

Thoughts on burden and responsibility sharing within the EU

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Message to the Europeans 3.0 preliminary meeting
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Motto:

„I urge you, Secretary-General, to initiate negotiations on sharing this burden at a global level. All major stakeholders of international politics will have to take some of the migrants to their countries as part of a global quota system.”

*Statement by H.E. Mr. Viktor Orbán Prime Minister of Hungary
at the High Level Side Event on “Strengthening cooperation on migration and refugee movements
in the perspective of the new development agenda” 30 September 2015 United Nations
New York at*

http://un.newyork.gov.hu/accessibility/download/5/02/21000/Statement_of_Viktor_Orb%C3%A1n_High-Level_Meeting_on_Migration.pdf (20170208)

The orders of magnitude

Global figures, end of 2016

65.6 MILLION
FORCIBLY
DISPLACED
WORLDWIDE

as a result of persecution,
conflict, violence, or
human rights violations

- 22.5 million people who were refugees at end-2016
 - 17.2 million under UNHCR's mandate
 - 5.3 million Palestinian refugees registered by UNRWA
- 40.3 million internally displaced people*
- 2.8 million asylum-seekers

**51% of the
refugees are
minors**

More than half (55 per cent) of all refugees worldwide came from just three countries:

Syrian Arab Republic	(5.5 million)
Afghanistan	(2.5 million)
South Sudan	(1.4 million)

552,200 refugees returned home
in 2016

189,300 refugees were admitted
to resettlement

Syria! January, 2018

Total Persons of Concern

5,481,135

Last Updated 02 Jan 2018

Source - UNHCR, Government of Turkey

Registered Syrian Refugees

5,481,135

Last Updated 02 Jan 2018

Source - UNHCR, Government of Turkey

This figure includes 2 million Syrians registered by UNHCR in Egypt, Iraq, Jordan and Lebanon, 3 million Syrians registered by the Government of Turkey, as well as more than 30,000 Syrian refugees registered in North Africa.

Regional demographic breakdown below is based on available data from Egypt, Iraq, Jordan and Lebanon

Source: <http://data.unhcr.org/syrianrefugees/country.php?id=224> (20180110) author's assemblage

Egypt: 126,291

Iraq: 246,974

Jordan: 655,524

Lebanon: 997,905

Turkey: 3,424,237

Total Syrian Asylum Applications in Europe

996,204 between Apr 2011 and Oct 2017

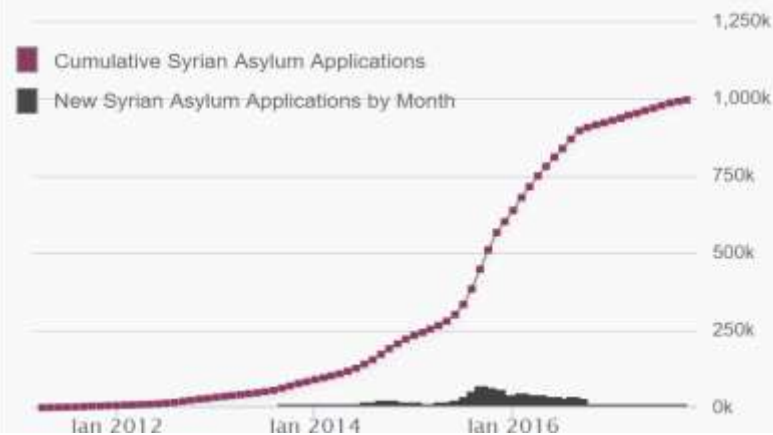
137,798 in 2014 only

Note - Data for 37 European countries which provide monthly information to UNHCR. To the extent possible, the figures reflect first time asylum applications, but some of the statistics are likely to include repeated applications (same or different country).

Top Countries



Evolution of Asylum Applications



Global trends (stock data) 1997 - 2016

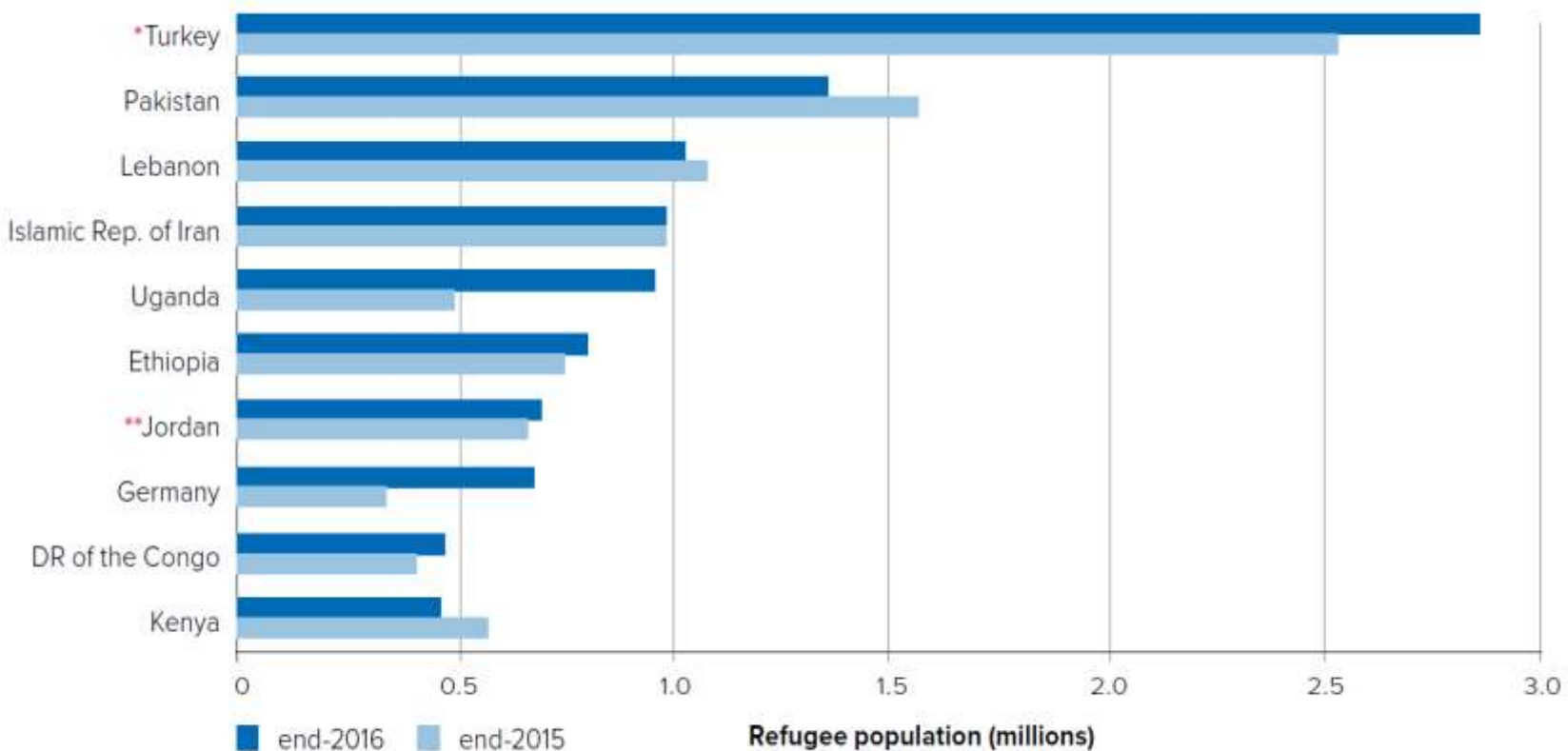
Figure 1 | Trend of global displacement & proportion displaced | 1997-2016



Source: UNHCR, Global Trends. Forced displacement in 2016. Geneva, 2017, p. 6

Major refugee hosting countries

Figure 4 | Major refugee-hosting countries

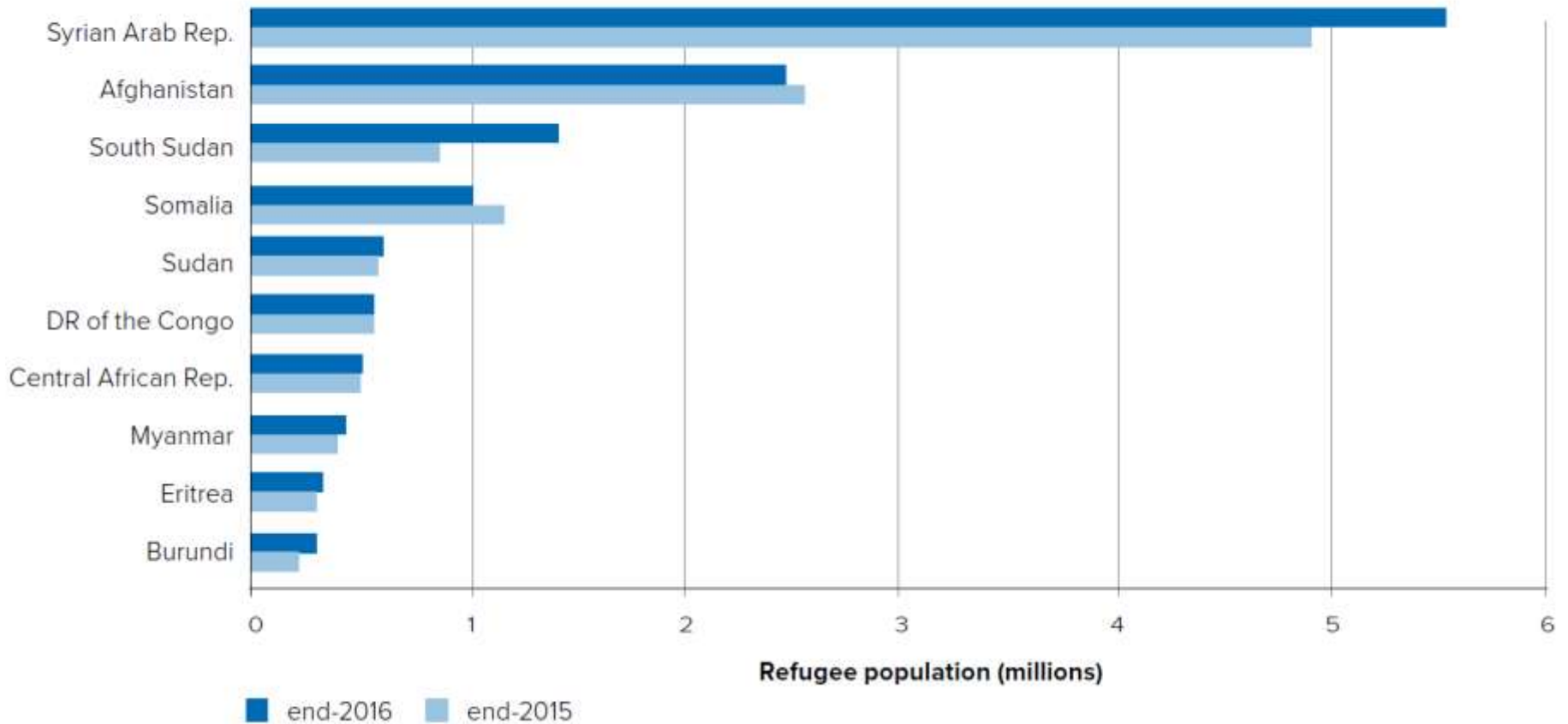


* Refugee figure for Syrians in Turkey was a Government estimate.

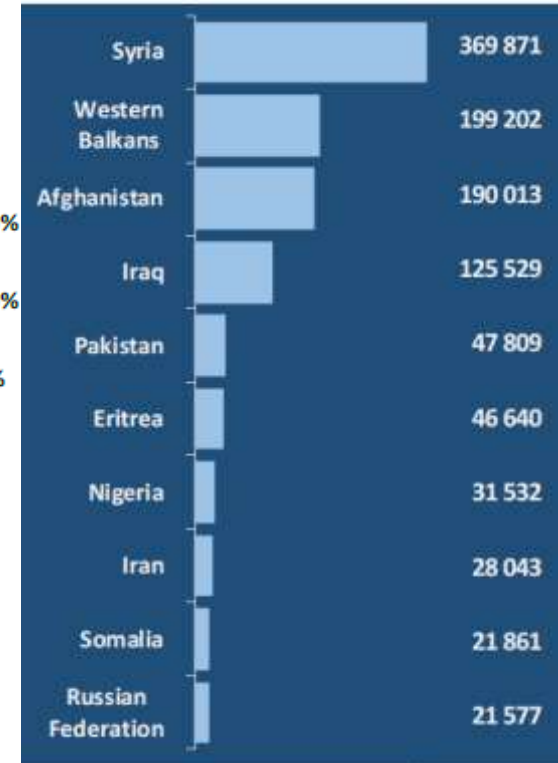
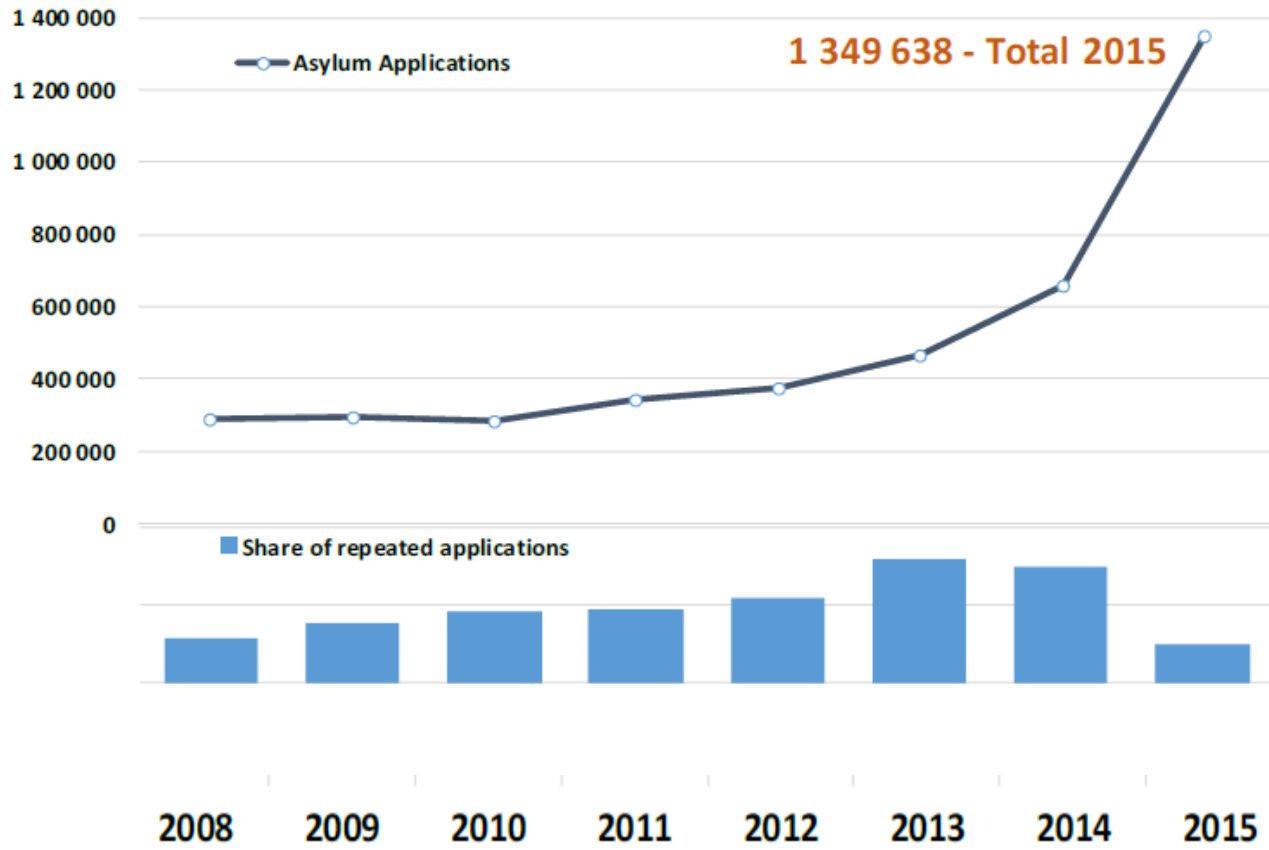
** Includes 33,100 Iraqi refugees registered with UNHCR in Jordan. The Government estimated the number of Iraqis at 400,000 individuals at the end of March 2015. This includes refugees and other categories of Iraqis.

Major source countries

Figure 5 | Major source countries of refugees

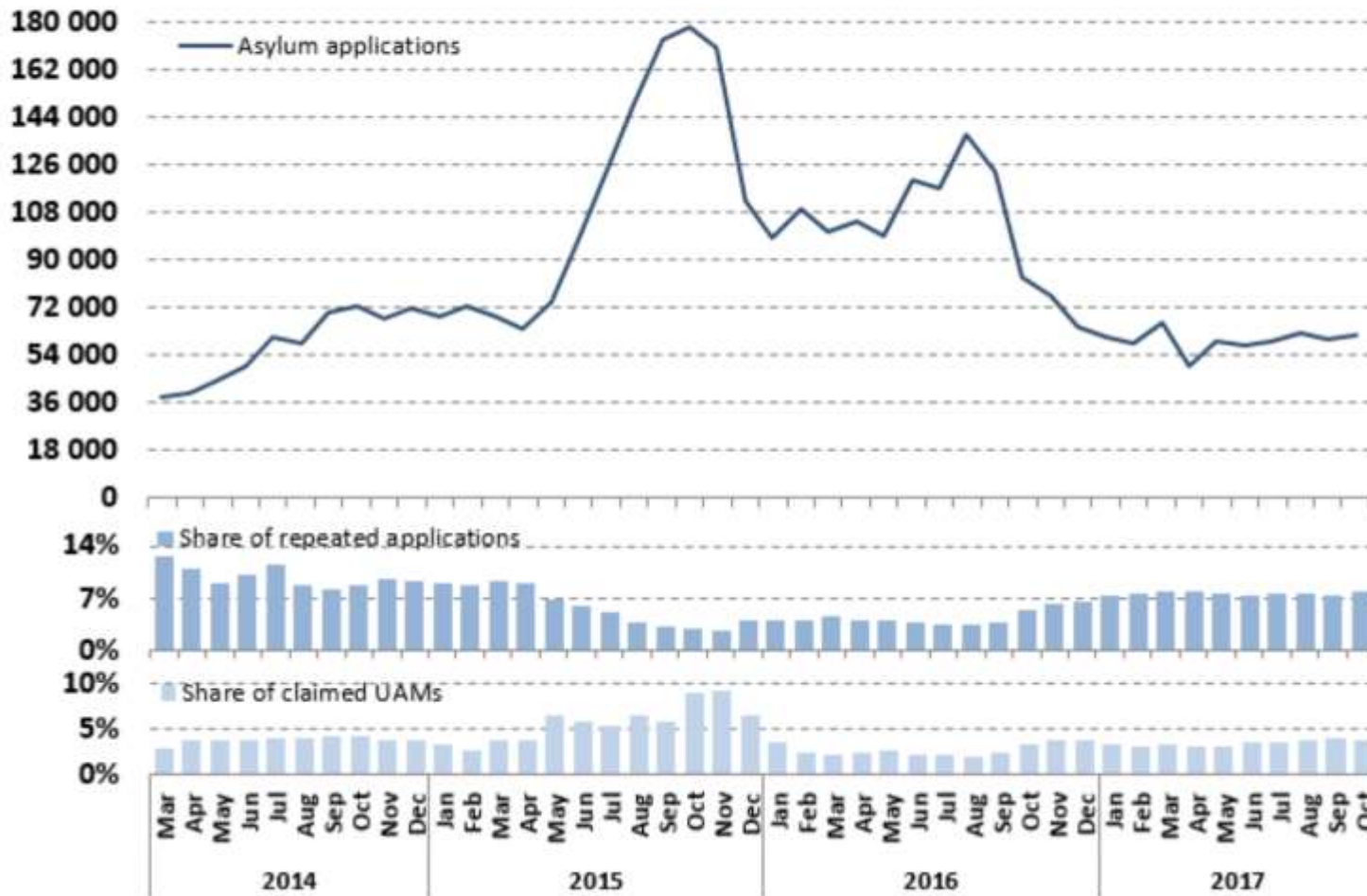


INDIVIDUAL APPLICATIONS IN THE EU+, 2015



Source: EASO Latest asylum trends – 2015 overview

Number of applications for international protection in the EU+¹



MONTHLY APPLICATIONS – MOST RECENT DATA

ASYLUM COUNTRIES

Asylum and first time asylum applicants - monthly data (rounded)

Persons

Asylum applicant

geo	time	2017M01	2017M02	2017M03	2017M04	2017M05	2017M06	2017M07	2017M08	2017M09	2017M10	2017M11	2017M12
EU (28 countries)		59,000	56,750	64,440	48,660	56,840	55,645	58,245	60,475	58,430	43,450 ^(d)	27,080 ^(d)	:
Euro area (19 countries)		:	:	:	:	:	:	:	:	:	:	:	:
Belgium		1,465	1,415	1,615	1,420	1,435	1,395	1,530	1,595	1,660	1,775	1,600	:
Bulgaria		420	385	530	225	270	250	235	315	375	325	:	:
Czech Republic		130	105	120	95	140	120	140	120	110	145	:	:
Denmark		225	215	250	240	290	305	310	305	315	280	265	:
Germany		17,940	16,550	20,110	14,830	16,625	15,225	16,830	18,635	16,505	17,010	18,690	:
Estonia		25	20	20	30	20	20	10	15	10	15	5	:
Ireland		165	225	215	170	295	215	180	220	335	315	:	:
Greece		6,345	5,640	4,880	2,705	4,075	4,200	4,120	5,055	5,910	:	:	:
Spain		2,125	2,325	2,415	1,980	2,780	2,430	2,760	3,260	2,890	2,880	:	:
France		7,510	7,550	8,725	7,815	7,975	7,515	8,280	8,090	7,495	:	:	:
Croatia		45	65	60	70	95	70	115	110	70	100	:	:
Italy		11,715	12,020	13,700	9,560	12,120	13,010	12,275	10,255	10,585	9,900	:	:
Cyprus		260	360	515	230	255	275	455	285	645	:	:	:
Latvia		60	45	55	50	20	35	15	20	20	15	:	:
Lithuania		15	15	30	70	45	60	85	35	25	45	35	:
Luxembourg		240	245	235	195	210	145	170	195	200	195	:	:
Hungary		535	435	320	205	245	235	240	275	235	230	230	:
Malta		135	150	175	120	175	160	185	140	145	185	:	:
Netherlands		1,420	1,320	1,405	1,185	1,330	1,410	1,600	1,610	1,565	1,485	1,515	:
Austria		2,215	2,080	2,175	1,910	2,130	1,970	2,135	2,465	1,980	2,055	1,610	:
Poland		555	570	540	425	435	450	395	430	355	280	340	:
Portugal		225	220	210	165	185	120	80	75	160	:	:	:
Romania		95	135	415	655	405	290	425	755	695	:	:	:
Slovenia		35	30	130	60	190	155	120	145	155	165	130	:
Slovakia		25	20	15	0	10	20	5	10	10	:	:	:
Finland		260	380	470	440	480	465	520	490	355	380	400	:
Sweden		1,975	1,740	1,930	1,575	1,770	2,340	2,305	2,830	2,760	2,560	2,260	:
United Kingdom		2,840	2,510	3,180	2,225	2,840	2,760	2,730	2,745	2,875	3,110	:	:
Iceland		65	70	85	60	80	130	125	155	105	80	:	:
Liechtenstein		25	25	15	10	10	15	10	10	0	:	:	:
Norway		480	320	410	360	420	355	260	240	185	180	145	160
Switzerland		1,585	1,500	1,625	1,300	1,445	1,630	1,685	1,680	1,405	1,520	1,435	:

Based on : Eurostat Asylum and first time asylum applicants - monthly data (rounded)

<http://ec.europa.eu/eurostat/tgm/table.do?tab=table&init=1&language=en&pcode=tps00189&plugin=1> (20180110)

Basic terms

CATEGORIES OF FOREIGNERS

(AND OF INTERNALLY DISPLACED)

Migration

International

Domestic

Regular

Irregular

A longer than 1 year presence/absence, in accordance with the law

No right to enter/stay „Illegal”

Forced migration

Regular migrant
(Worker, student, family unifier, etc.)

Undocumented foreigner,
Persons with no right to enter and/or stay

Refugee

Internally displaced person, IDP

DEFINITION USED IN UN STATISTICS

- „By definition, an international migrant is a person who is living in a country other than his or her country of birth. To estimate the international migrant stock, data on place of birth are the preferred source of information. Data on the foreign-born were available for 182 countries, or three quarters of the 232 countries and areas included in this analysis. When data on the foreign-born were not available, data on foreign citizens were used.”
- United Nations, Department of Economic and Social Affairs, Population Division (2016). International Migration Report 2017: Highlights (ST/ESA/SER.A/404). P. 1

THE FRAME

**HOW TO APPROACH SOLIDARITY
RESPONSIBILITY SHARING**

Concepts

Responsibility sharing - distributing affected persons

Burden sharing – contributing to the material reception conditions, with finances, equipment, services

Thielemann, JCMS, 2018/1

	Sharing of		
Voluntarily	Norms	Resources	People
Compulsorily	(Harmonising laws)	(Money)	(„Burden sharing” at T.)

Possible goals and venues of responsibility sharing/solidarity (or denial of them)



Goals

- Addressing root-causes
- Impact on routes, denial of entry, diverting arrivals
- Harmonisation of rules
- Allocation of persons
- Financial contribution instead of receiving persons
- Sharing of costs and benefits



Venues

- Global
- Inter-regional
- Regional
- Subregional
- Bilateral
- Intra-state (e.g. in a federation)



THE MATRIX OF FIELDS AND LEVELS OF ANALYSIS

Field /  Discipline Level of analysis 	Moral and Political Philosophy	Practical, Political	Legal, Justice-oriented	Social, Sociological, Psychological
State / Community	Responsibility sharing or shifting? Allocation of „burdens”	What is „in the interest of the state?” <ul style="list-style-type: none"> • ever fewer asylum seekers? • Minimum expenses? • Avoidance of social tensions? 	<ul style="list-style-type: none"> • Compatibility with Geneva 51? • Criteria of fairness: <ul style="list-style-type: none"> ○ Procedural rights ○ Substantive interpretation of definition ○ Material reception conditions 	<ul style="list-style-type: none"> • Social identity construction of receiving society : why to protect refugees, (or why not) • Selectivity according to country of origin
Individual / Family	<ul style="list-style-type: none"> • Freedom of movement (choice of residence) • Decresing vulnerability 	<ul style="list-style-type: none"> • Can she reach her preferred destination? • Where is social integration the smoothest? 	<ul style="list-style-type: none"> • ECHR, Article 3, 8, 13 issues (Torture, inhuman degrading teatment or punishment, right to privacy and family, effective remedies) 	<ul style="list-style-type: none"> • Extended trauma • Loss of trust in democracy (and its superiority over authoritarian regimes)

Possible criteria of responsibility sharing/solidarity

Applied by  Criterion 	Commission COM (2015) 450 final Crisis relocation mechanism	EU Council Relocation decision	Commission Dublin recast COM(2016) 270 final Corrective allocation mechanism	Germany Königsteini key
Total GDP	Yes	Yes	Yes	No
GDP/fperson	(Yes)	(Yes)	No	No
Tax income	No	No	No	Yes
Population (size)	Yes	Yes	Yes	Yes
Territory	No	No	No	No
Population density	No	No	No	No
Unemployment	Yes	Yes	No	No
Number of earlier applicants	Yes	Yes	No	No
Physical proximity to country of origin (Neighbour, same region)	No	No	No	No
Cultural proximity	No	No	No	No

Possible criteria of responsibility sharing/solidarity

Applied by Criterion  	Schmuck 1997	Hathaway & Neve, 1997	Schneider; Engler; Angevendt 2013
Total GDP	Yes (wealth")	No (Yes – external supporter)	Yes (five years average –within EU average)
GDP/fperson	(Yes)	No (Yes – external supporter)	No
Tax income	No	No	No
Population (size)	No	No	Yes
Territory	No	No	Yes (Compared to EU total)
Population density	No	No	No
Unemployment	No	No	Yes
Number of earlier applicants	No	No	No
Physical proximity to country of origin (neighbour, same region)	Yes	Yes	No
Cultural proximity	No	Yes	No

THE PROPOSED CHANGES AFFECTING INTER-STATE SOLIDARITY IN DUBLIN IV.

- In take back situations – only notification – no request – duty to take back. (Responsibility does not expire with time)
- Chapter VII: **Corrective allocation mechanism**
 - Disproportionate number of applications (after eligibility)
 - Exceeds **150 %** of reference key (including resettled refugees)
 - **Reference key** = total of application in EU – share by MS based on
 - population size
 - total GDP

50 -50 % weight

If unwilling to participate **250 000 Euros/per each applicant**, who would have been allocated

Automated system

See A8-0345/2017 for the EP position, adopted on 6.11.2017!

New York v. Valetta

OUTCOME DOCUMENT FOR 19 SEPTEMBER 2016 HIGH-LEVEL MEETING TO ADDRESS LARGE MOVEMENTS OF REFUGEES AND MIGRANTS

The New York Declaration, 19 September 2016

The word „illegal” does not appear

„4.5 We underline the **centrality of international cooperation** to the refugee protection regime. We **recognize the burdens** that large movements of refugees place on national resources, especially in the case of developing countries. To address the needs of refugees and receiving States, **we commit to a more equitable sharing of the burden and responsibility** for hosting and supporting the world's refugees, while taking account of existing contributions and the differing capacities and resources among States.”

Malta Declaration by the members of the European Council on the external aspects of migration: addressing the Central Mediterranean route, 3 February 2017

The words „refugee”, „asylum” do not appear

Priorities:

- a) Training and equipping Libyan border guard
- b) Disrupting smugglers’ models and routes
- c) Enhancing resilience of local communities
- d) Reception capacities and conditions in Libya
- e) Support for IOM for voluntary returns
- f) Info campaigns in Libya and countries of origin
- g) Enhancing Libya’s land border protection with neighbours
- h) Surveilling alternative routes
- i) Supporting Italy- Libya bilateral deals
- j) Dialogue and cooperation with Libya’s neighbours on preventing departure and managing returns

Literature

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Thanks!

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