Migration Drivers, the EU External Migration Policy and Crisis Management

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Abstract: The present paper[2] is a study of the response of the EU institutions and leaders to the inflow of irregular migrants from 2011 to 2016. The first section is the synthetic presentation of the migration drivers of our times at the global and local level. In section two, the citizens' perception of the migrants as a threat is briefly discussed, and the border control and immigration policies of the EU are reviewed. In section three, the 'Trans boundary crisis management' model opted for analysing the EU migration crisis management is presented. Section four presents the analysis of the four scenarios of the European management of the current migration crisis. In the concluding section, the results of the analysis are summarily discussed. The analysis demonstrates that the EU leaders have been late in detecting the characteristics of the phenomenon and have not conceded to reconcile their conventional view to the features of the current migration. They have been unable to make response decisions well timed and acceptable to all. Lastly, they have been unable to stand firm on those management decisions they agreed on with difficulty and failed to formulate a shared message about the crisis and communicate credible messages to citizens about their ability to manage it.

Keywords: migration, crisis management, border control, immigration policy, European Union

The Mediterranean migration flows are not unexpected to migration experts. The upward trend of migration in all the corners of the world was predicted more than two decades ago (Castle and Miller, 1993). Demographers further warned about the flow from Africa because of the high fertility rate, the very low income levels and almost no job opportunities in the continent. Students of economic development invariably claimed that a huge reform process was necessary to shrink the structured unemployment gap between the developed and developing world. With such knowledge in mind, one can say that European policy-makers have either been deaf to such warnings, or they underestimated the alerts. But the political leaders say the magnitude of the current flow across the Mediterranean is exceptional and unexpected as it derives from the fortuitous overlap of a well-known demographic and economic change process and uncontrolled conditions existing in local theatres like civil wars and the population uprising against Arab regimes.

The unforeseeable conjunction of these circumstances caused the simultaneous and sudden surge of different flows of migrants, the so-called mixed migration. Traditionally, this term has been used to indicate refugees, asylum seekers and economic migrants together. Today, 'mixed migration' is used to refer generally to people that experience survival needs and escape due to different conditions and problems such as droughts and famines, wars and persecution, poverty and lack of resources for life. Surely, the more the natural and other causes of the migrant flows across the borders of Europe are not the object of shared recognition by the European population and leaders, the more the policy-makers face serious problems in deciding how to manage the crisis with appropriate collective means.

The present paper is a study of the response of the European Union (EU) institutions and leaders to the inflow of irregular migrants from the time this inflow was recognized as a European crisis, namely from 2011. The analysis of the decisions and actions to manage the crisis shows the succession of four scenarios of crisis management from 2011 up to the present time. They are (1) the scenario of the conventional response that started in 2011 when the fall of the Gaddafi regime in Libya let the flow of irregular migrants blow up in the Central Mediterranean and the Commission published the Communication on Global Approach to Migration and Mobility (or GAMM) that was approved by the Council as the cornerstone of the EU's strategy towards migration in the 21st century; (2) the November 2013-October 2014 scenario created by the decision of the Italian government to run its own humanitarian Operation *Mare Nostrum* in front of the apathy and disguise of the EU partners and institutions towards the deadly sinking of migrant boats in the Mediterranean; (3) the November 2014-September 2015 scenario created by the EU's recognition of the double nature (humanitarian and migratory) of the crisis and the consequent decisions to launch a comprehensive approach towards the migration problem; and (4) the current scenario created after the new massive inflow of migrants and refugees through the Western Balkans route and the European Council decisions to secure the EU's borders against the unwanted migrants and refugees.

The plan of this paper is as follows. The first section is the synthetic presentation of the migration drivers of our times, i.e. the causes and factors that, at the global and local level, incentivise large number of persons to leave the country of origin. In most of the cases, migration is the response of individuals and groups to the crisis in their society and state that has been triggered by domestic conditions linked to the global ones. Since the government is unable, or unwilling, to respond to the breakdown of the life-sustaining systems of the country, people choose to escape the crisis and leave for a foreign country. At the same time, the citizens of the countries of destination may perceive the immigrants as a threat to their values and life-sustaining systems, and oppose to their admission. As this occurs, a crisis erupts also in the destination countries. On this account, in section two, the reaction of the citizens of destination countries and their perception of the migrants as a threat are shortly discussed having in mind the European case. In this section, also the border control and immigration policies of the EU are briefly reviewed. This part of the paper reminds us that the difficulty of stepping forward the policy of the EU towards third country nationals in the MSs is clue to understanding the difficulty of cutting the common management of the *European* migratory crisis, i.e. the failure to find a breakthrough to normalcy in front of the

massive inflow of migrants. In section three, the model opted for analysing and building knowledge about the crisis management is presented. In order to build knowledge about the response to a crisis that affects the states across their borders and that concerns the control of the border of the MSs and the Union, a specific model of crisis management is needed. The analysis presented in this paper opted for the transboundary crisis model that has been developed at the University of Leiden and is tested by a network of researchers that came into existence with the H2020 TransCrisis project. Section four presents the analysis of the European management of the current migration crisis that has gone through the aforementioned scenarios. In the concluding section, the results of the analysis are shortly discussed. The present analysis demonstrates that the EU leaders have been late in detecting the characteristics of the phenomenon and have not conceded to reconcile their conventional view to the current features of migration. Consequent to this and to not sharing the same sense of the phenomenon, they have been unable to make response decisions well timed and acceptable to all of them, consonant with the expectations of the citizens and as well with the gravity and nature of the drivers of contemporary migration. Last, they have been unable to stand firm on those management decisions they agreed on with difficulty; consequently, they also failed to formulate a shared message about the crisis and to communicate to citizens credible messages about their ability to manage it.

Migration drivers

The European publics and the EU leaders are inclined to see the current migration flows as the product of events and conditions of local range that occur at the borders of Europe. Bad governance, violence and civil wars in North Africa, the Middle East and other parts of the Arab world, and the stateless status of large areas of Africa push people to leave their country in search of better life conditions. The significance of local conditions notwithstanding, such understanding needs to be refined by including the drivers of migration that are operative in all the world areas. Such long-term conditions and global trends that drive the present rise of people's movements across borders are disclosed in the studies of migration produced by researchers of different theories and schools. These conditions and trends are rooted in the intertwined economy, technology, society and political sectors of the global system. Accounting for the place of the local conditions within the long-term trends of the global system is important to policy-makers to choose the appropriate measures of management of the current migration crisis. The global and local conditions and the links among them that make migration grow in size are represented in Figure 1 (please see at the end of the article).

The growing shortage of employment opportunities and the consequent human poverty of the population of many countries are the product of the global market structure and the consequent policies of international trade and capital investment. The employment gap existing between the wealthy and the poor economies of the world push people to move from one area to another. In migration studies, this economic explanation is extensively accepted. It is summarised by the socio-economic push and pull factors that exist respectively in the areas of origin and destination. Fast transportation means and instant communication tools are incentives to the movement of people. These technologies

inflate migration not just because they make movement easier and offer swift information to potential migrants about the work and welfare opportunities around the world, but provide information about the routes available to cross national borders with no entry permit as well. They also give migrants the chance of staying in continuous relations with their distant family and their society of origin. They encourage migration by tempering the human costs that come from breaking ties with society and culture of origin, enabling migrants to keep their identity in the host country, and by fostering transnationalism (Castles, 2004; Vertovec, 2004). In other terms, they support the personal linkages that the network theory of migration indicates as the determinant of the decision to migrate and reach the country where relatives and national peers are settled. The inflow of culture-diverse people in mono-cultural countries should promote multiculturalism, but in most cases it turns out to be the cause of serious conflicts as many citizens of the destination country refuse to change what has to be changed in their state to open it to multiculturalism (Vertovec and Wessendorf, 2010). Nevertheless, such social and cultural process will come to terms following the difference of the rate of population growth in Africa, Central-Southern America, and South-Western Asia, and in Europe, Australia and North America (Guillen and Ontiveros, 2012). Last, the actions and programmes of the world institutions that protect and promote human values and the rights of the human beings to better life influence the growth and transformation of migration in current times. The United Nations agencies and the international and non-governmental organisations of human rights have a double role in this field: they promote migration as a human right and, concomitantly, feed transnationalism, multi-centrism, cultural interaction, and multiculturalism. On the other side of the fence, the governments of the states that have signed the human rights treaties should not oppose the human right of migration in normal and exceptional circumstances. They have to meet the challenge of exceptional migration waves since the treaties they have signed have been conceived also for responding to such circumstances.

The four sectors are present also at the level of the local conditions that foment migration today. In brief, in almost all the peripheral countries of the world economy, the shortage of financial and industrial resources existing at the time of the rebuilding of the world economic regimes after the Second World War has not changed and is aggravated today by severe natural conditions and the lack of protection from climate change. Additionally, ethnic and cultural differences that have not been taken into consideration at the time of the state building, and the diffusion of bad governance, corruption, client practices, and state crimes condemn the population of these countries.

Migrants as threat and the EU border control and external migration policies

The EU institutions, especially the Commission and the Council Presidency, work hard to build responses fitting the expectations of all the MSs, but have not yet achieved such a goal. The EU governments are divided about the mechanisms and strategies of the collective management of the migration flows. Some contend Europe is facing a humanitarian crisis and speak out about the abuse of the humanitarian principles by foreign people driven by disguised interests and irrational expectations. Many concede we are in front of a huge humanitarian crisis but argue that Europe cannot open the door to all the victims. Financial

assistance to migrants in camps placed out of Europe is the choice most preferred by the European heads of governments but the Italian and Greek ones do not oppose hosting migrants and want the other MSs to share the burden of this hospitality.

In general, since the migrant influx in Europe through the Mediterranean Sea routes started to grow, the European governments have not argued with their citizens but have rather acquiesced due to the plausibility of protests. Generally, citizens complained about '*too many immigrants*'. In many countries, the protesters cried out against the migrants as individuals assaulting their welfare and personal security and as well the cultural and social integrity of the country. Opposition to immigrants is not unknown to the world. The most common explanation of the opposition is the rational motive, i.e. the citizens take into account the costs of the presence of the immigrants in their country. The immigrants alter the job market, overburden the national welfare system, bring troubles to the education system, and cause security problems like the growth of crime in the streets, the infiltration of organised crime networks, and the intrusion of terrorist groups. The collective refusal to share life with the 'diverse' and the 'other' is also an explanation of the anti-immigrant protest. This refusal is rooted in the social norms and innate culture of a people. The perception of irreconcilable differences of religion also plays a role in such explanation. Last, personality traits and prejudices against all foreigners or certain people and nations are explanations for anti-immigration feelings at the individual level. At the same time, many people assess the threat perception of the immigrants to be exaggerated, and argue that benevolent reception, non-discriminatory behaviour, and integration facilities remove all the problems of reception.

As time went on and the crisis urged the European leaders to respond appropriately, they have shown uncertainty in making decisions for the management of the crisis, and restraint in shifting from appeasing their citizens' fears to arguing about apt response measures. However, in 2014 the EU institutions and almost all the MSs' leaders came, half-heartedly in some cases, to the view that the mass flow to Europe is a mixed migration flow. Accordingly, they spelled out that sharing responses and furthering joint management measures towards asylum-seekers and non-refugee migrants is better than going it alone. Yet differences about how to give protection to the refugees and block the entry of those not fitting the conventional refugee status did not stop. These issues concern the external border control system, which is based on the surveillance and defence systems of the MSs with the support of the Union if requested by the state authorities, and as well the intra-EU border system that is based on the free circulation of people and the Schengen system. The reception and settlement of the migrants that fits the international protection norms impose on the leaders also to ask the consent of the citizens to integrate in the country a number, potentially enlargeable, of asylum seekers, and at the EU level the reform of the existing asylum legislation and Dublin Convention.

In the EU constitution, the shared competence power regime regulates how to make the common response to these issues. In practice, the EU and state institutions decide together as far as the national governments acknowledge that the individual state cannot manage well the problems at stake. However, when a trans boundary problem arises and turns into a crisis, it is the political convenience of all the parties involved to determine which of

the following solutions is better, (a) coordinating the national actions of management, (b) creating *ad hoc* measures of co-management, (c) adopting EU shared competence power in the policy area of the crisis, and (d) transferring the policy area to the Union. From the first to the last option, transboundary crisis management passes from the usual type of international and intergovernmental management to the Community and the supranational type of management. On such premises, knowledge about the border control policy and immigration policy of the EU is of importance to understand the EU's management of the current migration crisis.

The EU has no power on border control, neither the external nor internal border. This power belongs to the MSs. But, the EU does have a border control policy and plays two main roles in this field. The first one is the role of standard setter and rule maker on selected issues. The second one is the role of assistance provider and enabler of the coordination and convergence of the actions and operations of the agencies of the MSs in this area. Both roles have been put in place progressively, especially since the Schengen agreement on the free circulation of persons was moved into the EU Treaty. In the past years, the EU created a European border control regime by playing standard setting and rule making. This regime sets the criteria the MSs apply to the foreigners that want permits to reside on their territory. Another standard the EU dumped into the MSs is founding the entry permit on security criteria that are defined in an extensive way. Terrorists, criminals and migrants have to pass through security checks as they put at risk one or more values like political order, material and economic property, physical integrity, and the societal values of the countries and their citizens. The EU regime of border control aims also at developing digital technologies and networked datasets in view of expanding the use of smart and de-localised mechanisms of border control (Takle, 2012).

As far as the assistance provider and coordination/convergence enabler role is concerned, the EU acts through three agencies that support the MSs in running border control against security threats and irregular immigration. The FRONTEX agency, created in 2004, coordinates operational cooperation between the MSs in the management of external borders. EASO, created in 2011, provides relevant information to the EU institutions and the MSs Governments about the management of migration problems. EUROSUR, created in 2013, aims at upgrading the surveillance system of the European external borders.

Though the EU plays roles in shaping the common control of the external border crossing by third country nationals, and this is made also to comply with the Lisbon Treaty articles about the EU power to legislate about foreigners' entry and residence and about return and readmission, the states retain the power of legislating the integration of foreign workers within their society. This is understood by reminding the aforementioned extended security model of controlling the crossing of European borders by foreign nationals. However, it is acknowledged that the EU as an institution promotes the principle of the free movement for labour in the name of economic efficiency while, generally speaking, the MSs seek to bring down the standard of migrant rights protection to respond to domestic interests. Nevertheless, the EU enlightened directives that protect migrant rights have a chance of success thanks to the domestic institutional protections existing in the MSs such as a strong court system, legal aid for immigrants, and state funding for pro migrant NGOs (Ludtke, 2011).

The principle of promoting economic efficiency is of great significance in shaping the EU immigration policy as well the EU's response to the irregular migration flows of these past few years. This is demonstrated by GAMM, the Global Approach to Migration and Mobility. This document was prepared and published by the Commission and approved by the Council in 2011. They were aware of the need to have a common strategy to meet the challenge of the blowing up migratory flows in the world and regions around Europe. GAMM updated the 2005 Commission's Communication titled 'Global Approach to Migration'. Complementing Migration with Mobility was a meaningful act of the Commission. It manifested the preference of the EU leaders towards the short stay of the migrants in the EU since mobility, i.e. the stay of foreign worker in Europe as long as s/he has a job, is a condition of the economic efficiency of migration.

In GAMM, the Commission highlighted also the economic appropriateness of the EU's *external migration policy*, i.e. the policy aimed at managing the migratory flows beyond the borders of the EU as well as managing the influx of migrants in the EU. To achieve the latter goal the Commission wants to develop the mechanisms for permitting foreign nationals to work and stay temporarily in the EU, be they skilled migrants or workers that will relieve the European population's aging problem. Accordingly, there is no concern in the integration of the migrants as full residents in the European Union, which is a matter of state power recognized also by the Lisbon Treaty. However, GAMM pledges for respecting all international obligations towards the human rights of the migrants and the protection of the refugees.

The strategy of the Commission and the Council to manage the incoming migration flows from abroad to the EU consists in enlarging the network of the bilateral cooperation agreements with the countries of origin and transit, and the regional fora and dialogues that increase the synergies of the initiatives for managing migration in the areas of origin[3]. But serious conditions hinder the effectiveness of such instruments. Stemming the outflow of migrants is not always in the economic and political interest of the outflow countries. The governments of these countries frequently are unable to accomplish the tasks defined in the mobility partnership agreements since inefficiency and corruption are widespread in the public service. Lastly, these agreements are not legally binding, do not have provisions about assessing accomplishment by the partner country, and do not bind the EU governments that have not signed the documents[4].

In conclusion, GAMM shows the EU's understanding of migration and the response to the growing migratory flows as follows. (A) Migration is principally an economic phenomenon. Persons migrate from countries and areas of no or very low economic growth and job opportunities to countries and areas of prosperous economies and many job opportunities. (B) Migrants bring economic growth to the receiving countries and

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[3] The EU bilateral cooperation consists in the Mobility Partnerships and the Common Agendas for Migration and Mobility. They address mobility issues and the measures to facilitate return and readmission of irregular migrants. The Partnerships, in contrast to the Agendas, include the negotiation of visa facilitation and readmission agreements. The regional dialogues are as different as the EU Neighbourhood, the EU-Africa Strategic Partnership, the Prague Process, and the Rabat Process.

[4] As of February 2016, Tunisia, Morocco, Cape Verde, Moldova, Georgia, Armenia, and Azerbaijan have signed mobility partnership documents. Ethiopia and Nigeria have signed Common agendas.

economic development to the countries of origin as long as the former need manpower for their growing job markets, and the latter benefits from the financial resources the migrants' remittances provide to the local economy. (C) Such benefits are achieved on condition that migration is well managed by the political authorities of the sending and receiving countries. This objective is achieved by negotiating and sturdily implementing agreements on the return of the migrant to the sending country when jobs are no more available in the hosting country, and on development ventures in the receiving country funded by the financial remittances of the migrants. (D) Therefore, irregular migration impedes the well-established management of migration and must be confronted and stopped. The country of entry has to return the irregular migrants to the country of origin. To this end, bilateral readmission agreements and regional agreements on migration, mobility and border control are negotiated by the sending and receiving countries and jointly implemented. (E) In managing migration, the human rights of the migrant are to be respected throughout the migration process. International protection is given to refugees according to the existing international rules[5].

The TC model of analysis of transboundary crisis management

One can say that the huge number of people fleeing to Europe in the last decade has overcome the EU's capability of managing the crisis by means of the well-managed migration approach and external migration policy outlined in GAMM. But the EU leaders and institutions maintain that this is not the case. The analysis presented in the next section shows that the EU leaders opted for the GAMM response in the early years of the present decade, and resumed it after a short interruption in the course of the current crisis. After the Italian Operation *Mare Nostrum*, they moved towards a different option, the *comprehensive approach*, but in a year's time they turned back to it and, in particular, to international cooperation on migration with third countries. However, the EU is far from having firmly gone down a definite management strategy and has not yet minimised the effects of the crisis as expected by the leaders and citizens. This section presents the analytical model adopted here for researching the *European* migration crisis. This is the aforementioned transboundary crisis management model. It provides the conceptual and methodological tools for organising the in-depth analysis of the crisis and building useful knowledge to assess the effectiveness and legitimacy of the EU leaders' management of the crisis.

A crisis is defined as the condition in which it exists "*a perceived threat to the core values or life-sustaining systems of a society that must be urgently addressed under conditions of deep uncertainty*" (Boin, Ekengren and Rhinard, 2013: 6). In the migration crisis, the values of the European states that are perceived as being under threat are primarily the welfare and security of the citizens of the European states and also the integrity of the states and societies. In light of the current and future size of the inflows of immigrants, action is urgently needed to respond to the threat. The state leaders and EU policy-makers, however,

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[5] The GAMM *external migration policy* has been further confirmed in February 2014 when the Commission released to the other EU institutions the *Communication reporting on the implementation of the Global Approach to Migration and Mobility 2012-2013* (Com (2014) 96 final).

have different views and preferences about the proper response actions. Consequently, uncertainty arises about what management strategy to adopt in order to respond to the threat in a collective mode. Furthermore, the individual governments are inclined to give their own responses to the crisis and minimise the coordination of their actions with those of the others. Migrants place the values of the European states under threat by crossing the EU external borders and moving across the internal borders. Consequently, the individual state is hardly able to respond effectively to a crisis that is inherently a transboundary crisis. Furthermore, migration is a human action that cuts across many issue areas, policy sectors and goals. The current migration phenomenon involves humanitarian issues and goals (the protection of the lives of migrants), economic issues (the market structures and available resources of the receiving state) and cultural issues and goals (the identity diversity of the migrants and citizens and the integration of the immigrants in the country of destination). Last, responding to the migration crisis effectively means assembling measures of different policy areas like the job, welfare, culture, education, and security policy areas to say the least.

Managing a crisis means accomplishing a set of tasks that are known to be effective for responding to the threat, and re-establishing at least a perceived normalcy. In a transboundary crisis, the management tasks are the responsibility of the leaders and policy authorities of a group of countries. Accordingly, co-decision, shared procedures and collective instruments are necessary to fill out the tasks of transboundary crisis management. The following set of management tasks is relevant to the analysis and assessment of the effectiveness and legitimacy of the response of the political leaders to a transboundary crisis. *Detection*: the timely recognition of an emerging threat. *Sense-making*, the collecting, analysing and sharing of critical information that helps to generate a shared picture of the situation. *Decision-making*: the selection of strategic decisions, joint decision-making, and the formulation of an effective strategy to implement the key decisions. *Coordination*: identifying key partners and facilitating collaboration between these partners. *Meaning-making*: formulating a key message that offers an explanation of the threat, actionable advice, and a sense that leaders are in control of the situation. *Communication*: effective delivery of the core message to selected audiences (e.g. victims, citizens, stakeholders, voters, media representatives, etc.). *Accountability*: rendering an explanation in a public forum of relevant decisions and strategies that were initiated before, during and after the crisis.

The goal of the present analysis is not theory testing and theory building about crisis management but the deepening of knowledge about transboundary crisis management in the European Union with a focus on the ability of the EU and MS political leaders to make effective and legitimate actions to manage the crisis created by the mass flows to Europe in the last five years. Therefore, the research work is policy-oriented and aims at producing knowledge directly transferable to policy-making and politics. The management tasks are analysed to know whether they are effective and produce the results expected by the leaders and the citizens, i.e. minimizing the effects of the crisis and its causes as they are defined by the researcher on the basis of the existing scientific knowledge. Regarding the political side of the analysis, instead, the execution of the management tasks by the political leaders is analysed to know the legitimacy of the management. In other words, to

know whether the leaders acted as they were expected to act by making the appropriate use of the available political tools, respecting the existing decision-making rules and procedures, and getting the people approval for the management and implementation of the responses to the crisis.

In general terms, successful, i.e. effective and legitimate, crisis management is the course of actions decided and led by the political leaders for the sake of minimizing the negative impact of any problem that is perceived as posing serious threats to the normalcy and values of the state and society. The more the crisis management reduces the negative impact, the more it is assessed as a successful one. In brief and specific terms, since global trends and local conditions existing outside Europe are the drivers and root causes of the current migration flows, and these flows are perceived by the Europeans as a serious threat to normalcy, the assessment of the leaders' actions and decisions for the management of the *European* migration crisis will be a judgment about the appropriateness of the decisions and actions to reduce the impact on Europe of the global trends and the local conditions abroad. Such decisions and actions will be targeted to (a) minimise the impact of the drivers of the current migration and/or (b) reduce the size of the flows of the migrants and/or (c) protect the normalcy of the state and society and/or (d) respond to, and eventually change, the expectations of the citizens about the threats. In the first case, the causes can be either structural or contingent but in the global trends the two types of causes are in place and intersect one another. The change of the structural causes requires a collective and long-time response much more important than the change of the contingent ones. The second target is addressed by border control measures and the cooperation with the countries of transit and origin. The protection or reestablishment of normalcy is achieved by the management measures and also specific internal measures. The citizens' perceptions and expectations are addressed by communication and political dialogue.

Another point to make about the methodology is that the analysis has to take into account that each of the above targets of the management actions may weaken and disappear with the passing of the time and the effect of exogenous factors that either are independent from or add to the actions of the crisis managers. The following exogenous factors are of concern: (i) exhaustion and self-defeating process of the causes of the crisis; (ii) the counter-effect of factors that annul the effects of the drivers and root causes; and (iii) the intended actions of third players like international organisations and governments that act with no coordination with the crisis managers under study. These exogenous factors may differently combine to one another, influence the management, and also change the nature of the crisis. The researchers can only make known that various combinations are possible and have an impact on the course and output of the management.

In the following section, the management tasks the EU leaders accomplished in the past five years are analysed, but the communication and accountability tasks need to be further researched. The analysis distinguishes four successive scenarios of the EU crisis management to explain the conditions that have been created by, and the effects that have followed to, the EU leaders' decisions and actions in the past five years.

The scenarios of the EU migration crisis management

The overthrow of Gaddafi in 2011 removed the 2008 Italian-Libyan treaty obstacle to the migrant crossing of the Mediterranean Sea. The influx of the irregular migrants in Europe grew in size while the dreadful accidents of the migrant boats increased in number. The EU institutions restated the principle of no entry of the third country nationals lacking regular authorization, and recalled to the MSs the responsibility of controlling the external borders also to safeguard the Schengen free circulation system. In October 2013, the scenario changed and the arrival of the migrants through Libya and the central Mediterranean route turned into the European transboundary crisis. This occurred because the Italian government launched the Operation *Mare Nostrum* and abandoned the EU official position that consisted in censuring the migrants for illegal entry and the EU Mediterranean countries (Italy, Greece, and Spain at that time) for inefficient border control. Both of them were destroying the two pillars of GAMM, the well-managed migration and the external migration policy. However, a year after *Mare Nostrum* opened up, a new scenario came into play. The EU leaders recognized that humanitarian rescue tasks were awaiting Europe and gave Frontex's Operation *Triton* the mandate to carry on the *Mare Nostrum*'s rescue and border control mission. Soon after, the Council decided to deploy a CSDP military operation to oppose the migrant smuggling criminal groups; the Commission proposed two relocation plans for moving the persons eligible for international protection from Italy and Greece to all the Member countries; the Council and the Commission negotiated with neighbouring countries the measures to block the migrants and refugees outside of Europe. But in the late summer 2015, the situation turned bleak again. The MSs' governments questioned the Commission humanitarian actions, did not implement the relocation plans, did not agree on reshaping the existing migration and asylum policy, and were tactful on building the common control of the external borders. The circumstances were ripe for the next scenario that came into play in autumn. The Commission, in agreement with the European Council, reinstated the GAMM policies as the main response to the crisis. Securing the EU borders against the arrival of any migrants became the goal of the common management strategy.

The main documents released by the EU institutions and leaders in the four scenarios are placed in the first column of Table 1 (at the end of the article). The actions that correspond to the seven management tasks of the transboundary crisis model are listed in the remaining columns of the Table (see at the end of the article).

In the following part, the effectiveness of the decisions and actions of the EU leaders in the four scenarios is briefly checked and assessed.

2011 – 2013: the 'conventional response' scenario. Border control and surveillance tools and the bilateral and regional cooperation with third countries to curb irregular flows are the customary instruments of the EU for managing the problem of the irregular crossing of common external borders by foreign nationals. The use of these instruments was decided again at the beginning of this decade. Greece, Italy and Spain were blamed for the loose control of their borders and the lenient behaviour towards the irregular migrants. The official strategy of the EU towards the world migration, the GAMM, fully endorsed such a response to the Mediterranean migration. The growing number of people

that put their life at risk to cross the Mediterranean was not a phenomenon to respond to with specific actions. Therefore, neither the EU institutions nor the MSs responded to the upsurge of the migratory flows in the Mediterranean by facilitating ways for migrants to move safely crossing the seawaters. The European people, on their side, did not object to such a response. The indignation of some sectors was countered by the indifference of others and by the vociferous protest of the anti-foreigner and anti-immigrant groups. The difficult economic condition of the MSs bitten by the 2008 financial crisis is a reasonable explanation of the indifference of the Europeans towards the tragedies of the irregular migrants in the Mediterranean. In brief, people argued that receiving immigrants was a mistake in the presence of the economic crisis and high unemployment rate. The economic decline and the reduction of the welfare system stimulated protests and the rise of anti-EU movements and parties that blamed the Euro and the Maastricht criteria as well as the free circulation and common market regulations for obstructing the national strategies of exit from the economic crisis. Consequently, populism, as well as compliant political leaders from government parties, hit political life in many MSs and fed the Europeans' anti-immigration tendency, which the leaders did not oppose.

October 2013 - October 2014: the 'Italy alone goes humanitarian' scenario. The opposition of the EU institutions and the governments of the MSs to changing the policy towards irregular migrants did not change in front of the decision of the Italian government to prioritize the humanitarian dimension and respond to the tragedies of the Mediterranean migrants. Due to the unfriendly reaction of the other states and the vague response of the Commission that recognised the complex nature of the crisis but refrained from starting any initiative, the EU did not activate the solidarity the Italian government asked from it. At the national level, the government set the mission as an ordinary public order operation and avoided discussing the initiative in the national Parliament and to expand the conflict with the rightist, protest parties. But the government met intense disapproval for taking the rescued migrants to reception and identification centres that were poorly organised and working. Many migrants left the centres soon, and managed their lives on their own. Mostly, they travelled towards Germany and other Northern countries with no impediments by the Italian police and justice agencies.

November 2014–September 2015: the 'EU-Turn' scenario. A year after the launch of *Mare Nostrum*, the European governments and the Commission decided to respond to the humanitarian side of the crisis and turn towards a comprehensive approach. Officially, the EU recognized the mixed nature of the migratory flows and the need to take care of the humanitarian dimension by saving people in distress at the sea and giving international protection to refugees. The frontline states were recognized as eligible for assistance from the Union on condition they effectively identified all the migrants, checked the international protection requisites, and returned the unauthorized migrants to their country of origin. The new approach was harshly contended by the British and Central European governments, and elusively accepted by the others. The European governments' inclination to downplay humanitarian duties, the unwillingness to bear the burden of receiving foreign nationals in need of aid, and the will to unload it on their neighbours disrupted the attempt to run the crisis management on the double (humanitarian and migratory) dimension.

October 2015 – 2016: the 'Fencing Europe' scenario. On account of the poor implementation of the humanitarian measures, the relentless arrival of migrants and refugees through the Balkan route, and the differences among the MSs, the governments and the Commission turned to fencing Europe and reasserted the importance of controlling the external borders effectively. They also called on the countries of transit to gather refugees and migrants in camps in their own territories, and the countries of origin to tighten up border control measures to block the exit of potential migrants. To minimise the crisis, the EU governments and the Commission wanted potential migrants to remain in their own country no matter what drove them to leave. In public discourses, the Council President, Donald Tusk, repeatedly invited the migrants not to 'dream' about Europe. But fencing the EU with no change in the visa, asylum, and immigration policies did not discourage the migrants from seeking illegal paths into the EU.

Conclusions

Migration experts and international agencies do not let anyone doubt about the pressure of migration in the future years. Effective management strategies are tremendously needed. Geographical proximity to the areas of outflow puts the burden and leadership of the response strategies on the European states. In the past five years, the EU and the MSs have passed from the representation of the phenomenon as an irrational case of irregular migration to the official recognition of its double face (humanitarian and migratory) and the need to launch a comprehensive approach, to the edgy reaction of passing one another the reception burden and accusing each other of double-dealing, and finally to the resolve of blocking the borders to all migrants. In short, they have been late in detecting the characteristics of the phenomenon and preparing the shared response to the threats perceived by the European citizens, and did not stand firm on the common management measures they had agreed upon with difficulty. Additionally, important management measures decided by the EU leaders depend on the governments of third countries that elusively share the management strategy of the EU and hardly comply with it in full. Last, after so long a time of the MSs retrenchment into the nation-state political and economic interests, the EU is not able to intervene with the robust diplomacy and security power necessary to contain the conflicts that fuel migration, and bring into play the economic power that is needed to address the unemployment problems of the poor countries.

Smart border control tools and soft border programmes (Mostov, 2008) are the response to the increased movement of persons in the contemporary world. The European leaders have to tell the citizens they have to meet the challenge of the demographic change, population mobility, and lack of economic opportunities to a huge number of persons. They have to make new policies for matching domestic normalcy with the costs of receiving third country nationals. This is neither an easy nor an impossible mission, and is in line with the global trends. Should the number of migrants continue to be in each of the next five years as large as it has been in 2015, namely one million, it would be just 1% of the EU population.

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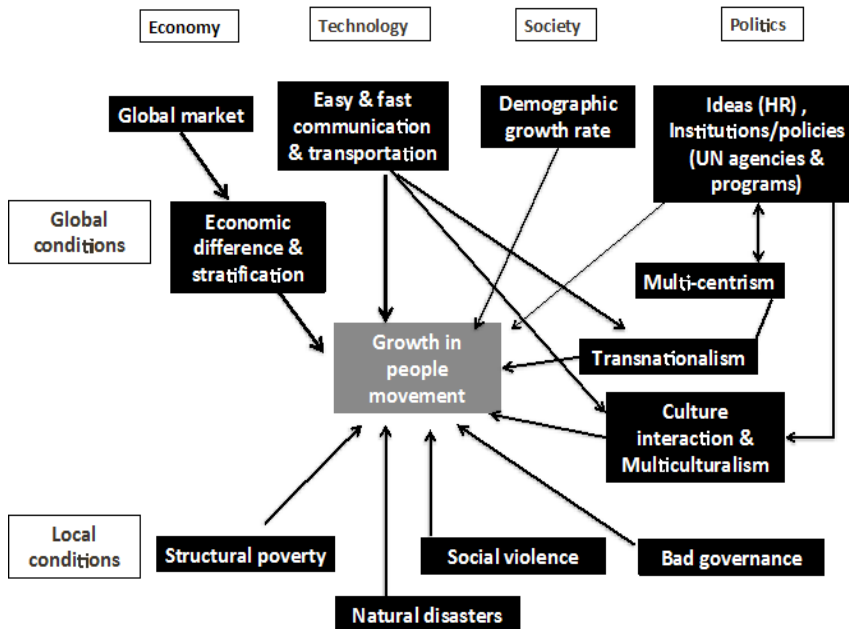
Figure 1: Global and local migration drivers

Table 1: List of the transboundary crisis management tasks accomplished by the EU leaders from 2011 – 2016, February.

Transboundary crisis management tasks / Scenarios & main decision documents	Detection — The timely recognition of the emerging threat	Sense-making — The collecting, analysing and sharing of critical information that helps to generate a shared picture of the situation	Decision-making — The selection of strategic decisions, joint decision-making, and formulating an effective strategy to implement the key decisions	Coordination — Identifying key partners in the response and facilitating collaboration between these partners	Meaning-making — Formulating a key message that offers an explanation of the threat, actionable advice, and a sense that leaders are in control of the situation	Communication — Effective delivery of the core message to selected audiences (e.g. victims, citizens, stakeholders, voters, media representatives, etc.)	Accountability — Rendering an explanation in a public forum of relevant decisions and strategies that were initiated before, during and after the crisis
Conventional Response 2011-2013 - 2011, Commission's Communication 'Global Approach to Migration and Mobility' - Conclusions of the European Council meetings held on 11 March and 23-24 June 2011	- Misperception of mounting migration flows as the occurrence of massive economic and irregular migration.	- The entry of irregular migrants (a) prejudices the approach to mobility and well-managed migration, and (b) puts at risk the free circulation of the Schengen system.	- The migrants that reached Italy and Greece, apparently without opposition by the border police, have to be returned to the home country. - Immigration control is the duty of all the MSs. - Customary border control by MSs supplemented by the EU support (Frontex, EASO, EUROSUR). - External migration policy: cooperation with countries of origin and transit and with regional fora.	- Cooperate with the governments of the states of transit and origin to curb irregular flows and accept readmission of irregular migrants. - Frontex coordinates the action of the states to detect and break irregular border crossings.	- Well-managed (economic) migration turns into benefits for sending and receiving countries. - The states on the Southern European borders are responsible for not blocking irregular migrants and jeopardizing Schengen free-circulation.		

Italy alone goes humanitarian **Oct. 2013-Oct. 2014** Conclusions of the 23-24 October 2013 European Council meeting	- Human tragedies and deadly accidents in the Mediterranean Sea regarded as unsustainable by the Italian government.	- Abiding by SaR international law norms and the humanitarian duty of helping people are accepted by the Italian government and refused by the EU institutions and the other MSs but Greece.	- 13 October 2013: Italian government launches *Mare Nostrum* for rescuing the persons in distress at sea, controlling the national borders, and fighting the migrant smuggling organisations.	- No coordination proposal to Italy for displaying the humanitarian mission. - Renewed call on the states to make effective border control and return irregular migrants to the countries of origin. - The Task Force for the Mediterranean (created by JHA Co, 8 October 2013) proposes short-term priority actions, restates the importance of cooperation with third countries.	- EUCO: *determined action should be taken in order to prevent the loss of lives at sea and to avoid that such human tragedies happen again.'* Resolve to manage the migration issues by border control measures and cooperation with third countries restated.	- The Italian government sets the mission as an ordinary public order operation and avoids the authorization of the Parliament as well as the conflict with the rightist, protest parties.	- Debate in the Italian parliament only during the Operation.
EU-turn **Nov. 2014-Sept. 2015** - Presidency statement concluding the 18 April 2015 European Council meeting. - 13 May Communication of the Commission 'European Agenda for Migration'. - 22 September decision of the Council.	- Recognition of the need for immediate actions to save human lives at the Mediterranean seawaters - Recognition of mixed migration and the need to give international protection to refugees.	- A Comprehensive Approach as the objective of the EU response, including playing against global level root causes like the *communication revolution and global poverty,* and local ones like the *wars and crises from Ukraine to the Middle East, Asia and North Africa.* - The frontline states are recognized as eligible for assistance from the Union on condition of identifying all irregular immigrants, checking the international protection of the applicants, and returning irregular immigrants to the country of origin.	- Nov.2014 Council's decision: Frontex Operation Triton to substitute Mare Nostrum on SAR mission. - June 2015 European Council's decision: Eunavfor-Med mission against migrant smugglers. - May and September, Commission's relocation plans for refugees approved by the Council (majority vote) and the Parliament.	- Coordination with the Southern MSs governments. - Proposal to move towards the common control of the external borders. - Reinforced Frontex' support to MSs return operations. - Commission to negotiate re-admission with outflow countries and assistance to border control capacity-building. - EU's financial contribution to third countries and international organisations to establish refugee camps in crisis areas.	- The comprehensive approach is the proper way to minimise the crisis. -The crisis is an opportunity for updating the EU immigration policy	- Blocking the entry of the persons not qualified to international protection pairs the management of the refugee problem. - Almost all the governments communicate to the people inclination to downplay humanitarian duties, unwillingness to bear the burden of receiving third country nationals, and the will to unload it on their neighbours.	

Fencing Europe Oct. 2015-						
- Council "Conclusions on Migration", 12 October 2015, - "Communication from the Commission" to the Parliament, the European Council and the Council on Managing the refugee crisis: State of Play of the Implementation of the Priority Actions under the European Agenda on Migration 14.10.2015. - Conclusions of the European Council meeting of 15 October. - The 15 December Commission's press release A European Border and Coast Guard and to protect Europe's External Borders	- European Council (17 December) urges the MSs to ensure systematic border security checks with relevant databases. - Presidency Report on Managing the migration flows (16 December): identification, registration and fingerprinting of third country nationals entering the Schengen area irregularly are to be strengthened by the MSs in terms of human and technical resources as a crucial precondition for efficient border control and security checks.	- EU governments and the Commission turn again to the albeit elusive sharing of measures like the relocation of the refugees hosted in the frontline states, the return of the migrants ineligible for international protection, the externalisation of the refugee camps, and the securing of the external EU borders.	- 25 Nov. 2015, EU Council Conclusions: the MSs to perform systematic security checks by using relevant databases. - The Commission's project of a European border and coast guard. - A group of governments suspend Schengen.	- The Commission reproves the MSs for slowly accomplishing the voluntary and forced return of migrants not qualifying for relocation, and for the small national funding of international refugee assistance programs. - The conferences with the Balkan countries, and the African countries to support their capacities needed to stop irregular migration. - EU leaders and Turkey government meet to launch the Joint Action Plan. - The Commission to bring together Frontex and the MSs' authorities for border management.	- Politicians of Central and North European countries blame the Greek and Italian governments for not implementing border control measures and identification procedures. - Greek and Italian politicians blame the Commission and the other MSs for not implementing the agreed procedures and measures about relocation and the joint management of the hotspots.	- EU & MS leaders sturdily declare securing borders as the primary goal of the management.