

## **Nush Jokhi**

### **EU's pact on migration and asylum**

#### **Policy review**

In this review we attempt to tackle the new migration and asylum policy reforms within the EU and how it will affect its individual nations. This review tries to explain the background of the issues faced by the EU around migration and asylum, it also tries to understand the reforms placed on laws to adapt them to today's problems. Looking into the past mistakes and future challenges will also be an important part of understanding this issue holistically. A critical analysis of the reforms as an attempt at giving us the possible missteps of the EU within the framework of this policy.

Today we see an explosion of talks on migration all over the world, with increased efforts of countries trying to ease the problems that come with populations crossing into their borders. Migration is a complicated and sensational issue, with perspectives ranging from comparing it to annihilation of a country to calling it a basic human right in some cases. These different ways of thinking have made immigration a deeply sensitive and inherently politicised issue. Today within the European Union we see this topic being the centre of many elections in the supranational state as well as its individual nations. The rise of right-wing politicians and anti-migration policies as a result has also been increasingly seen in European countries.

The migration crisis of 2015 had given rise to many anti-migration sentiments within the EU. This was due to the shared responsibility of asylum seekers stated by the Dublin convention and both Dublin regulations not being upheld. The influx of immigrants from Syria, Afghanistan and Iraq overwhelmed certain European countries who found problems in terms of mixing of culture and unemployment of their citizens. Some countries took on more of the immigration load than others leading to more problems for those countries, namely Greece, Italy and Malta. Today, a reform that puts stress on the European Union's central authority, when it comes to migration, has been upheld to ensure fair distribution of migration between the EU states. This reform package being passed in the European parliament is a good sign for the EU's future with migrants. This also attempts to solve a problem of the aforementioned southern states that see a lot of illegal migration from North Africa and the Middle East leading to unequal distribution of migrants as well as an increased load of migration issues on these countries. The importance of this cannot be emphasised enough with economically weak members such as Greece being affected leading to further stress on their already Eurosceptic views.

Apart from country's that are struggling with migration and asylum seekers, the migrants also deal with hardship and unfair treatment within the system of immigration and deportation. This used to vary from country to country, but today policies reforms try to regulate and uniform the process through central supervision. This is in an attempt to centralize the system to stop variables that would tarnish the European reputation of being accommodative. This would enable a seamless system between member states and procedure followed by all when it comes to illegal and legal migrants as well as asylum seekers.

The pact on migration and asylum is a new set of rules that dictate the interaction of EU members with its migrant and asylum-seeking populations. It attempts to overhaul its migration policy and find ways to make it more efficient and proactive with the concerns of this section of their population. It creates a system for asylum seekers that would promote fairness among all member nations. It will mandate screenings for migrants which includes health and security related screenings that cross checks a person's need for asylum or migration in order for the border to make the decision efficiently. It also attempts to form a framework that helps member countries take part in responsibility sharing on this issue so no single country gets overwhelmed with a majority pressure. It also addresses the need for mechanisms to tackle times of crisis with a sudden influx of immigration. Lastly, another major problem this reform plans on helping with is the pressure major powers can put on the lesser ones within the union by implementing streamline procedures and central authority.

The policy reform attempts to implement EU's principle of rule of law. It wishes to form cooperation between countries where the migration comes from in order to prevent illegal crossings. It also wants to reduce smuggling of goods and substances across the borders of its countries. Implementation of guidelines and rules that would help reduce illegal migration and migration related activities as well as mechanisms that would help genuine asylum seekers even if they try crossing illegally.

This pact is a step in the right direction but one that has been a slow one. It took almost a decade since the migration crisis for the EU to implement a better structure. It does seem now that a lot of countries within the supranational entity have already faced structural changes due to indiscriminate migration. This also speaks to the changes that may make it so that we might be past the point of such gentle measures. As countries within the EU see their populations feel threatened by immigrants, this measure might not suffice for very long.

These may have to be delegated as short-lived solutions until an inevitable much harsher reform.

The rise of right wing today in Europe has been a decisive process for immigration policies across countries in the continent. This ideological resurgence seems to push away from the accommodative disposition of Europe in exchange for stricter immigration and asylum laws. This has also been seen to be supported by the populations of many powerful countries within

the EU. The loss of jobs and culture clashes from the 2015 migration crisis seems to have turned populations away from the idea of allowing migration into their borders. This opinion of anti-migration has been so strong that it has been a deciding factor for elections in countries such as Germany and even within the European Parliament. This has meant politicians pushing much stricter immigration laws as well as much less central authority over these issues. This also brings up the European right wing's Eurosceptic disposition that has been carried on from the fear of loss of sovereignty. This also means that we may see a much bigger push to loosen control of the EU authority over sovereign decisions of the state. Countries like Germany who have seen recent rise in right of center and extreme right-wing parties, face a real possibility of much less accessible immigration.

We would also see a harder sell for countries who have enjoyed less load from migration. Equal burden sharing might be harder for some countries over others. This may simply lead to the same situation as before due to unacceptable terms for some less migration friendly nations. Historically colonial countries have been seen to be more accommodative in comparison to the ones that were not in the EU. This has also been seen with Eastern European countries especially the ones from the erstwhile USSR have been seen to be less open to new migrants. This may come up as a power imbalance in this case due to the historically colonial countries being wealthier and more powerful than the ones in Eastern Europe. Bringing us back to the problem of some countries being forced to take a bigger burden than they are willing or able.

The EU works on bring together the different states and systems within its membership. This is a hard task especially with sovereignty of nations at stake. This reform may encroach on that very important sovereign element that many countries within the union are cautious of and have stressed on during new laws and reforms. The control of migration being centrally controlled might not be acceptable by many members. This is why many previous migrations laws were not unanimously agreed on and hence lead to a heavier burden on the agreeable participants. This has already led to a cautious populous that have felt disillusioned due to the strife they had to face from the acceptance of asylum seekers and migrants. Further the processes that are standardised within the EU may become contentious to participants as overly costly or overly restrictive leading to pushback as well.

Migration as an issue is one that pulls on many hearts especially in Europe. It was the very reason for the indiscriminate migration during the Syrian crisis that spread across Europe. The EU too has clauses that seem to indicate a very open refugee and migration policy. Today the continent seems to be in a state of turmoil. They seem to be one that wants to sit on the fence but still wants to help. The anti-migration politics and burden sharing initiatives all seem to point at a dividing point within the EU, one that may be helped by these reforms or one that might be tear them apart despite of them.