

# MIGRANTS AND REFUGEES: IMPACT AND FUTURE POLICIES. CASE STUDIES OF JORDAN, LEBANON, TURKEY AND GREECE

M. Shteivi (Ed.), A. Bayaner, L. Bolani, G. Bölük, S. Erdem,  
B. Fernández, E. Gemi, R. Pace, F. Ruisi, D. Skleparis



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## Patterns of Migration Flows

*Berta Fernández*<sup>\*</sup>, *Prof. Roderick Pace*<sup>\*\*</sup>

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<sup>\*</sup>Visiting Senior Lecturer, Institute for European Studies, University of Malta

<sup>\*\*</sup>Director and Jean Monnet Chair, Institute for European Studies, University of Malta

## Introduction

For Europe, 2015 was the year of the biggest migration and refugee crisis in the European Union's history. Around 1.5 million asylum seekers arrived in Europe (0.2% of the combined EU population) in 2015, most of them Syrian refugees. More than 4 million Syrians have fled their country since the onset of the conflict in 2011. According to the Syrian Regional Refugee Response, there are 639,000 UNHCR registered refugees in Jordan (8% of the population), 1 million in Lebanon (17%), 2.7 million in Turkey (3.5%), 246,000 in Iraq (0.7%), and 118,000 in Egypt (0.1%). Many other Syrians living in those countries have not been registered by UNHCR. In addition, 7.5 million are estimated to be internally displaced persons (IDPs) in Syria itself. These are only the numbers directly related to the Syrian conflict. Iraqi, Sudanese, Somali, Palestinian, Eritrean and Ethiopian refugees are also registered in the aforementioned countries. Between 1998 and 2003 unauthorised entries by sea into Greece, Italy, Malta and Spain had stabilised, except for 2011 due to the Arab Spring (Fargues, 2015), but in 2015 the numbers increased dramatically, as shown in this paper.

Smugglers and other persons benefiting from this inhumane “window of opportunity” did good business and affected flows, testing the limits of law enforcement and ultimately challenging the Schengen Agreement (Council of the European Union, 2015, Frontex 2016a). The crisis exposed the weaknesses of the EU legal and operational framework, as well as the differences in interpretation and application of the principle of solidarity between member states. This reality is evident in the practical implementation of the so-called “hotspots” (entry places to the EU where people arriving are identified, registered, fingerprinted and relocated or returned), which are coordinated by the European Commission in cooperation with the European Asylum Support Office (EASO), FRONTEX, Europol, IOM and UNHCR. The level of success of this intervention has been questioned given the low relocation numbers: only 937 people have been relocated from Italy and Greece and 4,555 were resettled from Egypt, Ethiopia, Iraq, Jordan, Lebanon, Morocco and Turkey between September 2015 and mid-March 2016 (European Commission [EC], 2016a).

The March 2016 EU-Turkey Agreement credited with deterring most people from even trying to cross over to the EU from the Eastern Mediterranean, has been strongly criticised for its alleged violation of International Refugee Law (Human Rights Watch, 2016). For each migrant arriving in Greece from Turkey in an irregular manner who is deported back to Turkey, a Syrian refugee in that country is settled in the EU. The total number will be limited to about 72,000 out of nearly 3 million Syrians in Turkey (EC,

2016b). Italy and Malta are worried that the closure of the Eastern route may increase the attractiveness of the Central Mediterranean one (Leone-Ganado, 2016). Italian Minister Angelino Alfano has made it clear that Italy is closely watching developments in the Central Mediterranean (Parlamento News, 2016).

Policy-makers, humanitarian and law enforcement agents have a hard time “catching up” with developments in a fast-paced environment with highly adaptable smuggling and migrant networks. Against this background, the key questions remain: how can the current EU migration policy and its legal and operational framework possibly cater for the complexity of flows, the increasing sophistication of migrant networks, and the rapidness of changes on the ground? In this chapter, we reflect on the changes in migratory routes, the reasons behind the migratory movements, some of the literature on the impact of social networks and social media on the intention to migrate, as well as on the EU responses to the current developments. We examine whether the current mass movements are part of a random or patterned process guided by existing constraints (structural, social, cultural, labour market access, inequalities, etc.) or individual choices.

## Changes in Mediterranean Migration Routes

Traditional routes of mixed migration flows into Europe (Western, Central and Eastern Mediterranean) have seen a dramatic increase in absolute numbers and in fatalities compared to 2014 and 2013. A total of 978,338 illegal border crossings at the EU’s external borders were detected in the last quarter of 2015, a 1,200% increase compared to the same quarter in 2014 (Frontex, 2016b). According to Eve Conant, Matthew Chwastyk and Ryan Williams (2015), nearly 90% of those who attempted to reach Europe by sea come from ten countries (in descending order): Syria, Afghanistan, Eritrea, Nigeria, Pakistan, Iraq, Somalia, Sudan, Gambia and Bangladesh.

The Mediterranean routes, particularly the Central one, remain the deadliest in the world. In 2015, a total of 3,770 went missing in the Mediterranean, which made it the deadliest year on record. Of course, this figure includes only those whose loss was accounted for. IOM underlines that: “Countless bodies are never found, countless missing persons are never reported; fatal journeys lost from all record” (IOM, 2016).

The data in Table 1 compiled from Frontex reports, shows trends in irregular border crossings into the EU. Each high point in the series corresponds to a particular crisis or event, which was the main driving force for the movement of people, clearly indicating



that migrants and smugglers react to changing policies (e.g. erecting fences and closing borders). The figures have to be read carefully since there is also an element of double counting in at least one case: many of the migrants entering the EU through the Eastern Mediterranean route are then counted again when they enter the Western Balkans and Hungary (Frontex, 2015).

**Table 1.** Illegal Border Crossings Reported by Frontex

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
<b>Western Africa</b>	31,600	12,500	9,200	2,250	200	340	170	250	275	874
<b>Western Med</b>			6,500	6,650	5,000	8,450	6,400	6,800	7,840	7,164
<b>Central Med</b>			39,800	11,000	4,500	64,300	15,900	40,000	170,760	153,946
<b>Eastern Med</b>			52,300	40,000	55,700	57,000	37,200	24,800	50,830	885,386
<b>Western Balkans</b>				3,090	2,370	4,650	6,390	19,950	43,360	764,038
<b>Eastern Borders</b>			1,335	1,050	1,050	1,050	1,600	1,300	1,270	1,920
<b>Total Excluding</b>			109,135	60,950	66,450	131,140	61,270	73,150	230,975	1,049,290

NOTES on the routes:

Western Africa to the Canary Islands

Western Mediterranean from North Africa to Iberian Peninsula – including movements to Ceuta and Melilla

Central Mediterranean – North Africa to Italy

Eastern Mediterranean – Turkey to Greece, Bulgaria and Cyprus

Western Balkans from Balkans themselves and Eastern Route

Eastern Borders – Eastern to Central Europe

Source: <http://frontex.europa.eu/trends-and-routes/migratory-routes-map/>

As shown in the table, the Western Mediterranean route, which came into the limelight in 2005 when thousands of sub-Saharan migrants tried to storm into Ceuta and Melilla,

has stabilised. It remains the main route for Maghrebi migrants wanting to enter the EU as well as sub-Saharan migrants forced to move by the many conflicts gripping the continent. However, the Eastern and Central Mediterranean routes witnessed a massive increase in 2014 and 2015.

The Central route reached a peak in 2008, but then declined in importance as a result of the Italo-Libyan accord concluded that year (Pace, 2013), only to flare up during the Libyan civil war, declining slightly in 2012 and picking up again in 2013 as smuggling networks took advantage of the chaotic situation in Libya to smuggle sub-Saharan migrants. Before the summer of 2015, Syrians constituted around 30% of those who used this route, while sub-Saharan Africans (Eritreans, Somalis, Ethiopians and Nigerians) formed the bulk of the rest. It is less popular in the winter months, but remains active due to the unresolved Libyan conflict, and the consequent lack of state control of migration flows. In 2015, some 153,946 crossed through the Central Mediterranean route, just under 17,000 fewer than the previous year. Of these, 25.2% came from Eritrea, 14.2% from Nigeria and 8% from Somalia. The rest came mostly from the rest of sub-Saharan Africa (Frontex, 2016b).

Migratory pressure on the Eastern route had been building up since 2008-2009 (Frontex, 2016b). Following a lull in 2013, the migration flows picked up again in 2014 largely due to the efforts by Syrian refugees trying to reach Europe. Refugees preferred the Eastern route because of the lower risks involved when compared to others, such as the Libyan route. The sea distance between Turkey and the Greek islands is considerably shorter than between Libya and the nearest EU territory. The Eastern route made the headlines in 2015 when, according to Frontex, some 885,386 people crossed the EU borders into Greece, mostly from Turkey. Of these, 56.1% were Syrian, 24.2% Afghans and 10.5% Iraqis. This data shows that the composition of migrants on the Eastern and Central routes are quite different. UNHCR profiled Syrian arrivals on the Greek islands in January 2016. The main routes taken by Syrians coming directly from Syria to reach Greece are: 1) Syria-Turkey-Greece (45%), and 2) Syria-Lebanon-Turkey-Greece (19%). The rest come from Turkey (25%), and Lebanon or Jordan via Turkey (4%) (United Nations High Commissioner for Refugees [UNHCR], 2016).

The massive increase of flows in Central and Eastern Mediterranean routes manifests in the increase of asylum applications. Between April 2011 and December 2015, the number of Syrian asylum applications in Europe was 897,645, thus accounting for the largest group of asylum seekers (UNHCR, 2015a). Eurostat reports that during 2015 the number of first time asylum applicants from Syria (362,775), Afghanistan (178,230)

and Iraq (121,535) has more than tripled compared to the previous year, constituting 29%, 14%, and 9.7% of the total, respectively.

## Reasons Behind the Migration Flows

Traditionally, the main factors that determine the desire to migrate are young age, level of education and the financial means to do so. The world's population growth is also a factor in the increase in the global figure of people on the move.

World population reached 7.3 billion in 2015, an increase of one billion since 2003 and two billion since 1990. Even when we assume that fertility rates continue to decline, the global population is expected to reach 8.5 billion by 2030, 9.7 billion by 2050 and 11.2 billion by 2100 (United Nations Department of Economic and Social Affairs [UNDESA], 2015). Between now and 2050, the populations of 28 African countries are projected to more than double while fertility in all European countries is already below the level required for long-run full replacement of the population (UNDESA, 2015). Algeria, Egypt, Jordan, Lebanon, Morocco, Palestine and Tunisia have high proportions (more than 60%) of young people among their population along with high youth unemployment rates (around 28%). Close to half of this young population – mostly male – would like to migrate even though only 10% are likely to do so (Bardak, 2015). But migratory pressures exist elsewhere: the Gallup World Poll (2015) reveals that two thirds of the adult population of Nigeria, the most populated African country, have expressed an intention to migrate permanently.

Conflict is also extremely potent in forcing people to move. Forced migration has seen a phenomenal jump in the last two years. UNHCR claims that the number of people forcibly displaced at the end of 2014 had risen to a staggering 59.5 million compared to 51.2 million a year earlier and 37.5 million a decade ago. Clearly, people fleeing conflicts and generalised violence present the most complicated challenge since they use existing migration corridors and networks used by economic migrants. UNHCR highlights the difficulty of distinguishing between voluntary and forced migration by referring to “mixed migration flows” (Crisp, 2008). Voluntary migrants do not all enjoy many alternative choices, while not all forced migrants lack human agency.

Since the beginning of 2011, the main reason for this accelerated growth has been the war in Syria, now the world's single-largest driver of displacement (UNHCR, 2015b). The Libyan civil war created a situation similar to Syria's. More than one million people, mostly of sub-Saharan origin, either fled or were evacuated by governments and international organisations, but only 25,000 reached Europe (Fargues & Fandrich, 2012).

However, other “protracted refugee situations”, defined by UNHCR (2006) as refugee populations of 25,000 or more who have been displaced for five years or more, cannot be ignored. More than 11 million such refugees are dispersed in 28 countries.

UNHCR cites as a cause of the movement of Syrian refugees to Europe a generalised loss of hope in a quick political solution to the conflict in their country (Rummery & Clayton, 2015). However, other factors affected the Syrians’ decisions, such as territorial control by ISIS, Russian bombings, visa obligations in Egypt and Algeria, tightened state control in Morocco and Spain, and the lack of border management enforcement in Greece and Turkey. Back in 2013, most surveyed Syrians living in Lebanon had higher hopes of being able to return home (58%), 22% preferred to stay, and 20% wanted to move to a third country. They feared remaining in refugee status, poverty, lack of dignified work and lack of adequate education for their children (BRIC, 2013). However, Syrians in Turkey, Lebanon and Jordan have increasingly realised the titanic personal and family effort that starting a new life in post-war Syria – if the conflict ever ends – would require. In January 2015, about half of Syrians (46%) surveyed said they would leave their country given the opportunity. Nearly as many (43%) said it is likely that they will move away from their community in the next 12 months (Esipova, N., Pugliese, A., & Ray, J., 2014). Consequently, in the second quarter of 2015 the number of illegal eastern border-crossings reached a record level (68,178), and kept on increasing between July and November. In January 2016, Syrians arriving in Greece indicated the main reasons for leaving Turkey, Lebanon and Jordan as: a) inadequate jobs compared to their skills, unmet basic living expenses and exploitation (41%), b) persecution or fear of future persecution, conflict or violence (14%), c) discrimination (16%), d) lack of education facilities (9%), and e) reunification with family abroad (8%) (UNHCR, 2016).

## Diaspora, Network Migration and Social Media

Push factors are mostly responsible for Syrian refugee movements. However, one cannot ignore the pull effects of diasporas and “chain migration”. These would require separate treatment for a deeper analysis, which will not be attempted here. The fact that most refugees arriving from Syria are males means that their families might arrive later once their refugee status has been confirmed, which means that migratory pressures on countries that have already agreed to host refugees will continue. The literature on the effects of refugee networks, migrant communities and diasporas is extensive and its pioneers were mostly American political scientists and sociologists. Later, the conceptual framework began to be applied to European immigration. Diasporas are important in many senses, such as the transfer of remittances, knowledge and investment back to

the country of origin (Boyd, 1989; McKenzie & Rapoport, 2007; Crisp, 1999). They are essential in helping co-national or co-ethnic citizens to settle in the host countries. But in this chapter our sights are narrowly focused on the effect of diasporas and migrant social networks on the flow of migration.

Massey et al., (1998) have defined “network migration” as sets of interpersonal ties that connect migrants, former migrants and non-migrants in origin and destination areas through bonds of kinship, friendship and shared community origin. They are a “form of location-specific social capital” that people draw upon to gain access to resources elsewhere. Thanks to migrant networks, the costs associated with migration (economic, social and psychological) and the probabilities of being successful in the endeavour are inversely proportional. These factors are crucial in moulding the “intention to migrate” as discussed below. Miriam Manchin and Sultan Orazbayev (2015), using Gallup’s World Poll of several years covering around 150 countries, analysed social networks and the intention to migrate. The writers distinguish between “close social networks” (family and friends) and “broad social networks” (the share of people from/in the same country intending to migrate). Their results indicate that social networks are the most important factors influencing the intention to migrate. Close friends or family abroad increases the probability of migration intention by 18% of the variation in the intention to migrate internationally (Manchin & Orazbayev, 2015). On the other hand, close networks at the current location reduce the likelihood of the intention to migrate both internationally and locally. These networks are much less important for international migration intention than close networks abroad. Their study further indicates that amenities offered in the host country can be more important than the characteristics of the labour market and income (Manchin & Orazbayev, 2015). Close networks abroad, which provide financial assistance, possibly play a role in covering parts of migration costs but, additionally, for highly educated individuals also send a signal about potential assistance in finding better paid jobs.

However, integration in the labour market is not straightforward. In May 2016, Richard Fuchs referred to a German Statistics Office (Destatis) report by claiming that there were as many Iraqis in a job as there were looking for one and that Syrian refugees were mostly unemployed despite the buoyancy of the job market (Fuchs, 2016).

In today’s networked world, the internet and social media have facilitated communication. Rianne Dekker and Godfried Engbersen (2012) show how the use of online social media by migrants and non-migrants facilitates international migration and affects the functioning of migrant networks. In their words, “social media have created a de-

territorialised social space that facilitates communication among geographically dispersed people in migrant networks” (p. 3). Additionally, some social media that are open to everyone create a public space where information can be shared among a large number of people. It need not be added that social media are also used efficiently by irregular migrant networks. Using 90 in-depth interviews with migrants, conducted under the auspices of THEMIS (Theorizing the Evolution of European Migration Systems), Dekker and Engbersen not only find support for the positive impact of social media in facilitating migration but they also refer to some difficulties these media raise. For example, the digital divide (in terms of internet penetration and level of education that facilitates use of the social media) puts those who are familiar with this kind of media at an advantage over those who are not. Their study concludes that social media maintain contact between migrants and non-migrants and create a number of other spinoffs, which help to encourage (irregular) migration. Syrians surveyed on arrival in Greece corroborated this point only partially: social media was the third most used source of information related to the journey (23%), after travel companions (60%) and calling another individual who went ahead (28%) (UNHCR, 2016).

Castles, De Haas and Miller (2014) underline that this migration-facilitating role of migrant networks is key for understanding why migration often becomes “partly self-perpetuating and can be so difficult to control.” They refer to the “migration industry” (i.e. travel agents, recruiting agents, brokers, interpreters, housing agents, immigration lawyers, human smugglers, counterfeiters, banking institutions, members of migrant communities, police officers, bureaucrats) as a natural and “inevitable extension of the social networks and transnational linkages which are part of the migratory process.” This industry flourishes in spontaneous and irregular movements like the one we have witnessed in Europe during 2015. In chaotic situations, agents and brokers provide real-time, practical information and valuable contacts become imperative for a successful trip. Indeed, social media (i.e. Facebook and the phone messaging applications, such as WhatsApp and Viber) are a popular way for migrants to gather information about the financial and logistical details of the journey, as well as to contact friends, relatives and acquaintances (Frontex, 2016a). Smuggling networks find in social media a cheap platform to advertise their border crossing services. Information shared in Arabic includes not only the price by route or fraudulent documents for sale, but also useful tips: TripAdvisor-like ratings for facilitators throughout the route, what are the best routes, and what countries and smugglers to avoid (Frontex, 2016a). Obviously, these online illegal activities are difficult to track and counter, given their short-lived nature. For this reason, the International Rescue Committee and Mercy Corps powered a website ([refugeeinfo.eu](http://refugeeinfo.eu)) that provides information on different arrival locations in Greece, FYROM, Serbia, Croatia and Slovenia in several languages.

Clearly, more research is needed on migrant decision-making and risk assessment, but also on the link between policy and procedural changes by member states, how information is disseminated to end users and interpreted by them. Townsend and Oomen (2015) denounce the overgeneralisation of migrants' motivations in studies, since they overlook important differences across streams. In their view, the risk calculation gets downplayed in favour of the potential benefits for the family associated with the new settlement opportunity. In terms of the decision-making process, they underline the one-dimensional character of push and pull factor theories that deny human agency. Active choices are made at "each step of the journey, recalibrating priorities in transit or in anticipation of secondary movements." In fact, 65% of surveyed Syrians in Greece faced no major challenges accessing information (UNCHR, 2016). Furthermore, Townsend and Oomen believe studies have *destination bias*, i.e. they focus on the perspective of host countries and migrants who succeeded. Contrary to policy-makers and public opinion, interviews of migrants and refugees suggest that they are attuned to the risks and threats. The fact of the matter is that the majority of migrants who do not accomplish their journey had moved on the basis of their own interpretation of available information, and not because they had poor information on the risks of maritime crossings.

## EU and Member State Responses to the Worsening Migratory Situation

The increasing migration flows to Europe strengthened the perception that humanitarian crises tend to spill into the EU, creating a lot of "invasion anxiety" in European public opinion and EU institutions (De Haas & Sigona, 2012).

Many European countries tried to battle the tide instead of regulating it. In July 2015 Hungary erected a razor-wire fence along its border with Serbia, while EU leaders agreed to accept 32,256 asylum seekers from Italy and Greece (40,000 less than the amount proposed by the European Commission). At the end of August 2015, Austrian authorities found the bodies of 71 irregular migrants in an abandoned lorry. In September of the same year, the publication of the photo of the body of three-year-old Syrian Aylan al-Kurdi, who drowned during his family's attempt to reach Greece from Turkey, raised a lot of public sympathy in Europe. Some 250,000 people signed a petition calling on Britain to take its fair share of refugees, pushing David Cameron to declare that Britain would fulfil its "moral responsibilities". But European reactions remained ambivalent. When Hungary increased travel restrictions, hundreds boarded trains for the Austrian border while others set off for Germany on foot. Hungary's Prime Minister Viktor Orban said the crisis was a "German problem". Some days later, Prime Minister Cameron confirmed that

Britain would take in an extra 20,000 refugees over five years, France agreed to take 24,000 and Germany earmarked €6bn to help an expected 800,000 extra asylum seekers. On 9 September 2015 Commission President Jean-Claude Juncker urged member states to take in an additional 120,000 asylum seekers (bringing the total to 160,000), to be distributed on a quota basis. The draft plans redistributed almost three-fifths of the new refugees to Germany, France and Spain. The UK, Ireland and Denmark were excluded from these plans. However, the 12 September 2015 summit of EU interior ministers failed to agree on a common response. A record 5,809 people arrived in Hungary as its border fence was nearing completion. Germany introduced emergency controls on its borders with Austria, temporarily suspending the Schengen agreement (Dernbach, 2015). In response, Austria and Slovakia declared that they too were reintroducing border controls. Germany warned it could face up to one million arrivals in 2015. Hungary declared a state of emergency and threatened those who entered the country illegally with jail. Finally, the European Justice and Home Affairs Council took the decision to relocate 120,000 asylum seekers from Greece, Italy and other member states directly affected by the migration/refugee crisis in the next two years.

The EU response to the worsening migratory situation has been two-fold. On the one hand, it has tried to contain the effects within the borders of neighbouring countries. EU action included funding for new external initiatives, such as a Regional Protection Programme (RPP) for Libya, Tunisia and Egypt; democracy-building actions; student exchange opportunities; and potential Mobility Partnerships with Morocco, Tunisia, Egypt and Jordan. In spite of these new initiatives, the EU did not meet these countries' expectations of opening up substantial legal migration channels and it encountered criticism due to the conditions they imposed (Carrera, Parkin & Den Hertog, 2013). The 2016 EU-Turkey agreement and the 2015 EU Trust Fund for Africa fit into the EU's multi-varied repertoire of external initiatives aiming to keep migrants at bay.

On the other hand, between 2011 and 2013 the EU's Common European Asylum System (CEAS) (Recast Directives) was changed to better harmonise asylum procedures, reception conditions and status determination outcomes across the EU. The Dublin Regulation (Dublin II) established the obligation for the country of first entry to the European Union to process asylum claims, which partly explains why Greece, Malta and Italy came under enormous pressure (EASO, 2015). Following the European Court of Human Rights ruling in *MSS v. Belgium and Greece* (ECHR, 2011), returns of asylum seekers from another member state to Greece under the Dublin Regulation remain frozen. Between January and September 2015, only nine transfers were carried out to Greece by Switzerland and the Netherlands. In its ruling, the ECHR had declared



that expulsion of an alien to a country where he or she runs a real risk of being subjected to torture or inhuman or degrading treatment or punishment violated his rights (Pace, 2013).

A salient aspect of CEAS is that it builds on the correct application of the Eurodac Regulation (illegal entry and asylum fingerprint database), when someone enters illegally and/or applies for asylum in the EU. This had not been implemented by Italy and Greece for some years, which raised concern among member states that it undermined security within Schengen due to secondary movements. Indeed, it has been argued by some analysts that countries under particular pressure at Europe's external borders allow migrants to cross their territories to avoid having to assist them due to financial and logistical constraints (Urban, 2015).

According to the Dublin Regulation, each asylum seeker has a right to an individual status determination – including an in-person interview – by the state in which asylum is claimed. But what happens when there is a mass influx of people as experienced during 2015? The Temporary Protection Directive (TPD) (Council Directive, 2001/55/EC) was specially created after the war in the former Yugoslavia as an exceptional scheme to offer immediate protection in a coordinated manner. It established minimum standards for giving temporary protection in the event of a mass influx of displaced persons, and explicitly promoted “solidarity and a balance of efforts between member states in receiving displaced persons through a structured mechanism.” In 2003, UNHCR (2003) argued that the concept “mass influx” contained in Art. 2 of the TPD should be understood as “significant number of arrivals in a country, over a short time period, of persons from the same home country who have been displaced under circumstances indicating that members of the group would qualify for international protection, and for whom, due to their numbers, individual refugee status determination is procedurally impractical.” Article 5 of the TPD authorises the Council to determine by qualified majority if the existence of a mass influx exists and what measures should be taken.

Notwithstanding this EU instrument, the member states reacted differently to the 2015 crisis. Those under particular pressure requested more solidarity while those lacking such pressures asked for respect for the CEAS. The European Commission held that solidarity and compliance with EU rules “must go hand in hand” (EC, 2014).

The discussion on the relocation distribution keys is another example. Some member states argued that practical (for example, through EASO and FRONTEX) and financial cooperation is a form of solidarity, and not just relocation mechanisms. The Commission

proposed a temporary distribution scheme for persons in clear need of international protection to ensure a fair and balanced participation of all member states based on the emergency response system envisaged under Article 78(3) (Treaty on the Functioning of the European Union [TFEU]). In the end, four distribution keys were chosen “based on objective, quantifiable and verifiable criteria that reflect the capacity of the member states to absorb and integrate refugees,” although none were implemented.<sup>1</sup>

There is field evidence showing that asylum seekers are not willing to play by the Dublin II rules. The majority of migrants involved either want to reunite with family members already living in the EU or are focusing their efforts on those EU countries with higher recognition rates and developed migrant networks (e.g. Germany and Sweden). Even if they have legitimate claims for asylum and the neighbouring countries can provide them with protection, their choices indicate that they aim at more than just protection. They expect to have good living conditions, employment and education, as opposed to just being the recipients of aid in a part of the EU neighbourhood. What starts as a search for physical security and international protection turns into a journey for human security and freedom.

## Recommendations

1. Careful consideration needs to be given to the unintended collateral effects of closing the Greek-Turkish border on the flows via the riskier Central Mediterranean route. According to figures published by the IOM (2016), between 1 January and 11 May 2016, a total of 188,075 entered the EU through the Mediterranean Sea with 1,357 missing persons, of which 72% were believed to have drowned on the Central route. Figures for the same period show that 155,765 refugees entered Greece as compared to 40,297 last year but consideration must be given to the fact that the EU-Turkey Agreement went into operation after March 2016. In the case of the Central Mediterranean route, figures for the same period show a total of 31,219 arrivals in Italy as compared to 47,449 for the same period last year. Statistics show a general tendency for Mediterranean migrant flows to begin to increase in April and peak in October, hence the numbers arriving may change dramatically as they did during 2015. The situation is still evolving and it is not clear yet what the impact of controlling the Eastern Mediterranean route is likely to have.
2. In the past years, concerns have been raised on the negative effects on human rights of the so-called “externalisation of EU migration control”. Careful consideration needs to be given to the EU-Turkey agreement in terms of its legal, operational and political

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1 a) The size of the population (40%); b) total GDP (40%); c) average number of spontaneous asylum applications and the number of resettled refugees per 1 million inhabitants over the period 2010-2014 (10%); and d) unemployment rate (10%).

long-term consequences. One of the EU's central external policy objectives to encourage countries to improve their democracy, the respect for human rights and governance may be compromised by the EU-Turkey agreement and similar agreements in the future, which could stop or retard progress on the longer-term objective of promoting stability in the migrant producing countries.

3. Further research is needed to gather vital information about asylum seekers and migrants that could shed light on their networks, decision-making process along the routes, life motivations and aspirations, as well as skills.
4. Clearly, more research is needed on migrant decision-making, and risk assessment, but also on the link between policy and procedural changes by member states, how information is disseminated to end users and interpreted by them.
5. The fragile socioeconomic balance and goodwill that existed in Turkey, Lebanon and Jordan during the first years of the crisis has deteriorated. As the refugee situation became "protracted", problems became more evident due to limited resources and increased general unemployment, both among the host country populations in Lebanon and Jordan but particularly among the refugees themselves. This was one of the key factors that provoked the Syrian refugee flows in 2015. The pressures on the Syrian refugee community in Lebanon, Jordan and Turkey have not eased and still need to be addressed.
6. Given the existing "destination bias" in the analysis of the current crisis, more efforts need to be made to disseminate studies from the MENA region among policy-making stakeholders in order to better represent the southern perspective. That would help counter Eurocentrism as well as taking preventive action for future developments.
7. The Arab Spring and the Syrian crisis have confirmed the incredible resilience and drive of the human spirit to overcome obstacles and protect loved ones from further harm. Since 2011, EU policies and interventions have underestimated this fact, even if events were happening right next to the EU, in the MENA region. Sociological and anthropological research needs to be taken into account when developing migration policy if the EU wants to be able to forecast migration flow patterns and efficiently respond to future humanitarian crises.

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# Economic and Social Integration of Migrants and Refugees in Jordan and Lebanon

*Francesca Ruisi\**, *Musa Shteivi\*\**

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\*Postdoc Researcher, Center for Strategic Studies, University of Jordan

\*\*Director, Center for Strategic Studies, University of Jordan

## Introduction

Jordan and Lebanon are two of the largest recipients of Syrian refugees. The refugee flow to both countries started at the beginning of the Syrian crises and has continued until today. The estimated number of Syrian refugees in Lebanon is about 1,048,275 (UNHCR, 2016a), constituting 25% of the Lebanese population. The Jordanian government 2015 census found that the number of Syrian refugees in Jordan is 1.4 million (13% of the total population), out of which 655,217 are registered with UNHCR. Unlike Lebanon, Jordan has three major and two minor Syrian refugee camps that currently host 137,068 refugees (UNHCR, 2016b), which amounts to approximately 16% of the total Syrian refugees in the country. The remaining 84% of refugees are living outside the camps amongst the host community.

Jordan can be characterised as a country of refugees and migrants. Currently, in addition to the Syrian refugees, there are more than a quarter million refugees from other countries. The first wave of refugees were Palestinians that first arrived in 1948 and then in 1967. Hundreds of thousands fled the wars in Palestine in search of a better life in Jordan. Furthermore, in 1991-1992 after Iraq invaded Kuwait, more than three million refugees crossed the borders to Jordan. The second big wave of refugee arrivals took place after the US-led invasion of Iraq in 2003. Syrians now represent the largest group of refugees in Jordan. Additionally, Jordan hosts more than 600,000 Egyptian migrant workers. The refugees and migrants in Jordan make up 30% of the overall population of the country.

Lebanon has a similar history of refugee and migrant influxes. The first wave of refugees in Lebanon was in 1948, when more than 100,000 Palestinians fled to Lebanon and were accommodated in refugee camps (Amnesty International, 2007). Currently, it is estimated that the number of Palestinian refugees amounts to approximately 449,957 (United Nations Relief and Works Agency for Palestine Refugees in the Near East [UNWRA], 2014). However, the Syrian refugee influx into Lebanon is the most substantial in terms of its ratio to the total population, accounting for around 25%.

In the light of these figures, the question of the social and economic integration of refugees and migrants in Jordan and Lebanon is of the utmost importance.

This part of the Joint Policy Study will first analyse the socioeconomic characteristics of refugees in both countries. Secondly, the economic impact of the refugees, with a

particular focus on the impact on the labour market and social relations between the refugees and host communities will be examined. The chapter will then focus on the policies implemented in order to meet the immediate needs of refugees and those pursued to mitigate the impact of the refugee influxes on the local population. The last part of this chapter will discuss the lessons learned and formulate some recommendations for future policies that may be adopted by both refugee host countries and the international community in order to deal more adequately and efficiently with the refugee crisis and mitigate its effects in Jordan and Lebanon.

The analysis conducted in this chapter is based on the data produced by international organisations and by the Lebanese and Jordanian governments. Additionally, data from the surveys conducted by the Center for Strategic Studies on Syrian refugees in Jordan and the surveys conducted on the Syrian refugees in Lebanon will be included.

## **Demographic and Socioeconomic Characteristics of Syrian Refugees in Jordan and Lebanon**

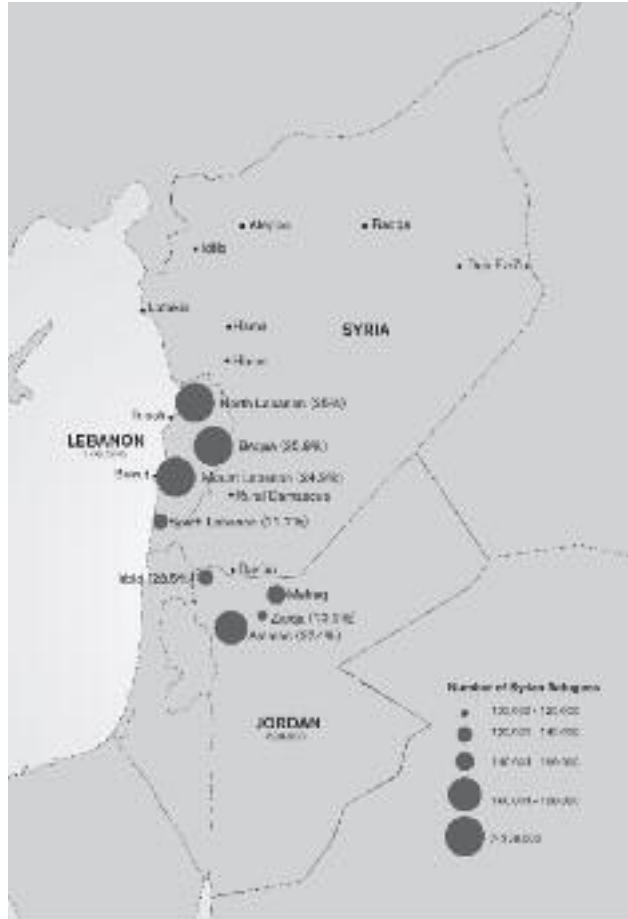
As mentioned above, Jordan and Lebanon have received the highest number of Syrian refugees in the world. In the case of Jordan, the number of the Syrian refugees registered with UNHCR is 655,217 (UNHCR, 2016b). However, it is estimated that the total number of Syrian refugees, including the unregistered ones, is actually around 1.26 million out of a total population of around 9.5 million (Ghazal, 2016). The number of new arrivals each year has followed an increasing trend since 2011, reaching its peak between 2012 and 2013 with 309,720 new registered refugees. From 2014 to 2015, the trend decreased, as 82,422 and 27,205 of Syrian refugees were registered respectively in these years. According to the Jordan Response Plan 2016-2018, the number of refugees is supposed to be stable and constant over the coming period (Jordan Response Plan [JRP], 2015).

The distribution of the refugees in the Hashemite Kingdom is uneven, as the more conspicuous part of them is located in the northern areas, close to the Syrian border. The Syrian refugees in Jordan are divided into those living in refugee camps and those living in camps in predominantly urban areas.

A large number of refugees are residing in the Irbid (23.5%) and Mafraq (26.1%) districts. However, the greatest concentration of refugees is registered in Amman (27.4%), probably due to the fact that it has the capacity to host such a massive number of newcomers (Figure 1), meaning an adequate infrastructure, such as sufficient water supplies, education, health services, housing, and work opportunities.

In Lebanon, the number of Syrian refugees registered with UNHCR is 1,048,275 (UNHCR, 2016a). Lebanon also faces the largest concentration of refugees in the Syrian border area. Beqaa is the region where the most significant concentration of the refugees (35.8%) is reported (Figure 1).

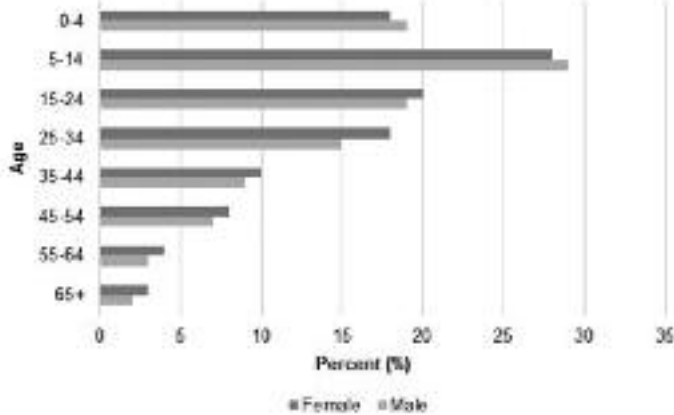
**Figure 1.** Distribution of Syrian refugees in Jordan and Lebanon



Distribution of Syrian refugees in Jordan and Lebanon, 2011-2014 (%) (produced based on: Verme, P., Gigliarano, Ch., Wieser, Ch., Hedlund, K., Petzoldt, M., & Santacroce, M., 2016)

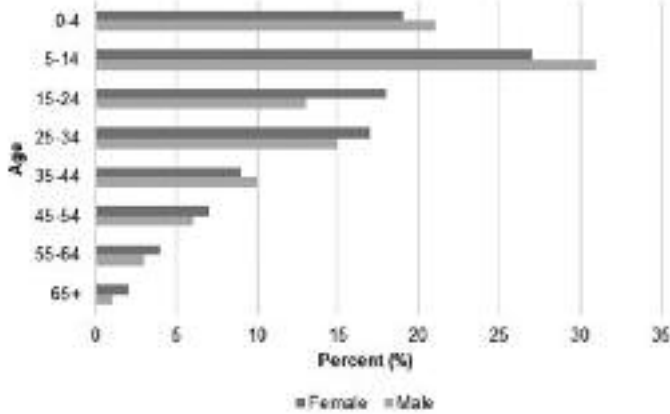
Regarding the age distribution of refugees, in Jordan and Lebanon, youth constitutes the largest group. In Jordan, young people (0-24) account for almost 65% of all the refugees in the country (Figure 2). Likewise, in Lebanon the youngest cohort (0-24) amounts to around 64% of all the refugees (Figure 3).

**Figure 2.** Syrian refugee age distribution in Jordan



Syrian refugee age distribution in Jordan (produced based on: Verme, P., Gigliarano, Ch., Wieser, Ch., Hedlund, K., Petzoldt, M., & Santacroce, M., 2016)

**Figure 3.** Syrian refugee age distribution in Lebanon

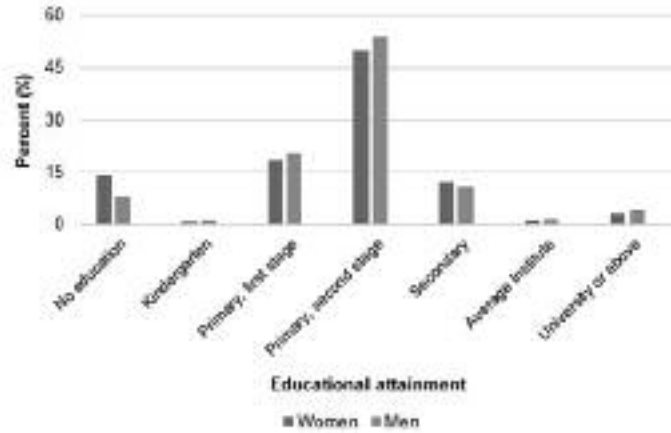


Syrian refugee age distribution in Lebanon (produced based on: Verme, P., Gigliarano, Ch., Wieser, Ch., Hedlund, K., Petzoldt, M., & Santacroce, M., 2016)

Another key variable to be analysed is the education level of the refugees, especially considering its relation to employment possibilities. In Jordan, the majority of Syrian refugees have completed the first and second stage of primary education (71.2%), whereas only 3.7% have a university degree or higher (Figure 4). The level of education

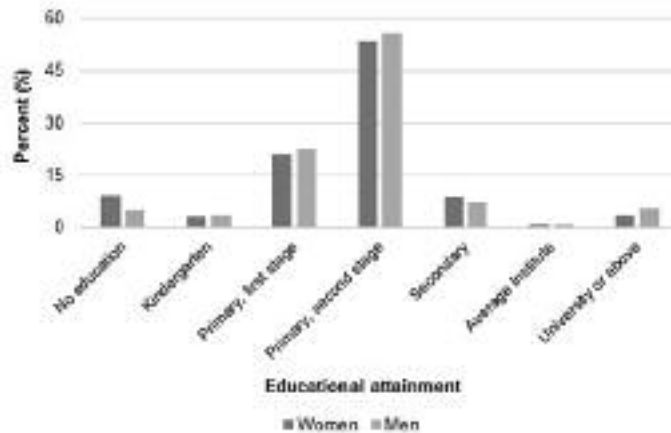
is explained by the fact that almost 46% of the total population of Syrian refugees are aged 0-14 years. Moreover, presumably, young people aged 15-24 years could not have access to higher education, due to the outbreak of war.

**Figure 4.** Education rates of Syrian refugees in Jordan



Education rates of Syrian refugees in Jordan (produced based on: Verme, P., Gigliarano, Ch., Wieser, Ch., Hedlund, K., Petzoldt, M., & Santacroce, M., 2016)

**Figure 5.** Education rates of Syrian refugees in Lebanon



Education rates of Syrian refugees in Lebanon (produced based on: Verme, P., Gigliarano, Ch., Wieser, Ch., Hedlund, K., Petzoldt, M., & Santacroce, M., 2016)

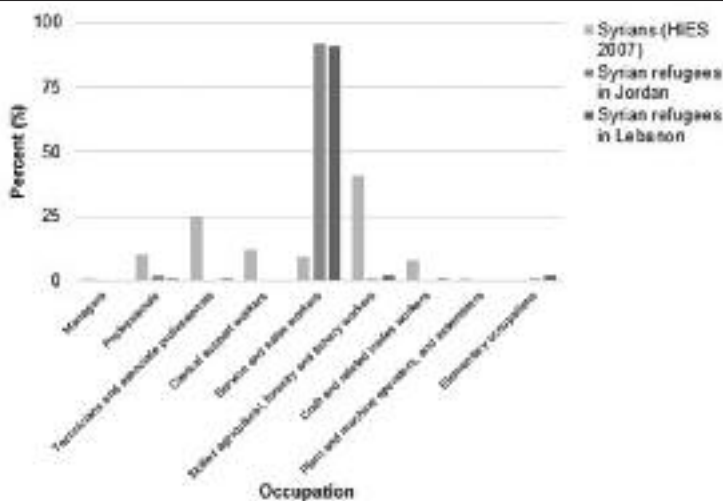
Education rates of Syrian refugees settled in Lebanon show a similar pattern (Figure 5). 76.1% of refugees have completed primary level of education. A very small percentage



of refugees received a secondary or a university degree before moving to the host country (13.3%). In the case of Syrian refugees both in Jordan and Lebanon, more men than women have university degrees or higher. Finally, it is worth noting that the proportion of women with no education is higher than that of men: 14.1% and 8.2%, respectively, in the case of Jordan, and 9.2% and 5.2% in the case of Lebanon.

These education rates raise the question of whether or not education level is reflected in the type of employment of the refugees in Jordan and Lebanon. As depicted in Figure 6 and Figure 6.1, most of the refugees do not work in the same profession as they did before immigrating. In the case of female refugees, before leaving Syria, they were mostly employed as professionals (lawyers, doctors and similar high-skilled jobs), skilled agricultural, forestry and fishery workers and clerical support workers. Currently, the most common employment (around 90%) for female refugees in Jordan and in Lebanon is as service and sales workers. As far as male refugees are concerned, the distribution between the distinct employment sectors is more diversified. Around 69% of male Syrian refugees were previously employed as plant and machine operators, service and sales workers and skilled agricultural workers. Currently, nearly half of the male refugees in Lebanon are taking up elementary occupations<sup>1</sup> (45%), whereas the majority of male refugees in Jordan are craft and trade workers (over 30%).

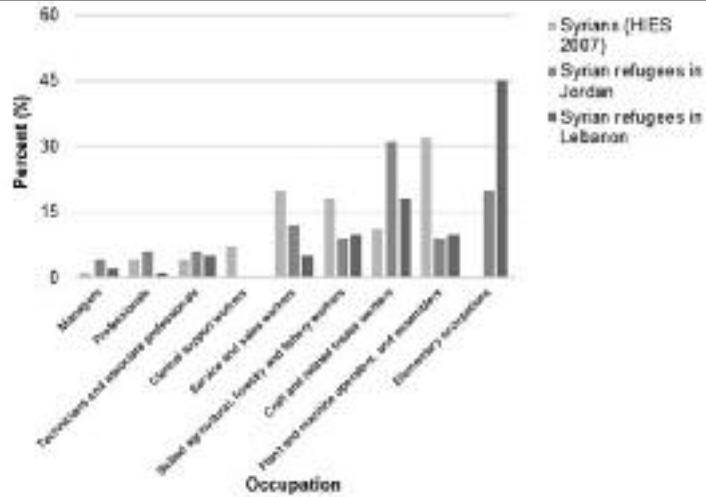
Figure 6. Women



Employment of Syrian refugees before and after reaching the host countries (produced based on: Verme, P., Gigliarano, Ch., Wieser, Ch., Hedlund, K., Petzoldt, M., & Santacroce, M., 2016)

<sup>1</sup> Low-skilled jobs were classified in the source report as cleaners, food preparation assistants and similar.

Figure 6.1 Men



Employment of Syrian refugees before and after reaching the host countries (produced based on: Verme, P., Gigliarano, Ch., Wieser, Ch., Hedlund, K., Petzoldt, M., & Santacroce, M., 2016)

The predominance of these types of employment among the male refugees may be explained by two facts. First, as stated in the previous section, the majority of the refugees are young people who have only completed primary level education. Second, both in Jordan and in Lebanon, Syrian refugees are struggling to get work permits due to internal barriers posed by the long process involved. Therefore, refugees are forced to seek employment in the informal economy, where jobs are underpaid and working conditions are detrimental. Preventing access to skilled occupations and some sectors of the economy may cause frustration among Syrian refugees, leading to tensions with the host community. In addition, it may have a negative impact on the future reconstruction of Syria, where high-skilled workers will be needed.

The difficult situation in terms of access to the labour market raises the question of why, despite this fact, Syrians decide to immigrate to Jordan and Lebanon. According to a survey conducted by the Center for Strategic Studies, 79% of Syrian refugees claimed that they had a previous connection in Jordan (usually a member of a family) before moving to the host country (CSS, Mercy Corps & UK FCO Conflict Pool, 2015). This clearly shows how social networks are relevant in choosing the destination country, as they provide a kind of sense of security, at least for the first months of stay.

Managing everyday life represents the most serious difficulty that Syrian refugees have to deal with following their decision to move to a host country. However, a distinction

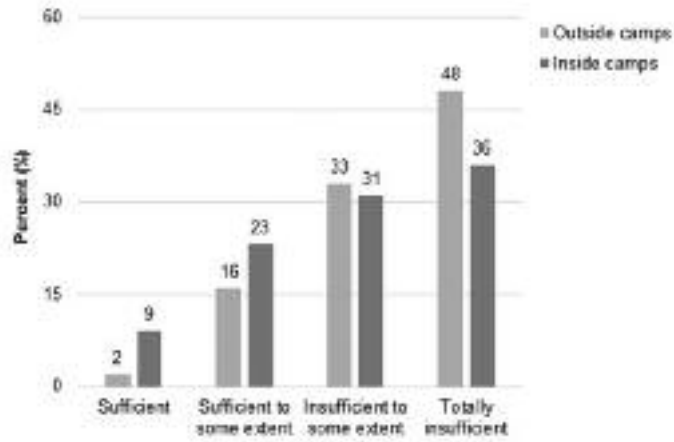
should be made between the refugees settled in the camps and the other refugees (registered and unregistered) living in urban and rural areas in Jordan and Lebanon. This is because refugees who live in the camps are provided with direct services, while the refugees residing in the cities must access urban services, guaranteed to the whole population. The urbanised refugees represent 84% of Syrian refugees in Jordan, while the remaining 16% live in the refugee camps such as Za'atari, Marjeb al-Fahood, Cyber City, King Abdullah Park and Al-Azraq.

As mentioned above, Syrian refugees in Jordan were not eligible to receive a work permit until recently. Therefore, most of them work in informal sectors. Their main official income consists of in-kind support provided by the Jordanian government within specific voucher programmes supported by several INGOs, i.e. UNICEF, UNHCR, and WFP (UNHCR, 2014; Barakat, Khoury, Davies & Hammad, 2015). The vouchers can be spent on all the basic necessities, including food, clothes, furniture, kitchen equipment, rent, transportation and bills. The monthly amount ranges from 50 JOD to 120 JOD (65 to 156 Euros), depending on the family size and needs. This amount is around the poverty line, corresponding to 68 JOD per person per month. Refugees also have access to free health service and public education. The financial help, however, is insufficient to cover the basic needs, leading the refugees to enact coping strategies.

In the case of the refugees living outside the camps, the most significant expenditure is rent, followed by utilities, food, transport and education for children (Barakat, Khoury, Davies & Hammad, 2015). Sharing a flat is a usual practice adopted by 92% of elderly-headed households (60+) and by 50% of households headed by refugees between the ages of 18 and 35 years (UNHCR, 2014). In the case of Lebanon, the majority (two-thirds) of refugees live in single family housing, while only one third of refugees live in shared housing (Alsharabati & Nammour, 2015).

Other common coping mechanisms also consist of reducing the quality and quantity of food (50% and 43% of refugees respectively admit doing so), reducing the accommodation costs (almost 50%) and reducing health expenditures (25%) (UNHCR, 2014). These types of coping strategies could potentially lead to a serious increase of vulnerability and health deficiencies in the long term. Moreover, even if the Jordanian government ensures free access to education, 12% of respondents admitted that one of the coping strategies is also withdrawing children from school and 6% resorting to child labour as a coping strategy (UNHCR, 2014). Overall, the level of satisfaction with the aid received is very low. In the case of Jordan, only 32% of refugees living inside camps and 18% of those living outside consider the government help to be sufficient (Figure 7) (Shteiwi, Walsh & Klassen, 2014).

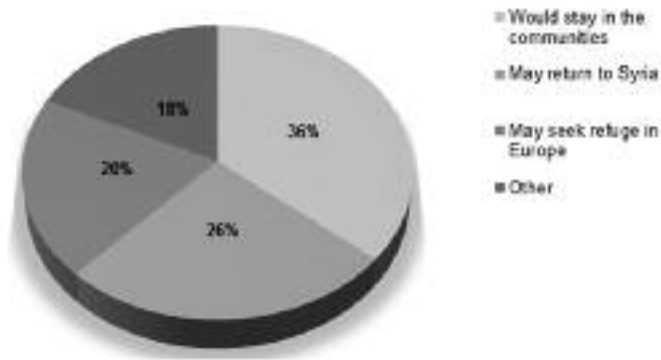
**Figure 7.** Syrian refugee satisfaction with aid received



Syrian refugee satisfaction with aid received (produced based on: Shteivi, Walsh & Klassen, 2014)

If the voucher programmes were interrupted, 20% of refugees would consider leaving Jordan for Europe (20%) or returning to their home country (26%) (Figure 8) (WFP, 2015).

**Figure 8.** Potential movement by vulnerable families

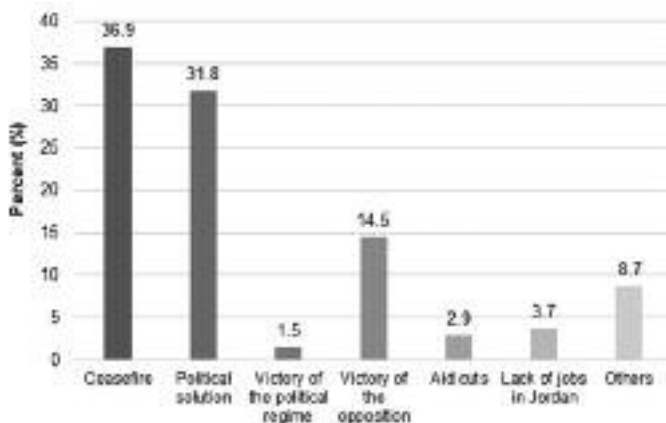


Potential movement by vulnerable families (produced based on: World Food Programme [WFP], 2015)

Other research (Center for Strategic Studies [CSS], 2015) opened the reflection on the need to explore not only Syrian refugee life expectations in terms of potential movement to other countries but also in terms of the drivers of this decision and, in particular, the

role of social networks in choosing or moving to the final destination. A significant number of Syrian refugees interviewed who are currently settled in Jordan would intend to return to their home country in the case of a ceasefire (36.9%) or a political solution (31.8%). Further motivations, such as aid cuts or lack of job opportunity in the host country, appear less likely to result in Syrian refugees returning to Syria. Respectively, only 2.9% and 3.7% of the sample would return to their home country if any type of economic support is cut or in the case of lack of jobs in Jordan (Figure 9).

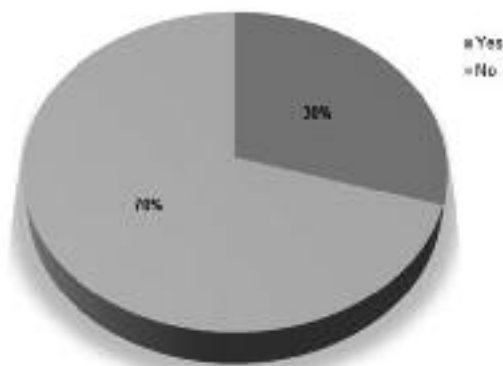
**Figure 9.** Which circumstances would encourage you to return to Syria?



Life expectations concerning relocation for Syrian refugees in Jordan (Center for Strategic Studies [CSS], 2015)

In more general terms, most Syrian refugees interviewed (70%) explicitly reject the idea of migrating to Europe (Figure 10).

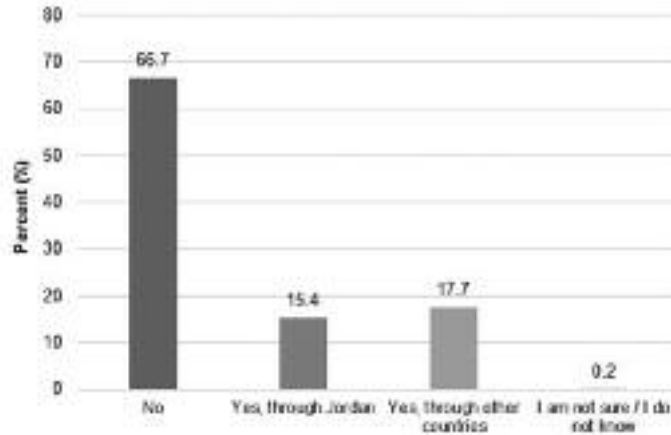
**Figure 10.** Are you or one of your family members thinking of migrating to Europe?



Syrian refugee intentions to relocate to Europe (CSS, 2015)

While analysing the role of social networks in driving migrant movements, the research showed that the majority of the sample (66%) does not have any relative living in Europe (Figure 11).

**Figure 11.** Do you have any relative who migrated to Europe?



Syrian refugee relatives in Europe (CSS, 2015)

This data might explain why most Syrian refugees do not conceive Europe as a possible destination to relocate to. The results show that more in-depth research is needed on the role of the social network in choosing the migration destination.

## Response Plans

### Legal Framework

Both Jordan and Lebanon are signatories to the 1948 Universal Declaration of Human Rights, but not to the 1951 UN Convention Relating to the Status of Refugees or its 1967 Protocol. Neither Jordan nor Lebanon have an explicit law to address issues related to refugees, which is why refugees are treated as foreign or Arab nationals. When the Syrian crisis erupted, Syrians were allowed to enter Jordan without any restrictions, except for security considerations. At first, informal measures were taken to accommodate the refugees, but the situation changed as the influx of refugees continued to increase. Later on, UNCHR established its operations in the country, the Syrian refugees started to be registered, and the refugee camps were set up, with Al-Za'atari being the first and the largest, currently hosting around 80,000 refugees (UNHCR, 2016b).

In the case of Lebanon, in January 2015, the government implemented a new border policy that bars Syrians from entering Lebanon on a merely humanitarian basis. Instead, Syrians at the borders are asked to justify the reason for their travel to the country, whether for work, trade, transit or tourism. In addition to the closure of borders to Syrians displaced on a humanitarian (as refugee) basis, the government has recently requested the UNHCR to stop registering refugees. This measure could backfire on Lebanon's interests. Closing the registration process will render the refugees "invisible", highly vulnerable, and also less and less accountable to the Lebanese authorities, which can only benefit from clear and transparent records of a Syrian presence in Lebanon.

In 2015, both countries adopted a resilience-based approach to respond to and mitigate the effects of the Syrian crisis on host communities in Jordan and Lebanon. The main aims of the response plans are firstly to ensure the protection of the Syrian refugees and the vulnerable parts of Jordanian and Lebanese society and, secondly, to strengthen the capacity to be able to deal appropriately and more efficiently with the refugee crisis.

The Jordan Response Plan of 2015 and the Lebanese Crisis Response Plan (LCRP) implement a series of policies in coordination with international agencies and other governments that include the following:

First, the initial response of both countries was to meet the basic human needs of the refugees such as housing, food, health and education for all refugees, whether in or outside the camps. Meeting the humanitarian needs of the refugees was achieved through international and national organisations in cooperation with the governments. In Jordan, three camps were set up to accommodate the most vulnerable refugees, the largest being Al'-Za'atari camp, and two smaller camps. However, the camps have a limited capacity to accommodate the growing number of refugees. Therefore, the rest of the refugees are living in the various cities and towns of the country. Refugees are allowed to leave the camps to reside outside in certain circumstances.

Unlike Jordan, Lebanon did not allow the building of Syrian refugee camps. Thus, the refugees stay in communities and Palestinian camps across the country, with the main concentration in Sunni-dominated areas. Assistance and protection are provided to refugees in their communities.

Second, the presence of a large number of Syrian refugees has put great pressure on the organisational capacity and financial resources of the governments; both plans needed direct financial support for the budget from the international community to cover



the cost of additional services and infrastructures related to the refugees, both at the national and local levels. Those include community services, economic recovery and infrastructures.

Third, the JRP plan includes provisions to strengthen the capacities of the main services in fields such as health, education, and water and sanitation, so as to mitigate the negative impact of the high concentrations of refugees in certain areas and cities or host communities. Likewise, the LCRP includes the expansion of energy, sanitation and clean water to vulnerable Lebanese, Syrian and Palestinian populations.

Fourth, both plans aimed to strengthen the capacity of the local governments and municipalities in both countries because of the refugees' pressure on the municipal services and infrastructure that was degraded as a result of the pressure on water, housing, environment, energy and transport. The support is to be channelled to municipalities.

Fifth, both plans aimed at expanding employment opportunities for vulnerable Jordanians and Lebanese who were negatively affected by the crisis.

To sum up, the response plans of both countries are very comprehensive and include humanitarian assistance, strengthening service systems, and enhancing the government capacities at the national, regional and municipal levels. The cost of implementing the response plans, which were supposed to be covered by the international community, exceeds two billion dollars a year for each country. However, the actual financial support barely covers 30% of the estimated cost for both countries. The failure of the international community to raise funds for the host countries threatens their ability to meet the basic needs of the refugees. Given the meagre resources of both countries, there is a serious risk of humanitarian crises in both countries and deepening of their economic crises.

### **The Jordan Compact and the 2016 London Conference**

In February 2016, the Kingdom of Jordan was represented at the international donor conference held in London. During this event, King Abdullah II gave an official address on Jordan's role in providing safety and security for the nearly 1.3 million Syrian refugees (registered and unregistered) in Jordan. The London conference resulted in the Jordan Compact, an agreement between Jordan and the international community. The approach is based on three actions:

1. Turning the Syrian refugee crisis in Jordan into a development opportunity that would attract international investors to the Kingdom and further economic ties with



- the EU market, thus providing employment opportunities for both Syrian refugees and Jordanians and supporting a post-conflict economy in Syria.
2. Investing in Jordan's communities (with a focus on the resilience of host communities), by adequately funding the 2016-2018 Jordan Response Plan.
  3. Sufficiently supplying Jordan with grants to meet the financial needs and sustain the economy over the next three years.

Nevertheless, two issues regarding the Jordan Compact should be better addressed, which is the feasibility of implementation and host state benefits. Feasibility of implementation depends on continued funding from the international community, which failed to fulfil its previous financial pledges to Jordan. With regard to the host state, Jordan is bound by various stipulations that must be implemented within the framework of the agreement, thus limiting the governance over these projects. One of them requires that Jordan removes work restrictions for Syrian refugees. While the intention behind that is to provide for Syrian refugees in Jordan, an equal benefit for the host population in Jordan, which has been heavily affected by the influx of the Syrian refugees, should be offered.

The Jordan Compact creates a path forward toward long-term sustainability; however, these risks must be assessed to ensure that both the Syrian and Jordanian communities are considered on an equal basis. The stipulations outlined by the international community could have a negative impact on Jordan's economy. Opening up the labour market for Syrians might place stress on the economic sectors where Jordanians are largely employed (public administration, retail, small industries, etc.). This might lead to the weakening of Jordan's economy, and thus the declining ability of the Kingdom to provide and protect the Syrian refugee and the local populations. It is imperative that these considerations be evaluated at every level of implementation of the Jordan Compact.

## The Economic Impact of the Syrian Refugees

The influx of Syrian refugees into Jordan and Lebanon is having far reaching consequences for the economy of both countries. The impact seems to be more severe in Lebanon than in Jordan due to the difference in the pre-existing situation in each country, the number of refugees and the policies adopted in both countries.

### JORDAN

Numerous studies have been conducted by international organisations on the impact of the Syrian refugees on Jordan.<sup>2</sup> Most of these studies focused on the impact of the

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<sup>2</sup> See, for example, Stave & Hillesund, 2015; Fakh & May, 2015; Davis & Taylor, 2013; Fakh & Marrouch, 2015; Harper, E., Thomas, S., & Abdel Aziz, M., 2015; Stockmore, 2016

refugees on the labour market and the working conditions of the Syrian workers. According to these studies, the impact of the Syrian refugees is multifaceted and far-reaching.

### **1. The growth of the informal sector**

As already stated, the majority of Syrian refugees employed in Jordan occupy low-skilled jobs, with a major concentration in the agricultural and construction sectors. It is difficult to determine whether these types of employment already existed before the arrival of the Syrian refugees or have emerged as a result of government policies developed to reduce high unemployment rates before the outbreak of the Syrian crisis (Stave & Hillesund, 2015). Nevertheless, by accepting lower wages and harder working conditions, Syrian refugees are competition to Jordanians, especially youth, who might have otherwise occupied those jobs.

### **2. Increased competition with Jordanians for existing jobs**

Another impact that the Syrian refugees are having on the labour market is competition with the Jordanian labour force on the formal market and, to some extent, replacement of Jordanian labour forces. As the crisis continues, more Syrians with different levels of skills come to Jordan and enter sectors that are normally occupied by Jordanians, thus pushing Jordanians out of the labour market. This negative impact is represented in the growing unemployment rate, which since 2011 increased from 14.5% to 22.1% in 2014. The particularly vulnerable group are the youth, aged 15-24 years, whose unemployment rate has almost doubled (from 19% to 35%) (Stave & Hillesund, 2015). This inability to enter the labour market, partially because of the influx of Syrian refugees, may lead to serious social tensions unless the government adapt concrete policies to mitigate this negative impact.

### **3. Crowding out in the labour market**

Syrian refugees are also gradually pushing the Jordanians out from the most commonly occupied sectors, such as the construction industry, and the wholesale and retail sector. Crowding out is still rather limited, however, if not adequately addressed, it may pose a serious threat to the Jordanian labour market. Currently, most of the Syrian refugees who are registered in UNHCR receive financial help. If this kind of assistance is stopped, most of the Syrian refugees will enter the labour market, causing its saturation. In addition, it is most probable that the Syrian conflict will persist in the medium term. Therefore, Syrian refugees would need to stay and gradually establish themselves in Jordan. These two factors make crowding out in the labour market a likely development that requires immediate considerations.

#### 4. Deterioration of working conditions

As previously mentioned, Syrians often accept underpaid jobs and unsafe working conditions. This leads not only to gradually pushing the Jordanians out of the labour market, but also causes the growth of the informal economy, thus endangering labour standards for all the workers. The informalisation of the labour market obstructs Jordanian authorities from ensuring compliance with the existing labour laws on wages and working conditions.

#### LEBANON

The economic impact of the Syrian refugees on Lebanon seems to be more critical than in Jordan. This is partly due to the larger number of Syrian refugees in Lebanon, and also in comparison to its ratio in the total population, and the already aggravated economic situation in Lebanon, with high levels of unemployment, especially among the youth and women. The major impacts of the Syrian refugees' influx on the Lebanese labour market are:

##### 1. Unemployment

As already stated, conditions in the Lebanese labour market were already very poor before the refugee crisis started, with high unemployment rates among the youth and dominance of low quality and productivity jobs (International Labour Organization [ILO], 2014). It is estimated that the unemployment rate was 6.2% in 2009, but unemployment among youth touched 20.2% (World Bank, 2016). The massive flows of the Syrian refugees into Lebanon have intensified the unemployment problem, especially among the youth and unskilled workers. Currently, officially, the unemployment rate is estimated at 11%. However, unofficial numbers indicate that the total unemployment rate may even reach 20%, including the refugees (International Monetary Fund [IMF], 2015), and youth unemployment may stand at 34% (World Bank, 2013).

##### 2. The growth of the informal sector

The majority of the Syrian refugees are working in exploitative and unhealthy conditions in the informal economy or as informal workers in formal enterprises (ILO, 2014). The scarcity of jobs in the labour market and considerable pressure of refugees accepting much lower wages and worse working conditions than their Lebanese counterparts is gradually leading to the expansion of the informal sector and the overall deterioration of working conditions.

##### 3. Crowding out small business

Syrian-owned businesses (small and micro) are mostly illegal, operating without a licence and without paying taxes or rent. Therefore, they tend to sell goods at much lower prices

than businesses run by local citizens. This is causing the gradual straining of the Lebanese local economy and poses serious threats to small Lebanese businesses.

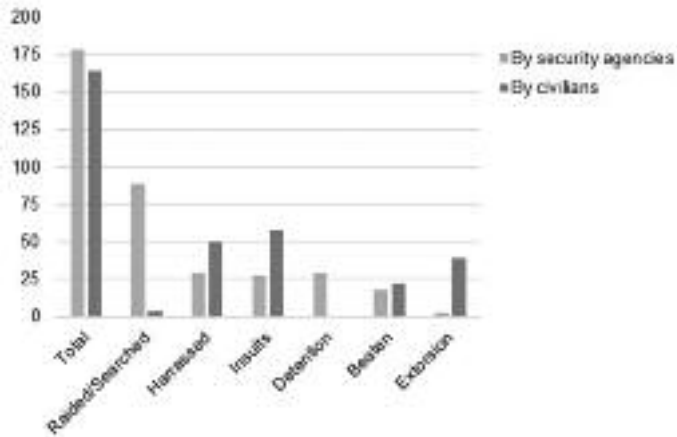
**4. Child labour**

Over half of the Syrian refugees in Lebanon are children (World Bank, 2015). Due to the difficult financial situation of many households, many children are obliged to work, sometimes, as street peddlers and beggars (ILO, 2014).

**Social Attitudes and Perception of the Host and Refugee Communities**

As briefly mentioned in the previous section, social cohesion and integration between the refugees and the host community is challenged by a continuous tension that emerges due to social perceptions of higher benefits delivered to refugees by the host countries compared to the local citizens (CSS, Mercy Corps & UK FCO Conflict Pool, 2015). Those tensions lead to increased feelings of insecurity by the Syrian refugees in the host countries. According to the survey on perceptions of Syrian refugees in Lebanon<sup>3</sup> (Alsharabati & Nammour, 2015), the majority of Syrian refugees do not feel welcome in their host country. 46% of the refugees admitted having faced a dangerous situation. The majority of them suffered insults and harassment from the civilians and raids and extortion from security agents (Figure 12). 69% of respondents admitted not taking any responsive action, while the remaining 21% enacted preventive strategies (Figure 12.1).

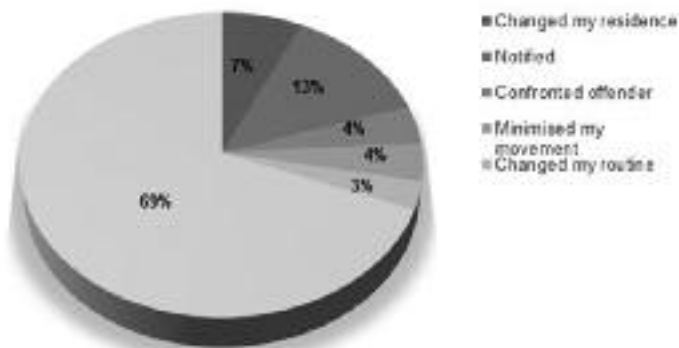
**Figure 12.** Syrian refugees negative action subjection



Syrian refugees in Lebanon negative action subjection and relative preventive strategies (produced based on: Alsharabati & Nammour, 2015)

<sup>3</sup> Survey based on a total sample of 1,200 Syrians and 600 Lebanese respondents answering an adequately targeted questionnaire. Syrian refugees were selected in 120 villages sampled by UNHCR and further sampled depending upon type of residence. The Lebanese community was sampled in the same villages and neighbourhood.

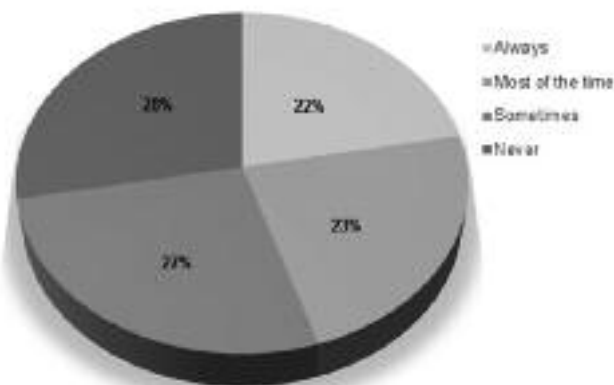
**Figure 12.1.** What did you do?



Syrian refugees in Lebanon negative action subjection and relative preventive strategies (produced based on: Alsharabati & Nammour, 2015)

When it comes to access to services, 28% of Syrian refugees in Lebanon reported having no access at all (Figure 13). Out of those who have had access to welfare services, 37% reported different and negative treatment compared with Lebanese citizens (Figure 13.1).

**Figure 13.** Do you have access to services?

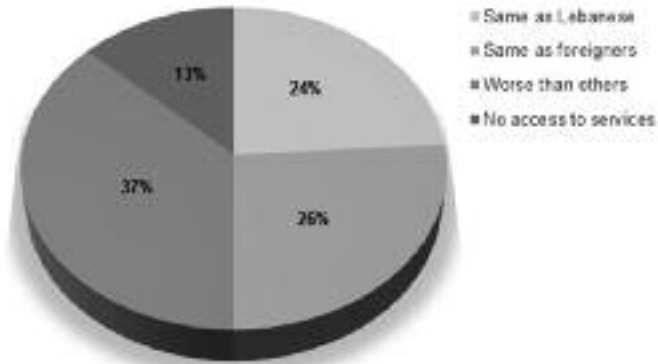


Syrian refugees' access to welfare services and relative treatment in Lebanon (produced based on: Alsharabati & Nammour, 2015)

Regarding employment opportunities, 45% of recruiters state that they would not hire Syrians (Figure 14). 69% of them justify this answer by saying that Syrian refugees take jobs away from Lebanese citizens (Figure 14.1).

Analogous trends are reported in the case of Jordan. Compared to 2012, welcoming attitudes towards Syrian refugees in the Hashemite Kingdom have decreased (Figure

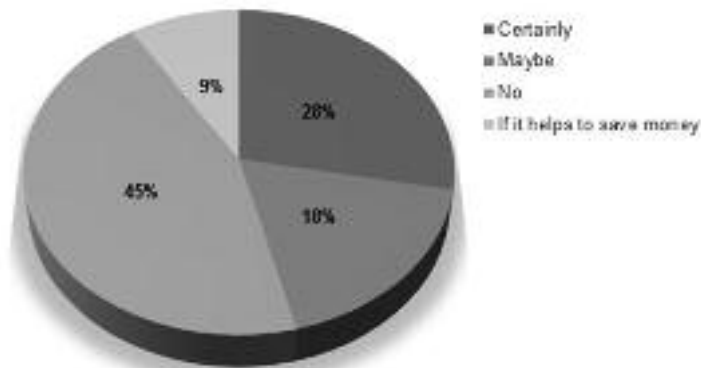
**Figure 13.1.** How are you treated when you seek access to services?



Syrian refugees' access to welfare services and relative treatment in Lebanon (produced based on: Alsharabati & Nammour, 2015)

15). Social tension and potential segregation also apply to living and residential areas. 66% of Jordanians<sup>4</sup> admit preferring to have fellow nationals as neighbours instead of Syrian refugees, while only 32.4% state not feeling any difference between the two groups (Table 1). The same survey shows that 71.2% of Jordanians feel a decrease in safety in their country, as a result of the influx of the Syrian refugees (Table 2). Competition in the labour market is considered to be a serious problem by the host community, as 82.9% of Jordanians believe that employing a Syrian might create disputes between them and the host community (Table 3).

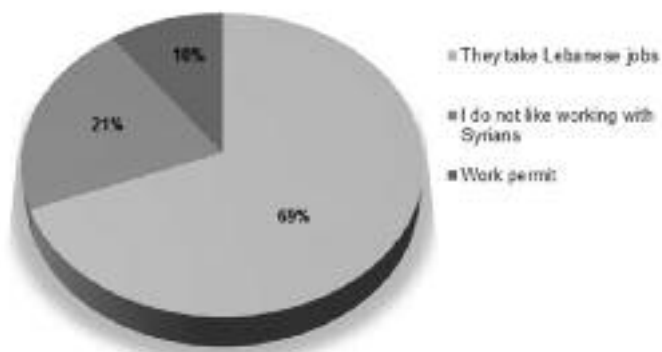
**Figure 14.** Would you hire Syrian workers?



Recruiter tendencies in hiring Syrians and relative motivations (produced based on: Alsharabati & Nammour, 2015)

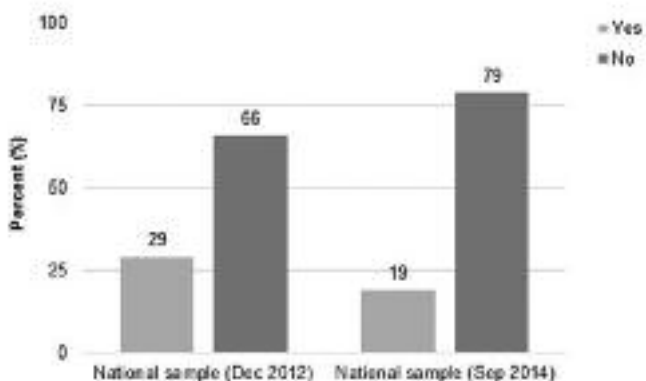
<sup>4</sup> The total number of surveyed people was 3,149 aged 18 and older. The stratified proportional sample was based on geographical and administrative divisions in the Kingdom of Jordan.

**Figure 14.1.** Why would you not hire Syrian workers?



Recruiter tendencies in hiring Syrians and relative motivations (produced based on: Alsharabati & Nammour, 2015)

**Figure 15.** As a result of the Syrian crisis, Jordan has received hundreds of thousands of Syrian refugees. Do you support continuing to receive more Syrian refugees?



Jordanian community opinion about potential new migration arrivals (produced based on: Shteivi, Walsh & Klassen, 2014)

**Table 1.** Jordanian and Syrian opinion about living as neighbours

Which do you prefer more, having Jordanian or Syrian neighbours?	Baseline	
	Jordanian %	Syrian %
Jordanian	66	7.2
Syrian	1.6	18.7
Does not make any difference	32.4	74.1
Total	100	100

Produced based on: CSS & Mercy Corps & UK FCO Conflict Pool, 2015

**Table 2.** Jordanian and Syrian opinion about perception of security in the country following the Syrian refugee's migration

Do you think that with the increase in the number of Syrian refugees the level of security in the region where you live in Jordan will decrease?	2013		2015	
	Jordanian %	Syrian %	Jordanian %	Syrian %
Yes, it will decrease	71.2	20.9	57.0	11.4
No, it will stay the same	27.0	74.4	36.5	81.5
No, it will increase	1.4	4.1	6.5	7.1
No answer	0.3	0.7	0.0	0.0
Total	100	100	100	100

Produced based on: CSS, Mercy Corps &amp; UK FCO Conflict Pool, 2015

**Table 3.** Jordanian and Syrian opinion about employment possibilities for Jordan and Syrian citizens

Do you think that the work of Syrians in shops and facilities might create disputes between Jordanians and Syrians?	2013		2015	
	Jordanian %	Syrian %	Jordanian %	Syrian %
Yes	82.9	57.2	65.8	45.6
No	15.8	37.6	30.2	45.1
Don't know	1.3	5.3	4.0	9.3
Total	100	100	100	100

Produced based on: CSS, Mercy Corps &amp; UK FCO Conflict Pool, 2015

The improbability of obtaining legal employment leads most of the Syrian refugees to accept vulnerability conditions and lower wages in the informal sector, thus deteriorating the labour market and working conditions for all workers. Although currently some negative attitudes toward receiving more refugees into Jordan could be detected amongst Jordanians, the tension between members of the two communities remains very limited. However, if not adequately addressed, in the long term such a situation could degenerate into more serious social conflicts.

## Recommendations

Jordan and Lebanon have endured a heavy burden by hosting Syrian refugees. The huge refugee influx due to the continuation of war in Syria has stretched the already limited resources and imposed severe stress on the economy, host communities and public



services in both countries. The international community has provided assistance to both countries, but the support covers no more than 30% of the resources needed to handle the refugee crisis. The situation is aggravated by the fact that there seems to be no near end of the Syrian war, which implies that the Syrian refugees will continue to flow to Lebanon and Jordan for the foreseeable future. The magnitude of this problem is beyond the economic capacity of these two countries. Thus, the responsibility of meeting the short- and long-term needs of the refugees should be shared with the international community. The response plans should address not only the needs of the refugees, but also those of the host communities, in order to mitigate the impact of the crisis on them and to pre-empt the development of tensions and conflicts between the host and the refugee communities.

The above considerations require a paradigm shift from the current humanitarian approach to a developmental one that focuses on creating opportunities in both countries to the host communities and the Syrian refugees. In order to address all the short- and medium-term needs and avoid the collapse of the economy of the host countries in the long term, the host countries and the international community should jointly implement a comprehensive set of policies. These might include:

1. Continue to provide humanitarian assistance to Syrian refugees, especially for the most vulnerable segments of the population, such as children and women, to ensure that their basic needs are met.
2. Develop policies and programmes to stop the expansion of the informal economy in both countries with the intention of gradually formalising the informal economy, and to stop the deterioration of working conditions for refugees and Jordanian and Lebanese nationals.
3. Encourage international businesses to establish factories and businesses in the areas with a major concentration of Syrian refugees, thus creating job opportunities for refugees and host communities.
4. Encourage and provide incentives for businesses to employ both refugees and nationals, especially in newly-established business.
5. Encourage temporary employment of refugees and local community in large public projects.
6. Set up micro credit schemes and loans to Syrians and nationals, with a focus on youth and women.

7. Develop policies to fight the fast-growing child labour market, including imposing obligatory school enrolment of children into the school system.
8. Whenever possible, include refugees in the national employment and poverty alleviation programmes in both countries.
9. Improve the management of the labour market through the development of a national statistical database of working refugees.

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# Economic and Social Integration of Migrants and Refugees in Turkey

*Ahmet Bayaner\**, *Glden Blk\*\**, *kr Erdem\*\*\**

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\*Professor, Center for Economic Research on Mediterranean Countries (CREM), Akdeniz University

\*\*Assistant Professor, Center for Economic Research on Mediterranean Countries (CREM), Akdeniz University

\*\*\*Associated Professor, Center for Economic Research on Mediterranean Countries (CREM), Akdeniz University

## Introduction

Turkey has witnessed large flows of emigration and immigration since the Ottoman Empire. *"The state-led emigration of the late 19th century and the early Republican period were maintained by agreements of reciprocity with other countries: with Bulgaria in 1913 and 1925 and with Greece in 1923"* (Içduygu & Aksel, 2013, p. 171).

The Law on Settlement issued in 1934 regulates the rules for entry, settlement and application for refugees of "Turkish descent and culture" basically from countries of the old Ottoman Empire. Based on this law, more than 1.6 million people, Turkish speaking communities and the Muslim communities from the Balkans and Caucasia, were settled in Turkey from 1923 to 1997 (Kirişçi, 2003). These waves of immigration did not create major challenges. However, the large influx of Syrian refugees has presented a problem that Turkey has not witnessed before.

Turkey is now a major transit and destination country for Syrian refugees.<sup>1</sup> According to the World Bank, Turkey now hosts the largest refugee population in the world (World Bank [WB], 2015). The number of Syrian refugees registered under temporary protection is around 2.73 million (Directorate General Migration Management [DGMM], 2016a). Only 256,300 refugees (around 10% of the total number of Syrian refugees) are living in temporary camps. The rest settled mostly in urban areas, mostly in south-east provinces such as Kilis, Şanlıurfa, Hatay and Mardin, where they seek their own accommodation and work opportunities.

Turkey became a transit country not for only Syrians but also for irregular migrants from Afghanistan, Bangladesh, Iraq, Iran and Pakistan. The number of refugees and migrants arriving in Greece from Turkey was more than 850,000 in 2015 (United Nations High Commissioner for Refugees [UNHCR], 2016).<sup>2</sup> The number of irregular transits from Turkey to Greece has reached an average of 6,000 per day. This number significantly dropped to below 2,000 in March 2016 after the EU-Turkey Joint Action Plan was approved.

The major challenges Turkey faces are to respond to the immediate needs of refugees, to register refugees staying in Turkey, providing them with legal statutes, and to avoid irregular transit migration. Overall, Turkey has to develop a more comprehensive migration policy, including integration.

Turkey has been working on harmonisation of its migration policy with that of the EU for a long time. Migration policy has become a priority since the Syrian crisis and Turkey has

1 As explained below, Turkey does not grant refugee status to *asylum seekers coming from outside of Europe*. Syrian refugees in Turkey were officially received as "guests" and given the "temporary sheltering status". Therefore, the term of Syrian refugee should be considered as Syrians under temporary protection (SuTPs). Turkish Law on Foreigners and International Protection defines 4 types of international protection: refugee, conditional refugee, subsidiary protection and temporary protection. Temporary protection is granted to foreigners who were forced to leave their countries (DGMM, 2016b).

2 This number covers the Eastern Mediterranean and Western Balkans route.

focused on building the legal and institutional infrastructure of migration management. However, until now, Turkey has not had relevant experience in integration policies. In addition, the problems mounted by the migration crisis required all the related policies to be reviewed at national and international level.

This chapter will first present an overview of migration history in Turkey. The legal and institutional framework of Turkish migration policy will be reviewed. The integration performance of the country will be evaluated on the basis of the findings of MIPEX scores. Secondly, the situation of Syrian refugees will be examined, including their living conditions and employment. In addition, social attitudes towards Syrian refugees are discussed. Finally, the EU-Turkey Action Plan and Agreement signed recently will be analysed. The last part will formulate some recommendations for policies that may be adopted at national and international level to more efficiently address the challenges resulting from the major migrant and refugee influx to Turkey.

## The Migration and Refugee Challenges in Turkey and the Turkish Migration Policy Framework

### Overview of Migration History in Turkey

Traditionally, Turkey has been a country of emigration with large numbers of its citizens migrating to Western Europe, particularly to Germany since the 1960s. However, since the 1980s, it has witnessed major waves of immigration.

**Table 1.** Migration to Turkey 2000-2010

Irregular migrants		Transit migrants		Irregular labour migrants	
Country	Migrants	Country	Migrants	Country	Migrants
Iraq	93,862	Iraq	93,862	Moldova	50,288
Pakistan	65,604	Pakistan	65,604	Georgia	25,310
Afghanistan	58,436	Afghanistan	58,436	Romania	20,814
Moldova	50,288	Iran	22,132	Russian Fed.	19,941
Georgia	25,310	Bangladesh	17,409	Ukraine	19,487
Others	404,868	Others	215,393	Others	87,953
Total	698,365	Total	472,836	Total	225,802

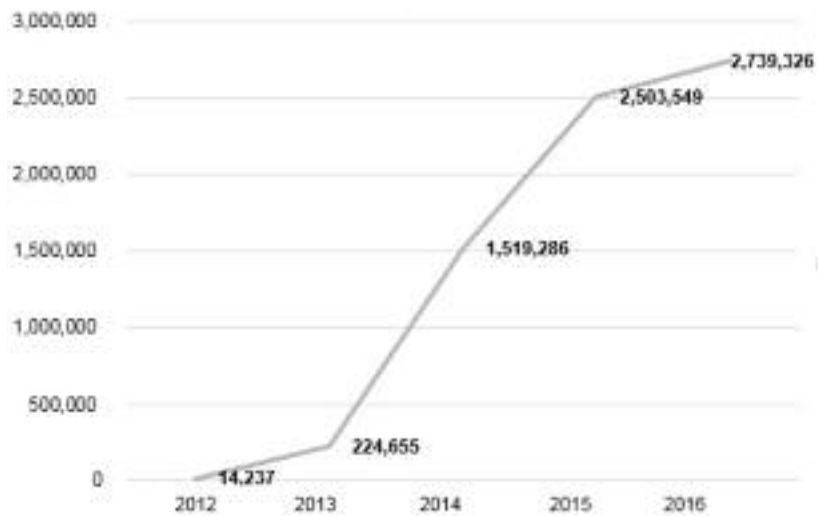
Source: İçduygu & Aksel, 2012



Since 1980, the first wave of immigration in Turkey was the influx of Iranians after the Iranian Revolution. The second wave was Iraq Kurdish people and Bulgarian Turks at the beginning of the 1990s. In the late 1990s and during the 2000s Turkey became a final destination for migrants from Eastern Europe and the former Soviet Union and a transit route for irregular migrants from Afghanistan, Iraq and Pakistan (Table 1).

Since April 2011, Turkey has allowed Syrian refugees into the country based on the Turkish government’s “open door” policy. The number of Syrian refugees increased more than ten-fold during the 2012-2016 period (Figure 1). As of June 2016, Turkey is hosting around 2.73 million Syrian refugees (DGMM, 2016b).

**Figure 1.** Number of Syrian refugees under temporary protection in Turkey



Source: DGMM, 2016b.

The Turkish government’s initial response was based on short-term emergency planning, with the goal of providing shelter and food for the refugees. However, Turkey started to reconsider its migration policy since it is clear that Syrian refugees are no longer “temporary guests, as currently there is no political solution that would lead to ending the conflict in Syria.

**Legal and Institutional Framework of Turkey’s Migration Policy**

Turkey was one of the original signatories to the 1951 Refugee Convention, adopting time and geographical limitation. When signing the 1967 Additional Protocol relating to the status

of refugees, Turkey left the time limitation but chose to continue to maintain the geographical limitation. This means that "*Turkey is under no legal obligation to grant refugee status to asylum seekers coming from outside of Europe*". In practice, this limitation is only partially implemented. Anyone can seek asylum in Turkey and applications will be received and processed by Turkish authorities of UNHCR. However, people fleeing from persecution outside Europe, if granted refugee status, are resettled in third countries (Içduygu, 2015; Latif, 2002; Avcı & Kirişçi, 2008).

Until 1994, there was no comprehensive Turkish legislation relating specifically to refugees and asylum seekers. Laws and regulations on migration were reshaped after 1994. The 1994 Asylum Regulation "The Regulation on the Procedures and the Principles Related to Population Movements and Aliens Arriving in Turkey either as Individuals or in Groups Wishing to Seek Asylum either from Turkey or Requesting Residence Permission in Order to Seek Asylum from Another Country" adopted the refugee status criteria from the UNHCR.

Turkey's migration policy has changed considerably since the early 2000s in order to comply with EU membership criteria. From 2001 onwards, the EU-Turkey accession negotiations have been the major anchor leading to debates on the transformation of migration policies in Turkey (Korfali, Üstübcü & De Clerk, 2014). The EU's discourse on migration management was effective in formulating Turkey's policy-making process regarding migration and asylum. In 2003, Turkey adopted the National Programme, and in June 2005 the "National Action Plan on Asylum and Migration" (NAP) was adopted, aiming at harmonisation with the European acquis. The NAP stipulated that a specific Asylum Law would be enacted by 2012 (Kaya, 2009). The Law on Work Permits for Foreigners, which came into force in 2003, allowed foreign workers to practise all professions in Turkey.

In 2004-2005, Turkey implemented Twinning Projects on Migration and Asylum with the cooperation of Denmark and England, and on Integrated Border Management with the cooperation of France and England. In addition, Turkey was an active member of some international organisations and working groups such as the Budapest Group, International Border Police Conferences, CIREFI (EU-Centre for Information Exchange on Illegal Migration and Frontier Infringements), SECI Working Groups, Sustainability Pact – Human Trafficking Task Force (Elitok, 2012).

As of April 2011, the Syrian refugees in Turkey were officially received as "guests" and given the "temporary sheltering status" in October 2011, as per Article 10 of the 1994 Ordinance by the Ministry of Interior Affairs. The first legal regulation on the status of Syrians is "Directive no. 62 on Receiving and Sheltering Syrian Arab Republic Citizens and Stateless Persons

Living in the Syrian Arab Republic, Who Entered Turkey for the Purpose of Mass Sanctuary”, dated 30 March 2012. The Directive does not make reference to individual beneficiaries of “temporary protection,” but refers to “nationals and stateless persons from Syria arriving in Turkey en masse,” and sets out some guidance for state agencies dealing with the Syrians. Despite this informality, Syrians arriving in Turkey have been welcomed under the temporary protection regime. The directive embodies the basic elements set out in both the UNHCR’s 1994 Report on International Protection, which first described a temporary protection scheme, and in the EU’s Directive on Temporary Protection (Bidinger, Lang, Hites, Kuzmova & Nouredine, 2015).

On 22 October 2014, the Council of Ministers of the Republic of Turkey issued a regulation on temporary protection, as per Article 91 of the Law. According to Provisional Article 1, the regulation applies to Syrian nationals, as well as stateless persons and refugees from Syria. The regulation defines four types of international protection statuses: refugee, conditional refugee, subsidiary protection and temporary protection. Temporary protection shall be granted to foreigners who were forced to leave their countries, are unable to return to the countries they left, arrived at or crossed Turkish borders en masse to seek urgent and temporary protection, and whose international protection requests cannot be taken under individual assessment.

The rights of temporary protection beneficiaries are as follows: access to emergency care, including access to shelter, food, water, medical treatment and physical security; access to identity and travel documents; access to referral, identification, screening, registration mechanisms and family tracing; access to education (UNHCR, 2014, pp. 4-5; Council of the European Union, 2001; UNHCR, 1981). Other rights, such as access to housing, medical care, higher education, the labour market and social security mechanisms, can also be offered gradually (UNHCR, 2014, pp. 4-5; Council of the European Union, 2001; UNHCR, 1981).

Finally, the adoption of legislative reforms was accelerated in 2013. A Readmission Agreement was signed simultaneously with the European Union on 16 December 2013 in Ankara and approved by the Grand National Assembly of Turkey on 25 June 2014 (OJEU, 7 May 2014). The Agreement entered into force on 1 October 2014. Also, the EU-Turkey visa liberalisation dialogue was initiated (Delegation of European Union in Turkey [DEU], 2016).

In April 2013, the Turkish Parliament adopted the Law on Foreigners and International Protection, which constituted a corner stone in Turkish migration policy (Law No. 6458 Date

of Adoption: 4 April 2013). The law, which came into force in 2014, is filling a gap in the legal structure of migration policy of Turkey. As stated, Turkey does not recognise non-European applicants as refugees due to geographical limitation. However, this application creates ambiguity in terms of refugee protection. The law thus regulates arbitrary situations, which may arise, and ensures the implementation of policies in harmony with the law (Dalkiran, 2016).

Law 6458 also established Directorate General of Migration Management (DGMM) under the Ministry of Interior, in order to coordinate the overall asylum and migration issues. The specific duties of the DGMM are: development of legislation and administrative capacity and carrying out work on developing policies and strategies related to migration, implementation and monitoring of policies, carrying out activities for the protection of human trafficking victims, ensuring coordination among police forces and public institutions.

### **Migrant Integration Policy in Turkey: MIPEX Evaluation**

While integration itself means "*joining parts into an entity*", migrant integration policies refer to "*whether all residents are guaranteed equal rights, responsibilities and opportunities*" (Council of Europe [COE], 2011; Migrant Integration Policy Index [MIPEX], 2011). Migrant integration is measured in terms of employment, health, education, social inclusion and active citizenship in the hosting country (EUROSTAT, 2016). For example, the OECD evaluates migrant integration through 27 indicators organised around five areas: employment, education and skills, social inclusion, civic engagement and social cohesion (Organization for Economic Cooperation and Development [OECD], 2015).

MIPEX, a tool developed by the Barcelona Centre for International Affairs and the Migration Policy Group (MPG), measures policies to integrate migrants in all EU member states, Australia, Canada, Iceland, Japan, South Korea, New Zealand, Norway, Switzerland, Turkey and the USA. The MIPEX assessment based on 167 policy indicators in 8 policy areas in 2015, indicates that Turkey's legal framework is slightly unfavourable for integration and ranks below all other MIPEX countries, scoring only 25 out of 100 points (MIPEX, 2015).

According to the MIPEX assessment, the policies are unfavourable for labour market mobility, education, and political participation. The MIPEX report indicates that Turkey has the weakest protection against discrimination because an anti-discrimination law

and agency are pending approval by the Parliament. Settled immigrants face an unfavourable path to citizenship, as in several new countries of immigration.

**Table 2.** MIPEX Scores by Selected Countries, 2015

Rank	Countries	Score
1	Sweden	78
2	Portugal	75
3	New Zealand	70
4	Finland	69
23	Hungary	45
33	Malta	40
37	Latvia	31
38	Turkey	25

Source: Mipex.eu, 2015

**Table 3.** Turkish MIPEX Scores for Main Policy Areas, 2015

Labour market mobility	15
Education	5
Political Participation	11
Access to Nationality	34
Family Reunion	49
Health	32
Permanent Residence	27
Anti-Discrimination	26

Source: Mipex.eu, 2015

Recently, Turkey has started to reconsider the migrant integration policy. For example, the anti-discrimination law came on the agenda of the Turkish parliament after the EU-Turkey Action Plan was approved in March 2016.

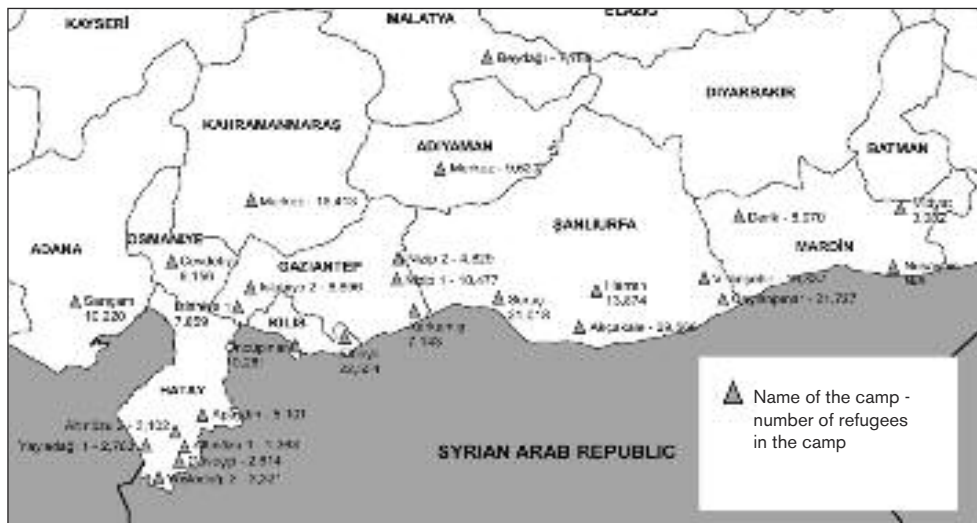
## Syrian Refugees in Turkey

Syrian refugees were settled in camps in 2012 and 2013. However, in 2014 the camps' capacity became insufficient because of a massive refugee influx. As a result, large groups of refugees scattered across many provinces: firstly, close to the Syrian border, and then some of the refugees moved to other cities, where they could either find a job more easily or from which it was easier to continue to travel to EU countries.

## Syrian Refugees in Camps

More than 270,000 Syrian refugees are residing in 26 camps across 10 provinces along its 500-mile border with Syria (Figure 2). The camps are managed according to UNHCR camp guidelines and have been assessed as exemplary due to their cleanliness, safety, maintenance, power lines, schools, and other services.

**Figure 2.** Syrian refugee camps in Turkey (June 2016)



Compiled by IEMed. Source: NATO - Euro-Atlantic Disaster Response Coordination Centre, 2016

The Turkish Disaster Response Agency (AFAD) has been the leading agency in managing the camps and coordinating the government’s efforts to respond to the refugee inflow. AFAD was originally established in order to deal with disasters, such as earthquakes. Its experience played a very important role in the successful management of camps. Market, heating, laundry, dishwashing, shower, worship, communications, interpreting, psycho-social support and banking services count among the many services that are provided in the camps. Education and vocational training activities are also carried out.



Nizip Camp



Akçakale Camp



**Beydaği Container Camp**

Source: AFAD, 2014



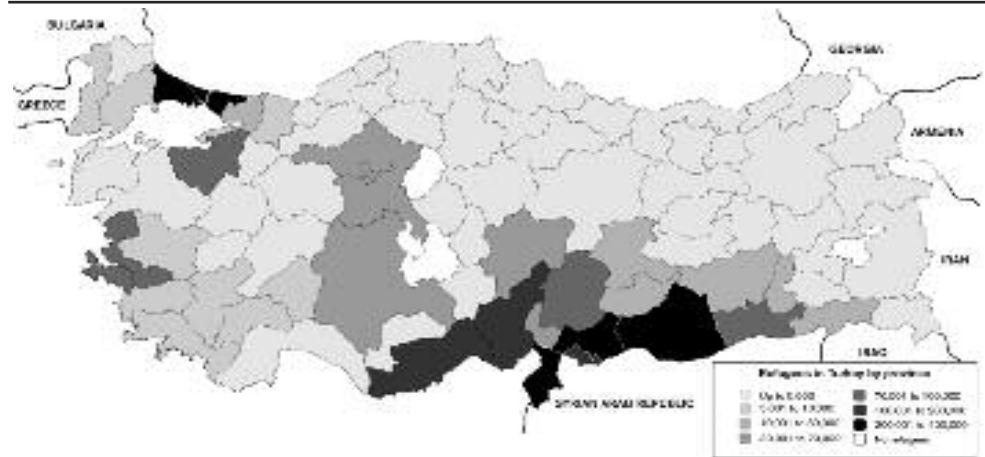
**Adiyaman Camp School**

Moreover, recreation centres, children's playgrounds, television rooms and internet services are available. As indicated above, shelter centres have become a model in the international community. UNCHR has declared the Turkish-led camp management as an "emergency response of a consistently high standard." However, there are growing concerns regarding the finances and support needed to sustain the camps at the same standard of quality and services (Kanat & Üstün, 2015).

### Syrian Refugees Outside Camps

Nearly 90% of Syrian refugees scattered and settled around the whole country. As shown in Figure 3, Istanbul, Hatay, Gaziantep, Şanlıurfa, Kilis are the provinces that host the largest number of refugees.

**Figure 3. Distribution of Syrian refugees in Turkey by provinces (May 2016)**



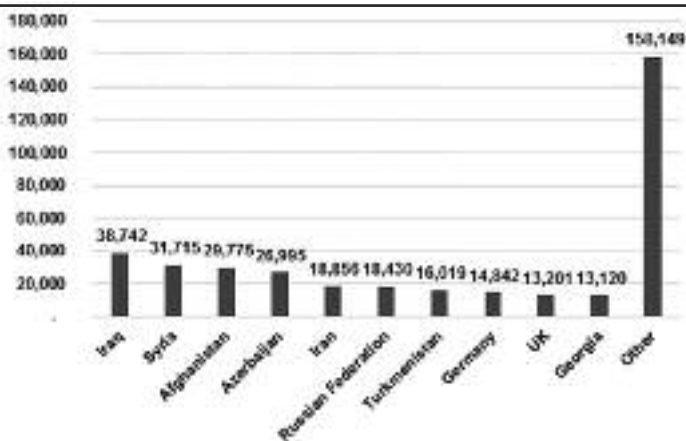
Source: UNHCR, 2016b

While the camps are well-managed and resourced, the non-camp refugee population continues to experience significant problems that need to be addressed. For the refugees living outside the camps, the most urgent issues are housing, food, education, health services, and employment.

AFAD reports that 75% of Syrian refugees outside camps live in houses or flats, while 25% live in informal settlements or makeshift arrangements. Most of those who live in houses or flats rent these units. Different surveys conducted in 2013 and 2014 indicate many cases whereby few Syrian families stay together in one house or flat and many families live in a single room without toilets and shower (Center for Middle Eastern Strategic Studies [ORSAM], 2015a).

DG Migration Management data show that the number of Syrian refugees who obtained residence permits reached 31,715 in 2014 (Figure 4).

Figure 4. Residence permits granted to foreigners in Turkey 2014



Source: DGMM, 2016b

Syrian refugees with a temporary protection identification card have access to free healthcare and food assistance services, secure access to electricity, water, and communication services and are allowed to open bank accounts.

Health services for people under temporary protection are regulated by two official documents: The AFAD Decree no. 2014/4 dated 18 December 2014 on "Services to Foreigners under Temporary Protection" and the Ministry of Health Directive no. 2875 on "Principles Governing Health Services to Persons under Temporary Protection", updated on 4 November 2015.



Registered Syrian refugees have free access to medical care provided by public hospitals. Non-registered refugees can only access emergency healthcare (World Health Organisation [WHO], 2015). Nevertheless, there are some improvements in this field. Increasing numbers of non-registered refugees can access emergency care, after which they need to register in order to obtain further care (UNHCR, 2015). The registered refugees can, within the province of their registration, consult family doctors and Syrian polyclinics launched in community health centres for first level health services and resort to hospitals under the Ministry of Health for second level services. They can receive treatment in university hospitals or private health facilities on the condition that they have their referrals there (Turkish Medical Association [TMA], 2016). As of October 2014, about 250,000 Syrian refugees received inpatient care, more than 200,000 patients had operations, there were almost 150,000 births, and over 6 million consultations took place (World Bank, 2015).

Some Syrian doctors started to provide medical services in NGO clinics. However, work permission and diploma equivalency constitutes legal barriers for Syrian doctors. The EU Commission is supporting the training and integration of qualified Arabic-speaking Syrian doctors into the Turkish healthcare system. Over 10% of EU humanitarian funding to date has contributed to this sector (European Commission [EC], 2016a).

Turkey's Health Ministry plans to open Family Health Care Centres, where Syrian doctors and nurses would be able to serve their fellow citizens, thus eliminating difficulties arising from a shortage of Arabic-speaking Turkish doctors. In addition, the Ministry aims to build fully-fledged healthcare centres for Syrian refugees ("Turkey to Build Healthcare", 2016).

Education of children is another important issue because more than 1 million Syrian refugees are aged 15 and nearly 650,000 are under 24 (DGMM, 2016b).

Turkish Ministry of National Education has adopted two key education models on the subject. One of the models is the Ministry's Temporary Training Centres (TTC) where the education curriculum in Syria is in Arabic. The second model is the public school system of Turkey; however, here, the language barrier is the biggest problem (Foundation for Political, Economic and Social Research [SETA], 2016).

All registered Syrians can enrol in state schools free of charge. There are over 663,000 registered Syrian refugee school-age children, of which more than 300,000 enrolled in school in 2015. The majority of them enrolled in TTCs and just 15% in public schools. While the enrolment rate inside refugee camps is nearly 90%, this rate remains around 25% for school age children living outside the camps. 34 TTCs are located in the camps and some

232 TTCs outside, including 10% at pre-school level, 30% at primary school level, 27% at secondary school level and 28% at high-school level (Emin, 2016). Some of these TTCs were established by NGOs or associations in cooperation with the Ministry of Education. UNICEF supported nearly 10,000 Syrian volunteer teachers with monthly incentives in camps and host communities (United Nations International Children's Emergency Fund [UNICEF], 2015).

While housing, food, education and health issues are related to capacity problems and bureaucratic hurdles, the employment issue is more about the legal framework and political sensitivity surrounding it. Actually, the number of Syrian refugees employed informally is estimated at around 400,000 (Erdoğan & Ünver, 2015).

Most Syrian refugees are working in the informal sector under exploitative conditions, meaning long working hours, unsafe conditions, lack of guaranteed payment, and low wages. Child labour is also still a huge problem (OXFAM, 2015; Kanat & Üstün, 2015).

According to the "Regulation on Work Permit of Foreigners Under Temporary Protection" (2016), refugees may apply for a work permit six months after they receive their temporary ID cards and may only work in provinces in which they officially reside. Despite the possibility of Syrian refugees obtaining work permits, the transition from informal market to formal labour market remains slower than expected. Fewer than 10,000 Syrian refugees were given work permits up to June 2016 (Sak, 2016).

Although the majority of Syrian refugees come from rural areas and belong to low-income group, some business owners and investors have also come to Turkey. Syrian refugees are becoming an economic actor in Turkey not only in terms of their labour power but also their entrepreneurial skills. The number of companies opened by Syrians increased by around 40-fold between 2010 and 2015 (Özpinar, Başihöş & Kulaksız, 2015). About 3,300 firms were established during this period. Out of 2,395 foreign capital companies registered in the first half of 2015, 750 belong to Syrians. 559 companies are located in Istanbul, 222 in Gaziantep and 203 in Mersin (Sak, 2016).

Syrian refugees have access to some social assistance and services provided by the governorate, the municipality, social solidarity foundations, and NGOs. However, the type and quality of services vary across localities.

With the influx of Syrians, several cities, such as Kilis, saw their population double in a year. In some cases, the number of refugees surpassed the number of local residents. At the

beginning of the refugee crisis, the most affected provinces were those located close to the Syrian border. Currently, other significantly affected provinces are those in the western part of Turkey, such as Edirne, Izmir, Balıkesir and Istanbul.

Municipalities are facing capacity limits for garbage collection, building inspections, public transport, water supply and cleaning activities, due to limited budget and inadequacy of infrastructure (WB, 2015). However, municipalities in some provinces, such as Sanliurfa, Hatay, Gaziantep, Mersin and Izmir-Torbali, were very active in organising aid campaigns and developed some sample projects in health or education services together with NGOs.

### **Economic and Social Impacts of Refugees in Turkey**

Massive refugee inflow into Turkey had an impact on increased prices of food, rent and housing. As a result, the inflation rate rose considerably in 2014-2015. The entry of refugees into the labour market increased the unemployment rate across the country, notably in southern Turkey.

Del Carpio and Wagner (2015) showed that a 1% increase in the ratio of refugees to population in a sub-region resulted in a greater than 1% increase in the unemployment rate. The influx of refugees has led to a large-scale displacement of low-skilled Turkish workers to informal jobs. This crowding out effect has emerged especially in agriculture and construction. The impact is greater for women than men. It is also somewhat greater for the young.

The most visible impact of the influx of refugees to cities is an increase in rental prices. Rental prices have almost doubled in provinces along the border and housing has become scarcer. The increase is an advantage and a gain for the landlords, whereas it is yet another burden for low income people.

On the other hand, it is important to stress that Syrian refugees have also had a positive impact on the Turkish economy. Demand for food, housing and clothing increased. The Syrian labour force is paid lower wages, creating cost advantages in several sectors, especially in seasonal agricultural activity.

A significant trade is generated in Turkey by the businessmen from Aleppo who had strong networks and relationships with the Middle East. These merchants have been distributing Turkish products around the Middle East (ORSAM, 2015b). Turkish Exporters Union (TIM) data shows that Turkish exports to Syria started to increase after a drastic fall in 2012. While

the exports dropped from USD 1.6 billion in 2011 to USD 504 million in 2012, it reached USD 912 million again in 2013 and USD 1.4 billion in 2014 (Turkish Exporters Council [TIM], 2016).

### Attitudes of Turkish Society towards Syrian Refugees

Few surveys indicate a negative attitude of Turkish people towards Syrian refugees. According to the HUGO survey conducted in 2014 and Turkish Perception Survey conducted by German Marshall Fund (GMF) in 2015, a large majority (ranging from 60% to 80% of respondents) of Turkish society feel concern about negative impacts of Syrian refugees on Turkish society and economy. 60% of respondents think that Syrians should be sent back to their country even though the war is ongoing and only 10% think that refugees should be offered official status or Turkish citizenship (Erdoğan, 2014).

Turkish communities also complain that refugees are taking their jobs, cause a decrease in wages, increase of rents and decrease of quality of municipal services. ORSAM reports increasing divorce rates in Turkish families in the provinces close to the Syrian border. The increasing divorce rate has been perceived to be directly linked to the increase of marriages between Syrian women and Turkish men. For example, in Kilis, the causes of 20% of divorces are speculated to be because of Turkish men marrying Syrians (ORSAM, 2015a).

### EU-Turkey Action Plan

Despite the possibility of refugees in Turkey being granted temporary status, the number of refugees who decided to continue their journey to Europe increased significantly in 2015. In 2015, the number of irregular migrants travelling from Turkey to Greece reached 800,000, with daily arrivals amounting to around 6,000. IOM reports 3,771 migrant fatalities in the Mediterranean in 2015 (International Organisation for Migration [IOM], 2016). The cooperation between Turkey and EU member states is critical to address this unprecedented challenge.

The 2015 EU Progress Report on Turkey stated that Turkey had improved border cooperation with Bulgaria and Greece across their common land border. The three countries signed a customs and police cooperation agreement in May 2015. Concerning sea borders, Turkey and Greece started to hold regular meetings under their bilateral readmission protocol. The exchange of information to aid search and rescue operations in the Aegean Sea intensified. The report also indicated that Turkey should strengthen its capacity to

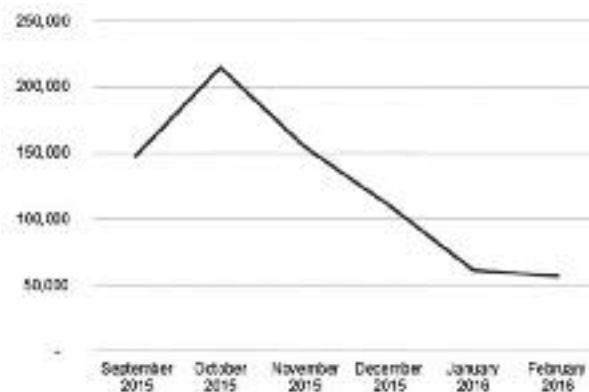
prevent irregular departures from the country's Aegean coasts, including through increased cooperation with the Greek coast guard and police (EC, 2015).

The EU-Turkey Joint Action Plan signed on 15 October 2015 in Brussels constitutes a new step regarding the management of irregular migration and refugee flows. Through the Action Plan, the EU intended to mobilise new funds to support Turkey, provide immediate humanitarian assistance via relevant humanitarian organisations in Turkey, strengthen Turkey's capacity to combat migrant smuggling by reinforcing the Turkish Coast Guard patrolling and surveillance capacity, increase financial assistance to support Turkey in meeting the requirements of the Visa Liberalisation Dialogue and developing a well-functioning asylum, migration, visa and integrated border management system.

Turkey intended to continue and further enhance the effective implementation of the Law on Foreigners and International Protection by adopting necessary secondary legislation, to ensure that migrants are registered and provided with appropriate documents, thus making it possible to build a stronger migration management strategy and system, to adopt and implement policies facilitating Syrians under temporary protection to have access to public services, including health services and education for children, to strengthen the interception capacity of the Turkish Coast Guard, and to enhance the fight against and dismantling of criminal networks involved in the smuggling of migrants.

The Joint Action Plan was activated at the EU-Turkey summit on 29 November 2015. As a result, as shown in Figure 5, the number of irregular arrivals from Turkey to Greece have declined since October and stabilised during January and February.

**Figure 5.** Monthly irregular entries from Turkey to Greece



Source: EC, 2016b

The European Commission reports that "from 1 to 29 February, the Turkish law enforcement and border agencies prevented 8,540 migrants from sea borders and 15,986 from land borders from irregularly exiting the Turkish territory towards the EU" (EC, 2016b). Since 1 May the average daily number of arrivals from Turkey to Greek islands reduced from an average of 2,000 a day to 47 per day (EC, 2016c).

Following the EU-Turkey Joint Action Plan, and the 7 March EU-Turkey statement, a new agreement was signed between the EU and Turkey on 18 March 2016 (EC, 2016d). The agreement aimed at targeting the smuggling business. The agreement stipulated that new irregular migrants crossing from Turkey to the Greek islands would be returned to Turkey; for every Syrian being returned to Turkey from the Greek islands another Syrian would be resettled to the EU; Turkey would prevent the opening of new irregular migration routes from Turkey to the EU; once irregular crossing reduced, a Voluntary Humanitarian Admission Scheme would be activated; disbursement of €3 billion under the Facility for Refugees in Turkey would be speeded up and additional funding to the end of 2018 would be mobilised.

The agreement created strong reactions both from the international community and in Turkey. International organisations, such as UNHCR, and NGOs, such as Amnesty International, Human Rights Watch, questioned the "legality" of the deal and expressed concerns about expulsion of refugees. Critics from the Turkish side argued that the agreement would transform Turkey into a "permanent buffer zone" for refugees.

Leaving the critical opinions aside, it can be observed that the EU-Turkey Agreement contributed to developing integration policy in Turkey. The Turkish parliament approved the entry into force of the provisions for third-country nationals in the EU-Turkey Readmission Agreement (EC, 2016c). Moreover, the government approved extending work and residence permission for foreigners. Finally, the Turkish government announced its intention to grant citizenship to Syrian refugees. Although the issue of granting citizenship has created heated debates in the country, this proposition constitutes a new and important step in Turkey's integration policy.

## Conclusion and Recommendations

The Turkish government's initial response to the massive migrant and refugee influx was based on short-term emergency planning, aiming at providing shelter and food for the refugees. However, considering the lack of political solutions that would end the Syrian conflict, the government has started to focus on developing and implementing integration policies. Some improvements were made in this regard, including establishment of the

General Directorate of Migration, granting work permits, access to free education and health services.

Nevertheless, two major problems remain: further enhancement of socioeconomic integration in a more comprehensive way and a more efficient border control to prevent illegal flows both to Turkey and from Turkey to the EU.

1. The EU committed itself to disburse 3 billion euros under the Facility for Refugees in Turkey and to mobilise some additional funding. Taking into account that during the period between 2012-2016 Turkey has already spent 7 billion euros for 260,000 refugees living in camps, the EU financial support for 2016-2018 will certainly ease the financial burden, but will still be rather insufficient to improve living conditions of refugees.
2. By signing the EU-Turkey Agreement from 18 March 2016, Turkey agreed to take back all irregular migrants from Greece. The EU Council committed itself "to resettle, for every Syrian readmitted by Turkey from the Greek islands, another Syrian from Turkey to the EU Member States." However, some difficulties may be encountered at the time of implementing those decisions. First of all, mass returns of refugees are not compatible with international law. Secondly, further harmonisation of the Turkish asylum system with the Common European Asylum System is necessary. Thirdly, it is not so easy to find an EU member state that would volunteer to accept more refugees. Lastly, it is difficult to assume that tightening border controls would be a solution to the refugee crisis. Solutions should rather focus on root causes of the crisis.
3. With regard to integration problems in Turkey, the implementation of integration policies is a challenging task since the majority of refugees (around 90%) scattered and settled in the whole country. Readmission of illegal migrants would create new challenges in integration policy for Turkey.
4. Most refugees, even those already employed, prefer to continue their journey to Europe, hoping to have better living conditions there. Therefore, in order to limit the migration flows, living conditions of the refugees in Turkey, especially of those outside camps, should be improved. In the provinces hosting the largest groups of refugee (Şanlıurfa, Hatay, Kilis, Gaziantep), additional funding should be allocated for further development and adjusting of infrastructure (schools, hospitals etc.). The funding could be provided by the European Investment Bank (EIB) and European Bank for Reconstruction and Development (EBRD). An additional responsibility and financial resources should be allocated to local administrations and municipalities that have a better knowledge of the

most urgent needs of inflow and local communities. In other provinces, a financial support programme for renting and/or building houses should be implemented, in order to accelerated integration process.

5. Programmes on learning Turkish, vocational training, training programmes for Syrian teachers and workers and special support programmes for women remain major challenges faced by the Turkish government in terms of the financial and institutional capacities. Moreover, more efforts are needed in order to improve education services for children.
6. Turkish society's awareness of Syrian refugees should be increased, thus contributing to better integration of the refugees. Jointly organised media campaigns, emphasising solidarity, would contribute to greater integration, not only in Turkey but also in Europe.
7. A Euro-Mediterranean network consisting of refugee-friendly cities should be set up. This network can also be considered for NGOs. It would be very important to put forward success stories of integration at state, municipality and NGO levels for policy design and recommendations.
8. Joint business ventures between Syrians and host communities should be promoted, through legal and financial incentives, thus contributing to boosting local economies and generating income for refugee and host communities alike. Immigrant entrepreneurship should be promoted through special instruments, such as microfinance for self-employment and micro-enterprise creation.



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# Refugee Crisis and Asylum Policies in Greece and Italy

*Lydia Bolani\**, *Eda Gemi\*\**, *Dimitris Skleparis\*\*\**

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\*Research Associate, ELIAMEP

\*\*Research Fellow, ELIAMEP

\*\*\*Research Fellow, ELIAMEP



## Introduction

Southern Europe, and especially Greece and Italy, have been faced with a steady flow of refugees and migrants as a result of various conflicts in Europe's southern neighbourhood, demographic change and lack of economic development in parts of the Middle East, Sub-Saharan Africa and South Asia, as well as the impact of climate change. In particular, the Syrian conflict and the transformation of Libya into a failed state have led to a substantial increase in the number of incoming refugees and migrants, making the management of those flows by the Greek and Italian authorities almost impossible.

This chapter aims to provide a brief history of irregular migration flows to Greece, present challenges for border management and the current situation regarding reception facilities in Greece, followed by statistics, and then analyse the asylum procedure in Greece and Italy in some detail. Finally, the chapter concludes with a number of policy recommendations.

## Irregular Migration Flows to Greece<sup>1</sup>

Greece has been faced with relatively high irregular migrant population stocks and flows during the past 25 years. The evolution of inflows of irregular migrants has experienced ups and downs at the different border areas (see table 1). The most notable reduction is at the Greek-Albanian border as of 2011 and particularly in 2014, though this is closely related to the exemption from a visa requirement of Albanian nationals entering the EU as of December 2010.

**Table 1.** Irregular migrants in Greece 2011-2015

	2011	2012	2013	2014	2015*
Afghanistan	28,528	Afghanistan 16,584	Albania 15,389	Syria 32,520	Syria 455,363
Pakistan	19,975	Pakistan 11,136	Syria 8,517	Albania 16,751	Afghanistan 186,500
Albania	11,733	Albania 10,602	Afghanistan 6,412	Afghanistan 12,901	Pakistan 23,318
Bangladesh	5,416	Syria 7,927	Pakistan 3,982	Pakistan 6,184	Albania 16,068
Algeria	5,398	Bangladesh 7,863	Bangladesh 1,524	Somalia 3,621	Iraq 63,421

Source: Ministry for the Protection of the Citizen, [www.astynomia.gr](http://www.astynomia.gr) for all years cited here

\* first 11 months of 2015.

The Greek Turkish border has been consistently under pressure during the past five years. This trend has been strongly influenced by geopolitical developments in the region since the Arab Spring in 2011 and particularly the implosion of the Libyan regime, the conflict in Syria as well as the overall instability and conflict in the Middle East, which

<sup>1</sup> Based on the Report prepared for the OECD Network of International Migration Experts, November 2015, and authored by Anna Triandafyllidou, Eda Gemi and Michaela Maroufouf.

have reshuffled the irregular migration and asylum seeking routes throughout south-eastern Europe and the Mediterranean.

During 2014 and particularly in 2015 the situation rapidly evolved. Arrivals in the Greek islands increased twenty times from just over 2,500 in 2013 to over 42,000 in 2014. They further increased six fold between 2014 and the first 8 months of 2015, while the most recent update by the UNHCR puts them at 851,319 (UNHCR, 2016), continuing unabated particularly on the island of Lesbos during the first 3 months of 2016.

With a closer look at the nationalities of the migrants arriving in Greece, we notice the emergence of Syrians as by far the largest group in 2015 (accounting for 65% of all registered undocumented arrivals). Afghans remained an important group in 2014 but their numbers increased dramatically in 2015 to over 186,500, a level unregistered even in the crisis years of 2009-2011. Interestingly, Pakistanis, who had declined in absolute numbers from nearly 20,000 in 2011 to 3,600 in 2014, have picked up again with over 23,318 in 2015 and the same is true for Iraqis, the third largest group.

### Border Management

Alongside improvements in its asylum and irregular migration management policy, Greece has improved its border controls. Indeed, the rising number of apprehensions generally indicates not only irregular migration or asylum seeking pressures at the borders of Greece (or the presence of irregular migrants within the country) but also the enforcement efforts of the authorities. Greece has beefed up its border controls since 2007 in particular and again even more in 2012 through Operation Shield (Aspida) and the 12.5 kilometre fence built along the Greek Turkish land border. However, Operation Aspida was discontinued in 2015 through lack of funding and the significantly reduced migrant pressures there. Similarly, the fence appears to have suffered major damage from flooding in the region during the winter of 2014-15.

Until January 2015, apprehensions at the border and particularly at Greek-Turkish land and sea borders included disembarkation, identification at the police station and detention as a routine measure for all irregular migrants and asylum seekers. Returns, whether voluntary or compulsory, had also significantly increased during the past two years with Pakistanis being the main nationality returned. However, the situation changed dramatically in 2015. The change was due to the different practice of the new government concerning detention of irregular migrants and asylum seekers (see section above). However, it also has to do with the rising and particularly overwhelming influx towards Greece of irregular migrants and

asylum seekers from the Middle East (particularly Syria but also Iraq) as well as from Asian and African countries overall (particularly Afghanistan, but also Pakistan, Bangladesh and, to a lesser degree, Somalia, Eritrea and Sudan).

Overall, Greek migration policies in the 1990s and 2000s have largely been characterised by a reactive approach to irregular migration and informal employment in the country's black market economy. The main legislative measures for normalising the migration situation involved regularisation. Integration measures have been mostly on paper but in practice rather minimal.

For the past ten years, Greece, a principal gateway for irregular migrants and asylum seekers to Europe, has struggled to develop a sustainable asylum policy which would allow it to receive persons in need of international protection, while protecting the EU's external borders. But in the past two years, the political turmoil in the Middle East and Africa combined with the financial crisis have added new pressures, rendering the need for a revision of Greece's asylum policy approach and introduction of integration schemes (e.g. in the labour market) particularly urgent.

Greece itself bore the lion's share of managing irregular arrivals. Over the first six months of 2015 the number of migrants arriving on Greek shores soared by 408% compared with the same period the previous year. The economic crisis combined with fractured national politics has raised particularly complex challenges for Greek policy-makers. Hit hard by a five-year debt crisis and successive rounds of austerity measures, Greece has had to significantly limit its budget for migration issues and has had to curb public spending.

Current efforts have mainly focused on establishing and providing access to a viable asylum system that would process applications for international protection in a fair and timely manner. Less attention has therefore been paid to providing socioeconomic integration schemes, particularly in housing and the labour market. As a result, a growing number of NGOs, private charities and even international organisations have expanded their mandates and effectively taken over a large proportion of the state's responsibilities in receiving, hosting and assisting asylum seekers and other persons in need of international protection; in a way substituting the state in its role of guarding socioeconomic rights and gradually integrating its refugee and migrant population into Greek society. For its critics, asylum seekers and irregular migrants are effectively left to their own means within Greece and survive only with the help of private initiatives. While the absence of any integration prospect has sporadically found its way into the public dialogue, the need for a more comprehensive strategy has become particularly urgent.

## Greek Reception Facilities

Living conditions differ among Greek reception facilities. When reception facilities operate beyond their full capacity, living conditions naturally begin to deteriorate.

Site	Type	Number of People
Agios Andreas (Attica)	Temporary accommodation facility	135
Chios	Hotspot	2,717
Diavata (Thessaloniki)	Reception facility	2,003
Drama	Temporary accommodation facility	520
Eleonas (Attica)	Reception facility	712
Eleftheroupoli	Temporary accommodation facility	250
Elliniko (Attica)	Temporary accommodation facility	3,956
Herso	Reception facility	3,640
Idomeni	Makeshift camp	10,500
Idomeni	Temporary accommodation facility	2,000
Konitsa	Temporary accommodation facility	162
Kos	Hotspot	67
Larisa	Temporary accommodation facility	396
Lavrio (Attica)	Temporary accommodation facility	338
Lefkovrysi	Temporary accommodation facility	447
Leros	Hotspot	11
Lesbos	Hotspot	4,723
Malakasa (Attica)	Temporary accommodation facility	795
Nea Karvali	Temporary accommodation facility	750
Orestiada	Temporary accommodation facility	140
Piraeus (Attica)	Temporary accommodation facility	3,390
Polykastro	Reception Facility	3,370
Ritsona	Temporary accommodation facility	350
Rodos	Temporary accommodation facility	48
Samos	Hotspot	530
Schisto (Attica)	Reception facility	1,970
Thermopyles	Temporary accommodation facility	300
Trikala	Temporary accommodation facility	191
Total	-	43,407

Source: Government's Coordination Centre for the Management of the Refugee Crisis, 16 March 2016<sup>2</sup>

An overview of how the Eleonas camp, perhaps the best organised refugee reception facility in Greece, operates provides an understanding of how Greek reception facilities operate in general. Eleonas was created at the end of July 2015. It belongs to the municipality of Athens, and several NGOs and volunteers provide their services there. The camp is divided in three sections: a) one for vulnerable people; b) one for families with children under 16;

<sup>2</sup> Hotspots are facilities where the registration of all incoming persons takes place. Then the refugees/migrants are taken into reception facilities, where they spend a few days before being transported to a temporary accommodation facility, where they stay until their asylum application is examined and their status determined.

and c) one for people older than 16. Eleonas can host about 750 people in its 90 prefabricated “Iso Box” houses. Each house contains four double bunk beds and one bathroom. Eight people can live in each house. Free food is distributed daily to everyone, 3 times per day, in one of the two common areas. The second common area is designated for children only. Moreover, there are two basketball courts, free Wi-Fi, and mobile phone charging stations. Free healthcare is provided by the Hellenic Centre for Disease Control and Prevention (KEELPNO). Food and other supplies are provided by state authorities (recently the army has started providing food), NGOs and volunteers. Interpreters provided by a Greek NGO are present in the camp most hours of the day. Eleonas is an open facility, which means that people are free to enter and leave without being checked by the police, who are present outside the camp for security purposes. Legal assistance is provided upon request, and asylum assistance is provided every Thursday by an Asylum Service officer. As previously mentioned, Eleonas camp is the best organised reception facility in Greece. Other facilities, such as Schisto, which was very recently and hastily completed, still lacks organisation.

In most cases, state authorities and certified NGOs and volunteers provide food in reception facilities, temporary accommodation facilities and hotspots. The voucher programme has not yet been implemented in Greece due to the high mobility of migrants and refugees between different sites and camps. However, there are plans for the implementation of such a programme in Greece too, once (and if) the situation becomes normalised.

## The Asylum Procedure in Greece

### Brief Historical Background

The asylum procedure in Greece, which was managed by the Greek police, was for years heavily criticised by international organisations, national human rights institutions, and national and international NGOs, for its structural deficiencies: problematic access to the procedure, insufficient examination of the asylum claims, low recognition rates,<sup>3</sup> lack of interpretation, decisions without any reasoning, extreme length of the procedure (in many cases reaching a decade), etc.<sup>4</sup>

In 2009, the then new Government decided to set up a working group<sup>5</sup> on the reform of the asylum system. The group submitted its report with specific and detailed

3 [http://www.astynomia.gr/index.php?option=ozo\\_content&perform=view&id=12630&Itemid=73&lang=](http://www.astynomia.gr/index.php?option=ozo_content&perform=view&id=12630&Itemid=73&lang=)

4 UNHCR (2009, December). Observations in Greece as a Country of Asylum. Retrieved from <http://www.refworld.org/pdfid/4b4b3fc82.pdf>; Council of Europe (2009, February 4). Report by Thomas Hammarberg, Council of Europe Commissioner for Human Rights following his visit to Greece, 8-10 December 2008. Issue Reviewed: Human Rights of Asylum Seekers. CommDH(2009)6. Retrieved from <https://wcd.coe.int/com.instranet.InstraServlet?Index=no&command=com.instranet.CmdBlobGet&InstranetImage=1490755&SecMode=1&DocId=1361712&Usage=2>; National Commission for Human Rights(2008). *Report on the Asylum Procedure*. Retrieved from [http://www.nchr.gr/images/pdf/apofaseis/prosfuges\\_metanastes/apofasi\\_asylo2008.pdf](http://www.nchr.gr/images/pdf/apofaseis/prosfuges_metanastes/apofasi_asylo2008.pdf); For reports by the Greek Ombudsman on various aspects of the asylum procedure, see <http://www.synigoros.gr/?i=foreigner.el.prosbasi-asylo>; Amnesty International (2010, March). The Dublin II Trap: Transfers of Asylum Seekers to Greece. Retrieved from <http://www.amnesty.eu/static/documents/2010/GreeceDublinIIReport.pdf>.

5 The working group was composed of representatives of Ministries, UNHCR, the Greek Ombudsman, the National Commission for Human Rights, the Athens Bar Association, and NGOs.

recommendations to the Minister of Citizen Protection at the end of 2009. In 2010, a legislative drafting committee was set up with a two-fold mandate: a) to draft a bill establishing an autonomous civil Asylum Service, and b) to amend the asylum legislation then in force, in order to improve to a certain extent the existing situation until the Asylum Service becomes operational. The outcome was Law 3907/2011<sup>6</sup> and Presidential Decree 114/2010. The most important change that PD 114/2010<sup>7</sup> brought was the establishment of the Appeals Committees with decision-making powers composed of: a public servant as president, a representative of the UNHCR, and an expert appointed by the Minister of Citizen Protection (now Minister of the Interior) from a list compiled by the National Commission for Human Rights.

The Asylum Service, which now falls under the competence of the Alternate Minister of Migration Policy of the Ministry of the Interior, started operating on 7 June 2010. From that date onwards, police authorities stopped registering asylum applications, although applications already submitted remained under the competence of the decision-making authorities of PD 110/2014, i.e. the police authorities in the first instance and the Appeals Committees in the second instance.<sup>8</sup> Thus, currently there are two asylum systems in place, dealing with old and new cases, respectively.<sup>9</sup>

### Access to the Procedure

The legislative instrument regulating the asylum procedure is Presidential Decree 113/2013.<sup>10</sup> Asylum applications must be submitted in person at the Regional Asylum Offices (hereafter, RAO) or Asylum Units of the Asylum Service. Currently, the following are operational: RAO of Attica, RAO of Thessalonica, RAO of Northern Evros, RAO of Southern Evros, RAO of Rhodes, RAO of Lesbos, RAO of Samos, Asylum Unit of Amygdaleza (registering applicants under administrative detention), Asylum Unit of Xanthi (registering applicants under administrative detention), Asylum Unit of Patras (registering applicants under administrative detention and vulnerable applicants accommodated in reception centres falling under its territorial competence). Not all the Regional Asylum Offices

6 Law 3907/2011 "Establishment of an Asylum Service and a First Reception Service, adaptation of Greek legislation to the provisions of Directive 1008/115/EC 'with regard to the common rules and procedures in Member States for the return of illegally staying third-country nationals' and other provisions" (O.G. A 7/2011). Retrieved from <http://www.ytp.gr/images/stories/2011/law%203907.pdf.pdf>.

7 PD 114/2014 "Establishment of a single procedure for granting the status of refugee or of beneficiary of subsidiary protection to aliens or to stateless persons in conformity with Council Directive 2005/85/EC on minimum standards on procedures in Member States for granting and withdrawing refugee status" (O.G. A 195/2010). Retrieved from <http://www.unhcr.gr/prostasia/nomiki-prostasia/o-nomos-stin-ellada/nomothesia-gia-to-asylo/artikel/9578e6fbff5a045f49de676ede6f8488.html?L=zpppifyoo>.

8 At the moment there are no cases pending in the first instance. However, there are 20,201 cases pending in the second instance, the so-called "backlog".

9 The present report will focus on the new procedure.

10 PD 113/2013 "Establishment of a single procedure for granting the status of refugee or of subsidiary protection beneficiary to aliens or to stateless individuals in conformity with Council Directive 2005/85/EC "on minimum standards on procedures in Member States for granting and withdrawing refugee status (L326/13.12.2005) and other provisions" (O.G.A146/2013). Retrieved from [http://www.ytp.gr/images/stories/2013/asylo/PD%20113\\_2013\\_EN%20Final.pdf](http://www.ytp.gr/images/stories/2013/asylo/PD%20113_2013_EN%20Final.pdf). The European Commission has sent Greece a letter of formal notice (see [http://europa.eu/rapid/press-release\\_IP-15-5699\\_en.htm#\\_ftn1](http://europa.eu/rapid/press-release_IP-15-5699_en.htm#_ftn1)) for not having yet transposed the Recast Asylum Procedure Directive. A draft presidential decree transposing the Recast Directive was uploaded on 20 November 2015 in the electronic governmental platform for consultation.

provided for in article 3 of Law 3907/2011 have been set up. However, the setting up of the RAO in Crete and Chios, as well as the conversion of the Asylum Unit of Patras to the Regional Asylum Office,<sup>11</sup> are underway.

When applicants submit their application they are photographed, fingerprinted and a registration form is completed by registration officers, who pose a series of questions to the applicants with the assistance of an interpreter concerning their personal details, family links, reasons for not wishing to return to their country of origin, vulnerability etc. They are informed of their rights and obligations, an information leaflet is given to them, their interview is scheduled as soon as possible depending on the availability of caseworkers and interpreters,<sup>12</sup> and an asylum applicant's card is issued.<sup>13</sup> Each applicant has his/her own physical and electronic file where all information and documents concerning his/her case are kept.

In case an asylum seeker is under administrative detention, police authorities must inform the competent RAO (or Asylum Unit) through an electronic system. Then the RAO informs the police of the date the asylum seeker needs to be transferred before it in order for his/her application to be registered. Administration detention is not lifted automatically upon the registration of the asylum application. An applicant may continue to be detained if the police considers that there are national security or public order concerns or upon a recommendation by the head of the competent RAO if the continuation of detention is deemed necessary a) for the determination of the actual data of the applicant's identity or origin, or b) for the prompt and effective completion of the examination of the application.<sup>14</sup>

Although, the quality of the registration procedure has undoubtedly been improved, the problematic access to the asylum procedure as such continues to be criticised.<sup>15</sup> It is true that the number of people wishing to apply for asylum exceeds<sup>16</sup> its registration capacity mostly due to the fact that the Asylum Service is still understaffed. In order to

11 That means that it will be able to register all applicants and not simply detainees and vulnerable applicants.

12 Except in the case of subsequent applications. See *infra*. Moreover, according to article 16 par. 3 of PD. 113/2013, the examination of the following cases may be prioritised: a) applicants belonging to vulnerable groups, b) applicants who are under administrative detention or at the border, c) applicants falling under the Dublin Regulation, d) applicants whose claim is assumed to be well-founded, e) applicants whose claim is assumed to be manifestly unfounded, f) applicants who constitute a danger to national security or public order on the basis of a reasoned opinion of the police, and g) admissibility of subsequent applications. Given that interviews are scheduled for the first available date, in practice the only cases that are actually prioritised, even by postponing another scheduled interview, are applications filed by individuals detained at the transit zones of airports and ports (border procedure).

13 According to article 8 par. 1 of PD 113/2013 the maximum duration of the applicant's card, which is renewable until the asylum procedure is concluded, is 6 months. By decision of the Director of the Asylum Service the duration of the card may be reduced. Currently, the duration of the card is 4 months, whereas for nationals of Albania, Georgia, Pakistan Bangladesh and Egypt the duration is 3 months (see [http://asylo.gov.gr/wp-content/uploads/2015/03/apofasi\\_8248\\_15.pdf](http://asylo.gov.gr/wp-content/uploads/2015/03/apofasi_8248_15.pdf)). Moreover, applicants who are detained are issued with an applicant's card after their release.

14 Article 12 of PD 113/2013.

15 UNHCR (2014, December). Observations on the Current Situation of Asylum in Greece (p. 15). Retrieved from <http://www.refworld.org/docid/54cb3af34.html>; UNHCR (2015, April). Recommendations to the New Government of Greece. Retrieved from [http://www.unhcr.gr/fileadmin/Greece/Extras/Greece/2015\\_EN\\_R.pdf](http://www.unhcr.gr/fileadmin/Greece/Extras/Greece/2015_EN_R.pdf).

16 This is so even though the vast majority of asylum seekers entering Greece do not wish to apply for asylum in Greece.

address this problematic situation, the Asylum Service constantly revises its procedures – always within the existing legislative framework – to increase its registration capacity without undermining the quality of the procedure. Thus, for example, it has adopted the so-called "fast-track procedure" for nationals (or stateless persons with former habitual residence in Syria), according to which both the registration and the interview take place at the same time by a caseworker (and not a registration officer) and the decision granting them refugee status is issued on the same day.<sup>17</sup> It has also adopted the booking of registration appointments via Skype. The Asylum Service takes the view that in this way asylum seekers avoid the hardship of having to show up at the competent RAO at 7 am several times before they manage to get registered due to the large number of people queuing. However, this procedure has been criticised as enhancing unimpeded access to the asylum procedure (Asylum Information Database, 2015).

### Procedure in the First Instance

The interview<sup>18</sup> is conducted by a caseworker with the assistance of an interpreter.<sup>19</sup> When the applicant is a woman, in most cases the interview is conducted by a caseworker of the same sex. In the case of families, each adult member is interviewed separately. Accompanied minors are interviewed without the presence of their parent(s) on the basis of the degree of their maturity or/and if the caseworker considers it necessary. The interview is recorded, although a full transcript of the interview, which is not signed by the applicant, is also kept during the interview in order to facilitate the procedure in the second instance.<sup>20</sup> The applicant may request a copy of both the transcript and the audio file. The applicant may be assisted by a lawyer, but at his/her own expense, given that there is no state legal aid scheme for the asylum procedure.<sup>21</sup> The personal interview may be omitted: a) if the caseworker considers that on the basis of the file he/she is able to grant the applicant refugee or subsidiary protection status, or b) if the interview is not possible for objective reasons, in particular if the applicant is unfit or unable to be interviewed. Such incapacity must be certified by a physician.

It must be noted that in the case of applicants under administrative detention at the time of their interview, caseworkers are instructed: a) to prioritise the issuing of decisions in relation to other cases, and b) in case the applicant is detained upon recommendation of the RAO's head to inform the latter after the interview whether it is likely the applicant will be granted status. If that is the case, the head of the

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<sup>17</sup> Applicants for whom there are doubts as to their nationality or there are indications of potential application of exclusion clauses are referred to normal procedure in order for an in-depth interview to take place.

<sup>18</sup> Article 17 of PD 113/2013.

<sup>19</sup> All caseworkers of the Asylum Service have been trained on EASO training modules. Furthermore, they are assisted in their duties by UNHCR Associate Asylum Experts seconded to the Asylum Service. Their decisions are reviewed by the Department of Training, Quality Assurance and Documentation of the Asylum Service, which conducts face to face feedback sessions with the caseworkers and organises re-trainings when necessary.

<sup>20</sup> See *infra*.

<sup>21</sup> There are several NGOs providing free legal aid to asylum applicants. Moreover, the setting up of a state-funded legal aid scheme for the procedure in the second instance is underway.



competent RAO revokes his/her initial recommendation and the applicant is released. The caseworker must issue his/her decision as soon as possible and in any case within six months from the day the applicant was registered or within 3 months in the case of accelerated procedure.<sup>22</sup> An application will be examined under the accelerated procedure in the following cases: a) the applicant comes from a safe country of origin, b) the application is manifestly unfounded,<sup>23</sup> c) the applicant has presented inconsistent, contradictory, improbable or unsubstantiated information, which render his/her statement of being a victim of persecution clearly unconvincing, d) the applicant misled the examination authorities by presenting false information or documents or by withholding relevant information or documents regarding his/her identity and/or nationality which could adversely affect the decision, e) the applicant filed another application for international protection stating other personal data, f) the applicant has not provided information establishing, to a reasonable degree of certainty, the applicant's identity or nationality or it is likely that he/she has destroyed or disposed in bad faith identity or travel documents that would help determine the applicant's identity or nationality, g) the applicant has submitted the application only to delay or impede the enforcement of an earlier or imminent deportation decision or removal by other means, h) the applicant failed to comply with his/her obligations as provided for in article 9, i) the applicant refuses to comply with the obligation to have his/her fingerprints taken, j) the application was submitted by an unmarried minor for whom an application has already been submitted by the parents or parent, which was rejected, and the applicant does not invoke new critical elements regarding his/her personal situation or the situation in his/her country of origin.<sup>24</sup> It needs to be noted, however, that the examination of an application under the accelerated procedure has no differences with the one under regular procedure in the first instance, but only in the second instance.<sup>25</sup> Thus, the caseworker decides when issuing his/her decision whether an application will fall under the accelerated procedure or not.

The caseworker may grant refugee or subsidiary protection status, or reject an application under the regular or accelerated procedure. The caseworker may also reject an application as inadmissible, but there is not a separate admissibility procedure, as in the case of Spain.<sup>26</sup> An application will be rejected as inadmissible, when: a) another EU member state has granted the applicant international protection status, b) another state has accepted the responsibility to examine the application under Dublin Regulation,<sup>27</sup> c) the applicant enjoys adequate protection by a non-EU member state, which is considered as a first country of asylum for him/her, d) a country is considered a safe third country for the applicant, e) the application is a subsequent application of the applicant and the

<sup>22</sup> In case of an applicant detained at a transit zone, caseworkers are instructed to issue their decisions within 3 days.

<sup>23</sup> An application is characterised as manifestly unfounded where, during the submission of the application and the conducting of the personal interview, the applicant invokes reasons that manifestly do not comply with the status of refugee or of subsidiary protection beneficiary.

<sup>24</sup> Article 16 par. 4 of PD 113/2013.

<sup>25</sup> See *infra*.

<sup>26</sup> Except in the case of subsequent applications.

<sup>27</sup> See *infra*.

<sup>28</sup> See *infra*.

preliminary examination has not revealed new substantial elements,<sup>28</sup> f) a member of the applicant's family lodges a separate application, although the member has already consented to the inclusion of his/her case to an application made on his/her behalf and there are no facts to justify a separate application.<sup>29</sup> For the cases under c, d and f, an interview must take place before a decision is taken to reject the application as inadmissible.

All decisions must be justified. The average time for the issuing of a decision in the first instance is 88 days. The applicant must be notified of his/her decision. This is done in person by a registration officer with the assistance of an interpreter. The applicant is informed of the outcome of his/her application and he/she is given a certified copy of the decision.<sup>30</sup> If the applicant has been granted refugee status, he/she is informed of his/her rights and explained the procedure that must be followed for the issuing of his/her three-year residence permit. If the applicant has been granted subsidiary protection status, apart from the above, he/she is also informed of his/her right to file an appeal against the part of the decision that rejected refugee status. If the application has been rejected (either on the merits or as inadmissible), the applicant is given a certified copy of the decision, he/she is informed of his/her appeal rights, as well as the required time limits, and he/she must hand in the asylum applicant's card.

The vast majority of the decision notifications take place when the applicant presents him/herself to the competent RAO for the renewal of the asylum applicant's card. In the case of detainees, the Asylum Service may send the decisions to the head of the detention facility in order for the applicant to be notified of his/her decision.<sup>31</sup> However, the Asylum Service has secured the agreement of the police for all applicants under detention to be transferred to the competent RAOs to be notified of their decisions, in an effort to better secure their rights by being properly informed by the registration officers with the assistance of an interpreter.

The caseworkers may also issue a decision to discontinue the examination of the application (while it is still pending) in the case of implicit withdrawal. It is assumed that there is an implicit withdrawal when it is ascertained that the applicant: a) failed to respond to requests to provide information essential to his/her application, b) did not appear for the personal interview without providing well founded reasons for his/her absence, c) absconded from the place where he/she was detained or did not comply with the alternative measures imposed, d) departed from the place he/she resided without asking permission or informing the competent authorities if he/she was obliged to do so or left the country without obtaining permission from the competent authorities, e) did not comply with his/her communication

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29 Article 18 of PD 113/2013.

30 If an applicant has been granted refugee status, he/she is not given the reasoning of the decision.

31 Article 7 of PD 113/2013.

obligations within 15 days from the date the Asylum Service or the Appeals Authority asked him/her to contact them or appear before them, f) did not appear to renew the card on the next working day after its expiration.<sup>32</sup> If a decision to discontinue the case is issued, the applicant may request its revocation in order for the procedure to resume. In the majority of the cases, such requests have been admitted by the caseworkers.

### Procedure in the Second Instance

Law 3907/2011 provides for the Appeals Authority, an administrative body under the competence of the Alternate Minister for Migration Policy, based in Athens, for the examination of asylum applications in the second instance.<sup>33</sup> The appeals are examined by independent three-member Appeals Committees, which are assisted by the secretariat and the rapporteurs of the Appeals Authority. The members of the Committees are appointed by the Minister from a list compiled by the National Commission for Human Rights (the President and one member) and from a list compiled by the UNHCR.

Applicants have the right to appeal against a first instance decision within: a) 30 (calendar) days from the day following the notification of the decision, if their application was rejected under the regular procedure or if they appeal against a decision granting them subsidiary protection status, b) 15 days if their application was rejected under the accelerated procedure or as inadmissible, c) 10 days if the applicant is incarcerated or under administrative detention, and d) 3 days if the applicant is located in a First Reception Centre under restrictions or in an airport transit zone.<sup>34</sup>

The appeals are lodged in person at the competent RAO/Asylum Unit with the assistance of a registration officer and an interpreter. Appeals have automatic suspensive effect. The applicants are reissued with an asylum applicant's card and informed of the date their appeal will be examined by the Appeals Committees. If a detainee wishes to file an appeal, the police transfer him/her to the competent RAO/Asylum Unit in order to do so.<sup>35</sup> If an appeal is filed after the time limits prescribed in the law, the admissibility of the appeal is decided upon by the Director of the Appeals Authority, whereas the applicant is not issued with an applicant's card until a decision is reached.<sup>36</sup> This provision has been criticised as limiting and undermining the decision-making power of the Appeals Committees (Asylum Information Database, 2015, p. 45). On the basis of the draft presidential decree transposing the Recast Directive, this competence will be assigned to the Appeals Committees.

The decision in the second instance is taken on the basis of the applicant's case file. The Appeals Committee may invite the applicant to an oral hearing upon a binding

<sup>32</sup> Article 13 of PD 113/2013.

<sup>33</sup> Article 3 of Law 3907/2011.

<sup>34</sup> Article 26 of PD 113/2013.

<sup>35</sup> The applicant may submit any supplementary documents at least 15 days before the examination date of his/her appeal or, in the case of detainees, 5 days following the lodging of the appeal.

<sup>36</sup> Article 25 par. 5 of PD 113/2013. If the appeal is found to be admissible, the applicant is issued with an applicants' card and informed of the date his/her appeal will be examined by the Appeals Committee.

recommendation of the rapporteur, when the interview of the first instance is considered to be insufficient or the applicant has submitted new serious elements or the case is particularly complicated. The oral hearing is precluded if the application was rejected in the first instance as inadmissible or under the accelerated procedure or the application was filed by an applicant detained in a transit zone. The fact that the decision-making body does not have the right to invite an applicant for an oral hearing when it considers it necessary, but it is bound by the recommendation of the rapporteur and for some cases there is not even the possibility to do so, has been heavily criticised for undermining the independence of the Appeals Committees and the rights of the applicants (Asylum Information Database, 2015, p. 44-45). The draft presidential decree remedies this highly problematic situation by providing for the oral hearing of the applicant when the Appeals Committees consider it necessary under the aforementioned conditions.

The Appeals Committees must issue their decision within three months of lodging the appeal. Apart from granting international protection status or rejecting the appeal, they may also refer an applicant to the competent service of the Ministry of the Interior to be considered for a residence permit on humanitarian grounds. Furthermore, if an application was rejected as inadmissible in the first instance, the Appeals Committees may refer the case back to the first instance to be examined on its merits. The applicants are notified of the decision at the competent RAOs/Asylum Units by the registration officers.<sup>37</sup> If their appeal is rejected, they are informed of their right to file an appeal before the Administrative Appeals Court and they hand in their applicant's card. The said appeal does not have an automatic suspensive effect and it has to be filed within 60 days by a lawyer.

Free legal aid may be provided upon the applicant's request under the conditions of Law 3226/2004, i.e. a) insufficient resources, and b) "probability" of success.<sup>38</sup> A legal representative is appointed from a list compiled by the relevant Bar Association. It needs to be noted that, since September 2015, the Appeals Committees ceased their operation because the term of office of the members expired and no new members have been appointed by the Minister. This has generated a lot of problems for the asylum procedure given that no appeal is being examined. Until 31 December 2015, 1,797 appeals were pending.

### Subsequent Applications

In the case of a subsequent application,<sup>39</sup> no interview is scheduled and the applicant is not issued with an applicant's card but with a proof of registration. A caseworker examines the claim of the applicant in combination with his/her previous case-file (admissibility procedure). If the previous application had been submitted to the police

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<sup>37</sup> See supra.

<sup>38</sup> Law 3226/2004 "Legal aid to citizens with low income and other provisions" (O.G. A 24/2004).

<sup>39</sup> All subsequent applications are filed at the RAOs/Asylum Units even if the previous application had been submitted to the police authorities.

authorities, the Asylum Service requests a copy of the file. In order for the application to be admitted, the applicant must submit new substantial elements (concerning his/her personal condition or the situation in his/her country of origin), which are pertinent to the requirements for granting international protection status.<sup>40</sup> In such a case, the caseworker issues an admissibility decision; the applicant is notified to proceed to the competent RAO in order to be issued with an applicant's card and have the interview scheduled. If the application is rejected, the applicant may file an appeal.<sup>41</sup>

### Dublin Cases

The applicants are fingerprinted when they submit their application to the RAOs/Asylum Units. If there is a "Eurodac hit" concerning another state, the registration officer informs the Dublin Unit of the Asylum Service. An interview is nevertheless scheduled: a) in order for the caseworker to pose questions to the applicant to clarify whether the relevant criteria of the Dublin Regulation still apply to his/her case, and b) to give him/her the opportunity to raise objections to a potential transfer to the state, where he/she had been previously fingerprinted. That is also the case with applicants who have visas or residence permits issued by another member state.

The registration form contains several questions concerning the whereabouts of the applicant's family members. If during the registration a "family reunification" case arises, on the basis of the Dublin criteria, and the applicant consents in writing to be reunited with his/her family members, the registration officer informs the Dublin Unit. An interview is scheduled close to the expiration date of the applicant's card, in order for the communication with the other member state to have been completed by then and the applicant to be informed of the outcome.

After having examined the case file of the applicant, the Dublin Unit sends a take charge or take back request – depending on the case – to the other member state. If the other member state assumes responsibility for the case, the Dublin Unit notifies the caseworker to issue a decision of non-admissibility. The applicant may file an appeal against the decision. If the other member state rejects the request, the Dublin Unit notifies the caseworker to proceed with the proper examination of the case. All the transfer modalities are carried out by the Dublin Unit.

It needs to be noted that following the M.S.S. judgment by the European Court of Human Rights (European Court of Human Rights, 2011) all states bound by the Dublin Regulation have suspended the implementation of the Regulation vis-à-vis Greece.<sup>42</sup> Therefore, currently

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40 Article 23 of PD 113/2013.

41 See supra.

42 Some of them had already done so on the basis of governmental political decisions or domestic court rulings.

there is an extremely low number of incoming requests by other member states concerning applicants with a Greek residence permit.

### Unaccompanied Minors

Unaccompanied minors who are over 14 years of age may submit an asylum application in person. If a representative has already been designated by the Public Prosecutor for Minors, the application is filed by him/her in the presence of the minor. In the case of an unaccompanied minor under 14 years of age, the Asylum Service instantly informs the Public Prosecutor, who acts as the provisional guardian of the minor,<sup>43</sup> and requests his/her written permission to register the minor. In both cases, after the conclusion of the registration, the Asylum Service informs the Public Prosecutor for Minors of the date of the scheduled interview and of the place of accommodation of the minor. Moreover, it sends to the National Centre for Social Solidarity<sup>44</sup> a request for accommodation of the minor in a reception centre. In case the Public Prosecutor for Minors has already assigned the representation of a minor to another person,<sup>45</sup> the Asylum Service does not notify him/her.

The guardianship system for unaccompanied minors in Greece is very problematic. In practice, a guardian is never appointed by court decision, whereas the Public Prosecutor who acts as the provisional guardian of the minor almost never meets up with him/her or is present during the interview. Applications by unaccompanied minors are always examined under the normal procedure. The proof of notification of the decision is also sent to the Public Prosecutor (Greek Council for Refugees, 2015). In case the application is rejected, the minor may file an appeal.

### Hotspots and Relocation

Greece has committed itself to set up 5 "hotspots" in: Lesbos, Chios, Samos, Leros and Kos, which are underway. At the beginning of November, a hotspot/relocation pilot programme was initiated in Lesbos with the participation of European Asylum Support Office (EASO) experts and FRONTEX officers. After potential relocation candidates have been spotted, they are screened (for nationality identification purposes) by FRONTEX, registered, photographed and fingerprinted by Greek police officers, and informed by EASO experts on the relocation scheme. If they wish to be relocated, they are referred to the Regional Asylum Office of Lesbos to be registered as asylum applicants.

Relocation candidates are also registered in the Regional Asylum Office of Attica by registration officers assigned to the Relocation Unit set up in the Asylum Service. Applicants

43 Article 19 of PD 220/2007 on the transposition of Directive 2003/9/EC on minimum standards for the reception of asylum seekers (O.G. A 251/2007).

44 The National Centre for Social Solidarity is in charge of the allocation of asylum applicants to the existing reception facilities.

45 Usually social workers or lawyers working for NGOs.

under the relocations scheme are currently referred to PRAKSIS (a Greek NGO, implementing partner of UNHCR) for accommodation. After the registration is concluded, the Head of the Relocation Unit is informed in order for the matchmaking procedure to take place (currently carried out by the Head of the Unit) to be followed by the communication with the member states of relocation. Upon a positive response by the member state of relocation, a non-admissibility and transfer decision is issued. The applicants are notified of the decision. The transfer modalities are carried out by the Relocation Unit in cooperation with the International Organisation for Migration (IOM). Until 25 January 2016, 828 applicants were registered under the relocation scheme, whereas 208 have been transferred to other member states.

## Statistics

### A. Registration of asylum applications in the 2 countries of concern

	2013	2014	2015 (1 <sup>st</sup> term)	2015 (2 <sup>nd</sup> term)	2015 (3 <sup>rd</sup> term) <sup>46</sup>
Greece	8,225 <sup>47</sup>	9,430	2,990	3,245	3,440
Italy	27,930	64,625	15,430	15,105	28,630

Source: Eurostat, 2014; Eurostat, 2015a, Eurostat, 2015b, Eurostat, 2015c, Eurostat, 2016

### B. Recognition rate (refugee and subsidiary protection status)

	2014	2015 (1 <sup>st</sup> term)	2015 (2 <sup>nd</sup> term)	2015 (3 <sup>rd</sup> term)
EU average	40%	43%	42%	44%
Greece	14%	41%	49%	48%
Italy	32%	27%	22%	18%

Source: European Commission, 2015.

### C. Top 10 countries of origin of asylum applicants in Greece

2013 <sup>48</sup>	2014	2015
Afghanistan	Afghanistan	Syria
Pakistan	Pakistan	Pakistan
Albania	Syria	Afghanistan
Georgia	Bangladesh	Albania
Egypt	Albania	Bangladesh
Syria	Iran	Iraq
Bangladesh	Georgia	Georgia
Nigeria	Sudan	Nigeria
Democratic Republic of Congo	Nigeria	Egypt
Iran	Cameroon	Iran

Source: Ministry of Public Order and Citizen Protection, 2013; Ministry of Public Order and Citizen Protection, 2014; Ministry of Interior, 2015

46 During the 4th quarter of 2015, 3,531 applications were registered by the Greek Asylum Service.

47 Out of 8,225 applications, 3,407 applications were submitted to the police authorities under the previous legislative framework.

48 The data presented for 2013 involves only the Asylum Service, thus covering the time period 7 June to 31 December 2015.

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**D. Recognition rate per country of origin (refugee and subsidiary protection status) in the first instance in Greece**


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Top 5	2013	2014	2015
	Somalia 100%	Syria 99.6%	Syria 99.9%
	Syria 98.7%	Eritrea 76.9%	"Palestinians" 93.8%
	Sudan 90%	Iraq 67%	Stateless 92.4
	Eritrea 87.2%	Somalia 66.7%	Libya 91.7%
	Iran 64.5%	Sudan 62.2%	Eritrea 78.3%
Bottom 5	Pakistan 3.3%	China 2.8%	Bangladesh 4.4%
	Morocco 2.2%	Egypt 2.5%	Pakistan 2.8%
	Bangladesh 1.5%	Pakistan 2.0%	Algeria 1.1%
	Albania 0.0%	Albania 0.4%	Albania 0.2%
	Georgia 0.0%	Georgia 0.0%	Georgia 0.0

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Source: Ministry of Public Order and Citizen Protection, 2013; Ministry of Public Order and Citizen Protection, 2014; Ministry of Interior, 2015

## The Asylum Procedure in Italy

### Regular Procedure

According to Italian legislation,<sup>49</sup> an asylum request may be made either at the Border Police Office or at the Immigration Office of the Police (*Questura*) – if the applicant is already in the territory – where an initial registration, fingerprinting and photographing of the applicant take place. If the asylum request is made at the border, asylum seekers are requested to present themselves at the *Questura* for formal registration within 8 working days.

The above preliminary phase is followed by the formal registration (lodging of the asylum application) – completion of a detailed form with the personal details and history of the applicant – conducted exclusively by the *Questura*.<sup>50</sup> Then the applicants are issued with a stay permit for asylum applicants, which is valid for 6 months and renewable.

The police authorities send the registration form and all documents concerning an asylum applicant to the Territorial Commissions for International Protection<sup>51</sup> (hereafter, CTRPIs) or Sub-commissions, the competent bodies for examining an asylum application and taking decisions in the first instance. Each CTRPI has 4 members: 2 representatives of

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49 The Italian asylum procedure is regulated by the Legislative Decree no. 25/2008 "Implementation of Directive 2005/85/EC on minimum standards on procedures in Member States for granting and withdrawing refugee status" (see <http://www.camera.it/parlam/leggi/deleghe/08025dl.htm>), as amended by the Legislative Decree (LD) 142/2015 "Implementation of Directive 2013/33/EU on minimum standards for the reception of asylum applicants and the Directive 2013/32/EU on common procedures for the recognition and revocation of the status of international protection" of 18 August 2015, which entered into force on 30 September 2015 (see <http://www.gazzettaufficiale.it/eli/id/2015/09/15/15G00158/sg>). According to article 30 an implementing Regulation must be issued within 6 months from its entry into force, which will modify PD 21/2015 on "Regulation on the procedures for the recognition and revocation of international protection."

50 According to previous legislation, there was no time limit for the formal registration to be concluded. Due to the new legislation transposing the Recast Asylum Procedure Directive, the time limits provided therein were introduced.

51 Commissioni territoriali per il riconoscimento della protezione internazionale



the Ministry of the Interior, one of which is a senior police officer; 1 representative of the municipality (or province or region); and 1 representative of the UNHCR. At the moment, there are 20 CTRPIs.<sup>52</sup>

The personal interview of the applicant is conducted by one member provided by an interpreter, where necessary. Interviews are recorded and transcribed (not fully) in a report, which is given to the applicant at the end of the interview. The interviewing member then presents the case to the other members.<sup>53</sup> The decision on the merits<sup>54</sup> is taken by a 3-member majority. In case of a split vote, the President's vote prevails. The interview must take place within 30 days after the CTRPI has received the applicant's file from the *Questura* and the decision to be taken in the 3 following working days. In practice, however, the regular procedure usually lasts several months (Asylum Information Database, 2005, p. 28). The Law provides for the extension of the set time limits under certain conditions, in accordance with Directive 2013/32/EU. The maximum duration of the asylum procedure is 18 months.<sup>55</sup>

One also needs to refer to the National Commission for the Right of Asylum (CNDA)<sup>56</sup>, which coordinates and gives guidance to the CTRPI. Furthermore, the CNDA is responsible for the revocation and cessation of international protection status. Both the CTRPI and CNDA belong to the Department of Civil Liberties and Immigration of the Italian Ministry of the Interior and they are independent bodies concerning their decision-making powers.

### Prioritised and Accelerated Procedure

The President of the CTRPI identifies the cases, which fall under the prioritised or accelerated procedures. The prioritised procedure is applied when: a) the application is

52 Decree Law No. 119/2014 (Il decreto-legge 22 agosto 2014, n. 119, "Disposizioni urgenti in materia di contrasto a fenomeni di illegalità e violenza in occasione di manifestazioni sportive, di riconoscimento della protezione internazionale, nonché per assicurare la funzionalità del Ministero dell'interno") (see <http://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:decreto.legge:2014;119>), provided for the possibility to increase the number of CTRPI from 10 to 20 and set up 30 additional sub-commissions in order to address the increase in asylum applications. For their location and territorial competence, see [http://www.interno.gov.it/sites/default/files/allegati/le\\_commissioni\\_territoriali\\_com\\_naz\\_dir\\_asilo.pdf](http://www.interno.gov.it/sites/default/files/allegati/le_commissioni_territoriali_com_naz_dir_asilo.pdf).

53 The law provides for the possibility to omit the personal interview where: a) determining authorities have enough elements to grant refugee status without hearing the applicant; b) the applicant is unable or unfit to be interviewed, as certified by a public health unit or by a doctor working with the national health system; c) applicants come from countries where the situation is such that there are sufficient grounds according to the CNDA, to grant them subsidiary protection status. Currently, no such countries have been designated.

54 Granting refugee or subsidiary protection status and issuing a 5-year renewable residence permit; recommending to the police the issue of a 2-year residence permit on humanitarian grounds (e.g. for health conditions); rejecting the application; or rejecting the application as manifestly unfounded.

55 According to the law, when the CTRPI is unable to take a decision in this time limit and needs to acquire new elements, the examination procedure is concluded within six months of the lodging of the application. However, the CTRPI may extend the time limit for a period not exceeding a further nine months, where: a) complex issues of fact and/or law are involved; b) a large number of asylum applications are made simultaneously; c) the delay can clearly be attributed to the failure of the applicant to comply with his or her obligations of cooperation. By way of exception, the CTRPI, in duly justified circumstances, may further exceed this time limit by three months where necessary in order to ensure an adequate and complete examination of the application for international protection.

56 Commissione nazionale per il diritto di asilo (hereafter CNDA).

considered to be manifestly well-founded; b) the applicant is considered vulnerable; c) the applicant is under administrative detention; and d) the applicant comes from a country where the situation is such that there are sufficient grounds, according to the CNDA, to grant him/her subsidiary protection status, and the interview may be omitted.<sup>57</sup>

The accelerated procedure is applied when an applicant is under administrative detention. Under the accelerated procedure, the necessary documentation is immediately transmitted to the CTRPI, which within 7 days must conduct the personal interview and take a decision within the following 2 days. Those time limits are doubled when: a) the application is manifestly unfounded; b) the applicant has introduced a subsequent application; c) the applicant has lodged his/her application after being stopped for avoiding or attempting to avoid border controls or after being stopped for an irregular stay, merely in order to delay or frustrate the adoption or the enforcement of an earlier expulsion or rejection at the border order.<sup>58</sup>

## Appeal

Asylum applicants may file an appeal within 30 calendar days (15 days for applicants under administrative detention) from the notification of the first instance decision rejecting their application<sup>59</sup> before the competent Civil Tribunal, which does not deal exclusively with asylum cases. The appeal must be filed by a lawyer. The appeal has automatic suspensive effect of the subsequent return order, except in cases where: a) the applicant is under administrative detention; b) the application was rejected as inadmissible; c) the application was rejected as “manifestly unfounded”; d) the application was made by an applicant under the accelerated procedure after having been apprehended for avoiding or attempting to avoid border controls, or immediately after, or for irregular stay, with the sole aim to avoid an expulsion or rejection order. However, in those cases, the applicant may request the suspension of the return order from the competent judge. The Tribunal must issue a decision, which may not be appealed against, within 5 days.<sup>60</sup>

Applicants have the right to be heard by the Tribunal, which in any event has the discretion to hear the applicant. No time limit is provided for appeals decisions. The Tribunal may reject the appeal or grant international protection status to the applicant.<sup>61</sup>

It needs to be noted that for the appeal procedure free state-funded legal aid (“*gratuito patrocinio*”) is provided by law. In order for applicants to benefit from legal aid, they need to

57 The CTRPI, before taking such a decision, informs the applicant that he/she has the opportunity, within 3 days from the communication, to request a personal interview. In the absence of such a request, the CTRPI takes the decision.

58 Again the maximum time limit for the completion of the asylum procedure is 18 months, except in the case of detainees, where the maximum time limit is 6 months.

59 Or granting them subsidiary protection status or recommending to the police the issue of a 2-year residence permit on humanitarian grounds.

60 Moreover, when the subsequent application has been rejected for a second time, the appeal or the request of suspension do not suspend the effects of the return order.

61 Article 35 of PD 25/2008 as amended does not lay down the conditions for appealing against the decision of the Civil Tribunal. However, by virtue of the Civil Procedure Code, which is applicable in this context, the appeal to the Court of Appeal must be filed within 30 days of the Civil Tribunal's decision. A final appeal before the Cassation Court, the highest appellate court, may be lodged within 60 days of the ruling of the Court of Appeal.

prove that they have a yearly taxable income lower than € 11,369.24. In case of income acquired abroad, a certificate needs to be issued by the consular authorities of the country of origin. If the person concerned is unable to obtain this documentation, he/she may alternatively provide a self-declaration of income. Moreover, access to legal aid is also subject to a merits test by the competent Bar Council ("*Consiglio dell'ordine degli avvocati*"), which assesses whether the appeal is not manifestly unfounded.<sup>62</sup>

### "Dublin Cases"

All asylum applicants are fingerprinted by police authorities according to the Eurodac Regulation.<sup>63</sup> In the case of a "Eurodac hit", the police contacts the Italian Dublin Unit within the Ministry of the Interior. Moreover, after the formal registration of the asylum request by the *Questura*, on the basis of the information collected, if it considers that the Dublin Regulation<sup>64</sup> should be applied, it transmits the relevant documentation to the Dublin Unit. The Dublin Unit in both cases examines the Dublin criteria so as to identify the member state responsible. If another member state accepts the responsibility for the case under the Dublin Regulation, the Dublin Unit issues a decision that considers the application inadmissible and orders the transfer of the applicant to the other member state. The applicant is notified of the decision by the *Questura*, which is in charge of the transfer modalities.

The above decision may be appealed within 60 calendar days before the Regional Administrative Tribunal. The appeal does not have suspensive effect, thus, a request for the suspension of the decision's effect also needs to be lodged. The Tribunal examines the legality of the decision and it may revoke it and declare the Italian authorities responsible for the examination of the application. If Italy is considered to be the responsible member state, the applicant will be invited to present himself/herself to the *Questura* in order for the asylum procedure to continue.

### Subsequent Applications

According to the law, in the case of a subsequent application the CTRPI examines, without conducting a personal interview, whether new elements are presented by the applicant concerning his/her personal condition or the situation in his/her country of

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62 See PD 115/2002 (Decreto del Presidente della Repubblica, 30 maggio 2002, n. 115 "Testo unico delle disposizioni legislative e regolamentari in materia di spese di giustizia" (see <http://www.normattiva.it/uri-res/N2Ls?urn:nir:presidente.repubblica:decreto:2002-05-30;115!vig>). The Tribunal may revoke the decision of the Bar Council concerning access to legal aid, if it considers that the set requirements are not met.

63 Regulation (EU) No. 603/2013 of the European Parliament and of the Council of 26 June 2013 on the establishment of Eurodac for the comparison of fingerprints for the effective application of Regulation (EU) No. 604/2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person and on requests for the comparison with Eurodac data by Member States' law enforcement authorities and Europol for law enforcement purposes, and amending Regulation (EU) No. 1077/2011 establishing a European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (recast).

64 Regulation (EU) No. 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person (recast).

origin. If no such elements are presented, it rejects the application as inadmissible. No time limits are provided for. The CTRPI, before deciding on the admissibility of the subsequent application, informs the applicant of his/her right to file comments, within 3 days of the notification, in order to support the admissibility of his/her application. Subsequent applications are lodged with the *Questura*, which conducts a new formal registration, which is forwarded to the competent CTRPI.

### Unaccompanied Minors

According to the law, the unaccompanied minor may submit an asylum application in person or through his or her legal guardian on the basis of the evaluation of the minor's situation. In the former case, the competent authority must suspend the asylum procedure and immediately inform both the Juvenile Court<sup>65</sup> and the Judge for Guardianship.<sup>66</sup> The Judge for Guardianship has to appoint a legal guardian within 48 hours, although this is not always the case in practice (Asylum Information Database, 2005, p. 55). The legal guardian, when appointed, must immediately contact the police authorities to confirm and reactivate the asylum procedure and to instigate the adoption of measures concerning the accommodation and care of the child. The legal guardian has the responsibility to assist the unaccompanied minor throughout the asylum procedure, including the appeal procedure in the event of a negative decision. Furthermore, the asylum interview cannot take place without the legal guardian's presence. The member of the CTRPI interviewing the minor must be specifically skilled for that purpose. For justified reasons, the CTRPI may interview the minor again, even without the presence of the legal guardian, in the presence of supporting personnel, if considered necessary in relation to the personal situation of the minor, degree of maturity and development, on the basis of the minor's best interests. The legal guardian must be authorised by the Judge for Guardianship to make an appeal against a negative decision. In practice, this rarely happens because in general legal guardians do not consider it necessary to appeal the decisions due to the fact that children have already obtained a form of protection status or could obtain a stay permit until the age of 18 years (Asylum Information Database, 2005).

### Suspension of the Procedure

According to the law, if an applicant leaves the reception centre where he/she is placed without any justification or escapes detention without having been interviewed, the CTRPI suspends the examination of the application. The applicant may request the reopening

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<sup>65</sup> Tribunale per i minorenni.

<sup>66</sup> Giudice tutelare.

of his/her case only once within 12 months of the suspension decision. After this time limit, the CTRPI closes the file. Any application made afterwards is treated as a subsequent application. During the preliminary examination, the reasons for leaving the centres are also examined.

### “Hotspots”<sup>67</sup> and Relocation<sup>68</sup>

Six “hotspots” have been identified in Porto Empedocle, Pozzallo, Trapani, Lampedusa, Augusta and Taranto. Since 21 September 2015, the “hotspot” in Lampedusa has been activated, where the Italian personnel is assisted by EASO personnel. According to the Italian Roadmap, the “hotspot” approach will apply the following procedure:

- all disembarked persons will go through a medical screening.
- each person will be interviewed by the Police authorities supported by FRONTEX for the compilation of the so-called “*foglio notizie*” to establish the basic whereabouts of the person concerned. EASO personnel assist the competent authorities in identifying possible candidates for relocation.
- all persons are photographed and fingerprinted.
- asylum seekers will be transferred to accommodation centres and then the above described asylum procedure will be followed.

Asylum seekers who may potentially fall under the relocation scheme receive detailed information from EASO experts and UNHCR officers. Those who agree to be relocated in other EU member states are transferred within 24-48 hours, in ad hoc reception centres, where they are formally registered with the use of a specific form, which is forwarded to the Dublin Unit so as to proceed with the matchmaking process and the communication with the member states of relocation. Until 22 January 2016, 257 asylum applicants were relocated from Italy to other member states.

## Some Conclusions and Policy Recommendations

In response to the refugee crisis, the European Commission has taken several initiatives that immediately concern or involve Greece, including an initial agreement on relocation quotas (decided in May 2015, and again in October 2015), for a total of 160,000 asylum applicants due to be relocated from Italy and Greece to other EU member states. Recent Commission data (13 May 2016) shows that the total number of persons relocated reached 1,500 (909 from Greece and 591 from Italy). This figure sharply contrasts with the original target.

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67 European Commission (2015, May 13). A European Agenda on Migration, Brussels, COM (2015) 240 final. Retrieved from [http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/background-information/docs/communication\\_on\\_the\\_european\\_agenda\\_on\\_migration\\_en.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/background-information/docs/communication_on_the_european_agenda_on_migration_en.pdf).

68 Council Decision (EU) 2015/1523 of 14 September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and of Greece and Council Decision (EU) 2015/1601 of 22 September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and Greece. On the basis of those decisions and the latest Eurostat statistics, applicants who have the nationality of (or stateless persons whose former habitual residence was) Syria, Iraq, Eritrea, Yemen, Bahrain, Central African Republic and Swaziland fall under the relocation scheme.

On 15 October 2015, an EU-Turkey joint action plan was prepared with a view to improving cooperation with Turkey in managing the asylum-seeking flows that transit through the country towards Greece. The plan includes EU financial support for Turkey and Turkish cooperation to combat smuggling networks that operate on its shores.

A 17-point plan was decided on at an EU summit on 25 October 2015 with a view to effectively managing the flows and avoiding countries in the Balkans and further north in the EU closing their borders. Special emphasis has been put on increasing capacity to provide shelter to refugees along the Balkan route to ease the pressure on other European countries that are the end destinations. Greece has offered to create 30,000 reception places by the end of the year and 20,000 more through rent subsidies and family hosting with the support of the UNHCR. A further action plan enlisting the cooperation of African countries with a view to taming the flows was proposed at the Valetta Summit of 11-12 November.

On 18 March, following on from the EU-Turkey Joint Action Plan activated on 29 November 2015 and the 7 March EU-Turkey statement, the European Union and Turkey decided to end the irregular migration from Turkey to the EU. The agreement targets the people smugglers' business model and removes the incentive to seek irregular routes to the EU, in full accordance with EU and international law. It should be noted, of course, that this agreement has a number of problematic provisions but it looks like it may have been the best the EU could achieve under the circumstances. The choice between a clearly less than perfect agreement, which nevertheless contributed to the substantial reduction of refugee/migrant flows, and no agreement at all should not be very difficult.

## Policy Recommendations

1. In the short term, a quick end to the fighting in Syria through diplomatic means should be an obvious priority. Including Russia and, if possible, Iran would considerably increase the prospects for an agreement. A well-organised and supported reconstruction and reconciliation process may convince significant numbers of refugees to eventually return home.
  2. Provide financial support to neighbouring countries (Jordan, Lebanon, and Turkey) tied to the provision of decent living conditions for the refugees (access to education, labour market, etc.).
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3. Increasing repatriation rates, through agreements between the EU and important countries of origin should be another priority, although such an objective would be extremely difficult to achieve.
  4. Offer legal migration channels for refugees: to undercut migrant smugglers and limit the pressure at the external borders, European member states should establish legal channels for asylum seekers to apply from outside the Union and utilise existing legal pathways (e.g. humanitarian visas, family reunification).
  5. Offer legal migration channels for economic migrants: the Mobility Partnerships were an innovative approach that offered very little mobility in the end to third-country nationals. Nonetheless, it is time to acknowledge that Europe needs a boost in its labour force and offering more labour schemes to partner countries, student visas and circular migration programmes can be mutually beneficial.
  6. More efficient protection of the EU's external borders through the establishment of the European Borderguard/Coastguard Agency, with extensive jurisdiction and sufficient personnel and technical means.
  7. Implementation of re-allocation decisions among all EU member states. Furthermore, though burden sharing is an underlying principle of the European Union, the reality has been for a long time that of the 28 member states of the EU, a very limited number were actually affected by irregular migratory flows. The need for restructuring the Dublin procedures has become glaringly obvious since 2012, yet to this day EU leaders cling to the Dublin revival and persist in attempting to revive one of the most ineffective mechanisms in place.
  8. Provision of humanitarian assistance to Greece, as well as substantial support to the Greece police and administration sector.
  9. Integration policies will also be of critical importance, but the challenges should be expected to be substantial as not all refugees may be capable or even willing to be sufficiently integrated. However, although an end to the Syrian drama will reduce the current number of asylum seekers, migration flows because of economic, environmental or security reasons will remain a major, even critical, challenge for Europe, which will need to develop a long-term migration management policy.
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10. The EU should ensure that frontline states enhance their asylum systems, screening capacity, and coordinate civil society, NGOs and international organisations on the grounds of avoiding overlapping of resource provision and general chaos. There is also a need for better use of the organisational and financial capacity of international organisations like the UNHCR in border areas, where they should take a more central role in the management of first reception facilities.
  
11. Finally, in combination with relevant European policies, and with sufficient European support, Greece needs to develop a more effective national refugee/migration management policy.



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# EuroMeSCo

Comprising 106 institutes from 32 European and South Mediterranean countries, the EuroMeSCo (Euro-Mediterranean Study Commission) network was created in 1996 for the joint and coordinated strengthening of research and debate on politics and security in the Mediterranean. These were considered essential aspects for the achievement of the objectives of the Euro-Mediterranean Partnership.

EuroMeSCo aims to be a leading forum for the study of Euro-Mediterranean affairs, functioning as a source of analytical expertise. The objectives of the network are to become an instrument for its members to facilitate exchanges, joint initiatives and research activities; to consolidate its influence in policy-making and Euro-Mediterranean policies; and to disseminate the research activities of its institutes amongst specialists on Euro-Mediterranean relations, governments and international organisations.

The EuroMeSCo work plan includes a research programme with four publication lines (EuroMeSCo Joint Policy Studies, EuroMeSCo Papers, EuroMeSCo Briefs and EuroMeSCo Reports), as well as a series of seminars, workshops and presentations on the changing political dynamics of the Mediterranean region. It also includes the organisation of an annual conference and the development of web-based resources to disseminate the work of its institutes and stimulate debate on Euro-Mediterranean affairs.

## IEMed.

The European Institute of the Mediterranean (IEMed), founded in 1989, is a consortium comprising the Catalan Government, the Spanish Ministry of Foreign Affairs and Cooperation and Barcelona City Council. It incorporates civil society through its Board of Trustees and its Advisory Council formed by Mediterranean universities, companies, organisations and personalities of renowned prestige.

In accordance with the principles of the Euro-Mediterranean Partnership's Barcelona Process, and today with the objectives of the Union for the Mediterranean the aim of the IEMed is to foster actions and projects which contribute to mutual understanding, Exchange and cooperation between the different Mediterranean countries, societies and cultures as well as to promote the progressive construction of a space of peace and stability, shared prosperity and dialogue between cultures and civilisations in the Mediterranean.

Adopting a clear role as a think tank specialised in Mediterranean relations based on a multidisciplinary and networking approach, the IEMed encourages analysis, understanding and cooperation through the organisation of seminars, research projects, debates, conferences and publications, in addition to a broad cultural programme.



The Center for Strategic Studies (CSS), established in 1984 as an academic unit at the University of Jordan, is a think tank focusing on studying, analysing and assessing the strategic nature of regional transformations in the Middle East.

CSS is mainly concerned with research and policy in the fields of regional conflicts, international relations and security. Since the 1990s, the center has expanded its scope of activities to the issues of democracy, political pluralism, economics, gender studies and the environment. CSS also has one of the oldest and largest survey and public opinion polling units, which conducts national and regional surveys and polls used in policy formulation and assessment.

CSS is also the operational headquarters of the Arab Barometer for Democracy and manages the fieldwork implementation in the Arab countries.