

Migration Diplomacy in the Mediterranean Region: Before and After the 2015 'Crisis'

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Abstract:

On February 3, 2017 the EU and the UN-backed Libyan government agreed to a deal whereby Libya would prevent irregular migration to Europe, establish temporary refugee within its borders to screen asylum-seekers, and 'voluntarily' repatriate refugees willing to return to their countries of origin. In exchange, EU funding would be used to support Libya's struggling coastguard. The deal overlooked gross human rights violations toward migrants in Libya that have been documented by international organizations, as well as previous violent and deadly actions taken by the Libyan navy in violation of international law, not to mention Libya's lack of a functioning or cohesive government. The EU-Libya deal has received significant criticism from UN experts and human rights organizations, especially after it was reported that EU-funding was used to fund a Libyan militia commander to combat irregular migration in exchange for cars, boats and the recognition of his force as a legitimate security body. Yet despite objections, the deal has been touted by European leaders as a success and a model to be emulated elsewhere.

Agreements between European countries and migrant or refugee host states in the Middle East and North Africa are not new: the European Union and individual states have used the incentive of increased trade and visa access to compel neighboring Eastern European and North African countries to adopt policing measures and border controls to prevent migration over the last two decades. Yet in the wake of the 2015 European refugee 'crisis,' the stakes and power (im)balances between unwilling receiving countries in Europe and host countries of the Middle East have been renegotiated and reconstituted. Drawing upon primary research in Egypt, Morocco, Turkey and Lebanon as well as recent policy documents and non-governmental reports, this paper uses a 'migration diplomacy' lens to examine and understand the new migration paradigm in the Mediterranean region as a whole. It provides insight into what a new paradigm means for MENA host states regarding economic, diplomatic, and security concerns, as well as the consequences for individual migrants and refugees at the heart of a new migration management regime.

***Note to reader: This is the seventh chapter of my book manuscript, "Reluctant Reception: Understanding Host State Migration and Refugee Policies in the Middle East and North Africa." I apologize for references to other chapters that may be confusing.*

7.1 Introduction

To get to the border of Ceuta—one of the two Spanish enclaves on the northern coast of Morocco—from Tangier, you can catch a *grand taxi*—usually a rundown Mercedes—from Tangier’s *al-madīna al-qadīma*, the old city, for approximately 50 MAD (13 USD). The taxi will drive along the coastal road and into the hills before steeply descending toward the small Spanish enclave. On the April morning that I traveled this route in 2015, it was overcast and foggy, giving the winding mountain road an ominous feel. Before my fellow passengers and I began the descent, I started to see African migrants—mostly men in their late teens or early twenties—along the side of the road. Some of them were trying to hail passing cars, but others were slowly ambling along the narrow shoulder. I learned that many migrants hoping to successfully cross the border into Ceuta camp out along this road, waiting for an opportunity to either jump the multiple layers of barbed wire fences and walls, or to be hidden in the trunk of a vehicle. We passed through three police checkpoints on the short drive from Tangier to Ceuta. Our taxi was waved on at each checkpoint, but other cars and trucks were stopped and searched.

Figure 1: The border crossing between Morocco and Ceuta



Photo taken from the Spanish side of the border. Photo credit: Author, 2015.

Once we began the steep descent, the enclave suddenly emerged from the clouds. There were rough hills and steep cliffs with a sprinkling of houses, and then suddenly a city appeared, albeit behind a wall. Upon reaching sea level, I got out of the taxi and into line with other Moroccans intending to cross the border. I stood in line for about half an hour before I could hand in my immigration sheet and receive an exit stamp to leave Morocco. After I finally received my stamp I was ushered through a cage-like structure with several sets of aisles, similar to the kind of maze-like cages used in slaughter houses. Once I passed through I found myself in another line, this time with Spanish Guardia Civil authorities checking documents. There was a line of Moroccan men on my left and I made to enter the line behind them, but was told by the Spanish guards to move forward. The men in the line to my left seemed to be waiting indefinitely with no forward movement, stuck in limbo

between Moroccan *emigration* and Spanish *immigration* control. One Spanish guard took my passport, and when I mistakenly told him ‘*shukrān*’ after he handed it back, he scolded me in Spanish: “*shukrān?* What’s that? You say *gracias* here.” The other guards laughed but the Moroccan men in line next to me seemed simultaneously annoyed and anxious.

I continued on through the narrow, caged passage, having to pass down long alleyways before finally emerging to find myself facing a long corniche and a large blue sign reading ‘España.’ The town of Ceuta itself does not actually begin for another kilometer, much further down the corniche. Instead, the settlement closest to the border crossing may as well still be Morocco. The colorful houses and apartments are populated either by Moroccans with residency in Ceuta or by second-generation immigrants who never lived in Morocco but who speak fluent *al-dārija*. Nearly everyone in this neighborhood—men and women alike—wear *jilbāb*, and every corner has a *salon du thé*, but a noticeable difference is that all the signage is in Spanish—instead of French—and there is not a single bar or pub in sight. From this part of the enclave I was able to get a much better view of the walls surrounding the enclave. Only the direct crossing area has barbed wire, but all along the territory’s perimeter I could see extremely tall cement walls—sometimes several layers of them—with huge flood lights.

I hailed a taxi to take me to the city center. I did not have any euros on me, but the taxi driver—born in Ceuta but to Moroccan parents—spoke *al-dārija* and took me to an ATM in the city center. As we drove just one kilometer away from the border, Ceuta suddenly transformed into Spain, replete with Catholic churches and heavy European architecture. The geographical formation of the enclave makes it so that residents in the Spanish-inhabited section of Ceuta do not ever have to look back and see the Moroccan neighborhood—or the border—if they are so inclined. They can pretend they are merely in another part of Spain. And apparently some Spanish

residents do: a colleague in Rabat told me that she met adult-aged Ceuta residents who had never crossed the border to Morocco. If they want a vacation, they just take the ferry to Spain.

Of this border and others erected in the mid-2000s in countries close to Spain, Andersson (2014) writes,

Ironically, to close off, Spain first had to reach out. It had to create a zone of contact—that is, a frontier. In doing so, the Spanish government had used copied-and-pasted memoranda of understanding to impressive effect. It had knocked on all the right doors in order to close its own. But Spain's frontier making only got it that far: the smooth satellite channels generated friction. And these tensions, however slight and brief, sometimes broke into the open (83).

So far, this book has captured the process of EU border externalization and its ramifications for Middle East and North African host states, as well as individual migrants and refugees, up until mid-2015. This chapter shifts to examine migration in the Mediterranean space in the wake of the 2015 European refugee 'crisis,' after which the stakes and power (im)balances between unwilling receiving counties in Europe and host countries of the Middle East were renegotiated and reconstituted (Arar 2017). While refugees and migrants had been arriving in Europe in growing numbers since the beginning of the Arab Spring in 2011, there was a pronounced and sustained uptick in arrivals—as well as deaths in the Mediterranean—beginning in 2015, leading to a period of increased panic among European officials and heightened international media attention surrounding the issue.

This chapter uses a 'migration diplomacy' lens to examine and understand the new migration paradigm in the Mediterranean region as a whole that resulted from the 2015 crisis. It provides insight into what a new paradigm means for power politics between Middle East host states and the EU, the continued and amplified use of mechanisms for preventing migration to Europe, as well as the consequences for individual migrants and refugees at the heart of a new migration management regime.

7.2 Migration Diplomacy

Tsourapas (2017) defines migration diplomacy as the use of, "...diplomatic tools, processes and procedures to manage cross-border population mobility" (2370). While migration has been considered a 'low stakes' issue in the field of foreign diplomacy (Oyen 2015), the use of migration diplomacy has a long and important history as means of persuasion and coercion in the Middle East context. Thiolett (2011) argues that regional integration in the Middle East has been mainly fueled by formally or informally regulated labor-force transfers between countries, and as such migration decisions in the region, "...should be analyzed as an indirect form of foreign policy that uses the selection of migrants and quasi-asylum policies as diplomacy" (110).

Of course, this is not only true of the Middle East. As discussed in previous chapters, individual European countries and the EU as a whole have been using migration diplomacy to externalize their borders and export the role of managing migration to neighboring states, in exchange for visa access, trade deals, and development aid, over the last several decades (Geddes 2005; Lavenex and Schimmelfennig 2009). There has been notable pushback from Middle Eastern host states against the asymmetrical power relationships built into the use of migration diplomacy by European states. Most notable among examples is perhaps Colonel Muammar al-Gaddafi's threat to 'turn Europe black' in 2010 unless his government was paid several billion Euros to continue keeping its borders closed and preventing transit migration from and through Libya.¹

This type of migration diplomacy is classified by Greenhill (2010) as 'coercive engineered migration,' referring to cross-border population movements that are deliberately created or manipulated in order to induce political, military and/or economic concessions from a target state or states (in this case, Italy specifically and the EU generally). Greenhill finds that coercive

¹ For a detailed account of Libya's use of migration diplomacy in negotiations with Europe, see Greenhill (2010) and Tsourapas (2017).

engineered migration has been attempted 56 discrete times since the advent of the 1951 Refugee Convention (ibid). In these cases, coercive engineered migration is instigated by either generators—who directly create or threaten to create cross-border population movements unless targets concede to their demands—, *agents provocateurs*—who do not create crises directly, but nonetheless deliberately act in ways designed to incite others to generate outflows of migrants or refugees—, or opportunists, who play no direct role in the creation of migration crises, but simply exploit crises for their own gain (ibid).

While Gaddafi and, arguably, Erodgen, fall under the ‘generator’ category in the Middle East context, other actors in the Mediterranean are opportunists, benefitting from the crises produced by others. The leaders of countries such as Lebanon, Jordan, or Egypt have tangentially benefitted from post-2015 European existential fear and have become better negotiators of migration diplomacy, despite power asymmetries. They do not need to generate or threaten further refugee flows; European countries were traumatized in 2015 to the extent that previous power asymmetries have been diminished. As Greenhill (2010) states, “...a crisis can help level the playing field, enhance the credibility of weak actors, increase the potency of their threats, and thereby improve their coercive capabilities” (23). I will argue in this chapter that all states in the Mediterranean region—and also further afield in sub-Saharan Africa—have benefitted from Europe’s post-2015 political crisis, using migration diplomacy to extract more concessions than they were able to previously. Of course, those benefitting least from this new diplomacy paradigm are migrants and refugees themselves.

7.3 The 2015 European 'Crisis'

In 2015, migration patterns in the Mediterranean region shifted. While previously Italy received more migrants via the Central Mediterranean route than Greece via the Eastern Mediterranean

route, Greece suddenly received more migrants in the first six months of 2015 (68,000) than Italy had during all of 2014 (67,500) (UNHCR 2015). By early August 2015, the UNHCR announced that 250,000 migrants had arrived in Europe by sea so far that year: 124,000 in Greece and 98,000 in Italy. By the end of the year, approximately one million individuals arrived in Europe by sea—three to four times more than in 2014—the majority (about 800,000) of whom arrived in Greece, rather than Italy (Holland 2015). What led to this shift in migratory routes, as well as the upsurge in overall arrivals?

The shift from the Central Mediterranean route to the Eastern Mediterranean route can be traced to a domestic policy change in Macedonia. In early 2015 the Macedonian government lifted restrictive policing measures in place that had previously made transiting through the country highly difficult and dangerous (Sly 2015). With Macedonia more accessible, the route from Turkey to Greece and up through the Balkans to northern European countries opened up. In addition to this route being less dangerous than the Central Mediterranean route, it also dropped the price of a journey from the 5,000 to 6,000 USD needed to travel via Italy to approximately 2,000 to 3,000 USD (*ibid*). According to Collett and Le Coz (2018), European policymakers were not initially worried by the route change.

The short journey from Turkey to the Aegean islands was seen as less perilous than the long one from Libya to Italy, so the fact that this was becoming the more-used route was not questioned. Officials underestimated the attractiveness of a safer, more direct route for those seeking passage to Europe, and thus failed to grasp the levels to which these arrivals might climb (13).

The increase in arrivals during 2015 is partly explained by the route change, lower price, and the spread of this information to other asylum-seekers and migrants. Collett and Le Coz (2018) also point to an increase in the proportion of individuals arriving from war-affected countries during

this period. While the EU has consistently received mixed flows of migrants and asylum-seekers, approximately 90 per cent of arrivals in 2015 were from Syria, Afghanistan or Iraq (ibid).

A final, critical factor that incentivized a rise in arrivals was German Chancellor Angela Merkel's announcement in August 2015 that Germany would suspend the Dublin Protocol, allowing asylum-seekers to remain in Germany rather than returning them back to their first EU country of arrival and registration (in most cases, Greece or Italy). Combined with a more affordable and less dangerous journey via the Eastern Mediterranean route, Merkel's decision served as a pull factor for individuals residing at the time in countries such as Turkey or Lebanon, or even those still in Syria, to attempt a voyage to Europe.

Only a few days after Merkel's August announcement, the tiny deceased body of three-year-old Aylan Kurdi, a Syrian national whose family had attempted the voyage from Turkey to Greece, was found on a Turkish beach and photographed by Turkish journalist Nilüfer Demir. The images quickly spread internationally, heightening Europe's shame over what was quickly being called a 'crisis.'² European Commission President Jean-Claude Juncker's speech on September 9, 2015 focused on a proposal to expand the EU's emergency internal relocation program from 40,000 to 160,000 asylum-seekers (Collett and Le Coz 2018), and Merkel spearheaded a coalition of states willing to support the scheme (Weber 2016). Initially approved in September by a weighted majority of member states due to a lack of consensus, the plan saw dissent from Slovakia's prime minister, Robert Fico, which then provoked a further backlash from other Central

² The situation in 2015 was being referred to as a crisis in April by some European officials, leading to the publication of a European Agenda on Migration in May 2015 that called for the creation of 'hotspot' reception centers in Greece in Italy. However, even following the issuance of the agenda, "there was a sense of complacency [among senior policy circles in Brussels] that the response had been sufficient for what was viewed as a largely localized crisis. The 'crisis situation in the Mediterranean,' many felt, was primarily the responsibility of frontline states, notably Italy, that had increased support from the European Union and other Member States. At the highest level of the Commission, there was a desire to swiftly return to business as usual" (Collett and Le Coz 2018, 11).

European countries (*ibid*). With Slovakia unwilling to implement the scheme, other countries—France, Sweden, and Austria—also reneged from the proposal.

According to Collett and Le Coz's (2018) interviews with European officials and policy-makers, the shift to a mandatory, as opposed to voluntary, relocation and distribution scheme for asylum-seekers constituted, "...a turning point in the political discussion about managing the crisis, deepening divisions between Member States over how to share responsibility for asylum claims" (14). As Weber (2016) summarizes, "The failure of the EU's established crisis management revealed the core problem behind the refugee crisis: the EU's own unresolved internal problems which turned a manageable migration emergency into an existential issue for the EU." Unable to agree on an internal political solution, the EU quickly turned to an old playbook: developing mechanisms for reducing the number of migrants and refugees able to reach European shores in the first place. On the November 29, 2015 the European Commission adopted the Joint Action Plan on the Implementation of the EU-Turkey Statement, representing consensus among various actors that arrivals from Turkey to Greece had to be stemmed (European Commission 2016). Within six months, the EU had negotiated the EU-Turkey Deal discussed in Chapter 4.

7.4 Amplification of the EU-Turkey Model

As of March 2018, 2,177 Syrian refugees were returned from Greece to Turkey and only 12,778 Syrian refugees were resettled from Turkey to the EU under the EU-Turkey deal. Additionally, very little progress has been made on a visa liberalization scheme for Turkish nationals, EU accession talks, or negotiations over a customs union as of December 2017 (Vammen and Lucht 2017). The deal has also been contested in various legal venues, including the Greek court system and the European Court of Human Rights. Yet the model for the deal has largely been hailed as a

success thanks to lessened arrivals via the Eastern Mediterranean migration route. Consequently, the premise of the deal—which is similar in principle to prior agreements the EU established with neighboring countries—is being replicated across the South Mediterranean in order to decrease arrivals along the Central Mediterranean migration route.

Since 2015 and the European refugee crisis, the EU has directed hundreds of millions of euros to development and migrant and refugee ‘protection projects’ in Africa. While these types of agreements and projects are not new, as has been detailed in previous chapters, Europe’s desperation and fear means that it is willing to engage in riskier deals and provide enhanced funding. One example is the Emergency Trust Fund for Africa, established at the Valletta Summit on Migration in November 2015 and worth over 2.9 billion EUR (Hopper 2017). Its resources are meant to be used for, “...the creation of jobs and economic development, basic services for local populations, stability and governance, and migration management” (e.g. to prevent irregular migration and fight human trafficking) (European Commission 2017). The logic behind this trust fund and other programs like it is that if economic circumstances and opportunities improve in a migrant’s homeland, he or she will have little incentive to leave. However, this logic contravenes empirical evidence strongly suggesting that economic and human development *increases* people’s capabilities and aspirations and therefore tends to coincide with an increase, rather than a decrease, in migration in the short to medium term (de Haas 2007).

On the heels of alleged success with the EU-Turkey Deal, the EU and the UN-backed Libyan government agreed to a deal on February 3, 2017 whereby Libya would prevent irregular migration to Europe, establish temporary refugee within its borders to screen asylum-seekers, and ‘voluntarily’ repatriate refugees willing to return to their countries of origin. In exchange, EU funding would be used to support Libya’s struggling coastguard. Libya also received 116 million

EUR as part of the Emergency Trust Fund for Africa (Hopper 2017). The EU-Libya Deal overlooked gross human rights violations toward migrants in Libya that have been documented by numerous human rights groups and international organizations (UNICEF 2017). Libya has not ratified the 1951 Refugee Convention or the 1967 protocol and lacks domestic asylum legislation (Amnesty International 2012). Further, Libyan law criminalizes unauthorized migration and does not distinguish between migrants, refugees, victims of trafficking or others in need of international protection (ibid). The deal also overlooked previous violent and deadly actions taken by the Libyan navy in violation of international law (BBC 2016), not to mention Libya's lack of a fully functioning or cohesive government.

The EU-Libya deal has received significant criticism from UN experts and human rights organizations (OHCHR 2017), especially after it was reported that EU-funding was used to fund a Libyan militia commander to combat irregular migration in exchange for cars, boats and the recognition of his force as a legitimate security body (Trew, Abdullah, and Kington 2017). Shocking images and video clips also surfaced of migrants in Libya being traded at slave auctions (Elbagir et al. 2017). Yet despite grave human rights objections, the deal has been touted by European leaders as a success and a model to be emulated elsewhere.

Egypt also attempted to capitalize on the increasing number of boat departures leaving from its shores in 2016 by requesting further funding from the EU. Compared to 2015, the number of arrivals in Europe from Egypt doubled to approximately 7,000 in first half of 2016, with most individuals coming from the Horn of Africa and Sudan, in addition to about 1,800 Egyptian nationals (Nielsen 2016). The boat journey from Egypt to Italy is particularly long and dangerous, taking up to ten days, and in exchange for further curtailing this route, Egyptian authorities began calling for financial support and development funding (Naceur and Rollins 2017). While Egypt

had previously been less involved with the EU's migration externalization efforts in comparison to neighbors like Libya or Tunisia, in the post-2015 environment Egypt did not want to miss out on taking advantage of the increased funding allotted for EU migration partnerships (Nielsen 2016).

7.5 Renegotiating North-South Power Relations

Europe's shirking of responsibility toward asylum-seekers who successfully arrived on its territory in 2015 had global ramifications for the way in which Global South countries considered their own responsibilities. This was immediately evident in Kenya, which hosts several sizeable refugee camps including Daadab, the largest refugee camp in the world with approximately 333,000 mostly Somali residents. The Kenyan government announced in March 2016 that it would close Daadab, citing security concerns and domestic threats after a series of terror attacks claimed by al-Shabaab (Mutiga and Graham-Harrison 2016). While Kenya had previously threatened to close Daadab, the decision in 2016 was followed by immediate planning and action: the government set a timeline and budget and disbanded the Department of Refugee Affairs (*ibid*). The Kenyan announcement came a week before Turkey agreed to a deal with the EU after months of negotiations, and aid groups operating in Kenya suspected that the government might reverse its decision if further international assistance was provided (*ibid*).

In 2017, the government was forced to back away from the decision after a domestic court case in response to a petition filed by two Kenyan human rights organizations—the Kenya National Commission on Human Rights and Kituo Cha Sheria—found the closure unconstitutional (Kituo Cha Sheria: Legal Advice Centre 2017). Nonetheless, Kenya's 2016 announcement reflected a growing sentiment of the time. The EU was investigating new ways to return asylum-seekers who

had actually managed to reach its territory, and then candidate Donald Trump had announced his plan to block the resettlement of Syrian refugees in the United States. Global South countries were no longer willing to abide by the power structures implicit within the 'grand bargain' described in Chapter 6. In Kenya, a statement released by the Ministry of Interior in May 2016 announcing the intended closure of Daadab explained: "...governments across Europe and the Middle East have taken unprecedented efforts to limit refugee inflows into their countries on the grounds of national security. Kenya cannot look aside and allow this threat to escalate any further" (quoted in Hargrave, Pantuilano, and Idris 2016, 15).

A 2016 report by the Humanitarian Policy Group investigating the implications of European and Australian policies for Kenya, Jordan, and Indonesia explained that if Global North countries,

...with stronger economies and institutions, are reluctant to uphold their obligations under the Refugee Convention, then there is little incentive for poorer countries, in much more difficult circumstances, to persevere in doing so. Instead, restrictions in developed countries send a clear message that at best it is one rule for them and another for the rest of the world, or at worst that international obligations towards refugees simply do not hold any more – either way tilting the balance towards restriction (Hargrave, Pantuilano, and Idris 2016, 3).

In the three years since 2015, Global South countries have become better negotiators. They want more resources in exchange for hosting migrants and refugees indefinitely, and for preventing the onward migration of these individuals toward Europe. They also want more say over who enters their borders and how long migrants or refugees remain. The ongoing issue of the return of Syrian refugees from neighboring host states provides an illustrative example. Here, I focus on Lebanon.

The topic of refugees returning to Syria began making headlines in the summer of 2017. The UNHCR reported in July 2017 that it had monitored the return of approximately 30,000 refugees from neighboring countries, with some 10,000 refugees transferred from Aarsal in

northeast Lebanon across the border into Idlib in Syria. These transfers were initiated by Hezbollah (*hizbu 'llāh*)—a Shi'a Islamist political party and militant group—, and humanitarian organizations operating in Lebanon were not allowed to monitor the process, leading many to question whether the returns had been voluntary (Collins 2017).

In theory, the repatriation of a refugee should be safe and dignified and should not contravene the international norm of *non-refoulement*. Yet host states have been known to pressure refugees into returning to their home countries by making the host state situation so dire that refugees feel they have no other choice but to leave (Crisp and Long 2016). Understandably, host states and host communities suffer from hosting fatigue, especially as international funds to support protracted refugee situations dry up. As a Lebanese government official from the Ministry of State for Displaced Affairs asked me in December 2017, “If you have secured areas in Syria, why would you invest money in relief and give money to families that can return to these areas? Why give them money here, why not give them money in Syria?” (Elite Interviewee BP).

Yet despite the narrative of a victory over ISIS that began dominating headlines in early 2018, the war in Syria is ongoing. Most recently in early 2018, major government assaults on the opposition strongholds of Idlib and Eastern Ghouta intensified, and in late January Turkish forces crossed into northern Syria to invade the Kurdish enclave of Afrin. Regardless of any evidence to the contrary, the Lebanese government considered the war in Syria to be over at the time of interviewing in late 2017. After years of disagreement on how to handle the situation of refugees in Lebanon and the Syrian war more generally, a consensus formed among government officials and political parties in December 2017. According to a representative from an international organization providing services for Syrians in Lebanon, these actors finally agreed on certain

issues: one was that the war in Syria had come to an end, and a second was that the return of Syrian refugees was imminent (Elite Interviewee BF).

Lebanese President Michel Aoun—who is a supporter of the Assad regime—at his speech before the UN General Assembly in September 2017 stated that with “...85 per cent of Syrian territories,” recovered by the government, the time had come to talk about the return of displaced Syrians to their homeland, and that this topic had become “urgent” (UN General Assembly 2017). But the president also spent part of his speech focusing on semantics, stating: “There are those who talk about *voluntary* return, while we speak about a *safe* return” (ibid, emphasis added).

Similarly, a representative from the Ministry of State for Displaced Affairs told me in December 2017, “We are adopting the term of ‘dignified and secure’ return. If you talk about voluntary return, the Ministry of Foreign Affairs will come to tell you, ‘you want these people to stay here in Lebanon.’ Let’s stop talking about voluntary. Between *non-refoulement* and voluntary, there is a midway” (Elite Interviewee BP). It is unclear what a ‘midway’ could look like in practical terms, especially for those who refuse to return to Syria while Bashar al-Assad remains in power, or for those who escaped conscription into the Syrian military. Staying in Lebanon and eking out an existence versus risking whatever danger one might face upon return to Syria is a nearly impossible choice for many individuals and families. As explained in Chapter 6, Syrians in Lebanon face extremely limited working opportunities and a complex bureaucratic environment that leaves many without options for legal status.

The representative of an international organization operating in Beirut stated that the government coercing Syrians to return would demand a strong response from the international community. If the government begins involuntary returns of Syrians on a mass scale, or if authorities begin undertaking evictions making it so that, “...it’s either the streets or they’re going

back,” then the representative asserted his organization, “...would definitely have to be a lot more vocal with our messaging, regardless of the consequences, because that’s a fairly solid red-line” (Elite Interviewee BF). But with the constraints facing intergovernmental and international organizations operating in Lebanon outlined in the previous chapter, it is unclear how much space these actors will have to respond if the Lebanese government begins involuntary returns.

These tensions came to a head in June 2018 when the UNHCR and Lebanese Ministry of Foreign Affairs engaged in a dispute over the further returns of Syrians from Aarsal. Lebanese Foreign Affairs Minister Gebran Bassil accused the UNHCR of discouraging refugees from returning to Syria and, “...spreading fear by asking questions about military conscription, security conditions, accommodations and living situations in Syria, along with possible halts to aid and the prospect of returning home without UN assistance” (Hamdan 2018). In response, the Ministry of Foreign Affairs ordered the Directorate of Protocol to stop processing residency applications for UNHCR staff in Lebanon, refusing to reverse the decision unless the UNHCR produced a plan for returning displaced Syrians from Lebanon to Syria (ibid). This coercive strategy effectively amounts to the Lebanese government telling the UNHCR: comply with our policies or end your operation in Lebanon.

Jordan, which hosts between 650,000 and 1.3 million Syrian refugees, also deported Syrians in 2017. This stands in contrast to the fanfare around Jordan’s progressive stance toward Syrians in 2016 after the announcement of the Jordan Compact. As mentioned in Chapter 6, the deal between Jordan and EU donor countries envisioned the issuing of 200,000 work permits for Syrians in Jordan, in exchange for the establishment of special economic zones (SEZs) and preferential access to European markets for goods produced in Jordan by companies employing Syrians. Arar (2017) quotes a Jordanian official describing 2016 as “Jordan’s golden year,” or the

year that Jordan would finally be able to advocate for Jordanian interests in exchange for its hosting of refugees (308).

In implementing the terms of the compact, the Jordanian government allowed permits to be issued only in specific sectors—namely, manufacturing—, ignoring the existent migrant workforce of Egyptians and South Asians who have long dominated the industry, albeit informally (Lenner and Turner 2018). As with Turkey, this left employers reluctant to take the required steps to formally employ Syrians when there was already a large and exploitable labor force willing to work for less. The 2016 promise of 200,000 formally employed Syrians has not come to fruition. Just over 80,000 work permits were issued to or renewed by Syrians as of January 2018, and the number of work permits valid at any one point in time is considerably lower, estimated to be between 35,000-45,000 (*ibid*). With the program failing to live up to what was promised in 2016, Jordanian implementing agencies have increasingly focused on unscrupulous ways to increase the number of work permits issued in order to obtain more funding from the World Bank and EU donor governments, rather than addressing the underlying problems of the deal and its failure to provide better employment opportunities for Syrians (*ibid*).

With the Jordan Compact failing to deliver what was promised for both Syrian refugee economic integration as well as Jordanian development goals (Arar 2017), and with increasing security concerns on the border between Syria and Jordan, the return of Syrian refugees has become an increasingly pressing issue. Human Rights Watch reported that Jordanian authorities deported approximately 400 registered Syrian refugees per month in the first five months of 2017, in addition to about 300 unorganized returns of registered refugees per month that appeared to be voluntary (Human Rights Watch 2017). Another 500 refugees per month were estimated as returning to Syria with little known about the circumstances under which they left (*ibid*).

Turkish President Erdoğan has also raised in the issue of returning Syrians, promising that his 2018 military incursions into northeast Turkey near Afrin will allow Syrian refugees residing in Turkey to return home. He alleged, “We will solve the Afrin issue, the Idlib issue and we want that our refugee brothers and sisters return to their country. They [Syrian refugees in Turkey] also want this” (Daily Sabah 2018). In reality, the military advances actually led to further displacement of Syrians (Al Jazeera 2018).

All three major Syrian hosting countries are thus eager to return refugees, partly as a response to the lack of international assistance that has transpired. Despite the 6 billion USD pledged for Syrian refugee-hosting countries at the London Conference in February 2016, the UN reported that appeals for the refugee response were only 60 per cent funded at the end of 2016 (Danish Refugee Council, Oxfam and Save the Children 2017). On April 5, 2017 the international community and the governments of refugee-hosting countries came together again in Brussels to build on the ‘success’ of the 2016 conference in London and confirmed the multi-year pledges made earlier. At the end of 2017, the UN reported that appeals for the refugee response was 53 per cent funded (UNOCHA 2018).

But I argue that aside from a lack of follow-through on financial commitments, changing dynamics between Global North and Global South host states can also be attributed to new power hierarchies that were renegotiated after 2015. Major Syrian hosting countries know that they can return refugees with few negative consequences from the international community. They have been emboldened by Europe’s fear and willingness to ‘throw money’ at the situation, rather than resolving its own internal political problems over the issue of asylum. If European countries are not going to deliver on the money that was promised in exchange for continuing to host Syrian refugees, then these countries see little to lose in returning them. At the end of the day, it is migrants

and refugees themselves who benefit least from the 'race to the bottom' scenario instigated by EU responsibility shirking.

7.6 Implications for Refugees and Migrants

As of November 2017, Greece had not yet deported an asylum-seeker to Turkey on the grounds of the safe-third-country concept implicit in the EU-Turkey Deal. Those returned to Turkey had either, "...accepted to return, had received a negative asylum decision on grounds of merit or had, for various reasons, not been able or willing to complete their asylum procedure in Greece" (Alpes et al. 2017, 2). Syrians returned to Turkey are temporarily held in detention where they undergo identification and security checks. They are then given the option of staying in government-run camps or leaving to live in an assigned satellite city where they are required to register with the local DGMM office. Yet two readmitted Syrians interviewed by Alpes et al. (2017) said that they had not been able to register with DGMM authorities despite repeated attempts. One of the two Syrians interviewed had decided to go back to Syria, stating, "There was nothing for me in Turkey, I cannot get my Kimlik, I cannot get a work permit" (quoted in Alpes et al. 2017, 7). The other readmitted Syrian was planning to pay a smuggler to reenter the EU for the same reasons (ibid).

Non-Syrians who were deported from Greece to Turkey were immediately detained upon arrival with the stated purpose of secondary deportation to respective countries of origin. Despite legal guarantees about access to information, non-Syrians and Turkish lawyers interviewed by Alpes et al. (2017) revealed that readmitted asylum-seekers had not been informed about asylum procedures in Turkish detention centers. An interviewed Pakistani asylum-seeker who had been deported to Turkey in January 2017 was told by an officer at the Kayseri detention center in Istanbul, "Those people who got their asylum rejected in Greece, they are not allowed to apply for

asylum in Turkey,” and, “You came here for deportation, you will all go back to your countries” (quoted in Alpes et al. 2017, 5). In regard to the treatment of migrants and asylum-seekers in detention centers, Turkey seems to have reverted to the securitized, pre-2013 approach described in Chapter 4.

For those still in Greece, individuals are effectively trapped at the threshold of Europe, unable to move onward yet reluctant to return to Turkey, having made risky and costly investments in their original journey. For example, more than 5,300 asylum-seekers and migrants were being housed in Moria camp on the island of Lesbos as of March 2018, in a space meant to accommodate approximately 2,000 people (Strickland 2018). The camp is run by the Greek government but largely financed by the European Union. Though the number of arrivals in Greece is far fewer than its peak in 2015 and 2016, individuals continue to make the voyage (Magra 2018). According to a *New York Times* reporter who visited the camp, the conditions in Moira are deplorable.

Rain soaks through the tents, and there is a lack of electricity and hot waters in the showers, even in winter. The public toilets and showers are soiled with feces. As bad as the food is, it often runs out. The lines—for everything—are endless. Fights break out constantly. Violence, theft and rape are constant threats (ibid).

Other camps aside from Moira, as well as makeshift centers run by volunteers in cities, are plagued by poor living conditions, unsanitary conditions, and tensions with local Greek communities, prompting human rights groups like Human Rights Watch to call for an end to Greece’s ‘containment policy’ (Strickland 2018).

Yet perhaps the most harrowing situation in the post-2015 space is the torture and enslavement faced by migrants and asylum-seekers stuck inside Libya. Alarming interviews shared by rights groups and journalists tell of human trafficking, smugglers who sell migrants and asylum-seekers as slaves, torture, and rape. One eighteen-year-old man from Eritrea told Naib (2018) of being held captive in a large container-like shed in the city of Bani Waled, southeast of Tripoli.

The young man recounted, “They (smugglers) kept us in a large, container-like shed. It was really a cramped area with around 320 of us and had one toilet to share. I stayed there for three months. There were women and children in the same container as the men, children as young as two years, and there were infants born as a result of rape by the Libyan captors” (quoted in Naib 2018).

The conditions in EU-funded detention centers in Libya is not much better. Most official detention centers are under the control of militias and armed groups who see them as moneymaking ventures (Reidy 2017). On an unannounced visit to one Department for Combatting Irregular Migration (DCIM) affiliated facility, Hanan Salah, Libya researcher for Human Rights Watch, found approximately 1,300 people in a room built to fit no more than 150 (ibid). According to Salah, people were sleeping in shifts and had limited access to toilets, and, “The hygienic conditions were absolutely inhumane and absolutely disgusting. I spoke with people who hadn’t been able to change their clothes in...six months” (quoted in Reidy 2017). The line between EU-funded DCIM detention centers and the criminal enterprises surrounding irregular migration is also unclear, and there are proven links between those running official detention facilities and smugglers (ibid). Individuals who find themselves stuck in this system have only two options: remain in detention in Libya indefinitely, or ask to be voluntarily repatriated, which for many is not a viable or safe option.

7.7 Conclusion

EU heads of state met in June 2018 at a European Union leaders’ summit in Brussels. They agreed to little in terms of internal burden-sharing among EU states, but were in consensus about the need for further burden-shifting beyond EU borders. Leaders called for the establishment of migrant processing centers (‘disembarkation platforms’) in North and sub-Saharan African countries such

as Algeria, Egypt, Libya, Morocco, Niger and Tunisia, though several of these countries stated following the summit that they would be unwilling to host any such centers (Rankin 2018). Whether or not the processing centers come to fruition, the conclusions of the meeting represent a continued trajectory of shirking EU responsibility toward human rights commitments in favor of state security.

A parallel tactic to offshoring migrant and refugee hosting that has been increasingly used by various European governments is the targeting of civil society and humanitarian organizations that attempt to assist migrants and refugees. The newly elected Italian government refused to allow humanitarian rescue boats to dock in its ports as of June 2018 (Sunderland 2018), and Malta followed suit with a hardline approach, disallowing a rescue boat carrying 233 migrants to dock for five days (Masters and Schmidt 2018). On May 29, 2018 Hungary introduced draft legislation that would restrict the ability of NGOs and aid workers to offer services to asylum-seekers, enhancing limitations first introduced by the Parliament in February (UNHCR 2018). All of these measures will have a negative, and potentially fatal, impact on migrants and refugees either at Europe's shores or already within her borders.

On July 13, 2018 United Nations Member States convened in New York to finalize the text for the Global Compact for Safe, Orderly, and Regular Migration, which will be formally adopted at a conference in Morocco in December 2018. General Assembly President Miroslav Lajčák stated that the compact, "...can provide a new platform for cooperation. And it can be a resource, in finding the right balance between the rights of people and the sovereignty of States" (UN General Assembly 2018). At the moment, this balance is weighted heavily in favor of state sovereignty, at the expense of the rights of migrants and refugees. Rather than greater responsibility and burden-sharing in the wake of the 2015 refugee 'crisis,' we have instead seen

European states turn to increasingly far-fetched solutions in order to prevent the arrival of migrants and refugees. This will likely lead to further migrant deaths in the Mediterranean and will certainly lead to the further buildup of migrants and refugees residing semi-permanently in transit-turned-host countries such as Egypt, Morocco and Turkey.

At the end of the day, it is migrants and refugees who stand to benefit least in this 'race to the bottom' scenario. In exchange for increased international assistance and development funds, Middle East host countries were meant to improve formal access to education, employment, and social services for refugees. In other words, financial assistance was meant to incentive the adoption a more liberal engagement strategy. Yet with not all promised funding delivered, and with a lack of accountability mechanisms, the policies on the ground—at least for individuals residing in urban situations—continue to most closely resemble indifference. Individuals are employed in informal sectors, access to health care and education—when available—is primarily provided by INGOs and NGOs, and migrants and refugees are integrated in a *de facto* sense.

Europe's approach to migration externalization since the creation of the Schengen space has not changed course, though there was a momentary hesitation followed by a hastened return to business-as-usual policies in 2015. The ramifications of this have been explored throughout the previous chapters in this book. Transit-turned-host states in the Middle East and North Africa developed policies of indifference to mitigate the buildups of migrants and refugees effectively stuck within their borders. If the EU continues along the path of doing everything in its power to prevent migrants and refugees from arriving on its shores, we should expect to see other patterns repeated elsewhere as well. Host states in the Middle East may implement liberal policies if there are diplomatic and economic gains to be had from doing so, or they may utilize repressive policies when migrants or refugees are deemed a security threat, or their presence becomes highly

politicized. Yet the day-to-day lives of migrants and refugees themselves will primarily continue to be characterized by informality and an uncertainty about whether to remain, to carry onward, or to return home.

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