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## Migration: In times of crisis, the EU must abandon crisis mode

It may sound like a paradox, but in an era of permanent crisis, the European Union must abandon its usual crisis-mode approach to migration and asylum. It must finally devise bold, coherent and humane migration and asylum policies that tackle mobility as a regular feature of human behaviour, rather than as an emergency. Yet it is doubtful that in 2023 the EU will be able to shake off the many political obstacles that have so far hindered achieving a broad, deep and structural reform of asylum and migration policies. Nevertheless, a deal on the (New) Pact on Asylum and Migration, the reform package presented by the Commission in September 2020, is possible. But at a great price.

When it comes to the management of asylum and migration, recent years have seen a series of crises emerge. The forced displacement of Afghans following the Taliban takeover in the summer of 2021, the orchestrated border crisis between Poland and Belarus later that year and the Russian invasion of Ukraine in February 2022 – followed by the most significant movement of asylum seekers in Europe since the second world war, have repeatedly put a strain on the European Union, testing its response capability.

While in the first two cases, the EU has shown its shortcomings and its tendency to look at migration only in terms of security, containment and deterrence, the Ukrainian humanitarian crisis has proved that the EU and its member states (and citizens) are indeed capable of solidarity and of coping with exceptional refugee movements. It is difficult to calculate the number of refugees from Ukraine who are currently in the EU, as the crossing of borders between the EU and its Eastern European neighbour occurs in both directions, and many people have returned home or travel back and forth. Yet it is sufficient to point out that about 1 million Syrian asylum seekers reached the EU in 2015, triggering one of the most profound internal political crises in the EU, while in just the first two weeks after the Russian invasion, over 2.5 million refugees from Ukraine sought protection in the EU, without unleashing any significant xenophobic reactions (a lot could be said about the double standards that this different attitude hardly disguises).

The activation in March 2022, for the first time, of the Temporary Protection Directive (TPD) to facilitate the reception of a massive influx of refugees, has also demonstrated the benefits of streamlining asylum procedures and has – at least temporarily – sidelined member states' concerns over secondary movements (that is, the movement of refugees from the country of first arrival, and registration, to another EU member state).

However, the TPD is a crisis-oriented response that can only last up to three years. Its application, in the long run, may have some serious secondary effects that further highlight the need for urgent reforms of the migration and asylum system. As the duration of the war in Eastern Europe is uncertain, and therefore it is difficult to predict how many refugees from Ukraine will eventually stay in the EU and for how long, it is critical to formulate long-lasting measures for the reception and integration of newcomers (both from Ukraine and elsewhere) that take into account and make up for the different reception capabilities of the member states.

The persistence of an approach focused on crisis may also have as a consequence the diversion of crucial financial and political resources from other, longer-term priorities and commitments, such as development and humanitarian aid, with potentially dramatic consequences. Moreover, without a more comprehensive approach, the Ukrainian humanitarian crisis could overshadow other enduring displacement situations elsewhere. The risk here would be a 'feeling of saturation' that may induce EU member states to refuse admission to non-Ukrainian refugees and be (more) hostile to resettlement and relocation schemes.

In general, the tendency to adopt *ad hoc* measures to react to crises, as has happened for the Ukrainian crisis, may, in the long term, result in an excessive fragmentation of policies. This could lead, on the one hand, to a 'cherry-picking' strategy, where member states choose the policy that better fits their needs and political priorities, and, on the other hand, to less control when it comes to reception and integration standards and respect for human and civil rights.

If there were a positive outcome from the Ukrainian humanitarian crisis, it would be that the European Union has shown a great deal of flexibility and reaction capability. However, there is still a long way to go in the field of cooperation. In June 2022, as a major step forward in the reform of EU migration and asylum policy, and under the auspices of the French presidency, the EU member states agreed on a voluntary scheme for the relocation of migrants from the EU's Mediterranean member states (the 'voluntary solidarity mechanism'). As expected, only 13 willing countries have subscribed to it. In the same spirit of so-called 'flexible solidarity', the Czech presidency presented at the end of October a document, "Way forward on EU migration solidarity and crisis response mechanism", with which member states "are invited to consider" a minimum annual threshold for voluntary relocations. The trend seems to be the reliance on smaller coalitions of willing countries and a gradual approach in adopting individual components of the Migration Pact, rather than a comprehensive one.

Therefore, in the course of 2023, the European Union may find the lowest common denominator and be able eventually to cut a weak deal – by April 2024 (as agreed by the

European Parliament and five Council presidencies with the September 2022 roadmap) – on a revised version of the Pact. But this will probably be done with a gradual approach, step by step, first on less contentious chapters, and with actors seeking concessions in other policy areas. Most probably, given the prevailing political atmosphere on the continent, the final deal, rather than incorporating the lessons from the Ukrainian crisis, will maintain a securitarian approach and focus on containment and externalisation; devote little attention to the needs and rights of refugees and migrants; retain some fragmentation; and will provide some ‘escape routes’ for those member states that are adverse to the very same idea of adopting common migration policies and of solidarity. Therefore, probably, even if it will represent a step forward from the crisis-oriented approach, from a progressive perspective, such a deal cannot be considered a success.