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Europe is facing a migration crisis similar to the mass migration movement that originated at the end of World War II. Libya and Syria play a central role in this crisis. The EU's response to the immigration crisis has been slow, fragmented, and inadequate. The recent Paris terrorist has complicated the scenario. As a result of this event, several EU member states have closed their borders and erected fences, undermining the Schengen Area free-zone agreement. Far-right parties are increasing consensus within Europe, fueling anti-immigrant and anti-EU sentiments. In addition, Great Britain will hold a referendum on whether to quit the EU next June 2016. The risk of disintegration is still impending.

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*United States Marine Corps
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2076 South Street
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Quantico, Virginia 22134-5068*

MASTER OF MILITARY STUDIES

TITLE:

The European Union's Challenge on the Migration Crisis

SUBMITTED IN PARTIAL FULFILLMENT
OF THE REQUIREMENTS FOR THE DEGREE OF
MASTER OF MILITARY STUDIES

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Preface

When I arrived in Quantico to attend the Command and Staff College at the Marine Corps University, I was unfamiliar with the Master in Military Study program and I did not know what topic I would choose. However, as an Italian Army Officer I am well aware of Italy's effort on the current migration crisis that only in 2015 seemed to acquire a certain interest for the other European Union member states. Thus, I decided to write on the current migration crisis that represents quite a significant concern for the future of the European Union.

The idea of writing on this topic was not only my idea; Dr. Paolo G. Tripodi suggested that I write on this topic. Paolo, I express my gratitude for your patience and your support throughout my work. Your advice and your suggestions have been really helpful for the scope of my research.

I would like to thank you my military faculty advisor, Commander Boros for his leadership, for his patience, and for his outstanding job done with my conference group. I want to pay tribute to Dr. Rebecca J. Johnson, Dr. Paul D. Gelpi, and Dr. Craig A. Swanson, my civilian faculty advisors. I really appreciated the magnitude of their knowledge and professionalism.

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Lastly, I want to thank my wife Nicoletta and my adorable children, Gianluca and Giulia, for their patience, their support, and serenity provided to me during long days spent in the Marine Corps University's library. I love you.

Executive Summary

Title: The European Union's Challenge on the Migration Crisis.

Author: Major Alessio Argese, Italian Army.

Thesis: Instability in the Middle East and North Africa, especially in Syria and Libya, has contributed to mass immigration toward Europe. As it is likely that the migration crisis will not easily end, the European Union may be destabilized to a level that brings it to disintegration.

Discussion: Migration is a complex phenomenon that has always been part of human history and that has been of paramount importance for human cultures and civilization. Currently, in spite of such an ordinary event, Europe is facing a migration crisis similar to the mass migration movement that originated at the end of World War II. According to Frontex, the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union, 1.2 million of people have illegally crossed the EU borders in the first 10 months of 2015, an amount that is four times the 282,000 illegal immigrants recorded during 2014. The vast majority of immigrants come from Syria, Iraq, and Afghanistan. Libya's lack of a national unified government plays a central role in this crisis, as a significant number of asylum seekers and migrants cross the Mediterranean Sea from Libya's borders. The Syrian Civil War plays an even more critical role in the current crisis, as almost 50% of refugees are Syrians. The EU's response to the immigration crisis has been slow, fragmented, and inadequate. The recent Paris terrorist attack has complicated the scenario, as one of the attackers may have been a Syrian refugee. As a result of this event, several EU member states have closed their borders and have started to reject refugees for national security reasons. Reestablishing border controls or building fences has affected the Schengen Area free-zone, one of the most significant pillars of the EU. Far-right parties are increasing power and consensus within Europe, fueling anti-immigrant and anti-EU sentiments. In addition, Great Britain will hold a referendum on whether to quit the EU next June 2016. The risk of disintegration is still impending.

Conclusion: The immigrant crisis has weakened the EU. What the EU has done so far seems to be not enough to avoid the risk of disintegration. The future of the EU is uncertain. The EU should act as a more cohesive political subject to overcome the challenge posed by the current migration crisis. It would be very advantageous to have a more integrated and cohesive EU not only to tackle the current migration crisis but also to face other future crises, unless the current migration crisis will be the last EU crisis.

I. Introduction

Migration can be defined as a process that encompasses any movement of people across an international border or within a State.¹ Migration is a complex phenomenon that has always been part of human history and that has been of paramount importance for human cultures and civilization. The discovery of the Americas, Africa, Asia, and Oceania through European transoceanic migration has certainly been significant for mankind's progress. Migration is a phenomenon that has taken place in the entire world, including the Mediterranean region, which is considered the cradle of civilization and the crossroad of three continents and their inherent cultures: Europe, Western Asia, and North Africa.

Currently, in spite of such an ordinary event, Europe is facing a migration crisis similar to the mass migration movement that originated at the end of World War II, when millions of people were displaced within Europe. According to Frontex, the European Union Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union, 1.2 million of people have illegally crossed the EU borders in the first 10 months of 2015, an amount that is four times the 282,000 illegal immigrants recorded during 2014.² This is not only a movement of people who are trying to seek a better quality of life; it is primarily a refugee crisis, as stated by António Guterres UN High Commissioner for Refugees.³ The vast majority of immigrants come from Syria, Iraq, and Afghanistan followed by Eritrea and Nigeria. Libya's lack of a national unified government plays a central role in this crisis as a significant number of asylum seekers and migrants cross the Mediterranean Sea from Libya's borders helped by traffickers. The Syrian Civil War plays an even more critical role in the current crisis, as almost 50% of refugees are Syrians.⁴ In general, war, conflicts, and instability rule these countries. Instability in the Middle East and North Africa, especially

in Syria and Libya, has contributed to mass immigration toward Europe. As it is likely that the migration crisis will not easily end, the European Union may be destabilized to a level that brings it to disintegration.

The European Union is facing an unprecedented crisis under which it could fail if factors and root causes of the migration crisis are not identified and properly addressed. The European Union Council President Donald Tusk said the crisis could transform the European Union and destroy the Schengen border-free travel area.⁵ He stated "...This challenge [the migration crisis] has the potential to... cause tectonic changes in the European political landscape...."⁶ On the one hand, Europe is still struggling to find a common and global solution to such a crisis. On the other hand, European member states seem to be more concerned about their own national interest and on how to absorb the waves of immigrants without economic losses. EU member states have failed to identify a common response inspired by the European Union core values: human dignity, freedom, democracy, the rule of law, and respect for human rights.⁷

The number of immigrants will continue to rise over the next few years, with over 2 million refugees expected to enter Europe in the years 2016-2017.⁸ The recent Paris terrorist attack has complicated the scenario, as one of the attackers may have been a Syrian refugee. As a result of this event, several European Union member states have increased the demand for closing the European borders and rejecting the refugees for national security reasons. Far-right wing parties are increasing power and consensus within Europe, fueling anti-immigrant and anti-EU sentiments.

This paper is organized into four sections. The first section provides the background of the migration crisis, the second section explains the role of Libya and Syria on mass migration

toward Europe, and the third section analyzes what the European Union has done so far to tackle the crisis, highlighting the risk of disintegration it is incurring. Finally, the last section tries to identify the main reasons that underlie the European Union's risk of disintegration and possible solutions to the challenge posed by the migration crisis.

II. Background

In 2014, Frontex counted only 282,000 people who illegally crossed the European Union's external borders,⁹ a number that can be considered manageable in comparison to the sheering numbers of the year 2015. The migration phenomenon that Europe is experiencing is mostly related to the war in Syria and instability in Libya. Since conflict in Syria and instability in Libya are ongoing from 2011, at first impression it is difficult to understand why only the year 2015 marked what has been defined as one of the worst humanitarian crises since the end of World War II.

Several reasons lie behind the large number of refugees that reached Europe last year.¹⁰ First of all, an upsurge of the conflict in Syria, where military intervention of Russia and France mixed to the al Dahesh forces attacks, contributed to increase the number of people that are fleeing the country to avoid the widespread violence that is affecting Syria. Yet, since the conflict erupted in 2011, 4 million Syrians had already fled Syria living in refugee camps in Turkey, Jordan, Lebanon, and Egypt. The limited ability of these countries to deal with such a large number of refugees associated with a shortcoming in international funding led many Syrians to start their trip toward Europe from these refugee camps.¹¹

Furthermore, as the Bashar al-Assad government is suffering a shortcoming in manpower, it has recalled reservists, all men in their thirties, to join the fight with the national Army.¹²

Many of these young men are fleeing to Europe to avoid forced recruitment "...as even pro-government families increasingly refuse to send sons to poorly defended units on the front lines..."¹³ Interestingly, Assad's government is not acting strongly against men who are trying to avoid the conscription, as a result of a less restrained policy in acquiring passports or deferring the military service with a payment of \$300.¹⁴ According to Emile Hokayem, Senior Fellow for Middle East Security at the London-based International Institute for Strategic Studies, "the humanitarian catastrophe we are witnessing is an outcome of Assad's survival strategy. Assad had sought to shift the burden of dealing with those in Syria who are opposed to him onto other actors..."¹⁵

Until recently, Libya had been used as preferred base for all immigrants to reach Europe by crossing the Mediterranean Sea to Italy, as a lack of a central government's control over Libya allows smuggling and human trafficking. However, other routes exist to reach Europe: a sea route from Turkey to Greece and land route through the Balkans. The sea route from Turkey seems to be the preferred one as the journey takes only between 20 minutes to 1 hour and the sea crossing is cheaper and easier than the land route through the Balkans. \$2,000 to \$3,000 is required to reach Europe through the Turkey-Greece sea route instead of \$5,000 to \$6,000 to reach Libya and take a boat to Italy.¹⁶ In addition, the German and Swedish policy of welcoming refugees seems to have encouraged people to flee to Europe. Nonetheless, it is not clear how the recent border controls policy adopted even by Germany and Sweden will impact on the flow of refugees in the near future.

To set the stage, it is important to give an explanation of the differences between an asylum seeker, a refugee, and a migrant because these groups are entitled to different protections

and level of assistance according to the international law. According to the International Migration Law, Glossary on Migration, an asylum seeker is:

A person who seeks safety from persecution or serious harm in a country other than his or her own and awaits a decision on the application for refugee status under relevant international and national instruments. In case of a negative decision, the person must leave the country and may be expelled, as may any non-national in an irregular or unlawful situation, unless permission to stay is provided on humanitarian or other related grounds.¹⁷

The asylum seeker looks for protection under the 1951 Refugee Convention on the Status of Refugees and becomes a refugee once his claim has been approved. By contrast, an economic migrant is "...a person leaving his or her habitual place of residence to settle outside his or her country of origin in order to improve his or her quality of life...,“¹⁸ and an irregular immigrant is:

A person who, owing to unauthorized entry, breach of a condition of entry, or the expiry of his or her visa, lacks legal status in a transit or host country. The definition covers inter alia those persons who have entered a transit or host country lawfully but have stayed for a longer period than authorized or subsequently taken up unauthorized employment (also called clandestine/undocumented migrant or migrant in an irregular situation). The term "irregular" is preferable to "illegal" because the latter carries a criminal connotation and is seen as denying migrants' humanity.¹⁹

Finally, a definition of the Dublin Regulation is important to better understand how the migration crisis is affecting the European Union. The Dublin Regulation is a European law that establishes a hierarchy of criteria for identifying the member state responsible for the examination of an asylum claim in Europe. "...The aim of this Regulation is to ensure that one member state is responsible for the examination of an asylum application, to deter multiple asylum claims and to determine as quickly as possible the responsible member state to ensure effective access to an asylum procedure....“²⁰ Thus, according to the Dublin Regulation the asylum seekers must remain in the first European country they arrived in until the application process is carried out completely. Furthermore, migrants who travel to other European

states will be sent back to the European member state they first entered. Actually, in spite of such a Regulation and due to the large amount of immigrants, border European states are allowing the immigrants to pass through other European states and have stopped enforcing the Dublin Regulation.²¹ Thus, the European Union's member states have started to act in disregard of the European Union's Regulations, such as Dublin Regulation and Schengen treaty, as a result of a less manageable, large amount of refugees entering Europe. Such an amount of refugees that have entered Europe in 2015 is a result of instability in Libya and Syria.

III. Libya and Syria's role in the migration crisis.

Since the end of Operation Unified Protector and the collapse of the Gadhafi regime, Libya has been in a state of constant turmoil. In mid-2014, a second Civil War deteriorated the already fragile country when Khalifa Haftar, who served as General during the Gadhafi regime, launched Operation Dignity with the purpose of liberating Tripoli from the "...terrorist [Islamist] threat..."²² Operation Dignity intended to reduce the influence of Islamist faction within the General National Congress (GNC), the Libyan parliament. Thus, the campaign aimed at counterbalancing the power of the Justice and Construction Party (JCP), which is associated with the Muslim Brotherhood, and the power of militia brigades located in Misrata. The answer of Misrata brigades and affiliated Islamist armed groups with Operation Libya Dawn descended Libya into its second Civil War.

In June 2014, elections took place while the confrontation between the opposed political factions and their military armed brigades was ongoing. The moderate National Forces Alliance (NFA) party won the election at the JCP's expenses. However, the newly democratically elected parliament, the House of Representative (HoR), was not able to settle in Benghazi or

in Tripoli, the Libyan capital city, as a result of a general insecure situation. Thus, HoR settled in Tobruk. However, JCP and other former GNC members did not recognize HoR establishing a new General National Congress in Tripoli, which is still in control of Islamist and Misrata militia brigades.

Currently, Libya is divided into two rival governments that "...both claim to be the legitimate power holder and that reside in two political capitals: Tripoli and Tobruk..."²³ Both parties are affiliated with local armed militias (armed Dignity and Dawn factions) that seemed to have taken control over political power. The Tobruk government is recognized by the International Community. However, the Tobruk government is not able to gain control over the capital city, Tripoli, where a legitimate government should take office. In such a context, al Dahesh and Al Qaeda affiliates took roots, even if not all Libyan jihadi groups claimed affiliation to al Dahesh, as in the case of the Abu Salim Martyr Brigade.²⁴ The execution of 21 Egyptian Christian Copts and the attacks in al-Qubbah are example of Al Dahesh increasing power that further precipitated Libya into chaos.

Due to its significant territorial extension and the absence of a central government's control, Libya is very permeable to various criminal organizations and human trafficking which obviously have effects on the recent EU migration crisis. The coastal cities between Misrata and Zuwara, which are under control of local militia, have been reported as main ports for illegal immigrants toward Europe.²⁵ Armed local militias and jihadi groups, which control the main airport and port within the Libyan coasts, have taken advantages over criminal activity such as smuggling and human trafficking as ways to finance their struggle and to maintain territorial control. Indeed, out of "...170,000 immigrants rescued in the Mediterranean in 2014, 85% had set off from the Libyan coast..."²⁶ For the 2015 so far, Frontex stated that the num-

ber of immigrants detected in Central Mediterranean Sea, between Libya and Italy, was 144,000.²⁷ The more the militia stays in power, the less a unified government has chances to take root and take control over such a situation.

The High Representative of the European Union for Foreign Affairs and Security Policy, Federica Mogherini, has urged the resolution of the Libyan crisis to slow down the illegal migrant phenomenon toward Europe. In her remarks at the UN Security Council on May 11, she addressed Libya as a critical point in the immigration problem:

This is not all about Libya, we know that very well. This can happen in other parts of the world. But we all know also very well that the vast majority of human trafficking and smuggling in these months is happening in Libya, or rather, through Libya. As long as there is not a Unity Government that can exercise its legitimate authority over the entire territory of the country and its land and sea borders, the situation is likely to continue this way. That is why the European Union is actively and with full determination supporting the UN-led process of dialogue to reach an agreement on the formation of a Government of National Unity.²⁸

On December 17, 2015, HoR and GNC signed a Libyan Political Agreement solution in order to form a national unity government, the Government of National Accord (GNA) that will help Libya provide stability and unity of effort in fighting al Dahesh. The agreement certainly has a great importance for the European Union. Indeed, a more stable Libya will contribute to slowing down the mass migration phenomenon that comes from the Mediterranean Sea route, improving stability in the whole area.

However, if Libya is a critical point in the immigration problem, Syria plays an even more critical role in mass migration as a result of the majority of refugees and asylum seekers coming from Syria. The Syrian Civil War started four years ago as an uprising movement against the Bashar-al-Assad government and then turned into two parallel conflicts in the same country: a Civil War, conducted by rebel forces against the Syrian government, and a

war against al Dahesh. The two conflicts have overlapping borders and conflicting positions between all the actors involved into the crisis.

On the one hand, the Civil War opposes Mr. Assad's government, which is supported by Russia, Iran, Hezbollah, and local militias to rebel groups, backed by the United States, Turkey, and Saudi Arabia. Furthermore, even Al Dahesh and foreign fighters associated to it oppose the Syrian government in the attempt to "...create a caliphate [State] stretching beyond Syria's borders into Iraq and other countries...."²⁹ On the other hand, the war against Al Dahesh seems to have built a large and heterogeneous coalition made up of the United States, Turkey, Saudi Arabia, Syrian rebels, Mr. Assad's government, Russia, Iran, and Hezbollah.

In fighting al Dahesh, the United States have used the Kurdish ground forces that have been fighting for decades with Turkey in order to gain their own independence. This complicated scenario made up of State and non-State actors, and terrorist groups with conflicting interests have made relations between foreign powers tense, slowing down a peace process that might have stabilized Syria. Indeed, opposed interests between the United States and Russia, Saudi Arabia and Iran, Turkey and Kurds have worsened the current situation placing Syria in a stalemate over the last four years. As a result of such a persistent conflict situation, the majority of refugees that had tried to reach Europe in 2015 are Syrian refugees. According to UNHCR, the United Nations Refugee Agency, out of almost 1,000,000 refugees that arrived in Europe by sea this year 49% percent were from Syria.³⁰ The situation in Syria is very critical as a result of a total of more than 4 million Syrian refugees hosted out of European borders in refugee camps in Jordan, Lebanon, Turkey, Iraq, and Egypt.

It is easily understood that such staggering numbers of refugees are the result of "...a hands-off [policy] approach with regard to intervening in the Syrian conflict...."³¹ adopted by

the International Community. Moreover, the increasing influence of Al Dahesh in Syria has worsened the refugee problem, increasing the number of people fleeing homes and areas under al Dahesh control.³² However, as in the case of the newly adopted Libyan political agreement, the UN Security Council unanimously adopted Resolution 2254 on December 18, endorsing a road map for the peace process in Syria that gives hope for the future of Syria.³³ The resolution aimed at creating a transitional and unified Syrian government that will draft a new constitution within 18 months. Thus, the Security Council:

*Expresses its support, in this regard, for a Syrian-led political process that is facilitated by the United Nations and, within a target of six months, establishes credible, inclusive and non-sectarian governance and sets a schedule and process for drafting a new constitution, and further expresses its support for free and fair elections, pursuant to the new constitution, to be held within 18 months and administered under supervision of the United Nations, to the satisfaction of the governance and to the highest international standards of transparency and accountability, with all Syrians, including members of the diaspora, eligible to participate, as set forth in the 14 November 2015 ISSG [International Syria Support Group] Statement.*³⁴

The future of Mr. Assad, over which the United States and Russia have divergent positions, was not included in the text of the resolution. "...[T]he question of leadership would ultimately be decided by elections..."³⁵ The political talks will start in January and will be led by the UN bringing to the same table representatives of the Assad government and opposition forces, excluding all terrorist groups. As the political talks will start, a ceasefire is supposed to start as well.

The adoption of the UN resolution is an important step on the solution of a nearly five-year Civil War. However, there will be still uncertainty on the future of Syria. As stated by German Foreign Minister Frank-Walter Steinmeier "...[n]either of us underestimate the difficulties and obstacles that still need to be overcome in defusing the civil war in Syria."³⁶

Nevertheless, Resolution 2254 should bring a truce in the continuous bombing of civilian areas, which should as well bring a truce in the number of civilian refugees that will start a migration trip toward Europe in 2016.

IV. The European Union's response to the migration crisis

In 2015, Europe received a much larger number of immigrants than it did in 2014. According to the International Organization for Migration (IOM) more than 1 million entered Europe illegally in 2015 or by sea, over the Mediterranean, or by land, crossing Turkey into Bulgaria and Greece.³⁷ Nearly 50% out of the illegal immigrants arrived in Europe were Syrians, followed by 20% Afghans and 7% Iraqis.³⁸ Among the immigrants there are also Eritreans, Ethiopians fleeing violence in their respective countries, and Kosovars seeking job opportunities in Europe.

Although the number of refugees generated by five-year Syrian Civil War is more than four million, which are spread between countries less rich than Europe, and Europe received only one million refugees in one year, this is the highest migration flow after World War II within Europe. However, even if the numbers are significant, as IOM Director General William Lacy Swing stated, "...[the refugees] are going into a population area of 550 million."³⁹ Thus, Europe should have been able to manage the crisis. Nevertheless, the European Union has had difficulty tackling the migration crisis. Indeed, the European Union response to the immigration crisis has been slow, fragmented, and inadequate.

Migration phenomenon it is really common and has happened throughout the world for centuries. In 2014, only Greece and Italy were affected by a low amount of immigrants. Thus, the European Union has not perceived the phenomenon as a problem and has taken slow reac-

tion to what has later become a more significant problem. Only the staggering numbers of deaths while attempting to cross over the Mediterranean Sea have seemed to waken the European Union. Nevertheless, the mainly political answer of Europe has been a resettlement plan of 160,000 refugees within Europe in order to share the burden with cross borders country such as Greece, Italy, and Hungary within which the majority of immigrants have arrived. As of October 2015, only 87 people have been relocated. Thus, "...[a]t the current pace, it would take more than 750 years to relocate the 160,000 asylum seekers covered by a now-expanded resettlement plan."⁴⁰

In contrast to a common and unified European response, each member state within Europe has adopted its own policy toward immigration. Some European states have erected fences to protect their borders and others have reintroduced border controls. Only Germany and Sweden have maintained an open door policy until November 2015. Nevertheless, the lack of a unified European response pushed even Sweden to impose temporary border control measures in order to register all the asylum seekers.⁴¹ Even Germany introduced temporary border controls last September in an attempt to put pressure on the other European member states to react unanimously to the migration crisis and establish an EU quota system to relocate asylum seekers.⁴²

European countries have almost reacted alone to the mass migration phenomenon. Hungary, which was one of the main land routes used by refugees to enter Europe, erected a barbed-wired fence along its border with Croatia and Serbia. The action undertaken by the Hungarian government forced, in a domino effect, Slovenia to build its own barrier along the border with Croatia in order to avoid the flux of refugees pushed by the Hungarian fence. Not all European countries have erected fences around their borders to protect themselves against

the immigration flow. However, different European members have not easily accepted the re-settlement plan: “Romania, the Czech Republic, Slovakia, and Hungary voted against accepting mandatory quotas.”⁴³ Economic growth, which continues to have a slow pace within Europe, is one of the major concerns for the countries receiving thousands of immigrants. According to *The Economist* “...[l]ooking ahead, the euro area is likely to maintain a steady if unglamorous pace of recovery.”⁴⁴ Data on job occupation and youth unemployment are still at considerable level in Europe to allow the economic weakest European Union countries to easily accept such an influx of refugees.⁴⁵ Indeed, if not appropriately addressed the “...[m]igrant crisis could turn into a jobless crisis...” even for the asylum seekers.⁴⁶

Reestablishing border controls or building fences within Europe has affected the Schengen Area free-zone, one of the most significant pillars of the European Union. Indeed, the 1985 Schengen Agreement, followed by the 1990 Schengen Convention that implemented the Agreement, abolished the border control checks within the European Union. At the present time, out of 28 EU member states the following states have not agreed to be part of the EU Schengen Area: Bulgaria, Croatia, Cyprus, Ireland, Romania, and the United Kingdom. By contrast, Iceland, Liechtenstein, Norway, and Switzerland have agreed to Schengen, even though they are not EU members. Every European citizen had the right to move without passports across the European countries that have accepted and ratified the Agreement. However, an amendment to the Schengen Agreement, dated December 15 2015, will impose systematic checks into the European citizens at all the European Union external borders as a result of the recent Paris terrorist attack.⁴⁷ This amendment and the fences, which different European countries have established to react to the migration crisis, have almost cancelled the EU citizens’ free movement right. As stated by the European Commission:

The free movement of persons is a fundamental right guaranteed by the EU to its citizens. It entitles every EU citizen to travel, work and live in any EU country without special formalities. Schengen cooperation enhances this freedom by enabling citizens to cross internal borders without being subjected to border checks. The border-free Schengen Area guarantees free movement to more than 400 million EU citizens, as well as to many non-EU nationals, businessmen, tourists or other persons legally present on the EU territory.⁴⁸

Even if the Schengen Borders Code allows EU Member States to temporarily introduce border controls “...in the event that a serious threat to public policy or internal security has been established...,” then “...Schengen zone has practically ceased to exist...,” as several nations have established border controls.⁴⁹ This temporary solution, which is not adequate as the migration flux will not easily end and may endure for years, might lead to the failure of Schengen Area. Thus, with a stagnant euro zone economy, Britain’s imminent referendum on Europe, and the hypothetical failure of the Schengen Area, the EU citizens may ask their national government what are the advantages of staying in Europe.⁵⁰

On the other side, if the European internal reaction to the migration crisis has been so far fragmented and inadequate, the external actions undertaken by the European Union to reduce the migration flow seemed to have been more effective. Thus, the European Union has tried to reduce the number of refugees that will come from Syria and Africa reaching bilateral agreements with Turkey and African countries, which are transit points or origin points of mass migration, as well as increasing the control of the Mediterranean Sea.

During the meeting of Heads of State or Government with Turkey, held last November 2015, the European Union has agreed to cooperate on the issue of the immigration giving, as exchange, a new renovated approach toward the admission of Turkey in Europe and to the existing economic relations. The European Union will provide Turkey with financial aid, 3 billion euro, in order to sustain Turkey’s effort of hosting 2.2 million Syrians. Furthermore, the

European Union and Turkey have set a Joint Action Plan that "...will bring order into migratory flows and help to stem irregular migration."⁵¹ As a consequence, migrants that are not in need of international protection will be swiftly returned to their countries of origin, preventing them from traveling from Turkey to the European Union. Concurrently, during the migration summit held at La Valletta (Malta) in November 2015, the European Union has agreed to an emergency Trust Fund for Africa up to 1.8 billion euro in order to prevent the arrival of illegal immigration and forced displaced people. The Trust Fund will allow financing projects aimed at creating economic and equal opportunities, security, and basic services for local populations.⁵² The majority of the African countries involved in the migration phenomenon will benefit from the Trust Fund.

Furthermore, the European Union has increased capacities and assets of the ongoing operations in the Mediterranean led by Frontex: Operation Poseidon, which has been active in the Eastern Mediterranean since 2006 and Operation Triton, in the Central Mediterranean, which was activated in 2014, taking over the Italian Operation Mare Nostrum. Both missions intend to enhance the protection of migrants and asylum seekers. In addition to these operations, in May 2015, the European Council launched the EU military operation EU NAVFOR Med Operation Sophia in order to tackle exploitation and human trafficking from the South Central Mediterranean. Operation Sophia entered its second phase in October, after a first phase focused on surveillance and acquisition of information of smugglers networks, aimed at conducting "...boarding, search, seizure and diversion on the high seas of suspicious vessels, within international law..."⁵³

With these robust external measures undertaken by the European Union, Europe seems to be well protected from the flow of immigrants, even though a common internal policy on the

issue has not been established. According to Federica Mogherini, "...there is the risk of disintegration..." if the European Union fails to adopt joint instruments to cope with immigrants as "...the crisis will get worse, with chain reactions from public opinion and national governments."⁵⁴ At the first glance the statement of Ms. Mogherini could be interpreted as provocative. However, in July 2015, Greece was almost quitting the Eurozone as a result of the Greek incapacity to pay for the loans received by the European Central Bank (ECB) and the International Monetary Fund (IMF). A third bailout, agreed between the European Commission, the ECB, and the IMF, saved Greece from bankruptcy and its risk of leaving Europe, even if some experts say that such a risk might have been only postponed.⁵⁵ Moreover, the British referendum on whether to quit the European Union will take place in June 23, 2016.⁵⁶ The migration crisis seems to have increased Great Britain's proclivity toward secession, as a result of the Prime Minister Cameron's harsh requests to the European Union, which include, by the others, a ban from social care for migrants. In case Great Britain would leave the European Union, other EU member states could potentially decide to leave, under the current pressure posed by the migration crisis which national right-wing parties are riding. Thus, the migration crisis seems to be relevant and should not be underestimated, as Ms. Mogherini warned.

The recent Paris terrorist attack that occurred on November 13, 2015, has exacerbated the immigration problem as many European countries are worried that potential terrorists could hide among asylum seekers coming from Syria. The Paris terrorist attack has transformed debate over migration into a security debate, putting Schengen in a more risky position. Indeed, according to some analysts the pressure on "...Schengen open-borders policy [will increase], given the likely intensified criticism coming not only from radical populist parties but also [from] moderate center-right forces."⁵⁷ Indeed, according to the Standard Eurobarometer 84

dated autumn 2015, immigration and terrorism are the main concerns of the Europeans, with the fear of terrorism rising among the problems the European Union is facing.⁵⁸ However, a direct link between the attack in Paris and the refugee crisis has not been established. Potentially, Europe is under the threat of homegrown extremists that were borne in the European Union, as in the case of the *Charlie Hebdo* attack organized by three men with French nationality that were born, raised, and radicalized in Paris.⁵⁹ Moreover, the phenomenon of foreign terrorist fighters, many of whom are European citizens that have fought in Syria for Al Dahesh and that now are back in Europe, is a European major concern. However, "...most foreign fighters do not become terrorists...", as stated by Daniel Byman, professor at Georgetown University and senior fellow in the Center for Middle East Policy at the Brookings Institution.⁶⁰ Notwithstanding a lack of direct link between the migration crisis and the recent terrorist attack in Paris, far-right and center-right wing parties are trying to blame the European Union for a weak and ineffective response against the migration phenomenon, pushing for the closure of the internal borders and the rejection of the immigrants.⁶¹ Considering that 2 more million refugees are expected by the end of 2017, as stated by the European Commission, the European Union might live in a period of instability if it fails to address the migration crisis in a collective way.⁶²

V. The European Union's challenge on the migration crisis

The year 2016 will be even worse for the European Union in terms of number of expected refugees. According to the EU Commission projections, 1.5 million of refugees are expected on 2016, while only half a million are expected in 2017.⁶³ If these predictions are correct, Europe will explode.⁶⁴ Indeed, if the current number of refugees reached in 2015 have

brought Europe into an internal division between countries that, even with some reluctance, have accepted immigrants and countries that are strongly opposing any forms of burden sharing, the 2016 expected numbers will make the situation even worse.

So far, the immigrant situation has led to the rise of far-right parties in several European countries. In France the Front National (FN) was able to roughly get "...7 million votes nationwide... breaking its record of 6.4 million set in the 2012 presidential election..." in the last regional elections.⁶⁵ Moreover, Marie Le Pen, incumbent Leader of FN well known for her anti-European sentiment, will run for the 2017 presidential elections. Marie Le Pen was defeated during the 2012 Presidential election by François Hollande, the incumbent President of the French Republic. However, Marie Le Pen took 18% of the vote during the first round of elections, an unexpected result for the Front National. The recent Paris terrorist attack and the French's general dissatisfaction with the migration crisis will provide Marie Le Pen with new chances to win 2017 French Presidential election.⁶⁶ The results of the French regional elections, which have crowned FN as the first French political party, raised concerns among other European Countries. Sigmar Gabriel, leader of Germany's Social Democrats and country's Vice-chancellor, and Matteo Renzi, Italian Prime Minister, warned the European Union of the need for a strategic and common plan to avoid the rise of populist and anti-EU movements.⁶⁷ In Denmark, the far-right Danish People's Party (DF) was very successful in June 2015 elections, taking the 21% of the vote and 37 seats in parliament out of 179. Thus, DF has become very important for the incumbent government coalition to a point that it could topple it.⁶⁸ In Finland, the far-right Finns Party (FS) took 17.7% of votes on last April's general election, becoming a major player in the incumbent coalition government.⁶⁹ Even Poland, which is Europe's sixth largest economy, chose a right-wing parliament during last elections, giving the

majority of the vote to the conservative Law and Justice party that strongly opposes the European Union resettlement plan for refugees.⁷⁰ In other European countries such as Greece, Germany, Italy, and Sweden, far-right or anti-immigrant parties are increasing their influence and number of voters. A concerning factor is that all these far-right and anti-immigrant parties share a Eurosceptic and anti-EU sentiment. They are benefiting from the momentum offered by the migration crisis to rise and spread opposition toward the European Union. With this in mind, the expected increase in immigrants' numbers during the 2016 year will put more pressure on national and local governments, which may lead to an increase of the already latent and widespread anti-EU sentiment, and a complete annihilation of the Schengen system, which is already at risk.

The majority of the immigrants are directed toward Germany and Sweden, the most welcoming European countries, with Germany expecting roughly 800,000 immigrants out of a population of 80 million. "We've got to reckon there will be 800,000 people coming to Germany as refugees or seeking asylum," said the German Interior Minister, Thomas de Maizière.⁷¹ These numbers are similar to the numbers of immigrants who reached the United States during the so-called "Great Wave" of immigration from 1880-1924. "...[i]n 1903, for instance, in the middle of the Wave, approximately 800,000 immigrants entered an America that had a population of about 80 million residents...."⁷² But, while the United States was underpopulated and with a soaring economic growth, which made the United States able to absorb such a number of immigrants, the European Union is "...far less culturally, ... economically, and popularly prepared to take in immigrants than the United States was...."⁷³ Indeed, the history of Europe is different from the history of the United States. They both share a multicultural ambition. However, multiculturalism in Europe is more complex as a result of the

majority of the immigrants coming from former European empires or colonies.⁷⁴ Europe is still experiencing a slow economic growth and the threat of the Eurozone debt crisis seems to have not completely faded away. Acceptance of asylum seekers means that European countries have to provide them with access to European welfare, which has a significant cost. In comparison to Europe, the United States "... had a long tradition of large-scale immigration and... a culture that favored the acceptance and assimilation of the newcomers."⁷⁵ It is not surprising that the recent migration crisis is concerning the European citizens and that refugees' acceptance has been not really warm.

Moreover, what is missing is a common political approach to the problem. As in the words of Walter Russel Mead:

...European bureaucrats tend to see asylum as a legal question, not a political one, and they expect political authorities to implement the legal mandate, not quibble with it or constrain it.

...But when the flow of desperate people passes a certain threshold, receiving countries no longer have the will (and, in some cases, the ability) to follow through. Ten thousand refugees is one thing; 10 million is another. Somewhere between those extremes is a breaking point at which the political system will no longer carry out the legal mandate...and Europe is already closer to a breaking point than Brussels or Berlin would like to admit.

...In eastern and central Europe, the social and economic conditions for absorbing mass migration from the Middle East simply don't exist. The relatively homogenous ethnic nation states that now compromise the region were created through generations of warfare, often accompanied by episodes of ethnic cleansing and genocide. Their independence and security still feel fragile, and most of their citizens still believe that the role of the state is to protect the well-being of their own ethnic group and express its cultural values.⁷⁶

This situation could bring Europe to an unexpected dramatic political change.⁷⁷ Indeed, the European Union leaders do not agree on how to deal with this crisis. For instance, Stefan Löfven, the Swedish Prime Minister, asked other European Leaders to help Sweden in redistributing the number of immigrants that Sweden is unable to absorb. Other European Leaders, such as Rimantas Vaitkus, the Lithuania's Deputy Chancellor, replied that the immigrants do

not want to be resettled. This is a failure of the European Union system as it is "...impossible to offer the refugees... [a] fully...citizenship status, to maintain the Schengen system, and to enact redistribution at the same time."⁷⁸ While EU leaders are still debating on how to tackle the current crisis, the terrorism threat is concerning the EU population.

The Paris terrorist attack turned into a stronger "...right-wing populist, anti-migrant and closed border attitudes..." that could fracture European cohesion "...when added to the discord over the Greek debt and other economic strains..."⁷⁹ Security is one of the most impellent issues which European countries are trying to facing, as "...at least two of the [Paris] attackers...entered Europe through Greece posing as migrants..."⁸⁰ As stated in the previous section, although there is no direct connection between the Paris attack and the refugees migration crisis, immigration and terrorism are the main concerns among the European citizens. This is now a major concern for Germany and Sweden which are the final destination that the immigrants want to reach. In 2015, one million of refugees entered Europe. Integration of them into the European societies is of paramount importance. European countries will need to put aside fear and anti-migrant sentiments in order to ensure the refugees will not be marginalized. Marginalization might lead to radicalization and radicalization has been, so far, one of the main reasons that pushed immigrants' third generations to perpetrate act of terrorism in Europe. An effective control of the external European Union borders seems to be sound as it could prevent terrorists who hide among immigrants, while the internal border checks or fences established by several European countries are only detrimental to the unity of Europe. Yet, what is happening now is heading Europe in this direction.

Recently, Sweden has introduced border checks with Denmark in order to control the number of immigrants that try to enter the country. Sweden received more than 150,000 asy-

lum applications in 2015, as a result of a 2013 declaration that Sweden would accept all Syrians who ask for residence.⁸¹ In response to this action, Denmark has introduced border controls with Germany. Martin Schaefer, a German foreign ministry spokesman, stressed that “...freedom of movement is an important principle, one of the biggest achievements in recent years...Schengen is very important but it is in danger.”⁸²

Arguably the immigrant crisis has divided the European Union. On the one hand, far-right parties are opposing the European open-door policy toward asylum seekers at national level, which is compelling to the fundamental principles the European Union embraces such as the 1948 Universal Declaration of Human Rights and the 1951 Geneva Convention on the protection of refugees. On the other hand, radical left-wing parties, mostly in Southern Europe, which are concerned over the Eurozone debt crisis are arguing on the effectiveness of the Euro zone fomenting citizens against the European Union. As a result of this situation, as stated by Ms. Federica Mogherini, the European Union’s foreign policy chief, the migrant crisis should be addressed “...with instruments up to the challenge...” because if the European member states fail to find a joint and agreed solution on the issue “...there is the risk of disintegration....”⁸³ Again, this is not only a provocative statement but it might really happen.

The European Union was envisioned since the end of World War II and it survived over decades overcoming political and economic difficulties. Yet, the European Union’s project seems to be incomplete. Indeed, the European Union is still a weak political union; it is not a Confederation of States or a Federal Republic of the European States. A long series of treaties have brought the European Union into what it is nowadays: a sort of hybrid structure that sometimes works as a regional organization, a federal system with a common policy and view; other times the EU operates as an international organization in which each member state

is the decision-maker and tends to defend its own interests.⁸⁴ Thus, the decisions over the asylum seekers, over the bail out for Greece, and other important problem are discussed and decided by the leaders of each member state. By contrast, the European Union speaks and acts as one in world affairs on foreign policy and security issues through the European Union High Representative for Foreign Affairs and Security Policy. The lack of a stronger political union is one of the main reasons the European Union is facing hard times over the migration crisis.

Even though the European Leaders could avoid the risk of the EU's disintegration with an unexpected solution to the migrant crisis, which is not foreseeable today, the European Union effectiveness and credibility is hardly to remain in place. The rising of the anti-EU sentiment spread over Europe, the British referendum on the exit of Europe at the door, and a still slow pace economic growth make it difficult to argue that the European Union will continue to be an effective regional organization which could play a great role in the international arena. As in the words of Niall Ferguson, "...we need an European Union less grasping...and it is time Europe recognizes that Great Britain made the right choices not entering the Schengen zone nor embracing the Euro monetary union because these projects have not worked... It is the excess of integration that brings to the risk of disintegration."⁸⁵ In reality, a more integrated European Union, a strong single political subject that talks for all the member states and European citizens, is required. In such a way, the migration crisis should have been tackled promptly and with more effectiveness.

Since the early 2000s, the European Union has started to act as a regional player in a multipolar world. Sustaining a doctrine of effective multilateralism, the European Union is part of multilateral institutions such as the United Nations, the Council of Europe, the G8, and the

G20. In this context, as a regional player, the European Union so far has had a very important role in shaping the policy of the Middle East and North Africa (MENA).

According to Timo Behr:

For more than two decades, the EU has played a pivotal role in the Mediterranean and North Africa. Although it never yielded the hard power of the United States, the EU's soft power and its deep social, political and economic ties with the countries of the southern and eastern Mediterranean have provided it with considerable sway in Mediterranean affairs. Through its Euro-Mediterranean Partnership, first launched in 1995, the EU promoted the vision of an open and integrated Mediterranean region that was organically tied to and politically oriented towards the EU.⁸⁶

The European Union's role in the Iranian nuclear deal has been crucial. Ms. Federica Mogherini said that "what we have achieved is the result of the strong political will of all parties, and the combined commitment of many. But it is mainly thanks to the extraordinary work of an extraordinary team, the European one, that we made it."⁸⁷ In addition, the European Union is supporting the Israeli-Palestinian peace process and it is a member of the Middle-East Quartet (US, EU, Russia and UN).⁸⁸

The European Union under the pressure of the recent migrant crisis, which suddenly came after the Greek economic crisis, becomes more fragile from a political point of view. It would be hard to persuade European citizens that it is still worth believing in the European Union and being part of it. If the European citizens lose faith in the European Union, under the pressure of the right-wing and nationalist parties that are riding the migration crisis as way to oppose the European Union, it is likely that the European Union will cease to exist. Even if the European Union does not disintegrate, without the confidence of its citizens and of its member states, it will not exist in practice. A weakened and less credible European Union will play a less relevant role as regional organization. If the important role played so far has been the effort "...of an extraordinary team, the European one...", as in the words of Ms. Mogherini,

it would be difficult for the European Union to play the same role and to achieve the same results in the future of the international arena, if a European team would no more exist.⁸⁹

At the time of this writing, the future of the European Union is uncertain and the decisions the European Union will take on the migration crisis in 2016 will be of paramount importance for the destiny of the EU. However, at least two scenarios are foreseeable for the European Union: the worst-case scenario and the best-case scenario. In the first case, the European Union will disintegrate under the pressure of the migration crisis and will cease to exist as economic and monetary union. Each member state will be free to choose its economic and monetary policies. The European Union seat will no more exist within the United Nations, G8, and G20. The international system will absorb the vacuum left by the European Union, and Europe may become fertile terrain for Russia, which has long-standing ambitions toward Europe. The United States will be compelled to intervene more directly in Europe to contain Russia's pressure with the risk of overstressing its resources already addressed to contain China in Asia.

In the latter case, the European Union will survive the migration crisis. The flow of refugees will continue with a slow pace in the coming years and all the asylum seekers will be resettled according to the agreed quota system. Anti-EU sentiments will continue to be present but in a less relevant way. However, the European Union will continue to be a non-complete Union where the most important decisions are taken by the leaders of the member states, which seat at the European Council. The European Union will continue to survive with the risk of failure when the next crisis will arrive.

Whether the worst-case or best-case scenario here depicted will prevail is unpredictable. However, it would be very advantageous if the European Union would act in a more integrat-

ed manner. The EU's real power is weak. With the strength of a single cohesive political subject, with no more fragmentation among member states, the migration crisis, and even future problem of the same magnitude, could be dealt with more effectiveness. Whether this cohesive political union will be achieved depends again on the will of the member states' leaders and obviously on the will of the EU citizens.

VI. Conclusion

Migration is a complex phenomenon that has taken place over the centuries and has been of paramount importance for human civilization and progress. However, even if migration is an "ordinary" event, the 2015 migration phenomenon toward Europe was so intense it was defined as the worst humanitarian crisis that happened in Europe after World War II. More than 1 million of refugees illegally entered Europe last year, a much higher number in comparison to the roughly 300,000 immigrants that entered Europe in 2014. Instability in the Middle East and North Africa, especially in Syria and Libya, has contributed to mass immigration toward Europe.

The majority of refugees that entered Europe last year were Syrians and one of the favorite ways to enter Europe was through the Central Mediterranean with departure from the Libyan coasts. Thus, the conflict in Syria and a lack of central government in Libya have had a significant impact on mass migration toward Europe. Ms. Federica Mogherini, the High Representative of the European Union for Foreign Affairs and Security Policy, has urged the resolution of the Libyan crisis to slow down the illegal migrant phenomenon toward Europe during her remarks at the UN Security Council on May 11, 2015. On December 17 2015, the Tobruk and Tripoli governments signed an agreement in order to form a national unity govern-

ment, the Government of National Accord (GNA). The agreement has a great importance for the European Union. Indeed, it will provide Libya with a more stable government that will contribute to slowing down the number of refugees attempting to enter Europe from the central Mediterranean Sea. In addition, UNSCR 2254 (2015) over the Syrian crisis has endorsed a road map for the peace process that could reduce the number of Syrian refugees fleeing to Europe.

The European Union response to the immigration crisis has been slow, fragmented, and inadequate. In contrast to a common and unified European response, each member state has adopted its own policy toward immigration. Several European states have erected fences to protect their borders and others have reintroduced border controls. All these individual measures have affected the Schengen Area free-zone, one of the most important pillars of the European Union. In addition, the only internal measure adopted by the European Union is a resettlement plan of 160,000 refugees that out of a number of more than 1 million refugees seems to be not a very effective political solution to the crisis. Accurately, Russel Mead argued that the European Union has seen the migration crisis as a legal question not as a political question and it has failed to really understand the problem.

By contrast, the EU has undertaken robust external measures to slow down the number of refugees that are fleeing to Europe. A political agreement and financial aid with Turkey associated with a Trust Fund for African Countries should help to reduce the number of refugees for the coming years. In addition, the European Union has increased capacities and assets of the ongoing naval operations in the Mediterranean: Operation Poseidon, Operation Triton, and EU NAVFOR Med Operation Sophia. All these operations are aimed at increasing the protec-

tion of refugees and contrasting the exploitation and human trafficking from the Central Mediterranean.

Nonetheless, what the European Union has done so far seems to be not enough to avoid the risk of disintegration, as Ms. Mogherini warned. The recent Paris terrorist attacks have led to the rise of right-wing and nationalist parties among Europe, even though a direct link between refugees and terrorism has not been proved. All these parties, which share anti-EU and anti-immigrant sentiments, are riding the current migration crisis to persuade European citizens that the immigrants are a problem and the only solution to this problem is the erection of fences and the rejection of the refugees. Right-wing parties seem to have been successful so far, as a result of immigration and terrorism among the most concerns of the European citizens, as stated by the Eurobarometer 84, dated autumn 2015.

The immigration crisis came just after the Greek economic crisis. Europe is still struggling with the Eurozone debt crisis and with a slow pace rate in economic growth. In such a contest, Great Britain will hold a referendum on whether to quit the European Union next June 2016. The migration crisis seems to have increased the British proclivity toward an exit strategy. All these problems have been having a significant impact on the European citizens. It would be difficult for pro-EU parties to persuade citizens that it is still worth believing in the European Union and being part of it, as it would be difficult to uphold the European Union's effectiveness and credibility.

The European Union should act as a more cohesive political subject to overcome the challenge posed by the current migration crisis. The European Union should put in place an effective control of its external borders in order to prevent terrorists that could hide among immigrants. By contrast, the EU members states need to stop erecting fences or conducting in-

ternal border checks because these actions are only detrimental to the unity of the European Union. Only if the European Union will be able to undertake the path of the cohesiveness, will it overtake the migration crisis and continue to operate effectively.

As the future of the European Union is uncertain, at least two scenarios are foreseeable for Europe. In the first scenario, the European Union will disintegrate under the pressure of the migration crisis. In the second scenario, the European Union will survive the migration crisis. However, the European Union will continue to be a weak political subject. Thus, the European Union will continue to exist with the risk of failure when the next crisis arrives.

Whether these scenarios will become reality and whether the European Union will become a stronger political subject is outside the scope of this paper. However, it would be very advantageous to have a more integrated and cohesive European Union not only to tackle the current migration crisis but also to face other future crises, unless the current migration crisis will be the last of the European Union's crises.

Notes

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