An overwhelming success? Reconsidering the EU-Turkey Statement

Natasja Reslow
Maastricht University

WORK IN PROGRESS: PLEASE DO NOT CITE WITHOUT AUTHOR'S PERMISSION

Abstract: This paper asks whether the EU-Turkey Statement is an example of policy 'success' or policy 'failure'. The EU institutions clearly consider it an overwhelming success, and point to various indicators such as substantially decreased irregular arrivals, fewer lives lost at sea, and the full contracting of the first €3 billion through the Facility for Refugees in Turkey (European Commission, 2018a). However, scholars have sought to problematize and challenge such claims, for instance arguing that the decrease in arrivals had started already before the Statement was agreed (Spijkerboer, 2016). NGOs remain hugely critical of the human rights impact of the Statement; Amnesty International has called it a "blueprint for despair". In the midst of these competing claims, this paper conducts a systematic analysis of the outcomes of the EU-Turkey Statement. In doing so, it contributes to three bodies of literature: firstly, the literature on the multi-level and multi-actor governance of EU external migration policy, which shows that different actors have different preferences on this policy area (e.g. Wunderlich, 2010), and will therefore perceive policy outcomes differently; secondly the literature on the impact of EU external action, and specifically the nascent literatures on the unintended consequences of EU external action (Burlyuk, 2017) and the impact of EU external migration policy (Reslow, 2017); and finally the public policy literature on policy 'success' and policy 'failure'. The EU-Turkey Statement is analysed along six dimensions: goal achievement; political success; normative justification; the costs of the policy; the temporal dimension; and the role of external factors. The results of the analysis are relevant for both academics and policy-makers, and also provide an empirical basis for organisations lobbying for policy change in Brussels.

1. Introduction

In 2015 and 2016 the EU experienced a significant influx of migrants.[1] In both years over 1,2 million people applied for asylum in one of the EU28 member states (Eurostat, 2019). In response, various internal and external policy measures were adopted in order to deal with these migration flows (European Commission, 2015a). Probably the most well-known of these instruments is the so-called EU-Turkey deal. The Turkish government agreed to accept the return from the Greek islands of irregular migrants and migrants whose asylum claims had been rejected, in return for significant concessions from the EU: substantial funding for a Facility for Refugees in Turkey; a reinvigoration of Turkey's accession process; visa liberalisation for Turkish citizens to travel to the EU; and resettlement of one Syrian refugee from Turkey to the EU for every irregular migrant returned from Greece to Turkey.

---

[1] It is worth nothing that this so-called 'crisis' pales into insignifance compared to the challenges faced by countries in the region: as of April 2019, UNHCR estimates that there are 3.6 million Syrian refugees in Turkey, 940,000 in Lebanon and 660,000 in Jordan (UNHCR, 2019a). Particularly in light of the small population sizes of Lebanon and Jordan, this is a substantial percentage of the population of these countries. Comparatively speaking, the 2,4 million people who applied for asylum in the EU in 2015 and 2016 represent less than 0,5% of the estimated 510 million population of the EU.

The EU institutions consider the EU-Turkey Statement an overwhelming success, pointing to various indicators such as substantially decreased irregular arrivals, fewer lives lost at sea, and the full contracting of the first €3 billion through the Facility for Refugees in Turkey (European Commission, 2018a). However, scholars have sought to problematize and challenge such claims, for instance arguing that the decrease in arrivals had started already before the Statement was agreed (Spijkerboer, 2016). NGOs remain hugely critical of the human rights impact of the Statement; Amnesty International has called it a "blueprint for despair" (Amnesty International, 2017), and a group of NGOs pointed out that despite the EU's claims of success "in reality the Statement outsources Europe's responsibility to Turkey, has exacerbated the vulnerabilities of highly traumatised people, and exposes them to further risks and abuse in Greece" (Lovett et al., 2017, p.8).

In the midst of these competing claims, this paper conducts a systematic analysis of the outcomes of the EU-Turkey Statement. In doing so, it contributes to three bodies of literature: firstly, the literature on the multi-level and multi-actor governance of EU external migration policy, which shows that different actors have different preferences on this policy area (e.g. Wunderlich, 2010), and will therefore perceive policy outcomes differently; secondly the literature on the impact of EU external action, and specifically the nascent literatures on the unintended consequences of EU external action (Burlyuk, 2017) and the impact of EU external migration policy (Reslow, 2017); and finally the public policy literature on policy 'success' and policy 'failure'. The EU-Turkey Statement is analysed along six dimensions: goal achievement; political success; normative justification; the costs of the policy; the temporal dimension; and the role of external factors.

2. Measuring 'policy success'

There is a wealth of literature on the morphology of EU cooperation with non-EU countries on migration issues, which shows that the different actors involved in the policy-making process – EU institutions, the EU member states, and the non-EU countries – have different problem perceptions and policy preferences (e.g. Boswell, 2003; Reslow and Vink, 2015; Weinar, 2011). The policy analysis literature tells us that these different actors will likely perceive outcomes and judge policy effectiveness differently: "judgements about the success and failure of public policies are, first of all, a matter of perspective" (Bovens and 't Hart, 1996, p.5). However, this has not often been tested in the literature on EU external migration policy, which has not paid serious and systematic attention to analyzing implementation processes and evaluating policy outcomes (except Wunderlich, 2013a; 2013b; 2012; Reslow, 2017; 2015). This is a significant shortcoming, given the recognized need to consider the impact that the EU has through its external action, including the unintended consequences of its policies (Burlyuk, 2017).

The main contribution of this paper is to systematise the many reports and articles dealing with the EU-Turkey Statement. By analysing the EU-Turkey Statement according to an analytical framework derived from the policy analysis literature, it also paves the way for comparative analysis of the Statement with other EU instruments.[2] Policy 'success' can be broken down into a number of elements. Firstly, most authors agree that a policy is successful if it achieves its stated objectives, although defining success in these terms raises a number of challenges: policy objectives are often deliberately vague and/or ambiguous (Hogwood and Gunn, 1984, p.222); there are usually multiple objectives underlying a single policy and these are not necessarily mutually exclusive (Baldwin, 2000; McConnell, 2010); goal attainment should be measured in degrees, rather than a dichotomous yes/no measurement (Baldwin, 2000); baselines and standards to be achieved are not often operationalised or quantified (Hogwood and Gunn, 1984, p.220); and different policy actors may evaluate goal achievement differently (as outlined above). To overcome these challenges, McConnell (2010, p.351) suggests the following

---

[2] The framework is derived from Reslow (2017).

definition of policy success: "A policy is successful if it achieves the goals that proponents set out to achieve and attracts no criticism of any significance and/or support is virtually universal". Furthermore, a policy can be considered a political success if it if it helps a government's "electoral prospects, reputation or overall governance project" (March and McConnell, 2010, p.574). A policy is successful if it is justifiable according to some norm, principle or value held by the general public (Kerr, 1976). Furthermore, for a policy to be successful the costs to the user of implementing the policy should be minimal or acceptable, and the costs to the target of the policy for non-compliance should be high (Baldwin, 2000). Policy success should be considered over time as short- and long-term impacts become clear (Bovens and 't Hart, 1996), and with due attention to the role of external factors which may hinder or facilitate the achievement of the policy objectives (Hogwood and Gunn, 1984, p.223).

The analysis is based on document analysis, on the basis of the framework outlined above. From 2016 to 2017, the European Commission issued quarterly progress reports on the implementation of the EU-Turkey Statement (European Commission, 2016a; 2016b; 2016c; 2016d; 2017a; 2017b; 2017c). These progress reports form an important data source for this paper. Furthermore, other documents of the EU institutions, news reports, and NGO reports are used.

3. How successful has the EU-Turkey Statement been?

3.1 Goal achievement
In order to determine the extent to which the EU-Turkey Statement has met its objectives, we first need to discern what these objectives are. These are listed in the European Council press release regarding the Statement (European Council, 2016):
- Deepening EU-Turkey relations
- Addressing the migration crisis
- Ending irregular migration from Turkey to the EU
- Returning irregular migrants crossing to the Greek islands back to Turkey, in accordance with international standards and respecting principle of non-refoulement
- Migrants arriving in the Greek islands will be registered and their application for asylum processed
- Resettling Syrian refugees from Turkey to the EU on a 1:1 basis
- Turkey will cooperate with the EU to prevent new sea/land routes of illegal migration from Turkey to EU from opening
- Once irregular crossings from Turkey have been ended or substantially reduced, activating a Voluntary Humanitarian Admission Scheme
- Achieving visa liberalisation for Turkey by June 2016
- Disbursing the first €3 billion of the Facility for Refugees in Turkey
- Re-energising the accession process
- Improving humanitarian conditions inside Syria

However, the Statement does not explicitly state which objectives are the most important. The progress reports include information on arrivals in Greece from Turkey; returns from Greece to Turkey; resettlement of Syrian refugees from Turkey to the EU; EU support to Turkey; the situation of migrants in Greece and EU support to Greece; Turkey's accession process; visa liberalisation with Turkey; the functioning of the Facility for Refugees in Turkey; and the situation in Syria. They also all mention aspects that were not stated objectives of the Statement, such as cooperation with NATO. The European Commission's third progress report states that "a core goal of the Statement is to break the business model of smugglers exploiting migrants and refugees taking the potentially fatal risk of irregular crossings from Turkey into Greece" (European Commission, 2016c, p.2), implying that reducing arrivals

of irregular migrants in the EU is the most important objective of the Statement. The Statement is thus a good example of the observation in the policy analysis literature that policies often have multiple objectives, meaning that policies may only partially achieve their objectives.

The 'migration crisis' was considered a crisis first and foremost because of the numbers of migrants arriving in the EU in 2015 and 2016; for example, in 2015 there were over 1.2 million asylum applications in the EU28 countries (Eurostat, 2016). This section therefore starts by considering the effects of the EU-Turkey Statement on the numbers of migrants arriving in Greece. The European Commission claims that the Statement has led to a substantial reduction of the number of migrants arriving in the Greek islands: a decrease of 97% by 2018 (European Commission, 2018a; see also figure 1 below). However, academics have argued that these numbers need to be nuanced and placed into the correct context. Firstly, the decrease in arrivals is not only due to the implementation of the EU-Turkey Statement, but also to the fact that the Statement was agreed in winter (when relatively fewer migrants risk the dangerous sea journey) and to the closing of the Balkan route with the gradual restriction of passage through the territories of Serbia, Macedonia and Croatia over the period November 2015 to March 2016 (Spijkerboer, 2016). Secondly, the decrease in arrivals is also related to the "'natural' development of asylum peaks… most people who had to leave Syria [had] left by the time the EU Statement was introduced" (van Liempt et al., 2017, p.8). This means that this 'effect' cannot be traced only to the EU-Turkey Statement, or at least not to the 1:1 swapping mechanism between returns and resettlement: also the gradual opening of the Turkish labour market for Syrians has made their lives there more sustainable and thus reduced the need for onward journeys to Europe (Walter-Franke, 2018, p.3).
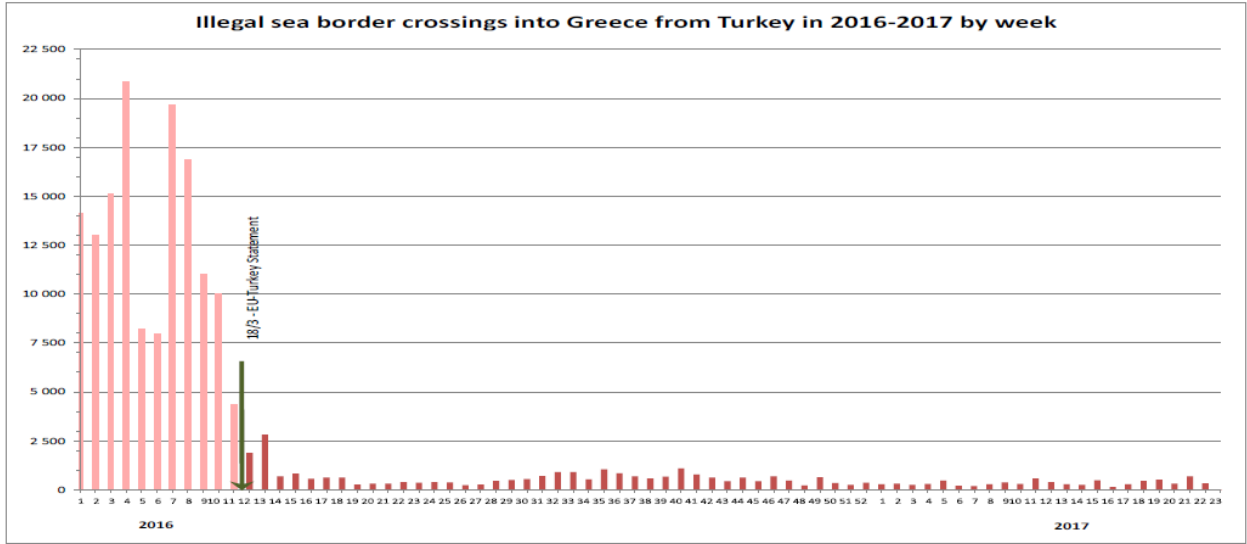

Figure 1: Irregular migrant arrivals to the Greek islands (source: European Commission, 2017b, p.3).

The European Commission also emphasises that the number of lives lost at sea was substantially reduced by the introduction of the EU-Turkey Statement (e.g. European Commission, 2018a). However, while it is true that the absolute number of deaths has been brought down (see figure 2 below), van Liempt et al. (2017, p.8) show that the relative fatality rate (deaths as a proportion of migrants attempting the crossing) has actually *increased.* They speculate that this may be a result of more women, children, and other vulnerable people attempting the journey. Measuring only in absolute numbers is therefore misleading as an indicator of the 'success' of the EU-Turkey Statement.
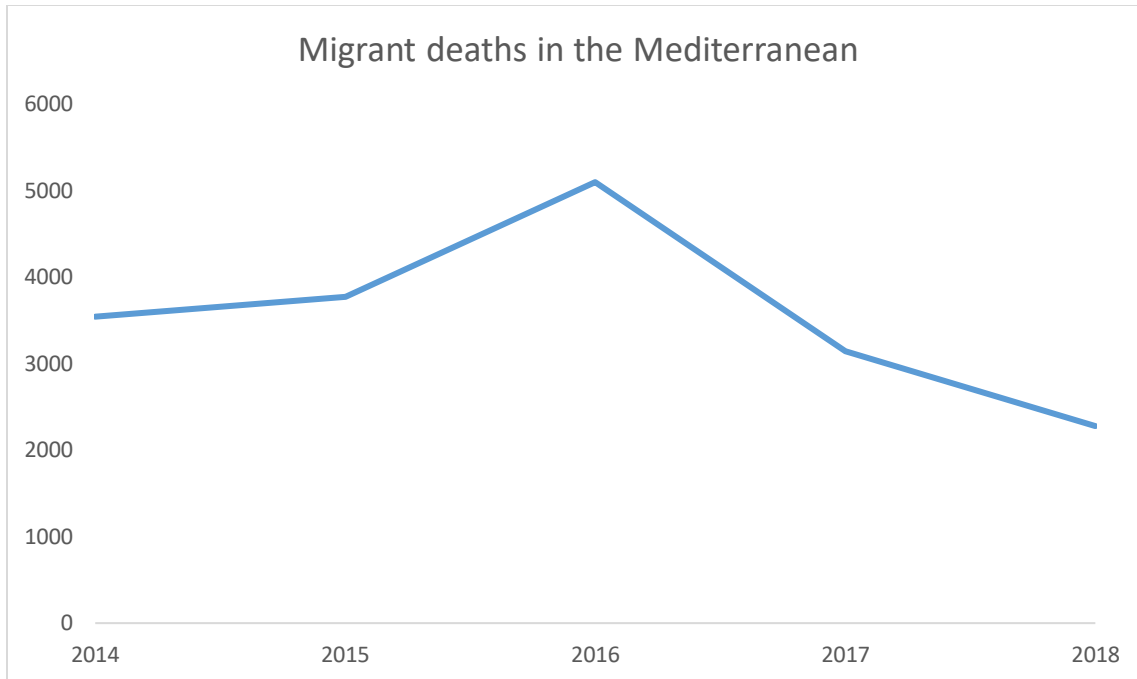
Figure 2: Migrant deaths in the Mediterranean (source: IOM).

Accepting returns of migrants from Greece was one side of the equation of the EU-Turkey Statement; on the other side, the Turkish government was offered four main incentives: resettlement of refugees from Turkey to the EU on a 1:1 basis with returns from Greece; visa liberalisation for Turkish citizens travelling to the EU; re-energising the accession process; and a total of €6 billion in funding through the Facility for Refugees in Turkey. This section will now examine to which extent these incentives have been delivered.

The idea of a 1:1 ratio between returns from Greece to Turkey and resettlements from Turkey to the EU was to channel irregular migration instead into orderly resettlement, in other words transforming the incentives for migrants' decision-making procedures. However, this 1:1 ratio has not been achieved due to the slow progress of returns.[3] Figure 3 below shows the numbers of returns and resettlements, as reported in each of the European Commission progress reports. There are good reasons why returns have been slow: "immediate return to Turkey would have amounted to illegal *refoulement*, a grave breach of international and European refugee law. Greece was bound to grant access to asylum [procedures] to the 400,000 persons who reached its shores since March 2016" (Walter-Franke, 2018, p.3). The length of the asylum procedures and the protection needs of those concerned has slowed down the returns to Turkey. Next to the numbers of returns, the EU-Turkey Statement also states that this will be done "in accordance with international standards and respecting principle of non-refoulement", and the extent to which this has been achieved is questioned by academics and NGOs. Turkey cannot be considered a safe country they contend, particularly given that Turkey has been producing asylum-seekers in the aftermath of the 2016 coup (van Liempt et al., 2017, p.8). Turkey maintains a geographical restriction to the 1951 Refugee Convention and its 1967 protocol, granting refugee status only to persons originating from a country which is a member of the Council of Europe. Although Syrians have been granted a temporary protection status, this is far inferior to refugee status and Syrians in practice face a number of obstacles in Turkey in trying to access jobs and

---

[3] The offer of resettlement is also undermined by the fact that almost half of member states had not resettled any Syrians from Turkey by December 2017 (European Commission, 2017c, p.9).

education, compounded by language problems. Non-Syrians who are returned to Turkey are detained, making it practically impossible for them to apply for asylum (p.21).
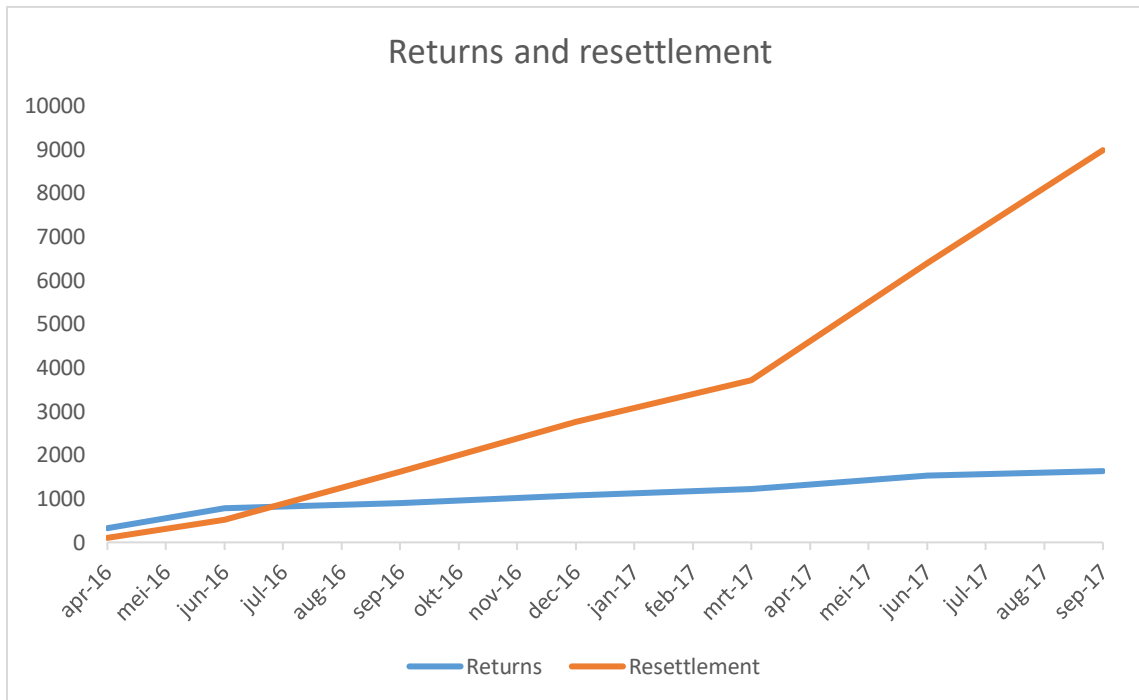

Figure 3: Returns from Greece to Turkey and resettlement from Turkey to the EU (source: European Commission progress reports)

In May 2016 the European Commission issued a proposal for visa liberalisation for Turkish citizens (European Commission, 2016e). In June 2016 the Commission's second progress report on the implementation of the EU-Turkey Statement noted that 7 of the 72 requirements for visa liberalisation had not yet been met (European Commission, 2016b), and the subsequent reports all state that no progress has been made with 7 requirements still outstanding (European Commission, 2016c; 2016d; 2017a; 2017b; 2017c). The EU demands that Turkey changes it legislation on terrorism in line with EU standards, something which the Turkish government has refused to do (van Liempt et al., 2017, p.8). In addition, the European Commission's progress reports hint at reluctance or concerns over visa liberalisation with Turkey, given that "co-legislators are also working on the Commission's proposal to strengthen the existing suspension mechanism, which sets out the circumstances leading to a possible suspension of visa-free travel for citizens of all countries who in principle are not subject to that obligation" (European Commission, 2016b, p.11). That proposal was adopted in December 2016 (European Commission, 2017a, p.10).

With regards to Turkey's accession process, the Commission's first progress report lists progress made on chapters 33, 15, 23, 24, 26 and 31 of the accession agreement, although it notes under justice and fundamental rights that "the EU expects Turkey to respect the highest standards when it comes to democracy, rule of law, respect of fundamental freedoms, including freedom of expression" (European Commission, 2016a, p.11). Subsequent reports repeat this wording, and after the attempted coup in July 2016 the third progress report states that "in the key areas of the judiciary and fundamental rights, and justice, freedom and security (Chapters 23 and 24), the Commission is updating the documents to take account of the latest developments" (European Commission, 2016c, p.12). Gradually the progress reports become increasingly brief and repetitive on the accession process, until the seventh progress

report boils it down to the following: "Within the framework of accession negotiations, 16 chapters have been opened so far and one of these has been provisionally closed. No meetings took place in the reporting period. The EU expects Turkey to respect the highest standards when it comes to democracy, rule of law, and respect of fundamental freedoms, including freedom of expression" (European Commission, 2017c, p.13). Given that the accession process is therefore currently frozen, the objective of 're-energising' it cannot be said to have been achieved.

The European Commission points to specific outcomes of projects financed under the Facility for Refugees for Turkey as indicators of success; for example that 500,000 Syrian children in Turkey have access to education, and that 1,2 million Syrians in Turkey receive a monthly cash transfer (European Commission, 2018a, p.2). The stated objective of the EU-Turkey Statement was to speed up the disbursement of the €3 billion allocated to the Facility, without specifying a timeline although implying that this should happen before 2018 when the next €3 billion would be made available. In 2018, €1,85 billion had been disbursed (European Commission, 2018a, p.2), meaning that the objective was not achieved. However, this does not necessarily mean that the policy should be considered a failure: measuring progress in terms of the complete disbursement of funds is not appropriate given that some projects funded by the Facility for Refugees in Turkey are long-term, running until 2021 (Walter-Franke, 2018, p.4). This is thus an example that objectives are not necessarily appropriate indicators of policy success.

Given the Commission's own claims on the success of the EU-Turkey Statement in achieving a reduction of irregular crossings from Turkey to Greece, the Voluntary Humanitarian Admission Scheme is long overdue (Walter-Franke, 2018, p.6). The Commission proposal for the scheme dates back to 2015 (European Commission, 2015) and has been discussed in the Council in 2017 (Council of the European Union, 2017). Although the VHAS will be based on voluntary contributions by member states, the conflict between member states over relocation and resettlement do not bode well for the effectiveness of the scheme.

The European Commission's claims regarding the effects of the Statement should also be placed in the context of its potential *unintended* consequences. The progress reports regarding the statement conclude that "efforts to control the flows in the Aegean Sea have not so far resulted in a major development of alternative routes from Turkey" (European Commission, 2016c, p.9). Nevertheless, they do acknowledge, for example, "some small-scale activity in terms of transport [of migrants] to Italy and Cyprus" (European Commission, 2016d, p.10). The fact that €160 million of emergency funding was made available to Bulgaria to support border and migration management (European Commission, 2016d, p.10) does imply concern that new migration routes are emerging. IOM data shows that there has been a perceptible increase in arrivals to Spain (see figure 4 below), although these numbers remain low in comparison to the arrivals to Greece in 2015 and 2016. Given that migration flows have been shown to adapt to barriers and obstacles (e.g. de Haas, 2011), this can be assumed to be a reaction to the EU-Turkey Statement – in other words, an unintended consequence.

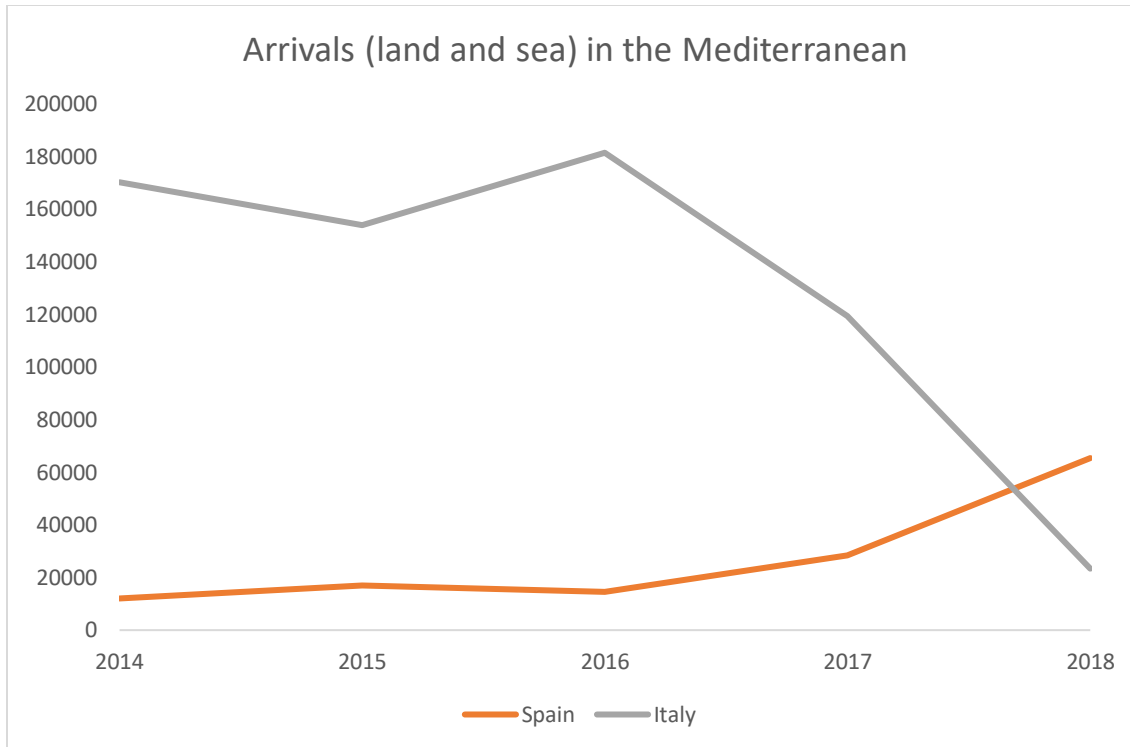**Arrivals (land and sea) in the Mediterranean**

Figure 4: Migrant arrivals in the Mediterranean (source: IOM).

The European Commission points to improved conditions in Greece, including for instance a 100% registration rate of migrants at hotspots and a registration capacity that has increased from 2,000 in 2015 to 49,349 (European Commission, 2018a). However, an unintended consequence of the EU-Turkey Statement is the number of migrants stranded on the Greek islands in poor conditions. The first progress report by the European Commission acknowledges and explains this increase in numbers: "Until recently, only a few of those arriving in Greece applied for asylum in Greece. However, faced with the prospect of rapid return to Turkey, the number of asylum applications has risen" (European Commission, 2016, p.5). It is also a result of the objective of returning migrants to Turkey not being fully realised (see figure 3 above); the European Commission connected the slow pace of returns to the pressure on the hotspots on the Greek islands (European Commission, 2017c, p.2). Figure 5 below shows that the numbers of migrants on the Greek islands increased rapidly in 2016 before levelling off in 2017. As of March 2019 UNHCR estimates that there are still 14,900 refugees and migrants on the Aegean Islands (UNHCR, 2019b). NGOs and academics have documented horrendous conditions for these migrants: facilities are overcrowded and dangerous, particularly for women, and there is not enough access to medical facilities, particularly mental health support (van Liempt et al., 2017, p.16; Lovett et al., 2017, p.6). The European Commission's progress reports acknowledge that reception facilities are overcrowded, leading to dangerous situations (e.g. European Commission, 2016c, p.6).

The question is whether this is an unintended consequence, or (cynically) an unstated intended consequence of the EU-Turkey Statement: knowledge of the poor conditions on the Greek islands may be intended to deter migrants from attempting the journey. Indeed, van Liempt et al. (2017, p.8) argue exactly that the situation on the Greek islands has impacted on the number of migrants arriving: "being stuck in Greece with little chance of moving onward was such an unappealing prospect for those who still were on the move that they decided to wait or take another route if possible". So whether intended or unintended, the situation in Greece has probably contributed to achieving the objective of reducing arrivals.
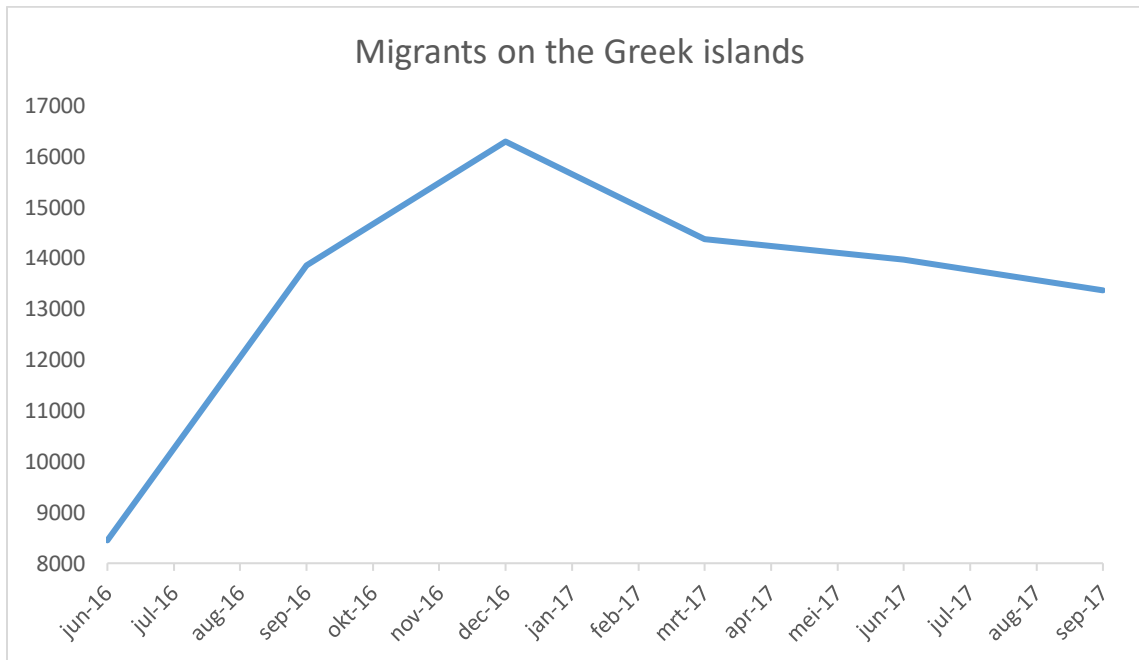
Figure 5: Migrants on the Greek islands (source: European Commission progress reports).

Finally, some objectives of the EU-Turkey Statement were not clearly defined and therefore goal achievement is difficult to assess. For example, if we take "ending irregular migration from Turkey to the EU" to mean that a rate of zero should be achieved, this has obviously not been achieved (see figure 1 above). This shows the importance of quantifying or operationalising vague terms such as "ending". It is not clear how "deepening EU-Turkey relations" should be operationalised, or whether this should be understood as a broad, overarching objective, encompassing all the other objectives. Similarly, the objective of "addressing the migration crisis" does not clearly define what is understood by 'migration crisis'; for example, internal divisions within the EU over migration and asylum governance still remain (Euractiv, 2019). On the other hand, defining objectives too concretely makes failures easier to identify; for example, visa liberalisation for Turkey was supposed to have been achieved by June 2016. Because of the specific timeline, it is possible to state categorically that this objective has not been achieved.

3.2 Political success
A policy can be considered a political success when it enhances a government's reputation or overall governance project. Public opinion can be a useful indicator but must be broken down according to the different sides and issues involved in the EU-Turkey Statement. For example, public opinion polling shows that 62% of Turks do not believe that the deal was good for Turkey (Hoffmann, 2018, p.8), although visa liberalisation is popular and considered a pressing issue (Benvenuti, 2017, p.6). A small majority of the Turkish public believes that Turkey has fulfilled its requirements under the deal, whereas an overwhelming majority says that the EU has not fulfilled *its* obligations (Hoffmann, 2018, p.9). Such perceptions of 'unfairness' will not do much to improve the EU's reputation in Turkey. From the EU side, not all aspects of the deal have public support; there is for example opposition to the idea of Turkey joining the EU (Politico, 2017), despite the fact that a reinvigoration of the accession process was a key tenet of the deal.

In terms of the EU's overall governance project, the European Commission argues that the EU-Turkey Statement "has become an important element of the EU's comprehensive approach on migration" (European Commission, 2018a, p.1) and is a "good example of our global engagement with a

country that is both a candidate and a strategic partner" (European Commission, 2016a, p.2). However, the EU-Turkey Statement does not solve the EU's internal governance challenges; instead it "replicates a persistent malady in the EU migration and asylum system [namely] the outsourcing of the responsibility and 'burden' to the front-line states" (Dimitriadi, 2016, p.3). What's more, the Statement is arguably doing considerable damage to the EU's governance system. Given the focus in the EU treaties on the principles of democracy and rule of law, the exclusion of the European Parliament from the decision-making procedure and the questionable legal nature of the EU-Turkey Statement are particularly problematic. The use of a 'statement' has been criticised for being a deliberate mechanism to circumvent parliamentary scrutiny and the involvement of the EP under article 218 TFEU, both by MEPs (EUObserver, 2016) and commentators (Carrera et al., 2017). MEPs raised concerns both before, during, and after the EU-Turkey deal was agreed; for example, they warned that the deal might undermine the EU's commitment to human rights (European Parliament, 2016). In addition, the search for flexibility in response to the 'migration crisis' led to funding instruments, notably the Facility for Refugees in Turkey, being set up outside of the ordinary legislative procedure (den Hertog, 2016), thus undermining the EP's budgetary authority. Commentators have pointed out that the procedure for concluding an international agreement, as set out in the EU treaties, was not followed for the EU-Turkey Statement; for example, there was no decision taken to authorise the opening of negotiations (Spijkerboer, 2017, p.221). In 2017, the Court of Justice of the European ruled that, despite the name 'EU-Turkey Statement', the EU is actually not a party to the agreement; rather it should be considered an agreement between the heads of state of EU member states and Turkey. The refusal of the EU institutions to claim responsibility for the EU-Turkey Statement in court, despite trumpeting it as a major success and one of the key responses to the 'migration crisis', has been considered bizarre (e.g. Carrera et al., 2017). The fact that "the checks and balances built into the system can be completely bypassed when the EU institutions collude with Member States to act outside the Treaty framework" (Idriz, 2017) is problematic, particularly if this sets a precedent for future external action.

3.3 Normative justification

NGOs, in criticising the EU-Turkey Statement, have explicitly appealed to the EU's normative foundations: "The EU has a proud history of commitment to international law and human rights which has driven its policies for 60 years. Now is the time for Europe to show global leadership on migration by adopting policies that uphold these values, rather than triggering a race to the bottom" (Lovett et al., 2017, p.2). NGOs list a number of ways in which the EU-Turkey Statement is normatively questionable: it pushes responsibility for refugee protection away from the wealthy EU towards a poorer neighbouring country; it diminishes access to fair and efficient asylum procedures; and it does not contain adequate checks and balances (e.g. Lovett et al., 2017). Without entering into a discussion about how to define 'norms' and 'values', it is possible to identify on the one hand the principles and ideals set out in the EU treaties – such as human rights, democracy, the rule of law, and observance of international law which should guide the EU's external action, as well as the more specific aims associated with the area of freedom, security and justice such as compliance with the Geneva Convention – and on the other hand to acknowledge that the prevention of irregular migration has become a value held by a majority of European electorates. Eurobarometer reports, for example, have shown that 85% of EU citizens believe extra measures should be taken to prevent irregular migration (European Commission, 2018b, p.42). It is therefore difficult to assess the reduced irregular arrivals of migrants in the EU resulting from the EU-Turkey Statement (section 3.1 above) with the challenges it has brought about for democratic scrutiny and rule of law (section 3.2 above).

3.4 Cost of implementing policy

The most obvious cost associated with the implementation of the EU-Turkey Statement is the €6 billion in total promised in the Facility for Refugees in Turkey. The European Court of Auditors issued a report on the effectiveness of the Facility in 2018 in which it identified a host of shortcomings: the needs assessment did not consider the needs of non-Syrian refugees despite the stated aim of the Facility to address the needs of all refugees, but it did identify questionable aims (such as migration management as a priority area, despite the fact that the aim of the Facility was support refugees and host communities; no indicative up-front allocations, baselines, target values or milestones were established; the priority areas 'municipal infrastructure' and 'socio-economic support' were not adequately addressed due to disagreements between the European Commission and the Turkish authorities on how to address them; there was overlap between the priority areas addressed by the Facility and by other EU funds in Turkey; most humanitarian projects did not identify transition or exit strategies, calling into question the sustainability of results achieved; and 90% of audited projects were delayed (European Court of Auditors, 2018).

In addition to the Facility for Refugees in Turkey, the EU also committed to covering the costs of returning migrants from Greece to Turkey; in the first progress report, the European Commission reports that €280 million are available for this purpose for six months, in addition to €66,5 million of funding from Frontex. In addition, Greece received €181 million in emergency funding from 2015-2016, on top of the €509 million already allocated under the Asylum, Migration and Integration Fund and the Internal Security Fund for the period 2014-2020. The report also mentions that "additional funding" is available for Greece to cover the costs for reception centres, return operations, and staff, without it being specified how much this additional funding amounts to (European Commission, 2016a, p.6). By the time of the second progress report, an additional €56 million of emergency funding under AMIF was granted to Greece, and €25 million to EASO to support the Greek authorities with the implementation of both the EU-Turkey Statement and the EU emergency relocation scheme – meaning that the exact amount spent on the EU-Turkey Statement is difficult to establish (European Commission, 2016b, p.7). By the time of the third progress report, another €90 million had been allocated to Greece (European Commission, 2016c, p.7). In 2016, Greece received a further €149 million from the Emergency Support Instrument, designed to meet migrants' humanitarian needs (European Commission, 2016d, p.8), and in 2017 €253 million from this same instrument (European Commission, 2017a, 8).

There are also more diffuse costs for the EU associated with the EU-Turkey Statement, most notably in terms of being less willing or able to react to and criticised actions by the Turkish government, both at home and abroad. Walter-Franke (2018, p.7) notes that although operation 'Olive branch', launched by Turkey against the Kurds in northern Syria, contradicts previous EU support for the Kurds' fight against Islamic State, criticism of the operation by EU officials has been muted. In addition, there is a risk of a 'spillover' effect: other gatekeeper countries, notably like Morocco, may begin to request higher budget support from the EU in return for their migration management efforts (p.5). These are obviously difficult to measure and may only become obvious in the long-term, but there is thus a possibility that the ultimate costs of the EU-Turkey Statement will be very high.

3.5 Cost of non-compliance
Against the costs to the user of implementing the policy, the costs to the target of non-compliance must be considered. The Turkish government has regularly threatened non-compliance, by implying that it can or will rip up the deal (Walter-Franke, 2018, p.2); in other words, the Turkish government's rhetoric implies that the cost of non-compliance is not a concern. This tactic by countries of origin or transit to use potential migrants as "coercive political weapons" (Greenhill, 2002, p.39). A commonly-cited example of such a tactic was Gadaffi's threat in 2009 to "turn Europe black" by not preventing sub-Saharan African migrants from making the trip (Financial Times, 2015).

Despite this rhetoric, it must be assumed that there are costs to the Turkish government of non-compliance – otherwise one must assume that, given the commitments it has made in the context of the EU-Turkey Statement, it would have stopped complying already.

3.6 Short versus long-term perspective
The long-term future of the EU-Turkey Statement is unclear. For instance, it is not clear that Turkey will agree to host refugees in the long term: President Erdoğan has stated that the aim is to have refugees return to Syria once the situation there stabilises, and operation 'Olive branch' (see section 3.4) was framed in these terms (Walter-Franke, 2018, p.7).

3.7 Role of external factors
External factors also affect policy effectiveness. The European Commission's progress reports on the EU-Turkey Statement have dedicated attention to the situation in Syria, both factors which may contribute to achieving the objectives (for instance the ceasefire in Syria reported in the fifth progress report (European Commission, 2017a, p.13) which is linked to improving the humanitarian situation in Syria) as well as those which hinder the fulfilment of objectives (for instance the attack on a UN/Syrian Red Crescent humanitarian convoy reported in the third progress report (European Commission, 2016c, p.13) which sets the humanitarian situation in Syria back). Choices by other domestic, regional and international actors therefore impact on EU policy effectiveness. In 2017 the European Commission noted that "recent decisions by the United States may have a consequence for the EU, by considerably reducing the legal options available for almost 300,000 non-Syrians registered with the United Nations High Commissioner for Refugees in Turkey and interested in resettlement" (European Commission, 2017a, p.8).

4. Conclusion
The analysis in this paper has highlighted the numerous objectives contained in the EU-Turkey Statement (with no ranking made between the objectives and no definition or operationalization of broad, vague objectives). The progress reports issued by the European Commission imply that the reduction of irregular arrivals in the EU are at the heart of the Statement, but scholars caution against drawing direct causal lines from the Statement to the reduced arrivals. The absolute number of migrants dying in the Mediterranean has decreased, although the fatality rate has increased. The objectives of a 1:1 ratio of returns and resettlements, visa liberalisation with Turkey, re-energising the accession process, and disbursing €3 billion under the Facility for Refugees in Turkey have not been achieved. The Voluntary Humanitarian Admission Scheme has also not yet materialised. Next to this, the Statement has had a number of unintended consequences, such as a perceptible rerouting of migrants to other EU member states and the high number of migrants trapped on the Greek islands in poor conditions. The European Commission argues that the Statement has a positive effect on the EU's governance system, but in actual fact the Statement risks undermining democratic principles and the rule of law. Public opinion is ambiguous: EU electorates overwhelmingly support actions taken to prevent irregular migration, but do not support Turkish membership of the EU; and the Turkish public favours visa liberalisation but otherwise does not think the Statement was a good deal for Turkey. The European Court of Auditors has identified shortcomings in the effectiveness of the Facility for Refugees in Turkey, and in addition further costs are associated with the Statement in the form of emergency support to member states and more diffuse costs (such as reduced EU influence over Turkey and the risk of a 'spillover' effect to other gatekeeper countries). The long-term prospects for the Statement are unclear.

This paper started by emphasising the importance of paying academic attention to policy implementation and evaluation, but nevertheless it has identified challenges associated with conducting this type of analysis: firstly in terms of access to data and evidence, given that some statements

regarding policy outcomes – such as the European Commission's claim that "smugglers are finding it increasingly difficult to induce migrants to cross from Turkey to Greece" (2016a, p.2), without specifying which evidence this assessment was based on – are difficult to verify. The European Court of Auditors also identified such problems with access to data, such as a lack of up-to-date demographic information and a lack of cooperation of Turkish authorities (who refused to provide beneficiary data for the cash-assistance projects under the Facility for Refugees in Turkey, citing Turkish data protection legislation as the reason) (European Court of Auditors, 2018). A second challenge is the multi-actor nature of EU external migration policy and the nature of some of the EU's stated objectives – such as "breaking the business model of migrant smugglers" (European Council, 2016) – which imply that policy outcomes must be analysed from the point of view of all actors involved. It is unclear whether the European Commission's assessment cited above regarding smugglers is based on input from smugglers themselves (although some researchers are conducting such research e.g. Davy, 2017). The involvement of numerous actors in policy implementation means that various actors can prevent policy objectives from being achieved; for example the European Commission blames shortfalls in staff for EU agencies on the member states who do not pledge enough and do not honour their pledges (2016d, pp.3-4). The answer to these challenges is not to abandon attempts to evaluate policies, but rather to develop more sophisticated methodological approaches, also by drawing lessons from other policy areas.

References

Amnesty International (2017). *A Blueprint for Despair. Human rights impact of the EU-Turkey deal.* Available at: https://www.amnesty.org/download/Documents/EUR2556642017ENGLISH.PDF

Baldwin, D. A. (2000). Success and failure in foreign policy. *Annual Review of Political Science, 3,* pp.167–182.

Benvenuti, B. (2017). *The Migration Paradox and EU-Turkey Relations.* IAI Working Papers 17/05. Available at: http://www.iai.it/sites/default/files/iaiwp1705.pdf

Boswell, C. (2003). The 'external dimension' of EU immigration and asylum policy. *International Affairs, 79 (3),* pp.619-638.

Bovens, M. and 't Hart, P. (1996). *Understanding Policy Fiascoes*. New Brunswick: Transaction.

Burlyuk, O. (2017). The 'Oops!' of EU Engagement Abroad: Analysing Unintended Consequences of EU External Action. *Journal of Common Market Studies, 55 (5),* pp.1009-1025.

Carrera, S., den Hertog, L. and Stefan, M. (2017). *It wasn't me! The Luxembourg Court Orders on the EU-Turkey Refugee Deal.* CEPS Policy Insights No. 2017-15. Brussels: Centre for European Policy Studies.

Council of the European Union (2017). *Voluntary Humanitarian Admission Scheme with Turkey – Endorsement.* 14571/1/17. Brussels: Council of the European Union.

Davy, D. (2017). *Unpacking the Myths: Human smuggling from and within the Horn of Africa.* RMMS Briefing Paper 6. Available at: https://reliefweb.int/sites/reliefweb.int/files/resources/RMMS%20BriefingPaper6%20-%20Unpacking%20the%20Myths.pdf

Dimitriadi, A. (2016). *The Impact of the EU-Turkey Statement on Protection and Reception: The Case of Greece.* Institute for International Affairs Working Paper 15. Available at: http://www.iai.it/sites/default/files/gte_wp_15.pdf

EUObserver (2016, 10 May). *EU-Turkey deal not binding, says EP legal chief.* Available at: https://euobserver.com/justice/133385

Euractiv (2019, 8 March). *No agreement on asylum possible before EU elections, EU member states admit.* Available at: https://www.euractiv.com/section/justice-home-affairs/news/no-agreement-on-asylum-possible-before-eu-elections-eu-member-states-admit/

European Commission (2018a). *EU-Turkey Statement. Two years on.* Available at: https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20180314_eu-turkey-two-years-on_en.pdf

European Commission (2018b). *Standard Eurobarometer 89. Spring 2018.* Brussels: European Commission.

European Commission (2017a). *Fifth Report on the Progress made in the implementation of the EU-Turkey Statement.* COM (2017) 204. Brussels: European Commission.

European Commission (2017b). *Sixth Report on the Progress made in the implementation of the EU-Turkey Statement.* COM (2017) 323. Brussels: European Commission.

European Commission (2017c). *Seventh Report on the Progress made in the implementation of the EU-Turkey Statement.* COM (2017) 470. Brussels: European Commission.

European Commission (2016a). *First Report on the Progress made in the implementation of the EU-Turkey Statement.* COM (2016) 231. Brussels: European Commission.

European Commission (2016b). *Second Report on the Progress made in the implementation of the EU-Turkey Statement.* COM (2016) 349. Brussels: European Commission.

European Commission (2016c). *Third Report on the Progress made in the implementation of the EU-Turkey Statement.* COM (2016) 634. Brussels: European Commission.

European Commission (2016d). *Fourth Report on the Progress made in the implementation of the EU-Turkey Statement.* COM (2016) 792. Brussels: European Commission.

European Commission (2016e). *Proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement.* COM (2016) 279. Brussels: European Commission.

European Commission (2015a). *A European Agenda on Migration.* COM (2015) 240. Brussels: European Commission.

European Commission (2015b). *Commission recommendation of 15.12.2015 for a voluntary humanitarian admission scheme with Turkey.* C(2015) 9490. Brussels: European Commission.

European Council (2016). *EU-Turkey Statement, 18 March 2016.* Available at: https://www.consilium.europa.eu/en/press/press-releases/2016/03/18/eu-turkey-statement/

European Court of Auditors (2018). *The Facility for Refugees in Turkey: helpful support, but improvements needed to deliver more value for money.* Special report no. 27. Luxembourg: European Court of Auditors.

European Parliament (2016). *EU-Turkey deal may violate EU's commitment to human rights and international law.* Brussels: European Parliament. Available at: http://www.europarl.europa.eu/news/en/press-room/20160308IPR18166/eu-turkey-deal-may-violate-eu-s-commitment-to-human-rights-and-international-law

Eurostat (2019). *Asylum statistics.* Available at: https://ec.europa.eu/eurostat/statistics-explained/index.php/Asylum_statistics

Eurostat (2016). *Record number of over 1.2 million first time asylum seekers registered in 2015.* Press release 44/2016. Luxembourg: Eurostat.

Financial Times (2015, 29 April). *Misplaced nostalgia for Libya's Gaddafi.* Available at: https://www.ft.com/content/3594fbca-ee54-11e4-98f9-00144feab7de

Greenhill, K. M. (2002). Engineered Migration and the Use of Refugee as Political Weapons: A Case Study of the 1994 Cuban Balseros Crisis. *International Migration, 40 (4),* pp.39-74.

De Haas, H. (2011). *The determinants of international migration. Conceptualising policy, origin and destination effects.* Working Paper no. 32. Oxford: International Migration Institute.

Den Hertog, L. (2016). *Money Talks. Mapping the funding for EU external migration policy.* CEPS Papers in Liberty and Security in Europe No. 95. Brussels: Centre for European Policy Studies.

Hoffmann, M. (2018). *A Snapshot of Turkish Public Opinion Toward the European Union.* Center for American Progress. Available at: https://cdn.americanprogress.org/content/uploads/2018/09/26140215/TurkishSurveyEU-brief1.pdf

Hogwood, B. and Gunn, L. (1984). *Policy Analysis for the Real World*. Oxford: Oxford University Press.

Idriz, N. (2017). *Taking the EU-Turkey Deal to Court?* Verfassungsblog. Available at: https://verfassungsblog.de/taking-the-eu-turkey-deal-to-court/

Kerr, D. H. (1976). The Logic of "Policy" and Successful Policies. *Policy Sciences, 7 (3),* pp.351–363.

Van Liempt, I., Alpes, M. J., Hassan, S., Tunaboylu, S., Ulusoy, O. and Zoomers, A. (2017). *Evidence-based assessment of migration deals: the case of the EU-Turkey Statement.* Utrecht: Utrecht University. Available at: https://migratiedeals.sites.uu.nl/wp-content/uploads/sites/273/2017/12/20171221-Final-Report-WOTRO.pdf

Lovett, A., Whelan, C. and Rendón, R. (2017). *The Reality of the EU-Turkey Statement. How Greece has become a testing ground for policies that erode the protection of refugees.* International Rescue Committee, Norwegian Refugee Council and Oxfam. Available at: https://reliefweb.int/sites/reliefweb.int/files/resources/joint-agency-briefing-note---eu-turkey-statement---final_16-march---new-...-3.pdf

Marsh, D. and McConnell, A. (2010). Towards a framework for establishing policy success. *Public Administration, 88 (2),* pp.564–583.

McConnell, A. (2010). Policy Success, Policy Failure and Grey Areas In-Between. *Journal of Public Policy, 30 (3),* pp.345–362.

Politico (2017, 19 May). *Resistance against Turkish EU membership highest in Germany: poll.* Available at: https://www.politico.eu/article/resistance-against-turkish-eu-membership-highest-in-germany-poll/

Reslow, N. (2017). 'Not everything that counts can be counted': Assessing 'success' of EU external migration policy. *International Migration, 55 (6),* pp.156-169.

Reslow, N. (2015). EU 'Mobility' Partnerships: An Initial Assessment of Implementation Dynamics. *Politics and Governance, 3 (2),* pp.117-128.

Reslow, N. and Vink, M. P. (2015). Three-level Games in EU External Migration Policy: Negotiating Mobility Partnerships in West Africa. *Journal of Common Market Studies, 53 (4),* pp.857-874.

Spijkerboer, T. (2017). Bifurcation of people, bifurcation of law: externalisation of migration policy before the EU Court of Justice. *Journal of Refugee Studies, 31 (2),* pp.216-239.

Spijkerboer, T. (2016). *Fact Check: Did the EU-Turkey Deal Bring Down the Number of Migrants and of Border Deaths?* Available at: https://www.law.ox.ac.uk/research-subject-groups/centre-criminology/centreborder-criminologies/blog/2016/09/fact-check-did-eu

UNHCR (2019a). *Syria Regional Refugee Response.* Available at: https://data2.unhcr.org/en/situations/syria

UNHCR (2019b). *Aegean Islands. Weekly Snapshot.* Available at: https://data2.unhcr.org/en/documents/download/68454

Walter-Franke, M. (2018). *Two years into the EU-Turkey 'deal': Impact and challenges of a turbulent partnership.* Berlin: Jacques Delors Institut. Available at: https://www.delorsinstitut.de/2015/wp-content/uploads/2018/03/20180315_Two-years-into-the-EU-Turkey-Deal_Walter-Franke.pdf

Weinar, A. (2011). *EU cooperation challenges in external migration policy.* Florence: Robert Schuman Centre for Advanced Studies.

Wunderlich, D. (2013a). Implementing EU external migration policy: Security-driven by default? *Comparative European Politics, 11 (4),* pp.406–427.

Wunderlich, D. (2013b). Towards coherence of EU external migration policy? Implementing a complex policy. *International Migration, 51 (6),* pp.21–40.

Wunderlich, D. (2012). The limits of external governance: Implementing EU external migration policy. *Journal of European Public Policy, 19 (9),* pp.1414–1433.

Wunderlich, D. (2010). Differentiation and Policy Convergence against Long Odds: Lessons from Implementing EU Migration Policy in Morocco. *Mediterranean Politics, 15 (2),* pp.249-272.