*From Orbán`s fence through the EU-Turkey Statement to Covid-19."*

The 2015 refugee crisis: five years on

No European solution in sight

With over one million asylum seekers from the Middle East, Asia and Africa fleeing civil war, oppression and failing states, in 2015 and 2016 Europe was facing the greatest migration inflow since World War II. And with European institutions largely failing to address this historical challenge to solidarity at a supranational and coordinated level, national governments often pursued self-serving, and in certain cases obstructive, policies. A small number of countries, meanwhile, took up the challenge and acted. Parts of the existing European legal framework were breaking down, with the collapse of the Dublin III regulation on Member State responsibility regarding the examination of an asylum application, and the temporary suspension of the Schengen system of free movement. Instead of cooperating to produce a common response to this humanitarian challenge, the 2015 emergency created new fault lines in Europe. In the last five years, and since the peak of that crisis, a common and coherent European asylum policy has genuinely struggled to emerge, and the newly proposed Pact on Migration and Asylum by the European Commission (2020) does not deliver one either. These historic failures have been exposed even further by the Covid-19 crisis, with the tragic events in the Lesbos campsite in Moria – where cramped conditions no doubt played a major role in the propagation of Covid-19 among its 12,000 residents – becoming a powerful symbol of Europe's inability to deal humanely with refugees, and migration flows at large, and testimony to the EU's lack of long-term vision when it comes to immigration policy and strategy. This section takes stock of the main developments, then concludes with policy recommendations related, in part, to the proposed Migration and Asylum Pact.

**Figure 2.23** Arrivals of asylum seekers to the EU
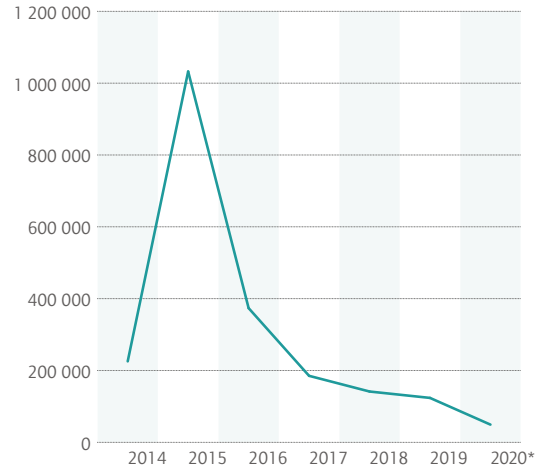
Source: UNHCR 2020.
2020 data are for January-August

Arrivals and asylum applications: 'flattening the curve'

The statistical coverage of migration flows is patchy, but while not offering an exact picture of events, it still allows some major developments to be tracked. As the UNHCR data presented in Figure 2.23 reveals, with a total of 1,032,408 asylum seekers arriving in Europe, 2015 can be considered as the peak year for number of arrivals. From 2016 onwards, the numbers showed a clearly decreasing trend, and the influx of asylum seekers to Europe has almost dried up in 2020, partly due to the effects of the Covid-19

Figure 2.24 Number of asylum applicants (non-EU27 citizens), EU27, 2008–2019

Total*   First-time applicants**
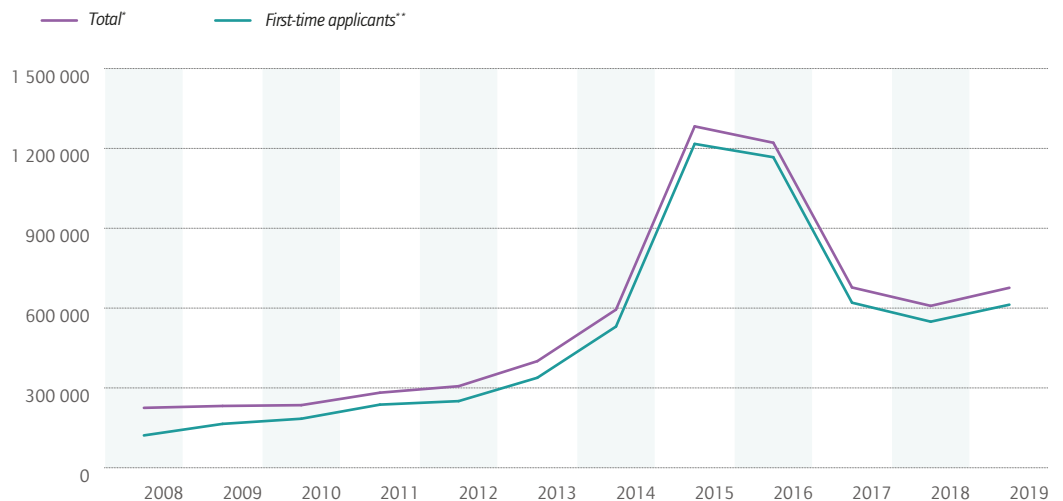
Source: Eurostat [migr_asyappctza].
* 2008–2014: Croatia not included (no available data).
** 2008: Bulgaria, Greece, Spain, France, Croatia, Lithuania, Luxembourg, Hungary, Austria, Romania, Slovakia and Finland not available. 2009: Bulgaria, Greece, Spain, Croatia, Luxembourg, Hungary, Austria, Romania, Slovakia and Finland not available. 2010: Bulgaria, Greece, Croatia, Luxembourg, Hungary, Austria, Romania and Finland not available. 2011: Croatia, Hungary, Austria and Finland not available. 2012: Croatia, Hungary and Austria not available. 2013: Austria not available.

Figure 2.25 First-time asylum applications, by key Member State
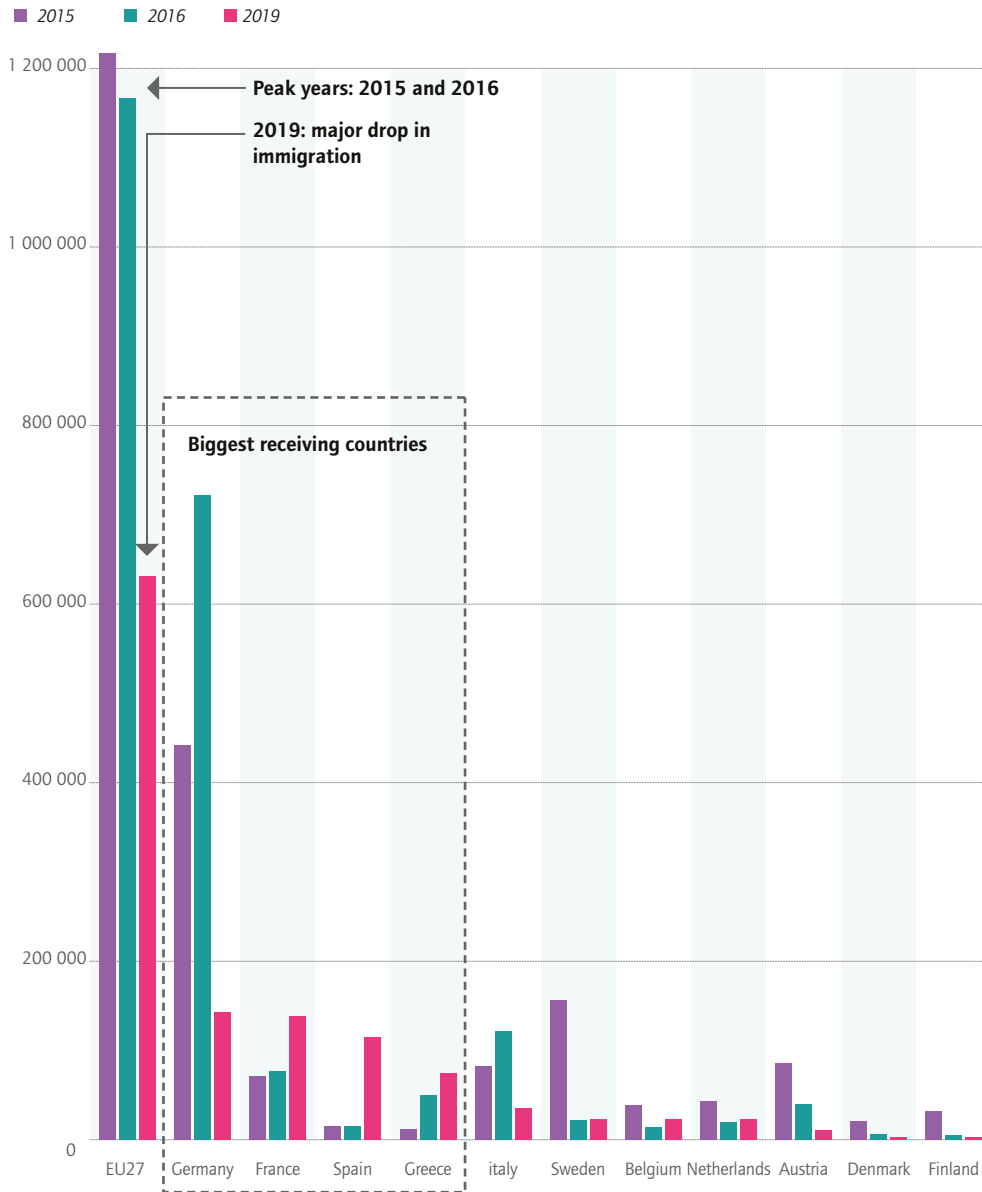
Source: Eurostat (2020).

pandemic. The sudden drop in arrivals in 2016 was mostly a consequence of unilateral steps taken by certain Member States to close their borders, which led to a de facto closure of the important Balkans route.

The development of the number of first-time asylum applications in the EU27 is shown in Figure 2.24 (for the EU) and Figure 2.25 (by Member State). A first-time applicant for international protection is a person who filed an application for asylum for the first time in a given EU Member State; repeat applicants are therefore excluded from this definition The number of repeat applicants in that Member State (persons filing more than one application) in the EU27 in 2019 made up 9.4% of the total number of applicants (also shown by Figure 2.24).

The number of first-time applicants followed the trend of arrivals with varying time lags, with 1.21 and 1.16 million claims in the peak years of 2015 and 2016, respectively (Eurostat 2020). Since then, these figures have declined markedly. First-time applicants across the EU27 fell to 620,000 in 2017 and have broadly remained at that level over the last two years.

Figure 2.25 shows first-time asylum applications for selected Member States and the EU27 for the years 2015, 2016 and 2019. Germany accounted for most asylum claims in the peak years of 2015 and 2016 with, respectively, a share of 36% and 60% of the EU27 total. The evolution of asylum claims by Member State showed different trends, depending on shifting migration routes and varying time lags between arrivals and registrations. For Sweden and Austria, the peak year was 2015; for Germany and Italy 2016; while for Greece, Spain and France it was 2019, a year when EU asylum claims were already falling sharply. In that year, France was the second most popular destination (after Germany) even though in the peak years it was only moderately affected.

The most striking contrasting trend between 2016 and 2019 can be observed when comparing Germany and Spain. While in 2019 asylum claims in Germany fell to one fifth of the 2016 levels, in Spain they were almost eight times higher in 2019 than in 2016.

Another pattern appears fairly consistent throughout the entire period: asylum seekers were concentrated in a small number of Member States, putting some of

2. Labour market and social developments

3. The path to 'zero carbon' in a post-Covid world

4. Fair minimum wages and collective bargaining

5. Covid-19: a 'stress test' for workers' safety and health

6. Democracy at work in a pandemic

7. Foresight: the many possible post-pandemic futures

Figure 2.26 Distribution of first instance decisions on asylum applications (from non-EU27 citizens), by outcome, 2019 (%)
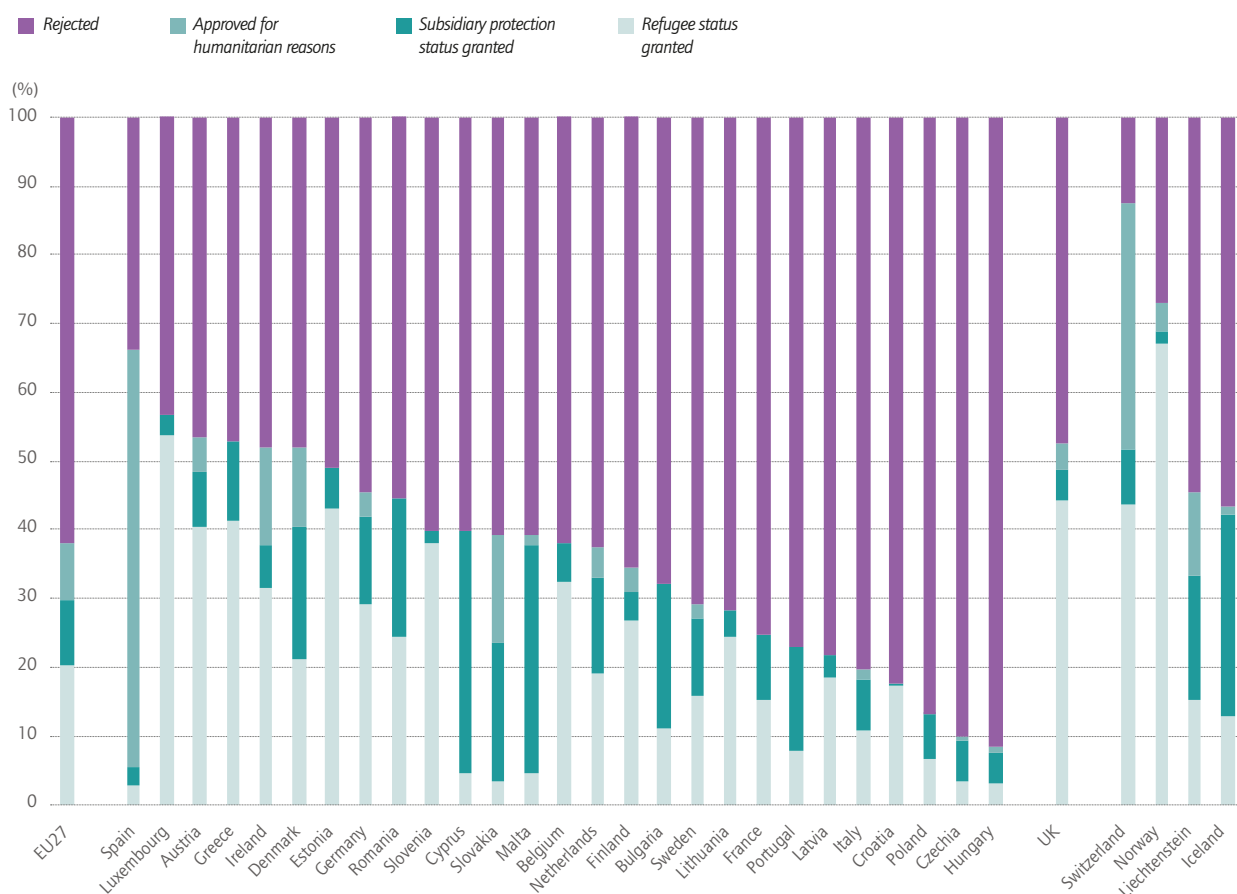
them under substantial strain, while other Member States were hardly affected. The most affected were those at the entry points of the EU (Greece and Italy) and a few Member States that took it upon themselves to make an active contribution to the management of what, back then, was a common humanitarian crisis (for example, Germany, Sweden, Spain and Austria, at least initially).

Figure 2.26 shows the results of first-instance asylum decisions by Member State for the year 2019. The high share of rejected asylum claims is the most apparent feature emerging from these figures. At the level of the EU27, the share of rejected claims in first-instance decisions was above 60% in 2019, while refugee status was awarded to approximately 20% of applicants. However, the picture varies by Member State; the rejection rate was lowest in Spain and highest in Hungary. Germany (with the highest number of asylum claims in 2019) had a 54% rate of rejection, while France rejected more than three quarters of its asylum claims. With a very low rate of return to their home country for rejected refugees, this high proportion of rejections means that hundreds of thousands of people are getting trapped in situations of extreme vulnerability, mostly without the right to employment and with only limited access to social services.

Lack of a common EU migration and asylum policy

Although no comprehensive EU policy framework to face the challenge was put in place, the closure of the western Balkans route meant that a smaller wave of arrivals was concentrated in the central Mediterranean route. The 'flattening of the curve' (of both arrivals and asylum claims) since 2016 is a temporary phenomenon due mostly to unilateral actions by certain Member States and not a result of co-ordinated or successful European-level policies. Where European 'co-ordination' did prove to be somewhat effective was in the strengthening of migration policies that contributed to the creation of what has been termed 'fortress Europe'. The restriction of access to the EU with the closure of the land route through the Balkans was followed by the EU-Turkey Statement in 2016 that aimed at stopping the flow of irregular migration via Turkey to Europe. Accordingly, all new irregular migrants and asylum seekers whose applications for asylum had been declared inadmissible were forced to return to Turkey. The Statement also envisaged that all new irregular migrants crossing from Turkey to the Greek islands would be sent back and that, for each returned Syrian, another would be resettled from Turkey into the EU.

However, the EU-Turkey Statement did not end the crisis and fell short of its objectives. Between April 2016 and February 2019, only 2% of the 84,210 refugees and migrants who arrived on the Greek islands were returned to Turkey (UNHCR 2019).

Figure 2.27 Occupancy in Reception and Identification Centres for asylum seekers on Greek islands (number of persons)
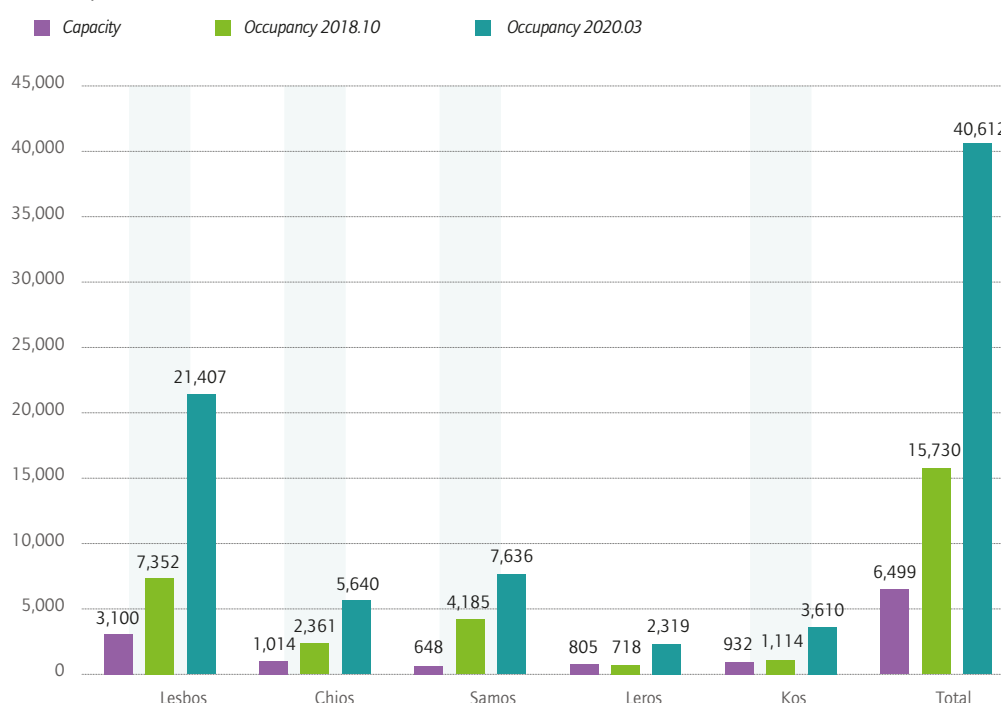
Source: Greek government (2020).

Lesbos: a symbol of EU migration and asylum policy

Currently, the Greek state operates five reception and identification centres (RIC) for asylum seekers (also called 'hotspots') in the eastern Aegean islands. The breakdown of the data by RIC presented in Figure 2.27 demonstrates major shortcomings in the system. The situation has been dramatically escalating in the last 18 months, with occupancy rates far above capacity: by sevenfold for the largest RIC in Lesbos and by almost twelvefold for Samos. In the context of the spread of the Covid-19 pandemic, overcrowded reception centres with poor sanitary standards and limited health care provision present a looming humanitarian catastrophe. The devastating fire in the Moria camp on Lesbos in early September 2020 was the apex of this tragedy so far.

Labour market integration of refugees

The big challenge for the countries hosting refugees and asylum seekers will be their labour market integration. Numerous factors are at play in determining employment levels among non-EU nationals, such as the labour market situation in the host country and the socio-demographic characteristics of the migrants themselves. There is no comparable data available on the labour market participation of refugees. To give some background, based on Eurostat data, Figure 2.28 shows

employment rates for non-EU28 citizens by main host country for the years 2007-2019. These figures are indicative, as they include all non-EU nationals, not only refugees, and provide a maximum value. In 2019, the number of employed non-EU28 nationals in most of the Member States shown in the figure was close to 50% or above (and highest in Denmark, Italy and Austria). Among the main host countries, Germany had the greatest increase in the non-EU28 national employment rate between 2007 and 2019. In Greece and Spain, it was significantly lower in 2019 than in 2007.
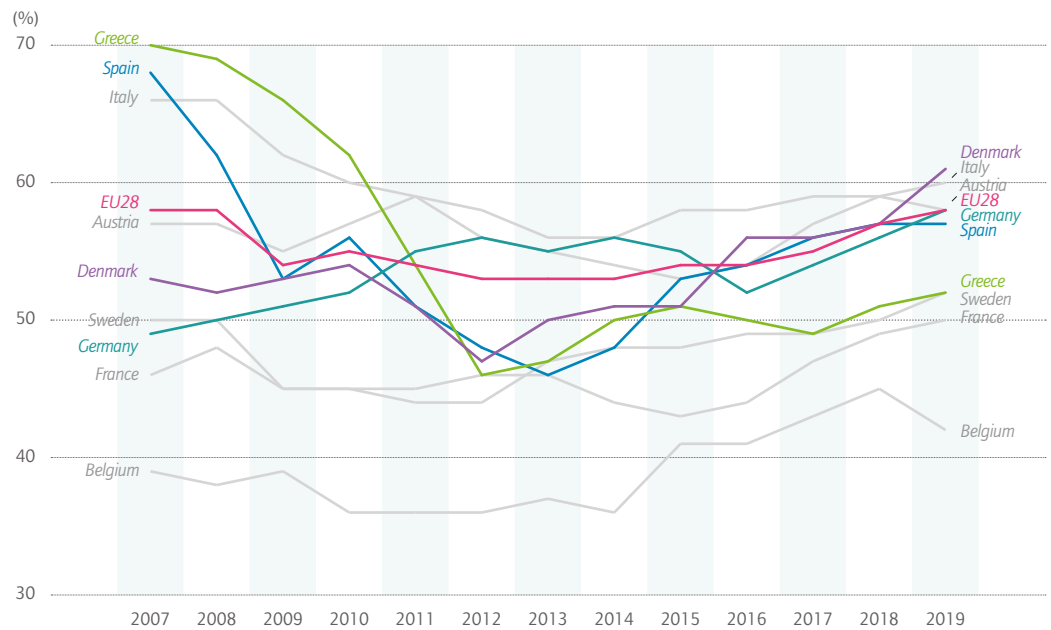
It is also interesting to look at the absolute numbers in non-EU28 employment changes between 2014 and 2019. In the EU27 (without the UK) employment of non-EU28 citizens grew by 2.1 million; 55% of this increase was absorbed by Germany (by 750,000) and by Spain (407,000), followed by France (289,000), Italy (124,700) and Sweden (110,000).

The Migration and Asylum Pact: already a failure at birth

The New Pact on Migration and Asylum proposed by the European Commission (2020) can be seen as the acknowledgement of its inability to establish a common migration and asylum policy framework – as the new key term 'flexible solidarity', a main pillar of the Pact, suggests. This failure leads to fragmentation in European cooperation on an issue that lies at the very core of the EU's foundations, and where common action is essential.

Although the Pact refers to the United Nations Global Compact for Refugees (UN GCR), it goes against its core principle in its very title: the EU's approach of linking asylum with migration is fundamentally flawed and disregards a core element of the UN GCR: the primacy of refugee protection.

2. Labour market and social developments

3. The path to 'zero carbon' in a post-Covid world

4. Fair minimum wages and collective bargaining

5. Covid-19: a 'stress test' for workers' safety and health

6. Democracy at work in a pandemic

7. Foresight: the many possible post-pandemic futures

Figure 2.28 Employment rates of non-EU28 citizens, by country (%)

One positive feature of the Pact is the setting up of an independent monitoring mechanism of border procedures, in compliance with fundamental rights. However, at a fundamental level, and regardless of how it is being sold by the EU, the principle of solidarity is nowhere to be seen in the idea of 'return sponsorship', which is actually just a euphemism for 'deportation sponsorship'. The ETUC dismissed the Pact by saying: 'Trade unions know the meaning of solidarity and this is not it. Fortress Europe looks stronger than ever' (ETUC 2020). The main objective of the Pact is undoubtedly deterrence.

The result of these policies can be seen on the Greek islands, where asylum seekers are living in reception centres in numbers several times their capacity, and without elementary sanitary protection during the height of a pandemic. The scandalously high losses of life in the Mediterranean Sea, the Sahara Desert and the detention camps in Libya are to a great extent the result of an EU policy approach of external border defence against asylum seekers that is violent and often deadly.

This Pact also has nothing to say about the precarious employment situation of hundreds of thousands of asylum seekers, who are often working in the informal economy. As the labour market situation in Europe deteriorates dramatically during the Covid-19 crisis, it is asylum seekers and refugees that will be disproportionally affected.