



New
Direction



THE REFUGEE ISSUE IN GREECE

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New Direction



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1

SITUATION IN GREECE

OVERVIEW OF THE SITUATION IN RECENT YEARS AND CURRENT STATUS (INFLUX, POLITICAL STATEMENTS – EU, GREECE, TURKEY)

More than 1 million refugees and migrants arrived in Greece between 2015 and early 2016¹. Their main point of entry at the time was the Mediterranean Sea with the intention to move on to other European countries². For that same period, 26 countries in Europe offered a total of 30,836 places for relocation of asylum seekers within their respective territories. 21,731 asylum seekers were ultimately transferred to these host countries, as the latest data suggests.

After the EU-Turkey Agreement of 8 March 2016, implemented on 20 March, the number of people crossing the border into Greece dropped dramatically. However, this decrease was not enough for the refugee issue to be considered resolved.

It is worth noting that in the past few months, since April 2019, a new influx is being reported by authorities with an increase in both sea and land crossings in Greece whilst the country's capacity to cope with such numbers is considerably lower. Equally recent political events related to Turkish intervention in the Kurdish region of Syria might also severely affect the influx of people seeking asylum in both Greece and Europe, even if the level of such an influx cannot be predicted with accuracy.

According to Greece's new Prime Minister Kiriakos Mitsotakis's statement, Greece is seeking an EU-oriented solution to the issue, by "sharing the burden", "stepping up deportations" and "internationalizing the issue".

Whilst on the other hand, Turkey is continuing to use refugees and asylum seekers residing in its territory as a bargaining chip with Europe, threatening to reopen the route to Greece, the Balkans and Europe, if the EU does not offer more financial support in order to tackle the issue.

On behalf of the EU, Turkey has so far received 5.6 billion dollars in support to the country dealing with the refugees hosted in the territory.

Refugee flows to Greece are estimated to have risen by 200% since July 2019, compared to the respective arrivals of the previous year. This is mainly due to the deteriorating conditions in Syria and the Turkish government's efforts to relocate refugees away from Istanbul. The migration problem has not been managed effectively in the last few years, and Greece continues to struggle with absorbing these new refugees, even though the numbers are lower than the number of arrivals in 2015.

The flow of migrants and refugees in 2019 reached a peak of 50,000 people. It is estimated that the Greek state has only used a quarter of the financial assistance it received from the EU so far, while investigations are underway about the misuse of resources in providing meals for the refugees. Across the country, the 'First Reception Centre' areas are overflowing. A few weeks ago, on 22 October 2019 residents of Vrasna, a town near Thessaloniki, stopped buses carrying refugees at toll stations. The locals

¹ <https://www.unhcr.org/greece.html>

² <https://frontex.europa.eu/along-eu-borders/migratory-routes/western-balkan-route/>



protested on the grounds that the refugee presence will “cause a drop-in tourism and a rise in crime”. In a camp in Katsikas, near Ioannina, refugees refused to allow newly arrived migrants in; the camp was meant to house 300 new asylum seekers, even though more than 1,000 people already live there, while its capacity is 1,029 people³.

It is notable that the new Prime Minister Kyriakos Mitsotakis is considered a moderate and a reformer. He has made the finding of a solution to current problem a top priority for this new government. One of his main goals is to speed up asylum procedures and introduce more effective border controls and monitoring, as well as stressing the importance of legally distinguishing refugees from economic migrants. He has also reiterated the fact that it is a priority to put an end to the illegal “system” that has been created, in which doctors supposedly diagnose all arrivals with post-traumatic stress, so that are all given asylum based on the vulnerability criteria as defined by the Greek law.

On the Turkish side, President Recep Tayyip Erdogan uses the high number of refugees hosted in Turkey as a tool to apply pressure to the EU. On many occasions he has threatened the EU with allowing refugees to move onwards to Europe unless they provide additional financial support to Turkey. Recent developments also include Turkey’s invasion of north-

east Syria, which has since displaced some 180,000 people, in a stated aim to create a so-called «safe zone» and has clearly revealed Turkey’s intention to send Syrian refugees back into that zone. Relations between the EU and Turkey remain fractured following the de facto freezing of accession talks in June 2018.

This study aims to describe the situation in Greece, how it has evolved throughout the past four years, and to highlight how this is not just a Greek issue, but rather a European one. This study also aims to suggest solutions that could be implemented on an EU level. This study will start by outlining the types of support that have been provided to Greece so far, and evaluate the relevant results, describing the current situation in the country. It shall then attempt to identify and present the current trends regarding the refugee crisis and the consequences of the phenomenon to Greece and the other EU Member States. This will debate whether the issue of migration is only of Greek interest or if it should be considered, and thus treated, as an EU-wide problem. A chapter will be focus on the EU-Turkey statement, and to Turkey’s role in the migration crisis, as a key actor and relevant consequences for Greece and the EU will be further analysed at that point. The options for Greece will also be explored as well as the role of the EU in potential solutions will be introduced, closing with suggestions and proposals regarding those solutions and relevant planning.

³ <https://typos-i.gr/article/apo-ta-kamp-sto-helios>



2

SUPPORT FROM THE EU GIVEN TO GREECE

POLITICAL INTERVENTIONS, FUNDING, RESOURCES ALLOCATED TO GREEK AND INTERNATIONAL NGO AND ORGANIZATIONS. RESULTS FOR LOCALS AND REFUGEES, ASYLUM SEEKERS AND MIGRANTS

It is true that the EU has not left Greece totally unsupported in recent years. In 2016, when the refugees, asylum seekers and migrants flow through

Greece was at its highest, the EU acknowledged that it was a burden that the Greek state could not carry on its own, so it proceeded to intervene.

2.1 Support given to Greece since 2016

Relocation: Relocation was adopted as a mechanism to spread the burden to other countries in the European Union and was put into effect with Council Decision (EU) 2015/1523 and 2015/1601 in September 2015. This was a direct and more practical means of support, as it alleviated an important part of the pressure on Greece and Italy at the time in dealing with new arrivals.

The relocation program applied to nationalities that, within the EU, received positive asylum decisions on an average rate of 75% or above. In addition, it was applied only to asylum seekers who had entered Greece between 16 September 2015 and 19 March 2016.

Since September 2015, a total of 30,836 places for relocation were offered to Greece by the countries participating in the scheme:

Relocation pledges to Greece

(Member State // Places offered)

Belgium // 1,055	Germany // 6,740	Norway // 685
Bulgaria // 960	Ireland // 1,132	Portugal // 2,030
Croatia // 225	Latvia // 363	Romania // 1,172
Cyprus // 160	Lichtenstein // 10	Slovakia // 50
Czech Republic // 30	Lithuania // 1,070	Slovenia // 349
Estonia // 382	Luxembourg // 298	Spain // 1,875
Finland // 1,349	Malta // 138	Switzerland // 600
France // 5,770	Netherlands // 1,950	Total // 30,836

The Relocation scheme also provided the grounds for the rejection of relocation requests based on the Article 5(7) of Council Decisions 2015/1523 and 2015/1601, which gives Member States “the right to refuse to relocate an applicant only where there are reasonable grounds for regarding him or her as a danger to their national security or public order or where there are serious reasons for applying the

exclusion provisions set out in Articles 12 and 17 of [the recast Qualification Directive]”

During 2017, there were a total of 1,023 rejections of relocation requests. In 448 cases, applicants were at first accepted in the scheme and subsequently rejected on security grounds or other excluding reasons:

Rejected relocation requests: 2017

(Member State // Rejections // Rejections after initial acceptance)

Belgium // 11 // 0	France // 268 // 233	Netherlands // 38 // 30
Bulgaria // 1 // 0	Ireland // 38 // 11	Norway // 8 // 8
Cyprus // 18 // 0	Lichtenstein // 3 // 0	Romania // 4 // 0
Germany // 380 // 0	Lithuania // 13 // 0	Slovakia // 10 // 0
Estonia // 111 // 111	Luxembourg // 33 // 0	Sweden // 17 // 0
Finland // 2 // 1	Malta // 14 // 0	Switzerland // 54 // 54

Total // 1,023 // 448



The relocation scheme ended in September 2017, meaning that all applicants who arrived after the agreed date would no longer be eligible for resettlement. The EU had expected around 100,000 migrants to be resettled across its Member States, with Germany signed up to take in 27,000. Ultimately, though, only 33,000 eligible people took part in the scheme across EU member states. In Germany, over 10,000 asylum seekers were relocated across the country which led in Germany becoming the country that the “resettled most people by far,» according to the country’s Interior Ministry.

Following the completion of the program, there have been many statements from humanitarian organisations making clear the EU’s needs to continue providing support to Syrian refugees including by offer financial support to Syria’s neighbours. The EU has shown willingness to ensure that the refugees are not pushed back into Syria or returned out of desperation for lack of livelihood and education opportunities. However, sharing responsibility means much more than the current provisions. In Europe, the responsibility for the refugees that still manage to arrive from Turkey has been left to Greece. According to humanitarian assistance organizations the relocation scheme that allowed asylum seekers to be relocated from Greece and Italy to other European countries should be revived.

The EU-Turkey statement of 8 March 2016: The EU-Turkey statement was intended to be a European solution to an EU issue, primarily faced by Greece. Theoretically, it should have not only put a halt to the arrivals to Greece and the wider EU, but also facilitated the returns from the islands to Turkey over the past four years. The agreement stated that \$6.6 billion would be given to Turkey in EU financial aid. Turkey and the European Union committed through the statement that they would put their forces in order to implement a joint action plan. Moreover, the European Union began to distribute financial aid to Turkey for concrete projects. On 7 March 2016, Turkey agreed to accept the rapid return of all migrants not in need of international protection crossing from Turkey into Greece and to take back all irregular migrants intercepted in Turkish waters. Turkey and the EU also agreed to continue stepping up measures against migrant smugglers and welcomed the establishment of the NATO activity on the Aegean Sea. At the same time, Turkey and the EU recognised that further, swift and determined efforts were needed.

The EU - Turkey agreement created a joint effort to put a limit to irregular migration, smuggling activities and, preventing migrants from putting their lives at risk, by offering alternative solutions.

Additional action points were established by the statement in order for the aforementioned goals to be achieved:

- It was agreed that irregular migrants crossing from Turkey into Greek islands as of 20 March 2016 would be returned to Turkey. Migrants arriving on Greek islands would be duly registered and any application for asylum would be processed individually by the Greek authorities, in accordance with the Asylum Procedures Directive, in cooperation with UNHCR. However, migrants that would not apply for asylum or whose application would be found unfounded or inadmissible, would be returned to Turkey. Both sides agreed to proceed with further bilateral agreements on the presence of officials on the islands, in order to ensure proper cooperation. The costs of the return operations of irregular migrants would be covered by the EU.
- It was also agreed that for every Syrian returned to Turkey from the Greek islands, another Syrian will be resettled from Turkey to the EU taking into consideration the UN Vulnerability Criteria. Any further need for resettlement would be carried out through a similar voluntary arrangement up to an additional 54.000 persons.
- Turkey committed to establish mechanisms that would prevent new illegal migration flows to the EU and to cooperate with neighbouring states as well as the EU to this effect.
- Both sides also agreed that once irregular crossings between Turkey and the EU would come to an end or were at least reduced, a Voluntary Humanitarian Admission Scheme would be activated.
- The fulfilment of the visa liberalisation for Turkish citizens was agreed to be accelerated with a view to lifting the visa requirements for Turkish citizens the latest by the end of June 2016. The requirement would be that the agreed action points would be followed.

- The EU, in close cooperation with Turkey, agreed to ensure funding of further projects for persons under temporary protection identified with swift input from Turkey.
- The two parties confirmed that they would work jointly on improving humanitarian conditions inside Syria, in particular certain areas near the Turkish border, which would allow for the local population and refugees to live in safer areas.

It is obvious that the action plan aimed to address the crisis by addressing the root causes that led to the massive influx of Syrians, by supporting Syrians under temporary protection and their host communities in Turkey. As well as by strengthening cooperation with the purpose of preventing further irregular migration flows to the EU. The EU and Turkey decided to address this crisis together in a spirit of cooperation by sharing the burden. The plan would only be effective under the condition that the commitments undertaken by Turkey and the EU would also be carried out as agreed. The actions that were to be implemented by both parts simultaneously would create the reality regarding the refugee crisis for the next few years.

IN the three years since the agreement was signed – legal uncertainty has had a great impact on migrants and asylum seekers. According to a joint press statement dated 14 March 2019 by 25 civil society organisations addressed to European leaders, the EU-Turkey Statement led a number of 20,000 people to be stranded in unsafe, unhygienic and inhumane conditions on the Greek islands. According to the statement the number of asylum applications lodged in European countries has significantly dropped, however the entire burden was left upon the weak and inadequate asylum systems of Greece and Turkey. The number of asylum applications in Lesbos has tripled over the last three years.

Financial support to Greece: From 2014 until 2020, 613.5 million Euros worth of funds have been allocated to Greece as long-term funds, and another 816.5 million Euros have been allocated as Emergency Funding. In total, 1.4 billion Euros have been allocated to Greece, either directly to the Greek authorities, or through International Organizations and Union Agencies (UNHCR, IOM, EASO). 578.6 million Euros have indeed been disbursed.

In the context of managing migration, the EU has been providing financial support to Greece throughout the crisis. The overall handling of the refugee crisis and better managing of the EU's external borders are a priority for the European Union and the European Border Force (FRONTEX). Therefore the Asylum, Migration and Integration Fund (AMIF) has been provided in order to support Greece's effort to improve the reception capacity and conditions, ensure that asylum procedures are in line with Union standards, integrating migrants at local and regional level and also increase the effectiveness of return programmes.

In addition, the Internal Security Fund (ISF) has been provided to support the action points of the agreement and to achieve a level of control of the external borders to fight organised crime that has been involved in facilitating border crossings. The European Commission has also given the Greek state an addition 816.4 million Euros to support the Greek authorities, international organisations and NGOs operating in Greece in managing the refugee and humanitarian crisis. The emergency funding comes on top of the 613.5 million Euros already allocated to Greece under the national programmes for 2014-2020 (€328.3 million from AMIF and €285.2 million from ISF).

In urgent and exceptional circumstances, the European Commission use the Emergency Support Instrument to fund emergency humanitarian support for people in need within the European Union.

613.5 million Euros have been allocated to the Asylum, Migration and Integration Fund (AMIF), which promotes the efficient management of migration flows and the implementation, as well as strengthening and developing a common Union approach to asylum and immigration. Greece received 169.5 million Euros for National Programmes in the budget 2014 – 2020.

With regards to the internal security fund (ISF) - which promotes the implementation of the Internal Security Strategy, law enforcement cooperation and the management of the Union's external borders - 816.4 million Euros have been allocated in Emergency Funding to Greece, of which 553.4 million Euros has been used.

As previously mentioned, Emergency Assistance has been allocated to International Organisations/Union Agencies (IOM, UNHCR, EASO). Some examples of the type of support are the following:

- Deployment of Hellenic Coast Guard maritime assets and Border Surveillance Officers in the South Eastern maritime borders of the EU in order to safeguard the human life at sea and improve the management of the intense migratory flows.
- Immediate Response to the Refugee - Migrant Crisis by providing them sheltering and accommodation, catering, health care and transportation on the mainland through the Ministry of Defence.
- Deployment of security services at Reception and Identification Centres on Eastern Aegean islands through the Ministry of Interior.
- Ensuring and enhancing access to a fair and efficient Asylum Process in Greece through the Ministry of Migration Policy.
- Comprehensive emergency health response to refugee crisis through the Ministry of Health.
- Upgrading the existing IT-system of the Hellenic Police for the registration process of third-country nationals through the Ministry of Interior and Administrative Reform.

- Enhancement of human resources in First Reception Centres through the First Reception Service.
- Administrative reinforcement of First Reception Service.
- Targeted support in enhancing the sites' reception capacity in the mainland.
- Emergency Procurement of Winter Non-Food Items for the Reception and Identification Centres in Greece.
- FILOXENIA - Temporary Shelter and Protection for the Most Vulnerable Migrants in Greece that has been implemented by the International Organization for Migration (IOM).
- ESTIA programme that includes Cash assistance and provision of rental accommodation that has been implemented by UNHCR.
- Protection activities for children implemented by National and International NGOs such as "The smile of the child" and "Save the Children".
- Transportation of children from and to schools, site management and safe zones for unaccompanied minors implemented by the International Organization for Migration (IOM).



2.2 Situation in Greece

Situation for migrants, asylum seekers and refugees:

Any third country citizen arriving in Greece with the intention of applying for asylum, faces serious obstacles in the legal procedure, as well as in the access to basic goods and services. Both on the islands and on the mainland, the appointments for asylum seekers with the asylum service, regarding their asylum claim, are scheduled a year from the date of their entrance. In the meantime, the asylum seekers cannot be returned to their country of origin or their country of origin, nor can they be fully integrated in Greece, since they have limited access to education, vocational training and the jobs market.

On top of this, the Labour and Social Affairs Minister, Nikos Vrotsis, has cancelled a ministerial decision regarding the issuance of social security number (AMKA) to migrants, refugees, asylum seekers, unaccompanied refugee children and non-EU nationals. Justifying his decision, Mr Vrotsis said that the issue of AMKA issuance to non-EU nationals will be re-examined and new directives will be published. The Social security number is essential to access services in Health, Education and Labour. In addition, as noted by UNHCR, “across the islands and on some camps in the mainland the low number of staff under the Ministry of Health, in particular doctors and cultural mediators, is not sufficient to help refugees with medical and psychosocial needs. The limited public mental health institutions in Greece are a particular concern.”

Asylum seekers arriving in Greece receive several focused services that depend on many factors, such as their point of entrance, their legal status or their arrival date. This means that the location where they will be offered shelter and the type of shelter varies over time. The shelter provision is currently split into many different levels, such as temporary accommodation in camps, the UNHCR accommodation scheme (the so called “ESTIA” program), island accommodation in hotspots and the IOM hotels through “Filoxenia” program, which provides temporary shelter and protection. In addition to the above, the number of asylum seekers not in any type of accommodation, who remain homeless, is rising.

Various NGOs have also been operating in Greece during the crisis funded by different sources,

providing information, legal aid, non-food items, psychosocial support, site management support, recreational and educational activities for both children and adults. However, the services are no longer enough for everyone to have access.

During a recent visit of the High Commissioner of UNHCR, Filippo Grandi, seventeen NGOs working with refugees and migrants in Greece raised their concerns about access for asylum seekers to asylum procedures, provisions of basic services and, inadequate protection of children. They asked that these challenges be highlighted during his meetings with Greek officials. By using the situation in the camp on the island of Lesbos he mentioned that the living conditions were unacceptable and expressed his concerns that some of the recent changes that Athens had made to the Greek legal framework for granting asylum.

The NGOs that undersigned the statement mentioned that there is an unquestionable need for integration measures that should be implemented by the Greek authorities in combination with extra pressure to be applied to other EU Member States to accept that there is a need for better mechanisms to share responsibility for refugees arriving in Europe. They also highlighted the “dire and unacceptable” reception conditions in the so-called island hotspots. The NGOs also noted that in light of the preparation for the new action plan for the protection of unaccompanied children by the government, the fact that the current protection standards are very low should be highlighted. The unaccompanied minors were found to be sheltered among adults in the reception facilities, without having access to basic services and resources.

The new conservative government has already installed new policies and, among other measures, one of the main targets is to deport some 10,000 migrants back to their homelands by the end of 2019. The recent change of the Asylum regulations will indeed make it tougher for refugees to settle in Greece.

Situation for local communities: The impact of the refugee crisis has been discussed a lot in the past and from many aspects, with both positive and negative opinions having been expressed. According to the



world travel and tourism Council, Greece's income from tourism itself will rise and increase to 52,8 billion euros by 2028. However, the fragile ecosystem that Greek tourism depends on more than ever, has been put at extra risk due to the refugee crisis.

It has also been observed that conditions on the Greek islands are fast deteriorating, as, for the first time, asylum seekers, migrants and refugees on the Greek islands number more than 21,000. They reside in reception centres built to host less than 7,000 people. This situation has been criticized, as the poor hygiene conditions affect both the asylum seekers and the local population.

The grim conditions in the Greek camps cannot simply be attributed to a lack of funds, in a country that struggles with an ongoing economic crisis, nor is this a recent phenomenon. The efforts of the government with massive movements of people to tent based camps on the mainland, while exploring different ways to expand already existing camps, are obviously not enough to relieve the islands, nor an effective solution to the issue, but rather simply moving the problem to the mainland. While Greeks on the mainland are already protesting against this prospect, the islanders express a sense of abandonment, as they have been left to deal with combined crisis - the migration crisis and the lingering effects of the debt crisis.

Taking into consideration that more than 7,000 refugees and migrants crossed the borders to Greece during November, with the North Aegean islands shouldering the weight as local facilities and infrastructure can no longer support such numbers, one can easily realise the impact to local communities.

Greek Tourism Minister Harry Theoharis has recently referred to ministerial plans regarding the launch of a promotional campaign for the islands impacted by the migrant influx through the Greek National Tourism Organization (GNTO) during 2020.

Refugee arrivals have considerably increased during the recent months and have triggered successive

2.3 Intermediate conclusion

The influx of more and more people of different cultures and backgrounds, with no resources, limited to no access to basic services, dependent on benefits

xenophobic incidents in Greek cities, especially in the country's northern region of Macedonia. The Government has set the goal of transferring 4,000 persons to the mainland in order to relieve the overflowing reception camps on the Greek islands, while in many cities and towns the locals are organizing small protests against these new arrivals.

When the people of the village of Methoni in Macedonian Pieria were asked by TV journalists what exactly it is that they fear from the refugees, the answer was clear: "We fear these things you are showing all the time in your news programmes. Rape, theft, all that". In addition, the Greek policy on the refugee crisis has been highly criticized by the Greek citizens feeling that they have found themselves in the frontline dealing with the refugee crisis when the political elite knows nothing about their concerns and needs. The public also has the perception that the refugees are a burden that intensifies the already dire situation of the Greek economy.

On the other hand, the Asylum seekers are following their difficult route and deal with the daily challenges while trying to survive. Most of them arrived on boats and are being presented to the Greek authorities and the relevant registration offices on various Greek islands such as Lesbos and Samos. Once registered, refugees receive a place to live in a refugee camp and a cash card to buy food and other basics. Greece has come a long way in a very short period when it comes to infrastructure in order to handle over 1 million asylum-seekers processed since 2015. Boris Cheshirkov, a spokesperson for the United Nations High Commissioner for Refugees in Athens, said the Greek government is doing its best, but that other basics, like shelter, are still the priority. He also mentioned that a growing number of refugees are infants that live in a tent situation along with their parents not having access to water, sanitation, lighting and electricity. There is also very little medical care for infants in refugee camps, as in most refugee camps there is only one clinic supported by one or two doctors, which way far from sufficient.

and service provisions, settling temporarily in Greece, which, regardless of the legal framework's different provisions, they consider a transit country, hence have



no intention to really make an effort to integrate, has raised critical issues on many aspects of the Greek society.

It creates a burden to public services (health, education, benefits, access to labour market), henceforth to the local population. This causes cautiousness, if not hostility on behalf of the locals, since the services they receive are of lesser quality, while any benefits are extremely limited.

Especially concerning the National Greek health system, that is dealing daily with lifesaving situations, interviewed beneficiaries acknowledged the impact of the economic crisis in Greece and changes to EU funding, which in turn impacted the health response in Greece⁴.

In the meantime, recognised beneficiaries of international protection in Greece have started being returned to Greece as a reception country under Dublin III regulation. However, it has been documented that the returned recognized refugees face a dead end in Greece. This category has no secure and effective access to shelter, food, the labour market and healthcare, including mental health care. International protection status in Greece

cannot guarantee a dignified life for beneficiaries of protection and is no more than protection "on paper".

The EU countries are facing an unprecedented crisis that requires solidarity, cooperation and an action plan. The countries are facing same challenges and the ongoing negotiations with Turkey require the EU to present a united front. Human dignity is at the core of this common endeavour in order for the massive influx of persons in need of temporary protection to be managed.

It is obvious that there are still huge waves of asylum seekers arriving from Turkey and bringing with them memories of the 2015 migrant crisis. As a result the Greek government has announced emergency measures to deal with the flows. The unexpected, vast increase in migrant and refugee arrivals appears to have taken officials by surprise. Approximately half of the 56,000 refugee and migrant arrivals in the EU this year have come through Greek islands, according to the UN. The new government is ready to introduce stricter measures and has created fears of violations of human rights as the emergency measures aiming to bring down migrant arrival numbers are reinforced. Therefore, human rights groups and humanitarian organizations are continuously voicing their concerns.

⁴ L. Joseph, S. Ismail, D. Prior, M. Gunst, K. Jarman, M. Harris, A. Abbara, Barriers to healthcare access for refugees in Greece, European Journal of Public Health, Volume 28, Issue suppl_4, November 2018, cky214.285, <https://doi.org/10.1093/eurpub/cky214.285>

EU MECHANISMS AND RESPONSE TO THE REFUGEE CRISIS

3.1 Greek response to the crisis

The lack of a coherent immigration policy and political indecisiveness in Europe has led Greece and, consequently, the EU, to a point where the refugee crisis seems almost impossible to handle, especially by isolated countries.

The reception conditions and the bureaucracy that currently exist in Greece, in combination with the fact that the basic needs of asylum seekers and refugees are not being covered, have created an unprecedented emergency situation within the overpopulated asylum seekers and refugees hosting centres on the islands and on the mainland. What has been observed, is the deterioration of the conditions, both for those who seek asylum, especially those who are in actual need of international protection, and local communities, who face challenges regarding their quality of life, and even their own quality access to basic services, such as health facilities, education facilities, transportation, etc.

As the migration flows intensify, questions arise regarding the existing mechanisms and regulations on the EU level. The Dublin Regulation has proved to be an inadequate and ineffective over the last few years, accumulating crowds of migrants, asylum seekers and refugees on the European coast, while at the same time, those who manage to reach their intended country, cannot be easily returned to a previous country due to the Dublin Regulation. Finally, the legal framework is not being imposed effectively, since international law obligations that bind every EU country, require a strict set of prerequisites to be respected, thus

allowing a chaotic situation to be established and a sense of impunity and unregulated freedom to be spread among asylum seekers, refugees and migrants.

Greece's new Prime Minister announced measures that will be put into force immediately, aiming to decongest the islands. Among them are the increase of border patrols and surveillance in collaboration with FRONTEX and NATO; the change in the institutional legal framework of granting asylum by abolishing the second stage of appeals; the increase of police searches on the islands and the mainland for the identification of asylum seekers whose asylum has been rejected.

The Government's new plan, however, has been widely criticised by human rights organisations, including Amnesty International. More specifically, during an interview, Gabriel Sakkelarides, Amnesty International Greece Director, said that the government's new migration plan: "ignores the country's basic obligations and poses serious risks of sanctions, human rights abuses and even greater asylum-related malfunction,". In addition to that, the Greek Refugee Council mentioned that: "The provision of a second-instance examination of asylum applications is not a Greek specificity but an obligation laid down, for all EU Member States, directly by EU law and such an action will violate international law". Indeed, the government did not include the general abolishment of the second stage of appeals in the new legislation proposal for the asylum procedures, but rather its regularization.

3.2 Is Greece's failure actually a failure of the EU?

All of the above brings us to the unavoidable question: Is the crisis a failure of Greece alone, or does the EU bear part of the responsibility?

The hard truth is that an unsuccessful response to the effects of an uncontrollable external factor, that is so obviously and directly linked to international politics, and not just the relations between the two countries, cannot be counted as a solely national failure, especially since it is the EU legal framework and policies, as well as international law, that dictate the Greek policies and ultimately lead to these results. The EU, regarding the refugee issue, both in Greece and in other European countries, has played its part in the creation of a seemingly dead-end situation. This has been created both due to the EU political relations with Turkey, as well as due to the EU inflexible legal framework, that is not easily adaptable to new data.

Greece alone cannot decisively negotiate a change of Turkey's policies in applying pressure to asylum seekers and refugees in its territory or lose control over its borders to Greece. It can also not disregard the EU framework and its international law obligations, in order to forcibly return asylum

seekers to Turkey or other countries, disrespecting the procedures in place. This means that people in clog the system in Greece, overcrowded camps, with poor hygiene, poor access to basic services, and little to no access to integration opportunities. This creates a vicious cycle, of people who do not want to stay in Greece, since they see no chance of creating a new life in it, and make no effort towards integration. The number of people is too great for Greece to manage by itself, not just because there are too many, but considering they are left with no hope of integrating successfully in Greek society.

Therefore, should we try and identify the reasons that the refugee crisis occurred, and the reasons that it has escalated to the current situation, we will inevitably have to hold the EU accountable for at least a significant portion of it.

The answer is thus clear, the refugee crisis is not a Greek problem that should, or could, be solved by Greece alone, it is a failure of the EU, its policies, its lack of solidarity and sharing of responsibility, and, most importantly, its slow reflexes in addressing the problem.

3.3 The EU role in the crisis. Moral obligations and EU values: Are they challenged by the refugee crisis?

After establishing that the refugee crisis in Greece is not only a Greek, but rather a European issue, it is self-evident that a viable solution can only come from the EU itself, whilst establishing Greece's primary role, since it is the reception country to the EU territory.

It is a *sine qua non* condition, that the solution must absolutely be in line with the EU values, as well as the international law obligations and principles that the EU has integrated in its core and represents. Additionally, it is the moral values of the EU that need to be reflected in the adopted policies and interventions toward the much-needed solution.

Those moral values can be summed as the spirit that runs through the texts that constitute the European Union, namely respect for human dignity and human

rights, freedom, democracy, equality and the rule of law. One more important value of the EU, is solidarity, explicitly stated in Article 2 of the Treaty of Lisbon⁵.

On another, more concrete level, these are the obligations and principles that the EU needs to respect, that come from the international law. The European Convention on Human Rights signed in 1950, the Geneva Convention of 1951, as amended in 1967, and the principle of non-refoulement, which is considered as a generally recognized principle of international law, are some of the most basic legal parameters that the EU needs to take under consideration when planning regarding the refugee crisis.

Let it be underlined, that the obligations that derive from international bodies of law cannot be



disregarded or disrespected, since the European Union member-states can and will be held liable for any violations.

On the other side, there are Union Regulations and other legal texts that have been adopted in order to create a clear framework regarding the management of migration of third country nationals. There are also national legislations in place. Since migration is clearly a matter of sovereignty, it cannot be completely left to be regulated through the EU legislation, unless the states themselves choose to integrate its suggestions as legislation into their legal order. Therefore, the EU's role can either be limited to the creation of an outline within the limits of which the Member States will have to conform, or it can elect to create a more concrete plan, that will be left to the free will of the Member States, more or less as was the relocation scheme. Naturally, a potential solution can include both.

It is therefore incumbent on all 27 EU Member States to support each other in defending their borders and coast lines. .

We all need to question how realistic European values are, when confronted with the legacies of colonialism, racism, and imperialism arriving on the Union's doorstep.

Recently the German Minister of the Interior said: "If there is no common European asylum policy, there is a danger that uncontrolled immigration will once again take place throughout Europe" and highlighted the fact that a common ground needs to be established among the EU members.

While the EU member-states' governments may have created the impression that they are managing migration, there is little indication that their approach will actually bring the desired effect on migrant flows. Since aid is one of the clearest ways in which

EU states engage with source and transit countries, politicians and policymakers alike are asking how the billions of euros that European governments spend on such aid can help them achieve their migration objectives.

Despite what some EU governments may claim, the refugee crisis is indeed a European problem. Thus, the EU member states need to take some steps on common grounds such as securing Europe's external borders, an effort that includes significantly strengthening Frontex's mandate in the short term. Increasing support to the EU's neighbouring countries in order to erase their citizens' need to migrate for economic reasons could also be an effective measure, taking, of course, under consideration any evidence indicating the opposite effect. Establishing European asylum laws with clearly defined rules and comparable levels of assistance to support those who temporarily need Europe's support seems to be more needed than ever. These are all actions that need to be applied by the European Union as whole, not individual member-states.

It should also be stressed that any inflexible stance of Member States towards the refugee crisis is rather unrealistic, brings no positive development for any part of the refugee crisis and is ultimately opposed to the fundamental values of the EU. Naturally, an uncontrollable migration flow is also not acceptable, since freedom of movement is a privilege only for the citizens of the EU, who share a culture and background, excluding those who are accepted in the EU territory for other reasons. The other extreme, based on humanitarian grounds, is also not acceptable, since it compromises the rights and way of life of the citizens of the EU.

Further in this study, we will try to identify rational, realistic solutions for the refugee crisis, in accordance with the fundamental values of the EU.

⁵ <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:12007L/TXT&from=EN#d1e9540-1-1>



4

EU-TURKEY STATEMENT COST AND RESULTS. IS IT WORTH IT?

Turkey is an important player in the field of diplomatic relations of the EU. It is a large, powerful country, with a strong geostrategic location, member of NATO, aspiring member of the EU and always drawing attention for its involvement in the international community. In the issue of migration, regarding the refugee crisis, Turkey is hosting some four million people in its territory. Naturally, it is trying to turn this into their own best interest, pushing for financial aid

and other items on their agenda, as described later. This chapter is dedicated to the EU-Turkey relations, namely, how Turkey uses the refugee crisis in order to push for its agenda, how this affects the EU, what is the power balance between the EU and Turkey, in order to identify how easy it is for Turkey to use the migration control as leverage, and how could the EU respond to this pressure on behalf of Turkey.

4.1 How does the situation with Turkey exacerbate the problem in Greece and in Europe?

According to the United Nations Refugee Agency (UNHCR), as of February 2019, there were a total of 3,644,342 registered Syrian refugees in Turkey. In addition, there are estimated to be hundreds of thousands of unregistered Syrian refugees in Turkey, probably amounting to more than 4 million in total⁶. There are more refugees and asylum seekers from other nationalities, as well. Even though their number is much smaller, insignificant even, in comparison to the number of Syrian refugees, it cannot be ignored that the total number of over 300,000 that existed back in 2018 (no more recent data were found), is almost four times the number of the total refugees, asylum seekers and migrants currently in Greece.

smugglers operating in the region. Official positions are not reflected in practice. This reluctance leads to increased flows, since, for a migrant, purchasing a «ticket» does not present any particular difficulties, and departure to Greece is simply a matter of planning.

The fluctuations observed regarding in the arrivals of refugee-migratory flows, confirm the hypothesis that they find the margin to multiply due the inadequate and irregular authority checks on the Turkish coast. Turkey's competent authorities create the feeling that they are unable to control and eliminate the circuits of

The situation experienced by refugees and immigrants within the Turkish territory may be the main reason for their departure. Access to hospitals and medical care is considered inadequate, while in most cases they are excluded from education or exposed to labour exploitation. Hundreds of Syrians are currently reported to have been deported from Turkey in the wake of recent, government-wide measures to suppress unregistered refugees, while Turkish authorities are failing to guarantee effective access to the process of recording international protection requests. Many of the deportees are said to have been transported to the Turkish-Syrian border near Idlib. Syrian refugees and immigrants of other nationalities

⁶ <https://www.unhcr.org/tr/wp-content/uploads/sites/14/2018/11/01.-UNHCR-Turkey-Fact-Sheet-September-2018.pdf>

have also been detained by the Turkish authorities with a view to their removal⁷.

Turkey is currently planning on repatriating approx. 2 million Syrian refugees to the so-called "safe zones" in north-eastern Syria, which is another issue that has sparked antagonism with Europe, as the Turkish government says it plans to enact this initiative with international funding, while such a programme would clearly violate international law⁸.

It is obvious that Greece has again become the main gateway to Europe for people fleeing wars and poverty in the Middle East, Asia and Africa, as the so-called eastern Mediterranean route from Turkey to Greece has once again become the main channel for asylum-seekers reaching Europe.

The thousands of refugees and immigrants crossing into European territory are still - and should be treated as - humans with needs and rights. The refugee crisis has raised pressing issues directly related to the role of public services and their officials in the areas of arrival. These include the provision of basic human rights and the provision of vital public goods such as health and care, the right to asylum, adequate housing, adequate nutrition, access to drinking water, access to legal protection, etc. These needs are more immediate and more pressing in the case of vulnerable groups, which constitute a significant proportion of these flows.

As a direct result, there has been a need to strengthen public services and health infrastructure with additional staff and equipment, by increasing the relevant funds and putting an extra burden on the national budget. This was no easy task, especially in the context of the economic crisis and the EU often needed to provide additional financial support, as described above. Equally, an increase in expenditure has been observed in many European countries that have received large refugee and immigrant populations.

The influx of refugees and immigrants into the European Union was unprecedented. More than 1.5

million people have arrived in the European Union, most of whom in an effort to flee war and terrorism in Syria and elsewhere. It is important to highlight that non-EU state citizens made up to 4.4% of EU's population on 1 January 2018⁹. This number is only growing significantly and is expected to grow even more.¹⁰

The EU has been obligated to adopt a set of measures in order to deal with the crisis, that, on a significant level, was caused by Turkey. These include efforts to address the root causes of the crisis and to significantly increase aid for people in need of humanitarian aid, both inside and outside the EU.

The European Border and Coast Guard Agency was launched in October 2016, in order to ensure that Europe can safeguard its common external borders and respond to new challenges in the field of migration and security. More than 1,550 staff have been deployed to support Member States at the external borders, in addition to the 100,000 border guards already working in the Member States.

By 2017, 17.7 billion Euros from the EU budget were allocated in order to tackle the migration crisis: 10.3 billion Euros for planned out-of-EU funding, including 2.7 billion Euros for humanitarian aid, 0.6 billion Euros for the Syrian Crisis Fund (also known as the «MADAD Fund») and 2.4 billion Euros for the African Emergency Trust Fund.

The humanitarian aid provided by the EU was related to refugees and immigrants from countries outside the EU, such as Iraq, Jordan, Lebanon and Turkey. In order to support the refugee mechanism in Turkey, the EU and its Member States have already allocated billions for humanitarian and other support. According to June 2017 data, contracts have been awarded for 48 projects worth more than 1.6 billion Euros, out of which 811 million Euros have already been disbursed.

The EU is also one of the largest donors in the international effort to tackle the Syrian crisis, having

7 <https://www.hilr.gr/%CE%B7-%CE%B5%CE%BB%CE%BB%CE%B7%CE%BD%CE%B9%CE%BA%CE%AE-%CE%AD%CE%BD%CF%89%CF%83%CE%B7-%CE%B3%CE%B9%CE%B1-%CF%84%CE%B1-%CE%B4%CE%B9%CE%BA%CE%B1%CE%B9%CF%8E%CE%BC%CE%B1%CF%84%CE%B1-%CF%84%CE%BF%CF%85-3/>

8 <https://www.france24.com/en/20191010-europe-lacks-leverage-over-turkey-amid-erdogan-migrant-threat>

9 https://ec.europa.eu/eurostat/statistics-explained/index.php/Migration_and_migrant_population_statistics#Migrant_population:_22.3_million_non-EU_citizens_living_in_the_EU_on_1_January_2018

10 https://ecrgroup.eu/vision/an_eu_immigration_system_that_works



already provided 9.4 billion euros in humanitarian and development aid¹¹.

As of the above, it is obvious that the situation in Greece and the EU is directly affected by Turkish behaviour regarding the management of the movement of refugees and asylum seekers. The situation is becoming increasingly worse regarding both the cost to the EU in order to respond to

4.2 Should Europe allow Turkey to use migrants as leverage?

Turkey has repeatedly threatened to terminate the 2016 agreement because, firstly, the EU has not paid the stipulated amount of money and secondly, the visa freedom regime for Turkish citizens provided for under the agreement has not been implemented¹².

While Turkey has been applying pressure and, above all, has wanted to satisfy the overriding needs of the refugees, there have been delays because the EU member states' funds have had to be monitored by the EU.

The EU should be deeply concerned about the general human rights situation in Turkey. Specifically, there are concerns that civil society organisations cannot function unhindered in Turkey, especially in the wake of the declaration of a state of emergency¹³.

Additionally, most Syrians in Turkey do not have an official refugee status. For this reason, their conditions do not meet the international standards of protection. Around 1,000 Syrians are placed under temporary protection per day. Asylum policy expert Yavcan says that more than 3.5 million Syrians are under protection and this status gives them the right to education and health care¹⁴.

Recent developments in the broader South-eastern Mediterranean region are particularly important. New alliances are being created and a different political and diplomatic landscape is being formed. In this fluid context, the existence of refugee and immigrant populations is a considerable factor on the diplomatic game of chess.

the influx of refugees and asylum seekers, which, apparently, will never be enough to put a stop to it, as well as the conditions in the member-states for the EU citizens. It is also quite important to remember that the demographics in the EU are being affected due to migration. This cannot and should not be disregarded, especially when planning forward, as will be analysed further on in more detail.

According to reports, about 4 million people have found refuge in Turkey as they have fled their homes due to fear of violence and for fear of their own lives. Approximately 3.6 million of them are Syrians. According to Turkish Interior Ministry statistics, Syrians are mainly based in Istanbul, Ankara, Izmir and Bursa - and Turkey's industrial cities close to the Syrian border, while more than 250,000 refugees are accommodated in more than 30 camps.

At the same time, according to figures, since 2015 to date, about 1.6 million refugees and immigrants have fled Greece. Taking into consideration the conditions that refugees and asylum seekers in Turkey live in or are afraid of, one can easily realize how simple it would be, should the coast patrols of Turkey clearly receive a relevant order to not try and stop people on their efforts to exit Turkey towards Greece, for those 4 million people to flood the islands, Greece and ultimately the EU, in no time.

Turkey, realizing the power of these numbers, is trying to turn these populations into a bargaining tool. Indicative of this are the statements of the Turkish President, who has repeated his threat to «open the gates» to Europe for Syrian refugees if the European Union doesn't provide additional support for them. While speaking during his recent visit in Budapest on November 7, 2019, Erdogan declared that Turkey can't carry the burden of housing refugees alone. Part of Turkey's objective when invading north-eastern Syria in October 2019 was to establish a buffer zone where it wants to resettle 2 million Syrian refugees. This plan

is unpopular with human rights groups and European countries and has received mostly negative reactions from fellow NATO member states¹⁵.

Turkey is also a key strategic partner of the EU on issues such as migration, security, counter-terrorism, and trade, but has been backsliding in the areas of the rule of law and fundamental rights. In response, the General Affairs Council decided in June 2018 that accession negotiations with Turkey are effectively frozen. Of the 35 chapters, only 16 have been opened (Free Movement of Capital, Company Law, Intellectual Property Law, Information Society and Media, Food Safety, Veterinary & Phytosanitary Policy, Taxation, Statistics Enterprise & Industrial Policy, Trans-European Networks, Environment, Consumer & Health Protection, Financial Control, Regional policy & coordination of structural instruments, Economic and Monetary Policy, Financial and budgetary provisions) and only one (science and research) has been provisionally closed. A visa liberalisation dialogue was launched in 2013. The third Report on progress by Turkey in fulfilling requirements of its visa liberalisation roadmap was published in May 2016 and found seven outstanding benchmarks to be met by Turkey. Turkey's economy is facing several challenges, such as high unemployment and high inflation. Strong economic volatility has undermined the business environment and overreliance on external financing has created vulnerabilities.

It should be acknowledged that Turkey is also seeing an unprecedented and continuously increasing influx of people seeking refuge from Syria, which has exceeded 3.6 million to date (out of a total of 4 million). Overall, Turkey is the country in the world hosting the highest number of refugees and has already spent significant financial resources on addressing this crisis. A Joint EU-Turkey Action Plan was agreed in October 2015 and was activated at the EU-Turkey Summit on 29 November 2015. The Action Plan aims at bringing order in the migratory flows and stemming the influx of irregular migration. The EU and Turkey reconfirmed their shared commitment to end irregular migration from Turkey to the EU, to break the business model of smugglers and offer migrants an alternative to putting their lives at risk in their joint statement of 18 March 2016.

The establishment of the EU Facility for Refugees in Turkey at the end of 2015 aimed to provide the European Union with a coordination mechanism that should allow for the swift, effective and efficient mobilisation of EU assistance to refugees in Turkey.

The EU Facility for Refugees in Turkey is the answer to the EU Member States' call for significant additional funding to support refugees in the country, and coordinates the mobilisation of 6 billion Euros, in two tranches. The first tranche serves to fund projects running until mid-2021 latest (most projects finish earlier). The second tranche serves to fund projects running until mid-2025 latest (most projects will finish earlier). The Facility's priority areas are education, health, protection, basic needs, socio-economic support and municipal infrastructure. The full operational budget of the Facility was committed in November 2019.

The Facility coordinates and streamlines actions financed from the Union's budget and bilateral contributions from EU Member States in order to enhance the efficiency and complementarity of support provided to refugees and host communities in Turkey. This represents a major additional support for refugees and host communities in Turkey¹⁶.

In this context, the European Union has all the necessary tools to prevent Turkey from using the refugee-migrant populations as a leverage. Yes, indeed, Turkey can control the migration flow up to a point through the mechanisms described before. It is also using it in a very strategic way, allowing a few thousands of people per month to cross the sea and land borders to the EU, in numbers that are practically close to zero for Turkey, but manage to create a crisis in Greece.

However, it is highly unlikely that Turkey would actually allow a significant proportion of the population to enter the EU. This would mark a severe breach of its diplomatic relationship with the EU, the immediate freezing of any funds regarding migration management, potential convictions regarding breach of international treaties, and, most importantly, the

¹¹ <https://op.europa.eu/webpub/com/factsheets/migration-crisis/el/>

¹² <https://www.dw.com/en/the-eu-turkey-refugee-agreement-a-review/a-43028295>

¹³ <https://www.eesc.europa.eu/en/our-work/opinions-information-reports/opinions/role-turkey-refugee-crisis>

¹⁴ <https://www.dw.com/en/the-eu-turkey-refugee-agreement-a-review/a-43028295>

¹⁵ <https://www.rferl.org/a/turkey-erdogan-threatens-to-let-refugees-into-europe-if-more-aid-not-given/30258718.html>

¹⁶ https://ec.europa.eu/neighbourhood-enlargement/countries/detailed-country-information/turkey_en



abolishment of one of its most important negotiating levers.

Is thus Turkey prepared to discontinue its diplomatic relations with the EU?

Taking into consideration the situation of the countries around it, the EU is the most powerful neighbour of Turkey for the time being. It is also financially an important ally. It is certain that the migration card will be brought up in many occasions, but it is very unlikely that the threat will actually be materialized. We could also assume that it will be used in the moderate manner described above. Using the fact that the issues in Greece and the EU remain unresolved, and thus Turkey can create serious problems with minor influx (compared to the total population of migrants it hosts), there is no need to

go to the extreme, losing its negotiations leverage or breaching its relations with the EU.

Evidently, Turkey is actually using migration as leverage for applying pressure towards its agenda. On the other hand, since Turkey is economically bound with the EU, receiving significant funds, it is a matter of diplomacy and balance, that cannot be defined in this essay, or outside the diplomatic circles, at all.

Therefore, the only way to take away this negotiating card from Turkey, is to remove its possibility to conjure up a crisis at will. Since it would not be diplomatically smart to allow millions to flow towards the EU, should the EU be in a position to effectively manage the relatively small flows towards it, the leverage of Turkey regarding migration would unavoidable lose its power.

4.3 What should the EU do in terms of recommendations and measures?

Turkey has received 5.6 billion dollars as financial aid since the initiation of the EU-Turkey statement in March 2016. Since then, 1,907 persons have been returned to Turkey. Today, Turkey expresses their discontent in EU's delayed payments, while the EU has expressed concerns regarding the implementation of Turkey's part, with loose controls on the migration paths.

On many occasions, Turkish officials have stated that, in order to apply pressure on Brussels, they could use the refugee flows as a tool. Characteristically, it has been mentioned that "if Turkey did not take specific measures, no European government would last six months". As described above, with Turkey hosting 4 million refugees who live in dire conditions, aspire

for a better life in Europe and face a constant fear of being refouled to their country of origin, it is true that Turkey's pressure mechanism is indeed valid. Even without 3 million people crossing the borders, if a few thousand can create a humanitarian crisis in Greece, tens of thousands, or hundreds of thousands entering Greece in a very small period of time could create chaos in the entire EU.

As mentioned above, the EU should consider creating mechanisms to respond to the constant flows of migrants crossing its borders, both external, with Turkey, and internal, among EU countries. It has been quite too many years that the flows remain, and they have been increasing again, not yet to the level of 2015 and early 2016, but this year higher than the respective months of 2016, 2017 and 2018. This indicates that it is no longer a crisis, but rather a serious and more permanent issue, that the EU needs to tackle.

Since Turkey is an external actor whose actions cannot be either predicted or dictated by the EU, diplomacy can apparently only keep migration to the current level, but it cannot stop or control it. What the EU can do in that matter is, while keeping the migration flows on a manageable level, enhance its capacity to manage the current flows effectively, in order to remove the negotiation tool from

the hands of Turkey. If that is not achieved, then Turkey will never compromise and continue raising its issues and pushing for its agenda, opening or threatening to open further the migration "gateway", to the EU.

On the diplomatic level, the EU could link specific funds to specific results. As mentioned above, Turkey grants international protection to approximately 1,000 Syrians per day. That might sound like a large number, however, there are 3,6 million Syrians in the Turkish territory, the vast majority of whom have no access to asylum procedures and therefore to any basic services regarding their rights, as indicated by the relevant bodies of law. Additionally, Turkey intends to use EU funds in order to create the so called "buffer zone" between Turkey and Syria, aimed to host 2,000,000 refugees. That is against the international law. The EU can link allocated funds with the establishment of mechanisms that will grant meaningful access to asylum to an adequate number of asylum seekers, setting qualitative and quantitative standards that will have to be achieved in order to receive further funding. It could also withhold funds should violations of international protection be observed or announced, so as to minimize Turkey's rhetoric and threats, hence pushing it to a more moderate stance towards the EU.

HOW DOES THE SITUATION AFFECT GREECE AND THE EU?

5.1 Asylum seekers, refugees and migrants considering Greece as a transit country.

It is known that many asylum seekers and refugees view Greece as a transit country. This is why many of them (if not the majority), seek to transfer to other countries with legal or illegal means, in order to apply for asylum there. According to the Dublin regulation, those countries have the right to request from Greece to receive those persons back, however, only a small fraction actually returns¹⁷.

In the first semester of 2019, 583 persons were arrested for illegal smuggling (both from Greek-Turkish borders towards Greece and from the mainland to borders towards EU), while 39,125 aliens were arrested for illegal entry to the country¹⁸. In the latter case, the common practice is for the public prosecutor to abstain from penal prosecution if the aliens apply for asylum.

The connection between the two can be easily identified, since it is clearly a matter of offer and demand.

Greece, because of its geographical location, has always served as a kind of «entrance» for Europe. Migration flows have existed over time, in small numbers but steadily present. The outbreak of refugee flows in Greece, during the summer of 2015, coincided with the most severe economic crisis that Greece has experienced since 1970.

The decline in family income, the recession in investment and increased unemployment were some of the features of the economic crisis. This situation was widely known to the international public opinion.

Refugee flows have both social and economic characteristics. Thousands of people left their countries as their lives and integrity were threatened while, at the same time, they were looking for those conditions that would allow them to rebuild their lives. During their departure, they took into consideration the situation of the host country and the opportunities it can provide.

Greece, in the context described above, was not and is still not their first choice. On the contrary, it has been and remains a necessary stop on their path to European countries that can offer jobs and upgraded health care.

It is useful to first describe the course of facts:

During the first period of the increased refugee flows, the populations on the one hand were able to apply for family reunification, provided that there were justifiable reasons, and on the other, to participate in the relocation program in order to be accepted in other European countries. It was a common phenomenon that, when family reunification applications were rejected, the beneficiaries

¹⁷ http://asylo.gov.gr/wp-content/uploads/2019/09/Dublin-stats_August19GR.pdf

¹⁸ http://www.astynomia.gr/index.php?option=ozo_content&lang=%27.%27&perform=view&id=89358&Itemid=2325&lang=

immediately submitted a request for relocation to a European country instead of applying for asylum in Greece. An application for asylum in Greece was the last option and this was necessary in order to secure that they would be able to legally remain in Greece until they could find the appropriate way of departure.

With the completion of the relocation program in European Union countries, the overwhelming majority of beneficiaries had to follow the asylum procedure in the host country, ie Greece. According to the legislation in force and, as the case may be, the applicant may be granted refugee status or subsidiary protection status, leading to the issuance of a residence permit. With the same procedure and under specific terms, beneficiaries of international protection are entitled to issue a travel document.

The time, which might be needed, to complete the procedures described above can take months and varies from asylum office to asylum office. Essentially, this is a waiting period that simply delays the departure time of beneficiaries to EU countries and turn the hosting structures into «waiting hall». This conclusion follows from the fact that more than 80% of persons receiving refugee status and obtaining a travel document depart immediately without returning to the host country. On the contrary, they look to be recognized as refugees in the country to which they are traveling, which was essentially their only and final destination.

But for what reasons did Greece become a transit country?

The first and most obvious answer is for economic reasons. As mentioned above, the inability of the

Greek economy to provide opportunities has had a very negative effect. The integration into the Greek society that could have been achieved within the workplaces and consequently create the conditions for establishment, never took place. Consequently, the second element that asylum seekers, refugees and immigrants are looking for, namely the ability to rebuild their lives, does not exist. So, the trend of departure is increasing.

Secondly, there are geographical reasons. The aim and purpose of asylum seekers, refugees and immigrants in their majority is to establish themselves in central and northern European countries. The country of entry is selected either for proximity or for convenience. This given term, the intermediate station, is known and sometimes accepted in view of the final destination.

Third, we could identify the psychological factor. People are turning to whom actually is or considered as powerful. The European South, for some people, does not have characteristics similar to Central and Northern Europe, such as the industrial production. This creates the feeling that vocational rehabilitation and social integration can be done more quickly and with greater stability.

It is clear, that for the refugee and migrant populations the 'European dream' is the desirable target goal, but only in specific European countries. The choice of the country is made through a number of criteria (economy, education, solidarity etc.) and creates two categories: the destination countries and the countries where a necessary and definitely time-consuming 'pause' such as Greece takes place.

5.2 The effect of asylum seekers and refugees to other European countries

Most Asylum seekers believed that Europe would welcome them, and these rumours are consistently spread by smugglers. They informed them that they have to stay in Greece for a couple of weeks and that then they could go to other European countries such as Germany. However, the situation quickly changed during the first years of the refugee crisis, as many European countries started closing their borders.

It is not without consequences, that persons who have applied, or even acquired, asylum status in Greece,

move to other European countries to settle, despite the closed borders and the difficulties opposed to them. This clearly affects not only those persons' capability to actually integrate in that country, but also the country's ability to respond to the needs and demands those persons have. It is important to consider the ability of someone living in a transit situation for many years, as is the case of the refugees in Greece, to adapt in a European country. Is it still there? Do they still have the ability to integrate in a new situation, or have they let their skills go stale and



lost every motive? Additionally, there are significant cultural differences that need to be bridged. Without overcoming this seemingly easy obstacle the individuals will never be able to become active members of the European societies and have an independent social well-being.

In Greece, most of the Asylum seekers seem to have the desire to continue their journey onwards to other European countries, despite the fact that most of them have received international protection status in Greece. This happens mostly due to bad living conditions in Greece. The refugee population has the perspective that Central and North Greece is the destination that applies to their best interest and countries like Germany remain at the top of their choices when traveling abroad. These intentions were clear even before the open welcome of Chancellor Angela Merkel in August 2015. This makes it clear that migrants and refugees had decided upon their destination even before Germany opened up towards them. Sweden is also a desirable destination for migrants and refugees as, along with Germany, they are the countries that had the highest number of Asylum claims among other EU countries. Based on research, it is highly likely that the majority of migrants and refugees who are now practically stuck in both Greece and Turkey want to migrate onwards. Besides the poor living conditions in Turkey and Greece, the lack of employment opportunities is creating motive for the population to fulfil their goal and manage to settle down in another European country. This is also the reason why other EU member-states consider starting returning migrants again back to Greece.

The refugees, especially the ones from Syria, have a totally different background than migrants. Many of them are skilled workers or highly educated professionals who used to form the middle class in Syria. In case they would settle in Greece, they would have to compete against the Greek middle class, which has already been under significant pressure. There are higher chances that they would be welcome in countries where the professional opportunities

5.3 Impact on international affairs

As is highlighted in the case of Turkey, international affairs on a global level are being affected, since, countries refugees flee from, might use them as a

for skilled people are plenty, such as the countries of Northern Europe. It is known among the refugee communities that Greece is a small country with limited opportunities even for the Greek nationals who themselves often consider moving to other EU member states in order to follow their dreams for a professional opportunities and careers.

More specifically, it is without doubt that a country that belongs to the EU and is a member of the Geneva Convention is obligated to not return asylum seekers and refugees to other countries and at the same time offer them some standard services. However, this assistance can be a heavy burden for any country, both financially and socially.

Most European politicians acknowledge the weaknesses of the existing refugee policy, however it has proven very difficult to agree on an alternative that is both in line with international conventions and able to gain sufficient political support. European political parties believe that any change that makes the policy more advantageous to the refugees will increase the arrivals. The majority does not consider it realistic to remove the measures that have been implemented to prevent refugees and migrants from reaching Europe, following the experiences of 2015. Consequently, they are continuing a policy that is making it increasingly dangerous and ever more expensive to seek protection in Europe. The European political parties are seeing an increasing scepticism among parts of the population towards what is perceived as uncontrolled immigration. They fear that voters will turn to the immigration-critical and immigration-sensitive parties if they fail to show that they are taking their concerns seriously. In addition there has been a growing concern in many parties that previous asylum policy has had dramatic humanitarian consequences. Several thousand refugees and migrants die each year in their attempt to cross the Mediterranean, and probably even more die before they come that far. People who want to seek protection in Europe are at the mercy of cynical and often brutal people smugglers, and European politicians know that people smuggling is an inevitable consequence of the strict policies they have adopted.

means of applying pressure to the EU at any time, as long as it is not ready to respond. Therefore, Europe's readiness will not only tackle the problem, but remove



a means of pressure from countries that wish to apply pressure to the EU, and further to the international community, towards their own agenda.

This may seem as a challenge for the international relations of countries and the EU, however it should be taken under serious consideration. Having a disadvantage this serious, that could, at any given time, result in the EU being a hostage to any country that disrespects international law, and that can apply pressure towards

5.4 Intermediate conclusions

All of the above create a clear question, often asked, hardly ever answered: Where does it end?

The EU is legally bound to accept refugees and asylum seekers, obliged to comply with the non-refoulement principle, as well as offer them access to basic services and rights. But it is certain that European societies and countries cannot continue eternally accepting incoming waves of migrants, in random, uncontrollable numbers, without a consolidated plan for integration, since it puts their own way of life at stake. It is clear that the issue is not

extorting funds, brings the Union to a weak position. It makes it vulnerable to threats and demands, it gives a pressure leverage to any country, especially those whose demands are irrational and disregard the fundamental principals and values that the EU stands for.

For as long as the EU remains unready to manage migration flows in solidarity, with consistency and efficiency, third countries will be able to use migration against it and in their own favour.

Greek, but European, and so should be the response and solution.

The fact that third countries can use the EU's lack of readiness is something that the EU needs to deal with. The response from the EU can only be coordinated, since no country alone can stand the burden of the refugees' and asylum seekers' uncontrollable influx, nor is it possible to achieve a solution on an international level individually. Therefore, a consolidated plan for response to the current situation and prevention of a future crisis is the only viable and realistic solution.

RESPONSE AND PREVENTION

The refugee crisis could be a harbinger of future challenges. For several years now, Turkey is certainly wealthier, more stable, and, even in its increasingly authoritarian state, freer than many Muslim-majority countries to its south and east, which makes it a magnet for increasing numbers of refugees and asylum-seekers throughout the region.

As mentioned before, there are two levels that the EU could work on in order to remove the threat of migration flows from the diplomatic map: The first

one, regarding large-scale migration (i.e. hundreds of thousands to millions of refugees), which is rather unlikely to happen, should be addressed on the diplomatic level by the EU. The second level, regarding thousands to tens of thousands of refugees, should be addressed through the creation of a consolidated plan, that takes under consideration both the obligations of the EU, its values and principles, as well as the needs and rights of the EU citizens, that will be requested to accept asylum seekers and refugees in their societies.

ASYLUM

6.1 The EU – Turkey relations

For Turkey, the challenge of integrating a large population of refugees may be a continuous one. If Turkey is to find an effective formula for facilitating effective integration, it needs to start developing, funding, and implementing that formula as soon as possible.

It is useless to create a migration management plan without including Turkey's role in it. It goes without saying, that the country that hosts the largest number of refugees globally cannot remain unsupported. If it collapses, not only will human rights of millions of people be at stake, but also the entire area, a quite challenging one, might be destabilized.

However, Turkey has proved to exploit the currently in effect agreement, namely the EU – Turkey statement of 8 March 2016, hence it would be necessary to proceed to a new agreement, amending the old one, putting more safety valves in place, in order to bring the desired results.

Therefore, support to Turkey cannot be provided unconditionally and without control over the use

of resources. A consolidated plan should be agreed upon, as well as mechanisms that will allow the EU to intervene, support and make sure that the use of funds is as intended.

It seems to be absolutely necessary for Turkey to adopt a system for granting international protection to asylum seekers effectively, in accordance with international and European standards. The principle of non-refoulement must also be guaranteed.

The accommodation conditions in Turkey, as well as the policies on the social and economic integration of recognised refugees, in particular with regard to access to employment, healthcare, education and housing need to be improved. Special attention should be paid to the protection of unaccompanied minors and children, particularly as regards access to education and protection from forced labour and forced marriage.

The trafficking networks and the combat people smuggling needs to be dismantled according to the international law.



6.2 Proposed solutions on a European level

The support provided to Greece for the time being is significant. However, its effectiveness is limited and will remain such for as long as the reality is not being taken under consideration as a factor for further planning. The fact that migrants, refugees and asylum seekers continue arriving through sea and land, and that many of them move on to other European countries, legally or illegally, as mentioned above, proves that the issue cannot be tackled through the currently existing mechanisms.

Support to Greece should be shown, further to the existing support, through a fair dissemination of responsibility, not only financial, but directly with the relocation of migrants, asylum seekers and refugees to other countries. A new relocation programme or even a

resettlement programme would currently be a reasonable suggestion for the decongestion of the Greek islands and mainland. At the same time, the sense of complete freedom of choice regarding the country asylum seekers and refugees wish to transfer to, will be reduced, with the picture of the EU shifting to an organized Union with specific, concrete and fair rules governing it. With this program, every country will bear a part of the responsibility, as solidarity among the states commands, thus their mechanisms will work more efficiently on every level. As a positive side effect, the illegal actions mentioned above (smuggling towards Europe) will be inevitably reduced, due to lack of demand.

Another possible solution might be found through EU-third country treaties for resettlement.

Resettlement is the transfer of refugees from an asylum country to another State that has agreed to admit them and ultimately grant them permanent settlement¹⁹. The EU could, as an entity, achieve the collaboration with third countries, which might be willing to share responsibility. This is definitely not easy to be achieved, but it is an option that is worth considering.

It is useful to mention, at this point, that the relocation scheme is much faster, since the Refugee Status Determination is left to the country where the person is moved, hence would be the first that should be implemented regarding the decongestion of Greek islands and mainland. Resettlement takes more

time, but is permanent, since the person transferred is already a recognized refugee. Therefore, a combination of the two could be implemented for optimal results.

Additionally, as an emergency measure, a small resettlement program regarding refugees already recognised in Greece within the EU could prove valuable. The scheme would have to include refugees who were ineligible for the 2016 relocation scheme due to their nationality or time of entry in Greece (after 20 March 2016). Their application would only refer to their transfer to another member-state, where they would not have to start over with their asylum process.

¹⁹ <https://www.unhcr.org/resettlement.html>

6.3 Faster and effective procedures of refugee status determination

It is beyond any doubt that, in combination with the above suggestions, faster and effective refugee status determination procedures will alleviate pressure from the authorities, not only Greek, but also European. If asylum seekers receive a response to their claim fast, either positive or negative, their transit period can end either by starting over in their new country of residence, or back in their country of origin.

No decongestion plan can be effective, when asylum interviews are planned for three or four years from the

date of entrance. Especially since, during those years, there was no integration plan in place for the asylum seekers.

Either positive, or negative, a fast and fair asylum procedure creates a sense of certainty to the asylum seekers, as well as a sense of a state of justice, and, when combined with a consolidated plan on what follows the decision, it confirms the state's sovereignty and earns the respect of those who apply for international protection.

6.4 Effective mechanisms of returns/repatriation

The severe lack of functional effective mechanisms of return and repatriation is an important issue that needs to be addressed to its source. Countries denying returns or repatriation on no legal basis put migrants whose asylum claim has been rejected in a limbo, where they are not accepted back in their home country or country of origin, or the country they came from, but are also not legally residing in the country they have asked asylum from. This is a problem also for the state, as those people still have basic human rights that need to be addressed, while also the public services, like courts, administration, hospitals, need to deal with a much heavier caseload than they should.

Returns to the previous country or the country of origin should be put on the top of the agenda for migration management. It is a serious concern regarding the core of the sovereign state, when it cannot remove alien citizens from its territory due to another country's lack of cooperation. Bilateral or multilateral treaties between the EU and third countries regarding faster procedures for the prompt return of third country citizens, whose asylum claim has been rejected, could be of use. Those should be negotiated by the EU, as a more powerful entity than any individual state.

6.5 Integration plan

The most important part of managing the migration crisis, is the effective integration of the newcomers to the society they wish to settle in. This way, they will learn to be autonomous, not depend on social welfare, be productive and contribute to the society they want to become part of. More importantly, they will understand that they are the ones who need to adapt to the EU way of life, and that the EU values and principles bind all legal residents, both citizens and the refugees.

This needs to be implemented through a consolidated integration plan, that will be focused on avoiding the creation of ghettos, the allocation of a small number of beneficiaries of international protection in proportion with the local population so that no community needs to bear a burden heavier than what it can actually respond to. Evidently, it is much

easier for one four-member family to be integrated in a small town of 1,000 residents, than 1,000 refugees to be integrated in a 10,000 residents city. This, however, needs to be implemented while at the same time including the host community in the planning, informing them on the consolidated plan, and engaging them in the process. This will help alleviate any serious disagreements and protests arising from miscommunication of information, as currently happens in host communities in Greece, as described previously.

Language classes and vocational training should be directly linked to any support that the beneficiaries of international protection are planned to receive. When support is discontinued, after they are adequately self-reliant regarding the language and vocational skills, they should be given an opportunity in labour,



so as to have livelihood resources and not become dependent on social welfare or turn to illegal sources of income.

This part requires research and careful planning and could be quite challenging in its implementation.

However, the migration crisis cannot be considered a simple phenomenon, with a simple solution. It is complex and requires attention and commitment on behalf of the EU as an entity, as well as the member-states, in order to achieve viable solutions.

6.6 Intermediate conclusions

The solution of the refugee crisis is a subject many have expressed their opinions. From the one extreme to the other, proposed solutions vary from complete denial of migration to uncontrolled acceptance of every third country national that crosses the EU borders.

The suggestion for closed, strictly patrolled borders and cutting of access to all migrants, asylum seekers and refugees is completely unrealistic, while the relevant suggestion for unceremonious return of all migrants to their country of origin or the country they came from, as well as denial of access to the asylum procedures is against international law and basic principles and values of the EU. Therefore, this cannot be implemented.

The other extreme, where everyone who crosses the European borders is welcome and should be accepted in the EU territory is also unrealistic, since sovereign states have the right to control migration as they

see fit, as long as they respect the international law, principles and values.

The current situation, where the EU chooses to ignore the elephant in the room, is not viable. Greece is struggling with the burden of continuously arriving asylum seekers, it cannot manage their asylum claims, it cannot enforce returns, it cannot provide the asylum seekers with their basic needs until their asylum claim is decided upon.

Dissemination of responsibility would alleviate the burden of Greece. Fast and fair decisions would tackle the uncertainty that most asylum seekers feel, keeping them in a limbo for years. Effective returns would discourage those who plan to come even though they are not in need of international protection. Effective integration would alleviate the consequences of migration, where people become reliant on social welfare and unproductive, becoming burden to their community instead of equal, contributing members.

CONCLUSIONS

The grim situation of the Greek islands and the camps in the mainland cannot be easily described with words. Greek citizens' struggle can also not be adequately analysed in the few pages of this study. The communities of a country known for its hospitality are showing a different face, as their own quality of life is challenged due to the overpopulation of refugees and asylum seekers, in questionable conditions.

The author tried to present the current conditions by first describing the support that was provided to Greece throughout the years, starting at 2015. This included both the financial aid, as well as the more practical support, namely the relocation scheme and the deployment of International Organizations, national and international NGOs, in order to support the Greek state in managing the crisis. The condition that those who reside in Greece, both asylum seekers and refugees, and the host population, was described to the extent possible.

Then, the author attempted to explain how the problem in Greece is not limited within the Greek territory, but reflects a European problem, that should be addressed as such. As described in the relevant chapter, it is obvious that the migration crisis is no longer a crisis, but rather a permanent problem to which only sustainable solutions might prove effective. For the time being, however, the EU and the individual member-states do not acknowledge the fact, as if they hope that the problem will be solved without serious intervention. This is not the case.

One of the major factors to be examined when discussing the migration issue in Greece, is Turkey and its relations with the European Union. Turkey has for this reason been granted funds by the EU, in order to support effectively the asylum seekers and refugees in its territory. However, Turkey, as well as other countries who constantly disregard international law, push for their agenda using migration as leverage. This is something that will not stop, for as long as the EU refuses to

address the problem and try and locate a viable solution, that will engage all EU member-states, in solidarity.

Along with diplomacy with Turkey, in order to avoid an uncontrollable crisis and a potential consequent destabilization of the area, the EU needs to find a way to manage the constantly increasing migration flows. For the author, an effective and sustainable asylum system includes both response and prevention mechanisms, where the burden is fairly distributed among the member-states of the European Union, the policies are aligned and additional support is given to the countries that bear most of the burden, due to their position or any other reason.

One strong recommendation would be the participation of the EU Member States that have not so far participated in the relocation and resettlement procedures, and for the relevant programmes to be speeded up.

Two things should prevail in the discussions for the identification of viable solutions to the migration crisis: The first, is realism. There is no use in discussing utopic solutions, such as the complete securing of the EU borders, or the unceremonious return of all migrants, regardless of their status. The flows will continue, the geopolitical parameters will affect the influx and no European Union member-state can abolish its international law obligations.

The second is solidarity. The European Union's purpose of existence is that the states do not have to face the rest of the world by themselves. Solidarity in burden sharing and in the identification of a solution is, to the author, the only way for a sustainable solution to be identified and implemented. Together, the member-states forming European Union, are stronger in negotiations, in the achievement of Treaties and in tackling common problems. Having that in mind, we should be open to suggestions regarding potential solutions.



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