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Europe's Refugee Crisis: Assessing the Factors Preventing a Coordinated EU Response

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Abstract

In order to escape increasing political violence in the Middle East and Africa, many refugees are fleeing by sea to seek asylum in Europe. As a result, Europe has witnessed the highest influx of refugees since World War Two. European Union member states have scrambled for a solution, seemingly unable to form a collective response. The reemergence of nationalism amid the arrival of thousands of refugees not only clouds Europe's moral compass, but also weakens the EU and its founding principles. In an effort to contribute to the protection of refugees and the EU and its values, this thesis aims to discover the factors inhibiting a collective European response to the refugee crisis.

I start by broadly explaining the crisis - highlighting main causes, routes into Europe, tragedies at sea, and past European efforts. Next, I elaborate on methodologies used during my fieldwork in Italy where I interviewed human rights professionals and refugees. The literature review uses notable theories such as Huntington's "Clash of Civilizations" to explain the interaction between Europe and the arrival of non-European refugees. The data analysis features both qualitative and quantitative data collected from my fieldwork, highlighting demographic factors and economic benefits of migration in Europe. My findings indicate that the EU asylum system is counter-productive because it fails to address legal channels for refugees outside of Europe to seek asylum, and forces peripheral EU states to absorb majority of refugees on their own. I attribute the rise of nationalism to historical undertones and the paranoid preservation of cultural identity amongst relatively homogenous states. Finally, I end this paper with a list of policy recommendations that I believe can help protect both refugees and the EU.

Table of Contents

1.0 Introduction

<u>Research Question</u>

There are currently over sixty million displaced refugees worldwide - the highest number ever recorded (UNHCR, "Worldwide displacement", June 2015). Many of these refugees are in protracted situations, displaced from previous or on going conflicts in the Middle East and Africa. In 2011, the Arab Spring, a series of anti-government demonstrations in the Middle East, led to a violent power vacuum in the region that sparked several sectarian wars. This was particularly the case in Syria, where a civil war had broken out between the Syrian regime, various rebel factions, and extremist organizations (such as the Islamic State). The war in Syria has been the single largest driver of refugees in the world, leaving over four million Syrians displaced outside of Syria. The majority of displaced Syrians have fled to neighboring countries such as Turkey, Jordan and Lebanon.

As the war worsens, more Syrians are continuing to flee the country. International organizations, such as the UNHCR were ill prepared for such a massive influx. The strain in resources for Syrian refugees in the region has left many in deplorable living conditions. To make matters even worse, refugees in many Arab host states do not have the same rights as citizens, preventing them from becoming self-sufficient and living full, dignified lives. This is a dilemma that refugees around the world typically deal with, however the case of Syria has exacerbated the global refugee crisis and intensified the irregular migration flow into Europe.

By the summer of 2015, Europe witnessed the highest influx of refugees since World War Two. The majority of these refugees pay human traffickers, who smuggle

them on unseaworthy vessels across the Mediterranean, which have led to thousands of deaths at sea. This influx exposed critical flaws in the European Union's asylum system known as the Common European Asylum System (CEAS). The goal of the CEAS is to foster a collective European approach to asylum seekers in the EU but its policies; unable properly to deal with the influx, has put many EU states at odds. At a time when a collective European response is desperately needed, EU member states have taken varying approaches to the refugee crisis as contradictory political strains have emerged. Some states, such as Germany have responded with the EU's liberal values in mind, while others, such as Hungary, have resorted to right-wing nationalism, responding in ways that openly defy the EU and international law.

In an effort to contribute to scholarship of how to improve the protection of refugees and ensure EU stability, this thesis aims to answer the following question- *what factors prevent the EU from forming a collective refugee response?* This paper will examine the social, political, historical, and demographic conditions of nationalist and liberal European states to explain the varying refugee approaches and policies within the EU.

The European Union- It's Purpose and Structure

The aftermath of World War Two devastated much of Europe. Following the war, many European nations asserted that if they integrated their economies, they would be less likely to engage in war again. In 1950, French Foreign Minister Robert Schuman proposed the idea of a European Coal and Steel Community (ECSC) that would "make war not only unthinkable but materially impossible" (The Schuman Declaration, May 1950). One year later, the treaty of Paris realized Schuman's proposal and aimed to unite

Europe by establishing the European Coal and Steel Community. The ECSC formed a common set of economic policies that facilitated trade amongst member states. Over the years, the community expanded and eventually laid the foundation for greater cooperation amongst European nations. By 1993, the ECSC had evolved and was renamed the European Union (EU).

The EU, in its simplest terms, is a political and economic partnership between twenty-eight European countries. Building off the mandate of the ECSC, the goal of the EU is to foster cohesion, security, and prosperity in Europe. Its founding document, the Maastricht Treaty places a strong emphasis on human rights, democracy, and European solidarity. One of the biggest strengths of the EU is that its members share a single market that allows the free movement of capital, goods, services and people within the union. The majority of its member states also share a single currency, the Euro. These shared policies make the EU a single region under a supranational organization.

The EU is compromised of various supranational institutions. These institutions help facilitate national and international interests and establish a common set of policies. The most powerful institution is the European Commission. The Commission is made up of one representative per member state and a president, each of whom are elected every five years. The twenty-eight EU commissioners are responsible for suggesting new laws and ensuring that member states are practicing them. Two other institutions- the Parliament (nationally elected members of parliament) and the Council of the EU (state ministers) vote on the legislation proposed by the Commission. Parliament represents the interests of EU citizens while the Commission represents the interests of Europe as a whole (Europa.eu).

Although the EU can be regarded as a modern-day political breakthrough, it is still very much an unproven experiment. For years, the EU has prospered because national governments have been willing to sacrifice part of their sovereignty for the betterment of Europe. That sacrifice has been rewarded with full inclusion in the European community and all the benefits that come with it. Now, an unprecedented influx of refugees entering Europe poses a new threat to the EU. Many members have responded by prioritizing national interests such as cultural identity over European solidarity. As the EU fumbles on generating a collective response, serious questions are being raised over the EU system and its future. Is the EU simply an economic union, or is it something more? The crisis presents Europe with a historic opportunity to define itself under the values it was built on which are now being challenged.

<u>Defining a Refugee</u>

The Legal Definition

The 1951 Convention relating to the Status of Refugees set the internationally recognized criteria defining a refugee. It was initially created to address the protection needs of millions of refugees displaced within Europe following World War Two. According to Article I of the Convention, a refugee is:

> any person who… owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence

as a result of such events, is unable or, owing to such fear, is unwilling to return to it. (Article 1, 1951 Refugee Convention).

The treaty also defines the concept of *non- refoulement*, which prohibits parties of the contract from pushing refugees back into territory where they faced persecution. The concept is highlighted in article 33:

No Contracting State shall expel or return ("refouler") a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion." (Article 33, 1951 Refugee Convention).

All 147 parties are expected to practice the treaty by implementing it in their respective national legislations. The EU has applied the principles of the Refugee Convention in its own legislation regarding refugees - the Common European Asylum System.

Refugee or Economic Migrant?

Over the years, new conflicts and threats have challenged the Refugee Convention's definition of a refugee. For example, individuals fleeing persecution because of sexual orientation are not explicitly protected under the convention, nor is someone escaping natural disaster induced by climate change. Most problematic for economic migrants entering Europe, somebody escaping abject poverty is also not considered a refugee under the Refugee Convention. Naturally, European leaders who oppose immigration, such as the Prime Ministers of Slovakia and Hungary, claim that many of these "refugees" entering Europe are in fact "economic migrants" (The Economist, 2015, "How many migrants to Europe are refugees?"). How a person is labeled ultimately determines their legal status and eligibility for international protection.

There is a vigorous debate in EU politics and the mainstream media over the terminology applied to the thousands of migrants streaming toward Europe, situated as "economic migrant vs. refugee".

The vast majority of people entering Europe come from refugee-producing countries plagued by political persecution. According to the United Nations, over 53% of those arriving irregularly by sea are Syrian followed by Afghans (18%), Iraqis (6%) and Eritreans (5%) (UNHCR 2015, "Refugees/Migrants Emergency Response"). Nationals from these war-torn countries usually qualify for refugee status after an official status determination is carried out. Economic migrants who endure the same perilous journey to Europe are not protected as refugees yet. Perhaps Somali British Poet Warsan Shire said it best: "no one puts their children in a boat unless the water is safer than the land" ("Home"). Given that the majority of individuals fleeing the global south and headed for Europe through the Mediterranean and overland routes eventually qualify for refugee status, this paper will use the word "refugee" in reference to anyone crossing the Mediterranean to reach Europe.

Overview

Refugees have existed since the beginning of humanity. Wherever conflict existed, an inevitable mass exodus of refugees ensued. Currently, the number of people worldwide that have been forcibly displaced stands at sixty million, the highest number ever recorded. Most disturbingly, over half of these refugees are children (UNHCR, "Worldwide displacement", June 2015). The overwhelming majority of these refugees have been hosted by countries in the developing world. There, they wait on the outskirts of the host states' society- either in refugee camps or urban settlements, for the

opportunity to one-day return home. But as conflicts persist and new ones form, the prospects of ever returning home become increasingly bleak. Poorer countries are struggling to accommodate their own citizenry, let alone the rising number of people pushed into their borders by conflict. Resources become strained, living conditions worsen and eventually, a tipping point is reached. For many, Europe has not only emerged as a more attractive destination but one that is perceived as the only option that can provide hope for the future. Unfortunately, the scarcity of legal channels into the EU has caused many refugees fleeing political violence in the Middle East and Africa to rely on violent criminal networks that smuggle them on unseaworthy vessels across the Mediterranean.

The unprecedented influx of refugees into Europe during 2015 has caused countries within the European Union (EU) to scramble for a coordinated solution. This paper will argue that two main factors, rising nationalism, and a broken asylum system, have inhibited the EU's ability to effectively tackle the crisis. The influx of refugees has created tensions between the EU superstructure and its member states. These tensions not only exacerbate the humanitarian situation but also threaten the very solidarity that the EU was founded on. The EU's future will be shaped in part by its response to the current refugee influx via its asylum regime.

The Sparks of the Arab Spring

In many cases, the refugee crisis in Europe can be traced back to the Arab Spring, a series of anti-government uprisings against autocratic regimes across the Middle East. While many of the demonstrations throughout the Arab world calmed after a couple years, some turned violent resulting in all-out civil war. The ongoing wars in Syria and

Libya, for example, have played a significant role in the unprecedented influx of refugees arriving in Europe. Syria's civil war has contributed to a massive increase in refugees while Libya's deteriorating security has made it a major gateway into Europe.

In Libya, the Arab Spring resulted in the fall of Muammar Ghaddafi, who had been the autocratic leader of the country for over three decades. Since 2004, Libya was paid to serve as an extension of Europe's "externalized" border controls. Ghaddafi's regime intercepted migrants off the Libyan coast that were en route to Europe and incarcerated them in destitute detention centers where inmates were often subjected to violence, rape, and torture (Interview with Federico Fossi, Rome, Italy, Sep.8 2015). The NATO-sponsored overthrow of Ghaddafi in 2011 resulted in a violent power vacuum that opened a new route into Europe. Libya's lawlessness allowed smuggler networks to thrive off the desperation of migrants and refugees seeking a better life. The Libyan coast went from being a buffer zone to a major launch pad into Europe, where thousands of refugees are smuggled on unseaworthy vessels across the central Mediterranean. Often times, these boats can capsize killing everyone on board. Unsurprisingly, the central Mediterranean has been the scene of some of the deadliest maritime disasters of the 21st century.

Like Ghaddafi, Bashar Al-Assad, Syria's president, has governed his country through a ruthless dictatorship. Assad, a Shia Alawite Muslim, is a minority leader who has ruled over a Sunni majority Syrian population since 2000. As demonstrations across his country criticized his regime's oppressive policies, he responded by cracking down hard - openly firing on demonstrators, turning an uprising into all-out civil war by 2012. While the protests were initially secular, the war became religiously polarizing, as Sunni

rebel factions went to war with the Shiite government. Sunni states like Saudi Arabia and Qatar openly financed the rebels while Iran's Shiite government supported Assad with funds, and military support.

As Syria became the battleground of a sectarian proxy war, Sunni extremist groups like the so-called "Islamic State" or ISIS emerged in the fight against Assad. The terrorist organization expanded rapidly, taking over large swaths of land in order to establish its totalitarian Islamist vision. In the process, ISIS persecuted thousands of religious minorities who did not adhere to its strict and perverted interpretation of Islam. Today, the Islamic State is believed to be the richest terrorist organization in history, with an estimated net worth of over two billion dollars (Alexander, p.62). They receive a daily revenue of two million dollars by selling oil from Iraq and Syria to the black market (Alexander, p.62). The Islamic State's troubling presence has incited super powers like Russia and the United States to also engage in the war. The Syrian people are trapped between Assad's ruthless regime, various rebel groups, constant air strikes from Russia and a US-led military coalition, and religious extremists (such as the Islamic State). The human toll has been devastating as both the Syrian regime and the opposition have arbitrarily targeted civilian areas (Roth, LA Times, "Protect the Civilians", Nov.2015). So far, the war has claimed over 310,000 lives, and forcibly displaced over 4.5 million more - making Syria "the world's top source country of refugees, overtaking Afghanistan, which had held this position for more than three decades." (UNHCR, "Facts and Figures about Refugees")

Neighboring countries in the region like Lebanon, Jordan, and Turkey have hosted the overwhelming majority of displaced Syrians. Nearly two million Syrian

refugees live in Turkey, more than any other country. In Lebanon, where formal refugee camps for Syrians do not exist, there are over a million Syrians, making up a quarter of its total population. According to the UNHCR, about 70% of Syrian refugees in Lebanon live below the poverty line. Although fewer in number, more than 85% of Jordan's 629,245 Syrian refugees live below the national poverty line (UNHCR report, 26 August 2015). The majority of Syrian refugees displaced in the Middle East live outside of camps, and self settle in urban areas.

As the war in Syria continues, refugee camps continue to be overpopulated and undersupplied. The United Nations High Commissioner for Refugees (UNHCR), the primary organization providing support for camps in the region is severely underfunded, contributing to deteriorating living conditions for Syrians who are displaced. By the end of August 2015, The United Nations Syria Regional Refugee and Resilience Plan, which manages humanitarian aid for Syrians in neighboring countries, received a mere 37% of the $4.5 billion request needed to fund the year (Grant, "UN agencies 'broke and failing"). With limited funding, the UN has been forced to cut vital aid in many areas resulting in a decline of essential services such as shelter, financial aid, health care, and food assistance. Take for instance, Fatmeh, a Syrian refugee in Lebanon who described her troubles following UN cuts: "When we can't afford both medicine and food, I tie scarves around my boys' bellies at night so they don't wake up crying from stomach aches because they are hungry" (Grant, "UN agencies 'broke and failing"). According to Andrej Mahecic, an official for the United Nations High Commissioner for Refugees, "Conditions in neighboring countries have deteriorated considerably and the protection space is shrinking rapidly, some Syrians are deciding to move on [to Europe]" (Erlanger,

Tamura, 2015, "UN Funding Shortfalls"). The lack of safe and legal migration channels

to seek asylum in Europe forces refugees to make the perilous journey across the

Mediterranean and rely so heavily on violent smuggler networks. Although the journey

itself can be life threatening, to many it is the only option to continue living again.

Europe is perceived as providing the only opportunity to work, be educated, and live full

dignified lives.

<u>The Routes</u>

There are two main routes by which refugees find their way to Europe. These are

the eastern Mediterranean (from Turkey to Greece) and the Central Mediterranean (from

North Africa to Italy and Malta). Until 2015, the central Mediterranean route was by far

the most popular. Due to poor seaworthiness, many boats carrying refugees capsize

before ever reaching their destination. Out of the total 3,279 refugees that died crossing

the Mediterranean in 2014, 2,447 were killed on the central route, making it the world's

deadliest path to protection (BBC, "The Mediterranean's deadly migrant routes"). Libya

serves as an ideal "transit" country for human smuggler operations, not only because of

weak governance but also because of its strategic location. The small Italian island of

Lampedusa is actually closer to the African coast than it is to Sicily or mainland Italy

(Hobbs, 2007, p.72). Unsurprisingly, Lampedusa has served as the prime destination for

those smuggled off the Libyan coast.

The eastern Mediterranean emerged as the route of choice by 2015. The smuggler

industry expanded to Turkey where refugees, most of whom were fleeing conflicts in

Syria, Iraq and Afghanistan could reach the Greek islands of Kos and Lesbos, which are

less than three miles off the Turkish coast. In fact, the IOM reported that the Greek

islands saw an average of 7,000 people arriving by boat a day during the first week of October 2015 (IOM Report, 9 October 2015). In many instances, the Greek Coast Guard rescues hundreds of refugees trapped at sea at a time. If spotted by the Turkish Coast Guard, however, they are sent back to Turkey.

For many refugees, Greece is not the final target destination due to its unstable economy. Most refugees fleeing conflict from Iraq, Syria and Afghanistan continue to make their way north through the Western Balkans route to reach wealthier EU countries like Germany. This route is something like a massive modern day underground railroad, crossing seven countries - Turkey, Greece, Macedonia, Serbia, Hungary, Austria and Germany. However, many countries on the way have deployed their armies and closed their borders, leaving thousands of refugees stranded at a time with limited resources.

States like Hungary have cracked down hard. By the fall of 2015, Hungary had completed a controversial razor-wire fence across its borders with neighboring Serbia and Croatia to stem the migration flow. "It is like a big river of people, and if you stop the flow, you will have floods somewhere. That's what's happening now" argued UNHCR spokeswoman Melita Sunjic following Hungary's border closure, which left over 10,000 refugees stranded in Serbia (Al Jazeera, "Thousands of Refugees Stranded"). Reaching Hungary is a critical part of the journey because it is part of the Schengen zone - the area in Europe where people can move freely without a passport. That means once refugees reach Hungary, they can cross through any of the twenty-two countries in the bloc. Following the closure of Hungary's border, many refugees took a detour route from Serbia, crossing through Croatia, Slovenia, and eventually the Schengen state of Austria.

Tragedies Along the Way

Wake Up Call: Lampedusa's Deadly Shipwreck

On October 2nd, 2013 a boat carrying an estimated 500 refugees, mainly from war-torn Eritrea, capsized just 70 miles of the Lampedusan coast. Over 360 people were killed. The disaster sent shockwaves throughout Europe and focused international attention on the EU. For Italy, ignoring the crisis was no longer an option; it was literally too close to home. The Lampedusa shipwreck was the catalyst for greater European intervention in migrant crossings over the Mediteranean.

Deadly Learning Curves of Operations at Sea

Within the same month (October 2013), Italy launched the first search and rescue operation in the Mediterranean called "Mare Nostrum" which was widely regarded as a success. According to Amnesty International, the program had rescued over 140,000 people stranded at sea in just the first year since its inception (Amnesty International, "Operation Triton cannot replace Operation Mare Nostrum", Dec.2014). In addition to saving lives, the mission effectively tackled the smuggler networks, convicting more than 100 human traffickers in the process (Yardley, "Migration Crisis Puts Europe's Policy Missteps Into Focus"). Italy's Mare Nostrum also offered vital legal and humanitarian relief for those that needed it. The problem, however, was that the mission was costing the debt-stricken Italian government an average of over nine million Euros per month (Amnesty International, "Operation Triton cannot replace Operation Mare Nostrum", Oct.2014). Italy was left alone in dealing with this crisis as European states argued whether or not the search and rescue mission was providing an "unintended pull factor" for migrants to come to Europe. The British Foreign Office minister Baroness Anolay defended the United Kingdom's refusal to support search and rescue missions:

"We believe that they create an unintended 'pull factor,' encouraging more migrants to attempt the dangerous sea crossing and thereby leading to more tragic and unnecessary deaths." (Taylor, "Why Britain won't save drowning migrants in the Mediterranean", Washington Post)

The project proved too costly for Italy to handle on its own. Due to financial constraints, the country declared that it would end its program on October 2014, but warned that its closure would lead to a dramatic increase in migrant deaths. This crisis was no longer just an Italian problem, it was a European problem, and demanded a coordinated response. By November 2014, the EU responded by launching the Triton program that was to be carried out by Frontex - the EU's border agency. One might assume that because the EU is operating the Triton mission, it would be significantly more effective than a single-state operation; however, this was not the case. Not only was the Triton program allocated a mere three million Euros a month (a third of what Italy spent on its own) but it also monitored an area less than thirty miles off the European coast compared to the vast 100 nautical miles covered by the Mare Nostrum mission (Amnesty International, "Blueprint for Action"). As UNHCR spokesperson Federico Fossi pointed out, this was a step in the wrong direction. "It was not a search and rescue operation, it was a border control operation" he said in regards to Triton. "We knew that most of the distress calls came from international waters, or even Libyan waters, so we expressed concern, repeatedly calling for massive participation from all member states" (Interview with Federico Fossi, Rome, Italy, 8 September 2015).

As a result, there was an immediate rise in maritime disasters due to boats capsizing in areas that were not covered by Triton's mandate area. Amnesty International

claimed that the decision to end the Italian search and rescue mission had "contributed to a dramatic increase in migrant and refugee deaths" - a claim borne out by statistics. For instance, on April 19th 2015, a ship filled with migrants capsized just sixty miles off the Libyan coast shortly after departing from Libya-resulting in the deaths of over 800 migrants according to an estimate by the United Nations High Commissioner for Refugees (UNHCR, "UNHCR welcomes EU Mediterranean plans, but says more needs to be done"). This shipwreck is considered to be the deadliest maritime disaster to ever occur in the Mediterranean. Many experts held Europe responsible, including Loris De Flippi, the president of Doctors Without Borders who argued, "A mass grave is being created in the Mediterranean Sea and European policies are responsible" (MSF, "MSF calls for large scale search and rescue operation in the Mediterranean"). It took an unprecedented disaster for Europe to realize that Triton needed serious changes. Within weeks of the shipwreck, Triton funds were doubled, and the operational area was extended to 138 nautical miles (Amnesty International, 2015, "A Safer Sea").

The problem with Frontex was that it was a shift in the wrong direction-both in terms of resources and its overall objective. Not only did the Mare Nostrum mission cost more and cover more space, but the program also employed 900 military personnel compared to Triton's mere 56 officers (Davies, Nelson, "Italy: end of ongoing sea rescue mission 'puts thousands at risk'). Europe's effort to save migrants in the Mediterranean had been insufficient, underfunded and unproductive when compared to the Mare Nostrum program Italy impressively managed on its own.

The Common European Asylum System

The Common European Asylum System (CEAS) was created in 1999 to foster a higher standard of protection for refugees through a collaborative effort that aimed to harmonize common minimum standards for asylum in the EU. The CEAS constitutes a set of directives called Asylum Procedures, Reception Conditions, Qualification, Eurodac, and the Dublin Regulation. Many EU member states and human rights organizations openly acknowledge that the CEAS has failed to properly respond to the influx of refugees arriving in Europe (Bouckaert, HRW, "Europe's Broken Asylum System", Sep.2015). If anything, it has proven to be counterproductive and disadvantageous to both the EU and the refugees it aims to serve. Even if these laws were strengthened, it is ultimately up to member states to enforce them. Still, the refugee crisis has challenged the efficacy of the CEAS and even exposed its fundamental flaws.

One of the most controversial policies in the CEAS is the Dublin Regulation. This policy requires asylum seekers to be processed by the first EU country in which they initially arrived. The purpose of this regulation is to aid in the efficiency of determining refugee status, prevent asylum seekers from filing for asylum in multiple EU states and also to promote better monitoring mechanisms. The problem with this rule, however, is that the majority of asylum seekers are continuing to arrive within Europe's southern periphery. EU member states in this region (such as Greece and Italy) are adversely affected by this rule because it has imposed disproportionate responsibilities when compared to other EU member states, notably wealthier northern European states that have a greater capacity to resettle refugees and asylum seekers. The Dublin Regulation rule essentially coerces southern peripheral European countries to absorb massive

amounts of migrants on their own. Consequent, migrant detention facilities in these countries are becoming more densely populated and overrun as more people arrive in record numbers. In September 2015, the European Commission proposed a review of the flawed Dublin Regulation and a quota system aimed at distributing the burden of refugees and asylum-seekers throughout the EU countries more equally.

The proposed quota system would relocate refugees from peripheral states like Greece, Italy, and Hungary across the EU. The number of refugees each member state would absorb would be dependent on the country's GDP, population size, unemployment rate and number of asylum applications already processed. Despite much contention from several European countries, the proposal still passed. The plan aims to relocate the modest figure of 120,000 refugees in Europe over a two-year period, which is only a fraction of the estimated 1.4 million refugees and asylum-seekers the UN expects to arrive in Europe by the end of 2016 (Simon, "UN sees 1.4 million migrant arrivals in Europe in 2015-2016"). The CEAS remains at the core of this problem and its failures have forced the EU to put forward ineffective ad-hoc responses. Until the EU can come together to dramatically revise its broken asylum regime, in a way that expands safe and legal migration channels for those outside of Europe - its refugee crisis will only intensify.

Rise of Xenophobia and Xenophobic Violence

A rising wave of xenophobia has permeated throughout contemporary European politics and society. Many right wing nationalist parties in Europe claim that immigration threatens the continent's national and cultural identity. Even though the EU asserts that it was founded on a commitment to promote human rights, the actions and

rhetoric from some of its member states tell a different story. Countries in Eastern Europe, such as Hungary, have responded to refugees arriving at their border with hostility and repressive tactics that blatantly defy EU values. Unsurprisingly, this defiance has created a rift between the EU leadership and its member states. Xenophobia - whether direct or indirect, not only prevents the EU from generating a collective solution to the refugee crisis but also undermines the EU system as a whole.

As more people from conflict zones in the Middle East continue to seek asylum in Europe, the fear of a perceived "Muslim invasion" has grown. For many Europeans, the prospect of becoming a minority in one's homeland is a rising threat. They worry that the influx of refugees can dilute their country's relatively homogenous cultural identity, increase the risk of terrorism and exploit the welfare system. Far right nationalist parties have capitalized on these fears, mobilizing an anti-immigrant, anti-EU (Eurosceptic) and "anti-Islamization" agenda. Alarmingly, these parties have continued to surge in the polls during the refugee crisis ("BBC, 2014, "Eurosceptic 'earthquake' rocks EU elections").

The 2014 European Parliament elections resulted in historic victories for Eurosceptic nationalist parties across the continent. In France, the National Front party won the majority of votes. "It's a bad day for the European Union, when a party with a racist, xenophobic, and anti-Semitic program gets 25% of the vote" said Martin Schulz, the former president of the European Parliament ("BBC, 2014, "Eurosceptic 'earthquake' rocks EU elections"). Also topping the EU parliamentary elections was the UK's polarizing United Kingdom Independence Party (UKIP). Nigel Farage, UKIP's leader, positioned his party's policies to be critical of both the EU and Muslim migration. Although UKIP claims they are not racist, their own founder, Alan Sked, has distanced

himself from what he calls the "monster" he helped create. In a scathing opinion piece about UKIP posted by *The Atlantic*, Sked wrote:

> A party that was once moderate, outward-looking, and devoted to preserving
> parliamentary democracy has mutated into a conduit for right-wing xenophobia,
> Islamophobia, homophobia, racism, and the denigration of immigrants. (Sked,
> 2015,"Confessions of a British Politician")

Sked's criticisms demonstrate how the refugee crisis can transform the entire identity of some political parties, as they respond to shifting public concerns and contexts. The timing of UKIP's transformation and success should come as no surprise. Like its nationalist counterparts across Europe, UKIP uses fear-mongering tactics to lure political support.

In Denmark, a similar political shakeup occurred. A nationalist party called the Danish People's Party won the most votes in the EU Parliamentary elections and became Denmark's second largest party following the 2015 general elections. The anti-immigration DPP appealed to voters by advocating for tougher border controls, a policy that directly conflicts with its membership in the passport-free Schengen zone. Meanwhile, the greatest political shift came in Poland, where the Law and Justice (PiS) party won both the presidency and the highest number of seats in parliament. PiS's chairman, Jarosław Kaczyński, warned that Muslim refugees could bring infectious diseases to Europe. The World Health Organization summarily dismissed his claim, reporting that there is "no systematic association between migration and the importation of infectious diseases…the risk for importation of exotic and rare infectious agents into Europe by refugees or migrants is exceedingly low" (WHO report, September 2015).

Far right nationalist parties have even received a rise in support in leftist countries like Greece and Germany. In Germany, an organization called the Patriotic Europeans against the Islamization of the West (PEGIDA) emerged in 2014. They organize weekly protests in Dresden, Germany criticizing the government's "open door" policy towards refugees. At its peak, their rallies have seen over 25,000 people in attendance. This is especially troubling since Germany has witnessed more anti-immigrant related hate crimes than any other country in Europe. Germany's Federal Ministry of the Interior recorded 202 attacks on shelters for asylum-seekers during the time period of January-July 2015—nearly the same amount of recorded attacks in all of 2014. Of the 202 attacks, 175 were linked to right-wing extremist groups (Somaskanda, "Germany Has A Refugee Problem").

Greece's third largest political party known as the "Golden Dawn" establishes its entire platform based on racist anti-immigration policies. The group's imagery and hate speech is eerily reminiscent of Nazi Germany. Running on the campaign slogan "So we can rid this land of filth," Golden Dawn has consistently blamed the country's debt problems on migrants. Human rights organizations have even accused the party of mobilizing arbitrary attacks on migrants and asylum seekers. The situation had deteriorated so badly by 2012 that Human Rights Watch published a 99-page report that documented several accounts of Greece's xenophobic violence. In one instance,

> …in central Athens, gangs of Greeks (affiliated with Golden Dawn), in apparent retaliation for the killing, indiscriminately attacked migrants and asylum seekers, chasing them through the streets, dragging them off buses, beating and stabbing them." (2012, Page.3 HRW, "Hate in the Streets")

In 2013, Golden Dawn member Giorgos Roupakias admitted to murdering Greek hip-hop artist and social activist, Pavlos Fyssa. Greek authorities responded by also charging seventy members of Golden Dawn (including its elected 17 members of parliament) with membership in a criminal organization as the group had been linked to over 300 migrant assaults (Smith, "Golden Dawn leaders brought to court to face charges of murder and assault"). The group's leader, Nikolaos Michaloliakos was charged with murder, money laundering, blackmail and illegal possession of arms. Despite all this, Golden Dawn once again managed to win enough votes in the 2015 election to remain Greece's third largest party.

The Case of Hungary

Hungary has been a flashpoint in this crisis and its Prime Minister, Victor Orban, has often times been viewed as its antagonist. Orban and his right wing Fidesz party continues to develop draconian policies towards refugees that are inconsistent with EU and international refugee law. Take, for instance, the Hungarian law passed by parliament in early September of 2015 that criminalizes those who cross its borders illegally - in direct contravention of refugee rights. If convicted, refugees could face imprisonment for up to three years. The law also punishes those who damage the fence or helps migrants and refugees cross the border with up to five years in prison. The move was widely condemned by the international community and human rights organizations. John Dalhusien, Amnesty International's Director for Europe and Central Asia, proclaimed that

Hungary is effectively transforming itself into a refugee protection free zone, with blatant disregard for its human rights obligations and the obvious need to

work with other EU and Balkan countries to find collective, humane solutions to the current crisis. (Amnesty International, 2015, "Hungary: EU must formally warn Hungary over refugee crisis violations")

Amnesty International warned that the "criminalization and detention of refugees contradicts Article 31 of the Geneva Convention which bans imposition of penalties upon refugees for entering a country irregularly. In practice, refugees often have no choice but to enter a country in breach of its immigration laws" (Amnesty International, 2015, "Urgent Action: Hungary Violate Human Rights of Refugees"). Hungary insists that those arriving at its borders are no longer in need of international protection because they had already crossed through a number of countries it considers "safe" (like Turkey). The Hungarian prime minister justified his anti-immigrant policies with xenophobic rhetoric in an op-ed where he argued:

> 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. (Mackey, 2015, "Hungarian Leader Rebuked")

In September 2015, Orban "defended" his borders by deploying riot police that openly fired water cannons and teargas at a crowd of refugees on its border with Serbia. As previously mentioned, many refugees do not wish to seek asylum in Hungary, but simply cross through in order to reach wealthier EU states. Yet his regime continues to

persecute those fleeing persecution. These actions suggest that Hungary isn't only concerned with protecting its national identity, but also Europe's. Orban's right wing regime has essentially appointed itself as the frontier protecting Europe from a purported "Muslim invasion."

Justified Fears?

Europe's rise in xenophobia demonstrates a real concern to preserve national identity. But is this concern warranted? Arjun Appadurai's "Fear of Small Numbers" argues "even the smallest minority within national boundaries is seen as an intolerable deficit in the purity of the national whole" (Appadurai, p.53). He argues that the fear of minority groups stems from the majority's "anxiety of incompleteness" (Appadurai, p.9). Unsurprisingly, this "anxiety" has manifested into the xenophobia we see in Europe today, where states are largely defined by their homogeneity.

If one were to analyze the crisis strictly through numbers, they would realize that not only is the claim of a "Muslim invasion" xenophobic, but also unfounded. Consider the fact that Lebanon, a small developing country (4,010 square miles in size), hosts more refugees than all of the countries in the EU combined. Suppose the EU granted asylum to all 4.5 million registered Syrian refugees around the world - they would make up less than .09% of the EU's total population. Put simply, the EU welcomes a small proportion of refugees compared to smaller developing countries, yet this minimal policy has created a sense of panic.

With these numbers in perspective, the clichéd excuse of "preserving national identity" no longer holds weight. Xenophobia has helped fuel the crisis in Europe just as much as its failed refugee regime has. In order to become the human rights trailblazer that

the EU prides itself in being, member states must overcome their destructive xenophobic habits. Only then can they find a collective solution that sets the tone for how refugees are treated in Europe and around the world.

<u>Where are the Gulf States?</u>

Gulf states such as Saudi Arabia, the United Arab Emirates (UAE), and Qatar are not only some of the richest countries in the Middle East, but also the world. All three of these countries are Sunni powers in the region with a strong interest in seeing Syria's Shiite leader, Bashar Al-Assad, ousted. In serving their geopolitical interests, Saudi Arabia, the UAE, and Qatar have all spent millions of dollars financing the Syrian opposition, which has only exacerbated the war and the humanitarian situation. While wealthy Gulf States have had no problem providing Sunni rebel factions with advanced weaponry and funds (Gardner, BBC, "Gulf Arabs") - they have done virtually nothing to host Syrian refugees who have become displaced by the violence they helped fuel.

Amnesty International highlighted in a report that in all of 2014, "The six Gulf countries - Qatar, United Arab Emirates, Saudi Arabia, Kuwait and Bahrain - have offered zero resettlement places to Syrian refugees" (Amnesty International, Dec.2014). Gulf countries have responded to the criticisms by claiming that they have welcomed thousands of Syrians to their country and provided millions of dollars in humanitarian aid. While true, it doesn't address the fact that not one country in the Gulf is a signatory of the 1951 Refugee Convention and that only Syrians with a work visa can enter the Gulf States legally. Even then, they are unable to apply for citizenship.

Refugee policy in the Gulf, for the most part, is non-existent and its borders are closed to anyone fleeing persecution. The irony is that Gulf countries are far more

capable of accommodating refugees than Jordan and Lebanon. States like Qatar and the UAE have become economic powerhouses largely in part by welcoming migration. In fact, migrants outnumber the native populations in both Qatar and the UAE (although they do not have full rights at the natives). These countries have a history of welcoming migrants and turning them into productive citizens. Yet when it comes to Syrian refugees, the Gulf has been inexplicably reluctant. If the Gulf had the political will to assist with the humanitarian situation, they would help with the resettlement of millions of displaced Syrians. Their inability to do so has only helped push more Syrians across the Mediterranean, risking their lives to make it to Europe.

2.0 Methodology

Fieldwork

My field research was conducted in Rome, Italy for seven days from September 2-9, 2015. The objective of this fieldwork was to personally engage refugees and human rights professionals in the non-profit and international non-governmental organization sectors by asking them a series of open-ended questions. I visited and interviewed staff and clients at volunteer assistance centers such as the Joel Nafuma Refugee Center (JNRC), Migration, Asylum and Social Integration Center, and Jesuit Refugee Services. I also interviewed large transnational organization representatives such as those at the International Organization for Migration and the United Nations High Commission for Refugees.

All my subjects were informed on how their information would be used. Prior to the interview, I made it clear that they would be recorded, and would be given the option to refuse any question they did not wish to answer. All my subjects were advised that

they could use a pseudonym if they wished. The interviews were asked in the form of open-ended questions based off specific interview guides for each subject that I developed prior to leaving San Francisco. The interview guide for refugees, for example, contains questions regarding their reasons for fleeing to Europe, the process by which they arrived, and their current living conditions (compared to previous conditions in their country of origin). Interviews with human rights experts focused on the Common European Asylum System, push/pull factors, and their organizational efforts to respond. All interviewees were fluent in English therefore translation was not needed.

As a researcher using human subjects I understood the importance of participant confidentiality and data security. In accordance with the IRB protocol at USF, I ensured that I made all qualitative data that could be used to identify subjects confidential. I removed major identifying details and replaced these details with pseudonyms. All subjects were informed of this practice before the interviews were conducted. My data was collected primarily though a voice recorder on my smartphone, which is protected by a passcode. In between each interview I quickly uploaded the file to my computer, and transcribed my interviews. The transcriptions were uploaded on a secure and password protected flash drive.

Recruitment and Sampling Strategy

Before my trip, I researched all relevant organizations based in Rome, compiling a list of over forty well-qualified candidates. I wanted to ensure that I gave those on the front lines of the refugee crisis in Europe a voice in my paper - from lead intergovernmental organizations to local nonprofits, and the refugees they serve. To do this, I sent out a mass email to all the organizations I listed - introducing myself,

explaining the purpose of my research and dates I would be available. I then created a calendar that included the time and location of each scheduled meeting.

The two refugees I interviewed, Adan and Omar, were Malian refugees who lived and worked at the Joel Nafuma Refugee Center (JNRC) in Rome. I chose to interview Adan and Omar because they both spoke English, escaped persecution in Mali and paid to be smuggled through the Central Mediterranean (Africa to Italy or Malta) – the deadliest route to Europe. Furthermore, both Adan and Omar had already experienced the EU asylum process since they entered Europe irregularly in 2012.

Interview Strategy

During my field research, I used two different interview strategies - semi-structured interviews with human rights professionals and unstructured interviews with refugees. According to Russell Bernard's "Methods in Anthropology," semi-structural interviews use open-ended questions that follow a script and are mainly used with "high-level bureaucrats and elite members of a community—people who are accustomed to efficient use of their time" (Bernard, p.212). This method was ideal for my interviews with human rights professionals because many of them were in leadership positions within their respective organizations and allocated a fixed time for our interviews. The open-ended questions facilitated great discussion and created a more natural dialogue. My script allowed me to quickly refer to follow up questions, and key facts for interviewees to expand on. My respondents reacted very well to this technique, answering each question for several minutes at a time, which significantly extended the set duration of each interview.

I used unstructured interviews with refugees due to the sensitive and

unpredictable nature when dealing with people who may have endured a traumatic experience. According to Bernard, unstructured interviews are best for learning about the "lived experience of fellow human beings" (Bernard, p.213), which were ideal for my interviews with Adan and Omar since I wanted to learn about their experiences in dealing with violent smugglers. I used my guide to help me set the agenda, rather than asking all the questions verbatim. This allowed for a more human interaction, giving my informants the ability to lead the conversation without getting off-topic and express themselves on their own terms and pace (Bernard, p.211).

3.0 Literature Review

The EU's Identity Crisis

The European Union is still very much regarded as an experiment. Formed in 1993, it is a product of political negotiation in a continent that had been historically plagued by conflict. For years, member states mutually reaped the benefits of the EU system, including internal free trade, common external tariffs and open borders. In spite of this, the same system responsible for bringing together much of Europe is also a source of European continental tension, in the event that a common response to the refugee crisis has not been realized.

But how does the EU play a role in forging a sense of "community" in Europe? Is it possible to create a communal relationship amongst many different nations, containing different ethnicities and languages? Benedict Anderson describes a nation as an "imagined political community" which is both "inherently limited and sovereign." Where "members of even the smallest nation will never know most of their fellow members, meet them, or even hear of them, yet in the minds of each lives the image of their

communion" (Anderson, 2006:p.6). For example, an American living in Florida will never meet the three hundred million plus Americans that live across the country, but they are bound by the fact that they are all "American" experiencing life in the same country simultaneously- regardless of who they are and where in the U.S. they live. To Anderson, members in an "imagined community" have a shared understanding of the political space in which they coexist. Despite the fact that people living in this space never know each other personally, they feel "deep, horizontal" connections to "comradeship" that has created a "fraternity" amongst one another making that community possible (Anderson, p.7). This "fraternity" is even stronger in many European nations, which, unlike the U.S., are primarily composed of distinct and homogenous populations.

Despite the fact that the EU is composed of several different nations, they are all part of a broader European "imagined community" the EU seeks to achieve. The EU, reinforcing a pan-European identity, operates as a political authority that exercises power over an imagined community of European citizens. In order to actualize the concept of the EU, symbols are used to create expressions of community. These symbols help make the abstract relationship between the EU's different member states and its people feel more intimate. American historian, Michael Waltzer describes the significance of political symbols by arguing that "The state is invisible; it must be personified before it can be seen, symbolized before it can be loved, imagined before it can be conceived" (Walzer 1967, p. 194). The EU is no exception - using symbols in the form of a common currency (Euro), passport, flag, anthem, and regional policy (such as the Common European Asylum System) that unite its various peoples across state lines. However, the

vitality of the EU is contingent on how the EU system and its symbols interact with national identities. Often times these symbols and institutionalized practices work congruously with member states and their identities, particularly when EU membership is beneficial to them (ex. free movement of labor, goods, services and capital). However, the refugee crisis is creating a direct and disproportional clash between the various national, regional, and/or local level identities and the transnational European identity, sparking tension between nation-state sovereignty and the EU political system. The unprecedented influx of refugees arriving in Europe may very well change a nation's demographics, identity, and culture; a change many EU member states are reluctant to accept. As the EU gridlocks over a collective political solution to the current refugee influx, the rise of nationalism amidst an escalating refugee crisis continues to threaten the very social fabric or "imagined community" that holds the EU together.

The Maastricht Treaty (the founding legislation of the EU) highlights the purpose of promoting social cohesion and solidarity amongst member states. But as countries disagree on how to manage the refugees coming into their borders, the very solidarity the EU was founded on is now threatened. Member states are split on how to respond to the refugee crisis. Some, abiding by the Maastricht Treaty's firm commitment to the protection and compliance of human rights and fundamental freedoms are welcoming to refugees, such as Germany. Others, fueled by xenophobia and nationalism, have stood firm on securing and closing their borders.

This phenomenon is best described in Samuel Huntington's "Clash of Civilizations" (1993). Huntington hypothesizes that the "principal conflicts of global politics will occur between nations and groups of different civilizations" (1993: p.22).

His paper puts into perspective why some nations are wary of accepting foreigners. According to Huntington, a person's political and economic identity is more mutable than his or her culture. Thus, one can go from poor to rich or from a communist to a democrat, but your cultural identity is one that sticks with you. The EU is comprised of millions of people, all of whom carry different ethnicities and religions. Some member states are more homogenous than others, making it easier to establish a national identity. But is it possible for the EU as a whole to share a common European identity that can unite its people together through the bad times as well as the good? The EU has undoubtedly disrupted the traditional nation-state system. While European nationals still refer to their country as a source of identity- the introduction of the EU has reinforced the concept of what it means to be "European" and added another institutionalized layer of identity for every citizen.

However, the characteristics of what makes up this "European Identity" remains unclear. If being European is defined by believing in the EU's common principles of solidarity and human rights, then it can compliment, welcome, and integrate immigrants. However, if it is defined simply by sharing a common historical inheritance in Europe, exclusionary measures on "non-Europeans" will inevitably continue to be imposed. In order for the EU to identify the best solution toward its refugee crisis, it must first and foremost learn what it means to identify as "European."

Why Some States Are Less Hospitable than Others

The majority of refugees arriving in Europe come from Muslim-majority countries, such as Syria, Afghanistan and Iraq. This could explain some European member states' reluctance to open their borders to thousands of Muslims. According to

Huntington, conflict along the fault line between Western and Islamic civilizations has been going on for over 1,300 years starting with the Muslim conquest of Spain in 711 AD.

> Islamic and European civilizations have clashed from the eleventh to the thirteenth century. The Crusaders attempted with temporary success to bring Christianity and Christian rule to the Holy Land. From the fourteenth to the seventeenth century, the Ottoman Turks reversed the balance, extended their sway over the Middle East and the Balkans, captured Constantinople, and twice laid siege to Vienna (Huntington, 1993, p.31).

He claims, "On both sides, the interaction between Islam and the West is seen as a clash of civilizations" (p.32). Interestingly enough, Hungary, an EU member state that was once the scene of the Ottoman-Habsburg wars from the 16th through the 18th centuries, has been one of the least accommodating countries to Muslim refugees. This is no coincidence.

"These are countries that have long histories of dealing with invasions from the south," said Mitchell Orenstein, a professor of Central and Eastern European Politics at the University of Pennsylvania regarding Hungary and other parts of Central and southeastern Europe that were once under Ottoman rule (Resnikoff, "Hungary's Rightward Shift"). "Hungary is full of former mosques because it was taken over briefly by the Ottoman Empire. It was liberated via the Hapsburg Empire. So these things have very deep resonance in countries that are more the borderlands of Europe" (Resnikoff, "Hungary's Rightward Shift"). Other nearby borderland countries may be experiencing a similar resonance as policies towards refugees suggest that a fear of a "Muslim invasion"

still lingers. Slovakia, for example, another European country once occupied by Ottoman forces, will only accept up to 200 refugees, contingent that they are all Christian rather than Muslim. The Czech Republic and Slovakia have expressed their disdain with refugees by refusing to accept refugee quotas proposed by the European Commission. "Refugees from a completely different cultural background would not be in a good position in the Czech Republic," argued Czech President Milo Zeman (Tharoor, "Slovakia will take in 200 Syrian refugees"). Slovakian Prime Minister Robert Fico defended his country's tough stance on accepting migrants by saying "Since Slovakia is a Christian country, we cannot tolerate an influx of 300,000-400,000 Muslim immigrants who would like to start building mosques all over our land and trying to change the nature, culture and values of the state" (Tharoor, "Slovakia will take in 200 Syrian refugees"). These anti-immigrant sentiments are widespread across eastern parts of central Europe. In fact, this region is precisely where Huntington defines a significant dividing line that marks the boundary of the eastern part of Western Christianity. Huntington argues that this line marks the "cultural division of Europe between Western Christianity (west of the line) and Orthodox Christianity and Islam (east of the line)" (1993:p.31). This line also happens to coincide with the historic borders between the Hapsburg and Ottoman empires.

It is no surprise the states lying at the crossroads of what Huntington calls the "eastern boundary of Western Christianity" serves as flashpoints for debates on European identity and refugees. According to Huntington, "the most important conflicts of the future will occur along the cultural fault lines separating these civilizations from one another" (1993:p.25). Right wing politicians from countries such as Poland, Czech

Republic, Slovakia, and Hungary incite fear by warning of a "Muslim Invasion" despite the fact that the majority of refugees are merely crossing through to seek asylum in other parts of Europe. Their geography and history with Muslims have helped generate protectionist politics that strive to maintain boundaries Christian Europe and the Muslim East.

The "Arab Problem"

The resistance of some European states to accept refugees can be attributed to the fact that the majority of them are Arab. Europe's encounter with the Middle East has a history of generating an unflattering representation of Arabs and Muslims. Edward Said (1979) uses the term "Orientalism" to define the West's cultural and ideological portrayals of people living east of Europe, known as the "Orient" (1979). Colonialism helped fuel the West's patronizing attitude towards people of the Orient. In Western literature, the West has been depicted as superior to the East both politically and socially. The Orientals appeared intrinsically "antidemocratic, backward, barbaric" (Said, 1979: p.150). This was especially the case for Arab Muslims of the Middle East. Said quotes British colonial administrator Evelyn Baring, who served as Consul-General of Egypt from 1883–1907: "I content myself with noting the fact that somehow or other the Oriental generally acts, speaks, and thinks in a manner exactly opposite to the European" (Said 1979:p.39). The 19th century French diplomat referred to Arab Orientals as "civilized man fallen again into a savage state" (Said, p.171). Over a century later, these biased attitudes have re-emerged, as chauvinistic governments view refugees as incompatible with European society.

For generations, this superiority has played a strong role in rationalizing the

West's aggression in the region. In fact, military aggression was hardly ever viewed as a conquest but rather a moral duty to deliver liberty. According to Said, "Everywhere, one encountered Orientals, Arabs whose civilization, religion, and manners were so low, barbaric, and antithetical as to merit reconquest" (Said, p.150). From the Crusades to the colonization of the Middle East following World War One, to the US invasion of Iraq in 2003, the Middle East has a long and difficult history with Western incursions. One could even argue that western involvements in the region have, at the very least, contributed to the instability that has displaced millions of people, especially given that the Islamic State emerged in the power vacuum created by the US-invasion in Iraq.

The post 9/11 era has reintroduced toxic western stereotypes of Middle Easterners into European public discourse, largely by equating the Middle East and its people with terrorism - a region that western armies fight to "liberate" from brutality. In this political milieu, when hundreds of thousands of Arab Muslims fleeing violence arrive at Europe's doorsteps, panic ensues. To many nationalistic governments in the EU, these people aren't viewed as refugees in need of help, but rather a liability to national security, stability, and identity.

Despite the fact that the EU prides itself on putting human rights at the forefront of its agenda, EU members are split on how to respond to these refugees. With the sudden arrival of thousands of Arab Muslim refugees, Orientalism has once again permeated throughout European public discourse and policies - most notably in conservative media, and certain national political approaches. Right-wing ultranationalists in Europe have responded by taking a hardline on immigration. Consequentially, in many cases across Europe, the nation-state is flexing its power over the EU system, unwilling to absorb

large numbers of people who are perceived as the "complete opposite" of what it means to be European (Said, 1979:p.39).

The Exception of the "Non-Citizen"

What exactly makes the movement of people across international borders a crisis situation? Managing a sudden influx of hundreds of thousands of asylum seekers is logistically difficult and places a significant strain on government resources. Nonetheless, the lackluster response to this influx by the international community, particularly in the developed West, demonstrates the nation state's tendency to prioritize the protection of its sovereignty over the protection of human life. Hannah Arendt, once a refugee herself escaping Nazi Germany, argued that the concept of human rights only applied to those with specific qualities, particularly citizenship. In her experience as a refugee in Europe during the 1930s and 40s, a person who lacked all the relevant qualities of being a citizen "except that they were still human" had no rights (Arendt, 1973:p.299). According to Arendt "We have really started to live in One World. Only with completely organized humanity could the loss of home and political status become identical with expulsion from humanity altogether" (Arendt, 1973:p.297). Arendt is explaining a problem she considers endemic around the world; once refugees are forced outside of their polity, they are effectively stripped of their natural rights and expelled from humanity. Agamben explains this phenomenon by referring to Arendt's "Origins," where he argues "In the system of the nation-state, the so-called sacred and inalienable rights of man show themselves to lack every protection and reality at the moment in which they can no longer take the form of rights belonging to citizens of a state" (Agamben, 1998: p.75). In other words, human beings are not guaranteed a set of inalienable rights, only citizens.

This rights conundrum can explain why many refugee camps in the Middle East and elsewhere lack a political presence. The jurisdiction lies on the power of camp administrators, in many cases the United Nations High Commissioner for Refugees (UNHCR). Since refugees are not citizens of the country in which they live, they are not recipients of certain rights and/or services granted by the state. They lack, what Arendt calls "the right to have rights" (1973: p.296). We see this in Turkey, Lebanon, and Jordan - where refugees have no clear legal right to work, although the 1951 Refugee Convention guarantees this right. The stateless people that occupy refugee camps or urban self settlements are often secluded from the host nation's civic life, and blocked from immersing themselves in society – in fact this is one of the primary policy reasons why refugee camps are instituted. Because refugees are not members of the sovereign state, they are distinguished from the "authentic life" of a citizen and considered as a "life lacking every political value" (Agamben, p.78). Often times, refugees hold no political identity and are excluded from the political realm of that country.

Host countries with exclusionary policies towards refugees contradict international refugee law, which states that refugees should have access to courts, free movement, education, work, and documentation (1951 Convention Relating to the Status of Refugees). The nation state doesn't recognize the refugee as a citizen with sacred life, but rather a bare life living in a "state of exception" (Agamben 2005:p.1). The state of exception, according to Agamben is the "state of imbalance between public law and political fact," where laws are suspended for providing continual security of the state - particularly in times of an emergency. In many ways, refugee camps have served as a

microcosm of Agamben's "state of exception". Here, the host state includes bare life in politics solely through exclusion.

Refugees may be protected under international law, but those rights are contingent on the cooperation of the host state to enforce them. For example, in formal camps across Jordan and Turkey that host a portion of Syria's 4.5 million refugees worldwide, the "bare life" of Syrians are indeed living in the state of exception; stranded in overcrowded camps with little to no hope other than returning to old lives in Syria. Taking this into account, it isn't hard to fathom why so many refugees in the region choose to cross the Mediterranean to find a meaningful life for themselves and their families.

Once in the EU, refugees waiting on their asylum claim live in migrant detention facilities. These facilities, similar to the refugee camp, are a space of exception because they lack the rights afforded to EU citizens. Asylum seekers are technically protected and guaranteed a certain level of reception under the EU's Common European Asylum System (CEAS), but it is ultimately up to the host member state to enforce these measures. However, many EU countries - such as Italy and the United Kingdom have outsourced their asylum services to for-profit private contractors (Trilling, "Europe's Migrant-Industrial Complex" 2015). Their indifference towards the life of the non-citizen is evident. When contractors operate in a state of exception and are in charge of implementing the rights of refugees, the pervasive exploitation of non-citizens become common. In many cases, multinational corporations have been the center of corruption and mistreatment of vulnerable refugees with little to no accountability (Trilling, "Europe's Migrant-Industrial Complex" 2015). A foreign policy report on Europe's privatized detention centers found:

As Italy confronts its massive humanitarian challenge, the task of looking after

the new arrivals claiming asylum has become a lucrative business and has created

new opportunities for corruption. This month, one of the most notorious

corruption cases popped back into headlines when Italian police arrested 44

people, including prominent politicians, who they suspected of corruptly

allocating contracts to run migrant reception centers. (Trilling, "Europe's

Migrant-Industrial Complex" 2015)

In Britain, two thirds of migrant detention centers are privately operated. Yarl

Wood, a private detention center run by a company called Serco just outside of London

was "the subject of repeated allegations about the sexual abuse of female detainees"

(Trilling, 2015). Asylum seekers are not allowed to work, as they are non-citizens. Their

space of exception is in the form of state-funded housing. According to the report:

When Britain began expanding its use of detention centers — prisons in all but

name for migrants who have claimed asylum or whose claims have failed and are

awaiting deportation — in the early 2000s, it welcomed private contractors to do

the work. According to British investigative journalist Clare Sambrook, this

"created a market" in which contractors sought to maximize their profits by

running the detention centers at low costs and allowing the state to neglect its

responsibility to care for migrants…Three multinationals — G4S, Serco, and

Clearel — now run these housing projects. A Public Accounts Committee report

in April 2014 said that the standard of accommodation was often 'unacceptably

poor,' while journalists have reported on asylum-seekers being forced to live in

crowded, damp, and rat-infested homes. (Trilling, "Europe's Migrant-Industrial Complex", 2015)

These accounts demonstrate some EU member states' disregard for refugee rights. Those waiting for their asylum claim have been put in a state of limbo, deprived of rights granted to citizens and the rights granted to refugees as they await a verdict on their asylum claim. States like Britain and Italy would rather pay private firms to handle their "problem," human beings who are marginalized simply because they lack the constructed concept of citizenship.

Learning from History

Hanna Arendt's work emerged at a time when the world, particularly Europe, did little to protect Jews from persecution. The Islamic State of Iraq and Syria (ISIS), in a pattern similar to Nazi Germany, has systematically carried out human rights violations against ethnic and religious minorities as it takes over large swaths of land in the Middle East. Syrians and Iraqis fleeing the Islamic State are in a similar predicament as the Jews of Europe during the 1930s and 1940s - struggling to find protection. Describing the plight of the Jews in Europe after WWI in the 1943 article "We Refugees," Arendt notes the following, which could equally be applied to refugees entering Europe today:

> We actually live in a world where human beings as such have ceased to exist for a while since society has discovered discrimination as the great social weapon by which one may kill men without bloodshed; since passports or birth certificates, and sometimes even income tax receipts, are no longer formal papers but matters of social distinction. (Arendt, 2007:p.273)

The perilous journey refugees make to escape radical groups like ISIS is itself the

outcome of the very "social distinctions" Arendt alludes to. Refugees escaping persecution in much of the Middle East cannot apply for a visa until they are on European soil not only because their own national bureaucracies have disintegrated, but also because they will almost certainly be turned down for regular travel. Even then, the bureaucratic process could take months, even years, before their asylum application is granted. In the event that an asylum seeker manages to reach Europe, certain right-wing governments, such as Hungary, stand as an intimidating obstacle between themselves and EU countries like Germany and Sweden that are willing to grant asylum.

By simply not having required documentation, refugees en route to the EU are treated as inferior criminals because they cross "irregularly" and are therefore deemed as "illegal migrants," in direct contradiction of the principles and rights outlined in the Convention and Protocol on Refugee Status. These labels serve as a rationale for ultra-nationalist governments to not only deny refugees protection but also to resort to aggressive tactics to repel them away. Arendt's "We Refugees" was written over 70 years ago, but her criticisms of how refugees are treated still very much applies to the indifference towards refugees in Europe today. The international community may have expanded on refugee's legal rights since Arendt's time, but the reality for many on the ground remains largely unchanged.

4.0 Data Analysis

Defying the Dublin Regulation

The Dublin Regulation creates a structure of criteria for identifying the Member State responsible for the examination of an asylum claim in Europe. This policy requires asylum seekers to be processed in the first EU country in which they initially arrived. The

purpose of this regulation is to aid in the efficiency of determining refugee status, to prevent asylum seekers from filing for asylum in multiple EU states and also to promote better monitoring mechanisms. The problem with this rule, however, is that the majority of asylum seekers that use the central Mediterranean route are continuing to arrive within Europe's southern periphery. Countries such as Italy and Greece are adversely affected by this rule because it imposes disproportionate responsibilities when compared to other EU member states, notably wealthier northern European states that have a greater capacity to accommodate large numbers of refugees.

Many refugees arriving in Europe's southern periphery choose to continue northward on their journey, coming directly at odds with the Dublin Regulation. They seek a life in more economically stable European countries that puts them in the ideal position to get back on their feet. In doing so, they refuse to get processed in the country they arrive in. Federico Fossi, spokesman of the UNHCR in Rome, argues that

> Up until last year, it looked like just an Italian thing. The debate was why Italy, being the external border of the EU, should be left alone in dealing with this? There is a cost involved and we need help to process all these people. In 2014, people started to refuse being finger printed in big groups, Syrians and Eritreans, because they didn't want to stay in Italy and if you are finger printed according to [the] Dublin Regulation, you have to apply for asylum in that country whereas, if you avoid being fingerprinted you can go to another country and you can ask for protection there. So that created some problems other European countries were accusing Italy of doing it on purpose, its like closing one eye and letting them go. (Interview with Federico Fossi, Rome, Italy, 8 September 2015)

This process has contributed to the wave of migration that is proliferating into all parts of Europe today. There is simply no incentive for entry states like Greece and Italy, who face an array of economic problems of their own, to comply with the Dublin Regulation and enforce refugees to stay when they do not want to.

In August 2015, Germany announced that it was discontinuing the application of the Dublin Regulation for Syrian asylum seekers, which effectively stopped deportations of Syrians back to their European country of entry. "Let's be frank. The Dublin process, in its current form, is obsolete," proclaimed German Chancellor, Angela Merkel in a passionate speech made to the European Parliament in October 2015 (Al-Jazeera.com, "EU asylum rules rendered 'obsolete'"). The German government estimated that the country would accept 800,000 refugees before 2016. This move was viewed as a critical act of solidarity with entry-point states. When the economic and political leader of the EU decides that it has to suspend the Dublin Regulation for the purpose of providing asylum and safeguarding the solidarity of the EU, it is a clear indication that the Dublin Regulation is not only ineffective, but also counter-productive to its very mandate.

Hence, refugees are not abiding by the Dublin Regulation and continuing north without being processed, entry states are failing to enforce the measures, and wealthier states such as Germany are directly suspending the regulation. The actions and sentiments of member states, refugees, and the non-governmental agencies that support them indicates one clear message - the Dublin Regulation needs to be amended or replaced.

Inefficiency and Ineffectiveness in the Common European Asylum System (CEAS)

Adan is a refugee I interviewed at the Joel Nafuma Refugee Center (JNRC) in Rome about his reception in Europe on September 7th 2015. He explained that he fled the civil war in Mali by taking a boat across the Central Mediterranean. Upon arriving in Malta in 2012, he made a fake document that allowed him to take a plane straight to Rome. He was able to do this because Maltese authorities did not notice his arrival, subsequently bypassing all EU safeguards for asylum seekers. When he arrived at the Termini train station in Rome, he stumbled upon several other refugees gathered in what appeared to be a makeshift camp and asked them how he could seek asylum; they guided him to the police station. The police station would process Adan under the Dublin System through the European Dactyloscopy, the European fingerprint database used for identifying asylum seekers and irregular migrants (something that should have been done in Malta according to official procedures). Adan immediately experienced the bureaucratic delays of the EU asylum system. "When I got to the police station, there were already several refugees. The police only accepted ten a day. On the sixth day I finally got in and they took my fingerprints and photo for identification." But even after being processed, Adan was still left on his own: "I was homeless for five months before I even got housing. I spent my nights in between a parking lot near the Coliseum, refugee assistance centers and the Termini station."

Adan's story indicates that there is a clear disparity between a refugee's legal rights in Europe and the unfortunate realities. Many of the directives that make up the CEAS were not observed and subsequently failed to properly accommodate Adan, starting with his initial arrival in Malta. For example, the Dublin Regulation was not

applied because Malta (the first country entered) did not process his asylum application; instead, the paperwork was completed in Italy. Since the Dublin Regulation was not in effect, Adan effortlessly sidestepped the entire system by using the fake travel documents that got him to Italy. This indicates that refugees are not only victims of the system, but also actively capitalizing on its failures. Second, the Receptions Directive failed to establish humane reception conditions for Adan as he waited on a decision to be made on his asylum application.

Under this directive, Adan was guaranteed material support such as food, housing, and healthcare to ensure an adequate standard of living while his application was pending. Yet, at a time when he needed support the most following his dreadful journey across the Mediterranean - he was left homeless and unable to work for five months. Third, under the Qualification Directive, Italy failed to efficiently determine whether or not Adan was qualified for international protection. Adan was fleeing civil war in his home country and therefore had a strong claim to refugee status under the 1951 Refugee Convention. Nevertheless, it still took over five months before his application was finally approved. Lastly, when Adan arrived in Malta, he was unaccounted for due to the country's lack of border assessment mechanisms. Because of this, he was not granted access to the legal aid and interpretation services that are guaranteed under the Asylum Procedures Directive. If adequate asylum infrastructure were in place, Adan would have had his asylum application processed upon arrival limiting his ability to skirt the system.

Adan's case may be just one specific example, but it highlights the inability of the CEAS to provide a fair and efficient asylum procedure several years prior, before the EU began to witness the record influx of refugees entering its borders in 2015. Adan's

experience three years ago puts into perspective the incredible hardships for the thousands of refugees arriving at Europe's borders, and the lack of preparation for the EU to accommodate them.

Dangerous Smuggler Networks: Devastating Impacts & Root Causes

Exploiting Refugees

In 2014, a total of 3,279 refugees died on their journey to Europe - 2,447 of those died on the central Mediterranean route. This route, mainly facilitated by smugglers in Libya, capitalizes on the country's lack of governance and refugees' desperation to seek asylum. Thousands of people from Syria and other parts of Africa flock to Libya as a transit point to Europe, where smugglers charge anywhere from $1,000 to $3,000 per passenger (Interview with Flavio Di Giacomo, IOM Rome, Italy, 8 September 2015). To make as much money per trip as possible, smugglers overcrowd refugees on unseaworthy vessels that often times capsize mid journey - such as the April 2015 shipwreck off the coast of Lampedusa that killed over 800 people (UNHCR, "UNHCR welcomes EU Mediterranean plans, but says more needs to be done", Apr. 2015).

These refugees flee through Libya to escape the physical and mental trauma inflicted on them in their home countries. But often times, their experiences with smugglers only make matters worse. Many refugees that make it to Libya have already endured a long journey through the Saharan desert. Once in Libya, they are rounded up in warehouses where they may be subjected to torture, sexual violence and inhumane conditions by their smugglers before making their perilous journey across the Mediterranean (Interview with Flavio Di Giacomo, IOM Rome, Italy, 8 September 2015).

I asked Flavio Di Giacomo, spokesperson for the IOM in Italy, to elaborate on the deplorable conditions for migrants in Libya, He explains:

> The smugglers are becoming increasingly violent. In 2007-2008, there were a lot of Eritrean women who arrived pregnant because they were raped. Usually when a migrant pays for their trip, they are gathered in small warehouses in Libya, with 100-150 people with just one toilet for example. We know that at night, smugglers go in there and rape women in front of children. They beat the men, and ask for more money. We spoke to one man who was forced to drink dirty water. So the conditions are terrible there. (Interview with Flavio Di Giacomo, IOM Rome, Italy, 8 September 2015)

Unfortunately, the situation does not get any better once migrants board their boats. Many interviews revealed that refugees are positioned according to their ethnicity and/or how much they are able to pay. According to Federico Fossi, those who pay the most money are at the top with life jackets, and those who pay the least are overcrowded in the hull of the boat where they are most vulnerable. Rescuers frequently recover bodies that died of asphyxiation. Di Giacomo of the IOM reported a similar account explaining that

> Western Saharan Africans are forced to stay in the hull of the boat, which is the most dangerous part. There are 100-200 people in there with just one small window to exit. It's a trap actually - many times people die from the fumes of the engine and if there is a wreck, they're the first to die because they drown… The migrants are provided with extremely worthless vessels. There are two kinds of vessels. One is old fishing boats, which are very old and unsafe and could never

make a trip all the way to Italy. There are also rubber dinghies, which are being used a lot right now. They are inflated at the beach, filled up with migrants, up to 140 people on one boat. The quality is so bad that when it's too hot it starts to deflate (Interview with Flavio Di Giacomo, IOM Rome, Italy, 8 September 2015).

Piero Ritjano, director of the Joel Nafuma Refugee Center (JNRC), added that that the smugglers have created "a first and second class system." According to Piero, refugees who complained of the conditions were often times beaten or killed by the smuggler hosting the boat (Interview with Piero Ritjano, Joel Nafuma Refugee Center, Rome, Italy, 4 September 2015). What these accounts uncover is that even if a vessel successfully makes its way onto European shores, many migrants forced to travel in the ship's hull all too often lose their lives because there is simply not enough air. The smugglers have created a de facto social class system, re-inscribing global systems of power on refugee bodies and experiences, particularly along lines of race and class.

Even in the best-case scenario where a search and rescue ship spots migrants mid-journey, the situation can turn deadly in a matter of seconds. "When people on boats in distress see that a rescue boat is approaching they start to panic, they move to one side of the boat, and the boat capsizes. It sinks very rapidly and those trapped in the hull lose their lives" explains UNHCR'S Federico Fossi (Interview with Federico Fossi, Rome, Italy, 8 September 2015). Tragically, even rescue operations may result in loss of life due to fear of apprehension by the authorities.

Mental Trauma Associated with Smuggling

For those that make it to shore physically unharmed, the mental trauma can remain. An interview conducted with Omar (Joel Nafuma Refugee Center, Rome, Italy)

revealed just that. Like Adan, Omar was smuggled across the Central Mediterranean to escape civil war in Mali. Omar initially agreed to meet with me to discuss his experience with smugglers and the factors that pushed him into Europe. However, it was evident from the start of the interview that his journey was incredibly traumatizing. It was difficult for him to simply recall the details. Staring at the floor, avoiding all eye contact, Omar explains regretfully:

> Look, I've spoken to so many people from all across the states. At first, I wanted to tell my story. I wanted to let everyone know. But for me, it's not easy revisiting the past, talking about my journey to Europe brings painful memories. It came to the point where I decided that I had to worry about myself, my mental health. I can't keep reliving my journey…I am sorry but I can't continue speaking about it.

He made it clear that it wasn't that he didn't want to continue with the interview but rather that his mental distress stifled him.

Yet despite the fact that Omar was unable to provide specific details of his journey, it was his very inability to do so that spoke volumes. His interview brought to light the psychological distress associated with human smuggling. In just my short time with Omar, I realized that he displayed the typical symptoms of someone with Post Traumatic Stress Disorder - severe emotional distress, avoidance of the account and sudden changes in emotion/behavior (WebMD, "Post-Traumatic Stress Disorder – Symptoms") Omar's interview raises a critical question: How many refugees that are successfully smuggled into Europe go undiagnosed with mental illnesses? After all, refugees have by definition experienced traumatic events in their home country - this is what drives them out. The perilous journey in the hands of criminals only adds to that

trauma. The CEAS should ensure that all member states comply with the Receptions Directive, which guarantees access to mental health care for all asylum seekers entering Europe. This would prove advantageous for both refugees and European governments. By receiving a mental health evaluation, refugees will become aware of the pain they're suffering and can be treated accordingly. As a result, member states would be able to integrate these refugees into their own societies more effectively.

Smugglers: An Indirect Consequence of CEAS

Every single person I interviewed during my research in Rome, whether from the UN, IOM, or refugee assistance centers, all indicated that these smugglers wouldn't exist if better legal channels for asylum existed. It was without question, one of the main themes throughout all my conversations in Rome.

"They should have a legal way to get protection into [sic] the EU but it's not the case. So what do they have to do? Go in illegally, risking their life, paying the traffickers, and then eventually the EU will give them protection" argues Federico Fossi, of the UNHCR (Interview with Federico Fossi, Rome, Italy, 8 September 2015). The frustration and shame expressed by people working on the front lines to alleviate this crisis was strongly felt.

The smuggler industry is perhaps the only element of the refugee crisis that serves as both a pull and a push factor. One could a make a strong case that the European Common Asylum System and its inability to provide practical means of entry for refugees has indirectly fueled the smuggler industry. The CEAS fails to specifically address how a refugee can legally enter the EU safely without the use of people smugglers. Add that to the fact that visas have become increasingly difficult to obtain for

people living in war torn countries, so that those fleeing for their lives feel they are left with no other option. Despite calls by European leaders to target these smugglers militarily, the more appropriate and seemingly pragmatic response would be through a political solution. Chiara Perri, Program Director of Jesuit Refugee Services in Rome argues,

> The weakness of the European system is that all this legislation starts the moment a refugee is on European territory. There is nothing specific about how a refugee can access the territory of asylum. The creation of safe channels into Europe is something that was left out of European legislation, it doesn't touch this issue at all and now of course this is the main gap. (Interview with Chiara Perri, Jesuit Refugee Services in Rome, Italy, 4 September 2015)

The basic principle of supply and demand teaches us that businesses prosper when they provide a much-needed service that was once not widely available. In this case, smugglers exploit the gap that the CEAS has created and are providing the only alternative for refugees to reach Europe. The EU must dramatically revise its policies in a way that provides quick and safe legal means of protection for those seeking it. In order to effectively prevent the smuggler industry from exacerbating the humanitarian crisis, the EU must expand and strengthen legal migration and asylum channels. By doing so, the middle-men (smugglers) could be put out of business. Until then, the smuggler industry will continue to profit off the failures of EU legislation at the expense of thousands of innocent refugees.

Syrian Refugees: Influencing Migration Shifts

In 2014, the most popular route into Europe for refugees was through the central Mediterranean. Consider the fact that 87,915 refugees arrived in Italy from January-July of 2014 - by far the most arrivals of any European country. During that same time period in 2015, however, 93,542 arrived, an 8% increase from the previous year. Yet despite this increase, Italy was no longer the highest recipient of refugees. In Greece, the situation had escalated dramatically, witnessing a staggering 750% surge in arrivals from January - July 2015 compared to the same period in 2014. In July of 2015 alone, the UNHCR reported that 50,242 people, mostly Syrians, arrived in Greece compared to 43,500 for the whole of 2014. This dramatic increase undoubtedly made the eastern Mediterranean route the most commonly used compared to the central Mediterranean in 2014 (UNHCR Operational Update, July 21- Aug 21, 2015).

Most notably, 66% of refugees arriving in Greece from January to mid-August, 2015 were from Syria. In Italy, the number of Syrian refugees arriving from January to July 2015 compared to the same time period the year prior decreased by 66%. "Flows are changing" argues Federico Soda, Director of the IOM Coordinating Office for the Mediterranean in Rome in reference to refugees arriving in Italy (IOM, "Mediterranean Migrant Arrivals Approach 250,000"). "Some nationalities are increasing compared to last year. This is the case with Somalis (from 3,190 to 7,538), Sudanese (from 1,301 to 5,658) and Nigerians (from 4,702 to 11,899.) Others, like the Syrians, are decreasing." The Syrian war has undoubtedly produced the majority of new refugees in the past five years. As demonstrated, the Syrian migration route dictates where the influx is the strongest.

In order to effectively comprehend why the majority of refugees are now opting for the eastern Mediterranean route, one must consider two main factors; Turkey's proximity to Greece and its multiplying Syrian refugee population. At its closest point, Turkey is less than 1.7 km away from the Greek island of Samos. According to Samos' mayor, Michaelis Angelopoulos, the island receives an average of 800 refugees a day (Scheven, "Refugee Crisis: On a Greek Island, Two Worlds Meet"). Kos, Greece, part of the Dodecanese island chain, is less than four kilometers from the coast of Bodrum, Turkey and received 34,500 refugees from January to July of 2015. Lesbos, Greece, an island less than 34km from Dikili, Turkey received a staggering 61,636 refugees, the highest number during that same time period (BBC, "Migrant crisis: Greek ship at Kos to house refugees"). Unsurprisingly, two of the top Google searches in Syria are "sea separating Turkey and Greece" and "Greece map." Additionally, Turkey houses 1.9 million Syrian refugees - more than any other country in the world.

"It's not very difficult to understand why there has been a huge flow of people arriving from Turkey to Greece" says Flavio. "There are a lot of people who don't want to go to the refugee camps, the majority of them just left Syria and want to go straight to Germany, Sweden or Norway." (Interview with Flavio Di Giacomo, IOM Rome, Italy, 8 September 2015)

This drive could explain why so many up until 2015 were using the central Mediterranean route - as Germany lies just north of Italy. Di Giacomo added that last year, many Syrians who could afford a ticket were simply flying to a country close enough for them to reach Europe that didn't require a visa. Sudan is the only country in the MENA region, other than Turkey, that doesn't require Syrians to have a visa.

Naturally, it became a prime transit point to fly in to where they could continue towards the Libyan coast. "It is a very long, expensive, and dangerous journey" argues Di Giacomo, adding that

> There are three main causes behind the arrival of people in Greece. First, the Greek route is safer than the Libyan route, the second reason is that they realized it was no longer possible to take cargo ships into Italy, and the third and most important reason is that the situation in Syria has worsened. (Interview with Flavio Di Giacomo, IOM Rome, Italy, 8 September 2015)

As the civil war in Syria enters its fifth year, the number of displaced people will inevitably continue to rise. Before the war, Syria had a population of over 22 million people. Today, that population has declined significantly as over four million refugees have fled to neighboring countries (HRW, "Total number of Syrian refugees exceeds four million for first time") where they lack the right to work, and live below the poverty line. In many cases, Syrians receive little to no assistance outside of international organizations like the UNHCR. "The worsening conditions in Lebanon and Jordan and restrictions on the Syrians are contributing to a sense of hopelessness," says Ariane Rummery of the UNHCR (The Economist, "Time to Go"). That hopelessness is fueling the ever-rising flow of refugees through Greek's border from Turkey.

More people are giving up on the prospect of a future in their country, causing many to head straight towards the path to Europe - either directly from Syria or its neighboring countries. Syrians are forced into a situation where they must decide between two options: indefinitely live in deplorable conditions or continue their perilous journey to Europe in hope of a better life. For a growing number of Syrians, the latter is

becoming a more attractive option. Nearly 40% of the half a million refugees that entered Europe from January-September 2015 are Syrian. Despite these numbers, the vast majority of Syrians are still in their country or its neighbors meaning this could be only the beginning of the refugee movement. All the elements in place have created a perfect storm brewing in the eastern Mediterranean. A long-term phenomenon is now underway, in which a constant flow of irregular migration stems from Turkey, flooding into Europe with little to no signs of slowing down in the near future.

Demographic Factors

The Case of Germany: Altruism in the National Interest

While the unprecedented influx of refugees in the EU has incited the majority of member states to scramble on how to "share the burden," some view this problem as a resource rather than a burden at all. Germany, the EU's political and economic leader, has taken the lead on this issue and announced that it will absorb over 800,000 refugees by the end of 2015 (Zakaria, "Germany's road to redemption"). Germany's policy is not only an act of altruism but also in the national interest. Germany has the lowest birthrate in the world, with only 8.2 babies born each year per 1,000 people (Shubert, "How Germany rose to the occasion"). With few citizens born each year, its population will become increasingly older, and as a result, a smaller proportion of working-age residents (aged between 20-65) will be able to contribute to Germany's economy and its generous social security program. In fact, according to Henning Voepel, Director of the Hamburg Institute of International Economics (HWWI), Germany's working age population is expected to decline from 61% to 54% by 2030 (BBC, "Germany passes Japan to have world's lowest birth rate"). With nearly half of Germany expected to retire in only 15

years, young immigrants will be essential in filling the labor gap. Flavio Di Giacomo, spokesperson of the IOM, argues,

> Migration is something that must be handled with long-term policies. Usually some European governments, such as Italy and others just think for the next three months. What Germany is doing right now is planning for the next ten years. (Interview with Flavio Di Giacomo, IOM Rome, Italy, 8 September 2015)

> Germany's total population is expected to decrease to 13 million by 2050, while life expectancy is rising, to 84 years of age for women and 88 for men (PEW "Attitudes About Aging", Jan.2014). If Germany wants to sustain its economic power, the country will need to replenish its shrinking labor force - and quick. The nearly one million refugees seeking asylum in Germany are perceived by the German state as skilled, hungry for work and ready to contribute (Bello, Copley, "In aging Germany, refugees seen as tomorrow's skilled workers").

> In essence, Germany is in an advantageous position. By absorbing large amounts of refugees, they are not only alleviating Europe's refugee crisis but also its own crisis at home - an aging and dwindling population. At the same time, Germany increases its political capital, reaping the benefits of being a model nation that rose to the occasion during a global crisis.

A Resource, Not A Burden

Germany's low birth rate is not an anomaly in Europe; it is only one example of the continent's overall demographic problem. Demographic trends for countries across Europe show a steady rise in age and decline in population growth. One way to measure demographic trends is by birthrate (as noted in the previous section) but another

measurement is the replacement fertility rate. The replacement fertility rate of 2.1 is the average number of births per woman that will maintain a country's current population level. Anything below this number will result in population loss. Low birth rates are endemic across Europe. Some examples include Italy at 1.39, Spain at 1.27, Portugal at 1.21, and Germany at 1.4- well below the rate needed to reproduce current population levels. In fact, there isn't a single country in the EU that has a fertility rate at or above 2.1. "If Europe wants to survive, it needs migration" argues Di Giacomo of the IOM (Interview with Flavio Di Giacomo, IOM Rome, Italy, 8 September 2015). He adds to the notion that Europe's demography will directly influence its economic health. "Generally speaking, even without the refugee crisis, just talking about demography, in Europe, in the next 30 years there will be 25% less people of working age. In Africa, people of working age will be three times more than it is now, from 400 million to 1.2 billion" (Interview with Flavio Di Giacomo, IOM Rome, Italy, 8 September 2015) adding that Africa will not have enough jobs available to accommodate its rapid population growth. At the same time, he points out that as Europe ages, it will need migration from the Global South if it wants to survive (Interview with Flavio Di Giacomo, IOM Rome, Italy, 8 September 2015).

Those who continue to oppose migration in Europe, such as the Golden Dawn party in Greece, need a public enemy to scapegoat for their country's problems. When living in a continent that is mostly socialist it is perhaps all too easy to fall into the narrative that refugees arriving on "our borders" are "lazy" freeloaders that must go. Such is the stance of Polish Parliament Member, Korwin Mikke, who referred to refugees in his country as "human trash unwilling work" (Michail Bialkovicz, "Polish MEP calls

refugees human trash", YouTube). However, several studies have proven these sentiments to be nothing short of baseless bigotry.

For example, research conducted by four economists at the National Bureau of Economic Research (NBER, 2014) concluded that immigration benefited local populations in 19 of the 20 industrialized countries they studied (NBER, "A Quantitative Assessment of Native Welfare"). Another study at NBER in Denmark revealed that a rise in refugees in Denmark "pushed less educated native workers (especially the young and low-tenured ones) to pursue less manual-intensive occupations," (Foged, Peri, 2013: abstract page) effectively raising the class status of native-born citizens. Consequently, immigration in Denmark had "positive effects on native unskilled wages, employment and occupational mobility" (Foged, Peri, 2013: abstract page). Surprisingly, Denmark has been one of the least welcoming countries for refugees in Europe.

These numbers indicate a clear message: migration in Europe can serve as an essential resource, not a burden. Fortunately, countries like Germany have started to realize this. But other countries, particularly those run by national conservative leaders like Hungarian Prime Minister Victor Orban and Denmark's Lars Lokke Rasmussen continue to take a hardline on immigration. The irony is that EU leaders who oppose migration defend their stance by claiming that they are protecting the economy, stability, and the very identity of Europe. The demographic trends, however, clearly indicate that without migration, these same areas are put in jeopardy. In order to preserve European prosperity, a change of perception is needed; accommodating migrants shouldn't be seen strictly in the lens of humanitarianism, but rather a tool for economic survival.

5.0 Conclusion

"It is Europe today that represents a beacon of hope, a haven of stability in the eyes of women and men in the Middle East and in Africa. That is something to be proud of and not something to fear."- Jean-Claude Juncker, President of the European Commission, 9 September 2015

Findings

This thesis investigated the implications that EU asylum policies and rising nationalism have had on the refugee crisis in Europe. I argued that these two factors not only inhibited the EU's ability to collectively address the influx of refugees but also created tensions between the EU and its member states, threatening the very values that keep the EU intact. I supported my argument by analyzing the qualitative/quantitative data that I gathered from my fieldwork in Europe, as well as a review of relevant literature. The literature examined theories such as Huntington's "Clash of Civilizations" and Agamben's "State of Exception" to explain the interaction between Europe and the arrival of non-European refugees. The goal of this thesis was to assess shared conceptions of the EU and how those formations influenced European responses to refugee influxes.

I first demonstrated the inadequacies of EU refugee policies by analyzing its response to the rising death toll in the Mediterranean Sea. The EU's decision to replace Italy's Mare Nostrum with the Triton mission was a step in the wrong direction, and exacerbated the humanitarian crisis. Triton was inferior to Italy's Mare Nostrum because it 1.) Allocated fewer assets 2.) Covered a smaller operational area, and 3.) Focused on border control rather than search and rescue. These setbacks, as highlighted in my research, served as a causative factor for the rise in deaths in the central Mediterranean, including the April 2015 disaster, which killed over 800 refugees. It is no coincidence

that a spike in disasters occurred immediately following the decision for Triton to replace

Mare Nostrum. These deaths were a by-product of Europe's decision to concentrate its

efforts on border protection rather than life-saving operations. Although Triton eventually

expanded its mandate, it doesn't take away from the damage already done as a result of

its costly decisions.

This paper also focused on the efficacy of the CEAS and its implementation

amongst EU member states. I argued that the CEAS exacerbated the refugee crisis

because it fails to address legal channels for refugees outside of Europe to seek asylum,

leading to exploitation by violent smuggler networks who fill in that gap. To support this

claim, I provided a critical analysis of the CEAS, its interaction with my human subjects

(Adan and Omar), and excerpts from interviews I conducted with various human rights

experts in Italy. The interviewees unanimously criticized the lack of such legal channels

within the CEAS, and how it has indirectly fueled smuggler networks, particularly in

Turkey and Libya.

Europe would not be in much of a crisis if the CEAS addressed non-European

refugees. The EU's inability to rely on the CEAS during the unprecedented influx has led

member states to respond in a divided and ad-hoc fashion. I demonstrated two contrasting

examples of this phenomenon, using both Hungary and Germany as cases where member

states both suspended a key policy in the CEAS, the Dublin Regulation. The difference is

that Hungary did so to aggressively crack down on migration while Germany did so in

order to open its borders to nearly a million displaced Syrians. These examples clearly

indicate the CEAS's failure to achieve what it intended, forming a united European

response towards asylum seekers. Retrospectively, my research and findings confirm my

original argument regarding EU asylum policy in many ways; it is broken, counter-productive and indeed harmful to the very integrity of the EU.

It would not be justified to blame the entirety of Europe's refugee crisis on existing EU policies. After all, Europe remains the preferred destination for thousands of refugees and the refugee crisis has been the epicenter of EU summits for at least the past year. The good news is that EU member states agree in acknowledging the failures of the current EU asylum system and that revisions are desperately needed. The bad news is that they are divided in their approach. As this paper demonstrates, some states are acting in line with the EU's values of humanitarianism and actively searching for solutions to properly accommodate refugees in Europe. At the same time, for many other member states, nationalism has trumped European solidarity; preventing the EU from revising its failed refugee policy and forming a comprehensive response to the unprecedented number of refugees arriving in Europe. This paper examined how historical undertones and the paranoid preservation of cultural identity amongst relatively homogenous European societies played a role in influencing xenophobic and nationalistic responses by some European governments. The reemergence of nationalism amid the arrival of thousands of refugees not only clouds Europe's moral compass, but also weakens the EU and its founding principles.

My findings also highlighted the irony of Europe treating refugees as a burden, when in reality they could serve as an essential economic resource. To prove this, I examined the EU's aging and declining demographic trend, which will inevitably lead to a shrinking workforce. I argued that incoming refugees (the majority of whom are of working age) could fill this much-needed gap and enhance Europe's economy by

contributing to the generous welfare system, rather than exploit it (as several right-wing European politicians suggest). My interview with the IOM's spokesman, Flavio Di Giacomo further supported this claim, arguing that the stability of Europe's economy is contingent on migrant labor. His sentiments were coupled with references from studies conducted by the economic think tank, National Bureau of Economic Research, which showed how immigration benefited the economies of industrialized countries. The implication is that the influx of refugees into Europe doesn't have to be a problem; it can serve as a solution. Economic incentives were the driving forces that first united Europe, via the European Coal and Steel Community (the EU's precursor), following World War Two. There is no reason why this can't happen.

A Reflection: Acts of Terrorism in Paris

The ISIS-sanctioned attacks in Paris that killed 130 civilians on November 13, 2015 were barbaric, senseless, and an attack on humanity. Any progress made in support of human rights and openness towards refugees fleeing the Middle East were now under threat. Disturbingly, the tragedy immediately became a political tool used by several aforementioned anti-immigration and anti-Islam right wing nationalist parties across Europe to gain power, undermine EU refugee policy and close its borders to refugees. Just days following the tragedy, these parties left no time linking increased Muslim migration to terrorism. The Islamophobic reaction in Europe following the attacks is eerily reminiscent of the "Orientalism" Edward Said warned us about (see p.31). These types of reactions are counter-productive. ISIS wants nothing more but to materialize Huntington's "Clash of Civilizations" (see p.27) by forging an "Islam versus the West" narrative. Nationalists who choose to demonize Muslims and propose that Europe close

its borders to refugees are feeding into ISIS' narrative thus fueling the group's propaganda aimed at radicalizing marginalized Sunni Muslims around the world. It should be noted; religious extremists who act in complete contradiction to the very faith they claim carried out these foolish acts. After all, many Muslim refugees are fleeing the very same forces behind the Paris attacks - escaping terrorism, not creating it. Europe should not succumb to the reaction ISIS so desperately seeks. Europe's greatest weapon will be in its ability to provide refuge to those who desperately seek it, regardless of their religion. A collectively hospitable EU response to the crisis, now more than ever, will speak volumes. This is a moment for the EU to reaffirm itself and fearlessly display its strong commitment to its humanitarian values.

Conclusion

In many ways, the EU's very existence is a symbol of political expansion and inventiveness. A democratic union of nations that was able to come together in solidarity on behalf of lasting peace despite its historical divisions. Who would have thought, that after all the atrocities committed in Europe during World Wars One and Two, the continent would be united politically with Germany as its de facto leader? The EU is proof that people can learn from their mistakes, look past their cultural differences and unite as one for the purpose of promoting liberal values, peace, and stability. Unfortunately, the divisive response to the refugee crisis has threatened to unravel decades of progress made in Europe. Nationalism can be toxic, especially to the EU experiment that relies so heavily on its official motto: "United in diversity." In fact, it was nationalism and xenophobia that fueled much of Europe's destruction less than a century ago. The continent has gone to great extents to tear down the walls and fences of

national borders that divided much of Europe. European prosperity only grew once those borders were eradicated. Contrary to the rhetoric of some nationalists, history and data both support the notion that it is nationalism that threatens Europe, not immigration.

The refugee crisis now has Europe at a crossroads between continuing its upward trajectory of political evolution or reverting to its destructive ways. As Jean-Claude Juncker's quote indicates, this is a defining moment for the EU. If Europe can come together, and truly abide by the values it was founded on then it can once again set the standard for human rights and further strengthen its Union. We must remember; it was Europe that was once a continent of refugees escaping political persecution. It was Europe that persevered and became a land of tolerance and liberty. For these reasons, Europe is well equipped to assist the world's most vulnerable people, setting an example for the international community. Perhaps nationalists are right in a way; these refugees will change Europe forever. However, it is Europe's response that will determine how this change will transpire.

Proposed Solutions & Recommendations

The only way for Europe to effectively approach this crisis is to target the source. Although Europe cannot single-handedly solve or prevent the push factors causing these refugees to flee, it can change the way these refugees are arriving. As my research suggests, the CEAS was not designed with non-European refugees in mind. There are simply not enough safe and legal channels for those seeking international protection from outside of Europe to enter legally. Refugees shouldn't have to rely on violent smugglers and risk their lives to make it to Europe. If the EU developed a pragmatic approach that

allowed refugees seeking asylum to enter Europe legally, the humanitarian disaster could be quelled and a safe and organized migration flow could be facilitated into Europe.

Complete Abolishment of the Dublin Regulation

Considering that my research has reaffirmed my belief that EU asylum policy has played a major role in worsening the refugee crisis, I believe a complete revision of the CEAS is essential. The Dublin Regulation mandates that refugees file for asylum in the first EU country they entered, and its application has proven to be problematic for both the host state and the refugees. As highlighted in this paper, member states that serve as the EU's external border have faced a disproportionate responsibility compared to northern states. Countries like Greece and Italy have been systematically left to deal with the influx on their own which has caused inhumane reception conditions for refugees (effectively violating the Receptions Directive of the CEAS). In essence, the Dublin Regulation makes it difficult for the rest of the CEAS to work. As previously mentioned, member states such as Germany have begun to suspend the Dublin Regulation. The directive has lost credibility amongst member states and serves a main source of contention. In order to make its asylum regime more effective, the EU must completely abolish the Dublin Regulation.

State Compliance Mechanisms

The efficacy of the CEAS relies on the willingness of member states to implement its policies. My data indicated that there is an uneven implementation of the CEAS across the EU. Once a revised and unified European asylum regime is realized, there must be a state compliance mechanism that specifically ensures that all member states are carrying

out asylum law accordingly. Member states that fail to comply should be subject to penalty payments imposed by the European Court of Justice.

EU Processing Centers in Turkey

The influx of refugees into Europe became unmanageable once refugees in Turkey started to smuggle themselves in large numbers to Greek islands. Turkey hosts more Syrian refugees than any other country and also happens to be the closest link between the war-stricken Middle East and Europe. There needs to be a presence of EU processing centers in Turkey so refugees can apply for refugee status in the EU without having to physically be in Europe. The UNHCR should be present at these centers to assist with asylum applications, and ensure that the EU is following through with their commitment to a fair review of all claims. Joint UNHCR-EU offshore processing centers in Turkey would lessen the incentive for refugees to risk their lives across the Mediterranean, weaken the smuggler industry, and organize a managed migration flow into Europe.

Scholarships for Refugees

As demonstrated in the Data Analysis section of this paper, the EU is going through a demographic crisis. The continent's aging and dwindling population must rely on migration to fill in the inevitable gap in labor. To help fill this gap, the EU should expand student visas for refugees. Moreover, the EU should incentivize universities to take in larger amounts of qualified refugees by providing them with subsidies. The subsidies granted to European universities can help fund tuition costs, on-campus housing and translation services for incoming refugees. Since Europe's college age population is expected to decrease, universities will be inclined to participate. Such a program could

facilitate integration, cultivate refugees to become the next generation of skilled workers, and protect the future of the European economy.

Incentivize Host States to Integrate Refugees

As discussed in this paper, one of the main causes for the influx of refugees into Europe is due to the deteriorating conditions in formal and informal refugee camps in host states across the Middle East and Africa. Refugees mainly rely on aid from UN agencies, which have had to cut back on services due to lack of funding. However, these refugees wouldn't have to depend on international aid if they had the opportunity to formally work and become self-sufficient. The lack of opportunities and freedoms for refugees in host states prevents them from becoming productive members of society. These exclusionary policies force refugees into abject poverty and isolate them from society. The EU should provide an increase in foreign aid for neighboring host-states that demonstrate their willingness to fully integrate refugees. If implemented correctly, many refugees would be able to provide for themselves, effectively decelerating the refugee flow into Europe.

6.0 Appendices

Appendix A: Interview Guide for Organizational Representatives (Structured Interviews)

• Impacts of EU refugee policy (such as the Dublin Regulation):
How has the European asylum system impacted the crisis?
Has it helped migrants or worsened the humanitarian crisis? Has it placed an unfair burden on Southern European states? If so, how?
What steps do refugees in Europe take to seek asylum?
How have refugees been integrated in Europe?
How do you think the refugee crisis has impacted EU politics/society?
What solutions would you propose?

 • Push/Pull factors that drove these refugees out of their country (political violence, weak governance, civil war, lack of economic opportunity, and extreme poverty):
What are the biggest push/pull factors for refugees?
How would you distinguish between a refugee and an economic migrant?

 • Services: What kind of services do you provide? Do you receive EU/state funding?
How has your organization adapted to the recent influx of refugees? What are the biggest challenges?

• Smuggler networks that may have assisted refugees on their journey to Europe: What is the smuggler process like? How were the conditions in the boats?
How much do refugees typically pay?
What level of government assistance do these refugees receive?

Appendix B: Interview Guide for Asylum-Seekers (Unstructured Interviews)

•Push/Pull factors that drove these refugees out of their country (political violence, weak governance, civil war, lack of economic opportunity, and extreme poverty):
Why did you flee your country? Why flee to Europe and not a neighboring country?

• Smuggler networks that may have assisted refugees on their journey to Europe:
What was your experience with the smuggling process like?
How were the conditions on the boat?
How did you arrive? Were you rescued at sea?
Did you regret your decision at any point during the smuggling process? If so, why?

• Impacts of EU refugee policy (such as the Dublin Regulation):
What was the hardest part about seeking asylum in Europe?
How do you think the EU can improve in accommodating refugees in Europe?
Please explain your first day in Europe, and experience with the CEAS. How did you access the asylum procedure? How long did it take?
How were your living conditions? Where do you live now? Did you receive material support (shelter/food/healthcare)?

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