

**A HISTORIC DAY, A HISTORIC DEAL? – THE FOUNDATION OF THE REFUGEE AGREEMENT**

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**Introduction**

On the 18<sup>th</sup> of March, EU leaders met with their Turkish counterpart, Prime Minister of Turkey at that time, *Ahmed Davutoğlu*. „This is a [historic day](#). We today realized that Turkey and the EU have the same destiny, the same challenges, and the same future.” On that historic day, as *Ahmed Davutoğlu* indicates, they reached an agreement aimed at

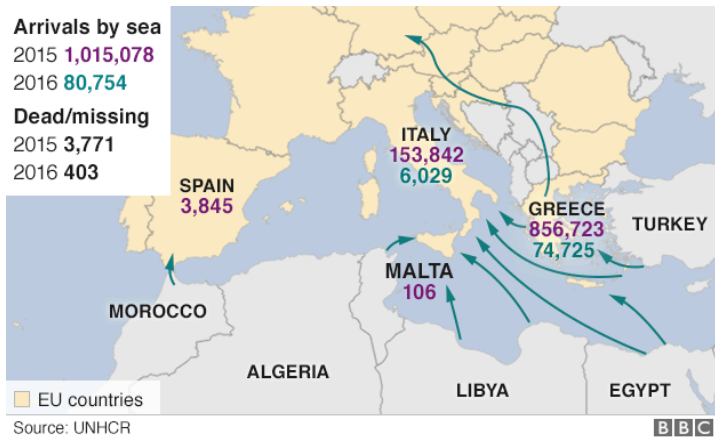


Figure 1. Last year more than 850,000 migrants - mostly refugees fleeing war and abuses in Syria, Iraq and Afghanistan - entered Greece as a gateway to the EU.

stopping the flow of irregular migration via Turkey to Europe, breaking the business model of smugglers and offering migrants an alternative to putting their lives at risk. This deal was preceded by a long negotiation and it has still snags, it has still sticking points.

**Towards the deal**

Because of its geographical position, in addition to *hosting* refugees, Turkey has also become a *transit country* in recent years. By the end of 2015, more than one million individuals had [arrived in Europe](#) by sea. The vast majority travelled from Turkey, with more than half a million people arriving on the Greek island of Lesbos alone.

In order to winning Turkey’s help in stemming the influx, last autumn, **EU leaders offered** them one, then three billion euros but both President *Recep Tayyip Erdogan* and *Davutoğlu* are keen to avoid any impression of weakness in dealing with the European side. „We can’t accept this idea that ‘we are giving money to Turkey, and Turkey is satisfied, so all migrants should stay in Turkey’, ... Nobody should expect Turkey to become a country housing all

migrants, like a [concentration camp](#)," *Davutoğlu* said.

As time went by – and as EU promises increased – this attitude became much more friendly. The new situation provided a window of opportunity to receive a positive answer to a number of requests that the Turks had been making for years. On the **29<sup>th</sup> of November 2015**, EU heads of state or government held a [meeting with Turkey](#). The meeting marked an important step in developing EU-Turkey relations and contributing to managing the migration crisis. As *Davutoğlu* have said: it was a „[new beginning](#)“ for the uneasy neighbours. In this spirit, they issued a joint statement in which they announced the activation of the „[joint action plan](#)“, three billion euros to help Turkey deal with Syrian refugees on its territory, a promise to „[re-energise](#)“ the accession negotiation and a roadmap for the lifting of the visa requirement by October 2016. They also agreed to have Summits twice a year in order to maintain a high-level dialogue.

But the *joint action plan* did not rest on a very solid ground. Some EU member states were reluctant to let 75 million Turks enter the EU with no visa and classic spending rules did not make it easy to spend money efficiently in Turkey. Furthermore, the Turks were not very dynamic in reinforcing the control of their border with Greece and *Erdogan* did not make much effort to improve his image in Europe or help restore peace in Syria.

For these reasons, EU leaders held a [special summit with Turkey](#) on the migration crisis on the **7<sup>th</sup> of March 2016**. The Turks had prepared a new proposal which they discussed with the German Chancellor, *Angela Merkel* at a [closed-door meeting](#) at the Turkish embassy in Brussels the night before the summit. The suggestion was that from a certain date all new migrants crossing from Turkey to Greece would be returned to Turkey, but for each of the Syrians among them, another Syrian would be resettled directly from Turkey to the EU. In exchange for stopping the influx, the Turkish government asked a speed up in the disbursement of the three billion euros, an additional funding, an acceleration of the visa liberalization calendar and more specific commitments on the chapters which would be opened in the accession negotiation.

Many member states did not fully agree with the plan. For example, Italian Prime Minister [Matteo Renzi](#) requested an item on freedom of the press be included in the declaration, [the French](#) considered problematic the visa liberalization part and [Viktor Orbán](#) also opposed to the idea which would resettle migrants and asylum-seekers directly from Turkey to Europe. It was thus decided to agree the deal in principle and fine-tune the text before the regular ‘Spring’ European Council.

### **The „historic” agreement**

Against this background, **on the [18<sup>th</sup> of March 2016](#), the 28 EU leaders finalised the deal with Turkey**. The key point of the [deal](#) is: all new irregular migrants crossing from Turkey into Greek islands after the 20<sup>th</sup> of March have to be sent back to Turkey. This will happen ‘*in full agreement with EU and international law*’, with no ‘*collective expulsion*’, which is the most delicate element of the deal, at least for those who consider Turkey to be a ‘*not safe*’ country. Turkey’s promise is not for nothing. The EU agreed to speed up the disbursement of the initially allocated three billion euros and to mobilise an additional three billion euro once these resources are used and provided commitments have been met; lifting of the visa requirement for Turkish citizens in the Schengen area by end of June 2016 at the latest; „*re-energise*” the [accession process](#).

Furthermore, Europe has also promised, that for every Syrian refugee being returned to Turkey from Greek islands, another Syrian refugee will be resettled from Turkey to the EU. It is also noted that the EU will use 18,000 spare places from an earlier [resettlement scheme](#), and up to 54,000 places from a slow-moving plan to redistribute refugees in Greece and Italy around the EU.

**Is the deal legal?** It depends on who you ask. [Rights groups](#) say it breaks both EU law and the UN refugee convention. On the basis of the latter document, signatories cannot expel asylum seekers without examining their claims individually. In response, the [EU claims](#) people will be examined individually – but since it will suddenly and simultaneously deem Turkey a safe country for refugees, most people will still be sent back en masse.

The deal is not without its **critics**. Leaders in Europe have come under fire for turning to Turkey for help at a time when the government in Ankara has been accused of expelling refugees back to Syria, while also increasingly veering away from [democratic values](#) like freedom of expression and freedom of the press.

The deal is also under threat of the **parties**. [Turkish President](#) rejected calls for new terror laws and warned that the entire migration deal could collapse if Brussels didn't follow through on the visa deal. In response, [Jean-Claude Juncker](#) said that the deal would collapse unless Ankara fulfilled its commitments: *„If Mr. Erdogan decides to deny Turks the right to free travel to Europe, then he must explain this to the Turkish people. It will not be my problem, it will be his problem.”*

All in all, we can say that the deal is a successful instrument in coping with the migrant crisis, however, certain improvements need to be made in order to ensure its maintenance and the balance as well.

**A note on terminology:** According to the viewpoint of [The UN Refugee Agency](#), in this case, the majority of people arriving especially from countries mired in war or which otherwise are considered to be ‘*refugee-producing*’ and for whom international protection is needed, on the contrary, a smaller proportion is from elsewhere, and for many of these individuals, the term ‘*migrant*’ would be correct. In summary, the two terms have distinct and different meanings, however, it is becoming increasingly common to see the terms ‘*refugee*’ and ‘*migrant*’ being used interchangeably in media and public discourse (even on the official EU websites). For this reason, this article also uses the two terms in coexistence.

## References

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Webpage: <http://www.kozjavak.hu/en/historic-day-historic-deal-foundation-refugee-agreement>



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