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The EU's response to the Syrian refugee crisis: a battleground among many Europes

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ABSTRACT

This article examines the European Union (EU)'s response to the 2015–2016 refugee crisis. Departing from the understanding that Europe is a contested phenomenon, it investigates how different – Thick, Thin, Parochial and Global – Europes influenced the EU's management of the crisis culminating in the March 2016 EU-Turkey 'refugee deal'. Two findings are advanced. First, European actors reacted differently to the EU's initially attempted Thick Europe approach to the crisis, following their respective Europe conceptions. Second, faced with growing divisions, they ultimately united around a lowest common denominator solution represented by the refugee deal which illustrated Thin Europe at the expense of a more norm-based policy associated with Thick and Global Europes. The findings demonstrate the significance of embedding the various European reactions to the crisis within different Europe categories while showing that consensus was still possible to tackle an external problem.

KEYWORDS

Refugee crisis; European Union; solidarity; Turkey; refugee deal

1. Introduction

In 2015, the EU confronted the Syrian 'refugee crisis', considered to be Europe's worst humanitarian crisis since World War Two. As the number of asylum applications in the EU exceeded one million by the year's end, the crisis tested member states' implementation of a common asylum and immigration policy in compliance with European norms and rules as well as international refugee law.

To address the crisis, EU policy-makers initially attempted a 'European solution' built around the norms of 'solidarity' and 'responsibility sharing' among the member states. Initiatives such as asylum-seekers' relocation within EU members in order to lessen the burden of the 'frontline' states overwhelmed by refugee arrivals (i.e. Greece and Italy) constituted the lynchpin of this policy. As the crisis deepened, however, so did divisions among and within the member states, leading to buck-passing expressed via national border controls in the Schengen area, and border closures in Central and Eastern Europe (CEE) and the Western Balkans. In particular, the Visegrad states led the opposition to a solidaristic solution centred around the relocation and resettlement of the refugees within the EU. Consequently, externalising the refugee problem to Turkey – as the main

transit country for Syrian migrants – emerged as the securitised and politically least controversial course of action. In fact, it soon became the strategic solution uniting fragmented member states in ‘keeping Turkey as a gatekeeper and a buffer zone’ (Benvenuti, 2017). The result was the EU-Turkey ‘refugee deal’ of 18 March 2016 (formally referred to as the ‘EU-Turkey Statement’) whereby Ankara committed to ending transit migration to Europe via Turkey in return for certain concessions.

The present analysis employs the ‘many Europes’ framework that reflects multiple understandings of Europe corresponding to competing and coexisting visions on the relations between the EU and member states as well as on European integration per se and its standing vis-à-vis globalisation at large (Buhari-Gülmez & Gülmez, 2020; Rumford & Buhari-Gülmez, 2014; see also this special issue). Hence, the article investigates how the Thick, Thin, Parochial and Global Europes influenced the EU’s management of the refugee crisis in 2015 and 2016, culminating in the 2016 refugee deal. Within the context of the refugee crisis, Thick Europe stands for the management of the crisis in line with European asylum rules, and European integrationist policies (i.e. Schengen) at large. In contrast, Thin Europe promotes an interest-based EU approach geared towards resolving the ‘problem’ on the ground represented by refugee inflows to Europe. As a non-integrationist vision, Parochial Europe favours national and even nationalist approaches to the crisis over a normative, common European solution. Global Europe stresses that EU policy should reflect not only European but more importantly, global rules on the protection of refugee rights, in collaboration with the UN and international human rights organisations.

The article has two aims. First, it seeks to show that in handling the crisis, the EU did not act as a monolithic bloc. Although the intra-EU divergences during the crisis are sufficiently emphasised in the existing literature (Bauböck, 2018; Maricut, 2017; Trauner, 2016, among others), the present analysis’ distinctiveness lies in embedding them in the four-Europes-categorisation that provides a comprehensive account of the increasingly visible competition among the integrationist, civilizationist, divisive and de-centring tendencies vis-à-vis Europe. As the crisis unfolded, the actors within EU institutions and the member states reacted with different views that were often reflective of their respective Europe conceptions. In other words, which Europe they stood for also shaped the actors’ arguments on how the crisis should be managed. Second, notwithstanding which Europe they believed in, actors did not hesitate to pragmatically advocate an alternative Europe vision if they believed that doing so would solve the crisis. This shows the peculiarity of crisis decision-making which may enable and necessitate the uniting of different Europes against a common problem.

The article argues that the first stage of the crisis beginning in spring 2015 reflected EU efforts based on Thick Europe. Although measures to strengthen the EU’s external borders against illegal migration were also agreed upon, considerable effort was shown to ensure that the EU takes responsibility in helping the refugees. This included refugees’ relocation and resettlement, in line with European and international refugee law. Yet, the second stage (between October 2015 and March 2016) externalised the crisis to Turkey via the refugee deal due to growing political divisions both within and among the member states, and especially, Parochial Europe’s opposition to relocation and resettlement. In the end, a Thin Europe approach prevailed, pragmatically uniting Thick and Parochial Europeanists around the idea of securing the EU’s external borders and supporting Turkey in

its efforts to host the Syrian refugees. Hence, representing Thin Europe, the refugee deal accommodated the interests of both Thick and Parochial Europes at the expense of Global Europe. Externalisation helped Thick Europeanists secure the EU's unity and stability as well as the integrity of the EU's Schengen regime as a core pillar of European integration. Of course, the trade-off was EU conformity with the values underlying relocation and resettlement, as member states proved mostly reluctant or outright resistant towards implementing them. Additionally, the EU's normative (democratic) actorness was jeopardised by the deal which contradicted the conditional nature of EU-Turkey relations. In turn, Parochial Europeanists were pleased since the deal ended the influx of Muslim refugees to Europe. Global Europe was the most side-lined of all Europes. Although the guiding role of the UN High Commissioner for Refugees (UNHCR) under the 1951 Refugee (Geneva) Convention was often recognised by the European Parliament (EP) and the European Commission (EC), the deal's implementation exhibited violations of international refugee law.

The article is structured as follows. The first section examines how the EU initially sought a Thick Europe solution that triggered reactions from Parochial Europe. The second section assesses the externalisation phase as a Thin Europe solution enabled by the EU-Turkey refugee deal. In both sections, without engaging in a full-scale discourse analysis (which would exceed the article's scope), the discussion relies on relevant official EU documentation along with statements from EU officials and European politicians. The article concludes by briefly discussing the findings in relation to the current context.

2. First phase (Spring 2015- fall 2015): divisions within the EU and contestations of Thick Europe

Although stretching back to the Syrian civil war beginning in 2011, the refugee crisis did not rank high on the EU's agenda until the spring of 2015 when a massive influx of migrants shook Europe along with a series of migrant boat tragedies in the Mediterranean Sea. From a humanitarian standpoint, what pushed the EU to tackle the crisis was the disaster that occurred on 19 April 2015 near the Italian island of Lampedusa, resulting in the highest number of migrant deaths (about 800) from any boat accident that had hitherto occurred on the Mediterranean. The incident prompted the then UN High Commissioner for Refugees, Antonio Guterres, to call for 'a comprehensive European approach to address the root causes [of migrant movements to Europe]' and 'a decisive [EU] role to prevent future such tragedies' (UNHCR, 2015a).

Against this backdrop, EU institutions and individual member state representatives pushed for EU-level initiatives that conformed – at least in part – with Thick Europe. 'Solidarity' and 'responsibility sharing' forming the basis of a common European asylum policy underpinned these measures, along with an integrationist vision going beyond Thin Europe's common functionalist scope. In particular, as a frontline member state, Italy advocated a common European solution to the crisis reflecting Europe's responsibility to prevent future accidents and show solidarity to the refugees.¹ As former Italian Prime Minister Matteo Renzi emotionally reacted to the April 2015 Lampedusa accident: 'Twenty years ago, we and Europe closed our eyes to Srebrenica. Today it is not possible to close our eyes again and only commemorate these events later' (The Guardian, 2015a).

Following the accident, an extraordinary EU Foreign and Home Affairs Council meeting was gathered on 20 April 2015. Consequently, a ten-point action plan on migration was announced, comprising immediate measures to control migrant flows across the Mediterranean and suggestions for migrants' relocation and resettlement in Europe. The plan received member states' unanimous support and the EP's endorsement. As explained by the then Commission Vice-President/EU High Representative for Foreign Affairs and Security Policy Federica Mogherini and former EU Commissioner for Migration, Home Affairs and Citizenship Dimitris Avramopoulos in a joint statement: 'We need to show that same collective European sense of urgency we have consistently shown in reacting in times of crisis' (European Commission, 2015a). They further praised the proposal as 'Europe taking responsibility' and 'all of us working together' (Ibid.).

Building on this first action plan, the EC proposed the 'European Agenda on Migration' in May 2015. Motivated by the EU's need to develop a common European migration policy and 'the [moral] duty to protect those in need' (European Commission, 2015b, p. 2), the Agenda included: (1) immediate measures consisting, in part, of the relocation of migrants within Europe in line with the principle of responsibility sharing among the member states, and the resettlement of displaced people in clear need of international protection in accordance with the recommendations of the UNHCR, (2) 'reducing the incentives for irregular migration' by addressing, inter alia, the root causes of migration in countries of origin and fighting against smugglers, (3) effective border management building on strengthening Frontex and saving migrant lives at sea, (4) a strong 'common European asylum system' reflecting 'Europe's duty to protect' and possibly resulting in the revision of the so-called 'Dublin system', and (5) a 'new policy on legal migration' (Ibid.).

In general, the Agenda revealed the Commission's intention to follow Thick Europe, as illustrated by its calls for 'a new, more European approach', and to some extent, Global Europe, as demonstrated by its emphasis on international collaboration and the EU's related commitments to the protection of refugees:

We need to restore confidence in our ability to bring together European and national efforts to address migration, to meet our international and ethical obligations and to work together in an effective way, in accordance with the principles of solidarity and shared responsibility ... All actors: Member States, EU institutions, International Organisations, civil society, local authorities and third countries need to work together to make a common European migration policy a reality. (Ibid., p. 2)

When the EC subsequently advanced concrete proposals, its commitment to Thick and Global Europes, respectively, was further laid out: (1) activating the emergency response mechanism under Article 78(3) of the Treaty on the Functioning of the European Union (TFEU)² for the first time, it proposed the relocation of 40.000 persons from Greece and Italy to other European countries within a period of two years, (2) it recommended the resettlement in Europe of an additional 20.000 refugees in clear need of international protection and as identified by the UNHCR (European Commission, 2015c). Clearly, the first suggestion conformed to the EU's common asylum policy constituting an element of European integration and representing Thick Europe, as stated in Article 80 of TFEU: 'The [asylum and immigration] policies of the Union ... and their implementation shall be governed by the principle of solidarity and fair sharing of responsibility, including

its financial implications, between the Member States'. As for the second recommendation, the EU's international commitments under the 1951 Refugee Convention to show solidarity with the refugees were underlined.

As former Commission First Vice-President Frans Timmermans further commented on the proposals:

Today the Commission is matching words with action. Solidarity goes hand in hand with responsibility. This is why our proposals include the strong requirement that asylum rules are properly applied, and that Member States do everything they should to prevent abuse. Everyone who needs sanctuary should find it in Europe. (European Commission, 2015c)

Similarly, Mogherini reiterated the Commission's devotion to Global Europe when she stressed that she has 'exchanged views once more with the UN Secretary General Ban Ki Moon on the comprehensive steps [the Commission] want[s] to take' (Ibid.).

Yet, the crisis gradually deepened with increasing refugee arrivals to Europe via multiple routes. Two particular incidents further prompted calls for the swift implementation of an effective European solution: the discovery (in Austria) of the bodies of 71 people inside an abandoned truck (believed to have been bound for Germany) on 28 August 2015, and the tragic death of the three-year-old Syrian boy, Aylan Kurdi whose body washed up on Turkey's Aegean shores following a failed boat trip to Greece on 3 September 2015. As millions were outraged by Kurdi's death both in Europe and globally, Guterres referred to the tragedy as 'Europe's moment of truth' and recalled that 'this is the time to reaffirm the values upon which [the EU] was built' (UNHCR, 2015b). He further issued six fundamental guidelines (including expanded and mandatory relocation and resettlement opportunities in Europe along with increased international cooperation against refugee smuggling) that the EU should follow to manage the growing humanitarian crisis (Ibid.).

These calls did not fall on deaf ears within the EU. In his State of the Union Address on 9 September 2015, former EC President Jean-Claude Juncker referred to the refugee crisis as the EU's 'first priority' and one that 'is first of all a matter of humanity and of human dignity and ... also a matter of historical fairness' for Europe. He went on to call for 'a true European refugee and asylum policy [based on] solidarity to be permanently anchored in [the EU's] policy approach and ... rules' and 'a permanent relocation mechanism' (Juncker, 2015).

Echoing these views, most member states including Germany, Sweden, France, Italy, Spain recalled the EU's 'moral responsibilities' in the crisis, and stressed the need for urgent, 'Europe-wide mobilisation' efforts and 'a global strategy' necessary to tackle it (ABC News, 2015). Eventually, building upon a draft decision reached on July 20, 2015, and in full support of the EC's above-mentioned proposals and other recommendations, on September 14, the EU's Justice and Home Affairs (JHA) Council agreed in principle to relocate 120.000 persons (in addition to the previously agreed 40.000 that would be relocated from Greece and Italy until 16 September 2017) from 'any Member States exposed to massive migratory flows' (Council of the European Union, 2015a, september 14, p. 4). The Council recognised that 'challenges faced by Greece are European ones' and pledged to support Greece in its efforts to manage the crisis in order to 'tackle these challenges together' (Ibid., p. 2). At the subsequent JHA Council meeting of 22 September 2015, member states formally adopted this relocation decision via qualified majority-voting

(QMV). As Jean Asselborn, Luxembourg's Minister for Immigration and Asylum and the then President of the Council, commented:

We have an agreement in the Council by a very large majority, a majority going beyond that required by the Treaties. Today's decision reminds us that the European Union is founded on solidarity between member states, but also on solidarity with people in need of protection. (Council of the European Union, 2015b, september 22)

Emphasis on European solidarity and a common resolve to step up refugee-helping efforts in line with the recommendations of the UNHCR (that suggested as many as 200.000 places for relocation opportunities) (UNHCR, 2015b) also marked the conclusions of subsequent Council meetings as well as the EC's recommendations (European Commission, 2015d) and EP resolutions. Together, these documents sufficiently signal that the EU sought to follow Thick and Global Europes in trying to manage the crisis during its initial phase.

The EP appeared the most committed to Thick and Global Europe visions. This was evident in its consistent criticism of the Council and the Commission regarding their perceived insufficiencies in implementing a common European and humanitarian solution to tackle the crisis. In a September 2015 resolution, the EP highlighted that 'the EU has 28 fragmented migration policies' and underscored the 'regrettable lack of solidarity on the part of [EU] governments towards asylum-seekers' (European Parliament, 2015). Specifically, it argued for 'a holistic approach that takes into account safe and legal migration and full respect for fundamental rights and values' when applying TFEU's Article 80, and called for the amendment of the Dublin regulation (Ibid.). The EP also emphasised the importance of the EU's global efforts and suggested an international conference geared towards 'establishing a common global humanitarian aid strategy' (Ibid.).

Among the member states, it was Germany which took the lead in promoting a Thick Europe response to the refugee crisis. Pursuing an 'open-door policy' leading to the arrival of as many as 800.000 asylum-seekers in Germany in 2015, German Chancellor Angela Merkel 'pushed hard for other Member States to show solidarity' (Monar, 2016, p. 137). Her leadership in this matter was additionally justified by Global Europe ideals and an integrationist impulse to preserve the Schengen regime: 'If Europe fails on the question of refugees, if this close link with universal civil rights is broken, then it won't be the Europe we wished for ... If we don't succeed in fairly distributing refugees, then ... the Schengen question will be on the agenda for many' (The New York Times, 2015).

Yet, Merkel's calls did not receive member states' unanimous approval. Indeed, the relocation and resettlement decisions of the 22 September JHA Council were reached via QMV, and against the opposition of Slovakia, Hungary, Czech Republic and Romania which vetoed the mandatory member state quotas for distributing the asylum seekers in Europe. Following the October 2015 election of the nationalist Law and Justice Party, Poland joined these countries in advocating a securitised and Parochial Europe approach to the crisis.

Hungary was a key representative of this position. Hungarian Prime Minister Viktor Orbán raised criticisms that reverberated across Europe, i.e. among far-right populist, nationalist, anti-immigrant and Eurosceptic parties (see, Öner, this special issue) as well as left-wing political circles pushing for greater member state sovereignty vis-à-vis the EU. He used two arguments highlighting: (1) A 'Hungary-first' approach elevating Hungary's

national and security imperatives above EU interests, and (2) The idea of a common European civilisation emphasised from a primordialist, exclusionary standpoint. While the second point is also shared by some Thick Europeanists such as Christian Democrats (stressing common European civilisation based on religion), it demonstrates Parochial Europe when combined with the categorically anti-integrationist stance signalled via the nation (Hungary)-first approach.

Orbán went as far as accusing Merkel of ‘moral imperialism’ and argued that EU members should have the ‘democratic right’ to respond unilaterally to the refugee question: ‘We’d accept Germany either allowing all migrants in or not allowing any in. But whatever Germany decides should only apply to Germany’ (Deutsche Welle, 2015a). Having already ordered border fences along his country’s borders with Serbia and Croatia to prevent migrants’ entry into Hungary, he championed the idea of securing the EU’s external borders against refugee arrivals. His proposal received the warm support of Germany’s Christian Social Union (CSU) during a September 2015 visit to Bavaria: Bavarian premier and head of CSU, Horst Seehofer, argued that the massive refugee influx to Germany, especially, Bavaria, should be controlled, and Orbán’s suggestions should be seen as a contribution to ‘the greatest task since the reunification of [Germany]’ (Deutsche Welle, 2015b).

Emphasis on Parochial Europe was bolstered following the Paris terror attacks by the Islamic State (ISIS) on 13 November 2015. Orbán reacted by arguing that ‘all the terrorists are basically migrants’ and ‘all [migrants] present a security threat’, and therefore securing the EU’s external borders should be the Union’s priority as it would be the only way to save the Schengen regime (Politico, 2015a). His other assertions completed the depiction of Parochial Europe as an exclusionary understanding:

Those arriving have been raised in another religion, and represent a radically different culture. Most of them are not Christians, but Muslims. This is an important question, because Europe and European identity is rooted in Christianity. Is it not worrying in itself that European Christianity is now barely able to keep Europe Christian? There is no alternative, and we have no option but to defend our borders. (The Guardian, 2015b)

Orbán’s Parochial Europe arguments received the EP’s immediate criticism based on Thick and Global Europes. In a September 2015 resolution, the EP stated that it ‘regrets that the leaders of some Member States and the far-right parties are using the current situation to fuel anti-migration sentiments while blaming the EU for the crisis’ and ‘[called] on the leaders of the EU and the Member States to take a clear stance in favour of European solidarity and respect for human dignity’ (European Parliament, 2015).

Despite these criticisms, Orbán announced in December 2015 that he would take the EU’s mandatory quota plan (to distribute 160,000 refugees across the bloc) to the Court of Justice of the EU (CJEU), along with Slovakia. Like Orban, Slovakia’s leftist Prime Minister Robert Fico justified the initiative by arguing in favour of Parochial Europe. He explained that he would rather risk infringing EU rules than implement the EU’s ‘diktat’ migrant quotas and the planned lawsuit ‘can be very significant, as it can resolve many questions concerning relations between sovereign countries and the EU – including voting rights’ (EUBulletin, 2015, november 25). He also stressed a Slovakia-first approach focused on security: ‘We’re monitoring every Muslim in Slovakia. The security of Slovak citizens [takes] precedence over the rights of migrants’ (Ibid.).

Central and Eastern European countries (CEECs)' opposition to a Thick Europeanist migration policy soon became evident in their refusal to accept any refugees as well as strict controls or closures of their borders, causing the refugees to remain stranded in Greece. The growing rift demonstrated that 'despite the EU's [initial] rhetoric about its normative ambitions and ... Merkel's efforts to engage the other EU leaders in a more welcoming approach', member states increasingly resorted to unilateral responses to the crisis (Pomorska & Vanhoonacker, 2016, p. 211) motivated by security-driven and/or political factors.

Interestingly, national policies gradually became popular even among Thick Europeanist member states. Most of these countries introduced temporary border controls (Germany and Austria in September 2015; Sweden, Norway and France in November 2015), thus effectively suspending Schengen rules. These measures were accompanied by a rising security narrative in these states '[invoking] a provision of the Schengen Borders Code in order to frame the refugee inflows as "serious threats to public policy or internal security"' (Maricut, 2017, p. 171).

In general, faced with domestic criticism and concerns on the one hand, and member states' resistance or half-heartedness to fully implement a common European asylum and migration policy on the other,³ Thick Europe representatives turned to a securitised approach (while not abandoning commitment to relocation and resettlement) to the crisis.⁴ Relatedly, they prioritised increased EU cooperation with Turkey over solidarity-based solutions. Although collaboration with (and assistance to) refugee-hosting countries in the EU's neighbourhood (e.g. Turkey, Jordan, Lebanon, Iraq) was nothing new as it was formerly stressed in official EU documents (including the May 2015 European Agenda on Migration), starting with late September/October 2015, it emerged as the EU's Plan A in tackling the refugee problem. As former French President Francois Hollande admitted: 'Europe must 'work with Turkey' to ensure the refugees 'can stay there, find a job, and wait for the situation in Syria to improve' (Politico, 2015b).

European resolve to externalise the refugee problem to Turkey – as a potential key partner in migration control – suggests that the different Europes threw their weight behind this initiative. In fact, externalisation represented the lowest common denominator solution around which Thick and Parochial Europes were able to unite. This is puzzling since the two Europes normally constitute opposite camps on matters concerning the EU and European integration. Yet, their unlikely alliance was possible because actors within the two blocs found common ground around *realpolitik*, with member states eager to protect their national interests and EU institutions anxious to safeguard the EU's stability and the Schengen regime. The result was the March 2016 refugee deal exemplifying problem-solving, Thin Europe positioned between Thick and Parochial Europes.

Ironically, in supporting a Thin Europe solution together with Parochial Europe, Thick Europeanists⁵ were primarily motivated by a commitment to the stability of the European project whose central pillar is freedom of movement within the EU, that is enabled by the Schengen regime. When Schengen's sustainability was jeopardised by internal border controls and closures triggered by continuous refugee flows to Europe, Thick Europe had no solution other than stopping the migrant movements, which was demanded by Parochial Europe from the outset. Along the way, European values (i.e. solidarity and fair sharing of responsibility) were either side-lined or given secondary importance.

Additionally, the EU's liberal democratic values were neglected within the context of the EU-Turkey refugee deal. More broadly, Global Europe and the universal norms that it advocates regarding refugee rights under international refugee law, were sidestepped in the process. Although these normative violations were consistently criticised by the EP and international human rights organisations, the Thin Europe policy of partnership with Turkey was put to use in the fall/winter of 2015. The same EU actors (EC) and member states (Germany) that previously pushed for a Thick Europe stance on migration now prioritised strategic cooperation with Turkey. As former European Council President Donald Tusk stated in February 2016: 'Our joint action plan with Turkey remains a priority, and we must do all we can to succeed' (Euobserver, 2016a).

3. Externalisation phase (October 2015- March 2016): Thin Europe solution bringing together Thick and Parochial Europes

Dialogue between Turkey and the EU intensified in the fall of 2015 to end the refugee crisis. As it was the case during the first phase of the crisis, Germany (together with the Netherlands which held the EU presidency during the first half of 2016) led the efforts in collaboration with the Commission (Bialasiewicz & Maessen, 2018; European Stability Initiative, 2015, october 4). Negotiations for an EU-Turkey agreement were conducted on a purely transactional basis (Dimitriadi et al., 2018; Saatçioğlu, 2020), with Turkey serving as a key strategic partner⁶ and a gatekeeper to the EU (Okyay & Zaragoza-Cristiani, 2016). Strategic interests were at stake for both sides: While the EU was anxious to halt refugee arrivals by securing Turkey's intervention, Ankara looked to extract some concessions from Brussels in return for tightening its borders to halt refugees' passage to Greece and agreeing to take back illegal migrants who had transited to Europe from Turkey. As a senior EU diplomat admitted in February 2016: 'If we want to maintain a common asylum policy and if we want to maintain Schengen ... then we have to reduce the numbers of people coming in and Turkey is key to this' (EUobserver, 2016b).

The result was the March 2016 refugee deal that built upon the EU-Turkey Joint Action Plan of 15 October 2015 (negotiated by the Commission and subsequently adopted by the European Council; see, European Commission, 2015d) and the EU-Turkey Statement of 29 November 2015. Each one of these initiatives promised greater benefits to Turkey than the previous one(s). This shows that the EU's hands were tied, and subject to Turkey's superior bargaining leverage (and sometimes even blackmailing), Brussels had no option other than to act pragmatically to ensure that Turkey remained on board with its refugee control plan (Greenhill, 2016).

The November 2015 Statement promised the following incentives to Turkey: (a) a three-billion-euro aid package covering refugees' needs in Turkey, (b) progress in Turkey's EU accession negotiations paralysed since November 2013, (c) visa liberalisation, however conditional, for Turkish citizens in the Schengen area by October 2016, and (d) 'structured and more frequent high-level dialogue' between the EU and Turkey serving as a 'platform to assess the development of Turkey-EU relations' (European Council, 2015).

The March 2016 deal broadened these terms, reflecting 'a higher Turkish price tag: money, visas, and large-scale resettlement of Syrians from Turkey to Europe' (Financial Times, 2016). The principal addition was the measure of resettlement from Turkey: 'all new irregular migrants crossing from Turkey into Greek islands as from 20 March 2016

[would] be returned to Turkey' and 'for every Syrian being returned to Turkey from Greek islands, another Syrian [would] be resettled from Turkey to the EU' (European Council, 2016). Second, the EU committed to fastening the disbursement of the three-billion-euro aid package besides granting Turkey an additional amount of three billion euros under the Facility for Refugees until the end of 2018. Third, the commitment to 're-energise' Turkey's EU accession process was confirmed and Chapter 33 ('Financial and Budgetary Provisions') was opened to negotiation with Turkey on 30 June 2016 (following the December 2015 opening of Chapter 17 – 'Economic and Monetary Policy'). Fourth, the deal accelerated Turkey's (still conditional) visa liberalisation prospect to be accomplished 'at the latest by the end of June 2016' (Ibid.).

These Statements represented Thin Europe not only because they instrumentally accommodated some Turkish demands but also their respective negotiation processes exhibited a pragmatic rationale devoid of normative standards that would normally apply to the EU's relations with Turkey under membership conditionality. When talks began between Brussels and Ankara in early October 2015, it was reported that Turkish President Tayyip Erdoğan negotiated with a 'Brussels shopping list' in mind. In fact, as a senior EU diplomat commented: 'On [the refugee issue, Erdoğan] is in a position of incredible strength and we're in a position of incredible weakness' (The Guardian, 2015c).

Against this backdrop, in addition to the material concessions listed above, Ankara also pushed for Turkey's recognition by the EU as 'a safe third country', that is to say, as legally defined by the EU's 2005 Asylum Procedures Directive (APD) (Article 36): a country that has adopted the 1951 Geneva Convention without any geographical limitations and 'has ratified the European Convention for the Protection of Human Rights and Fundamental Freedoms [ECHR] and observes its provisions'.

The refugee deal's finalisation meant that all illegal migrants entering the EU from Turkey will now be returned to Turkey 'on the basis that it is a safe third country' (Lavenex, 2018, p. 1206). Yet, this contradicts both Thick and Global Europes since the extent to which Turkey meets the European standards (Article 36, APD) or international legal criteria for being qualified as a safe country remains controversial. Indeed, not a single EU member state had recognised Turkey as such in its national legislation prior to the refugee deal (Ibid., p. 1206). This is because despite being a party to the 1951 Convention and its 1967 Protocol, Turkey maintains a geographical restriction that allows it to limit the official refugee status to refugees originating from Europe. Non-European refugees are instead granted 'temporary protection status' which offers them limited access to health and education services, and the Turkish labour market (İçduygu & Millet, 2016). Additionally, Turkey exhibits persistent democratic backsliding (widely documented by the EC itself in yearly Turkey reports) and is among the most condemned states by the European Court of Human Rights for violating the ECHR.

At the same time, the opening of Chapters 33 and 17 (and the overall promise to 're-energise' Turkey's accession process contingent on the deal's implementation as opposed to Turkish democratic reforms) meant that the EU was in fact backtracking from its democratic criteria vis-à-vis Turkey. This constitutes yet another shift from Thick Europe towards Thin Europe since the EU's pre-crisis engagement with Turkey was relatively conditioned by the degree of Turkey's democratic compliance under EU conditionality.⁷

The discourse employed by European politicians and EU representatives during negotiations with Ankara is further proof of Thin Europe associated with the EU's normative

retreat vis-à-vis Turkey. At an official visit to Turkey on 18 October 2015, Merkel remained silent about Turkey's persistent democratic backsliding while pledging support for re-energising Turkish accession and recognising Turkey as a safe country. Yet, it was Juncker who most bluntly admitted that a Thin Europe approach was the only realistic way to secure Turkey's cooperation:

We can say that EU and the European institutions have outstanding issues with Turkey on human rights, press freedoms and so on. We can harp on about that but where is that going to take us in our discussions with Turkey? ... We want to ensure that no more refugees come from Turkey into the European Union. (The Telegraph, 2015)

Furthermore, faced with Erdoğan's request (as revealed by the minutes of a meeting between Erdoğan, former Turkish Foreign Minister Feridun Sinirlioğlu, Tusk and Juncker),⁸ the Commission decided to delay the publication of its highly critical yearly report on Turkey's EU accession (acknowledging, for the first time, the 'significant backsliding' of Turkish democracy) until after Turkey's general elections of November 1, 2015. The publication of the report on November 10 suggested the pragmatic distancing of the Commission itself from Thick Europe in the face of political exigencies.

Consistent with its role as the principal EU institution advocating a democracy and human rights approach to crises (Maricut, 2017; Soyaltın-Colella, this special issue), the EP objected, arguing that delaying the report 'was a wrong decision, as it gave the impression that the EU is willing to go silent on violations of fundamental rights in return for the Turkish Government's cooperation on refugees' (European Parliament, 2016a). Actors within the EP similarly reacted to the terms of the refugee deal connecting Turkey's migration cooperation to its EU accession process. As the EP's former Turkey rapporteur, Kati Piri, stated: 'My message to the EU leaders is stick to your own values. We are not taking our own principles seriously enough' (Euobserver, 2016c).

It seems that the EP was the EU institution whose documents and resolutions included the most references to Thick and Global Europes throughout both phases of the crisis. In fact, experts pointed out that the reason why member states labelled the refugee deal as an 'EU-Turkey Statement' (as opposed to concluding it as a formal international agreement) was to avoid the EP's scrutiny and involvement in the decision-making process, and the CJEU's legal interference (Lavenex, 2018, p. 1207; Slominski & Trauner, 2017, p. 9). Consequently, as a legally non-binding document, the deal is the product of a 'soft law approach enabl[ing] EU governments to negotiate flexible agreements with partner countries undisturbed by judicial review or Members of the EP who tend to be more concerned with human rights' (Slominski & Trauner, 2021, p. 13).

In the end, however, the deal was embraced as a necessary solution even by the EP which, nevertheless, continued to condemn the sides' (both the EU and Turkey) shortcomings in implementing it in conformity with European and international refugee law guaranteeing refugees' rights such as asylum-seeking (in the EU) and protection from non-refoulement (both by EU countries and Turkey) (European Parliament, 2016b). The EP's criticisms relied on the reports of leading non-governmental human rights organisations documenting the situation of the Syrian refugees stranded in Greece and Turkey (Amnesty International, 2017; Human Rights Watch, 2016). They also reflected the UNHCR's warnings regarding, inter alia, the collective expulsion of refugees from Europe to Turkey in the absence of sufficient legal safeguards for assessing their

asylum claims, and the slowness of resettlement from Turkey to Europe, both violating refugees' rights under international and European law (Aljazeera, 2016).

These caveats coincided with Thin Europeanist statements from Tusk reflecting the general mood among the member states. Tusk praised the deal as a 'breakthrough' that sent 'a very clear message that the days of irregular migration to Europe are over' (Ibid.). Similarly, once again advocating Parochial Europe, Orban explained: 'The deal with Turkey was necessary. We support doing bilateral agreements that are conducted with all the countries from where refugees may come to Europe' (Hürriyet Daily News, 2016).

4. Conclusion

The 2015–2016 refugee crisis raised significant challenges and much controversy within the EU. Following initial attempts to respond to the crisis with a common European solution, member states and EU institutions gradually shifted their focus to externalising the management of the crisis to Turkey as a key transit country. Turkey's much needed 'strategic partnership' resulted in the refugee deal of March 2016 which ended the refugee flows to Europe.

Departing from the understanding that Europe is a contested phenomenon engendering multiple, competing visions on the EU, this article has studied the EU's response to the crisis by investigating the relations between Thick, Thin, Parochial and Global Europes, following the four-Europe taxonomy adopted by this special issue. It argued that European actors' reactions to the crisis were often shaped by which Europe they believed in, yet, these ultimately proved flexible in the face of growing divisions among and within member states, which necessitated a lowest common denominator solution. Consequently, enabled by the pragmatic EU-Turkey deal, a problem-solving, Thin Europe approach prevailed. By putting an end to the 'problem' on the ground (i.e. refugee flows), this drew the support of both Thick and Parochial Europes, however mostly sidelining Global Europe.

Five years after the outbreak of the crisis, the findings of the article still hold relevance. The deal with Turkey occupies centre stage in the EU's efforts to manage refugee issues since it was deemed successful in substantially reducing the refugee flows to Europe. In March 2020, the Commission estimated that since the deal's entry into force, irregular refugee arrivals from Turkey have decreased by 94% (European Commission, 2020). At the same time, relocation has proceeded slowly, with only 34.705 migrants having been relocated from Italy and Greece to 22 member states as of November 2019 (European Parliament, 2020). The prevalence of Thin Europe over Thick Europe in the EU's refugee management has been made further evident when Turkey suspended the deal (by opening its land border with Greece) in late February 2020. The suspension caused a mass movement of migrants towards Greece, which allegedly gave way to violations of asylum rights, and mistreatment by the Greek authorities while securing the border. Gathering at the Greek border on March 3, EU leaders signalled that the need to secure the EU's borders prevails over refugees' human rights: 'Our first priority is making sure that order is maintained at the Greek external border, which is also a European border' (Ibid).

The coronavirus pandemic is likely to strengthen the EU's securitised refugee policy while reinforcing Parochial Europe. Equating the spread of the virus with foreigners

travelling to Europe and immigration, Orbán's Hungary has once again illustrated this approach. Additionally, in fighting the virus, the Fidesz government has taken the opportunity to further curtail Hungarian democracy through measures strengthening rule by decree. If these anti-democratic and anti-immigrant trends gain ground within a post-pandemic EU, they will surely necessitate firmer EU policies elevating liberalism above all else. In so doing, the EU would have much to gain from a more normative and rights-based approach to the refugee problem as well.

Notes

1. Although the terms 'refugee' (see, the 1951 Refugee Convention, Art. 1(2)) and 'migrant' do not always imply the same categories of people, they are used interchangeably in this article to refer to people fleeing from the Syrian civil war to seek asylum elsewhere.
2. The article states: 'In the event of one or more Member States being confronted by an emergency situation characterised by a sudden inflow of nationals of third countries, the Council, on a proposal from the Commission, may adopt provisional measures for the benefit of the Member State(s) concerned'.
3. This was most particularly evident in the slow progress of relocation and resettlement across the EU. Two years after the JHA Council's relocation decision (September 2017), only 27.700 people had been relocated from Greece and Italy, prompting the Commission to urge the member states (particularly, Hungary, Poland, the Czech Republic) to start relocating and pledging to receive migrants (European Commission, 2017).
4. To illustrate, Germany's shift in policy is rooted, inter alia, in the rising domestic political opposition to Merkel's open-door policy to refugees, both from her own Christian Democratic party and the Eurosceptic, anti-immigration *Alternative für Deutschland* Party (whose rising popularity and wins in the 2016 state elections are attributed to its politicisation of the refugee crisis). Criticisms against Merkel reached their peak following the December 2016 Berlin ISIS attacks carried out by a Tunisian migrant. Similarly, for France, a crucial factor has been the popular fear of importing Islamic terrorism via welcoming refugees, following ISIS' November 2015 Paris attacks.
5. In so doing, some Thick Europeanists (e.g. Christian Democrats represented by CSU) were also motivated by the 'Fortress Europe' vision, i.e. the idea that common European (Christian) civilisation should be protected from Muslim 'others' like Syrian refugees.
6. Indeed, throughout the crisis and after, both the EU's official rhetoric and member state discourses on Turkey predominantly referred to Turkey as a key 'strategic partner'.
7. An evaluation of Turkey-EU relations is beyond the scope of this paper. Suffice it to say that before the refugee crisis, the EU emphasised the importance of Turkey's democratic reforms (stagnant since 2013) for the opening of further negotiation chapters. The link between democratisation and membership talks was firmly signaled, among others, by former European Council President Herman Van Rompuy (Bloomberg, 2014) and former EU Commissioner for Enlargement and Neighborhood Policy Stefan Füle: 'Energising the EU accession process and strengthening democracy by respecting rights and freedoms are two sides of the same coin' (Füle, 2013).
8. The minutes quote Juncker as saying: 'please note that we postponed the progress report until after the Turkish elections. And we got criticised for this delay' (Bialasiewicz & Maessen, 2018, p. 221).

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