



BULLETIN

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Insufficient Solidarity: The EU's Response to the Syrian Refugee Crisis

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More than 2.7 million people have fled the conflict in Syria for the neighbouring countries of Jordan, Lebanon, Iraq, Turkey and Egypt, which have limited capacities. Meanwhile, the EU's burden-sharing mechanisms are at best ad hoc and limited. In June, the bloc will be setting strategic Justice and Home Affairs guidelines, including asylum-related policies. But in the context of continued political introversion, one can expect that burden-sharing between the EU and its neighbours will not be high on the agenda. Yet deeper European solidarity with third countries will nevertheless be the key to ensuring respect for international law outside the EU, as well as triggering solidarity within the union, two issues of acute importance to Poland at present.

Global Resettlement and the EU Solidarity Regime. For the past decade, the UN High Commissioner for Refugees (UNHCR) has focused on improving the global refugee protection regime. Its 2004 "Convention Plus Initiative" advocated sharing responsibilities more equitably and building capacity to receive and protect refugees. Establishing special multilateral agreements and linking refugee issues with development plans were listed among the emergency responses to mass influxes of people and a protracted refugee crises.

Nevertheless, by the end of 2012, 80% of the world's refugees (8.5 million people) had originated from and continued to live in the global south. The north, including the EU, remains focused on restricting access. And, while the EU has expressed solidarity with refugees, this is reserved in practice for those who remain outside the bloc. Indeed, in recent years, the European Union has increased border controls preventing migrants from reaching and entering Europe, enhanced detection of irregular cross-border movements and concluded readmission agreements with third countries.

In this context, resettlement has been singled out as a means to allow developed states to maintain border controls while taking on their share of the burden in hosting refugees. Of course, advocates of resettlement recognise that the uneven dispersal of asylum seekers world-wide is inevitable (most refugees can afford to travel only to nearby areas), and resettlement may not always be appropriate (given refugees' cultural ties and a desire to return to their homeland, seeking refuge in distant countries is often a last resort). However, in protracted crises, mechanisms such as resettlement or humanitarian admission (by which countries take in vulnerable populations of refugees in third countries to provide temporary protection on humanitarian grounds) become particularly important.

The International Response to the Syrian Crisis. Since 2011 the conflict in Syria has led to one of the worst refugee crises in the world. The UNHCR has called upon non-proximate states to offer resettlement opportunities, humanitarian admission and family reunification for the most vulnerable refugees. To this end, the agency has elaborated a special resettlement programme, which would see up to 30,000 of the most vulnerable Syrian refugees admitted by host countries by the end of 2014. Neighbouring countries are also being assisted through a Regional Response Plan (which received only 70% of funding of the needs assessed).

The EU has been the biggest financial donor in Syria. As of September 2013, the European Commission and some individual Member States had delivered €2.8 billion in support of 9.3 million people affected by the conflict. Through its Regional Development and Protection Programme, the EU offered €16 million (€12.3 million from EU funds, and €3.7 million from Denmark, the Netherlands and the UK) to assist Jordan, Lebanon and Iraq, countries that, together

with Turkey and Egypt, host an estimated 2.7 million refugees. And yet, solidarity again seems to be conditional on refugees remaining outside the EU. The EU hosts less than 2% of the entire Syrian refugee population. Only 13 EU states signed up to the UNHCR's resettlement programme and, unlike the United States, they set tight limits on the quotas.

Deficits in the EU's External and Internal Burden-sharing. In an attempt to rectify this, the EC has created a Joint Resettlement Programme facilitating cooperation between EU countries, with additional funding available for individual Member States. But the EU is still falling short of what is needed. In 2013, only 260 refugees were actually resettled to the EU. Furthermore, internal relocation schemes, under which one EU Member State agrees to host refugees who are based in another, are also very much in their infancy. There are also heavy disparities in the distribution of Syrian refugees within the EU, disparities which have little to do with Member States' proximity to the crisis.

For instance, Germany and Sweden host the biggest groups of asylum seekers from the Syrian crisis (respectively, 20,685 and 25,095 applications between 2011 and 2013). These numbers not only reflect the fact that countries such as Sweden and Germany are already home to large Syrian diasporas that are crucial in providing support for the newcomers, but, more importantly, have well-developed integration programmes for resettled refugees, as well as generous social assistance schemes. They are also, along with Austria, which pledged 1,500 places for humanitarian admission, the EU Member States that offered most places for resettlement and/or humanitarian admission.

By contrast, almost 9,000 Syrian asylum seekers who applied for asylum in Bulgaria between 2011–2013 were reported to be hosted in very poor conditions, which eventually led to the UNHCR's call for suspension of transfer of asylum seekers to Bulgaria, under EU rules that make the Member State through which asylum seekers enter the EU responsible for handling them (the Dublin Regulation). Additional EU funding improved the situation, at least in the short term. Meanwhile, reported "push-backs" on the Greek border, and tragedies in the Mediterranean Sea only add to the picture of the EU's limited capacity to comply with its own standards.

Conclusions and Recommendations. It is natural that the displaced should be helped primarily through offshore financial and technical support. Yet this should not be used as an excuse to prevent admissions to the EU. EU Member States need to retain their openness to asylum applicants who arrive spontaneously, and they need to create resettlement schemes to give refugees more controlled paths to Europe. Greater burden-sharing within the EU is the key to this, and in fact an effective European burden-sharing system would help reduce intra-EU tensions around in-country applications; it would boost the EU-28's collective capacity to resettle refugees; and it would prevent individual Member States hiding behind each other when it comes to signing up to international programmes.

Burden-sharing within the EU has so far been addressed rather indirectly, through harmonisation of asylum rules and procedures. This is supposed to prevent asylum seekers "shopping" for the national systems that offer the most attractive conditions, and thus to reduce the burden on EU Member States with liberal systems. Yet this is proving a laborious and long-term approach, and even those Member States with higher standards are losing their willingness for greater legal approximation. There is now talk of introducing a more targeted EU-wide burden-sharing mechanism with fixed quotas based on GDP, population size, unemployment rate and other factors. The model here is the German system for distributing asylum seekers amongst its *Länder*. And yet, both approaches miss perhaps the key factor, the capacity of the host country to receive refugees.

The EU funding given to Member States that sign up to relocation programmes or resettlement programmes (up to €10,000 per resettled refugee) offer no real incentive to those countries that lack national integration programmes. More systematic investment in national capacity-building is thus crucial in the medium term. Given the immediate demands of the Syrian crisis, however, relocation should be used primarily as a means to relieve precisely those EU Member States that are struggling to host refugees because they lack capacity to do so. As for resettlement, a common EU decision to offer resettlement in all Member States, with the possibility of enhanced funding for those with limited capacities, may substantially help the situation of Syrian refugees as well as proving Europe's commitment to certain principles, most notably solidarity.

Such principles are of particular interest to Poland in the current Ukrainian crisis. Yet, aware of its limited capacities, Warsaw has pledged no places for the UNHCR resettlement scheme. And although it previously committed to receive 56 refugees under the EU's two EUREMA relocation programmes, the upshot was that only six refugees came (later to be joined by their family members). Most refugees who had the chance chose not to be relocated to Poland, due not least to its lack of capacity. From 2011 through April 2014, 220 of the 402 Syrian claims lodged in Poland were discontinued, in most cases due to the applicants' departure to another EU Member State. However, in order to bolster its case for receiving more capacity-building support from the EU, Poland must show political commitment to the EU's overall attempts to harmonise rules and practices.