

## EU Migration Policy: The New Year's Resolution

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In these times of division and fragmentation it is difficult to expect unity on one of the highly controversial issues facing modern societies – the issue of migrants and refugees. And yet, the urgency to achieve a coherent policy that will prevent future massive arrivals has never been greater, particularly for the EU and its Member States. After several elections in key EU countries in 2017 the warning on another migration crisis has not gone unnoticed, but before the implementation of the objectives set out by the 2015 European Agenda on Migration there is still a long way to go. Nonetheless it would be unfair to keep on laying the blame for the unresolved migration crisis at the EU's doors without acknowledging the progress achieved.

Since this fall the number of migrant arrivals through the Central Mediterranean route dropped considerably. This was due to the accelerated cooperation with and changing attitude towards African countries culminating on the late November EU- Africa summit. Forced by EU domestic priorities the EU-Africa relations have been slowly moving from a paternalistic and asymmetric approach towards a more realistic strategic partnership coined as 'New Deal' between Africa and Europe. Beyond the urgency to tackle appalling and unacceptable conditions in Libyan detention centres with their shocking images of migrant slave markets, the summit offered hope that the EU will, according to the summit statement, start addressing the issue of migration through the lens of 'investment in education, in infrastructure in peace and security, as well as in good governance, all of which will in turn inspire good business environment and create much needed jobs and growth-all of which are the main driving forces behind irregular migration.' If the plan stands up to the challenge it could yield results albeit in the long run.

The EU Turkey refugee agreement is still holding and has already produced some positive results for refugees benefitting from better education, job training, health care, socioeconomic and infrastructure conditions. Unfortunately, although smaller than previous year, the number of deaths recoded in the Mediterranean has reached 3000 in the past 10 months due to the cutting off the departure routes from Libya which forced migrants to take longer and more perilous routes.

To master the challenges of combined refugee and migration flows depends on two different sets of policies: EU external relations policies (foreign common and security policy, development policy and external trade policy) on the one hand and internal EU law and regulations in the field of asylum, visa, return and integration of third country nationals on the other. Advancing the agenda on both fronts will be indispensable in the next and the years to come.

Upgrading EU external policy capacities is especially relevant in the light of the turbulent international environment and the US' continuing retreat from international cooperation, treaties and multilateral organizations, which portends a potential increase of the flow of refugees.

On 3 December 2017 the US has announced its withdrawal from the process set out by the non-binding UN General Assembly New York Declaration for Refugees and Migrants signed on 19 September 2016 with the aim of adopting a global compact for refugees and migrants in 2018. This milestone document was to commit all 193 signatory states to protect lives and respect rights of migrants, regardless of their migratory status by promoting international cooperation and shared responsibilities – in short – the first comprehensive framework for a global, coordinated response to growing world migratory movements. This unexpected decision will lay down additional burden of responsibility on the EU and its Member States whose capacities have already been stretched to their limits.

The EU has no other option but to enhance its diplomatic service and strengthen its global presence. This implies in particular maintaining focus on Africa and the Middle East, the regions holding the keys for a potential upsurge in refugees. To begin with, negotiations with Morocco, Tunisia, Algeria and Nigeria on signing the readmission agreement will need to be pursued, while consolidating cooperation in other



policy areas which are of crucial interest for these countries. The security agenda has always been intertwined with and dependent on a much broader political context in which success hinges on a balanced approach. That includes the right mix between visa policy, legal migration options, trade, agriculture policy, development aid and technical assistance, foreign investment and conflict mediation.

Regarding the EU rules and laws the reform of the EU asylum system and the Dublin III Regulation in particular is one of the most urgent priorities. The Estonian EU Presidency has outlined a proposal to overhaul the system long time criticised by the frontline EU states struggling to cope with receiving, registering and processing migrants and asylum seekers. Faced with the persistent refusal of East European countries to comply with the repartition quotas, Estonia put forward alternative proposal where repartition of migrants depends on the agreement between frontline states and host countries. The negotiations on the proposal will most likely be carried out by the forthcoming Bulgarian presidency.

Resettlement (to be distinguished from relocation as it targets people in third countries seeking international protection who are selected for purpose of lawful admission) is set to become the main path of the EU legal migration strand (hitherto a weak point of EU migration policy). Results of the resettlement instrument have so far been slow in coming especially for people from the north of Africa. The EU resettlement schemes are new and untapped and many EU countries still need to live up to their promises made to resettle at least 50.000 people.

The US, which until now has been the world biggest resettlement country, saw the number of accepted refugees hit a record low following the election of Donald Trump. His election promises and ongoing practices aimed at slashing immigration and introducing extreme vetting, especially from Muslim countries paint an uncertain future for refugees seeking sanctuary in the US. This leaves the EU in an even more challenging position than before.

But as Otto von Bismarck once noticed: politics is the art of the possible. The same holds true for the EU's migration policy. Gone are the times of grand bargains that could shape the course of history and outlive generations. If the EU is keen on upholding the values of democracy and human rights and ensuring that the number of Member States stay stable after the UK exit it will have to continue treading the fine line between realpolitik and noble humanitarian principles.

In one way or another migration will stay on top of the list of priorities next year and the years to come. It will require a lot of wise diplomacy combined with the willingness to make compromises and trade-offs in order to keep the European project alive.