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Across the Sea. The Mediterranean, Migration and EU-Policy

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1. Introduction

Migration into the European Union (EU) and its predecessors has existed for a long period of time. Since the beginning of the immense refugee and migration movements in 2015, caused by the war in Syria however, the numbers of people trying to immigrate increased massively and rapidly. The effects of the complex situation still mean major challenges for the people and the member states of the EU. Until today the latter did not find a comprehensive solution in managing these challenges. As a consequence, populist right wing parties all over Europe took advantage of the inability to reach a consensus, providing easy answers for difficult questions and eventually gained huge shares of voter turnout (Germany, France) and even took over governments (Italy, Poland, Hungary, Austria, Belgium).

Since the overland route is closed due to the controversial deal the EU made with Turkeys president Erdogan, which prevents refugees from the Middle East to journey north, the Mediterranean Sea has become the main route for migration into the EU. The member states are trying to control the redirection of the stream via the sea by negotiating agreements with north African states, first and foremost Libya. These agreements are being continuedly criticised by non-governmental organisations and political parties because of the methods the Libyan government uses to keep migrant ships on the Libyan shores. Said measures accompanied by stricter national security policies, which re-established border controls inside the Schengen area lead to a decreasing number of refugees seeking asylum in EU countries (Eurostrat, 2018). However, the measures taken neither effectively tackle the root causes of illegal migration nor do they solve the humanitarian crises on the Mediterranean Sea, where thousands of people continue to die trying to reach European land (UNHCR, 2018).

This paper examines the EUs and Germanys Mediterranean policy considering migration. Therefore, the essay starts with a history of Mediterranean migration and will continue to illustrate the status quo. The main part of the paper will be contributed to the different initiatives and agreements the EU and Germany has started to tackle illegal immigration. Finally, the measures will be evaluated by their effectiveness.

2. History of Mediterranean Migration

Migration is an essential part of human civilization and exists as long as humankind itself. Moretti and Cela differentiate between historical and modern migration (Moretti/Cela, 2014: 113). Historical migration modified territorial order and has been given different connotations over the centuries, while modern migration refers to people searching for a better life (ibi: 113). Starting with the ending of the ice age around 8.700 years ago the increasing temperatures consequently lead to an expansion of surface area covered by forests (ibi: 114). The numerous wild animal herds moved to higher latitudes and were followed north by large numbers of hunters, which profoundly modified Europe's geography and demography (ibi: 114). The rising sea levels transformed the Strait of Gibraltar, which was unpassable and separated Europe and Africa.

During the same period a large demographic increase occurred in the area situated amid Syria, Lebanon, Palestine, Jordan and Iraq known as the "Fertile Crescent" (ibi:114). The growth in population resulted in a search for new technologies known as the "Neolithic Revolution" and a greater propensity to adjoining territories from the Nile Valley to Persia and from Anatolia to Greece (ibi:114). Those Neolithic villages could evolve into great civilizations because they were situated at important communication and trading routes, namely rivers. The sea was an impassable obstacle at that time (ibi.: 114).

The Nile Valley was the natural continuation of the Fertile Crescent, when over a 1000 years later, the construction of navigable canals and efficient irrigation systems had transformed mudflats into fertile land, where the Sumerians used sailboats. (ibi: 115). At the beginning of the second millennium did two maritime zones emerge: the Lebanese coast and the islands of the Aegea (ibi: 115). The first contacts between the Nile Valley and southern Mesopotamia probably dates back to 3400 BC (ibi: 115). At the beginning of the next millennium the Kingdom of lower Egypt conquered the Kingdom of the upper Egypt and founded the first dynasty of the archaic period (ibi: 115). The Cretans at that time, had control over the eastern Mediterranean and traded with the kingdoms and empires of the entire area and also with towns on the syro-lebanese coast (ibi: 115). This order began to disintegrate in the thirteenth century and was followed by the "Ancient Middle Ages" (ibi: 115).

After Troy was destroyed by the Mycenaeans and the death of the last pharaoh Ramses II mass invasions and endogenous factors altered the physiognomy of the entire region from Greece to Egypt (ibi: 116). Due to that, trading in the region collapsed for at least three centuries before a resurgence lead to conquest the western Mediterranean (ibi:116). The most popular raids were probably those by "People of the Sea", originating from the north, around 1200 devasted

Greece, various islands of the Aegean and invaded Anatolia as well as the entire coast of the Near East until they were stopped on their entry into Egypt (ibi: 116).

The vacuum of power the People of the Sea left was effectively used by the Phoenicians, who after resuming trade with the Egyptians and establishing small colonies on some islands of the Aegean, began to move westwards, following the north-African coastline, where they set up colonies as well (ibi:116). The second movement used the main Mediterranean islands as its ports and passed the Pillars of Hercules, where after they headed first towards Britain and southwards to the coast of Cameroon (ibi: 117). The Greeks after reconstructing their towns began to colonize Anatolia and set sail towards Italy (ibi:117). Further colonies were founded at French and Spanish coasts later (ibi:117). The new towns were entirely independent from their origins and only maintained cultural affinities and close commercial ties. The occupied land was also already inhabited (ibi: 117).

The same happened to the Roman Empire, which was cracking under migratory pressure due to Germanic and Huns invasions, who settled in the western roman provinces (ibi:117). Great invasions continued in Europe for centuries: Vandals in Andalusia, Visigoths conquered Spain, Franks settled in Gaul, Saxons colonised England, Slavs entering the East, Turkish Seljuks conquering Persia, the Ottoman Empire extending in Europe to the gates of Vienna and southern Russia (ibi: 118).

One of the main effects of the Ottoman expansion was the blockage of trade with the East, which prevented the recently formed European nation states to seek new routes to the East (ibi: 118). The first country achieving this was Portugal in 1487 by rounding the Cape of Good Hope and in 1498 circumnavigated Africa to land on the coast of western India (ibi: 119). Then, in 1492, Christopher Columbus seeking a faster route to the Indies, accidentally discovered the American continent which shifted the worlds centre away from the Mediterranean (ibi: 119).

While Portugal, Spain, Holland, France and England colonised Latin America and Africa with brutal consequences for the indigenous population, from the sixteenth to the eighteenth century European immigration was extremely modest (ibi: 119). This situation changed decisively in the nineteenth century with the beginning of mass European migration to North America (ibi: 119). Overall around 40 million people left Europe between 1800 and 1930 (ibi: 120). The restrictive policies adopted by the American government in 1924 and the Great Depression in 1930 put an end to mass migration, before the Second World War (ibi: 120). Between the two world wars Europe was traversed by refugees and entire populations forced into exile by conflicts between different ethnicities and religions (ibi: 120). After the Second World War although Europeans continued to emigrate to America and Australia, Western Europe

progressively changed form a region of departure to one of the principle destinations of migrants (ibi: 120). In the 1950s and 1960s due to post war reconstruction the Mediterranean region functioned as a natural reserve of low-cost labour for western European countries (ibi: 120). The 1973 oil shock and the ensuing worldwide recession induced the adoption of restrictive immigration policies by western European countries (ibi: 120). But the movements of people generated an increasing migratory pressure from developing countries (ibi: 120). Migrants were not halted by the closure of frontiers but found ways to evade the normative obstacles (ibi: 120). Flows from North Africa headed towards the northern shores of the Mediterranean which became a definite destination or a "waiting room" (ibi: 120).

Between the late 1980s and 1990s the fall of the Berlin Wall, the Gulf War and the break-up of the Soviet Union changed patterns of migration and opened the way for migratory flows from eastern Europe generating pressure on Europe (ibi: 124). The progressive enlargement of the European Union (EU) started the awareness for a shared policy on immigration. However, the member states focused more on the closure and protection of their borders instead of cooperation (ibi: 124). The tragedy of the island of Lampedusa in 2013, which caused the death of around 350 people, placed trans-Mediterranean migration policy high on the political agenda (ibi: 124). Again, the focus laid on the security which manifested the Mediterranean to be a sea barrier between two worlds (ibi: 125).

3. Current Situation on the Mediterranean Sea

The Mediterranean Sea has not only become a barrier it has also become a graveyard. According to the UNCHR only in the last year 2262 people died or are missing trying to cross the sea (UNCHR, 2018). Since the operation "Mare Nostrum" performed by the Italian coast guard from 2013 to 2014 was transformed into the EU operation "Triton" carried out by Frontex to deal with the massive influx of refugees the focus of the operation changed, too (Tagesschau.de, 2014). Until today the mission focuses more on border protection than on saving people from drowning (ibi). This step was heavily criticised by human rights organisations and lead to the establishment of private, NGO-performed rescue missions, which are coordinated with the Italian coast guard (Dockery, 2017). The rescue organizations involved include the Spanish organization Proactiva Open Arms, German organizations Sea-Eye and Jugend Rettet, Dutch charities Refugee Boat Foundation and Save the Children, Doctors without Borders (MSF), SOS Mediterranee, Migrant Offshore Aid station (MOAS) and the LifeBoat project's ship, Minden (ibi).

Since 2017 Libya expanded its maritime "rescue and search zone" along its coasts as part of an agreement the country made with the EU (Riemer, 2017). When NGO vessels approached the asserted territory the Libyan coastguard occasionally acted very aggressively, even firing warning shots to signalize them to stay out of their territory (Dockery, 2017). As a consequence, some NGOs had to abandon their mission because threats became too serious (ibi). Another factor which makes the rescue missions more difficult is the Italian code of conduct for refugees (ibi). The Italian government has in the past accused private NGOs of colluding with human smugglers (ibi). They claim that the smugglers know that NGOs will be right outside the 12-nautical-mile zone off the Libyan coast to rescue the migrants and bring them to a safe port in Europe (ibi). The designed code has been dividing the NGOs on whether to sign onto the document or not (ibi). The document would demand that the rescue groups allow Italian police officers on board to monitor operations and rescue ships will have to turn on their tracking devices (ibi). Save the Children, MOAS and Sea-Eye have signed on while SOS Mediterranee, Doctors Without Borders, Sea-Watch and Jugend Rettet have opposed the document (ibi).
Furthermore, the newly elected right-wing government in Italy seized NGO rescue ships using dubious allegations (France-Presse, 2018). In Addition, the country, as Spain and Malta, refuses safe harbour to NGO vessels so the remaining rescue ships are in constant search for a port (Denti, 2018). Lately, the Maltese government allowed two German rescue ships with 49 migrants on board to bring them on land in order to distribute them between Germany, France, Portugal, Ireland, Rumania, Luxembourg, the Netherlands and Italy (Ueberbach, 2019). Thereafter the two ships had to leave the Maltese port.

4. The role of the European Union

The external migration policy of the EU has become more complex since the early 2000s: There are now a large number of different instruments and agreements, and the areas of responsibility and competences of foreign, security, development, and economic policy actors are sometimes hard to disentangle. It is the stated goal of the European Commission to implement a comprehensive approach, particularly with regards to cooperation with relevant African partner countries (Kipp/Koch, 2018: 9). However, this attempt has in the past been characterised by diverging priorities and interests within the EU (ibi: 9). In the course of the long-standing, but profoundly increased, irregular migration of migrants and refugees via the Mediterranean in 2015, the issue of migration management has moved to the top of the European agenda (ibi: 9). This has intensified the pre-existing tendency towards the externalisation of migration control and restriction (Bialasiewicz, 2012; Van Munster/Sterkx, 2006). Furthermore, Kipp and Koch

identify three further trends since 2015: (1) a regional shift in migration cooperation from the direct European Neighbourhood area to more distant countries of origin and transit, with a focus on the countries neighbouring Syria and the African continent in particular; (2) an increasing instrumentalisation of EU development aid for migration policy purposes; (3) a gradual re-nationalisation of European development policy, for example through new migration funding instruments that have been established outside the Community method (Kipp/Koch, 2018: 9). The result is that funds are allocated more often to the member states' national implementing organisations (ibi: 9).

4.1. The EU's migration cooperation instruments

For a long time, EU member states' cooperation on migration policies with third countries was predominantly bilateral (Kipp/Koch, 2018: 9). Since 2005, the EU has gradually developed a policy framework to serve as a basis for balanced and partnership-orientated external asylum and migration policies (ibi: 9). This Global Approach to Migration (GAM) was revised in 2012 under the name Global Approach to Migration and Mobility (GAMM) (ibi: 9). The latter is made up of four officially equivalent objectives: (1) better organising of legal migration and fostering well-managed mobility; (2) preventing and combating irregular migration and eradicating trafficking in human beings; (3) maximising the development impacts of migration and mobility; and (4) promoting international protection (ibi: 9). In response to the increasing number of deaths due to migrants and refugees attempting to reach Europe via the Mediterranean, the European Commission published the European Agenda on Migration in May 2015 (ibi: 10). This was before mixed migration movements to Europe increased sharply in the following months (Angenendt/Kipp/Meier, 2017). Even though the long-term objectives of GAMM are adopted on paper, the primary focus is de facto on the short- term reduction of irregular migration (Kipp/Koch, 2018: 10). This reflects an understanding of migration as being primarily a problem, not an opportunity (ibi: 10). Thus, the goal of improved border and migration management in important countries of transit and origin is becoming just as important as the protection of the EU's external borders (ibi: 10). This is demonstrated by the efforts to intensify regional dialogues on migration management as well as the expansion of the European Border and Coast Guard Agency (Frontex) (ibi: 10).

4.2. Political and legal partnership agreements

The decision of the European Agenda on Migration was swiftly followed by the creation of a new instrument, the so-called Migration Partnership Framework (ibi: 10). In June 2016, five major African countries of origin and transit, Ethiopia, Mali, Niger, Nigeria, and Senegal,

signed documents to this effect (ibi: 10). It is striking that the list of objectives (to save lives in the Mediterranean Sea and break the business model of smugglers; to increase the rate of returns to countries of origin and transit; and to stem irregular flows) only vaguely refers to the need to offer legal migration channels (European Commission, 2016). Instead of proposing more concrete steps, the European Commission just mentions the need for increased resettlement efforts and possibly piloting legal migration (Kipp/Koch, 2018: 10). This marks a change of direction. GAMM stresses the idea of legal migration opportunities as an incentive for cooperating with third countries (ibi: 10). Offers in the area of legal migration were intended to motivate the partner countries to restrict irregular emigration from their own territories and to take back irregular migrants through Mobility Partnerships, if these were countries in the European Neighbourhood, or Common Agendas on Migration and Mobility (CAMMs) in the case of more distant countries (ibi: 10). Mobility Partnerships and CAMMs contain mutual objectives as well as offers for support from the EU for the cooperating countries (ibi: 10). Mobility Partnerships have legally binding elements, since they foresee negotiations on visa liberalisation and readmission agreements (ibi: 10). Nine Mobility Partnerships have been established so far, three of them with African countries (Morocco, Tunisia, and Cape Verde) (ibi: 10). However, Cape Verde is the only African country that concluded a visa liberalisation and re-admission agreement (ibi: 10). CAMMs have even shown fewer results and so far only been agreed with India, Ethiopia, and Nigeria (ibi: 10). The limited success can be explained by the fact that the European Commission does not have the competency to effectively promote legal migration (ibi: 10). Visa liberalisation merely amounts to a simplification of procedures; for the partner countries, this is not a sufficient incentive to commit to readmission agreements, which are often highly controversial in domestic policy terms (ibi: 10). More substantial incentives, for example additional legal migration routes, would require the initiative and willingness of individual EU member states, and that is what is lacking (ibi: 10). Even though the European Commission has followed up on the idea to establish pilot projects for migrants seeking work from partner countries (European Commission, 2017), it is increasingly offering partner countries other incentives for cooperation on migration policies. The new Migration Partnership Framework, introduced in 2016, is seeking to combine different policy elements within EU competence areas (Neighbourhood Policy, development aid, trade, mobility, energy, security, digital policy) (Kipp/Koch, 2018: 10). The main financial assistance for this instrument has come from the EU Emergency Trust Fund (EUTF) for Africa, which was set up in November 2015 and now amounts to a budget of €3.4 billion (ibi: 10). In addition, the European Commission plans to use funds from the European External Investment Plan, newly

established in 2017, for this purpose (European Commission, 2017). With a contribution of €4.1 billion from the European Commission, the External Investment Plan is expected to leverage more than €44 billion in investments by 2020 (ibi). The dimensions of the planned but not yet secured financial support for the partner countries confirm that the European Commission is increasingly replacing the previously promised, but unfulfilled, prospects of legal migration routes with financial incentives in its external migration policy (Kipp/Koch, 2018: 10).

4.3. Regional dialogues

In addition to agreements with individual partner countries, the EU also participated in regional dialogues for discussions on and harmonisation of migration policy approaches (Kipp/Koch, 2018: 12). The oldest dialogue is the Budapest Process, which was initiated in 1993 as part of the Eastern enlargement of the EU and has developed into a European-Asian forum with 52 member states (ibi: 12). Building on this experience, further regional dialogues followed within the framework of GAMM. Although there are attempts to have dialogues with all regions relevant to migration policy a focus on the African continent can now be observed (European Commission, 2018). The Rabat Process was established in 2006 and brings together 57 countries along the West and Central African migration routes (IOM, 2016). For the Horn of Africa, the Khartoum Process was launched in 2014 to intensify cooperation on migration management and to combat human trafficking (Kipp/Koch, 2018: 12). Both regional dialogues bring together a number of countries along important migration routes to Europe (ibi: 12). However, there are different regional conditions for cooperation. In the Rabat Process, the EU cooperates with the Economic Community of West African States, whose citizens enjoy free movement between member states (ibi: 12). Even though the dialogue has been ongoing for more than a decade, it has hardly achieved any concrete results (ibi: 12). The more recently established Khartoum Process is driven mainly by a security approach to the challenges of migration (Reitano, 2016). This can partly also be observed in the EUTF-funded projects in the Horn of Africa (Kipp/Koch, 2018: 12). At least indirectly, however, the measures also aim at reducing irregular migration by building more capacity in the security sector (ibi: 12). This notion is even more obvious in the planned Regional Operational Centre in Support of the Khartoum Process and AU-Horn of Africa Initiative, which is promoting the exchange of information between security institutions (ibi: 12).

4.4. Developments in EU border protection

Although a policy area in its own right, the protection of the EU's external borders is closely linked to the EU's external migration policy (Kipp/Koch, 2018: 12). It is obvious that effective

border protection is a requisite for controlling migration (ibi: 12). Although there is little consensus between the EU member states on how to deal with migration, particularly in a crisis situation like the one in 2015, investments in border protection are often the lowest common denominator that everyone can agree on (ibi: 12).

Frontex, founded in 2004, supports the member states in the operational control of the EU's external borders and in the repatriation of irregular migrants and rejected asylum seekers (ibi: 13). Marine operations in the Mediterranean, whose focus has shifted over the years from the western to the eastern and central Mediterranean, are some of the most well-known operations in this regard (ibi: 13). In response to the European "refugee crisis" of 2015, Frontex was reformed in October 2016 and equipped with additional competences and resources, but its operational work continues to depend on cooperation from the EU member states. Frontex activities also go beyond the EU, since Frontex liaison officers are deployed to third countries or – vice versa – border officers of third countries participate in Frontex operations (European Commission, 2016).

In addition, the EU established operational activities to improve its external border management and security cooperation with transit countries, for example within the framework of the EU-Turkey agreement and through support for the G5 Sahel Joint Force for cross-border, anti-terrorist operations in the Sahel zone (Kipp/Koch, 2018: 13). The European Union Naval Force Mediterranean operation, also known as Operation Sophia, which has been active since spring 2015, is mainly intended to combat smuggling routes on the central Mediterranean route and, since September 2016, to train the Libyan Coast Guard and Navy (ibi: 13). These security policy operations show that the barriers for the EU and its member states to cooperate with authoritarian and fragile states in the course of migration control have lowered in recent years (ibi: 13). In 2015, the European Agenda on Migration successively replaced GAMM and made, with the support of member states, the restriction of migration the main priority (ibi: 13). As a consequence, a multitude of instruments and cooperation possibilities have emerged, but their respective status is often not clearly communicated to partner countries, which makes cooperation difficult and hinders a comprehensive approach (ibi: 13).

The EU's engagement in external migration policy has steadily developed over the past decade. This has been characterised by complex relationships between EU institutions, member states, international organisations, and implementing organisations, which often pursue contradictory objectives (ibi: 13). The EU institutions try to exert influence by establishing the political framework and different funding instruments (ibi: 13). The actual dialogue with third countries is often characterised by an informal division of labour: EU member states that have historical

ties with certain partner countries will become particularly active there (ibi: 13). Member states also try to influence the implementation of the new instruments by giving priority to national implementing organisations instead of international organisations, which were traditionally commissioned to implement migration-related projects in third countries (ibi: 13).

4.5. EU member states focus on self-interest

Since 2015, external EU migration policy has increasingly been lifted to the top of the political agenda (Kipp/Koch, 2018: 15). It has been shaped by the four largest EU member states (following "Brexit"): Germany, France, Italy, and Spain (ibi: 15). These four states have special historical relations with various partner countries, which are relevant as countries of origin and transit (ibi: 15). The Spanish-Moroccan cooperation is regarded by many as an important model (Carrera/Cassarino/El Qadim et. al., 2016). France and Italy are mainly active in those countries that emerged from their former colonial territories (Kipp/Koch, 2018: 15). Since 2015, Germany has also been increasingly involved bilaterally, for example in Niger, Sudan, Eritrea, and Egypt (ibi: 15). Other member states confine themselves to supporting measures strengthening the EU's external borders (ibi: 15). This applies, for example, to Eastern European countries (ibi: 15). While member states are steering 42 per cent of EUTF for Africa towards projects implemented by national implementing organisations (European Commission, 2018) they show less willingness to support the EUTF with additional funds: According to the European Commission, they only finance 12 per cent of EUTF funds (European Commission, 2018). Critics see this as part of a trend that EU development policy is becoming re-nationalised (Kipp/Koch, 2018: 15). Member states, on the contrary, are wary of the expansion of the European Commission's competences through the EUTF, because it undermines their rights under the committee procedure (ibi: 15). The dynamic development of external migration policy is nevertheless also the result of individual initiatives by the member states (ibi: 15). In addition to Germany's important role in the conclusion of the EU-Turkey agreement, this is illustrated by the agreements reached by Italy with the Libyan Government of National Accord (Alexander/Bewarder/Schlitz et. al., 2016). The Memorandum of Understanding of February 2017 explicitly refers to Italy's previous agreement with the Gaddafi regime of 2008 and is thus an example of the informal division of labour between EU member states and the European Commission, as the EU supports the bilateral initiative with accompanying measures (Howden, 2017). The migration summit in Paris in August 2017 at which the heads of state and government of Germany, France, Italy, and Spain met with representatives from Libya, Chad, and Niger suggests that the four largest EU member states will step up their coordination efforts

to increase the number of migration partnership agreements with important countries of origin and transit (Kipp/Koch, 2018: 16).

4.6. The "root cause narrative"

During the 1990s and early 2000s, external EU migration policy focussed on the Eastern European Neighbourhood. European interests in the area of migration policy were often discussed in the context of ongoing or planned EU accession negotiations (ibi: 16). This arrangement strengthened the EU position and enabled the conclusion of legally binding readmission agreements with many Eastern European countries (ibi: 16). In the course of the growing mixed migration movements via the Mediterranean and the associated deaths, the tenor changed: Since the Valletta Summit of European and African heads of government in autumn 2015, the aim of "reducing the causes of forced displacement" became the new narrative (ibi: 17). The EUTF for Africa brings together many different projects under this umbrella term, which also has an important discursive effect: It suggests that the "evil" of unregulated cross-border migration movements can be tackled at its roots (ibi: 17). In practice, however, there is often a lack of distinction between structural and acute causes of forced displacement; voluntary and involuntary migration; and primary and secondary migration movements (Angenendt/Koch, 2016). Together with the European governments' focus on reducing the number of migrants coming to the EU, this conceptual uncertainty is leading to an increasing (mis-)use of funds from development cooperation (Kipp/Koch, 2018: 17). This could be dangerous: The opportunities for development cooperation to reduce migration movements are burdened with huge expectations; longer-term structural measures are replaced with short-term measures to prevent migration (ibi: 17). The principles of both humanitarian aid and development cooperation are watered down (ibi: 17). The barriers to cooperating with authoritarian regimes have noticeably lowered. Taken together, all these factors are giving rise to the fear that the measures initiated under the umbrella term of reducing the "root causes" are just about combating the symptoms – the irregular migration to Europe (ibi: 17).

5. Germany's role

According to the UNHCR at the end of 2017 there were 1.413.127 refugees, asylum seekers, internally displaced and stateless people living in Germany (UNCHR, 2018). This number represents the highest absolute number in Europe. Calculating the proportion of the total German population, the value is 1.71 percent (Helberg, 2018). That is not the highest in the European comparison (ibi). At 3.28 percent, Sweden has a significantly higher proportion of refugees, asylum seekers, internally displaced persons and stateless persons in the total

population, and Austria is also ahead of Germany at 1.97 percent (ibi). Nevertheless, the figure this chapter mentioned first managed to stay in the heads of German society at this point. Angela Merkel and the German government was not able to maintain the positive attitude towards refugees and especially those who were fleeing the war in Syria. The local communities hosting refugees often times were not properly funded and did not have the organisational capacities to deal with the huge demand. This way people dedicated to help felt left alone and became frustrated resulting in the German "Willkommenskultur" to quickly fade.

5.1. The German-led EU Turkey Deal

To combat xenophobic tendencies in Germany spurred by the right-wing populist party "Alternative for Germany" (AfD) Angela Merkel led the EU to signing an agreement with Turkish President Erdogan. The deal should establish a process whereby some limited, legitimate asylum seekers could enter the EU in an orderly manner through resettlement and ensured that the overland route to the European Union is now closed (Erlap, 2016).

The deal came into effect on March 20, 2016 and was meant to stem the tide of migrants coming into Greece (Dockery, 2017). This began with sending migrants on Greek islands to Turkey. According to the deal, for every individual migrant sent to Turkey from Greece, the Turkish authorities would send a refugee in Turkey to the EU (ibi). These migrants in Greece include those who do not qualify for asylum or have withdrawn their asylum applications (ibi). They can thus be returned to Turkey, which is considered a safe country (ibi). The Turkish government, in exchange for participating in the deal, has received financial support from the EU towards aid for refugees in Turkey (ibi). This figure was originally estimated to be at least 3 billion Euros (ibi). Turkish passport holders had also been promised entry into the Schengen area without visas in a process called visa liberalization (ibi). Last but not least, Turkey hoped the deal would reopen discussions for the country to accede into the EU (ibi).

In July 2016, there was a coup attempt towards Erdogan's government and since then, there have been mass arrests towards those the Turkish government believes are responsible - including people with links to US-based cleric Fethullah Gulen, considered to have masterminded the putsch (ibi). Turkey's deteriorating human rights record has made European authorities sceptical of taking steps forward in Turkey's accession in the EU and providing Turkish nationals visa-free access to the 26-nation Schengen area (ibi). In November 2016 Turkish President Recep Tayyip Erdogan accused the EU of not being fair towards Turkey in regards to the deal (ibi). He also said the EU did not keep its promise of aid money. Also worth mentioning is that there was a slight downturn in the number of migrants traveling to the EU after the deal's implementation in March (ibi). But after the attempted coup towards Erdogan

in July 2016, there were reports saying the number of refugees originating in Turkey could rise (ibi). Also, Greece hasn't deported as many migrants as expected, which means migrants heading there aren't as afraid of being sent back (ibi). Thousands of refugees are on Lesbos and other Greek islands (ibi). As of now, Greece is trying to fast track the asylum applications so that they can determine quicker which migrants can stay and which ones can be deported to Turkey (ibi).

5.2. A European distribution system for refugees

Angela Merkel, after keeping Germanys borders open for refugees in 2015, has championed the principle that all countries in the EU should show "solidarity" to prevent a human catastrophe. Therefore, she advocated for a compulsory distribution system inside the EU that would distribute incoming refugees according to population and economic situation of a member state. However, immigration policy and migrants' admissions are entirely in the hands of national governments, with minimal powers enjoyed by Brussels (Traynor, 2015). Furthermore, the right-wing movement that swept through Europe spurred by the so-called refugee crises caused a bitter division of the idea of compulsory relocation in Europe. The contrasts in asylum figures were striking. While Germany fielded more than 200,000 claims in 2015, the neighbouring Czech Republic had around 1,000 (Traynor, 2015). While Sweden considered more than 80,000 asylum applications, next-door Finland dealt with 3,600 (ibi). Italy grappled with more than 64,000 seeking asylum while on the other side of the Adriatic, Croatia had 450 asylum-seekers (ibi). Nevertheless, especially the eastern European states like Poland and Hungary have strictly refused a compulsory key. That is why, Germany has now dropped its demands for all EU countries to accept migrants, in an effort to break the deadlock efforts to overhaul the bloc's asylum system (Barker/Peel/Khan, 2018). In a working paper Germany retains "solidarity mechanism" for member states to share responsibility for large numbers of migrants, including through "relocating" asylum seekers from frontline countries of entry (ibi). But it refers to "the possibility for a member state, on justified grounds, to derogate by not relocating and implementing alternative measures of solidarity" (ibi). This provides an escape clause for central and eastern European countries (ibi).

5.3. The Dublin III Regulation

Another relevant topic for Germany is the intra-EU migration as the country is the major destination of asylum seekers (mentioned above). The recent dispute among the German center/conservative parties, i.e. among the CDU and the CSU, has highlighted the issue of secondary migration within the EU (Bräuninger, 2018). Secondary migration primarily means

the illegal immigration of asylum applicants into member states which – according to the present EU rules (Dublin III Regulation) – are not responsible for the respective asylum procedure (ibi). This holds true for the bulk of those migrants who have already filed an application in another member state. According to Eurodac (European dactyloscopy database) data, in 2017, among the 633,000 asylum applicants registered in the system, about 40% had already filed an application in another member state (ibi). In Germany, the respective share was nearly 50% among the 189,000 applicants registered (ibi).

If a member state is not responsible for examining an application for international protection the Dublin III Regulation entitles it to send back the respective asylum applicants to the responsible member state (ibi). But there are rules for such a procedure. The Regulation stipulates: "A take back request shall be made as quickly as possible and in any event within two months of receiving the Eurodac hit …" and "if the take back request is based on evidence other than data obtained from the Eurodac system … within three months of the date on which the application for international protection was lodged..." (Article 23 (2)) (ibi). Furthermore, the time limit for sending an applicant back to the responsible member state ends six months after this state's acceptance of the respective take back request (Art. 29 (1)) (ibi).

From January to May 2018 Germany submitted about 26,000 take back request to its European partner countries (EEA plus Switzerland) (ibi). Amongst these requests, two thirds (17,300 cases) apply to applicants already registered in a partner country (ibi). In the same period the partner countries accepted nearly 18.600 requests (ibi). However, in the end, only 4.100 persons were effectively sent back (ibi). Measured against all requests this means a ratio of 15.7% and measured against the requests accepted the ration is 22% (ibi). In the past year, these ratios were even smaller with 11% and 15.2%, respectively (ibi). These low figures reflect the relatively short deadlines for executing the procedure and are due to the fact that many applicants appeal against being sent back (ibi). Italy plays a key role for Germany regarding implementing the Dublin procedures (ibi). Within the first five months in 2018, Germany submitted more than a third (about 9,200) of all its requests to Italy (2017: 35.3%, January to May 2018: 35.5%) (ibi). In the same period Italy accepted the substantial number of 8,400 requests (ibi). This contrasts with 1,384 people who were effectively transferred to Italy (ibi). As a result, with regard to Italy the above-mentioned ratios were only 15% and 16.5%, respectively, i.e. markedly below the average (ibi).

5. Conclusion

Almost four years after the huge migration waves started to move towards Europe the situation remains dramatic. Measures taken by the EU have only reduced numbers but also came with the price of human rights violations. The reports concerning torture and ill-treatment in the detainment centres the Libyan government maintains with European support to stop refugees from migrating are alarming. The fact that thousands of human beings turn the Mediterranean into a graveyard and the criminalisation of those who try to save lives brings ignominy upon the governments of the EU. The capacity of migrants that a society can integrate is not limitless. Nevertheless, the EU has to find a better way than watching people drown in the Mediterranean Sea or letting other governments outside Europe detain migrants in centres. Especially Germany has the historic duty to put an end to this practice.

The efforts to tackle the root causes of migration are commendable but remain mostly ineffective as chapter 4 has shown. Policies focussing on self-interest and the emphasizing of combating of illegal migration will never be successful in preventing mass movements, they only buy time until the problem becomes unbearable. Time that is needed to effectively initiate a process that sustainably allows humans to have a perspective at home. Europe and other western states have to be the frontrunner of this process because they are not the ones having to stem most of the burden. In a global comparison, according to the UNHCR report, European countries receive few refugees (UNHCR, 2018). By contrast, developing countries host the majority of refugees worldwide (ibi). About 85 percent of all refugees received protection in developing countries by the end of 2017 (ibi). Refugees, according to the report, had the largest share of the population worldwide in the countries of Lebanon, Jordan and Turkey (ibi). Globally, the forcibly displaced population increased in 2017 by 2.9 million (ibi). By the end of the year, 68.5 million individuals were forcibly displaced worldwide as a result of persecution, conflict, or generalized violence (ibi). The global compact for migration is a first step for the world community. A first step for the west would be to stop the export of weapons in areas of conflict.

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