



# Vision Europe Summit

## From Conflict to Equilibrium: The Construction of a Common Ground for Social and Political Consensus on Migration

**Yves Pascouau**

Director of Migration and Mobility Policies at the European Policy Centre (Brussels)  
Senior Research Fellow at the Jacques Delors Institute (Paris)  
Editor of the website [www.europeanmigrationlaw.eu](http://www.europeanmigrationlaw.eu)



## Vision Europe Summit

# From Conflict to Equilibrium: The Construction of a Common Ground for Social and Political Consensus on Migration

### Contact

Yves Pascouau  
Director of Migration and Mobility Policies  
Head of Programme "Migration and Diversity"  
European Policy Centre  
Rue de Trône 14-16  
B-1000 Brussels  
[y.pascouau@epc.eu](mailto:y.pascouau@epc.eu)  
<http://www.epc.eu>

Senior Research Fellow  
at the Jacques Delors Institute, Paris

Editor of the website  
<http://www.europeanmigrationlaw.eu>  
[contact@europeanmigrationlaw.eu](mailto:contact@europeanmigrationlaw.eu)

Katharina Bilaine  
Project Manager  
International Forums and Trends  
Bertelsmann Stiftung  
+49-5241-81-81485  
[katharina.bilaine@bertelsmann-stiftung.de](mailto:katharina.bilaine@bertelsmann-stiftung.de)  
<http://www.bertelsmann-stiftung.de>



# Contents

<b>Executive Summary</b> .....	<b>2</b>
<b>1 Introduction</b> .....	<b>3</b>
<b>2 A Situation of Growing Conflicts</b> .....	<b>3</b>
2.1 Growing Conflicts Between Member States .....	3
2.2 From a Citizen's Perspective: Increasing Distances .....	5
2.3 Questioning the Role of Media .....	5
<b>3 Finding Common Grounds for Consensus</b> .....	<b>7</b>
3.1 Delivering on Commitments as a Key Political Priority for Rebuilding Trust... 7	
3.1.1 Member States .....	7
3.1.2 Member States and the EU Institutions .....	9
3.1.3 EU Institutions .....	9
3.1.4 Media .....	10
3.2 Getting Prepared for the Future .....	11
3.2.1 The Immediate Future .....	11
3.2.2 Missing Long-Term Strategy .....	12
<b>4 Conclusion</b> .....	<b>13</b>
<b>About the Author</b> .....	<b>15</b>
<b>References</b> .....	<b>16</b>



### Executive Summary

Over the last decade and more particularly the last couple of months, the EU has faced the development of increasing conflicts on migration related issues. The situation has raised such a level of struggles that bringing back equilibrium in such a conflicting environment will be a hard task for all players and at all stages. However, if EU leaders are unable to take the appropriate political decisions and actions, the EU integration process will simply be at risk.

In its first part, the paper tries to sketch the picture of the breadth of creeping conflicts currently taking place within the EU. While current tensions occurring at political level highlight the existence of conflicts between the EU member states, another conflict – more worrying – is taking place and concerns the widening distance or distrust between citizens and the EU project. In this situation of developing conflicts, the role of the media deserves also to be questioned.

On this basis, the second part of the paper argues there is still space to regain consensus and bring back the EU as a source of prosperity rather than a nest of problems. However, the paper takes the view that a European Council/“top-down” type of approach cannot suffice and will not work out. It is necessary to relaunch a pedagogical approach so as to rebuilt citizens’ understanding and trust in the EU’s actions and project. This implies two sets of actions:

- In the short run, all players at EU and national levels have to deliver on their promises to show that decisions taken are implemented and produce effects.
- In the medium run, the same players have to kick-start a strategic process to understand, prepare and adopt appropriate answers to the migration phenomenon for the long-term future.



# 1 Introduction

Over the last decade and more particularly the last couple of months, the EU has faced the development of increasing conflicts on migration related issues. The situation has raised such a level of struggles that bringing back equilibrium in such a conflicting environment will be a hard task for all players and at all stages.

It will also impact the future of the EU's integration process. Indeed, and to put it in simple terms, if EU leaders are unable to take the appropriate political decisions and actions, the EU integration process will simply be at risk.

Putting into motion the right political options requires having a picture of the breadth of creeping conflicts currently taking place (2). While ever larger in scope, conflicts can nevertheless be addressed if common grounds for consensus are defined and actions put in place (3).

## 2 A Situation of Growing Conflicts

The EU has faced many challenges and conflicts since its inception. However, the level of conflicts and also distrust deriving, in particular but not only, from the migration phenomenon is particularly high. While it concerns first of all EU member states (2.1) it touches upon citizens (2.2) to the extent that the role of the media is put into question (2.3).

### 2.1 Growing Conflicts Between Member States

Since the entry into force of the Amsterdam Treaty, migration and asylum related issues have always been key subjects discussed at the EU level. From Tampere to the strategic guidelines adopted in June 2014 and the Lisbon Treaty, these issues have rarely left the top of the political agenda. Because of the sovereign dimension of the issue but also because of the fact that they regularly appear on newspapers headlines.

However, the current migration situation and discussions have a different tune for two main reasons. First, the magnitude of migration flows arriving in the EU has reached an unprecedented peak. With more than 1 million people entering the EU in 2015, the phenomenon has been considered and qualified as a "crisis". Secondly, this "crisis" comes in addition to previous serious ones which remain for many unanswered.

The Euro and the Greek crisis have polarised debates since 2008 without leading to a clear solution in particular in the Greek case. The "Arab Spring" has transformed EU's immediate neighbourhood and brought a high level of instability all across the Southern region. The Syrian conflict is still unresolved. The situation in Ukraine is all but stabilised and no solution is expected in the short run. Last but not least, the decision of British citizens to leave the EU has added another unprecedented disruption whose effects remain all but settled.



## Vision Europe Summit

While this situation of “polycrisis”<sup>1</sup> puts enormous pressure on leaders, it is accompanied by various and unprecedented divisions between EU states. Where the Euro crisis has created the conditions of an opposition between Northern and Southern EU states regarding solutions to implement, the migration “crisis” has led to a division between the Western and the Eastern EU states.

Nonetheless, divisions regarding the migration issue are more profound than in previous crises. They oppose states on the principles and values and on solutions to address life and death of human beings fleeing war zones and persecutions. Where some states, and more particularly Germany, have shown great commitment in offering unconditional protection to Syrians and other refugees, others, like the Visegrád countries, have shown reluctance to welcome refugees and asylum seekers.

Such reluctance and divergences have been particularly salient regarding the relocation mechanism. Aimed at helping Greece and Italy, which are struggling with the arrival of large numbers of people on their shores, the adoption and implementation of this mechanism have been highly difficult. Due to extreme tensions and divisions between the states regarding the relocation mechanism, the Luxembourgish Presidency of the Council decided to ask for a formal vote in the September 2015 Justice and Home Affairs Council. While three states voted against – Hungary, Slovakia and Romania – the relocation mechanism got the majority for its adoption. However, Hungary and Slovakia went further and introduced an action for annulment against the Council's Decision<sup>2</sup> and decided not to apply it.<sup>3</sup> In addition, Hungary convened in October 2016 a referendum on this issue.

This strong opposition between states has reached a new and unprecedented stage when Luxembourg's Foreign Minister, Jean Asselborn, said Hungary has treated refugees almost like “wild animals” and should be kicked out of the EU over its stance on the refugee crisis (Kroet, 2016).<sup>4</sup> While divergences are part of the EU negotiation process, the magnitude of current oppositions has reached such a level that makes it extremely difficult to find consensus in many migration related topics.

This is portrayed in the Bratislava declaration adopted by the European Council in September 2016. Participants agreed on actions related to border management and return but failed to find consensus regarding long-term migration policy and on the application of the principles of responsibility and solidarity.

These divisions touch upon core commitments to the EU, i.e. values, and concern fundamental questions regarding EU member states' moral, political and legal obligations towards people fleeing for their lives. As long as divisions will concern this specific but crucial point, finding common solutions to address the migration crisis will remain difficult.

---

<sup>1</sup> As qualified by the European Commission's President Jean-Claude Juncker.

<sup>2</sup> Slovak Republic v Council of the European Union, Case C-643/15; Hungary v Council of the European Union, Case C-647/15.

<sup>3</sup> On 13 September 2016, Hungary did not relocate any asylum seeker while Slovakia relocated only 3 asylum seekers from Greece. See: [http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/press-material/docs/state\\_of\\_play\\_-\\_relocation\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/press-material/docs/state_of_play_-_relocation_en.pdf).

<sup>4</sup> See: Luxembourg foreign minister: Hungary should leave EU. POLITICO. Retrieved from: <http://www.politico.eu/article/luxembourg-foreign-minister-jean-asselborn-hungary-should-leave-eu/>.



### 2.2 From a Citizen's Perspective: Increasing Distances

Alongside political quarrels and divisions between states, another source of concern derives from the growing distance taking place between the EU's project and citizen's support to the project. Such distance should be addressed and reduced, as it is a central component of current and forthcoming decisions to take.

First of all, and in the specific field of migration, citizens' perception of the migration phenomenon is not grounded in reality. Citizens tend to overestimate the real numbers of migrants residing in their state.<sup>5</sup> Such misperception is critical as it impedes in practice the development and the implementation of a public policy on migration based on real perceptions.

In addition, the difficulty to find appropriate solutions between states has a strong impact on people's perception. Because citizens think EU states are not able to manage the situation, the migration phenomenon is increasingly perceived as a threat.<sup>6</sup> This perception also creates disappointment regarding the capacity of the EU to act and undermines the whole EU integration process.

As rightly underlined by Janis Emmanouilidis "A growing number of people have turned their backs on Europe in recent years because of dissatisfaction with the current state of the Union. Although many citizens continue to support the basic notion of European integration, there is a widespread perception that the EU as it stands is less and less able to cope with the immediate problems they are facing. Many dispute the notion that European cooperation is still a 'win-win' for all its members and citizens. Instead, there are growing doubts not only among the public but increasingly also among political, economic and intellectual elites about the EU's added value" (2015, p. 10).

In the end, citizens feel ever more distant from the EU as they feel it is not able to provide policy responses to their current needs and fears. Whether true or not, this growing distance increases distrust towards EU institutions and trust in national institutions. All this playing in favour of populist and anti-EU political parties as successive elections illustrate.

### 2.3 Questioning the Role of Media

Misperceptions in people's understanding of the current migration phenomenon may also be attributed to the media. This leads to the question as to whether media are playing properly their role. Without entering into a deep and complex analysis about the role of media in shaping people's perceptions, few elements deserve nevertheless to be pointed out.

---

<sup>5</sup> "For instance, British respondents, on average, estimated a foreign-born population of 31.8%, while just 11.3% of the population is actually foreign born. This was consistent with findings in previous years" (Caponio & Cappiali, 2016, p. 11).

<sup>6</sup> According to a recent poll, 61% of citizens tend to agree that "there are terrorists pretending to be refugees who will enter my country to cause violence and destruction" (Ipsos, 2016). See: <https://www.ipsos-mori.com/Assets/Docs/Polls/ipsos-global-advisor-immigration-and-refugees-2016-charts.pdf>.



## Vision Europe Summit

It is clear that the situation in Europe's neighbourhood and at its borders is all but simple and has become even more difficult to grasp from a geopolitical point of view. The different and changing roles played by Russia and Turkey at different levels are an example of this difficulty. However, it is the duty of the Media to give citizens the information key to understand the ins and outs.

While this is a task media will now have to perform, previous actions have not created the necessary conditions for the establishment of an informed public debate. First of all, there has not been any clear *modus operandi* among media to systematically differentiate between migrants, asylum seekers and refugees. Each of these people fall into different legal categories and may have a right to migrate or not. Some are protected by international and human rights rules – like refugees and family members – others are not – like so-called “economic migrants”. If refugees or asylum seekers are migrants because they cross a border, all migrants are not refugees or asylum seekers. Hence, portraying people under the generic term of “migrants”, as it has been the case in many media, is misleading.

The UNHCR has shown that a large majority of people arriving at Europe's borders in 2015 were coming from countries where they were at risk of being persecuted.<sup>7</sup> EU states had the duty under international and EU law to process their asylum applications and to grant a refugee status where the examination led to consider them as beneficiaries of international protection.

Secondly, the migration phenomenon has also been overly represented, or misrepresented, by the use of ever-bigger figures about migrants arriving on Europe's shores, asylum seekers, people intercepted or even dead at sea. While these figures are necessary to portray trends, they have three limits. First, used on a continual and evolving basis, it has become extremely difficult to keep track and distinguish between irregular migrants, asylum seekers, refugees, etc. Second, big or even “record” numbers increase the “fear factor” of mass movement and support the assumption that the issue is unsolvable. Third, such figures dilute individual stories in a global phenomenon instead of putting a face on a phenomenon, which is per nature an individual decision and project.

Thirdly, on seldom occasion media coverage has played a positive role in public perception of the phenomenon. But this more human approach did not last. The example of the picture of the poor three-year-old boy lying dead on a beach is significant in this regard. While it has created a “shock” in people's mind, this shock did not last and did not create the conditions for a significant political change regarding common approaches and common solutions to opt for.

Finally, as noted by T. Caponio and T. M. Cappiali, mainstream European media have over the past two decades had “the tendency to produce a narrative that associates immigration with negative threats, such as illegality, crisis, crime, etc. (...) in recent years, a greater coverage of Islamic terrorism and an association between Europeans of Muslim origin and terrorism can be observed.

---

<sup>7</sup> “In 2015, an increasing number of people risked their lives to cross the Mediterranean Sea in search of safety and protection. More than 1 million people arrived in Europe by boat during the year, with 84% from the world's top 10 refugee-producing countries, including the Syrian Arab Republic, Afghanistan, and Iraq in the top three” (UNHCR, 2015). See: <http://www.unhcr.org/statistics/unhcr-stats/576408cd7/unhcr-global-trends-2015.html>.



For this reason, media are often believed to be “an additional factor” in shaping hostile public attitudes and in producing negative narratives that construct immigrants as ‘threats’ to receiving societies (Caponio & Cappiali, 2016, p. 18). While media coverage differs from country to country and adapts to positive or negative political environment towards migrants and migration, the role of the media remains key in shaping public perceptions and creating the conditions of a political change supported by citizens.

Considering the current situation, it is obvious that the EU and its member states face a great deal of conflicts. As already said, these conflicts make it very difficult to define, adopt and implement common solutions to address current crises among which the migration crisis is of great concern. While the “polycrisis” situation may lead some to consider that the EU is in a deadlock, it is still possible to break it down. To do so, leaders, citizens and media have the duty to restore trust and the conditions for common solutions to be founded.

### **3 Finding Common Grounds for Consensus**

Despite the magnitude of the crisis and its exploitation by anti-migrant and anti-EU advocates, including some EU leaders, there is still space to regain consensus and bring back the EU as a source of prosperity rather than a nest of problems. However, such consensus should be backed up by citizens. A European Council/“top-down” type of approach cannot suffice and will not work out since citizens and media do not read the European Council’s statements and conclusions. It is necessary to relaunch a pedagogical approach so as to rebuilt citizens’ understanding and trust in the EU’s actions and project. This implies two set actions. In the short run, all players at EU and national levels have to deliver on their promises to show that decisions taken are implemented and produce effects (3.1). In the medium run, the same players have to kick-start a strategic process to understand, prepare and adopt appropriate answers to the migration phenomenon for the long-term future (3.2).

#### **3.1 Delivering on Commitments as a Key Political Priority for Rebuilding Trust**

If stakeholders wish to rebuild trust among states and citizens, it is no longer possible to agree on actions and fail to implement them. This concerns not only member states but also EU institutions. The role of the media is in this domain also key.

##### **3.1.1 Member States**

From the member states’ perspectives, failing to implement EU rules is not new. The failure of Greece and Italy to fully implement EU rules at the external borders has been recorded for a long time by the Commission. Faced with increasing difficulties since 2015, these two states have accepted to play their role, i.e. registering and identifying people, as a counterpart to increased financial and operational support provided by the EU and other member states.



However, lack of commitment does not only come from the “usual suspects”. As part of the response to the crisis, the Council has decided to set up hotspots in Italy and Greece to help “frontline” states to register, identify and process people arriving on their shores. Established as a solidarity mechanism, hotspots cannot only function with national (Greek or Italian) or European staff. Other EU states are requested to send experts and officials as well as material to run the hotspots. But here, member states fall short, as national officials are not deployed at the level expected.<sup>8</sup>

As a consequence, objectives heralded in 2015 to relocate 160,000 asylum seekers over two years are not met. On 2 September 2016, one year after the process had started, 1,020 persons out of 39,600 have been relocated from Italy and 3,493 out of 66,400 from Greece, respectively 2.5% and 5% of those initial goals. The process is a failure and its political impact from a citizen’s perspective is dreadful; the EU and member states are not able to deliver.

Alongside this collective lack of commitment, Hungary and Slovakia went a step further. For political reasons, they simply rejected the EU mandatory relocation mechanism and used all tools at their disposal to jeopardize its implementation. First, they introduced an action for annulment of the Decision before the Court of Justice. Second, they refused to put the EU Decision into effect opening therefore the door for a violation of EU law. Finally, the Hungarian Prime Minister decided to challenge the EU Decision via a national procedure by convening a referendum on the issue on 2 October 2016.

From a citizen’s perspective, such behaviours are detrimental. They promote the idea that it is possible to reject of EU rules and principles just because states disagree. The rule of law enshrined as a principle of EU membership becomes therefore irrelevant as well as the whole EU project.

Delivering in this case implies a strong commitment from states and institutions to convince, via dialogue, or even force, via the use of legal and financial sanctions, reluctant partners to implement EU rules. While President Juncker’s State of the Union address in September 2016 doesn’t seem to go down that route regarding the principle of solidarity.<sup>9</sup> Some leaders have nevertheless raised their voice like Jean Asselborn, as mentioned earlier.

---

<sup>8</sup> As an example, among 400 interpreters requested on Greek hotspots, only 70 have been deployed beginning of September 2016. The same applies to asylum officials, 475 were requested and only 94 deployed.

<sup>9</sup> President Juncker declared that, “(...) when it comes to managing the refugee crisis, we have started to see solidarity. I am convinced much more solidarity is needed. But I also know that solidarity must be given voluntarily. It must come from the heart. It cannot be forced”. State of the Union Address 2016, “Towards a better Europe – A Europe that protects, empowers and defends”, Authorised version published by the European Commission, p. 16.



### 3.1.2 Member States and the EU Institutions

Border management has received increased attention and support over the recent period with the creation of the European Border and Coast Guard<sup>10</sup> and ongoing negotiations on new operational tools<sup>11</sup> to improve operational management of the external borders. In times of security related fears, fuelled by a series of terrorist attacks perpetrated on European soil, enhancing security at EU's borders can be seen as a positive development for citizens.

Alongside border management policies, the EU and member states have also put actions into place to close migratory routes in the Balkans and more controversially between Turkey and Greece. They have proven to be effective as their goal, decreasing numbers of arrivals, seems to have been achieved for the time being. From a citizen's perspective, EU institutions and states do deliver and demonstrate that common action can bring added value to the management of the external borders of the EU.

There is one domain however where the EU and member states can do better: return of migrants in an irregular situation. This paper does not aim at discussing the morality and merit of returning people. It seeks to locate this issue in its political dimension where return policy is considered as part of the whole migration policy spectrum.<sup>12</sup> And from a policy or efficiency angle, this domain does not meet the expectations, as – according to the Commission – “in 2014 less than 40% of the irregular migrants that were ordered to leave the EU departed effectively” (European Commission, 2015b).

If decision-makers wish to maintain or restore trust, it is necessary to ensure a greater rate of returns, whether voluntary or forced. This is a question of political accountability towards citizens and of mutual confidence between member states. Returning migrants not authorized to enter or to stay in the EU is a politically sensitive issue, which requires states and the EU to establish the right and difficult equilibrium between attaining political objectives and efficiency and safe-guarding human rights commitments and obligations. The question is not one-sided and is a difficult one due to its high political impact in terms of mutual trust and confidence in (future) common actions.

### 3.1.3 EU Institutions

EU institutions have also their role to play in restoring trust and “order” in the current situation. While this entails acting at EU legislative level, delivering calls primarily for immediate action. Here, the Commission and European agencies can contribute to achieve the expected results. European agencies established in immigration, asylum and security fields have a great role to play in accompa-

---

<sup>10</sup> Regulation (EU) 2016/1624 of the European Parliament and of the Council of 14 September 2016 on the European Border and Coast Guard and amending Regulation (EU) 2016/399 of the European Parliament and of the Council and repealing Regulation (EC) No 863/2007 of the European Parliament and of the Council, Council Regulation (EC) No 2007/2004 and Council Decision 2005/267/ EC, OJ L 251, 16 September 2016.

<sup>11</sup> See: [http://europa.eu/rapid/press-release\\_IP-16-3003\\_en.htm](http://europa.eu/rapid/press-release_IP-16-3003_en.htm).

<sup>12</sup> “Return of irregular migrants who do not have a right to stay in the EU to their home countries, in full respect of the principle of non-refoulement, is an essential part of EU's comprehensive efforts to address migration and in particular to reduce irregular migration” (European Commission, 2015b).



nying states in the immediate implementation of EU rules and in the coordination of their actions on the ground.

The role of the Commission is different and twofold. It has first and foremost the duty to perform its “treaty keeper” mission and monitor whether states implement correctly EU rules in law and practice. At present, the Commission’s action is not satisfactory. If it launched 40 infringement procedures in the field of asylum in September 2015 (European Commission, 2015a) many of these actions were of a formal nature, i.e. lack of communication of national measures to transpose EU law. Only one procedure concerned the “violation of certain provisions of the updated Reception Conditions Directive and updated Asylum Procedures Directive”. Mutual trust cannot be grounded only on communication, it implies real control.

On the legislative side, the Commission should limit its action to the immediate and necessary adaptation of the Schengen area to the migratory pressure. Linked to the asylum topic, this means that with the exception of the modification of the Dublin rules, which are closely linked to the Schengen system, other legislative proposals are not necessarily required. First, for the sake of the “better regulation principle” as asylum rules adopted between 2011 and 2013 have not produced their full effect and no evaluation on their implementation and impact has been carried out. Second, modifying EU rules regularly is the best way to make sure that practitioners will not use them and that asylum seekers’ and refugees’ rights will thus be disregarded.

Restoring trust in the system calls for the Commission to act where needed, to get its hands dirty with the task of monitoring and – where needed – to redress state actions or inactions in a politically sensitive domain. This is the dull part of the Commission’s job, compared to the “noble” one related to proposing legislation, but this is currently the one able to meet the goals and to rebuild confidence.

### **3.1.4 Media**

Appropriate media coverage should accompany political actions. The media should portray the reality of political actions and challenge states when they nationalise EU successes and Europeanise national failures.<sup>13</sup> Without sound “competence-checking”, states will continue to undermine European results and weaken citizens’ confidence in the common project. For instance, the EU is not able to set EU wide resettlement schemes because this competence remains into the states’ hands. Conversely, media should better highlight the significant humanitarian support provided by the European Union to help refugees in third countries.

In addition, an informed debate about immigration and asylum implies the accurate identification of those being discussed. Discussing refugees or (un)authorised migrants does not trigger the same legal situation and consequently legal and political responses. The media should seek for enhanced accuracy and avoid misleading shortcomings to set the debate on the appropriate basis.

---

<sup>13</sup> As underlined by President Juncker, “we have to stop with the same old story that success is national, and failure European. Or our common project will not survive”. “Towards a better Europe – A Europe that protects, empowers and defends”, Authorised version published by the European Commission, p. 19.



## Vision Europe Summit

Finally, the mainstream media should look beyond national borders and the internal political arena. Citizens have a very poor knowledge of EU players in the Commission and the European Parliament. Commissioners and MEP's are not "second class" decision-makers and should have a seat on major TV or radio shows and programmes to explain their missions and responsibilities.

All relevant players have the duty to deliver on what they agreed or what they are responsible for. This is a matter of priority to restore trust among states and citizens and confidence in the European project. These actions should then after be continued with a sound reflection on the strategy to set in motion regarding migration related issues for the future.

### **3.2 Getting Prepared for the Future**

The way states and the EU have managed the current migration situation highlights their level of unpreparedness. The possibility of tens of thousands of refugees, asylum seekers and migrants to arrive sooner or later on Europe's shores was anything but unexpected. Official reports from Frontex and UN Agencies were openly indicating it. But states have turned a blind eye to warning signs and waited for the human and humanitarian chaos to take place. Instead of preparing for the situation, they faced it in an immediate "crisis mode". Two lessons should be drawn from this regarding the immediate future (3.2.1) and in the long run (3.2.2).

#### **3.2.1 The Immediate Future**

The chaotic situation which emerged in September 2015 has revealed deep-rooted flaws in the way states deal with EU migration policy. EU states still consider that migration issues remain a sovereign issue locked into a Home affairs logic. This has two main consequences.

States are not able to look beyond the national and European borders when it comes to migration management and ignore the foreign policy dimension of migration. On the other hand, the home affairs orientation, and its sovereign dimension, leads to oversee the increasing EU dimension of the policy and more particularly its growing operationalisation regarding border and visa policies. This strong EU integration process calls to reconsider the political and financial management of the policy.

From a political and institutional point of view, this process has given more responsibility to agencies but also to the European Commission. But has the Commission the appropriate know-how to deal with operational issues since it acts mainly at a legislative level? Its lack of acquaintance regarding operational management was illustrated with the establishment of the hotspots. While the Commission has identified the number of national experts to be deployed in the hotspot, it has not planned the difficulties of such deployment from a state perspective. National administrations may have difficulties to provide for experts because they do not have them at their disposal or because experts simply refuse to perform their tasks elsewhere. Hence, managing operations is of specific nature and calls for a particular knowledge, which stays mainly in the member states' remit. The operationalisation of policies means the Commission must get familiar with this process with the support of member states.



The operationalisation of the policy entails another issue related to its strong financial impact as it requires the mobilisation of equipment and human resources on a 24/7 basis. There is a widening gap between the increasing need of financial resources to set up operational tools and mechanisms and the limited budget allocated to the EU. A thorough discussion on how to finance EU's operational tasks is therefore necessary.

### 3.2.2 Missing Long-Term Strategy

The field of EU asylum and migration policy is characterised by the quasi absence of strategic thinking. With the exception of the October 1999 Tampere conclusions, Heads of State or Government did not draw any forward-looking plan on migration related issues. Five-year plans have been the only horizon upon which leaders have been able to agree since then. Despite decreasing capability to look ahead together, as demonstrated in Bratislava in September 2016.<sup>14</sup> EU leaders should define a long-term strategy on the management of migration flows to show ownership and develop a sound and balanced public policy.

It goes without saying, but establishing a public policy calls for the identification on how the future will look. This enables decision-makers to get prepared and adopt sound, timely and appropriate measures to adapt to an environment, which in the field of immigration is likely to evolve. While pivotal, this exercise has never been launched at EU level.

None of the EU's institutions has considered relevant to shape scenarios about the long-term future of human mobility. None of the EU's institutions has gathered a group of experts in migration related or connected fields and asked them to give their projections about the evolution of the migration phenomenon in the next years and decades. None of the EU's institutions has reckoned that most probably, the way people are going to move in the next decades will be fundamentally different from the way they do today and consequently that migration management will differ from today's one. The same criticisms apply to member states' administrations.

Because states and EU bodies are locked into a five-year framework, their vision of tomorrow's human mobility is narrowed down. The June 2014 strategic guidelines had a five-year horizon and referred to instability in the world and demographic trends as part of challenges regarding migration.<sup>15</sup> While true, this approach is far too limited. Regarding the timeframe, predicting migratory movement worldwide should cover at least one generation, i.e. the next 25 years to set up several scenarios and possible responses to them.

---

<sup>14</sup> The Bratislava roadmap, adopted in September 2016, indicates that the objective is to "broaden EU consensus on long-term migration policy". See: <http://www.consilium.europa.eu/en/press/press-releases/2016/09/16-bratislava-declaration-and-roadmap/>.

<sup>15</sup> "Faced with challenges such as instability in many parts of the world as well as global and European demographic trends, the Union needs an efficient and well-managed migration, asylum and borders policy, guided by the Treaty principles of solidarity and fair sharing of responsibility, in accordance with Article 80 TFEU and its effective implementation", June 2014 European Council Conclusions concerning the area of Freedom, Security and Justice and some related horizontal issues, OJ C 240, 24 July 2014.



Regarding the content, conflicts and demography are not the only drivers of migration. In an ever globalised and connected world other factors of migration should be included in future scenarios like the increasing urbanisation of the world, the rise of the middle class, the identification of scarce resources, the scenarios of differences in energy cost, the growing impact of climate change, the creeping phenomenon of radicalisation and extremisms, the digitization of people's life etc.

All of these fields, and others, have or could have in the medium to long run a significant impact on the decision or obligation for people to move. Hence, it is of primary importance to gather experts from different disciplines and question them about future scenarios on migration over the next 5, 10, 15 and 25 years. This exercise should involve the usual suspects (migration experts, political scientists, economists, demographers, foreign policy experts, etc.) but also more unusual players including, but not limited to, urbanists, designers, philosophers as well as architects because they have a vision of tomorrow's world, in particular regarding future forms of human mobility and on how the world should adapt.

Alongside this new way of preparing for a changing future, decision-makers should improve the connection between EU policy fields having an impact on migration management. Whereas migration issues have been primarily addressed within a Home affairs framework, the current migration situation illustrates that this phenomenon involves many policies like development, foreign policy, humanitarian aid, trade, integration, etc., i.e. policies where the EU has or may have significant power. The EU should break the usual "silo approach" and connect the EU policy dots to better organise the policy response.

Migration management policy should move away from its initial "Home affairs silo" and embrace the full breadth of a phenomenon which does not start nor stop at the external border of the EU. Migration starts far beyond the EU's borders, and contains a foreign policy/external dimension, and continues for a long period into the territory of member states, and has therefore an integration dimension. The topic calls for an enhanced linkage between several policy fields and the identification of the most appropriate service to take the lead on policy orientation and coordination.

## 4 Conclusion

The "refugee/migrant" crisis reveals that more than 15 years after the entry into force of the Amsterdam Treaty and the adoption of the Tampere conclusions, EU states have not reached their goals. There is no common EU immigration and asylum policy. Immigration policy remains imbalanced with a deep focus on border management and irregular migration. Actions in the field of asylum did not lead to a common asylum procedure and a uniform status valid throughout the Union.

From a citizen's perspective, the EU's actions in the most integrated fields like border management trigger opposing views. For some, the EU is a "fortress" which has turned a blind eye to its values and human rights. For others, the EU implements an open-door policy which undermines Europe's security. In any case, people are disappointed.



## Vision Europe Summit

The migration situation should act as a wakeup call for European leaders and decision-makers to deeply rethink their actions at EU level. This entails first of all the restoration of trust in EU's actions between states and among citizens. This requires secondly the definition of long-term policy responses based on long-term scenarios involving the coordination of several EU policy fields.

Over the last 10 to 15 years, the world in and around Europe has fundamentally changed. The enlargement, the economic crisis, the geopolitical transformation of Europe's neighbourhood, the progressive withdrawal of the US from the Middle East region as well as the ever changing and difficult role played by Russia and Turkey, all these elements have put the EU in a cumbersome situation. The EU has to continue implementing its policies, which are criticised, but has also to find new models and solutions without the possibility to find consensus among EU states.

While these changes and difficulties may play as obstacles, it is of paramount importance to overcome them by putting actions into effect immediately. This is an issue for the continuation of the European project which is at stake, but moreover this is a question of life and death. As long as EU leaders will perpetuate their suicidal inwards looking strategy, children, women and men will continue dying at home, on migration trails and at Europe's doorstep. Is this really the civilisation project the founding fathers launched in the 1950's? Is this really the legacy we wish to hand to our children?



### About the Author

**Yves Pascouau** is Director of Migration and Mobility Policies at the European Policy Centre (EPC) in Brussels since 2011 and Senior Research Fellow at the Jacques Delors Institute (JDI) in Paris since 2015. He joined the EPC in 2011 as Senior Policy Analyst and Head of the European Migration and Diversity Programme. Before joining the EPC, he worked for 10 years as a Researcher at the University of Pau in France where he obtained a PhD in Law (“La politique migratoire de l’Union européenne”, LGDJ 2010). He has also been a Researcher at the Université Libre de Bruxelles, where he conducted a large-scale survey on migrants’ integration requirements. He has researched and published widely on the EU and national immigration, asylum and integration policies. He has participated in various EU projects and has also been a national expert for several networks. Alongside his positions at the EPC and the Jacques Delors Institute, Yves Pascouau has created and is the editor of a website devoted to EU immigration, asylum and freedom of movement law and policies: [www.europeanmigrationlaw.eu](http://www.europeanmigrationlaw.eu).



### References

- Caponio, T. & Cappiali, T. M. (2016). Exploring the Current Migration/Integration 'Crisis': What Bottom-up Solutions? Vision Europe Summit, Migration and the Preservation of the European Ideal. Lisbon: Calouste Gulbenkian Foundation, pp. 1-36. Retrieved from [https://gulbenkian.pt/wp-content/uploads/2016/10/ExploringtheCurrentMigration\\_IntegrationCrisis2016.pdf](https://gulbenkian.pt/wp-content/uploads/2016/10/ExploringtheCurrentMigration_IntegrationCrisis2016.pdf) (Accessed October 12, 2016).
- Emmanouilidis, J. (2015, October 19). Europe's reactive and protective muddling through: the results of a summit in fire fighting mode. Post-Summit Analysis, European Policy Centre. Retrieved from [http://aei.pitt.edu/68742/1/pub\\_6041\\_post%2Dsummit\\_analysis\\_%2D\\_19\\_october\\_2015.pdf](http://aei.pitt.edu/68742/1/pub_6041_post%2Dsummit_analysis_%2D_19_october_2015.pdf) (Accessed October 12, 2016).
- European Commission (2015a, September 23). More Responsibility in managing the refugee crisis: European Commission adopts 40 infringement decisions to make European Asylum System work. European Commission, Press Release Database. Retrieved from [http://europa.eu/rapid/press-release\\_IP-15-5699\\_en.htm](http://europa.eu/rapid/press-release_IP-15-5699_en.htm) (Accessed October 12, 2016).
- (2015b, September 9). Communication from the Commission to the European Parliament and to the Council "EU Action plan on Return" (COM(2015) 453 final). European Commission. Retrieved from [http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/communication\\_from\\_the\\_ec\\_to\\_ep\\_and\\_council\\_-\\_eu\\_action\\_plan\\_on\\_return\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/communication_from_the_ec_to_ep_and_council_-_eu_action_plan_on_return_en.pdf) (Accessed October 12, 2016).
- Ipsos (2016, July). Global Views on Immigration and the Refugee Crisis. Ipsos, "Game Changers". Retrieved from <https://www.ipsos-mori.com/Assets/Docs/Polls/ipsos-global-advisor-immigration-and-refugees-2016-charts.pdf> (Accessed October 12, 2016).
- UNHCR (2015). Global Trends Forced Displacement in 2015. The UN Refugee Agency. Retrieved from <http://www.unhcr.org/statistics/unhcr-stats/576408cd7/unhcr-global-trends-2015.html> (Accessed October 12, 2016).



# Vision Europe Summit

## Contact

Yves Pascouau  
Director of Migration and Mobility Policies  
Head of Programme “Migration and Diversity”  
European Policy Centre  
Rue de Trône 14-16  
B-1000 Brussels  
[y.pascouau@epc.eu](mailto:y.pascouau@epc.eu)  
<http://www.epc.eu>

Senior Research Fellow  
at the Jacques Delors Institute, Paris

Editor of the website  
<http://www.europeanmigrationlaw.eu>  
[contact@europeanmigrationlaw.eu](mailto:contact@europeanmigrationlaw.eu)

Katharina Bilaine  
Project Manager  
International Forums and Trends  
Bertelsmann Stiftung  
+49-5241-81-81485  
[katharina.bilaine@bertelsmann-stiftung.de](mailto:katharina.bilaine@bertelsmann-stiftung.de)  
<http://www.bertelsmann-stiftung.de>