



European Fund for the Balkans

Fortress Europe and Western Balkan as its Soft Underbelly

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Summary

The European Union is facing a very challenging problem as a result of an increased number of illegal migrants at its borders. This pressure is distributed unevenly among the Member States. Today only five countries receive 70% of asylum seekers. The countries reached an impasse when those that are most affected asked for assistance through redistribution of migrants through a 'mandatory quota system' and were left to fend on their own. Further on, pressure on EU borders is increasing daily while EU policy makers are running in circles. As a consequence, individual Member States are resorting to their own ad hoc policies and threatening with brusque and unorthodox measures. They range from mild, such as issuing travel documents for illegal migrants for entrance into the EU (Italy), to drastic, such as the walling of their borders (Hungary).

This latest migration movement towards the EU is using the Western Balkan States as one of the transit routes. The nature of this migration is that people are fleeing the war torn areas of North Africa and the Middle East, and they will not be stopped. If the EU allows the placing of walls in the path of this river made of people at the EU border, water will swell and flood the whole Western Balkans. The EU is inherently slow with its decision-making processes. This is especially true with respect to migration questions in previous decades. However, this will have to be addressed immediately in order to avoid a greater disaster that is inevitable with the current conduct of individual Member States. The EU Member States, the Western Balkan States and the illegal immigrants need a silver-bullet policy that will solve this problem instantly. The very first step would be to treat all illegal migrants as legal migrants and/or redistribute current migrants evenly among all 28 States.

1. Introduction

‘We will build a 4-meter-high wall on the border with Serbia’ announced Peter Szijjarto, Hungarian Minister of Foreign Affairs, on 17 June 2015 at a press conference.¹ This statement best illustrates the current state of affairs regarding the EU and its immediate neighbourhood as well as the absolute dismay regarding the external migration policy of the the EU. The ‘wall building’ ideas have been on the policy agenda for a long time (e.g. wall between Bulgaria and Turkey, wall along the river Evros) and have not been seriously contemplated by the decision makers of the EU Member States until now.

Under the recent duress, the EU Member States are opting for radical policy ideas rather than sticking with more coherent and effective policy options. In essence, migratory issues are becoming increasingly political. Further on, unsound EU policy regarding this issue is not reserved only vis a vis neighbourhood. The migration issue, internally within the EU, is becoming more complex and is threatening to boil over. The strain that it is producing is putting to test some of the Union’s core values. More specifically, the question in place is regarding the failure of the EU Member States to reach any agreement regarding the equal (re) distribution of thousands of ‘Mediterranean refugees’ at a ministerial meeting in Luxembourg on 16 June 2015.² Even the latest initiative for the ‘mandatory quota system’ is lacking support, leaving the most affected states to fend on their own.

As a result we are witnessing scenes from Orwellian novel chapters where heavily armed and armoured riot police violently remove barefoot refugees on the French-Italian border, migrants stranded on the railway station in Budapest, Macedonian police using tear gas and sticks, and countless other horrific scenes at the EU borders.³ It seems that desperation of the EU Member States to keep refugees outside of their national borders matches the resolve of the migrants to cross those same borders.⁴

This desperation and these ad hoc activities are due to the lack of a coherent policy and solidarity regarding the migrants, where EU Member States are resorting to whatever comes to mind. Although the issue of migration seems a relatively small problem compared to other issues that EU is grappling with, it threatens to undue EU more so than the financial meltdown of Greece or the UK referendum in the long run if left unchecked. For those reasons, the makeover of current migration policies is required in the long run. In the short run, all Member States must step up to the plate and assume their part of the responsibility in aiding the Union in its time of need.

1 Madjarska gradi zid na granici sa Srbijom, available at: radiosarajevo.ba, accessed on 17.06.2015.

2 *EU Ministers fail to agree on migrant quotas*, available at: theguardian.com, accessed on 16.06.2015.

3 *Dragged away by riot cops and forced onto buses in front of terrified women: Migrants camped on rocks at French-Italy border are forcibly removed to end their five-day protest*, available at: dailymail.co.uk, accessed on 20.06.2015.;

Migrants stranded as Hungary bars them from rail station, available at: bbc.com, accessed on 01.09.2015.;

Macedonian Misery, available at: [facebook.com/Channel4News](https://www.facebook.com/Channel4News), accessed on 10.09.2015.

4 *Dragged away by riot cops and forced onto buses in front of terrified women: Migrants camped on rocks at French-Italy border are forcibly removed to end their five-day protest*, available at: dailymail.co.uk, accessed on 20.06.2015.

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The crisis is not restricted exclusively to EU Member States. Unprecedented pressure is exerted onto the Western Balkan States. Macedonia declared a state of the emergency in its border areas at the end of the August due to more than 3,000 migrants crossing daily. Serbia at the moment hosts close to 100,000 registered and countless unregistered migrants journeying to countries of the EU. These numbers will increase even further considering that more than 350,000 registered migrants were detected at the EU's borders from January to August 2015, compared with 280,000 for the whole of 2014.

In such circumstances, considering the current state of affairs, one can predict three (3) possible scenarios as to how this crisis may unfold. The analysis considers several variables: a) the nature of this migration is such that these people will not be stopped by anything or anybody, as they flee for their lives from the conflict-affected states of Africa and the Middle East, b) the EU decision-making processes and the Member States' competences, c) the Western Balkan states' capacity to deal with such large numbers of migrants.

2. Scenario one: status quo – business as usual

This policy scenario stipulates that the EU conducts its activities regarding migration policy in a ‘business as usual’ manner. This lengthy and rigid process will not solve the current migration crisis. This scenario, as such, will fail to meet current challenges and to mitigate external and internal migration problems that are growing at an alarming rate.

The biggest problem of doing business as usual is that it will take too long. At the moment the **EU does not have a comprehensive EU-level migration policy**; it has only building blocks for such a policy. These building blocks for a common migration policy are embodied in eight (8) directives related to migration.⁵ As such they are very important and comprehensive and they will eventually become a common migration policy. However, these building blocks for a common migration policy are rooted in an intergovernmental approach and, for the EU standards, they are in the infancy stage. These agreed legislations are yet to be consolidated and effectively implemented. Very high-level and intensive cooperation will be required on behalf of the Member States to make these agreed legislations work in reality, and it will take a long time to mitigate the current humanitarian disaster.

The EU’s work with the migration has always been an uneasy and complicated affair. The migration policies fall under the domain of home affairs, and they have been in development for over 50 years.⁶ The first contemplation of migration issues arose in the 1970s with the Munich hostage crisis. The Member States then saw the benefits of cooperation on specific topics. As a consequence, inter-governmental cooperation was developed, including example dealing with migration that culminated in six (6) EU Member States agreeing to open borders in 1985, effectively creating the *Schengen Area*. This act is one of the most significant achievements of the EU, and it is regarding migration. However,

these developments took place outside the institutional framework of the EU. They were governed by separate structures, and decisions – sometimes important ones – were taken solely between Member State officials. The European Parliament, which played an increasingly important role in EU policy making elsewhere, was not involved in any way. Neither was the European Court of Justice. The treaties of Maastricht (1993) and, in particular, Amsterdam (1997) were the first steps towards the integration of justice and home affairs policies into the EU institutional framework. However, the pillar structure embodied the special status and reflected the

5 Long-Term Residents Directive, The Blue Card Directive, Single Permit Directive, EU common rules on seasonal workers, Directive on intra-corporate transferees, Directive on students and researchers, Common European Asylum System.

6 Laslo Andor and *at al.*, *Challenges and new beginnings: priorities for EU’s new leadership*, (European Policy Center, Challenge Europe Issue 22: September 2014), p. 64.

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reluctance of Member States to share sovereignty in this field.

When, in 2001, the Commission proposed to put in place EU rules for the admission concerning migrants for employment purposes, Member States rejected it. Instead, they chose to advance on specific categories where they shared an interest and saw an added value. This has led to a 'sectorial approach' on legal migration.⁷

Significant changes came with The Treaty of Lisbon, in force since 2009. This Treaty made EU legal migration policy subject to the ordinary decision-making process. Here, the European Parliament became an equal associate with the Council. The negotiations about migration legislation were easier said than done, and the European Parliament often opted for forceful strategies and actions.

In June 2014, the European Commission published strategic guidelines, which outline that the problems of a single EU state are commonly shared by all Member States because the nature of the problem is more or less universal.⁸ The Commission understands that the guidelines are a first step in a long journey of consensus-building among constituencies (all EU institutions, citizens and institutions, Member States and immigrants). These strategic guidelines go hand in hand with the reorganisation of the European Commission in the second half of 2014, where the portfolio of Home Affairs was reconstructed and renamed as the new Directorate-General for Migration and Home Affairs (DG HOME). However, EU officials understand that these changes are not enough on their own, because immigration as a subject has always been bigger than DG HOME's scope of work, and it needs to be addressed in a more coherent and cross-cutting manner.

Further on, the process of creating an adequate and comprehensive EU migration policy cannot be expedited in any way. The recent political climate in the EU will choke any attempts of EU Member State administrations together with international organisations and other stakeholders to try to place this agenda as a top priority. This is due to the rise of xenophobic parties in elections and in parliaments. The current anti-migrant, anti-multiculturalism ideology is often perpetuated by politicians and the media, creating a climate that is not favourable for any expedient actions in this field.⁹

The EU is on the right track with these activities. Eventually it will have the capacity and mechanism in place to deal with migration issues on the scale that we are now witnessing. But, simply put, the EU cannot deal with this issue right now. The Common European Asylum System is just starting to be operational this year. The System will ensure transparent and predictable rules for all refugees, regardless of the location where they are processed. With this System, Member States will have to have the capacity to receive asylum seekers. However, it took years for EU to agree on the System and it will take even longer for it to work in reality. The mechanisms for designing, agreeing and implementing EU policy are very sluggish. It is becoming obvious that the whole Stockholm Programme, responsible for the immigration policy development, is falling short of meeting

7 Laslo Andor and *at al*, p. 65.

8 European Council, *Council Conclusions*, (EUCO 79/14, CO EUR 4, CONCL 2), 26, 27 June 2014.

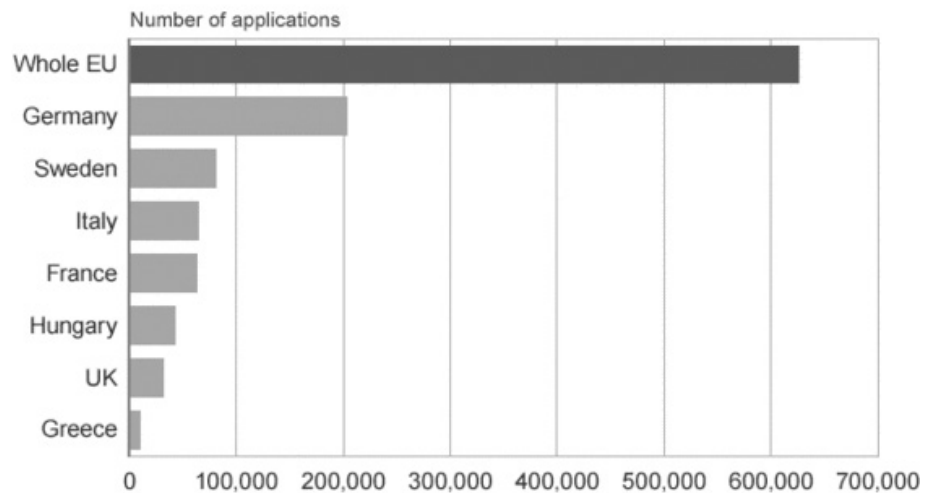
9 Fondazione ISMU, *Knowledge for Integration Governance: evidence on migrants' integration in Europe*, (February 2015: Milan); available at www.king.ismu.org

the expectations of Member States in delivering solutions to the asylum issue.

Meanwhile, more than 3.500 people died at EU borders only in 2014.¹⁰ The number of asylum seekers could surge to 700,000, which would be an increase of 28%, and the number of illegal entries into EU could rise also; the detected flow of illegal immigrants in 2014 increased by 170% in comparison with 2013, and it is expected to surge again in 2015, in which the first two months recorded an increase of over 200% in comparison with 2014.¹¹

The long-term solution is in the making, but the EU must act now. The numbers of migrants are staggering, and it is expected that migration has not yet peaked. The number of asylum claims in the EU rose to 626,065 in 2014, up from 435,190 in 2013, and the numbers are not shared evenly (Figure 1).¹²

Figure 1 - Asylum applications in selected EU countries 2014



Source: Eurostat

There is an attempt to mitigate the current situation with immediate action, such as an EU proposal for national quotas, to share the burden of asylum claims fairly. The European Commission tried fruitlessly to convince Member States to accept a mandatory quota system. They agreed in July to accept only 32,500 on a voluntary basis, although the numbers are in excess of several hundred thousand people. Most of the objections came from the East European States. In a joint statement, the leaders of the Czech Republic, Hungary, Poland and Slovakia said, 'any proposal leading to the introduction of mandatory and permanent quotas for solidarity measures would be unacceptable'.¹³ Even such simple measures are fiercely debated and ultimately rejected. Turning a blind eye to the problem that will not disappear on its own will have disastrous consequences. In circumstances where there is no consensus, individual governments are propagating and to a certain degree enforcing measures to close their borders to migrants.

¹⁰ Jean-Dominique Giuliani, 'The Challenge of illegal immigration in the Mediterranean', (Foundation Robert Schuman), European Issues: European Issue no 352, 13 April 2015.

¹¹ *Ibid.*

¹² *Why is EU struggling with migrants and asylum?*, available at: bbc.com, accessed on 03/09/2015.

¹³ Visegrad Group, *Joint Statement of the Heads of Government of the Visegrad Group Countries*, available at: visegradgroup.eu; accessed on 04/09/2015.

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Under such pressure two (2) broad policy scenarios are emerging. The first option is to close the borders and maintain border protection and rescue at sea operations, while the second is to embrace newcomers and integrate them into European society.

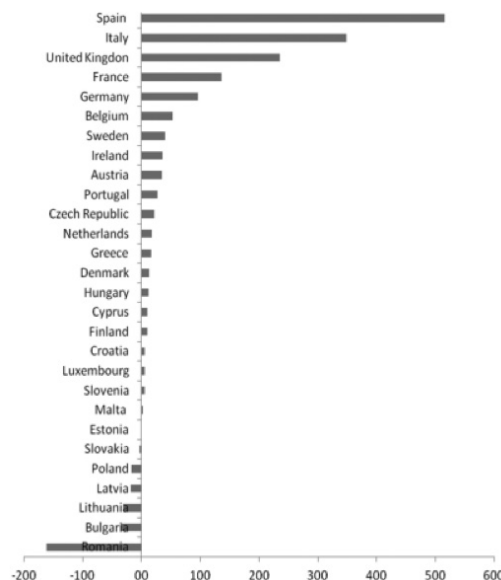
3. Scenario two: close the borders

This policy scenario will cripple the EU and possibly lead to the collapse of Croatia. Further on, it would lead to the implosion of the Western Balkan countries under the pressure of recent migration trends towards the EU. This scenario stipulates several levels of isolationism, ranging from current EU practices, which are relatively restrictive, to a sharp increase of anti-migration attitudes such as wall-building initiatives and border closures. Regardless of the level of the 'border closures', the impact would be devastating for all parties involved (EU Member States, Western Balkan States and migrants). There are two (2) facts that policy makers must acknowledge regarding this scenario: (a) EU cannot afford to close borders for new migrants and (b) migration flows are like a river, and if you put a barrier at one place, flow meanders around it and continues its journey.

3.1. Effects of reduction of the number of migrants in the EU

Border closure should not be an option for the EU, because we all now know that the European population is ageing and dying (Figure 2).¹⁴ Total fertility rates in most EU countries fall under two children per woman, and the old-age dependency ratios are already fairly high.¹⁵ The European work force is shrinking. The rise of social expenditure for welfare and migration seems the ideal solution, provided migrants can contribute to increasing the workforce and also act to rejuvenate the host society with the support of a young population.¹⁶

Figure 2 – Average net contribution (thousands of people added/lost annually) in 28 EU countries, 2001-2011.



(Source: Fondazione ISMU, *Knowledge for Integration Governance*, p.13)

¹⁴ Fondazione ISMU, p.13.

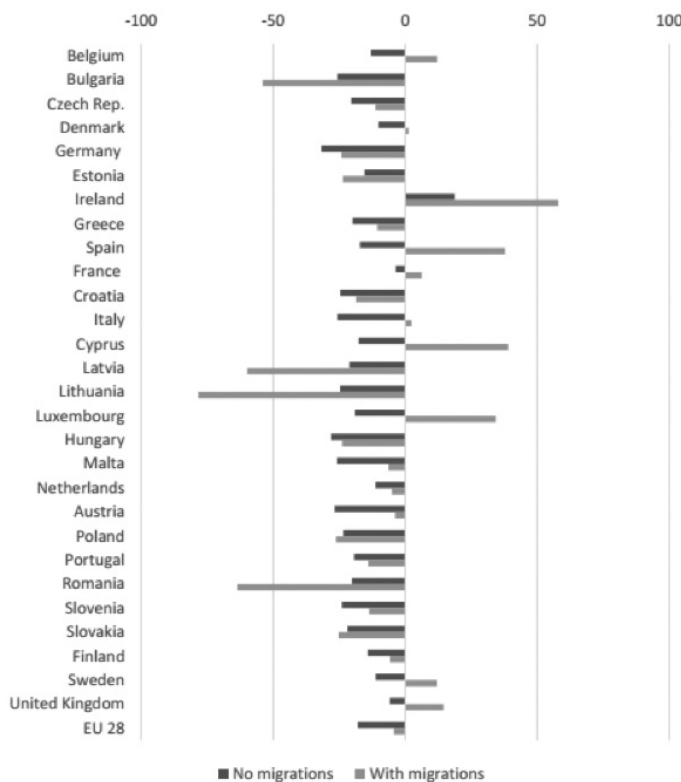
¹⁵ *Ibid.*, p. 12.

¹⁶ *Ibid.*

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Even with the current flow of legal migrants to EU countries, their numbers cannot replenish net losses. Migration could be considered as essential to maintaining the population of the EU Member States, but it should be remembered that even if a high level of net inflows is maintained, migration alone would not be able to stop the trend of overall population decline (Figure 3). If Europeans opt to pursue policies that would halt or reduce the influx of both legal and illegal migrants, they are in a sense digging their own graves in the long run. Europe is the largest economy in the world; it will need a steady supply of labour force to remain as such. The EU's single market is one of its main achievements, and it must remain a major attraction for ambitious migrants and investors alike. With the shortage of labour in Europe, individual Member States would start to struggle to gain recognition in the global economy. As a consequence, Europe would become less attractive in the global competition for skills and talent, reducing the number of both legal and illegal migrants leading to social and economic collapse of EU in the long run.

Figure 3 - Expected % change in total number of residents for EU-28



(Source: Fondazione ISMU, *Knowledge for Integration Governance*, p.17)

We can expect the migratory issue to become increasingly political. It is expected that this policy option, closing borders, will gain some ground where generalisations and simplistic discourse will be pursued for cheap political gains. Those who advocate this radical disengagement from the Union's core values must know that it will be a financially costly undertaking. The reinforcement of the borders against the migrants would be a costly endeavour, which would inevitably fail ultimately, even if it gains the political support. For example, despite the attempts to reinforce Mediterranean borders, efforts came up short of the desired goals, with an enormous price tag. Italy in 2013 began with Operation Mare

Nostrum mobilizing the Italian Navy. Their operations resulted in the rescue of nearly 90,000 people in Mediterranean. The cost of Mare Nostrum, estimated at 9 million Euro per month, ended on 31st October 2014. The European operation Triton took over with a budget of 1.9 million Euro per month. To date it has not slowed the immigration flow.¹⁷ The case is the same with Greece, which spent 63 million Euro in 2013 to prevent illegal immigration with no tangible results.¹⁸ To effectively police the EU's land and maritime borders, EU Member States would have to pick up a tab that would be in excess of billions of Euro. The Member States, according to the treaties, are the only ones responsible for the control of the Union's borders. No individual EU Member State has spare financial capacity or the manpower for this type of action. The EU would have to redefine itself just to stop maritime illegal migration.

3.2. Effects of an increased number of migrants in the Western Balkans

The Western Balkan route for migrants is a well-established passage for a growing number of people who desire to reach the EU area. Partial or complete closure of the borders, such as the unprecedented Hungarian wall-building initiative, would have dire consequences for the Western Balkan countries.

The steady increase of irregular migrants through the Western Balkan countries is a well known fact.¹⁹ Afghanistan, Pakistan, Syria and the countries of Western and Northern Africa are the primary source of migrants arriving to the Western Balkan region from Greece and Bulgaria, transiting through the Western Balkan countries, and moving towards the EU. As it is the Balkan route, a now-important route for irregular migration from Asia and Africa to the EU, places a heavy burden on the Western Balkan countries that already face problems of hindered development, weak welfare systems and limited institutional capacities.

The Western Balkan states struggled with moderate numbers of illegal immigrants in the past (Figure 4). They cannot process this new torrent of people, considering that in order to improve the capacities for migration management and, in particular, for handling irregular migration flows, many additional measures must be undertaken in the region by relevant state actors (with the assistance of the EU and international organisations) in terms of developing legal, institutional and strategic frameworks in each country; they must intensify efforts to develop cross-border and international cooperation.²⁰

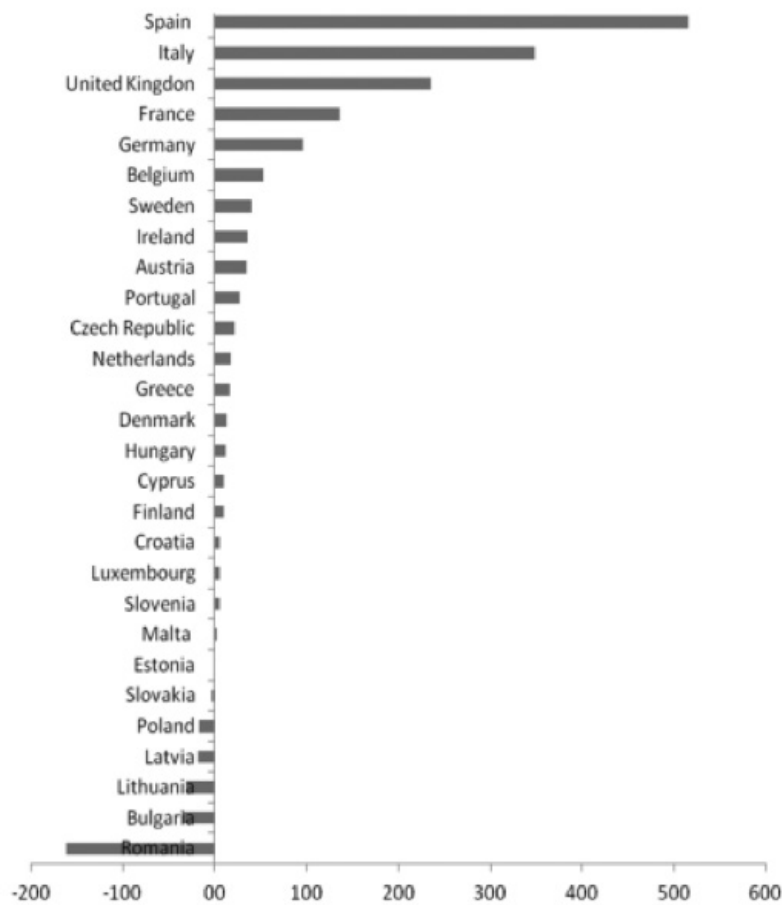
17 Jean-Dominique Giuliani, *'The Challenge of illegal immigration in the Mediterranean'*.

18 The Economist, *Europe's huddled masses: Rich countries must take on more of migration burden*, 16 August 2014.

19 FRONTEX, 2011 to 2014.

20 International Organization for Migration, *Migration flows in Western Balkan countries: transit, origin and destination, 2009-2013*, (IOM 2014: Geneva), p. 26.

Figure 4 – Registered illegal entries in the WB countries from 2009 to 2013



(Source: IOM, *Migration flows in Western Balkan countries, 2009-2013*, p. 34.)

If individual EU Member States decide to block the passage for migrants, the migrants will accumulate in the Western Balkan countries. We must consider the immensity of the numbers in question. As of May 2015, Hungarian authorities have so far this year recorded more than 50,000 illegal entries while their Italian colleagues have documented 47,000 illegal migrants. Austrian and German authorities will return 15,000 migrants to Hungary, which is expecting that the total number of migrants in the country will reach 150,000 by the end of the year.²¹

The Western Balkans is as if it is 'drowning' in this new influx of migrants. For example, in Serbia alone there were more than 22,000 new asylum requests in the first five (5) months of this year.²² At the moment, it is estimated that Serbia hosts close to 100,000 registered migrants and countless unregistered. There is a sharp increase in asylum seeking compared to moderate numbers of previous years (Table 1).

21 Orban: *Gradnja zida prema Srbiji obaveza drzave*, available at: Balkans.aljazeera.net, accessed on 20.06.2015.

22 Neven Crvenkovic (UNHCR SI Europe, Spokesperson), *Kontekst: putevi ocajnika*, (Aljazeera Balkans: 18 Jun 2015), available at: <http://balkans.aljazeera.net/video/kontekst-putevi-ocajnika>.

Table 1 – Major citizenship of asylum seekers in WB countries in 2012 and 2013

	Albania		Kosovo*		Former Yugoslav Republic of Macedonia		Bosnia and Herzegovina		Serbia		Montenegro		TOTAL	
	2012	2013	2012	2013	2012	2013	2012	2013	2012	2013	2012	2013	2012	2013
Pakistan				12	154	100		2	247	207	110	988	401	1309
Afganistan			11		183	283		6	804	490	118	187	998	966
Algeria			14	7	18	95	2	8	169	249	893	699	1096	1058
Syria		8	2	24	4	340	35	59	187	1338	44	284	272	2053
Eritrea					6		3			624		352	9	976
Somalia	3				80	96		1	505	507		198	588	802
other	16	203	19	19	82	450	13	24	381	1650	364	846	875	3192
Total	19	211	46	62	527	1364	53	100	2293	5065	1529	3554	4239	10356

(Source: IOM, *Migration flows in Western Balkan countries, 2009-2013*, p. 49.)

In a scenario where, for example, Hungary closes its border, refugees would have to find alternative border crossings. Their first choice would be accessing Croatia through Serbia and Bosnia and Herzegovina, and through Montenegro to a lesser extent. Croatia would be their alternative to Hungary. It is a logical choice, because Croatia has a combined land border with these countries of 1,400 kilometres as well as 800 kilometres of sea border. Considering that Croatia is the newest EU member, its capacity is considerably lesser than Hungary's or Italy's to cope with such large numbers of migrants. Basically, Croatia and the Western Balkan countries do not have the capacity to manage a sudden surge of vast numbers of migrants in a short time span. As a consequence, they would suffer serious negative social, economic, political and most likely security ramifications.

Western Balkans States have already made marked improvements in this area, but much more is required. The countries of the region are for the most part unified in legislative and institutional frameworks for migration management.²³ More work is required with respect to the laws and institutional support to the international protection of migrants; one of the major problems is the variety of definitions used for concepts of illegal stay or order to leave the country. The Western Balkan States are also diverse with their strategies and action plans. They also need further capacity building to resolve major problems with institutional practices.

The Western Balkan States must understand that they are on the right track with their activities, especially in work bringing Western Balkans with *acqui communitaire*. However, they have to prepare themselves for the worst-case scenario. To do this, they have to start thinking beyond usual ways of conducting their business. In the case of the increased number of migrants, Western Balkan States will have to pool their resources together in order to overcome the crisis. In essence, they already share the same problems. One way forward is to strengthen already existing connections and improve the transfer of information and practices. Responsible institutions dealing with migration will have to come to terms

²³ International Organization for Migration, *Migration flows in Western Balkan countries: transit, origin and destination, 2009-2013*, p. 56.

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with the fact that migration has outgrown security portfolios and that it needs to be addressed in a cross-cutting manner.

More concretely, Western Balkan States need one voice to represent them in their communication with the EU, such as the Visegrad Group for East European EU Member States. Individual governments lack the capacity or leverage for negotiations. Western Balkan States amass messy volumes of proposal by countless agencies and portfolios without coherent and efficient principles of engagement with the EU or the migrants. The situation is even further exacerbated knowing that the situation within the EU is in similar shape.²⁴

This joint approach of the Western Balkan States would in the long run galvanise consensus building among all states and all stakeholders. The migration issue, which is low on the political priority list, would gain some traction with ruling elites in the long run. It is reasonable to expect that joint and coherent work on migration would soon filter out public figures with political entrepreneurship who could speak to policymakers, the public and politicians about migration, both in the Western Balkans and the EU. Further on, the Western Balkans States represented by one voice would be better suited to address not only illegal migration but all migration issues. For example, they would be able to reach better arrangements with the EU Member States regarding legal and illegal immigrants from the Western Balkans, circular migration, or even a 'blue card' for Western Balkan migrants to the EU. Their position in negotiations with the EU Member States regarding 'brain drain' can be assessed in a whole new set of circumstances where the Western Balkans States can even demand 'compensation' for loss of essential human resources (e.g. IT technicians, medical professionals, engineers, etc.).

A joint approach of the Western Balkan States to migration would be a long process of consensus building as it has been with other similar initiatives. The Western Balkan States must act now, however difficult this journey may appear. It is not only worth the effort, because it will improve cross-border cooperation and improve the capacities of individual governments to deal with the immigrants and EU. Choosing not to act now may prove to have far-reaching and dire consequences in the near future.

24 Elizabeth Collett, *The development of EU policy on immigration and asylum*, (Migration Policy Institute), Policy Brief Series, Issue no. 8., March 2015.

4. Scenario three – open the borders

This scenario does not stipulate that EU Member States abolish their sovereign rights to regulate their borders and allow entry to anybody without any restriction and control. The scenario puts forward a policy decision to treat all illegal migrants as legal migrants and redistribute current migrants evenly among EU-28.

Illegal immigrants are placing the greatest strain on the countries on the geographical frontline. So far, EU solidarity had failed and the problem is not shared. For example, Italian requests for assistance with Mare Nostrum have failed, and Greece was assisted with only 3 million Euro by Europe's border agencies to prevent illegal immigration. A ministerial meeting in Luxembourg clearly communicated that the most affected states will have to work on this issue on their own. This lack of understanding is putting an enormous strain on the Schengen Agreement, which enshrines the responsibility of individual states. More specifically, the Dublin regulation, an integral part of Schengen Agreement, states that the 'first EU state where a migrant arrives, his finger prints are stored or an asylum claim is made is responsible for asylum claim'.²⁵

It is reasonable to expect that states such as Hungary, Italy and Greece ask for a makeover of the Schengen Agreement very soon. If the rest of EU Member States refuse to share the burden, these states might reconsider the EU membership.

The EU's greatest achievement is its creation of an area where people, goods and capital move freely without any restrictions. It is a paradox that the biggest downfall might come from restriction of the same right to people from less fortunate areas in their immediate neighbourhood. European countries must accept that, like the United States and Canada before them, they are transforming into lands of immigrants. As it is, immigration is already a significant factor in European societies and their labour markets. In a way, there is no dilemma about this. Instead, EU Member States must focus on how to make the most of the current situation and how to effectively integrate these migrants into their societies. In fact the EU:

'should also face the fact that as long as there is war, dictatorship, oppression, and poverty in the world, people will try to seek refuge in Europe. This is a challenge that will not go away and which cannot be addressed simply by putting in place legal migration channels. A sustainable migration policy for the future requires a comprehensive strategy, including search and rescue at sea, enhanced cooperation with third countries, fight against migrant smuggling networks, and emergency support for the countries facing greater pressures. A new policy must be based on solidarity where all 28 Member States take their part of the responsibility. Today only five countries receive 70% of the asylum seekers. In

²⁵ The Economist, *Europe's huddled masses*.

the future all Members States must be involved in resettlement programmes. We need to reflect on how we can ensure a more orderly arrival of those who have strong claims to international protection to reach Europe safely for instance by exploring possible use of humanitarian visas or other ways of protected entries.²⁶

26 Cecilia Malmström (European Commissioner for Home Affairs), *Challenges and new beginnings: priorities for EU's new leadership*, p. 68.

5. Conclusion and recommendations

As long as there is injustice, poverty, disease and war in the world, Europe will deal with illegal immigrants. It is farfetched that Europe will alleviate these ailments any time soon, even with utmost dedication to the just and noble cause. Europe has no alternative but to be open to the world, bringing in skills and talents that it needs, in order to ensure its levels of prosperity. Europe must offer its protection for those in need of it. It must stay true to its founding principles and values. In turn this can be the EU's common foreign policy. If successful, human mobility can become one of the great assets of the twenty-first century, partially thanks to Europe.

Current migration issues must be mitigated immediately. The **EU Member States must agree to equally redistribute migrants** in order to avert a brewing current disaster. Any ad hoc actions of wall building and border crossing will have to be seriously reconsidered.

More specifically, current and future migration issues can be best mitigated if:

EU institutions

- The EU renovates its laws governing asylum and migration; increasing legal avenues for migrants to reach Europe is priority. Measures such as humanitarian visas and family reunification rules can be a solution. They would certainly reduce the number of migrants taking dangerous journeys and illegal border crossings, and they would cut down on smuggler rings.
- The EU implements a European-run Mare Nostrum mission to ensure extensive search and rescue operations in the Mediterranean.
- The EU also implements development policies in refugees' countries of origin to help eradicate the causes of migration.
- New laws are approved that will decriminalise migration and ensure a humane approach to the needs of migrants.
- The EU increases assistance to the Western Balkans in terms of developing legal, institutional and strategic frameworks in each country.
- The EU ensures that the set of rights already laid out in EU directives provides access to the labour market and are properly implemented and monitored.
- Legal access to temporary jobs or occasional employment is facilitated by reducing legal and administrative barriers (e.g. through easier bureaucratic procedures for hiring people temporarily or occasionally, such as the Italian "voucher system"), subject to regulation conditions.
- Information on European labour market opportunities and needs (skills

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shortages) and requirements (bureaucracy, procedures, etc.) is more efficiently communicated to both migrants already living in the receiving society and potential migrants.

- All agreed legislation is consolidated and effectively implemented, to give it wider publicity among migrants, international organisations, Member States and other stakeholders.
- The policies work in reality, and the EU fosters cooperation between Member States to ensure the laws are implemented in a coherent manner.
- Integration and labour market participation is enable for all migrants, in particular those already present in the EU or arriving for reasons other than work; this will be an essential component of a successful migration policy.

EU Member States

- Public anxiety about migration and asylum is addressed; political leaders and opinion makers should confront the issue from a principled standpoint.
- Bilateral or multilateral frameworks are put in place in order to match skills and gaps of migrants in their countries of origin.
- Policy measures address migrants and the receiving society,, efforts should be made in providing education about the reality of migration, introducing majorities to minorities, teaching intercultural communication skills, myth-busting.
- Irregular migration is considered a reality which should not only be dealt with at the local level, specifically with regard to integration policies.

WB States

- Countries pool their resources together in order to overcome the crisis.
- Western Balkans States have one voice to represent them in their communication with the EU.
- The countries of the region are largely unified in legislative and institutional frameworks for migration management. They are all on the way to harmonising their rules with the EU acquis, but still need additional improvements, especially with respect to the laws and institutional support to the international protection of migrants. One of the major problems is the diversity of definitions used for basic concepts like illegal stay or order to leave the country.
- Great diversity with regard to strategies and action plans related to certain types of migration is unified.

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The European Fund for the Balkans

The European Fund for the Balkans is a joint initiative of European foundations that envisions, runs and supports initiatives aimed at strengthening democracy, fostering European integration and affirming the role of the Western Balkans in addressing Europe's emerging challenges.

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Their synergetic effects are focussed on continuous "Europeanisation" of the policies and practices of the Western Balkans countries on their way to EU accession, through merging of the region's social capacity building with policy platform development, and a culture of regional cooperation.

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