

DRAFT¹

Why people don't need to drown in the Aegean

A policy proposal

17 September 2015

Summary

The situation on the European Union's external borders in the Eastern Mediterranean is out of control. In the first eight months of 2015, an estimated 433,000 migrants and refugees have reached the EU by sea, most of them – 310,000 – via Greece. The island of Lesbos alone, lying a scant 15 kilometres off the Turkish coast and with population of 86,000, received 114,000 people between January and August. And the numbers keep rising. The vast majority of people arriving in Greece during this period were Syrians (175,000). They are all likely to be given refugee status in the EU if they reach it; in 2014, the recognition rate of Syrian asylum applications was above 95 percent. But to claim asylum in the EU, they need to undertake a perilous journey by land and sea.

In the face of this massive movement of people – the largest in Europe since the end of the Second World War – there have been two diametrically opposed responses.

Germany has responded with open arms to the tide of Syrian refugees pouring into its train stations. At the beginning of the year, Germany anticipated some 300,000 asylum claims. By May, this prediction had been revised to 450,000. The German ministries of interior and social affairs are now making preparations for 800,000 this year. The German vice chancellor and Social Democrat Party leader has stated that Germany can cope with a half a million refugees a year for the coming years. Angela Merkel, the German chancellor, has become the face of this generous asylum policy. She has been widely hailed for her moral leadership; but she has also been accused by other EU leaders of making the situation worse, by luring ever more refugees into the EU.

A radically opposed agenda has been pushed by Viktor Orban, the Hungarian prime minister. In early 2015, Orban vowed that Hungary would not let any Muslim refugees enter, making this promise in the wake of the Charlie Hebdo massacre in Paris. He repeated this pledge in May, when the EU discussed quotas for sharing the refugee burden among member states. He warned in a speech in July that Europe was facing “an existential crisis.” He blames the refugees themselves, whom he labels economic migrants, and EU migration policy for the current crisis. And he does not mince his words: quotas for refugees are “madness”; “people in Europe are full of fear because we see that the European leaders, among them the prime ministers, are not able to control the situation”; European leaders live in a dream world,

¹ We are presenting this draft to European policy makers and our readers in the hope of receiving more feedback and comments. Please write to g.knaus@esiweb.org. We will publish a version of this paper taking into account all comments next week.

failing to recognise that the very “survival of European values and nations” is at stake. Orban declared the issue a matter of national security, ordered a fence to be built, deployed the military, used teargas and passed legislation to criminalize irregular migration. He has also taken this message to the country at the core of the refugee debate, Germany, convinced that before long German public opinion will force Merkel and her allies around to his way of thinking.

In reality, neither the German nor the Hungarian approaches offer a solution to the ever-increasing numbers of Syrian refugees crossing into Greece and on through the Balkans. Neither a liberal asylum policy nor a wire fence will prevent people from drowning in the Aegean. Although they are diametrically opposed in their views of the Syrian refugee crisis, neither approach is sustainable. This is because it is not the EU but Turkey that determines what happens at Europe’s southeastern borders. Without the active support of the Turkish authorities, the EU has only two options – to welcome the refugees or try – futilely – to stop them.

ESI proposes an agreement between the EU and Turkey to restore control of the EU’s external border while simultaneously addressing the vast humanitarian crisis. Rather than waiting for 500,000 people to make their way to Germany, Berlin should commit to taking 500,000 Syrian refugees directly from Turkey in the coming twelve months. While this would be an extraordinary measure, it is a recognition that the Syrian crisis is genuinely unique, creating a humanitarian crisis on a scale not seen in Europe since the Second World War.

It is essential that these 500,000 asylum seekers are accepted from Turkey, before they take to boats to cross the Aegean. As a quid pro quo, it is also essential that Turkey agrees to take back all the refugees that reach Greece, from the moment the deal is signed. It is the combination of these measures that will cut the ground from under the feet of the people smugglers. If Syrian refugees have a safe and realistic option for claiming asylum in the EU in Turkey, and if they face certain return back to Turkey if they cross illegally, the incentive to risk their lives on the Aegean will disappear.

These two measures would restore the European Union’s control over its borders. It would provide much-needed relief and support to Syrian refugees. And by closing off a main illegal migration route into the EU, it would reduce the flood of people now trying to reach Turkey from as far away as Central Asia. This would help to manage the huge burden currently faced by Turkey.

This proposal would take Germany’s readiness to welcome hundreds of thousands of refugees and redirect it into an orderly process where refugees no longer have to take their lives into their hands in order to claim asylum. At the same time, it would stop the uncontrolled flood of people across Europe, something Orban’s fence can never do.

If this agreement could be put in place quickly, before the seas get even rougher and the cold season closes in on the Balkans, it could save untold lives.

Finnish lessons

Two years ago, in August 2013, an ESI team went to Finland to learn about best practices in border management. Within the EU, the Finnish border management system is widely seen as state of the art. Finland has the longest external land border of all members of the Schengen

zone. At the time, Finnish experts were advising the Turkish authorities in Ankara, and a Finnish border guard was head of Frontex, the EU border agency in Warsaw.

From Helsinki, we were taken around the country by a team of border guards. Our guides explained the future of ‘smart borders’ at busy crossing points with Russia; showed us new face recognition technology at Helsinki airport; proudly presented their system of maritime surveillance in the Baltic sea, which, we were told, made Finland “the only country in the EU where every agency – border guard, police, military – knows where all boats, and the patrols of all agencies, are at any given moment.” At each point, the importance of Finland’s cooperation with its neighbouring countries was stressed.

It was only on the last day of our trip, however, that we understood the single most important fact about European border management. All along the Finnish side of its long land border with Russia, there is just a low fence. Its main purpose is to keep animals from crossing and to mark the border. Only in a few, high-risk areas have the Finns put up electronic surveillance systems with cameras and sensors. We asked our hosts how often this rather low-key border management system was actually tested by migrants trying to cross into the EU illegally. We were told that there were 80 cases in 2011; 67 cases in 2012 and just 18 in the first half of 2013. In fact, of those 18 border violations, only one had turned out to be an illegal migrant trying to make his way into the EU. When we enquired as to why the numbers were so low, the answer was both simple and obvious: Russia.

On the Russian side, a few kilometres in, there are two sets of four-meter-high fences that were once part of the Soviet cold war border installations. There is a clearing between these two fences where any tracks can be seen by Russia’s approximately 5,000 border guards (down from 13,500 in 2001). They are part of the FSB, the successor of the Soviet KGB.



Picture 1: Russia’s two border fences, built in the 1960s, a few kilometres from the border with Finland

It became clear why Finland had the most secure border in Europe. For all the impressive competence of the Finnish border services, it is mainly the result of the legacy of Soviet borders and the Iron Curtain.

This Finnish lesson is relevant whenever people discuss border security in Europe. In the end, border control depends most of all on the EU's neighbours, and whether these are willing and able to stop irregular migrants from reaching the EU's borders. This explains the ebb and flow of people crossing the Adriatic from Albania to Italy in the 1990s; it explains why few boats leave Morocco to cross to Spain; and why the collapse of states in North Africa, primarily Libya, has created an almost impossible situation for the Italian coast guard in the Mediterranean.

The key to stopping the uncontrolled arrival of hundreds of thousands of migrants and asylum seekers in the European Union in the Eastern Mediterranean in recent months is held by Turkey. And it is only a strategy acknowledging this fact that can end the vast humanitarian crisis that is shaking the foundations of the Schengen compact and the European asylum system.

The open Aegean

To understand what is currently going wrong in the Aegean, imagine for a moment that the Finnish Coast Guard and Border Guard services took control of Europe's sea border in the Aegean. They would establish close cooperation and information sharing with their counterparts, the Turkish coast guard, gendarmerie, police and military. They would share all information with the Greek police and military. They would also struggle to rescue all those flimsy boats overturned in the waters between Turkey and the Greek islands. They might have better communications, better equipment, better surveillance and better inter-agency cooperation. But for all their competence, this would not bring down the numbers of people reaching Samos, Kos or Lesbos, currently running at more than 25,000 people a week. This is because these EU border guards would be required to escort to EU territory any boat with migrants that they stopped. And any boat they missed would continue on to the Greek islands anyway. So the flood of asylum claimants would continue.

Table 1: Detections of illegal border crossings into the EU through Greece-Turkey border²

| | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 Jan- Aug |
|-----------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------------|
| Land border | 14,461 | 8,787 | 47,079 | 54,974 | 30,433 | 1,109 | 1,903 | 1,136 |
| Sea border | 30,149 | 27,685 | 5,190 | 1,030 | 3,651 | 11,447 | 43,518 | 244,928 |
| Combined | 44,610 | 36,472 | 52,269 | 56,004 | 34,084 | 12,556 | 45,421 | 246,064 |
| All EU | 159,092 | 104,599 | 104,060 | 141,051 | 72,437 | 107,365 | 282,669 | 500,000 |

In fact, Turkey has been doing the EU an enormous favour by hosting almost 2 million refugees from Syria,³ some since 2011, to the polite applause of the rest of Europe. They are

² Sources: Frontex and Hellenic Police.

looked after by the Turks; indeed, the generosity that many European cities are showing today for refugees has been more than equalled in recent years by Turkish communities. Turkey says it has spent €6 billion on Syrian refugees to date. The Turkish authorities no doubt hoped and expected that the Syrians would stay for only a short time. But as the Syrian conflict drags on with no foreseeable end, many Syrians are searching durable solutions.

With such numbers now on the move, the European Union cannot hope to prevent mass arrivals without the support of Turkey. But the notion that Turkey will employ heavy security measures to prevent the departure of Syrians, and take back those who reach Greece, while Europe stands by, is completely unrealistic. Short of a resolution to the Syrian conflict, what is needed now is a serious commitment to burden-sharing and solidarity.

Aylan and the urgency to act

On 2 September, the body of a three-year old boy was washed up on the Turkish coast near Bodrum. The image of the lifeless Aylan Kurdi in his red shirt and black sneakers moved Europeans more than any other image from the Syrian war. People could identify with the toddler and his father, fighting against drowning at sea at night, unable to rescue his two young sons and his wife.

Aylan's story moved millions who had remained untouched by the Syrian tragedy – although the facts had been plain enough. Two hundred thousand casualties. Eleven million people displaced. Attacks by chemical weapons and barrel bombs. Torture and atrocities by the regime; beheadings and more atrocities committed by some of its opponents; the calculated barbarity of Islamic State. More than four million refugees; families sleeping rough across the region; hundreds of thousands of children destitute and unable to go to school. Desperate people in tiny inflatable boats, helpless in rough seas at night. And even those who made it might end up perishing in the back of a refrigerator truck, abandoned by people smugglers.

The photo of Aylan may have united Europeans in a way that the brute facts of the Syrian crisis had failed to do. But so far, the question of how to respond to the tragedy has continued to divide opinion. And the boats keep coming. Look at the figures from a single Turkish district: Ayvacik, near Gallipoli. Between 4 and 7 September, 412 people were rescued in the sea near Ayvacik.⁴ On 13 September 2015, 637 people were rescued in the sea; 150 more the following day; 96 people on 15 September.

More than half the Syrian refugees in Turkey are children. As the summer draws to an end, the seas are getting rough. If the status quo continues, there will be many more Aylans, turning the Aegean into a graveyard.

Merkel vs. Orban

While refugees are running a sometimes deadly obstacle course across South East Europe, the European Union has been engulfed in a heated debate over the future of its border

³ The official figure as of early September 2015 is 1,972,065: Atilla Toros, head of the Directorate for Migration Management, Ankara, in Miliyet, "[Turkiye'de Suriyelilerin olmadigi bir il kalmadi](#)", 3 September 2015.

⁴ Dogan haber ajnasi, "[Kacak multeci akini devam ediyor](#)", 7 September 2015.

management and how to respond to the greatest refugee crisis in its neighbourhood since the end of the Second World War.



Germany has been at the epicentre of this debate. It is at the heart of Schengen. It has land borders with eleven countries. Without Germany, Schengen could not exist. Germany is the destination of choice for the vast majority of asylum seekers and migrants. This is why Viktor Orbán, Hungary's combative prime minister, has taken the debate on EU migration policy to Germany, with interviews across the main German media. He is confident that, in the end, he will succeed in convincing Germans that Merkel's offer to open the borders for refugees was wrong; and that his own approach to the crisis is the only one that is effective, sustainable and even moral. He even invoked Martin Luther to underline his conviction that his alone is the voice of reason, wisdom and the will of European voters.

The position of the Hungarian prime minister is uncompromising. He acknowledged that it was tragic that Aylan and others were dying in the Aegean, but lay the blame firmly at the hands of the refugees themselves, the people smugglers, and European leaders implementing a "misguided immigration policy" with "explosive consequences". Little Aylan, he said, was a victim of a "madness" that had gripped Europe. Millions of people are on the move the world over, fleeing from war, natural disasters and above all poverty. If the borders of the European Union are not strictly controlled, they will flood into Europe, threatening the "European way of life". Many people in Hungary and across Europe are in fear of this human tide; Orbán presented himself as their representative and their protector.

Orbán also argued that there was no moral imperative for the EU to accept refugees like Aylan's family. After all, his family had been safe in Turkey. There was no need for them to get into a flimsy dinghy and set off into rough waters at night. This had been a highly irresponsible act. In fact, all Syrians reaching the EU do so from countries that are "safe"; all of them, according to Orbán, are therefore economic migrants. And while people smugglers need to be fought, their business was being made easier by irresponsible EU politicians who sent a clear message to migrants that they would be welcome once they reached the EU. The more migrants came to believe this, the more business there would be for smugglers, and the more boats would capsize. Robust border management was therefore the only realistic way to prevent more children from dying.

Angela Merkel has been Orban's main opponent in this big European debate. Like Orban, Angela Merkel believes that the EU cannot open its door to everyone who seeks a better life. In July 2015, she had an 11-minute conversation with a Palestinian girl facing deportation from Germany, which was widely reported in the international media. "I understand," Merkel said. "It's sometimes hard, politics. You stand here in front of me. You are an incredibly appealing person." But to Merkel, this was not about sentiment. "You know that there are thousands and thousands of more refugees in the camps in Lebanon. We can't just say, 'You can all come. And all of you in Africa can come.' We can't manage that."

Yet at the same time, Merkel recognised that Germany – and the European Union – had a responsibility – indeed, an obligation under international law – to grant asylum to those fleeing conflict and persecution. Unlike Orban, she recognises Syrians as genuine refugees. Thus, the German government declared that Syrians who reached Germany would not be sent back. Merkel has banked on the support of the German public for this generous stance. In fact, the response by the German people and most of the political elite surprised most other Europeans, and even Germans themselves. Tens of thousands of people turned out at train stations across the country, from Munich to Dortmund, to welcome the refugees. Within days, the coalition government agreed to allocate €6 billion to hosting them. Merkel and her ministers expressed their confidence that Germany could handle half a million arrivals a year – particularly if there were burden sharing across the EU members.

Why Orban's proposals are certain to fail

Leaving aside, for a moment, humanitarian sentiment, morality or legal commitments undertaken under the UN Refugee Convention and EU legislation, the basic objection to Orban's proposed solution of building fences to contain the refugee crisis is that there is no way that it can actually work. Even somebody who might share his xenophobia, ruthlessness and antipathy to Muslims should not trust his promises to "protect" Europeans.

It is not that fences never work; as we have seen, the old Soviet fence has kept migrants away from Finland for many decades. The iron curtain was a border system that "worked". But fences can't be built on water. Orban's suggestion that Greece could somehow stop migrants from reaching the EU if only it tried a bit harder is an empty one. Greece could not achieve this even if it allowed Finnish or Hungarian border guards to take over.

Currently, any migrant who gets into a boat off the coast of Lesbos and Kos has a 99% or better chance of reaching Greece. The Greek government cannot sink ships or push them away from its shores. This would be both illegal and dangerous – not to mention costly for a country that depends on tourism. Its choices are therefore limited to waiting for them to land on Greek territory or intercepting them at sea and bringing them to Greece. Either way, they reach the EU. Smugglers know this, and as such news travels fast, so does a rapidly growing number of potential migrants from countries as far away as Central Asia.

Orban's determination to make it as hard as possible for migrants to reach the EU will not stop people setting out in boats and reaching Greece. It will not stop them crossing the Balkans, whether through Macedonia and Serbia or via new routes. Orban's fence might conceivably stop them from transiting through Hungary. However, this would only redirect the flow to Romania or through Bosnia and Croatia. In fact, just one day after Hungary sealed its border with Serbia on 15 September, the first group of 150 migrants reached Croatia. Nor would restoring internal border controls within the EU make any real difference.

Legally speaking, once the refugees have reached Greece, they are already the EU's responsibility. Forcing them into arduous journeys magnifies the humanitarian disaster without solving any problem.

Yet Orban's critique of Merkel's position contains a stubborn kernel of truth. While the German stance is unquestionably morally appealing, it risks exacerbating the very problem it attempts to address. Syrians can take advantage of Germany's generous asylum policies only if they cross the Aegean and several national borders and reach the Schengen zone. To attain a permanent solution to their displacement and a decent standard of living for their children, they must risk their lives in flimsy boats. And the hundreds of thousands of people attempting the crossing shows, beyond question, that eventually desperate people will take that chance.

At the end of the day, only the Turks have any prospect of stopping the exodus of Syrians from their territory. They are already making an effort to do so. So far in 2015, the Turkish coast guard has arrested 59 people smugglers and rescued over 45,000 refugees on the Aegean, taking them back to Turkey.

Table 2: Turkish Coast Guard operations⁵

| | Migrants (rescued) | Traffickers captured |
|--------------------|-------------------------------|---------------------------------|
| 2013 | 6,937 | 71 |
| 2014 | 12,884 | 72 |
| 2015 (until 6 Sep) | 45,253 | 59 |

But the numbers making the crossing continue to grow. And it is hard to see how Turkey has much incentive to devote even more resources to stopping the exodus of Syrians. Indeed, how can Europe credibly ask it do so, when Turkey is already bearing the lion's share of the refugee burden? The only way this crisis can be resolved is with Turkish cooperation. But it would have to be cooperation on quite different terms.

What might work: a two-pronged strategy

We therefore propose the following two-pronged strategy for addressing the refugee crisis.

First, Germany should commit to taking 500,000 Syrians over the next 12 months, with asylum applications made in an orderly way from Turkey. The German government is already anticipating and preparing for this number of arrivals. But instead of waiting for them to make the sea and land journey, with all its hazards, they should accept claims from Turkey and bring successful claimants to Germany by air. Of course, Germany cannot, and should not, bear the whole refugee burden. Germany's offer must be matched by other European nations – ideally through a burden-sharing arrangement agreed at EU level. It may make sense for the EU itself to manage the asylum application process. But such agreements take time to achieve.

⁵ Published in the daily Aksam, "["9 ayda 45 bin kacak gocmen kurtarildi"](#)", 7 September 2015.

Second, from the date that the new asylum claims process is announced, any refugees reaching Lesbos, Samos, Kos or other Greek islands should be returned back to Turkey based on a new Turkey-EU agreement. Initially, there would be huge numbers of readmissions – tens of thousands – presenting a major logistical challenge. But once it is clear that (i) the route through Greece is closed, and (ii) there is a real and immediate prospect of gaining asylum from Turkey, the incentives for the vast majority of people to pay smugglers and risk their lives at sea would disappear. Within a few months, the numbers passing through Greece would fall dramatically.

There are many reasons why this two-pronged strategy is the most credible solution to the crisis. It would place a cap on the number of Syrian refugees accepted into Germany. While amounting to an extremely generous response, it would not be the open-ended commitment that Merkel's critics fear. It would enable the German government to assure the public that the crisis is under control, helping to prevent public support from being eroded.

It would provide Merkel with a ready answer to Orban's criticism. The asylum process, while generous and humane, would no longer be generating incentives for desperate people to risk their lives at sea. Hungary and other transit countries would be relieved of the security challenge – and the political pressure – created by the mass movement of refugees, taking the heat out of the debate. It would destroy the business model of the whole criminal underworld of human traffickers.

Finally, it would relieve Turkey of a major part of its refugee burden. Furthermore, with the route into Greece closed, Turkey would cease to be a magnet for migrants from as far away as Central Asia. This would relieve the pressure building up on Turkey's eastern borders. With Europe finally making a genuine effort to share the burden with Turkey, it can legitimately ask for more cooperation on managing the remaining migration flows.

In the interim, the solution is in the hands of Germany and Turkey. And a quick solution is sorely needed, before the seas grow even rougher and the cold season closes in on hundreds of thousands of desperate refugees seeking a route across the Balkans.