

ESI newsletter 7/2016
11 October 2016

Fire in the Aegean – Scenario of failure – How to succeed



Fire in Lesbos (19 September) – Dr. Pangloss

Dear friends,

This weekend ESI published an update on the state of implementation of the EU-Turkey agreement on refugees in the Aegean: what has worked, what has failed, and what is to be done:

Pangloss in Brussels How (not) to implement the Aegean Agreement

What has worked so far

The EU-Turkey agreement was concluded six months ago, on 18 March 2016. It had a dramatic and immediate impact on refugee movements in the Eastern Mediterranean.

Crossings in the Aegean Sea fell from 115,000 in the first two months of the year to 3,300 in June and July. The number of people who drowned in the Aegean fell from 366 people in the first three months of the year to seven in the three months from May to July. This was achieved without diverting refugees to take alternative, more dangerous routes. There have been no mass expulsions either; in fact, more people had been sent back from Greece to Turkey in the three months *preceding* the agreement than in the six months since it was

concluded. This impact stands in a sharp contrast to the situation in the Central Mediterranean.



In the absence of a European strategy – Central Mediterranean

Crossings by sea: April-Aug. 2015 and April-Aug. 2016

Route	2015 (Apr-Aug)	2016 (Apr-Aug)
Eastern Mediterranean to Greece	225,505	12,219
Central Mediterranean to Italy	105,984	96,005

What failure looks like ...

So all is well? Alas, no. Six months old, the agreement may be about to collapse because of inadequate implementation and lack of the right focus, with highly detrimental consequences for Greece, the Balkans, the EU as a whole and the UN Refugee Convention.

Between April and September, 15,372 people arrived on the **Greek Aegean islands**, while 578 were returned to **Turkey**. Compared to arrivals, the number of returns is minimal.

For more see tables below

This is fuelling tensions. On 19 September, there was a fire in the seriously overcrowded Moria camp in Lesbos. The week before, there were demonstrations in the island's main town, Mytilene. There have been many protests on all islands, including large demonstrations on Chios. This situation has prompted the Greek government to consider moving a large number of people from the Aegean islands to the mainland or to other islands, such as Crete. Such a step would be **like pulling a key building block out of a Jenga tower**, risking the whole tower to collapse.

What happens if the agreement fails? Here is a realistic scenario. The Greek authorities, under pressure and without an answer for islanders who fear that Lesbos and Chios are turning into a European Nauru (the Pacific island where Australia sends people who arrive by boat) move ever larger numbers of people from the Aegean islands to the mainland. This leads to steadily rising numbers of people crossing the Aegean, as it becomes clear that very few people are

going to be returned to Turkey. Smugglers, fully aware that their business model depends on large numbers crossing daily, further lower the price to entice more people to get on boats. Once more people are moved to the Greek mainland, the humanitarian situation for refugees there deteriorates further.

The Turkish authorities, frustrated by what they see as an EU failure, blame the EU for increasing the pressure on its coast guard. European institutions and other governments in turn blame Greece. Calls by populist leaders in the rest of the EU to build a stronger wall north of Greece redouble. Under such conditions the pressure on Greece's northern border increases dramatically. Already now, the number one topic of conversation among migrants stranded on the Greek mainland is the cost of getting smuggled across the Balkan route, either via Macedonia or Bulgaria. It is hard to imagine Greece making a major effort to stop people from leaving the country if its government and people feel that they are left alone by the EU. The weak Macedonian reception and asylum system collapses within weeks as more people cross the border. Serbia faces a similar crisis.

As winter sets in, the Western Balkans turn into a battleground for migrants, smugglers, border guards, soldiers and **vigilante groups**, destabilising an already fragile region. And ever larger numbers begin to arrive again in Central Europe.

Such a scenario would be a devastating blow to those leaders in Europe who argued that it is possible to have a humane and effective EU policy on border management while respecting the refugee convention. Against the background of a dramatic humanitarian situation in Syria – with events in Aleppo requiring more, not less, support to Syrians trying to escape the hell of their country – a debate in the EU on the future of asylum, dominated by anti-refugee political parties, would be a disaster. It would also be a huge blow to already tense EU-Turkish relations.

For UNHCR this would also be a moment of existential crisis. 2017 could become the year in which the promises of the 1951 Refugee Convention drown in the waters of the Mediterranean. Given how much is at stake in the Aegean today, for the EU, Greece and Turkey, for the refugee convention and the prospects of a humane policy on borders, for refugees and EU citizens, every effort should be made to avoid such a turn of events.

... and how to succeed – four measures

Greece, Turkey, the EU, UNHCR, NATO, the Western Balkan states, indeed all countries of transit and arrival, have an interest in the success of this agreement. What is missing is not a shared interest in success, but the right implementation strategy.

ESI has made a number of concrete proposals in recent months. These address the situation in Greece, in Turkey and the overall management of and communication about the agreement.

1. EU Asylum Missions

The EU and Greece create conditions that would allow sending a European asylum mission of case workers, interpreters and support staff to Greece, including at least 200 case workers that can take binding decisions on asylum claims.

The principle is clear: in times of crisis, only a concentration of case workers, interpreters and reception officers are able to ensure quality standards for assessing protection requests, while addressing them speedily. No national asylum system can do this on its own. It would be unfair to blame Greece for being unable to deal rapidly with asylum requests of the tens of thousands of people it currently hosts; it would be unreasonable for Greece not to ask for **more help than has been provided so far**.

One argument against such a mission which ESI heard in recent months has been concern about sovereignty. This concern can be addressed in the following manner:

- EU Asylum Missions (EUAM) operate in a country at that country's invitation, for a specific period of time.
- Every asylum claimant who is *granted protection by an EUAM would be relocated* to an EU country. In this way Dutch or Swedish case workers do not decide who is to remain in Greece.
- There is a national sovereignty clause: a chief legal officer in any EUAM is from the host country (Greece, Italy) and can *veto any decision which refuses to grant protection* to somebody. In this case that applicant remains in the host country.

2. Relocation through EU Missions

In 2017 the mandatory EU-wide relocation schemes could be linked to the work of such EU asylum missions in Greece and Italy. At the same time the EU would declare a cap for all annual relocations. In case of a 40,000 cap for relocation per year, and using the relocation quotas established in summer 2015, Hungary would have to accept at most 800 people a year; Poland less than 2,700 people. This small number is a concrete expression of EU solidarity and the entry ticket for continued Schengen participation. Beyond this, the Commission forgoes more ambitious mandatory relocation plans. Relocation cannot substitute for an effective border management strategy; but embedded in a credible strategy, and assuming effective implementation of the EU-Turkey agreement, an annual relocation ceiling of 40,000 would be realistic.

Today the EU has the worst of all worlds: high relocation *targets* (160,000 since last autumn) and low relocations *in reality* (less than 6,000 so far from Greece and Italy). This policy is both ineffective and an easy target for critics around Europe.

3. Turkey as a safe country – verification

The Commission should address substantive concerns raised by the Greek asylum service concerning Turkey as a safe country. These concerns can be addressed by Turkey. Turkey, in cooperation with the EU, UNHCR or an independent Ombudsperson for the EU-Turkey agreement, should set up a credible verification mechanism and make transparent what is happening to every person returned from Greece, and how it intends to follow up on this. EU leaders in turn should confirm that this becomes *the* key condition for visa liberalisation *before the end of the year*.

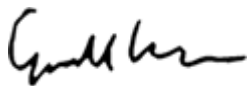
It is a matter of political will and management for the EU, Greece and Turkey to be able to deal with the few thousand asylum seekers now on the Aegean islands in line with international norms and EU directives, and to implement the Aegean agreement.

4. EU Special Representative

The EU should immediately appoint a (senior) special representative for the implementation of the EU Turkey agreement – a former prime minister or former foreign minister, with the experience and authority to address urgent implementation issues on the ground. A central responsibility of this Special Representative would be to communicate clearly and constantly with different audiences: citizens on Greek islands and the Turkish public, media, human rights organisations and governments.

For the Turkish government the stakes are high. A collapse of the Aegean agreement would be terrible for relations with the EU. Ankara does not want to fight smugglers in a fruitless battle along its Aegean coast. Nobody wants to see more dead children wash up on its shores. Turkey has a strong national interest in stopping anti-refugee, anti-Muslim parties from getting even stronger IN the elections that will be held in key EU member states in 2017. And given the terrible situation in Aleppo, Turkey and the EU should discuss how to help more people escape from Syria. For this, a success of this agreement – and the start of substantial resettlement from Turkey – is crucial.

Many best regards,



Gerald Knaus

Three tables: what is going wrong

The following tables make obvious what is going wrong. The first shows average daily arrivals on five Aegean islands:

Daily Arrivals from Turkey in 2016

Date	Daily Greek islands
Daily average January	1,932
Daily average February	1,904
Daily average 1-20 March	1,148
Daily average 21-31 March	333
Daily average April	114
Daily average May	47
Daily average June	50
Daily average July	60
Daily average August	111
Daily average Sept.	103

The second table looks at capacities to receive migrants and asylum seekers on five Aegean islands:

Capacity and occupancy on five Greek islands, 3 October 2016

Island	People	Capacity
Lesvos	5,966	3,500
Chios	3,884	1,100
Kos	1,858	1,000
Samos	1,624	850
Leros	731	1,000
Total	14,063	7,450

The third table shows the number of people returned to Turkey since early April:

Number of people returned from Greece to Turkey until 7 October 2016

Date	Transfers
April	386
May	55
June	27
August	16
September	94
October (until 6)	65
Total	643

Further reading

- Rumeli Observer: *Blind in den Sturm – wie die Europäische Kommission in Griechenland versagt* (27 September 2016)
- ESI newsletter, "*Sailing in the dark – 300 with a mission – Visa, terror and the Aegean refugee agreement*" (19 May 2016)

ESI outreach and presentations

Recent presentations around Europe:

- Berlin – ESI presentations on refugee policy and EU-Turkey relations (6 October 2016)
- Warsaw – ESI video address on freedom of movement at OSCE Human Dimension Implementation Meeting (27 September 2016)
- Vienna – Meetings and presentations on the implementation of the EU-Turkey Agreement (22 September 2016)
- Athens – ESI presentation at ELIAMEP: The EU, asylum, and borders after Brexit (21 September 2016)
- Stockholm – Meetings and presentations on EU enlargement and the Turkey-EU migration agreement (14 September 2016)

- [Amsterdam/The Hague – ESI meetings and presentations on the current state of the implementation of the EU-Turkey Agreement \(7 September 2016\)](#) – joint event with Amnesty International

Media reactions and interviews

Die Welt, Manuel Bewarder and Marcel Leubecher, "[Vater des Flüchtlingsdeals warnt vor dem Kollaps](#)" ("The refugee deal's father warns of its collapse") (30 September 2016)

Huffington Post, "[Der Mann, der Merkels Türkei-Deal entwarf, warnt vor einem Anstieg der Flüchtlingszahlen](#)" ("The man who designed Merkel's Turkey deal warns of rising numbers of refugees") (30 September 2016)

Elsevier, Elif Isitman, "[Architect migratiedeal waarschuwt: akkoord staat op klappen](#)" ("The architect of the migration deal warns' agreement is about to collapse") (30 September 2016)

Express, Zoie O'Brien, "[EU-Turkey migrant deal is 'close to COLLAPSE' - despite Brussels saying it's a success](#)" (30 September 2016)

Kathimerini, Eurydice Bersi, "[EU-Turkey refugee pact looks increasingly like a Jenga tower, ESI chief says](#)" (29 September 2016)

NRC Handelsblad, Stéphane Alonso, "[Falen van deal met Turkije is geen optie](#)" ("A failure of the EU-Turkey deal is not an option") (27 September 2016)

De Redactie (Belgian TV), "[50.000 vluchtelingen in Griekenland zijn ten einde raad](#)" - interview with Gerald Knaus - ("50,000 refugees in Greece are desperate") (22 September 2016)

The Washington Post, James McAuley, "[Migrant flows to Europe continue as U.N. convenes summit in New York](#)" (17 September 2016)

Foreign Policy, Sumi Somaskanda, "[Can This Man Save The Europe-Turkey Migrant Deal?](#)" (9 September 2016)

The Guardian, Patrick Kingsley, "[The death of Alan Kurdi: one year on, compassion towards refugees fades](#)" - Also available in Italian: [Un anno dopo la morte di Alan Kurdi, la compassione verso i profughi inizia a scemare](#) and in Chinese: [敘利亞 3 歲難民溺斃周年 歐盟多國憐憫心急凍](#) - (2 September 2016)

Nieuwsuur, "[Bedenker Turkijedeal vindt uitwerking een schande](#)" - interview with Gerald Knaus - ("The architect of the Turkey deal considers its effects a disgrace") (1 September 2016)

Cicero, "[Wir dürfen den Flüchtlingsdeal nicht aufs Spiel setzen](#)" - interview with Gerald Knaus - ("We must not jeopardise the refugee deal") (28 August 2016)

Focus, "Was passiert, wenn der Flüchtlingsdeal platzt?" ("What if the refugee deal fails?") (16 August 2016)

WirtschaftsWoche, Marc Etzold, "Wenn der Türkei-Deal scheitert. Plan B für die Flüchtlingskrise" ("If the refugee deal fails. Plan B for the refugee crisis") (5 August 2016)

Tagesschau, Judith Pape, "Was, wenn der Flüchtlingspakt scheitert?" ("What if the refugee agreement fails?") (2 August 2016)

Süddeutsche Zeitung, Thomas Kirchner, "Lässt die EU Griechenland im Stich?" ("Is the EU failing Greece?") (2 August 2016)

Die Zeit, Lenz Jacobsen, "Plan B wäre viel schlimmer" ("Plan B would be much worse") (1 August 2016)

B5 aktuell, "Politik und Hintergrund" - radio interview with Gerald Knaus on EU-Turkey relations, from 31m31s - ("Political background") (24 July 2016)

Avgi, "Ορμπαν ή η συμφωνία Ε.Ε." ("Orban or EU-Turkey agreement") (23 July 2016)

La Croix, Marianne Meunier, "UE-Turquie: l'accord sur les migrants menacé" ("EU Turkey agreement on migrants under threat") (20 July 2016)

Die Zeit, Mariam Lau, "Dieser Mann hat für Angela Merkel den Flüchtlingsdeal erfunden. Nun will er die Katastrophe verhindern" ("This man has invented the refugee deal for Angela Merkel. Now he wants to prevent a catastrophe") (23 June 2016)

The Times, Madeleine Albright, "The migrant catastrophe is America's problem too" (3 June 2016)

Le Monde, Hubert Védrine, Madeleine Albright, and George Papandréou, "Crise des migrants : « Aucun échec n'est permis »" ("Refugee crisis: failure is not an option") (29 May 2016)