

November 2015

ADDENDUM TO THE DOCUMENT:
**“FORCED MIGRATION FLOWS AND THE HUMANITARIAN CRISIS IN EUROPE:
POSITION PAPER OF THE INSTITUTE FOR MIGRATION AND ETHNIC STUDIES”**
(on November 24 2015)¹

According to the official data of the Ministry of Internal Affairs, more than 440 000 forced migrants had entered the Republic of Croatia from September 16 to November 24 2015.²

UNHCR data shows that in 2015 (up until November 24 2015), more than 863 000 forced migrants had entered Europe by sea, across the Mediterranean, and through South-Eastern Europe.³ Greece (by way of Turkey) remains the first country of entry into the EU for the majority of forced migrants, 716 000 of them (which makes up a 83% share of entries), while 143 500 people (16%) have entered through Italy. Of the refugees and forced migrants 62% are men, 16% women and 22% children. By country of origin, 51% are citizens of Syria, 20% of Afghanistan, 6% Iraq, 4% Eritrea with 19% others, of whom the majority are citizens of Pakistan, Nigeria, Somalia, Sudan, Gambia and Mali.

Due to the scale of the humanitarian crisis, the European Commission proposed on October 14 that additional financial funds of €1.7 Billion be foreseen for 2015 and 2016 for managing the humanitarian crisis, of which the most important item of €100 Million would go to the *Asylum, Migration and Integration Fund* – AMIF and the *Internal Security Fund* – ISF.⁴ At the same time, €300 Million will be invested in the *European Neighbourhood Instrument* – ENI.⁵ In practice, that means that a total of €9.2 Billion will be invested in managing the humanitarian crisis in 2015 and 2016.

On October 16, the *EU-Turkey Joint Action Plan* was issued, as the result of several months of negotiations between the Member States and Turkey on the attempts to solve the current humanitarian crisis.⁶ Although mention is made of determining the main causes leading to the mass resettlement of the Syrians, the emphasis in the *Action Plan* is placed on two sets of measures: a) giving financial support to Turkey for maintaining the community enjoying certain temporary protection status, i.e., of those sojourning on Turkish territory; and, b) strengthening the co-operation between the EU and Turkey on the issue of preventing irregular migration flows from Turkey towards the EU. Even

¹Transmission, copying or distribution of the information contained in this document shall be possible with precise quotation of the reference: Institute for Migration and Ethnic Studies (2015), “Addendum to the Document: Forced Migration Flows and the Humanitarian Crisis in Europe: Position Paper of the Institute for Migration and Ethnic Studies”, Zagreb: Institut za migracije i narodnosti, downloaded from: <http://www.imin.hr/en/strateska-polazista> (date of access).

² According to official data of the Ministry of Internal Affairs downloaded from <http://www.mup.hr/219671.aspx> (accessed on November 23 2015).

³ <http://data.unhcr.org/mediterranean/download.php?id=70> (accessed on November 23 2015).

⁴ http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/communication_on_eam_state_of_play_20151014_en.pdf

⁵ <http://www.enpi-info.eu/ENI>

⁶ http://ec.europa.eu/priorities/migration/docs/20151016-eu-revised-draft-action-plan_en.pdf

though the *Plan* is conceived in the spirit of *sharing the burden*, it also contains provisions by which Turkey is offered financial assistance of some €4 Billion for employing measures for retaining the migrants in Turkey, and for liberalisation of the visa regime for Turkish citizens within the countries of the EU, as has been promised in media addresses on the part of EU leaders, together with consideration of speeding up the negotiations on Turkey's accession to the EU.

A meeting was held in Bruxelles on October 25 between leaders of the so-called Balkan Route states (including representatives of Austria and Germany), that issued a *Leaders' Statement* in the form of Action Plan with 17 Points, i.e., operating measures aimed at mutual and coordinated action in managing the flow of refugees and forced migrants.⁷ The most important among those measures include: ongoing information exchange with the assistance and coordination of the *European Asylum Support Office*; limiting secondary movements; increasing the reception capacities by at least 100 000 places along the Balkan route, of which 50 000 places in Greece, with the remainder at other places along the route, all of which is to be implemented with the help of UNHCR and the assistance of the *EU Civil Protection Mechanism*; joint management of the migration flows including mandatory biometric registration and co-operation with Frontex for return and re-admission of 'migrants not in need of international protection'; border control and border management on land and on sea, including the deployment of the *Rapid Border Intervention Team – RABIT*; prevention of smuggling and human trafficking with the assistance of EUROPOL and INTERPOL; providing information to refugees and migrants on their rights and obligations; and, monitoring the implementation of all these measures. In keeping with the *Action Plan*, FRONTEX staff shall come to Croatia in order to 'detect irregular border crossing, support in registration and finger printing' by way of the EURODAC system.

A winter Reception and Transit Centre was opened in the Bjeliš settlement (on the outskirts of Slavonski Brod) on November 3, by which the Reception Centre in Opatovac ceased working, although, as emphasised by the Internal Affairs Minister, it could be re-activated in the event of the Bjeliš capacities being filled. The camp in Bjeliš is divided into six sectors with a total capacity for 5 000 persons under conditions that are much more suitable for the accommodating of refugees, with sturdy heated structures, specially separated spaces for sensitive refugee groups, hot-water showers and containers for clothing and food, a hospital providing medicinal care and a service for finding family members who have become separated/been lost. A video-wall has been installed at the entry to the camp with information displayed in Arabic, Farsi and English. Along with the winter reception and transit centre, the systematic practice of so-called safe and organised corridors in the area from Gevgelija in Macedonia as far as Dobova in Slovenia has been established.

As ordered by the Government of the Republic of Slovenia, the Army began installing a sharp wire fence on the border with Croatia near Brežice on November 11, with argumentation that Slovenia wanted to put up 'technical obstacles' against irregular migrants with the aim of more efficacious control and re-orientation of the migrant flow to the regular border crossings.

⁷ http://ec.europa.eu/news/2015/docs/leader_statement_final.pdf

On November 11 and 12, a Summit on migration was held at Valletta on the island of Malta, attended by leaders of European and African states, in order to identify the challenges and to strengthen co-operation in the area of migration management and to consider solutions to the long-term crisis in the African and Euro-Mediterranean region.⁸ A Declaration and Action Plan were adopted at the Summit containing sixteen concrete points establishing the causes of irregular migration and re-settlement; stimulating co-operation on issues of legal migration and mobility; emphasising the protection of migrants and protection seekers; emphasising the need for prevention and combating of irregular migration, smuggling and human trafficking; and, seeking closer and improved co-operation on questions of return, re-admission and re-integration. An agreement was signed at the Summit by which the *EU Emergency Trust Fund for Africa* was set up.⁹

In the later evening hours of November 13 in Paris, a series of connected terrorist acts were perpetrated in which 132 people were killed, while 350 were wounded, some of them critically. This terrorist act raised the question once again of the success of the model and political integration of immigrants in European societies, that is, their socio-economic exclusion, segregation (ghettoisation), discrimination and marginalisation as processes that contribute to potential attraction of extremist ideologies. The struggle of the Western powers against terrorism and the continuance of military intervention in Syria were the main theme of discussion at the Summit of G-20 countries in Antalya, Turkey, on November 15 and 16.¹⁰

The terrorist attack in Paris has also led to a rise in xenophobia, Islamophobia and racism towards refugees and migrants and possible further closing of the borders of the 'Fortress of Europe', abandonment of Schengen, as well as increasingly stricter and more rigid control measures, supervision and police powers through the rhetoric on protection, security and the struggle against terrorism. The Hungarian Parliament passed a Resolution on November 3 by which it rejected the EU plan for introduction of a quota system for distributing refugees among the Member States through a resettlement and relocation programme. On November 14, Poland, following the terrorist attack in Paris, issued a Decision by which, with argumentation that rested on security issues, it rejected the relocation programme within the foreseen quota system, that is, it did not accept it.

Even prior to those decisions, the quota system had not taken hold at a satisfying level, one that would have provided proof that it would be possible by that mechanism to expect political solidarity and sharing of responsibility among the Member States of the EU regarding the acceptance of refugees and other forced migrants. Namely, from the beginning of the humanitarian crisis until November 17, according to European Commission data, of the foreseen quota of 160 000 refugees who were to be re-located from Greece, Italy and Hungary, only 158 of them had been re-located (of which 128 from Italy and 30 from Greece).¹¹

⁸ <http://www.consilium.europa.eu/en/meetings/international-summit/2015/11/11-12/>

⁹ http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/background-information/docs/2_factsheet_emergency_trust_fund_africa_en.pdf

¹⁰ <https://g20.org/g20-leaders-commenced-the-antalya-summit/>

¹¹ http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/press-material/docs/state_of_play_-_relocation_en.pdf

After the terrorist act in Paris, the countries on the Balkan Route began implementing a policy from November 19 of stopping and separating citizens of Syria, Afghanistan and Iraq – understood to be ‘genuine refugees’ – from the citizens of other countries, who were permitted entry into the territory and system of asylum in the countries along the Balkan Route. Violating international refugee rights provisions, primarily the *Convention on Refugee Status* of 1951, and the *EU Qualification Directive* of 2004, blocks the right of protection seekers from entry into the territory and system of asylum, as well as the right to individual procedure regarding the establishment of refugee status, particularly for those who are not perceived and categorised as authentic refugees, but as ‘economic migrants’, that is, ‘non-genuine refugees’.

A meeting of the European Commission and the High Commissioner of the EU for External and Security Policy in Bruxelles was held on November 18, at which a revised version of the *Review of the European Neighbourhood Policy*¹² was issued. That version of the original 2004 document placed greater emphasis on the question of measures for combating terrorism, irregular migration, smuggling and human trafficking and on stimulation of safe and lawful migration, which it is hoped to achieve through closer and more systematic co-operation between the EU and neighbouring countries in North Africa, the Near East, Eastern Europe and the Caucasus.

On November 18, the Republic of France activated and invoked Article 42, Sub-section 7 of the *EU Agreement* (after supplementation with the *Lisbon Agreement* of 2007),¹³ seeking bilateral or collective help from other Member States of the EU, by which other Member States have ‘the obligation to offer support and help with all the means at their disposal’ in the event of armed aggression on the territory of one of its members. Two days later, on November 20, the Security Council of the United Nations passed a Resolution by which it established that ISIL/ISIS represents a threat ‘without precedent’ to international peace and security and called upon the Member States of the UN to undertake ‘all necessary measures’ in order to prevent and suppress terrorist acts on the territory under their control in Syria and Iraq.¹⁴ It remains to be seen whether those decisions will discontinue the flows of forced migrants from Syria or give them added impetus.

¹² http://eeas.europa.eu/enp/documents/2015/151118_joint-communication_review-of-the-enp_en.pdf

¹³ http://www.eudemocrats.org/fileadmin/user_upload/Documents/D-Reader_friendly_latest%20version.pdf

¹⁴ <http://www.un.org/press/en/2015/sc12132.doc.htm>