COMMISSION OF THE EUROPEAN UNION

REFUGEE CRISIS

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Introduction to Parliamentary Procedure

This committee will abide by standard Model United Nations Parliamentary Procedure. The committee chairs will facilitate debate by calling on speakers, entertaining motions, counting votes, and reviewing resolutions. Some of the most essential terms of parliamentary procedure are:

- **Motion to Open Debate:** This is the first motion of the conference and is made to move into formal debate and open the primary speakers list. If there are multiple topics on the agenda, the body will first debate on the order they are to be discussed until there is a **Motion to Set the Agenda**. Speaking time during debate may be limited with a **Motion to Limit Debate**.
- **Motion to Enter Moderated Caucus**: This motion brings the body into a moderated debate on a proposed issue for a specified amount of time. The moderating officer will recognize speakers for a specified amount of time; delegates cannot yield to anyone but the Chair at the end of their speech. This motion requires a second, is not debatable, and needs a simple majority to pass.
- **Motion to Enter Unmoderated Caucus**: This motion temporarily suspends the meeting for a specified amount of time. Use it to create resolutions, talk to other delegates, or anything else you may need to do. It requires a second, is not debatable, and needs a simple majority to pass.
- **Point of Inquiry**: This point may be raised after a speaker yields to questions. It is used to ask a question of the speaker relating to the speech just given. It may also be used to ask the chair a questions regarding parliamentary procedure during a normal session.
- **Motion to Introduce a Working Paper**: This motion brings a working paper that has already been approved by the Chair to the floor for general debate. It requires a simple majority to pass.
- **Motion to Introduce an Unfriendly Amendment**: This motion brings an amendment that has already been submitted to the Chair with the appropriate number of signatories to the floor for general debate and a vote. No second is required. It is only for unfriendly amendments; friendly amendments are automatically considered part of the resolution.
- **Motion to Suspend the Meeting**: This motion suspends the body between sessions. This motion requires a second, is not debatable, and needs a simple majority to pass.
- **Motion to Adjourn the Session**: This motion adjourns the committee sessions for good. It will only be entertained by the chair at the end of the last committee session. This motion requires a second, is not debatable, and needs a simple majority to pass.

If multiple motions are submitted at once, the Committee will vote in order of most disruptive to least disruptive. Voting will default to a simple majority, unless a delegate motions to vote by

consensus or roll call and the motion passes. The Chair reserves the right to reject a motion if it is not deemed to be in order.

The Resolution

While debating an issue on the committee floor is very important, resolutions put into practice what delegates have been advocating for and ultimately come to shape the nature of the committee. They should be written in accordance with European Union procedure, and submitted to the Chair for structural editing prior to its introduction via motion. Resolutions in the European Union are called "recommendations" while laws are known as "acts"; hereafter this committee will refer to all resolutions as recommendations. Recommendations should use non-binding language due to the fact they are not law, and are subsequently extensively revised and expanded upon by the European Council and European Parliament. While acts are highly specific and often hundreds of pages long, recommendations should be a few (2-5) pages and propose new structures in broader terms, to facilitate their passage.

The European Union says the following on the format of acts:[1]

> 1. Acts adopted ... shall indicate the nature of the relevant act followed by the serial number, the date of its adoption and an indication of its subject-matter.

> 2. Acts adopted jointly by Parliament and the Council shall contain the following:
> (a) "The European Parliament and the Council of the European Union";
> (b) a reference to the provisions under which the act is adopted, preceded by the words "Having regard to";
> (c) a citation containing a reference to proposals submitted, opinions obtained and consultations held;
> (d) a statement of the reasons on which the act is based, introduced by the word "Whereas";
> (e) a phrase such as "have adopted this Regulation" or "have adopted this Directive" or "have adopted this Decision" or "have decided as follows", followed by the body of the act.

> 3. Acts shall be divided into articles, [and] if appropriate grouped into chapters and sections.

> 4. The last article of an act shall be followed by: ... "Done at … ", followed by the date on which the act was adopted; – "For the European Parliament The President", "For the Council The President", followed by the name of the President of Parliament **[Martin Schulz]** and of the President-in-Office of the Council **[Donald Tusk]** at the time when the act was adopted.

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[1] The European Parliament, "Rules of Procedure," July 2014: 49-50.

Note: This committee requires 20% of present delegates to act as signatories and sponsors in order to consider an Act.

Timeline of the Crisis and European Involvement

March 2011-First major protests begin

March 29, 2011-Syrian government resigns amid the wave of unrest.

May 2011-Syrian government deploys army against anti-regime protesters

May 10, 2011-EU imposes sanctions that include an arms embargo, a ban on sales of equipment which can be used in internal repression, and a travel ban on thirteen members of Bashar al-Assad's inner circle for their part in the crackdown.

May 23, 2011-EU adds Bashar al-Assad and nine other senior members of the Syrian government to the list of persons subject to restrictive measures.

June 2011-Seige of Jisr ash-Shugur. The UNHCR estimated that 5,050 refugees fled to the Turkish border as a result[2]

August 9, 2011-Turkish Foreign Minister Ahmet Davutoglu meets with Assad for over six hours to discuss "concrete steps" to end violence

August 18, 2011-President Obama, EU High Representative, Britain, Germany, and France call for Assad to step down[3]

September 2, 2011-EU imposes a Syrian oil embargo and travel ban – contractual obligations end and embargo goes into complete force on November 15

September 15, 2011-Europe's Parliament demands an immediate halt to crackdowns, for Assad and his regime to immediately relinquish power and for a transparent investigation into all alleged abuses. MEPs urge Russia and china to condemn the lethal use of force and impose sanctions, as EP President, Jerzy Buzek, says, "We Europeans must assume our responsibility to protect civilians and our responsibility to protect democracy."

September 23, 2011-EU adopts additional sanctions against Syria, including "an investment ban in the Syrian oil sector," while forecasting the "prohibition on the delivery of banknotes to the Syrian Central Bank" and more individuals added to the travel ban and asset freeze list.

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[2] "Syrian unrest: Army in control of Jisr al-Shughour," *BBC*, June 12, 2011, http://www.bbc.co.uk/news/world-middle-east-13741106.

[3] Catherine Ashton, "Declaration by the High Representative, Catherine Ashton, on behalf of the European Union on EU action following the escalation of violent repression in Syria," *European Union Press*, August 18, 2011, http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/cfsp/124393.pdf; "Joint UK, French and German statement on Syria," *Prime Minister's Office*, August 18, 2011, https://www.gov.uk/government/news/joint-uk-french-and-german-statement-on-syria.

September 27, 2011-Addressing the European Parliament, Catherine Ashton says, "We are pursuing a double track approach: by stepping up measures designed to undermine the regime's support and by achieving a further isolation of the Syrian leadership."

October 3, 2011-Turkey's Prime Minister announces that sanctions against Syria are underway.

October 11, 2011-Syria's most senior Sunni Muslim cleric warns Europe and the US against military measure, saying "we will prepare our suicide bombers who are already with you if you bombard Syria or Lebanon. From today an eye for an eye and a tooth for a tooth."

October 13, 2011-EU adds the Commercial Bank of Syria to its sanctions list, bringing the total to 19 entities.

October 20, 2011-Syrian Central Bank governor suggests that Syria may switch to the Russian ruble for banking transactions should the EU ban Syria's use of the euro.

October 27, 2011-EU Parliament passed a resolution condemning the killing of peaceful protesters in Syria, calling for the protection of Christian communities and supporting the emergence of organized Syrian democratic opposition forces[4]

November 9, 2011-During the UNSC's open debate on civilian protection, Navi Pillay says there is a serious risk of the situation in Syria descending into an armed struggle; the US urges Syrian citizens not to surrender weapons to the government in response to Syria's call to do so in exchange for amnesty; several countries express condemnation of the Assad regime; the US, Japan and France suggest the UNSC failed to protect civilians in not adopting a resolution condemning the violence.

November 14, 2011-The Council of Europe reinforces the EU's restrictive measures, suspending the disbursement of European Investment Bank loans and adding 18 additional persons to the asset freeze and travel ban list.

November 15, 2011-Turkey threatens to cut off electricity to Syria if Assad "[stays] on this course [of violence]."

November 30, 2011-Turkey says that Assad's government has come to "the end of the road" and announces economic sanctions that include the suspension of all financial dealings with Syria and the freezing of Assad's assets.

December 14, 2011-Turkey announces it will cancel tax cuts on industrial goods imported from Syria, which will cost Turkey $8 billion per year.

January 13, 2012-France orders a probe into the death of a French journalist in Syria, implicating the Syrian government.

January 14, 2012-A Russian ship carrying a cargo of ammunition arrives in Syria after claiming its destination was Turkey.

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[4] "Parliament stands up for Christians in Egypt and Syria," *European Parliament News*, October 27, 2011, http://www.europarl.europa.eu/news/en/news-room/20111027IPR30446/html/Parliament-stands-up-for-Christians-in-Egypt-and-Syria.

February 2012-Many EU nations (France, the UK, Italy to name a few) close their embassies in Syria and withdraw diplomatic personnel due to safety concerns

February 14, 2012- France sets up a humanitarian fund for aid agencies looking to help the Syrian people and plans to propose something similar at the international level.

February 27, 2012-EU imposes new sanctions, freezing the assets of 7 Syrian government officials and the Syrian central bank, and banning cargo flights from the EU, as well as the purchase of gold, precious metals, and diamonds.

March 22, 2012-EU allocates €7 million in humanitarian aid to Syria "to finance life-saving assistance to those who have been wounded or forced to flee the ongoing violence."

March 29, 2012-Britain doubles its aid to Syrian opposition groups, pledging £500,000 worth of training for activists and citizen journalists, secure phones for better communication, and assistance to civil society groups for gathering evidence of atrocities.

April 23, 2012-EU imposes another round of sanctions on Syria which bans the sale of luxury goods to Syria and restricts the export to Syria any equipment, goods and technology "that can be used for internal repression or for making and maintaining such products."

May 29, 2012-Panos Moumtzis, the UN refugee coordinator for Syria, tells reporters that there are now 500,000 IDPs in Syria and 73,000 refugees in neighboring countries who have fled the violence in Syria.

May 29, 2012-In response to the massacre in Houla, 11 countries – Australia, Canada, Britain, the US, Bulgaria, France, Germany, Italy, Switzerland, the Netherlands, and Spain – expel Syrian diplomats from their capitals.

May 30, 2012-At the request of Qatar, Turkey, the US, Saudi Arabia, Kuwait, Denmark and the EU, the HRC announces it will hold a Special Session on June 1 on the deteriorating human rights situation in Syria and the recent killings in Houla.

June 4, 2012-Refugees International says the Syrian refugee crisis may threaten the political stability of Lebanon and Jordan, with roughly 125,000 Syrian refugees between them, and calls on donors to increase humanitarian and development aid.

June 5, 2012-The Syrian government bans 17 diplomats from Belgium, Britain, Bulgaria, France, Italy, Canada, Germany, the US, Spain, Switzerland, and Turkey.

June 8, 2012-EU adopts a special measure amounting to €23 million in order to enable a rapid response to the crisis situation in Syria and to areas affected by the influx of refugees.

June 13, 2012-UN Central Emergency Response Fund provides $9 million in funding to assist Syrian refugees in Lebanon, Turkey and Jordan, who now total over 78,000 people.

July 6, 2012-The "Friends of Syria" meet in Paris, calling for broader sanctions against Syria and regime officials.

July 2012-Turkey closes borders with Syria, still lets refugees cross[5]

August 23, 2012-Britain and France back the US threat of military intervention with a no-fly zone in Syria should the regime transport or deploy Syria's chemical weapons stockpile.

August 24, 2012-UNHCR says that several days of sectarian clashes in Tripoli, Lebanon, sparked by the violence in Syria, are hampering efforts to provide assistance to Syrian refugees.

August 29, 2012-Turkey urges the UNSC to create a safe zone inside Syria to project refugees.

October 16, 2012-UNHCR urges all member-states of the EU to adhere to the principles of their Common European Asylum System and ensure access to territory and asylum procedures for all refugees fleeing violence in Syria.

October 19, 2012-Turkish Foreign Minister Ahmet Davutoglu urges "direct humanitarian intervention" by the international community to end the bloodshed.

December 10, 2012-EU contributes an additional €30 million in humanitarian funding for Syria.

December 13, 2012-EU's Parliament says that the EU should do more to help Syrian refugees by setting up a regional protection program, while EU member-states should agree to resettle some refugees.

December 20-EU allots an additional €21 million to help Syrian refugees in Lebanon and Jordan.

January 26, 2013-UK pledges an additional £21m in humanitarian aid.

April 5, 2013-UNHCR reports the number of registered Syrian refugees at over 4 million.

April 22, 2013-EU eases its oil embargo on Syria in order to "help the civilian population and support the opposition."

May 12, 2013-EU pledges an additional €65 million in humanitarian aid.

June 18, 2013-UNHCR says that with 3.5 million projected refugees by the end of the year, the pressure on Syria's neighbors has become "overwhelming," and warns of the increasing risk of the conflict spilling over.

June 24, 2013-EU pledges an additional €400 million in humanitarian assistance to Syria.

September 4, 2013-UNHCR and governments of Iraq, Jordan, Lebanon and Turkey release a statement calling upon the international community to overcome differences in order to stop the fighting in Syria and appealing for expanded support and assistance to help respond to the massive humanitarian crisis.

October 10, 2013- UNICEF reports that half of the 2.1 million Syrian refugees are children, many of whom are vulnerable to exploitation, including early marriage, domestic violence and child labor.

October 18, 2013-UNHCR urges all countries to keep their borders open to Syrian refugees and enable their safe passage, amid a growing number of refugees seeking safety in Europe.

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[5] "Turkey to close all border gates with Syria," *Hurriyet Daily News*, July 25, 2012, http://www.hurriyetdailynews.com/turkey-to-close-all-border-gates-with-syria.aspx?pageID=238&nID=26293&NewsCatID=338.

December 18, 2013-EU pledges a total of €147 million to three UN agencies to deliver vitally needed aid to people directly affected by the Syrian crisis. EU, OCHA, WFP, UNHCR, and UNICEF release a joint statement calling upon the international community to increase funding for humanitarian aid, calling the conflict "the greatest humanitarian tragedy of our times." They further call upon all parties to ensure the protection of civilians and to ensure unimpeded humanitarian access.

February 21, 2014-UNHCR urges states to offer admission to 100,000 Syrian refugees in 2015 and 2016, reporting more than 2.4 million registered Syrian refugees in the region (932,000 in Lebanon; 547,000 in Jordan; 613,000 in Turkey; 223,000 in Iraq; 134,000 in Egypt).

June 13, 2014- Germany extends its humanitarian admission program for Syrian refugees by an additional 10,000 places, offering a total of 20,000 places.

July 3, 2014-UNHCR warns of "grave risks" for Syrian refugees if funding gaps are not closed by the end of 2014, calling upon the international community to do more.
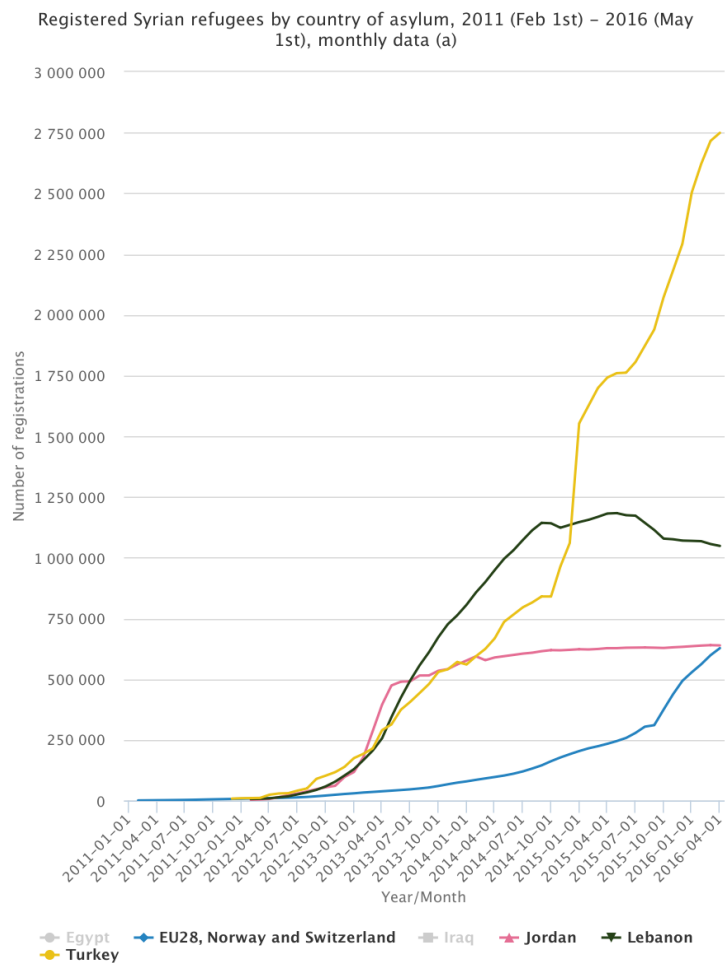
July 11, 2014-UNHCR releases a new report saying that Europe is shouldering a small part of the Syrian refugee problem and urging its countries to do more and "implement a comprehensive response based on their responsibilities under international and regional law."

October 20, 2014-UN Emergency Relief Coordinator Valerie Amos reports that over 10 million people have been displaced or fled Syria, with over 1.6 million refugees estimated in Turkey, 1.1 million in Lebanon, and over 619,000 in Jordan. She calls upon the international community to "remember the suffering of the Syrian people and act."

Introduction To The Migrant Crisis

Migrants from the Middle East and North Africa (MENA) have flocked to industrialized Europe in recent years due to extreme poverty and political instability in their home region. In 2015, 1,321,560 migrants applied for EU asylum, the highest number on record.[6] Irregular migrants commonly embark on risky journeys across the Mediterranean Sea in search of better economic prospects; over 1.01 million of the 1.3 million migrants in 2015 reached Europe via boat. A place on a raft sells for a premium, and these vessels commonly sink due to overloading and poor construction. In 2015, over 3,770 migrants died en route to Europe.[7] These migrants can be divided into two groups: those seeking employment and those fleeing conflict. Those fleeing conflict are formally referred to as asylum seekers; asylum seekers are not granted refugee status unless member states decide they qualify following extensive legal

Registered Syrian refugees by country of asylum, 2011 (Feb 1st) – 2016 (May 1st), monthly data (a)

Egypt EU28, Norway and Switzerland Iraq Jordan Lebanon Turkey

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[6] "Asylum Statistics," Eurostat: Statistics Explained, April 20, 2015, http://ec.europa.eu/eurostat/statistics-explained/index.php/Asylum_statistics.

[7] "Migrant Crisis: Migration to Europe Explained in Seven Charts," BBC, March 4, 2016, http://www.bbc.com/news/world-europe-34131911.

proceedings.[8] At the current immigration volume, FRONTEX, the EU's border control agency, cannot screen all migrants for potential security risks, effectively place them, and conduct rescue operations for those stranded at sea. The surge of refugees and asylum applicants in 2015 alone is higher than the number during the fall of the Berlin Wall and the conflict in former Yugoslavia.[9]

Much of the discourse surrounding irregular migrants and refugees centers around Europe's ability to pay for others. This influx of immigrants has placed a significant burden on the economy: migration flows leave a disparate portion of undocumented workers in economically depressed Southern Europe, who typically work low-paying jobs and rely extensively on welfare programs. Greece, bordering Turkey and closest to Syria, is the largest point of influx. While receiving the largest share of the migrant burden, Greece is also burdened with the worst economy and strictest austerity measures in the European Union, and consequently has the fewest resources. Northern European states such as Germany are more affluent than their Southern counterparts, but previously attempted to limit migration from Italy, Spain, and Greece despite membership in the Schengen Area due to fear of job competition; states in the Balkans continue to block migrants from passage. At a time of limited job availability following the global recession and currency crisis, competition with native labor is not welcomed.

In recent months, concerns have also been raised as to the lack of a formal security screening process for migrants arriving by sea. Considering the extensive terrorism networks in Syria, Afghanistan, and Libya, all central sources of refugees, it is possible terrorist organizations could plant operatives on refugee boats to gain access to Europe. This has already occurred: in November 2015, a series of bombings and mass shootings in Paris killed 130, while in March 2016, three nail bombings in Belgium killed 32 civilians. There have been calls for Europe to adopt a screening process as strict as the United States', but opponents claim this cumbersome process is infeasible given the large numbers of refugees arriving by sea (rather than applying from their homes), and frequent lack of documentation.

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[8] According to UNESCO, "Asylum seekers are people who move across borders in search of protection, but who may not fulfil the strict criteria laid down by the 1951 Convention. Asylum seeker describes someone who has applied for protection as a refugee and is awaiting the determination of his or her status. Refugee is the term used to describe a person who has already been granted protection. Asylum seekers can become refugees if the local immigration or refugee authority deems them as fitting the international definition of refugee.
The definition of asylum seeker may vary from country to country, depending on the laws of each country. However, in most countries, the terms asylum seeker/asylee and refugee differ only in regard to the place where an individual asks for protection. Whereas an asylum seeker asks for protection after arriving in the host country, a refugee asks for protection and is granted this protected status outside of the host country." "Asylum Seeker," *UNESCO*, http://www.unesco.org/new/en/social-and-human-sciences/themes/international-migration/glossary/asylum-seeker/.

[9] Shekhar Aiyar, Bergljot Barkbu, Nicolette Batini, Helge Berger, Enrica Detragiache, Allan Dizioli, et. all, "The Refugee Surge in Europe: Economic Challenges," *IMF* (2016), 8, https://www.imf.org/external/pubs/ft/sdn/2016/sdn1602.pdf.

Once in Europe, there are numerous additional concerns about readjustment and long-term settlement in Europe. The immediate concern is living conditions for refugees immediately after arrival. Refugee camps have been criticized by numerous politicians, human rights groups, and media sources for their subpar conditions due to overcrowding, a lack of infrastructure and utilities, and the inability of the state to provide resources such as winter coats. These camps are often located along borders, and inter-state disputes halt the resettlement process, causing the population to swell. Most famously, this occurred at the Idomeni refugee camp in Greece, where the interior minister called it "a modern-day Dachau" after Macedonia briefly closed its borders and the camp -- with capacity for 2,500 -- hosted 12,000 migrants.

Beyond refugee camps, migrants often face difficulties integrating into European communities. Refugees from North Africa and the Middle East are overwhelmingly Muslim, while Europe's right-wing has expressed concern over devout Islamic migrants' ability to integrate into largely secular European life. In Europe's current situation, North African migrants often live in cultural enclaves that are traditionally poorer, neglected, and estranged from mainstream society. These "dish cities" have become places of violence and anti-government sentiment, and many politicians worry that these areas will foster radicalism. Often, cultural practices violate EU regulations. For example, halal meat slaughtering breaks sanitation and animal rights codes. Many Europeans have responded to the social implications of increased migration and the changing climate by joining far-right parties with staunchly anti-immigrant platforms. This presents a further problem for the EU: should these parties be prosecuted for their violation of human rights, or would such measures violate principles of free expression?

There are many classic foreign policy debates present in the present topic, all of which delegates must evaluate to form complete resolutions. Migration is a substantial economic burden; the EU must choose whether it will prioritize the comfort of its own citizens or pursue the more cosmopolitan idea of the global citizen. Attempting to balance individual liberty and collective security, member states must discuss the security risk of allowing thousands of unscreened migrants flood Europe in the name of human rights. Finally, the EU must decide what attitude it will take towards migrants from a vastly different culture, and to what extent a limitation on the cultural expression of refugees and the political expression of Europeans is justifiable on the grounds of more harmonious society.

Legal Precedents on Migration

There have been a series of documents passed internationally, at both the European Union and United Nations level, that address the attitude states (particularly ones with high development indexes) should adopt towards migrants and refugees. When taken in conjunction with laws concerning immigration at the state level and the open borders policy of the Schengen Area, this

creates an increasingly complex jurisprudential background to base future policies upon. While United Nations and EU regulations have already been recognized by all member states, their legal consequence is still being examined, and laws passed at the state level in Europe provide both ideas for new EU-wide regulations, and disagreement when state law seems to contradict EU policy. These are short descriptions of each piece of legislation and should by no means be the only research delegates do because each precedent will take on a different tone and understanding in each member state.

UNHCR Convention on the Status of Refugees (1951, 1967). The United Nations High Commissioner for Refugees, in article IV of the 1951 Convention on the Status of Refugees, provides many standards of care for the treatment of refugees. There are several especially pertinent parts of the Convention of the Status of Refugees. Part B ensures that states should encourage family reunification whenever possible; the majority of irregular migrants fleeing conflict are young adult males, many with families. This complicates the temporal nature of immigration, as European states may later be obligated to bring refugees' families to their country in a fulfillment of their duty to the UNHCR. Part C recognizes refugees' extensive need for welfare services and encourages governments to provide them to the fullest extent possible, in contrast to several current laws at the state level in Europe that ban refugees from using welfare services. This directly corresponds to the main concern of many Europeans, the fear that refugees will overburden Europe's extensive social safety net without paying their fair share.

The Schengen Agreement (1985). The Schengen Agreement, following the freedom of movement between states initially encouraged by the European Economic Community, supports the reduction of border controls between EU member states. This includes the abolition of border checks or implementation of reduced speed vehicle checks at many Schengen land borders, and has been considered the pinnacle of European cultural and social integration. In 2011, France briefly reintroduced controls at its border with Italy following the migration of thousands of Tunisians and Libyans, and Denmark reintroduced controls on its shared borders with refugee havens Sweden and Germany. In September 2015, Germany reinstated temporary controls along its Austrian border following the migration of 40,000 Syrian refugees in one weekend (but has pledged to ultimately open its borders to all Syrian refugees, hoping to attract in excess of 1,000,000 migrants); Austria, the Netherlands, and Slovakia have followed suit. Last year, many considered the Schengen Area, and thus the social and cultural mission of the European Union itself, to be in crisis as a result of the border controls. In the last year or so, border controls have paradoxically become somewhat assimilated into how the European Commission imagines the Schengen Agreement as evidence by the implementation of time limits among other new policy decisions. Below are the major changes that were made in September 2017:

Reintroduction of control at internal borders between Schengen Member States after September 2015

In November, **Sweden** reintroduced controls on its ferry connections from the south and on the bridge to Denmark. Those migrants who enter the country on entry routes that are covered by the controls and who apply for asylum are systematically registered and fingerprinted. Under a new Swedish law, which entered into force on 4 January 2016, transport companies are obliged to ensure that passengers on the way to Sweden have a valid travel document.

Norway, also facing an increased migratory flow, reintroduced border controls in November to identify among the migrants those who want to apply for asylum.

Denmark reintroduced border controls with particular focus on the sea and land borders with Germany on 4 January 2016.

On 13 September 2015, **Germany** reintroduced temporary border controls at internal borders, with a special focus on the land border with Austria. The controls enable systematic monitoring, registration and dispatching of these persons to Germany. In November, following the terrorist attack in France, the Federal Police reinforced its controls of the border, covering also smaller routes.

Belgium has stepped up police controls on the main roads from France on the basis of risk analysis. The Belgian police has detected irregular migrants during random police checks on routes from neighbouring Member States, mostly on trains, lorries and on intra-EU/Schengen flights.

After the terrorist attack in Paris in November, and coinciding with the measures planned for the COP21 conference in Paris in December, **France** has reinstated controls at its borders with Belgium, Luxembourg, Germany, Switzerland, Italy and Spain. Mobile controls were set up, while fixed controls were only re-established for a few days before the opening of the COP21.

Malta reinstated temporary internal border controls during November until end December 2015 due to the Valletta Conference on Migration and the Commonwealth Heads of Government Meeting. The reintroduced controls led to a number of detections of persons travelling with fraudulent documents on intra-Schengen movements.

Austria reintroduced temporary controls at its border with Slovenia, Italy, Hungary and Slovakia, from where the largest flow of persons without legal travel documents is arriving. Checks are carried out in a flexible manner, adapting to the situation on the basis of intelligence.

The **Slovenian authorities** reintroduced controls on their side of the border with Hungary. Their purpose was to protect this border section when the main migratory flow still transited through Hungary. These controls ended by the end of October.

The **Czech Republic** has not officially reintroduced their border controls, but have intensified police presence and checks of travellers.

In mid-October, **Hungary** reintroduced controls at its border with Slovenia for ten days. The step was taken after Hungary had extended its temporary technical obstacle with Serbia also to Croatia, which effectively stopped migration through Hungary and diverted the transit of migrants to Slovenia and further to Austria.

- Controls for foreseeable circumstances may last for an initial period of 30 days or for the foreseeable duration of the serious threat if longer.
- The controls can be renewed for additional periods of up to 30 days, up to a maximum of 6 months with the possibility to prolong controls up to a maximum period of 1 year in total.
- In cases where the controls last for more than 6 months, Member States will have the obligation to demonstrate retrospectively in the risk assessment not only the efficiency of the reintroduced border control in addressing the identified threat, but also to provide a detailed explanation of how the neighboring Member States affected by such prolongation were consulted and involved in determining the least burdensome operational arrangements.
- The Commission may in each case issue an opinion on the reintroduction of internal border controls. In cases where the controls last for more than 6 months or where the Commission has concerns about the necessity or proportionality of the controls, the Commission has an obligation to issue an opinion.[10] On the next page, you can see a map of the borders that have been put up.

European Council Directive 2001/55/EC: Directive on Temporary Protection (2001). Written in response to the refugee crisis after the bloody war in the former Yugoslavia, the Directive on Temporary Protection established precedent for offering "immediate temporary protection" in "cases of mass influx of displaced persons who cannot return to their country of origin" in its second clause.

European Council Directive 2004/83/EC (2004). The European Council Directive "On Minimum Standards for the Qualification and Status of Third-Country Nationals or Stateless Persons as Refugees or as Persons Who Otherwise Need International Protection and the Content of Protection Granted" provides a definition for the qualification as a refugee and the actors which are suitable to assist refugees. Chapter V provides qualifications for subsidiary protection, including "serious and individual threat to a civilian's life or person by reason of indiscriminate violence in situations of international or internal armed conflict." Under this, migrants fleeing the Syrian and Libyan Civil Wars would qualify for three-year residence permits.

FRONTEX
FRONTEX was created in 2004 by the Council of the EU. The purpose of FRONTEX is "coordination of intelligence driven operational co-operation at EU level to strengthen security at the external borders."[11] This translates to assisting national border security forces or the equivalent in each EU country in efforts to coordinate external border control for the borders of the EU. The historical context of FRONTEX's realization was an increase in fear surrounding migration, the fact that the EU was growing and the fear that it would be harder to control external borders as the

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[10] "The Updated Schengen Rules," The European Commission, September 2017, https://ec.europa.eu/home-affairs/ sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/ 20170927_factsheet_updated_schengen_rules_en.pdf.

[11] As quoted in Andrew W. Neal, "Securitization and Risk at the EU Border: The Origins of FRONTEX*," *The Journal of Common Market Studies* (2009), 333.

EU grew, and 9/11 having raised concerns about security.[12] However, a legitimate concern for human rights must also be considered part of the historical context of FRONTEX because it ultimately helped to shape the form and function of the agency.

One of the most clear representations of this tension between securitization and legitimate concern for human rights is seen in Operation Mare Nostrum. The operation began in October 2013 as a response to the increasing number of migrants coming in by sea. The operation was carried out by the Italian navy and primarily took the form of search and rescue operations. According to the Italian navy:

> An agreement with Save the Children has provided for the presence of professionals onboard the units for information, support, legal counseling and cultural mediation for the children and teen-agers rescued at sea.
> All people rescued underwent medical triage, to assess their health conditions and necessary treatments. The USMAF doctors onboard allowed early prevention from the risks of possible infections spread ashore.
>
> During the last 364 days of relentless activity in all weather conditions, the units of the Italian Navy have engaged in 421 operations and rescued 150.810 migrants; 5 mother ships have been seized and 330 alleged smugglers have been brought to justice. These results have been achieved by 900 military engaged any single day day, 32 naval units and 2 submarines taking shifts in over 45,000 hours of active operations.[13]

Despite the efficacy of Mare Nostrum, it was unpopular within the EU because it was expensive which led to its suspension in 2014. Amnesty International reported a dramatic increase in deaths of migrants by sea in the months following the termination of Mare Nostrum. It was replaced with Operation Triton, which focused much more on surveillance and border patrol than search and rescue. Triton has been given a great deal more funding for search and rescue as a result of the capsizing of two ships in one week in 2015 which led to 1,200 deaths.[14] The ebb and flow of financial and physical resources for search and rescue operations demonstrates one of the central

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[12] Nina Perkowski, "A normative assessment of the aims and practices of the European border management agency Frontex" (*Refugee Studies Center*, Working Paper 2012), 12, https://www.rsc.ox.ac.uk/files/publications/working-paper-series/wp81-normative-assessment-frontex-2012.pdf.

[13] "Mare Nostrum Operation," *Marina Militare*, http://www.marina.difesa.it/EN/operations/Pagine/MareNostrum.aspx.

[14] "A safer sea: The impact of increased search and rescue operations in the central Mediterranean," Amnesty International, July 9, 2015.

struggles that has characterized not only border control, but many of the other actions the European Union takes towards refugees, asylum seekers, and migrants.

European Council Regulation (EC) No 562/2006 (2006). This regulation established limits on the border controls of the Schengen Area, as well as a multilateral agreement on the proper kinds of border control for each nation while maintaining the full extent of openness. It establishes that "border control should help to combat illegal immigration and trafficking in human beings and to prevent any threat to the Member States' internal security, public policy, public health and international relations," allowing for the possibility that the provisions regarding the protection of refugees and temporary residents who entered the EU illegally could be negated. Of chief concern is the national security condition, as the suggestion the Islamic State is sending fighters to Europe through this process continues to concern leaders.

The Dublin Regulation (2013). The Dublin Regulation created specific policy in the Schengen Area regarding the movement of refugees: states that directly receive migrants (such as Italy or Greece), known as "entry-point states," bear the unilateral responsibility for irregular migrants. Asylum seekers must stay in the first state that accepts them; that state is solely responsible for reviewing applications for asylum. In June 2015, Hungary stopped receiving refugees who had first applied for asylum within its borders but were found elsewhere due to the overwhelming volume of migrants. In August 2015, Germany temporarily suspended the Dublin Regulation for Syrian refugees, assuming the additional burden of migration, but reinstated it by October due to logistical difficulties. In September 2015, the Czech Republic suspended the Dublin Regulation. At this point, the Dublin Regulation has been partly suspended in numerous states; however, other states have strongly opposed modification of the Dublin Regulation to establish quota systems. The EU hopes to return to the original Dublin system by December 2016.[15]

Within the Dublin System, EURODAC has been a notable feature. EURODAC is an EU "asylum fingerprint database."[16] It basically streamlines data on identities of asylum applicants. This has helped to enact the Dublin Regulation's option for "take charge" and "take back" requests. "Take charge" requests occur when member-states believe that the asylum seeker should have applied for asylum in another member-state. "Take back" requests occur when member-states find that an

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[15] "Commission Recommendation of 15.06.2016 addressed to the Hellenic Republic on the specific urgent measures to be taken by Greece in view of the resumption of transfers under Regulation (EU) No. 604/2013," *European Commission*.

[16] "Identification of applicants: EURODAC," *European Commission*, http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/asylum/identification-of-applicants/index_en.htm.

asylum seeker has applied for asylum in multiple states and believe that another member-state is responsible for the asylum-seeker.[17]

According to the Migration Policy Institute, there are two major criticisms of the Dublin System: "First, it pushes responsibility for examining claims to Europe's external borders—and to states that may be ill-equipped to handle this additional burden. Second, it causes delays that put the individuals and families subject to its provisions at risk for hardship and even rights violations. Dublin has also come under scrutiny for its costs and low effective transfer rates; meanwhile, the incidence of second- ary movement remains high."[18] However, they found that "application of the Regulation may in some cases make the distribution of asylum seekers among Member States *more* equal."[19] If a measure like EURODAC becomes more effective than it currently is, it runs the risk of placing a greater burden on EU border states because it will become easier to transfer asylum seekers than it currently is.

Asylum seekers often seek to circumvent making claims in border countries like Italy or Greece or avoid getting fingerprints (e.g. circumvent the Dublin System) because of poor conditions in those nations.[20] The Dublin system is enforced inconsistently across the EU. Detention of asylum seekers demonstrates this since in "France detention tends to be used systematically, while authorities in Spain do not use detention at all." [21]A survey of member states suggests that 40% of Dublin applicants are detained at some point during the evaluation process. The Dublin System is costly, but this is not necessarily because of EURODAC alone, it is primarily because of transfers and detentions.[22] This suggests that the Dublin System may not be working and potentially needs reevaluation.

European Agenda on Migration (2015). The European Union passed a four-pillar agenda to combat the migration crisis in early 2015, one of the first EU policies regarding irregular migration that has truly been embraced by the large majority of members. The four pillars are methods to manage migration, in addition to provisions for immediate response that include expansion of FRONTEX (border control) Operations Triton and Poseidon, and the establishment of "hotspot" processing centers at primary points of entry to quickly identify, register, and fingerprint refugees.

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[17] Susan Fratzke, "Not Adding Up: The Fading Promise of Europe's Dublin System," *Migration Policy Institute* (2015), 7.

[18] Ibid.

[19] Ibid, 9.

[20] Ibid, 15.

[21] Ibid, 19.

[22] Ibid, 16.

The four pillars are identified as (1) reducing incentives for irregular migration, (2) strengthening asylum policy, (3) establishing new policies on legal migration, and (4) securing borders and revising the proposal on Smart Borders.

17-Point Plan of Action on Migration in the Western Balkans (2015). To address the Western Balkans migratory route from Greece to Germany, which states responded to with disputes, border closures, and breach of international law, the EU created a 17-point plan to manage this path. The plan included three main goals: (1) providing shelter through temporary housing, increased reception capacities, and humanitarian support through the UNHCR, (2) managing migration flows through shared information and multilateral decision-making, and (3) bilateral border management.[23]

The EU-Turkey Statement (2016). In response to the dangers of crossing the Aegean Sea in poorly-manufactured boats and the human rights violations occurring under smuggling operations, the European Union reached an agreement with Turkey to improve the safety of passage in March 2016. Under the deal, refugees arriving by sea would be returned to Turkey if they fail to apply for asylum or if the claim is rejected, and for every Syrian returned to Turkey, a Syrian in Turkey will be resettled in the EU. This has been overwhelmingly successful; prior to the implementation of the Statement, 1,740 migrants made passage by sea daily, while the average number of arrivals May 1 - June 15 was 47 refugees per day. Most importantly, the impact of the EU-Turkey Statement has been an overwhelming prevention of loss of life. During the year prior to the implementation of the statement, there were 1,145 deaths in the Aegean Sea. During the year following its implementation, there were 80 deaths.[24] The EU has also followed this agreement with significant funding: €270 million contracted for the education of 70,000 Syrian refugee children. €2.2 billion out of the €3 billion foreseen for 2016/17 allocated, €1.46 billion contracted and €750 million disbursed.[25] However, the conditions refugees in Turkey are living in are still questionable.[26]

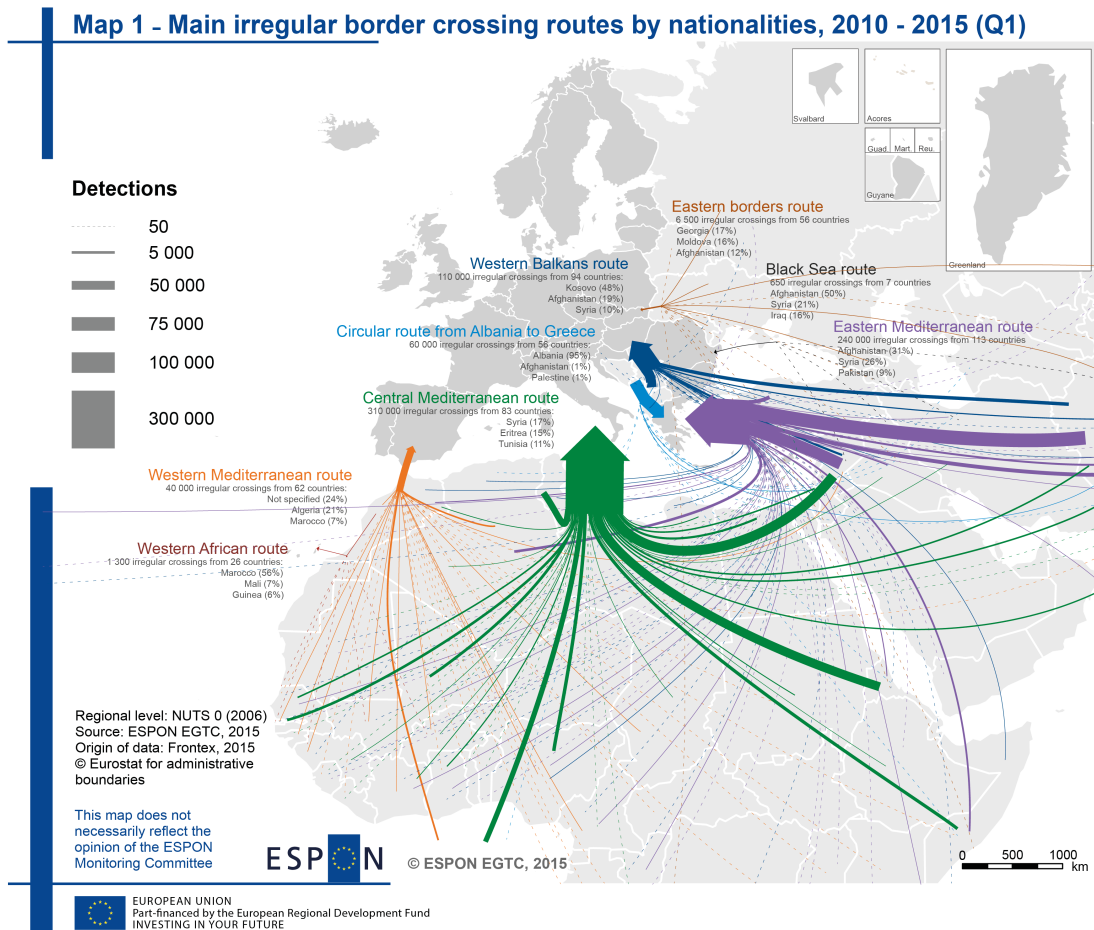[23] "Leaders meet on refugee flows along the Western Balkan route," *European Commission.*

[24] "EU Turkey Statement: One Year On," March 17, 2017, https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/background-information/eu_turkey_statement_17032017_en.pdf.

[25] "A European Agenda on Migration," European Union, March 2017, https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20170302_eam_state_of_play_en.pdf.

[26] Kondylia Gogou, "The EU-Turkey deal: Europe's Year of Shame," *Amnesty International*, March 20, 2017, https://www.amnesty.org/en/latest/news/2017/03/the-eu-turkey-deal-europes-year-of-shame/.

Migrant Flows

Below, you can see a map of the main migrant routes into the European Union from 2010 to 2015.[27]

Map 1 – Main irregular border crossing routes by nationalities, 2010 - 2015 (Q1)

Detections

50	
5 000	
50 000	
75 000	
100 000	
300 000	

Eastern borders route
6 500 irregular crossings from 56 countries
Georgia (17%)
Moldova (16%)
Afghanistan (12%)

Western Balkans route
110 000 irregular crossings from 94 countries:
Kosovo (48%)
Afghanistan (19%)
Syria (10%)

Black Sea route
650 irregular crossings from 7 countries
Afghanistan (50%)
Syria (21%)
Iraq (16%)

Circular route from Albania to Greece
60 000 irregular crossings from 56 countries
Albania (95%)
Afghanistan (1%)
Palestine (1%)

Eastern Mediterranean route
240 000 irregular crossings from 113 countries
Afghanistan (31%)
Syria (26%)
Pakistan (9%)

Central Mediterranean route
310 000 irregular crossings from 83 countries:
Syria (17%)
Eritrea (15%)
Tunisia (11%)

Western Mediterranean route
40 000 irregular crossings from 62 countries:
Not specified (24%)
Algeria (21%)
Marocco (7%)

Western African route
1 300 irregular crossings from 26 countries:
Marocco (56%)
Mali (7%)
Guinea (6%)

Regional level: NUTS 0 (2006)
Source: ESPON EGTC, 2015
Origin of data: Frontex, 2015
© Eurostat for administrative boundaries

This map does not necessarily reflect the opinion of the ESPON Monitoring Committee

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Conditions in Refugee Camps

Once migrants have reached countries like Turkey, Greece, and Italy, often with little to no assets and possessions, they are placed in temporary camps pending their resettlement in more permanent communities, which may be located in a different member state. Intended as processing facilities

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[27] "Territorial and urban aspects of migration and refugee inflow," *ESPON 2020 Cooperation Programme*, http://www.espon.eu/main/Menu_Publications/Menu_MapsOfTheMonth/map1503.html.

more than homes, these camps lack infrastructure such as housing structures (instead, refugees live in tents, giving rise to the colloquial name for refugee camps: "tent cities"), electricity, and running water. The European Union must act to improve conditions of habitation, or risk losing its reputation as the foremost human rights authority in the world.

At the Calais camp known as the Jungle, where 3,000 refugees who attempted to cross the English Channel to the UK are traditionally housed, inhabitants frequently suffer from illness due to poor sanitation, a lack of washing facilities, and no refrigeration for food. Piped water was found to have e.coli in it, and residents suffered outbreaks of tuberculosis and scabies.

The 31 Greek refugee camps are the most over capacity, and feature the poorest living standards. At the Idomeni refugee camp on the border with Macedonia, built for 2,500 refugees, there were approximately 12,000 refugees in March. Health workers warned of imminent crisis due to poor sanitation before 8,400 people were relocated to Thessaloniki, 50 miles south. According to the European Condition, only 615 of 66,400 migrants had been relocated from Greece to other EU states in 2015. Few of these camps have heat, a significant concern in the winter.

These conditions are partly due to border closure in states in the Balkans, which is estimated to have trapped 46,000 asylum seekers.[28] Amnesty International condemned the closure of Macedonia's borders with Greece, calling it "appalling"; these border closures often result in camps near state lines operating above capacity and with less than desirable conditions.[29] As a result, the EU must determine a system of information sharing in which border closures are not unilaterally decided, and re-establish multilateral border operations, in contrast to the bilateral and unilateral decisions currently dictating migration policy. This further requires resolving continuing land disputes and international tensions, particularly in the Balkans. The case of Northern Greece and Macedonia, where the Idomeni refugee camp is located, best exemplifies this issue: the Macedonia naming dispute after the collapse of the USSR, in which thousands of citizens in Northern Greece opposed the use of "Macedonia" as a sovereign name given the historical state's center in Thessaloniki, Greece, has created tension between the two states for upwards of two decades. This deterioration of international relations between the Hellenic Republic and Macedonia has created an unwillingness to allow border crossing, which first led to the crisis at Idomeni.

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[28] Willy Worley and Lizzie Dearden, "Greek refugee camp is 'as bad as a Nazi concentration camp', says minister," The Independent, March 18, 2016, http://www.independent.co.uk/news/world/europe/idomeni-refugee-dachau-nazi-concentration-camp-greek-minister-a6938826.html.

[29] "Trapped in Greece: an avoidable refugee crisis," *Amnesty International* (2016), https://www.amnesty.org/en/documents/eur25/3778/2016/en/.

Looking forward, there are several issues which must be resolved in order to ensure Syrian refugees do not face conditions in Europe similar to ones at home. First, the infrastructure in refugee camps must be improved. Currently, most camps do not have permanent housing structures, forcing migrants to sleep in tents or on the ground, largely exposed to the elements. Camps also lack running water and adequate sanitary facilities, causing major risk to public health. There are also reports of sexual assaults and safety concerns in the camps.[30] Secondly, the transportation between camps must be improved to streamline the relocation process, which often requires migrants walk several hundred miles between destinations. Thirdly, information sharing between states must improve, so states can anticipate increased population flows and negotiate border closures with relative ease.

Economic Costs of Migration

Irregular migration places a heavy economic burden on EU member states at a time of further financial instability, causing significant concern. The 19-member Eurozone, the European Union's area of shared currency, countries do not have control of their own monetary policy or debt ceilings, which has caused crisis as varying situations across states call for different economic prescriptions. Migrants' heavy reliance on state systems of support further burdens this strained system, and economic constraint is the single largest argument in the rhetoric promoting a restriction of migration. While this argument has been mobilized time and time again in illegitimate ways by far-right nationalist groups, the concern itself is legitimate: the EU's economy is under a great deal of stress.

The economic disadvantages of allowing free and unencumbered migration is exacerbated by regional inequalities, as Southern Europe is hardest-hit by the Eurozone crisis and also must accept the largest number of immigrants due to geographical proximity to North Africa and the Middle East. As of 15 July 2016, Greece has received 158,722 of the 238,248 Mediterranean arrivals in 2016, or 66%. At the same time it faces an expensive influx of migrants, Greece faces an unemployment rate of 24% (as of December 2015), political instability, and a rising tax rate and significant reductions in the retirement and pension plan system in accordance with the 11th austerity package from the European Union. Unemployed, traditionally poor refugees and other irregular migrants could push the fragile Greek economy to a breaking point as they rely on social services and public housing, and prompt international crisis across the European Union. Refugees also compete with Greeks for a scarce amount of jobs, encouraging right-wing sentiment best exemplified by the Golden Dawn Party, which has thrived on rhetoric that immigrants "steal" jobs for native Europeans.

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[30] Max Bringmann, "Berlin invests €200m to fight sex abuse in refugee camps," *The Local*, March 31, 2016, http://www.thelocal.de/20160331/germanys-200-mio-against-sexual-assault-in-refugee-homes.

Similarly, a large number of migrants from Libya enter the European Union from Italy, which is likewise faced with a stagnating economy, a high debt rate, a welfare state that is no longer sustainable, and an unemployment rate of 11.5% in May 2016. This causes similar problems to the situation in Greece: excess competition for jobs, political backlash, and costs the state cannot cover. Most notably, the Italian government was forced to discontinue Operation Mare Nostrum in October 2014 after it could no longer secure funding for the program.

The migrant crisis has been costly for the European Union as an international body. The crisis has required that Greece recieve significant financial assistance from the EU. From Jan. 2015 - June 2016, the European Commission awarded Greece €262m in emergency assistance, in addition to the €509m already allocated to Greece under national programs for immigration 2014-2020 and €83m for the improvement of conditions for refugees. In June 2016, the EU unveiled a €220m aid plan for Turkey, Lebanon, and Jordan, with hopes of incentivizing migrants to stay in the Middle East under better living conditions, rather than risking a journey across the Mediterranean. The plan included €165m for Turkey, directed at education, water, and sanitation, €21m in urgent and €140m in non-urgent financing for water in Jordan, and €15m to the UN Relief and Works Agency to Palestine for economic and educational assistance for Palestinians fleeing Syria. However, it is important to note that as of September 2015, only 0.07% of the EU's annual GDP (9.2 billion Euros from the EU budget) is devoted to the immediate fiscal costs of refugees.[31]

Refugees are typically economically disadvantaged, the root cause of economic burden beyond the cost of rescuing and processing irregular migrants. Refugees typically do not speak the language of the country they flee to, excluding them from participation in society and gaining high-paying jobs. This is worsened by Europe's lack of recognition of degrees from most Middle Eastern and North African universities. In addition to disadvantages on the labor market, migrants fleeing conflict zones often have PTSD and injuries that require extensive medical care. Consequently, irregular migrants rely heavily on the European welfare state while they pay nothing in taxes, placing a strain on the system and estranging native Europeans who resent paying for services that go to others while taxes continue to rise.

With limited economic prospects, refugees are consigned to low-paying jobs, where they compete with native labor. This is exacerbated by laws in several countries that ban the application of labor laws to irregular migrants, which has the unintended consequence of creating a steady stream of second-class labor, undocumented and below minimum wage. Created with the intent of dissuading Arabs and Africans from migrating to the EU in search of better economic prospects, this has actually reduced the supply of minimum wage jobs now that a sizeable population willing

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[31] Aiyar et all, "Refugee Surge in Europe," 13.

to work below the minimum wage exists. Ultimately, in trying to limit job-based migration, the EU has created a dual economy that has resulted in further economic slowdown.

Economic Impacts of Migration on the EU

While there is a legitimate argument that migrants and refugees can fill gaps in the aging and slowing economies of European nations,[32] this relies on a number of factors such as educational attainment, skills, level of occupational training, and ability to integrate into the labor market.

The IMF predicts that the surge in refugees will have a net positive impact on the EU's GDP, but that the GDP per capita will decrease by about 0.4% by 2020 because of wage gaps and unemployment.[33] Current asylum seekers seem to have a preference for the nations with the lowest unemployment rates (Germany, Austria, and Sweden).[34] Regardless of the country, labor integration is slow because it can take up to two years for a migrant to enter the labor market, so positive impacts have not yet been felt in full. These challenges are exemplified through analysis of employment levels of migrants to Germany:

> "Immigrants earn 20 percent less than natives with similar characteristics when they arrive in the country. Initially, immigrant wages catch up by 1 percentage point per year, but the process slows over time and wages never fully converge. Immigrants without German writing skills or a German degree have a wage gap as high as 30 percent initially. Good German writing skills close the gap by 12 percentage points (pps) and a German degree by another 6 pps. The gap for migrants born in advanced economies is a third of that of other immigrants. The lower wages of immigrants largely reflect "skill downgrading"—66 percent of highly skilled natives have a job that actually requires higher education and over 60 percent have jobs with very high "autonomy," both characteristics strongly associated with higher wages. However, for immigrants not born in advanced economies the respective fractions are only 42 percent and 33 percent. In 2013, the immigrants' unemployment rate was twice as high as natives', and fewer immigrants participated in the labor market."[35]

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[32] Rick Noack, "This map helps explain why some European countries reject refugees, and others love them," *The Washington Post*, September 8, 2015, https://www.washingtonpost.com/news/worldviews/wp/2015/09/08/this-map-helps-explain-why-some-european-countries-reject-refugees-and-others-love-them/.

[33] Aiyar et all, "Refugee Surge in Europe," 14.

[34] Ibid, 15.

[35] Ibid, 16.

The Swedish system has helped to better integrate migrants since it essentially walks them through the process of language training, preparation for employment, and cultural education about Sweden. Other past examples to help integration into the economy have included subsidies to the private sector for employing migrants and refugees, though this has not been enacted during the recent waves of migrants.

It is important to recognize, however, that refugees and natives do not tend to work the same types of jobs, meaning migrants and refugees are not taking the jobs that once belonged to natives.[36] The fact that they are not working the same types of jobs is evidence of a larger structural problem in the labor market and elsewhere, but until those structural problems are relieved (which likely won't be for a very long time given that they are likely rooted in racism and xenophobia as well as economic structures) migrants are not taking the jobs of native citizens.

Terrorism & The Refugee Screening Process

Due to its geography, the European Union has little means of controlling migrant inflows from its external borders with Turkey and on the Mediterranean. Screening, therefore, must take place quickly and effectively. Currently, migrants apply for asylum at EU borders, or take part in a collective admission program, in which the UNHCR pre-selects refugees for reception states within quotas determined by the states, and the states then further screen the refugees before their final admissions decision. The collective admission process is longer, and therefore less feasible, forcing states to resort to the 'hotspot approach' where FRONTEX, EASO, and experts from Member States process applications. Technology is often lacking: Italy, Croatia, and Greece currently lack the capacity to fingerprint migrants upon arrival.[37] Prior to the Paris attacks, it is estimated that only 20% of all arrivals were completely screened.

When the screening process fails, there are direct consequences for the citizens of Europe. Over the past six months, approximately 40 suspected terrorists impersonating migrants were arrested or killed while planning or engaging in terrorism. While the vast majority of refugees are completely innocent, the few that do have ties to terror groups pose an enormous threat to civilians. On 13 November 2015, two Iraqis who gained entrance to the EU by posing as Syrian refugees participated in a series of terrorist attacks in Paris, including two suicide bombings and four shootings, which killed 130. Three terrorists detonated explosive vests at the Stade de France football stadium, shot diners at several restaurants, and killed over 90 concertgoers at the Bataclan. The Islamic State (Daesh) later claimed responsibility for the attacks. The Washington Post provided a detailed account of the terrorists' path through Europe:

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[36] Ibid, 23.

[37] "Craving for control: refugee screening in the EU and the US," *Reshaping Europe*, December 15, 2015.

On a crisp morning last October, 198 migrants arrived on the Greek island of Leros, all of them seemingly desperate people seeking sanctuary in Europe. But hiding among them were four men with a very different agenda.The four were posing as war-weary Syrians — all carrying doctored passports with false identities. And they were on a deadly mission for the Islamic State. …

Two of them — the ones who would blow themselves up outside the Stade de France — were later glorified in an Islamic State video as unnamed militants from Iraq. The other two men, both round-faced and lightly bearded, were Mohamed Usman, a Pakistani who claims to be 23 years old, and Adel Haddadi, a 28-year-old Algerian. …

Usman, a Pakistani, did not speak Arabic well — quickly betraying his claim to be Syrian. Haddadi knew almost nothing about the city he said was his birthplace: Aleppo, Syria. Under E.U. guidelines, the most the European border agency could do was pass them on to the Greeks. So that's what they did, and the local authorities promptly lumped them in with a then-surging backlog of economic migrants who were using fake documents to enter the asylum system.

Both men were transferred to the larger Greek island of Kos, where they were given lightning legal judgments. In what became a customary practice in Greece, Usman and Haddadi received suspended three-month sentences along with an order to leave the country within a month. It didn't matter how or which way they went.

After gaining their freedom on Oct. 28, Haddadi, the more senior of the two, quickly sent a text via the messaging app WhatsApp to their Islamic State handler in Syria. "We need money," it simply said, according to intelligence officials with access to the pair's phone records. That money soon arrived via the same method often used by migrants — a wire from Turkey to Greece. Now flush with cash, the two men continued their journey. They were only 25 days behind their Islamic State comrades traveling to Paris.[38]

Unfortunately, the four IS members posing as Syrians were not the only terrorists to gain entrance to Europe by capitalizing on the migrant crisis. The head of Germany's domestic intelligence

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[38] Anthony Faiola and Souad Mekhennet, "Tracing the path of four terrorists sent to Europe by the Islamic State," *The Washington Post*, April 22, 2016, https://www.washingtonpost.com/world/national-security/how-europes-migrant-crisis-became-an-opportunity-for-isis/2016/04/21/ec8a7231-062d-4185-bb27-cc7295d35415_story.html.

agency reported numerous individuals with ties to the Islamic State were caught in Germany, which the NATO commander later verified in testimony before the United States Congress.[39]

There is also the risk of radicalization once in Europe. In January 2016, French police shot a Moroccan migrant attempting to carry out a terror attack not linked to any larger organizations; it appeared he adopted radical thought patterns while in France. Several organizations have found that migrants, predominantly young, male, and Muslim, broadly fit the profile of individuals most susceptible to radicalization. Parallels have been drawn to the 2004 Madrid commuter train bombings and the 2015 Charlie Hebdo massacre, carried out by first generation immigrants from North Africa and the descendents of immigrants. Animosity from the domestic populace and poor socioeconomic conditions further contribute to the emasculation thought to cause radicalization.[40]

Taking into account the warnings from the Iraqi and Turkish governments that an attack would occur on French soil, the discovery of Usman and Haddadi's false identities, and the warnings for them to leave Europe, it appears the Paris attacks could have been prevented with a more robust framework with which migrant entries can be monitored. States must pursue the possibility of implementing a more sophisticated system, which both processes applications quickly and ensures no members of the Islamic State gain entrance into Europe. Utilizing new technologies, greater international aid to Southern European states such as Greece, improved interstate communication, and continued monitoring are all avenues of policy member states should consider.

Societal Integration & Backlash From the Far Right

An estimated 85% of irregular migrants arriving via the Mediterranean Sea list North Africa and the Middle East as their country of origin, with 33% from Syria, 17% from Afghanistan, 11% from Iraq, 4% from Eritrea, and 4% from Pakistan.[41] This has created widespread uncertainty and hostility across Europe as natives fear poor, violent immigrant communities changing the nature of governance as the Muslim minority grows. Multicultural Europe is uncomfortably both a cosmopolitan harmony and on the brink of unrest.

Often, immigrants form enclaves isolated from the rest of society, communities knit tightly together by connection to a faraway land. Arab and African communities often fail to integrate into

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[39] Alison Smale, "Terrorism Suspects Are Posing as Refugees, Germany Says," *The New York Times*, February 5, 2016, http://www.nytimes.com/2016/02/06/world/europe/germany-refugees-isis.html.

[40] Marco Funk and Roderick Parkes, "Refugees versus Terrorists," *European Union Institute for Security Studies* (2016), http://www.iss.europa.eu/uploads/media/Alert_6_Refugees_versus_terrorists.pdf.

[41] "Refugees/Migrants Emergency Response - Mediterranean," *United Nations High Commissioner for Refugees Data,* http://data.unhcr.org/mediterranean/regional.php.

European value systems, creating new legal issues such as bans on ritual slaughter and tourism for the purpose of female genital mutilation. These neighborhoods are often poorer and more violent than their white counterparts, and have poorer systems of education; they are comparable to American inner-cities. In Europe, they go by many names: French "suburbs", Dutch "dish cities" (named for their satellite dishes that pick up TV channels from the Middle East and North Africa), "ghettos" in Eastern Europe. EU citizens, fearful of these rough neighborhoods expanding, are hesitant to encourage immigration that would expand impoverished communities.

There are, however, ways to ease this tension and problem. In one city in Denmark, there is a 20% limit on how many students in a school can come from a migrant background in order to help avoid ghettoization of certain areas and polarization of cities and towns.[42] Programs like this, where it is still possible to have one in five students who are migrants, allow for integration but does not necessarily demand full assimilation since there is still potentially such a high percentage of migrants in the school. This allows people to maintain some sense of culture while still functioning in society.

Ethnic minorities often clash with white conservatives politically, especially minorities from the predominantly Muslim Middle East. Many in the European Union, proud of their secular and egalitarian model of government, are distrustful of Islam and worry that immigrants may try to introduce *sharia* law. With the violence in Syria filling every newspaper headline, fears of radical Islam and the Islamic State have also colored the EU's perspective on refugees; there is a legitimate risk ISIS may send members into Europe by boat for recruitment or terrorism, bypassing complex visa processes. In response to these fears, national governments have passed laws attempting to limit the spread of Islam through measures that limit on minaret heights or ban burqas. Pushback against these laws by Muslim Europeans has alienated the community further. In 2015, Slovakia banned the entry of Muslim Syrians; it will only accept Christian refugees.

Several cultural practices common in the Middle East and North Africa directly violate the laws of the European Union, further complicating integration. The European Union, under the European Convention for the Protection of Animals for Slaughter, generally requires stunning animals with a bolt gun prior to their slaughter, though it allows member states to make religious exceptions. Denmark, Poland, and Norway prohibit slaughtering animals prior to their being stunned in ways that prevent domestic production of halal meat; all halal meat must be imported and is therefore significantly more expensive. Sweden requires animals be stunned, but has allowed halal slaughter with stunning. Female genital mutilation is highly prevalent in North Africa but banned in Europe;

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[42] "Learning the hard way," *The Economist,* January 2, 2016, http://www.economist.com/news/europe/21684830-integrating-migrants-schools-will-not-be-easy-learning-hard-way.

the European Parliament estimates 500,000 girls are at risk of FGM due to increased migration.[43] There have been several notable court cases under which parents were arrested and the state granted custody of immigrants' children following incidents of FGM. A dedication to human rights has been a cornerstone of the European Union, so things like FGM legitimately challenge European culture. Changing laws to allow these practices would mean changing part of what it means to be a European country, but at the same time strongly enforcing laws against these practices means criminalizing a whole group of people, most of whom just underwent a drastic change in culture and fled human rights abuses and conflict themselves. It also contributes to the idea that Muslims cannot be European and will further polarize countries.

Additionally, there are several state restrictions on religious attire (some targeting exclusively Islam, some targeting all religions). The important thing to note about these types of laws is that some are enacted after the refugee crisis began (e.g. in response to an inflow of Muslims) and some are enacted prior to the crisis entirely. Secularism has both been a part of some EU countries and has been strengthened in response to refugees. This is definitely distinct from laws surrounding FGM in that it is not a human rights concern and must be looked at differently than those types of laws in terms of whether or not wearing a burqa or niqab actually challenges what it means to be European. In 2011, France and Belgium banned veils that covered the face, such as those worn as part of the burqa or niqab. Several cities in Spain and Italy have similar bans. In 2004, wearing any overt sign of religiosity in public schools, such as wearing the hijab, was banned in France. School teachers and medical personnel are banned from wearing religious attire in Denmark (including crucifixes, the hijab, and yarmulkes). The divergence between culture in the Middle East and North Africa and the European Union, and the criminalization of several aspects of migrants' culture, contributes to alienation and complicates integration, which subsequently affects economic status and educational attainment.

The European Parliament, with democratic elections, often receives similar sentiment from representatives of populist parties that express concern over immigration and the religion of immigrants. Approximately 5% of all members of the European Parliament belong to far-right or ultranationalist parties, which often promote anti-immigrant platforms and the idea of assimilation above multiculturalism, based on the premise that national culture is under threat. The Danish People's Party attracted over 20% of the popular vote in 2015; a former member of the European Parliament representing the DPP was quoted in 2012 saying, "Muslims should live in Muslimland. And that is not here." In 2015, Front Nacional (France) leader Marine LePen was tried, and later acquitted, of the incitement of racial hatred for her 2010 comments comparing public prayer by Muslims to the German occupation of France during World War II. At times, these parties skirt the

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[43] "Questions and Answers about Female Genital Mutilation/Cutting," *European Commission*, February 5, 2016, http://europa.eu/rapid/press-release_MEMO-16-249_en.htm.

laws of legitimacy under protection offered to political parties, which brings into question whether the EU should prioritize free speech, or restrict expression in cases where it brings harm to others. This is all in addition to responses of individuals outside of the government to refugees, which are described below.

As the European Parliament debates immigration quotas, visa status, and unconditional asylum, the question of integration into mainstream society looms large: With many states now claiming multiculturalism has failed, will refugees be able to successfully integrate into secular Western society?

Responses of European People to Refugees

Finland: Last September, as a bus of refugees arrived to Finland, a group of demonstrators threw fireworks and stones at the bus while waving a Finnish flag.[44]

Poland: Last December, a Syrian refugee was walking around the mall when someone threatened to kill him if he didn't leave the country and then proceeded to assault him, breaking his nose and fingers and injuring his leg while other patrons watched and chanted for the assaulter to kill him. Additionally, mosques have been attacked in Poland.[45] There have been a number of anti-refugee protests which have been organized by far right groups. At one, which was attended by 10,000 people, protesters chanted, "Today refugees, tomorrow terrorists!" and "Poland free of Islam!"[46]

Greece: Earlier this year, a far right nationalist went to the Greek refugee camp Chios and punched a 15 year old Syrian boy in the head in front of police while the police stood by. Aid workers have been targets of death threats, as well.[47]

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[44] Jussi Rosendahl, Simon Johnson and Johan Ahlander, "Finnish demonstrators attack refugees with stones and fireworks," Reuters, September 25, 2015, http://uk.reuters.com/article/uk-europe-migrants-finland-idUKKCN0RP0T420150925.

[45] Natalia Ojewska, "A 'witch-hunt' for Poland's barely visible refugees," *Al Jazeera*, December 3, 2015, http://www.aljazeera.com/indepth/features/2015/12/witch-hunt-poland-barely-visible-refugees-151201111826928.html.

[46] Kashmira Gander, "'Today refugees, tomorrow terrorists': Eastern Europeans Chant anti-Islam slogans in demonstration against refugees," *The Independent*, September 13, 2015, http://www.independent.co.uk/news/world/europe/refugees-crisis-pro-and-anti-refugee-protests-take-place-in-poland-in-pictures-10499352.html.

[47] Patrick Strickland, "Refugees in Greece's Chios fear violence from far-right," Al Jazeera, July 5, 2016, http://www.aljazeera.com/indepth/features/2016/06/refugees-greece-chios-fear-violence-160622125507719.html.

Italy: Last summer, a group of individuals burned mattresses in an apartment building in Treviso to force the migrants who lived there to evacuate. Shortly after, 19 refugees were being escorted by police to a migrant reception center outside of Rome where Italian nationalists waving Italian flags threw stones and garbage at the refugees' bus. They tried to block the road by burning hay in the middle of it.[48]

Germany: Early this year, someone set fire to a refugee shelter in Bautzen in an act of arson while people cheered. A few weeks beforehand, a grenade was thrown into the shelter (it didn't go off, but the pin had been pulled). In 2015 alone, there were roughly 1,000 attacks on refugee shelters in Germany. This was five times the amount in 2014.[49] In 2016, there have been "63 attacks on refugees or refugee centres, 53 of which were arson attacks." Refugees have described incidents where 12-20 Germans gather at night and hit refugees with lead pipes.[50]

These are only a few of the acts of violence that refugees face in Europe. In some countries the acts are punished, in others they aren't. However, this shows that the anti-refugee, xenophobic, and Islamophobic sentiment is present and can cause violence. Not everyone is hostile and violent towards refugees outwardly, but that does not mean they do not have similar patterns of thinking to those who are violent.

What's At Stake

In this crisis, state sovereignty, national security, the economy, human lives and livelihoods, and potentially the European Union's existence are at stake. As a regional body that has prided itself on a strong human rights record, the European Union respond to refugees from conflict zones with consistent policy. Ultimately, this is a situation where there is no universally right answer: Each country must choose which harms it finds most appealing to acquiesce to, whether it be the death of migrants and loss of status as human rights bastion, an economic slowdown due to an increased burden on the welfare state, or the military toll of humanitarian intervention.

Delegates in the European Union committee will be tasked with creating a bright and stable future for Europe and handling the migration crisis in a way that benefits both their nation and the larger EU. Consider these questions:

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[48] Nick Squires, "Violent clashes break out in Rome as Italian opposition to migrants increases," *Telegraph*, July 17, 2015, http://www.telegraph.co.uk/news/worldnews/europe/italy/11747106/Violent-clashes-break-out-in-Rome-as-Italian-opposition-to-migrants-increases.html.

[49] Jenny Hill, "Migrant attacks reveal dark side of Germany," *BBC*, February 22, 2016, http://www.bbc.com/news/world-europe-35633318.

[50] Patrick Strickland, "The rise of Germany's anti-refugee right," *Al Jazeera*, April 7, 2016, http://www.aljazeera.com/indepth/features/2016/03/rise-germany-anti-refugee-160331123616349.html.

- *Do EU member states have a moral obligation to accept refugees? If so, what are the limits of that obligation, and how is the burden distributed?*
- *How should the EU address the structural burden of increased immigration?*
- *Should adjustments be made to Schengen area border regulations in the interest of domestic security and controlling mass migration?*
- *How can the EU best integrate refugees into mainstream society and maintain the dignity of displaced persons?*
- *Are there additional screening measures that can be undertaken to avoid terrorist attacks?*