugees and migrants is not new to the European Union. For a long time the Spanish enclaves of Ceuta and Melilla were symbols of an averse European migration policy. In times of insignificant numbers of refugees coming from the African continent to Europe, the European asylum policy worked well. After the Arab uprising in a number of states in the Maghreb and the Middle East, the sheer number of refugees and migrants coming not only from these but also from other African and Asian countries changed the rules of the game. The parameters of the common asylum policy were not suited to this situation.

The member states at the European border served mostly as transit countries, while a few countries, like Germany and Sweden, were the destination of thousands of refugees coming to Europe. Governments in transit countries and in destination countries had to deal with two challenges: managing a huge number of refugees in a short time and being constantly aware of the concerns of the national population. Populist movements tried to take up these concerns and instrumentalise them for their own goals.

The crisis highlighted the fact that any sustainable solution would need to involve the EU, as no member state can solve the problem by itself due to the highly complex and interrelated push and pull factors, which no single state can control. However, the interests of the destination, transit and unaffected member states diverged in such a way that no solid solution at the European level was able to materialise.

Following the EuroMeSCo Joint Policy Study from last year, which examined the socio-economic impact of the refugee flows and the policy responses in the Southern Mediterranean countries, including Jordan, Lebanon, and Turkey, as the first most impacted by the crisis, the present Joint Policy Study focuses on Europe. It analyses the selected cases of some “destination countries” (Germany and Sweden), of some “transit route member states” (Hungary, Slovenia and Croatia), and the atypical case of a country that was both transit and destination (Austria). The countries were selected on the basis of the experiences of the 2015 mass immigration, i.e. the most “popular” destinations and the transits along the Western Balkan route, which has carried the greatest refugee flow to the European Union in 2015-2016.

The volume starts with a chapter that explains the foundations of the EU migration policy framework and gives an overview of the policies adopted by the EU to address the 2015 migration crisis. The case studies developed in the subsequent chapters provide an insight into the migration crisis from a national perspective. In order to facilitate comparison and help find common points among the case studies, the chapters follow a similar structure: historical background of migration trends in the concerned countries, the migration-related policies in place before the crisis, the governments' responses, public opinion on refugees, and the economic impacts of immigration on the host countries.

Impact of the Migration Challenges on the EU Policy Framework

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In early 2014, the EU Justice and Home Affairs Council and MEPs were busy putting the finishing touches to their Common European Migration and Asylum Policy. The year before, they had completed a series of European laws standardising the processing and granting of asylum claims across the bloc and, by the middle of 2014, they were agreeing on the last of a package of labour immigration laws. Thirty years in the making, this EU migration and asylum rulebook was the product of hours of negotiation and exhaustive debates about Europe's philosophy of borders, mobility and human rights. At its heart was the Schengen border-free space, dreamt up all the way back in 1984. Yet the whole system took just months to unravel: in the summer of 2014, the numbers of people fleeing conflict in the Middle East suddenly began to creep upwards, and by 2015 the precautions put in place by the EU were under massive strain.

To understand how EU policy crumbled so quickly, look to the past. This chapter is primarily about the hot summer of 2015, when thousands of irregular migrants attempted to cross into the EU, and when events flatly contradicted the notion that the EU had created a common system to absorb newcomers (let alone a sealed "fortress" as its critics had long complained). Yet it sets these events in a long-term perspective. We provide an overview of the political initiatives taken by the EU during a few short months, and describe how policy-makers found themselves urgently plugging gaps in the EU's existing policy framework. But we begin with some history: it is commonly said that "the 2015 migration crisis shook the EU policy framework to its foundations" – but what are these foundations, and how do they explain the construction of EU migration policy?

A Political Backgrounder: The Schengen Legacy

Most students of EU asylum and migration cooperation know the broad outline of its development well enough: migration and asylum are policy fields of acute national sensitivity, matters on which governments have collaborated only reluctantly. This reluctance to cooperate has left its imprint on the institutional development of EU home affairs policy, leading to policies that even today are weakly framed, lowest-common-denominator in substance and whose implementation is poorly policed. For thirty years, following the launch of the Schengen project, member states have only grudgingly passed to the European level competencies on such thorny matters as asylum, legal migration, crime-fighting and counterterrorism, despite Eurostat survey data suggesting citizens would like the EU to play a role in this field. Governments' reluctance to cooperate became the defining theme of the EU's response to the 2015-16 migration flows, where a lack of unity between governments and a resort to unilateral solutions did much to increase the sense of crisis.

Back in 1984, the European Commission President and the national heads of state and government met in Fontainebleau, a palace in the suburbs of Paris, where they hatched a visionary idea for a border-free Europe which rekindled popular support for European integration. Yet, despite the clear imperative to cooperate, national officials only reluctantly began talks on setting up Schengen. The technical preparations for Schengen's launch were years in the making, as interior ministries dragged their feet. "Transgovernmentalism" is the term used to describe the technocratic way national officials met to agree on loose common approaches to questions such as when to reintroduce national border controls or how to pursue criminals across borders. Their petty-fogging methods stood in stark contrast to the more supranational decision-making applied to other, less important, fields of EU integration. And it was inadequate even in the 1990s, a time of mass immigration from the Balkans, of separatist terrorist groups linking up across borders, and of smuggling from the former Soviet Union in counterfeit goods and nuclear material.

Even with the 1999 Amsterdam Treaty, which its drafters advertised as the "big bang" for EU home affairs cooperation, interior ministries held things up. In 1992 the Maastricht Treaty had brought home affairs cooperation properly into the EU institutional framework and called for common action by intergovernmental bargaining. The Amsterdam Treaty ostensibly brought these migration and asylum issues more into line with the "Community" decision-making procedures applied to mainstream EU fields like the internal market. Yet, member states eked out for themselves a potentially-indefinite "transitional phase" before fully applying the treaty, during which these procedures would retain a strong intergovernmental flavour. Although the Treaty boosted the European Commission's power of initiative, granting it shared competence to introduce legislative proposals with the member states, it left the European Parliament with a limited consultative role in some fields. Member states were still clinging to the vestiges of national sovereignty, with dire consequences today.

That, at least, is the narrative taught to most students of the EU, with its predictable message that the bloc's current problems come down to the fact that EU decision-making is not sufficiently supranational. The trouble is that, by 2009, more than five years before the migration crisis, the EU had in fact tidied up all these loose institutional ends, introducing reforms designed to make its home affairs decision-making more comprehensive, democratically accountable and expeditious. The Lisbon Treaty had finally extended the co-decision procedure to all migration-related issues, giving the European Parliament and the Council equal legislative standing, as well as confirming qualified majority voting in the Council as the norm. It gave the Commission and the Court of Justice power to take forward infringement proceedings against member states that did not live up to their legal commitments in all fields of home affairs cooperation. And it gave the EU a mandate to

adopt a truly “common” policy in asylum and migration, including playing a role in sensitive fields such as the integration of immigrants (see Boxes 1 and 2).

Yet, clearly, certain weaknesses remained, notably the EU's slow and piecemeal reaction to the crisis, the restrictive and beggar-thy-neighbour mind-set in some member states, and the apparent lack of popular support in some corners of the Union for the measures needed to “save Schengen”. The risk today is that policy-makers misdiagnose the precise problems in the EU's crisis response, and thus the remedy too. To understand why the Lisbon Treaty and the institutional fixes of 2009 did not work quite as planned in the heat of the crisis, it is necessary to understand the deeper pathology and patterns behind cooperation in this field – the pathologies that persisted despite the application of supranational decision-making at Amsterdam and then more fully at Lisbon. What follows in this section, therefore, is not quite an “alternative history” of the development of Schengen and of EU asylum and migration policy; but it is certainly a *supplementary* history to the usual narrative, and one that tries to explain some of the oddities displayed during the 2015-16 crisis.

Box 1: Asylum Policy (Art. 78 Lisbon Treaty)

1. The Union shall develop a common policy on asylum, subsidiary protection and temporary protection with a view to offering appropriate status to any third-country national requiring international protection [...]

2. [...] the European Parliament and the Council, acting in accordance with the ordinary legislative procedure, shall adopt measures for a common European asylum system comprising:

- (a) a uniform status of asylum for nationals of third countries, valid throughout the Union;
- (b) a uniform status of subsidiary protection for nationals of third countries who, without obtaining European asylum, are in need of international protection;
- (c) a common system of temporary protection for displaced persons in the event of a massive inflow;
- (d) common procedures for the granting and withdrawing of uniform asylum or subsidiary protection status;
- (e) criteria and mechanisms for determining which Member State is responsible for considering an application for asylum or subsidiary protection;

(f) standards concerning the conditions for the reception of applicants for asylum or subsidiary protection;

(g) partnership and cooperation with third countries for the purpose of managing inflows of people applying for asylum or subsidiary or temporary protection.

3. In the event of one or more Member States being confronted with an emergency situation characterised by a sudden inflow of nationals of third countries, the Council, on a proposal from the Commission, may adopt provisional measures for the benefit of the Member State(s) concerned. It shall act after consulting the European Parliament.

To understand the real weaknesses of the Schengen project, and why decades of home affairs policies crumbled so quickly in 2015-16, a number of correctives are needed to the usual narrative. First, and most glaringly, Schengen is not a project for the people, not really. From its inception in the mid-1980s, the Schengen project was less about boosting the flow of citizens or workers than of *goods*. In the late 1970s, still reeling from the global economic downturn, the EU was looking for ways to complete the single market. Some EU members had become embroiled in trade disputes with one another, and had introduced tit-for-tat customs controls to prevent the free flow of freight. These disputes now highlighted the scope for liberalisation, with the European Commission criticising borders as an outmoded “nuisance”. Governments began lifting borders as a means to get lorries across Europe faster. That means Schengen (and by extension EU migration policy) is not, strictly speaking, a popular project. It was designed in response to economic pressures, with a more popular element then retro-fitted in order to build public support.

The EU’s migration regime is more or less unique in the Western world, therefore, in that it lacks the usual rationale – the desire to pep up the labour market. During the migration crisis, for instance, the OECD and World Bank – not to mention endless ranks of international policy experts – argued that the EU should integrate refugees into its workforce. They pointed out that the EU’s working-age population will make up just 55.9% of the overall population by 2030, and that the bloc badly needs young new workers. And yet, these calls fell on deaf ears: this kind of strategic labour-market perspective has only very rarely been part of EU-level discussions. True to form, when gauging the impact of the migration flows, EU leaders did not undertake any cost-benefit analysis of the benefits for the labour market, let alone consider the effect which Schengen’s collapse might have on the cross-border employment of EU citizens and on tourism. The focus remained on the billions of Euros potentially lost to slower freight times

and the big question: how should leaders communicate to their citizens that they had very little choice but to keep borders open?

Schengen's legacy also explains why the EU's migration policies fell somewhat short of their advertised purpose during the crisis. For some years now the EU has had in place a grand-sounding "Common Approach on the Integration of Third-Country Nationals", for instance, but it is in fact aimed at a very narrow and specific task – to prevent disgruntled youths from crossing into the Schengen Area to commit crimes or terrorist attacks. It is not really about the more familiar task of boosting immigrants' labour-market participation. The EU also has common rules on the reception of asylum-seekers, but these too are largely tailored to a narrow purpose: to prevent migrants from "asylum shopping" (governments harmonise asylum-seekers' labour-market access and welfare rights to prevent bogus asylum-seekers from criss-crossing the Schengen zone looking for the cosiest berth). Again, the primary goal is not social integration. Migration has been conceived by the EU as a mere "flanking issue" of Schengen: cooperation is confined to those fields necessary to offset the lifting of internal borders, rather than giving a more comprehensive strategic direction to the bloc's labour market performance or socio-demographic makeup.

It is possible to overstate this argument, of course, and there have been repeated attempts by the European Commission and individual national leaders to introduce a more rounded and strategic note to migration discussions in Brussels. Nevertheless, when the EU talks about "managing migration", it does often mean something rather less than this might at the national level. Looking again at the above-mentioned raft of labour immigration measures drawn up by the EU between 2009 and 2014, it is clear that the bulk of these are not about classic migration, understood as a once-in-a-lifetime decision to move countries and settle. The most high-profile measure is the Blue Card, an EU policy to attract high-skilled and highly-mobile workers by offering them good standards of living and a certain right to fish for work across a pool of EU labour markets. The other measures deal with intra-corporate transferees, students and seasonal fruit-pickers – again short-term, highly-mobile individuals. In short, when the EU says "labour migration" it usually means the kind of short-term and intensive mobility specifically associated with people crossing the Schengen Area.

And yet, in many ways EU migration and asylum policy constitutes something rather more than the usual migration policy – it has a strategic depth that most national migration policies lack. EU migration and asylum policy is not so much about the labour market as it is the management of a territorial space. Or, to put this in a grander way, Schengen is about managing border geopolitics. EU member states have sustained and expanded their border-free area only by undertaking massive reforms to stabilise migrant-sending countries to their

east and south, for instance, building these up to a comparable political and economic standard as the EU and opening scope for the citizens of these countries to flow freely into European tourist resorts, business conferences or high-skilled work. They have done so by spreading their governance norms or by shifting the borders of Schengen outwards. In short, the Schengen project aims to turn disorderly mass migration into the hypermodern idea of human mobility. The trouble today, of course, is that this massively ambitious project now necessitates European reform and state-building efforts in some pretty unstable parts of the world.

Box 2: Immigration Policy (Art. 79 Lisbon Treaty)

1. The Union shall develop a common immigration policy aimed at ensuring [...] fair treatment of third-country nationals residing legally in Member States, and the prevention of, and enhanced measures to combat, illegal immigration and trafficking in human beings.

2. [...] the European Parliament and the Council [...] shall adopt measures in the following areas:

- (a) the conditions of entry and residence, and standards on the issue by Member States of long-term visas and residence permits, including those for the purpose of family reunification;
- (b) the definition of the rights of third-country nationals residing legally in a Member State, including the conditions governing freedom of movement and of residence in other Member States;
- (c) illegal immigration and unauthorised residence, including removal and repatriation of persons residing without authorisation;
- (d) combating trafficking in persons, in particular women and children. [...]

4. The European Parliament and the Council [...] may establish measures to provide incentives and support for the action of Member States with a view to promoting the integration of third-country nationals residing legally in their territories, excluding any harmonisation of the laws and regulations of the Member States.

5. This Article shall not affect the right of Member States to determine volumes of admission of third-country nationals coming from third countries to their territory in order to seek work, whether employed or self-employed.

The second major point to note is that EU governments have not in fact been reluctant to cooperate on home affairs matters. European interior ministry officials and police officers had in fact begun meeting long before the Schengen launch, back in the mid-1970s, when they set up secure fax lines to exchange fingerprints and took aim at the football hooligans who were targeting international fixtures in other European states. And, contrary to the accepted narrative, the principal effect of the Schengen project was actually to *disrupt* this cooperation rather than to give it a founding rationale: when the Schengen Convention was signed in 1985, interior ministry officials reacted with quiet dismay. They felt their careful efforts to build links to one another had been disrupted by a madcap idea to lift border controls – an idea hatched by the European Commission, ministries of trade and foreign affairs and then sold to heads of state and government, without anyone really thinking through the internal security implications.¹

Until 1985, moreover, EU members had cooperated on home affairs quite consensually and inclusively. But the sudden prospect of lifting borders made this inclusiveness unsustainable: lifting borders raised the stakes of cooperation, potentially exposing each EU state to the crime and migration problems of its neighbours. As a result, a hard core of north-western EU members (Germany, France and the Benelux states) decided to pursue Schengen alone, maintaining barriers against more geographically exposed members like Italy or Greece (or later Poland or Cyprus). Thus the European Commission's original scheme for border liberalisation to proceed on an inclusive EU-wide scale was put on ice, and a small group of member states forged ahead on their own. It was a move that sowed the seeds for many of today's problems. An "enlargement mentality" still drives thinking in this field, and the legacy of a dominant core of member states has left a sour taste for many latecomers to the project.

Countries that accede to Schengen are expected to sign up to a detailed set of migration and asylum rules created by the historic hard core of members. These newcomers – Spain in the south, say, or Hungary in the east – have lacked experience of migration regulation when signing up, but have quickly found themselves on the frontline of European border control. Worse: the EU rules that they were grandfathered into did not always suit their priorities, and they have subsequently struggled to adapt them. Some have resorted to unilateralism (reintroducing border controls) or have simply ignored the rulebook (for instance by opening their borders to a through-flow of irregular migrants heading northwards or westwards). Schengen's enlargement has also occurred quasi-independently of the EU's own enlargement, explaining the messy geography of Schengen which comprises a handful of non-EU states (like Switzerland or Norway), and

¹ For a detailed analysis of Schengen's beginnings, see Zaiotti, R. (2011). *Cultures of border control: Schengen and the evolution of European frontiers*. Chicago: CUP.

excludes some EU members (Romania and Bulgaria, which were frequently pictured as a buffer by northern EU states to an “unreliable” Greece). It also explains the alienation felt by the very EU states that, on the face of it, have benefited most from the dismantling of Cold War barriers.

This legacy has also sowed tensions *within* national governments, between different ministries. Although the Lisbon Treaty boosted the powers of the Commission over home affairs policy, this did not resolve the fact that European migration policy is something of a battlefield between competing policy interests and ministries. Interior ministries, after seeing national leaders meddling in their affairs at Fontainebleau, have subsequently maintained a tight grip on matters at the EU level. According to the well-known analysis by Virginie Guiraudon, they have elbowed aside not just such obvious rivals as labour market ministries but have also fought with ministries for trade and foreign policy – the very ministries which had championed the idea of Schengen.² During the 2015 crisis, interior ministries were criticised for using the EU’s foreign policy leverage to “externalise” border controls (that is, to export to third countries like Turkey the controls lifted by the Schengen project). There is a long history of interior ministries making use of other ministries’ policy tools in this way – revenge for Fontainebleau, in Guiraudon’s reading.

All this means that EU migration policy has not always lived up to its potential in transforming nearby regions into free movement zones, let alone in creating a vibrant European labour market. National leaders have certainly tried to give strategic directions to the development of this policy field, with a sequence of five-yearly political programmes, beginning with the “Tampere Programme” in 1999. But for any policy proposal to make progress, it needs to be shepherded through various inter-institutional rivalries and agendas. A good example is the idea of “mobility partnerships” – the EU’s offer to open up its labour markets for migrants from third countries in return for political concessions on their part. These partnerships came to fruition because they involved temporary (or “circular”) migration, an idea that happened to appeal both to development ministries (concerned about sending countries suffering permanent brain drain) and to restrictive interior ministries (keen that migrants should not settle in Europe forever).

Before the Crisis: The EU Policy Framework

The previous section described the development, over three decades, of the EU’s home affairs institutions. It argued that many of the weaknesses on display in the Union’s response to the migration crisis can be traced back to long-standing fault lines in those institutions, and the “original sin” of the Schengen project: when EU leaders set in motion

² See Guiraudon, V. (2000). European integration and migration policy: vertical policy-making as venue-shopping. *Journal of Common Market Studies*, 38(2), 251-271.

their vision of a border-free zone – a zone in which freight would flow freely and trade would grow – they disrupted years of careful European home affairs cooperation as well as laying the foundations for a set of very narrow migration and asylum policies. This next section details those policies, and how they developed in particular from 1999 when the Amsterdam Treaty came into force. The story seemed to culminate in 2014, when the EU had a sufficiently broad range of policies in place to give these the label “common migration and asylum policy,” thus realising policy ambitions first expressed at Amsterdam. The story since then, of course, has been the unravelling of those policies.

But, to start at the Amsterdam Treaty: when they met in Amsterdam in 1997, national leaders were in an expansive mood. They enshrined in their draft treaty a long list of home affairs policies they wanted to see adopted, in a bid to create a European “area of freedom, security and justice”. But, at that stage, they had still not explained why. What was the political rationale for cooperation in this field? National leaders thus set out the political direction for cooperation at a subsequent summit (as they have done every five years since, in a sequence of multiannual programmes). Their 1999 Tampere Programme was the first and most ambitious of these, giving political guidance notably to the creation of a Common European Asylum System (CEAS). According to leaders, the EU would use an ambitious CEAS, with strong common asylum policies, to sustain and spread Europe’s liberal values to its neighbours. The first phase of the CEAS would see the adoption of minimum standards covering the reception conditions for asylum-seekers, the criteria for granting asylum, and the procedures used by national authorities in adjudicating claims (Box 3).

Box 3. Common European Asylum System (CEAS)

Asylum application process	Legal instrument
Arrival of asylum-seeker	The Asylum Procedures Directive sets out rules on the whole process of claiming asylum, including on: how to apply, how the application will be examined, what help the asylum-seeker will be given, how to appeal and whether the appeal will allow the person to stay on the territory, what can be done if the applicant absconds or how to deal with repeated applications.

	<p>The Eurodac Regulation establishes an EU asylum fingerprint database. When someone applies for asylum, no matter where they are in the EU, their fingerprints are transmitted to the Eurodac central system.</p> <p>The core principle of the Dublin Regulation is that the responsibility for examining an asylum claim lies primarily with the member state that played the greatest part in the applicant's entry (as signalled by the Eurodac database) or residence in the EU.</p>
Pending application	<p>The Reception Conditions Directive deals with access to reception conditions for asylum-seekers while they wait for the examination of their claim. It ensures that applicants have access to housing, food, healthcare and employment, as well as medical and psychological care.</p>
Examination and decision on asylum application	<p>The Qualification Directive specifies the grounds for granting international protection. Its provisions also foresee a series of rights, such as protection from <i>refoulement</i>, residence permits, travel documents, access to employment, access to education, social welfare, healthcare, access to accommodation and access to integration facilities, as well as specific provisions for children and vulnerable persons.</p>
In the case of mass influx of displaced persons	<p>In the event of a mass influx of displaced persons in the EU, the Temporary Protection Directive may be invoked. This Directive provides displaced persons with immediate and temporary protection and allows for transfers of asylum-seekers between member states.</p>

At Tampere, a small group of EU leaders also managed to draw attention to the Union's need for an immigrant labour force to cope with certain sectoral deficiencies and the growing demographic pressure on national welfare systems. This was not, however, subsequently translated into concrete policy. An ambitious Commission proposal to standardise the rights of labour immigrants soon got bogged down in negotiations between interior ministers, with activities in this field whittled down to a 2003 Directive focused narrowly on the right of migrants to have their families join them. Indeed, in practice, the follow-up to Tampere was dominated by efforts to fight illegal migration, not welcome legal migrants. Interior ministers,

in Council format, adopted a 2002 framework on people-smuggling and, in 2004, established Europe's border control agency Frontex. The familiar enlargement mentality was clear here: northern states perceived Frontex as a means to ensure that EU member states to their east and south properly implemented Schengen rules. As for asylum cooperation, interior ministers seemingly viewed this less as a chance to show off the liberal values of the Tampere Programme than to stamp out "asylum-shopping" by "bogus asylum-seekers".

The 2004 Hague Programme was widely considered more conservative than its predecessor. This was not just due to the fact that many of the Social Democratic governments that had drafted Tampere had now gone. Following a spate of terrorist attacks in and outside the EU, and wary of spending another five years negotiating European norms, interior ministries wrested control of the drafting process from national leaders. With a view to curbing illegal migration, the programme now focused on the need for tight external borders, underpinned in particular by biometrics, information systems and common visa offices. They also prepared the ground for a Returns Directive regulating the expulsion of illegal immigrants. The 2004 programme did pay lip-service to the need to accommodate foreigners residing legally in the EU and envisaged their full integration (as opposed to their "fair treatment" in the Tampere Programme). But, beyond defining "integration" as a societal process involving a give and take from migrants and residents, the EU adopted few concrete measures in this field on the basis of the Hague Programme.

Around this time, interior ministers began complaining of "legislative fatigue": the ambitious Tampere Programme had, five years earlier, prescribed a vast list of measures for adoption. Interior ministries hoped the Hague Programme would offer something of a recess. Take the CEAS, for example. They had originally been due to create a Common European Asylum System through a two-step process – first agreeing common minimum standards, and then moving to tighter rules. In the event, the common minimum standards of the Tampere years were only very slowly developed after 2004, and the deadline for the completion of the CEAS's second phase was duly postponed from 2010 to 2012. Meanwhile, the regulation of labour migration was left almost entirely to the individual member states despite efforts by the Commission to Europeanise the field. For instance, the Commission, spurred by the Lisbon Process (a 2000 agenda designed to reinvigorate the European economy), adopted in 2005 a policy plan on legal migration and an admission-procedures programme to respond promptly to fluctuating demands for migrant labour. Its impact at the time was limited.

The Hague Programme's focus on the so-called external dimension of asylum and migration did, however, represent a new field of activity. Until then, most of the EU's

international cooperation had focused on spreading border standards. Following UN activism identifying “circular mobility” as a means of spurring global economic development, the European Commission adopted in 2005 the Global Approach to Mobility (GAM). As a framework for the EU’s relations in the field of migration with third countries (countries of origin, transit and destination), GAM followed three priorities: promoting mobility, establishing links between migration and development (through the facilitation of remittances, cooperation with diaspora groups, and promotion of circular migration) and preventing illegal migration (by financially supporting the development of border management policies, readmission and visa facilitation agreements). The EU signed mobility partnerships with, among others, Moldova, Cape Verde and Georgia, under which participating EU states offered to take in workers from these countries in return for reforms there.

By 2009, and the adoption of the Stockholm Programme, EU leaders had no interest in designing a forward-looking agenda for migration. The economic crisis was beginning to bite, creating uncertainty about labour market needs and affecting public opinion. Some directives were admittedly adopted under the Stockholm Programme to regulate labour migration at EU level, including legislation to attract highly-qualified employment (through the Blue Card, which can be issued by member states for workers from third countries and their family members). The EU also established a simplified procedure for third-country nationals applying for a residence and work permit, regulated the conditions for the employment of seasonal workers, and facilitated so-called intra-corporate transfers (that is, the transfer of staff by multinational firms from one national branch to another). But, as for lower-skilled, permanent migrants, most member states seemed to agree that this could be sourced from inside the EU itself, and that they did not require EU rules on immigration from outside.

Nevertheless, with common minimum standards for asylum policy in place ever since the days of Tampere, the Stockholm Programme did push for the completion of the second phase of the CEAS in which robust uniform rules would be adopted. The five legal instruments that constitute the CEAS were revised and strengthened between 2011 and 2013. In 2011, the European Asylum Support Office (EASO) was set up to strengthen member states’ practical cooperation on asylum and to support member states struggling to implement the CEAS. Following pressure from the Quadro Group (formed in 2008 by Cyprus, Malta, Greece and Italy, with a view to address people flows in the Mediterranean and keep illegal immigration on the EU agenda), a relocation pilot initiative – EUREMA – was set up in 2010 in Malta as a voluntary

programme aimed at redistributing refugees to other EU countries. EUREMA's results (as well as the results of its follow-up programme in 2012) were modest: a little more than 300 persons were relocated to not even half of the member states.

But even these minor measures appear revolutionary in spirit compared to the EU's most recent multi-annual programme, adopted in mid-2014. This latest programme lacks a moniker to rival the Tampere, Hague or Stockholm Programmes for the simple reason that it was drawn up in Brussels under new rules that had moved ordinary EU summits to the European Council building. The process of drafting what came to be known as the "Strategic Guidelines for the Area of Freedom, Security and Justice" seemingly drained any residual sense of dynamism out of the policy field. Despite the rising numbers of migrants at the EU's borders, this exercise was not afforded the same political importance as the previous three programmes. Coming at the tail-end of the term of Herman Van Rompuy, and before the selection of 28 new Commissioners, this programme lacked a driving force or sponsor. National leaders were understandably exhausted by years of emergency-driven talks on the Eurozone and had limited appetite for new initiatives on the Schengen zone. The focus was on tying up loose ends from the previous 15 years – after all, they had in place the main elements of the "common" system prescribed at Tampere.

The Guidelines thus aimed at consolidating and implementing existing legal instruments rather than developing new policies. As such, this programme focused on activities such as maximising the opportunities that EU labour migration policy brings (through engagement with the business community and other social partners, and active use of integration policies), providing protection to those who need it (strengthening EASO's role and the Regional Protection Programmes which provide safety to refugees overseas in Africa and elsewhere), combating irregular migration (fighting smugglers and traffickers, establishing a workable approach to expulsions) and managing borders effectively (reinforcing Frontex's competencies, modernising the common visa policy). However, lacking serious content, ambition or diagnosis of the increase in "push factors" for irregular migration across the EU's neighbourhood, the new programme received only minimal public attention, despite the growing media interest in migration at the time.

In other words, there was a sense of finality by this stage. Yet it was a rather uneasy one. The sense of finality came from the fact that governments had more or less completed their Common European Migration and Asylum Policy, and the EU was – on paper – well-stocked to deal with migration pressures. Furthermore, national

leaders, meeting at Tampere in 1999, had prescribed a liberal approach to migration and asylum, on the grounds that this would help spread liberal values to neighbouring regions and address the root causes of irregular migration. Such policies had finally come to fruition when, in 2010, the Arab Spring took hold and liberalism spread, the Spring seemingly vindicating the Tampere vision. And yet, the first half of 2011 saw a quick rise in migrants attempting to reach Europe through the Central Mediterranean. Between January and March, around 23,000 Tunisians arrived on the small Italian island of Lampedusa. They were followed, between March and August, by migrants from the Horn of Africa and sub-Saharan countries, forced to depart from Libya due to civil unrest and the political vacuum in that country created by NATO's military action.

The response to the increased illegal crossings came not at the grand strategic level, but through a series of smaller stopgap measures. The EU formulated its response to these challenges in May 2011, in the Commission's Communication on Migration – the first of what would become a whole series of migration packages. The measures were largely centred on the control and containment of irregular migration migrants, in particular through intensified border control and surveillance activities, and cooperation with the new authorities in North Africa. The EU also reviewed existing legislative instruments by inserting clauses to restrict immigration in cases of heavy border pressure: it reviewed the Visa Regulation and amended the Schengen Borders Code to allow for the reintroduction of internal border controls in the case of large migration flows. The Commission's migration package also provided for the deployment of considerable sums of humanitarian aid, support in repatriations of foreign nationals stranded in Libya and the launch of a Regional Protection Programme in North Africa aimed at resettling refugees on EU soil and providing capacity-building in countries of origin and transit.

When on 3 October 2013 a boat with around 500 migrants sank off the coast of Lampedusa, it signalled the beginning of what would turn into a full blown migration crisis. Back then, the EU responded with the establishment of the Task Force Mediterranean, chaired by the Commission and gathering all EU member states, relevant EU Agencies and associated states. The short- and medium-term operational actions adopted by the Task Force focused mainly on existing instruments and tools, such as mobility partnerships and the support role offered by Frontex and EASO, in order to steer irregular migration flows and assist overburdened member states. Bolder proposals concerning the increase of refugee resettlement to the EU and opening more channels for legal migration met with heavy resistance from several member states. EU leaders did not yet sense the crisis that was about to unfold on European shores.

Box 4: Development of EU Migration Policy Framework

EU Migration policy milestones	Influencing factors
<p>1985 Transgovernmental cooperation</p> <ul style="list-style-type: none"> • Asylum: 1990 Dublin Convention; • Information sharing: Schengen Information System (SIS) to store and share information on aliens, asylum-seekers, criminals, and those under surveillance by state security agencies; • Coordination between police and judicial authorities: Right of “hot pursuit” – Right of cross-border surveillance; • Visa policy: Harmonised procedures for short-term visas; • External border management: Uniform principles to govern external borders. 	<p>Schengen Agreement 1985: Sets out the gradual abolition of internal border controls.</p>
<p>1992 Start of EU cooperation on migration</p>	<p>Maastricht Treaty 1992: Migration and asylum fall under the third intergovernmental pillar;</p> <p>Amsterdam Treaty 1999: Communitarisation of migration and asylum.</p>
<p>2000- Tampere Programme</p> <p>2005</p> <ul style="list-style-type: none"> • Asylum: Legislative framework CEAS; • Integration: Fair treatment to third-country nationals; • Irregular migration: Frontex – Framework on people-smuggling; • Legal migration: Directive on family reunification. 	<p>EU enlargement 2004: Expansion of external borders – Involvement of more actors in migration policy;</p> <p>Bombings in Madrid (2004) and London (2006): Focus on security aspects of migration – Increased efforts to integrate third-country nationals due to failed integration with home-grown terrorism.</p>
<p>2005- The Hague Programme</p> <p>2010</p> <ul style="list-style-type: none"> • Asylum: Second phase of CEAS postponed; • Integration: Focus on full integration of third-country nationals – European framework for integration; 	<p>Financial crisis 2008: Reluctance of member states to further commit to EU migration policies;</p> <p>Lisbon Treaty 2009: Extension of</p>

	<ul style="list-style-type: none"> Irregular migration: Cooperation with third countries (GAM – Readmission and return of migrants); Legal migration: Commission policy plan on legal migration – Admission procedure for fluctuating demands for migrant labour. 	<p>co-decision procedure to all migration-related issues – Boost of external dimension.</p>
2010-2015	<p>Stockholm Programme</p> <ul style="list-style-type: none"> Asylum: Revision of CEAS instruments – EASO; Integration: Focus on effective integration of third-country nationals; Illegal migration: Enforcing borders – Cross-border cooperation (SIS II and VIS II) – Cooperation with third countries; Legal migration: Legislation to regulate labour migration (e.g. Blue Card, minimising brain drain, and return policies). 	<p>Arab Spring 2011: Increase of flows of migrants and asylum-seekers from countries affected by uprisings.</p>
2015-2020	<p>Strategic Guidelines</p> <ul style="list-style-type: none"> Asylum: Strengthened role for EASO; Illegal migration: Expansion Regional Protection Programmes – Focus on smuggling and trafficking of human beings – Effective common return policy – Reinforced role for Frontex; Legal migration: Engagement with business community and other social partners – Active integration policies – Modernisation of the common visa policy. 	<p>Record of illegal border-crossings in 2015: More than 1,820,000 detections along the EU's external borders.</p>

Into the Migration Crisis: 2015 Onwards

Despite the attempts of the Task Force to curb irregular migration, the crisis in the Mediterranean worsened in 2015: from January to June around 60,000 migrants tried to cross the Central Mediterranean (20 times more than in the same period in 2014), of which an estimated 1,800 died in the attempt. Even higher numbers of migrants tried to reach Europe over the Eastern Mediterranean and the Western Balkan Routes: 1.6 million migrants (mainly Syrians, Afghans and Eritreans) attempted to cross the EU's external borders this way in 2015. Throughout the year, the EU held several extraordinary summits

and conferences, and adopted a number of exceptional measures and initiatives to address the emergency. In April 2015 the Commission issued a 10-point action plan with immediate actions to be taken in response to the crisis in the Mediterranean.

The Commission plan strengthened Frontex's Joint Operations in the Mediterranean – Triton in the Central Mediterranean and Poseidon in the Eastern Mediterranean – granting them more financial resources and assets and extending their operational areas, allowing them to curb irregular migration, fight smuggling operations and ensure the rapid return of irregular migrants. Despite the 300% increase in Operation Triton's budget, the Frontex operation that since October 2014 had replaced Italy's bigger and financially stronger search-and-rescue operation Mare Nostrum, EU member states argued that there was no legal basis to broaden its scope to include search-and-rescue activities. Additionally, EASO teams were deployed to assist Greece and Italy with the processing of asylum applications and a voluntary pilot project on resettlement of refugees within the EU was established.

In May 2015, the Commission adopted its European Agenda on Migration, outlining priorities in migration, asylum and border policies for the following years. Reflecting the EU's growing focus on the external dimension of migration control over the previous years, the Agenda aimed to combine the EU's various internal and external policies and instruments involved in migration. The document outlined a list of immediate policy actions and built upon four medium- to long-term priorities: reducing the incentives for irregular migration, saving lives and securing the external borders, strengthening the common asylum policy, and developing a new policy on legal migration. A naval mission – EUNAVFOR MED – was established to neutralise smuggling routes in the Mediterranean, and a common list of safe third countries adopted.

In order to assist EU border states overwhelmed by asylum flows, the EU agreed upon the establishment of so-called “hotspots”: migrant processing centres situated on the EU's external borders in Greece and Italy. Frontex effectively took the lead in coordinating the work of other EU agencies, EASO and Europol, identifying the nationality and identity of migrants, checking for criminals and terrorists and persuading individuals to put themselves in the hands of the EU authorities rather than smugglers. The EU also agreed a temporary relocation scheme for refugees from those third countries that enjoy high recognition rates across the EU (i.e. at least 75% of all asylum applications from those countries should result in positive decisions). This Emergency Relocation Mechanism provides for the relocation of 160,000 refugees from Italy and Greece to other member states, which would then receive a lump sum amount per relocated asylum-seeker, but has only made slow progress in its implementation.

The Commission also proposed to turn Frontex into a fully-fledged European border and coast guard agency. Mandated only to coordinate border protection efforts between member states, Frontex was struggling to live up to its potential. When FYROM, for instance, saw its borders with Greece overwhelmed with migrants, the organisation could only operate in the West Balkan country after intense diplomatic pressure. The extended mandate of Frontex, which was greenlighted in record time in September 2016, includes the creation of a mandatory rapid reserve pool and a technical equipment pool from member states (to avoid member states not complying with their pledges made regarding the deployment of staff and equipment in urgent situations). In addition to taking the official lead in the coordination of the hotspots, Frontex is now formally granted the ability to send border teams to neighbouring countries and enhanced powers to smooth return operations.

The Agenda on Migration also announced several changes to the EU budget and the establishment of new funding instruments. In addition to increased funding for Frontex, EASO and Europol, the biggest funding proposals included humanitarian assistance for international organisations such as UNHCR and the World Food Programme (€500 million), trust funds for Africa (€1.8 billion) and in response to the Syrian Crisis (€500 million), the Emergency Relocation Mechanism (€780 million), and the Refugee Facility for Turkey (€3 billion), a deal with Turkey aimed at curbing the refugee flows over the Western Balkan and the Eastern Mediterranean Routes. The announced numbers are frankly huge, although one should bear in mind that the figures include existing EU funds under new labels and could be subject to double-counting (money from the Trust Fund for Syria can be spent in Turkey, and might be recounted under the Refugee Facility for Turkey). All in all, these large sums serve to convey the Commission's ability to manage and implement initiatives to mitigate the crisis.

The Agenda's intense focus on the foreign policy dimension has been clear in the follow-up measures. The Refugee Facility for Turkey was agreed upon in October 2015 and activated in March 2016. The EU agreed to allocate €3 billion to Turkey to support refugees and host communities in the country, start its visa liberalisation process and re-energise its accession process. In exchange, Turkey agreed to assist the EU in stronger border controls, change its liberal visa arrangements with its southern neighbours and improve the situation of Syrian refugees within Turkey, and accept the rapid return of all migrants not in need of international protection that had used its borders to enter Greece. Thus, the "EU-Turkey deal" was credited with a sharp drop in refugee numbers in the Aegean.

The EU and those third countries along the Western Balkan and Eastern Mediterranean routes agreed in October 2015 to a 17-point action plan to address the illegal border

crossings and the pressing humanitarian crisis. The affected countries in the region agreed to increase humanitarian support to asylum-seekers (with a possibility to trigger the EU Civil Protection Mechanism where national capacities fall short), expand border management and migration flows management, provide a permanent exchange of information regarding the migrant flows and refrain from taking unilateral decisions. In fact, due to a number of such unilateral measures taken by transit and destination countries, transit possibilities over the Balkan route gradually reduced until, in March 2016, the entire route was suddenly closed to all migrants, leaving more than 50,000 migrants currently stranded on Greece's islands and mainland, but also in Bulgaria, Hungary and smaller amounts in Slovenia and Croatia.

Hungary, for instance, erected fences on its borders with Serbia and Croatia to stop the sudden rise in illegal entries: more than 400,000 irregular border crossings were detected in Hungary in 2015 (a dramatic increase compared to the 50,000 the previous year). Although a predominant part of the detected migrants lodged asylum applications in Hungary – the country received the second largest number of asylum applicants in 2015 or about 13% of Europe's asylum-seekers – these claims were often abandoned, as applicants leave the country within a few days for wealthier member states, such as Germany and Sweden. For its part, Germany (as a result of the continuous violations of the Dublin Regulations but also as a gesture of solidarity with countries of first arrival) stopped deporting Syrians back to their European country of entry.

The European Agenda on Migration also focused on countries of origin and transit in Africa. In November 2015, the leaders of EU and African countries met at the Valletta Summit on Migration in November 2015 to discuss the European migrant crisis. Following the Summit, an Action Plan was adopted that, in view of EU and African common interests, focuses on addressing the root causes of migration, strengthening cooperation on fighting irregular migration, human trafficking and smuggling, and boosting the development benefits of migration. The € 1.8 billion Emergency EU Trust Fund for Africa was set up to implement the Action Plan. One of the first actions adopted under this trust fund was the Better Migration Management Initiative in support of the so-called "Khartoum Process", a platform that allows the funding of projects that enhance border security, upgrade national legislation and disrupt or dismantle migrant smuggling networks in participating countries. The €40 million initiative, which was adopted in December 2015 with the aim of limiting the number of people travelling to Europe from the Horn of Africa (crossing through Sudan, Egypt, Libya, and Tunisia), allows for the provision of capacity building and basic equipment to government institutions in the region and assistance in the development and harmonisation of national policies and legislation.

Box 5: The European Agenda on Migration: State of Play**ASYLUM****Relocation and resettlement**

- *Relocation: Emergency Relocation Mechanism:* Of the agreed number of 160,000 asylum-seekers to be relocated from Italy and Greece to other EU member states within the framework of the Emergency Relocation Mechanism, 3,200 people had been relocated from Italy and 8,766 from Greece by February 2017;
- *Resettlement:* 13,968 of the agreed 20,000 asylum-seekers had been resettled from outside the EU to EU member states by February 2017.

Other burden-sharing measures

- *Funding to frontline states:* Since 2015, €1 billion has been provided in support to Greece, €655 million to Italy, and €259 to Bulgaria. In addition, the EU funds emergency humanitarian support for people in need within affected EU countries. Examples are assistance through the EU Civil Protection Mechanism and a UNICEF project in Greece;
- *Hotspots:* 9 hotspots have been rolled out in overburdened regions in Italy and Greece and the presence of Frontex and EASO personnel in these hotspots has been strengthened.

Implementation of the CEAS

- *Strengthened role of EASO:* In May 2016, the European Commission adopted a proposal to strengthen the role of EASO – which would become the European Union Asylum Agency (EUAA) – with a view to improve the implementation and functioning of the CEAS;
- *Safe countries of origin:* In September 2015, the Commission proposed to establish a common EU list of safe countries of origin, which would enable fast-tracking of asylum applications from citizens of these countries, which are considered “safe” according to the criteria set out in the Asylum Procedures Directive and in full compliance with the principle of *non-refoulement*;
- *Dublin and Eurodac Regulations:* A European Commission proposal to reform the Dublin/Eurodac acquis was adopted in May 2016.

IRREGULAR MIGRATION**Border management**

- *European Border and Coast Guard Agency:* The transformation in October 2016 of Frontex into the European Border and Coast Guard Agency strengthens the agency with a rapid reserve pool of at least 1,500 border guards and a technical equipment pool;
- *Operations Triton and Poseidon:* The capacities and budget of the Frontex' joint Triton and Poseidon have been increased;

- *Smart Borders*: The European Commission adopted a revised legislative package for EU Smart Borders in April 2016. The revised package withdraws the initial legislative proposal for establishing a Registered Traveller Programme (RTP) for third-country nationals crossing the EU's external borders, but leaves the establishment of an Entry/Exit System (EES) as the key feature of EU Smart Borders;

Cooperation with third countries

- *Emergency Trust Fund for Africa and the Syrian crisis*: Set up to address the root causes of irregular and forced displacement in third countries and strengthen their capacity to manage their borders;
- *Partnership Framework*: In June 2016, the European Commission has set out a new Partnership Framework with third countries with the aim of developing tailor made partnerships with key third countries of origin and transit to better manage migration.

Smuggling and trafficking in human beings

- *EUNAVFOR MED*: In June 2015, the EU launched its naval Operation in the Mediterranean (the so-called "Operation Sophia") to dismantle traffickers' networks and the business model of smugglers and to destroy their vessels. The operation's mandate was expanded in June 2016 to include the training of Libyan coastguards;
- *Joint Operational Team Mare*: This team, which was launched in March 2015, is hosted by Europol with the aim of exchanging information in real time to disrupt smuggling networks. In February 2016, the team was incorporated into Europol's European Migrant Smuggling Centre;
- *Action Plan on Smuggling*: adopted in May 2015.

Return

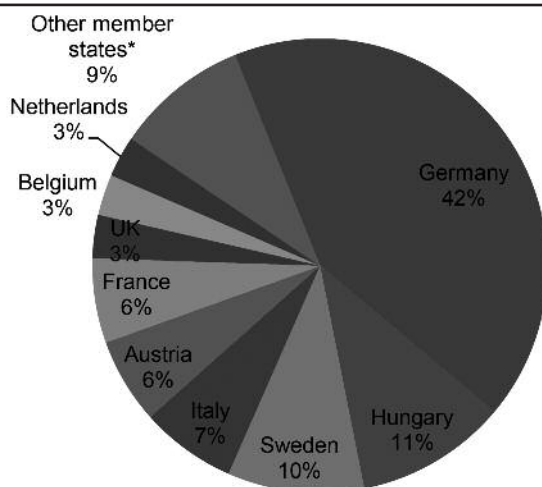
- *Action Plan on Return*: In September 2015, the Commission announced its Communication on an EU Action Plan on Return, which defines the immediate and mid-term measures to be taken in order to enhance the effectiveness of the EU return system.
- *Return Handbook*: The Handbook was adopted together with the Action Plan on Return and provides guidelines, best practices and recommendations for carrying out return in an effective and humane manner in full respect of fundamental rights and safeguards.

LEGAL MIGRATION AND INTEGRATION

- *Blue Card Scheme and integration*: In June 2016, the European Commission presented an Action Plan to support member states in the integration of third-country nationals and their economic and social contribution to the EU, as well as a legislative proposal to reform the Blue Card scheme for highly skilled workers coming to the EU to work.

Inside the EU, the picture is one of divergence, despite years of attempted regulatory harmonisation. Refugee recognition rates and the status given (be this full refugee status or subsidiary protection, a form of protection not foreseen by the 1951 Geneva Convention) still vary widely between member states. In the first three months of 2016, the overall recognition rates (that is, the share of positive decisions for asylum applications from all third countries) in the EU member states vary with higher peaks for Malta (86% of positive first instance decisions on asylum applications) to lower rates for Hungary (15%) and Poland (9%). Similar discrepancies often lead to secondary movements, i.e. movements of asylum-seekers between member states, and to an unequal distribution of refugees among the various member states (see Graph 1).

Figure 1. Distribution of asylum applications in the EU-28



Source: Eurostat (January 2015- May 2016)

* No other member state had more than 2% of total EU asylum applications

There are also divergences with regards to detention practices and reception conditions for asylum-seekers. Several member states, for instance, were unable to meet the reception standards required by the EU. In 2011, judgements by the European Court of Human Rights and by the Court of Justice of the EU led to the suspension of the requirements of the Dublin Regulation for Greece, in view of its problems with asylum procedures and the reception conditions for asylum-seekers. The reception situation in a number of other member states has also come under scrutiny, such as Hungary, Bulgaria and Italy. Reports on human rights violations also denounce violations of the principle of *non-refoulement* (in accordance with this principle, enshrined in the Geneva Convention, individuals are not to be returned to places where their life or freedom would

be threatened), low recognition rates, and destitution of recognised refugees (i.e. recognised refugees are often unable to find employment and housing and, since they can no longer rely on asylum assistance, they fall prey to homelessness, poverty and marginalisation).

The picture is similar for labour migration. The Blue Card Directive, for instance, which aims at attracting high-skilled workers, has been transposed into national legislation across the EU, but in practice the scheme is used only in a limited number of countries. According to a 2014 implementation report by the European Commission, both 2012 and 2013 saw more than 70% of all EU Blue Cards awarded by a single member state – Germany. As the Directive leaves considerable discretion to member states with regards to the Card's implementation, approaches also vary between member states and there is often a low level of coherence between the EU Blue Card scheme and similar national schemes. An example: while in 2012 the Netherlands issued more than 5,500 high-skilled permits under the national scheme, they granted only one Blue Card.

In stark contrast with the ambitious goals set by the Tampere Programme back in 1999, the EU policy framework finds itself more and more threatened by a progressive renationalisation of migration policies. Member states appear more divided than ever. Disproportionate burdens have, on multiple occasions, led to tensions and exacerbated divisions between member states. Countries of first arrival (such as Greece, Italy and Malta) are faced with a heavy burden of border management and reception of asylum-seekers; some of the traditional countries of transit, such as Hungary and Croatia, have over the years become new frontline states; finally, the preferred countries of destination find themselves overburdened by the refugee flows, as the Dublin Regulation is not consistently implemented.

Box 6: Burden-sharing Measures

Operational assistance

EASO

- EASO provides support to countries subject to particular pressure by, among others, deploying Asylum Support Teams, Joint Processing Support Teams or establishing hotspots;
- Its support covers a number of areas, such as enhancing the reception conditions, support in the registration phase and the asylum decision process,

support on data collection and analysis and in the field of Country of Origin Information, and training of staff;

- Since its creation in 2011, EASO has provided operational assistance to Cyprus, Italy, Greece, Bulgaria, Luxembourg and the Swedish Migration Board;

Frontex

Frontex coordinates three types of operations:

- Joint border management operations: Frontex Joint Operations correspond to the three types of borders – sea, land and air;
- Joint return operations: Frontex coordinates and co-finances return operations for third-country nationals who have exhausted all legal avenues to legitimise their stay in the EU and refused to leave voluntarily;
- Rapid interventions: These interventions, which consist of members of European Border Guard Teams (EBGT), aim to bring assistance to a member state that is under urgent and exceptional pressure related to large numbers of third-country nationals trying to enter the territory of a member state illegally.

Budgetary measures

Asylum, Migration and Integration Fund

- €3.1 billion (2014-2020);
- This Fund is set up to assist member states in managing the return of non-EU nationals, integrating third-country nationals according to EU standards and applying the EU legislation of CEAS.

Internal Security Fund

- €3.8 billion (2014-2020);
- The Internal Security Fund promotes the implementation of the Internal Security Strategy, law enforcement cooperation and the management of the Union's external borders. It is composed of two instruments: Borders and Visa (ISF Borders and Visa) and Police cooperation, preventing and combating crime, and crisis management (ISF Police).

External Borders Fund

- €1.8 billion (2007-2013);
- The External Borders Fund supports Schengen countries heavily burdened by the control of the EU's external borders. The Fund supports actions for managing efficient controls and the flow of persons at the external borders, improving the management of activities carried out by consular authorities,

building a common EU visa policy, and tackling irregular border crossings and visa fraud.

European Refugee Fund

- €630 million (2008-2013);
- This Fund supports EU countries' efforts in receiving refugees and displaced persons and in guaranteeing access to consistent, fair and effective asylum procedures. The Fund also supports resettlement programmes, actions related to the integration of persons whose stay is of a lasting and stable nature, and emergency measures to address sudden arrivals of large numbers of asylum-seekers.

European Integration Fund

- €825 million (2007-2013);
- The European Integration Fund supports national and EU initiatives that facilitate the integration of non-EU immigrants into European societies. It supports EU countries and civil society in enhancing their capacity to develop, implement, monitor and evaluate integration strategies, policies and measures, as well as their exchanges of information and best practices and cooperation on integration issues.

European Return Fund

- €676 million (2008-2013);
- The European Return Fund aims to improve return management and to encourage the cooperation between EU countries and with countries of return.

Conclusions: Overcoming Disharmony

What explains the failure of the EU's approach to migration? Over three long decades, the EU has undertaken a massive and meticulous programme of harmonisation of its asylum and migration laws, one which should presumably have left its member states well-prepared to absorb a migration influx even of the present magnitude. Despite the rather specific character of home affairs as a policy field, moreover, this harmonisation effort followed a tried and tested path for the EU, familiar from other aspects of internal market regulation. The process was kicked off with a bout of *negative integration*: member states lifted barriers between one another, in this case by removing customs controls. This big bang market deregulation in turn necessitated *positive integration*: each member state was now exposed

to border, crime and migration problems of its neighbours and needed to draw up harmonious common laws. And then the EU began a process of *international integration*, transferring its norms abroad.

The goal was to harmonise away disparities between member states, and between the EU and its neighbours – a bid to diminish relative “push” and “pull” factors of irregular migration through regulatory approximation. But Schengen deviated from similar EU projects in a significant way. Whereas Europe’s internal market had until then been created wholly within the EU legal framework, Schengen was initiated outside it. The Schengen project was kicked off by a small and exclusive group of member states in the 1980s. This hard core of founder states – France, Germany and Benelux – was effectively creating a market within a market and enclosing it within a hard new border. Schengen was a zone in which goods, tourists or workers would cross with ease, giving its members an economic advantage. EU members like Italy found themselves locked out of this inner circle and clamoured for entry. The result was inevitable: Schengen would need to be enlarged to neighbouring states.

Herein lies Schengen’s original sin – the reason why its advocates set such store on the creation of joint rules and standards in certain narrow fields, and the reason why these were seldom properly taken up by peripheral countries. The hard core of member states within the magic inner circle of Schengen set a real premium on influencing their near neighbours: if they were going to open themselves up to these geographically-exposed neighbours, they wanted to influence their behaviour first, and the best way to stymie irregular migration was to spread border and asylum rules. This rulebook was drawn up largely outside the EU framework and away from the usual checks and balances of the EU’s decision-making processes. Newcomers have struggled to revise the rules after accession, even though they now bear the burden for guarding the outer border.

In hindsight, it is remarkable that harmonisation proved so effective for so long. Schengen members hoped to harmonise away the labour market differences that make one a more attractive destination for irregular migrants than others. They hoped to harmonise away the differences of geography, which might expose – say – Greece or Italy to irregular migration more than Denmark. And they hoped to harmonise away the root causes of migration in the EU’s near abroad. The regulatory approach has largely failed in this: it has spawned disparities in implementation and led to a blind spot in the field of operational cooperation; it has proved too technocratic in dealing with border issues, an inherently geopolitical subject; it has led to disputes between

various national ministries, with some creating silos (development and foreign ministries) in order to prevent their policies being used to externalise EU migration controls. The list goes on.

In many people's assessment, the past has now caught up on Schengen, a border-free project that was once meant to be the future. Indeed, the 2015 migration crisis has confronted member states with precisely the problems from which Schengen offered an escape. For Germany, Schengen was arguably part of the constitutionalisation of Europe – it meant the creation of a well-regulated European space and an orderly common border. Germany now feels exposed to European disorder. France previously viewed Schengen as a means of imposing political order on markets, a project with a cultural bent. Today, France feels acutely exposed to the effects of global economic downturn. Poland viewed Schengen as a means to overcome Cold War barriers. Today, Poland faces the introduction of new walls and fences. In this common assessment, the migration crisis has turned Schengen from a vision into a nightmare.

Yet what is clear is that Schengen-style free movement zones are popping up worldwide, and may well serve to give workers across Africa and Asia opportunities closer to home. Schengen, in many ways, remains the future.

Sweden: A Destination Country Searching for a European Solution

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Introduction

The crises of the European neighbourhood, and in particular the war in Syria, have had a dramatic impact on Sweden. At the onset of the war it was not foreseen that it would lead to a breakdown of the European refugee system and that, as a consequence, Sweden would receive vast numbers of refugees. Germany, having a similar migration policy, is the country with which Sweden has cooperated most closely during this period. Germany accepted 890,000 refugees during 2015, and was therefore by far the largest recipient country in Europe, whereas Sweden, with a much smaller population, and having accepted just below 163,000 asylum-seekers in 2015, was the largest European recipient per capita (Eurostat, 2016).

For many years, apart from its liberal migration policy, Sweden has been attractive because of the generous social support systems for refugees. In addition, due to the previous acceptance of refugees on a large scale, many who are now fleeing have relatives in Sweden, whom they want to join. Sweden is also, to a smaller degree, a transit country for people heading for Norway and Finland. With a population of 9.9 million inhabitants for an area of 450,000 sq km, it is not densely populated. The population is, however, concentrated in southern Sweden and this is also where migrants go in particular. Malmö in the southernmost part of Sweden has a proportionately very high number of inhabitants born outside Sweden.

The present government is red-green, composed of the Social Democratic Party and the Green Party. The Social Democratic Party, being the larger, appoints the majority of ministers, including the Prime Minister (Stefan Löfven). The migration policy did not change when the new government took power in September 2014 from an alliance of the Moderate Party, the Christian Democrats, the Liberal Party and the Centre Party. The change that took place the following year was related to the new challenges rather than to a different attitude to migration. Outside both the previous and the present government are the parties at the end of the political spectrum: the Left party and the Sweden Democrats, the latter being ostracised by the other parties because of their xenophobic views. The government is in a minority, which gives the Left party some influence when the government seeks its support in the parliament (the Riksdag).

This chapter presents the background to the traditional Swedish migration policy, the crisis of 2015 and how the crisis led to a temporary, but very different, policy of migration. It also describes the impact of the crisis on Swedish society and Swedish views on how to deal with the situation on a European level.

The Swedish History of Migration

Migration is no new phenomenon in Sweden. Up until 1930, Sweden lost parts of its population, primarily people who sought a better life in the United States. In all, a fifth of the population emigrated. This trend was reversed in the Second World War with large groups of refugees arriving in Sweden, primarily from the Nordic and Baltic countries, the former, however, mostly returning home after the war.

From the end of the 1940s, immigration increased strongly. Many migrants came to find employment in Sweden and the growing Swedish companies actively recruited workers in Yugoslavia, Italy, Turkey, Greece and Austria. Large numbers of workers also came from Finland. Sweden, furthermore, took in refugees during these years: from Hungary and Czechoslovakia after the revolts in 1956 and 1968, respectively, and from Chile in 1973.

A third phase of migration, which is also the present one, started around 1980. The majority of people now come from countries outside Europe. During the late 1980s they came mainly from Iran, Chile, Lebanon, Poland and Turkey, while during the 1990s the war in the former Yugoslavia led to large numbers of refugees arriving from this area, of whom around 100,000 remained in Sweden.

During the 2000s immigration continued to grow, this time from Iraq, Afghanistan, Somalia and Syria, but also people from the new EU member countries coming to Sweden to work, as well as an increased number of foreign students (Swedish Migration Agency, 2017a).

People have also left Sweden during these years. During the 1970s, in a harsher work climate with rising unemployment, some of the previously recruited workers left the country, and also in the last few years, as many Swedes have left for Norway due to its considerably higher salaries.

Starting in 2011, when war broke out in Syria, immigration has grown considerably, the numbers each year surpassing the previous one. The present situation is extraordinary, even compared to the early 1990s. As seen in this chapter, this has caused a great strain on Swedish society.

As of today, 16% of the Swedish population was born outside the country. About a third of them come from a Nordic country, a third from other parts of Europe and a third from a non-European country ("Historiskt", 2016; Swedish Migration Agency, 2016b).

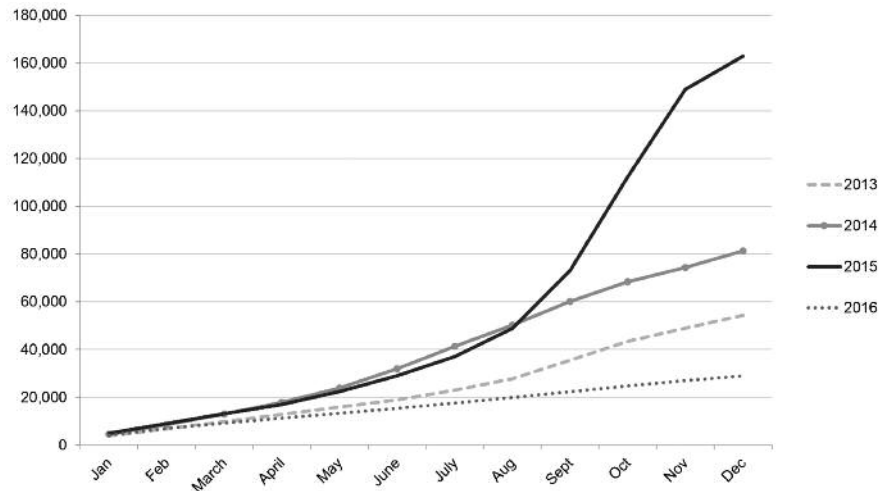
Crisis and Responses

The Surprise of Autumn 2015 and a New Policy

While, as seen in Figure 1 below, the number of asylum-seekers had been increasing gradually for some time, it escalated dramatically during the early autumn of 2015.

The total number of people seeking asylum in Sweden in 2015 was 162,877, of whom 114,728 were male and 48,149 female. Among them were 70,384 children, of whom 35,369 were unaccompanied minors. The largest groups of asylum-seekers arriving in 2015 came (in decreasing order) from Syria, Afghanistan, Iraq, Stateless, Eritrea, Somalia, Iran, Albania, Kosovo and Ethiopia (Swedish Migration Agency, 2016a).

Figure 1. Total number of asylum applications in 2013, 2014, 2015 and 2016



Source: Swedish Migration Agency. Retrieved from <http://www.migrationsverket.se/Om-Migrationsverket/Statistik.html>

The situation during the autumn of 2015 became increasingly difficult as Sweden received about 10,000 people each week and the perception in the country was that the situation was getting out of hand. On 23 October 2015, in order to get some “breathing space” and control of the situation by reducing the number of refugees coming to Sweden, an agreement on migration and integration was made. The agreement was between the government and the Moderate Party, the Christian Democrats, the Liberal Party and the Centre Party (the former government parties). The decisions made covered a wide range of issues. Some of the measures were introduced to provide room for new

asylum-seekers and aimed at getting people out of asylum accommodation (and the country) more quickly after their applications had been rejected, or, alternatively, getting them into other housing in Sweden after being given a permit to stay. Others sharpened the terms of reception by introducing a maintenance requirement for family reunification and by introducing temporary rather than permanent residence permits as the main rule. Yet other measures were aimed at reinforcing the capacity of Sweden's reception system. They comprised a number of means such as improvements in language education and a better and more rapid introduction into Swedish society, including ways to facilitate integration in the labour market. The municipalities, on which much of the burden fell, were to be given added support but also more responsibilities (Government Offices of Sweden, 2015b).

Part of the agreement was also a request for the relocation of refugees, in which the Swedish political parties referred to the EU Justice and Home Affairs Council decision of 22 September 2015. The Swedish view was as follows: "The aim of our request is to push the principle that all countries must take joint responsibility and help those fleeing. It is important for European solidarity that all countries participate, and through this system all countries will build up a reception system and improve their asylum processes. Improved reception and legally certain examination processes are a prerequisite if reception in other countries is to increase in the longer term and allow us to help more people" (Government Offices of Sweden, 2015b).

The measures agreed were introduced gradually. Some could be implemented fairly quickly, whereas new laws first had to go through the proper procedures. These meant that the measures were put forward as propositions by the government and thereafter sent to relevant bodies for consideration before being voted on by the Riksdag. The most important of these laws were adopted by the Riksdag on 21 June 2016 (see below).

On 12 November 2015, Sweden introduced temporary border controls. At that time, people were entering the country at its southern borders in such huge numbers that it was impossible to determine whether they were intending to seek asylum, wished to continue their journeys to Finland or Norway or – as was the case with a number of unaccompanied children – simply disappear (Olsson & Holmberg, 2015). On 4 January 2016, temporary identity controls were established, to be carried out on buses and trains crossing the border to Sweden. The border and identity controls were introduced with the consent of the EU, as a temporary measure in an extreme situation, and have since been extended with the permission of the EU (European Commission, 2016a).

On 1 March 2016, a new law gave all Swedish municipalities the duty to participate in the effort of finding places for the new arrivals to live. The rationale behind this decision was the urgent need for more housing for asylum-seekers. In addition, some building regulations have been temporarily relaxed.

Since 1 June 2016, a person who has applied for asylum and received a refusal of entry or an expulsion order is from that day no longer entitled to accommodation or the daily allowance from the Swedish Migration Office.

On 21 June 2016, the Riksdag adopted a set of laws, based on the agreement of 23 October 2015, which fundamentally changed the rules for asylum-seekers. While previously all those who were judged to be in need of protection had received the right of permanent residence in Sweden, the new law states that residence permits will be temporary. A person who is assessed as being a refugee will be granted a residence permit for three years whereas a person who is assessed as eligible for subsidiary protection will be granted a permit for 13 months.¹ Those who still have grounds for protection when their residence permits expire can be granted an extension.

Another change involves limiting the possibility of family reunification, which is now only possible for those with refugee status. Furthermore, the refugee must be able to support him/herself and the family members applying. He/she must also have a place to live that is of sufficient size and standard.

Some groups are exempt from these changes: quota refugees, of whom Sweden has for a number of years accepted 1,900 annually,² will still be granted permanent residence permits. Furthermore, unaccompanied minors and families with children under the age of 18, who are assessed to be in need of protection, will be granted permanent residence permits if they applied for asylum before 24 November 2015³ (Swedish Migration Agency, 2016d).

Whereas the agreement of 23 October 2015 showed great unanimity among the political parties, when the agreed measures were put into more concrete form, for example, in proposals for legislation during the spring of 2016, different party lines became more visible. Among the political parties, views on the proposed law describe a wide spectrum: the Social Democrats, the leading party of the government, were the initiators of the law, whereas their coalition partner, the Greens, while very critical of the law, voted for it in the hope that it would be abolished soon. The Sweden

¹ In accordance with the UN Convention Relating to the Status of Refugees, Swedish legislation and EU regulations, a person is considered a refugee when he/she has well-founded reasons to fear persecution due to race, nationality, religious or political beliefs, gender, sexual orientation, or affiliation to a particular social group. A person deemed in need of subsidiary protection is one who is at risk of being sentenced to death, is at risk of being subjected to corporal punishment, torture or other inhumane or degrading treatment or punishment, or as a civilian is at serious risk of injury due to armed conflict (Swedish Migration Agency, 2016c).

² The intention now is to accept 5,000 annually. The quota refugees are selected by the United Nations High Commissioner for Refugees (UNHCR).

³ The laws include a number of other exemptions as well.

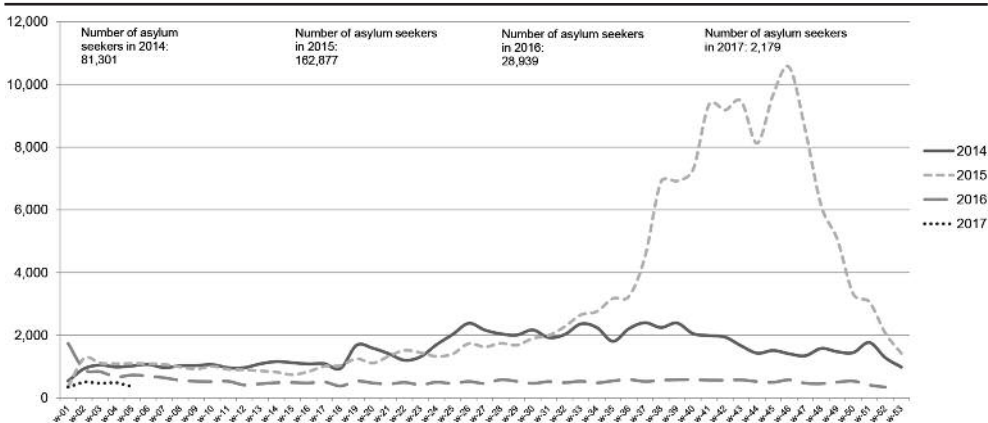
Democrats supported the law but regarded it as too weak and would have preferred to have the possibility to reject people already at the border. The former alliance partners had different views: the Moderate Party, which voted for the law, wanted the changes to become permanent, while the Liberal Party and the Christian Democrats, who were critical of the restrictions on family reunification, chose to abstain from voting. This left the fourth alliance partner, the Centre Party, together with the Left Party as the only parties voting against the law and it was therefore accepted with a wide margin (Wallberg, 2016).

These laws entered into force on 20 July 2016 and are intended to apply for three years. Since it is impossible to tell what the situation will be at the end of that period, it is also uncertain whether the law will be renewed or changed at that point (Swedish Migration Agency, 2016d).

The Effects of the New Rules

The border controls and the announcement of the changes to be made later had an immediate effect on the number of persons seeking asylum in Sweden, as seen in Figure 2.

Figure 2. Weekly overview of asylum-seekers 2014–2017



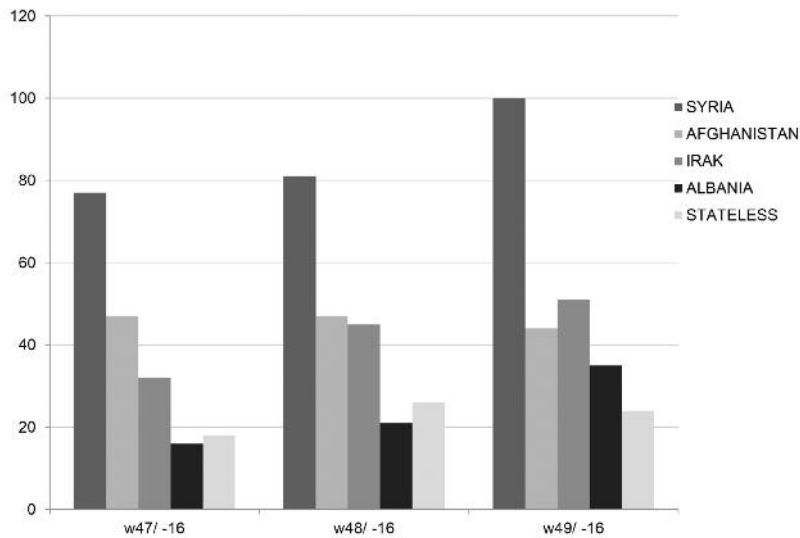
Source: Swedish Migration Agency. Retrieved from <http://www.migrationsverket.se/Om-Migrationsverket/Statistik.html>

During 2016, 28,939 people applied for asylum in Sweden, a sharp decline as compared with 2015. Of these, 17,352 were male and 11,587 were female. Among them, 10,909 were children of whom 2,199 were unaccompanied minors (Swedish Migration Agency, 2017b).

The expectation for 2017 is that 36,700 people will seek asylum in Sweden. This is, however, highly uncertain, not least due to the doubts surrounding the EU-Turkey agreement (Akesson, 2016).

The distribution of applicants across countries in 2016 has been similar to that in 2015 (see Figure 3).

Figure 3. Asylum-seekers – the five largest groups (based on citizenship), November – December 2016



Source: Swedish Migration Agency. Retrieved from <http://www.migrationsverket.se/Om-Migrationsverket/Statistik.html>

On 1 January 2017, a total of 122,708 people were in the reception system of the Migration Agency. Around 63,000 have accommodation (usually flats) provided directly by the Migration Agency, whereas 35,000 have organised their own accommodation (usually with relatives). The remaining group of around 24,000 are children living in special homes for children, in foster homes or with relatives (Swedish Migration Agency, 2017d).

During 2016 the Migration Board⁴ considered 111,708 asylum applications, of which 67,258 (60%) were granted. If applications that are not considered in Sweden but taken over by another state (according to the Dublin regulation) are included, the proportion of cases granted increases to 77% (Swedish Migration Agency, 2017c).

The sharp decline in applications has given the Swedish acceptance systems some relief, in particular for the immediate receiving systems. However, all those who arrived during

⁴ There are three instances for decisions in asylum cases: the Swedish Migration Agency, the Migration Courts and the Migration Court of Appeal. The figures (for more details see the website) only refer to decisions that have been made at the first instance, that is to say the Swedish Migration Board.

previous years still need to be taken care of and Swedish society is still under severe stress, as seen in the next section on the domestic challenges.

Domestic Challenges

Immediate and Continued Pressures on the Society

During the critical weeks of the autumn of 2015, the overriding challenge was the reception of people at the railway stations, providing them with food as well as in some cases medical care, and thereafter arranging accommodation in nearby facilities, such as sports arenas and exhibition halls, for the first nights. Voluntary organisations and individuals played a crucial role in this work; in this context, a striking feature was the involvement of former refugees. Nurses, doctors and dentists who spoke the languages of the refugees were particularly valuable. After a few days at the provisional locations, rooms had to be provided in accommodation centres. Many of these were far away from the big cities, selected for this purpose because empty houses were available there.

Many parts of the society continue to be under great pressure. Schools and day-care centres need to find teachers who speak the many different languages of the newly arrived children, and retired teachers and student teachers are therefore being asked to help out to meet the needs. Identity checks are a great burden for police personnel, who are taken away from their ordinary work of crime control and daily patrolling, which is therefore suffering. The protection of accommodation centres and the violence that sometimes occurs there among asylum-seekers also require some police attention.

The lack of identification papers of many asylum-seekers has been a great problem in the process of deciding whether refugees have legitimate reasons to remain in Sweden. It has increased the burden of work for the Migration Agency and considerably prolonged the decision-making processes. This is problematic since it is vital that processing time is cut given the large numbers of applications. Lack of identification also leads to the problem of where to send the asylum-seekers whose applications have been rejected.

A particular problem in this context is deciding whether asylum-seekers without identification are adults or children, i.e. below 18 years of age. Given the lack of reliable registration of births in some countries, even the persons applying may not know. In addition, there is an incentive to pose as a child, since it gives many advantages and

the chances of being allowed to stay are better. Paediatricians have referred to the inexactness of all the existing methods for determining the age of people but in September 2016, after long discussions, a decision was taken to use the available methods, notwithstanding their shortcomings. Two methods, x-rays of teeth and of knees, will be used in combination (Lisinski, 2016).

In addition to the need for more housing, the aim behind the new law requiring each municipality to take part in sharing the burden of providing housing for refugees was to seek a more even distribution of the refugees across the country. Some municipalities have taken on far too many. This is particularly problematic for small communities with high unemployment, which for some time have been accepting a disproportionate number of refugees. One reason for this has been that, rather than pulling down houses that were standing empty after a major employer had closed down and people had had to leave to get work elsewhere, these municipalities were happy to accept new migrants. They are not asked to accept more people now, but many migrants go there anyway. Often they move in with their relatives, making these homes very crowded. In addition, total unemployment in some places becomes very high. With few taxpayers and greatly increased social costs for the unemployed, these municipalities are carrying very heavy financial burdens (Olsson & Rosén, 2016a).

While the majority of municipalities by far are participating in the efforts to find housing for the migrants, a few are not. The law requiring all to help out includes no sanctions and none are planned, but the responsible minister has sharpened her tone against the few that are not contributing (Eriksson, 2016). At the same time, the overburdened municipalities are continuing to receive many migrants. Some local politicians and political parties have therefore now started to question the right of free choice of housing, considering that it leads to overcrowded flats and a concentration of migrants that works against efforts to integrate them into society (Olsson & Rosén, 2016c).

Rejected Applications

Another major challenge is the fact that people whose applications have been rejected often remain in the country, some of them defying the decision and some also going into hiding. The new law, valid from 1 June, stating that persons who have received an expulsion order would at once lose their right to accommodation and the daily allowance, aims to speed up their departure. Persons who receive an expulsion order are expected to leave after between two and four weeks (Swedish Migration Agency, 2016d). In March 2016, when this rule was first put forward as a bill before the Riksdag, it concerned around 4,000 persons, of

whom 2,000 were still living in accommodation centres that needed to be freed up for new arrivals. In practice it is very difficult to force people to leave Sweden. Slightly more than half of those whose applications are rejected leave the country voluntarily but, among the remainder, three quarters simply disappear (Gudmundson, 2016).

This law is not seen as being without perils. The Migration Agency, for example, has pointed to the possibility that people facing expulsion, as previously but now in larger numbers, will go into hiding and when finding jobs are at risk of being exploited by employers (Rosén, 2016).

A difficult problem when people are to be sent back to their home countries is obtaining agreements with these countries, Afghanistan in the first place. On 6 October, after long negotiations, Sweden succeeded in reaching an agreement with the country. Afghanistan promised to accept all those who are returning, even when they do not leave Sweden voluntarily. This agreement was, however, not accepted by the Afghanistan Parliament and its status is therefore unclear ("Afghanistan: Nej till återtagande", 2016).

Children

Several of the new laws make exceptions for families with children in order not to exacerbate the trauma that the children have gone through. Unaccompanied minors, however, are vulnerable and need attention if they are not to be taken advantage of or fall into criminality. Boys from Morocco (and some from Algeria) who are in Sweden illegally and who live on the streets and support themselves by resorting to crime are a particular problem. Some of them are in special care for young criminals. One of the difficulties is that most of them have given a false identity and the right one has been difficult to establish. Sweden seeks to organise their orderly return, and discussions with Morocco have been going on for a long time, including, in January 2016, a visit to Sweden by the chairman of Morocco's Parliament. There are, however, as yet no results and no progress has been made (Olsson & Rosén, 2016b; Wierup, 2016).

Another, and larger, group is the unaccompanied minors seeking asylum, many of whom are from Afghanistan. For them the currently long waiting time for a decision by the Migration Agency may mean that they pass their crucial 18th birthday and will thereby be considered adults at the time of decision. The implication is that they can be sent back without any arrangements having been made for them in their home countries. At the same time, however, the longer they have been in Sweden, the closer

their attachment to Swedish society most probably is, which will increase their chances of being allowed to stay (Urisman Otto, 2016). Yet another group are the unaccompanied minors who arrived before the laws were tightened up but have no refugee status and have already been informed that their asylum applications have been rejected and that they will be expelled when they are 18. After massive criticism from their schools and others, a new law has been announced according to which they will be able to finish their secondary school education (up to the age of 18 or 19). These children are generally seen to have good chances of remaining in Sweden (Flores, 2016).

Attacks on Accommodation Centres

A particularly worrying phenomenon is the attacks on accommodation centres, of which a large number took place during 2015. The peak was in October 2015 and up to and including November 2015, when around 50 attacks took place, a figure higher than for the previous four years combined. Attacks continued during 2016, but their number has decreased considerably. Buildings in which migrants were already living, or were set to move into, were attacked or set on fire or threats were made against them (Färnbo & Quensel, 2015). Fortunately, no casualties have occurred. These attacks are believed to be individual acts by young men belonging to right-wing extremist groups with an ideology centred on white power (Swedish Security Service, 2016a).

Securitisation

The Swedish Security Service sees the main terrorist threat to Sweden as posed by Islamist actors promoting violence. They probably see Sweden as a legitimate but not a priority target. There are, furthermore, people in Sweden who are capable of carrying out terrorist acts, such as the radicalised young men who return home after having fought for Daesh in Syria or Iraq, but the likelihood that this particular group will commit acts of terrorism in Sweden is seen as fairly low. The national threat level was raised in November 2015 to four on a five-level scale but is now back to three. Generally, the situation has been serious since 2010 and is still seen as such (Swedish Security Service, 2016b).

The degree of securitisation of the refugee situation is, however, low and the religion of refugees is not an issue in Sweden. While the conflict in the Middle East is in itself connected to terrorism in Europe, Swedish analysts do not see the refugee flows as the primary means for terrorists to enter Sweden or other countries, since the journey takes a long time and is dangerous (Ohlsson, 2015). Naturally, it cannot be ruled out that

terrorists may be hiding among the refugees, and the Migration Agency cooperates with the Swedish Security Service in order to identify persons who may be potential security threats among the asylum-seekers (Swedish Security Service, 2015).

The Economic Dimension

The costs of receiving asylum-seekers have been extraordinary. They are also difficult to assess in detail since they concern so many parts of society. They are furthermore very difficult to foresee in advance. This can be seen in the budget-making process of the central Swedish government for 2016. The budget, which comprises the amount of money that goes to state-controlled activities, is divided into 27 expenditure areas, of which migration is one.

While in December 2015 the migration budget for 2016 amounted to 19,419,719 thousand Swedish crowns (SEK), in the revised June 2016 budget the appropriation had risen to 50,264,719 thousand SEK and in September 2016 (due to the diminishing number of refugees) it was down to 43,863,000 thousand SEK (4,491,510 thousand euros). Prominent among the items in the migration budget is the “reimbursements and accommodation” line, which increased from 12,635,000 thousand SEK in December 2015 to 34,874,000 thousand SEK in September 2016 (Government Offices of Sweden, 2016a). In addition to the migration budget, the total central government budget also includes costs for gender equality and introduction of newly arrived immigrants of which 20,894,693 thousand SEK (2,192,920 thousand euros) are to be used for the immigrants. Many of the costs for them will fall on the municipalities, which for the budget year 2016 will receive 12,657,900 thousand SEK of this amount (Government Offices of Sweden, 2015a). In the budget for 2017, 32,580,319 thousand SEK (3,348,950 thousand euros) have been allocated to the migration expenditure area (Government Offices of Sweden, 2016b).

During 2016, costs have continually decreased within the immediate reception systems and many accommodation centres have been closed since they are no longer needed. However, according to analyses by different authorities, within certain areas considerably higher appropriations will be needed during the coming years. As indicated above, the Migration Agency, even though now receiving far fewer applications, still has a considerable backlog of work, for which it needs more manpower. The police forces also need reinforcement in order to deal with the many tasks associated with border control and the protection of accommodation centres against troublemakers.

Looking somewhat further ahead in time, the crucial factor is the inclusion of the newly arrived into the labour force. Their previous education and work experience needs to be validated and a plan for their next steps into working life must be put in place. Government-subsidised employment is one of the means to achieve this. The Swedish economy is doing well and unemployment is fairly low, with many companies looking for workers, but matching them up is not easy since very few of the available jobs are unqualified. Special efforts are being made to create fast tracks for highly qualified refugees to enter the workforce quickly.

Popular Opinion and Public Debate

The dramatic changes in Swedish policies should not be seen as based on extensive changes in public opinion on migration issues. While some deplore the stand taken by the government, seeing it as too harsh, and some others want stricter rules, the opinion polls speak of a Swedish people that have a generally positive attitude to refugees but think it is neither possible nor fair that Sweden, Germany and a few others should shoulder this extraordinary responsibility while many others give little help.

In Eurobarometer surveys (in which the same question is asked of all), Sweden often stands out. This is especially true in Eurobarometer 85, for which the fieldwork was done in May 2016. When people in Europe are asked whether their country should help refugees, 59% of the Swedes responding said that they “totally agree” and 34% answered that they “tend to agree” with this statement. These are by far the highest figures among the EU countries. In the category of “totally agree” the second highest figure was 39% (Denmark). Combining the two categories of positive feelings resulted in 93% for Sweden, followed by the Netherlands with 85%. The categories “tend to disagree” and “totally disagree” together covered 6% of respondents in Sweden, which was the lowest figure in any country. The most negative feelings were expressed by respondents in the Czech Republic where these two categories covered 71% of respondents (European Commission, 2016b).

Among national opinion polls, the SOM Institute at Gothenburg University has for a number of years asked whether Sweden should accept fewer refugees. According to the latest survey, presented in April 2016, 40% found this to be a good idea, whereas 37% saw it as a bad proposal and 23% said that it was neither good nor bad (Oscarsson & Bergström, 2016).

The Inzio poll published on 2 September 2016 illustrates the change between 2016 and a poll taken at the same time in 2015: in 2015, 31% of respondents argued that Sweden

should take in fewer refugees, whereas in 2016, 60% held this view. Fewer people are prepared to support the asylum-seekers financially (down from 69% to 48%), but approximately the same number (72% in 2016) are willing to donate clothes and other supplies and 45% are willing to be a support person to a refugee (Inzio, 2016).

Some have, however, been very critical of the changes. The Red Cross is among those that fear that, as a consequence of the tighter rules, an increasing number of refugees will go into hiding, increasing human suffering and the costs to Swedish society (Svensson, 2016). Several other organisations, including the Church of Sweden, joined the Red Cross in demonstrations when the new laws were passed in June 2016 (Wallberg, 2016). Several courts, among the many bodies to which the proposed law was submitted, also warned that the new rules might be in conflict with certain international obligations. The response to this has been that it is now possible for those affected to test their case in court (Stenberg, 2016).

The Swedish policies and the actual situation in the country seem to be fairly unknown outside the country. Instead, a good many distorted “facts” are disseminated internationally, describing a lawless society with “no-go zones”, Sharia laws, vast numbers of rapes and so on. Those putting out such false information seem to range from the producers of hate sites to politicians, and obviously the motive is to convince these people’s fellow citizens of the bad effects of a generous acceptance of refugees (Ahlström, 2016). According to a major survey the exposure to crime has been on approximately the same level since 2005. This includes also sexual offences (The Swedish National Council for Crime Prevention, 2017a). The statistics on sexual offences are difficult to compare with those of other countries since the Swedish definition, starting in 2005, includes not only rape but also what may be called assault or bodily harm in other countries. Furthermore, if a woman reports having been raped several times by the same person (such as a violent husband or another person in the household) each reported instance will be counted, which brings up the reported cases. As regards lethal violence (murder, manslaughter and assault with a lethal outcome) the numbers have fluctuated during the last decade. Compared to the 1990s they have declined (The Swedish National Council for Crime Prevention, 2017b)

Cultural Aspects

The discussion on cultural differences and how to deal with them was quite lively in Sweden during 2016. One reason for this is the many reports to the police about

sexual harassment at youth concerts. It has, however, been difficult to ascertain who the perpetrators were since the concerts often take place outdoors and in the evenings, which has made it easy for the boys to disappear in the crowd afterwards. Many girls have also complained about non-Swedish boys surrounding them and touching them at public swimming pools. Some people therefore argue that women and men should use public swimming pools at separate hours, whereas others see this as a way of bowing to those who wish to keep men and women completely separate. A similar issue, which has led to the same debate, is the question of whether schools should continue to have co-ed physical training, which is normal in Sweden, or whether, as some representatives of Muslim schools argue, this should be separate. A Muslim school in Stockholm initially received permission to separate pupils for physical training, but the Minister for Education, Gustav Fridolin, has argued that this is against the Swedish curriculum and the principle of equality between the sexes (Lapidus, 2016).

While harassment of girls and separation of girls and boys are not seen as having a place in Swedish society, the authorities and the established press in Sweden do not connect these issues to religion as such. Nor are they seen as connected to security or otherwise seen as a threat to Sweden.

Sweden's Demands of the EU and EU Countries

Sweden has made significant efforts to influence the EU decision-making processes and other EU member states. On 8 September 2015, as the situation in Sweden was becoming critical, Prime Minister Stefan Löfven presented his government's policy for reforming the EU's refugee system (Government Offices of Sweden, 2015c):

1. The EU must establish a permanent and obligatory redistribution mechanism in the event of disasters.
2. The EU must continue to prioritise the saving of lives.
3. All EU member states must take their responsibility to maintain the EU's external border and live up to the asylum rules.
4. The EU's asylum and border agencies must be strengthened.
5. The EU must continue to combat the people smugglers.
6. The EU must ensure the efficient and humane return of refugees and agree on a returnee programme.
7. The EU must quickly agree on a system of safe countries of origin.

8. The EU must drastically increase the number of quota refugees to approximately 100,000.
9. The European Commission must propose more legal routes into the EU.
10. The EU needs a more active foreign and aid policy to help people on the ground.

The proposal of 13 July 2016 by the EU Commission to reform the Common European Asylum System has received a mixed response in Sweden. As seen above, it is much weaker than what Sweden would have preferred. Sweden, however, still supports it, since it is after all a system in which all countries are to respect the right to seek asylum. The Swedish government also realises that some countries will be reluctant to agree even to this proposal. One problem for Sweden is that the proposal does not seem to give room for applying a more generous system in some countries, which in the Swedish case would concern a return to permanent residence permits ("EU kan avgöra svensk asylpolitik", 2016).

On the bilateral level, cooperation has been particularly close with Germany regarding practical problems as well as ways to spread the burdens better among EU countries. Thanks to the generally close Nordic cooperation, and in spite of the different attitudes to migration among the Nordic countries, these countries have kept in close contact. The Danish-Swedish Öresund region is especially affected by the Swedish identity controls, which have significantly increased travel time for commuters living in one country and working in the other.

At a joint meeting in September 2016 the Nordic migration ministers decided to file a complaint to the European Commission regarding the Hungarian migration policy. The background is that since the summer of 2016 Hungary has been refusing to accept asylum-seekers from other EU countries even though, according to the Dublin regulation, it has to. In September 2016 this involved 1,000 refugees who are now in Sweden and whom the Swedish authorities want to send back to Hungary. In the absence of an agreement, the next step for the Nordic countries will be the European Court of Justice (Olsson, 2016).

The Future

Although the number of refugees had increased sharply since 2011, the great numbers starting to arrive in the early autumn of 2015 caught the Swedish authorities by surprise. Without the help of many voluntary organisations and large numbers of individuals who met up at the railway stations and helped out at the provisional

accommodation centres nearby, the influx would have resulted in chaos. For Swedes with a general perception of their own country as well-organised and in control of the situation, seeing the fragility of the society was a new experience.

There was, in addition, the realisation that even with better planning Sweden would have had no chance to take care of a never-ending flow of 10,000 refugees per week. For Sweden, as a small country, organisations are the natural allies, but in this crisis the EU was abandoned by its member states. In this situation the decisions to take temporary measures on border and identity controls were finally seen as necessary. The same is true concerning the stricter rules and laws. All these were, however, a breach with Swedish tradition and not taken lightly.

There are no illusions in Sweden today that the burden will become much easier in the coming years. Finding work for large numbers of people, many of whom have little education, and integrating all of them in the Swedish ways of thinking and living will require vast resources. In order to manage this it is important for as many as possible to join the labour force as quickly as possible. This concerns all adults. In Sweden all children have access to good child care and consequently women are expected to be part of working life until they retire at 65.

While the acceptance of refugees is costly in a short-term perspective, there are grounds to believe that in the long term it will pay off for all European countries. The reason for this is the demographic factor: shrinking populations will find it increasingly difficult to keep their own factories, hospitals and so on running in the future. This well-known fact has received little attention in the present European debate on refugees.

The previous experience and success rate of integration in Sweden vary a lot. Not so long ago immigration was a necessary element in building up successful Swedish companies and thereby the Swedish welfare system. The Bosnians who came to Sweden in the early 1990s now have about the same degree of participation in the labour force as people born in Sweden, but for people coming from Africa it is far lower.

While Swedes see integration of the refugees into their new countries as a long-term project, there is less patience as regards the present lack of activity and failing solidarity on the European scene. Swedish ministers have expressed strong views on the need for European agreements to deal with the refugee situation in this period of

crisis. This is not only to relieve the suffering of the refugees but also for the sake of the EU itself, which today seems to lack all cohesion. As Prime Minister Löfven (2015) put it, even though a resolution to the war in Syria still remains difficult to achieve, responsibility for asylum-seekers must be shared and no European country must be allowed to shirk its responsibility.

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Germany – Facing Challenges and Seeking Solutions

*Christian Druck**

Historical Development

Germany's asylum legislation is based on article 16 of the German Constitution (*Grundgesetz*) of 23 May 1949. At this time, it was innovative in declaring that anyone persecuted for political reasons has the right to asylum in Germany. The right to asylum represents one fundamental right set out by the *Grundgesetz* (articles 1-19), meaning it can only be changed by a two-thirds majority in parliament. In combination with the 1951 UNHCR Refugee Convention (then ratified by West Germany), which introduced the principle of *non-refoulement*,¹ West Germany implemented strong and far-reaching rights for refugees. Like most of the regulations at that time, it was in two regards influenced by the Second World War. For one thing, many members of the new German parliament had suffered from persecution and/or discrimination by the Nazi regime. In addition, immediately following the war, 10 to 12 million displaced persons – among them survivors of the concentration camps and prisons – stayed in Germany (Oltmer, 2015). The fact that the young West German republic was founded in the midst of a massive refugee crisis lastingly influenced the country's asylum system.

However, Germany's asylum system has changed over time. The first major adjustment was made in the early 1990s, following the collapse of the Soviet Union and the beginning of a series of wars in former Yugoslavia. Since 1988, the number of yearly asylum-seekers had risen constantly from 103,076 in 1988 to 193,063 in 1990. This development reached its peak in 1992 when 438,191 individuals sought asylum in Germany (BAMF [Bundesamt für Migration und Flüchtlinge], 2016b). As is the case today, the public administration and German society were overwhelmed, and right-wing extremists used the situation for their own interests. By the end of 1992, refugee accommodation had been set on fire in Mölln and Solingen, and the government was forced to react.

At that time, the refugee crisis had additionally challenged a country that went through a fundamental change in the context of German reunification. Hitherto, an unknown number of refugees had come to Germany. From 1953 to 2015, a total of 4.6 million individuals sought asylum in (West) Germany, from which 3.7 million (79.7%) have done so since German reunification (BAMF, 2016b). Prior to 1990, German asylum policy was important in political terms, particularly regarding (West) Germany's relationship towards the Eastern bloc. After 1990, it transformed into a social issue with the potential to significantly influence national interests.

Confronted with high numbers of refugees in the early 1990s, the German government reacted by adjusting existing legislation. In May 1993, it changed article 16 of the

¹ *Non-refoulement* is the main principle of the 1951 Refugee Convention that forbids the rendering of a victim of persecution to his or her persecutor, which is a state actor.

Grundgesetz, which became article 16a with a two-thirds majority of 521 votes for, 132 votes against and 9 abstentions. The main changes were as follows: first, the new law implemented the *Drittstaatenregelung* (third country regulation), according to which any asylum-seeker who enters Germany from a secure EU or non-EU neighbouring state can be sent back. Second, the government compiled a list of sichere *Herkunftsstaaten* (safe countries of origin) listing all those countries that do not persecute their own citizens or minorities for any reasons. Asylum-seekers coming from these states will most likely be rejected. Third, the government introduced the *Flughafenverfahren* (airport procedure) for asylum-seekers entering Germany via air. They can be detained for up to 19 days in the transit zones of German airports – an extraterritorial zone according to international law – in order to complete their entire asylum procedure without the asylum-seeker entering German territory.

The measures introduced in May 1993 sustainably altered the German asylum system. The changes were intended to keep asylum-seekers away from German state territory. The motivation behind this was that as soon as individuals cross German borders, they can remain in the territory for the entire (and oftentimes, lengthy) asylum procedure, which creates potential complications in the case of a rejected asylum plea and deportation becomes a difficult and expensive process. Moreover, when an asylum-seeker passes German borders, he or she has access to accommodation and social benefits and hence examining the case of a person at the border is more cost-effective and faster. In consequence, the number of asylum-seekers fell almost constantly between 1993 and 2008. That year, only 28,018 persons sought asylum in Germany (BAMF, 2016b). In 2013, the number of asylum-seekers – due to the political changes in the MENA region – quadrupled again and asylum policy started once again to be an issue of public interest, even before the changes that took place starting in late 2014.

As long as only a few asylum-seekers immigrated to EU member states, the harmonisation of this field was not an issue in public debates, and not one of the mainstream political parties in the German parliament ever considered seriously leaving the common European asylum system as long as everything worked out.

Hope for a European Solution

From the late 1990s until 2012, only a few asylum-seekers came to Germany, compared to the period between 1990 and 1995. Between 2003 and 2012, the same number of people sought asylum in Germany as in 2015, which originally led the federal government

to reduce the amount of accommodation for refugees during this period. But in 2013 the number of asylum-seekers rose again, causing alarm at all administrative levels. Compared to the year before, there had been a 64% increase in the number of asylum-seekers (BMI [Bundesministerium des Innern], 2014). Both the considerable increase in numbers and the fact that Germany took in more refugees than the other EU member states served as a wakeup call for German Interior Minister Thomas de Maizière. Due to the relatively small number of asylum-seekers in the preceding years, the Federal Office for Migration and Refugees (BAMF), the government institution responsible for asylum procedures, did not have enough manpower to do its job quickly and effectively. The lack of sufficient suitable accommodation for the increased number of refugees further intensified existing problems. But at this point of time the government still believed in being able to solve the occurring problems by administrative adjustments. No one anticipated the extent of the upcoming challenges. A solution on the European level still seemed to be possible and desirable.

When in 2014 the figures for asylum-seekers rose by another 60% compared to 2013, it became clear that logistical and administrative problems would not be solved overnight. Taking a closer look at the countries of origin, it also became clear that a large number of asylum-seekers came from the Russian Federation, Serbia, FYROM, Albania, Kosovo and Bosnia-Herzegovina. These countries are considered safe countries of origin and nearly all of them are candidates for membership in the European Union. That was why, in 2013, the suggestion to determine Bosnia-Herzegovina, Serbia and FYROM as safe countries of origin (art. 29a *Asylverfahrensgesetz*) became part of the coalition agreement of the CDU/CSU and SPD ruling parties. Due to this provision, asylum procedures for individuals coming from the newly declared safe countries of origin can be highly accelerated, taking a mere few weeks instead of around one year for application, hearing, decision and eventual appeal. The German government intended to accelerate the procedures and thereby solve the problem of accommodation, as the relevant asylum-seekers would only stay in Germany for a few weeks. This approach became the main pillar of the German strategy to solve the refugee crisis even in 2015. Concentrating on the Balkan states seemed to be a promising approach, confirmed by the fact that until this day, there are large numbers of asylum-seekers coming from these states, amounting to 43% of all asylum applications in the first half of 2015 (BAMF, 2015). The increase from 2014 to 2015 has been immense, especially for Albania (+584.1%) and Kosovo (+383.9%).

Due to the civil war in Syria and the growing humanitarian problems in its neighbour states, especially Lebanon and Turkey, the German government decided in 2012 to

initiate a resettlement programme for refugees from specific countries of origin: mostly refugees from Syria, but later also from Iraq. The programme was intended to run for three years and focus on vulnerable individuals, such as women, children and elderly persons. The same year, the Interior Minister also initiated an additional humanitarian admissions programme for 20,000 Syrian refugees (to be taken in within three years) (BMI, 2016).

German Procedural and Structural Reforms

The German government hoped that the measures taken to limit immigration from the Balkan states, combined with the European Agenda on Migration, would help to alleviate the problem of mass migration to Germany. However, on 21 August 2015, the Federal Office for Migration and Refugees made a decision with massive, far-reaching consequences when it unilaterally suspended the Dublin regulation for Syrian refugees,² in a move that would represent the origin of the subsequent mass immigration of refugees. Since 2014 Syrian asylum-seekers were requested to simply fill a form asking whether they faced potential persecution in their home country. By answering in the affirmative, Syrian citizens received protection status based on the 1951 Refugee Convention. This means that they received the right of residence and the right to bring their families to Germany without any preconditions such as being able to self-sufficiently live in Germany.

The suspension of the Dublin regulation, which had originally been introduced to simplify asylum procedures in the EU,³ led to an increase in the number of refugees in proportions last seen 60 years ago. Unintentionally, the aforementioned “administrative adjustment”, in itself a significant violation of European legislation, became public and quickly spread on social media. Germany’s policy change also led Hungarian Prime Minister Victor Orbán to give his famous statement on 3 September according to which the refugee crisis is not a European problem, but a German one (“Das Problem ist ein deutsches Problem”, 2016). One day later, German Chancellor Angela Merkel and Austrian Chancellor Werner Faymann decided to allow thousands of refugees, who had been stranded at Budapest central station,⁴ to cross their countries’ borders. Despite the fact that both politicians emphasised that this had been a unique measure, many refugees noticed that there was hope for them to reach Germany. In consequence, within the first three weeks of September 2015, more than 135,000 refugees came to Germany (“135.000 Flüchtlinge kommen im September”, 2015). Nearly all of them came through Bavarian towns such as Rosenheim and Munich, where the two main refugee routes, the Balkan route and the Mediterranean route, meet.

2 On 10 November 2015 the Dublin regulation was implemented again.

3 In general, Syrians have not been sent back to other member states according to the Dublin regulations because of the premise of the BAMF to accelerate procedures. In most cases, it was easier and faster to accept the asylum application of Syrian refugees than to apply the Dublin process.

4 The Hungarian government announced it would enforce EU law, which requires anyone who wishes to travel in the Schengen zone to hold a valid passport and visa. Because most of the refugees had no visa, the government closed the train station and stopped all trains from leaving for Austria and Germany.

The massive inflow of up to ten thousand refugees per day brought the German asylum system close to collapse. Normally, the *Bundespolizei* (federal police) registers the refugees (identification, fingerprints and registration) at the important traffic nodes, takes them to a first medical screening and finally transfers them to an *Erstaufnahmeeinrichtung* (initial reception centre), from where the asylum-seekers are allocated to the Bundesländer according to the Königssteiner Schlüssel.⁵ There, the application process is initiated and they are officially given asylum-seeker status. But from September 2015 onwards, this system did not work any longer. In order not to block the train stations, where most refugees arrived, police brought them to waiting zones where they should eventually have been registered. However, due to the constant influx of persons, registration was postponed time and time again and some refugees had to wait up to three months before being registered. In consequence, authorities no longer had the overview of whom and how many people had entered the country as refugees.

In the second half of September 2015, the Bavarian Interior Minister decided to reroute the flow of refugees away from the traffic nodes to smaller border towns such as Freilassing and Passau. From there, they were transferred on special buses and trains to other parts of Germany, where they were finally registered. The concrete handling of the crisis, in between registration delays and lack of control of who was entering and leaving the territory, showed the extent to which authorities have been overwhelmed by the mass immigration of refugees. Chancellor Merkel's mantra of "Wir schaffen das" ("We can do it"), with respect to the challenges connected to the refugee crisis, must have sounded ridiculous to anyone working at the borders, and was the precursor of much greater challenges.

Each registered asylum-seeker was to be granted accommodation, and the number needed far exceeded existing facilities. Hence, the government began repurposing government-owned buildings and setting up tents and containers. Following these major efforts, the authorities were able to provide sufficient housing, thanks also to housing numerous people in sports halls and hotels. Not all German citizens were comfortable with the intake and placement of hundreds of thousands of refugees, and complaints at the local level increased ("Dresdner bewerfen Polizisten mit Steinen", 2016). The police, which had successfully managed a G7 summit in Bavaria two months before, and having then accumulated significant overtime, once again had to work long hours. However, in September 2015, the mood within German society remained predominantly positive.

On 6 September 2015, Chancellor Merkel released the German government's strategy with respect to the refugee situation (Die Bundesregierung, 2015a). First, the

⁵ The Königssteiner Schlüssel was implemented in 1949 as an instrument to finance transregional research facilities like the Max-Planck-Society. Today it is used in several sectors. Due to its historical meaning this instrument is calculated each year by the office of the Joint Science Conference according the two criteria: (1) tax revenue (two thirds) and (2) number of citizens (one third) of the Bundesländer.

government believed that a solution to the crisis should be decided at the European level; second, the people in direct contact with refugees (police forces, persons in charge of the asylum procedures and volunteers) and local infrastructure (mostly accommodation) should get further support. Third, asylum procedures should be accelerated. In total, the concept was coherent with the keynote address President Juncker gave three days later to the European Parliament. And for this reason the Bundesländer hardly question the Königssteiner Schlüssel, even if in 2015 there were voices raised to revise this instrument. In the six months following September 2015, the German government, with regard to the paralysis in the EU, launched three major reforms to accelerate the asylum procedures.

Asylpaket I: Asylverfahrensbeschleunigungsgesetz (Asylum Bundle I: Asylum Procedure Acceleration Act)

By means of the *Asylverfahrensbeschleunigungsgesetz*, which took effect on 24 October 2015, the German federal government began to implement the strategic concept it released the month before. The law's main purpose was to accelerate the asylum procedure. However, accelerating the procedure while ensuring that the process continues to be fair, required the Interior Minister to build a stringent and transparent structure.

That structure's main pillar was the classification of safe and unsafe countries of origin. This classification had already existed since 1993, but now had a higher importance. Serbia, Bosnia-Herzegovina and FYROM were added to the list of safe countries in 2014, and one year later Kosovo, Albania and Montenegro were integrated. The new act determined that asylum-seekers coming from safe countries of origin have to stay in initial reception centres during the entire procedure, where they receive in-kind social benefits instead of "pocket money", contrary to asylum-seekers from other countries of origin (Die Bundesregierung, 2015b). This group also has to obey the *Residenzpflicht* (residential obligation), meaning that they cannot leave the perimeter of the local immigration office without its permission. Finally, in order to ensure that declined asylum-seekers do not immediately return to Germany, the government installed a re-entry stop.

All these measures and regulations intended to eliminate as many pull factors as possible for those asylum-seekers without any prospect of staying in Germany. The new act already made it clear that integration measures would only be accessible easily and quickly to those asylum-seekers with good chances of staying in the country. This has only been the case for those from unsafe countries of origin such as Syria, Iraq, Afghanistan and Eritrea.

Apart from the issues detailed above, the German federal government also had to ease the burden for the federal states, such as Bavaria, which directly dealt with the challenges on the ground. Most of them claimed they had to shoulder the main part of the burden, especially in terms of finding and financing accommodation. Due to this, the federal government agreed to pay €670 per refugee each month to the federal states. In total, this required an additional €two billion per year. This has been the price the federal government had to pay for the further support by the federal states at that time.

Until October 2015, the focus of Germany's asylum policy lay almost exclusively on accommodation, registration and the acceleration of procedures. The new legal framework created the basis for further legislation, especially with regard to the concept of safe and unsafe countries of origin. This reform was the first step in order to solve the symptoms of refugee immigration to Germany. The source – the conflicts in the states of origin, the unsolved problems in the transit states or the permeable external borders – cannot be sealed by one state alone. This is a long-term goal for the entire European Union.

Datenaustauschverbesserungsgesetz (Data Exchange Improvement Act)

The *Datenaustauschverbesserungsgesetz*, implemented on 7 February 2016, is another act geared towards accelerating the asylum process. Until its implementation, the various authorities, such as the Federal Police, the Federal Office for Migration and Refugees and the Federal Employment Agency (BA), had not been allowed to exchange relevant data for data protection reasons. In consequence, each of the aforementioned agencies had to collect the data by itself. Because of this, data relevant to individual asylum-seekers was collected three times instead of only once. In large part due to this lack of interagency cooperation regarding data collection and sharing, there was immense chaos as nobody knew who and how many refugees were entering Germany, what their intentions were and whether they had already sought asylum elsewhere in the EU. This can be considered a massive threat to internal security if one looks at the efforts of terrorist organisations to send suicide bombers to European countries. In contrast with this, it seems negligible that the lack of data exchange also delayed the asylum procedure because data had to be collected three times instead of one. However, this procedure had been in full compliance with the right of “data self-determination” (art. 2, para. 1 in conjunction with art. 1, para. 1 Grundgesetz), the data protection act, the residence act and the jurisdiction of the *Bundesverfassungsgericht* (German Constitutional Court). Due to this, the *Datenaustauschverbesserungsgesetz* might be subject to further jurisprudence (Eichenhofer, 2016).

The most important innovation of the new act is the creation of a core data system, with which all relevant authorities (BAMF, BA, immigration office, police) can work in terms of data collection, data search and data administration. The basis for the new system was the pre-existing *Ausländer-zentralregister* (central register of foreign nationals) that has been adapted to the new conditions. This new procedure prevents double-registrations by using a new method called Fast-ID (fingerprint-matching system), helps information sharing, thus accelerating the asylum procedure and, by extension, kickstarts the integration process. The following data on asylum-seekers is collected in the central register: name, date of birth, citizenship (these three features were already being collected before), fingerprints, country of origin, current contact data, health examinations, vaccinations, qualifications, profession, participation in integration and languages courses. This dataset is collected at the first contact an asylum-seeker has with the authorities involved. Regarding the sensitivity of the collected data, especially related to health, the new regulations, even if they are accelerating and by this improving the asylum procedure significantly, might conflict with data protection issues.

Another innovation is the *Ankunftsachweis* (arrival certificate), which serves as a proof of identity and complete registration. The *Ankunftsachweis*, which each asylum-seeker receives during registration, is valid for up to three months and serves as the basic requirement for receiving benefits as it ensures that every asylum-seeker is registered. However, the phase between registration and application for asylum remains problematic and might be subject to future jurisprudence. The *Ankunftsachweis* does not open any rights to residence allowance⁶ or acceptance.⁷ The previous document called *BüMa* (proof of notification as an asylum-seeker) gave the asylum-seeker a residence allowance spanning the time between registration and application for asylum. In practice, the newly-created legal gap in the field of residency status is not a problem for the state authorities as long as the refugee has an *Ankunftsachweis*. However, despite being a significant improvement of the asylum procedure, it remains unclear whether this system is in accordance with European and German law.

Asylpaket II: Gesetz zur Einführung beschleunigter Verfahren (Asylum Bundle II: Introduction of Accelerated Procedures Act)

The *Asylpaket II*, enacted on 11 March 2016, stands in line with the two aforementioned legal acts. When drawing up the law, the intention to accelerate the procedures and control immigration by eliminating pull factors was predominant. To achieve these goals, the government announced the establishment of reception centres where the following categories of refugees who likely will have to leave Germany are supposed to stay during

⁶ Residence allowance (*Aufenthaltsgestattung*): This is the residency status for asylum-seekers during the entire procedure. With this, asylum-seekers have the right to receive benefits and to stay in Germany until the final decision on their application. During the procedure, asylum-seekers cannot be deported.

⁷ Residence acceptance (*Aufenthaltslaubnis*): With this residence status, a person can stay for a limited time (related to the individual circumstances) after the procedure is completed.

the entire asylum procedure: (1) asylum-seekers from safe countries of origin, (2) asylum-seekers who filed a subsequent application because their first one had been rejected, and (3) asylum-seekers who disguise their identity. The procedures to handle applications from these types of asylum-seekers are modelled on the *Flughafenverfahren* procedure: the entire asylum procedure shall be completed within one week, including application and hearing, followed by potential follow-on legal proceedings over the course of two additional weeks. During this time, asylum-seekers are not allowed to leave the district of the local immigration office and receive only in-kind benefits, another measure destined to eliminate possible pull factors. However, a three-week procedure requires sufficient qualified manpower and perfectly coordinated procedures. The example of Bern, Switzerland, shows the potential of this procedure where a 48-hour procedure has been successfully tested for one year, a role model that the BAMF tries to follow (Die Bundesregierung, 2016b). However, because of the legal complexity of the asylum process, it is uncertain whether two days are sufficient to guarantee carrying out an ordinary asylum procedure but it is still too early to give a well-grounded evaluation.

Another innovation in *Asylpaket II* was the suspension of the possibility of family reunion for two years for “subsidiary protection” refugees (para. 4 subpara.1 AsylG).⁸ Family reunion has long been one of the main paths of immigration to Germany, as was the case in the 1970s when Turkish workers used family reunion to circumvent the immigration stop issued by the German government. Suspending family reunion for subsidiary protection refugees seems to be fairly inconsequential due to the group’s size. In 2015, only 0.6% of asylum-seekers received that status (BAMF, 2016b). Currently, this procedure seems to change slowly. In July 2016, the percentage of Syrian refugees being granted subsidiary protection status rose to 16% (up from 0.1% in 2015) (BAMF, 2016a).

The *Asylpaket II* also encourages the deportation of refugees by making it more complicated to avoid this on health grounds and by simplifying the deportation of refugees who have committed crimes.

All the aforementioned reforms were intended to make the asylum procedure faster, to eliminate possible pull-factors, which might attract refugees coming for economic reasons and thus unburden the local state authorities, which had to manage the accommodation and integration process. The only way to achieve this goal and to guarantee a fair and transparent procedure at the same time was for the federal government to split the incoming refugees into groups. Individuals who have the right to stay are protected but have to integrate into society as fast as possible, while those not allowed to stay should leave the country as soon as possible.

⁸ Subsidiary protection (*Subsidiärer Schutz*): This temporary protection status has been created to protect persons who fled from mostly civil war countries. After the end of the conflict, even the protection status ends and they can be easily sent back. At first, the residence acceptance is limited to one year, which can be prolonged twice for another two years if the reason for the granted protection still exists.

Integration Measures

There is public consensus on the need to integrate people who come to and are most probably going to stay in Germany, no matter whether they are refugees or regular immigrants. This relates above all to the social benefits they receive in case of unemployment. Because of this, the government started to offer integration courses in 2005 (as one part of the implemented Immigration Act), which are largely composed of language courses (600 units) with a small element of civic education (60 units).

The German federal government, the German federal states and the municipalities share responsibilities according to the existing federal system. The federal government and the federal states share responsibilities in various policy fields whereas the municipalities are mainly responsible for implementing the integration measures on the ground, for which they receive financial compensation.

While the federal states are responsible for education (school and childhood education), the federal government regulates labour market issues. Due to the federal distribution of responsibilities, there are individual integration laws in four of the 16 federal states, and since August 2016 one law on the national level. This federal system traditionally works well, meaning that the national Integration Act is complementary to the federal level ones.

The municipalities receive funding from the federal government and the federal states in order to build accommodation and to implement the various integration measures. In 2015 the difficulties in finding and acquiring suitable accommodation for 890,000 refugees who came to Germany created discontent at the local level. The distribution of refugees from the national to the federal and on to the local level is regulated by the Königssteiner Schlüssel and the executive regulations related to it. Due to the high incoming numbers, asylum-seekers have been forwarded from the border to the local level within a few days. Connected to this, the communication between the three state levels – especially the very practical details of the arrivals of refugees at the local level – did not work well. Because of this, mayors were forced not only to deal with housing a large number of refugees arriving sometimes unannounced within a short timeframe but also with citizens who often did not agree on accommodating refugees in their direct neighbourhood. Most of the measures are funded to a high degree by the federal government and/or the federal states, but the municipalities still have to pay a part of the overall costs themselves. Due to the aforementioned issues, the willingness of the local authorities to secure accommodation and to take over a part of the integration costs has been low. The municipalities have mostly been left to implement decisions made on the

federal or Bundesländer level and without the ability to influence these pivotal decisions concerning them.

Integrationsgesetz (Integration Act)

The German Integration Act was enacted on 8 August 2016. The new regulations neither include all parts of integration policy nor symbolise a shift in the government's policy. They mainly aim at labour market integration, geographical distribution of refugees with residence acceptance and access to integration courses. All the legal adjustments seem to be useful and should help improve the integration of those refugees with a good prospect⁹ of staying in Germany. However, the *Integrationsgesetz* is not the milestone that Chancellor Merkel claimed it to be (Die Bundesregierung, 2016a). It is a milestone insofar as the German government finally concluded the political and philosophical debate about the meaning of integration. The question of what the German state and society expect immigrants to do in order to integrate in Germany is finally answered. They are expected to work, to live at their own expense and to be responsible for their integration process. The integration law is also a milestone insofar as from now on asylum-seekers have the right and the obligation to satisfy integration measures.

The fact that nearly half of the asylum-seekers (49.8%, that is 237,371 persons) in 2015 received permission to stay in Germany according to their protection status, makes it evident that integration measures are necessary if the government does not want to run the risk of significant social problems. Therefore, the federal government has been stressing that integration is not an option but an obligation. However, if a state actor is obliging someone to do something, it has to make sure that it also provides the means to achieve the desired goal.

The following measures have been taken:

- a. As a "pre-access" measure to the labour market, the government started a new programme called "*Flüchtlingsintegrationsmaßnahmen* (FIM – refugee integration measures)". The Ministry of Labour finances through the programme 100,000 working opportunities (3 billion EUR from 2016-19) in and around refugee accommodation. The programme does not offer ordinary jobs, but an insight into a local working and social environment. This measure focused not only on integration in the local labour market but also on the social integration in the local community in the surrounding of the refugee accommodations.
- b. The suspension of the *Vorrangprüfung*¹⁰ (priority check) for three years gives small and medium-sized companies the possibility to hire an asylum-seeker with a good

⁹ People from (insecure) states of origin with a protection rate of more than 50% (according to the BAMF) have good prospects for staying. In 2016 this was the case for the following states: Eritrea, Iraq, Iran, Syria and Somalia.

¹⁰ The *Vorrangprüfung* (para. 32.5 BeschV) is the main instrument for protecting the German labour market. It checks if there are possible national candidates for a job instead of a foreign worker (except citizens from European member states). In general, the check requires a lot of paperwork for the company that wants to hire a foreign worker. For international companies with an experienced HR department, it is not an obstacle, but is for small and medium-sized companies.

prospect of staying, without intense administrative duties. By focusing on this group, the federal government wanted to prevent the hiring of people who might leave the country again, which would be a disadvantage for them and the affected company. However, if a federal state notices that this measure could lead to a disadvantage for the local labour market, it can decide to suspend the new regulation.

- c. The introduction of the *3+2 rule* also intends to give long-term security to companies that hire persons with subsidiary protection who only hold a limited residency permit. When they complete three-year vocational training, they are allowed to stay in Germany for another two years under the condition that they work in the same sector. Even if this regulation does not apply to people who have to leave the country in the near future, it is a chance for persons to improve their prospects of staying. It allows someone with subsidiary protection to shift status from asylum to labour market immigration.
- d. Public funding during vocational training (para. 132, subpara. 1 SGB III) has been opened for refugees: the right will be available after three months for those with a good prospect of staying and 12 months for those with a limited residence permit. This support is generally intended for people who have difficulties completing the vocational training for financial, social or psychological reasons. Opening this instrument of support to refugees has been one of the main demands of the Federal Employment Agency given the difficulties refugees encounter during vocational training.
- e. Integration courses have been expanded since they have represented the core integration instrument of the federal government. The civic education element of the courses has been increased from 60 to 100 units per course, probably as a consequence of the sexual harassment cases and larcenies committed by groups of asylum-seekers in Cologne on New Year's Eve 2015. These incidents caused a wide public debate about whether asylum-seekers represent a threat to public security.
- f. A strongly criticised regulation is the introduction of the *Wohnsitzzuweisung* (residence allocation). It means that refugees with a permanent residence permit, who have an income of less than €712 per month and therefore receive financial support from the state, can be mandated by the authorities to live in a certain region, city, district or village. This regulation has been a main demand of the Association of German Cities and of several federal states such as Bavaria, which feared the agglomeration of refugees in a small number of cities and metropolitan areas. Despite the positive intention behind this regulation, it constitutes a breach of refugees' personal rights. It remains uncertain whether the Federal Constitutional Court will reverse it.

All rights granted by the new Integration Act are connected with the obligation to integrate. If a refugee refuses to accept the duties implemented by the new Integration Act, the state authorities are allowed to reduce his or her benefits.

Prospects for the Labour Market

In 2014 and the first half of 2015, the German trade and industry associations, alongside large parts of society, believed that the influx of refugees might help fight the shortage of skilled workers. The German economy has since 2013 witnessed an economic recovery incomparable to other European member states, and consequently the unemployment rate has constantly been falling since 2012. In August 2016, 2,661,000 persons, or 6% of the German population, were unemployed. Meanwhile, the demand for skilled workers has doubled during the last ten years (BA [Bundesagentur für Arbeit], 2016). However, the public consensus connecting this need with the immigration of refugees simply ignores the fact that the demand relates to specific sectors, skills and regions. The Association of German Chambers of Commerce and Industry proposed in April 2015 that asylum-seekers working as engineers, technicians or craftsmen should be able to change their legal status from asylum-seeker to foreign worker (Siems, 2015). This proposal ignored the problem of diverging levels of qualification. The difficult experiences from the negotiation of the Bologna process and the framework of qualifications seemed here to have been largely forgotten.

Most of the refugees hail from countries with an underdeveloped economic and industrial system. In the Global Competitiveness Report 2010-2011, which mainly compares the productivity of national economies, Germany is ranked 5th, while Syria is ranked 97th and Iraq and Afghanistan are not listed (Schwab, 2016). This ranking shows that the economy, the structure of the labour market and the qualification of the workforce in the countries of origin differ widely from those in the European countries such as Germany. This highlights the fact that the two main problems in integrating refugees in the German labour market are associated with their unknown level of qualification and insufficient language skills. To tackle this problem, the Federal Employment Agency initiated the project “Early Intervention” in early 2014 (Daumann, Dietz, Knapp & Strien, 2016), which was supposed to collect information about the measures that are needed for an ideal integration process. The initial results made clear that the obstacles to enter the German labour market are great even for refugees with relatively high qualifications. The lack of language skills and the necessity to adapt existing qualifications to the needs of the local labour market are the main problems preventing a fast labour market integration. Nevertheless, the necessary legal and organisational adjustments have been quickly implemented, due to the prevailing challenges.

However, such optimised conditions are not the only factor for a sustainable success. There are indications that around 70% of asylum-seekers who started vocational training

prematurely stopped the process.¹¹ The head of the Bavarian Chamber of Crafts, Lothar Semper, believes that the reasons for this are to be found in lackluster language skills and the low wages being offered (“70 Prozent der Flüchtlinge brechen die Ausbildung ab”, 2015), arguments that seem logical. First, it is a great challenge to exercise a trade without sufficient language skills. Second, one must not forget the conditions under which most of the refugees came to Germany: many came with the help of human traffickers, who charge large sums creating incentives for refugees to want to get a well-paid job as quickly as possible in order to pay back possible debts or send money to their families.¹² A vocational training course is a solid foundation for a long-term career, but it is not well-paid. Finally, the traumatising experiences refugees may have experienced in their war-torn countries or on the way to Germany creates an added psychological baggage that hampers the ability to quickly start a new life.

The arguments above are based on observations and not on broad empirical investigation, because of a lack of reliable data or experiences in implementing accurate and sustainable integration measures. Nearly all of the surveys concerning education and qualifications of refugees are based on the self-assessment of the target group. Until now, existing studies do not take into account existing differences between the various education systems, distorting the results.

With the German economy booming and the availability of jobs and finances allowing the necessary programmes to be funded, the federal government can afford both the financial and political costs of the integration of refugees, which, according to a study by the Kiel Institute for World Economy, range from €25 and €55 billion per year (Lücke, 2015). This rather imprecise estimation proves that there is at present not enough valid data for a qualified assessment. But the observations give the impression that labour market integration of the refugees might be an expensive and long-lasting project. If it succeeds, it is more likely that refugee immigration to Germany is considered an enrichment of German society.

Apart from the necessity of helping people who are probably going to stay, it should not be forgotten that asylum immigration is not mainly an instrument destined to gain a new work force. These people with qualifications who moved to Germany are now missing in their countries of origin. The so-called “brain drain” is a serious problem, which worsens the situation in the developing countries. Because of this adverse effect, labour market integration should not create new pull-effects and asylum immigration cannot be a detour for labour migration.

11 Compared to this, only 25% of locals prematurely stopped training, which indicates that there are bigger problems to be solved than only technical.

12 According to an IAB survey among 4,500 refugees, the average amount spent by refugees to come to Germany was 7,137 euros. IAB Kurzbericht. (2016). Retrieved from <http://doku.iab.de/kurzber/2016/kb2416.pdf>

The Reaction of German Society

The German public debate on the so-called “refugee crisis” perfectly illustrates a “communication problem” such as described by Thomas E. Patterson in his 1993 book *Out of Order*. According to Patterson, the media is not a suitable mediator between politicians and the people. First, policy is a long-term business while media has to be reactive and up-to-date. Second, policy is often complex, while media needs to simplify in order to reach a wider readership. Finally, policy is based on creating compromises while media feeds off conflicts. In the case of this wave of immigration, the German media banked on emotions: the main broadcasting channels mostly showed families and children in their reports from Gaziantep, Idomeni or the Hungarian border, which is not representative of the reality, as most of the refugees who have come to Germany are young men under the age of 35. Right-wing parties and movements accused the media of not being objective and of spreading lies. The AfD (*Alternative für Deutschland*), a right-wing party, which has been founded in the context of the EU financial crisis EU in 2013, especially used the refugee immigration for its own purposes by connecting the issues of immigration, Islam and terrorism. The party won from 14.2% to 20.8% of the votes during the last three elections in three federal states by talking about an “imminent civil war” (“Petry warnt vor Bürgerkrieg”, 2016) or claiming “that Europe stands at the eve of a mass immigration from the Middle Eastern and Maghreb states” (AfD, 2016). This argumentation still does not attract a large part of society, but the party nevertheless receives votes from all of its sectors, rather than only from the socially underprivileged milieus (Muzinger & Brunner, 2016). AfD’s rhetoric plays on the fears of society, since according to the yearly survey of the R+V Insurance group on the fears of Germans, terrorism, political extremism and the incapacity of the state authorities to handle the immigration of refugees were ranked top in 2016 (“Die Ängste der Deutschen”, 2016).

Nevertheless, the majority of the German population had not significantly changed its attitude towards refugees between January 2015 and February 2016. Around 94% still agreed on taking in persons who are fleeing war or conflicts, and around 80% agreed on taking in persons fleeing political or religiously motivated persecution. The acceptance rate fell constantly only with regard to the group of persons fleeing for economic reasons (Eisnecker & Schupp, 2016). It is surprising that despite the high level of acceptance for refugees from conflict regions, the majority of the German population expected negative consequences for German social and cultural life (especially in the short run) due to the influx of refugees. Around 50% of interviewed persons also expected negative consequences for the German economy (Eisnecker & Schupp, 2016). Even around half of the volunteers assisting refugees think that this development creates more risks than

advantages for German society, despite working with refugees for more than one year. If the integration process fails, their willingness to support might stop.

The differentiation of refugees according to their motivations – economic reasons vs. war, conflict and persecution – started in 2014 as a consequence of the political discussions concerning the rising numbers of asylum-seekers from the Balkan states. On the one hand, German citizens watched Syrians, Libyans, Afghans, Eritreans and others die in the Mediterranean Sea, and, on the other, noticed the rising number of people attempting emigration for economic reasons. This dichotomy meant that a lot of people agreed with German President Joachim Gauck saying that “our hearts are open, but our possibilities are limited.” It was particularly in April and May 2015, when hundreds or maybe thousands of persons died on rusty boats in the Mediterranean and the European Commission reacted by launching its Migration Agenda, that more and more people and politicians supported differentiation along flight motivations.

In July 2015, Chancellor Merkel witnessed how strong the support in society and the media for persecuted refugees could be when she told a Palestinian girl during a TV show that she might have to leave Germany due to her limited residence allowance. The girl started crying and most subsequent media coverage accused Merkel of being cruel, cold-hearted and insensitive. A lot of them also regarded this answer as a metaphor for the EU’s inhuman asylum policy. This issue dominated the headlines for more than one week and has constituted one of the worst public relations disasters Chancellor Merkel has so far experienced, although she was only explaining established law. However, it was also the perfect example of how emotional and subjective media reporting already was at that time.

At the end of August and the beginning of September, the emotions in public debate reached a peak when 71 dead refugees were discovered in a truck on the A4 highway in Austria (26 August 2016) and, even more so, when on 2 September, the heart-breaking photo of Aylan Kurdi was published, touching the souls of many Germans as it showed the cruelty and the consequences of the war in Syria and of Europe’s closed-door policy. The impact of this picture has to be taken into account when understanding the events at Munich central station in September, when hundreds of applauding citizens welcomed thousands of refugees by bringing food and toys. Since early September 2015, the support given by thousands of volunteers, helping refugees learn German, deal with authorities, and find apartments and jobs, is a crucial part of the support structure for refugees and state authorities.

At the same time, protests and crimes against refugees also increased. In 2015, a five-fold rise (1,485 cases) in crimes compared to 2014 was recorded. In the first half of

2016, authorities reported 449 criminal offences (including 82 cases of violent attacks) in and around refugee accommodations and 654 attacks (including 107 violent ones) against refugees outside of the premises of refugee accommodation. Most of these acts were committed by citizens without a previous criminal record and who lived close to refugee accommodation (Maizière, 2016).

However, refugees have not only been victims of crimes but some have also been accused of committing crimes. The events on New Year's Eve in Cologne gave a glimpse of what might happen in the future should integration measures fail. Groups of young men originally from North Africa (sexually) harassed young women and committed theft. These incidents caused harsh demands by the critics of Chancellor Merkel's policy to tighten legal measures against refugees found guilty of committing crimes. They ranged from immediate deportation to maintaining existing penalties. Once again, emotions dominated the public debate, ignoring the fact that the legal options are narrow and that a deportation of an asylum-seeker before the end of the asylum procedure is legally impossible. In the end, regardless of the emotional demands and headlines that have been published, the legal consequences were limited. A more significant consequence of these incidents has been the start of a debate on values: politicians, journalists and experts expressed the concern that especially young men coming from states with a patriarchal family structure might come into conflict with the Western concept of female emancipation. A result of this long-lasting debate has been the Integration Act's greater focus on the civic education elements within the integration courses.

In general, the attitude of German society towards refugees fleeing from countries affected by war, conflicts or persecution remains positive. A large majority still believes in the obligation to help. Until now (Dec. 2016) the support for refugees organised by volunteer support circles at the local level is high and ranges from legal consulting regarding the asylum procedure, to language courses, accompaniment during appointments with the state authorities, bicycle tours, painting courses, etc. The media reporting mostly addresses positive aspects and emotional subjects, while the government limits its communication to legal aspects. The public relations policy of the federal government in general, and of Chancellor Merkel in particular, have been run on a low level. Merkel's "we can do it" slogan trumped any sort of bureaucratic announcements that were the norm; due to the broad nature of its meaning, the slogan did not create the anticipated confidence in the population. Socially disadvantaged parts of society, and even a growing number of individuals,¹³ began to agree with right-wing and populist parties and their demands to close borders and deport a majority of refugees. The fear of losing influence and not being heard by the government is the

¹³ According to opinion polls in 2015, the right-wing party AfD (*Alternative für Deutschland*) would have received 10% to 20% of the votes, if there were federal elections. This trend has been confirmed by three elections in the federal states Baden-Württemberg, Mecklenburg-Vorpommern and Berlin, where the AfD received 15.1%, 20.8% and 14.2%.

dominating emotion among this part of society, and led to increasing numbers of attacks on refugees and refugee accommodation. In general, the majority of German society still believes that the country should help people who are persecuted by their state or victims of civil war. However, there is also increased awareness of the future problems that might occur in the case of failed integration measures.

Assessment

Both the German government and German society have been overwhelmed by last year's significant increase in immigration and connected events. The issue is as emotionally exhausting as it is legally complicated. One country alone, even if it is an economic and political heavyweight, can only do so much to solve such a situation if it does not cooperate fully with its neighbouring states, and vice versa. The European Union did not solve the crisis, but smaller entities, such as the Visegrad group, took a harsher approach to addressing their interests. Closing the borders along the Balkan route put the cork back in the bottle and saved Germany from an uncontrolled immigration of refugees. Surely, from a moral perspective, it is reprehensible not to help people in need, even if this has never been a criterion in European asylum policy. The agreements with former Libyan autocrat Gaddafi to keep sub-Saharan refugees away from the Mediterranean, the present agreement with Turkey's Erdogan government or the Dublin regulations, which put the main burden on southern member states, are examples of that. The German government's main mistake was not the decision to open the gates for the refugees staying at Budapest train station, but indeed not to have created the conditions for strong cooperation between the affected member states in 2014 and early 2015. Greece and Italy are especially important, but Bulgaria, Romania, Hungary and Austria could also have represented real partners, especially in terms of immigration control and data exchange, if Chancellor Merkel had initiated direct negotiations. But this would have presupposed the willingness to agree to unpopular and immoral compromises, in times when the public debate was highly emotional. Germany stood alone in implementing its open-door policy, accepting and reacting to the decisions of others such as Hungarian Prime Minister Orbán, who, on the night of 4 to 5 September, had the refugees brought to the Austrian border by buses. If the German government had cooperated with the aforementioned countries, it could have taken an active role instead of being reactive to the decision of others.

The numbers of refugees overwhelmed Germany and especially the Bavarian cities of Munich and Rosenheim, where suddenly tens of thousands arrived on a daily basis.

Eventually, the measures taken to manage the logistical challenge worked out but addressed only the symptoms and not the causes of the refugee streams. A roof above each refugee's head will not suffice. The greater challenge – the integration of hundreds of thousands of refugees into German society and the country's labour market – still needs to be successfully tackled. In addressing this challenge, governmental and societal efforts are still at their very beginning. It is a long-term task, and it remains to be seen whether the government will have sufficient time to achieve success. Most of the refugees who are likely to stay in Germany come from states where the social and political systems work differently. In addition, the economic system, job qualifications and work ethics differ immensely. Added to that, language problems as well as psychological traumas related to the hardships of the flight and the manifold conflicts witnessed in their home countries, means the preconditions for successful integration are not optimal and that the authorities have had, and will continue, to invest a lot of money in the integration of refugees. At the moment, the German government and the majority of German society are still willing to make this investment. However, this might not always be the case as the German people become increasingly concerned about the potential fallout of the mass immigration of refugees. The terrorist attacks in Paris, Nice, Brussels, Würzburg, Ansbach and Berlin in 2015 and 2016 could be interpreted as the risks of a future in which integration has failed. Existing Jihadist groups such as the Islamic State do their best to create the impression that the refugees support their ideology in order to defame them and divide societies in the destination countries. A sustainable integration policy is expensive and produces results only in the long term. In the case of an economic downswing, competition for jobs and social benefits would rise and possibly amplify the existing rift between citizens and refugees. One has to wonder whether, in this case, German society and indeed German media would continue to have the necessary patience and understanding to maintain cost-intensive programmes to integrate refugees.

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Austria and the Migration Challenge: From the Culture of Welcome to the Culture of Deterrence

*András Hettyey**

Historical Background

After the dissolution of multi-ethnic Austria-Hungary in 1918-1920, Austria became a fairly ethnically homogenous state, and remained so despite the fact that during the Hungarian Revolution of 1956, it opened its borders to 175,000 fleeing Hungarians (most of whom chose to move further West). According to the 1961 census, only 100,000 foreign citizens lived in the country out of a population of around 7 million. Due to the inflow of workers from Mediterranean countries (mostly Turkey and Yugoslavia) in the context of the *Gastarbeiter*-programme, the rate of foreign citizens quickly grew to 311,000 persons, or 4.1% of the population by 1974 (Statistik Austria, 2017). In the early 1990s, around 115,000 citizens – mostly Bosnians – of the former Yugoslavia fled the horrors of the wars to Austria, of which 60,000 settled permanently. At the beginning of 2008, non-Austrians represented more than 10% of the population for the first time. In 2016, a total number of 1,267,674 residents were foreign citizens, a rate of 14.6%, significantly higher than the 2014 EU average of 6.7%. Around half of non-citizens in Austria come from other EU countries (Germans constituted the biggest group); Turks, Serbs and Bosnians represent the majority of non-EU foreign citizens. The history of recent and fairly huge immigration waves meant that the Austrian state and the population had some experience in dealing with such a situation (Pongratz-Lippitt, 2016). Simply put, the sudden arrival of a large number of refugees with different cultural and religious backgrounds on the borders was not an unheard-of scenario for Austrians.

The Response of the Government

A significant amount of experience and a much more laid-back attitude towards migration led, initially, to a strikingly different response in Austria than in, for example, Hungary. As the number of asylum applications grew significantly in the first months of 2015, the government stuck to its traditional open-door policy, knowing full well that most of the would-be refugees would go on to Germany and other European countries anyway. The prerequisite for this plan was, of course, that Germany needed to keep its borders open as well. It was in keeping with this welcoming attitude that Austrian Chancellor Werner Faymann (SPD) repeatedly criticised Hungarian Prime Minister Victor Orbán for his policy.

At the end of August 2015, 71 persons were discovered in the back of a truck in Austria's A4 highway, having suffocated to death while being smuggled into Central Europe – the first time the refugee crisis had truly reached Austria's doorstep. A few days later,

hundreds of frustrated refugees started walking from Budapest to Vienna and were met with a wave of solidarity. Overall, as most of the refugees wished to go to Germany or other countries, Austria was effectively engaged in letting them pass through the country as quickly and as efficiently as possible (Frauscher, 2015). Interestingly, remarkably few Syrians opted to apply for asylum in Austria despite a fairly similar average monthly wage to Germany: this might have to do with the fact that in Germany the monthly allowance for refugees is three times bigger and that those with a good prospect of staying are allowed to obtain a work permit after a three-month stay, as opposed to Austria, where they have to wait for the end of the lengthy asylum application procedure to be able to work.

Yet Austria's welcoming attitude began to change as refugee numbers kept growing and showed no sign of decreasing. The first sign of this was undoubtedly the state election in Upper Austria in September 2015, where the far-right Freedom Party (FPÖ) won 30% of the vote, and, shortly after that, 31% in the Vienna city elections in October. Although not the only reason behind the growing support for the FPÖ, fears over migration numbers also contributed to the party coming ahead in the first presidential election in April 2016. Secondly, the erection of a border fence on the southern border of Hungary in September-October significantly shifted the transit route for refugees to the west, especially at the border between Austria and Slovenia in Spielfeld, in the region of Styria. By this time, not only the opposition FPÖ but the junior coalition partner People's Party (ÖVP) began to put pressure on the Chancellor and his party, the Social Democrats, to change course. These arguments were further enhanced by the sexual harassment cases in Cologne, Germany, on New Year's Eve 2016. What is more, in early January, Germany began to tighten border controls in what partly constituted a reversal of its open-door policy: the numbers sent back to Austria jumped from an average of 43 people a day in December 2015 to roughly 200 a day early in 2016 (Delcker, 2016).

At the same time, public attitudes were hardening: in a poll published in January 2016, 67% of Austrians agreed with the view that migration brings more disadvantages than benefits, with 34% fearing that the continuation of the crisis might lead to a civil war-like situation in the country ("Migration: Jeder Dritte befürchtet bürgerkriegsähnliche Zustände", 2016). Germany's about-turn was especially dramatic for Austria. On the one hand, the government saw German reversal from its *Willkommenskultur*-approach as long overdue; on the other, Vienna did not want a situation to emerge where huge numbers of would-be migrants aiming for Germany or Sweden would be caught in a "traffic jam" in Austria (Lowenstein, 2016). The change in German policy has led to accusations from Austria about the lack of prior notification, but as the numbers receded during the year, relations between Vienna and Berlin recovered quickly to a good working level.

As a result of all this, in mid-January 2016 the Austrian Chancellor announced a reversal of his position: announcing that he wanted to “drastically reduce” the number of people allowed to claim asylum, he unveiled plans to limit total asylum claims to about 127,500 over the next four years (“Obergrenze bis 2019 fixiert”, 2016). This, in effect, amounted to the (albeit, temporary) suspension of the Schengen Agreement. After that, Austrian authorities started to accept only 80 applications a day and at the same time, erected a four-kilometre-long fence at the Slovenian border. Having in effect closed its borders, Vienna then teamed up with a number of Eastern EU and Balkan countries to help FYROM close its border with EU member state Greece as well. This policy set off a domino effect along the Balkan route, significantly reducing the flow of refugees on this route (Hasselbach, 2016). In April, the Austrian parliament adopted one of Europe’s toughest asylum laws, allowing the government to declare a “state of emergency” if numbers suddenly rise and reject most asylum-seekers directly at the border, including from war-torn countries like Syria. Following the presidential election results in May, in which the SPÖ’s candidate achieved a humiliating result by being eliminated in the first round, Chancellor Faymann stepped down and was replaced by former railways boss Christian Kern. Summing up the events, Austrian magazine *Profil* commented that after the “culture of welcome” in 2015, Austria had shifted to a “culture of deterrence” in 2016 (“Analyse: Österreich sucht nach der ‘Abschreckungskultur’”, 2016).

The Numbers

The rapid reversal of Austria’s migration policy was partly due to the unquestionable enormity of the numbers. The inflows starting in 2015 constituted no less than the biggest migration crisis since the Second World War, as Interior Minister Wolfgang Sobotka (ÖVP) wrote in the 2015 Security Report, published in July 2016 (BM.I. [Bundesministerium für Inneres], 2016). Overall, Austria is both a transit country and a destination country for refugees. The number of asylum applications in 2015 has increased by a staggering 214% compared to the previous year (European Economic and Social Committee, 2015). In 2015, a total of 88,151 applications for asylum were lodged in Austria, more per capita than Germany, representing 300 to 400 asylum applications a day, a figure that needs to be compared with the average of around 15,000 applications a year between 2006-2013 (BM.I., 2015). The biggest group of applicants were Afghans (29%) and Syrians (28%), with Iraqis representing the third largest group (15%). Pakistanis, Somalis and Nigerians made up most of the rest. In 2015, 14,413 persons were awarded asylum in Austria (BM.I, 2015). Significantly, 81% of those granted asylum in 2015 were under 35 and two thirds of them male (Bundesministerium

für Europa, Integration und Äußeres, 2016). Yet again, the overall number of migrants was obviously higher than the number of asylum applicants, because many decided not to file an application and move straight on to Western Europe. According to the previously mentioned Security Report, the total number on Austria's border in the last four months of 2015 was no fewer than 679,639 persons – for a country of 8.4 million people.

Just as in the case of Hungary, 2016 brought a significant easing of the migratory pressure in Austria. In the first six months of the year, only 25,000 applications have been lodged, with Interior Minister Sobotka expecting that the yearly limit of 37,500 will not be exceeded, a situation to which the closing of the Balkan route, the new laws tightening migration and the Hungarian border fence all contributed (“Österreich rechnet mit deutlich weniger Flüchtlingen”, 2016). If push comes to shove, Austria will be ready to introduce permanent border controls on its borders with Italy as well, the Minister added. Yet, all is not well: at the end of August 2016, newspapers reported that some 100 to 150 refugees arrived in Austria per day, a number similar to those in August 2015, before the height of the crisis (“3.000 illegale Flüchtlinge pro Monat”, 2016). This adds up to 3,000 to 4,000 a month, a number that remains significant and could pose challenges in the near future.

Economic Considerations

The cost of dealing with the refugee inflows for the Austrian taxpayer is expected to be €2 billion in 2016 (Rlef, 2016). In 2014, the cost was €442 million, and in 2015 €757 million. According to an official estimate, each refugee cost the central budget around €10,000 a year: €7,665 for housing and catering, €1,343 for health care, €726 for language courses, €480 for allowance and €150 for clothing (“Migration: Jeder Dritte befürchtet bürgerkriegsähnliche Zustände”, 2016). Over the 2016-2020 period, experts estimate that the costs of caring for refugees will amount to €10 billion: even though the number of asylum applicants is expected to decrease, the slow labour market integration will mean higher outlays for social transfers (Bundesministerium für Europa, Integration und Äußeres, 2016).

Five camps are set up to provide for refugees, the biggest of which is in Traiskirchen, Lower Austria, and which is run, interestingly, by a private company and not the government. The camps provide care for asylum-seekers under the Basic Services Law of 2005. This includes, among other things, providing accommodation, legal advice, health care, food three times a day, clothing, hygiene products, and the payment of a monthly allowance of €40 (European Economic and Social Committee, 2015). According to a December 2015 EU fact-finding mission, the Traiskirchen camp is “large and well-organised: services include

a medical station, a kindergarten, legal advice (mainly provided by NGOs, which have a contract with the camp), German courses and workshops to facilitate integration in the Austrian society, interfaith pastoral care, cultural activities, and various sports grounds and recreational areas” (European Economic and Social Committee, 2015). This is of course not to say that everything went well: criticism has been levelled regarding the lack of health services for children and insufficient housing capacities, among other things (Hengst, 2015).

As for the long-term integration of refugees, Austria has, unlike, for example, Hungary, important and relevant experience in the field. The overarching guideline for integration is the 2010 National Action Plan for Integration (Nationaler Aktionsplan für Integration) (Bundesministerium für Europa, Integration und Äußeres, 2010). A plethora of state and private agencies, programmes, initiatives and NGOs exist, and are accompanied by a large amount of information available on the Internet. A good overview is given by the yearly “Integration Reports” of the Federal Ministry for Europe, Integration and Foreign Affairs. The 2016 edition of the report gives a rather pessimistic outlook on the labour market: at a time of already rising unemployment numbers, the integration of those who have been granted asylum will be more difficult than anticipated, with at least five years needed to integrate half of the newcomers into the labour force. The report estimates that only 10% of them will be able to find a job within a year, and, therefore, warns that a significant portion of the newcomers will be dependent on social transfers for a long period, potentially straining social cohesion in the country (Bundesministerium für Europa, Integration und Äußeres, 2016).

Due to the unprecedented challenge witnessed in 2015, the Foreign Ministry, in cooperation with an expert council on integration, felt obliged to complement the existing framework with a so-called “50-Point-Plan towards the integration of those entitled to asylum and to subsidiary protection in Austria” (Bundesministerium für Europa, Integration und Äußeres, 2015). Presented in November 2015, the Plan is a mixture of the unsurprising (more language training, orientation courses in the values of Austria, preventing radicalisation, etc.) and the innovative. Structured into eight sub-fields (language and education, work and employment, rule of law and values, health and social issues, intercultural dialogue, sports and leisure, housing and the regional dimension of integration, general structure measures), it offers a comprehensive approach to better integration, introducing practical and feasible policy measures. Among other things, it calls for:¹

- expanding support mechanisms for companies that foster their staff's acquisition of German skills;
- vocational guidance for young refugees;

¹ The implementation of the measures is monitored by the yearly Integration Reports.

- offering mothers German courses while their children are in kindergarden;
- using sports activities for the integration of refugees, and;
- funding of further academic research on the subject of migration and integration.

Solutions to the Crisis

Austria's current leaders are quite self-critical of the country's handling of the crisis. Speaking in February 2016, Foreign Minister Sebastian Kurz (ÖVP) freely acknowledged that the open-door policy pursued until the end of 2015 has not been successful. Speaking about the Austrian as well as the German government, Kurz stated that "those who advocated have not caused the refugee crisis, but they have certainly aggravated it" ("Kurz: Europäische Lösung kommt 'zu 100 Prozent'", 2016). In an interview with the *Swiss daily Neue Zürcher Zeitung*, the minister identified the open-door policy as a crucial mistake because it signalled that refugees might come and that they will be taken care of. He also added that dealing with hundreds of thousands of refugees each year cannot be a "sustainable model" (Furger, 2016). Another notable feature of Austria's recent European policy has been the strongly worded condemnation of the functioning of the EU. For example, a newspaper quoted Kurz in June 2016 as saying at an EU meeting that "we have lost control. At the moment, it is not we as the EU, but it is people smugglers, who decide who comes to us" ("European Countries Lost Control Over Refugee Crisis", 2016). Kurz also added that as long as there is no common European solution to the problem (which Austria would welcome), Vienna will be obliged to take individual measures.

What is Austria's take on the situation and its possible remedies? As a solution to the crisis, representatives of the Austrian government suggest several elements. Firstly, as the Foreign Minister pointed out, Austria has just doubled its bilateral official development assistance to better help the countries in need to get back on their feet in order to forestall the launching of further massive migration waves. Of course, this can only be a long-term solution. As for matters on the ground, Vienna unsurprisingly supports a political solution to the Syrian crisis, which has so far represented the main source of migrants. More remarkably, Austria suggested early on that President Assad must be involved in a peace settlement, whether the West likes it or not ("Syrien-Konflikt: Fischer und Kurz für Einbindung Assads", 2016).

Secondly, according to government officials, the only way to regain control of the situation is for the EU to disrupt the business model of the people smugglers. Stopping the policy

of simply accepting all migrants and refugees coming to Europe illegally would, in the eyes of Kurz, achieve just that (“European countries lost control over refugee crisis”, 2016). Emulating Australia’s controversial refugee policy, Kurz recommended interning on a Greek island those migrants trying to reach Europe by boat and eventually sending them back to their home country, given that they have chosen an illegal way to enter Europe. This essentially means a complete rethinking of the Dublin system (“So stellt sich Österreich gelungene EU-Asylpolitik vor”, 2016). Praising the cooperation with Turkey, the Austrian Foreign Minister held up the deal with Ankara as a model for cooperation with Libya and other North African countries. He also urged Berlin to adopt a yearly maximum limit for asylum applications, just like Austria did. Last but not least, the Austrian government favoured common EU land and sea border controls (which have been beefed up with the launch of the European Border Guards and Coast Guards in October 2016) as well as repatriation agreements with third states for unsuccessful asylum applicants. Overall, this would show the world that the EU is protecting its own borders, which would make Europe significantly less attractive for would-be migrants (“Europe’s Values Cannot Be Negotiable”, 2016).

Conclusion

The crisis has caught Austria in a difficult position, being both a transit and a destination country. As the numbers began to swell in 2015, Austria stuck to its usual liberal policy. However, due to the confluence of domestic and external reasons, Vienna changed course in the first part of 2016. On the national level, the SPÖ-ÖVP government is now showing a firm hand in dealing with the problem: the yearly limit on asylum applications is but one sign of this. On a European level, Vienna recommends the strengthening of the external borders, common EU land and sea border controls as well as repatriation agreements with third states for unsuccessful asylum applicants. Whether these measures will be successful is hard to say, but it seems likely that the issue of migration will continue to shape Austrian politics in the foreseeable future.

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Hungary and the Migration Challenge: Anatomy of an Extraordinary Crisis

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Historical and Social Background of the Crisis

On the face of it, inward and outward migration is not a new occurrence for Hungary. Throughout its 1000-year history, Hungary has oftentimes been a source of migration: in the period before the First World War, around 1.5 million people emigrated from Hungary, mostly for economic reasons. After the failed revolution of 1956, 175,000 Hungarians left the country for the West, where they were warmly welcomed. More importantly for the purpose of this study, the country has often received migrants as well, although these instances mostly lie well back in time. After the end of the Ottoman occupation of parts of the country in 1699, tens of thousands of Germans, Serbs and Romanians were invited to re-populate the wastelands of south-central Hungary. In the 19th century, a significant number of Jews settled in Hungary, some of them fleeing persecution in Tsarist Russia. It is no surprise, then, that Hungary's population in 1910 showed considerable diversity: only 54% spoke Hungarian as their mother tongue, while 16% spoke Romanian, and Germans and Slovaks had a share of 10% each. Many of Hungary's citizens are, consequently, descendants of immigrants from the various waves the country saw over centuries.

However, it is important to point out that this considerable diversity changed significantly as a consequence of the partitioning of Hungary through the Peace Treaty of Trianon in 1920: according to the census of 1920, 90% of those remaining in Hungary spoke Hungarian as their mother tongue. By 1980, this rate grew to 99.3%, making Hungary one of the most ethnically homogenous countries in Europe. Only a few minorities remain today in Hungary: a smattering of Germans, Slovaks, Serbs and other even smaller nationality groups, whose low visibility means that apart from the occasional minority-language TV and radio programme, bilingual road signs and folklore festivals, "ordinary Hungarians" seldom meet fellow citizens from other cultural or religious backgrounds. This remains true even today, despite the fact that in the last decades a mild influx of (mostly) Asian migrants could be observed. Still, in 2013, only 1.4% of the population, representing around 140,000 people (half from the EU, half from outside), were categorised as foreigners living in Hungary, a country of slightly less than 10 million inhabitants (EUROSTAT, 2014).

As Hungary became ever more homogenous and the various waves of migration receded from the collective memory of average Hungarians, the past and present increasingly seemed to conform to a situation where "Hungary was/is for Hungarians" ("Orbán: Európa maradjon az európaiaké, Magyarország meg a magyaroké!", 2015). It is in this context that statements from high-ranking FIDESZ-officials (the majority party), such as

“it is not in the interest of Hungary to welcome migrants who bring with them *traditions alien to Hungarian customs*” emerge (Márk, 2015). Most people seem to follow this position: in a survey by Ipsos, only 13% of Hungarians agreed with the statement that migrants made their country “a more interesting place to live,” the second to last position of 22 polled countries (“Migrációs kérdésben Magyarország a legnegatívabbak között”, 2016). In the same poll, only 6% of respondents in Hungary thought that migration has positive effects. According to data of the European Social Survey, which was compiled before the outbreak of the current migration crisis, Hungarians were second to bottom in Europe when assessing whether migration made the country a better or worse place to live (European Social Survey, 2016). All in all, large-scale and sudden inward migration of peoples from distinct and different cultural backgrounds is a comparatively new phenomenon for Hungarians, which in part might explain the overall negative assessment of the question by the society.

Another important Hungarian peculiarity might partly explain this low figure. While their number is probably impossible to determine with absolute accuracy, a sizeable and growing Roma population lives in Hungary. According to the 2011 census, there were 316,000 Roma residing in the country. Using a different methodology, scholars in 2004 have estimated their number at around 569,000, or 5.7% of the population (Kemény, Janky & Lengyel, 2004). More important than their actual number is, however, the fact that their rate of employment, life expectancy, educational qualifications and level of income are significantly lower than the country average (Friedrich Ebert Stiftung, 2012). The successful integration of the Roma population is therefore a huge challenge, not only for Hungary, but for many Eastern European countries affected by the current migration developments. It is also a challenge used by the current Hungarian government as an excuse for its vigorous attempts to restrict migration to the country: the Minister of Justice László Trócsányi said in 2015 that the state has to help the 800,000 Roma in Hungary catch up in order to explain why it cannot integrate what it calls “economic migrants” (“Trócsányi: A romák miatt nem tudja befogadni a kormány a bevándorlókat”, 2015).

The Response of Government Authorities

Given the context described above, the point often made by critics of the government is twofold: they firstly accuse the government of having chosen to forget about Hungary’s past, which was marked by culturally enriching migrant movements and the ethnic diversity of Hungary, including the mixed ethnic heritage of some of the country’s greatest

statesmen and artists (Ardó, 2014). Calling the idea that Hungary was ethnically homogenous “patently absurd” may be true from a historian’s point of view, but in the collective memory of Hungarians the various waves of migration fade to a distant past and to the pages of history books – and this is what counts for the decision-makers.

Secondly, critics accuse FIDESZ of being ungrateful for not showing the same welcoming attitude the West did towards the Hungarian refugees after 1956 or in 1848-49, another failed Hungarian revolution, after which a number of notable Hungarian politicians and soldiers enjoyed the hospitality and sympathy of Western Europe and the USA (Gyula, 2016). However, according to FIDESZ, the current situation is completely different: for one, the Hungarian refugees respected the laws of the host country, unlike some identified troublemakers among the refugees on the southern border of Hungary (“Szijjártó az ENSZ f biztosának is nekiment”, 2015). Secondly, the number of refugees discussed now is vastly superior to the number of Hungarians in 1956 or 1848-49. Thirdly, the refugees back then were culturally and religiously quite similar to host countries, unlike today. What is more important, however, is the simple fact that the voters are clearly on the government’s side (or vice versa): according to the aforementioned Ipsos survey, only 6% of respondents in Hungary thought that migration has positive effects, although it is hard to tell whether this attitude has been influenced by the government’s rhetoric or whether it reflects a deeper, ingrained anxiety over the issue (“Migrációs kérdésben Magyarország a legnegatívabbak között”, 2016).

The handling of the crisis by the Hungarian government amounts to a classic case of securitisation. The framing of the issue as an existential threat for the security of Hungary began even before big numbers of refugees arrived. Beginning in January 2015, government officials initiated a two-pronged strategy aimed at convincing the audience of the existential nature of the threat: first, it presented the topic exclusively in the context of debates on terrorism, risks to public health and morale, job losses, cultural alienation and the extra cost of processing the arrivals (Juhász, Hunyadi, & Zgut, 2015). Secondly, they constantly painted the arriving people as “subsistence” or “economic” immigrants, thus suggesting that these people have left their homelands for purely economic reasons. State-owned media and media outlets sympathetic to (and/or dependent on) the government enthusiastically relayed the official rhetoric, which soon became predominant. To achieve this, the government further aimed at splitting the political spectrum into two conflicting camps: those who serve the “national interest” and therefore oppose immigration and reject accepting any refugees in Hungary, and those who support immigration and therefore “betray Hungarian interests” (Juhász, Hunyadi, & Zgut, 2015). The temporary overflow of Budapest’s inner districts by migrants who, on

some occasions, did not cooperate with the authorities and cases of aggression against Hungarian policemen on the border helped to drive home the point that Hungary was faced with an existential threat. This led to a situation where moderate views and sober assessment were drowned out in the public arena, and encountering a civilised discourse on the difficult topic was close to impossible. While not negating the magnitude and severity of the crisis, and not questioning the will of the government to maintain the territorial integrity and rule of law, overall one also might concur with the view that the aim of the securitisation was to stabilise the electoral support of FIDESZ and regain momentum in domestic politics (which was slipping after the emergence of several corruption cases) and presenting the Hungarian population with a “common enemy” against which the government was taking a determined stance (Juhász, Hunyadi, & Zgut, 2015).

What followed was exactly what the theory of securitisation as developed by the Copenhagen school predicts: the implementation of extraordinary measures supposedly necessary to avert this supposedly existential threat. These measures included first and foremost the launching of a “national consultation”, i.e. a questionnaire sent by the government to every household, with questions such as “do you agree that instead of migration, Hungarian families... should be supported?” In the end, only around 15% of the 8 million questionnaires were actually sent back by the population. Secondly, a billboard campaign was organised, with slogans such as “if you come to Hungary, you cannot take the job of Hungarians”, written only in Hungarian, showing that the intended recipients of the messages were Hungarians, and not the refugees. Thirdly, and most importantly, in June 2015 the government announced the building of a fence on the border with Serbia. The construction of the fence on the two southern borders with Serbia and Croatia was completed, respectively, in September and in October 2015.

Significantly, the construction of the fence put Hungary outside of the migratory route, forcing migrants to find new routes, mostly through Croatia, Slovenia and Austria. At the height of the crisis, in August-October 2015, the average daily arrivals recorded on the southern border were higher than 7,000, representing an increase of 366% from the previous months. In the months of November and December 2015, however, the daily arrival number in Hungary dropped to a record low of 10 people per day (IOM, 2016). The early months of 2016 have seen a slight uptick in the number of arrivals but not on the scale of September 2015. Nevertheless, in early 2017 the parliament adopted a bill, according to which migrants, whose applications are not immediately approved, will not be allowed to move freely around Hungary but will be detained in camps that they can only leave back towards Serbia. Although the daily tally is down significantly, PM Orbán

warned that Hungarians “cannot lean back in their chairs, and the country merely gained some time in between two major waves (of migrants)” (“Hungary to detain all migrants in border camps, despite UN warnings of ‘terrible physical and psychological impact’”, 2017).

The Numbers

With the benefit of hindsight, one can locate the beginning of the refugee crisis in Hungary in the first months of 2015. According to the statistics of the Office of Immigration and Nationality (Bevándorlási és Állampolgársági Hivatal), there was a sudden jump in asylum applications in 2015. While in 2014 only 42,000 applications were filed, in 2015 no fewer than 177,135 people applied (the second highest figure in the EU after Germany), of which 502 people were awarded asylum. A significant drop could be observed in the first half of 2016, with 22,491 applications, of which 152 were successful (KSH, 2016). As a comparison, in 2011 there were only 1,693 applications for asylum, of which 145 were successful. However, the overall number of migrants was obviously higher than the number of asylum applicants, because many decided not to file an application and move straight on to Western Europe. Thus, determining the total number of migrants touching Hungarian soil for a longer or shorter period is tricky, since many people were also able to transit through the country without being registered. Official sources give a total figure of migrants in 2015 of 414,000 and a significantly lower figure of 17,351 for the first six months of 2016, judging from the number of illegal border crossings (Bevándorlási és Állampolgársági Hivatal, 2016). This compares to 50,000 illegal crossings in 2014 and fewer than 10,000 in 2012 (IOM, 2016). Over the course of 2015, international organisations have repeatedly criticised the handling of the crisis by the government and its agencies: Human Rights Watch, for example, pointed out that migrants are summarily forced back to Serbia, in some cases with cruel and violent treatment, without consideration of their claims for protection (Human Rights Watch, 2015).

Due to its geography, eastern and south-eastern migration routes cross through Hungarian territory, with the so-called Western Balkan route (via Turkey, Greece, the Former Yugoslav Republic of Macedonia, Serbia or Croatia, then via Hungary to other EU member states) being the most travelled (IOM, 2016). Where did the refugees come from? Judging from the asylum applications, in 2014, before the beginning of the crisis, around half of the applicants were from Kosovo, 20% from Afghanistan and only around 15% from Syria. In 2015, this composition changed dramatically: the share of Kosovars fell to 13%, while Syrians took up around 37% of applicants, with Afghans in second place (28%); Pakistanis,

Iraqis, Bangladeshis and Iranians took up most of the rest (KSH, 2016). In the first six months of 2016, Afghans were again the biggest group, with Syrians only third after Pakistanis. Only 120 Kosovars applied for asylum, signalling the full reversal of earlier trends.

The low number of successful asylum applications can partly be explained by the fact that many applicants left Hungary before the authorities could finish the review process. This points to the fact that Hungary is primarily a transit country and not a destination one. This not only has to do with the difficult Hungarian language, but also with the lower standard of living in Hungary than Western European countries. With an average net monthly wage of €584, compared with €2,225 in Germany and €2,124 in Austria, Hungary is obviously less well off than most EU countries. Overall, most migrants do not claim asylum because of the low possibility of integration, the weak social system and the tortuous asylum application procedure, says Gábor Gyula from the Hungarian Helsinki Committee (Sándor, 2015).

Caring for Refugees and the Economic Dimension of the Crisis

The most important facilities accommodating would-be refugees in Hungary are the reception centres of Bicske and Vámoszabadi. Temporary reception centres have also been established in Kiskunhalas, Nagyfa and Körmend. Refugees who claim asylum in Hungary are transferred into one of these centres for the duration of the status determination procedure. These centres are open facilities, meaning refugees can leave them during the day, but with a curfew time to be observed (IOM, 2016). Those who have gained asylum status face a difficult situation, because “there is no planned government policy for migrant integration,” according to a recent report (Juhász, Hunyadi, & Zgut, 2015). Even if this might be overstating the case, the report points to serious flaws in the system: for example, language-training opportunities “are offered to asylum-seekers only after they have been granted international protection. By then, however, the time it takes to learn Hungarian competes with the time it takes to find work and receive training. After spending six months at the Bicske integration centre, many refugees leave without sufficient Hungarian language skills or detailed knowledge about employment conditions” (Juhász, Hunyadi, & Zgut, 2015).

Apart from state agencies, a wide range of NGOs played an important role in caring for the refugees. Already established and freshly founded organisations, churches and volunteers were instrumental in distributing water, food, blankets, mats and sleeping bags to refugees. “Universities gave blankets and businesses gave donations, both in money and kind, such as heated tents for women and families, Wi-Fi access, etc... Some organisations provided social and psychological assistance to relieve post-war traumatic stress or stress due to

maltreatment by traffickers. Some organisations, within the limits of their possibilities, provided information on procedures and orientation, as well as interpreting services for refugees in English, French, Arabic, Farsi and Urdu,” noted a fact finding mission of the European Economic and Social Committee (EESC, 2015). As for the integration of refugees into the labour market, a report from the Hungarian Academy of Sciences concludes, cautiously, that negative demographic developments and the need to sustain the funding of pensions make inward migration necessary (“Az Európába irányuló és 2015-től felgyorsult migráció tényezők”, 2016).

Considerable confusion exists around the costs of the crisis for the state budget, as no serious estimation with a clear methodology has been presented by the government. In August 2015, at the height of the crisis, Foreign Minister Péter Szijjártó claimed that migration-related costs amount to 15 billion forints (€48 million) (“Több mint 15 milliárd forint többletköltség a migráció növekedése”, 2015). Only four months later, Minister for Economy Mihály Varga put the figure related to the migration crisis at a significantly higher 84 billion forints (€271 million) (“A várakozásoknál is kedvezőbben alakulnak az államháztartási folyamatok”, 2016). Yet, the director of the Office of Immigration and Nationality claimed that in 2015, only 5.5 billion forints (€18 million) were actually spent on food, allowances and health services of the migrants – 0.03% of the state budget. It seems probable that a significant part of the costs, as counted by the government, involve the sums necessary for the increased border controls and for the construction of the fence on the border with Serbia (Zsolt, 2016).

Solutions and Conclusion

Prime Minister Viktor Orbán has from the beginning of the crisis constantly maintained that an uncontrolled influx of migrants would culturally and socially change Europe beyond recognition and that the EU must be able to control its own borders in order to prevent this. In light of this, the Hungarian premier proposed a six-point plan in September 2015 and an extended ten-point plan in April 2016. The proposals range from the unsurprising (strengthening of external EU borders, stronger partnership with Turkey) to the unusual (every member state should increase its contribution to the EU by 1% and cut spending by 1%, resulting in €3 billion to deal with the crisis) and the impossible (a neat separation of refugees and economic migrants before they enter the Schengen area). What is not included in the proposal is the European Union's mandatory relocation mechanism of migrants. In fact, the main political programme of FIDESZ in 2016 was centred on this issue, symbolised by the referendum the country

held on the question on 2 October.¹ After a huge and long drawn-out campaign, littered with hysterical overtones and oversimplifying messages, only 40% of eligible Hungarians cast valid votes, well short of the required 50% threshold, and this despite the campaign reportedly costing taxpayers €42 million. Of those who did vote, 98% rejected the quotas. Despite the invalid referendum, Orbán announced shortly afterwards that he will propose amending the constitution to ensure that the EU should under no circumstances be allowed to settle migrants in Hungary and that no decision in Brussels should question the right of Hungary to decide on matters regarding territorial integrity and population (“Orbán bejelentette az alkotmánymódosítást”, 2016). In the event, Fidesz lost the vote in the parliament in November 2016.

The Prime Minister has repeatedly stated that the EU and its leaders have utterly failed in handling the migration crisis and the way out will only be found in a complete rethinking of the EU's migration and asylum policy. Regarding the difference between Hungary and Brussels, Orbán simply stated that “the EU only wants to slow the migration down. We want to stop it” (“Orbán Viktor tusványosi beszéde”, 2016). Orbán's solutions invariably centre on strengthening of the external borders of the EU (mostly the Greek frontier) as well as stabilising the countries where migrants are coming from. However, this should not include, in his view, the “crazy” idea of exporting democracy to the Middle East, a policy which has clearly “failed” in light of the developments in Syria, Iraq and Libya (“Orbán: A demokráciaexport nevű ötlet megbukott”, 2016). Looking to the longer-term future, Orbán repeatedly proposed the establishment of a giant refugee camp in Libya where illegal migrants from Europe should be returned (“A líbiai külügy bírálja a ‘gigantikus menekültváros’ gondolatát”, 2016). Moreover, recent Hungarian proposals to help foster stronger European cooperation in defence matters might be understood as a way to make the EU more ready and able to react to such a crisis in the near future.

¹ The question was: “Do you want the European Union to be entitled to prescribe the mandatory settlement of non-Hungarian citizens in Hungary without the consent of parliament?”

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Passing the “Hot Potatoes”: Croatia and Slovenia as Transit Countries in the European Migrant and Refugee Crisis¹

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The Background

Migration/immigration was a non-issue in Croatia and Slovenia even as late as the beginning of the summer of 2015 (according to Eurobarometer of May 2015, only 3% of respondents from Croatia and 1% from Slovenia saw immigration as an issue at the national level). Yet the situation changed dramatically in September-October 2015.

The opening of the “Western Balkan” route passing through the territories of Croatia and Slovenia in the middle of the 2015 was the beginning of the most dramatic phase in the European migrant and refugee crisis for the two countries. According to Frontex (2016), between the summer of 2015 and March 2016, almost 800,000 migrants and refugees travelled the route irregularly. As noted by Šelo Šabić and Borić (2016), the opening of the Western Balkan route was the second time in recent history that the region was the centre of attention of European politics. The inter-ethnic violence, following the disintegration of Yugoslavia, which itself triggered a mass migrant and refugee wave in the 1990s, was still very much present in political memory and was, besides other political and economic problems faced by the region, posing a threat that the current migrations crisis could turn into a regional conflict.

Croatia and Slovenia² had limited experience with migrants or refugees and even with this increased flow were not considered destination countries for migrants. However, their immediate reaction to the crisis and the long-term policy changes in the area of asylum provision deserve attention.

Croatia

Historical and Social Background

Croatian society is relatively homogenous both in terms of nationality and citizenship. According to the 2011 census in Croatia, there are 90.42% of Croats, 4.36% of Serbs, 0.73% of Bosnians, 0.42% of Italians, 0.41% of Albanians and 0.40% of Roma, while the share of other national minorities is lower than 0.40% each. In terms of citizenship, 99.41% are Croatian citizens, while the share of foreign citizens amounts to 0.53%, that is, 22,527. Most of the foreign citizens are the citizens of Bosnia and Herzegovina, Serbia, Slovenia, Germany, Italy, Kosovo and FYROM (Croatian Bureau of Statistics, 2012). These characteristics significantly affect the country's policy towards asylum-seekers and migrants.

1 The paper is a case study and a comparative analysis since, apart from influencing one another, the actions by the two countries under similar circumstances were shaped by their internal politics as well as by their position within the EU (e.g. Slovenia being also a Schengen country). The paper begins with an analysis of each country individually, considering specific domestic factors, looks at effects of EU and neighbouring countries' policies and concludes with a general discussion of the relevance of the results for understanding and explaining the crisis.

2 For analysis of the rest of the Western Balkan countries located on the route, see Šabić & Borić (2016).

It was only in July 2004 that Croatia adopted its first Law on Asylum (Official Journal, 2003). Under this law, the first asylum in Croatia was granted to an asylum-seeker from Sudan in 2006. From then until 2014, 61 asylums and 57 subsidiary protection statuses were granted all together according to the Ministry of Interior of the Republic of Croatia (2015), suggesting that Croatia is not a destination country for most migrants from developing countries but also that granting asylum is not a frequent procedure.

During the last decade, the migration flows changed direction. While in 2004 there were 18,383 immigrants and 6,812 emigrants, by 2015 we can observe a significant emigration wave of 29,651 people leaving Croatia and 11,706 immigrants, half of which are of Croatian nationality. In 2007, Croatia passed its first migration strategy, aligned with EU legislation. In 2013, the government prepared a new strategy document covering the period 2013-2015. Some of the migration experts (e.g. Kosi & Kovać, 2015) assessed the document as paying insufficient attention to the social, economic or demographic effects of migration or considering that migration could be a potential generator of positive social and economic changes. According to Božić (2014), the strategy, as reflected in the document of 2013, is dominated by a conservative discourse, within which migration is addressed primarily as a social problem.

A more recent Croatian experience in dealing with large numbers of refugees before 2015 was during the wars in the former Yugoslavia (Zlatković Winter, 1992). During those years, Croatia witnessed both the influx of Croatian nationals from parts of the country where conflict with Serbs was occurring as well as an influx of refugees from Bosnia and Herzegovina – some of them of Croatian nationality and some of Muslim/Bosniak nationality. Numerically, Yugoslavia's disintegration led to the highest rates of forced migration in Europe since the end of the Second World War. In 1991, the number of internally displaced persons in Croatia reached 550,000 persons. Between 1992 and 1995, the total number of refugees from Bosnia and Herzegovina was 1.2 million, 700,000 of whom are believed to have transited through Croatia on their way to Europe and elsewhere. Refugee status was conferred on approximately 170,000 of these who stayed in Croatia during the war.

At the time, Croatia responded to the inflow by setting up a special government office dedicated to the forced migrants³ and refugees. The Office, together with UNHCR, Red Cross, Caritas and several other organisations organised the registration, settlements and basic medical help and in some cases also financial assistance (Magdalenić, 1994). As observed by Zlatković Winter (1992), and especially Esterajher (2015), during this early 1990s experience the public attitude was initially full of solidarity and willingness

³ The term refers to the people who were forced to leave by the military occupying their territory.

to help, but gradually turned more hostile as the flow kept increasing and the people were there to stay. Esterajher (2015) also highlights problems raised by the refugees, who found the provisions in terms of housing, education and financial support inadequate – no integration process was prepared, since it was assumed this is a temporary issue. In 1995, the Croatian government was actively working on the programme of the return of the refugees to their place of origin, as soon as the peace process was completed.

In spite of the fact that the migration crisis in the 1990s was, with regard to numbers, bigger than what happened in 2015, one needs to remember that during the nineties the majority of the refugees were people of Croatian nationality or at least people from a neighbouring country, speaking the same language.

The Crisis of 2015: Border Control, Transit and Asylum

The number of illegal migrants and refugees travelling on the Western Balkan route was on the rise from 2011. At first, Western Balkan countries, such as Kosovo, were themselves the main source of migrations. The inflow started to reach dramatic proportions in July and August 2015, with most of the migrants coming from Syria, Iraq, Afghanistan and other zones of conflict (Frontex, 2016). Arriving in Greece across the Mediterranean Sea, migrants and refugees continued to the Former Yugoslav Republic of Macedonia (FYROM), from where they went onwards to Serbia, re-entering the EU and the Schengen area in Hungary.

In August 2015, in a response to the increased migration pressures, Hungarian Prime Minister Victor Orbán announced the tightening of the migration and border regime, including by erecting a fence at the southern border. A day after the Justice and Home Affairs EU Council meeting on 14 September, Hungary closed down its border with Serbia. On 15 September, the migrant and refugee flow took a detour through Croatian territory with some of the migrants also entering Slovenia.

The entry to Croatia at the time was largely by way of the illegal crossing near Bapska and to a lesser degree near Tovarnik, through the so-called “green belt”, but not through the official crossing.⁴ In the border municipality of Tovarnik, the police, the State Administration for Protection and Rescue, and the Croatian Red Cross were prepared for the reception of refugees in the courtyard of the police station. It was anticipated that up to 500 refugees would arrive per day. However, on the very first day, 15 September, and overnight leading to September 17, 5,650 refugees entered Croatia with some 11,000 persons entering by the end of that second day (Ministry of Interior of Republic

⁴ Most of the information on the refugee crisis in late 2015, early 2016 was gathered through the interviews with Senada Šelo Šabić, IRMO and Julija Kranjec, Peace Institute, held in Zagreb on 20 October 2016.

of Croatia, 2015). From the border, refugees were transported to the reception centre in Opatovac where they were registered and given basic humanitarian aid before continuing on their way towards Hungary (Čapo, 2015). On 20 September, construction of a temporary reception centre commenced in Opatovac, which could accommodate temporarily between 4,000 and 5,000 people. According to Šelo Šabić and Borić (2016, pp. 11-12), the police stopped recording the entry of migrants in this area from the onset of the crisis.

Unable to process the huge migrant flow, Croatia closed down its border with Serbia on 20 September. Serbia responded by closing its border to Croatian goods. Croatia then also closed its border to cars with Serbian licence plates and for Serbian citizens. After a couple of days, in the face of increasing economic damage and pressures from abroad, relations reverted to normal.

The Croatian government organised the transit for migrants and refugees directly to the Hungarian border. For a month, right up until 17 October, Hungary enabled the unhindered entry of refugees from Croatia by train through Botovo (an illegal border crossing) or by bus through Baranjsko Petrovo Selo. Transit continued despite the constant inter-state tension between Croatia and Hungary.⁵ However, after the completion of the barbed-wire barrier at the Croatian border, Hungary blocked further transit, and a new refugee route was established towards Slovenia. The flow was reduced for the first few days until the complete closure of entry into Hungary. At the same time, the pressure of refugees on the Croatian-Serbian border increased and tensions and crisis situations occurred on both sides of the border as well as on the Slovenian-Croatian border.

The registration took place in Opatovac until the winter reception centre in Slavonski brod started to be operational in November. From November, migrants boarded a train in Šid in Serbia, which brought them to the reception centre in Slavonski brod, where they were registered. From there, they were taken to Dobova in Slovenia (UNHCR, 2016). At the height of the crisis, the estimated direct costs of dealing with the refugee inflows were 2 million Kun per day. In early November, the EU promised € 16.4 million in aid (approximately 125 million Kun) from a crisis fund, while the total estimated direct costs of handling the crisis by that point of time had been about 100 million Kun ("Svaki dan izbeglicke krize hrvatsku je kostao 2 milijuna kuna", 2015).

According to the data from the Ministry of Interior of the Republic of Croatia (2016), between 16 September 2015 and 5 March 2016, approximately 660,000 migrants

⁵ During one such transport of migrants to Hungary an incident occurred after a train full of immigrants together with Croatian police officers, according to Hungary, crossed the Hungarian border unannounced (Šelo Šabić & Borić, 2016, p. 12).

entered Croatia. Under the exceptional circumstances of mass migration flows, border protection policy (restrictions on movement of the people), also affecting asylum policy as required by the Dublin regulation, was suspended, while management had been reduced to helping people in exodus. In this process there were violations of the border regime and state sovereignty (Čapo, 2015). Following the introduction of restrictive measures in Western Europe in mid-February, the number of applications for asylum increased. Between the start of the crisis and February 2016, 29 requests were filed; between 16 February and 14 March, an additional 83 were received. The large majority of asylum-seekers, however, typically left the country before their applications were processed (see Table 3 in the appendix).

Politics

In November 2015 Croatia was preparing for elections. The social-democratic government of Zoran Milanović did not want migration to become a political issue. The Prime Minister mostly referred to the crisis as a humanitarian one but also pointed out the need to safeguard Croatian national interests. He stated that refugees “will pass and transit through Croatia,” a land of “limited capacities but with a big heart” (Weaver & Siddique, 2015). At the same time, he rejected the possibility that Croatia would be forced to give more permanent shelter to refugees. On the third day following the first arrival of the refugees in Croatia, he repeated that Croatia did not want to be a “hot spot for Europe and that we will not prevent those people from entering, but also not from leaving, because it is otherwise clear that none of them wants to stay in Croatia, but we will not allow them to travel alone along the roads” (Sharkov, 2015).

The centre-right opposition strongly criticised the government for its alleged failure to find an agreement with neighbouring Slovenia and Hungary and thus damaging bilateral relations. Croatian conservative President Kolinda Gabar-Kitarović spoke primarily in terms of security concerns created by the large influx of migrants in the country. She called for the use of the army to protect the countries’ borders, a proposal the Prime Minister repeatedly rejected. Even though Milanović lost the elections, this was not related with the way the migration crisis was being handled, according to Šelo Šabić and Borić (2016, p. 13). The rhetoric by the new conservative Prime Minister Tihomir Orešković was more in line with the President’s but the overall approach did not change much. In March 2016, the new conservative government proposed amendments to the law on defence opening a possibility for army deployment at the border and its use in other emergency situations.

Civil Society and Media

Civil society organised to help the migrants, also pointing out violations of human rights and humanitarian law. They were critical of the proposed changes to the law on defence. Croatian media mostly presented the situation from the humanitarian perspective.⁶

Most of the people only saw migrants on television. The memory of people, including a number of Croats, fleeing from conflict zones during the Balkan conflict in the 1990s was still very much alive. Similarly to the attitude at the time, the first reaction was to express solidarity with the refugees. After the terrorist attacks in Paris and sexual harassment cases in Cologne, some media outlets began to emphasise the security concerns and the positive tones diminished (Šelo Šabić & Borić, 2016, p.13).

Slovenia

Historical and Social Background

Just like Croatia, Slovenia is also a highly homogenous country. According to the 2002 census, 83.06% of the population is Slovenian by nationality, and only Serbs, Croats and Bosnians exceeded 1% each.⁷ Newer statistical data differentiates only Slovenian and foreign citizens, with the latter accounting for 5.2% of the total in the spring of 2016 (Statistical Office of Republic of Slovenia, 2016a). The migration flows have been relatively stable during the last ten years with about the same number of people emigrating as immigrating. In 2015, 15,420 people emigrated from Slovenia, and 14,913 immigrated, with about 15% of these being of Slovenian nationality. Between 2008 and 2014, the number of immigrants has halved from 30,000 due to the economic crisis and consequently due to the lack of employment opportunities in Slovenia. Nationals from other former Yugoslav republics represented the vast majority of immigrants in the period. The number of immigrants from developing regions such as Africa was less than a hundred per year, according to the Statistical Office of the Republic of Slovenia (2016b).

The relatively small total population (2 million), a history of oppression by various big countries (in recent history, the Austro-Hungarian Empire on one side and Italy on the other) and the suppressed nationalist feelings in the former Yugoslavia left a feeling of being enclosed among Slovenians. This can explain the mixture of the initial humanitarian concern with the later fear of the impact of strangers on local culture and daily lives.

⁶ Among those who organised different activities and are still running a programme addressing the migration and asylum issues is the Centre for Peace Studies (2016).

⁷ However, it is interesting that nearly 9% of respondents declined to answer the question on nationality.

The 2011 Law on Foreigners was prepared in accordance with the EU directives and closely follows the provisions and requirements of the EU in the cases of migrants and refugees. Slovenia prides itself on being a responsible member of the international community when it comes to meeting various humanitarian standards, including refugees and asylum-seekers, even if data on granting asylum speaks of a highly restrictive system. During the Yugoslav war, Slovenia hosted about 70,000 refugees from the former Yugoslav countries, mostly from Bosnia. Due to the common language and personal and family ties, these were not really considered third-country immigrants. Between 1995 and 2014, out of 19,612 applications received, Slovenia granted asylum to only 348 people. The number of applications and right to asylum granted have been increasing since the mid-2000s, reaching 385 applications and the right to asylum granted to 44 individuals in 2014 (Ministry of Interior of the Republic of Slovenia, 2016a).

Border Control, Transit and Asylum

The first group of refugees already arrived in Slovenia in September 2015, in what is referred to in Slovenia as the “first migration wave”. At first, the Slovenian authorities tried to stop the refugees at the border crossings and to implement the border control procedures there. The pressure of a couple of hundred refugees, joined by protesters from Slovenia and Croatia, was, however, too strong and Slovenian authorities started taking refugees to the reception centres in the country.

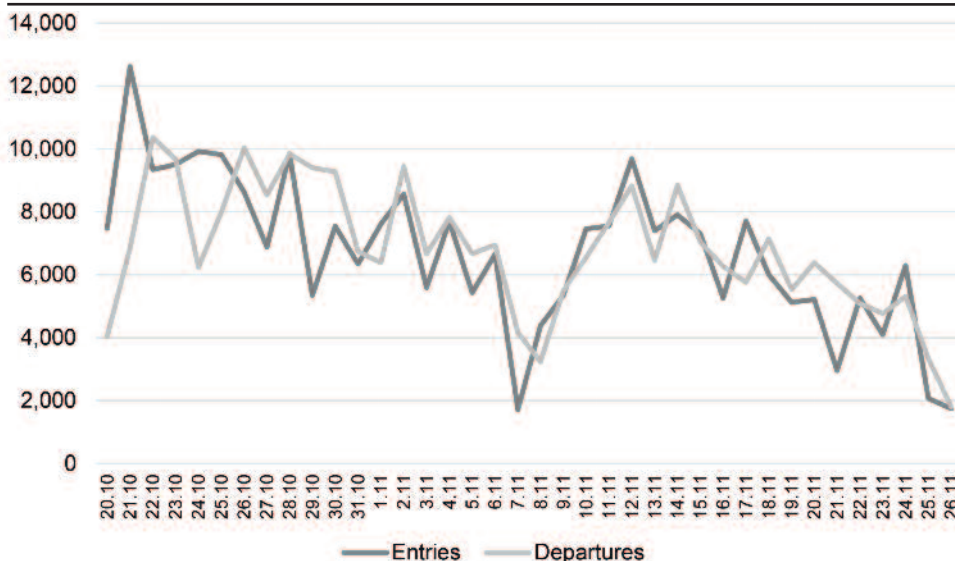
Ahead of the “second wave”, which followed the closure of the border between Hungary and Croatia, Austria proposed a daily intake cap of 2,500 in order to slow down the flow, thus regaining control and putting pressure on countries down south to take part of the burden. However, Croatia rejected the calls by Slovenia to set a quota, arguing that the number should be at least twice as high. Since the individual border crossings and rail traffic were blocked, Croatian authorities started transporting them to various places along the “green border” in order to prevent refugees from being trapped in its territory. This often happened during the night hours, thus making it impossible for Slovenian police to implement border control (Ministry of Interior of the Republic of Slovenia, 2016b).

Slovenia could station up to 7,000 refugees in the short term and up to 2,000 refugees in a longer term. During the first weeks, 8,000-9,000 people entered the country each day on average. They were taken to the reception centres in Dobova, Gruškovje and Brežice and from there to the temporary accommodation centres across the country (UNHCR, 2016).⁸ At one point, several of the centres hosted more than 2,000 refugees each. From there, they were taken to agreed entry points in Austria, Spielfeld or Villach.

⁸ Registration was implemented in reception centres or later on, depending on the number of migrants. In the case of overly large numbers, simplified procedures applied (no fingerprints were taken, names and pictures were put into the information system later on).

Due to the policy by Croatia of passing migrants and refugees onwards as soon as possible, incomers were crossing the Slovenian border uncontrolled. The 6,000-total Slovenian police could not control the situation satisfactorily. On 19 October, 8,000 refugees entered Slovenia with only 2,000 leaving for Austria (Figure 1 below). Even though the number of incidents was very small, the situation was inflammable. Migrants became impatient each time they felt they were being held in a country for too long. At the peak of the crisis on 21 October, when more than 12,000 people entered the country in a single day, migrants started a fire in one of the reception centres (Ministry of Interior of the Republic of Slovenia, 2016b).

Figure 1. Migrants and refugee entering and departing from Slovenia irregularly, October – November 2015



Source: Compiled by the authors based on data of the Ministry of Interior of the Republic of Slovenia.

Between 17 October and the end of November, according to the Slovenian Ministry of Interior (2016b), almost 300,000 migrants and refugees entered Slovenia. Even though only half of the help that was promised to Slovenia by the EU and bilaterally actually came, it proved to be sufficient. Towards the end of November, cooperation in the region improved. Entry and registration were organised in Dobova where refugees and migrants arrived from Slavonski brod. Since numbers were now down to approximately 2,000 a day, refugees and migrants could be transported to Austria directly.

In November, the estimated costs of the migration and refugee crisis for Slovenia were about €8.5 million. Slovenia asked for emergency assistance from the EU in an amount of €11 million, which was approved by the European Commission (Ministry of Interior of the Republic of Slovenia, 2016b). By the end of February 2016, total direct costs were estimated at €26 million. Expenditure per asylum applicant per month was estimated at €400, together with other direct costs accounting for about €800 (“Koliko so nas do sedaj stali migrantje”, 2016).

Politics

In the summer of 2015, the Slovenian government was convinced of sufficient readiness to handle the refugee crisis. The repeated warnings by the NGO sector were dismissed and neighbouring countries criticised, especially Hungary for putting up a wired fence. Slovenia kept calling for a European solution to the crisis and supported every decision taken by the Council to address the refugee crisis.

As the refugee wave hit the country, the Slovenian government tried to mobilise all the available resources but could not change the perception of not being in control of the crisis. It proposed changes to the defence act in order for the military to exercise some police competences (which could be triggered following a special procedure requiring a constitutional majority in the parliament). The parliament approved the proposal on 21 October 2015 with a vast majority. Prime Minister Miro Cerar tried to draw international attention to the situation faced by the smallest country on the route in order to facilitate consent on migration policy on an EU level. He also repeatedly blamed Croatia for the situation in Slovenia. The tensions between the two countries increased with both of them throwing accusations at each other. Even though Austrian authorities occasionally halted the intake, everybody was eventually allowed to proceed. Nevertheless, there was a difference between the numbers of those arriving and leaving Slovenia. Authorities feared that the temporary closure of the border could result in a “migrant pocket” forming, risking a local humanitarian and security catastrophe.

After the first week of the crisis, the exhaustion of the police and civil society organisations grew with the police even going on a slow-down strike. The government faced growing criticism from the conservative opposition. After 4 November, the intake was down to between 6,000 and 7,000 a day. Responding first to concrete pressure from countries further north and from criticism at home, the government decided to set up “technical barriers” at the southern border. On 11 November, Slovenia began the construction of a razor wire fence along the border with Croatia. A part of the fence was

financed by the Orbán government which, criticised by the Slovenian government not so long ago, now became its partner. Croatia was informed of the measure. Croatia claimed that the fence had been partly erected on Croatian territory and therefore threatened to remove it, bringing up the sensitive border dispute between the two countries again (“Erjavec: Zavračamo hrvaško noto in menimo, da je povsem neutemeljena”, 2016).

The Slovenian government continued to face pressures. In the framework of ideas of a “mini-Schengen” that would leave Slovenia out, the opposition said PM Cerar should resign if Schengen is abolished. They linked the terrorist attacks in Europe with the failure of Slovenia to implement the Schengen procedures. Early in 2016, the opposition proposed the establishment of a national guard of 25,000 to protect the country. In the context of the changing climate in Europe, the first anti-immigrant protests took place. The closing of the Western Balkan route finally prevented the further radicalisation and polarisation of the political space.

Based on the EU Council Resolution EU 2015/1523 and the Resolution EU 2015/1601, Slovenia agreed on the relocation of 567 refugees from Italy and Greece and accepted the resettlement of 20 people from third countries (see Table 1 in Appendix). By September 2016, 60 people were relocated to Slovenia (i.e. 17% of the quota, while the EU average was only 6%). The process is ongoing, and according to the government no major problems have so far been experienced, apart from protests in individual municipalities against migrant reception centres, motivated by members of conservative parties. Even so, Slovenia adopted a new Law on Foreigners in January 2017, which will allow the government, after receiving approval from a majority in the parliament, to restrict entries into the country in the case of a strong influx, allowing only the most vulnerable categories such as children, old people and the sick to enter. The law received strong criticism from the international and domestic human rights organisations, arguing that it violates Slovenian international humanitarian obligations.

Civil Society and Media

There was a broad mobilisation on the part of civil society to provide help to refugees. Civil society proved an indispensable actor in the process, often stepping in where the government failed. In political terms, their role was constrained due to different views on engaging in political debates. Until the time Slovenia faced the immigration flow, the main concerns were humanitarian and were then replaced by organisational and security concerns.

Public opinion was strongly polarised between those pointing out the importance of human rights and humanitarian issues and those stressing security- and identity-related concerns. The polarisation goes hand in hand with belonging to a specific political party, worldview and rural-urban divisions, which run deep in Slovenian society.

The polls show variations in public attitudes over time, which means that a notable segment of the public does not have a fixed attitude but responds to immediate events. In mid-September, according to the opinion polls, 80% of the population was against the fence and considered the crisis a humanitarian one. By the beginning of 2016, 80% of the people supported the fence due to security concerns (Roglič, 2015). Yet, at the same time, humanitarian issues as well as issues related with integration of immigrants re-entered the agenda. The issue of costs, however, continued to play an important role. Also, while in principle people support the relocation scheme, the situation changes dramatically nearly every time the government announces where they plan to locate asylum facilities.

The NGO community is actively involved in the integration processes as well. They provide support to the refugee centres as well as monitoring the government activities in relation to refugees and migrants.

The Consequences of EU Decision-Making on the Ground

Managing Transit

On 8 October 2015, the high-level conference on the Eastern Mediterranean and Western Balkan route took place in Luxembourg, which held the EU presidency at the time.⁹ In the final declaration (Council of the European Union, 2015), ministers expressed the need to support the transit countries, bringing them to the centre of attention for the first time.

On 16 October, Hungary closed the border with Croatia. The next day, Slovenia faced the migration flow and Austria announced it will no longer take in all the migrants and refugees. On 21 October, 12,500 migrants and refugees entered Slovenia in one day. Slovenia accused Croatia of intentionally letting migrants cross the green border. As migrants set fire to one of the reception centres, the crisis reached its climax. The next day, during the visit of the Commissioner for Migration, Internal Affairs and Citizenship, Dimitris Avramopoulos, Slovenia asked for international aid through the EU's civil protection mechanism and also bilaterally to EU member states.

⁹ At the conference were EU ministers for home affairs and ministers for foreign affairs, their counterparts from Turkey, Lebanon, Jordan and Western Balkans. The associated countries, Switzerland, Norway, Liechtenstein and Iceland, also attended. There were representatives from UNHCR, the International Organisation for Migration, the World Food Programme, and EU agencies Frontex and the European Asylum Support Office – EASO.

Ahead of the mini Summit on the Western Balkan migration route,¹⁰ Slovenian Prime Minister Miro Cerar sent out a dramatic call to fellow Central and Eastern European leaders: “If we do not find a solution today...I believe Europe will start falling apart” (Gotev, 2015). At the meeting, leaders recognised that challenges on the Western Balkan route would not be solved through national actions. A 17-point action plan was agreed on the improvement of communication and the joint management of the flow, which involved establishing reception capacities for 50,000 people along the route and the appointment of 400 policemen from other EU member states to Slovenia (European Commission, 2015).

Since the end of October 2015, regular video conferences of countries involved and the cabinet of Commission President Jean-Claude Juncker were held on a regular basis to implement the 17-point plan (Council of the European Union, 2016). On 27 October, following an agreement between the Croatian and Slovenian police, rail transit was established for the first time since the beginning of the crisis. Migrants were now transported from Croatia directly to the Dobova reception centre in Slovenia. From there, they were taken to Šentilj by the Austrian border. Slovenia highlighted that Croatia still did not register migrants in the Eurodac system as required by the regulation. Between 16 October and 30 November 2015, according to the report by the Ministry of Interior of the Republic of Slovenia (2016b), almost 300,000 migrants and refugees entered Slovenia.

Closing Down the Route

The announcement of more restrictive policies in the target countries triggered a “domino effect”. On 11 November 2015, following the announcement by Germany and Austria of limiting the intake, the Austrian government announced the tightening of the control on the border crossings and the implementation of the return policy. At the time, German Chancellor Angela Merkel was critical towards closing down the borders, arguing this could lead to a regional crisis in the Western Balkans. The Slovenian government, which was trying to offset pressures from the opposition for failing to handle the crisis, took the opportunity to apply a more restrictive policy, arguing that this was needed in order not to become a “migrant pocket”. Slovenian Minister of Foreign Affairs Karel Erjavec during his visit in Vienna said that a fence will be put on the border with Croatia to prevent illegal crossings, to which his Austrian colleague Sebastian Kurz responded positively. After that Slovenian military forces began setting up the fence, which further increased tensions in relations between Slovenia and Croatia.

Following terrorist attacks in Paris, the general attitude started to take a turn in the target countries, including in Germany. For the EU, the priority was now re-imposition of the

¹⁰ Attending the Leaders' Meeting were the Heads of State or Government of Albania, Austria, Bulgaria, Croatia, the FYROM, Germany, Greece, Hungary, Romania, Serbia and Slovenia. The President of the European Council, the Luxembourg Presidency of the Council of the EU, the future Dutch Presidency of the Council of the EU and the UNHCR were present. The EASO and Frontex were also represented.

Schengen and Dublin regulations (as reflected in the speech by European Council president Donald Tusk at the 11-12 November Valetta Summit). Following a meeting of ministers of interior affairs on the Western Balkan route on the 18 November 2015,¹¹ Slovenia asked Croatia to readmit people from non-war torn countries (i.e. those not coming from Syria, Iraq and Afghanistan). Two days later, Croatia, Serbia and FYROM took the first restrictive measures allowing transit only to migrants from the three before mentioned countries. By the end of November, in Slovenia the number of irregular immigrants was down to 2,000 a day. An agreement was reached between Serbia and Croatia to transport migrants directly from Šid, Serbia to Slavonski Brod in Croatia by train. On 10 December, the Commission started procedures against Greece, Hungary, Italy and Croatia for violations of Schengen regulations. Croatia was accused of not implementing the Eurodac procedure (Šelo Šabić & Borić, 2016).

At the beginning of 2017, following sexual harassment cases in Cologne, further influencing attitudes towards immigrants in the EU, consent emerged between the countries along the Western Balkan route on closing down the corridor.¹² On 18 January, Slovenian Prime Minister Cerar proposed the solution of setting up a fence on the border between FYROM and Greece, which would allow Schengen to be re-established and prevent conflicts emerging within the Western Balkans (Government of the Republic of Slovenia, 2016). Austria and Visegrad countries supported the solution and promised help, while Germany was more in favour of protecting the external borders and of the EU-Turkey action plan agreed on 16 October 2015, according to which Turkey would take the responsibility for migrants and refugees in return for financial aid and liberalisation of the visa regime.

Even though the two proposals initially sounded like two competitive views, they were in fact complementary. This was proven by the events that followed which, although not without disagreements, tensions and crisis situations, led to the closure of the Western Balkan route and re-imposition of the Schengen/Dublin system. Since early February 2016, FYROM shut the border with Greece and the countries on the Western Balkan route gradually curbed the intake. At the European Council meeting on 18 February, debate focused on reaching a consensus on migration in terms of reduction of illegal entries from Turkey, re-application of Schengen and Dublin, as well as relocation, return and readmission (Council of the European Union, 2016). At the Vienna Summit of 24 February 2016, Austria, Slovenia, Croatia and the Western Balkans Six agreed common standards on registration and strict application of entry criteria. In response, Greece recalled its Ambassador in Austria. About the same time, Hungary announced a referendum on relocation quotas.

¹¹ On 18 November the Dutch government floated the idea of a "mini-Schengen", leaving Slovenia out (Von der Buchard, 2015).
¹² In mid-January 2016, Germany and Austria declared that only those seeking asylum in their countries will be allowed to enter with the others being sent back. Austria announced a cap of 37,500 asylum claims for 2016. It also announced new fences on the border with Slovenia. Slovenia said it will do the same as Austria, strengthening its controls and checks. It asked Croatia for lists of migrants crossing, threatening that otherwise they will not be allowed to proceed. In mid-February, Austria expanded the list of safe countries.

On the 25 February 2016, the EU migrations commissioner said the EU had 10 more days to reduce intake before the system breaks down. The next day, Slovenia established a daily cap of 580 migrants and Croatia did the same. As of 29 February, the FYROM border has been closed. On 1 March, European Council President Tusk warned economic migrants not to come to Europe. On 7 March, the EU-Turkey Summit took place, where the joint EU-Turkey action plan was agreed (Council of the European Union, 2016). The next day, the Western Balkan countries closed borders and started implementing Schengen regulations. After months, the rail traffic between Hungary and Croatia was re-established.

Looking Ahead

Croatia and Slovenia – with the exception of the aftermath of the war in Yugoslavia – have not been destination countries for migrants, and this has not changed with the European migrant and refugee crisis either. The influx faced by the two countries located at the EU and Schengen area entry point on the Western Balkan route was a huge challenge for them, exceeding their operational capacities. The real problem was, however, not the immediate humanitarian, logistical, financial or even security issues brought by the migrants, since these were, in one way or another, handled and the number of incidents and excesses was, especially regarding the high number of migrants that went through these two countries in just a couple of months, very small. The real problem was the disagreement on the migration policy on the EU level, leading to a closing down of the borders and the redirection of migrant and refugee flows. This created an atmosphere of fear and facilitated a turn towards nationalist policies. The existing tensions between the countries in the region, some dating back to the disintegration of Yugoslavia, others related to a border dispute, contributed to the specific regional crisis, which could just as well develop into a larger-scale catastrophe.

In Croatia and Slovenia, both having experience with refugee waves following the Yugoslav war, the attitude towards migrants and refugees was initially very pro-humanitarian. However, the dramatic turn in political, media and public discourse which took place in October/November 2016, can be related to the failure of the EU approach, which paved the way for nationalist and populist responses. This seems to be especially true considering the fact that in both countries there were swift changes in public opinion in spite of the fact that most people did not actually see a single migrant during the whole period of the crisis.

Since for the EU as a whole the challenge represented by the migrant and refugee crisis was hardly something it could not handle, a question can be raised as to whether political disagreements were not simply used to create blockades in the decision-making process.

This resulted in individual countries – especially smaller ones such as Croatia and Slovenia – being faced with relatively high burdens, which paved the way for a dramatic turn in their migration policy. The worrying thing about this is that even though the immediate pressure on the EU borders has since been reduced, the climate of anti-immigrant attitudes and nationalism continues. Even though Croatia and Slovenia support the EU level response and agreed to take their EU relocation quotas, in both countries governments continue to implement restrictive policies in the area of migration and asylum-granting, thus using this issue to respond to the general climate and to gain legitimacy, or to simply offset pressures by more radical right-wing parties.

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Appendix

Table 1: EU/European refugee redistribution quotas

		Croatia		Slovenia	
		Number	Share (of EU-28)	Number	Share (of EU-28)
Commission proposal of 27 May 2015	Reallocation	747	1.87%	495	1.24%
	Resettlement	315	1.58%	207	1.03%
JHA Council decision (informal) of 20 June 2015	Reallocation	400	1.24%	230	0.71%
	Resettlement	150	0.67%	20	0.09%
Commission proposal of 9 September 2015	Reallocation	1,064	0.89%	631	0.53%
	Reallocation	568	0.86%	337	0.51%
JHA Council decision of 22 September 2015					

Source: Prepared by the authors based on European Commission/JHA Council documents.

Table 2. Asylum applicants in the EU, Croatia and Slovenia

	EU-28	Croatia	Slovenia
2015			
April	64,750	15	15
May	72,950	10	15
June	95,695	10	15
July	122,355	10	10
August	146,975	10	20
September	170,710	25	40
October	171,765	25	25
November	158,575	20	45
December	108,695	15	35
2016			
January	94,020	20	15
February	106,770	35	270
March	98,580	120	205

Source: Prepared by the authors based on data by Eurostat.

Table 3. Asylum applicants in the EU, Croatia and Slovenia by nationality, 1st Quarter 2016

EU			Croatia			Slovenia		
Syria	102,350	36%	Iraq	65	41%	Afghanistan	170	35%
Iraq	35,045	12%	Afghanistan	20	13%	Syria	125	26%
Afghanistan	34,790	12%	Syria	20	13%	Iraq	80	16%
Pakistan	11,690	4%	Somalia	10	6%	Iran	50	10%
Iran	9,575	3%	Algeria	10	6%	Morocco	20	4%
Other	93,630	33%	Other	35	22%	Other	45	9%

Source: Prepared by the authors based on data by Eurostat.

Table 4. First instance decisions on asylum by outcome and recognition rates, 1st Quarter 2016

	Total	Positive			Rejected	Recognition rate	
		Refugee	Subsidiary	Humanitarian			
EU-28	240,425	143,240	117,460	19,345	6,435	97,185	60%
Croatia	30	0	0	0	0	30	0
Slovenia	50	20	15	5	-	30	39%

Source: Prepared by the authors based on data by Eurostat.

EuroMeSCo

Comprising 106 institutes from 32 European and South Mediterranean countries, the EuroMeSCo (Euro-Mediterranean Study Commission) network was created in 1996 for the joint and coordinated strengthening of research and debate on politics and security in the Mediterranean. These were considered essential aspects for the achievement of the objectives of the Euro-Mediterranean Partnership.

EuroMeSCo aims to be a leading forum for the study of Euro-Mediterranean affairs, functioning as a source of analytical expertise. The objectives of the network are to become an instrument for its members to facilitate exchanges, joint initiatives and research activities; to consolidate its influence in policy-making and Euro-Mediterranean policies; and to disseminate the research activities of its institutes amongst specialists on Euro-Mediterranean relations, governments and international organisations.

The EuroMeSCo work plan includes a research programme with four publication lines (EuroMeSCo Joint Policy Studies, EuroMeSCo Papers, EuroMeSCo Briefs and EuroMeSCo Reports), as well as a series of seminars, workshops and presentations on the changing political dynamics of the Mediterranean region. It also includes the organisation of an annual conference and the development of web-based resources to disseminate the work of its institutes and stimulate debate on Euro-Mediterranean affairs.

IEMed.

The European Institute of the Mediterranean (IEMed), founded in 1989, is a consortium comprising the Catalan Government, the Spanish Ministry of Foreign Affairs and Cooperation and Barcelona City Council. It incorporates civil society through its Board of Trustees and its Advisory Council formed by Mediterranean universities, companies, organisations and personalities of renowned prestige.

In accordance with the principles of the Euro-Mediterranean Partnership's Barcelona Process, and today with the objectives of the Union for the Mediterranean the aim of the IEMed is to foster actions and projects which contribute to mutual understanding, Exchange and cooperation between the different Mediterranean countries, societies and cultures as well as to promote the progressive construction of a space of peace and stability, shared prosperity and dialogue between cultures and civilisations in the Mediterranean.

Adopting a clear role as a think tank specialised in Mediterranean relations based on a multidisciplinary and networking approach, the IEMed encourages analysis, understanding and cooperation through the organisation of seminars, research projects, debates, conferences and publications, in addition to a broad cultural programme.



The Institute for Foreign Affairs and Trade (IFAT) is a separate legal entity under the Center for Democracy Public Foundation (DEMCK in Hungarian) operating as a research institute and a think-tank as well. IFAT is carrying out active research in fields covering the priorities of the Hungarian foreign policy. IFAT is present in the Hungarian professional network with public research reports and analyses (often involving external experts), with non-public reports, studies and other professional materials.

The Institute for Foreign Affairs and Trade aims to actively shape the domestic professional network of foreign policy and foreign trade policy and also reach the wider public. IFAT is a member and participant of a number of international organisations, networks and professional co-operations, and proactively contributes to the organisation of international conferences and roundtable discussions, provides speakers and it is an active member of international think tank networks.

A number of young researchers and analysts and researchers with Hungarian and worldwide recognition can also be found at IFAT. Researchers, apart from working on classical priorities of foreign policy and foreign trade policy, also carry out contemporary thematic research.