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Europe faces the immigration crisis.
Perceptions and Scenarios

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Abstract

This paper postulates that the European policy-makers and publics refused to perceive the double, i.e. humanitarian and migration, dimension of the current crisis caused by the massive inflow of people. The perception of the phenomenon as one-dimensional (i.e. as un-authorised migration issue) caused the confused and inefficient policy response of the European governments. To understand the false perception and consequent inconclusive response, the paper proposes an analysis divided into five sections. The first one relies on the existing scientific knowledge about the transformation of migration in the 21st century. It discloses the current economic, technological, socio-demographic, and politico-ideological drivers of people movement across state borders. The second section recalls the treaties about the protection of migrants, refugees, and people in distress in seawaters. These treaties oblige the governments to protect these vulnerable persons. The remaining sections are about (a) the EU's misperception of the Mediterranean migration issue in the early 2010s; (b) Italy's decision to launch the humanitarian operation Mare Nostrum, in conflict with the European partners; and (c) the persistent uncertainty of the European leaders on how to respond to the humanitarian crisis and to the conditions that cause the upsurge of migration in our times. The concluding section assesses the EU approach and offers advisory remarks.

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Contents

The inflow of people to Europe across the Mediterranean Sea started early in this century and expanded at the time the Arab revolts created *subsistence* problems to the population of the countries concerned. In 2011, the fall of the Gaddafi regime and the civil war in Libya removed the obstacles to clandestine sea crossing that Muammar Gaddafi had raised against the un-authorised migrants in agreement with the treaty he and Italy's Prime Minister Silvio Berlusconi signed in 2008. That change gave a way to Europe to many people, missing the legal permit, but by traversing aboard unsafe boats provided by unopposed criminal groups. Violence in Eritrea, Syria, Iraq, and Afghanistan, as well as poverty conditions in countries of North-Central Africa and South-Central Asia enlarged the number of desperate people resolute to escape war, persecution and destitution by crossing seas like the Mediterranean and the Gulf Sea, and lands like the Italian Peninsula, the Balkans and East-Central Europe. But, the phenomenon is not unique to this part of the world. The Pacific and Indian Ocean and the Americas are theatres to large movements of people. The recurrence of this phenomenon in various areas call our attention to consider the conditions that drive the migration phenomenon in the present world and give to it unprecedented characteristics and as well potential of unanticipated consequences.

In October 2013, the arrival by the sea of un-wanted people to Europe became a complex EU crisis as the Italian government abandoned the European position of denial of the humanitarian crisis in the Mediterranean, and launched the Operation *Mare Nostrum* claiming that Italy was complying to international law norms like those on the *Search and Rescue* of persons in distress at sea, and as well to the humanitarian values that are indorsed by many international treaties and state constitutions. The total lack of humanitarian rescue actions by states and organisations in the Mediterranean, the growing public indignation towards the tragedies of sinking boats and migrant deaths, the denunciation by social activists and international organisations like the UNHCR and IOM, and as well the 2012 sentence of the European Court of Human Rights that condemned Italy for pushing back in 2009 a large number of Eritreans and Somalis without any examination of their eligibility to international protection, are to take into consideration to explain the Italian decision to put an end to that situation. Yet, the Italian Operation met the opposition of the European governments that blamed Italy for pulling un-authorised immigrants to Europe. All the governments and large sectors of the European publics claimed that only those carrying the entry permit issued by state authorities were to take in, and the un-authorized, culturally diverse, frequently unskilled and poor people that reached the Southern shores of Italy apparently without opposition by the border police were to be taken out as they were true threat to the welfare, security and integrity of all the European countries as they could move around the Schengen area.

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The false perception of the phenomenon as one-dimensional, i.e. as the illegal entry of destitute, unskilled people that frequently abuse the right to seek asylum and are a burden to the welfare and a threat to the security of the Europeans, caused the inefficient crisis management course the EU institutions have been going through up to November 2014. At that time, the EU acknowledged the truth of the Italian view about the humanitarian rescue tasks awaiting Europe and gave to the Frontex agency the mandate to carry on the *Mare Nostrum*'s rescue and border control mission in the Mediterranean. In a later time, the Council decided to deploy a CSDP military operation to oppose the criminal groups smuggling people across the Mediterranean. Lastly, the Commission has addressed the crisis by making two plans to relocate in the Member countries the persons eligible to refugee protection. The EU Member states have to accept in their territory a number of refugees which is tailored on the state capacities and willingness. Yet, the situation remains bleak. The EU is divided about the humanitarian response, and uncertain about how to reshape its usual approach towards immigration and asylum and as well towards the control of the Union external borders. All these issues belong to policy areas that the Treaty of European Union defines as shared power policies and the governments deem as of strong concern to the authority of the single state. No doubt, in such a EU political and institutional setting the migration crisis can hardly be managed effectively with the usual Union instruments, the existing *acquis* about immigration, visa and border control issues, and the traditional interstate negotiation about the management of trans boundary issues.

To understand the inefficient way in which the European leaders and institutions manage the crisis, the present paper (a) summarizes the existing knowledge about the problem of the up surging of migration in today world, i.e. about the global and local drivers of the current movement of people across states; (b) recalls the international law norms about rescuing people in distress at seawaters and about the protection of refugees and migrants, which indorse the value of the protection of the life of all human beings; and (c) traces back the process that has led to the present EU crisis management by analysing as the crisis unfolded through three scenarios that followed one another in the time period 2011-2015. The three scenarios are the early 2010s scenario created by the EU's misperception of the phenomenon and denial of the humanitarian dimension; the November 2013-October 2014 scenario created by the decision of the Italian government, in conflict with the EU partners and institutions, to run on her own the humanitarian and border control Operation *Mare Nostrum*; and the November 2014-September 2015 scenario created by the EU's late recognition of the double (humanitarian and migratory) nature of the crisis and the consequent decisions to launch the Operation Triton to substitute *Mare Nostrum* and the operation Eunavfor-Med to act bluntly against the

smugglers of migrants and refugees, and to devise consensual plans to resettle refugees in the Member countries.

21ST CENTURY MIGRATION: LOCAL CONDITIONS AND GLOBAL TRENDS

In the current narrative, the migration crisis is an occasional event that can be faced with the usual border control measures, immigration rules and exceptional refugee measures. In such a narrative, temporary conditions in the areas in the nearby of Europe push up the migration movement (see Zaragoza Cristiani, 2015). Missing governance in large areas of the Global South, violent political change and civil wars in North Africa, the Middle East and other parts of the Arab world, and the state-less status of areas of Africa provoke poverty, corruption, persecution, violence, pollution, and insecurity, and push the local people to leave their country in search of security conditions and welfare opportunities. The significance of local conditions notwithstanding, such a narrative needs to be refined and put in the global context to be rightly understood. First, the crisis is not unique to this part of the world. Also the Gulf and the Indian and Pacific Ocean regions are theatres of the same phenomenon, not to mention the long-time existing movement from South and Central America towards the North. Second, the studies of the migration scholars disclose the existence of long-term conditions or global trends that drive the present rise of people movement across international borders. These conditions and trends are rooted in the economy, technology, society and politics sector of the global system, which intersect to one another. Locating the local conditions within the long-term trends of the global system is useful to have a clear view of all the aspects of the phenomenon and conceive measures appropriate to manage the crisis.

In the economy sector, the centre-periphery division of the global market and the stratification of the national economies continue to be supported by the current trends of the international trade and capital investment flows. The shortage of employment opportunities and consequent human poverty in the peripheral economies continue to grow and face the wealthy economy of the early and late central states that enjoy also flourishing welfare systems. In migration studies, such opposite conditions are represented respectively as the push and pull economic factors of the movement of people from the backward economy countries to the advanced economy ones (about Europe see Hooghe, Trappers, Meuleman and Reeskens, 2008; İçduygu, 2007).

In the technology sector, fast transportation means inflate the people movement, and the price-affordable new communication tools disseminate knowledge about the work and welfare opportunities existing around in various countries and about the routes available to migrants with no entry permit. These means also give to migrants the chance of

keeping almost continuous relations with their distant family and society. Also they temper the human costs of breaking ties with the society and culture of origin, strengthen identity-keeping practices, and feed the rise of transnationalism and transcultural attitudes (Castles, 2004; Vertovec, 2004).

In the society sector, the inflow of culture-diverse people pushes towards rising multiculturalism in mono-cultural countries but turns into a cause of conflict should the receiving country refuse to turn itself into a multicultural society (Vertovec and Wessendorf, 2010). Additionally, the high rate of population growth in Africa, Central and Southern America, and South-Western Asia, against the low demographic growth in Europe, Australia and North America, is an important migration driver and as well a cause of social change in the receiving areas (Guillen and Ontiveros, 2012; Hammerstad, 2013).

In the political sector, the expansion of the human rights ideas and values and the actions of the world institutions that engage themselves into the policy of diffusing such ideas and values influence the growth and current transformation of migration (Heupel, 2013).

Figure 1: Global and local migration drivers
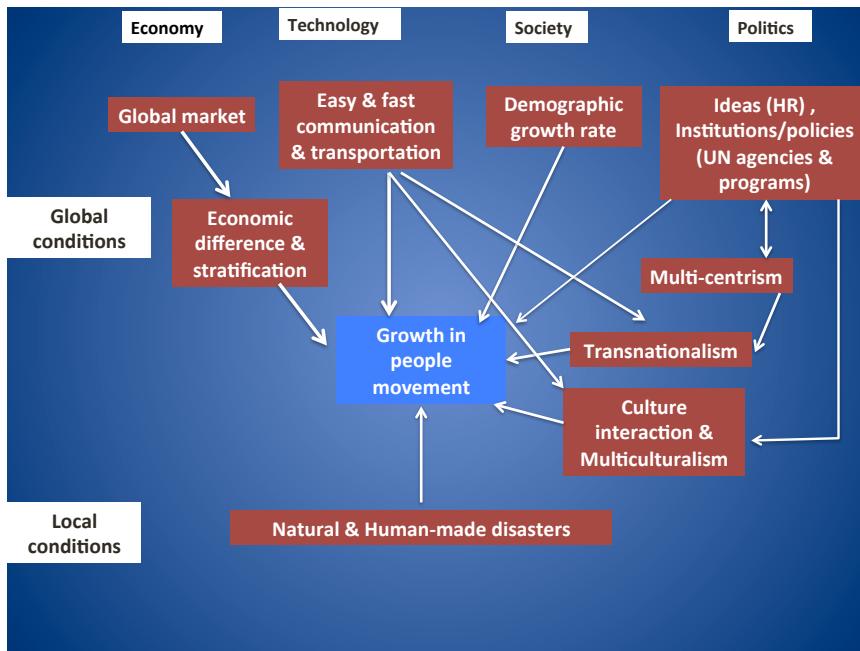
According to the human rights values, each person is entitled to quest for better living conditions and working opportunities also in countries different from the home country

(Lebovic and Voeten, 2006). The international organisations, in particular the United Nations agencies, and also the international non-governmental organisation (Murdie and Davis, 2012) promote programmes that feed transnationalism, multi-centrism, cultural interaction, and multiculturalism.

The drivers of the current migration flows are graphically represented in Figure 1, but the real set of interactions among the drivers is much more rich and complex than any chart is able to render.

THE PROTECTION OF LIFE IN THE INTERNATIONAL LAW ABOUT MIGRANTS, REFUGEES, AND PERSONS AT SEA

In the last seventy years, state diplomats and international organisation staffs have negotiated and signed a number of international law treaties about how the states have to deal with issues concerning migrants, asylum-seekers, refugees and people at risk in the seawaters. The value at the core of these documents is the protection of life of all human beings. The objective of these laws is the definition of the obligations of the states towards such a value in respect of the persons that are in precarious conditions as they lack protection by any political authority while they are away of their home country.

The international law of the refugees states, in particular, the prohibition of expulsion or return of a refugee and asylum-seeker in any manner to the frontiers of territories where her/his life or freedom would be threatened on account of her/his race, religion, nationality, membership of a particular social group or political opinion. Accordingly, persons missing the permit of entry into a country cannot be pushed back since they claim for asylum, and their claim not to be pushed back to a place of persecution is appropriately reviewed.

The texts of importance to assess the behaviour of the states in the Mediterranean migration crisis are the United Nations Convention on the Law of the Sea (UNCLOS), which covers all the aspects of the problem of concern; the International Convention for the Safety of Life at Sea (SOLAS) and the International Convention on Maritime Search and Rescue (SAR), which contain rules and norms about aspects of interest. In particular, coastal States have an obligation to develop adequate search and rescue services and put them on action when search and rescue operations are needed. The duty to assist and rescue persons found at sea in danger of being lost or in some sort of distress covers asylum seekers and all kinds of migrants whether regular or irregular, travelling also on smuggling and trafficking boats. Such international law documents do not expand on important matters like the definition of distress, the allocation of the responsibility to act, the place of disembarkation of those rescued, and the responsibility of coastal States for

disembarkation. Such holes in international treaties frequently are the cover of the denial of action claimed by governments.

The regime for combating transnational crime is also of interest to us since people trafficking is part of the phenomenon. The most comprehensive legal instrument is the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organised Crime.

Consequent to these norms about the protection of life of the migrants and people that leave their own home country, the states and international organisations are expected to respond by aiding the migrants that flee critical conditions. In the perspective of the local conditions and global trends that drive migration today, the critical issue is whether the states have a duty to receive and provide refuge only to the persons that escape from human violence (i.e. from war and persecution) or they bear the same duty towards all those who migrate to seek protection to their life due to structural violence conditions like the unemployment conditions caused by the world economic stratification structure.

On the existing knowledge about the movement of people across states in the contemporary world and the law about the protection of life of all human beings including migrants, the response of the EU and member states to the 2011-2015 upswing of the migration crisis is analysed in the next three sections. The analysis distinguishes three crisis scenarios that unfolded in the past five years. Focus is on the missing consensus about the meaning of the migration flows and on the uncertainty of the European leaders and people about how to manage the crisis by responding to the migrant inflows, the values of life protection, and the citizen aversion to bear the burden of the crisis.

SCENARIO ONE: EUROPEAN CONVENTIONAL RESPONSE (UP TO 2013)

The policy of the EU and the Member states towards the inflow of migrants includes the intensification of border control and surveillance and the cooperation with the governments of the states of transit and origin to curb the irregular entry and to accept the readmission of the people missing the permit of one Member states. The most important operational decision made by the EU in the border control policy is the establishment of Frontex in 2004 (Ekelund, 2014). The Frontex operations, launched for the first time in 2006, are mandated to detect and break illegal border crossings. As the latter policy is concerned, the pressure on third-state governments to cooperate in curbing irregular migration, has been exercised especially on the North African governments, and is aimed today at joint surveillance and capacity building in border control in addition to

convincing those governments to accept readmission measures (Carrera, den Hertog and Parkin, 2012; Cassarino 2014).

The EU did not deviate from such a strategy at the time of the Arab revolts and the upsurge of the migratory flows in the Mediterranean. The EU response has been ever willing to facilitating ways for migrants to move safely crossing the seawaters (Campesi, 2011; Carrera, Parkin, den Hertog, 2013). On knowledge of the attention of the EU institution towards the countries and people of Africa and the Middle East, of the humanitarian values always claimed by the EU, and of the concern for the migration problem symbolized by the 2011 Communication of the Commission on the 'Global Approach to Migration and Mobility', one cannot but ask why Europe responded by setting border control measures above humanitarian actions towards the people escaping from critical events and conditions. To answer this question, attention is drawn towards the pre- and post-2008 economic and financial crisis time periods. The change of the features of Europe's economy, society and politics from one time period to the other is the proposed explanation of the EU refusal to adopt a *fresh* approach towards the double-faceted, migratory and humanitarian, crisis that took the stage on the Southern European borders in the early 2010s.

European integration is the gradual process of internal de-bordering that is implemented by means of regulations and programmes negotiated by the governments of the Member states and the common institutions. Technological change is one of the conditions making possible the reduction and removal of the existing legal and material obstacles to the movement of goods, services, capitals and people across borders. In the pre-2008 time period, the EU institutions promoted de-bordering and people movement also by encouraging mutual knowledge and dialogue among the people of different nations and cultures. This policy encompassed also programmes aimed at bringing multiculturalism to the European landscape. All the integration policies of the political, social and technological sectors of the Member Countries owe a lot to policies like the trade and custom union policy and the single market policy that changed the economy of Europe. Economic integration made a great step forward in the early years of the first decade of the present century thanks to the single currency policy agreed on by a group of EU governments. But the common economic and monetary policies, the so-called euro-nomics, neither protected the economies of the Member states from the choc of the 2008 world financial crisis nor facilitated the recovery of the economies of some Eurozone countries in the 2010s. Recession hit hard in almost all the countries of the Eurozone and forced governments to adopt plans aimed at restructuring the national economy, cutting public expenses, and reducing welfare expenditure.

The economic crisis had important effects on the society and politics of the Member states, and heavily influenced the response of the Europeans to immigration and the humanitarian emergency in the Mediterranean. Many people blamed the Euro and the Maastricht criteria as well as the free circulation and common market regulations as the main obstacle to the national strategies of exit from the financial and economic crisis. Anti-EU political movements and parties appeared in many European states and fed anti-immigration and anti-foreigner and xenophobic feelings. Last, populism hit, compliant many political leaders, the political life of the countries affected by economic decline and reduction of the welfare policies.

Figure 2: *The change of attitudes and policies towards border control and migration in pre- and post-2008 Europe*
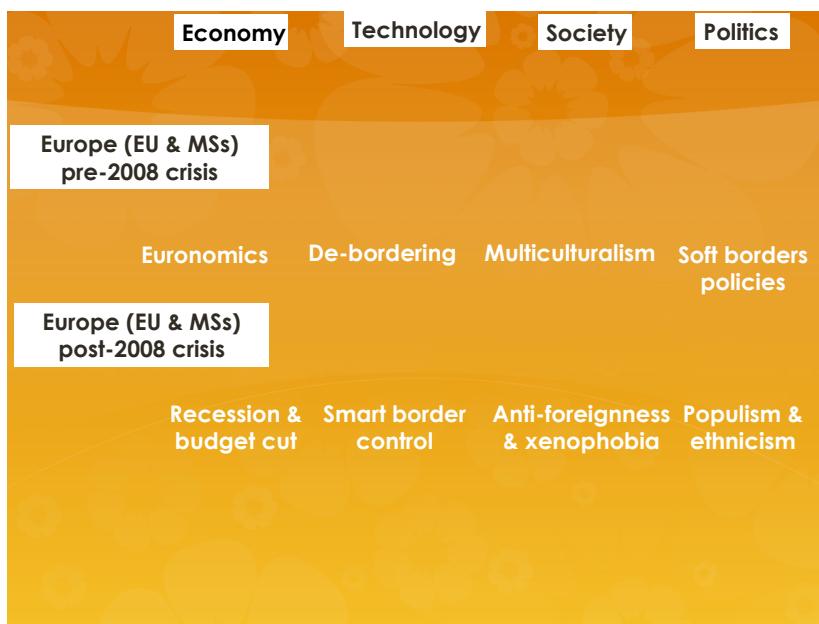
Consequent to the anti-immigration rising mood, the improvement of border control instruments at the state and Union level, and the common management of the external border control rouse up on the agenda of the governments in Europe. In the EU external borders, such solution was implemented by new created agencies like the aforementioned FRONTEX, the agency supporting the Member States in border control management, and EASO, the European Asylum Support Office, and EUROSUR, the EU Border Surveillance System created in 2013 to contain the number of illegal migrants and prevent cross border criminality.

The shift of Europe's attitudes towards receiving migrants following the change of social, economic and political conditions caused by the impact of the 2008 financial crisis is shown in Figure 2.

SCENARIO TWO: ITALY OUT OF THE EUROPEAN FRONT (OCTOBER 2013-2014)

On 13 October 2013, the Italian Prime Minister Enrico Letta announced the government decision to start immediately the *Mare Nostrum* Operation. The Interior minister Angelino Alfano advised the goals of the Operation were to rescue people in distress at sea, control the national borders and confront the criminals responsible for smuggling people on unsafe boats. The decision was something of a surprise. It was neither on the official agenda of the government nor a theme of primary concern in the national political debate. But, the Italian politicians and the people were worried about the problems and costs brought to Italy by the rising number of people, mostly from Africa and especially North Africa, that for many years had entered the country with no authorization, arriving on small boats, often clandestinely, to Sicily and other Southern regions. Since 1989, the government and the Parliament had approved a number of *sanatorie* (amnesty laws) to legalise the status of the foreigners that had crossed the state borders and remained in the state territory with no permit. The approval of the amnesty laws has been always hard to make and controversial despite the known advantage of regularizing foreigners to employ in the manual labour sectors and also in the irregular labour market.

The problem was not new at all, then, but *Mare Nostrum* brought anew into the public debate the attention to the humanitarian aspects of the problem after the human tragedies and deadly accidents in the high Mediterranean and the seawaters close to the national shores. Such accidents, increasingly reported by the media, upset the Italian people. The same was with the news about the conditions of the reception site at the Lampedusa island. The numerous immigrants hosted in the island were an unsustainable burden to the locals, and the conditions of the reception site were unsustainable to the immigrants.

The Italian rightist parties asked for employing the militaries to stop the 'illegal' entries and the immediate readmission of the 'illegal' immigrants to the country of origin and transit. They invoked also returning to the containment measures the past centre-right government had agreed with the Gaddafi regime. The centre-left parties, instead, were uncertain about the appropriate actions to manage the crisis. All the political and social groups were calling unanimously on Europe to bear the costs of the crisis and undertake the appropriate course of action. Such a call was made also in view of the will of the migrants to go to North Europe countries. But, the European governments and EU

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institutions claimed that the border control against illegal immigration and as well the award of asylum visa were the duty of all the Member states, Italy included, to accomplish in agreement with the EU regulations.

Briefly, the *Mare Nostrum* decision of the Italian government was in conflict with the mind of the European governments and the EU institutions as well as with the views of the Italian centre-right parties and of an important portion of the Italian people. The resentment of the publics turned occasionally into violent forms of reaction in the centre-northern regions of the country. The episodes were reported by the mass media that were in general not benevolent towards the Operation but did not magnify the resentment of the people that was against the Operation.

Two remarks are spotted here to assess the management of the Operation. They are about the Operation priority mandate, and the declared goal of ensuring border control and security against crime. On the whole, the humanitarian dimension came out to be the priority of the Operation. Rescuing people from distress and death risk was the Italian government most sought objective. The consumption of financial and material resources, the employment of the Navy and other security personnel, and the engagement of public staff with specific expertise have been all at the highest level, and have been supported by the voluntary involvement of organized social groups and as well by the humanitarian sentiment of significant sectors of the Italian population, like the Christian and leftist sector. Yet, the humanitarian rescue was far from being sided by the provision of appropriate means to host the rescued people and manage the legal procedures needed to arrange their juridical status. The migrants were gathered in three types of sites, the reception centres (*centri di accoglienza*, CDAs), the reception centres for asylum seekers (*centri di accoglienza per richiedenti asilo*, CARAs), and the deportation centres for irregular migrants (*centri di identificazione ed espulsione*, CIEs), all of which were, and continue to be, the object of much criticism.

The second aspect of the Operation, i.e. strengthening border control and contrasting the crime of persons smuggling, was limited to patrolling a large sea area and monitoring the people flows in the wide SAR area. Fighting the smuggling and trafficking organisation has got small results so far. The seizure and prosecution of the boat-drivers (*scafisti*) met with problems hard to manage. The containment of the crime organisations overwhelms the means of the Italian state and is waiting for robust multilateral actions.

In short, in 2013 the Italian government was the only one that opted for abiding by the norms of international law about Search and Rescue, and by the humanitarian duty of helping people in need. By giving the task of the Operation to the Interior Affairs Ministry, the government set the mission as an ordinary public order operation and

avoided bothe the authorization of the Parliament and the conflict with the rightist, protest parties like the *Lega Nord* that has blatantly campaigned against. However, opposition to the Operation did not turn into a grave political conflict. Both the favourable and adversary sector of the Italian society blamed, and continue to do so, Europe for neither holding the costs of the mission nor the tasks of responding to the problem of giving humanitarian assistance to the Mediterranean boat people; not to say of dealing with the legal aspects involved by the circulation of the migrants in the European territory.

At the European level, the Italian position created an intra-EU divide. Italy's resolve to defend the priority of the humanitarian dimension met the unfriendly reaction of the other European states and the vague response of the Commission that timidly recognised the complex nature of the crisis but refrained from activating any important European initiative. The EU did not activate solidarity actions to aid Italy's humanitarian efforts but reproached the Italian government for misdoing border control, abstaining from the regular checking of the un-documented immigrants and from the readmission to the countries of origin and transit of as many un-authorised immigrants as it had to. The Italian position, however, did not go completely unheeded (Gour, 2015). Italy's conduct pushed the other European governments and the Commission to care about the humanitarian side of the crisis, and it got it.

SCENARIO THREE: THE UNCERTAIN U-TURN OF A DIVIDED EU (NOVEMBER 2014 –2015)

On November 2014, the European Council accepted in principle to contribute to the costs that burden Italy for the reception of the refugees and migrants, and confirmed the usual position about the readmission, with the support of the Frontex operations, of the un-authorised immigrants to the country of origin. Accordingly, the EU's Operation Triton substituted Mare Nostrum in the Search and rescue mission but with a humanitarian mandate less important than that of the Italian operation. This was the first move of the EU's revisionist approach towards the crisis. A few more moves followed to this one in a year time period.

In May 2015, the European foreign and defence ministers claimed to engage the EU in disrupting the criminal activity of the smugglers of migrants and refugees. Consequently, in June the European Council decided to deploy the Eunavfor-Med mission in the Libyan seawaters. Since it was created, this operation has been almost beset by scepticism for being the disproportionate instrument of a misconceived objective. On 7 October 2015, the Operation has started the operative stage of its mandate by giving to the militaries the

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power to board, search, seize and divert vessels suspected of being used for human smuggling or trafficking on the high seas,

In May and in September 2015, the Commission, acting in agreement with governments like the Italian, German and French government, launched the first and second plan for the relocation of the refugees that had entered in Italy, Greece and Hungary. But Hungary refused to be one of the frontline countries eligible as exit country to the relocation mechanism. The May plan, made to respond to the Italian government request, met the disordered opposition of many governments and was approved by the Council and the Parliament only in September when also the second plan was prepared and approved at the majority vote. The second plan was made only after the German Chancellor Angel Merkel had accepted, and then blocked, the entry of refugees in her country, and under the shock caused by the terrible tragedies that occurred to migrants at the "core of Europe" like in Austria and at the marine border between Greece and Turkey,

The three decisions created the third scenario, which is marked by the following features. First, the EU recognizes the mixed nature of the migratory flows towards Europe and the need to take care of the humanitarian dimension but in a very circumscribed sense and amid internal controversies culminating in the formal opposition of the Czech Republic, Hungary, Romania, and Slovakia.

Second, the EU acknowledges that the 'frontline' Member states, i.e. the states that have been, and will be in the future, the first receivers of the mixed migration inflows, are eligible to adequate assistance by the Union. Following Hungary's resolve to block the inflow of migrants by a wall at the border with Serbia and refuse the qualification of frontline state, Greece and Italy are presently the states that are to be relieved from the burden of providing settlement to the refugees, bearing the costs of the procedures to check the international protection eligibility of the applicants, and the costs of the readmission of un-authorized economic immigrants.

Third, the EU organise the relocation of 160.000 persons (40.000 with the May plan and 120.000 with the September plan) from the two frontline states of today to other EU states, provided that those persons are eligible to international protection, namely to the refugee status[1].

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[1] With the May plan, 24 000 applicants will be relocated from Italy and 16 000 applicants from Greece to the territory of the other Member States. With the September plan, the number of applicants to relocate is 15 600 from Italy and 50 400 from Greece. The remaining 54 000 applicants will be relocated to the territory of the other Member States either proportionally to the numbers already agreed or to the ones the Commission will propose on consideration of the evolution of the situation. For each person relocated the

Four, the EU recognizes that the mixed migration flows are there to stay for a unknown length of time. Consequently, on one hand, the EU is ready to reopen the 'relocation plan' strategy in order to manage new refugee crises. On the other, the EU reaffirms that the persons not eligible to international protection, i.e. the economic migrants with no permit of entrance, must undergo the readmission process. To support the Member states, which are responsible for readmission, the EU undertakes to further the strategy of convincing the countries of origin and transit to cooperate with the EU by signing agreements of readmission and building border control capacities.

Last but not least, persisting internal divisions about the nature of the crisis and the preferred crisis management strategies characterize this scenario. In other terms, the migration crisis continues to be a source of stress and destabilization of the relationship among the Member states and between the EU institutions and the states. The grim process of the Commission plans for relocating the refugees and asylum-seekers in all the Member Countries demonstrates the European governments' inclination to downplay humanitarian duties, unwillingness to bear the burden of receiving foreign nationals in need of aid, and attempt to unload it to the neighbours. The decision of some member governments to suspend provisionally the Schengen rules is the exemplary demonstration of these circumstances.

The Council decision, made on the 22 of September at the majority vote, is an important step forward in the management of the crisis as it promises to respond to the problem of the reception of the refugees by organising and financing the voluntary collaboration of the Member states in the implementation of the relocation scheme. Yet, one should bid no further controversies among the European governments arise and the accomplishment of the identification and international protection eligibility procedures, which are to make in the hotspots operated by the states under the collaboration and supervision of the Commission, and as well the relocation of the refugees go to a smooth end in due time.

The Council decision deals also with the operations and programmes of the Union to respond to the problem of the migrants that are not eligible to international protection. The EU is aware of the migration crisis as a global problem deemed to hit and forcibly engage the states and international institutions for decades. The Council decision, however, does not display new strategies to deal with the size of the crisis but claims just to improve and expand the existing actions on the belief that they are apt to temper the harshness of the crisis.

Member State of relocation receives a lump sum of EUR 6 000; Italy or Greece receives a lump sum of at least EUR 500.

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The Council decision confirms the measures aimed at containing and rebuffing the migrants for economic reasons that have not successfully applied to a member state' authorization. No government hesitates to claim for such a policy. But, the readmission procedures are not that easy to manage. For this reason, the Council decision pledges to support the Member states through Frontex to accomplish the readmission operations. On the one hand, aiding the Member countries at the East-Southern borders of the Union to repatriate thousands of migrants after their identification is apparently a fair measure. Yet, the Italian government wants to see the whole process in action before trusting this part of the Commission plan. On the other hand, such a solution does not tune into the drivers of the current migration problem, in particular into the structural conditions of unemployment and the demographic growth in the outflow areas.

Also the negotiation of the re-admission agreements with the outflow countries, which is firmly pursued by the Commission staff, is a reasonable measure. The agreement with the country of origin includes cooperation on programmes aimed at border control capacity-building because the local government has to be able to halt the departure of new migrants as well as of the repatriated people that will seek to move again due to the persistent push of the factors that drive migration today. At best, then, the readmission measure is reasonable, costly and partially useful tool in the case of the migration driven by structural economic conditions at the level of the world market. In the Council decision, readmission and no check of the conditions for international protection is also the measure to use in dealing with the citizens of the 'safe state' list, i.e. the countries declared by the Commission as free from violence and persecution against the citizens.

The Council decision expands the EU's financial contributions to the countries and international organisations that organise refugee camps. But externalising refugee assistance by aiding third countries to establish refugee camps in crisis areas or along the migration routes and maintain the existing ones, a measure sought by the Commission also in the past and funded by ECHO, is a questionable measure as far as the existing camps are overcrowded and lack basic humanitarian conditions as the persons fleeing the camps to Europe demonstrate.

Keeping on with the existing asylum policy and the Dublin Convention rules is clearly against the wishes of some EU governments and against the rights and wishes of asylum-seekers (Ripoll & Trauner, 2014). The Council decision has not innovated this policy but recognizes that the asylum-seekers have a right to a fair and humane treatment.

Last, keeping on with aiding outflow countries to develop economically and politically is good strategy for the long-term solution of the problem but hardly the solution of today's problems.

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CONCLUSIONS

The informed opinions of the experts and the UN agencies do not let anyone doubt about the persistent pressure of mixed migration in the years ahead. Therefore, working on appropriate management strategies to lower down the effects of the crisis is tremendously important and the engagement of social and political scientists is high needed both to understand the nature of the crisis and advise about responses.

For geographical proximity reasons, the European states cannot exempt themselves from bearing a great bulk of the burdens and costs of the management strategies. Other rich states, the Gulf states included, have to engage in such an endeavour by giving aid funds and also organising migrant reception programmes. The international organisations have to play their important role of coordination and planning. Non-governmental and no-profit organisations at the international and local level will continue to be decisive actors on ground as well as in advising and organising specific actions.

The analysis of the three scenarios has highlighted flaws in the perception and management of the Mediterranean migration crisis by the EU and the Member States governments. They passed from the one-dimension representation of the phenomenon as illegal (economic) immigration, to the official recognition of the double dimension of the phenomenon. Yet, they differ about how to manage the migratory and especially the humanitarian dimension. The destabilization of the relations inside the EU, which has come out of the differences about the crisis and its management, further deteriorates the battered conditions of the Union after the economic crisis and the Greek debt problem. At no surprise, then, the EU is unable to design a strategy up to the need of the migration crisis. As violence and poverty are main contributors to migration flows today, it is unlikely that, after so long a time of retrenchment into the nation-state interests, the EU is able to intervene with the robust diplomacy and security power that are needed to contain the conflicts that fuel migration as well as to put on the ground the economic power that is needed to address the unemployment problems of the poor countries.

The EU governments have to realise, and communicate to the citizens, that the present migration crisis needs to be seen in the context of global trends and drivers in order to adopt appropriate actions and programmes. The migration crisis requires EU member states to face up to the politically uncomfortable challenges of demographic change, population mobility, and lack of economic opportunities to a huge number of persons. A Union of states with a so weak top decision-making body as the European Council is today, is hardly able to make it. Only rulers with a strong leadership can tell to the citizens that, unexpectedly, they have to share burden with refugees and foreign destitute persons. They should recognize that migrants are also agents of development, as the

Director General of the International Organization for Migration, William Lacy Swing has claimed (2015) "*but a lot depends on the warmth of our welcome and our ability to integrate them*".

REFERENCES

Campesi Giuseppe (2011), *The Arab Spring and the Crisis of the European Border Regime: Manufacturing Emergency in the Lampedusa Crisis*, EUI Working Paper RSCAS 2011/59

Carrera Sergio, Leonhard den Hertog and Joanna Parkin (2012), *EU Migration Policy in the wake of the Arab Spring What prospects for EU-Southern Mediterranean Relations?* MEDPRO Technical Report No. 15.

Carrera Sergio, Joanna Parkin, Leonhard den Hertog (2013), *EU migration policy after the Arab Spring: the pitfalls of home affairs diplomacy*, Policy Paper No. 74, Notre Europe – Jacques Delors Institute.

Cassarino Jean-Pierre (2014), *A reappraisal of the EU' exapanding readmission system*, in The International Spectator, 49, 4, 130-145.

Castles Stephen (2004), *The Factors That Make and Unmake Migration Policies,* in International Migration Review, 38, 3, 852-884.

Guillen Mauro and Emilio Ontiveros (2012), *Global Turning Points*, Cambridge University Press.

Hammerstad Anne (2013), *Population movement and its impact on world politics*, in Beeson Mark and Bisley Nick, eds., *Issues in 21st century world politics*, Houndsmill, Palgrave MacMillan, 162-176.

Ekelund Helena (2014) *The Establishment of FRONTEX: A New Institutionalist Approach*, Journal of European Integration, 36:2, 99-116

Gour Julia (2015), *EU Policies on Mixed Migration Flows in the Mediterranean Sea,* EU Centre in Singapore, Background paper no.13.

Heupel Monika (2013), *With power comes responsibility: Human rights protection in United Nations sanctions policy*, European Journal of International Relations 19(4) 773–796.

Hooghe Marc, Ann Trappers, Bart Meuleman and Tim Reeskens (2008), *Migration to European Countries: A Structural Explanation of Patterns, 1980-2004*, in International Migration Review, 42, 2, 476-504.

İçduygu Ahmet (2007), *The Politics of Irregular Migratory Flows in the Mediterranean Basin: Economy, Mobility and 'Illegality'*, in "Mediterranean Politics", 12, 2, 141-161.

Lacy Swing William (2015), *Migration is a Defining Issue of Our Time,* Interview by Warren Hoge, IPI Global Observatory, http://theglobalobservatory.org/2015/07/migration-syria-european-union-merkel/

Lebovic James H. and Voeten Erik (2006), *The politics of shame: the condemnation of country human rights practices in the UNCHR,* in "International Studies Quartelry", 50, 4, 861-888.

Murdie Amanda M. and David R. Davis (2012), *Shaming and Blaming: Using Events Data to Assess the Impact of Human Rights INGOs*, in International Studies Quarterly, 56, 1–16.

Ripoll Servent Ariadna & Florian Trauner (2014), *Do supranational EU institutions make a difference? EU asylum law before and after 'communitarization'*, Journal of European Public Policy, 21:8, 1142-1162.

Vertovec Steven (2004), *Migrant Transnationalism and Modes of Transfornution*, in "International Migration Review", 38,3, 970-1001.

Vertovec Steven and Susanne Wessendorf eds. (2010), *The multiculturalism backlash: European discourses, policies and practices*, London, Routledge.

Zaragoza Cristiani Jonathan (2015), *Tragedies in the Mediterranean: Analyzing the causes and addressing the solutions from the roots to the boats*, Notes Internacionals CIDOB, 124.