

EU-Turkey Cooperation on Migration Management: Going Beyond Ad-hoc Short-Termism

by Luca Barana

GLOBAL TURKEY  IN EUROPE

STIFTUNG
MERCATOR

IPC

ISTANBUL POLICY CENTER
SABANCI UNIVERSITY
STIFTUNG MERCATOR INITIATIVE

ABSTRACT

Within the framework of the Global Turkey in Europe (GTE) project, the Istituto Affari Internazionali (IAI), in collaboration with the Istanbul Policy Centre (IPC) and Stiftung Mercator, organised a study trip on the Greek island of Kos in May of 2019. The visit presented the opportunity to assess policy developments within migration management, an issue which has acquired crucial importance within the EU–Turkey relationship. The event was comprised of a visit to the local Reception and Identification Centre (RIC), where the participants were able to inspect conditions in the Centre and to reach out to the Greek members of the management team and within the Asylum Unit. Those conversations revealed that overcrowding and understaffing constitute the main issues facing the RIC today. Looking at the broader spectrum of EU–Turkey relations on migration, other open issues remain on the table: fairer responsibility sharing between Europe and Turkey, and among EU member states, is still needed, while the route to integration of asylum seekers and refugees in Turkey and in Europe must count on a stronger investment in education.

Greece | Turkey | Migration | Refugees | European Union

keywords

EU-Turkey Cooperation on Migration Management: Going Beyond Ad-hoc Short-Termism

by Luca Barana*

Introduction

The Global Turkey in Europe (GTE) project established a platform to discuss and analyse the rapid transformation of Turkey in a European and global context. Launched in 2012 by the Istituto Affari Internazionali (IAI) in collaboration with the Istanbul Policy Centre (IPC) and Stiftung Mercator, the team was joined in its fourth year by the Foundation for European Progress Studies (FEPS). In its fourth phase over 2016–2017, in line with the growing prominence of the issue in EU–Turkey relations within the context of the so-called refugee crisis, the project paid particular attention to migration and asylum. GTE-V zooms out and looks at the broader scope of relations, on issues ranging from the modernisation of the Customs Union to energy convergence, while keeping migration and asylum within its thematic ambit and shifting the attention to the question of sustainability which is, and will remain in the future, highly significant for the relations between the two sides.

Following the last workshop of the fifth cycle convened in Istanbul in February 2019, discussing the role of civil society in the EU–Turkey relationship, the fourth event of GTE-V, which took place on the Greek island of Kos in May 2019, shifted the focus to the issue of migration cooperation. The event comprised a study trip to the local Reception and Identification Centre and a discussion session focusing on the current state and the future of EU–Turkey relations on migration and asylum. The workshop gathered experts and practitioners with different professional backgrounds and from a diverse range of countries. The meeting provided the opportunity to explore the different perspectives emerging especially from Greece and Turkey. This also allowed the participants to tackle through a coherent framework the interrelated challenges of: (i) EU–Turkey joint governance of mixed migration flows; (ii) going beyond the emergency reception mode in Greece; and (iii) enabling refugees' self-sufficiency and cohesion with more resilient local communities in Turkey. As the discussion showed, three years since the signing

* Luca Barana is Research Fellow at the Istituto Affari Internazionali (IAI).

· Report of the seminar "EU-Turkey Cooperation on Migration Management: Going Beyond Ad Hoc Short-Termism", organised in Kos on 6 May 2019 by the Istituto Affari Internazionali (IAI), Istanbul Policy Center (IPC) and Stiftung Mercator under the Global Turkey in Europe V programme.

of the deal the Greek side still struggles to manage the critical migratory situation facing the country, while the current status of EU–Turkey relations would suggest caution in portraying the EU–Turkey deal as a model to be replicated in other relationships with migration-salient third countries.

Since 2015, the island of Kos has been at the centre, alongside other four Greek islands near the Turkish shores, of European efforts for reducing the number of irregular migrants reaching EU territory. Mainly aiming at a stricter application of the “country of first arrival” principle enshrined in the Dublin regime – which obliges migrants to seek asylum in the first country through which they enter EU territory – EU attempts for more effective management of migration flows reflected also the shortcomings in reforming the internal dimension of asylum policy, thwarted by different kinds of objections from diverging member states. As the functioning of the internally borderless Schengen zone and the Dublin system came close to a point of breakdown under the weight of booming numbers of arrivals on the one hand, and as working out a responsibility-sharing mechanism within the EU to relieve the disproportionate burden on certain member states proved rather challenging on the other, the EU–Turkey deal constituted an emergency solution to give breathing space to the EU by stemming new inflows and ensuring that international protection is primarily provided in the territory of a third actor. At the same time, it did not completely solve the critical situation on Greek islands, where the flow of arrivals was drastically curtailed, decreasing by 97 per cent,¹ but the problem of dealing with the stock of migrants present on their territory persisted. The hotspot approach (which was introduced by the EU alongside financial and technical support to the Greek asylum system as a response to the large inflows of 2015) has been applied in Kos, among other Greek islands. As the field visit to the Kos reception centre clearly showed, the approach has been generating mixed results, highlighting the structural nature of many essential challenges facing the Greek and European migration policies.

1. Field visit to Kos reception and identification centre

Participants of the GTE workshop had the opportunity to observe some of the concrete manifestations of these policy trends during their visit to the Reception and Identification Centre (RIC) in Kos, situated in the interior of the island, a few kilometres away from the main touristic spots. Upon their arrival, the visitors, while being greeted by the management team, were able to have a first look at the centre. The main facilities, where most of the reception activities take place, are shielded from the countryside surrounding the centre. These areas are also detached from other key structures in the centre, such as the detention centre and the offices where asylum procedures are carried out. The group was not allowed to visit these latter parts. Participants then had the opportunity to meet with Mr.

¹ Asli Selin Okyay, “EU-Turkey Cooperation on Migration Management: Going Beyond Ad-hoc Short-Termism”, in *GTE Working Papers*, No. 21 (June 2019, forthcoming).

Kostas Siettos, caseworker with the Greek Asylum Service. Mr. Siettos provided the participants with insightful information concerning the situation in the RIC and the state of the asylum system in Greece, following the EU–Turkey statement and the implementation of the hotspot approach in the country.

As discussed in the draft paper presented by Asli Okayay during the discussion session in the afternoon,² Greece experienced a difficult transition from being a *de facto* transit country within the Schengen space to a country of final destination for asylum seekers. Before irregular maritime arrivals peaked in 2015, Greece was commonly criticised by other member states for its insufficient compliance with the Dublin regime, as Greek authorities struggled to impede secondary movements towards other European countries due to unsystematic registration and fingerprinting of irregular migrants. A first response to these institutional shortcomings was the creation in 2013 of a First Reception Service, the Asylum Service and the Appeals Service, by Greece. This implied that when the number of irregular arrivals sharply increased in 2015, the Greek asylum and reception system was unprepared to handle such a critical situation. Thus, European interventions within the framework of the EU–Turkey deal and falling under the ambit of the European Agenda on Migration,³ such as the introduction of the hotspot approach, principally aimed at relieving the pressure on – and eventually strengthening the capacity of – Greece’s reception and asylum systems.

Challenges faced by Greece as well as the importance of European assistance were still clear factors affecting Mr. Siettos’s working experience within the RIC. Currently, 15 staff members are employed in the Asylum Unit of the Kos RIC, including three policemen. One of the main issues brought forward by Mr. Siettos was the understaffing of the Asylum Unit itself. While the centre employs a total of around 50 staff members, the Asylum Unit is still too small to swiftly and effectively carry out the tasks involved in the asylum procedure. For this reason, caseworkers who should focus on specific tasks, such as conducting interviews to assess asylum requests and drafting the ensuing decisions, need to also carry out additional administrative duties. Even if the police officers on duty at the centre assist with notifications and document renewals, the need for filling the gap with appropriately trained staff members continues. Despite calls opened in 2018 to address the personnel shortage, some positions were not filled, also due to widespread hiring difficulties experienced by the islands.

The understaffing problem is further exacerbated by the fact that the RIC is occasionally overcrowded. According to Mr. Siettos, the RIC has a capacity of 800–900 people. For most of last year it did not suffer overcrowding, but the situation changed after Kos witnessed a considerable increase in new arrivals in April 2019. At the moment of the visit, the RIC was thus hosting around 1,300

² Ibid.

³ European Commission, *A European Agenda on Migration* (COM/2015/240), 13 May 2015, <http://eur-lex.europa.eu/legal-content/en/TXT/?uri=celex:52015DC0240>.

persons, while 6,000 migrants were present on the island in overall terms. Despite the challenging accommodation situation also acknowledged by the RIC staff, the centre also provides some housing solutions and recreational services, such as a kindergarten, which the delegation had the chance to visit. The number and nationality composition of migrants and asylum seekers on the island constantly change because of the fluctuations in the numbers of newly arriving people and of those transferred to the mainland or returned to Turkey. Nonetheless, the main national groups generally present in Kos are Syrians, Palestinians and Yemenis. There were also a few Turkish nationals, most of them smugglers who were being detained.

Overcrowding and understaffing have a direct effect on the length of asylum procedures, as appointments often need to be rescheduled. This also has an impact on the length of stay of migrants and asylum seekers in the RIC. As explained by Mr. Siettos, almost everyone arriving on the island currently applies for asylum, as irregular migrants without a protection claim would be deported. Before the peak in arrivals in April 2019, migrants had been transferred to the RIC two weeks after their disembarkation on the island and could have expected to have their interview in two months. After the new wave of arrivals, both time frames at least doubled in length. Regardless of the length of the asylum process, those who receive a positive decision should find accommodation in the mainland shortly thereafter.

In order to assist the local system in better tackling these difficulties, the European Asylum Support Office (EASO) provides some capacity support, in form of personnel and technical assistance. EASO supports the Greek Asylum Service's activities on Kos by providing two interim registration officers and some caseworkers, who conduct interviews in English (when EASO is allowed to perform them, see below). The transcribed interviews are then transmitted to a Greek officer, who must translate them and draft the decision regarding the asylum request. Translation actually constitutes one of the bottlenecks affecting asylum procedures: EASO indeed provides some interpreters, but they do not speak Greek, so coordination with the national personnel could prove difficult. At the same time, there are no Greek interpreters specifically tasked with the asylum procedure in the RIC.

Furthermore, the interpreters are not physically present on Kos. The interpretation team employed as part of the centre's management provides some form of assistance. However, the role of this team, composed of six persons with different linguistic skills (Arabic, Somali, French), in the asylum procedure is limited. Interviews are thus translated by interpreters on the mainland, who are contacted by phone each time. All interviews actually take place over the phone on a line provided by the police force. This happens for practical reasons, because the Greek Asylum Service does not run its own IT system and so it shares phone lines with police authorities. This discovery raised some doubts among the participants regarding the privacy of asylum seekers and the danger that their personal story could be recorded by police officers.

Police are mainly involved in first reception measures.⁴ Upon migrants' arrival on the island, registration is done by the police force, which shares data within the European database EURODAC, and then transfers the migrants to a medical screening facility, where psychological assistance is also available. Afterwards, a list of registered migrants is sent to the RIC, signalling vulnerability cases. The asylum applications of all migrants with vulnerabilities are managed by the RIC team and the Greek Asylum Unit. Those migrants without vulnerabilities are interviewed again by EASO with the aim of spotting traits of vulnerability that had not previously emerged. Those who are identified as vulnerable at this stage are also transferred to the RIC: 10 per cent of migrants whose vulnerability was undetected at arrival were identified as vulnerable in this second check. In overall terms, 60–70 per cent of the asylum seekers on Kos were identified as vulnerable persons.

The individual status of migrants seeking protection implies the activation of a different asylum procedure. Following implementation of the EU–Turkey deal, asylum procedures on Greek territory have run on two parallel tracks: the border procedure and the regular procedure (or mainland procedure).

The border procedure constitutes the concrete implementation of the EU–Turkey deal and is only applied to the five border islands where the hotspots are located (Lesvos, Chios, Samos, Leros and Kos). It is within this procedure that EASO is allowed to operate. By contrast, the Greek Asylum Service directly manages the regular procedure, which predates the EU–Turkey statement and is aimed at receiving people on the islands who display traits of vulnerability – as well, in overall terms, as asylum seekers reaching Greek territory by land through other routes.

The main difference between the two procedures consists in the fact that after a negative response, an asylum seeker under the border procedure has just five days to appeal, while, according to the regular procedure, the appeal can be made within 30 days. If a migrant whose appeal has been rejected is not deported in 60 days, he/she can appeal again, presenting new evidence demonstrating his/her danger of persecution at home. Another significant divergence concerns the freedom of movement of asylum seekers: under the border procedure they cannot move off the island on which they arrived, while being free to roam within the island's bounds.

The appeal mechanism constitutes another crucial bottleneck lengthening asylum seekers' stay in the RIC, as all residents at the Kos facilities fall under the border procedure. The initial decision on their case could be issued within a couple of months, but the real hindrance is constituted by the eventual appeal. In fact, asylum seekers whose first request has been rejected have to wait for the appeal committee to deliberate on their case, which could take up to one year, according

⁴ UNHCR is closely involved in the first reception phase, too, while having a limited role in the RIC.

to Mr. Siettos. This is due to the fact there is only one committee in all of Greece. The overload of appeals constitutes the main reason why the majority of asylum seekers experience lengthy periods of stay on the islands.

2. Discussion session: The urge for complementarity

After gaining meaningful insights on the challenges faced by the Greek asylum system during the field visit to the Kos RIC, the participants gathered in the afternoon to discuss migration cooperation between the EU and Turkey with a particular focus on the question of sustainability. The debate looked at the issue from a wider perspective, by taking into account the impact of short-term goals on EU–Turkey cooperation on migration and the implications of the Union’s continuing struggle to form a coordinated response to the structural and multidimensional challenges posed by mixed migration flows for regional governance prospects.

The discussion started with the introduction to the draft paper by Asli Okyay, senior fellow at IAI. The paper, after having weighed the merits of the overall EU policy response to migration and asylum post-2015 and the EU–Turkey statement – which constitutes a crucial component of such response in reducing the number of arrivals along the Eastern Mediterranean route – against the future sustainability of the measures put in place, proposes an analysis of the Turkish and Greek contexts, demonstrating in both cases the need for a shift from emergency-driven, temporary and piecemeal solutions to a comprehensive and forward-looking policy approach to this multidimensional issue, in an effort to consolidate sustainable joint governance mechanisms.

Remarks from the participants coalesced in promoting the case for a long-term perspective on EU–Turkey relations that cannot be reduced to the single issue of managing migration flows. Among the main points of discussion that emerged were the need for a deeper engagement with the implications of migration cooperation for human rights; the importance of “education for integration” and the role of vocational training in refugees’ and asylum seekers’ socioeconomic and cultural inclusion in their host societies, both in Europe and in Turkey; the need to achieve a deeper agreement with third countries on tackling human trafficking; the importance of political incentives and complementary issues to improve cooperation with Turkey; and the need for further responsibility-sharing within Europe, as well as between the EU and its neighbours when it comes to providing international protection.

Among these broader issues, two were selected by the participants as being key for future policy developments, and hence for further discussion: responsibility-sharing and the paramount importance of education.

Responsibility-sharing has been framed not just as an intra-European matter among frontier member states and other inland European countries, but also concerning how financial, political, socioeconomic and moral responsibilities can

be shared in a fairer manner between Turkey and Europe, so as to relieve the disproportionate pressure on the former, which was formalised with the conclusion of the EU–Turkey statement. In order to achieve this outcome, one cannot ignore how the politicisation of migration has put national and European initiatives aimed at a more sustainable asylum policy under the yoke of significant internal constraints. For this reason, the importance of an improved communication strategy shaping the public debate has been highlighted, focusing on a narrative forefronting the economic benefits of immigration for many European countries and dissipating feelings of anxiety and fear that nowadays have the electorate in their grip. At the same time, for some participants, an effective responsibility-sharing mechanism would entail the end of the “first safe country” principle and a substantial rethinking of the Dublin regime, accompanied by stricter intra-European mechanisms concerning redistribution of asylum seekers. Means suggested to reach this result were introducing sanctions against non-compliant member states and dropping voluntary participation in European relocation regimes, while the practical and political difficulties involved in these were also acknowledged. This could be achieved by adopting a “stick and carrot” approach, which, alongside the abovementioned sanctions, could be equipped with positive financial and political incentives for member states’ cooperation, and should overcome the current ad-hoc solutions that fuel short-termism.



Seminar participants.

Another issue that is key for sustainable migration and asylum governance – and where, according to the participants, further political and financial investments would be welcome – was identified as education, with a view to better integration of asylum seekers and refugees, both in Turkey and in Europe. Drawing from their direct experience in the Kos RIC, many participants shared the reflection that quicker asylum procedures would increase the chances of integration. Furthermore, while there has been a broad agreement on the importance of language skills and vocational training, the debate focused on what we should consider as “education for integration”, especially when it comes to language education. How to assess the outcomes in this field was another major discussion point, with some arguing for prioritising the overcoming of structural challenges, others stressing the promotion of skills that could be suitable also to home country contexts in cases of return, and most agreeing on the importance of capacity-building in host contexts for enhancing the quality of education.

Updated 11 June 2019

Istituto Affari Internazionali (IAI)

The Istituto Affari Internazionali (IAI) is a private, independent non-profit think tank, founded in 1965 on the initiative of Altiero Spinelli. IAI seeks to promote awareness of international politics and to contribute to the advancement of European integration and multilateral cooperation. Its focus embraces topics of strategic relevance such as European integration, security and defence, international economics and global governance, energy, climate and Italian foreign policy; as well as the dynamics of cooperation and conflict in key geographical regions such as the Mediterranean and Middle East, Asia, Eurasia, Africa and the Americas. IAI publishes an English-language quarterly (*The International Spectator*), an online webzine (*Affarinternazionali*), three book series (*Global Politics and Security*, *Quaderni IAI* and *IAI Research Studies*) and some papers' series related to IAI research projects (*Documenti IAI*, *IAI Papers*, etc.).

Via Angelo Brunetti, 9 - I-00186 Rome, Italy

T +39 06 3224360

F + 39 06 3224363

iai@iai.it

www.iai.it

Latest DOCUMENTI IAI

Director: Alessandro Marrone (a.marrone@iai.it)

- 19 | 11 Luca Barana, *EU-Turkey Cooperation on Migration Management: Going Beyond Ad-hoc Short-Termism*
- 19 | 10 Nico Frandi, *WTO and Geopolitical Changes. Multilateralism and Coalitions of Members among Crises, Adaptation to Change and Rebirth*
- 19 | 09 Valentina Tomadin, *So Faraway, So Close: The Domestic Roots of Transatlantic Crisis*
- 19 | 08 Laboratorio di analisi politiche e sociali (LAPS) e IAI, *Gli italiani e la Difesa*
- 19 | 07 Andrea Aversano Stabile, *Bilancio della difesa italiano: una chiave di lettura*
- 19 | 06 Eliza Friederichs, *The Middle East: Thinking About and Beyond Security and Stability*
- 19 | 05 Sinan Ekim, *Engaging Civil Societies in Turkey and Europe: Can They Break Through the Deadlock?*
- 19 | 04 Ferdinando Nelli Feroci, *La politica estera del Governo giallo-verde*
- 19 | 03 Alessandro Marrone e Michele Nones (a cura di), *Il futuro velivolo da combattimento e l'Europa: Executive Summary*
- 19 | 02 Alessandro Marrone and Michele Nones (eds), *Europe and the Future Combat Air System*