

## 4. Conclusions

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Throughout this Assessment Report, we have emphasized the need to take a systemic approach to the design of policies for refugee protection and immigration in Europe. Migration to Europe, under any legal framework, is the outcome of a decision by an individual or household, based on conditions in their country of origin, the circumstances and costs of transit, and their prospects of securing livelihood in the country of destination. Both regular and irregular migrants to Europe respond to incentives that are shaped at all stages of the potential migration process. To manage immigration, policy makers in Europe must design policy interventions that decisively shift incentives for potential migrants in the desired direction.

EU member states are generally free to determine the extent of legal immigration into their labor markets, in line with their economic needs and political preferences (the EU Blue Card for high-skilled immigrants is a partial exception to this rule). As a result, legal labor-market access for third-country citizens varies considerably across the EU member states, but it is usually quite restricted, especially for low-skilled migrant workers.

By contrast, EU member states are bound by international and EU law in the conduct of their asylum policies. The hosting of asylum seekers who manage to reach EU territory through irregular travel and the processing of their asylum applications effectively become a public good in the EU: While all member states presumably value the fact that refugees are protected (why else would they have signed the 1951 Refugee Convention and subsequent protocols?), each member state is usually happy for refugees to be protected elsewhere, rather than having to support them themselves. Although member states are bound by international and EU law in the same way, citizens' attitudes towards refugee protection and immigration and the way in which individual member states discharge their obligations differ sharply across member states.

As a general rule, the Dublin Regulation allocates responsibility for refugee protection to the EU member state of first arrival. But this governance structure is arguably dysfunctional. Some member states of first arrival are clearly over-burdened, while there is no working mechanism for sharing the responsibility either through cooperation among member states or through centralization of tasks and financing at the EU level. For a while, some member states of first arrival abdicated their responsibility and effectively allowed asylum seekers to directly move on to other member states. That stance threatened the Schengen system of free movement as other member states reestablished identity checks at internal Schengen borders to prevent asylum seekers from travelling within the EU irregularly.

Given this muddled governance structure, curbing irregular immigration in a sustainable and humane

manner—an objective that is widely shared by policy makers and voters in Europe—requires several inter-locking policy interventions at different points of the migration system. We discussed these interventions in detail in chapters 1, 2, and 3 and summarize them in table 4.1 below. In EU member states, asylum procedures need to be accelerated; effective return policies must be put in place for those who are not allowed to stay in the EU; and member states should cooperate to offer meaningful opportunities for legal immigration and employment. In countries of transit, the EU and its member states should work with the authorities to improve border security and curb irregular migration. Assistance should be offered to migrants who wish to return to their countries of origin as well as to refugees with a valid claim to protection. Providing development assistance that improves public services in countries of origin may enhance livelihoods and reduce incentives to emigrate. The EU and its member states may support the provision of vocational training in the context of skills partnerships that equip participants for employment in local labor markets and also lead to legal migration opportunities to the EU. Furthermore, the EU and its member states should fully participate in the global sharing of responsibility for refugees. This would include offering places for resettlement and financially supporting low- and middle-income countries in hosting refugees and helping them to fully integrate into local economies.

Each of these interventions promises to result in some positive impact, even if implemented in isolation. But it is only by implementing them in combination that policy makers can decisively shift the incentives faced by potential migrants and materially improve the unsustainable situation found along the irregular migration routes to Europe. For example, accelerating asylum procedures will have little effect unless effective return policies ensure that irregular immigrants do not simply remain in the EU after their asylum application has been rejected. In turn, an effective return policy depends on country-of-origin authorities being willing to readmit their citizens, although this will be unpopular with many of their voters. Hence, they must be able to point to new, substantive benefits for which readmission is a price worth paying: for example, development assistance with tangible benefits for citizens in the country of origin or legal migration opportunities to the EU. At the same time, unless potential migrants can pursue meaningful economic opportunities either at home (for example, facilitated by better vocational training) or abroad through legal migration, the incentives for irregular migration will remain strong. As a result, measures to combat people smuggling along the irregular migration routes may not be effective unless they are complemented by positive alternatives for potential migrants.

A comprehensive approach along these lines is not only necessary to determine the policy mix to be implemented, but also with regard to the full participation of EU institutions and member states. Policy instruments such as agreements with African countries of origin on development assistance, readmission, and legal migration opportunities are more effectively negotiated by the European Commission than by 28 individual member state governments. While the precise division of labor between the EU and member states will need to be negotiated, the public-good nature of refugee protection and numerous synergies between policy areas call for a large EU role in rule-making, funding, and international relations. At the same time, even if asylum policies are centralized to a much greater extent than now, most migration-related policies will always depend on member states for active support, on-the-ground implementation, and (likely) supplementary funding. Some important policies are also outright member state competencies, such as resettlement quotas for refugees and labor migration from third countries.

EU member states differ widely in terms of their geography, real income, administrative capacity, history, experience with immigration, generosity as a donor of humanitarian and development assistance, and political preferences. Therefore, not all member states are affected by every migration-related challenge in the same way; nor are their preferred responses always the same. Furthermore, the various migration-related policies place different demands on the logistical, administrative, and financial capacity of

member states. As a result, cooperation among member states and EU institutions in migration-related policies will be more effective if it is organized according to the principle of ‘flexible solidarity’. On the one hand, all member states need to contribute actively so that the EU can put together a comprehensive response to the numerous migration-related challenges (‘solidarity’). On the other hand, not all member states need to contribute to all policies to the same degree; rather, they may concentrate on areas where they have a comparative advantage based on their financial means, administrative capacity, history, etc. (‘flexibility’). Monitoring and peer review may help to ensure that, at the end of the day, member state contributions as a whole provide an adequate response to the migration-related challenges and that the resulting logistical, administrative, and financial burdens are fairly shared among member states.

We summarize our analysis by presenting two possible scenarios (table 4.1): First, in the default scenario (“business as usual”), no major new policies are implemented and the existing challenges remain unaddressed; in particular, conditions along the Central Mediterranean migrant route and on the Greek islands remain unsustainable. Second, in the “reform” scenario, our main proposals are implemented, with the result that the unsustainable situations are substantially addressed and popular support for well-managed immigration is sustained through respectful communication in social and traditional media and through integration policies that respect cultural diversity.

Table 4.1 Scenarios for refugee protection and immigration in Europe: "Business as usual" vs. "reform"

Policy area	Business as usual: Outcomes	Reform	
		Policy interventions	Possible outcomes
International responsibility sharing for refugee protection	EU support for low-and-middle-income host countries remains fragmentary	Consistent and generous financial and logistical EU support (including through the EU budget) for low- and middle-income countries that host refugees	More refugees hosted regionally with dignity Fewer secondary movements
	Continued risk of volatile secondary refugee movements along dangerous migration routes	More orderly resettlement of refugees to EU	Fairer responsibility sharing beyond financial support; EU and member states gain credibility
Migration management along Central Mediterranean migrant route/ EU relations with African countries of origin and transit	EU and/or affected member states continue to rely on dubious and changing actors (e.g., in Libya) to combat people smuggling and curb irregular immigration  Diminished external standing for EU as an advocate for human rights and rule of law	Agreements with African countries (and beyond) of origin and transit for development cooperation, migration management, readmission, and legal migration opportunities to EU member states	Cooperation based on genuine political will and wide-ranging shared interests, which makes agreements self-enforcing and effective
	Substantial and volatile irregular migrant flows continue along Central Mediterranean route, with migrants taking considerable risks with their lives	Based on agreements with African countries of origin and transit (see above), better border security and migration management in countries of origin and transit	Irregular migrant flows are curbed in countries of origin and transit
	Few work permits to access EU member states' labor markets  Incentives remain strong for irregular migration and baseless asylum applications	Based on agreements with African countries of origin and transit (see above), skill partnerships and legal employment opportunities in EU member states shift incentives towards human capital formation and regular migration	Benefits from regular migration for migrants, countries of origin, and countries of destination  Beneficiaries become a constituency for the full implementation of agreements, including migration management and external border security)
EU-Turkey relations/ Eastern Mediterranean migrant route	Few irregular immigrants return from the Greek islands to Turkey  Irregular immigrants are stuck on Greek islands in very poor conditions (this may help to deter more irregular migration)	Strengthen agreement with Turkey so that treatment of returning asylum seekers stands up to legal scrutiny in EU, as a precondition for returning more irregular immigrants from Greek islands to Turkey  Provide assurances that EU will continue to support refugees hosted by Turkey, for as long as refugees require support  Resettle more vulnerable refugees from Turkey to EU	A legally sound agreement and continuous cooperation with Turkey will keep the Eastern Mediterranean route closed to irregular migrants and ensure that refugees can live with dignity in Turkey as their country of asylum

<p>EU asylum system</p>	<p>Many irregular immigrants who reach Italy or the Greek mainland manage to stay in the EU, whether or not they receive protection or another regular status</p>	<p>Fast and fair asylum procedures in Italy and Greece and effective enforcement of returns, including to safe third countries (enabled by agreements with countries of origin, transit, and first asylum—see above)</p>	<p>Irregular migration to EU becomes less attractive unless individual migrants have a good chance of gaining protection in the EU</p> <p>Recognized refugees can work on their integration soon after arriving in the country of asylum</p>
<p>Spirit of public debate about effects of immigration and effects of asylum and immigration policies</p>	<p>Public discourse on immigrants' social integration often emphasizes cultural dissimilarities and exclusion—see the largely symbolic debates on assimilation vs. multiculturalism, Leitkultur (German for 'defining culture'), etc.</p> <p>Xenophobic parties gain popular support while established parties also adopt more restrictive positions on immigration</p> <p>For immigrants, investment in integration (local language, destination-country-specific professional certification) becomes less attractive as they are bound to feel less welcome</p>	<p>Responsible political actors should make an active effort to discuss refugee protection and immigration and related policies based on evidence; avoid stereotyping, e.g., do not blame immigrants as a group for crimes committed by individuals; avoid discourses that exclude individuals based on their migration background</p> <p>To ensure that discussions on social media remain free from discriminatory and hate speech, moderate online discussions (this is already standard practice on many news sites); regulate online media so that illegal hate speech does not remain online</p>	<p>A shared understanding that terrorism and other crimes represent attacks on all residents and their common values</p> <p>Rational, fact-based public debate on refugee protection and immigration policies</p> <p>In the long run, an open-minded society that acknowledges and values cultural diversity</p> <p>Less bias in news reporting</p> <p>Strong incentives for all residents to invest in their economic and social integration</p>
<p>Avoid competition for resources between refugees and residents</p>	<p>In some locations, the recent inflow of refugees strains public services, schools, housing, etc., causing some residents to perceive their livelihoods as threatened</p>	<p>Allocate adequate financial and other resources for public services and individual subsistence at all levels of governments</p> <p>Ensure equitable burden-sharing at national and EU levels</p>	<p>Social cohesion is strengthened as both immigrants and residents become more confident that their basic needs will be met</p>
<p>Gaps between residents and immigrants in economic performance and education; discrimination against immigrants</p>	<p>Gaps remain large; actual and perceived discrimination remains prevalent; incentives to invest in integration remain lower than they might be</p>	<p>As cultural values are relatively unmalleable, accept diversity (rather than strive for 'assimilation') and address structural constraints on integration (e.g., in access to work, education, housing, civil institutions)</p> <p>Focus on immigrant groups with the largest performance gaps, such as refugees and non-EU family migrants</p>	<p>Respect shown for immigrants' cultural identities and social rights improves their sense of belonging and willingness to integrate in the country of destination</p> <p>Targeted interventions reduce gaps in economic and social outcomes of immigrants relative to the native-born</p>
<p>Urban planning/spatial distribution of immigrants/'ghettos'</p>	<p>Spatial concentration of some immigrant groups raises concern about lack of social integration and cohesion</p>	<p>Spatial concentration is an issue mostly when other factors, such as linguistic distance, simultaneously hinder economic and social integration. Therefore, address these barriers by promoting language and vocational training, skill assessment for recently arrived immigrants, access to the labor market, etc.</p>	<p>Immigrants benefit from the information, amenities, and opportunities conveyed through their networks (if they choose), while they are encouraged to reach beyond their networks for more economic opportunities and participation in wider society</p>

Source: Own compilation.