

**MERGE**

**BIM** Berliner Institut für empirische  
Integrations- und Migrationsforschung



## Snapshot Analyses on the “Refugee Deal”: Four Years After the EU-Turkey Statement

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## PREFACE

The EU-Turkey Statement was signed four years ago on March 18, 2016, to address the Syrian refugee issue. It has immensely impacted the lives of millions of refugees, as well as Turkey - a main hosting/transiting country - and Greece as the main entry point into the EU. Political uncertainties between Brussels and Ankara persist regarding the future of the agreement in the wake of Ankara's manoeuvre in late February to decrease its border control toward irregular crossings into Greece.

While one facet of the Statement has been the EU's expectations from Turkey to take preventive measures against irregular migration, another dimension has been the EU-funded humanitarian projects provided for refugees living in Turkey along with various political conditions.

With this dossier, the MERGE network presents different snapshot analyses and future scenarios regarding the EU-Turkey Statement. It also intends to be a reminder of the current situation amidst Covid-19, and the cynicism of #stayhome campaigns while many migrants are homeless and unable to quarantine themselves.

## The Masterminds behind the Dehumanization of Human Beings in Greece

Frequently, migrants and refugees on the Greek islands protesting “[respect human rights](#)”, “[are we not humans?](#)”, “[we are being treated like animals](#)”. These are not banal statements but suggest that human rights are no longer applied to refugees and that they are no longer treated as human beings; instead, refugees are treated and politically constructed as the new unwanted and subsequently even as sub-humans. This implies that the lessons from Fascism are fading and that the political precautions aiming to prevent the atrocities of the 1930s and 1940s have partly become ineffective.

A key aim of the [2016 EU-Turkey Statement \(EUTS\)](#) has been to contain migration and prevent people from moving on to other EU countries. The EUST clarifies that “all new irregular migrants crossing from Turkey into Greek islands as from 20 March 2016 will be returned to Turkey”; the [first report on the progress made in the implementation](#) explains that in order to enforce returns all asylum claims must be processed on the Greek islands. This decision de facto turned the Greek islands into immigration detention islands.

However, the Greek islands with their small temporary facilities are not prepared for accommodating 40,000+ people long-term. Since the early 2000s, this is well documented (e.g., [Pro Asyl 2007](#)) and the current policies inevitably led to even more overcrowding and under provisioning of the detainees.

These conditions were deliberately designed as a deterrence ([German Foreign Office 2016](#), [Avramopoulos 2018](#)). Ever since the first reports of the conditions in these camps were published (e.g. [HRW 2016](#)) it became obvious that the people in the camps are dehumanized, a condition which the EU, its member states, and heads of governments de facto accept.

This is the product of a well-oiled political bureaucracy, which includes policy advisors, such as ESI chair Gerald Knaus who developed the initial plan ([ESI 2015](#)), who is conventionally quoted as the architect of the EUST ([DW 2020](#)). He diagnosed the helplessness of the political leaders and offered a ‘solution’ to ‘restore control’ ([ESI 2015: 2](#)). [Diederik Samsom, leader of the Dutch Labour Party](#), developed this further and sold it to then EU council president Rutte (NL).

Probably under the guidance of Dimitris Avramopoulos, then EU migration commissioner, [Matthias Ruete](#) (D), Director General of DG Migration and Home Affairs (see [annual report](#)) and mostly anonymous EU bureaucrats were spelling out these ideas and then commission president Juncker made the final decisions. [Maarten Verwey, an economic expert, coordinated the implementation of the EUTS](#).

These actors are the masterminds ultimately responsible for the dehumanization of human beings in the 21 century and must be exposed as such!

*\*Dr. Franck Düvell; German Institute for Integration and Migration Research (Berlin), Institute for Migration and Intercultural Studies (Osnabrück)*

## A Post-Modern Externalization Agreement

The EU-Turkey deal is an exceptional arrangement in accordance with international law since it was signed by the member states, not the Union itself. It appears to be a post-modern externalization agreement, meaning the EU provides some financial support to Turkey in exchange for Ankara's commitment to host refugees. Thereby, it reduces Europe's responsibilities only to the provision of financial support.

### Impermanence

While the financial facets of the deal have largely been met, the political promises (visa freedom to Turkish citizens, Turkey's accession talks with the Union, and revising the Customs Union agreement) have been entirely forgotten. This approach has clearly failed so far, and Ankara has been voicing its discontent since 2017. Things have proved that the issue cannot be solved by money. Can you imagine an alternative scenario where Ankara pays Brussels 200 billion euros for ten years (20 billion per year) so that the EU countries receive only one million refugees from Turkey? Of course not. The Statement was a short-term one lacking a sustainable roadmap.

### Positive Outcomes

That being said, some improvements have been achieved since the EU has provided assistance for emergency needs addressing the refugees and contributed to Turkey's integration capacity. As Turkish authorities constantly say in a mocking way, for many Europeans, the best refugee is the one far from Europe. Indeed, the European Union is quite aware that successful integration policies toward refugees in Turkey intensify their willingness to stay in the country and diminish their quest for refuge in Europe.

### Ongoing Uncertainty Across the Borders

It must be stated that the violence used by Greek security forces, their push-back practices (to Turkey) across the border, and refusing people who seek asylum clearly violate international legal commitments. As a matter of fact, the issue of reopening the gates to Greece demonstrates a political struggle. On the one hand, Greece, by the consent of the EU, thwarts the crossings of tens of thousands of refugees. However, things might change amidst uncertainty related to the Idlib region across the Syrian-Turkish border if, say, one hundred thousand refugees would march into Turkey. In such a case, Turkey might even establish a corridor all the way from Hatay to Edirne and let them go to Europe. Currently unable to counter this, the EU should be prepared for such a possibility.

### Future Prospects

Whereas it seems highly unlikely that Turkey could gain the EU's political support on Syria, there are many areas for mutual action as far as refugees are concerned. Let us not forget that this problem will continue for decades. Furthermore, cooperation is highly required for non-Syrian refugees as well since there are many Afghan, Pakistani, Iraqi, and Iranian migrants living in Turkey alongside Syrians. In the light of these facts, both the European Union and Turkey should plan to handle their relations in the middle and long term, rather than following short-sighted agendas.

*\*Prof. Murat Erdoğan, Turkish-German University Dept. of Pol. Science & Int. Relations / Director of Migration and Integration Research Center-TAGU (Istanbul)*

As a short-sighted and politically motivated response, the EU-Turkey Statement poses fundamental legal challenges as an agreement with legally binding effect in international law<sup>1</sup> and risks violating the non-refoulement principle by not ensuring fair and effective access to international protection procedures. The Statement prioritizes border security over the protection of human rights. Furthermore, a disproportionate share of responsibilities is put on Greece and Turkey, failing to foresee the long-term effects of the deal on asylum seekers without access to sustainable solutions.

### Greece

As irregular movements of asylum seekers and migrants increased in 2015, the EU, under Germany's leadership, acted in haste out of fear to minimize arrivals and externalize migration, or at least keep it at bay in locations designated as "hotspots" on five Greek islands; Lesbos, Chios, Samos, Leros, and Kos.

The hotspot approach has resulted in severe congestion of the islands and forced asylum seekers to live under [hazardous conditions](#). In the last year, Greek policies to decongest the camps reached a deadlock further risking the lives of asylum seekers on the islands and prompting anti-migrant groups to openly attack refugees, asylum seekers, humanitarian workers, and journalists.

Furthermore, the EU-Turkey Statement as a reactive measure focused on the mobility caused by the war in Syria. [The UNHCR data shows](#) at least 70% of the recent arrivals in Greece are from countries other than Syria, mainly from Afghanistan. Greece is changing its national asylum laws to ensure faster returns, claiming that most of the applicants are economic migrants and thus not entitled to international protection. A new agreement must ensure that all asylum seekers - both Syrians and non-Syrians - have full access to fair and effective asylum application processes.

### Turkey

Turkey's decision to "open" its borders in February 2020 was not a sudden change in policy. None of the (quite unrealistic) promises given to Turkey in the Statement were kept despite Turkey's regular reminders. The financial aid packages promised to support NGOs working with Syrians in Turkey were extremely limited and unsustainable even in 2016.

The EU has continuously ignored the statements made by Turkish officials on "opening borders" and kept offering temporary solutions. Consequently, what occurred at the Turkish-Greek borders in February and March have resulted in [massive human rights violations](#) on both sides of land and sea borders.

While addressing these conundrums, any future agreement with Turkey must recognize that Turkey is not a "safe third country" to return asylum seekers mainly due to the geographical limitation Turkey retains on the Geneva Convention by not guaranteeing asylum to non-

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<sup>1</sup> EU-Turkey Statement is not ratified in Greece and Turkey as an agreement with a legally binding effect. The same challenges apply to its force within EU institutions. See Carrera et al. (2017) "It wasn't me: The Luxembourg Court orders on the EU-Turkey Refugee Deal": <https://www.ceps.eu/wp-content/uploads/2017/04/EU-Turkey%20Deal.pdf>

Council of Europe nationals and due to the [reports](#) of forced deportations of asylum seekers back to conflict zones.

*\*Dr. Begüm Başdaş; Einstein Fellow, Humboldt University of Berlin member of Einstein-Research-Group "Migration and Diaspora" at BIM.*

SINEM ADAR\*

## Reflections on EU-Turkey Cooperation over Migration Governance: Prioritizing Refugee Lives and Rights

Since being put into practice in March 2016, the EU-Turkey Statement has been subject to harsh criticism. The EU's externalization of migration governance, and consequently, Ankara's politicization of refugees as a bargaining chip have been rightfully at the core of this critique.

The most recent example of this was Turkey's decision on 28 February to open its European borders [in the wake of](#) the death of 34 Turkish soldiers in Syria. This somewhat unexpected decision was not, however, the first time when Turkey instrumentalized refugees towards its foreign policy goals. In this last incident, the aim was, arguably, to pressure the EU for support in Idlib against the Syrian regime backed by Russia and Iranian militias. Such reckless attempt by Ankara to "blackmail" the EU by putting human lives at risk would probably also not be the last, especially given Turkey's increasing lack of capacity to strategize its medium- to long-term foreign-policy goals.

Despite this dire reality, however, it is fair to assume that the EU-Turkey cooperation over migration governance is there to stay not only because the Member States remain divided over a common asylum policy. It is also because the EU's organizational and financial support to Turkey has significantly contributed to the coordination and implementation of policies towards Syrian refugees over the last couple of years. In short, [the EU and Turkey seem to remain dependent on one another](#).

Against this background, the following question is necessary to ask: What could the EU and Turkey do to improve the well-being of refugees who are highly likely to be negatively influenced particularly by the economic implications of COVID-19?

[Four issues stand out](#): First and foremost, the achievements after the Second World War in the realm of refugee protection, especially the right to asylum and commitment to *non-refoulement*, should at all costs be protected. Secondly, Member States should take the necessary actions to help Greece to empty the refugee camps on the islands and to fasten the processing of asylum applications. Thirdly, the EU should provide more financial support to Turkey towards improving the social and economic participation of refugees. Last but not least, the humanitarian situation in Idlib should not be overlooked.

*\*Dr. Sinem Adar; German Institute for International and Security Affairs, SWP (Berlin)*

## A Historic Miscalculation

The EU-Turkey Statement signed on March 16, 2016, to address the Syrian refugee issue was the outcome of a historic miscalculation committed by both sides. It was based on the shared premise that money would solve the refugee problem: The EU would foot the bill; Turkey would keep the refugees.

The Statement turned Turkey into a long-term depot for refugees while it lulled the EU into a misplaced complacency that the Statement solved the refugee issue by safely keeping the bulk of them away from the EU.

Subsequent events and the current deadlock at the Turkish-Greek border prove how wrong this premise was. In fact, this Statement was heavily criticized at the time (2016) by the opposition in the Turkish parliament for failing to strike a sustainable balance between Turkey and the EU in shouldering their reciprocal legal, humanitarian and financial responsibilities vis-a-vis the refugees.

The EU then lacked and still does not have an EU-wide refugee policy. Member countries continue to take widely different stances in handling the refugees. Turkey, on the other hand, assumed that with enough funds from the EU, the refugee situation could be handled. The flow of promised EU funds did not quite materialize. Under the pressure of an imminent new flow of Syrian refugees from Idlib, Turkey took the step of opening its borders, a step contrary to its traditional welcome of refugees.

The Greek reaction, on the other hand, runs afoul of all international law as well as the EU principles regarding refugees. The result is an ongoing humanitarian disaster whose groundwork was laid by the Statement of 2016.

*\*Faruk Loğoğlu; Turkey's Former Ambassador to the United States and a former MP from the CHP, Turkey's Main Opposition Party*

## ABOUT MERGE

The cross-border movements of migrants, particularly across the Middle East, have recently been a signifier of the urgency for a transnational approach in social sciences. Indeed, several countries in the region have undergone multidirectional migration patterns across different geographies. Therefore, a nascent scholarship has emerged to espouse a transnational perspective to analyse social, economic, and cultural facets of major developments beyond the state-centric logic of territoriality.

However, a great deal of scholarship still appears to portray the Middle East region merely as a “migration sending” heartland, mostly in the direction of Europe and thus overlooks the broader picture. We rather adopt a multidimensional and multidisciplinary approach, seeing societies as dynamic and fluid communities.

As a research network based in the Berlin Institute for Integration and Migration Research (BIM), the MERGE aspires to harness the power of collective thinking to expand the scope of conventional approaches and explore the burgeoning dynamics of migration and mobility within the Middle East.

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The word "MERGE" is written in large, bold, black capital letters. Each letter is filled with a white, abstract geometric pattern of interconnected lines and dots, resembling a network or a map.