



House of Commons
Home Affairs Committee

Implications for the Justice and Home Affairs area of the accession of Turkey to the European Union

Tenth Report of Session 2010–12

*Report, together with formal minutes, oral and
written evidence*

*Ordered by the House of Commons
to be printed 18 July 2011*

HC 789
Published on 1 August 2011
by authority of the House of Commons
London: The Stationery Office Limited
£15.50

The Home Affairs Committee

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1 Introduction

Turkey and the EU

1. Turkey initially applied for full membership of the European Union in 1987 but was not designated an official ‘candidate country’ until 1999, although a Customs Union was established in 1995 meaning that goods may travel without customs restrictions between Turkey and the EU. Turkey is also party to 17 European human rights instruments and is subject to the jurisdiction of the European Court of Human Rights. Negotiations between Turkey and the EU on “chapters” of European law¹ began in 2005; however, only 13 of the 35 chapters have been opened, with just one provisionally closed. Eighteen chapters are frozen due to vetoes by Cyprus, France or the European Council as a whole, ostensibly owing to Turkey’s failure to meet its Customs Union obligations fully with regard to Cyprus.

2. The Justice and Home Affairs chapter has not yet been officially opened but a 2004 European Commission report on *Issues arising from Turkey’s Membership Perspective* highlighted some of the likely areas for negotiation. In particular the Commission noted that, while Turkey “already devotes considerable resources to border management”, “many aspects of border management are not in line with EU practices”. However, it also argued that accession would provide an opportunity for increased cooperation within the EU on border management, illegal migration and organised crime, including corruption, trafficking in human beings and drug trafficking. The report concluded that, despite the advantages it would bring, the accession process in the area of Justice and Home Affairs would be “complex”.²

3. The UK Government is, like its predecessor, a staunch supporter of Turkish accession. However, support is by no means uniform across the 27 EU Member States and enthusiasm for EU membership in Turkey has also declined, as the country has turned its gaze eastwards. Whilst the EU Enlargement Commissioner, Štefan Füle, stated during the course of our inquiry that the Commission “remains committed” to the accession process,³ Turkey is not generally expected to accede to the EU until 2020 at the earliest;⁴ some commentators have cast doubt as to whether Turkey will ever join.⁵

Our inquiry

4. Scrutiny of home affairs at EU level is one of our designated key tasks. We tend to fulfil this remit by considering relevant issues where they fall within the parameter of a broader domestic inquiry, but occasionally we hold inquiries into a specific area of EU home affairs

1 Under this process, accession candidates are required to demonstrate that their laws and administrative capacity will allow the state to execute European legislation.

2 European Commission, Commission Staff Working Document, *Issues arising from Turkey’s Membership Perspective*, 2004, pp 41-5

3 Commissioner Štefan Füle’s address to the European Parliament, 8 March 2011, <http://europa.eu>

4 The proposed EU budget for 2014-2020 makes no mention of Turkey.

5 See, for example, “A fading European dream: will Turkey ever join the EU?” *The Economist*, 21 October 2010; Katinka Barysch, *Turkey and the EU: can stalemate be avoided?* Centre for European Reform, December 2010

policy which we feel merits our attention. The proposed accession of Turkey to the European Union was of particular interest to us because of the fundamental challenges posed by the scale of migration through Turkey to EU Member States and of organised crime linked to Turkey.

5. The aim of our inquiry was therefore to draw to the attention of the UK Government and EU institutions the ways in which Turkish accession to the EU would affect the Justice and Home Affairs area, and to make recommendations for action to deal with some of the issues that might arise. On 25 January 2011 we published our terms of reference, which set out our intention to examine the implications for the Justice and Home Affairs area were Turkey to accede to the EU, particularly in relation to:

- Legal and illegal migration flows (including whether there would be any need for transitional arrangements to be imposed by the UK on Turkish nationals);
- The security of the EU's external border; and
- Serious organised crime across the EU, particularly that relating to the trafficking of drugs and people.

6. We emphasised from the outset that we would not attempt to re-open the question of whether or not Turkey should be allowed to join the EU, a decision based on wider considerations than those to be examined in this inquiry. Nor did we attempt to consider the full gamut of issues included in the Justice and Home Affairs field; rather we focused on matters relating to our broad areas of interest as a Committee. During the course of our inquiry it became apparent that there were pressing issues in the *current* relationship between Turkey and the EU, particularly relating to migration, which we felt it appropriate to explore further and comment upon, although they were not directly relevant to the focus of our inquiry.

7. We took oral evidence in February and March 2011 from the Serious Organised Crime Agency, Europol, the Home Office, Frontex, the Centre on Migration and Policy Studies at Oxford University, the Turkish Ambassador to the UK and the Poppy Project. We received 12 written submissions. Our Report is also informed to a significant extent by the two visits we undertook, to Turkey between 27 February and 2 March and to Greece between 7 and 9 June, where we met representatives of the respective Governments, Parliaments, law enforcement agencies and NGOs, and visited both sides of the land border. We thank all those who contributed to our inquiry.

2 Organised crime

Organised crime originating in Turkey

8. The Member States of the European Union are currently affected by organised crime carried out by Turkish groups or by other networks based in Turkey. In its most recent *Organised Crime Threat Assessment* report,⁶ Europol, the EU's law enforcement agency, stated that Turkish criminal groups are significantly involved in various forms of organised criminality, including the trafficking of heroin from Afghanistan into Europe, of synthetic drugs⁷ into the Middle East from Europe, and of cocaine into Europe. Europol also described Turkey as a "key nexus point" for the transit of illegal immigrants to the EU. Mr Rob Wainwright, the Director of Europol, confirmed that "criminal activities that originate in Turkey, or pass through Turkey, have a significant impact on the internal security of the European Union".⁸ He added that:

What we are seeing in Turkey is what we are seeing around the rest of Continental Europe, and indeed in the UK, a general diversification of organised crime and a proliferation of different trafficking routes ... We are also seeing other new trends that are interesting in Turkey, for example Turkish organised crime involvement in the production and trafficking of counterfeit euros ... This tells us that Turkey is becoming more important not less important in terms of the internal security.⁹

9. In terms of the particular impact on the UK, Mr Steve Coates, of the UK Serious Organised Crime Agency, told us that:

Turkey is important to us in its role as a transit country. It is a transit country for heroin and also for people who are being smuggled. The greatest impact from Turkey is heroin, and the involvement of Turkish organised crime in that issue. That is by far and away the largest area of crime in which Turkish organised crime groups are involved.¹⁰

Mr Coates also noted evidence of the involvement of Turkish groups in fraud, firearms trafficking, money laundering and copyright offences but cautioned that "those forms of criminality are so far behind heroin ... that statistically they are almost insignificant."¹¹

6 Europol, *EU Organised Crime Threat Assessment 2011*, April 2011

7 Synthetic drugs are artificially produced substances for the illicit market which are almost wholly manufactured from chemical compounds in illicit laboratories

8 Q 79

9 Qq 80, 91

10 Q 3

11 Q 6

The drugs trade

Heroin

10. Turkish criminal groups facilitate the trafficking of heroin from Afghanistan, the largest opium-producing country in the world, to Europe. In 2009, it was reported that the heroin supply to Europe was controlled by 138 Turkish networks.¹² Europol stated in its 2011 *Organised Crime Threat Assessment* report that:

The majority of illicit heroin entering the EU continues to be sourced from Afghanistan via Turkey and the Balkans ...

Turkish and Albanian-speaking criminal groups remain the most prominent in trafficking heroin to and within the EU.¹³

Around 365 metric tonnes of heroin were produced in Afghanistan and trafficked into the international market in 2009. The UN Office on Drugs and Crime estimated in its *World Drug Report 2011* that 75–80 metric tonnes were trafficked to Western and Central Europe in 2009, particularly to Germany, the Netherlands, Italy and the UK, and that 60 metric tonnes of this were trafficked via the Balkan route. By this method, the heroin enters Turkey from Iran and is transported via the cities of Hakkari or Van to Western parts of Turkey, before passing into South–Eastern Europe.¹⁴ Even when heroin is taken on a different route to Europe from Afghanistan, Turkish networks tend to be involved.

11. The size of the UK market for heroin is estimated at between 18 and 23 metric tonnes per annum. Mr Coates told us that Turkish organised crime groups dominate the heroin market in the UK, of which they are probably responsible for around 70%.¹⁵ During our visit to Turkey, we were advised by the Turkish Authorities that, of the 95% of drugs in Turkey which are destined for abroad, a “significant proportion” is intended for the UK.¹⁶ Most of the heroin entering the UK does so via the Balkan route, generally arriving by lorry or by deep sea container.¹⁷

Cocaine

12. In 2009, Europol drew attention to an apparent new trend in cocaine trafficking—increasing amounts of cocaine from South America were being transported to the EU via Turkey and the Balkans as opposed to the established trafficking route via West Africa and the Iberian Peninsula.¹⁸ Mr Coates confirmed the persistence of this trend, which the Serious Organised Crime Agency consider to have arisen as a result of the ability of criminals to make use of the established route for trafficking heroin to Europe, an

12 UN Office on Drugs and Crime, *World Drugs Report 2010*, 2010, p 57

13 Europol, *EU Organised Crime Threat Assessment 2011*, April 2011, p 8

14 UN Office on Drugs and Crime, *World Drug Report 2011, 2011*, pp71-2

15 Qq 5, 11

16 Annex A, *Note of our visit to Turkey*

17 Q 17 [Mr Coates]

18 Europol, *EU Organised Crime Threat Assessment 2009*, 2009, p 14

increasing domestic market for cocaine in Turkey and the increasing number of Turkish Airline flights to and from Africa and North America, which can be exploited to transport drugs from South America into Europe:

We have been keeping an eye on cocaine trafficking and the involvement of Turkish organised crime groups for some time. There has been some anecdotal reporting, tittle-tattle and bits of intelligence at a low level to say that this is happening. We have recently seen that solidifying; we have seen evidence of that.¹⁹

13. The trade is controlled to a certain extent by Turkish groups, but also by West African groups, especially Nigerians. According to the Turkish authorities, 293 kg of cocaine were seized in Turkey in 2010 (a sharp rise from figures of 2, 8 and 3 kg between 2001 and 2003) and this total was already exceeded during the first two months of 2011.²⁰ This included 280 kg seized during a joint operation in January 2011 between the Serious Organised Crime Agency and the Turkish National Police.²¹

14. Mr Wainwright, however, warned against making too much of this trend:

I would caution against a view that Turkey has become a leading, major transshipment point for cocaine in Europe. It is certainly a notable new feature but still we see pre-eminent in this problem the arrival of cocaine through the Iberian coastline, from West Africa as well up through the southern Mediterranean, into the Baltic Sea as well, [or] up through the Adriatic Sea.²²

To put the figures into context, around 440 metric tonnes of pure cocaine are estimated to be consumed globally, 128 metric tonnes of which are consumed in Europe. While levels of seizures may be rising in Turkey, they are still dwarfed by those taking place elsewhere in Europe: 57 metric tonnes were seized throughout Europe in 2009 (the most recent figure available), 25 metric tonnes of which were in Spain, and there is no evidence of a subsequent decline.²³

The trade in people

Human trafficking

15. The United Nations Office on Drugs and Crime reported in 2006 that there were “very high” levels of human trafficking *to* Turkey, “high” levels of trafficking *through* Turkey; and “medium” levels of trafficking of Turkish nationals elsewhere, particularly to the United Kingdom.²⁴ In evidence to our inquiry, the International Organisation for Migration supported the UN’s conclusion that Turkey is primarily a destination country for human trafficking victims, adding that the “vast majority” originate from the former

19 Q 20

20 Annex A, *Note of our visit to Turkey*

21 Q 20 [Mr Coates]

22 Q 81

23 UN Office on Drugs and Crime, *World Drug Report 2011*, 2011, pp 111-2, 119

24 UN Office on Drugs and Crime, *Trafficking in Persons: Global Patterns*, April 2006, Appendices, p 227

Soviet Union, with most entering legally with a tourist visa. According to data provided by the Turkish Ministry of the Interior, 1,165 victims of human trafficking were identified in Turkey between 2004 and 2010.²⁵

16. There is little evidence to suggest that Turkish nationals are trafficked to the UK. The UK Minister for Immigration, Mr Damian Green MP, told us that:

In the National Referral Mechanism in the last year there were just over 1,000 people ... of whom only one was Turkish. Even if you think Turkey is clearly a transit country potentially for trafficking, and Iran is a source country for victims of trafficking ... I think only two of the people referred to the National Referral Mechanism were Iranian.²⁶

The UK Network of Sex Work Projects told us that none of the respondents to an Economic and Social Research Council-funded survey of 57 projects providing services to sex workers had cited evidence of migrant sex workers who had come to the UK from, or through, Turkey.²⁷ Ms Abigail Stepnitz, of the POPPY Project, an organisation that works with female victims of human trafficking in the UK, agreed that the number of victims coming from Turkey is “extremely low”. Of the almost 2,000 victim referrals to the Project, only four concerned Turkish nationals.²⁸

17. According to Ms Stepnitz, however, the number of female victims who are trafficked through Turkey to the UK is “quite a bit higher”. She was aware of 19 women who had been trafficked in this way since April 2009, all of whom bar one were trafficked into Greece before coming either into the UK directly or via Spain and Italy. Most of the women originated from former Soviet countries or from Central Asia.²⁹ Mr Coates told us that Turkish organised crime groups “tend not to be involved” in human trafficking:³⁰ Europol does cite Turkish groups as being active in this area of criminality, but to a lesser extent than groups of ethnic Roma, Nigerian, Romanian, Albanian-speaking, Russian, Chinese, Hungarian and Bulgarian origin.³¹

People smuggling

18. People smuggling differs from human trafficking in that it involves a consensual relationship between migrant and smuggler (although it may still involve elements of exploitation). Of the 348 migrants who were interviewed as part of their participation in Turkey’s Assisted Voluntary Returns programme, which is delivered by the International Organisation for Migration and supported by the UK, 92 said their migration had been facilitated by a smuggler.³² Irregular migrants attempting to cross Turkey into the EU pay

25 Ev 39 [International Organisation for Migration]

26 Q 123

27 Ev 45

28 Q 193

29 Qq 193, 198-9

30 Qq 24-5

31 Europol, *EU Organised Crime Threat Assessment 2011*, April 2011, p 20

32 Data provided by the British Embassy in Turkey

smugglers in the region of 1500–4000 euros to help them to reach Greece via land and it is estimated that organised crime groups in Turkey made \$100 million from people smuggling in 2010.³³ Some 970 Turkish people smugglers were apprehended in Turkey in 2009 and, in addition, Mr Coates noted that Turkey is “an extremely attractive country” for other ethnic groups “because of its close proximity to the EU border”: a further 57 smugglers of other nationalities were arrested.³⁴ Of the 93 facilitators apprehended in 2009 on the other side of the border, in the Evros region of Greece, 30 were Bulgarian, 19 Greek and only 15 Turkish. In 2010, there were 28 Turkish facilitators out of a total of 73.³⁵ The issue of irregular migration facilitated by people smugglers has become critical to the security of the EU and we consider it in more detail in the next chapter.

Capacity of the Turkish authorities to tackle organised crime

19. The European Commission stated in its most recent report on advances made by the Turkish authorities towards meeting EU standards that further “limited progress” had been made in the fight against organised crime. The Commission commended the Turkish Government for introducing a national strategy and action plan to counter organised crime and establishing witness protection units in 60 provinces but considered that a number of further actions were necessary, including the establishment of a national fingerprint and DNA database, and strengthened inter-agency cooperation.³⁶ The Home Office endorsed these conclusions, adding that:

All of these priority areas would lend themselves to future EU-funded project work in partnership with existing Member States.³⁷

20. The EU provides hundreds of millions of euros of pre-accession financial assistance to Turkey each year (see table 1).

Table 1: EU financial assistance to Turkey 2002-2013 (in millions euro)³⁸

2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
126	145.1	236.7	277.7	450	497.2	538.7	566.4	653.7	781.9	899.5	935.5

The most recent Multi-annual Indicative Planning document for Turkey (2011–2013), published by the European Commission in June 2011, designates Justice, Home Affairs and Fundamental Rights as one of seven funding priority areas. A number of funding objectives are specified within this, including “effective law enforcement, successful fight

33 Annex A, *Note of our visit to Turkey*; Annex B, *Note of our visit to Greece*

34 Ev 33 [Home Office]; Q 4

35 Annex B, *Note of our visit to Greece*

36 European Commission, *Turkey 2010 Progress Report*, November 2010

37 Ev 35

38 Provided by the House of Commons Library based on data in European Commission, *Commission implementing decision on a Multi-Annual Indicative Planning Document 2011-2013 for Turkey*, June 2011 and predecessor documents.

against crime and corruption and improved integrated border management and prevention of illegal migration.”³⁹

21. There are three bodies responsible for policing in Turkey: the Turkish National Police, a civil law enforcement force; the Jandarma, a military law enforcement force; and the Coast Guard Command. Mr Coates had high praise for the Turkish National Police:

They are efficient, professional and competent. They have high-end capabilities and technical capability.⁴⁰

Mr Wainwright was also complimentary:

From my relatively narrow perspective of what I see of the Turkish authorities’ dealings with the European Union, including Europol, I am impressed by the commitment and energy.⁴¹

This accords with what we saw and heard when we were in Turkey. Relationships with UK police and diplomatic representatives are clearly based on joint action and mutual respect, and we were impressed with the ambitions of leading Turkish police officers in terms of training and organisation.

22. The UN Office on Drugs and Crime has noted that, along the major trafficking route, considerably more heroin is seized in Turkey than in the Balkans. In 2008, for every kilo seized in South–East Europe, six kilos were seized in Turkey.⁴² Turkey is responsible for 16% of all heroin and morphine seized globally—only Iran seizes more—with seizures rising from 13.2 metric tonnes in 2007 to 15.4 metric tonnes in 2008 to 16.4 metric tonnes in 2009.⁴³ During our visit to Turkey, the authorities told us that heroin seizures had since fallen to 12.0 metric tonnes in 2010, owing to a 48% decline in opium cultivation in Afghanistan; a shift in the routes and *modus operandi* of the traffickers; and the increasing price of heroin.⁴⁴

23. Progress has also been made to deal with the problem of human trafficking in Turkey. Some 1,336 traffickers were apprehended in connection with human trafficking in Turkey between 2004 and 2007.⁴⁵ Turkey included a sanction against the crime of human trafficking in its Penal Code in 2002, established a National Referral Mechanism in 2004, is supporting NGOs to run shelters for victims of trafficking and allows for the issuing of humanitarian visas and temporary residence permits.⁴⁶

24. However, Ms Stepnitz raised some concerns about the Turkish response to human trafficking:

39 European Commission, *Commission implementing decision on a Multi-Annual Indicative Planning Document 2011-2013 for Turkey*, June 2011

40 Q 14

41 Q 96

42 UN Office on Drugs and Crime, *World Drug Report 2010*, 2010, p 57

43 *Ibid*, p 146; UN Office on Drugs and Crime, *World Drug Report 2011*, 2011, pp 62-3

44 Annex A, *Note of our visit to Turkey*

45 International Organisation for Migration, *Migration in Turkey: A Country Profile*, 2008, p 34

46 Ev 40 [International Organisation for Migration]

I trained the Turkish security police two years ago as part of the twinning project. They came into the training and they said, “Now, we want to make it clear that we are here in case we ever have trafficking because we don’t have any right now. If we ever should in the future, we want to be prepared”. I thought, “Well, that is not really what any of the reports say”. I think there is a bit of hesitance on their part to acknowledge the existence of the problem in the first place.⁴⁷

Although the Turkish Government set up a national hotline in 2007 for anyone who has suspicions that someone has been trafficked or who needs assistance, Ms Stepnitz advised that they have not fulfilled promises to fund it. Furthermore, the three national shelters are “abysmally under-funded”; and in 2007 there were only 13 prosecutions arising from 308 trafficking-related arrests.⁴⁸ The European Commission monitoring report for 2010 also outlined the need for “further work” to bring the national legislation into line with the Council of Europe’s Convention on action against trafficking in human beings and to establish a clear timetable for its ratification.⁴⁹

25. The Turkish National Police have tended to focus their efforts to tackle organised crime on the drugs trade, and UK representatives are now encouraging them to put more resources into tackling organised immigration crime. The EU has praised the fact that sentences for those involved in migrant smuggling were increased in 2009-10; however the data below from the Turkish Ambassador to the UK shows that the number of arrests went down.⁵⁰

Table 2: Illegal migration organisers apprehended in Turkey (2005-2011)

Year	Number
2005	834
2006	951
2007	1,242
2008	1,305
2009	1,027
2010	750
2011*	8
TOTAL	6,117

* Figure for January and February 2011.

The Turkish National Police told us that, other than with the UK, there is insufficient operational cooperation to disrupt people smuggling between Turkey and other European countries.⁵¹

Cooperation between Turkish and European law enforcement agencies

26. Transnational cooperation is crucial to tackling the challenges posed by cross-border organised crime. In terms of the UK, Mr Coates told us that:

47 Q 200

48 *Ibid*

49 European Commission, *Turkey 2010 Progress Report*, November 2010, p 85

50 Ev 45

51 Annex A, *Note of our visit to Turkey*

The relationship with the Turkish National Police at the moment is the best it has ever been. The UK is the preferred partner of the Turkish National Police.⁵²

During the last reporting year, activity by the Serious Organised Crime Agency and their overseas partners led to the seizure of around two metric tonnes of heroin before it reached UK shores.⁵³ Mr Coates directly attributed this to cooperation between the two countries:

I think that we can say with a degree of certainty that the shortage in heroin is not entirely down to law enforcement action, but we have had a significant impact on it ... We have had a series of significant operations where we have actually gone into Turkey with the Turkish National Police and impacted on some high-end traffickers, and that has also extended recently into cocaine.⁵⁴

27. This was substantiated in discussions we had with UK and Turkish law enforcement personnel during our visit to Turkey. While the level of cooperation varies in scale, Turkey and the UK have carried out eight joint operations in five years, resulting in 22 detentions and 635 kg of heroin seized. The largest number of joint operations undertaken by the Turkish National Police are with the Serious Organised Crime Agency.⁵⁵ Mr Wainwright confirmed that:

What I see also from my own experience as a senior member of the Serious Organised Crime Agency is certainly bilateral co-operation between the Serious Organised Crime Agency and Turkey is very strong and it is what the Turkish authorities still tell me in my new context.⁵⁶

Germany also has a strong track record of cooperating with the Turkish authorities but cooperation with other European countries appears to be more variable, despite 17 countries having deployed liaison officers to work with the Narcotics Department in Istanbul and the Turkish National Police officially cooperating with 25 different countries.⁵⁷ We were told that cooperation with France was particularly poor.

28. Some cooperation to counter organised crime in the EU takes place within the framework of Europol. As well as providing greater opportunities for operational cooperation, full membership of Europol allows national law enforcement forces to share best practice and learn from each other.⁵⁸ While Turkey has had a bilateral agreement with Europol since 2000, the European Commission has noted that conclusion of an agreement between Turkey and Europol to allow for operation cooperation is “proving difficult”.⁵⁹ Mr Wainwright advised that:

52 Q14

53 Ev 35 [Home Office]

54 Q 15

55 Annex A, *Note of our visit to Turkey*

56 Q 87

57 Annex A, *Note of our visit to Turkey*

58 Q 88 [Mr Wainwright]

59 European Commission, *Turkey 2010 Progress Report*, November 2010, p 84

Importantly, [the current agreement] is yet to extend to cover the exchange of operational data. It is a first stage in terms of our co-operation with the Turkish authorities, so we are not engaged directly in operational co-operation with the Turkish authorities yet ...

We have co-operation instruments with 17 non-EU countries and about seven or eight are full-blown co-operation that allows for the exchange of what we call personal information as well, for example with the United States. We have not yet concluded that agreement with Turkey, as per the requirements of a legal framework, principally because we are going through the stages of assessing, for example, the data protection standards in Turkey.⁶⁰

The Turkish Ambassador clarified in March that a draft Personal Data Protection Act, which would allow for progress on the agreement to be made, was before the Turkish Parliament and was expected to be adopted by the new parliament following elections on 12 June.⁶¹

29. While not yet part of Europol, Turkey is a member of the South-East European Cooperative Initiative (known as SECI) Center, a regional organisation bringing together police and customs authorities from 13 member countries in South-East Europe to facilitate the exchange of information and coordinate joint operations with the aim of preventing, detecting, investigating, prosecuting and repressing trans-border crime.⁶² Turkey is also a member of Interpol. While the SECI Centre has signed a Letter of Intent with Europol and Europol is regularly invited to attend SECI Task Force meetings, they have not yet discussed a cooperation agreement which would allow for information exchange and creating joint cases, and there are few examples of operational cooperation.⁶³ Nor does SECI have any agreement in place with Frontex, the EU Border Agency, which could facilitate efforts to combat people smuggling. Interpol is a permanent advisor at SECI and the two agencies have signed a Co-operation Agreement on communication connectivity for the exchange of information. Interpol also signed a co-operation agreement with Europol in 2001 to allow for the exchange of strategic information and the agencies have been able to exchange operational information since 2009.⁶⁴

Implications of accession for organised crime in Europe

30. The UK Minister for Immigration emphasised a major concern about the accession of any new Member State to the EU when he stated that “clearly the more open borders become then the more opportunities there are for organised crime.”⁶⁵ Most types of organised criminality involve the transport of commodities across borders, which can only be made easier where there are weaker controls in place. Initially, as with new member states generally, Turkey would not participate in the Schengen area, which effectively does

60 Qq 79, 82

61 Q 185

62 Website of the SECI Center

63 Ev 47 [SECI Center]

64 Ev 47-8 [Interpol; Europol]

65 Q 122

away with internal border controls, but the expectation would be that they would have the option of doing so eventually. This makes it all the more important to strengthen links between law enforcement agencies within the EU and the agencies in Turkey well in advance of accession, perhaps by admitting Turkey to Europol. It can be argued that this would be sensible irrespective of whether progress is made on accession or not.

31. The European Commission report looking at issues arising from Turkish accession noted that the amount of drugs passing through Turkey is largely dependent upon demand in the Member States, which would be unaffected by Turkish accession, and therefore did not anticipate any increase in the scale of the drugs trade in Europe.⁶⁶ The International Organisation for Migration took a similar view in relation to levels of human trafficking in the Union:

The International Organisation for Migration believes Turkey would remain as a destination country even if it becomes an EU member. The International Organisation for Migration does not think that Turkey's membership will affect the status of any EU country on the trafficking of human beings.⁶⁷

32. However, Ms Stepnitz disagreed with this latter point, citing the experience of previous enlargements, and in particular the case of Romania and Bulgaria which she described as “very acute”. Prior to accession, only five Romanian women were referred to the Poppy Project in 2006; this had risen to 23 in 2009 and Romanians now constitute the fifth largest group of women trafficked to the UK. There was also a “massive increase” in the number of men trafficked for labour exploitation from Romania following accession in 2007. She explained the reason why:

Obviously, the easiest thing that changes when you have freedom of movement is that you no longer have to go to the trouble of securing false documents. About 35% of the women we see come in on false passports. If you don't have to go to that trouble, that is quite a saving, not only in terms of time but financially.⁶⁸

To avoid this pattern repeating itself, she advocated that the EU take a different approach in accession talks to that taken with Romania and Bulgaria, to encourage Turkey to tackle the root causes of human trafficking, addressing general gender-based violence, educational and employment opportunities for women: “the types of things that will make women less likely to take the bait in the first place.”⁶⁹

33. It is sometimes claimed that accession can bring advantages in the form of closer ties between states affected by cross-border organised crime. The House of Lords European Union Committee, in a report anticipating future enlargements, noted in 2006 that, if the experience of the last enlargement is anything to go by, “it may even become easier” for the EU to address organised crime once Turkey is inside the EU and takes part in EU

66 European Commission, Commission Staff Working Document, *Issues arising from Turkey's membership perspective*, 2004, p 44

67 Ev 42 [International Organisation for Migration]

68 Qq 196-7

69 Q 197

cooperation.⁷⁰ That Committee cited in particular the precedent of a reduction in crime emanating from Poland following Polish accession to the EU.

34. When asked to describe the impact of previous enlargements on the ability of states to tackle organised crime, Mr Coates said:

The key element is co-operation. We have been able to use existing European legislation to co-operate more effectively with other law enforcement partners, which has made the exchange of intelligence much easier ... It is fair to say that eastern European organised crime has had some effect on western European society, but our ability to work more closely with foreign partners, such as Europol and other agencies, has enabled us to tackle that reasonably effectively and to neutralise it.⁷¹

He was, accordingly, positive about the prospect of Turkish accession:

I think there are advantages to it in terms of our intelligence systems, intelligence pathways and operational ability to work on operations with other partners. We can use Europol and various pathways and facilities to exchange information in a more streamlined, structured and fast manner.⁷²

35. Mr Wainwright considered that Turkish membership would make a “big difference” from Europol’s perspective:

Because [Turkey is] not a member of Europol, for example, they don’t enjoy the same services that other European law enforcement has in terms of our ability to connect police teams together in order for us to make connections between the intelligence picture, for example, of organised crime across Europe. With Turkey being outside of the EU, therefore, it certainly makes co-operation more difficult.⁷³

Mr Wainwright agreed with the suggestion that there is a risk that Turkey could lose the incentive to put resources into cooperation with the EU in terms of the drugs trade should Turkey *not* be allowed to accede, particularly given the relative lack of a domestic market for heroin in Turkey.⁷⁴

36. Moreover, the very process of reform that candidate states are obliged to go through in order to attain EU membership can be positive. The Home Office described the accession process as a “catalyst for Justice and Home Affairs reform”.⁷⁵ The Minister for Immigration told us:

One of the things I think we have all observed from previous accessions is that the act of application and going through the process of accession does wonders to ensure

70 House of Lords European Union Committee, 53rd Report of Session 2005-06, *The Further Enlargement of the EU: Threat or Opportunity?* HL 273, para 222

71 Qq 1-2

72 Q 8

73 Q 80

74 Q 91. According to the UNODC, there were only 25,000 Turkish heroin users in 2008, compared to 1.6 million across the rest of Europe.

75 Ev 33

that people do all the things that are good for them and are good for the rest of Europe as well.⁷⁶

However, some countries cannot be said to have had entirely successful transitions. Bulgaria, for example, acceded to the EU with an unfinished reform agenda, primarily in the Justice and Home Affairs area, and is still subject to ongoing annual assessments by the European Commission with regards to progress made to tackle judicial reform and the fight against corruption and organised crime.⁷⁷

37. Turkish organised crime groups pose a substantial threat to the internal security of the EU, largely owing to Turkey's position along the heroin trafficking route from Afghanistan to Europe. It is estimated that 75–80% of the heroin trafficked from Afghanistan to Western and Central Europe comes via Turkey, and Turkish networks continue to account for around 70% of the UK heroin market. The proportion of cocaine bound for the EU that is seized in Turkey has increased over the last few years, although it is by no means approaching the volume seized along the established cocaine trafficking route through the Iberian Peninsula. Turkey also represents a “key nexus point” for the transit of illegal immigrants to the EU. Our evidence appeared to support findings published in 2006 by the UN Office on Drugs and Crime that Turkey is predominantly a destination rather than a source country for human trafficking, with only one Turkish national amongst more than 1,000 victims offered support in the UK via the National Referral Mechanism last year. However, the volume of irregular migrants being smuggled voluntarily into the EU via Turkey by criminal groups reached crisis levels at the end of 2010.

38. More open borders in an enlarged Union bring greater opportunities for organised crime and facilitate the illegal smuggling of goods and people. We judge that Turkish accession would be unlikely to lead to an increase of narcotics into the EU market, given that the major factors influencing drug flows into the EU appear to be production levels in the source countries and domestic demand in the EU Member States, neither of which would be affected. Furthermore, accession will bring opportunities for greater cooperation between Turkish and EU law enforcement agencies, which could bring about a more robust response to drug trafficking.

39. There is some disagreement about the impact of accession on levels of human trafficking but we are concerned by evidence highlighted by the Poppy Project of an increase in trafficking following previous enlargements of the EU, of Romanian victims in particular. We also note that there may be some reluctance among Turkish law enforcement authorities to recognise that human trafficking into and through Turkey is already a problem. An understanding of the nature of human trafficking will be critical to preventing an increase in trafficking following enlargement, as well as supporting victims of trafficking in Turkey now. We therefore welcome the European Commission's focus on closely monitoring Turkey's progress in tackling human trafficking and we expect the UK—as a fellow destination and transit country—to provide advice and assistance to Turkey if required.

76 Q 114

77 Graham Avery, Anne Faber and Anne Schmidt (eds) *Enlarging the European Union: Effects on the new Member States and the EU*, Trans European Policy Studies Association, 2009

40. We consider the issue of people smuggling with related issues concerning illegal migration in the next chapter, but the likely impact of more open borders on this phenomenon is an area of major concern to us.

41. A stringent law enforcement response will be required to minimise the impact of organised crime originating in Turkey in an enlarged Europe. We are encouraged by the evidence brought to our attention both in the UK and in Turkey of the efficiency and capability of the Turkish National Police, particularly in respect of drug trafficking—with heroin seizures made by the Turkish authorities dwarfing those made in South-East Europe—and their willingness to cooperate with most EU counterparts. We are particularly impressed by the close working relationship between UK and Turkish law enforcement agencies, which is clearly helping to reduce the supply of heroin to the EU, and we urge the Home Secretary to ensure that the resources which the UK brings to this partnership continue to be provided through the new National Crime Agency.

42. We recognise the positive impact, albeit variable, made by international institutions such as Europol, Frontex and Interpol in combating cross-border crime in this region, but recommend that, as well as fostering ever-closer linkages with each other, these bodies cooperate more closely with the SECI Center, which is responsible for facilitating information-sharing and joint operations between the law enforcement agencies of its member states in South-East Europe.

43. We note that a substantial proportion of pre-accession funding from the EU to Turkey is currently directed towards law enforcement. Two areas where this money could perhaps be used to particular effect are building capacity for greater intelligence sharing between agencies both nationally and internationally, and tackling organised immigration crime. We urge the UK Government to use its influence at European level to direct available funding towards these areas, and to report back to us on the outcome with a detailed breakdown of future pre-accession spending on programmes to tackle organised crime.

44. In the long-term, we believe that the risks that Turkish accession poses for organised crime in the EU are considerably outweighed by the potential benefits—partly in terms of the standards the Turkish authorities will be required to meet to bring their systems and capabilities in line with the rest of the EU but largely owing to the opportunities it will bring for increased cooperation with EU law enforcement agencies and with Europol. We also fear there is a risk that, if Turkey is *not* permitted to join the EU, the Turkish authorities may lose their incentive to prioritise tackling criminality which affects EU Member States to a far greater extent than their own population (Turkey does not have a big domestic drug market and most immigrants transiting the country do not intend to stay), and to cooperate with their EU counterparts. However, we recognise that ultimate decisions on membership of the EU will be based on a far wider variety of considerations than these. Clearly these problems—and the ability of law enforcement agencies to deal with them—do not conveniently follow the boundaries of the European Union. We need law enforcement agencies to work together effectively both inside and outside the EU borders. It is clear that the Turkish authorities are proving more effective than some of the authorities

that lie within the EU border, such as Greece, and that bilateral arrangements—for example, between SOCA and the Turkish authorities—are maturing well.

45. In the meantime, it is clear that building a closer relationship between Turkey and EU law enforcement agencies should not be deferred until the membership negotiations are completed. In the first instance, we encourage the new Turkish Parliament to continue the work of its predecessor in bringing into effect a data protection law that will allow for a higher level of cooperation with Europol prior to accession, and again encourage the UK Government to offer any assistance that will further this end. It is clear that our UK police and diplomatic representatives have a relatively high level of respect for their Turkish counterparts and spoke positively about the ambition, rate of progress and strategic grasp of the Turkish police and associated authorities. In the medium-term, we consider that the EU should consider making special arrangements for Turkey to assume some of the attributes of EU membership in areas which would be feasible and mutually beneficial. We strongly recommend that Turkey be allowed full membership of Europol (or at the very least a special and enhanced level of associate membership) and of the European Monitoring Centre for Drugs and Addiction, prior to (and irrespective of) full membership. It became clear to us that the fact that Turkey is not a full member of Europol poses obstacles for our own diplomatic and policing work and makes it more difficult to promote multilateral joint working across the EU. Not to admit Turkey to membership of those bodies would be to cut off the European nose to spite our face and we hope that our Government will press for Turkey to be admitted formally to both bodies at the very least. We recommend that the UK Government discusses this approach with their European partners and reports back to us on the outcome.

3 Irregular migration flows

Patterns of migration to and from Turkey

46. Turkey has a population of 75.7 million.⁷⁸ Until the 1990s, Turkey experienced significant levels of emigration as the main recruitment ground for guest workers to Northern European countries. Around 80% of these workers returned to Turkey, but those who stayed in their host country were often joined by their families.⁷⁹ During the 1980s and 1990s, a number of Turks left to seek asylum elsewhere as a result of the military coup and the Kurdish question.

47. However, between the founding of the Turkish Republic in 1923 and 1997, more than 1.6 million people migrated *to* Turkey, mostly from Balkan countries, and, more recently, there has been significant re-migration of ethnic Turks, notably from Germany.⁸⁰ According to the latest General Population Census, in 2000, there were 1,278,671 foreign-born residents in Turkey, of whom about one quarter were from EU countries, and in 2009, it was estimated that 205,000 regular and irregular immigrants were present in Turkey.⁸¹ Between 1997 and 2008, some 69,600 people applied for asylum in Turkey, the majority originating from other countries in the Middle East, such as Iraq, Afghanistan and Iran.⁸² In addition, labour migrants travelled to Turkey from European countries such as Bulgaria, Moldova, Ukraine and Russia.⁸³ According to a recent report from the Turkish Migration Studies group at the University of Oxford, Turkey can best be described as a major sending country, and increasingly also a receiving country, of migrants. Most critically from the EU's perspective, it is also transited by significant numbers of migrants from many parts of the world.⁸⁴

48. Turkey has become a “prominent stepping stone”⁸⁵ for migrants coming from further afield who aim to enter the EU irregularly over the 200 km land border with Greece in Edirne province (which is predominantly a river border) or the long sea border to the south of Turkey. The Turkish Ambassador to the UK told us that nearly 800,000 illegal migrants had been apprehended while attempting to cross Turkish territory during the last 15 years. In further written evidence to us, he provided the following break-down of the most recent figures.⁸⁶

78 World Bank population data for 2010

79 Franck Düvell, “Studying migration from, to and through Turkey: The context”, in Centre on Migration Policy and Society, *Turkish Migration Studies group at Oxford University*, January 2011

80 *Ibid*

81 Ev 43 [Dr Düvell]. The next General Population Census is expected to be undertaken during 2011.

82 *Ibid*

83 Franck Düvell, “Studying migration from, to and through Turkey: The context”, in Centre on Migration Policy and Society, *Turkish Migration Studies group at Oxford University*, January 2011

84 *Ibid*

85 *Ibid*

86 Q 168; Ev 45-6

Table 3: Illegal migrants apprehended at Turkey's sea borders (2002–2010)

2002	2003	2004	2005	2006	2007	2008	2009	2010	TOTAL
23,170	14,708	16,843	25,364	22,543	24,653	25,541	14,696	11,866	179,384

Table 4: Illegal migrants apprehended at Turkey's land borders (2002–2010)

2002	2003	2004	2005	2006	2007	2008	2009	2010	TOTAL
22,939	11,978	13,336	19,696	16,156	15,861	19,780	9,960	10,644	140,350

Table 5: Total number of illegal migrants apprehended throughout Turkey (2005–2011)

2005	2006	2007	2008	2009	2010	2011*	TOTAL
57,428	51,983	64,290	65,737	34,345	32,667	4,810	311,260

* As of end of February 2011

49. The convenor of the Turkish Migration studies group at Oxford University and our inquiry witness, Dr Franck Düvell, explained why this was the case:

- Turkey applies geographical limitations to the 1951 Geneva Convention, which excludes non-European citizens from being able to apply for full refugee status in Turkey,⁸⁷ compelling asylum seekers to move on to the EU; and
- The EU has closed other Europe-bound migration routes in the Atlantic Ocean, the Western and Central Mediterranean, “therefore, the Turkish-Greek border region has become one of the last loopholes for irregular entrants to Europe”.⁸⁸

In relation to the latter point, he confirmed that:

The flow from Morocco has been stopped; the flow through Libya has been stopped, at least for the last couple of years; the flow through Ukraine has decreased significantly.⁸⁹

50. The flow of irregular migrants through Turkey initially declined from the highs of the early 2000s—when almost 100,000 a year were intercepted—to 34,345 in 2009. The dramatic decrease in 2009, as detailed in Table 5, represented a 40% decline in the irregular migration flow through the Greek and Bulgarian land borders and a 16% decline in the number of irregular sea border crossings between Greece and Turkey.⁹⁰ However, matters deteriorated again towards the end of 2010, as described by Europol:

In 2010, a sharp reduction in the use of sea routes was accompanied by a substantial increase in illegal overland entries, overwhelmingly concentrated on the Turkish-Greek border ...

87 Although Turkey does extend temporary protection to asylum seekers coming from elsewhere.

88 Franck Düvell, “Studying migration from, to and through Turkey: The context”, in Centre on Migration Policy and Society, *Turkish Migration Studies group at Oxford University*, January 2011

89 Q 58. More recent events in North Africa may have re-opened some of these flows.

90 Ev 35 [Home Office]; European Commission, *Turkey 2010 Progress Report*, November 2010, p 82

Its geographical position, the presence of historical smuggling routes and the comparative ease with which entry visas may be obtained have transformed Turkey into the main nexus point for illegal immigrants on their way to Europe.⁹¹

51. General Ilkka Laitinen, who is the Executive Director of Frontex, the EU border agency, told us that:

What we saw and witnessed last year was a rapid shift from maritime borders to land borders. Altogether last year, we saw about 80% of the detections that took place at the land borders of the EU Member States, while previously the majority took place at the maritime borders.⁹²

By October 2010, about 46% of all irregular immigration detected at the EU external border took place at the land border between Greece and Turkey,⁹³ and the authorities estimated that up to 350 migrants were attempting to cross the 12.5 km land border near the Greek city of Orestiada every day.⁹⁴

Figure 1: Map of border region



52. As discussed in the previous chapter, many of these migrants are assisted by people smugglers. According to the Turkish National Police, migrants are generally taken across the Iranian, Iraqi or Syrian border with Turkey and through mainland Turkey, where they are sheltered in Istanbul or Izmir before being transported on to Greece. The UK is a target

91 Europol, *EU Organised Crime Threat Assessment 2011*, April 2011, p 16

92 Q 148

93 *Ibid*

94 "Frontex deploys Rapid Border Intervention Teams to Greece", Frontex News Release, 25 October 2010, www.frontex.europa.eu

country for these migrants as their ultimate destination, as are Germany, Italy and Greece.⁹⁵ Data provided by the British Embassy in Turkey based on interviews with 348 migrants who had agreed to be assisted to return home deny that Greece is a permanent destination for many and showed that of the 187 who planned to travel on from Turkey:

- 77 gave their final destination as Greece;
- 56 had aimed ultimately to get to the UK;
- 17 said “any EU country”;
- 6 were aiming for Sweden, 5 for Germany, 4 for Italy, 3 for each of France, Spain, Norway, Switzerland and Canada and 1 or 2 for Austria, Finland, the Netherlands, Ukraine and Ireland.⁹⁶

The Greek authorities, based on their debriefing of offenders who have crossed from Turkey, said that most migrants tended to be heading for France, Germany, Sweden, Belgian and the Netherlands, with fewer aiming for the UK. We were advised that migrants often select target countries on the basis of Turkish groups already established there who can support them, although only a small minority (37) of the migrants interviewed by the Assisted Voluntary Returns programme said they had friends or relatives in their destination countries.⁹⁷

53. It is very difficult to gain an accurate picture of the origin of these migrants. The main nationalities claimed by third country migrants apprehended in Turkey are Palestinian, Burmese, Afghani, Somali, Pakistani, Russian, Iranian and Iraqi,⁹⁸ however, it is notable that there are considerable discrepancies between Turkish and Greek figures. In 2010, the most prevalent nationalities claimed by migrants apprehended on the Greek side were Afghani (50%), Algerian (17%) and Somali (10%).⁹⁹ This is largely owing to the fact that smugglers advise migrants to tear up their documents and tell the authorities they are of a nationality most likely to have a genuine asylum claim or difficult to deport. The interviews with the 348 migrants receiving assistance to return home from Turkey are likely to provide a more accurate, if limited, picture of nationality: 112 came from Pakistan, 93 from Turkmenistan, 82 from Mongolia and 41 from Afghanistan, with the remainder originating from the former Soviet Union and other central Asian states (bar three who had come from the Dominican Republic).¹⁰⁰

54. There are similar difficulties in ascertaining how many of the migrants are refugees rather than economic migrants. According to NGO representatives in Athens, genuine refugees are unlikely to claim asylum in Greece as the system is so chaotic, whereas economic migrants are very likely to do so in order to gain some breathing space while

95 Annex A, *Note of our visit to Turkey*

96 Data provided by the British Embassy in Turkey

97 Annex A, *Note of our visit to Turkey*; Annex B, *Note of our visit to Greece*; data provided by the British Embassy in Turkey

98 Ev 33 [Home Office]

99 Annex B, *Note of our visit to Greece*

100 Data provided by the British Embassy in Turkey

their case is being processed.¹⁰¹ One thing that does seem clear is that the irregular migrants crossing the border from Turkey into Greece are highly unlikely to be Turkish. Dr Düvell confirmed that:

I have myself never heard of any Turkish national using this route like crossing borders clandestinely into Greece or taking a boat to the Greek Islands. This is exclusively third country nationals.¹⁰²

55. The situation has now reached crisis proportions. The migrants face desperate conditions in and out of detention. The United Nations High Commissioner for Refugees has rightly drawn attention to a:

severe deterioration of the detention situation for new arrivals in Greece due to overcrowding of existing detention centres. Men, women and children are crammed together with little space, in dire hygiene conditions and without access to yards. Essential services such as information to persons in detention, interpretation in a language they can communicate and legal counselling on the asylum procedure, are totally absent.¹⁰³

We witnessed these conditions during our visit to a detention centre in Filakeio in the Greek region of Evros. Greek citizens face threats to their security: in Athens, for example, residents have become fearful of entering parts of the old town where large numbers of homeless migrants gather.¹⁰⁴

Current crisis at the Greek-Turkish border

Frontex operation

56. In response to the increased levels of immigration at the Greek–Turkish land border, Frontex deployed for the first time a Rapid Border Intervention Team (colloquially referred to as the RABITS)¹⁰⁵ to Orestiada in November 2010. The team, made up of national border agency staff from EU Member States, was sent for an initial period of two months; their stay was later extended until 2 March 2011. Some 3.25 million euros were provided to the Frontex operation initially, followed by an additional 1.5 million euros.¹⁰⁶ The Rapid Border Intervention Team operation was succeeded in March by Joint Operation Poseidon Land, which, according to the Greek Ambassador to the UK, “aims to ensure continuity of the Rapid Border Intervention Team operation’s main goals and outcomes”¹⁰⁷ and differs only in that individual Member States can now choose whether or

101 Annex B, *Note of our visit to Greece*. Greece has a backlog of 47,000 asylum cases meaning that cases can take a long time to resolve.

102 Q 59

103 UNHCR press notice no. 37/10, 15 October 2010

104 Annex B, *Note of our visit to Greece*

105 A mechanism established so as to allow, in cases of exceptional migratory pressure, rapid deployment of border guards on a European level. 175 specialist border control personnel from 24 European countries were deployed to Greece for 24 hour joint surveillance of the land border in the area between Orestiada and Alexandroupolis, as well as additional officers stationed at the Border Crossing Point at Kipi.

106 Annex B, *Note of our visit to Greece*

107 Ev 38

not to participate.¹⁰⁸ We understand that the team is currently operating with 50% of the resources of the Rapid Border Intervention Team operation, and 80% of resources promised by the Member States. Around 45 guest officers are now working on surveillance and intercept, eight to ten are positioned on the actual border crossing, eight to ten are working as interpreters, ten are responsible for determining nationality and ten are acting as de-briefers for intercepted migrants.¹⁰⁹

57. General Laitinen told us that the operation had experienced some success:

If we compare the starting point of the Rapid Border Intervention Team operation in the beginning of November with the situation now, we saw a reduction—a decrease of 76%—in the detections of irregular immigrants at that border. Another feature that illustrates the impact is that more than 90% of the irregular immigrants are being screened.¹¹⁰

According to a Frontex press release dated 2 March 2011, detected illegal border crossings of the border between mainland Turkey and mainland Greece, mostly running along the river Evros, dropped from 7,607 in October 2010 to 1,632 in February 2011.¹¹¹ However General Laitinen admitted that the figures are still high, and that is why Frontex is still present at the border.¹¹²

58. The Frontex operation is not performing a significantly different role from that played by the Greek authorities, other than providing increased personnel and provision of technical assistance in the form of cameras, helicopters and so forth. We were sceptical about the extent of the impact the team could have on migration levels, given that they cannot act to intercept migrants until they have already crossed the border into Greece, and they cannot send them back. We were told by the Greek authorities during our visit to Greece that the mere presence of the Frontex team has had an effect on the attitude of the Turkish authorities to this problem but this does not fit with what we saw and heard in Turkey. Since November 2010, the Greeks say that they have witnessed a marked improvement in intervention from the Turkish authorities before migrants cross the border: for example, there is now a military presence on the Turkish border which they say was not previously apparent, Turkish border stations are now manned constantly, and there is less evidence of corrupt dealings between Turkish law enforcement officers and people smugglers.¹¹³ The Turkish Ambassador to the UK confirmed that law enforcement capacity at the border had been intensified by 80% since January 2011.¹¹⁴

59. Dr Düvell urged caution in overplaying the success of the Frontex operation, noting that it is deployed along only the 12.5 km stretch of land (as opposed to river) border and suggesting that some of the reduction in crossings could be due to wintery conditions,

108 Q 162 [General Laitinen]

109 Annex B, *Note of our visit to Greece*

110 Q 155

111 Q 68 [Dr Düvell]

112 Q 155

113 Annex B, *Note of our visit to Greece*

114 Q 166

which makes crossing the river border more difficult, and some due to the usual fluctuations in migration flows. He warned that there could be a negative knock-on effect on migration levels elsewhere, as this tended to be the case whenever one entry loophole was blocked:

What I see and hear is that the smugglers are moving back their activities and businesses to the Aegean Sea and the cities and villages down there, but that has always been expected because they change routes all the time and that would probably have happened. I have students in the field talking to smugglers and they were saying, “Oh, the smugglers are quite happy with Frontex because people are no longer pushed back”. Their business is not affected at all by Frontex.¹¹⁵

60. However, according to Frontex, their operation has not had a subsequent knock-on effect on migration levels at the sea border. As of March 2011, only a dozen irregular immigrants had been detected at the sea border, whereas in the same period in 2010, this figure had already reached four digits.¹¹⁶ This was further confirmed during our more recent visit to Greece by the Greek Coastguard: 80 illegal migrants were arrested after arriving by boat from the Turkish coastline between January and June 2011, a 97% reduction compared to the equivalent period in 2010.¹¹⁷

61. We were told during our visit to Turkey in February by the Governor of Edirne province that Frontex had made two official visits to meet the Governor but that the Greek Government had not invited the Governor to visit the Frontex facilities. In Turkey we were also told that the Greek authorities appeared to do little to deter or return illegal entrants and that communication by Greece was poor. General Laitinen agreed that:

It is not a secret that the level of co-operation in operational terms between Greece and Turkey, and between the other European Union Member States and Turkey, is not yet satisfactory.¹¹⁸

However, during our visit to Greece, which took place some three months later, we were encouraged by evidence we saw of the increased willingness on part of both sides to work together, both nationally and locally, and tentative steps towards joint meetings between national law enforcement personnel and information sharing.

62. In terms of the relationship between Turkey and Frontex itself, General Laitinen informed us that:

The approach that we took vis-à-vis the Turkish authorities during the Rapid Border Intervention Team operation, and previously, was that we kept them informed of our plans and our undertakings. Frequently, in the course of the operation, we informed them and briefed them on the results and we persistently

115 Q 69

116 Q 158 [General Laitinen]

117 Annex B, *Note of our visit to Greece*

118 Q 156

encouraged them to take additional measures, which they did, and that was one of the reasons why the figures gradually went down.¹¹⁹

General Laitinen has been negotiating a bilateral working arrangement with the Turkish authorities over the past four years, which he said should be agreed and signed imminently (although we were informed during our visit in June that this had still not happened). Once this is concluded, it will be possible to invite Turkish observers into Greece and send Member State personnel into Turkey. The Turkish Ambassador to the UK emphasised that Turkey was keen to pursue a closer working relationship with Frontex and this fits with everything we saw and heard in Turkey.¹²⁰

63. The draft Frontex Regulation currently under consideration by the European Council, which proposes a large number of amendments to the 2004 Regulation governing the role and working arrangements of Frontex, would allow a new provision for Frontex to deploy liaison officers in third countries. While the UK does not participate fully in this area of Justice and Home Affairs, the Minister for Immigration wrote to our colleagues on the European Scrutiny Committee on 22 March 2011 in support of the proposed amendments to the Regulation that would provide “more effective deployment of Member State’s border guards and technical equipment to Frontex operations” and increase engagement with third countries on practical action to stem illegal migration flows.¹²¹

Border fence

64. There are currently no physical obstacles along the 12.5 km land border between Turkey and Greece. The Greek Government announced in December 2010 its intention to erect a barrier fence along this border. The Greek Alternate Foreign Minister,¹²² Ms Mariliza Xenogiannakopoulou, told us that the fence would incorporate electronic devices and force migrants to undertake the more difficult river crossing. The Greek Minister for Citizens’ Protection, Mr Christos Papoutsis, believed that the fence would send a powerful message to potential migrants, as well as facilitating enforcement action and joint efforts to combat people smugglers.¹²³

65. When asked for his view as to whether such a measure would be likely to be effective, General Laitinen told us:

I have not seen a well-functioning wall system—I think about the situation at the US–Mexican border or elsewhere—that could considerably facilitate the effectiveness and the cost-effectiveness of [border management]. So I am a little bit reserved on building a fence with a view to preventing irregular immigration.¹²⁴

He considered that a more effective solution would be for Member States to take a more comprehensive look at measures needed to tackle irregular immigration, including co-

119 Q 159

120 Q 166

121 European Scrutiny Committee, 24th Report Session 2010-11, March 2011, *Chapter 13 Strengthening Frontex*

122 The Member of the Greek Government with responsibility for European policy.

123 Annex B, *Note of our visit to Greece*

124 Q 149

operation with third countries and intelligence and surveillance activities at the border. The Turkish Ambassador to the UK said that Turkey understood that the decision to build a fence was “necessary and against neither Turkey nor Turkish citizens.” Nevertheless, he too emphasised that “building fences and walls are only short-term measures that cannot really cope with the migratory flows and challenges in the long run.”¹²⁵ When challenged about this, the Greek authorities acknowledged that they did not regard the fence as a solution in itself.¹²⁶

Readmission Agreement

66. While the Greek authorities appreciate that Turkey is also bearing a considerable portion of the migration burden, the Greek Minister for Citizens’ Protection expressed frustration with the operation of the Greek–Turkish Readmission Agreement which has been in place since 2002 but rarely enforced until last year, when Turkey readmitted 1,457 migrants out of 10,198 requests submitted by the Greek authorities.¹²⁷ However, these numbers still represent only a fraction of migrants crossing the border. According to the Greek authorities, Turkey usually disputes the fact that migrants have crossed from their territory unless it can be proved they come from countries who share Turkish borders and with whom Turkey also has a readmission agreement—Iran, Iraq, Syria and Georgia.¹²⁸ The Turkish Authorities expressed frustration at the Greek failure to intervene more quickly and to co-operate at the border. We were left with the strong impression that Turkish authorities feel that they are grappling with problems that are ‘made in Europe’ but that their efforts are not recognised in some European countries (other than the UK) and that unless their efforts are fully recognised the current momentum could be lost.

67. The EU regards Readmission Agreements as part of an effective policy for combating illegal migration and has sought to agree formally with non-EU states that they will not only accept their own nationals back¹²⁹ but also third country nationals who have transited their territory en route to the EU. The EU is pressing for the signature of such an agreement with Turkey, to facilitate a greater number of returns. The Home Office said that it would “welcome a swift conclusion” to the draft EU–Turkey Readmission Agreement, which Turkey hopes will be accompanied by a commitment to make it easier for Turkish nationals to enter the EU.¹³⁰ Most EU Member States currently require Turkish citizens to obtain an entry visa, although Greece has already liberalised its visa regime and Germany’s Administration Court ruled in February 2011 that Germany could not require Turkish tourists to hold a visa.¹³¹

68. The UK Minister for Immigration clarified why it was taking so long to conclude the Readmission Agreement:

125 Q 166

126 Annex B, *Note of our visit to Greece*

127 Ev 38 [Greek Ambassador to the UK]

128 Annex B, *Note of our visit to Greece*

129 States are obliged under international law to accept back their own nationals, but readmission agreements can facilitate this process.

130 Ev 34

131 Ruling of the Federal Administrative Court of Germany, BVerwG 1 C23.09, 11 January 2011, www.bverwg.de

At the Justice and Home Affairs Council on 24 February, the council members noted that the [European] Commission had an intention to initiate the overall dialogue on migration mobility and visas but with a caveat that the Commission acknowledge in a declaration that this doesn't legally constitute a negotiating mandate.

Turkey has indicated that a declaration made by the EU about a potential visa discussion wouldn't be sufficient for them to sign the agreement, so that is where the blockage is.¹³²

The Turkish Ambassador to the UK emphasised that:

Turkey will initial the readmission agreement only if the Council mandates the Commission to start negotiations on a detailed action plan with Turkey and present the associated roadmap with the ultimate goal of a visa-free regime for Turkish citizens.¹³³

69. Dr Düvell did not believe that a Readmission Agreement would have a significant impact on the numbers of migrants returned to Turkey because it would only apply to those third country nationals who do not apply for asylum, which is a “relatively small number”:

At present asylum seekers cannot be sent back to Turkey. This is because (a) Turkey does not apply the Geneva refugee convention to non-European refugees, thus it is not considered a safe country and (b) it is not an EU member state, thus the Dublin II convention that establishes which state is responsible for refugee status determination procedures does not apply.¹³⁴

70. In response, General Laitinen stated:

I think a readmission agreement, especially a well-functioning readmission agreement, is one of the success factors in tackling irregular immigration. We have seen it in many other areas as well ...

When it comes to the readmission agreement between the EU and Turkey, and also third countries, it is very important that it should cover not only the nationals of the interlocutors but third country nationals. I would like to repeat once again: having a well-functioning readmission agreement in place is among the key factors for a successful fight against irregular immigration.¹³⁵

It is worth noting that, while it has tried to write relevant clauses into other agreements with third countries, the EU does not hold readmission agreements with any of the major source countries of migrants likely to enter via Turkey, other than Pakistan, with whom an agreement was reached in October 2010, and Georgia, which was signed in November

132 Q 132. As the UK is not part of the Schengen area these negotiations would not directly affect UK domestic legislation or the UK's domestic visa system.

133 Q 178

134 Qq 65, 67

135 Qq 163-4

2010.¹³⁶ This makes returns directly to the source countries more difficult. **We gained the very clear impression that Turkey has a genuine will to achieve agreement and to improve co-operation and practice, but feels that EU decision-making is slow and cumbersome. The UK Government should press the EU—and other Member States—to recognise the immediate benefits of cooperating with the Turkish authorities on such issues as law enforcement, border controls, people smuggling and trafficking of drugs and people. This should be pressed in advance of a resolution of other accession issues or the overall rate of progress towards accession.**

Voluntary returns

71. Another means of removing migrants from Turkey or Greece is by assisted voluntary returns, whereby migrants who agree to go home are given financial assistance to do so. Many of the migrants who have managed to reach Turkey or Greece but cannot get to their ultimate destination would prefer to go home rather than remain in limbo, but lack the resources to do so. At the time of our visit to Greece, the International Organisation for Migration, which operates voluntary returns out of Athens, was aware of 3,000 migrants who wanted to return home, but only had funding available to repatriate 500 of them. The organisation, along with other refugee NGOs in Athens, was very critical of the European Commission for not releasing funds allocated for this purpose because the Greeks could not meet the requirements to provide matching funding. The Office of the United Nations High Commissioner for Refugees in Greece, which does not usually advocate the use of voluntary returns programmes, believed that in this instance such programmes were the only way to resolve the current migration crisis in Greece in the short-term.¹³⁷ The UK Ambassador to Greece advised us that a small number of migrants might be assisted through an EEA-related fund provided by Norway and Iceland which, unlike the European Commission administered fund, did not insist on matched funding from Greece.

Visas

72. Turkey has agreed to visa exemptions for the nationals of several countries required by the EU to be in possession of a visa when crossing any EU external border, meaning that many of the migrants intending to head to the EU irregularly can enter Turkey as tourists without restrictions. The Home Office told us it was “regrettable” that Turkey had agreed visa exemptions with some countries on the European Union’s negative list.¹³⁸ The Greek Minister for Citizens’ Protection noted there had been a large influx of migrants into Greece from the Maghreb because of a recent decision by Turkey to abolish visa requirements for nationals of some of these countries.¹³⁹

136 Data on EU Readmission Agreements provided by the European University Institute can be accessed at www.mirem.eu/datasets/agreements/european-union/

137 Annex B, *Note of our visit to Greece*

138 Ev 34

139 Annex B, *Note of our visit to Greece*

People smuggling

73. The Greek authorities in Evros arrested fewer people smugglers in 2010 than in 2009 (73 down from 93), largely because the smugglers stopped accompanying the migrants over the border themselves owing to the increased risk of apprehension. The Evros authorities have also observed the development of a new route of irregular migration, whereby migrants make use of cheap flights from North Africa to Istanbul, then travel on to Greece.¹⁴⁰ UK representatives in the field were keen to impress upon us the need for cross-agency working and intelligence sharing to tackle the problem of organised immigration crime—this is particularly important given the increased difficulty in apprehending people smugglers at the border.

74. Serious Organised Crime Agency officers are facilitating intelligence exchange between the Greek and Turkish police, which they hope will continue to develop. So grave do they perceive this issue to be, the Agency has diverted some of its resources in the region from drugs to organised crime. While we were told that information arising from the Frontex de-briefings is passed to the Greek authorities, we were also advised that data sharing between Greece and Europol could be better. We were encouraged to learn that Frontex is increasingly sharing intelligence with Europol and from next month a roving team from Europol is expected to be present in the Evros region. The Director of Europol wrote to us subsequently to describe the progress made:

Europol undertook a mission to Greece between 2 and 10 May 2011 primarily to gain an overview and insight into the current critical situation at the EU external land border between Greece and Turkey. Secondly the intention was to assess the activities undertaken by the Greek authorities supported by Frontex in combating the irregular migration flows in the region. Thirdly, the intention was to establish a flow of intelligence from the Greek authorities and Frontex to Europol so that Europol can provide analytical and specialist support for Greece in identifying illegal immigrant smuggling networks active both inside and outside the EU.¹⁴¹

The Draft Frontex Regulation also includes a new provision for Frontex to exchange information with EU agencies and to process the personal data of individuals suspected of involvement in cross-border criminal activity, illegal immigration or human trafficking. Not all Member States have yet endorsed this provision, however.

75. The land border between Greece and Turkey now constitutes the main loophole for irregular immigration to the EU: by the end of 2010, up to 350 migrants were attempting to cross it every day. While it is difficult to obtain accurate figures, the majority of these migrants originate from Afghanistan, Pakistan, Central Asia and, more recently—because of a decision by the Turkish Government to relax visa requirements for the nationals of some Maghreb countries—North Africa. Very few, if any, are Turkish nationals.

76. There is little doubt that the subsequent presence of the Frontex operation at the border since November 2010 was associated with a reduction in the number of

¹⁴⁰ Annex B, *Note of our visit to Greece*

¹⁴¹ Ev 48

migrants crossing. A number of reasons are suggested, including that it has had some form of deterrent effect, it has increased the surveillance capacity at the border, and it has encouraged the Turkish authorities to put more resources into policing their side of the border. The numbers apprehended on the Greek side dropped from 7,607 in October 2010 to 1,632 in February 2011. We therefore recommend that the European Council strongly communicates to Member States the importance of meeting their commitments to provide Frontex with adequate resources to combat irregular migration at the land border between Greece and Turkey. We believe that, to the extent that Frontex has succeeded, it is largely through the political message that it has sent Turkey that the whole Schengen area, and not just Greece, expects Turkey to act more strongly to combat illegal migration. We recommend that our Government bolsters the limited but cost-effective Serious Organised Crime Agency and UK Border Agency presence and visibility on the Greek-Turkish border to emphasise that the UK wholly concurs with this.

77. However, Frontex is unable to turn back migrants and we question whether a more effective use of EU resources might not be for Frontex, with the permission of the Turkish Government, to undertake preventative work in Turkey alongside the Turkish border authorities. For this reason, we urge the European Council to adopt provisions for the draft Frontex Regulation that will allow for increasing liaison with third countries and encourage Frontex to put them into effect swiftly. We urge the UK Government to press this specific point with the European Commission as a matter of urgency.

78. In the long-term, substantially reducing the flow of irregular migrants to the EU depends significantly upon an improvement in the life chances of people in the developing world, which can be assisted by the effective targeting of UK and EU aid budgets. In the shorter-term, we believe that a four-fold strategy is required to address the situation in Greece and Turkey: resources for Assisted Voluntary Returns, effective readmission agreements, increased cooperation between the Greek and Turkish authorities, and a focused effort to tackle organised immigration crime. The proposed border fence to be built in Evros may have a limited deterrent effect, but all parties involved acknowledge that it is no solution in itself.

79. We appreciate the commitment we were given by the Greek authorities that they would continue to combat the issue of irregular migration on behalf of Europe, despite Greece's own acute domestic concerns. However, we are concerned that these domestic problems will severely inhibit the capacity of the Greek authorities to do this effectively and we heed their call for greater burden-sharing amongst European partners. We understand that European funding for crucial migration programmes, including Assisted Voluntary Returns, which allow those migrants who are stuck in Greece to return to their own countries, is being delayed because of Greece's inability to provide matched funding. The UK Government should put pressure on the European Union to release emergency funding without the usual requirement for matched funding while Greece is experiencing acute economic difficulties.

80. We also recognise the efforts made by the Turkish authorities to stem the flow of migrants into Greece, and were particularly encouraged by indications of a greater willingness on the part of the Greek and Turkish authorities to cooperate on migration

issues. Small but positive steps have been taken by the Greek and Turkish Coastguards along the maritime border over the last few years and we hope this can be built upon and replicated, with the aid of Frontex, between agencies operating at the land border. Intelligence-sharing across state boundaries is key to disrupting networks facilitating organised immigration crime and Europol and Frontex must take a stronger lead in developing effective ways of sharing and utilising intelligence captured by themselves and the relevant national agencies in Greece and Turkey. Once again, we urge the European Council to pass provisions for the Draft Frontex Regulation that would facilitate this.

81. We are deeply concerned about the conditions in which migrants are currently being held in Greece as the authorities struggle to deal with the high level of migration. Currently migrants are able to be held in detention in Greece for a maximum of six months only, and the threat of detention, even in such conditions, appears not to have had a deterrent effect. Most are subsequently released by the Greek authorities because of a lack of enforcement of the Greek-Turkish Readmission Agreement, which might allow the majority of third-country nationals who have transited Turkey to be returned there. While Greece is unable to return the vast majority of those whom it detains, we question the value of holding migrants in these conditions. We add our voice to that of the UK Government in encouraging the prompt conclusion of a Readmission Agreement between Turkey and the EU, which should facilitate the return to Turkey of greater numbers of irregular economic migrants.

Implications of EU accession

82. Turkey's accession to the EU would lengthen its external land border to encompass Georgia (276 km), Armenia (328 km), Azerbaijan (18 km), Iraq (384 km), Iran (560 km) and Syria (911 km); and its sea borders at the Black Sea (1,762 km) and the Aegean and Mediterranean (4,768 km).¹⁴²

Figure 2: Map of Turkey and its external borders



¹⁴² European Commission, Commission Staff Working Document, *Issues arising from Turkey's Membership Perspective*, 2004, pp 41-2

As we have noted, Turkey would not, however, accede to the Schengen zone upon its accession to the European Union but at a later date to be determined by the European Council, following a “stringent evaluation of Turkey’s capacity and practice in terms of border control and surveillance”.¹⁴³ In consequence, internal border controls vis-à-vis Turkey would not be lifted upon Turkey’s accession to the Union.

83. As with organised crime, Turkey is required to make a number of improvements to align its policies and procedures in the area of border management as a condition of joining the EU. Frontex emphasised that this would be taken seriously by the EU:

The EU has rather clear criteria when it comes to border security and the basis is with the Schengen *acquis*. There are certain measures that have to be taken prior to accession, and then there is a follow-up system finally to verify if the internal border checks can be abolished. This particular question cannot be approached by taking one or another trick. The question is about the whole structure, starting from the logistical measures, practical measures, and then also about the effectiveness of the border control system as a whole.¹⁴⁴

84. The EU has been critical of Turkish border security capacity in its annual progress reports, particularly the fact that border management is split between the army, gendarmerie, national police and coastguard (Schengen best practices require a “single professional body” to be responsible for border management). Although efforts are now underway to implement the national action plan on integrated border management, inter-agency cooperation, including the need for efficient and coordinated use of databases and risk analysis at the border, “remains a key issue” and more trained staff and border check equipment are needed at border crossing points.¹⁴⁵ EU pre-accession funding for Turkey over the last few years has included support for integrated border management, including training of border police and inter-agency cooperation, visa policy and practice, migration and asylum policy, especially as regards training and the administrative capacity, as well as streamlining of asylum procedures.¹⁴⁶

85. The Home Office praised recent progress made by Turkey to counter fears in this area:

Although the decrease in illegal migration through Turkey may be linked to the recent economic downturn in Europe, it is also important to recognise that the Turkish authorities have continued to make steady steps towards better managing migration flows. The so-called “Two Bureaux”, reporting directly to the Minister of the Interior, have been created to write new legislation on asylum, foreigners and integrated border management and are developing new organisational structures. A task force for external borders meets every two months and will prepare a draft roadmap for harmonising the border management system with EU standards.¹⁴⁷

143 *Ibid*

144 Q 150

145 European Commission, *Turkey 2010 Progress Report*, November 2010

146 European Commission, *Commission implementing decision on a Multi-Annual Indicative Planning Document 2009-2011 for Turkey*, June 2009

147 Ev 33

The Turkish Ambassador told us that Turkey has upgraded the technological capacity and increased the manpower capacity of its border control unit and he averred “now we have very good control at the border with Iran and Iraq.”¹⁴⁸

86. As stated above, Turkey currently applies the geographic limitation to the 1951 Geneva Convention, which means that it does not grant full refugee status unless the applicant originated from Europe. Turkey is required to lift this limitation before accession takes place, which Dr Düvell argued could have positive consequences for current EU Member States:

I can only guess but would assume that more than half of all those asylum-seeking migrants coming to the EU would probably agree to stay in Turkey if they were to get access to asylum procedures, but not only that, that would need to come with some kind of documentation that legalises their stay as well as some integration effort in terms of language courses, whatever. People who come from neighbouring countries, there is a familiarity; they have the same religion, languages are similar. That is why I would assume that people would be prepared to stay, also in the light that we have significant communities of Iranians, Iraqis, Syrians and so on already living in Turkey.¹⁴⁹

The European Commission has further noted that:

After accession, the Dublin Regulation would apply to Turkey. Thus, in many cases, asylum applicants who have travelled through Turkey illegally but who have chosen to submit their application in another Member State would be returned to Turkey for their application to be heard there. The accession of Turkey would thus be likely to reduce the number of asylum applications dealt with by the current EU Member States.¹⁵⁰

Prior to accession Turkey would also be required to complete its alignment with the EU Visa Regulation concerning third-country nationals.

87. There are two positions taken by the Turkish Government which are currently contributing to the flow of irregular migrants into Europe but which Turkey would be required to reverse in order to align itself with EU standards prior to accession. The first concerns the agreement of visa exemptions with a number of countries on the EU’s negative list—Turkey would be required to align with the EU Visa Regulation on third country nationals by requiring nationals of these countries, such as Syria, to obtain a visa. The second concerns the application of geographical limitations to the 1951 Geneva Convention—Turkey would have to award full refugee status to genuine refugees from outside Europe. This might encourage more migrants to claim asylum in Turkey rather than the EU, although the impact on overall numbers of migrants is difficult to assess.

148 Q 180

149 Q 60

150 European Commission, Commission Staff Working Document, *Issues arising from Turkey’s Membership Perspective*, 2004, p 43

88. Nonetheless, were Turkey to join the EU, the Union's external borders would extend to several countries which pose a considerable security risk, including as a source of large numbers of irregular migrants, notably Syria, Iran and Iraq. In our view, the ability of Turkey to control this border gives rise to the greatest cause for concern within the Justice and Home Affairs area. The EU must apply a very stringent set of conditions relating to border security, all of which must be clearly and objectively demonstrated to have been met by Turkey prior to accession. Careful consideration must also be given within the accession negotiations as to the desirability of eventually allowing Turkey to join the Schengen area. It is appropriate that part of the EU's pre-accession aid package to Turkey is aimed at developing a modern and effective border management system. We have been told that the UK is also providing a considerable level of assistance to the Turkish authorities in this area. This is commendable, but we would like to receive assurances from our Government that the UK is not shouldering too much of the burden and that the EU is meeting its commitments in this area. We urge the Government to make the case vigorously for the EU to be more engaged and forthcoming to Turkey in advance of accession since we have a lot to gain and such an approach would be in the best interests of the UK and other members of the EU.

4 Regular migration flows

Recent experiences of enlargement

89. EU membership entails the “four freedoms” of the single market: the free movement of goods, services, capital and people. However, in the case of enlargements since 2004, Member States have been given the option of imposing temporary restrictions on the free movement of workers from the acceding countries for up to seven years. Most EU countries applied transitional arrangements for the so-called A8 countries¹⁵¹ from 2004, with the exception of Ireland, Sweden and the UK, although all three restricted the access that East European workers would have to their social security. The UK also required them to register with the Worker Registration Scheme until they could demonstrate that had completed 12 months of employment with no more than 30 days’ break.

90. Following the accession of the A8 countries to the EU in 2004, a significantly higher number of A8 nationals migrated to the UK than was expected by the UK Government. In 2003, the Home Office had estimated that net inflows of A8 nationals would range between 5,000 and 13,000 annually until 2010. It assumed that large numbers would head for Germany as per traditional migration patterns, and argued that even if Germany placed restrictions on entry, any diversion to the UK would be small.¹⁵²

91. In fact, there were around 200,000 annual registrations on the UK’s Worker Registration Scheme between 2004 and 2007, excluding the self-employed and those who required to register but did not (estimated to stand at between a quarter and a third of A8 migrants). The number of successful applicants to the Worker Registration Scheme declined after 2007 to 108,920 in 2009, and the think tank the Institute for Public Policy Reform (IPPR) suggested that around half of A8 migrants who had arrived since May 2004 had left the UK by the end of 2007.¹⁵³ However, immigration control statistics from the Home Office published earlier this year show a small increase again in 2010 to 116,760.¹⁵⁴ As of May 2011, EU Member States may no longer apply transitional arrangements for the A8 under the terms of the Treaty of Accession.

92. Analysis by the Institute for Public Policy Reform identified the following reasons why so many more A8 nationals came to the UK than predicted:

- The widespread restrictions imposed by other EU Member States;
- The predictions were based on permanent migration flows, whereas in fact much of the A8 migration has been temporary;
- Around 30–40% of those who registered to work in the UK after accession were already working in the UK (often illegally); and

151 The Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia.

152 Home Office, *The Impact of EU Enlargement on Migration Flows*, Online Report 25/03, 2003

153 IPPR, *Floodgates or Turnstiles? Post-EU enlargement migration flows to (and from) the UK*, April 2008, p 18; Home Office, *Control of Immigration: Quarterly Statistical Summary*, February 2011, p 29

154 Home Office, *Control over Immigration: Quarterly Statistics Summary, United Kingdom, October-December 2010*, February 2011, p 33

- The strength of the UK economy at the time.¹⁵⁵

93. Earlier experiences of enlargement tell a different story, however. Similar concerns were expressed in relation to expected labour migration from Spain and Portugal (which acceded in 1986) owing to factors such as the high income differentials and the high unemployment and propensity to migrate in these Southern European countries, together with the geographical proximity and the long tradition of emigration towards North-western Europe; transitional arrangements were imposed as a result. In 1991, the last year of its transition period, the number of Spanish citizens living in the rest of the European Community was around 474,000, an actual reduction from the figure of 495,000 at the time of Spanish accession. By 1997, the stock had decreased slightly further to around 470,000. The stock of Portuguese citizens in the rest of the European Community at the time of its accession was around 825,000. In 1991, the last year of the transition period, it was around 855,000, and in 1997 it was around 910,000, equivalent to an annual average of around 7,700 immigrants over a period of 11 years. These numbers suggest that emigration from the Southern accession countries was negligible, even after the end of their transition periods.¹⁵⁶ It may be that a history of regimes which restricted emigration in the A8 countries may have been a key factor in encouraging subsequent high emigration rates.

94. In response to the high levels of immigration from the A8 countries, the UK Government imposed restrictive transitional arrangements on nationals from Romania and Bulgaria after these states acceded to the EU in 2007. Access for low-skilled workers is quota-limited and currently restricted to schemes for the agricultural sector. Once Romanian and Bulgarian nationals have been working legally in the UK for 12 months without a break, however, they have full rights of movement. In total:

- 8,060 Seasonal Agricultural Workers work cards were issued to Romanian and Bulgarian nationals in 2007, 16,460 in 2008, 20,180 in 2009 and 17,150 in 2010;
- 3,795 accession worker cards (applicable for those undertaking a limited number of professions, or those who have obtained a work permit via their employer) were approved in 2007, 2,775 in 2008, 2,095 in 2009 and 2,250 in 2010; and
- 29,745 applications for registration certificates (for self-employed workers, family members, highly skilled workers) were approved in 2007, 19,565 in 2008, 21,480 in 2009 and 19,295 in 2010.¹⁵⁷

A8 and Romanian and Bulgarian migrants have access to child benefits and tax credits as soon as they start working (although they lose this entitlement if they become unemployed within the first 12 months) and can claim income-related benefits after having been in employment for one year.¹⁵⁸

155 IPPR, *Floodgates or Turnstiles? Post-EU enlargement migration flows to (and from) the UK*, April 2008, p 16

156 Home Office, *The impact of EU enlargement on migration flows*, Online Report 25/03, 2003

157 Home Office, *Control over Immigration: Quarterly Statistical Summary*, February 2011, p 34. Initially, Romanian and Bulgarian workers could also work in the food processing sector.

158 IPPR, *Floodgates or Turnstiles? Post-EU enlargement migration flows to (and from) the UK*, April 2008

Current levels of migration from Turkey to the EU

95. There are 2.481 million Turkish passport holders in the EU, 146,000 of whom are refugees.¹⁵⁹ In terms of their destination, Dr Düvell told us that:

The overwhelming majority of all the Turks in the EU live in Germany; significant numbers in Switzerland, Austria and the Netherlands, also in France. The UK is one of the least popular destinations among Turkish migrants. Half of the Turkish migrants in the UK originate from Cyprus, so there is a colonial Cypriot link. Some of them have mixed marriages, Greek-Turkish, so it is very difficult. Half of the people in the UK you talk about are actually the Cypriots.¹⁶⁰

96. According to the Home Office, there are approximately 150,000 Turkish nationals in the UK at present, of a total of about 500,000 people of Turkish origin in the UK.¹⁶¹ Of the 178,000 Turkish nationals given leave to enter the UK in 2009, some 66,300 were returnees after temporary absence abroad, 64,700 were visitors, 28,300 were business visitors, 9,755 were tier 4 students plus dependents, 1,145 came for employment and 945 for family purposes.¹⁶² Turkish asylum applications dropped from 3,990 in 2000 to 185 in 2009. In 2009, 985 enforcement actions (removals and voluntary returns) were initiated, 40% of which related to asylum cases.¹⁶³ Dr Düvell said:

If we look at the current level of migration in particular from Turkey to the UK, student migration, family reunification, it is very, very low. I just can't see much of a network effect, which seems plausible to assume; but it doesn't seem to happen so far.¹⁶⁴

97. According to Dr Düvell, long-term emigration from Turkey to the European Union has dropped “significantly” to “probably below 50,000 every year”.¹⁶⁵ Furthermore, there has been negative migration from Germany to Turkey over the past four years in the region of 7,000 or 8,000 per year. This is probably linked to the economic downturn in Europe, but Dr Düvell was “confident” that the trend was set to continue, given the opportunities in the Turkish labour market for both regular and irregular migrants, in particular for the highly skilled.¹⁶⁶

Transitional arrangements for Turkey?

98. The European Commission's *Recommendation on Turkey's progress towards accession*, published in October 2004, as well as the *Negotiating Framework* of 2005, mentioned the possibility of applying “long transition periods” and “permanent safeguard clauses” to

159 Ev 43 [Dr Düvell]

160 Q 55

161 Ev 34

162 Home Office data, cited in Ev 43 [Dr Düvell]

163 *Ibid*

164 Q 54

165 Q 40

166 Qq 45-6, 75

Turkish nationals to avoid disturbance in the EU labour market.¹⁶⁷ The UK Government supports such measures in principle; the Home Office told us:

Although Turkey's negotiations have not yet reached this stage, Her Majesty's Government has made a commitment to apply effective transitional controls as a matter of course for all new Member States.

As accession negotiations with Turkey progress, it will be necessary to assess the potential for migration between Turkey and EU Member States to inform the consideration of what type of transitional controls will be appropriate. However, it would be premature to attempt to assess the impact of opening EU labour markets before negotiations on the subject have started, especially as the economic conditions in the EU and Turkey may change in the future.¹⁶⁸

99. When asked about the lessons that had been learnt from previous enlargements, the Minister for Immigration told us:

The key lesson is that we should impose the transitional controls that are allowed in the accession treaties. That was the huge mistake in 2004 when the A8 countries came in and it was a mistake that was compounded by the fact that very few other countries made that mistake ... we have made it clear that under any future accession treaty we will apply the transitional controls that will be allowed.¹⁶⁹

He considered that the transitional controls applied to Romania and Bulgaria have been "by and large pretty effective" and therefore the Government would want "at least [to] replicate that" for future accessions.¹⁷⁰

100. It is very difficult to estimate the likely scale of migration from Turkey, should it accede, particularly given that accession is unlikely to happen for many years. According to Dr Düvell:

It is not enough to look at statistics and figures. We have to go to the sending country, conduct large-scale surveys about people's aspirations, wishes, perceptions, and look at it from the sending country perspective as well and that would take, research-wise, two to three years in order to generate meaningful results. I am not aware that we have done that with the accession countries.¹⁷¹

An impact study carried out by the European Commission in 2004 reported that forecasts of long-term immigration from Turkey to the then-15 countries of the EU by 2025-30 (based largely on expected income differences) ranged between 0.5 and 4.4 million.¹⁷² The Centre for European Policy Studies published a study later in 2004, which investigated these various forecasts and placed the figure for net migration at between 1 and 2.1 million

¹⁶⁷ European Commission, *Negotiating Framework*, October 2005; *Recommendation of the European Commission on Turkey's progress towards accession*, October 2004

¹⁶⁸ Ev 34-5

¹⁶⁹ Q 117

¹⁷⁰ Q 120

¹⁷¹ Q 74

¹⁷² European Commission, *Issues Arising from Turkey's Membership Perspective*, 2004

between 2004 and 2030, “foreseeing a successful accession period with high growth and free labour mobility starting 2015.”¹⁷³

101. When asked for his assessment on the likely numbers of Turkish nationals who would take advantage of free movement following accession to the EU, the UK Minister for Immigration stated that:

It would be impossible to make any kind of realistic assessment at the moment because we don't know any of the basic facts. We don't know what the accession treaty would allow in terms of a transitional period. We don't know where, if it happened, Turks would prefer to go—they have obviously got a greater historic relationship with Germany than with this country—and perhaps most counter-intuitively for a British audience, if you like, you have to look at the way the Turkish economy is going ... I have seen suggestions that the Turkish economy will be growing faster than the Indian economy ... Given all the uncertainties, particularly about the length of time it might take before a single Turk came into Europe under free movement, it really is impossible to put any sensible number on it at the moment.¹⁷⁴

102. Dr Düvell was hesitant about giving a figure, for similar reasons, but eventually estimated an annual figure for out migration of 60,000–70,000. This estimate was made on the basis that:

- Emigration from Turkey to Europe, including clandestine migration, has dropped “significantly” to below 50,000 every year;
- Despite an underperforming labour market, there is significant internal migration from the east of Turkey where population is growing to the western part where the population is ageing and most of these migrants are absorbed by the labour market, making it unlikely they would need to seek work elsewhere; and
- There would be a likely increase in the number of young people and students travelling to the EU, which would therefore increase the current figure of 50,000.

He emphasised that this figure only accounted for out migration, not taking into account return migration and predicted that people of the following nationalities would be likely to leave the European Union to go to Turkey: Moldovans, Bulgarians, Romanians, Syrians, Iranians, nationals from all the northern Mediterranean coastal countries, Morocco and Algeria.¹⁷⁵

103. In Dr Düvell's opinion, the Turkish situation was not comparable with that of the A8 countries:

I always found these Polish earlier estimates ridiculously low, to be honest, because there was the migration industry, there was the migration culture, there was the urge of the young generation of Poles to leave the country and go somewhere else, and

¹⁷³ Centre for European Policy Studies, *Growth and Immigration Scenarios for Turkey and the EU*, December 2004

¹⁷⁴ Q 119

¹⁷⁵ Qq 40-43; 76

terribly underestimated was the fact that only three countries opened up for A8 migration: UK, Sweden and Ireland.

He considered that the number of migrants coming to the UK would significantly depend on the policies and decisions made by the other Member States, as has previously been the case.¹⁷⁶

104. Migration Watch, on the other hand, queried Dr Düvell's estimates on the basis of:

- The “large gap in living standards” between Turkey and the UK, which would make the UK an attractive destination (as in the case of Poland, the UK is roughly 2.5 times as wealthy as Turkey);
- The size and youth of the Turkish population, currently 76 million and projected to increase to 97.4 million in 2050, some 12 million of whom will be in the age group 15–24;
- The existing Turkish community present in the UK; and
- The “pull factor” of benefits.

Migration Watch cautioned that the UK Government cannot:

assume that economic growth in Turkey, even it is occurs, will be such as to keep Turkish workers at home. We could well find a situation in which young Turks migrated to Europe for wages several times higher than are available in Turkey, while workers from neighbouring countries replace them in their previous occupations. Again, we are seeing this with Ukrainians moving into Poland to replace some of those who have gone to Western Europe.¹⁷⁷

105. **It is very difficult to estimate the number of Turkish nationals who would be likely to take advantage of free movement within the EU, particularly given that the date of Turkish accession is unclear; we heard very different views accordingly. Available forecasts have put the figure at anywhere between 0.5 and 4.4 million arrivals between the date of accession and 2030. The scale of migration will depend upon a combination of complex factors, including the relative economic conditions in EU Member States and in Turkey at the time of accession, and the terms of the accession treaty and how these are applied throughout the Union. The picture is complicated by conflicting precedents from previous comparable enlargements: increased migration from Spain and Portugal was negligible following their accession in 1986, but at least 200,000 migrants arrived each year in the UK alone following the accession of the A8 countries between 2004 and 2007, despite official predictions of an annual flow of between 5,000 and 13,000.**

106. **We accept that both legal and clandestine migration from Turkey to the EU have declined in recent years to a combined annual figure of below 50,000, and that there is also evidence of negative migration from the EU to Turkey, particularly from Germany.**

¹⁷⁶ Q 73

¹⁷⁷ Ev 36-7

However, it is also the case that population trends and the gap in living standards could make easier migration to the EU an attractive option for Turkish nationals. In terms of destinations within the EU, it is perhaps likely that Turks would favour Germany, Austria, the Netherlands and France, who have the largest Turkish communities in the Union, but previous experience has shown that such assumptions may prove ill-founded.

107. All of which leads us to be cautious about the prospect of allowing Turkish citizens full freedom of movement. We note the success of transitional arrangements in controlling levels of migration to many EU countries, in the case of the A8 Member States; and to the UK, in the case of Bulgarian and Romanian nationals following their accession in 2007. We therefore welcome and fully support the Government's commitment to applying "effective transitional controls as a matter of course" for all new Member States. While we appreciate that a number of unknown factors make this analysis difficult, and that the Home Office is no doubt wary of attracting criticism for inaccurate estimates in the future, we are concerned that no impact analysis of Turkish accession for future migration trends has yet been carried out. Accordingly, we recommend that the Home Office undertakes this piece of work now and updates it as circumstances change.

Annex A: Note of our visit to Turkey

We visited Ankara, Istanbul and the Turkish region of Edirne between 27 February and 2 March 2011. We met representatives of the Turkish Government, the Turkish Parliament and national and regional law enforcement agencies. We also visited the police dog training centre, the land border between Turkey and Greece and Kumkapi detention centre in Istanbul. A summary of the information and analysis we heard follows.

Meeting with Mehmet Yeşilkaya, Head of Department of Organised Crime, Turkish National Police and colleagues

Heroin

The main trafficking routes for heroin from Afghanistan are (a) the Balkan route (which includes Turkey); (b) the Northern route; and (c) the Southern route. These last two are becoming more commonly used.

The Turkish National Police have been focusing their efforts on the Northern route since 2008, carrying out 15 operations with neighbouring countries since 2008. The heroin tends to be trafficked via Iran and the countries it borders—Uzbekistan and Turkmenistan. Ukraine, Romania and Bulgaria are transit countries. Along the Southern route, narcotics are transported through Pakistan mostly by sea, which makes surveillance very difficult. The Turkish National Police has good relations with their counterparts in Pakistan.

Heroin seizures in Turkey dropped from 16.4 metric tonnes in 2009 to 12 metric tonnes in 2010, owing to:

- A 48% decline in opium cultivation.
- A shift in the routes and methodology of the traffickers (for example, to include air cargo from Iran and Pakistan to Europe; container routes involving Iran, UAE, Syria, Lebanon and the Netherlands; and cargo from Iran to Nigeria to Western Europe).
- The increasing price of heroin which is causing criminals to consider smuggling other materials such as hashish and cigarettes.

36,000 individuals were detained in 17,124 drugs operations in 2010.

Since 2006, Turkey has overtaken the entire EU in terms of total number of drug seizures. In 2008, Turkey accounted for 21% of all global seizures.

Other illegal drugs

Cocaine arrives in Turkey either directly by air from Brazil, by land from Europe and West Africa or by sea from South America. 293 kg of cocaine were seized in Turkey in 2010 (seizures have risen sharply from 77 kg a year earlier in the decade). This total has already been exceeded in the first two months of 2011.

Turkey is now being affected by the trafficking of synthetic drugs from Europe.

The Turkish police believe that the PKK terrorist organisation plays a significant role in the cultivation, production, trafficking and distribution of drugs, which generates a considerable amount of their income.

International cooperation on drugs

The Turkish National Police work with the UN, Interpol, Europol, the Council of Europe bodies and SECI (the South Eastern European regional body for police coordination). They also cooperates with 25 different countries, resulting in seizures in 2010 of:

- 6,167 kg of heroin
- 251 kg of hashish
- 94 kg cocaine
- 30 kg opium
- 16,258,220 tablets of synthetic drugs

27% of requests they have received for drugs intelligence came from Germany; the UK made the second highest number of requests (19%). They have carried out 163 controlled deliveries since 1997, some 93 of which involved seizures abroad.

Turkey and the UK have carried out eight joint operations in five years, resulting in 22 detentions and 635 kg of heroin seized. They want to continue their good work with the UK. Their proposals for further cooperation with the UK include:

- Increasing the number of joint counternarcotics investigations.
- Enhancing information and intelligence exchange.
- Increasing controlled deliveries.
- Briefing on heroin-ecstasy exchange.
- Tackling the involvement of terrorist groups.

Of these, the most important issue is the exchange of intelligence.

People smuggling and human trafficking

People smugglers tend to take migrants from Iran, Iraq and Syria through mainland Turkey, where they are sheltered in Istanbul or Izmir, before being transported through to Greece by land or to the Greek or Italian islands. The source countries for these migrants are Pakistan, Burma (although some are likely to be nationality swapping), Afghanistan, Iraq and African countries. Turkey is mainly a transit country for migrants but increasingly a destination. The UK is a target country, as are Germany, Italy and Greece. Migrants often select target countries on the basis of Turkish groups already established there who can support them. It is estimated that organised crime groups in Turkey have made \$100 million from people smuggling in 2010 alone.

Readmission agreements are a key factor in dealing with the situation—Turkey has agreements with Greece, Syria and so forth, though not yet with the EU. Turkey has a major problem with sheltering and detaining migrants because of the numbers involved.

Other than with the UK, Turkey has insufficient operational cooperation on people smuggling with EU Member States; for example, they do not have good cooperation from Greece although it is improving. They have informal discussions with Frontex but no direct contact. The main contact point for Frontex would be the Ministry of Foreign Affairs in the Turkish Government.

The Turkish National Police also aims to increase cooperation on human trafficking, which is another source of income for the PKK. The source countries of human trafficking victims in Turkey are Russia, Ukraine, Moldova, Kyrgyzstan and the Central Asian states.

The Turkish Academy for Organised Crime

The Academy provides training on drugs, cyber crime and smuggling crimes to law enforcement personnel under bilateral agreements with 80 countries. The Academy has delivered 280 international training programmes involving 3,925 participants from 82 countries, as well as 481 national training programmes.

The Academy is collaborating with the Serious Organised Crime Agency on a project to train Afghan officers on drug enforcement, informant handling, interview and interrogation, risk analysis, surveillance and intelligence analysis.

Visit to the Dog Training Centre

Established in 1997, the Centre has trained 1,370 dogs and their owners. They are trained to recognise drugs, explosives and people. As a result, drugs seizures with dogs have risen dramatically since 2005.

Meeting with Turkish Parliament Interior Affairs Commission

The Turkish Parliament appreciates UK support for Turkish accession and hopes this will continue. Turkey has been working hard to meet the standards required, including in the issue of illegal migration; the number of detections is increasing and the authorities have taken some legal and administrative steps recently. For example, the sanctions for individuals convicted of people smuggling or human trafficking increased from three to eight years imprisonment. New migration, asylum and trafficking legislation will be considered by Parliament after the Turkish elections in June 2011.

Meeting with Mr Yaşar Yakış, Chair of the Turkish Parliament EU Commission

Turkey is cooperating with European countries on border control, but this cooperation is not as structured as it would be if Turkey was in the EU. Turkey would be better able to control its borders as a Member State, including the border with Iran.

In terms of the labour market, Mr Yakış did not believe that all unemployed Turkish people would migrate to the EU after accession. The same argument was used before Spain and Portugal acceded to the EU, but in fact, the opposite happened. In any case, Turkey's

economy is in a better state than that of either of those two countries at the time of their accession.

Meeting with Mr Osman Gunes, Undersecretary, Ministry of the Interior

Illegal migration and asylum are areas of particularly important joint projects between Turkey and the EU. Owing to the numbers of migrants from under-developed countries who wish to enter the EU, Turkey's eastern and southern borders are particularly important. Turkey's sea borders are protected by the Coastguard and the Iranian border is protected by the Jandarma (the military police responsible for policing rural areas). Other land borders are controlled by the land forces. The Turkish National Police control official Border Crossing Points in co-operation with Customs. In 2004, Turkey commenced a project to integrate these different roles under one organisational structure and has established a special bureau for integrated border management.

It is important for Turkey to conclude a Readmission Agreement with the EU, and as part of this process to relax visa restrictions for Turkish citizens who wish to travel to the EU.

Relationships between Turkish law enforcement personnel and those of other EU countries are less good than relationships with UK officers.

Meeting with Mr Gokhan Sozer, Governor of Edirne province, and representatives of the jandarma and customs authority

Illegal immigration

Edirne province contains four land border gates and two rail border gates. It shares an 88 km border with Bulgaria, which is largely a river border, and a 210 km border with Greece, all but 12.5 km of which is a river border. Edirne is a popular crossing point to the EU because it forms a natural bridge to the EU and it comprises forest, river and coastal areas, which make crossing easier. Since the numbers of crossings increased in September 2010, a number of additional permanent and temporary police check points have been established.

The authorities conducted 186 operations in 2010, during which time 429 organisers of people smuggling were apprehended. So far in 2011, 29 have been apprehended during 13 operations. The number of illegal immigrants apprehended in the province fell from a high of 18,432 in 2007 to 7,596 in 2009, before rising again to 11,384 in 2010. Some 2,150 have already been apprehended in the first 2 months of 2011. The reduction in 2009 was a result of changes in the source countries and the success of the authorities in tackling migration in other areas, which caused migrants to change their routes; increased penalties for people smuggling are also a factor.

The authorities dealt with these illegal migrants in the following ways:

	Deported	Temporary residence permit issued (2 months)	Transported to other regions of Turkey
2010	9%	75%	16%
2011	14%	80%	6%

It is difficult for the authorities to deport illegal migrants because they often find it difficult to verify their country of origin in the first instance, and then to make contact with the authorities in these countries. This is their biggest challenge. They are also unable to send people back to certain countries. In 2010, the largest number of migrants claimed to be from Palestine, followed by Burma, Somalia, Afghanistan and Iraq. So far in 2011, the second largest group of migrants claimed to be from Eritrea.

547 illegal immigrants crossed in the other direction, into Turkey from Greece, in 2010, under the terms of their bilateral Readmissions Agreement. In the first 2 months of 2011 185 people had already returned under this RA.

The authorities are building a new detention centre which will house 656 people, at the cost of approximately 1.5 million euros. It will be completed by November 2011.

There needs to be better cooperation between the Greek and Turkish authorities. The root problem of illegal migration is hunger and civil strife in the source countries: it is a humanitarian issue that requires common solutions. One issue is that there are no international organisations/fora involving the major source countries.

Visit to Pazarkule border gate

There are approximately 200 regular crossings a day at this gate from Greece to Turkey, and 200 from Turkey to Greece. Most crossings are for tourism.

Frontex, who are based on the Greek side of this gate, have made two official visits to meet the Governor; however, the Greek Government has not invited the Governor to visit the Frontex facilities. The Greeks must also improve their border management, rather than relying on making returns to Turkey.

Kumkapi detention centre, Istanbul—meeting with Mr Mehmet Güven, Head of Centre, and Angelina Ryabkova, International Organisation for Migration

The Centre is responsible for housing all foreigners detained in Istanbul until they are deported. It has a capacity of 434, including 246 men and 188 women. Some 10-11,000 people are deported each year. When migrants arrive at the Centre they are registered and the deportation process begins; they try to obtain passports and pay for their ticket home if necessary. There is not much of an issue in deporting people to Asia, the real problem is in issuing travel documents to citizens of African countries. The British Government is helping them with a project on language analysis, to enable them to work out the real countries of origin of people making false claims.

Most of the inmates are aged 15–35. Meals are provided three times a day and they have access to free health services and hot water. Once they have documents, they can be deported straight away. In rare circumstances, migrants are detained for up to one year. This would be because of a failure to find a consulate who will recognise them as a citizen of their country.

The International Organisation for Migration assists people in Turkey who volunteer to return to their countries under their Assisted Voluntary Returns programme which is primarily supported by the UK. They have helped 767 people since 2009 up to 3 March

2011. They have identified five human trafficking cases amongst these Voluntary Returns cases.

During interviews with these people, they have established that the main destinations of those who have been smuggled are the UK, France, Germany, the US and the UAE. People want to come to the UK because they feel it is a country that respects their human rights and because they think they will be able to find a job. They normally pay £2–£5,000 to be smuggled.

Meeting with Mr Mehmet Likoglu, Deputy Head of the Istanbul Police, and colleagues in the Istanbul Narcotics Department

Two years ago a new trend was identified whereby criminals use Turkish airports to transport heroin and cocaine from South America into Europe. The trade is controlled in some part by Turkish gangs, but also by West African groups, especially Nigerians. If Istanbul continues to grow and Turkish Airlines continues to expand, Istanbul is likely to become a major hub for cocaine.

Turkey is a transit and distribution country for drugs. In 2010 in Istanbul:

- 3 tonnes of hashish were seized (levels rose from 2005 then fell slightly from 2008).
- 3.5 tonnes of opium and derivatives were seized (levels have fluctuated between 2.7 and 4.7 since 2005 owing to the situation in Afghanistan). The UN estimates that 10-15% of the heroin leaving Afghanistan is seized in Turkey.
- 264 kg of cocaine were seized (rising dramatically from 36 kg in 2005 and 72 in 2009). Domestic cocaine consumption is increasing.
- Around 2 million tablets of synthetic drugs were seized. Methamphetamine is a new drug to Turkey: there is currently no domestic pattern of use but they are concerned about the future.

95% of drugs in Turkey are destined for abroad. A “significant proportion” is for the UK but it is difficult to be precise about the percentage.

The police are focusing their efforts on finding the warehouses used for storage as well as on seizures as this has a bigger effect on disrupting the supply.

Liaison officers from 17 countries are present in Istanbul but the biggest number of operations are undertaken with SOCA.

Annex B: Note of our visit to Greece

We visited Athens and the Greek region of Evros between 7 and 9 June 2011. We met representatives of the Greek Government, the Greek Parliament, national and regional law enforcement agencies, Frontex, a number of migration NGOs and the European Commission in Greece. In Evros, we also visited the land border between Turkey and Greece and Filakeio detention centre. A summary of the information and analysis we heard follows.

Meeting with Mr Christos Papoutsis, Minister for Citizen's Protection, Lt General Eleftherios Economou, Chief of Hellenic Police, Mr Grigorios Tasoulas, Secretary General, Ministry of Citizen's Protection

Greece remains committed to tackling irregular migration, which it views as a top priority, despite the economic problems faced by the country. Greece would find it very difficult to carry out this work without EU funding, however, and favours greater burden-sharing within the EU and the suspension of the Dublin II Convention. The EU has provided 230 million euros for the improvement of detention centres and the creation of new immigration and asylum agencies as part of the Greek National Action Plan on Migration and Asylum Reform.

Numbers and profile of irregular migrants

In 2010, more than 100,000 illegal migrants were arrested at the Greek borders, including the border with Albania. Prior to the Frontex Rapid Border Intervention Team operation at the Greek-Turkish land border, up to 300 illegal migrants were entering Greece every day by this route; the number has since fallen to 100-120. Migrants come in particular from Afghanistan, Pakistan and Africa—most recently there has been a large influx from the Maghreb because Turkey has abolished visa requirements for nationals of some of these countries. The Greek authorities are not always aware of the migrants' ultimate destination, but France, Germany, Sweden, Belgium and the Netherlands are all popular. Legally, migrants cannot be held for more than six months in detention. Asylum seekers are given a card that enables them to move about freely until their case is resolved.

Readmission agreements with Turkey

Greece enjoys increasingly better cooperation with Turkey and the two countries try to face these issues together; however, despite some improvement since May 2010, enforcement of the Greek-Turkish Readmission Agreement which has been in place since 2002 is very weak. Greece is firmly in favour of Turkish accession to the EU and the swift conclusion of the EU-Turkey Readmission Agreement: Greece has already liberalised its visa regime for Turkish citizens.

Border fence

The proposed border fence to be built at the land border with Turkey in Evros is not viewed as a solution to irregular migration in itself but would send a powerful message to potential migrants, and facilitate enforcement action and joint efforts to tackle people smuggling. The Turkish authorities have reacted positively to the proposal because it

addresses their complaint that the Greeks are not doing enough to tackle the problem at the border and they recognise they lack sufficient resources to control fully the flow of migrants themselves.

Meeting with Deputy Perifereiarchis of Evros, Mrs Georgia Nikolaou

Problems caused by irregular migration in Evros

Irregular migration ebbs and flows depending on world and regional events. Evros does not have the infrastructure to deal with migration on the current scale. In 2010, some 54,000 migrants were apprehended in Evros, including 33,000 who crossed the Evros river. There are two detention centres in Evros but these are at full capacity. Most of the migrants are young men but they also include vulnerable people requiring special protection. The indicative cost of providing food to migrants in detention is 2-2.5 million euros per year; a further burden is placed upon the health system, and there is a psychological cost to staff working in the detention centres. Greece is very concerned it cannot perform its humanitarian role properly.

Frontex operation

The Frontex contribution is important but is not the whole solution: their assistance mainly consists of guarding the borders, and thereby stemming the flow, but their presence also strengthens the argument being made by the Greek authorities that they are dealing with a genuine and serious problem that has implications for the whole of the EU. When a migrant crosses the border, they have to be treated by the Greek authorities in line with their human rights obligations (if migrants turn themselves in to Greek officers, they cannot be driven back); however the presence of Frontex might deter them from crossing.

83 Frontex guest officers are still in the area under Operation Poseidon Land: 45 are working on surveillance and intercept; eight to ten are positioned on the actual border crossing, eight to ten are working as interpreters, ten are responsible for determining nationality and ten are acting as de-briefers for intercepted migrants.

The Greek authorities have raised the suggestion that Frontex officers could be based in Turkey (should the Turkish authorities agree) to deal better with the flows. Increased efforts have been made recently to cooperate more with the Turkish authorities.

Meeting with General Police Director of Eastern Macedonia and Thrace, Brigadier Emmanuel Loupeidis, Police Director of Oresteia, Brigadier Salamangas and Frontex Operations Unit Director at Oresteia Police Directorate

In the Evros region, Greece shares a 180 km river border with Turkey, and a 12.5 km land border; and a 15 km river border and 90 km land border with Bulgaria. The Greek authorities want to build a border fence because there are currently no physical obstacles at the land border with Turkey.

Migrant arrests and profile

Within the whole of the Evros region, there were 47,088 arrests of migrants in 2010 and 12,394 in the first five months of 2011. This included 35,950 arrests (up from 3,521 in 2009) in Oresteia, where 3,181 have been apprehended in the first five months of 2011.

Here the pattern of crossing has changed from 2010, when 26,000 were arrested at the Turkish land border compared with 5,203 at the river border ; this year only 535 have been arrested at the land border compared to 2,600 at the river border.

The majority of migrants who are not arrested at the border crossings still present themselves to the police. In 2009, the highest proportion of migrants were (self-declared as) Pakistani (37%) and Iraqi (26%) In 2010, the highest numbers were Afghani (50%), Algerian (17%) and Somali (10%). There has been a recent rise in the number of nationals from Maghreb countries since Turkey abolished visa controls for some countries.

Once migrants are apprehended, they are transported to a detention centre for screening, fingerprinting, photographing, medical examination and de-briefing, for example finding out their nationality, how they arrived in Greece, who helped them and so forth.

None of the migrants stay in Evros; they tend to move on to Athens. Their onward destinations are often the UK, Germany, France, Holland and Scandinavia. States with land borders to the rest of the EU are preferable, with Germany the most popular destination. The number of migrants claiming asylum in Greece is low but has risen this year, because of the increased risk of deportation caused by the increased Greek focus on dealing with the problem.

People smugglers

In terms of people smugglers, out of 93 facilitators identified in 2009, the highest proportion were Bulgarian (30), Greek (19) or Turkish (15). In 2010, there were 28 Turkish facilitators out of a total of 73. The overall reduction in the number of people smugglers arrested in 2010 was partly because the modus operandi of the traffickers has changed. In 2010, the Evros authorities observed the development of a new route of irregular migration, whereby migrants make use of cheap flights from North Africa to Istanbul, then travel on to Greece. Also, as of 2010, people smugglers have tended to remain behind the border and send migrants over on their own either on foot or by boat. Up until 2009, people smugglers tended to supply migrants with fake passports, but they have largely discontinued this practice.

Migrants pay smugglers 1500-4000 euros to cross into Greece via the land border and cheap flights from North Africa cost 300-600 Euros.

Readmission agreement

The number of migrants readmitted to Turkey from Greece are very low because Turkey usually disputes that migrants have crossed from their territory unless they come from countries who share Turkish borders and with whom Turkey has a readmission agreement—Iran, Iraq, Syria and Georgia.

Frontex operation

Since November 2010, there has been a marked improvement in interventions from the Turkish authorities before migrants cross the border. The Frontex operation is not doing anything significantly different from the role performed by the Greek authorities, apart from providing increased personnel and provision of technical assistance in the form of cameras, helicopters and so forth. However, its presence has put pressure on Turkey to act.

The Greek authorities have noticed a military presence on the Turkish border which was not there prior to the Frontex operation, Turkish border stations are now manned continuously, and new informal cooperation has started between the Greek and Turkish military. They have also noticed a reduction in corrupt dealings between Turkish officers and people smugglers.

Frontex is currently operating with 50% of the resources supplied to the RABIT operation. 3.25 million euros were provided to the Frontex operation initially, followed by an additional 1.5 million euros. In October 2010, 5,935 migrants were apprehended; following the commencement of the Frontex operation, 2,600 were apprehended in November 2010 and there has been a gradual reduction to 531 in February 2011. Frontex is putting a lot of effort into cooperation with Turkey but the working arrangement has still not been signed. Once this is done, it will be possible to invite Turkish observers into Greece and send Member State personnel into Turkey. There are encouraging signs for the future of Greek-Turkish cooperation, facilitated by Frontex. Frontex are sharing intelligence with Europol and from July 2011 expect a mobile team from Europol to be present in the region.

Filakeio migrants' detention centre

The detention centre was very overcrowded and migrants complained in particular about poor sanitation. We spoke to a number of male and female detainees from countries including Iran, Somalia and the Dominican Republic about how they had got to Greece, how much they had paid to people smugglers and the ultimate EU destinations they hoped to reach.

Meeting with Members of the Greek Parliament's Home Affairs Committee

Greek parliamentarians are grateful to the EU for sending Frontex to Greece, to the UKBA for their assistance and to the UK Government for halting the readmission of migrants to Greece. They see a need for action at EU level including a revision of Dublin II taking into account the GDP and population size of countries accepting migrants.

They are disappointed that Turkey has indicated it will not sign a Turkey-EU readmission agreement because they want negotiations on visa liberalisation. As well as signing a readmission agreement with Turkey, the EU should sign agreements with the source countries.

Three levels of cooperation are desirable: regional action around the coast, including initiatives for health, child protection and so forth; initiatives to help migrants to go back home; and cooperation at Embassy level. The proposed border fence should make things a little better but will not solve the problem by itself.

Parliamentarians are aware of the poor conditions in the detention centres. The authorities are obliged to release the detainees and this just relocates the problem: it is particularly acute in Athens. They are planning to build 14 new centres in Greece. Greek society is not racist but the number of migrants arriving is so great that Greece cannot integrate them into society. The severe financial crisis in Greece is making the problem worse. There is a part of the historic quarter in Athens where migrants congregate and make life difficult for residents.

Meeting with Alternate Foreign Minister, Ms Mariliza Xenogiannakopoulou

The increase in North African migrants began before the current unrest because of Turkish visa liberalisation. Italy, Cyprus and Malta are all now affected by this crisis; a pan-European approach is required. However, the current debate about Schengen should not undermine the principle of free movement. Since the arrival of Frontex, there has been a decrease of 30% in the numbers of migrants apprehended. Frontex sent a strong message to Turkey and to the migrants.

Greece is making a strong effort to protect its borders and to modernise its asylum system but this will take time. The border fence would include electronic devices and would force migrants to cross at the river, which is more difficult. Visa liberalisation could be offered as a “carrot” to Turkey to improve its response to the problem of irregular migration into the EU and would in the first instance lead them to sign the readmission agreement. Greece had been happy to offer this to increase tourism to the country but appreciated this is a difficult decision for other EU countries.

Meeting with Mr Grigorios Apostolou, Frontex, and Captain Ioannis Karageorgopoulos, Hellenic Coastguard*Frontex presence in Greece*

Frontex has been operating in Greece for four years in the form of Poseidon Sea, the Rapid Border Intervention Team and Poseidon Land. The aim was for Member States to provide 100 members of staff for Poseidon Land but they have only provided 80% of these personnel. The process for allocating resources is for Frontex to carry out a risk analysis, negotiate with the host country and then make a request to Member States: but the Member States decide how much resource to give ultimately. 20 countries are providing personnel to Frontex, with Austria, Hungary, Estonia, Latvia and Lithuania important contributors. Other countries could do more. There are currently no UK personnel in Greece, but a debriefer and an interpreter are expected (it is more difficult for the UK to participate in Frontex operations because the European Court rejected the UK’s proposal to become a full member of the agency by virtue of being outside Schengen; however they do contribute expertise in other ways). Frontex considers cooperation with third countries, including Turkey, as very important.

Progress made to tackle migration at the sea border

Only 80 illegal migrants have been arrested arriving by boat from the Turkish coastline in the first five months of 2011, representing a 97% reduction compared to the equivalent period in 2010. This is a result of systematic cooperation between the Hellenic Coastguard and Frontex personnel—rigorous border patrolling and debriefing. Cooperation between Frontex and Greece began in 2006 but was fairly limited until May 2008, when joint operations became permanent and stopped more boats coming from Turkey.

There is now regular contact between the Greek and Turkish Coastguards—they have noticed more frequent patrolling of potential Turkish exit points since it began, which has also contributed to a reduction in flows. They are a long way from joint operations though—this would probably be dependent upon EU membership.

The Greek authorities tend to prosecute people smugglers rather than the migrants themselves: it is possible for the courts to give life sentences to smugglers. As a result, smugglers now tend not to accompany migrants on the boats. The Greek authorities aim to improve their use of intelligence to tackle organised immigration crime. Any useful information arising out of the daily Frontex debriefings is passed to the Greek authorities.

Meeting with Daniel Esdras, International Organisation for Migration, Giorgos Tsarbopoulos, UNHCR, Mrs Angeliki Chrysohoidou-Argyropoulou, Greek Council for Refugees, Prof Vassilios Karydis, Greek Ombudsman, and Francesca Natri, Belgian secondee to the European Asylum Support Office

Voluntary returns

The International Organisation for Migration was aware of at least 3,000 migrants willing to return home from Athens but have only received funding to repatriate 500. The European Commission will allocate 25 million euros to the Voluntary Returns Fund and 40 million euros to the Border Management Fund this year, but Greece will have trouble co-financing these funds, which means that the money will not be forthcoming because of the legal basis the EU has agreed for fund allocation. The NGO representatives are critical of the way in which funding is allocated and UNHCR is currently entirely self-funded. While UNHCR does not generally advocate voluntary returns, the organisation believes that this is the only way of solving the current crisis of the large number of migrants present in Greece.

Detention

The point of detaining those migrants with no realistic chance of repatriation is debatable, considering they have to be released within six months. Detention was initially used as a deterrent but has been proven not to work.

Asylum applicants

The migrants applying for asylum in Greece tend to be those who are *not* genuine refugees: genuine refugees tend not to apply because they do not trust the system or because they would prefer to apply elsewhere in the EU; economic migrants apply in order for them to extend their stay while their case is pending.

Conclusions and recommendations

1. This accords with what we saw and heard when we were in Turkey. Relationships with UK police and diplomatic representatives are clearly based on joint action and mutual respect, and we were impressed with the ambitions of leading Turkish police officers in terms of training and organisation. (Paragraph 21)
2. Turkish organised crime groups pose a substantial threat to the internal security of the EU, largely owing to Turkey's position along the heroin trafficking route from Afghanistan to Europe. It is estimated that 75–80% of the heroin trafficked from Afghanistan to Western and Central Europe comes via Turkey, and Turkish networks continue to account for around 70% of the UK heroin market. The proportion of cocaine bound for the EU that is seized in Turkey has increased over the last few years, although it is by no means approaching the volume seized along the established cocaine trafficking route through the Iberian Peninsula. Turkey also represents a “key nexus point” for the transit of illegal immigrants to the EU. Our evidence appeared to support findings published in 2006 by the UN Office on Drugs and Crime that Turkey is predominantly a destination rather than a source country for human trafficking, with only one Turkish national amongst more than 1,000 victims offered support in the UK via the National Referral Mechanism last year. However, the volume of irregular migrants being smuggled voluntarily into the EU via Turkey by criminal groups reached crisis levels at the end of 2010. (Paragraph 37)
3. More open borders in an enlarged Union bring greater opportunities for organised crime and facilitate the illegal smuggling of goods and people. We judge that Turkish accession would be unlikely to lead to an increase of narcotics into the EU market, given that the major factors influencing drug flows into the EU appear to be production levels in the source countries and domestic demand in the EU Member States, neither of which would be affected. Furthermore, accession will bring opportunities for greater cooperation between Turkish and EU law enforcement agencies, which could bring about a more robust response to drug trafficking. (Paragraph 38)
4. There is some disagreement about the impact of accession on levels of human trafficking but we are concerned by evidence highlighted by the Poppy Project of an increase in trafficking following previous enlargements of the EU, of Romanian victims in particular. We also note that there may be some reluctance among Turkish law enforcement authorities to recognise that human trafficking into and through Turkey is already a problem. An understanding of the nature of human trafficking will be critical to preventing an increase in trafficking following enlargement, as well as supporting victims of trafficking in Turkey now. We therefore welcome the European Commission's focus on closely monitoring Turkey's progress in tackling human trafficking and we expect the UK—as a fellow destination and transit country—to provide advice and assistance to Turkey if required. (Paragraph 39)
5. We consider the issue of people smuggling with related issues concerning illegal migration in the next chapter, but the likely impact of more open borders on this phenomenon is an area of major concern to us. (Paragraph 40)

6. A stringent law enforcement response will be required to minimise the impact of organised crime originating in Turkey in an enlarged Europe. We are encouraged by the evidence brought to our attention both in the UK and in Turkey of the efficiency and capability of the Turkish National Police, particularly in respect of drug trafficking—with heroin seizures made by the Turkish authorities dwarfing those made in South–East Europe—and their willingness to cooperate with most EU counterparts. We are particularly impressed by the close working relationship between UK and Turkish law enforcement agencies, which is clearly helping to reduce the supply of heroin to the EU, and we urge the Home Secretary to ensure that the resources which the UK brings to this partnership continue to be provided through the new National Crime Agency. (Paragraph 41)
7. We recognise the positive impact, albeit variable, made by international institutions such as Europol, Frontex and Interpol in combating cross–border crime in this region, but recommend that, as well as fostering ever–closer linkages with each other, these bodies cooperate more closely with the SECI Center, which is responsible for facilitating information-sharing and joint operations between the law enforcement agencies of its member states in South–East Europe. (Paragraph 42)
8. We note that a substantial proportion of pre–accession funding from the EU to Turkey is currently directed towards law enforcement. Two areas where this money could perhaps be used to particular effect are building capacity for greater intelligence sharing between agencies both nationally and internationally, and tackling organised immigration crime. We urge the UK Government to use its influence at European level to direct available funding towards these areas, and to report back to us on the outcome with a detailed breakdown of future pre–accession spending on programmes to tackle organised crime. (Paragraph 43)
9. In the long–term, we believe that the risks that Turkish accession poses for organised crime in the EU are considerably outweighed by the potential benefits—partly in terms of the standards the Turkish authorities will be required to meet to bring their systems and capabilities in line with the rest of the EU but largely owing to the opportunities it will bring for increased cooperation with EU law enforcement agencies and with Europol. We also fear there is a risk that, if Turkey is not permitted to join the EU, the Turkish authorities may lose their incentive to prioritise tackling criminality which affects EU Member States to a far greater extent than their own population (Turkey does not have a big domestic drug market and most immigrants transiting the country do not intend to stay), and to cooperate with their EU counterparts. However, we recognise that ultimate decisions on membership of the EU will be based on a far wider variety of considerations than these. Clearly these problems—and the ability of law enforcement agencies to deal with them—do not conveniently follow the boundaries of the European Union. We need law enforcement agencies to work together effectively both inside and outside the EU borders. It is clear that the Turkish authorities are proving more effective than some of the authorities that lie within the EU border, such as Greece, and that bilateral arrangements—for example, between SOCA and the Turkish authorities—are maturing well. (Paragraph 44)

10. In the meantime, it is clear that building a closer relationship between Turkey and EU law enforcement agencies should not be deferred until the membership negotiations are completed. In the first instance, we encourage the new Turkish Parliament to continue the work of its predecessor in bringing into effect a data protection law that will allow for a higher level of cooperation with Europol prior to accession, and again encourage the UK Government to offer any assistance that will further this end. It is clear that our UK police and diplomatic representatives have a relatively high level of respect for their Turkish counterparts and spoke positively about the ambition, rate of progress and strategic grasp of the Turkish police and associated authorities. In the medium-term, we consider that the EU should consider making special arrangements for Turkey to assume some of the attributes of EU membership in areas which would be feasible and mutually beneficial. We strongly recommend that Turkey be allowed full membership of Europol (or at the very least a special and enhanced level of associate membership) and of the European Monitoring Centre for Drugs and Addiction, prior to (and irrespective of) full membership. It became clear to us that the fact that Turkey is not a full member of Europol poses obstacles for our own diplomatic and policing work and makes it more difficult to promote multilateral joint working across the EU. Not to admit Turkey to membership of those bodies would be to cut off the European nose to spite our face and we hope that our Government will press for Turkey to be admitted formally to both bodies at the very least. We recommend that the UK Government discusses this approach with their European partners and reports back to us on the outcome. (Paragraph 45)
11. We gained the very clear impression that Turkey has a genuine will to achieve agreement and to improve co-operation and practice, but feels that EU decision-making is slow and cumbersome. The UK Government should press the EU—and other Member States—to recognise the immediate benefits of cooperating with the Turkish authorities on such issues as law enforcement, border controls, people smuggling and trafficking of drugs and people. This should be pressed in advance of a resolution of other accession issues or the overall rate of progress towards accession. (Paragraph 70)
12. The land border between Greece and Turkey now constitutes the main loophole for irregular immigration to the EU: by the end of 2010, up to 350 migrants were attempting to cross it every day. While it is difficult to obtain accurate figures, the majority of these migrants originate from Afghanistan, Pakistan, Central Asia and, more recently—because of a decision by the Turkish Government to relax visa requirements for the nationals of some Maghreb countries—North Africa. Very few, if any, are Turkish nationals. (Paragraph 75)
13. There is little doubt that the subsequent presence of the Frontex operation at the border since November 2010 was associated with a reduction in the number of migrants crossing. A number of reasons are suggested, including that it has had some form of deterrent effect, it has increased the surveillance capacity at the border, and it has encouraged the Turkish authorities to put more resources into policing their side of the border. The numbers apprehended on the Greek side dropped from 7,607 in October 2010 to 1,632 in February 2011. We therefore recommend that the European Council strongly communicates to Member States the importance of

meeting their commitments to provide Frontex with adequate resources to combat irregular migration at the land border between Greece and Turkey. We believe that, to the extent that Frontex has succeeded, it is largely through the political message that it has sent Turkey that the whole Schengen area, and not just Greece, expects Turkey to act more strongly to combat illegal migration. We recommend that our Government bolsters the limited but cost-effective Serious Organised Crime Agency and UK Border Agency presence and visibility on the Greek-Turkish border to emphasise that the UK wholly concurs with this. (Paragraph 76)

14. However, Frontex is unable to turn back migrants and we question whether a more effective use of EU resources might not be for Frontex, with the permission of the Turkish Government, to undertake preventative work in Turkey alongside the Turkish border authorities. For this reason, we urge the European Council to adopt provisions for the draft Frontex Regulation that will allow for increasing liaison with third countries and encourage Frontex to put them into effect swiftly. We urge the UK Government to press this specific point with the European Commission as a matter of urgency. (Paragraph 77)
15. In the long-term, substantially reducing the flow of irregular migrants to the EU depends significantly upon an improvement in the life chances of people in the developing world, which can be assisted by the effective targeting of UK and EU aid budgets. In the shorter-term, we believe that a four-fold strategy is required to address the situation in Greece and Turkey: resources for Assisted Voluntary Returns, effective readmission agreements, increased cooperation between the Greek and Turkish authorities, and a focused effort to tackle organised immigration crime. The proposed border fence to be built in Evros may have a limited deterrent effect, but all parties involved acknowledge that it is no solution in itself. (Paragraph 78)
16. We appreciate the commitment we were given by the Greek authorities that they would continue to combat the issue of irregular migration on behalf of Europe, despite Greece's own acute domestic concerns. However, we are concerned that these domestic problems will severely inhibit the capacity of the Greek authorities to do this effectively and we heed their call for greater burden-sharing amongst European partners. We understand that European funding for crucial migration programmes, including Assisted Voluntary Returns, which allow those migrants who are stuck in Greece to return to their own countries, is being delayed because of Greece's inability to provide matched funding. The UK Government should put pressure on the European Union to release emergency funding without the usual requirement for matched funding while Greece is experiencing acute economic difficulties. (Paragraph 79)
17. We also recognise the efforts made by the Turkish authorities to stem the flow of migrants into Greece, and were particularly encouraged by indications of a greater willingness on the part of the Greek and Turkish authorities to cooperate on migration issues. Small but positive steps have been taken by the Greek and Turkish Coastguards along the maritime border over the last few years and we hope this can be built upon and replicated, with the aid of Frontex, between agencies operating at the land border. Intelligence-sharing across state boundaries is key to disrupting networks facilitating organised immigration crime and Europol and Frontex must

take a stronger lead in developing effective ways of sharing and utilising intelligence captured by themselves and the relevant national agencies in Greece and Turkey. Once again, we urge the European Council to pass provisions for the Draft Frontex Regulation that would facilitate this. (Paragraph 80)

18. We are deeply concerned about the conditions in which migrants are currently being held in Greece as the authorities struggle to deal with the high level of migration. Currently migrants are able to be held in detention in Greece for a maximum of six months only, and the threat of detention, even in such conditions, appears not to have had a deterrent effect. Most are subsequently released by the Greek authorities because of a lack of enforcement of the Greek–Turkish Readmission Agreement, which might allow the majority of third–country nationals who have transited Turkey to be returned there. While Greece is unable to return the vast majority of those whom it detains, we question the value of holding migrants in these conditions. We add our voice to that of the UK Government in encouraging the prompt conclusion of a Readmission Agreement between Turkey and the EU, which should facilitate the return to Turkey of greater numbers of irregular economic migrants. (Paragraph 81)
19. There are two positions taken by the Turkish Government which are currently contributing to the flow of irregular migrants into Europe but which Turkey would be required to reverse in order to align itself with EU standards prior to accession. The first concerns the agreement of visa exemptions with a number of countries on the EU’s negative list—Turkey would be required to align with the EU Visa Regulation on third country nationals by requiring nationals of these countries, such as Syria, to obtain a visa. The second concerns the application of geographical limitations to the 1951 Geneva Convention—Turkey would have to award full refugee status to genuine refugees from outside Europe. This might encourage more migrants to claim asylum in Turkey rather than the EU, although the impact on overall numbers of migrants is difficult to assess. (Paragraph 87)
20. Nonetheless, were Turkey to join the EU, the Union’s external borders would extend to several countries which pose a considerable security risk, including as a source of large numbers of irregular migrants, notably Syria, Iran and Iraq. In our view, the ability of Turkey to control this border gives rise to the greatest cause for concern within the Justice and Home Affairs area. The EU must apply a very stringent set of conditions relating to border security, all of which must be clearly and objectively demonstrated to have been met by Turkey prior to accession. Careful consideration must also be given within the accession negotiations as to the desirability of eventually allowing Turkey to join the Schengen area. It is appropriate that part of the EU’s pre-accession aid package to Turkey is aimed at developing a modern and effective border management system. We have been told that the UK is also providing a considerable level of assistance to the Turkish authorities in this area. This is commendable, but we would like to receive assurances from our Government that the UK is not shouldering too much of the burden and that the EU is meeting its commitments in this area. We urge the Government to make the case vigorously for the EU to be more engaged and forthcoming to Turkey in advance of accession since we have a lot to gain and such an approach would be in the best interests of the UK and other members of the EU. (Paragraph 88)

21. It is very difficult to estimate the number of Turkish nationals who would be likely to take advantage of free movement within the EU, particularly given that the date of Turkish accession is unclear; we heard very different views accordingly. Available forecasts have put the figure at anywhere between 0.5 and 4.4 million arrivals between the date of accession and 2030. The scale of migration will depend upon a combination of complex factors, including the relative economic conditions in EU Member States and in Turkey at the time of accession, and the terms of the accession treaty and how these are applied throughout the Union. The picture is complicated by conflicting precedents from previous comparable enlargements: increased migration from Spain and Portugal was negligible following their accession in 1986, but at least 200,000 migrants arrived each year in the UK alone following the accession of the A8 countries between 2004 and 2007, despite official predictions of an annual flow of between 5,000 and 13,000. (Paragraph 105)
22. We accept that both legal and clandestine migration from Turkey to the EU have declined in recent years to a combined annual figure of below 50,000, and that there is also evidence of negative migration from the EU to Turkey, particularly from Germany. However, it is also the case that population trends and the gap in living standards could make easier migration to the EU an attractive option for Turkish nationals. In terms of destinations within the EU, it is perhaps likely that Turks would favour Germany, Austria, the Netherlands and France, who have the largest Turkish communities in the Union, but previous experience has shown that such assumptions may prove ill-founded. (Paragraph 106)
23. All of which leads us to be cautious about the prospect of allowing Turkish citizens full freedom of movement. We note the success of transitional arrangements in controlling levels of migration to many EU countries, in the case of the A8 Member States; and to the UK, in the case of Bulgarian and Romanian nationals following their accession in 2007. We therefore welcome and fully support the Government's commitment to applying "effective transitional controls as a matter of course" for all new Member States. While we appreciate that a number of unknown factors make this analysis difficult, and that the Home Office is no doubt wary of attracting criticism for inaccurate estimates in the future, we are concerned that no impact analysis of Turkish accession for future migration trends has yet been carried out. Accordingly, we recommend that the Home Office undertakes this piece of work now and updates it as circumstances change. (Paragraph 107)

Formal Minutes

Monday 18 July 2011

Members present:

Rt Hon Keith Vaz, in the Chair

Lorraine Fullbrook
Dr Julian Huppert
Steve McCabe
Rt Hon Alun Michael

Bridget Phillipson
Mark Reckless
Mr David Winnick

Draft Report (*Implications for the Justice and Home Affairs area of accession of Turkey to the European Union*), proposed by the Chair, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 107 read and agreed to.

Annex A and B agreed to.

Resolved, That the Report be the Tenth Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

Written evidence was ordered to be reported to the House for printing with the Report.

[Adjourned till Tuesday 19 July at 11.45 am

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Dr Franck Düvell , Centre on Migration, Policy and Society, Oxford University	Ev 6
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Mr Damian Green MP , Minister for Immigration, Home Office, Mr Patrick Moody , Director of International Policy Directorate, UK Border Agency, and Mr Philip Rushbrook , Deputy Head of International Directorate, Home Office	Ev 15
Tuesday 15 March 2011	
General Ilkka Laitinen , Executive Director, Frontex	Ev 22
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Oral evidence

Taken before the Home Affairs Committee

on Tuesday 15 February 2011

Members present:

Keith Vaz (Chair)

Alun Michael
Mr David Winnick
Dr Julian Huppert
Mark Reckless

Nicola Blackwood
Lorraine Fullbrook
Bridget Phillipson
Mr James Clappison

Examination of Witness

Witness: **Steve Coates**, Deputy Director, Serious Organised Crime Agency (SOCA), gave evidence.

Q1 Chair: This is the first session of the Committee's inquiry into the question of what UK-based organisations are doing in respect of organised crime that originates from Turkey; whether the proposed enlargement of the European Union, including Turkey, will have an effect on migration patterns and organised crime; and whether the previous enlargements of the European Union have in fact also had an effect on organised crime.

Mr Coates, thank you very much for coming in. Apologies for keeping you waiting. The Committee was considering some reports that we will be publishing shortly. Can I ask you what impact previous enlargements of the EU have had on organised crime in the United Kingdom?

Steve Coates: Thank you. The key element is co-operation. We have been able to use existing European legislation to co-operate more effectively with other law enforcement partners, which has made the exchange of intelligence much easier.

Q2 Chair: What about those gangs that exist in those EU countries? Are they penetrating the United Kingdom more easily? Co-operation may be better, but are they actually penetrating us more as a result of the EU? Of course, EU citizens are able to come in and out without question. I think concern was raised regarding Poland and Romania in particular. Has that had much effect here?

Steve Coates: It is fair to say that eastern European organised crime has had some effect on western European society, but our ability to work more closely with foreign partners, such as Europol and other agencies, has enabled us to tackle that reasonably effectively and to neutralise it.

Q3 Chair: Are there any implications for the possible accession of Turkey into the EU? Have you been looking at the way in which people are getting into the EU through Turkey?

Steve Coates: Turkey is important to us in its role as a transit country. It is a transit country for heroin and also for people who are being smuggled. The greatest impact from Turkey is heroin, and the involvement of Turkish organised crime in that issue. That is by far and away the largest area of crime in which Turkish organised crime groups are involved.

Q4 Chair: Where do they come in from? You said it is a transit country. Where are they coming from to get to Turkey? We will come in with heroin later.

Steve Coates: From a people smuggling or trafficking perspective, Turkey is used as a base by different ethnic groups, so it would be common to find Afghan criminal groups within Turkey smuggling Afghans, for example, and Pakistani groups smuggling Pakistanis. Because of its close proximity to the EU border, it is an extremely attractive country for those groups. The good news in all of that—and I think you may touch on it in a later question—is the fact that we have an excellent relationship with the Turkish National Police and Turkish law enforcement, which affords us a great many opportunities to impact upon various forms of criminality in that country.

Chair: That is a very good prediction. I do not know how you knew what our questions were going to be, but yes, we will touch on that a later.

Q5 Alun Michael: To what extent does organised crime affecting the UK, as things are at the moment, originate in Turkey or among Turkish nationals?

Steve Coates: We would make the assessment that Turkish organised crime dominates the heroin market in the UK, and we would say that that is probably around 70% of the market. That is an informed guess or an estimate, but we would say it is based on an element of science.

Q6 Alun Michael: Are there other forms of criminality that involve Turkish nationals?

Steve Coates: Yes. There is organised immigration crime, and there is evidence of fraud, firearms trafficking, money laundering and some copyright offences. But those forms of criminality are so far behind heroin, in terms of Turkish organised crime, that statistically they are almost insignificant.

Q7 Alun Michael: Are they generally linked, or are they completely separate?

Steve Coates: In my experience, I would say that Turkish crime groups involved in heroin trafficking tend to operate simply in that criminal sector.

Q8 Alun Michael: Given what you said earlier, and assuming that Turkey comes into the EU, do you think

that is going to make your work in controlling criminality whose origins are in Turkey easier or more difficult?

Steve Coates: I think there are advantages to it, as I said, in terms of our intelligence systems, intelligence pathways and operational ability to work on operations with other partners. We can use Europol and various pathways and facilities to exchange information in a more streamlined, structured and fast manner. I hope that helps.

Q9 Mr Winnick: No one disputes, Mr Coates, that Turkish nationals or former Turkish nationals are involved in criminality along the lines that you have referred to, and obviously everyone regrets that, but would it not be right to say that other foreign nationals are involved in all kinds of criminal activity and that it is not just a matter of Turks being in criminal gangs?

Steve Coates: I think I understand the question. Obviously, in terms of Turkey as a country, Turkish organised crime groups based there tend to be involved in heroin trafficking. That does not necessarily mean that the heroin comes through Turkey, but the controlling minds are within Turkish jurisdiction.

There are a number of other crime groups that operate in Turkey, if that is where I should limit my response to. West African organised crime groups are establishing a footprint there. As we speak, I have an officer seconded to Turkey to assist with a specific project in order to help the Turkish National Police, and there are obviously other nationalities operating within their jurisdiction.

Q10 Mr Winnick: Much has been said about criminals coming from the West Indies, Pakistan and many other countries which are all involved, unfortunately, in criminality. So it is not unique to Turkish nationals, that is what I am trying to establish.

Steve Coates: No; absolutely. In terms of drug trafficking, which is probably my area of greatest expertise, Colombians and South American criminal gangs tend to control cocaine trafficking, but certainly heroin trafficking is controlled primarily by Turkish groups. Obviously there are other ethnic groups within that, however, and also some British criminals.

Q11 Lorraine Fullbrook: Mr Coates, you said that Turkey is a major transit route, but it is also an area for storage and production of heroin in particular. SOCA estimated that most of the supply of heroin to Europe, including the UK, is processed in Turkey. Can you tell us exactly how much of the heroin that ends up in the UK comes from Turkey?

Steve Coates: I am not sure that much heroin is processed in Turkey. I think most of it is processed in Afghanistan and Iran. There is little evidence to suggest that there is any processing of heroin in Turkey. We estimate the size of the UK market for heroin as in the range of 18 to 23 metric tonnes per annum, and that is against the last figures from the United Nations Office on Drugs and Crime, which were, I think, about 650 tonnes. That gives some idea of the scale, and it is a very scientific estimate which

has been supported by the Home Office, although it was SOCA work that arrived at that figure.

Q12 Lorraine Fullbrook: What would be the street value of that amount?

Steve Coates: I would not, or could not—I am sorry, I am trying to help you. I could not even begin to estimate that. That tends to lose value; we do not look at that specifically. I can give you an idea of what the wholesale commodity price is in the UK, if that helps your understanding. Heroin prices have been relatively stable at a wholesale level for many years, roughly in the range of £15,000 to £18,000 per kilo. In the last 18 months we have seen that rise significantly to the point where, in the UK at the moment, any heroin being sold at wholesale for under £20,000 per kilo is probably very poor quality. In one recent SOCA operation, we saw instances where it was sold for £40,000 per kilo, but that was extremely high quality. The general range at the moment seems to be £22,000 to £25,000 per kilo, because there is a shortage.

Q13 Lorraine Fullbrook: And there are 650 metric tonnes coming in?

Steve Coates: That is produced in Afghanistan, but to feed the UK market it is in the range of 18 to 23 metric tonnes. To give you an idea of the challenge that that poses to the UK Border Agency and to other law enforcement agencies, I point out that you could put that entire supply into a 40 foot container or two transit vans. So it is a big challenge.

Q14 Mark Reckless: Could you tell us about the work that SOCA undertakes with your Turkish counterparts and what the level of co-operation is?

Steve Coates: We have liaison officers based in Turkey. I have worked with the Turkish National Police over a number of years, and I can say with some confidence that the relationship with the Turkish National Police at the moment is the best it has ever been. The UK is the preferred partner of the Turkish National Police. They are efficient, professional and competent. They have high-end capabilities and technical capability, but recently we have been sharing with them some of the experience that we have developed in SOCA from debriefing of offenders, and some of the subtleties around the mainstream criminal justice process, if I may call it that. We have been trying to share our experiences there with the Turkish Ministry of Justice to try to help them and give them an insight into some of the techniques that we are using.

Q15 Mark Reckless: What impact has that co-operation had on supply routes of heroin into the UK?

Steve Coates: I think that we can say with a degree of certainty that the shortage in heroin is not entirely down to law enforcement action, but we have had a significant impact on it. We have been able to reach out and impact some of these crime routes in a way that we could not do before. Heroin is controlled largely by overseas gangs, and the UK representatives are very easily replaced. We have had a series of significant operations where we have actually gone

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into Turkey with the Turkish National Police and impacted on some high-end traffickers, and that has also extended recently into cocaine. We have seen quite a lot of cocaine going into Turkey recently, and an operation we did last month—

Chair: We will be coming on to cocaine in a moment.

Q16 Mark Reckless: Given the level of addiction to heroin and the rise in price that you cite, what impact does that have on the amount of money spent on heroin? In other words, is the demand elastic or inelastic, and what, if any, are the knock-on implications for property crime, in your view?

Steve Coates: I could not speak with any great competency in that particular area, which is probably one for the Home Office. What we do see with the drought in heroin is an increase in cutting or “bashing” as we call it, where it is mixed with other agents, so what the user is buying is a lot less heroin and quite a bit more paracetamol or codeine.

Q17 Lorraine Fullbrook: Mr Coates, how exactly do both cocaine and heroin enter the UK? What are the primary ways of their entering the UK?

Steve Coates: We would assess heroin as mostly coming in along the Balkan route, and most of it probably comes by lorry or by deep sea container into one of the near continental ports. It is broken bulk, and it comes into the UK in much smaller quantities, which reduces the risk to the criminal groups. They are worried about the thin blue line at the border.

Of course, it comes in in a variety of other ways. There is an established air corridor between Pakistan and certain UK airports. There is quite a leakage out through Afghanistan into the Makran coast of Balochistan, into the Gulf, down into east Africa and down into South Africa. In South Africa, you have a meeting of the two trades: cocaine and heroin. Cocaine comes from South America, and it has to come across the Atlantic, either by a small boat or big boat, or by a small plane or large plane, and mainly that would come into west Africa, up into the Iberian peninsula and then into the UK.

Q18 Lorraine Fullbrook: You said heroin in particular comes into a near continental port and it is then broken down from bulk. Which countries are those near continental ports?

Steve Coates: By some margin, the Netherlands has a disproportionate effect on the UK market for heroin, but also for cocaine. That is also significant for synthetics as well. In fact there is quite a vibrant trade in synthetic drugs moving the other way, from western Europe to Turkey.

Q19 Lorraine Fullbrook: Are these legitimate ports, like Rotterdam, for example, or is it coming into small ports?

Steve Coates: It comes by deep sea commercial traffic into Rotterdam or Antwerp—they are the two big ones—or Le Havre or Hamburg. However, most of it, we would assess, involves Turkish organised crime, and they like to use coaches, cars or lorries.

Q20 Mr Clappison: In the last Parliament, this Committee had an opportunity to go to the Netherlands to see some of the aspects of the cocaine trade there. I think we are in agreement that if those who used cocaine saw how repulsive that trade was, they might take a different view. Can I ask you about cocaine and Turkey? Is more or less cocaine coming through Turkey into the rest of Europe?

Steve Coates: We have been keeping an eye on cocaine trafficking and the involvement of Turkish organised crime groups for some time. There has been some anecdotal reporting, tittle-tattle and bits of intelligence at a low level to say that this is happening. We have recently seen that solidifying; we have seen evidence of that.

SOCA did a joint operation last month with the Turkish National Police and the Spanish police where we enabled the Turkish National Police to seize 280 kilos of cocaine, and they arrested some extremely senior players—big players who were high-value targets—in the drugs trade in Turkey. That is clear evidence of that trade now materialising, and the Turkish police assess that a very small proportion was for the domestic market in Turkey. Most of it was for shipment to the UK.

Q21 Mr Clappison: You gave us a description of routes earlier on. Could you say a little bit about how this cocaine is arriving in Turkey and then how it is coming out?

Steve Coates: In that particular case, I cannot remember. We would assess that that too would be done by commercial container, as I think happened in that particular instance. I can't remember the other example. There is no intelligence, or indeed anything anecdotal, indicating that any form of private aircraft, for example, is moving anything like that. At the moment it seems to be in commercial traffic.

Q22 Lorraine Fullbrook: Mr Coates, you mentioned your operation in which you lifted the high-net-worth individuals—in terms of criminality, at least. How easily or quickly the Mr Bigs are replaced?

Steve Coates: That is a very good question, if I may say so. In the UK, I would say that they are fairly easily replaced. Evidence suggests that if we can impact the groups nearer the source, it will have more of an effect. We have identified through some analytical work five significant crime groups that control the trade in heroin that impacts on the UK, and we have management plans and action plans in place against those five. Three have already been disrupted and impacted upon, and we have seen some displacement of their criminality into other countries, because in Turkey it is simply too hot for them to operate. I think that has been successful. We have sometimes been able to engage in a criminal justice outcome for that, but sometimes we can disrupt their finances and impact on their ability to operate. Even something as simple as reducing their ability to obtain credit can make them lose face when they are dealing with other drug dealers, and slow them down. It can impact on them and erode their power base. At the moment, we tend to look at it in a much broader

fashion than just the criminal justice outcome, but obviously that remains a key tool.

Q23 Lorraine Fullbrook: But the Mr Bigs can be replaced quickly?

Steve Coates: Their lieutenants can be fairly easily replaced. The Mr Bigs in Turkish heroin trafficking have not really changed much in the last 20 to 25 years, so we have adopted a new approach, as I have said, which involves working more closely with the Turkish police to try to do that, and that has seen some success. We think that that is a significant contributory factor in the reduction in availability of heroin on the streets of the UK.

Q24 Mr Winnick: As far as human trafficking is concerned, Mr Coates, does Turkey play a particularly large role? Could you enlarge on that?

Steve Coates: Yes. As I said earlier, because of its proximity to Greece and successes that have taken place in other theatres of operation, we have seen the displacement of some other routes, and criminal groups using Turkey as a conduit to gain entry into the EU, but our experience shows that Turkish organised crime groups tend not to be involved in the trafficking of humans. That is not to say that they are not, but statistically it is much lower than other nationalities.

Q25 Mr Winnick: There is a tendency—I hesitate to use the word “campaign”—whereby, sadly, politicians abroad have wished to demonise Turkey and have used all kinds of reasons why Turkey should not be in the EU, which is not a consideration for this Committee. They want to paint a picture where Turkey, or Turkish nationals—obviously it is not Turkey as a country—somehow are more involved in criminality in Europe than other nationals. Would you go along with that?

Steve Coates: I would say that there is evidence to show that Turkish organised crime groups, not Turkish citizens, are significantly involved in heroin trafficking.

Mr Winnick: Which you have said before.

Steve Coates: Yes. I would say that there is some evidence that they are involved in other forms of criminality, but statistically, that is much lower than for heroin trafficking. From a law enforcement perspective, I would say that heroin trafficking poses the greatest threat if we are talking about Turkish organised crime groups.

Q26 Mr Winnick: Human trafficking is common to a number of countries, is it not? In the last Parliament, this Committee visited Russia and the Ukraine, for example, and made inquiries into what was happening there over trafficking. It is the position, is it not, that a number of European countries have criminal gangs that engage in this terrible business?

Steve Coates: Yes, that is correct. Organised immigration crime is not entirely my specific area of expertise, but I have been exposed to some operations that we have done in that, and it is fair to say that there are other countries involved, but Turkey is an important country because of its border with Greece.

Q27 Chair: Can I just ask you about the visa regime that Turkey sometimes introduces or changes almost at will? I understand that they have changed their visa requirements with some of the other countries in the Middle East, such as Yemen, for example. Yemen nationals no longer need a visa to go to Turkey and vice versa. Is this a problem for the way in which one tries to contain the issue of drugs and people trafficking from Turkey?

Steve Coates: I am sorry, I am not competent to talk about the visa situation. Perhaps we could respond to that question in writing.

Q28 Chair: That would be very helpful, because obviously it is not the people who are coming from Turkey; it is the people who pass through Turkey. How many SOCA operatives do you have in Turkey at the moment?

Steve Coates: We have a number. I think the members of the Committee are due to go to visit?

Chair: Yes, we are.

Steve Coates: Hopefully, you will see some evidence of what I have been telling you.

Q29 Chair: Is that regarded as a priority country for us? How does that compare with, for example, Albania or the Ukraine?

Steve Coates: Turkey is a priority country for us and we have invested heavily there, first because of heroin—I have talked about heroin a great deal—but also because it is a country where we can work co-operatively, collaboratively and effectively with local law enforcement. They want to work with us.

Q30 Chair: You mentioned Europol. We obviously know the work of Europol, and some of us have been to see what it does, but what about Frontex? Do you have any intercourse with Frontex?

Steve Coates: I am aware of Frontex, but not personally. My understanding—and it is my understanding; I am trying to be helpful—was that the UK did not have any officers seconded to Frontex, but if I am wrong about that, I will clarify that in writing.

Chair: But it is the organisation that is supposed to deal with illegal immigration at borders of the EU. Do you not have very much contact with them?

Steve Coates: Not me personally, but that may be because of my particular role in SOCA. I am not well-sighted on that, and we would be happy to respond and clarify that for you.

Q31 Chair: Can I ask a general question about SOCA, since you are here and you are the deputy director, and you would think it very odd if we did not ask you a question on this? Obviously, the Government are planning to merge SOCA into the new national crime agency. The Committee will return to this subject later in the year, when we will look at the new landscape, but at the moment, what is morale like in the organisation?

Steve Coates: I think morale at the moment is pretty good. I think we had a difficult start. It was a challenge to bring a number of precursor agencies together, but I have been in it from the start, and I think that about 18 months to two years ago things

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clicked and we really started to understand what we were about.

Q32 Chair: And now that it has clicked, you are being reorganised again into another organisation. Have you had any firm plans as to how this is going to happen? You obviously do some pretty effective work on organised crime. Have Ministers explained to you what is going to happen with the work that you do on organised crime and where you are going to fit into the new national crime agency?

Steve Coates: I think we have been extensively involved in discussions about that, and we are contributing to the programme team that is looking at the NCA with various briefings and discussions. We have exposed some of our capabilities to Ministers and, indeed, to Home Office officials. I have had the honour of showing you one particular capability in SOCA; you came to my unit a while ago. I think we have a good story to tell, and I think it will be a sound base for the NCA to take it to another level.

Q33 Chair: But are you recruiting more people? Are you reallocating your people, now that SOCA is coming to the end of its life? Are you seconding people? How is it going now?

Steve Coates: We are not able to recruit, along with other Government Departments, but we are obviously actively engaged in developments for the NCA and we will look to see how our role is decided on.

Q34 Lorraine Fullbrook: I would just like to ask about Turkish gangs, and in particular those that operate in the UK. Is it not the case that these gangs are also involved with money laundering, prostitution rackets, human trafficking, illegal firearms, and the whole gambit that comes along with the gang culture? Is it not the case that that happens? It is not just drug trafficking or dealing; it is the whole raft of serious crime.

Steve Coates: I understand. The high-level trafficking is pretty much dominated by the Turkish groups. As it tends to come down through what used to be called level 2 or level 1 type activity, street-level stuff, you do get a breaking down of those ethnic groups and different ethnic groups working together. There are, at street level, elements of violence and retaliation, and we work very closely with the Metropolitan Police in particular. They have an operation in respect of some of the Turkish groups in London and some of the criminality around that. We plug our Turkish project into that and exchange information and personnel. It tends not to be entirely Turkish groups that are committing that low-level crime. I do not want to devalue it, however: "Street level" is perhaps a better way of articulating it. Would you like me to expand?

Q35 Lorraine Fullbrook: I understand about street-level crime, but at the top level, is it not the case that these gangs are involved in the whole gambit of illegal activities: prostitution rackets, money laundering, illegal firearms—the whole lot?

Steve Coates: It tends not to be. They tend to keep to—

Lorraine Fullbrook: They specialise.

Steve Coates: It would be wrong to say that it never happens, but by and large they are involved in heroin trafficking and that is what they do.

Q36 Mr Winnick: In order to try to avoid demonising Turks, can we be quite clear, Mr Coates, in recognising one point? Obviously, as Mrs Fullbrook has said, and other witnesses including myself have acknowledged, there are gangs of Turkish nationals or former Turkish nationals involved in activities that are outright criminal and indeed inhuman. But is it not the case that at every stage you get full co-operation from the Turkish authorities? Is that the position?

Steve Coates: Yes. Sorry, Turkish law enforcement?

Q37 Mr Winnick: Yes. Do you have any criticism of any weaknesses on their part in co-operating with your organisation in dealing with criminality?

Steve Coates: No. I have worked with the Turkish National Police over many years and I would say they are an extremely effective overseas partner, and that we could not have impacted on the heroin trade without their significant assistance, and with resource implications for them.

Q38 Chair: I am a little bit concerned about your answer regarding the EU and Frontex. I think it would be helpful to the Committee if you were to write to us with a note of exactly how the EU is helping SOCA, because obviously Frontex is involved—its base, as you know, is in Warsaw—

Mr Winnick: Not my constituency!

Chair: Not Walsall, but Warsaw, although maybe it should be based in Walsall. Think of all the euros that would come in.

Anyway, they are involved, are they not, in helping Greece with the fence that Greece is building along the Greek-Turkish border? I think it would be helpful for the Committee to have a note on exactly what you are doing with Frontex, because we were led to believe that it is an organisation that exists to support national Governments, and we are to take evidence from Frontex later in this inquiry. If there is one thing the Committee should look for when we go to Turkey, what should it be as far as this area is concerned? We are meeting your representatives there. What is the key thing that we should be looking for?

Steve Coates: I think you should look for evidence to support what I have said about the credibility and capability of the law enforcement. It is not just the Turkish National Police; there are other agencies such as the gendarmerie, and I hope, with respect, that you will be pleased with what you see there and how we have been able to take this fight to the criminal gangs on their home territory.

Chair: Mr Coates, thank you very much. I am sure we will see you again when we carry out our next inquiry. For those of you who have come to hear from the POPPY project, unfortunately the witness has lost her voice—a very rare occurrence in the House of Commons—so we will not be taking evidence from the POPPY project today, but we will do so at a future date. Thank you for coming in.

Tuesday 8 March 2011

Members present:

Rt Hon Keith Vaz (Chair)

Mr James Clappison
Michael Ellis
Lorraine Fullbrook
Dr Julian Huppert
Steve McCabe

Alun Michael
Bridget Phillipson
Mark Reckless
Mr David Winnick

Examination of Witness

Witness: **Dr Franck Düvell**, Centre on Migration, Policy and Society, Oxford University, gave evidence.

Q39 Chair: Welcome, Mr Düvell. This is the second evidence session of the Committee's inquiry into the implications of Turkey joining the European Union as far as Migration and Justice and Home Affairs issues are concerned. You may like to know that the Committee visited Istanbul and Ankara last week, so some of the questions that we ask you will be specifically directed to our visit. I am not sure whether you yourself have visited Turkey as part of the important work you are doing for your centre.

Dr Düvell: Yes, a couple of times, two or three times a year.

Q40 Chair: Excellent. Can I start by asking you about your assessment as to the numbers of people who might exercise their right to freedom of movement if Turkey joins the European Union at some stage in the future?

Dr Düvell: I have prepared a little brief with all the relevant data. The question you ask is probably the most difficult to answer.

Chair: That is why we have asked it of you.

Dr Düvell: I would hesitate to give any figures on the potential of migration. At the moment, we have a research project ongoing in Turkey, EU-funded, where we conduct a large-scale survey on people's perceptions of migration. The results will only be available as early as six or seven months' time. What we can say right now is that emigration from Turkey to Europe has dropped significantly to probably below 50,000 every year.

Q41 Chair: I am going to press you on this, because you have been researching this matter for some time and your organisation is a respected organisation as far as migration flows are concerned. This may well just be a guesstimate from you but I think the Committee would like to know, because at the moment there has been no impact assessment as to the number of people who might come in. Is that correct; nobody has done an impact assessment?

Dr Düvell: No, not that I'm aware of.

Q42 Chair: So give us a clue, give us an estimate as to how many you think might exercise their right of movement.

Dr Düvell: We have a significant population growth but also population aging. We have an underperforming labour market that is not able to absorb the working age population. This is the one

side of the equation. The other side is that we have significant internal migration from the population growth part in the east to the aging part in the west and most of these migrants are, at the moment, absorbed, still absorbed by the labour market.

Q43 Chair: Yes. I understand the analysis, it is an excellent analysis, but I am trying to press you on figures and you must be able to give us some indication of figures since you have been looking at this matter for some time. Is it 10,000, 5,000, more?

Dr Düvell: I can't see why it would change significantly from the 50,000 emigrating from Turkey to Europe at the moment. It could increase. Youth, students might flow, let's say 60,000, 70,000, but this is only out migration, not taking into account return migration. At the moment, Turkey's migration balance is already negative; negative to Germany, negative with other countries.

Q44 Chair: That was going to be my next question but you estimate it is going to be about 70,000. It is a very rough figure; no one is going to call you back and—

Dr Düvell: It is a guesstimate, yes, not much more. I would need more time to look at all the data and the figures.

Q45 Chair: Moving on to the German-Turkish diaspora, because in this country we have about 150,000 people of Turkish origin who are here, with a total population of about 500,000. Are you telling the Committee that there is negative migration as between Germany and Turkey? More people are going from Germany back to Turkey; is that correct?

Dr Düvell: According to official numbers, and I believe they are accurate, yes, and there is negative migration from Germany to Turkey for four years now. So there is a certain trend. Whether that is sort of persisting in the view of the economic crisis, we don't know, but I am rather confident that we will see more of this type of return migration, yes.

Q46 Chair: What is the negative figure?

Dr Düvell: It is about 7,000 to 8,000 each year, so for the past four years it is about 35,000 people.

Q47 Lorraine Fullbrook: I would just like to clarify, Dr Düvell, when you say 70,000 people emigrating from Turkey, are they 70,000 Turkish nationals or are

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they people from other countries who are transiting into Turkey and then moving on?

Dr Düvell: I talk about Turkish nationals only. At the moment, we have maybe transit migration mostly clandestine, irregular, in the order of 45,000, 50,000 last year but this is already a significant drop from the peak in 2000, so it has dropped by 70%. I would expect a further drop.

Q48 Mr Clappison: The 70,000 figure that you mention, that is from Turkey to the whole of the EU, is it?

Dr Düvell: To the whole of the EU, yes.

Q49 Mr Clappison: How do you get that figure?

Dr Düvell: I have the data from various sources, which is Turkish statistics, which are highly unreliable, EU statistics like Eurostat, certain national figures like the German Federal Office on Migration and Refugees, as well as OECD figures. I almost check anything—like CIA, like World Bank, IMF, whatever I get hold of,—and they all agree, basically.

Q50 Mr Clappison: As far as this country is concerned, we are concerned with Turkish nationals and others who may wish to migrate to this country. At the moment there are visa controls in place, and Turkey doesn't have the benefit of the freedom of movement to work that it would have if it was a member of the EU. Turkish economic conditions; you have mentioned unemployment. We know that Turkey is growing. You said it has high levels of unemployment and it is hard for the labour market to absorb some of the labour that is coming forward. It has a young population, younger than this country. Its average wage is significantly lower than the average wage in this country, is it not? It has a larger population than this country and a rapidly growing population and all the conditions are there for substantial migration from Turkey to this country, including the fact there is already a substantial Turkish population in this country.

Dr Düvell: If I compare the case of Turkey, for example, with Poland, we need to recognise that Polish citizens have almost been incarcerated in their country for 40 years. Borders opened up suddenly in the early 1990s and there was an urge of large numbers of people to migrate. This is certainly very different in the case of Turkey where many people have already left Turkey and still continue to leave Turkey to join families but numbers are very low. The labour migration from Turkey to Europe is almost zero and what is left is student migration in the order of—how many come to the UK—9,000 or 10,000 every year, students.

Q51 Mr Clappison: Polish migration was part of the A8 accession that took place in 2004 and Poland had no longer been a prison camp, as you put it, for some years when that took place. What did happen though was that Polish people obtained the right to come and work in this country, as Turkish people would if we were to take the same step of dismantling border controls. The Polish average wage is higher than that of Turkey, isn't it?

Dr Düvell: Yes, that is probably true. I haven't looked at wages. What I can't see is this sort of culture of migration that has been building up in Poland for quite a while and really took off in the early 2000s when very many Poles initially came illegally and then after 2004 obviously came legally.

Q52 Mr Clappison: It wasn't just confined to Poland. I am going to suggest to you that all the same conditions are in place as were in place in the case of Poland and the other Eastern European EU Member States—we also had significant numbers from them—to generate migration to this country. We have to be extremely careful about any predictions that we receive, as indeed this Committee urged the Government to be careful about them in 2004 when we were told it was only 13,000 people would come from Poland. Do you accept that?

Dr Düvell: The big difference is—

Q53 Chair: I pressed you to give us a figure in the first place. Sorry, would you reply to Mr Clappison?

Dr Düvell: Not that much of a migration system, not that much of a migration network, not that much of a migration industry in the sense we had in the case of Poland. I think that is very important. Also important is that many Turks are already here, so they have already emigrated, those who are willing to migrate, so I would assume fewer people still wanting to migrate.

Q54 Mr Clappison: I am sorry to interrupt you but isn't that commonly seen as a factor that encourages migration? This Committee has been told in the past where there is a significant population already in this country, from a country that migration might take place from, that is a factor that encourages migration. We were told by the EU that there wouldn't be that much migration from Romania or Bulgaria because there weren't that many Romanians or Bulgarians in this country, to put it the other way.

Dr Düvell: It sounds plausible but if we look at the current number of migration in particular from Turkey to the UK, student migration, family reunification, it is very, very low. I just can't see much of a network effect, which seems plausible to assume; but it doesn't seem to happen so far.

Q55 Mr Winnick: The position of Turkish workers going to an EU country, would it be right to say it has always been Germany that has been the main destination of Turkish workers seeking employment?

Dr Düvell: That is without any doubt true. The overwhelming majority of all the Turks in the EU live in Germany; significant numbers in Switzerland, Austria and the Netherlands, also in France. The UK is one of the least popular destinations among Turkish migrants. Half of the Turkish migrants in the UK originate from Cyprus, so there is a colonial Cypriot link. Some of them have mixed marriages, Greek-Turkish, so it is very difficult. Half of the people in the UK you talk about are actually the Cypriots.

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Q56 Mr Winnick: Dr Düvell, during the late 1960s, when I travelled pretty frequently on the train, before I flew, between Munich and Istanbul—a rather unpleasant journey that I wouldn't recommend—I got the impression speaking to Turkish workers who could speak English, since I can't speak either German or Turkish, that there was hardly any tension in Germany at the time. They were coming back to Turkey for the holidays; they seemed quite content and the rest of it. Do you think arising from more recent events of religious revival and fundamentalism that tensions have arisen in Germany in the last five to 10 years that didn't exist before regarding Turkish workers?

Dr Düvell: That is certainly true, yes.

Q57 Mr Winnick: Because of fundamentalism or German intolerance?

Dr Düvell: It is mixed. As you may know, German policy towards immigrants, ethnic minorities, is very different from UK politics, in particular meaning that people remain foreigners. It is much more difficult to become a citizen of Germany. Even second, third generation Turks are still felt to be foreigners, so there is a certain feeling of rejection and feeling of discrimination, feeling, "We are not wanted, we don't really belong". People search for alternative identities, and then the issue of religion, Turkish identity comes up again, so this is fuelling it. Of course, unemployment plays a role, which again has economic as well as cultural reasons.

Q58 Bridget Phillipson: You mentioned in your report that Turkey is a major sending country for migrants, but when we were recently in Turkey the authorities there were keen to stress that they view Turkey as a transit country. Could you just comment on that, please?

Dr Düvell: When I got your questions, I realised that I probably made a mistake here, because this is a misunderstanding. In historical terms, Turkey has always been a major emigration country. We still have this large number of ethnic Turk nationals in EU and in other countries. At the moment, Turkish emigration is negative, so we have more immigration to Turkey than out migration. In that sense, Turkey certainly is more accurately described as an immigration country on the one hand and as a transit country on the other hand. This transit country position is related to the change of flows. The flow from Morocco has been stopped; the flow through Libya has been stopped, at least for the last couple of years; the flow through Ukraine has decreased significantly. So Turkey is the last loophole and even there numbers are much lower than they were 10 years ago.

Q59 Bridget Phillipson: So those migrants, either legal or illegal, coming into the EU through Turkey may not be Turkish themselves. They may have come from other countries and used Turkey as a route into the EU.

Dr Düvell: I have myself never heard of any Turkish national using this route like crossing borders clandestinely into Greece or taking a boat to the Greek Islands. This is exclusively third country nationals. How many of these would qualify as refugees and would get into the asylum system, I don't know; 70%, 80%, I would assume, because it's mostly Iraqis, Afghans, Iranians, Somalis, Palestinians.

Q60 Alun Michael: One of the points that you have made is the number of migrants who are trying to cross into the EU from Turkey arise because Turkey applies geographical limitations to the 1951 Geneva Convention and they exclude non-European citizens from applying for asylum there. How big a factor is that? Can you quantify that?

Dr Düvell: I can only guess but would assume that more than half of all those asylum-seeking migrants coming to the EU would probably agree to stay in Turkey if they were to get access to asylum procedures, but not only that, that would need to come with some kind of documentation that legalises their stay as well as some integration effort in terms of language courses, whatever. People who come from neighbouring countries, there is a familiarity; they have the same religion, languages are similar. That is why I would assume that people would be prepared to stay, also in the light that we have significant communities of Iranians, Iraqis, Syrians and so on already living in Turkey.

Q61 Alun Michael: Just to be clear, you are saying that about half of the people who use Turkey as a transit arrangement are those that are affected by this refusal to consider non-European citizens for applying for asylum?

Dr Düvell: No, all are affected or maybe 90% are affected by a lack of access to asylum procedures but more than half of those who are affected, I would assume, would be prepared to consider staying in Turkey because they have relatives there, communities there, language, religion, employment opportunities and so on.

Q62 Alun Michael: Am I right in thinking that Turkey would have to abandon those limitations on gaining access to EU membership?

Dr Düvell: Absolutely. This is a condition of the accession negotiations and there is no way out of this obligation. I have seen the latest draft of the Turkish migration and asylum law. They still haven't dropped the limitation. Consultations are going on with civil society, with international partners, so there is still hope of Turkey accepting its responsibility in this sense.

Q63 Lorraine Fullbrook: Dr Düvell, we heard during our visit from the Ministry of the Interior, the police and other organisations that there were several reasons why migrants transiting Turkey, not necessarily Turkish nationals but migrants transiting

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Turkey, want to come to the UK, because they had heard they enjoy a high standard of rights protections here, they have family networks, the benefits on offer here and also the chance of finding work. Does that match your findings as a researcher of migration patterns?

Dr Düvell: Yes, it does. As I say, for some people it would be an option to stay in Turkey and for others obviously it isn't. Those who have family members and strong family relations with family members in EU countries would certainly continue wanting to come here. Opportunities in the labour market play a role, education, language acquisition; all that plays a role. As I say, those coming from neighbouring countries, which is the majority of people transiting Turkey, being Muslim themselves, speaking similar languages, having relatives in Turkey, as I say, Afghan community, Iranian community—

Q64 Lorraine Fullbrook: I am not specifically talking about family networks within Turkey. This is for migrants transiting Turkey, coming to the UK, who want to come through Europe to the UK.

Dr Düvell: Yes, that is what I'm talking about. I talk about the transit migrants who also have these networks and relatives in Turkey and some haven't and those are the people who wish to continue to the EU.

Q65 Mark Reckless: What are your views on the proposed Readmission Agreement between Turkey and the EU and the implications if that is not agreed properly?

Dr Düvell: The Readmission Agreement: my understanding is that it would only apply to non-Turkish, third country nationals who enter the EU illegally and who would not qualify, who would not apply for asylum. This is a relatively small number because my understanding is that the majority of the arrivals apply for asylum, so they are in the system. They are rejected and then they can be removed but not back to Turkey but to the country of origin. I can't really see to what extent that would make a major difference or to what extent that would significantly reduce the number of illegal transit migrants. Only those few that do not apply for asylum could be removed under the Readmission Agreement.

Q66 Mark Reckless: Are you suggesting there is not a significant problem with third country immigrants coming through Turkey and into the EU, particularly through Greece, because those that do mainly claim asylum in Turkey?

Dr Düvell: No, what I am saying is the transit migrants travelling through Turkey into the European Union, which is Greece, in their majority apply for asylum in Greece, or if they can avoid Greece and continue moving on, then they would apply in other countries; Germany for example, Austria, France, Switzerland, Italy, wherever they can get to next. If they make it from Turkey to Denmark or Sweden on

a flight, falsified passport, then they would apply for asylum there and then they won't come under the Readmission Agreement of Turkey.

Q67 Mark Reckless: Is that because of the territorial opt-out that Turkey has from the 1951 Convention?

Dr Düvell: Yes. At the moment, only illegal immigrants who do not apply for asylum would be returned to Turkey, as is the case with countries like Ukraine, for example.¹

Q68 Mark Reckless: Finally from me, what is your impression of what impact, if any, Frontex have made on Turkish immigration issues?

Dr Düvell: I haven't really seen any short-term impact in terms of a reduction in arrivals.² Taking the lesson from the other Frontex operations, I would, in the medium and long term, anticipate a significant decrease. At the moment, what we see is that the previous practice of by night and irregularly removing people arriving from Greece back to Turkey, that has stopped because Frontex officers work according to international law. If people come in and apply for asylum, they are basically taken in, taken to the next detention centre. In the past, this did not necessarily happen because Greek border guards pushed back people even if they applied for asylum.

Q69 Mark Reckless: So Frontex has been increasing the amount of immigration to the EU, are you saying?

Dr Düvell: Short term, yes.³ What I see and hear is that the smugglers are moving back their activities and businesses to the Aegean Sea and the cities and villages down there, but that has always been expected because they change routes all the time and that would probably have happened. I have students in the field talking to smugglers and they were saying, "Oh, the smugglers are quite happy with Frontex because people are no longer pushed back". Their business is not affected at all by Frontex and they were always intending to move back their business to the Aegean Sea.

Q70 Mark Reckless: That is not at all excellent. We understood the spending on Frontex was to help reduce immigration to the EU, so a very interesting take on that.

Dr Düvell: Medium term, yes.

¹ The witness later added, at present asylum seekers cannot be sent back to Turkey. This is because (a) Turkey does not apply the Geneva refugee convention to non-European refugees, thus it is not considered a safe country and (b) it is not an EU member state, thus the Dublin II convention that establishes which state is responsible for refugee status determination procedures does not apply.

² The witness later added, according to latest Frontex publications (Press release, 2/3/2011), illegal border crossing of the 206 kilometre border between mainland Turkey and mainland Greece, mostly running along the river Evros, has dropped from 7,607 in October, that is before the operation commenced, to 1,632 in February. Frontex, however, is only deployed along a 12.5 kilometre stretch of land border. Some of this drop will probably be due to wintery conditions, some due to fluctuations in flows and some a direct result of the deterrent effect of this operation.

³ As footnote 2.

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Q71 Mark Reckless: We shall see. Is your organisation EU-funded in terms of the research?

Dr Düvell: No. Our centre is ESRC-funded, Economic and Social Research Council UK, but several of our projects, including mine, are EU-funded, yes.

Q72 Bridget Phillipson: On the issue of those transiting through Turkey and seeking asylum in Greece, you mentioned that some of those refugees may seek to continue onwards rather than seeking asylum in Greece. Is that as a result of the concerns there are around the Greek system? I am wondering, if that is the case, what knock-on effect might we then see if Turkey were to join? You talked about this earlier, whether people would then have to seek—Turkey would have to change its arrangement so that it can accept refugees.

Dr Düvell: One of the main conditions contributing to on-migration of refugees from Greece to other EU countries is a very, very low recognition rate, which is below 1%, so people can't get refugee status even if they have genuine fears of persecution. There is almost no refugee integration in terms of accommodation, language courses, help for getting settled, and people know all this, try to avoid Greece as much as they can. Boats now go from Turkey to Italy directly just to avoid Greece, or via Bulgaria into Hungary and then on to Austria. The main reason for people wanting to move on from Greece is lack of access to asylum procedures, lack of access to documentation and lack of integration policy measures.

Q73 Steve McCabe: Good morning. You said earlier that you thought one of the reasons why so many Poles came here after the accession was because it had been a closed country. Is there any other explanation for why we got the estimates so badly wrong for the numbers of people who might come after A8 accession?

Dr Düvell: I always found these Polish earlier estimates ridiculously low, to be honest, because there was the migration industry, there was the migration culture, there was the urge of the young generation of Poles to leave the country and go somewhere else, and terribly underestimated was the fact that only three countries opened up for Turkish migration: UK, Sweden and Ireland. Sweden is not the most popular destination. I would have assumed that Poles would have gone to other countries in much bigger numbers, so they would have been dispersed across the EU instead of mostly coming to the UK. The same principle applies to any considerations one would want to make with respect to the UK. The number of people coming here significantly depends on the policies and decisions in the other Member States.

Q74 Steve McCabe: There may be an obvious answer to this but I can't think of it. If we badly underestimated it last time round, how could we get much better estimates this time? What would we need to take into account that was overlooked last time?

Dr Düvell: It is not enough to look at statistics and figures. We have to go to the sending country, conduct

large-scale surveys about people's aspirations, wishes, perceptions, and look at it from the sending country perspective as well and that would take, research-wise, two to three years in order to generate meaningful results. I am not aware that we have done that with the accession countries.

Q75 Steve McCabe: All right, but given the progress that Turkey is making, we have got time on our side on that one. Just tell me, the other thing we heard in Turkey from some officials was that if they did join the EU, they thought, because of their comparative growth, there was every likelihood that Turkey could become a destination country for people wanting to go there because of the benefits. That seems slightly in doubt, given some of the points Mr Clappison was raising, but do you think there is any merit in the idea that if Turkey was a member we would see a flow of migrants to Turkey?

Dr Düvell: I agree with that assumption. We have 1.2 million foreign-born people in Turkey already. We have annual immigration to Turkey in the order of 200,000 people, but this is a very, very conservative figure because we don't have reliable Turkish figures. The figure is probably much, much higher. There is a significant informal economy, representing maybe 40% of the overall economy, so there is employment opportunities in the Turkish labour market for regular and irregular migrants, in particular for the highly skilled, and this is what see now, who were educated in Germany and who have now moved back, second and third generation Turks, because there are more and better opportunities in Turkey. Since Turkey is regionally economically and politically integrating with all its neighbours in Northern Africa, Middle East, Central Asia, I would also assume in-migration of some significant level to Turkey, yes. Turkey is almost certainly becoming an immigration country, I agree with that.

Q76 Steve McCabe: I just want to know which nationalities do you think would flow back to Turkey?

Dr Düvell: Flow back?

Steve McCabe: Yes. If we are going to see this flow of people to Turkey, what nationalities would make up that?

Dr Düvell: Moldovans, Bulgarians, Romanians, Syrians, Iranians, from all the northern Mediterranean coast, Morocco, Algeria. We have migrants there already and there would be more to come.

Q77 Mr Clappison: Just a point of clarification following on from the last question. My points to you were based upon economic and external factors. They were no reflection at all on Turkish culture and society and achievements in history, all of which are very positive in my view.

Dr Düvell: Thank you very much.

Q78 Chair: We are most grateful for that. Dr Düvell, thank you so much for coming in. If there is other information—this inquiry will be ongoing for some time—that you might find that is useful to this Committee, please will you write to us?

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Dr Düvell: Yes. I will leave my notes here for the Committee on the table.

Chair: Excellent. The Clerk will collect it. Thank you very much. Thank you.

Examination of Witness

Witness: **Rob Wainwright**, Director, Europol, gave evidence.

Q79 Chair: Could I call to the dais Rob Wainwright, the Director of Europol? Mr Wainwright, welcome back to the Committee. Thank you very much. We know you must be extraordinarily busy. Thank you for coming to London to give evidence to the Committee. We have just returned from Turkey where we saw some extremely useful presentations by the Turkish police and their equivalent to the SOCA as far as organised crime is concerned. Would Europol regard Turkey as a hub for organised crime?

Rob Wainwright: Good morning, Chairman and members. Thank you for inviting me to give evidence. It is a very interesting subject. If I may quickly say my reflections today are based on our own co-operation with Turkey. We have had a bilateral agreement with the Turkish authorities since 2004. Importantly, that is yet to extend to cover the exchange of operational data. It is a first stage in terms of our co-operation with the Turkish authorities, so we are not engaged directly in operational co-operation with the Turkish authorities yet. My reflections today, however, I think are still substantial in that they are based on how we see the picture of organised crime activity across Europe, plus our own observations of how the British and other police authorities around Europe regard Turkey in terms of their co-operation. In answer to your question, yes, certainly we consider criminal activities that originate in Turkey, or pass through Turkey, have a significant impact on the internal security of the European Union. I can explain the aspects of that in more detail if you wish but that is certainly our summary view at the moment.

Q80 Chair: We looked at the increasing number of cocaine seizures in Istanbul and elsewhere and the developing links between West Africa and Turkey, since, because Turkish Airlines is now flying more flights more people are coming in, but there was a feeling, I think, that they were on the outside in a real sense of trying to deal with these criminals because they were not part of Europol. Frontex was on the other side of the border, because they were in Greece, and Interpol wasn't really mentioned in the discussions we had. Do you think that the increased cocaine seizures are causing a problem to us here in the United Kingdom? Not increased cocaine seizures but increased level of cocaine.

Rob Wainwright: What we are seeing in Turkey is what we are seeing around the rest of Continental Europe, and indeed in the UK, a general diversification of organised crime and a proliferation of different trafficking routes, and the emergence suddenly of Turkey being an important transshipment point for cocaine is a very good illustration of that. There are many other examples around Europe. We are also seeing other new trends that are interesting in Turkey, for example Turkish organised crime

involvement in the production and trafficking of counterfeit euros. So whereas 10 years ago this was largely a heroin problem with some illegal migration, it has diversified into many other areas of organised crime and that is a pattern that we are seeing across Europe.

The extent to which this happens because Turkey is not a member of the EU, does matter. I would agree with the impression that you create that because they are not a member of Europol, for example, they don't enjoy the same services that other European law enforcement has in terms of our ability to connect police teams together in order for us to make connections between the intelligence picture, for example, of organised crime across Europe. With Turkey being outside of the EU, therefore, it certainly makes co-operation more difficult, notwithstanding some excellent bilateral co-operation that the UK and other leading European countries have with Turkey.

Q81 Chair: One question on fact, which is that the Turkish police told us that they estimate that they have stopped between 10% to 15% of cocaine entering the EU. Do you think that is an accurate figure? You don't know?

Rob Wainwright: It's difficult for me to judge that, Mr Chairman. I would, however, caution against a view that Turkey has become a leading, major transshipment point for cocaine in Europe. It is certainly a notable new feature but still we see pre-eminent in this problem the arrival of cocaine through the Iberian coastline, from West Africa as well up through the southern Mediterranean, into the Baltic Sea as well, up through the Adriatic Sea. Turkey is just one of a number of routes, as I said, that has proliferated. 10% to 15% seems rather high but I have no factual basis on which to reject those claims.

Q82 Mark Reckless: You mentioned strong co-operation between SOCA and the Turks on a bilateral basis, and the Committee saw that very significantly when we were in Turkey. You say there are difficulties with Europol working with Turkey because Turkey isn't a member of the EU, but surely this just relates to Europol. Why can't you effectively work with them?

Rob Wainwright: Clearly if they were a EU Member State they automatically get full membership to all of the services that we provide. Now, even before that, of course, it is possible for us to have extensive co-operation with them. We have co-operation instruments with 17 non-EU countries and about seven or eight are full-blown co-operation that allows for the exchange of what we call personal information as well, for example with the United States. We have not yet concluded that agreement with Turkey, as per the requirements of a legal framework, principally because we are going through the stages of assessing,

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for example, the data protection standards in Turkey. Only after that work is done can we conclude that arrangement. In fact, as I am informed, for example, when I briefly met the Turkish Minister of the Interior earlier this year, Turkey has not yet passed the relevant data protection legislation in Turkey that would allow it to meet certain standards in Europe, which would allow us, therefore, to conclude an agreement there and thereby exchange personal information. This is an EU administrative issue that has to be worked through, as it is in every case. We are well on the road to concluding an agreement with them but it is not signed yet.

Q83 Mark Reckless: Shouldn't we put the necessity of co-operation against organised crime and smuggling before EU administrative arrangements? SOCA, for instance, seems to be able to co-operate perfectly satisfactory bilaterally. Why can't Europol?

Rob Wainwright: Because we are governed by our own unique legal framework, which reflects, for example, the very strong priority that is given to maintaining very robust data protection standards in terms of the law enforcement activities that we carry out. In this case, we have to be satisfied that the legislator, including the British Home Secretary, has signed up to a Europol legal framework that puts very clear requirements on me, as the director, to meet certain important issues in that respect before I conclude an arrangement.

Q84 Mark Reckless: So our priority of effective co-operation with Turkey, would we be better to pursue that on a bilateral basis and potentially through Interpol?

Rob Wainwright: Interpol does not have the capability either to support very sensitive, ongoing investigation, because it doesn't deal with sensitive intelligence. It operates at the more everyday police level, still makes a very valuable contribution. I think in answer to your question, for the moment the bilateral co-operation that the UK and other European countries has works well. I think it can be supplemented and will be supplemented by effective arrangements or more effective arrangements with Europol in the future.

Q85 Alun Michael: Can I just follow that a little further? You said that relations with the police in the UK are good. That is what we heard from SOCA and it is certainly what we heard during the course of our visit. We also heard that co-operation with other EU Member States and their police forces is, I think the polite way of putting it, more variable. Is that your experience? Sorry, firstly the bilateral arrangements with countries like particularly, I would think, Germany, Holland, France.

Rob Wainwright: From a Europol perspective do you mean, or specifically in the context of Turkey?

Alun Michael: All right, let me ask the two questions. One, the impression that we have been given is that the bilateral relations with the police in the UK are good but that they are not as good with other countries, such as the ones I have just referred to. Secondly, that perhaps has implications for the relationship with Europol.

Rob Wainwright: We are supporting about 13,000 major cross-border operations each year. That is a figure from last year that is already 25% greater than the year before. Of that, almost 1,000 of them are initiated by the UK, which tells a story about the UK being a major leading partner in Europol. In fact, Germany beats them to the first place, so we have no complaints about our co-operation with Germany, and with France as well.

Q86 Alun Michael: Sorry, Europol doesn't have any complaints?

Rob Wainwright: No, we have no complaints at all about the co-operation that we are able to facilitate of a cross-border European nature. We are busy increasing our operational—

Q87 Alun Michael: I'm sorry, you are answering a different question to the one I asked. You are talking about the relationship between Europol and the different national police forces. I was asking about the links in the context of Turkey specifically.

Rob Wainwright: What I see also from my own experience as a senior member of SOCA is certainly bilateral co-operation between SOCA and Turkey is very strong and it is what the Turkish authorities still tell me in my new context. Germany, I think, has a very strong track record of co-operating with the Turkish authorities as well. Beyond that, I don't have enough information to make comments on the individual countries' perceptions.

Alun Michael: That is very tactful of you, as we would expect from an experienced—

Rob Wainwright: We got there eventually.

Q88 Alun Michael: What practical difference do you think EU membership would make? That would presumably change the situation in that the Turkish authorities, Turkish police would then be members of Europol rather than an external partner, as it were. How much of a difference do you think that would make?

Rob Wainwright: It would make a big difference. If you compare our experience of the last major wave of accession, today Romanian and Bulgarian authorities play a very big role in Europol. Bringing them inside our police structures, for example, allows them to exchange information on a much freer basis. It allows, for example, the European police community, through Europol, to import their specific skills and experience of fighting organised crime, to integrate them into the mainstream, into the culture of the work that we do, to learn from their best practice. The Turkish national police in particular does some excellent work in fighting organised crime and I would want to import that into European policing.

Q89 Alun Michael: Can I explore that one stage further? You have mentioned the positives and you have made that very clear indeed but what are the obstacles at the moment? What are the things that, because they are not within the ambit of Europol, provide barriers at the present moment?

Rob Wainwright: As I was explaining to Mr Reckless, it is simply that we haven't yet concluded the

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necessary legal agreement to allow us to exchange operational information with the Turkish authorities.

Q90 Alun Michael: So it is a legal obstacle more than anything else?

Rob Wainwright: It is a legal obstacle, but I think even with that there is a cultural obstacle. It is still then a third party agreement that would allow them to post a liaison officer to Europol of course but it wouldn't integrate them into the mainstream of our work. It wouldn't give them the access to our daily life in the way that a full-blown Member State would have.

Q91 Dr Huppert: There have been some discussions about the disadvantages if Turkey doesn't join the EU. I would like you to expand on that, particularly because presumably the level of co-operation that Turkey currently shows is partly in anticipation of closer working with the EU and eventually possible membership. If we were to decide, say, not to give membership, what do you think would be the impact on co-operation, for example with the heroin trade? Presumably it causes very few problems for Turkey, the problems are felt elsewhere in the EU, and similarly with security measures. Do you think there is a great risk that Turkey would cease co-operating, or co-operate a lot less, and that, therefore, we should encourage continued closer working?

Rob Wainwright: I think there is a risk of that and, as I said, against the backdrop of what is this general diversification of the organised crime threat. This tells us that Turkey is becoming more important not less important in terms of the internal security and that the EU is affecting an increasing number of criminal sectors, not just the traditional one of heroin, and it is making, therefore, more important the need for the closest possible police co-operation, in particular between the European police services and those in Turkey. Membership of the EU will provide a very good boost to that of course. Ongoing non-membership of EU would have, I guess, an opposite effect.

Q92 Dr Huppert: So you would like to see it as close as possible from this perspective, leading to EU membership?

Rob Wainwright: From my perspective, I can only see the benefits of closer police co-operation between Turkey and the EU, and that is from my own professional opinion. I am sure it would yield significant benefits in making my job easier in fighting organised crime in Europe.

Q93 Lorraine Fullbrook: I would just like you to articulate specifically what you think the benefits would be, given that Turkey, currently outside the EU, are responsible for 21% of drug seizures across the whole of the European Union currently.

Rob Wainwright: We have Turkish criminals that are effectively controlling a large part of the heroin trade throughout Europe, not just in Turkey itself of course, a very extensive diaspora community in the UK, in

the Netherlands, in neighbouring Bulgaria and Romania, and this, therefore, is the challenge for law enforcement in those countries to deal with those Turkish criminals. I think if Turkey is part of the EU, it would bring those investigators closer to their counterparts in Turkey and make it easier for them to investigate the opportunities and the—

Q94 Lorraine Fullbrook: I was really asking what benefits Europol would bring to the party if Turkey, currently outside the EU, is responsible for 21% of the drug seizures. What would Europol bring to the party that would increase that? They have more seizures than several other countries put together.

Rob Wainwright: We have to be careful with the estimates and I am not sure what estimates you're relying on there.

Lorraine Fullbrook: This is specifically from KOM.

Rob Wainwright: Whatever the estimates are, I think it is clear that we still have a sizeable drugs problem throughout Europe.

Lorraine Fullbrook: They are actual figures.

Rob Wainwright: What I am saying is that, in my experience—and I am observing organised crime activity on a pan-European basis and we are relying on a lot of information that we see on an everyday basis—it is very difficult to get very precise estimates. But whatever the estimates are, it is clear that we have a significant organised crime problem in Europe and perhaps the largest part of that is involved in illicit drug trafficking. I think, therefore, that we have many more challenges ahead of us. However successful, for example, Turkish and other authorities have been in seizing quantities of heroin, cocaine and other illicit drugs, perhaps a larger share of it is still freely circulating in society. We need, therefore, to seek any new opportunities that we have to increase the share of seizures that we have and bringing Turkish authorities closer to the mainstream of European police services, including and especially to the daily work of Europol, undoubtedly would be beneficial in that respect.

Q95 Mr Winnick: I think to a large extent what I was going to ask you has been covered in other ways, Mr Wainwright, so I won't pursue it very far. At the core of all these questions from my colleagues is basically the criminality in Turkey, as in other countries, and basically the capacity of Turkey to deal with crime. Would you say, therefore, that it is more effective or less than neighbouring countries there, Romania, Bulgaria?

Rob Wainwright: It is difficult for me to make that comparison because my attention is really on the EU Member States. Over the experience of my career, I think the capacities of the Turkish national police in particular are relatively high compared to other police agencies in that region. Whether or not they are today higher or lower than those in Romania and Bulgaria, I couldn't possibly judge that. I think they are already at a fairly high level, and that is reflected in, for example, the amount of seizures that the Turkish authorities are able to undertake.

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Q96 Mr Winnick: Therefore, would you say, Mr Wainwright, that Turkey is a country whose government, which can be the subject of controversy like governments in any democracy, is far from complacent over criminality, that it has the same desire as other countries, including Britain, to deal effectively with criminals, be they drug dealers or any kind of criminality? Would that be your view?

Rob Wainwright: From my relatively narrow perspective of what I see of the Turkish authorities dealings with the European Union, including Europol, I am impressed by the commitment and energy.

Q97 Mr Winnick: You are impressed by the commitment?

Rob Wainwright: I am impressed by the commitment and energy that they show to prosecute this problem.

Q98 Steve McCabe: Mr Wainwright, I am sure you could write me an essay on this but I really want it in a sentence. What does Europol do that wouldn't get done if you didn't exist? It's a genuine inquiry.

Mr Winnick: He would be made redundant.

Mr Rob Wainwright: That is one sentence I don't want to give. I have the only law enforcement agency in Europe that sees organised crime and terrorist activity across Europe as a whole and that allows us, therefore, to identify criminal and terrorist connections that otherwise are not seen at purely a national level.

Q99 Steve McCabe: All right, thank you. Can I ask, I understand there is a proposal by the European Commission that the scrutiny should move to the European Parliament. What difference is that going to make and how do you view that?

Rob Wainwright: I think Europol is now an EU agency formally as of one year ago, which followed a change to our legal framework, and the European Parliament has become a constituent part of our budgetary authority and that has given them an important new role in terms of scrutinising our activities. According to our legal framework, that role is shared, that responsibility is shared with national parliaments, and as far as I am concerned it is important that Europol maintains a positive relationship with national and European parliaments. It is important for any police agency, including my own, to maintain a healthy, positive reputation with parliaments and with the public so that democratic

accountability issues are properly addressed in the way that I think they are currently.

Q100 Steve McCabe: Very quickly, how are you scrutinised at the moment?

Rob Wainwright: I frequently attend European Parliament, the Home Affairs equivalent committee, the LIBE Committee. I attend it to give evidence on specific issues like this. That committee has a very important role in recommending what our budgetary limit should be, for example. We are currently discussing with the Commission and with Member States about how the range of scrutiny activities can be increased further, which they are likely to be within the next two years, in many other areas in terms of considering an annual report, our accounts, even the appointment of the Europol director. All these issues are on the table at the moment and I think we will see, over the next two or three years, some important developments in the scrutiny of Europol by the European Parliament.

Q101 Chair: Mr Wainwright, do you agree that we owe the Turks a debt of gratitude for the work that they are doing? They are not part of the EU. They are applicants. They don't have access to your computers. There are issues that you cannot share with them because they are not part of Europol, but they are doing a terrific job in dealing with organised crime and illegal immigration.

Rob Wainwright: Yes. As I said in response to an earlier question, I am impressed by the energy and commitment and by the success that they have achieved over the recent years and I am keen to integrate that into the work of Europol.

Q102 Chair: Mr Wainwright, the Committee will come over and visit Europol in the near future, as we have done in the past.

Rob Wainwright: I'll look forward to it.

Mr Winnick: Unless you're made redundant by then.

Q103 Chair: I don't know why Mr Winnick keeps talking about redundancy. This is not on the cards as far as we are concerned and we are not looking into that. We are grateful for the work that is being done by Europol and obviously very proud that we have a British representative at the head of Europol. Thank you very much for coming.

Rob Wainwright: Thank you, Chairman.

Examination of Witnesses

Witnesses: **Damian Green MP**, Minister for Immigration, Home Office, **Patrick Moody**, Director of International Policy Directorate, UKBA, and **Philip Rushbrook**, Deputy Head of International Directorate, Home Office, gave evidence.

Q104 Chair: Minister, thank you very much for coming to the Committee. Welcome back I should say. For the purposes of the record, would you introduce your officials?

Damian Green: Partly because I'm hopeless at remembering people's titles, can I ask Philip and Patrick to introduce themselves?

Philip Rushbrook: I am Philip Rushbrook. I am the Deputy Head of the International Directorate of the Home Office.

Patrick Moody: Patrick Moody, Director of International Policy in the UK Border Agency.

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Q105 Chair: Thank you. Minister, as you know, the Committee is conducting an inquiry into the implications, as far as the Justice and Home Affairs agenda is concerned, of the accession of Turkey into the EU, so we are concentrating on migration issues. We have just returned from a visit to Turkey. We have been to Ankara, Istanbul and Edirne where we saw the work that is being done by the Turkish authorities. I know you have been extraordinarily busy but have you managed to get over to Turkey since you have been appointed?

Damian Green: No, I haven't, I'm afraid. You have the advantage of me there, but it is on the list of places that I need to go to because obviously particularly the Greek-Turkish border, as the interface between the EU and the outside world, is hugely important.

Q106 Chair: Indeed and that is exactly where the Committee went. We went to Edirne, which is at the border of Bulgaria, Greece and Turkey, and I think those who attended were very impressed by the work that is being done by the Turkish authorities. They are not part of the EU. They have applied to join the EU. They have only closed one chapter yet they are providing a great service to the people of this country. Do you think we should be grateful for what Turkey has done as far as organised crime and illegal immigration is concerned?

Damian Green: Yes. Turkey has worked hard on what are clearly important areas, not just for internal Turkish reasons but obviously for wider reasons. One of the reasons why the Government is an enthusiastic supporter of Turkish accession, while at the same time taking a fairly stringent view about meeting the accession criteria, is precisely so that both Turkey and Europe more widely, and including Britain, can benefit from improvements in the wide range of Justice and Home Affairs areas that we are seeing in Turkey at the moment.

Q107 Chair: The Prime Minister, of course, in his speech in Ankara last year said, "I believe it is just wrong to say that Turkey can guard the camp but not be allowed to sit within it". What we saw at the border was the Turkish authorities. We were taken to see a new detention centre, which had been built partly with EU money, which appeared to be of very good quality, probably on a par with Yarl's Wood. We then went to Istanbul itself and we saw their detention centre there. There are still people coming in in huge numbers into Turkey, wanting to cross the border with Greece, and I am sure you have seen reports of what is happening in Greece. We will come on to questions about Frontex a little later. But there is huge pressure on the Turkish authorities. Do you think that we should be doing more to help them?

Damian Green: I think we are trying to do as much as is practically possible. We could talk about Frontex now, because this would seem the obvious time to do it. As you know, because we are not a full member of Schengen we are not allowed to be a full member of Frontex, even though the previous Government sensibly took court cases to try and ensure that we could play as big a role as possible in Frontex, and this Government supports that. We do play a role in

Frontex. We can't play a full role, but Frontex has been and will continue to be an extremely important part of practical help given by European countries to the Turkish authorities and the Greek authorities in ensuring that that very important, and what has in the past been rather porous, border crossing into Europe is made more effective. They have had the action team I am sure you all saw when you were there and are proposing to replace that with a more permanent arrangement. This seems to me a model of what Frontex should be doing. We will help in as many practical ways as possible to make sure that that border is helped to become less porous.

Q108 Chair: I think the feeling of the Committee is that Frontex is getting an awful lot of money, over 100 million pounds or euros, I can't remember which, and not doing enough. The RABITs, of course, have been deployed on the Greek side but we have had evidence even today to suggest that perhaps they are not as effective as they ought to be and you are right, this is exactly what Frontex was intended to do, to police the external borders. Even though we are not part of Schengen, are you monitoring the situation as regards to what Frontex is doing, specifically the reports of the huge pressure on the Greeks? People are crossing the border, they are in Greece, and some are demanding residency permits, otherwise they will starve to death. These are very serious issues, are they not?

Damian Green: Indeed, and as well as doing what we can to help Frontex, given the constraints on us, the other European organisation that we are playing a very prominent role in is the European Asylum Support Office. In particular we see that EASO has a very significant role to play in helping the Greeks, and through the Greeks the Turkish Government, in making sure that things not just that happen at the border but the consequences of that, of the numbers coming into Greece, can be dealt with more effectively.

Clearly, Greece has had huge problems with its asylum system, that is why the Commission has suspended returns to Greece. We think that EASO is a very, very important body looking ahead to ensuring greater stability of the whole immigration and asylum system in that area and, as I say, we are working very hard to help this new organisation. It is only a few months old.

Q109 Chair: You have been positive about the implications of Turkey joining, but what about if they are not allowed to join? What do you think is the effect that will have on the Turks in their co-operation with us as far as the heroin trade is concerned and organised crime like illegal immigration? What do you think the reaction will be if they are told, "Sorry, you can't join"?

Damian Green: Clearly the co-operation is extremely important and I don't think it would be particularly helpful for me to speculate on a hypothesis like that. We are, as I say, as a Government enthusiastic about Turkish membership and I do think we are already seeing the first fruits of the negotiations in terms of some of the improvements we have seen, particularly

in the Justice and Home Affairs areas, in Turkey. As I say, I am not sure it would be very sensible or helpful for me to speculate.

Q110 Steve McCabe: A quick question about Frontex. I read in one of the briefs that they were described as border guards. When I spoke to some of the people in Turkey they made it sound much more like they were officials and administrators. What exactly is Frontex in terms of what proportion of it are people we would recognise as guards or policing-type figures and what proportion are administrators?

Damian Green: I think Philip, you are probably best placed to go into the details.

Philip Rushbrook: The overall purpose of Frontex is really to build capacity in the border control systems around the EU. So, while they may have an administrative role, the overall aim is they are to build capacity, both operationally and strategically, within each of the countries. In essence they are a capacity-building force.

Q111 Steve McCabe: Does capacity in that sense mean—I just want to understand while I have got you right here. Is that like putting in a team to train a bunch of policemen to make them perform more effectively or is that a bunch of people to set up a capacity-building team? I am just trying to understand who these people are, because they did seem to cost a lot of money and we didn't see the evidence of the policing side of the activity. That is all I am trying to understand.

Philip Rushbrook: I think that Frontex tends to tailor its response to individual countries. If a country's border force is not performing to the usual expected EU standards, their efforts there would be to strengthen the capacity on the ground, the training, the calibre, the organisational processes, and work in conjunction with the national bodies. If you have a country where there are specific specialist problems then my understanding is Frontex aim to plug those gaps.

Q112 Steve McCabe: Do you have figures on this? Could you give the Committee figures of exactly who is there for that border operation and what kind of course they are designated for? It would be really good to see the breakdowns.

Chair: You seem to be nodding. Do you have the figures?

Patrick Moody: No, sir, I don't have the figures in front of me. We would have to write with the exact figures.

Chair: If you could.

Patrick Moody: But to expand on what Philip said, while they primarily exist as capacity-building, they do have this ability to tailor to particular situations. The RABIT operation is primarily operational and is providing something closer to what would be perceived as border guards.

Q113 Chair: The Minister may not been over to Frontex but presumably you, Mr Rushbrook, and you, Mr Moody, you have been over to Warsaw to see Frontex.

Patrick Moody: I haven't, I'm afraid, no.

Chair: You haven't? Mr Rushbrook?

Philip Rushbrook: No, I haven't because usually it is more senior personnel in UKBA are the main interlocutors with Frontex.

Chair: You mean there are people more senior than you?

Philip Rushbrook: I am afraid so, sir.

Q114 Alun Michael: I was interested in what you said, Minister, about the continuity of trying to influence the work of Frontex, and that seems a praiseworthy endeavour. We appreciate that in some sense it is partly external but do you get the impression that building the capacity inside our borders may be less important than, for instance, working to increase the effectiveness of Turkey as a partner in the work that they are doing? We certainly got the impression that there was more enthusiasm to engage were Frontex to be looking outside the boundaries for solutions rather than just sort of sitting inside a citadel.

Damian Green: I think there is a good point there. It is clearly better. We will have a more thorough solution if not only that Europe's capacity, as it were, to police and patrol its own borders, which is as you have heard the role of Frontex, but that those countries immediately adjoining the European Union—particularly Turkey, which is obviously on one of the great illegal transit routes—improve their own capacity and changes their attitude. Well, that is unfair, but they should make sure that that they have the capacity to deal with those problems at their own borders on the other side, as it were.

Alun Michael: And is possibly a more effective partner.

Damian Green: That would make it so. One of the things I think we have all observed from previous accessions is that the act of application and going through the process of accession does wonders to ensure that people do all the things that are good for them and are good for the rest of Europe as well. I think that is the process that we did observe with Romania and Bulgaria and that we are now observing with Turkey as well, so the accession process itself is beneficial.

Q115 Alun Michael: Frontex ought to have a part in that?

Damian Green: In the end, until Turkey is a member of the EU, then Frontex can't play a particularly important role inside Turkey. It is an independent sovereign state; it will have to take its own decisions as to what it does.

Q116 Mark Reckless: We saw little evidence of Frontex playing a position within Greece. Our previous witness, Mr Düvell, said that the impacts of Frontex have been to increase immigration and previously people have been turned back on the Greek border but now they were being welcomed in. Do you have a view on that?

Damian Green: I have seen no evidence that suggests that having Frontex there encourages people to come on the route. I think the forces that make people look

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for routes into the EU are clearly complex and hugely international. It used to be the case a few years ago that the main route, if you like, of illegal immigration into Europe was across Libya. That was stopped and the main route then became through Turkey into Greece. I think it would be unfair and wrong to blame Frontex for that. I take the point that clearly the Committee has come back from Turkey where they would like to see Frontex improve its capacity and improve its operations, but I think it would be unfair to the complexity of the situation to say, “Well it’s all Frontex’s fault”.

Chair: No, the Committee is not saying that, although we have become very Frontex-focused and have been monitoring them very carefully.

Damian Green: I observed.

Q117 Michael Ellis: Having said that, can we move on from Frontex for a moment? I am sure you will agree, Minister, that the Home Office and the UK Border Agency need to learn lessons from previous accessions. How much work have the Home Office and UK Border Agency done to evaluate the lessons from these previous accessions and what do you think the key lessons are?

Damian Green: The key lesson is that we should impose the transitional controls that are allowed in the accession treaties. That was the huge mistake in 2004 when the A8 countries came in and it was a mistake that was compounded by the fact that very few other countries made that mistake. The French, the Germans, the Spanish and Italians all decided to use the transitional controls. Britain didn’t, so we got into the notorious situation where we were told that 13,000 Poles would come and 750,000 did, so we have learnt that lesson and have made it clear that under any future accession treaty we will apply the transitional controls that will be allowed.

Q118 Michael Ellis: Under the A8 accession, as you say 13,000. A previous witness at this Committee said that was ridiculous as an estimate. Do you agree that it was a ridiculous estimate and wildly inaccurate, almost to the point of absurdity?

Damian Green: Facts tell us it was wildly inaccurate, but I have seen the literature associated with this and the people who prepared that estimate make the point that it wasn’t an estimate made when they knew that the British Government would say, “We’re opening our doors completely from day one” and every other major western European economy would take a different view. I don’t want to criticise the people who made the estimate because they may well not have made it on the basis of the facts that subsequently made it wrong.

Q119 Lorraine Fullbrook: Minister, I would like to ask, just following on from that, if Turkey was to accede to the EU now what would be the extent of the scale of migration? What would you anticipate the scale to be?

Damian Green: We haven’t done that assessment and it would be impossible to make any kind of realistic assessment at the moment because we don’t know any of the basic facts. We don’t know what the accession

treaty would allow in terms of a transitional period. We don’t know where, if it happened, Turks would prefer to go—they have obviously got a greater historic relationship with Germany than with this country—and perhaps most counter-intuitively for a British audience, if you like, you have to look at the way the Turkish economy is going. Turkey’s economy is growing at the same sort of rate as those of China and India. By 2017 I have seen suggestions that the Turkish economy will be growing faster than the Indian economy. The Turks’ own ambition is to have their economy as one of the 10 biggest in the world by 2023. Given all the uncertainties, particularly about the length of time it might take before a single Turk came into Europe under free movement, it really is impossible to put any sensible number on it at the moment.

Q120 Lorraine Fullbrook: Can I ask, Minister, the UK has made a commitment to, and I quote, “Apply effective transitional controls as a matter of course to all new Member States”. What does “effective” mean in this context?

Damian Green: It means controls that work and I think the key point is that we have applied, as a country, the transitional controls to the A2 countries—to Romania and Bulgaria—and by and large they have been pretty effective. We would want to at least replicate that and I think the point that often gets lost in these discussions, which is key, is that each accession treaty is different. So we are not simply saying we would have the same rules for either Croatia—which would come in clearly long before Turkey—or Turkey than we had for Romania or Bulgaria or that we could have had for Poland and the other A8 countries. There will be a new treaty that will need to be negotiated and that treaty will contain specific transitional arrangements for Turkey.

Q121 Dr Huppert: Minister, you have raised a question, in my mind at least. Last week we were talking about student visas and the benefits Britain gets from having people coming here, becoming proficient in English and getting to understand Britain well, and I don’t want to press you on student visas right now. Have we done any assessment on whether Britain and British companies, for example, have gained benefits from having good connections with the Eastern European countries; people who spoke English and knew how the system worked from having worked here for a while? If Turkey is going to be one of the 10 largest economies, do you think that now we would like to encourage a good flow so that there are people there who are interested in doing business with Britain?

Damian Green: We already have good trading links with Turkey and we run an efficient visa system so that we specifically try already to improve not just our relations with Turkey but specifically our business relations with Turkey. Clearly, as I say, we are talking very long term before any prospect of Turkey’s accession but the work we are doing now to improve those relations will, I am sure, have benefit in the long run.

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If the Committee wants the actual figures, the number of business visits, the applications we received, were 16,859 of which nearly 96% were issued. Of student visits there were 7,743 applications received of which 82% were issued.

Chair: On that point, while we were in Ankara the Ambassador and others, including members of the Turkish Parliament, had raised with us the issue of visas for Members of Parliament. I won't raise this with you now in great detail but I will, if I may, write to you with the details for you to have a look at because I think there was a feeling that this would be of great benefit in terms of interaction between our two Parliaments. I don't expect an answer now but I will write to you on it.

Q122 Bridget Phillipson: Minister, how, if at all, have previous enlargements affected organised crime in the UK, both in terms of its extent and the structures? SOCA appear to suggest that their experiences have been positive and they feel that there could be benefits. Would you share that view?

Damian Green: Clearly the more open borders become then the more opportunities there are for organised crime, so the better we have to get at our international connections. I am interested in what SOCA has to say, because clearly there are always new challenges. It is one of the reasons we are setting up the National Crime Agency, one of whose arms will be specifically the border command so that we could become much more effective and much more joined up in combating cross-border crime, and also separately, organised crime more widely, because it is increasingly the case if you are talking about serious and organised crime these days you are talking about international crime so you have to have an international focus on fighting it.

One of the problems there has been in the past has been that different arms of British law enforcement and different arms of the British State have been doing perfectly good jobs but they have not been properly joined up. What we really want to do over the next few years is make sure that all our efforts are much more efficiently joined up because it is going to be an increasing problem.

Q123 Bridget Phillipson: While we were in Turkey we heard from the Turkish authorities about the efforts that they are making to combat human trafficking. The International Organisation for Migration has suggested that Turkish accession to the EU wouldn't have an impact on human trafficking in terms of an increase. Do you have any views on that?

Damian Green: I was interested and I had seen that the IOM had said that, and looking at the figures one can see that there isn't any evidence really that Turkey is a source country for trafficking. I can remember there was only one I think, literally. In the National Referral Mechanism in the last year there were just over 1,000 people had been referred to that, of whom only one was Turkish. Even if you think Turkey is clearly a transit country potentially for trafficking, and Iran is a source country for victims of trafficking, and even then I think only two of the people referred to

the National Referral Mechanism were Iranian. So I suspect, on the evidence, that the IOM is correct.

Q124 Mr Winnick: As far as terrorism is concerned, Minister, do you see any particular difficulties, should Turkey join the EU, arising from terrorist action or activities in Turkey over the years?

Damian Green: The current best assessment we have is that there is very little direct threat to the UK from indigenous terrorist groups in Turkey. Clearly there has been a problem for Turkey with terrorism and the attacks so far have been directed at Turkey's official targets, and in particular military targets. Obviously where there is terrorism anywhere in the world there is a possibility either of British interests or British citizens being caught up in it but that seems to be the focus of the terrorist activity. Turkey is an important partner for Britain in fighting terrorism and as a country we have encouraged the EU to take a more helpful stance towards helping Turkey in tackling its own problems with terrorism in Europe.

Q125 Mr Winnick: When the tragedy occurred of the terrorist attack on the British Consulate offices in Istanbul and the Consul-General was murdered, would it not be correct to say that not only were the Turkish population as a whole horrified by what occurred but there was the fullest possible co-operation by the Turkish authorities in condemning and bringing the culprits to justice?

Damian Green: Yes, absolutely. As I say, Turkey is an important partner for Britain in fighting terrorism and, sadly, we each bring our own experience to the table. It is very important for both countries that we continue to have that partnership and indeed, just as the British people, the Turkish people have been victims of terrorism in the past. We have a good deal of empathy as well as practical co-operation.

Q126 Mr Winnick: Insofar as the present government in Turkey has been described, perhaps by itself for all I know, as Islamist in attitude—Islamic rather than Islamist.

Damian Green: It is an important distinction.

Mr Winnick: Well there is, I think a very clear distinction. I think that terrorists are usually referred to as Islamist as opposed to Islamic, which is no less a legitimate religion than any other religion. But insofar as the government is somewhat different than previous governments, would it not be again correct to say that its attitude towards terrorism, in combating terrorism, is no less than previous administrations?

Damian Green: Yes, I think that is right. We don't observe that there has been any fall off in co-operation in fighting terrorism and we have good relationships with Turkey. It was one of the first places the Prime Minister went to visit. We signed the strategic agreement with Turkey last summer and obviously it is very important that we maintain those good relations, and counterterrorism is an important part of why it is important to maintain those good relations.

Mr Winnick: Thank you.

Philip Rushbrook: I just wanted to point out that Turkey has been extremely active in tackling some

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threats from Al-Qaeda, so it is actually a proactive stance they are taking.

Q127 Lorraine Fullbrook: I think that probably goes to my question. As well as the PKK obviously in Turkey, the Turkish authorities have told us on our visit that they were increasingly seeing organised crime, particularly drug smuggling, come in from Afghanistan, Syria, Iran, Iraq, which was funding terrorism outside Turkey.

Philip Rushbrook: Yes, we are aware that funding from drug dealing can find its way back to terrorist groups or sympathiser terrorist groups. The work we are dealing with in Turkey is to tackle the flow of heroin through the country. The more activities that we can work with with the Turkish authorities, with whom we have excellent relations, the more drugs fail to reach the streets, therefore we are tackling the potential fundraising activities.

Q128 Lorraine Fullbrook: Are you only dealing with heroin in this case, because there has been a substantial increase in cocaine trading through Turkey?

Philip Rushbrook: Certainly heroin is the largest in terms of volume travelling through. The *World Drugs Report 2010* estimated in 2008 about 95 tonnes of heroin travels through Turkey, which Turkish authorities are tackling. At least about 15% to 20% of that is being seized by them. On cocaine, the flows are still much smaller but we are certainly monitoring it.

Q129 Mark Reckless: Minister, you spoke about the impressive growth in the Turkish economy, even comparing its potential to India, and the Committee saw that at first hand last week. Why would they want to put that at risk by joining the EU?

Damian Green: It may be that you and I have different views and there may be different views around the Committee table on the economic desirability of EU membership, which has certainly benefited this country and other countries, but where we would agree, I am sure, is that it is for the Turkish people to decide where lies their economic interest. They have clearly taken a decision, which is why they have applied for membership of the EU.

Q130 Mark Reckless: When we questioned their lead negotiator, he agreed, particularly to a question from Mr Clappison and the Chair, that it would indeed be a decision for the Turkish people and he specifically said that if there was significant opposition to EU membership it was essential that there should be a national referendum on the issue. When can we expect the UK Government to start taking that advice?

Damian Green: I think I shouldn't interfere in Turkish domestic politics. As for a referendum in this country, I am sure that my honourable friend will support the EU Bill, which provides a triple lock, giving us protection from any transfer of power away from this country, and I look forward to joining him in the division lobby supporting that Bill in its remaining stages.

Q131 Mark Reckless: But as a Minister, are you happy that the Turkish people should have a vote on whether they should join, the French people should have a vote on whether Turkey should join, as they had a vote on us; shouldn't the British people also have an opportunity?

Damian Green: As a Minister in the British Government, I feel very strongly that I should not lecture the Turkish people, or indeed the French people, about how they conduct their domestic politics.

Q132 Steve McCabe: Minister, there is no trick implied in this question at all, it is a straightforward question. I just want to know about the Readmission Agreement with the EU in Turkey. Obviously the Turks are not very happy about what is going on there. Can you tell us what the problem is and is there anything that can be done to move it along?

Damian Green: There are a number of problems on both sides. The agreements are meant to formalise reciprocal arrangements to document and remove illegal entrants. At the JHA Council two weeks ago, on 24 February, the council members noted that the Commission had an intention to initiate the overall dialogue on migration mobility and visas but with a caveat that the Commission acknowledge in a declaration that this doesn't legally constitute a negotiating mandate.

To answer your question directly, Turkey has indicated that a declaration made by the EU about a potential visa discussion wouldn't be sufficient for them to sign the agreement, so that is where the blockage is. Of course, I should make the point that Britain always makes at this point, which is that as we are not part of Schengen these negotiations wouldn't directly affect our own domestic legislation or our own domestic visa system. It is clearly principally a matter for Schengen Member States.

Q133 Steve McCabe: Although there is obviously quite an interest about where some of the people end up who come through the Turkish routes, so I suppose it does concern us.

Damian Green: Absolutely. I am not saying we are not interested in it. Of course we have an interest; we don't have a direct interest. One of the reasons why we are not part of Schengen is so we can continue to protect our own borders, so we can continue, for example, to employ biometrics in the use of visas and resident permits and so on, which Schengen Member States don't currently have. We have a better system and a more secure system than they do at the moment.

Q134 Steve McCabe: You do not see any great progress there in the near future; is that fair?

Damian Green: I see no evidence; it would clearly, in a sense, be desirable that would happen but, as I say, at the moment the immediate objection and block has come from the Turkish Government itself.

Q135 Steve McCabe: Let me ask you something slightly different. The view of a lot of people I came across in a recent visit in Turkey was that they are doing quite a lot that does benefit us—and I think

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listening to your evidence this morning that is your view as well—action on the borders, narcotics, trafficking, quite a lot of helpful things, and yet they have a problem with a visa if they want to come to this country, which can range from a visitor’s visa to almost any kind of access issue. Why don’t we acknowledge that Turkey is actually a major partner as far as we are concerned in co-operating on our borders and helping us with trafficking and narcotics? Why don’t we do something to relax the visa arrangements between genuine Turkish visitors, which are a source of problem in our relations with them at the moment?

Damian Green: Turkey is indeed an important trade partner, and an increasingly important trade partner, and just as with many other countries around the world what our visa policy has to do is strike the right balance between keeping our borders secure and enabling efficient and relatively easy trade with friendly, important countries like Turkey. That is what we try to do and what we have succeeded in doing is improving the service standard so that people don’t have to wait too long to have a visa issued. It is delays that, in the end—experience is teaching me—people really care about and we are working very hard at reducing the delays.

Going further than that, we are introducing general visa waivers, as we do have for a number of countries. Under the previous Government there was a global review, a visa waiver test, in 2007 measuring the full range of criteria and in Turkey’s case there were concerns about immigration abuse, about asylum claims, about criminality. We will return to the global visa waiver test at some stage in the coming years and those countries that have improved their performance will no doubt have a better chance of passing that visa waiver test. It is clearly a very significant step for our national security to declare to a country that we no longer need visas from there. It does make a big difference.

Q136 Steve McCabe: Minister, do you share my kind of frustration that I could be a bandit from Bulgaria and I would find it relatively easy to walk into this country, but I could be one of the deputy chiefs of the narcotics squad that is helping stop the heroin get into this country and if I wanted to come here for a weekend shopping trip it would be immensely difficult? That just seems wrong and unfair.

Damian Green: I don’t think it would be immensely difficult. I take the point, but that is precisely why I say what we want to do is to make our provision of visas as efficient and smooth as possible and we are taking a huge number of steps to do that: more online applications, mobile collection of biometrics and so on. It is a very important thing for our relations around the world, not just for Turkey, so that people know that we are trying hard to make our visa system as friendly and efficient as is consonant with national security, and we are working very hard on that in Turkey.

Q137 Michael Ellis: Minister, further to Mr McCabe’s point, from your evidence today is it fair to

characterise your assessment of the whole situation as regards Turkey, they are working extremely closely with us, excellent partners, further integration and co-operation would be very much in our mutual interests? Is it also fair to say that Her Majesty’s Government have to take into consideration, when it comes to things like the visa waiver programme, the internal record-keeping, the internal visa situation within Turkey, their own control of their borders as it relates to their own situation? Is that something that you would take into consideration along with abuse of the system and criminality and the like?

Damian Green: Yes. As I say, the visa waiver test seeks to be as all-embracing as possible because it is such a significant decision. For example, Turkey itself has visa waiver, visa exemptions with countries that include Libya and the Lebanon. I take the point that Mr McCabe was making but clearly I have to balance all these arguments and there are significant arguments the other way.

Q138 Chair: Minister, as you are before us, have you had an opportunity to look at the judgement of the case against Andrew Waldron, which concerns not your administration but the previous administration, where a senior official has been put on trial for fraud in awarding contracts by the Home Office?

Damian Green: I haven’t read the judgement in detail.

Q139 Chair: The judgement is by Mr Justice Orme. I think it has just been handed down and he says, “To think that a public organisation can conduct itself in this way is deeply worrying.” Has there been any follow-up to the judgement as far as you are aware?

Damian Green: There will be. Clearly any judgement that talks about the internal organisation of the UKBA concerns me hugely and, as you say, this was an event that happened some years ago so obviously improvements have been made but there is always room for more improvement.

Q140 Chair: It concerns the contracts for those who are kept in asylum. I will write to you about that. Secondly, do we have any progress in filling Lin Homer’s very large shoes?

Damian Green: Adverts are in the throes of being produced and we will be making progress.

Q141 Chair: Do you know whether the Committee’s recommendation that the salary should be reduced has been accepted, or is it still at over £200,000?

Damian Green: It will be to some extent a different job. So I think if you can bear to patient for a few days longer, Mr Chairman, we will see.

Q142 Chair: For a few days longer? You will advertise in a few days or you will appoint in a few days?

Damian Green: The plan is to advertise shortly.

Q143 Mr Winnick: The question of the appointment to a body that is so important—whatever views one takes on immigration and the rest of it, the importance of UKBA is not in dispute. What I am asking you,

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Minister, is that, prior to confirmation will this Committee have the opportunity of seeing the person who is being recommended by the Government for the job so that we can ask her questions prior to her being appointed?

Damian Green: Him or her. Just for once, let's be fair the other way. It is not a given that the head of the UKBA has to be female, although clearly since both the Home Secretary and the Permanent Secretary of the Department are already female there are issues of balance here. Let me take that away and discuss it with the Home Secretary, I think would be sensible.

Mr Winnick: Will you write to us?

Chair: The Minister has said he will take it away and discuss it with the Home Secretary. I am sure he will write to us.

Q144 Alun Michael: Could I ask the question: given the evidence that we were given successively from different people in Government that the salary level was essentially in order to ensure that the right person was in the job, does it, firstly, give you some concern that it clearly didn't succeed in keeping the individual in the job and, secondly, call in question the speed with which people can leave an essential role in order to flit to another?

Damian Green: I think the first point is just completely wrong. Lin Homer was head of the UK Border Agency for more than five years, and that is a reasonable amount of time to do any type of job like that. Indeed, she moved on to become Permanent Secretary at the Department of Transport, which is

clearly a hugely important job. Indeed, I pointed out to her that in Foreign Office terms she was moving from one hardship post into another, which I thought was brave of her.

Q145 Chair: I am resisting asking any more questions on this. Mr McCabe, you will have to wait. Maybe when the Minister replies to us we will have the chance to take this further.

One final issue about the student visas. As you know, the Committee has completed its examination of this subject. We are very grateful for what the Home Secretary has said that she is awaiting the outcome of the Select Committee's report, which we hope to have in the near future. Members of the Committee obviously will have to consider it. You don't as yet have a date for announcement, do you?

Damian Green: No.

Q146 Chair: So you would be happy to wait for our report?

Damian Green: I can't guarantee that. We are going to make the announcement in the near future so I hope your near future is shorter than our near future.

Chair: We will be publishing it in the near future. Given what the Minister said about the Select Committee questions yesterday and how helpful you find our reports, we hope to publish very shortly, just so that you know.

Damian Green: I look forward to it.

Chair: Minister, Mr Rushbrook, Mr Moody, thank you very much for coming today.

Tuesday 15 March 2011

Members present:

Rt Hon Keith Vaz (Chair)

Nicola Blackwood
Michael Ellis
Lorraine Fullbrook
Dr Julian Huppert

Steve McCabe
Alun Michael
Bridget Phillipson
Mr David Winnick

Examination of Witness

Witness: **General Ilkka Laitinen**, Executive Director, Frontex, gave evidence.

[This evidence was taken by video conference]

Q147 Chair: Good morning, General.

General Laitinen: Good morning, sir. Best regards from Warsaw.

Chair: Best regards from London. Thank you very much for participating in this. We have members of the Home Affairs Select Committee here, and we look forward to visiting Warsaw in the latter part of the year as part of our programme on the Justice and Home Affairs agenda, when Poland, of course, will have the historic opportunity of hosting the European Union. So we look forward to seeing you in person rather than on television.

General Laitinen: You are warmly welcome to visit Frontex as well.

Q148 Chair: Thank you. The Committee has just returned from a visit to Turkey, where we visited the Turkish, Bulgarian and Greek borders, and we are very keen at the session today to concentrate on the role of Frontex and what Frontex is doing. The session will last no more than 29 minutes.

Can I begin by asking you about the Greek-Turkish border? In your view, is this the last bit of the borders of the EU that needs to be secured? We know that there has been a great deal of focus on the border with Ukraine and the other borders of the EU. Do you see this as the last major entry point?

General Laitinen: Thank you very much for the question. Indeed, last year about 46% of all irregular immigration that was detected at the EU Member States' external borders took place at the land border between Greece and Turkey. Also, in terms of the volume, it is a very big share of that; almost half of that. What we saw and witnessed last year was a rapid shift from maritime borders to land borders. Altogether last year, we saw about 80% of the detections that took place at the land borders of the EU Member States, while previously the majority took place at the maritime borders. There is no question but that Greece, and in particular the Greek-Turkish border, plays a key role when talking about border security, as about 90% of all detections at the EU Member States' external borders took place in Greece, not only at the Greek-Turkish border but also at the Greek-Albanian border.

Q149 Chair: We will have other questions about the Greek situation, but can you tell me about Frontex's view on the decision by the Greeks to build a barrier,

fence or wall along the border with Turkey? Do you think that that was the right thing to do, and has that been productive in preventing people coming into the EU?

General Laitinen: I have to be very cautious when giving my view on the decisions or plans of Member States, but the EU Member States, including Greece, have to take a more comprehensive look at all the measures that are needed to tackle irregular immigration and cross-border crime. That includes co-operation with third countries; it includes the activities that are happening at the border—*modi operandi*, technical surveillance systems and so on. I have not seen a well-functioning wall system—I think about the situation at the US-Mexican border or elsewhere—that could considerably facilitate the effectiveness and the cost-effectiveness of that. So I am a little bit reserved on building a fence with a view to preventing irregular immigration.

Q150 Michael Ellis: Good morning, General. Could I ask you, sir, what practical measures does Turkey need to undertake in your view, in the view of Frontex, to meet the standards that the European Union has set for border control? Are you doing anything at Frontex to support the Turkish authorities in that regard?

General Laitinen: Turkey is one of the candidate countries to join the European Union. The EU has rather clear criteria when it comes to border security and the basis is with the Schengen acquis. There are certain measures that have to be taken prior to accession, and then there is a follow-up system finally to verify if the internal border checks can be abolished. This particular question cannot be approached by taking one or another trick. The question is about the whole structure, starting from the logistical measures, practical measures, and then also about the effectiveness of the border control system as a whole. I do not see any particular differences between the other Schengen partners or those who would like to join the club.

Q151 Michael Ellis: Thank you. How concerned are you that if Turkey were to join the European Union, the Union would have a border with Iraq, Iran and Syria? Is it possible in those circumstances to apply effective border controls along those borders?

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General Laitinen: I am not the perfect person to answer this type of question. Normally I refrain from making statements about “what would happen if”, but Turkey really plays a very important role, given the figures that I mentioned already, and it is the main route for the time being for irregular immigration towards the EU Member States. As I said, 46% of irregular immigration was detected at the land border between Greece and Turkey: that is quite a figure, amounting to almost 50,000 cases per year.

Q152 Lorraine Fullbrook: Good morning, General. Could I ask you why you do not want to give your views on security on the border with Turkey, Iran, Iraq and Syria?

General Laitinen: I think the key reason is that I am not a political person; I am a practitioner, and the policy that Frontex is applying is not to fall too much on speculation. That is the policy that we have adopted and this is what I am following in this case as well.

Q153 Lorraine Fullbrook: Do you think it would be possible to apply effective controls?

General Laitinen: At the border between Turkey and Greece or—

Lorraine Fullbrook: No, between Turkey and Iran, Iraq and Syria.

General Laitinen: This is too large a question to be specific enough on, but in the case that Turkey would like to join the European Union, the criteria that are established by the Schengen regime apply to this country as well.

Q154 Alun Michael: What sort of impact have you had through the Rapid Border Intervention Team? We are being told that there has been no short-term reduction in migration along the Greek-Turkish border, but that there is likely to be a medium and long-term reduction. It does not seem terribly likely. What effect are you having?

General Laitinen: What is worth mentioning here is that we already had the biggest Frontex co-ordinated operation going on at the Greek-Turkish border prior to the launch of the Rapid Border Intervention Team operation there. It happened very rapidly last summer when the figures at the Greek-Turkish land borders started to soar. The reason why the Rapid Border Intervention Team was launched was really to give them an extra injection in order to have an impact on that. Likewise, even though the RABIT operation is now over, we have a considerably strong operation going on.

Q155 Alun Michael: Sorry, with respect, you are telling me about the operation. I was asking you about its effect. What effect has it had?

General Laitinen: This is right, and I am now going to give you certain figures on all that. If we compare the starting point of the RABIT operation in the beginning of November with the situation now, we saw a reduction—a decrease of 76% in the detections of irregular immigrants at that border. Another feature that illustrates the impact is that more than 90% of the irregular immigrants are being screened. So we have

screened and interviewed these people, but even today, the figures for daily apprehensions at that border are considerably high and that is why the joint operation is going on as a follow-up of the RABIT operation.

I would like to mention that we must avoid the perception that border control is the solution for tackling irregular immigration there. It is a part of the solution, and we are doing our best to really have an impact in this entire package.

Q156 Alun Michael: Well, indeed. It would be useful if you could supplement those figures and give us as much factual information as possible.

I wonder whether, in fact, the role and the focus of Frontex should be changed. We have heard evidence that illegal immigrants detained after entering Greece are held and then released in Greece rather than being returned to their country of origin. That gives the impression that Frontex, both in the original operation and in the fast response, are being asked to work at closing the door after the horse has bolted. Would it not be better to work on the other side of the border and help the Turkish authorities, especially as they seem to have a very high commitment and are making efforts to help the EU by preventing this traffic? Would not an investment of time there be more effective?

General Laitinen: I think it is not either/or, it is both. By following the Integrated Border Management Strategy of the EU as much as we can, before the border and across the border and at the border, we are doing better. It is not a secret that the level of co-operation in operational terms between Greece and Turkey, and between the other European Union Member States and Turkey, is not yet satisfactory. We are doing our utmost to improve that and to strengthen that, but this is the way it goes.

Q157 Alun Michael: Is Frontex directly engaged with the Turkish authorities?

General Laitinen: Certainly. I have had for almost four years a mandate to negotiate a bilateral working arrangement with the Turkish authorities and we have witnessed considerable development in this regard and we will see any day now the agreement initialled and signed.

Q158 Alun Michael: Just one other thing. Have you noticed any increase in immigration along the Aegean Sea border since the period of the RABIT intervention?

General Laitinen: There was a very rapid decrease on the figures at the Aegean Sea and the last figures from this year are really far from the top figures on that. We have so far scored some hundreds of cases.¹ If we compare it to the previous year, by this time of year we were already in four digits.

Q159 Bridget Phillipson: Could you expand in greater detail on the dealings you had with the Turkish authorities during the RABIT operation?

¹ The witness later clarified, ‘We have so far in 2011 scored a dozen of detected irregular immigrants.’

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General Laitinen: The approach that we took vis-à-vis the Turkish authorities during the RABIT operation, and previously, was that we kept them informed of our plans and our undertakings. Frequently, in the course of the operation, we informed them and briefed them on the results and we persistently encouraged them to take additional measures, which they did, and that was one of the reasons why the figures gradually went down. In the course of the RABIT operation we witnessed an increase in the activities of the Turkish authorities on their side of the border.

Q160 Bridget Phillipson: How would you respond to the suggestion that it might be more effective to give the funding for Frontex operations directly to the Greek or Turkish authorities in order for them to build capacity within their own countries?

General Laitinen: I think we need to take the whole picture to the table at once. We have to keep it in mind that the responsibility of border control is with the European Union Member States. When it comes to funding from the national budgets of EU Member States and from the EU external borders fund, compared to the compensation that comes from the Frontex budget, we play a very marginal role in that. If we would like to strengthen EU funding, the Frontex budget is not the primary instrument for that, and I know that there are deliberations when the new financial perspectives come up for debate to focus more on that. When we speak about funding, the Frontex budget is only an instrument to compensate the participation of the other Member States who are taking part in the joint operations co-ordinated by Frontex.

Q161 Lorraine Fullbrook: General, I would like to ask a bit more about how Frontex work will change with the move to Joint Operation Poseidon Land, and what you are doing to secure funding. Frontex funding has been reduced, has it not?

General Laitinen: Our financial resources have never been a bottleneck in operational co-operation. We keep these three issues always together—the first one is the voluntary participation of the EU Member States in joint operations, then Frontex personnel do the preparatory work, and thirdly comes the budget of Frontex. It is by this triangle that our impact is to be ensured.

For the time being, our most challenging area is our staffing. It is not a secret that all the European Union institutions and agencies must follow the so-called zero growth policy for the time being. Particularly today, when the North African situation is what it is, that creates a huge demand for preparatory work, analytical work and the different preparatory work for joint operations carried out by Frontex. Another feature is that our budget is used in a way that is called co-financing, and that means that we have the possibility to adjust the whole financing watershed—what belongs to the Member States and what is co-financed by our budget. So that is not a critical point when we are talking about the budget of Frontex, but it is part of this trinity, as I mentioned before.

Q162 Lorraine Fullbrook: Thank you, General, but you have not explained how your operation will change from the rapid intervention teams to Operation Poseidon Land.

General Laitinen: The only difference between the RABIT operation and the follow-up, the Joint Operation Poseidon Land 2011, which is now again in the format of this traditional joint operation called Land Border Poseidon, is the role of the EU Member States. When the RABIT system is launched, the Member States have an obligation to participate in it, whereas the standard type of operation is based on the volition of the Member States. The calibre and volume of the Land Border Poseidon operation are approximately at the same levels as they were in the last moments of the RABIT operation. The only difference was the status of the Member States when joining this operation.

Q163 Dr Huppert: General, can I ask about the EU-Turkey readmission agreement that seems to have stalled somewhat recently? I am not going to ask you about how progress is going—I know that is not something that you deal with—but how much of an effect do you think the signing of a readmission agreement between Turkey and the EU would have on irregular immigration?

General Laitinen: I think a readmission agreement, especially a well-functioning readmission agreement, is one of the success factors in tackling irregular immigration. We have seen it in many other areas as well. It is worth mentioning that Greece and Turkey already have a readmission agreement in place, but the level of implementation is far from perfect. If the European Union and Turkey are able to sign a readmission agreement and it is applied in a proper way, there is no doubt that it will have a positive impact on the overall fight against irregular immigration and other negative cross-border features.

Q164 Dr Huppert: I am interested to hear you say that, because one of our previous witnesses, Dr Düvell, said that it would make very little difference because the agreement would not cover those who claim asylum in the EU. Do you not think that is a problem?

General Laitinen: Now we are moving on to the functioning of the Dublin II system, and we all know that there are considerable challenges in the application of that and that many countries have suspended application. That applies among the EU Member States, as the system goes. A discussion could be launched about whether there is a need for an internal readmission agreement between EU Member States while Dublin II is only about the asylum seekers. When it comes to the readmission agreement between the EU and Turkey, and also third countries, it is very important that it should cover not only the nationals of the interlocutors but third country nationals. I would like to repeat once again: having a well-functioning readmission agreement in place is among the key factors for a successful fight against irregular immigration.

15 March 2011 General Ilkka Laitinen

Q165 Chair: General, we hope to visit you, as I say, in the latter part of the year, but one of the things that is of concern to this Committee is whether Frontex has enough people to do the job that the EU expect you to do. The expectations are very high, especially with what is happening now in North Africa. When we were in Istanbul there were boatloads of people coming from Libya, for example, and we know from our newspapers this morning that people are getting to Malta and then going to Greece. I spoke this morning with the Greek Ambassador to London and they really do need much more help from the EU in order to police their borders, and that of course means Frontex. Maybe this is an easy question to you, but do you think that you need an increase in your budget from the EU in order to deal with the operational aspects of the work that you do? I notice in your budget that almost a quarter is spent on administrative staff and only half of the budget appears to be spent on operational matters. Do you think we have the balance right as far as Frontex is concerned?

General Laitinen: We are, for the time being, monitoring very carefully and with increasing intensity the situation in North Africa. Likewise, we have created different plans that would respond to different scenarios. If this kind of urgent and exceptional situation continues, that obviously means

additional financial resources as well. The plan that we have for the time being—this is one of the topics for the extraordinary management board meeting of Frontex tomorrow—is that we are prepared to double our operational intensity in sea border operations, which would certainly mean additional financial means, and I have already given a pre-warning to the budget authority on that.

I would like to also mention the persisting figure, this 30% of administrative work. The real figure is 18% if the salaries of purely operational staff of Frontex are included in this figure, because the 30% figure comes from the overall expenditure that we use for salaries, and the vast majority of my staff here in Warsaw are very operational people and that is the core business. But certainly, if this system continues at the higher level of intensity, we need to take additional measures to secure not only financial resources but extra staffing, to carry out this operational work within the agency.

Chair: General, thank you very much. We look forward to meeting you again when the Committee comes to Warsaw as part of the presidency. Thank you very much. Good morning.

General Laitinen: Thank you very much and feel most welcome to visit Frontex. It was my pleasure. Thank you so much.

Tuesday 29 March 2011

Members present:

Keith Vaz (Chair)

Mr James Clappison
Dr Julian Huppert
Steve McCabe

Bridget Phillipson
Mark Reckless
Mr David Winnick

Examination of Witness

Witness: **Ünal Çeviköz**, Turkish Ambassador to the UK, gave evidence.

Q166 Chair: May I bring the Committee to order and ask all Members to consider whether they have any additional interests to declare in respect of the inquiry that we are doing into Turkey? If not, may I refer everyone present to the Register of Members' Interests where the interests of all Members are noted. This is another one of our sessions into the admission of Turkey into the European Union and the migration implications. May I begin, Ambassador, by thanking you most sincerely for being here today? We know this is a very difficult day for you as your Minister is visiting for the very important conference that the Government has called on the Libyan situation, so we are extremely grateful. We will not detain you for too long at these hearings. May I also, on behalf of the Committee, thank you and the Government of Turkey for the support that you gave us during our recent visit to Turkey. We found it extremely useful, both the visit to Ankara and to Istanbul and Edirne, which of course we went to look at the Greek-Turkish border.

May I start by asking you about the role of Frontex that is currently operating in Greece? They claim to have reduced by 76% the number of people crossing between the Turkish-Greek border. Do you recognise those figures and do you accept that that is what has happened?

Ünal Çeviköz: Mr Chairman, distinguished members of the Committee, first of all, thank you very much for giving me this opportunity. I am so glad that you have made your visit to Turkey and I understand that it has been a very successful one.

Mr Chairman, distinguished members of the Committee, as you know Turkey considers the readmission protocol signed in 2001 with Greece as a very significant tool in displaying deterrence. Turkish law enforcement authorities have intensified their measures to stop illegal migration at the common land border with Greece where the capacity of our law enforcers has been intensified by 80% since January 2011. Considering the magnitude of the problem at our common border, we understand that Greece's decision to build a fence at our common border is necessary and against neither Turkey nor Turkish citizens. However, building fences and walls are only short-term measures that cannot really cope with the migratory flows and challenges in the long run.

Of course, in addition we are informed that the EU Commission and Frontex, that Greece requested Frontex to deploy rapid border intervention teams as well as operational means to increase the control and surveillance levels at the land borders between our countries. This rapid border intervention teams—

RABIT—operation ended on 2 March 2011 and as a follow-up Frontex has launched the Poseidon operation. We hope that Frontex's efforts will help to curb human smuggling in the region. We are keen to develop a working relationship with Frontex. To this end, negotiations on the draft working arrangement between Turkey and Frontex on some sensitive matters at technical level continue. In addition, Turkish authorities are ready to participate where possible in Frontex co-ordinated activities.

Q167 Chair: Yes, thank you. What is the Turkish Government's position on the Greek Government's proposal to construct a wall along its border? You mentioned it in your short answer to what I had previously said. Do you welcome it or do you think that this is a problem?

Ünal Çeviköz: We believe that it is necessary. I think it is one of the measures that the Greek side could make and could take but, as I told you, building walls and fences are only short-term measures. That is the reason why we want to work together with Greece in the future in co-ordination with the Frontex operations. I understand that now we are moving from the RABIT to the new phase, the Poseidon phase of the Frontex operations.

Q168 Chair: Can you tell me at the moment what is the current level of illegal immigration crossing the border? We were given figures of 100 a day. Do you know roughly what it is?

Ünal Çeviköz: I am going to give you a number. The figures and the list that I have prepared I will submit to your attention, but the number of illegal migrants apprehended while attempting to cross our territory during the last 15 years has been nearly 800,000. Over 11,000 smugglers have been apprehended during raids.

Q169 Chair: 800,000?

Ünal Çeviköz: 800,000, yes.

Q170 Chair: In the last 15 years?

Ünal Çeviköz: Last 15 years.

Q171 Chair: Do you have some figures for last year?

Ünal Çeviköz: In 2009, nearly 35,000. In 2010, around 11,500 illegal migrants were apprehended in Edirne, the border city where you have been. I am going to hand over a paper. In 2010 it was 26,388.

Q172 Chair: 26,000?

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Ünal Çeviköz: 26,388.

Q173 Chair: Crossed the border between Turkey and Greece?

Ünal Çeviköz: Illegal migrants apprehended in Turkey.

Q174 Chair: Oh, apprehended. Do we know how many managed to get across?

Ünal Çeviköz: I am afraid I can't give you a figure like that.

Chair: For obvious reasons you wouldn't know because they got away, didn't they?

Q175 Mr Clappison: Can I echo what the Chairman said about how grateful we were for the co-operation we had from the Turkish authorities in our visit and the help that that gave us in our inquiry.

Just going back to Frontex again, Frontex has been in place for over four months now, or was in place, and the first phase of its operation has been and gone. Would you say in that time that the Turkish authorities have had sufficient co-operation with Frontex or not, from the Frontex side?

Ünal Çeviköz: I can say that the Frontex side is, of course, on the other side of the border and it is the EU who led the operation. We are willing to co-operate with Frontex and also with our neighbours, the Greek authorities. I think this is already happening.

Q176 Mr Clappison: We were left in no doubt about the willingness of Turkey to co-operate with them and to help with anybody at all, including British police forces in other areas. Have Frontex taken the initiative at all in getting in touch with you so far?

Ünal Çeviköz: I don't think that I can give a very satisfactory answer to that. I have to go back to my authorities.

Q177 Mr Clappison: Are you able to say when the bilateral working agreement between Frontex and Turkey will be signed? Do you know that?

Ünal Çeviköz: I am afraid I can't give any information about that either.

Q178 Mr Clappison: We understand that there have been negotiations about a Turkish EU readmission agreement and that these have stalled. Are you able to tell us any more about that?

Ünal Çeviköz: The readmission agreement is a very important issue on the Turkish EU visa relationship as well. These two issues are very much connected. As you know, the Justice and Home Affairs Council announced its conclusions on 24 February, and I am afraid I have to say that these conclusions failed to meet our expectations. Turkey will initial the readmission agreement only if the Council mandates the Commission to start negotiations on a detailed action plan with Turkey and present the associated roadmap with the ultimate goal of a visa-free regime for Turkish citizens. Nevertheless, Turkey is determined to tackle the common challenge of illegal migration and in this framework we will actualise effective regulations such as the integrated border management.

Q179 Steve McCabe: Mr Ambassador, I am aware that you have a number of borders with different countries that you are required to try and police. I wondered if it was possible to ask which of the various borders poses the most difficulty for you in terms of illegal immigration and particularly the trafficking of human beings?

Ünal Çeviköz: You know that this kind of trafficking is happening from the east to the west and, as you have mentioned, we have borders with many countries, starting with Iraq, Syria, and then on the east with Iran and Azerbaijan. We are very keen on co-operating with these countries as well. We have also signed a number of readmission agreements with many countries. I can give you the numbers, the readmission agreements that we have signed. We have signed one with Syria in 2011. We have signed with the Russian Federation again in 2011. We have signed readmission agreements with Kyrgyzstan, Romania, Ukraine, Pakistan, Yemen and Nigeria. Mainly the flow originates from the east and then goes to the west. We also have a readmission agreement with Greece, which originally dates back to 2001, and we are working very hard to implement the requirements of this readmission agreement with our neighbours in the west and with Greece.

Q180 Steve McCabe: Thank you. Could I ask about Iran and Iraq in particular? Those strike me as very difficult borders for you to control. Do you experience particular difficulties with trying to control immigration at those borders?

Ünal Çeviköz: Not for the last four or five years. Previously we had some serious difficulty at our borders with Iran and Iraq, but we have now upgraded the technological capacity and also the manpower capacity of our border control units. I can clearly state that now we have very good control at the border with Iran and Iraq.

Q181 Mark Reckless: Mr Ambassador, what is your estimate of the number of Turkish people who might seek work in the European Union were Turkey to join the EU?

Ünal Çeviköz: That is, of course, a hypothetical question. I think it will be very difficult for me to answer, but I will just give you another answer to clarify all these concerns in European countries. I think the Turkish economy is booming and the Turkish economy is having a very steady growth. With all these conditions, the Turkish citizens would prefer to have work opportunities in their home country. I can also mention that even the third and fourth generation Turks in most of the European countries would prefer to go back to Turkey if they have good working opportunities there. So I think there would not be a very serious flow of Turkish workers or Turkish citizens who would be looking for job opportunities in Europe.

Q182 Mark Reckless: Our Immigration Minister, Damian Green, spoke at a recent Committee that he thought that Turkey had the growth potential almost to grow at the rate that we are seeing in India. I just wonder in that context, perhaps if it is a decade down

the road, do you see potential for significant emigration from the EU into Turkey? Are you seeing any evidence of that currently?

Ünal Çeviköz: Return of some Turkish citizens could take place because the growth of the Turkish economy means it is becoming a more appealing source for new job opportunities and that is the reason why I tried to explain my view to your question in the manner that I have explained it.

Q183 Mark Reckless: Do you currently face any emigration pressure at all from, say, Romania or Bulgaria?

Ünal Çeviköz: No.

Q184 Chair: When we were there in Turkey at Edirne we did see the new detention centre that was being built to house a number of people who had not managed to get across the border but were being detained there. Are you satisfied with the level of funding that you are getting from the EU, because obviously you are helping the EU by securing the border? Do you have any further information about whether or not the European Union is prepared to support Turkey in providing more of these facilities? If you don't know the answer, I am very happy for you to write to me about it.

Ünal Çeviköz: The twinning project on establishing removal centres for illegal migrants was approved by the EU Commission on 13 November 2007 and the UK-Netherlands-Greece consortium were selected as twinning partners for the realisation of this project. The illegal migrants apprehended are held at the removal centres with a total capacity of around 3,000, and we are working very hard at increasing the capacity of this centre. I think efforts to improve the physical conditions and capacity of the removal centres will continue together in co-ordination with the twinning partners.

Chair: Excellent, thank you.

Q185 Bridget Phillipson: Mr Ambassador, can I ask what progress is being made within Turkey towards the data protection standards required for greater co-operation with European policing partners? This was an issue raised during our visit.

Ünal Çeviköz: The amendments to the constitution last year introduced protection of personal data and access to information as constitutional rights. The draft Personal Data Protection Act is before the Parliament and it is expected to be adopted in the coming period. You know that we have elections on 12 June and I am sure that it is a very important issue and it will be on the agenda of the new Parliament after the elections.

Q186 Bridget Phillipson: Thank you. While we were in Turkey we also saw a lot of the excellent work going on in combating the heroin trade, as Turkey is a transit country for heroin to pass through in order to come to other European countries. Could I just ask you to explain the rationale behind the tough enforcement action Turkey takes on this given that there is not as much of a domestic market in Turkey

for heroin as there is in other European countries where the heroin eventually ends up?

Ünal Çeviköz: I can only give you some figures.

Q187 Chair: That would be very helpful. If you wanted to write to us with this information we are very happy to receive it, if you don't have the figures here. Would you like to write to us about it?

Ünal Çeviköz: I think I can get some feedback from Ankara for that, yes.

Chair: That would be very helpful.

Q188 Mr Winnick: Ambassador, the issue that sometimes arises if Turkey was to join the EU would be whether it meets the European Union standards in the area of Justice and Home Affairs. I wonder, therefore, if I could ask you a question that is causing a good deal of concern on the international scene. Nine journalists and writers were arrested, I understand, on 3 March, and Human Rights Watch said that the arrests, "will have a chilling effect on free speech". Apparently other people have been arrested, but certainly the nine journalists have received a great deal of coverage. I realise, of course, you are the spokesperson for the Government, but does the Government in Turkey recognise the concern that is felt among many people on the international scene?

Ünal Çeviköz: I think the Government and the Turkish public have full confidence in the justice system in Turkey and all these issues that you have mentioned are now processes that are continuing in the courts. It will be perhaps appropriate to wait for the result of the legal processes, which are already undertaken and which are continuing. The Government have full confidence in the justice system. In Turkey, there is a full separation of powers and the judiciary, Executive and the legislature are independent. From that point of view there is no doubt about the justice to be exercised.

Q189 Mr Winnick: Are the nine likely to be tried in the very near future, unless, of course, they are released in the meantime?

Ünal Çeviköz: Following the latest amendments to the Turkish constitution, there is a new revision to the judicial process and the judicial system, and that is expected to bring a rapid processing of the trials in the courts.

Q190 Mr Winnick: Would I be right to say that the Turkish Government is aware of the sensitivity and the feelings that are felt on the international scene, certainly in the democracies, about this?

Ünal Çeviköz: Of course. The Turkish Government is, of course, fully aware of that, but the Government does not have any role to play. The political authority does not intervene in the legal processes.

Chair: Thank you very much. Mr Ambassador, we are extremely grateful to you for coming here. We know how busy you are today. We would be most grateful if the Embassy could provide us with the information that we have requested. We will keep watching the situation very carefully. The Committee is due to go to other parts of the border in June of this

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year and we will keep you informed of developments. If you know of any developments, especially with regard to what Frontex is doing, please tell us because we are very interested to see that a dialogue is established between Frontex and Turkey; not just

Frontex and Greece but Frontex and Turkey. You need to know what is going on in order to secure the borders. We are most grateful. Thank you very much. Mr Winnick will now take the Chair for the next witness.

Examination of Witness

Witness: **Abigail Stepnitz**, National Co-ordinator, POPPY Project, gave evidence.

Q191 Chair: We are most grateful for your coming and giving evidence today on the work that is undertaken by POPPY. Can you just briefly tell the Committee what your organisation does? We have a pretty good idea, but if you could briefly tell us.

Abigail Stepnitz: Sure. My name is Abigail Stepnitz and I am the National Co-ordinator at POPPY. We provide services to women who have been trafficked into the UK for sexual exploitation and domestic slavery. We also oversee the work of two other organisations in the UK who provide services in the north of England and in Wales. In addition to providing direct services, we are involved quite a bit in the development of policy and programmes related to counter-trafficking work across the UK.

Q192 Chair: Have you yourself been involved for some time?

Abigail Stepnitz: Yes. I have been with POPPY for going on four years now.

Q193 Chair: What is your assessment about the number of victims in the UK who have been trafficked from or through Turkey?

Abigail Stepnitz: From Turkey the numbers are extremely low. At POPPY we have taken nearly 2,000 referrals to date and only four of them have been of Turkish nationals. In terms of the trafficking of Turkish women, it is not something that we are particularly concerned about as of now. In fact, all of those women came to our attention before the introduction of the Council of Europe Convention and before the introduction of the National Referral Mechanism in the UK, so there is not even very much information about those particular cases. The last was in 2008. All four were trafficked for sexual exploitation and that is the extent of what we know. In terms of women who go through Turkey, however, that is quite a bit higher. Just since 1 April 2009, when the Council of Europe Convention came into force in the UK, we have had 19 women trafficked via Turkey, almost all of whom, except for one, were then trafficked into Greece before coming either into the UK directly or further via Spain and Italy. The trafficking is linked very closely to further movement into Greece before movement into the UK.

Q194 Chair: Turkey is not unique by any means in this vile trade?

Abigail Stepnitz: No.

Q195 Chair: It comes down the list, does it?

Abigail Stepnitz: It does. In terms of a transit country, it is quite high, but as a source country quite low—very, very low actually.

Q196 Steve McCabe: Good morning. Obviously, we have been looking at Turkey in the context of possible entry into the European Union. I wondered if you had any information about how previous enlargement had affected human trafficking to the UK.

Abigail Stepnitz: Yes, in particular the experience with Romania and Bulgaria has been very acute. Just to give you some comparative statistics, in 2006 we had only had five Romanian referrals, so a number that is quite similar to what we have now with Turkey. In 2007, it was 12. In 2008, it was 18. In 2009, it was 23. In 2010, it dropped back off again to only 10, so I think it probably peaked in 2009. But we have seen Romania move up in our statistics. It is now the fifth highest country in terms of people trafficked to the UK, and our statistics reflect women. Romania is also very, very high in terms of the trafficking of men for labour exploitation. Following 2007, we saw a massive increase there.

The figures for Bulgaria have not been quite as high. However, interestingly enough, we know that there have been a number of Bulgarian nationals involved in trafficking people through Turkey. It may be that there is a connection between what happens in Bulgaria and Turkey as well.

Q197 Steve McCabe: Would it be reasonable to suppose on that basis that any further enlargement that included Turkey would show a similar pattern?

Abigail Stepnitz: I think it is likely, but I think it is likely only if we don't put in place a number of things to address the push factors that make women vulnerable to trafficking in the first place. Obviously, the easiest thing that changes when you have freedom of movement is that you no longer have to go to the trouble of securing false documents. About 35% of the women we see come in on false passports. If you don't have to go to that trouble, that is quite a saving, not only in terms of time but financially.

The push factors that we see, though, are 32% of women come from rural backgrounds; 66% have already experienced physical or sexual violence. If you are talking to Turkey about things that need to be put in place to address general gender-based violence, educational and employment opportunities for women in the source country are the types of things that will make women less likely to take the bait in the first place. That is going to be more effective, not only to prevent trafficking but for sustainable development generally. Those are things that were not necessarily

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prioritised in looking at the accession of Romania and Bulgaria, so we have a lot of women now who, even if they wanted to go back—and many of them really desperately do—there is simply nothing for them to go back to. So, not only do they come in in the first place but once they are here and we have worked with them in terms of rehabilitation, there is very little for them to return home to, which leaves them in a difficult position. Not able to access benefits properly here, not able to return home to anything sustainable there leaves them very vulnerable, not only to further exploitation in the UK but, if they were to return, to the possibility of being trafficked again or to ending up in another type of exploitative labour or prostitution in the home country. I think we would see something very similar if those types of considerations are not made at the outset.

Q198 Mr Clappison: Thank you very much for the work that you are doing on this. Can I just take you back to an answer because I didn't quite catch the dates? You mentioned a period over which women have been trafficked from Turkey into Greece. Could you just remind us of that again? I think that you cited recent figures.

Abigail Stepnitz: Generally, since 1 April 2009, we have had 19 women go through Turkey. All but one went from Turkey then to Greece. Then some of them went from Greece to Spain to Italy, then to the UK. Some of them went from Greece directly to the UK, but for all but one Turkey was just a stop on the way to Greece.

Q199 Mr Clappison: It rather begs the question. You have told us the women were not coming from Turkey itself. Can you give us a rough idea of where they were coming from, the women who came on that route?

Abigail Stepnitz: Sure. They were mostly from former Soviet countries. We had one woman from Kazakhstan and women from Uzbekistan, Turkmenistan, Kyrgyzstan and, as I understand it, as of last year an increase in labour trafficking from Mongolia, but that was primarily of men. We see women predominantly from Uzbekistan, Turkmenistan, Kyrgyzstan and the former Soviet states.

Q200 Mr Clappison: It is quite right that things should be done to try and address the problems that these women face at home in their home countries—what you describe as the push factor—but that is difficult for either ourselves or those in Turkey to do. It is a big ask. Is there anything else that you feel that either our own country or the EU should be doing to try and clamp down on this trade in whatever way possible?

Abigail Stepnitz: At an EU level, and certainly in terms of Turkey's response to trafficking within Turkey, I trained the Turkish security police two years ago as part of the twinning project. They came into the training and they said, "Now, we want to make it clear that we are here in case we ever have trafficking because we don't have any right now. If we ever should in the future, we want to be prepared". I

thought, "Well, that is not really what any of the reports say". I think there is a bit of hesitance on their part to acknowledge the existence of the problem in the first place. There is a hotline, a 157 hotline, that works nationally and it is supposed to be for anyone to call who has suspicions of someone who has been trafficked or needs assistance. The Government has been promising to fund it since 2007 and has not, so, basically, it has gone on completely with nothing. There are three national shelters, all of which are abysmally under-funded. They have not published any statistics on how many victims they have identified since 2007, but in 2007 they said that they had identified 148 victims, 117 of whom they say went home voluntarily. There were 308 arrests and only 13 prosecutions.

Q201 Mr Clappison: I get the message loud and clear on that one. What about ourselves? Anything we can be doing here in the UK?

Abigail Stepnitz: There is work to be done in the UK on curbing demand. There is work to be done on informing the public about the way that decisions that they make about goods and services that they pay for have an impact on who is drawn to the UK and which organised criminals in particular might capitalise on that demand in order to prey on vulnerable people. There are certainly things there to be done. We are very pleased that the Government has decided to opt in to the EU directive, and obviously very pleased that we have had the Council of Europe Convention in place for the last few years now.

In addition to that, I think we just have to remember that the commitments in the UK, the new strategy that is coming out, have identified the main pillars of focus. There is a lot of emphasis on upstream efforts, a lot of emphasis on preventing trafficking before it ever becomes a UK problem. I think the development component of that is lacking. I think we need to really ensure that our colleagues from DFID and other places are involved in making sure that that is done from a development and human rights perspective and not simply from a law enforcement or border control perspective because that really only catches people at the border, if it even does that. It doesn't address the source of the problem. I think we need to make sure we know what we are talking about when we are talking about what really matters from an upstream perspective and that we remember the way that all of the different things link together. The better the victim care provision, the more likely you are to have people who participate in investigations and prosecutions in the UK, the more likely you are to have convictions and the more likely traffickers are to know that the UK is hostile towards that type of activity and to decide not try to target it as a place to bring their business.

All of the things link back together and then the fewer traffickers you have, the fewer victims you have to cater for. It is a cyclical process, and all that information then feeds into how you address law enforcement and border control issues. It is a question of just remembering that it is all linked together in terms of the UK's approach.

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Q202 Bridget Phillipson: Just to follow on from what you were saying about curbing demand in the UK, can I ask what you feel could be done to curb demand in terms of prostitution and sex slavery for those women who are trafficked into the UK for those purposes?

Abigail Stepnitz: Certainly. I think there is a lot to be done in terms of public awareness and education, particularly of young men, about the real human consequences of paying for sex. Obviously, we have the provision within the Policing and Crime Act that makes it illegal to pay for sex with someone who you can prove has been forced or coerced into it. In terms of a message to the public and in terms of ensuring that the public knows that the Government takes that type of activity seriously, that provision was a step in the right direction of practical enforcement. The impact it will have on individual cases is questionable, but I think that some good work has been done there. I think a lot more needs to be done to raise public awareness about the real impact and reality of prostitution, not only just in terms of women who are trafficked, though, because what we know about prostitution, and we know the average age of entry into prostitution in the UK is 12. We know that the majority of those women are tackling things like a history of domestic or child abuse, tackling issues like substance misuse, having had fewer educational opportunities, having been disenfranchised from participation in employment and other things like that. Once again, it becomes a much larger question of how we look after people in the first place, children leaving care, particularly vulnerable populations, before they become people who are in a position to be exploited like that.

Q203 Mark Reckless: Yes. The Government has announced its intention to opt in to the Directive on Human Trafficking, but I don't imagine there will be any difficulties with the parliamentary process for this, given the cross-party consensus. Even those of us who would prefer not to be subject to the EU would not want to stand in the way of this. I know Peter Bone, the Member for Wellingborough, has done great work in his APPG on this. I wonder, though, if you could perhaps tell us what practically needs to be done to deliver these ideals of the objective on the ground and, in particular, what can be done with perhaps some of the newer EU member states and candidate states to improve practical measures in this area.

Abigail Stepnitz: In terms of prevention in the first place?

Mark Reckless: Yes, I think so.

Abigail Stepnitz: The easiest place to start is to look at the UK's response. The UK response is most messy right now in terms of the legislation. Turkey, for example, has a comprehensive Anti-Trafficking Bill that prohibits trafficking for sexual exploitation and labour exploitation. It is all covered by article 80 of the Penal Code. We have the Sexual Offences Act 2003 that covers some little bits of it, and then we have the Asylum and Immigration (Treatment of Claimants) Act, and then parts of the Coroners and Justice Act are also applicable. We are trying to bring together all these different things, which makes it

extremely difficult to prosecute cases of trafficking. The attrition rate is enormous and we see more cases brought for things like rape and assault or controlling a brothel or controlling prostitution for gain than we do for trafficking. If we were able to tidy all of that up and we were able to have a more coherent response from a law enforcement perspective and a criminal justice perspective, that would make a big difference in terms of demonstrating that the UK is serious about tackling trafficking. We had a very successful prosecution last week of a very large case, but at the end of it the outcome was a two years suspended sentence. Now, that doesn't really say, "Wow, we take this seriously", does it?

Q204 Mark Reckless: Do you think we as parliamentarians should be taking a stronger lead in setting stronger guidelines for those types of sentences?

Abigail Stepnitz: I think the sentencing needs to be reviewed. The CPS would disagree with me—that is a longstanding issue—but we need a really coherent response, because it is very fragmented. Enforcement has also been sitting in lots of different places. Sometimes trafficking is an immigration issue; sometimes it is an organised crime issue. Different Governments, different Departments even, have different approaches within that, and I think the more unified the response, the more effective it will be, especially when dealing with other countries as well. For example, one of the things that we have had that has worked really well with Romania is a joint investigation task force that has looked particularly at the trafficking of Romanian children. It has been extremely effective in preventing trafficking, in securing prosecutions in the UK and in Romania. Unfortunately, the funding for that is coming to an end.

Q205 Mark Reckless: Given the difficulties you have with the CPS, would you welcome a stronger input from Parliament on that subject?

Abigail Stepnitz: Absolutely, yes. I think that would be really helpful.

Q206 Chair: You are familiar with our report of 2009?

Abigail Stepnitz: Yes, I am.

Q207 Chair: Would you say that since that report was published by us, the Home Affairs Committee of course, progress has been made or otherwise? A frank answer.

Abigail Stepnitz: Indeed. On 1 April when the Council of Europe Convention came into force and we brought in with it the National Referral Mechanism, we had a real opportunity to improve proactive identification, multi-agency working and to really bring things together. I think to date we can call that an opportunity missed, and I think it is quite unfortunate. Because there was so much concern about the potential immigration implications of identifying people as victims of trafficking and about the idea that somehow this was going to open the proverbial floodgates, it created such a conservative

 29 March 2011 Abigail Stepnitz

response, such a “small c” conservative response, to the problem, that we have ended up now where we have victims of trafficking who receive letters from the Government that say, “We think probably at one point you were a victim of trafficking but we are really not sure that you are any more because you are not under the control of the trafficker any more”. Arguably, you can’t seek help unless you leave the trafficker, so you can see that this becomes very frustrating. I do think we have got a little bit lost in the bureaucracy of it all since those processes have come into place. I would say that, while there has been progress, there is a lot that is worse now than it was two years ago.

Chair: Slow progress, I am afraid.

Q208 Mark Reckless: Overall, do you think there has been net progress or net going backwards?

Abigail Stepnitz: From a victim care perspective, which is the one that I am best qualified to speak from, I think we have lost a lot of ground. As I said, there have been some good efforts—the joint taskforce with Romania and Operation Golf have been fantastic. The continued funding for the specialist team, SCD9 that sits within the Met Police, has been a good thing. There is still an ACPO lead on trafficking. There are good things within that, but I think on the whole, if I were to give an assessment of the general response, that things are not going as well as they were going two years ago.

Chair: Just as well we are carrying out this further inquiry.

Q209 Bridget Phillipson: Could you just tell us about the current funding situation with your organisation?

Abigail Stepnitz: Certainly. My funding comes to an end on Thursday of this week. We have engaged in the tendering process for renewal of the funding. The original documents were released in December and unfortunately they reflected an incredibly regressive position, a reduction of the minimum protection period from 45 to 30 days and a real over-emphasis, in our opinion, on expediting the progress of people through support, which if you have ever worked with anyone who is traumatised or if you have ever gone

through a process like that yourself in terms of grief or anything, you know it can’t be rushed. So these were concerns for us. There was a case taken to the High Court by a couple of victims of trafficking about the possible forward provisions for victims in this country, and off the back of that we did have some improvement in what the Government is looking for. We are hopeful that within the new proposed structure there will be a continuation of appropriate care for victims. The new cost envelope reflects a 60% reduction in spending per victim. That does not mean that it is an impossible system to work in, but it does mean that there are going to be considerations that have to be made and there is going to be a more intense reliance on sources of support, not just financial but otherwise, that fall outside of the Government obligations, which is a little bit ironic given that two years ago, before we had binding legislation, it seems as though it was easier to ensure that those obligations were met and now it is slightly more difficult.

The Government will make a decision, the Ministry of Justice will make a decision on Friday about where the contract going forward will sit, and we are hopeful that we will continue to be able to provide services. We have submitted an application that is not only for the POPPY Project but brings 10 other organisations with us into coalition, covering the entirety of England and Wales, and we are hopeful that that will be something that the Government will see as useful, particularly in terms of retention of the expertise that is held within the staff of those various organisations. Obviously, when you are talking about looking after people on a day-to-day basis, there is nothing that makes you better placed to do that than five, six, seven years’ worth of experience, as most of my team and those of other organisations have. That is where it stands at the moment.

Chair: You will no doubt keep us informed. Certainly, if there are any difficulties about the project, about the finance, don’t hesitate to get in touch with us because we believe your organisation, and certainly you yourself, are doing a very important job. We much appreciate your coming today. Thank you very much indeed.

Abigail Stepnitz: Thank you.

Written evidence

Written evidence submitted by the Home Office

SUMMARY

1. The British Government has long been a strong supporter of Turkish membership of the EU. Committed to the principle of robust conditionality, HMG (Her Majesty's Government) takes a consistent line on implementing challenging benchmarks that address priority justice and home affairs weaknesses in-country and puts the emphasis on demonstrable track-records of implementation and enforcement. Working closely with the Foreign and Commonwealth Office (FCO), the Home Office and the Ministry of Justice engage actively with the accession negotiation process—helping to ensure that standards in priority areas remain high. Significant progress has been made across the range of justice and home affairs issues, although further reform is needed.

TURKISH ACCESSION: A CATALYST FOR JUSTICE AND HOME AFFAIRS REFORM

2. The common rights and obligations that are binding on all Member States (“the *acquis*”), includes the body of EU law which is split into 35 sector-based Chapters. Chapter 2 (free movement for workers), Chapter 23 (judiciary and fundamental rights) and Chapter 24 (justice, freedom and security) are the most significant in terms of justice and home affairs (JHA). Once a decision has been taken to open negotiations on a Chapter, the EU must unanimously agree benchmarks for the candidate—typically, specific legislative changes or a track record of implementation of reform. As such, the accession process is an effective catalyst for positive change.

3. For each aspirant Member State, the European Commission produces an annual Progress Report which identifies where reform is necessary, including strengthening law enforcement capacity to tackle organised crime; improving border management; judicial reform; and anti-corruption activities. The UK strongly endorses the Commission's commitment to strengthening the link between JHA priorities established in the Progress Reports and the strategic programming of EU financial assistance.

4. There is significant EU funding available to support reforms in Turkey, and HMG is committed to maximising the opportunities that this funding provides. The current Multi-annual Indicative Planning document for Turkey (2009–11) specifies that EU funding should be used to enhance the effectiveness and accountability of law enforcement services.

BORDER SECURITY

5. The EU's Stockholm Programme highlights the commitment of the EU and Turkey to intensify cooperation to meet the common challenge of managing migration flows and to tackle illegal migration. With vast borders (9,678 km, including sea borders) and a population of approximately 70 million, border security will be among the key criteria in assessing Turkey's readiness to accede to the EU. Turkey's eastern and southern borders with Iraq and Iran are especially difficult to manage due to their remoteness.

6. The flow of illegal migrants through Turkey has dropped since the highs of the early 2000s (when almost 100,000 a year were intercepted), but it remains a key transit route for illegal migration to the UK and EU:

- In the five years from 2002 to 2006, around 310,000 illegal immigrants were detained by Turkish border units.
- The number of illegal migrants intercepted by the Turkish authorities was 64,290 in 2007; 65,737 in 2008; and 34,345 in 2009.
- The number of intercepted migrants is expected to be lower in 2010 with 22,385 intercepted to September.
- The main nationalities claimed by third country migrants are Palestinian; Burmese; Afghan; Somali; Pakistani; Russian; Iranian; and Iraqi.
- 1,027 people smugglers were apprehended in 2009, 970 of whom were Turkish.

7. Frontex, the EU agency that coordinates operational cooperation between EU Member States in the field of border security, assesses that 90% of illegal migrants enter the EU through Greece, with the majority (at least 50%) entering through Greece's land border with Turkey. The Greek authorities have recently announced plans to build a 12.5 km-long security fence along part of the north-east Greek-Turkish land border to curb illegal migration from Turkey.

8. Although the decrease in illegal migration through Turkey may be linked to the recent economic downturn in Europe, it is also important to recognise that the Turkish authorities have continued to make steady steps towards better managing migration flows. The so-called “Two Bureaux”, reporting directly to the Minister of the Interior, have been created to write new legislation on asylum, foreigners and integrated border management and are developing new organisational structures. A task force for external borders meets every two months and will prepare a draft roadmap for harmonising the border management system with EU standards.

9. The Turkish authorities will also need to ensure that there is sufficient institutional capacity and capability to implement the necessary measures. We endorse the suggested priority areas that were highlighted by the recent progress report by the European Commission (November 2010):

- Efficient and coordinated inter-agency use of databases and risk analysis at the borders are missing elements for integrated border management.
- Measures to deploy more trained staff and additional border check equipment at border crossing points to prepare for professionalized border management.
- Further efforts to transfer border control tasks to a new border security agency; the current agencies need to be strengthened at the same time as this new agency is established.

10. The UK works closely with Turkey to help improve its border security. Twice annual UK-Turkey Strategic Migration Review sessions (introduced in October 2010) provide an opportunity for greater strategic cooperation. We also provide practical assistance to the Turkish authorities, with bilateral projects worth more than £500,000 over the last year, including a highly successful project to introduce a pilot system for Assisted Voluntary Returns (AVR) which has helped more than 700 irregular migrants return home in just over a year. Other projects include training on asylum law and procedures for the Jandarma; equipping Turkish police to better identify fraudulent documents and assistance with identifying nationality swapping.

11. The UK is a key partner in a number of EU-funded projects addressing key aspects of border security: Integrated Border Management, establishment and management of removal centres for illegal migrants; and two projects on risk assessment and maritime capability for Turkish customs.

12. We would welcome a swift conclusion to the EU-Turkey Readmission Agreement which will formalise reciprocal arrangements to document and remove illegal entrants from the EU and Turkey, and third country nationals who have transited the territory of individual EU Member States and Turkey. The Stockholm Programme emphasises that concluding negotiations on the Readmission Agreement should be a priority, but that existing bilateral readmission agreements must be adequately implemented in the meantime.

ASYLUM

13. Although fewer people (7,834) sought asylum in Turkey in 2009 than in 2008 (12,981), it is crucial that the UK and EU continue to support further reforms aimed at providing Turkey with a modern and efficient asylum management system in line with international and European standards. A finalized roadmap on asylum would help ensure equal and fair access to asylum procedures and give would-be asylum seekers full access to legal aid. Turkish asylum institutions only have limited capacity at present, but the UK Border Agency (UKBA) is currently involved in an EU-funded project that aims to establish reception, screening and accommodation centres for asylum seekers and refugees.

VISA POLICY

14. Turkish passports with biometric security features were brought into use in June 2010 and visa issuing is now processed on-line among the Consular Offices and the Ministry of the Interior. The Turkish authorities are encouraged to build upon these developments by introducing new visa stickers with higher security features; introducing airport transit visas; and gradually abolishing the issuance of sticker and stamp-type visas at borders.

15. The UK visa regime plays a vital role in securing our borders and maximising the safety of our citizens, and it is regrettable that Turkey has agreed visa exemptions with some countries on the European Union's negative list. As Turkey moves towards negotiating visa liberalisation with the EU, our own domestic visa policy and legislation will not be affected because it is independent from the requirements introduced by the EU Common Visa List for the Schengen area.

16. Turkey is an increasingly significant trade partner for the UK. We need to ensure that HMG's visa policy strikes the right balance between security and prosperity in order to make best use of emerging commercial opportunities.

TRANSITIONAL CONTROLS

17. There are approximately 150,000 Turkish nationals in the UK at present, of a total of about 500,000 people of Turkish origin in the UK, including Cypriot Turks (about 300,000) and Turks with Bulgarian or Romanian citizenship. If Turkey were to accede to the EU, Turkish nationals would, in time, have full freedom of movement rights. Recent accession negotiations have given EU Member States the option of imposing transitional migration controls on citizens from new Member States. Although Turkey's negotiations have not yet reached this stage, HMG has made a commitment to apply effective transitional controls as a matter of course for all new Member States.

18. As accession negotiations with Turkey progress, it will be necessary to assess the potential for migration between Turkey and EU Member States to inform the consideration of what type of transitional controls will be appropriate. However, it would be premature to attempt to assess the impact of opening EU labour markets

before negotiations on the subject have started, especially as the economic conditions in the EU and Turkey may change in the future.

ORGANISED CRIME

19. By virtue of its position, Turkey remains a key transit country for the majority of heroin destined for Western Europe from Afghanistan, trafficked by Turkish criminal groups, via the Balkan route. The United Nations Office of Drugs and Crime (UNODC) World Drug Report 2010 noted that Turkey has the second highest number of heroin seizures in the world: rising from 13.2 metric tonnes in 2007 to 15.4 metric tonnes in 2008. This represents more seizures than the whole of the European Union combined in 2008. The European Commission has also highlighted that successful operations by Turkish law enforcement between November 2009 and November 2010 resulted in some significant seizures: 51,451kg of cannabis and 16,391 kg of heroin. These efforts are made by Turkey despite the fact that there is a pattern of relatively low domestic heroin usage.

20. Working very closely with partners on the heroin route, UK law enforcement agencies have made significant efforts to identify major traffickers, their trade routes and their facilitators. All the agencies involved are sharing and acting upon high quality intelligence, and sustained action on a number of fronts simultaneously (including targeting money flows) is having a long term impact on the market, as well as the organised crime groups involved in drugs trafficking—through criminal convictions and sentences; seizing their assets; and putting them out of business.

21. The strong operational relationship between SOCA and the Turkish National Police continues to lead to significant criminal justice and drug seizure outcomes, including:

- Last reporting year, activity by SOCA and overseas partners led to the seizure around 2,000 kgs heroin before it reached UK shores.
- Work with the Turkish National Police has led to the imprisonment, in Turkey, of key figures in the trafficking of heroin.

22. SOCA Liaison Officers posted in Turkey work directly with the Turkish police and this collaborative activity has been further enhanced in recent years by increased strategic planning on tackling organised crime. Discussions within the bilateral Bosphorus Group focus on updating the UK-Turkish Threat Assessment and opportunities for future operational joint working.

23. In addition to drugs trafficking, the EU Organised Crime Threat Assessment of 2009 also highlighted that Turkish organised crime groups are involved in human trafficking and counterfeiting of pharmaceutical products. A national strategy (2010–15) and action plan (2010–12) against organised crime were signed by the Turkish Prime Minister in July 2010, and we consider this an important step in strengthening efforts to tackle the full range of organised crime threats.

24. A number of important regulations have been adopted to implement the 2006 law on the prevention of laundering proceeds of crime and the 2008 action plan, but we would welcome further efforts to tackle money laundering in Turkey. The Turkish National Police has established witness protection units in 60 provinces, and the UK would be keen to provide further support in this crucial area. We also agree with the recommendation by the European Commission that a national fingerprint and DNA database needs to be established; inter-agency cooperation should be strengthened; and reliable law enforcement data needs to be collected. All of these priority areas would lend themselves to future EU-funded project work in partnership with existing Member States.

COUNTER-TERRORISM

25. The PKK (Kurdistan Workers' Party) poses a domestic terrorist threat in Turkey, and the Turkish Government is taking steps to address this through the "Democratic Opening" programme that aims to reduce tensions with the Kurdish community. The EU General Affairs Council (December 2010) emphasised that implementation and follow-up of the democratic opening should start producing the expected results. As well as strongly endorsing these continuing efforts, the UK welcomes positive developments in the field of counter-terrorism, including:

- An Undersecretariat for Public Order and Security was established in March 2010 in the Turkish Ministry of Interior to develop CT policies and strategies to ensure coordination among the relevant institutions.
- A law is in preparation concerning terrorist financing.
- Turkey has taken decisions to freeze the assets of some of the persons included in the list adopted by the UN Security Council.

26. The UK has proscribed the PKK as a terrorist organisation, and there have been operations to target, arrest and disrupt persons involved in illegal fundraising activity in the UK. The presence of a Counter Terrorism and Extremism Liaison Officer (CTELO) in Ankara facilitates ongoing cooperation with the Turkish National Police on Turkish domestic terrorism and the international terrorist threat. We have also stimulated a report by Joint Situation Centre (an EU intelligence agency) on PKK activities in Europe, and the UK Liaison Officer in Europol supports other EU Member States in tackling PKK terrorism in Europe. In addition to ongoing

operational cooperation, the National Terrorist Financial Investigation Unit (NTFIU) liaises closely through the CTELO with the Turkish National Police with frequent exchanges of intelligence.

CORRUPTION AND JUDICIAL REFORM

27. Turkey has made progress in judicial reform, for example, implementation of the 2009 judicial reform strategy has continued, incorporating the 2010 Constitutional reform package. The national judicial network, an e-justice system, is particularly successful and has speeded up court systems. A probation system has been established throughout the country. There is however, a significant way to go before the judicial system is at an appropriate level for EU accession. There is still need to improve the working relationship between the police and the judiciary. Access to justice needs to be further developed, especially the provision of legal aid.

28. Turkey has adopted a strategy and action plan for enhancing transparency and strengthening the fight against corruption. Turkey has made significant progress in fighting corruption—implementing 15 of the 21 recommendations in the 2005 evaluation reports by the Group of States against Corruption (GRECO). Nonetheless, further progress is needed to enhance the independence of the judiciary and on limiting the immunity of Members of Parliament on corruption offences. Turkey needs to develop a track record of investigations, indictments and convictions. Steps to tackle corruption and further enhance the capacity of the Turkish judiciary will support the continuing fight against organised crime.

February 2011

Supplementary written evidence submitted by the Home Office

During the recent session in which I gave evidence on the Justice and Home Affairs impacts were Turkey to accede to the EU, the members of the Committee were keen to find out more about the activities of FRONTEX—specifically its operations at the Greece-Turkey border.

As raised during the evidence session on 8 March, the UK is excluded from participation in the Frontex Regulation on the basis that it builds upon a part of the Schengen Agreement in which the UK has chosen not to participate. Nevertheless, the Government believes that the situation of undocumented migrants walking unhindered over the land border between Greece and Turkey requires a coordinated response from the Schengen states.

Between 2 November 2010 and 2 March 2011, the Frontex Rapid Border Intervention Team (RABIT) in Greece coordinated the deployment of close to 200 well-trained guest officers from 26 Member States each week. The RABIT guest officers were able to assist their Greek colleagues in controlling the border areas as well as identifying the apprehended irregular immigrants. The RABIT guest officers also helped the Greek authorities gather information on the migration routes and facilitator networks which exploited the desperate situation of irregular immigrants.

In addition to the unsatisfactory reception and detention conditions in Greece for newly arrived migrants, Frontex also highlighted that new equipment and processes are needed to ensure that both illegal migrants and asylum seekers are fingerprinted in accordance with the requirements of the Eurodac Regulation.

The withdrawal of the RABIT has not marked the end of the Frontex presence at this border hotspot. Although the emergency situation has been stabilised, a regular Frontex operation is now in place.

I hope these additional details prove useful, and I will look forward to reading the Committee's report on Turkey once it has been completed.

March 2011

Written evidence submitted by Migrationwatch

SUMMARY

1. Striking similarities with the miscalculation over Poland, including government complacency. We should insist on an “opt-in” arrangement.

INTRODUCTION

2. There are very striking similarities with the accession of the Eastern European countries, especially Poland, in 2004. In particular, four major drivers of immigration are very similar:

- (a) A large gap in living standards

GDP per head for Poland in 2004 was \$13,000 while for the UK in the same year it was \$32,000. Turkish GDP per head was \$14,000 in 2008 while in the UK it was \$35,600.¹ (In Eastern Turkey they are poorer still). In both cases the UK was roughly 2.5 times as wealthy as the new member.

¹ Source: OECD

(b) Population

Poland's population was about 40 million and declining. The present population of Turkey is 76 million and the UN projects that it will increase to 97.4 million in 2050. Of the latter, some 12 million will be in the age group 15–24. Eastern Turkey has a particularly high birth rate and is a likely source of migrants.

(c) An existing community

The UK already has a population thought to be up to ½ million people of ethnic Turkish origin—many, of course, from Cyprus. There were very few Poles of working age in the UK in 2003.

(d) Benefits

The number of benefit claimants from Poland is starting to increase, as is the pressure on maternity services. The EU benefit system which extends benefits available in richer member states to those from members are very much poorer was drawn up at a time when the accession of much poorer states was not envisaged. Over time, this is bound to be a pull factor for both Poles and Turks.

EXTENSION OF BORDERS

3. Just as the accession of Poland generated new and extensive borders with Ukraine and Belarus, the accession of Turkey would result in land borders with Syria, Iraq, Iran and Armenia, all of which would be very difficult to police.

INTEGRATION

4. Whereas the Poles are Catholics of European heritage, the Turks are Muslims of Middle Eastern heritage. Experience so far suggests that Muslims have more difficulty integrating into our community, as we have also seen with Turks in Germany. There is also a risk that their home country will slide towards a more extreme version of Islam, as we are now seeing in Pakistan.

GOVERNMENT POLICY

5. It is astonishing that, despite the profound public disquiet about immigration, the government appear to have made no effort to estimate the impact of Turkish accession on immigration to the UK—especially as all the circumstances point to a very high potential for migration. It is not enough to suggest that such an exercise is impossible until we know the terms of the accession agreement. The process should be the reverse of this. We should set our accession conditions in the light of our assessment of likely immigration flows and, preferably, on actual patterns once established.

6. Nor is it sufficient to point to relatively low flows from Turkey in present conditions. This risks exactly the same error as was the case in Poland where there was a total failure to appreciate the impact on migration flows of a completely new situation. We could, once more, find that the private sector reacts very much more swiftly than the government. The availability of cheap Labour in Poland led rapidly to the growth of employment agencies to recruit them and cheap travel to transport them. Nor can we assume that economic growth in Turkey, even if it occurs, will be such as to keep Turkish workers at home. We could well find a situation in which young Turks migrated to Europe for wages several times higher than are available in Turkey, while workers from neighbouring countries replace them in their previous occupations. Again, we are seeing this with Ukrainians moving into Poland to replace some of those who have gone to Western Europe. It is already the case that 2.4 million Turks make up the largest proportion (7.5%) of foreigners resident in the EU—mainly, of course, in Germany.

CONCLUSION

7. It is inescapable that all the key factors are in place for a major influx of economic migrants from Turkey. We warned of exactly this in respect of Eastern Europe. In July 2003² we said that the Home Office upper estimate of 13,000 net migration per year was “both highly theoretical and divorced from the realities....”. It was, we said, “almost worthless”. We were right then and we repeat our warning now in the case of Turkey.

RECOMMENDATION

8. In view of all the uncertainties, we recommend that the government negotiates an outcome such that the UK “opts in” to labour market access for Turkish workers only when the pattern of their migration has become clear. If the numbers are as small as suggested, that should not worry the Turks.

March 2011

² Migrationwatch Briefing Paper 4.1

Correspondence from the Embassy of Greece to the Chair of the Committee

Thank you for your letter of 9 February by which you invite me to the House of Commons to give oral evidence with regards to migration flows from Turkey into Greece.

Unfortunately, due to other longstanding commitments I will be unable to attend the inquiry on 8 March. However, I have attached herewith an information note on the current migration situation in Greece, including migration flows from Turkey, which you may find useful.

I am at your disposal should you need any further information.

ILLEGAL MIGRATION—CURRENT SITUATION—STATISTICS

- More than 90% of illegal migrants apprehended at the external borders of the EU are detected at the Greek frontiers (according to latest FRONTEX Risk Analysis).
- 883,000 illegal migrants have been arrested in Greece since 2002. 132,524 were apprehended only in 2010.
- The number of illegal migrants, who arrive in Greece, through common Greek–Turkish land and sea borders, remains extremely high (52,278 in 2010, 43.3% increase compared to 2009).
- Spectacular increase of 436% in common Greek–Turkish land borders (Evros region) in 2010 is alarming and should be dealt with decisively, immediately and effectively.
- Requests for readmission of 10,198 illegal migrants were submitted by the Greek Authorities to Turkish Authorities in 2010. Only 1,457 illegal migrants were accepted.
- There has been a significant increase, in 2010, of illegal migrants coming on North Africa: 7,336 from Algeria, 988 from Tunisia, 1,645 from Morocco (compared to 222 in 2009) and 575 from Egypt. This increase is due to the shift of illegal migration flows, from Western and Central Mediterranean to the Eastern Mediterranean, through Turkey to Greece. This change follows initiatives of closer cooperation between Italy–Spain and transit countries (Libya, Morocco), as well as countries of origin.
- 1,150 human traffickers were arrested by Greek Authorities in 2010.
- The situation regarding illegal migration puts an immense burden on Greece (financial and administrative), challenges also social cohesion and is often described as a situation similar to humanitarian crisis.

OPERATION POSEIDON—TERMINATION OF RABIT OPERATION

End of the RABIT operation under the coordination of FRONTEX, at the Greek–Turkish land borders (Kastanies–Nea Vyssa, Orestiada) on 2 March 2011. This operation was launched after a request from the Greek Authorities for increased engagement of FRONTEX, because of the unprecedented pressure of illegal migration on Greek land borders. The launch on 3 March 2011 of POSEIDON 2011 Land aims to ensure continuity of RABIT operation’s main goals and outcomes.

FRONTEX OPERATIONAL OFFICE

The first FRONTEX Operational Office in Piraeus enhances the effectiveness and operational capacity of the Agency in the region of Eastern Mediterranean and South-Eastern Europe, the most affected EU areas in terms of illegal migration.

March 2011

Written evidence submitted by International Organisation for Migration (IOM)

OVERVIEW OF MIGRATION TRENDS AND LEGAL FRAMEWORK IN TURKEY

IOM, established in 1951, is the principal intergovernmental organization in the field of migration. IOM Turkey was established in 1991 in the aftermath of the first Gulf War and currently has two offices in Ankara and in Istanbul. The Republic of Turkey became a full member of IOM in November 2004. IOM’s primary objective is to support the Turkish government in its efforts to establish a comprehensive migration management system and provide human rights-based protection to migrants in compliance with EU and international standards.

1. MIGRATION TRENDS IN TURKEY

1.1 From a major sending country during the post war decades, Turkey has been transformed into immigration and transit country, attracting both regular and irregular migrants from its neighboring countries. Turkey, as a middle income country, having relative peace and stability with a regional policy of zero problems towards its neighbors and due to geographical location is witnessing increasing migration trends.

1.2 In late 1980s and 1990s, the Iranian Islamic Revolution, the end of Cold war, political turmoil in the Middle East, the Gulf War (1991) wars in Bosnia (1992), in Kosovo (1999 and 2001), and recently American Intervention in Iraq in 2003 coupled with Turkey's geographical location as a transit zone between the West and Asia/Africa contribute and forced Turkey into being a de facto country of first asylum.³ Turkey has also become a transit route for irregular migrants during the same time.

1.3 In short, in recent years, the inflow of migrants has involved an ever growing number of nationalities, including countries of Western Balkans, Eastern Europe and the Middle East, as well as intense immigration from South Asia, Central Asia and Africa.

1.4 These migrant groups are not homogenous and include transit migrants, irregular workers, professionals, workers, students, pensioners, asylum seekers and refugees. According to UN, the estimated numbers of international migrants at mid year in 2010 in Turkey is 1,410,947.⁴ Based on the data provided by the Ministry of Interior, 1,739,188 residence permits were granted in Turkey from 2000 to 2009 on the grounds of work, study, family reunification and asylum.⁵ In 2009, 163,326 residence permits were issued.

1.5 Between 1995 and 2009, the total of 68,802 asylum applications was received and 34,270 applications have been approved.⁶

1.6 According to data provided by the General Directorate of Security—Ministry of Interior, 1,165 victims of trafficking were identified in Turkey in 2004–10. During this period, 770 victims of trafficking were assisted by IOM Turkey. Although top three countries of origin are; Moldova (224), Ukraine (124), Russia (103), in last three years, there is a significant increase of identification of victims from Central Asia.

1.7 811,891 irregular migrants have been apprehended in the last 16 years. While in 1995 the number of irregular migrants apprehended was 11,362, this number stood at 65,737 in 2008 and 34,345 in 2009.⁷

2. CURRENT LEGISLATIVE AND INSTITUTIONAL FRAMEWORK

2.1 Although it is widely accepted that Turkey is increasingly becoming a destination country in terms of international migration, there are some shortcomings in current laws and practices related to migration.

2.2 Laws related to the entrance, admission, removal, asylum and refugees constitute the different but interconnected branches of migration jurisprudence in Turkey.⁸

2.3 In Turkey, two major ministries are placed on the top of the list of governmental bodies which are in charge of dealing with migration concerned matters: Ministry of Interior (Bureau Responsible for the Development and Implementation of Legislation on Asylum, Migration and Administrative Capacity, Department of Foreigners, Borders and Asylum, of Directorate General of Security) and Ministry of Foreign Affairs. Ministry of Justice, Ministry of Labour and Social Security as well as Ministry of Health, different State Ministries (eg for Settlement, for Turkish Migrants Abroad), General Command of Gendarmerie, Coastal Guard are secondary but no less significant ministries and government institutions who each have specific responsibilities.

2.4 National Task Force on Asylum and Migration and Coordination Board on Combating Irregular Migration were established respectively on 2 February 2009 and on 20 August 2009. These institutional coordination bodies bring together high ranking state officials from relevant ministries, institutions and law enforcement institutions to take measures on regular and irregular migration.

3. THE INFLUENCE OF TURKEY-EU RELATIONS ON TURKISH MIGRATION POLICIES AND RECENT MIGRATION REFORM PROCESS

3.1 The Accession process to the European Union has had a great impact on Turkey's legislation and systems regarding migration, asylum and foreigners. Turkey-EU membership negotiations was formally opened on 3 October 2005.

³ More than 300,000 Turks and Pomaks were expelled from Bulgaria in 1989 after refusing to assimilate into a Bulgarian Slav identity as part of a campaign launched by the Communist regime. Approximately 20,000 Bosnians were granted temporary asylum in Turkey during hostilities in the former Yugoslavia between 1992–95. During the Gulf War, nearly 500,000 people fleeing Iraq were sheltered in Turkey.

⁴ UN, Department of Economic and Social Affairs, Population Division (2009). Trends in International Migrant Stock: The 2008 Revision

⁵ Turkish Ministry of Interior, Directorate General of Security, Department of Foreigners, Border and Asylum. This figure does not include those who avoid the procedure of applying for a residence permit by leaving and re-entering the country every three months in order to renew their tourist visas.

⁶ Turkish Ministry of Interior, Directorate General of Security, Department of Foreigners, Border and Asylum

⁷ Turkish Ministry of Interior, Directorate General of Security, Department of Foreigners, Border and Asylum. Since November 2009, IOM cooperate and liaise with the Department of Foreigners Border Asylum of the General Directorate of Security, Ministry of Interior to implement an Assisted Voluntary Return (AVR) Project funded by UK government. During November 2009–7 December 2010, 699 people were returned to their countries of origin through AVR program. Main countries of return are Pakistan, Afghanistan, Turkmenistan and Mongolia.

⁸ The relevant basic laws and other legislative documents which form the basis of the country's current immigration policy are as follows: The 1934 Law on Settlement (Law No: 2510), Citizenship Law (Law No: 403), The Passport Law (Law No: 5682), Law on Residence and Travel of Aliens (Law No: 5683) and Law on Work Permits for Aliens (Law No. 4817), Law on Foreign Students Studying in Turkey (Law No. 2922).

3.2 As part of accession talks with the European Union linked to Chapter 24—Justice, Freedom and Security, its National Action Plan on Migration and Asylum and the 2008 National Programme of Turkey for the adoption of the EU Acquis under Priority 24.2, Turkey has recognized the need to revise its legislative framework, to establish a new Asylum and Immigration Unit under the MoI, development of projects complementing the administrative structure, and the physical infrastructure relating to Turkey's asylum, emigration, and immigration system.

3.3 Pursuant to this development, in late 2008 a Bureau on Responsible for the Development and Implementation of Legislation on Asylum, Migration and Administrative Capacity was established under the MOI to design the normative and administrative framework that regulates migration.

3.4 In order to manage a comprehensive migration management system in line with Turkey's needs and EU standards, new law "Foreigners and International Protection" was drafted by the Bureau. The draft law is now in the Prime Ministry office before its submission to Council of Ministers (cabinet). The final draft of the Law, in accordance with the international instruments to which Turkey is party, contains specific provisions related to the rights of vulnerable groups.

3.5 This new structure is most probably bound to take over national strategy and program on combating human trafficking as well as protection of trafficked persons.

3.6 IOM has been implementing a project on migration management together with the Bureau of MOI since October 2010 to support this migration reform process.

4. IRREGULAR MIGRATION

4.1 The rise in irregular migration is an issue of concern in Europe as well as in Turkey.

4.2 Turkey signed the UN Convention against Transnational Organized Crime and two of its additional Protocols: the Protocol to Prevent, Suppress and Punish Trafficking, especially Women and Children and the Protocol against Smuggling of Migrants by Land, Air and Sea. These instruments were ratified by the Turkish Parliament in March 2003.

4.3 Migrant smugglers now face stiffer penalties (three to eight years' imprisonment and a judicial fine which increases by half if the perpetrators are acting as an organization). An amendment to Article 79 of the Turkish Penal Code on smuggling of migrants increasing the sentences for those involved in migrant smuggling was adopted in July 2010. (Law No: 5237/article 79) 4,943 migrant smugglers have been apprehended in the last five years.⁹

4.4 Turkey has made relevant legal arrangements in its national legislation as to fulfill the responsibilities it assumes at international level in combating human trafficking. For the first time, a sanction has been introduced against the crime of human trafficking with the addition of Article 201/b dated 03.08.2002 in Turkish Criminal/ Penal Code. When Turkish Penal Code and Criminal Procedure Code were changed in June 2005, Trafficking crime was sanctioned by Article 80 on the new Turkish Penal code. Last revision was done in December 2006 by adding force prostitution. The other related legislations are Constitution, Law on Work Permits, Citizenship Law, Passport Law, Criminal Procedural Law, and Witness Protection Law.

4.5 Turkey established National Referral Mechanism (NRM) in 2004. There are two shelters for victims of trafficking in Turkey which are managed by the local NGOs. Turkish National Police signed the cooperation protocols with these NGOs run the shelters. The safe house in Antalya was opened in 2009 in order to provide services to potential and actual trafficked persons. There is need for a sustainable funding mechanism under the Turkish government. The government took serious steps by allocating funding for two NGOs run the shelters from the state budget in 2010 and 2011. The new law would be the important tool for the sustainability and continuation of counter-trafficking efforts.

4.6 Ministry of Interior allows authorities to issue humanitarian visas and temporary residence permits up to six months to the victims of trafficking in human beings who wish to stay in Turkey for rehabilitation and treatment. Trafficked persons can be treated at state hospitals free of a charge in accordance with the circular published pursuant to the Council of Minister's resolution adapted January 2003.

4.7 Turkey signed the Council of Europe Convention on Action against Trafficking in Human Beings in Strasbourg on March 19, 2009. Subsequent to Turkey's signature of the Council of Europe Convention on Action against Trafficking in Human Beings a working group was created under the coordination of the Ministry for Foreign Affairs to evaluate the text of the convention and define needs prior to ratification.

4.8 National Action Plan II on Fighting Trafficking in Persons has been approved by Prime Minister Erdoan on 18 June 2009 and work geared towards its implementation has been initiated.

4.9 Turkey established National Task Force (NTF) in 2002. More than 40 institutions are represented in the NTF including NGOs, municipalities. IOM and ECD are the observers.

4.10 157 Helpline operated 7/24 is established by the government to assist in rescuing of victims of trafficking in human beings. It also provides information on a non-emergency basis to individuals who may be

⁹ Turkish Ministry of Interior, Directorate General of Security, Department of Foreigners, Border and Asylum

at risk of being or becoming victims of trafficking. The helpline has been running by IOM since its establishment. Between 2005 and 2010, 165 victims of trafficking have been rescued through 157 Helpline.

4.11 In order to respond irregular migration challenges, the construction, refurbishment/equipment of six removal centers in total through national funds as well as EU funds is ongoing.

5. READMISSION AGREEMENTS

5.1 Turkey signed Readmission agreements with Greece (2002), Syria (2003), Romania (2004) Kyrgyzstan (2004), Ukraine (2005) and Russia (2011). Turkey has also completed the negotiations for a readmission agreement with Pakistan. Readmission agreements with other countries of origin (Azerbaijan, Bangladesh, Belarus, Bosnia and Herzegovina, FYROM, Georgia, Lebanon, Libya, Moldova, and Uzbekistan) are being discussed.

5.2 The negotiations on EU-Turkey Readmission Agreement were just finalized and the Commission will present it to the European Council on 24 February 2011.

6. VISA POLICY

6.1 As EU 2010 Turkey Progress Report states, Turkish visa policy—which is fairly liberal needs to be harmonized with the EU Visa Policy. Included in these changes are harmonization of visa descriptions and types with the EU visa formats, compliance with the EU Negative List, termination of sticker and stamp visa issuance at border checkpoints, and the introduction of airport transit visas.

6.2 Conditions of the issue of residence permit and visa are regulated in the new draft law in line with the EU Acquis.

6.3 Turkey agreed on visa exemptions with many countries including Libya, Jordan, Lebanon, Russia, and Tanzania during the last two years.

7. INTEGRATED BORDER MANAGEMENT (IBM)

7.1 A professional border security organization needs to be established in line with the Integrated Border Management Action Plan (2006), prepared under the framework of the EU Accession Process.

7.2 The Development and Implementation Office on Border Management Legislation and Administrative Capacity was set up upon the Ministry's approval of 15 October 2008.

7.3 IBM is taking an increasingly important place in Turkey's national agenda in connection with the current negotiations on EU accession and the future opening of Chapter 24.¹⁰

8. ASYLUM

8.1 Ministry of Interior Bureau Responsible for The Development and Implementation of Legislation on Asylum, Migration and Administrative capacity is also closely working with UNHCR (the UN Refugee Agency) office in Turkey together with other relevant organizations and institutions within the scheme of migration reform in order to address the challenges of asylum.

9. RECOMMENDATIONS

9.1 Inter-agency cooperation on migration management should be strengthened with a clear division of responsibilities for all institutions concerned with the necessary resources and skills to handle the assigned tasks efficiently.

9.2 Although the Draft Law on Foreigners and International Protection has been sent to the Prime Ministry on 13 January 2011 in fulfillment of the first stage of the ratification, it needs to be adopted.

9.3 Signed international agreements need to be ratified.

9.4 Public awareness and protection of migrants' social, economic and cultural rights are essential issues.

9.5 In the area of trafficking in human beings, the following issues needs to realize.

- Implementation of the Second National Action Plan on Combating Trafficking in Human Beings.
- Ratification of the Council of Europe's Convention on Action against Trafficking in Human beings.
- Finalization of the draft Framework law on Combating Human Trafficking and Protection of Trafficked Persons and its adaptation.

¹⁰ The Prime Minister's Circular of 2010–15 on integrated border management provides for "the establishment of a professional border security organization under the Ministry of Interior that will serve at all of the entry points as well as at the green and blue borders in Turkey" pursuant to the 2008 National Program. In this regard, some new projects on integrated border management have been starting in line with requirements for EU Accession process. IOM has been implementing two projects in close cooperation with the IBM Unit.

9.6 The issues of UAMs and health and migration are needed to be elaborated together with relevant counterparts and these issues are currently well in the agenda of the Ministry of Interior and IOM.

10. RESPONSES TO SPECIFIC QUESTIONS OF INQUIRY

(1) *How you think relaxing the EU border with Turkey might affect trafficking of people to the EU?*

Due to its stable position in the region, economic developments, cultural ties, networks, Turkey is a destination country. IOM believe Turkey would remain as a destination country even if it becomes an EU member. IOM do not think that Turkey's membership will affect the status of any EU country on trafficking in human beings (THB).

(2) *Whether EU membership might help facilitate the fight against human trafficking from/via Turkey and what the EU could do to ensure this happens?*

As explained in the written evidence above in detail, Turkey signed and ratified major international instruments to fight against trafficking in human beings and since 2002 the serious legal and administrative steps to combat THB have been taken.

Trafficking crime has been sanctioning since 2002. There are several circulars to protect the victims and to ensure the coordination of the National Referral System. As a further step, the new framework law on Combating THB and Protection of Trafficked Persons is being drafted by the Ministry of Foreign Affairs and MOI. New EU legislation and other EU instruments were carefully taken into consideration together with the other international instruments. In addition, Foreigners and International Protection Law was drafted by the MOI and now sent to the Prime Ministry. Through the implementation of counter trafficking projects including EU funded and the non-EU funded ones, international standards, EU *acquis* were considered. The training curricula, materials were prepared by reflecting EU best practices.

However, Turkey's efforts on combating human trafficking are not limited within EU. Turkey is member state of major international/inter-governmental organizations, actively involves at different processes and part of many international agreements in this regard.

February 2011

Written evidence submitted by Dr Franck Düvell, Centre on Migration, Policy and Society

Turkey once was a major sending country of migrants but now rather is a receiving and transit country. There are up to 3.7 million ethnic Turks in the European Union (EU). Of these, 1.3 million hold EU passports and 200,000–240,000 reside in the UK. Annual emigration to Europe has dropped significantly to below 50,000 plus circa 7,000 asylum applications. For around four years, however, net migration between Turkey and the EU has been negative, with more people emigrating from the EU to Turkey than vice versa. In Turkey there are 1.3 million foreign-born residents and 18,000 refugees. Travel to and from Turkey has almost doubled since 2001 to 27 million arrivals and departures each, of which one third are Turkish citizens.

The UK has never been a prime destination for Turkish migrants. In 2009, 178,000 Turkish nationals were given leave to enter; whilst 1.8 million passengers from the United Kingdom (UK) to Turkey were recorded only 98,000 passengers from Turkey to the UK were recorded. Turkey is undergoing a demographic transition; its population will grow from 75 to 90 million, begin ageing around 2025 and start decreasing after 2050. Turkey's economy is constantly growing. Between 2000 and 2008 Gross Domestic Product (GDP) rose by 80% and rose by a further 6% in 2010. The employment rate is 46% and unemployment is around 15%.

FACTS

*Migration to and from Turkey*¹¹

- Until the 1990s, Turkey was commonly referred to as an emigration country, primarily of labour migrants and their families and secondly of refugees migrating to the EU. Since 2007, however, the migration balance between Turkey and the EU has been negative. For example, since 2006, more Turks migrate from Germany to Turkey annually than vice versa, 27,200 versus 35,400 in 2009 (BAMF 2010). Returnees are often highly-skilled (Deutsche Welle 2011). Emigration from Turkey dropped from the mid-1990s to present day to below 50,000. Also the characteristics of migrants changed, labour migrants are now overwhelmingly highly skilled; one third of this number is family related migration. Labour migration to the EU largely ceased in the 1970s and 1980s. Currently, most Turkish contract labour migrants (59,000 in 2009), usually highly skilled, are in the CIS, Middle East/North Africa and Gulf countries. Forced migration has also dropped significantly to annually around 7,000 asylum applications in the EU (UNHCR 2009).

¹¹ Turkish migration statistics are of a notoriously low quality and figures are often contradictory.

- In Europe there are around 3.7 million Turks (ICT 2004), the largest single immigrant group in the EU. Of this number, 2,481 million are Turkish passport holders and 1,271 million are EU passport holders. Of the Turkish passport holders 146,000 are refugees in the EU (UNHCR 2010). Turkish nationals are to be distinguished by ethnic Turks, Kurds and some ethnic Arabs. They are religiously diverse. Sunni represent the largest group, and Alevis are the largest minority. Another religious minority are the Yazidi.
- Turkey is also an immigration country. In 2000, the date of the latest census, there were 1,278,671 foreign-born residents in Turkey, of which about one quarter were from EU countries (State Institute of Statistics 2003). In 2009, there were 205,000 regular and irregular immigrants (Icduygu 2010).

Turkey receives increasing numbers of migrants and refugees. Labour migrants mostly come from Bulgaria, Moldova, Ukraine and Russia. From 1997 to 2008, 69,600 people applied for asylum. In January 2010, there were 10,350 refugees, 5,987 asylum seekers and 2,739 stateless persons. The majority comes from other countries in the Middle East, such as Iraq, Afghanistan and Iran (all data from Icduygu and Yükseser 2011, UNHCR 2010).

Moreover, Turkey has become a popular destination for European retirees, in particularly from the UK, Germany, the Netherlands and Scandinavia.

Irregular migration to Turkey has dropped to 34,000 apprehensions in 2009, one third of the peak in 2000.

- Finally, Turkey is a prominent stepping stone for transit migrants from more distant countries. Between 1995 and 2009, 794,937 irregular immigrants were apprehended (IOM 2010). In 2010, around 43,000 migrants and refugees transited Turkey and were apprehended in Greece (Frontex). Transit migration is to some extent driven by (a) Turkey's geographic reservation to its refuge law, only European refugees are recognised, and (b) the absence of immigrant or refugee integration policies.

Migration between Turkey and the UK

- According to the 2001 census, there are 61,000 ethnic Turks and Kurds in the UK, 33,000 of which are Turkish passport holders. Data kept on local level suggest far higher numbers; instead, 200,000–240,000 Turkish and Turkish-Cypriot people could be residing in the UK. Thus Turks in the UK represent 1.9–6.5% of the EU total.
- On average 84,576 visa applications were filed annually from 2005 to 2009, 3.5% of all applications in 2009; of all applications 92.3% were approved. Of the 178,000 Turkish nationals given leave to enter in 2009, 66,300 were returnees after temporary absence abroad, 64,700 were visitors, 28,300 were business visitors, 9,755 were tier 4 students plus dependents, 1,145 came for employment and 945 for family purposes (Home Office/RDS).

In 2009, 98,000 passengers from Turkey arrived in the UK, a decrease of almost 50% from 2006 (151,000). Of these, 27.5% visited friends and family, 27.5% came for holiday, 32.5% came for business and 13% for miscellaneous reasons. The average stay was 14 nights, Turkish visitors' spending per day is as high as spending of EU-27 visitors (£68/day); this demonstrates that they behave and spend like the average European visitor. In the same year, 1.8 million UK residents travelled to Turkey, the tenth most popular destination (ONS 2010).

Turkish asylum applications dropped from 3,990 in 2000 to 185 in 2009 (Home Office/RDS).

In 2009, 985 enforcement actions (removals and voluntary returns) were initiated (40% were asylum cases), 1.5% of the total and down from 1,730 in 2007 (*ibid*).

Demographic

- From 1950 to 2000, Turkey's population grew by 30 million to around 75 million.¹² It will continue to grow to 88–90 million around 2050 and will then probably start decreasing (Haceteppe University Institute of Population Studies 2008, OECD 2010c). By around 2025, fertility rates will have fallen to or below replacement level but because life expectancy will increase Turkey's population will continue to grow until around 2050 but will be ageing.
- Demographic developments in Turkey are uneven and the country is characterised by an East-West divide and a growing East and an ageing West. This has consequences for internal migration and East-West migration is significant. Due to the demand by ageing populations in the West for labour, internal migration will remain high and large proportions of the population growth will be absorbed internally. Ageing and demand for labour will also increase the demand for immigrant labour.
- By 2025, only eight of the 27 EU countries and 18 Eastern European and former Soviet Union countries will enjoy natural population growth, including Turkey. Thus any policy that considers replacement migration as a response to its ageing and shrinking populations will only be able to regionally draw on a small number of countries where populations are still young and growing.

¹² Rank five among the OECD countries, behind USA, Japan, Mexico and Germany.

Economy

- Over the past 30 years Turkey's economy has changed drastically. In 1970, 87% of exports were agricultural products (Krueger 1974) whereas now 51.3% of Turkish exports are intermediate goods, such as vehicle parts, and another 35.6% are consumption goods (Türkstat 2010).
- From 2000 to 2008 Turkey's GDP rose by 80% and is, for example, 50% higher than the GDP of Poland.¹³ Turkey is strongly recovering from the 2009 crisis.

In the same period foreign direct investment (FDI) has increased 10-fold.

According to latest Organisation for Economic Co-operation and Development (OECD) reports "Turkey's economic growth is likely to be among the strongest of OECD countries in 2010, supported by financial stability, international investor confidence and a dynamic business sector." GDP growth is expected at 6% and unemployment and underemployment, which had been falling since 2006, rocketed in 2009 to 14% (3.4 million) but this figure "is likely to fall markedly" (OECD 2010a, Icduygu 2010). The informal economy represents around 30% of the GDP (GIB 2008).

- So far, employment rates are low, 46% in total (men 60%, women 20%), 43% of all employment is informal (GIB 2008). "Economy fails to make satisfactory use of its labour resources. Employment in industry and services does not grow strongly enough to absorb the rapidly growing working-age population and the high rate of migration from rural areas. Consequently, the employment rate, at just above 40%, remains the lowest in the OECD area". (OECD 2010b: 8).

CONCLUSION

To sum up, migration from, to and through Turkey is more diverse than commonly assumed. Thus, Turkey is now more correctly referred to as an emigration, immigration and transit country. Net migration between Turkey and the EU is already negative and since 2009 Turkey is probably already a positive net-immigration country (CIA 2010a). There are no current signs of a migration pressure from Turkey. Simultaneously, the decrease in migration coincides with an increase in mobility/travel and one seems to replace the other. Also, internal migration opportunities make international migration almost redundant. But as long as Turkey does not grant asylum to non-Europeans transit migration of migrants and refugees will continue.

There are no strong or extended migration systems, networks or traditions that link together the UK and Turkey that would facilitate EU-accession related migration. But accession related migration from Turkey to the UK will depend on the policies of other EU member states and whether or not these admit or do not admit free travel, if other countries admit free movements fewer will chose the UK and vice versa.

Turkey's population will increase significantly though the working-age population will start to decrease around 2025. Strong economic and employment growth absorbs some but not all working-age population. Thus, at present neither natives or immigrants are absorbed by the labour markets in sufficient levels. But according to the OECD there is huge potential for economic and employment growth provided that labour, product and finance market regulations are reformed.

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March 2011

¹³ On the OECD scale Turkey ranks 26 out of 40 countries

Written evidence submitted by UK Network of Sex Work Projects

Over the past year, in meetings with approximately 40 frontline projects across the UK, none have raised concerns about trafficking for sexual exploitation from or via Turkey. An Economic and Social Research Council (ESRC) funded survey of 57 projects providing services to sex workers¹⁴ found that projects outside London and the South East had encountered relatively small numbers of migrant sex workers, and no respondents mentioned Turkey as a source or transit location.

One possible interpretation is that trafficking and undocumented migration from or via Turkey is not, in fact, a problem. (It is also possible, for example, that the organised crime networks from this area operate so efficiently that they are completely “under the radar”.)

A concern raised far more frequently is the disruptive effect of law enforcement activities (generally, but not always, police raids; generally, but not always, driven by an “anti-trafficking agenda”) in damaging trust in the authorities, including health services, and impeding projects’ efforts to find and protect victims of trafficking.

Recognition of the diverse needs of migrants in the sex industry seems to have been subsumed and sidelined by understandable but un-evidenced concerns around the proportion of victims of trafficking. UK Network of Sex Work Projects (UKNSWP) welcomed the Project Acumen report that confirmed from police data that only a small minority of people in the sex industry are trafficked and acknowledged the existence of a far larger group of migrants with diverse experiences, vulnerabilities and needs.¹⁵

If in the future we could assist in any way with requests to projects for specific information, please let us know.

We are also happy to give evidence to the Committee or meet with members if that would be useful in promoting evidence-based policy that offers realistic and effective solutions to the problems within the sex industry.

April 2011

Written evidence submitted by the Turkish Ambassador to the UK

ILLEGAL MIGRANTS APPREHENDED AT TURKEY’S SEA BORDERS (2002–10)

<i>Cities</i>	2002	2003	2004	2005	2006	2007	2008	2009	2010	Total
1 Adana	367	26	144	92	274	569	455	252	78	2,257
2 Antalya	416	344	187	35	274	289	80	71	127	1,823
3 Artvin	73	83	54	62	76	132	70	124	160	834
4 Aydin	517	753	1,045	420	889	1,290	3,693	1233	506	10,346
5 Balikesir	420	278	585	440	664	1,258	1,072	654	58	5,429
6 Bartin							18			18
7 Bursa	190	107	52	152	30	139	333	156	6	1,165
8 Çanakkale	696	346	558	805	1,052	1,209	1,503	1,275	340	7,784
9 Düzce	96	3	109	23	1	7	68	7	38	352
10 Edirne	10,056	7,208	6,525	12,993	8,778	7,518	10,298	5,811	7,605	76,792
11 Giresun	169	64	4	4	2			4	2	249
12 Hatay	761	740	691	585	835	1,210	1,281	734	531	7,368
13 Mersin	545	507	208	136	492	901	188	160	76	3,213
14 stanbul	3,423	1,970	3,443	4,036	4,630	3,864	385	393	893	23,037
15 zmir	1,961	984	2,121	4,016	3,502	3,950	3,967	2,520	542	23,563
16 Kastamonu	1	2	1	34		7		7	1	53
17 Kirklareli	309	63	209	207	235	313	121	101	58	1,616
18 Kocaeli	458	90	161	148	73	10	191	50	106	1,287
19 Mula	2,136	703	457	511	411	1,436	1,328	899	454	8,335
20 Ordu	52		11	56	1			1		121
21 Rize	93	67	12	64	10	47	29	14		336
22 Sakarya	34	111	5	117		62	120	6	2	457
23 Samsun	41	17	15	106	38	4		6	2	229
24 Sinop					58				1	59
25 Tekirda	178	150	133	136	125	322	289	134	206	1,673
26 Trabzon	174	92	113	186	92	115	52	83	74	981
27 Zonguldak	4				1	1		1		7
Total	23,170	14,708	16,843	25,364	22,543	24,653	25,541	14,696	11,866	179,384

¹⁴ Exploring diversity within the sex industry: an investigation into the structure and composition of sex markets in Britain, Jane Pitcher, Loughborough University, December 2010

¹⁵ See press release: Setting the Record, Project ACUMEN, 18 August 2010

 ILLEGAL MIGRANTS APPREHENDED AT TURKEY'S LAND BORDERS (2002–10)

<i>Cities</i>	2002	2003	2004	2005	2006	2007	2008	2009	2010	<i>Total</i>
1 Ari	2,844	720	637	881	1,831	718	1,051	440	590	9,712
2 Ardahan	4	3	15	14	45	10	4			95
3 Artvin	73	83	54	62	76	132	70	124	160	834
4 Edirne	10,056	7,208	6,525	12,993	8,778	7,518	10,298	5,811	7,605	76,792
5 Gaziantep		1	22		123	254	425	46	44	915
6 Hakkari	69	13	5	4	26	20	5	336	246	724
7 Hatay	761	740	691	585	835	1,210	1,281	734	531	7,368
8 Idir	462	246	241	260	125	50	119	1	2	1,506
9 Kars	60		11	80	138	190	5	1		485
10 Kilis	10	4	4	25	63	1	13	23	19	162
11 Kırklareli	309	63	209	207	235	313	121	101	58	1,616
12 Mardin	7		42	66	59	71	3	9	30	287
13 anliurfa	86	3	35	163	166	424	736	108	33	1,754
14 irnak	727	814	1,401	1,020	1,325	3	25	70	145	5,530
15 Van	7471	2,080	3,444	3,336	2,331	4,947	5,624	2,156	1,181	32,570
Total	22,939	11,978	13,336	19,696	16,156	15,861	19,780	9,960	10,644	140,350

 ILLEGAL MIGRANTS
 APPREHENDED IN TURKEY
 (2005–2011)

<i>Year</i>	<i>Numbers</i>
2005	57,428
2006	51,983
2007	64,290
2008	65,737
2009	34,345
2010	32,667
2011*	4,810
TOTAL	311,260

(*2011 figures as of the end of February)

 ILLEGAL MIGRATION ORGANISERS
 APPREHENDED IN TURKEY
 (2005–2011)

<i>Year</i>	<i>Numbers</i>
2005	834
2006	951
2007	1,242
2008	1,305
2009	1,027
2010	750
2011*	8
TOTAL	6,117

(*2011 figures as of the end of February)

 May 2011

Written evidence submitted by Southeast European Cooperative Initiative Centre

With reference to your letter dated 10 June 2011 related to the request for information in connection with the Committee inquiry into the implications of Turkish accession to the EU for Justice and Home Affairs area, I am pleased to provide to you with the information on the topics mentioned as of interest for you.

- Greece, as a Southeast European Cooperative Initiative (SECI) member country, participates in all operational work of the Centre. Migrant smuggling is one of the operational fields of the Centre, and several cases in this field have been subject to the joint activities coordinated by the Centre, as well as daily information exchanges among the country representatives (liaison officers) in the Centre. SECI Centre also holds periodical Task Force meetings regarding this field of criminality, human trafficking and migrant smuggling, which brings the country's operational officers and experts together, including Greek officers. The Centre also writes periodical situation reports and organized crime threat assessment reports, covering this field, migrant smuggling as well. These reports depend on the data provided by the countries including Greece.
- SECI's mandate is to provide cooperation among its member countries as well as with observer countries and international institutions. Migrant smuggling, as pointed above, is one of the fields that SECI Centre facilitates the trans-border law enforcement cooperation of the countries. The SECI mandate with migrant smuggling should be taken within the general SECI mandate towards the organized criminality in the region, as in the other fields like human trafficking, drug smuggling and so. The Centre composes a platform for its members and observers for their exchanging information and facilitating joint activities regarding all forms of organised criminality. In 2010, 127 requests sent by the countries to each other out of the total 1,154 was about migrant smuggling, in addition to 29 pieces of information initiated by countries to be exchanged out of the total 611, as well as 11 trans-border cases coordinated under the umbrella of the Centre.
- Unfortunately there are not many examples of operational cooperation between Europol and SECI Centre, including this issue also. Europol is regularly invited for Task Force meetings as well as for other meetings and workshops held by SECI Center. A high-level operational cooperation between two institutions involving such modalities as information exchange and creating joint cases is subject to a cooperation agreement which is yet to be discussed and formed.

June 2011

Written evidence submitted by Interpol

Thank you for your correspondence dated 10 June 2011 requesting information in connection with your inquiry on "the issues raised by the future Turkish accession to the European Union for the Justice and Home Affairs area".

People smuggling implies the procurement, for financial or material gain, of the illegal entry into a state of which that person is neither a citizen nor a permanent resident. Criminal networks which smuggle and traffic in human beings for financial gain increasingly control the flow of migrants across borders.

INTERPOL's unique position in the international law enforcement community enables it to assist in dismantling the criminal networks behind people smuggling. INTERPOL provides immediate operational assistance to its 188 member countries using its extensive databases, criminal intelligence resources, training and technical expertise.

INTERPOL intervenes and engages with member countries where appropriate, shifting its focus to those geographical regions where people smuggling becomes most problematic as trends change.

The Southeast European Region remains one of INTERPOL's priority areas where organized criminal networks are active in terms of people smuggling and human trafficking.

INTERPOL has had a co-operation agreement with Europol since November 2001. On this basis, close and regular co-operation is maintained at the strategic level, eg participation in and contribution to conferences and working group meetings of the other party. Moreover, such inter-agency co-operation is also pursued by both INTERPOL and Europol with other international organizations, such as the United Nations Office on Drugs and Crime (UNODC) or the International Centre for Migration Policy Development (ICMPD).

A working arrangement with FRONTEX,¹⁶ signed in May 2009, forms the basis for formal co-operation with the aim of combating illegal immigration, people smuggling and trafficking in human beings. In this framework, joint operational activity between the two organizations is achieved through the installation of INTERPOL MIND/FIND technology which enables FRONTEX officers and local border control personnel to check passengers' passports against the INTERPOL database of stolen and lost travel documents.

¹⁶ FRONTEX EU agency responsible for border security.

Europol and FRONTEX are invited to global conferences and workshops organized by INTERPOL on people smuggling and human trafficking, at which key stakeholders engage as part of a holistic strategy in combating the complex web of people smuggling/trafficking issues.

June 2011

Written evidence submitted by Europol

WORK EUROPOL IS DOING IN CONNECTION WITH THE GREEK AUTHORITIES TO TACKLE ORGANISED IMMIGRATION CRIME

WORK EUROPOL IS DOING TO TACKLE ORGANISED IMMIGRATION CRIME MORE GENERALLY THROUGHOUT EUROPE

Greece is very much at the forefront of the EU's attempts to combat facilitated illegal immigration. On the basis of its geopolitical situation Greece will continue to be a focus for the activities of people smugglers for migrants mainly from Africa and Asia. Furthermore, Greece shares land and sea borders with Turkey which is widely considered as a major transit country for illegal immigration towards the EU. Greece is not only vulnerable to land and seaborne border incursions of irregular migrants transiting Turkey but also to maritime incursions from countries in the Middle East and North Africa.

As a result, Greece is forced to bear the brunt of most of the irregular migratory pressure upon the EU and for one of the smaller EU Member States (MS) that is a heavy burden—not taking into account the current mass arrivals in Italy due to the unrest in North Africa.

Europol undertook a mission to Greece between 2 May and 10 May 2011 primarily to gain an overview and insight into the current critical situation at the EU external land border between Greece and Turkey. Secondly the intention was to assess the activities undertaken by the Greek authorities supported by Frontex in combating the irregular migration flows in the region. Thirdly, the intention was to establish a flow of intelligence from the Greek authorities and Frontex to Europol so that Europol can provide analytical and specialist support for Greece in identifying illegal immigrant smuggling networks active both inside and outside the EU.

Europol is therefore in the process of importing data from the Greek police database related to the facilitation of illegal immigration. Europol is also seeking to collect data from Frontex via the Greek Europol National Unit. This information is gathered through the informal debriefing interviews Frontex Guest Officers conduct with the migrants at the Greek reception/detention centres. In this respect it has been crucial that the team has established and maintained effective contacts with the Frontex team as well as with the Greek Intelligence component of Joint Operation Poseidon (Land) which is located at the International Coordination Centre in Alexandroupolis (near the Turkish border).

The analysis conducted by Europol seeks to detect possible criminal links; hits and cross-matches play a major role in this respect. Early reporting of hits and cross-matches also allows, in some cases, effective target selection. It is also the intention to provide the Greek authorities with intelligence concerning suspects involved in facilitation in the source and transit countries or Greece itself.

Europol is very actively engaged in the combating the facilitation of illegal immigration by organised crime groups. Europol's main operational tool in providing support for the MS is AWF Checkpoint which has been open since 2005 and there are 21 participating MS and three associate members. Checkpoint is currently made up of eight Focal Points (FP) whose focus lies on groups of suspects, specific nationalities (irregular immigrants or smugglers) or geographical area. These Focal Points are as follows:

- Organised Crime Groups (OCGs) principally engaged in smuggling Iraqi nationals. (FP Storm)
- The facilitation of illegal immigration by OCGs from or via Africa towards the EU. (FP Ebano)
- OCGs smuggling Vietnamese nationals, some linked to indoor cannabis cultivation. (FP Twister)
- OCGs involved in the facilitation of illegal immigration of Afghans and Iranians. (FP Thunder)
- OCGs principally engaged in facilitating illegal immigration from the Indian sub continent. (FP Typhoon)
- OCGs engaged in the large scale production and distribution of falsified or counterfeit travel documents. (FP Rain)
- OCGs involved in the facilitation of illegal immigration of mainly Chinese nationals. (FP Tornado)
- In addition, Europol is also involved in a Joint Investigation Team (JIT) between the UK and the Netherlands targeting OCGs principally engaged in arranging *marriages of convenience*. These marriages take place between Nigerian males and females from the former Dutch Antilles that are Dutch nationals. The marriages are undertaken to allow the Nigerians to reside in the EU and the UK in particular. (JIT Snow)

Within the framework of Europol's operational activities in the field of combating facilitated illegal immigration, Europol supports the MS by providing analysis, expert advice, hosting operational meetings, and

deploying the *Mobile Office*¹⁷ on the spot and setting up Coordination Centres on a very regular basis. So far this year (2011) Europol has supported and coordinated five major international, multilateral action days that have led to 93 arrests for facilitation of illegal immigration and related offences including the commercial production and distribution of falsified or counterfeit travel documents. These arrests have taken place across several EU MS: France, Germany, Czech Republic, the UK, Belgium, Portugal and Italy.

WORK UNDERTAKEN BY EUROPOL WITH INTERPOL IN THIS REGARD

The co-operation between our Europol and Interpol in this field is based on the operational agreement signed in 2001 and developed under different projects at different levels:

1. *Strategic*

Exchange of strategic information with Interpol is developed through our involvement in conferences, workshops and meetings related to illicit activities, including illegal immigration and people smuggling, of criminal groups in South East Europe, including Greece and Turkey. The regional focus is developed in different areas of crime as follows:

- Europol participates in SEETAC (South East European Transport Axis Cooperation) conferences where Local Education Authorities are requested to develop a common regional approach to better police organized crime activities in this region.
- Europol is involved in working group meetings organised by the Interpol BESA project which has been specifically designed for SEPCA (Southeast Europe Police Chiefs Association) countries to target organized crime in Southeast Europe and all over the world.

In this regards, Interpol provides an interesting regional overview of the situation in this region concerning various crime fields such as smuggling people, trafficking human beings and sexual exploitation but also drug trafficking and crime against property with a particular focus on Greece and Turkey.

As far as the specific focus on people smuggling and human crimes is concerned Europol takes part in the Interpol conference on people smuggling and human crimes. Furthermore, O6 participation in the Interpol International Workshop on People Smuggling from East Africa which took place in Istanbul Turkey on 30–31 March 2011 illustrated this cooperation.

2. *Operational*

Exchange of operational information with Interpol has been taking place since the association of Interpol to AWF Checkpoint on 23 September 2009. This AWF has proven to be the appropriate platform for the joint efforts of both organisations in this field.

Finally, it is worth mentioning that Interpol has developed close co-operation with Frontex in relation to organised immigration crime.

June 2011

¹⁷ Mobile office is a movable secure external access to Europol's databases.

ISBN 978-0-215-56114-5



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