

**Title:** Solidarity within the European Union during the refugee crisis of 2015/2016; a case study of the Netherlands

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**Abstract**

The European Union (EU) has played a vital role in the creation of the globalized world known today. Through the many challenges and setbacks the union has experienced the past decades it has demonstrated how unification and cooperation has become increasingly important. This study argues how in this process of globalized consolidation solidarity plays a vital role. Communities such as the EU rely to a large extent on all its member states involved willing to be solidary. The aim of this study has been to find justification for demonstrating solidarity during the refugee crisis of 2015/2016. This has been done by examining Dutch media and interviewing Dutch government officials. Upon examination of the sources, it became clear that the failures of the most important EU asylum regulations were due to a lack of solidarity. The theory of intergovernmentalism demonstrated how states preferred applying their own national regulations instead of following the supra-national EU policies. By applying the theories of instrumental and normative solidarity this study was able to grasp an idea of what is vital to improve in order to increase solidarity in the union. Focusing on the self-interest of the member states within the union is vital in order to stimulate solidarity. The member state should be well informed of why it is beneficial to be part of the EU. In addition, the union should focus on further developing a European identity among its residents in order to improve the feeling of solidary.

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## **Introduction**

During the recent decade the EU experienced challenging years. As Grimmel and My Giang state, “never before in its history has the EU been confronted with so many conflict-laden challenges – persistent financial turmoil, migration, the rise of nationalist parties, separatist movements and terrorists threats” (2017, p. 1). One of the major setbacks the EU had to face was the refugee crisis of 2015/2016. The restless situations in North Africa and the horrific events of the Arab Spring resulted in millions of people fleeing and seeking asylum elsewhere (Langford, 2013, p.217). Europe was experiencing a severe rise in asylum applicants, with most refugees coming from Libya, Egypt, Tunisia and Syria (Langford, 2013, p. 217). Having once arrived at the borders of Europe, many refugees found that their hopes for a better life would soon fall apart (Langford, 2013, p. 217). A deficient asylum regime system, a disintegrating union and the lack of solidarity among many member states resulted in the severe crisis we know of today (Langford, 2013, p. 217). The member states within the EU were unprepared for such a high influx of asylum seekers. The different EU institutions were lacking proper instruments and regulations in order to manage the crisis in a sufficient way. This created unrest in the union and resulted in fear for a further disintegrating EU. The role of solidarity within the process of integration has been of great interest to many academics. As both Grimmel and My Giang (2017) and Langford mention (2013), solidarity is a crucial concept that keeps the European Union united. Without solidarity, no community would be able to cooperate and provide the aid needed for its fellow members. Nevertheless, the literature available that discusses solidarity in relation to the EU’s asylum and migration policies and regulations remains limited. This thesis will attempt to contribute by demonstrating the need of solidarity in the EU’s immigration and asylum policies and the lack of solidarity that was found during the refugee crisis of 2015/2016. The research focused on finding justification for demonstrating solidarity in relation to the EU asylum and migration policies by analyzing Dutch news media and interviews conducted with Dutch government officials. These government officials were active working for the Dutch government during the refugee crisis of 2015/2016. This resulted in the following research question; how do the Dutch newspapers and Dutch government officials justify the need for solidarity provided by the EU’s member states during the refugee crisis of 2015/2016? The main theory applied is the theory of solidarity. The

focus will be on two different directions, namely normative and instrumental solidarity. This is done in order to better understand the justification found for solidarity. In addition, two theories will be applied which will give better insight into the integration process of the EU, namely the theory of supra-nationalism and intergovernmentalism. Overall, the theories will attempt to demonstrate the need for solidarity in correlation to the EU asylum and migration regulations and the importance of an integrated Union.

The research conducted is based on Dutch primary sources and therefore demonstrates a Dutch perspective. The Netherlands was used as a case study since the state can be seen as a plausible case for solidarity. As George and Bennett explain, a plausible case is a case study that can be used as a broader phenomenon due to its desired properties and characteristics (2005). The Netherlands is a member of the EU and is considered a wealthy European state. It has benefitted majorly from EU integration and is considered a state that is willing to respect all regulations made (den Boer, 2013). Therefore, analyzing solidarity in the Netherlands should be a valid representation of the expected solidarity one would find within the union in general. When analyzing the results gained during the research process, three different themes came across. This resulted in three sections, namely the failure of the Dublin regulation, the failure of the Schengen zone and the need of the EU-Turkey deal. The following section discusses the findings and creates an analysis of the results in relation with the theories used. It provides information on how the Dutch government officials and newspapers justify the need for solidarity. The conclusion will provide us with a summary of the main results found and will give us an answer to the research question.

### **Theoretical framework**

In order to be able to answer the research question, this thesis will analyze the results through one main theoretical framework, namely solidarity. First of all, the history and evaluation of the concept solidarity will be discussed. Stjernø describes three different traditions of solidarity, namely solidarity from a classical social perspective, solidarity from a political perspective and solidarity from a religious perspective (2005). He uses these different approaches to demonstrate how solidarity was created and what different impacts it had on society throughout history (2005).

Stjernø argues that the main idea of solidarity is described as the process of belonging to a certain group (2005). This feeling of group loyalty and sharing resources however long existed before the concept of solidarity was developed (Stjernø, 2005, p. 25). Due to the fact that humans share a common identity with family members, a feeling of belonging to a group was automatically gained. Solidarity can therefore be found for as long as human kind exists.

From a classical social theory perspective, the recognition and creation of the concept of solidarity was first found during the early days of the Christian era, where close relationships with family and development between different communities were created (Stjernø, 2005, p. 25). As Stjernø explains, many classical social theorists such as Fourier, Leroux and Comte mainly focused on how certain groups became united and what it was that united them (2005, p. 25). They believed that a community is stronger than an individual and that religious lifestyles and family bonds create unification (Stjernø, 2005, p. 25). Solidarity as a political discourse emerged during the French Revolution (2005, p. 42). During this revolution, the concept of brotherhood and fraternity became even more relevant (Stjernø, 2005, p. 39). During this period of time, individuals united in order to fight for their political rights. In addition, the political social discourse argues that belonging to a community brings benefits for all individuals involved. In order to gain economic and political benefits, collaboration with all members within a certain society or community is vital. Throughout the years, political social discourse evolved due to the rise of capitalism and globalization. As Prainsack and Buyx explain, the rise of capitalism led to a shift in certain social roles and relationships between individuals (2017). Due to a change in production, a need of new social regulations and of mutual alliance was created (Prainsack & Buyx, 2017). A hierarchy existed that demonstrated the roles each individual had in this capitalistic society. As Stjernø argues, “the development of industrial capitalism destroyed social bonds and older forms of community where people were firmly integrated in local and social structures” (2005, p. 43). Nevertheless, according to the modern political perspective, the individual is aware of the different roles and accepts that a hierarchy is needed in order for the modern capitalistic society to function properly. Stjernø argues that the modern political perspective entails all interests of the different classes in a society and demonstrates acceptance towards all these different classes (2005). According to the political

perspective, solidarity includes individuals willing to help their fellow members gain the rights they are entitled to.

From a religious perspective, the catholic and protestant ideas of solidarity are founded upon the belief that man is created in the image of God and that each and every human being is equal in the eyes of God (Stjernø, 2005, p. 88). The history of the concept demonstrates how solidarity is mainly built upon the feeling of belonging to a community, whether this is family or a broader societal group within society. This can be applied to the EU since the different member states within the Union all belong to the same community. One would therefore expect that being part of the same Union unites them and makes them feel interconnected on different levels. Solidarity should therefore, according to the history described above, be found on a large scale within the Union. The question however still remains what motivates an individual or community to demonstrate solidarity. There are two main theories of solidarity that have been discussed by many academics, namely normative solidarity and instrumental solidarity (Widegren, 1997; Ellison, 2012; Steinvorth, 2017). These will give further insight to what motivates an individual to demonstrate solidarity.

### *Normative solidarity*

The normative approach is mostly used in a social context, meaning that it focuses on solidarity found in relation to social interactions. It is therefore referred to by academics as social solidarity (Widegren, 1997). According to Widegren, social solidarity has a certain degree of warmth (1997). He argues that an individual acts towards meeting the needs of the other person rather than meeting its own needs (1997). One of the main commendations found is the fact that normative solidarity is demonstrated and conducted by individuals who do not rely on “the expectation of reciprocal generosity” (Arnsperger & Varoufakis, 2003, p. 171). Arnsperger and Varoufakis explain how normative solidarity includes individuals offering aid towards fellow members within their community without expecting any favor in return (2003). Therefore, normative solidarity gives us the opportunity to demonstrate the better part of ourselves (Arnsperger & Varoufakis, 2003, p. 171). Thus, according to some academics demonstrating solidarity can be seen as an act that is morally correct (Ellison, 2012, p. 23). They claim that demonstrating solidarity is simply the right thing to do. According to Hechter, normativists argue that some groups are more

solidary than others (1987). This is due to the fact that certain groups have more extensive norms and values, which facilitates demonstrating solidarity for the individuals involved (Hechter, 1987, p. 8). Komter and de Witte agree with this and argue that social solidarity will be stronger when individuals within a community share a strong identity based upon shared norms and values (2004; 2015). The cohesiveness within a community and the feeling of mutual attraction is vital (Komter, 2004, p. 115). De Witte adds to this by explain how normative solidarity portrays a strong idea of membership (2015, p. 11). States should include normative solidarity by creating national systems of social sharing for all citizens (2015, p. 11). Normative solidarity will be applied in our research in order to explain how the member states of the EU share a common feeling of identity. In addition to this, the EU provides its member states with a feeling that it is morally expected to help each other, especially in times of crises. By being part of the Union, the member states were expected to demonstrate solidarity towards their fellow member states and help the member states that were affected most by the refugee crisis. Therefore, the social, or normative solidarity, expects having a common identity will lead to the demonstration of more solidarity.

### ***Instrumental solidarity***

Instrumental solidarity is mostly seen in a political context. According to Widegren, instrumental solidarity comes in the form of a contract or agreement that discusses the benefits both parties gain when demonstrating solidarity (1997). According to Ellison, the instrumental approach stresses common interest as the reason for solidarity (2012, p. 23). Rather than demonstrating solidarity for moral reasons, it is mainly done for the benefits of oneself. Steinvorth claims that instrumental solidarity can only be found when the individuals involved have similar goals and are on the same legal level (2017, p. 10). Hechter agrees with this and explains how instrumental solidarity is demonstrated not because of the shared norms, but because of the shared interests (1987, p. 9). De Witte argues that states should provide access towards the instruments that provide instrumental solidarity, such as the labor market, public goods and welfare benefits, and should stimulate its citizens to engage (2015, p. 11). This thesis will apply the theory of instrumental solidarity in order to demonstrate how the propensity of demonstrating solidarity will be higher



when the member states involved have a higher self-interest in being part of the EU community. The states know the EU provides the individual member states with benefits they would not gain when remaining independent. Instrumental solidarity also explains how the different agreements and regulations made by the EU forces the member states to follow certain demands. The states know they will lose trust and confidence from their fellow member states when not obeying forced regulations. This may even lead to severe consequences, such as fines or other economic unfavorable arrangements. Therefore, demonstrating solidarity according to the instrumental solidarity theory provides both the individual and the community with benefits. Solidarity will increase when both parties are informed of these profits.

### ***Intergovernmentalism vs. supra-nationalism***

In order to better understand the integration process of the EU, two main theories will be used, namely intergovernmentalism and supra-nationalism. According to Moravcsik, intergovernmentalism stresses that states remain the main actors in every policy-making situation (1998). The interests of each state shape all negotiations that are held and they all wish to maintain their independence (Moravcsik, 1998). As Hix explains, the main aim of the governments of states “is to protect their geopolitical interests, such as national security and sovereignty” (2005, p. 15). Supra-nationalism, on the other hand, stresses the importance of supranational institutions in governance and policy-making (Haas, 1958). According to this theory, the increasing globalized world has resulted in nations having lost a part of their sovereignty to certain supranational institutions (Haas, 1958). As Hix explains, supra-nationalism assumes that “the member-state governments are not in full control, and that supranational institutions exert a significant independent influence on institutional and policy outcomes” (2005, p. 16). Moravcsik claims that these supranational institutions are needed in order to guarantee efficient cooperation between the different member states (1998). In contrast to intergovernmentalism, supra-nationalism believes that states are willing to give up a part of their sovereignty towards supranational institutions. These institutions will help states collaborate and provide the most sufficient policy-making process. In relation to solidarity, one could state that a state will apply an intergovernmental approach when not willing to be solidary. In contrast, a state will apply a supra-national approach when willing to be

more solidary. These two theories will help understand what happens in the EU when solidarity is not found and what influence it has towards the further integration process. Overall, it will help clarify why it is vital to demonstrate solidarity in a community such as the EU.

### **Methodology**

The main focus of this thesis was to conduct research based on Dutch primary sources. First of all, three suitable candidates were found who were all working for the Dutch government at the Ministry of Justice and Security during the period of January 2016 till June 2016. Nevertheless, each government official was working at a different department within this ministry. The first interview was held with Rhodia Maas. She worked as the General Director of the Repatriation and Departure Service at the Dutch Ministry of Justice and Security. The following interview was held with Bart-Jan ter Heerdt. He worked as the Department Head of Asylum, Reception and Return of the Migration Policy Directorate at the Dutch Ministry of Justice and Security. The last interview was held with Peter Diez. He worked as the Deputy Director of the Migration Policy Department at the Dutch Ministry of Justice and Security. The interviews consisted of five questions and were used as a qualitative research approach. The aim was to gain more insight in the way the Dutch government approached the refugee crisis. A transcript has been made of the interviews held and has been added as an appendix to this thesis. Next to the interviews, a quantitative research method was applied. The focus was put on five newspapers that belong to the list of most read newspapers in the Netherlands (“Nederlandse Kranten”, 2018). These newspapers were: De Volkskrant, Het Algemeen Dagblad (AD), Het NRC Handelsblad, Trouw and Het Parool. An analysis was made of the different newspaper articles that discussed the refugee crisis. The time frame chosen was the 1<sup>st</sup> of January 2016 till the 30<sup>th</sup> of June 2016. This period was chosen since the Dutch Prime Minister Mark Rutte practiced the function of presidency in the European Union between these exact dates (Pieters, 2016). Therefore, a large amount of articles were available that discussed his presidency in the EU and the Dutch approach towards the refugee crisis. In order to narrow down the articles available and focus only on the ones that were of relevance for the research, two different key words were used, namely ‘refugee crisis’ and ‘EU’. This

resulted in 151 articles in total. The articles were then analyzed and divided into four different categories. The first two categories focused on whether the articles provided a positive or negative connotation regarding the solidarity found in the EU. The following two categories divided the articles according to whether they were discussing normative or instrumental solidarity. In order to provide a visual picture of the findings, a chart was created in which all results were gathered and organized. This chart has been included in the results section. A clarification should be made that this research conducted does not provide enough information and proof to illustrate a valid representation of the solidarity found in the whole of the European Union. The research conducted is based on the Dutch government and media and is therefore from a Dutch perspective.

### **Literature Review**

As has been stated before, integration within the EU has been a topic of interest to many academics. Existing literature has covered the concept of solidarity in relation to integration and has discussed its role during this process. In addition, academics have discussed the refugee crisis of 2015/2016 and have attempted to seek explanations as to why it resulted in such a severe catastrophe. Many academics have argued how the crisis resulted in further disintegration within the union. The literature available that discusses the concept of solidarity in relation to EU's asylum policies and regulations however remains limited. Therefore, this thesis would like to contribute to the literature by discussing and demonstrating the relevance of solidarity in EU's asylum policies, especially during periods of crises. Below, this thesis will elaborate on the existing literature that discusses both the integration process within the EU and the role solidarity plays in this. Furthermore, this thesis will elaborate on the existing literature that covers the refugee crisis. Lastly, this thesis will highlight the existing gap and will demonstrate the relevance of the research conducted.

#### ***The EU - supra-national or intergovernmental?***

First of all, as has been stated before, there is an existing debate in the literature that has overruled all other debates covering the EU. This debate discusses whether the EU has experienced further integration during the recent decade. When

studying literature that dates from before the crisis of 2015/2016, one notices that academics seem to claim that the EU overall has undergone a period of Europeanisation (Tholen, 2004, Guild, 2006, Medrano, 2008, Comte, 2010). The different member states have given more power to the EU institutions such as the European Commission, the European Parliament and the European Court of Justice, and have aimed for a more supranational approach (Kaunert, Léonard & Universitait Pompeu Fabra, 2011). European states developed special relations and preferred cooperating in order to deal with certain issues, such as migration (Tholen, 2004, p. 347). When studying more recent literature dating from after the refugee crisis, one notices that the supra-nationalistic approach of the EU has been criticized (Niemann & Zaun 2018; Thieleman, 2018). Academics seem to blame the supra-nationalistic EU institutions for lacking supervision characteristics. Niemann and Zaun argue how, even though the EU has co-operated the past 18 years on asylum policies, the lack of a concentrated approach in times of crisis is puzzling and makes us question the state of integration in the EU policy field (2018, p. 13). They claim that there was a poor internal response to the crisis and for many member states the refugee crisis was not seen as an important priority (2018, p. 13). The failure of equal burden sharing and the failure of the open border regulations within the EU demonstrate how the states preferred to follow their own national regulations (Zaun, 2018). Zaun argues how the supra-nationalism approach seemed to be lost and claims that the EU member states preferred to apply a liberal intergovernmentalism approach (2018, p. 57). There are however also academics who do not agree with the decrease of supra-nationalism during the crisis. Niemann and Speyer for example claim that a neofunctionalist approach is best to explain the measures adopted by the EU since the outbreak of the so-called refugee crisis (2018, p. 23). According to them there is a decline in the role of the nation state and the ideology of nationalism (2018). It is the smaller groups of individuals who will gain power and eventually rise and gain power in the supranational governance of the EU (2018). Nevertheless, the majority of the academic articles have criticized the integration process of the EU. Dagi argues how the refugee crisis of 2015/2016 has stimulated “the strength of the advocates of national sovereignty within the Member States of the EU” (Dagi, 2018, p. 15). Supra-nationalism is still a nascent idea and intergovernmentalism is the only approach to help member states escape situations such as the refugee crisis (Dagi, 2018, p. 15).

***EU integration: solidarity as a crucial condition***

Many academics claim that solidarity has acquired an increasing prominent place in European policy during the recent years (Ellison, 2012; Thym & Tsourdi, 2017; Sangiovanni, 2013). As Ellison explains, there is a growing number of “policies that are designed to stimulate transnational solidarity” (2012, p. 8). Many academics have studied the concept of solidarity in the EU and have argued that it plays a vital role in the process of integration (Sangiovanni, 2013; Langford, 2013; Withol de Wenden; 2017 & Baubock, 2018). Solidarity is crucial in order for integration to occur and remain within the EU. Sangiovanni argues that a full account of EU solidarity must consist out of three main contexts, namely principles of national solidarity, principles of member state solidarity and principles of transnational solidarity (2013). By pooling these three different contexts, “European citizens agree to share one another’s fates, to preserve their commitments to domestic solidarity, and to give each other the fair return expressed by the internationalist ideal” (Sangiovanni, 2013, p. 241). However, by way of contrast, solidarity and its role in the ongoing crisis in the EU’s immigration, asylum and border control policies has so far gained relatively little attention in academic debates (Ross, 2010; Thym & Tsourdi, 2017, p. 606). The existing literature that discusses solidarity in relation to the asylum regulations in the EU has therefore been limited.

Several academics have discussed the deficiencies that occurred during the refugee crisis of 2015/2016 and have attempted to explain why the crisis became so severe. Bauböck discusses how an incomplete harmonization of norms regarding reception and determination of asylum across member states created agitation in the Union (2018). In addition, this initiated an obstacle for the establishment of a European identity across all member states (Bauböck, 2018). Hathaway and Neve predicted how solidarity plays a vital role in relation to the asylum regulations of the EU (1997). They explain how each member state has a different capacity to take in a certain amount of refugees (1997, p. 211). Some member states will be better at providing physical protection, while others will be more suitable at providing financial support by offering them certain resources (Hathaway & Neve, 1997, p. 211). Hence, for member states to be able to maximize their solidarity, it is vital to focus on their capacities and strengths (Hathaway & Neve, 1997, p. 211). Withol de Wenden discussed how the rise of nationalist ideologies in different European states

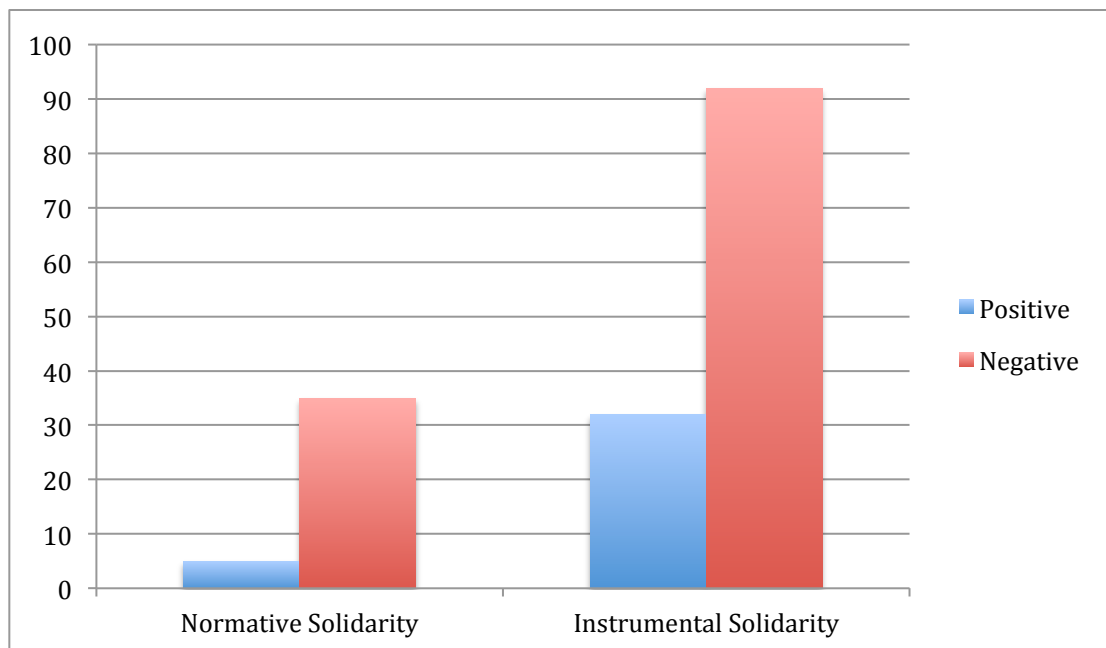
created limitations to the integration found within the EU (2017). He explains how the desire to restore national borders demonstrated this (2017, p. 74). According to him, this had a negative impact on resolving the crisis and only limited the EU capacities to appease the situation (2017). In addition to this, Lahusen and Grasso argue how the EU has experienced an increase of extreme rightist parties in many member states during recent years (2018, p. 2). According to them this raises further concerns regarding European solidarity (2018, p. 2). The rise of xenophobic and Eurosceptic protests across Europe are examples of how the refugee crisis had a negative impact on the social cohesion within the union (Lahusen & Grasso, 2018, p. 2). Grimm and My Giang claim how the current crisis situation reveals that solidarity within the EU is not lost, however it is rather weak and rarely practiced (2017). They argue that the EU contains the correct norms and values, nonetheless fails to practice them (2017). As has been noted, the literature available that discusses solidarity in correlation to EU's asylum policies remains limited. Therefore this thesis would like to contribute and demonstrate the vital role solidarity plays in these regulations. In addition, it wants to demonstrate the importance of cooperation between individuals in times of crises. More concrete, this paper will demonstrate the important role solidarity plays during crisis such as the one of 2015/2016. It will further on elaborate how the lack of solidarity during the crisis of 2015/2016 created deficiencies within the union and resulted in further disintegration.

## **Results**

First of all, the quantitative research conducted demonstrates us that the majority of the Dutch newspaper articles argued that there was a lack of instrumental solidarity during the refugee crisis. The chart below indicates how 92 out of the 151 articles described a negative instrumental solidarity connotation. Furthermore, 35 articles described a negative normative solidarity connotation. Overall, only a minority of the articles described a positive solidarity connotation. Therefore, one can conclude that according to the Dutch media there was a lack of instrumental solidarity found in the EU during the refugee crisis of 2015/2016. Furthermore, the qualitative research results gained via the interviews were brought together with the quantitative research results. The responses of the interviewees were compared with the content of the newspaper articles. This was done in order to grasp a better overall understanding

of the solidarity found within the EU. Three themes came across regularly and were discussed thoroughly by both the newspaper articles and the interviewees. These were the failure of the Dublin regulation, the failure of the Schengen zone and the need for a EU-Turkey agreement. The following section will discuss the findings and will provide an explanation of the different regulations, the reasons they failed and what should be improved in the future according to the newspaper articles and interviewees. Further on, during the analysis, the thesis will discuss the correlation between the results and the theories and will demonstrate how solidarity is justified.

### **Solidarity in the EU according to Dutch newspapers**



#### **1. The failure of the Dublin regulation**

A topic that came across regularly in the articles and during the interviews held was the failure of the Dublin regulation.

##### ***What is the Dublin regulation?***

During the creation of the European Union in 1945, immigration and asylum were matters that were left to the member states themselves (Fullerton, 2016, p. 64). The states contained the power to decide on what terms who they would allow to

enter their territory. However, by 1999 the Union had doubled in size and was dealing with large asylum issues (Fullerton, 2016, p. 64). The wars in the eastern part of Europe and the fall of the Soviet Union forced many to flee their countries and seek asylum in other Western European states (Fullerton, 2016, p. 64). The inconsistent response by the various member states to this incoming refugee flow demonstrated the inefficiency and complexity of the asylum system the EU was working with (Fullerton, 2016, p. 65). Having twenty-five different asylum laws led to the necessity of creating one Common European Asylum System (CEAS) (Fullerton, 2016, p. 65). Since the start of the CEAS, complex political negotiations have been held in order to create an asylum regime that would be applicable throughout the whole of the EU (Fullerton, 2016, p. 65). During the first phase of the CEAS, between the years 2000 and 2005, many rules were created in order to deliver the different member states certain guidelines they could follow during the asylum process. As Fullerton explains, these rules include which member state should take in particular claims, the care of the asylum seekers during the process and the procedural rules for asylum decisions (2016, p. 65). These different components then later on became law via different regulations such as EURODAC, the Temporary Protection Directive, the Asylum Procedures Directive and the Dublin Regulation (Fullerton, 2016, p. 65-66). These are only a few of the many examples. Important to note is that the laws made in the international EU environment have to be respected and executed by all member states (Conway, 2015). These laws have to be incorporated into the national legislation system of the member state (Conway, 2015).

The Dublin regulation originally dates back to the 1990s and started off as a Convention. Back then it was only signed by twelve member states and was followed alongside other EU legal obligations. It was seen as a separate non-EU treaty. It originally aimed to prevent individuals from seeking asylum in different member states and roaming between two different member states (Fullerton, 2016, p. 66). As Fullerton explains, “it attempted to articulate criteria that enabled EU states to determine quickly which state was the most appropriate to render an asylum decision on the merits” (Fullerton, 2016, p. 66-67). When the Dublin convention became official EU Law in 2003, it became a Regulation and was called the Dublin II regulation (Fullerton, 2016, p. 67). The Dublin II Regulation was designed to remove all the deficiencies of the original Convention (Lenart, 2012, p. 5). Such deficiencies were “slow operation of the system, uncertainty for applicants and Member States,



insufficient remedies for the refugees in orbit phenomenon, risk of chain refoulement, lack of proper readmission rules and supervision and disproportionate burden imposed on Member States with external borders” (Lenart, 2012, p. 5). The two main goals of the Dublin II regulation were similar as to the ones of the original Dublin convention. These namely involved stopping refugees from circulating between different member states in which they are neither allowed to stay nor leave (Lenart, 2012). The following goal was to prevent asylum shopping. This involved stopping refugees applying for asylum in different member states. The main goal was to stop refugees applying for asylum in states of which they know have the most lenient policy and practice in this respect (Lenart, 2012, p. 5). The heart of the Dublin II regulation was to provide the member states with more exact criteria for determining which state is responsible for taking the asylum claimant (Fullerton, 2016, p. 67). The most crucial and game-changing modification incorporated into the Dublin II regulation was the rule that the member state in which the asylum seeker first enters the EU is called responsible for the further procedures of the claimant (Fullerton, 2016, p. 68). The Dublin II regulation depends on a EU-wide fingerprint database of asylum seekers organize and provided by EURODAC (Fullerton, 2016, p. 68). This system was launched in 2000 and records the fingerprints, country of origin and other personal data (Fullerton, 2016, p. 69). The database can provide member states with information about the individual and can inform them whether the asylum seeker has previously sought asylum in a different member state. If so, the Dublin II regulation may then claim that this member state in question is responsible for further procedures and is forced to admit the refugee into its territory (Fullerton, 2016, p. 69).

As one would expect, the Dublin II regulation was also criticized and forced the European Commission to propose amendments (Hruschka, 2014). These amendments were implemented in June 2013 (Hruschka, 2014, p. 470). Again, “the main aim was to enhance effectiveness in the application of the Dublin system and to ensure higher standards of protection for persons subjected to the Dublin procedure” (Hruschka, 2014, p. 470). The main improvement made in the Dublin III regulation is that it has broadened its scope and has been considerably widened. It now includes not only asylum seekers, however all people seeking international protection (Hruschka 2014, p. 472).

***What are the failures of the Dublin regulation?***

First of all, the main conclusion drawn from the interviews held is that the regulation is outdated (Maas, personal communication, May 6, 2018; ter Heerdt, personal communication, May 17, 2018; Diez, personal communication, June 6, 2018). Even though the regulation has been adjusted several times during the recent years, the original convention was based on a situation that was unknown to the high influx of asylum seekers Europe experienced during 2015-2016. As has been stated before, it originally dates back to the 90's, a time where the Western part of Europe was experiencing a different kind of influx of asylum seekers all coming from the eastern part of Europe. The main difference between then and now, as Maas claims, is that these asylum seekers would return back as soon as peace was found (personal communication, May 6, 2018). The member states now are expected to integrate all these thousands of asylum seekers into their society. Europe is not able to handle this because the refugee regulation was never written for situations like these (Maas, personal communication, May 6, 2018). As Maas states, the Dublin regulation was created for a refugee entering the state individually. As Diez adds on to this, "we do have agreements on quality, however we do not have agreements on quantity" (personal communication, June 6, 2018).

Second of all, the Regulation forces too much pressure on the states that form the external border of the Union (Maas, personal communication, May 6, 2018). Seeing as the Regulation claims that the state of first entry should be held responsible for the further procedures of the asylum seekers, this gives the states that form the external border a larger amount of responsibility that seems rather unfair. The majority of the newspapers analyzed provided the same conclusion. An article in the newspaper 'Trouw' explains how Frans Timmermans, the vicepresident of the European Commission, argues that the Dublin regulation forces all the burdens on the small bordering member states of the EU (Schmidt, 2016, April 7). He claims that the current Dublin regulation system does not work and explains how the EU is in need of finding new regulations (Schmidt, 2016, April 7).

A third conclusion that can be drawn from analyzing both the interviews and the newspapers is that Europe is lacking one general well functioning EU asylum policy followed by all member states. Even though EU law has to be incorporated by all member states into their national legislation, the member states are given too much

freedom to apply their own national approach (Tempelman, 2016, March 19). The different procedures that are executed by the member states differ too much (Diez, personal communication, June 6, 2018). Regulations such as the amount accepted by member states, the time frame needed processing all applicants and the conditions of the shelter provided by the member states are unequal. This results in an uneven treatment and gives the asylum seekers the opportunity to choose in which member state they prefer applying for asylum.

### ***What is the position of the Dutch government towards the Dublin regulation?***

When studying the Dutch position towards the Dublin regulation according to the newspaper articles and the interviews conducted, one can state that the Netherlands attaches value to it. Nevertheless, since the state is not positioned at the outside borders of the EU, the Netherlands was not forced to deal with many Dublin claimants during the crisis (Maas, personal communication, May 6, 2018). Most asylum seekers entered via the airport or via the harbor of Rotterdam and were therefore automatically the responsibility of the Dutch government (Maas, personal communication, May 6, 2018). The Dublin claimants that did enter in the Netherlands were easily dealt with seeing as these were not many. In general, the Netherlands is an advocate of all EU regulations and finds it important that these endure and are dealt with properly. Both Maas (May 6, 2018) and ter Heerdt (May 17, 2018) explicitly claim how the Dutch government wishes to adhere all European treaties and European laws (personal communication).

### ***What should be improved in the future?***

All interviewees argue that it is vital to create a well functioning EU asylum policy that should be applicable to all member states. According to ter Heerdt, it is strange that the existing EU policies *wvis-à-vis* refugees differ so much, seeing as Europe did create the CEAS (personal communication, May 17, 2018). One solution that ter Heerdt suggests that will facilitate creating one general EU asylum law is the creation of the European Asylum Agency (personal communication, May 17, 2018). This concept was proposed by different EU institutions and the Netherlands was a great advocate for this suggestion (Ter Heerdt, personal communication, May 17,

2018). The idea is that the European Asylum Agency creates working groups in all EU member states that will study troubled nations. These groups will collect data about certain risk groups and will make reports discussing these specific issues. These reports will be shared among all member states in the EU. After collecting reports, the agency will then be able to provide help when creating new policies, specifically taking into account the risk groups. Overall, this should help in dealing with all issues in a more European integrated manner. As Ter Heerdt explains, the biggest challenge is to erase the different national approaches towards asylum seekers and other European issues (personal communication, May 17, 2018). Sharing knowledge and finding solutions within the EU is one way of doing this.

Another solution provided includes focusing on amending the existing Dublin regulation. Ter Heerdt discusses a solution that was provided by the secretary of state of the Netherlands (personal communication, May 17, 2018). This solution states that the asylum seeker should return to one of the states through which it has travelled. This would be a good deal for countries such as the Netherlands, seeing as hardly any individual travels through their territory, as this is not a logical route (ter Heerdt, personal communication, May 17, 2018). This would mean that the Netherlands would almost always have the opportunity to send asylum seekers back to the country they travelled through. According to ter Heerdt, this would provide a solution for the heavy burden sharing the bordering states of the EU experience. It would spread the asylum seekers more throughout the rest of the EU member states. Diez agrees with the fact that more focus should be put on creating new distribution regulations, since this is one of the main deficiencies of the Dublin regulation (personal communication, June 6, 2018).

The newspaper Trouw discussed solutions that were provided by the European Commission (Schmidt, 2016, April 7). The Commission provided the EU with two options. The first option was that the Dublin regulation would be maintained, however that the focus will be on division regulations. This includes that rules will be made about how to divide the asylum seekers fairly among the member states in order to make sure that the external bordering states do not carry all the burdens. The second option is that the asylum seekers do not apply for asylum in one state but in the European Union in general. This would mean that the European Union itself would have to deal with the asylum process, instead of its member states individually. This gives the supranational institutions more power and decreases the sovereignty of the

separate member states. The same solution offered by Maas, in which she states that it is vital to focus on registering asylum seekers outside of Europe (personal communication, May 6, 2018). This way it will be easier to gain an overview of all approaching asylum seekers and spread them equally among all member states. It will also stop the asylum seekers committing the dangerous journey to reach Europe (Maas, personal communication, May 6, 2018). If asylum seekers know before hand that they will not gain asylum in any member state in Europe, they will not make the journey. It will also spare the asylum seekers a lot of waiting time, since the answer to whether they will be given asylum will be given straight away. The situation now includes asylum seekers waiting for many years before knowing whether they will gain an official asylum. This results in refugee camps becoming too crowded and living standards decreasing to the bare minimum or even below. The same solution was offered by Sommer (2016, January 23) and Peeperkorn (2016, January 28) in their articles written in the newspaper 'De Volkskrant'. According to them, registration should happen outside of Europe in order to be able to reduce the amount of asylum seekers crossing the dangerous sea and risking their lives.

Nevertheless, according to Diez, the Dublin regulation should not be read with such exactness (personal communication, June 6, 2018). He claims that the rule of the country of first entry does indeed apply, however there are many other rules made in the regulation that have a larger priority and should be applied first (personal communication, June 6, 2018). Examples given are family members residing in a specific member state or visas given by embassies. These are all situations where that specific member state is held responsible and not the state of first entry (Diez, personal communication, June 6, 2018). According to Diez the list is endless and only when none of these rules apply, that is when the state of first entry becomes responsible. Nonetheless, he still argues that the Dublin regulation is an important agreement made within EU asylum law. Without the regulation, the EU would not have survived the crisis (Diez, personal communication, June 6, 2018). The regulation provides a filtering effect and influences the decision what member state to approach made by the asylum seekers. He does clarify that this does not count for all people. The refugees who are fleeing war and are in great danger in their home country will make the dangerous to Europe, no matter what. The asylum seekers who are fleeing in the hope to find a better future will probably rethink their decision twice (Diez, personal communication, June 6, 2018). Diez also emphasizes that he agrees with the

fact the Dublin regulation forces the majority of the burden on the external bordering states. However, he claims there are still many asylum seekers who manage to escape the regulations made and eventually do end up in other Northern Western EU member states. He also wants to emphasize the fact that even when an asylum seekers applies for asylum in a state when it has already done so in another, there are only a few cases where the asylum seeker actually does get sent back (Diez, personal communication, June 6, 2018). A large percent of these claimants concerned disappear. This has several reasons, such as the fact that many go in hiding when they know they will be sent back. Another explanation is the member states involved do not manage to come to an agreement about the returning processes. Deadlines are not made and disagreements are not resolved. According to Diez, it is a rather complicated process, where responsibility plays a large role (personal communication, June 6, 2018). The same has been stated by Versteegh in the newspaper ‘NRC Handelsblad’ (2016, May 4). He claims that expelling refugees has become harder throughout the years and argues that almost 40 percent of the planned expulsions are cancelled last minute. Ambiguity concerning the European regulations and errors in the administration process result in the detentions becoming unfeasible (Versteegh, 2016, May 4).

## **Section 2 – The Failure of the Schengen zone**

Another main conclusion drawn from the analysis of the interviewees and the different newspapers is the present discussion concerning the Schengen zone. Below this thesis will discuss what the Schengen zone is, why it failed and what should be improved in the future according to the newspapers and interviewees.

### ***What is the Schengen zone?***

After the Second World War, Europe focused on preventing the happening of such a horrific event in any near future. It was vital to cooperate in order to preserve peace and liberty (Keister, 2013). Together with this, Europe believed that “transnational economic and political integration was needed in order for the continent to gain back its global influence and power (Keister, 2013). This was done by a process called enlargement (Keister, 2013, p. 119-120). This involved expanding its transnational borders by including new member states. As Keister explains, “to

promote long-term stability and success, enlargement is based in a commonality of values in democracy and the rule of law, peace and freedom, and tolerance and solidarity” (2013, p. 120). According to Keister, a successful enlargement strategy must balance three elements, namely economic integration, political integration and autonomous nation-states” (2013, p. 126). Expanding its borders and gaining new membership gave the Union new economic opportunities and made the continent prosper (Keister, 2013, p. 120). One vital agreement made during the enlargement process was the foundation of the Schengen Zone. The Schengen zone was established in 1985 in the Luxembourg town of Schengen and signed by Belgium, the Netherlands, Luxembourg, France and Germany (Felbermayr, Gröschl & Steinwachs, 2018, p. 335). As of today, the treaty has been signed by 22 member states. The agreement aimed “to facilitate free movement of persons and goods across borders by removal of internal borders” (Karanja, 2008, p. 3). The agreement abolished regular identity checks at all EU internal border and only allowed them in emergency situations for a specific limited period of time (Felbermayr, Gröschl & Steinwachs, 2008, p. 335). In 1997, the Treaty of Amsterdam was signed which meant that the agreement was now officially incorporated into the EU legal framework (Keister, 2013, p. 125). Similar to the Dublin regulation, the member states of the EU were forced to incorporate the different regulations of Schengen into their national legislation. Seeing as it became official EU law, all member states were obliged to respect and execute the Regulation. As Zaitotti mentions, the Schengen regime is a system that consists of both supranational and intergovernmental features (2011, p. 3). Decisions are made with regional actors, which are composed of both governmental national governments and supranational EU institutions (Zaiotti, 2011, p. 3). The Schengen Regulation forces states to give up part of their sovereignty since national border control is given to their supranational actors (Zaiotti, 2011, p. 3). At the same time, such abdication includes risk-sharing behavior, seeing as one becomes responsible for risks that are not born at home but in the community one is part of (Keister, 2013, p. 126).

### ***Why did the Schengen zone fail?***

As Boogaard explains, the Schengen agreement stipulates that member states are allowed to reintroduce border controls for a period of up to six months (2016,

January 26). However, during the refugee crisis, Schengen incorporated an emergency article into its regulation which allowed member states to extend the term of border controls up to two years (Boogaard, 2016, January 26). This was done because several member states such as Germany and Austria, had exceeded the period of six months and were not willing to open up borders in any near future. This resulted in a domino effect, where many other EU member states also decided practice stricter border controls (Elshout, 2016, February 10). Many Eastern European countries even decided to close their borders and were not willing to accept any asylum seeker. Eventually even countries such as Sweden, Denmark and Germany decided to put on extra border controls (Elshout, 2016, January 21). The idea of open borders was lost. The EU even decided to apply stricter policies on the visa free travelling to and into Europe (van der Mee, 2016, January 13). Anti-immigration ideologies such as the one in Hungary spread around Europe and many other member states started to believe that it was best to keep all borders closed (den Hartog, 2016, January 30). Similar to West European countries, Eastern European countries also started to collaborate. Hungary, Czech Republic, Slovakia and Poland joined together and aimed at closing down the escape route via Greece and the Balkans (Kok, February 15). Other member states such as Slovakia, Austria, Macedonia and Serbia also joined together and made an agreement that did not include Greece. Their aim was to make sure no immigrants coming from Greece would attempt to enter their territory. The research conducted described this as the failure of the Regulation. According to the newspapers one of the main reasons the Schengen zone failed was, similar to the failure of the Dublin Regulation, due to the different approach each member state had towards the refugee crisis. As Tempelman discusses, there was a clear division noted within the European Union (2016, January 15). The Western part of Europe was considered open and accessible towards the large influx of asylum seekers (Tempelman, 2016, January 15). The Eastern part of Europe was quite the opposite and was not willing to accept any incoming refugee (Tempelman, 2016, January 15). Both the newspapers and the interviewees argue that the main reason for this is because each region carries a different history. Maas and Diez argue how the West Europe has a history of receiving large amounts of immigrants, coming mostly from East Europe (personal communication, May 6, 2018; personal communication, June 6, 2018). During the 1990s, Eastern Europe was struck by a war due to conflicts in the former Yugoslavia, which resulted in a large amount of people coming from Kosovo and Bosnia fleeing



to Western European countries. This would explain the somewhat more open approach West Europe decided to take during the refugee crisis of 2015/2016 (Maas, personal communication, May 6, 2018; Diez, personal communication, June 6, 2018). The East European countries per contra, were mostly left with traumas from war of the 1990s, which could explain their negative approach towards the asylum seekers (Maas, personal communication, May 6, 2018; Diez, personal communication, June 6, 2018). These countries had no previous experience with unfamiliar individuals bringing different norms and values to their country. They are pleased with the stability and peace their region has achieved and are suspicious of anyone willing to remove this. Nevertheless, these two different approaches towards incoming asylum seekers creates friction and instability within the EU. Beunders explains how the Western European countries felt abandoned let down by its fellow East European member states (2016, March 1). During the previous decades, the Western European countries received all refugees coming from Eastern Europe and were accepted into their society. It therefore felt unfair that the Western European countries were now expected to carry all the burdens (Beunders, 2016, March 1). According to them, the Eastern European countries should now return the favor and help its fellow member states by accepting asylum seekers into their territory (Beunders, 2016, March 1).

Another reason the Schengen zone failed according to the research was due to the fact the different EU institutions were lacking proper leadership qualities and overview of the situation (Peeperkorn, 2016, February 18). The European Commission failed to gain an overview of the situation and therefore saw no other way than allowing a suspension of the Schengen regulations. The EU was not able to grasp a hand on this and did not punish these violations made. The lack of leadership and the despair found within the EU institutions lead the member states to losing their faith in the union (Peeperkorn, 2016, February 18). This resulted in the member states applying more intergovernmental approaches. In addition, some newspapers also discuss the lack of knowledge about the EU as a problem (de Boer, 2016, January 19). Many EU citizens do not know how the EU functions and how it is organized. More importantly, most individuals residing in the EU do not know what benefits the EU brings. This can automatically result in the rise of extreme right political parties in the EU (de Boer, January 19). The citizens of the union are scared by the large amount of refugees entering their territory without fully understanding what they are scared of. Statements made by their surrounding environment will scare them. Examples are

arguments made which claim that these new incoming refugees will steal jobs or will bring terrorism into their country. This results in individuals voting for extremist right-wing parties, since their ideologies match the frustrations and worries of these particular political groups within society. The xenophobe expressions made by the rightist parties attract many people because it is the easiest for them to hear and understand. The only solution, in their eyes, is to close borders and keep them out of the EU.

Another problem Diez however points out is that member states should be willing to accept help (personal communication, June 6, 2018). He argues that it is a state's own responsibility to secure their own external borders and to work with a well functioning asylum application system. If a member state realizes it will not be able to handle the situation, it will be their responsibility to ask for help (Diez, personal communication, June 6, 2018). In addition, states should also be willing to accept help. Diez argues that this is one of the main deficiencies that occurred during the crisis (personal communication, June 6, 2018). Member states such as the ones that form the border of the EU where not prepared for the large influx of asylum seekers. Diez argues that these specific states asked for help from their fellow member states too late (personal communication, June 6, 2018). Most of the time, the help offered was also not accepted or not appreciated. In addition, there was a large mismatch between what was said on paper and what was actually executed (Diez, personal communication, June 6, 2018). Many member states did not feel the responsibility to execute the tasks that they had been given in order to help their fellow member states.

***What is the position of the Dutch government towards the Schengen zone regulation?***

According to the newspapers and the interviewees, the Netherlands was struggling with what position it wanted to take towards the Schengen zone. On the one hand it aimed at doing as much as possible, however on the other hand it did not want to become too attractive for asylum seekers (Besselink, 2016, March 17; Diez, personal communication, June 6, 2016). It worried that it would not be able to handle a large influx. As has been stated before, the Netherlands found it important to respect all European regulations made. According to Maas and ter Heerdt, the state can therefore be seen as pro-Europe (personal communication, May 6, 2018; personal

communication, May 17, 2018). Nevertheless, because it aimed to follow all regulations it did realize it had to cooperate with fellow member states and create negotiations that discussed the large influx of asylum seekers approach the state (Maas, personal communication, May 6, 2018). It realized how some European member states, especially member states in the Eastern part of Europe, were going against the European regulations made. It therefore decided to focus on member states that share their ideologies and goals. Ter Heerdt explains how the Netherlands joined North Western European consultations and meetings that focused on approaching the refugee together (personal communication, May 17, 2018). In summary, the Netherlands never had the intention to close its borders according to the interviewees. Boogaard however describes the position Mark Rutte took towards the Schengen zone. During his position as president of the EU, the Dutch Prime Minister Mark Rutte was thriving for a decrease in the amount of asylum seekers arriving in Europe (Boogaard, 2016, January 20). His approach to gain back control over the refugee crisis was by aiming to reduce the amount of asylum seekers arriving at the EU (Boogaard, 2016, January 20). Rutte held a speech towards the European Parlement in which he stated how the Netherlands wants a decrease in the amount of asylum seekers entering the EU, if not Europe will close its internal borders (Boogaard, 2016, January 20). This demonstrates another side of the Dutch approach and brings Rutte's ideologies into spotlight. Rutte's initial focus was not to close the borders but to bring back the amount of refugees entering the EU to zero. His approach was to persuade the asylum seekers to not travel to Europe in the first instance and he argued it was important seek solutions outside the EU (van Galen, 2016, January 27).

### ***What should be improved in the future?***

The newspapers discussed possible solutions in order to reduce the severity of the crisis without closing borders. Several articles focused on Merkel's approach during the crisis and motivated the Netherlands to follow this (Rohmensen, 2016, March 1; Westerveen, 2016, May 7). Even though some criticized Merkel for ignoring the Dublin Regulation, many also admired her courage and respected her for her solidarity. Instead of closing her border, she chose to open her border and put no limit on the amount of asylum seekers who were allowed to enter Germany (Rohmensen, 2016, March 1). According to them, this would be the best possible

solution to offer the asylum seekers. Second of all, there were articles that claimed that the European Union does not need new regulations (Noordervliet, 2016, March 12). According to them Europe already has valuable regulations, however it fails to live up to these. Therefore, the Schengen regulation does not need to be revised however only needs to be respected. One crucial solution found was offered by Dempsey in the Volkskrant, in which he suggests that it is important for member states to share their knowledge (2016, March 4). Schengen is about open borders, but also about being transparent in all other aspects (Dempsey, 2016, March 4). This includes transferring knowledge about asylum seekers entering their territory, but also about advising one another about how to approach the asylum seekers best. Member states should share advise on how to approach certain policies and regulations used to improve the living standards of the asylum seekers residing in their territory. In addition, it is also vital to educate the EU individuals residing in the union about its different functions. It is important to demonstrate them the benefits the EU gives them (van Dalen & Segers, 2016, June 24; de Boer, 2016, January 19). This will reduce the distrust towards the union and will improve the relationships between the different member states.

Similar to the solution provided for the Dublin regulation, the interviewees and newspaper articles argue to focus on the process of registration. According to Diez, it is vital to register all incoming asylum seekers since this is the only way to know who is entering your country (personal communication, June 6, 2018). Only when proper registration is made can a member state know to whom it should provide proper and fair help. Diez claims that this requires preparedness, especially when there is a large influx (personal communication, June 6, 2018). Europe consists of many organizations that can help with this process, such as Frontex and support teams of European Asylum Support Office (EASO) (Diez, personal communication, June 6, 2018). They can help with the registration process since they contain the information about the asylum seekers and possess essential instruments. These solutions add up to the ones provided for the Dublin Regulation.

### **Section 3 – The need of a EU-Turkey agreement**

#### ***What is the EU-Turkey agreement?***

The EU-Turkey agreement was an agreement made during the peak of the crisis in March 2016 (Gklatli, 2017). The agreement however originally dates back to 2002 (Gklatli, 2017, p. 86-87). During this period of time, the EU and Turkey had started negotiations that would discuss the readmission of refugees into the Union (Gklatli, 2017). After several negotiations were suspended throughout the years, a final draft was prepared and initialed in June 2012 (Gklatli, 2017, p. 87). It was only until the EU was forced to find a solution for the high influx of asylum seekers entering its territory that it approached the EU-Turkey agreement and argued that this was the only option left (Gklatli, 2017). The different EU officials and state representatives chose to re-negotiate the agreement with Turkey made back in 2002 (Gklatli, 2017, p. 87). On the 20<sup>th</sup> of March 2016, the EU and Turkey came to an agreement and officially implemented what we now know as the ‘EU-Turkey agreement’ (Goalwin, 2018). As Goalwin explains, “the deal was the latest effort to ‘stem the tide’ of refugees who had fled violence in the Middle East, civil war in Syria and the rise of the Islamic State, passing through Turkey and into the EU” (2018, p. 121). As Gklatli explains, the deal foresees several operational procedures (2017, p. 87). First of all, all migrants that arrive in Greece illegal after the 20<sup>th</sup> of March 2016 are to be returned back to Turkey (2017, p. 87). Second of all, any Syrian who is returned to Turkey will be sent to the EU. The EU is forced to accept all these resettled Syrian asylum seekers (Gklatli, 2017, p. 87). The deal included EU having to accept the same number of Syrian refugees as Turkey would accept illegal refugees coming from Greece (Gklatli 2017, p. 87-88). As would be expected, this agreement brought with it a large logistical process. Greece, Turkey and the EU were forced to create well functioning organized schemes in order to ensure the relocation processes of the asylum seekers would run without complications. Several plans were made such as the pre-screening and identification of refugees in both Greece and Turkey (Gklatli, 2017) In addition, human rights guarantees and dignified humanitarian conditions in the refugee camps were another prerequisite in both Greece and Turkey (Gklatli, 2017, p. 88). The deal gave both the EU and Turkey benefits. For the EU it was a solution to spread out the large influx of asylum seekers towards another

territory that was not theirs. It was also a solution to the problem of the expanding refugee camps in and around Greece. The conditions in these camps were worrying and were becoming poorer due to the increasing amount of refugees arriving. For Turkey it was an opportunity to gain significant political leverage. It was hoping to create a better relationship with the Union and open up conversation about becoming an official EU member state. Other regulations such as implementing regulations considering visa-free travelling for the Turks in Europe were also on the agenda.

***What are the failures of the EU-Turkey agreement?***

According to the majority of the newspapers, the EU-Turkey agreement had many deficiencies. First of all, many articles explained how the Turkish government violates human rights within its own nation (van Zon, 2016, March 8; Alonso, 2016 March 17). Several articles discussed how the Turkish president had abandoned certain newspapers in its own state since he did not agree with the position these papers took (Cerit, 2016, March 14; Alonso, 2016, March 7). They were seen as a threat towards his presidency and were insulting his ideologies according to him (Cerit, 2016, March 14). This action was alarming for many member states of the EU, since it contradicts to the democratic norms and values the EU wishes to portray. In addition, Turkey was not considered as a safe country according to the EU regulations (Cerit, 2016, February 17; Eikelboom, 2016, March 31). Especially negotiations about permitting EU access for Turkey were criticized, since the state does not fulfill the requirements that are set in order to gain access to the EU and becoming an official member state (van Santen, 2016, March 17). The newspapers describe the behavior of the Turkish president Erdogan as one of a dictator. The newspapers express their shock towards the EU about the fact that the Union even considers accepting Turkey as a new member state (Azmani & Lucassen, 2016, March 10). According to them, Turkey has to undergo a severe transition before even starting negotiations about gaining EU membership. The newspapers also express their worries about negotiating with Turkey. Seeing as it is not considered a safe state, they argue that asylum seekers should not be sent back to a state such as Turkey. According to them, the safety of the asylum seekers will not be secured and their human rights might be violated (Kranenburg & van der Walle, 2016, March 16).

Another failure mentioned was how Turkey was blackmailing and betraying the EU in order to gain certain political benefits, such as becoming an official member of the Union (Alonso, 2016, May 3; Yucel, 2016, May 12; Peeperkorn, 2016, May 12). The interest of Turkey was not to help the EU and the many asylum seekers, but to gain political power within the globalized world. At the same time, the newspapers claimed it was a scandal that the EU 'needed' Turkey to resolve the crisis (de Koning, 2016, May 6). According to them, the EU should have focused on dissolving the crisis with the regulations it has available. The newspapers also discuss the horrific circumstances of the refugee camps in Greece. They argue how even though the agreement should have improved the situations in Greece, it only worsened it ("Idomeni heeft nog een kelin beetje hoop, tegen beter weten in", 2016, March 17). Due to the EU-Turkey agreement, many asylum seekers were stuck in Greece. The agreement did not allow any refugees to travel further into Europe. The resettlement regulations between Turkey, Greece and the EU were not executed properly. As a result, the refugee camps in Greece became overcrowded which lead to a severe decrease in the living conditions within the camps. The newspapers explain how the UN made several reports about the many human rights being violated within these camps (Kettenis, 2016, March 24; Kettenis, 2016, April 7). It argues that Greece does not have the capacity to protect all refugees. The amount of people in need of human right protection has increased to such a number that offering protection to all has become impossible ("Vluchtelingen vast in havenstad Piraeus", 2016, March 25). Other NGO's such as Human Rights Watch, also brought out reports about the worrying circumstances in the camps in Greece and the failing of the Greek government to provide proper help towards the asylum seekers ("Vluchtelingen vast in havenstad Piraeus", 2016, March 25). Some newspaper articles explain how many human rights organizations, such as 'Doctors of the World', have claimed that they will no longer provide help in the areas where the asylum seekers are staying since they do not agree with the approach the EU is taking ("AZG weigert geld van EU en lidstaten", 2016, June 18; Kettenis, 2016, March 24). They consider Turkey as a threat to peace and stability, especially in the EU.

***What is the position of the Dutch government towards the EU-Turkey agreement?***

The position of the Dutch government towards the agreement was somewhat divergent and created a division within Dutch politics. The newspaper articles argued how some Dutch politicians were moderate about the agreement and saw it as a good solution whereas others were very against it. During his presidency of the EU, Rutte felt an urge to come to an agreement with Turkey. As was discussed before, Rutte was focused on keeping the incoming influx of asylum seekers as low as possible. His main goal was to bring back the numbers of incoming refugees to 0. According to the majority of the articles, Rutte advocated the agreement because he felt that this was the only solution that could be found on short notice (Obbema & Peeperkorn, 2016, February 11). Alonso described Rutte as the most European Rutte the Netherlands had ever experienced (2016, January 21). He believed that the European manner would be the only way to resolve the crisis. Even though he did not agree with the approach Erdogan took at times, he was still convinced Europe had to convince Turkey to accept all migrants back into his country (“Kort”, 2016, March 7). The division in the Dutch government could be noticed due to the approach the opposition parties took. Different regulations were suggested that somewhat seemed to be connected to the EU-Turkey agreement however took a different turn. Diederik Samsom, the leader of the Dutch leftist party ‘Parij van de Arbeid’ and member of the second chamber in the Dutch government suggested the creation of a ‘airbridge’ (Kok, 2016, March 3). The idea was to create a regulation where 400 refugees would be transferred from Turkey to Europe everyday for a month long. Samsom argued that this would remove charges for Turkey and would make the situation somewhat easier for them. Seeing as Samsom introduced this new regulation and promoted it as the solution for the crisis, many politicians adopted the plan under the name ‘Samsom-plan’. The VVD, the rightist Dutch People’s Party for Freedom and Democracy, was not an advocate of this plan (Kok, 2016, March 3). The conservative liberal party was afraid of giving Turkey too much power with such a plan. They argued it was not correct to reward Turkey without expecting anything in return. Another article discusses how the VVD and the PVDA had many arguments during the crisis (Hoedeman & den Hartog, 2016, March 11). Their views and ideologies seemed to clash a lot, especially when it came to the EU-Turkey agreement. However, eventually the PvdA managed to convince Rutte of this plan. Rutte argued that the Samsom plan should be seen separate from the EU-



Turkey agreement and that it is a different component. He did argue that the plan fitted in well with the overall EU-Turkey agreement (Hoedeman & den Hartog, 2016, March 11).

***What should be improved in the future?***

The majority of the articles were critical about the EU-Turkey agreement. They argue the EU is following incorrect policies and are focusing on the wrong aspects. According to them, the EU realizes that their policies do not work, however keep on attempting to adjust them and stick to them (de Gruyter, 2016, May 21). Instead, the EU should be changing their direction and create new policies and regulations (de Wijk, 2016, February 5). This is somewhat similar to the conclusion made in the prior sections. Instead of focusing on keeping the number of the entering asylum seekers low, the EU should be focusing on improving the living standard of the accepted asylum seekers in the union. In addition, they should be focusing on making policies that will allow the EU and its member states to accept as many asylum seekers as possible. As this newspaper article claims, the only solution for the asylum crisis is on the short term to face their failures and for the long term to change the whole EU asylum policy (Spijkerbroek, 2016, March 19). As expected, there was also a minority of the articles that argued the EU-Turkey agreement was the best possible solution (Peeperkorn, 2016, April 16). This article argued that this agreement would help bring back the crisis under control by stimulating asylum seekers to stay in Turkey and not risk the travel to Europe. The asylum seekers will more likely have the right for legal resettlement in Europe when staying in Turkey and being transferred by official organizations and institutions (Peeperkorn, 2016, April 16). One article describes how the president of the European Commission, Jean-Claude Juncker, called the EU-Turkey agreement a real game changer (Alonso, 2016, March 8). According to Juncker, the deal creates a possibility to get a grip on the illegal migration and attempt to stop it (Alonso, 2016, March 8). This is because the amount of immigration will decrease, since the asylum seekers will know their chances of success are not as high. Therefore, the illegal smugglers will struggle to find enough work available.

## **Discussion**

When having analyzed the results, one notices how the majority of the newspaper articles were critical about solidarity found in the EU. As has been demonstrated in the findings, the majority of the newspapers argued that negative instrumental solidarity was more dominant than positive instrumental solidarity. This means that there was a lack of instrumental solidarity in the EU during the refugee crisis. Following up, the newspapers argued that negative normative solidarity was more dominant than positive normative solidarity. This means that there was a lack of normative solidarity in the EU during the refugee crisis. Overall, the negative instrumental solidarity was more dominant than the negative normative solidarity. This means that according to the newspapers, the lack of instrumental solidarity was larger than the lack of normative solidarity. The following section will analyze the findings and discuss them in relation with the theories used.

### ***Instrumental solidarity***

One of the main conclusions drawn from the results is how the EU was lacking a well functioning asylum policy that is applicable for all member states throughout the union. The current existing regulations create an unfair share of burden and give the member states too much freedom to apply their own national approach. This creates an uneven influx and an uneven treatment of asylum seekers when having once entered the EU. The failure of both the Dublin regulation and the Schengen zone demonstrated this. The theory of instrumental solidarity argues how the propensity of demonstrating solidarity will be higher among individuals when there is large degree of self-interest of being part of the community. Therefore, in relation to instrumental solidarity, the results argue it is vital to create a well functioning asylum policy across the EU. Amending the existing asylum policies and focusing on the strengths of each individual member state will improve the degree of solidarity found in the EU. The states should all feel equally treated and should carry the same amount of burdens. The EU should focus on creating new policies which cover the whole process of the asylum seekers having once entered the union. This would include regulations such as the amount of asylum seekers allowed to enter, the registration process and regulations which cover the integration process of the asylum

seeker. These policies should be applied throughout the whole union by all its member states. This way there will be no different approach towards asylum seekers amongst the member states. It will oblige everyone to demonstrate the same amount of solidarity. In addition, the regulations and policies should demonstrate the states the benefits they will gain from cooperating with their fellow member states. Only then will the self-interest of being part of a community increase among the member states.

Another problem that was touched upon in the newspapers and interviewees was the lack of convincing leadership demonstrated by the different EU institutions. The results described how this resulted in increasing disagreements between the EU institutions and its member states. Both blamed each other for not doing enough and undertaking the wrong action. According to them, no one was willing to take responsibility. The member states felt that there was no proper governance and management coming from the EU institutions. In correlation to instrumental solidarity, the results argue that the relationship between the institutions and the member states needs to become clear in order for them both to be able to show solidarity. The structure of the union and the different functions each organ carries out must be interpreted correctly and equally by each member state. The EU institutions involved should practice stricter regulations and should become more dominant towards its member states. Only when this is done will the member states and the institutions of the union itself be able to demonstrate instrumental solidarity. Everyone included should be informed properly about the benefits the union brings. Without this, no one will be willing to become involved with the EU and the self-interest of being part of the community will decrease.

Third of all, the research conducted argued how the EU was focusing on the wrong approach. The existing asylum policies all focus mainly on keeping the asylum seekers outside of the EU. Both the Dublin regulation and the EU-Turkey agreement included regulations that assured the majority of the EU member states that the large influx of asylum seekers will not reach their territory. Instead, as several sources mentioned, the union should focus on creating policies that would create opportunities for the member states to accept as many asylum seekers possible. One major solution provided by the sources was to force refugees to apply for asylum outside the EU. In addition, refugees would apply for asylum in the EU in general, instead of one individual member state. Regulations such as these ones forces all member states to

demonstrate solidarity and will help the EU incorporate many more asylum seekers into their union. It obliges the EU to solve the issue as one union, instead of approaching the issue via 28 different national regulations. The self-interest of each member state will, via this way, automatically become communal interest. This will result in an increase of instrumental solidarity. The research conducted did argue that the EU aims at demonstrating the correct norms and values. Most ideas demonstrated by the EU are all valid and fair, however the different institutions and member states have failed to live up to them. Therefore, the research suggests that the existing regulations contain useful ideas and approaches, however they should be amended to a certain extent in order for them to become better applicable. In correlation to instrumental solidarity, it is vital to create EU asylum policies that incorporate solidarity into them. Without instrumental solidarity found in the asylum regulations themselves, the member states should also not be expected to be solidary.

### *Normative solidarity*

The research demonstrated how the lack of normative solidarity in the EU during the refugee crisis of 2015/2016 was found to a lesser extent. The lack of normative solidarity was not considered being the main problem. As the theory states, normative solidarity is demonstrated more when there is a certain feeling of common identity and cohesion within a community. Therefore the conclusion can be drawn that, according to the research conducted, the lack of a European identity did not have that much of an influence on the course of the crisis. The recommendation to create a more integrated European identity does therefore not apply. However, this thesis would argue the opposite. One could claim that the division which was created within the Union during the refugee crisis demonstrates how Europe's different cultural identities indeed play a role. The different approach towards the asylum seekers between the Western and Eastern European countries can be linked to a different cultural heritage and history. Therefore, it seems rather illogical to argue that the lack of a European identity was not relevant during the resolving process of the crisis. Thus, a logical recommendation for the EU would be to focus on future policies that give attention to the creation of a European identity. As has been discussed before, one vital way of doing this is by educating them. Informing the individuals about the different European institutions and the benefits they bring them would be the best way

to approach this. When all citizens of all the different member states gain the same information about the EU, there will automatically grow a feeling of mutual community and identity.

Another example that can be used in order to argue that social solidarity is important is the fact that the EU turned towards Turkey in order to find a solution for the refugee crisis. Since Europe was forced to look outside of its own union and its own member states, one could state that solidarity amongst its own member states was lost. As has been discussed, the majority of the newspapers criticized the EU-Turkey agreement. The fact that the EU was forced to rely on a country that by many was considered as a dictatorship and that violates human rights demonstrates the desperate state the EU found itself in. The EU-Turkey agreement is a valid demonstration of how solidarity had to be found outside the EU. In relation to normative solidarity, the EU should focus on creating a feeling of belonging to a community amongst its individuals residing in the union. This will prevent the EU from being forced to seek solutions outside its own territory in the near future. If the member states felt an increased degree of European identity, they would have been more willing to help each other. This thesis therefore argues that normative solidarity is equally important to focus on as instrumental solidarity. Without normative solidarity, instrumental solidarity will not be possible.

In addition, one can conclude that Europe experienced a more intergovernmental approach during the refugee crisis. The different member states chose for their own national regulations and did not agree with the way Europe dealt with the crisis. The lack of both instrumental and normative solidarity can provide an explanation for this. Benefitting for their own national goals seemed a larger priority than providing aid for the fellow member states in need. Due to their own national values and norms, Europe applied different approaches towards the incoming asylum seekers. In order for the union to become more integrated, it is vital for the member states to start applying more supranational approaches. However, in order for this to happen, more solidarity is needed. This thesis argues that normative solidarity is equally as important for the creation of a more integrated union as instrumental solidarity. In order for the member states to demonstrate instrumental solidarity, normative solidarity is needed. The different member states have to feel connected with one another in order for them to be willing to provide aid towards each other. Without a certain feeling of European identity, no member state will understand what

benefits they can bring one another and themselves. Overall, this thesis argues that an integrated union will be able to deal with crises such as the one from 2015-2016 better. Since many academics and politicians claim that the EU is becoming less integrated, it is vital to understand what should be done in order to prevent this from happening. Connecting solidarity to integration is therefore crucial. Demonstrating solidarity will lead to more integration, which will eventually lead to a better functioning Union.

## **Conclusion**

The research demonstrated us that according to the Dutch media and government officials, solidarity in communities such as the EU is vital for several reasons. First of all, without solidarity, the EU would not be able to rely on the well functioning of its regulations and policies. Solidarity has to come from both the EU institutions and its member states. The EU institutions should be concerned with assuring that every one will carry the same amount of burden and that everyone is forced to demonstrate the same amount of solidarity. The member states have to be willing to accept and demonstrate solidarity towards the regulations made by the EU. The EU institutions are given the responsibility to incorporate solidarity into their policies; the member states are given the responsibility to follow these solidary regulations described in the policies. Second of all, solidarity creates unification. The failure of both the Dublin regulation and the Schengen zone demonstrated how the EU was disintegrating. The member states decided to apply their own national regulations instead of following the EU regulations. The focus was put more on what benefits their own nation instead of attempting to help their fellow member states in the union. An integrated union is able to deal with any future crises better than a disintegrated union. In order for a union to remain integrated and successful, solidarity is vital. Third of all, solidarity creates acceptance. It creates a pleasant atmosphere in every community in which all individuals involved respect each other. It benefits the relationship between the member states, the EU institutions the different EU inhabitants. In correlation to the refugee crisis, solidarity creates acceptance towards all incoming asylum seekers. Every organ within the EU will be willing to integrate the asylum seekers into their society. As our research has demonstrated, this will only be possible if solidarity is found at all different levels

within society, including the supranational institutions, the intergovernmental member states and the European residents.

According to the research, the main reason the refugee crisis erupted to such a severe extent was due to a lack of instrumental solidarity. The member states lost the means of how solidarity would both benefit their own nation and the EU. They were mostly focused on applying intergovernmental approaches during the crisis that would maintain peace and stability in their own nation. The lack of normative solidarity was considered to be less of a problem. This thesis nevertheless disagrees with this and argues how the default of the EU asylum regulations was not only due to unfair burden and the lack of proper governance. The main reason for this division was due to a difference in history and culture. The different EU member states did not share the same norms and values that resulted in an uneven approach towards the asylum seekers. Therefore, the creation of a European identity is vital in order for the member states to be able to cooperate better in the future. This will only be created when there is an increase of normative solidarity found among the member states.

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## Appendix

### Transcript of interviews

**1. Interviewee:** Rhodia Maas

**Interviewer:** Madelon Jansen van Rosendaal

**Date:** 06/05/2018

**Location:** The Hague, The Netherlands

#### 1. What was the position of the Netherlands towards the process of resolving the refugee crisis?

Initially, the focus of the Netherlands was to make sure that nobody would end up on the street. During the first few months their primary focus was towards providing everyone shelter. In the meantime, meetings in Brussel were held because it had already become a European problem and how to deal with this situation. Everyone had already seen that this was a complicated problem that the EU had to deal with. Initially, everyone focused on the Dublin regulations and its applicability during the crisis. Pretty soon, even before the crisis had become a big issue, the court had ruled that return to Greece would not be possible. Later on in the process, return to Italy was also ruled out, especially for families. One could also notice that Germany was so flooded with refugees that it was not able to deal with all the Dublin claims. Initially, the focus was really on attempting to make sure that the Dublin regulation would endure. In the meantime, negotiations were held about how we were going to make sure that people would not approach our country and attempt to enter it. Even though we did initially have a feeling similar to Germany, in the sense that we felt that we could accept all incoming refugees. We wanted to sympathize with what was happening. But the incoming streams of refugees was becoming so big that countries were starting to realize that this no longer could go on. Everyone realized that Dublin regulation should be complied. Everyone also realized that something had to be done regarding the distribution of the refugees among different member states in Europe. It also soon became clear that if someone asked for a residence permit in Hungary, they would still move to another country more towards the Western part of Europe (Belgium, the Netherlands or Germany). And that in the meanwhile people

had to really focus on how to make sure that these large incoming flows of refugees would not all come to Western Europe (and the Netherlands). It also became more clear that in this large incoming flow of refugees, many of these people would not be eligible for a status. And that eventually, especially in the burden-sharing mechanism (spreading people around Europe), one realized that when you decide to make the selection at the borders of Europe, when you decide who can and who can't enter Europe, and from this point you can also already start working with integration in one of the EU member states where you say okay you now get a ticket to for example Finland where the spreading of the refugees can start.

**2. Does the Dutch government think that more political integration is needed at EU level to deal effectively with refugee crises?**

Yes, absolutely. The Netherlands could have never resolved the crisis by themselves. Especially because it also involved negotiation strategies with the countries of origin. It was of course a EU problem. Sometimes one can still notice that one country suddenly has to deal with many applications but this was an EU wide problem. This was discussed in Brussel and it really became a Brussel's thing.

**3. Do you think that the existing EU policies vis-à-vis refugees provide a sufficient framework to deal with potential refugee crises in the future?**

No. The refugee convention should be adjusted enormously. The refugee convention has nothing to do anymore with the current problems. It was created in a period of time that was mainly looking at flows from Western Europe it self. At that time there was much less mobility. This was still seen during the endings of the 90's., during the wars in Yugoslavia where large amount of people from Kosovo or from Bosnia came this way (to Western Europe). However, once peace had returned to their country. They eventually would return back to their country of origin. However what one can see now is that the Refugee convention is being used for completely different purposes, namely for work, fleeing poverty, fleeing drought, many other different problems, where the refugee convention has made the rules to such an extent that you cannot finish these handlings practical, seeing as everyone has the right that their application will be taken into consideration. We now also have a larger legal act, with



objection and appeal, and the European Court and all the other institutions. Europe is not able to handle it like this because the refugee convention was never written for situations like these. According to me the Refugee treaty has to be adjusted. Apart from that, but that is more towards my section, I believe one has to focus more on 'forced return'. I believe we should make more agreements and treaties with the countries of origin, however this will also have to be done within an EU context, because you will need the pressure to not provide certain countries with certain facilities the moment they do not want to cooperate with forced return. And I strongly believe that when you make the selection either in the Netherlands or outside the European borders, most preferably outside the European borders, before having the people come here. This saves the refugees from a lot of trouble and suffering, a lot of deaths in the Mediterranean sea, it also saves a lot of years from your life when one has to leave the EU after all. It will also be a lot easier to spread the people across Europe when the selection is made beforehand outside the borders of the EU. It will also be easier to provide those people who are really in need of shelter, who are really in danger and to the remaining we can say sorry but we will not be able to help you in Europe, you should stay in your country of origin. Yes indeed it is hard in Nigeria and it is a lot less comfortable than here, but that is the case for about three quarter of the world. And if you want to resolve this issue you will need different and new regulations. The refugee convention will never be able to solve issues such as these. Also for example, what is important to discuss is the Dublin regulation. The Netherlands for example does not have that many Dublin claims. They especially have claims out. The chances of arriving via Schiphol here and then travelling forward to Germany are very small. It is especially the claim out. This has the DTNV and the IND fully done from the beginning. However it was soon noticed that this was hard to comply, seeing as one has to find out where the refugee comes from and this can be rather complicated. In principle, you would hardly have to deal with anyone in the Netherlands, only if he or she has entered via the external border. Therefore the main focus was to deal efficiently with all the asylum applications. Initially, also to proceed the cases which were really of vital importance. If someone was from Syria, he would immediately be given a permit. The whole Dublin mechanism works two ways. Namely, if you're Italy or Greece, you have a massive large incoming flow where all of Europe could claim that they all have to return back to you. For countries such as the Netherlands, there is hardly any inflow. Only that that arrives at Schiphol

and some via the harbor of Rotterdam. This also demonstrates how the existing EU policies really should be amended. They are outdated and are unfair.

**4. Do you think that the refugee crisis has damaged the process of EU integration? If so, why?**

I think so yes. One can still notice the effects of the crisis. You can see, especially Eastern European countries and the position they adopted during the crisis towards solidarity within the EU, and Hungary who are still very right in their government, they really wanted different things. I think this can partly be linked with the crisis, and by the crisis I mean the economic crisis, but that also the refugee crisis has demonstrated a fundamental difference between certain EU countries which made it harder to further stimulate the process of integration in the EU. Western en eastern Europe and north and south.

**5. To what extent did the EU have influence on the return proceedings of the refugees within the Netherlands?**

The EU has an increasing influence on the return proceedings. You have something that is called 'the return directive'. This makes the return proceedings a lot more complicated, especially forced return. This is because the criteria, for example previously Dublin claimants would be kept in refugee detention before they would be forced to move to a different EU country. This was done because out of experience we would know that people who were already asylum hopping, the moment you say they were going to have to deport you they were like okay well ill go somewhere else then. But for example the 'return directive' a couple of years ago has eliminated that whole mechanism and has forbidden it. This means that for the return proceedings, had you been in Germany, and had you applied for asylum there and you're coming to the Netherlands and the Netherlands notices that you have already applied for asylum somewhere else in Europe before, the application will not be processed. The asylum seeker will be turned down due to inadmissibility and he will be forced to return back to Germany. In the past, the situation would be that when someone is forced to leave the country, they will be given 28 days to leave. If someone has not left within those 28 days, the Dublin claimant would then be arrested and would then be placed in custody for 2 days and would then be transported to Germany. At some point

however, the EU has forbidden this return directive and claimed that Dublin claimants have the right to be warned several days in advance when they will be deported. Yes, the moment you apply this regulation the Dublin claimant will get his suitcase and leave. Of course this makes sense, if you get told that you will be deported on may the 13<sup>th</sup>, the moment the government arrives that that persons door no one will be there obviously since that person will have fled. In issues like this the return directive has had a lot of impact. The efficiency of the return directive in the Netherlands has however had a lot of help from organizations such as Frontex. In this sense there was European influence. There was a certain degree of European process of expansion and this has mostly only increased throughout the years. There is a network of European countries who collectively try to put pressure on other European countries to cooperate with the forced return proceedings. An example of this is the Urint network in which also experiences are exchanged but for example for the Netherlands the situation applied that it had hardly any contact with Mongolia for example. The Germans did and the Germans introduced us to Mongolia and since then the forced return proceedings have gone much better towards Mongolia. So networks are important and they go together with the EU. It makes a country stronger and it makes the practical situation so much easier. Also a network of European member states, not everyone involves in this and cooperates but for example to reassure that the return proceedings will improve, it is important to increase this in a European manner.

**2. Interviewee:** Bart-Jan ter Heerdt

**Interviewer:** Madelon Jansen van Rosendaal

**Date:** 17/05/2018

**Location:** The Hague, The Netherlands

**1. What was the position of the Netherlands towards the process of resolving the refugee crisis?**

The Netherlands can be seen as pro-Europe. During the migration crisis this was their starting point. At the same time, Klaas dijkhof was represent back then, and he really thought that the Netherlands had to do what they had to do. This was their starting point, we just have to get going with it. Very soon we found out that other countries

dealt different with the situation than we did. Moreover, countries such as Hungary did not accept anyone and sent them through to other countries and that Italy did not want to work with finger prints, they did not register the refugees. So rather soon the Netherlands decided that we should cooperate in these times of crisis but we do have to find a way to not make our country too attractive. This did however take some time. In the beginning that notion was not really there, but soon they realized that other countries were not as easy as the Netherlands was. Klaas Dijkhof did not want to be that strict, he believed that we had to do what we could do, however within certain regulations. The Netherlands also focused on what are we doing 'more' than what is needed on the ground of European rules. Look at that. You could also see within the cabinet, and this is what made it really hard, that PVDA and VVD were together, within the VVD you also have two different kinds. You have the liberals who claim that we should follow the law but with minimizing, but you also had die hard VVDers who said minimalizing? We're going to do less than minimalizing. Stef Block did in the newspaper that they're coming to the Netherlands to get breast augmentation and dental protection. While the PVDA on the other hand said no we are going to help everyone!!! This demonstrates that it is hard to say and clarify what the position of the Netherlands was towards the refugee crisis because within the cabinet itself there was a division about what position the Netherlands should take. But in the end our goal however was to adhere to the treaty and to the European laws. We are not going to position ourselves under it. In that sense, whatever the other countries decide to do, this will be and stay our goal and soon enough we noticed that there were other 'like-minded' countries surrounding us who had the same visions and goals. North – west Europe, with whom we also had consultations and meetings about what we are now going to do in order to find each other. At some point there was a twofold in Europe with a group that had the same position as the Netherlands and a group with countries more on the periphery who had a different position.

**2. Does the Dutch government think that more political integration is needed at EU level to deal effectively with refugee crises?**

Yes, absolutely. I can say this with 100 percent certainty. It is also mentioned rather clear in the coalition agreement. We really think that we as Europe should strengthen ourselves. This could also mean that on some parts you will be worse off, that certain

arrangements will be made and set which we would rather not have. But we are willing to accept this within limits. You can notice this at the moment. There are now very much negotiations about the Common European Asylum Policy. But there is a clear limit for us. So it shouldn't go too crazy. But we are very much in favor for having the same asylum application process in the whole of Europe and that it would have the same outcome. And we are also very much in favor for having the same level of facilities throughout Europe. The quality of the reception and access to the labor market for example, there is a large difference between the different countries on these two aspects. When do you get access to the job market and how much money do you get given? So we are very supportive of that becoming more unified. And we the Netherlands are willing to compromise on certain parts but within limits. The goal of this cabinet is still the only way to survive this is by handling it in a European way, Europeanize. It. Because if not each country just keeps on doing what they want themselves..

**3. Do you think that the existing EU policies vis-à-vis refugees provide a sufficient framework to deal with potential refugee crises in the future?**

No. Not at the moment. Regarding the content processing and handling of asylum cases, one can notice big differences, which is weird. So what we now have tried, for which the Netherlands was a great advocate, we now have the European asylum agency which is located in Malta, we have asked to develop country policy of Afghanistan, so we have the Dutch country policy of Afghanistan, in which we state for example that single women in Afghanistan belong to a risk group. We will focus on this group in a what more benevolent way than when focusing on young men for example. Journalists also belong to a risk group. This is what we have in the Netherlands, but we actually think that this kind of policy should be introduced in all countries and should be the same everywhere. So what we asked to the European Asylum Agency is go focus and work on a group with all member states. A colleague of us did this and it took them 2 years. They will present this report in July, however this report will be based on information of 2 years ago... so I think and Holland thinks that we should do this, but if you see how much time it takes for all member states to agree on something like this, this will be a hard job!! But it will be nice than when someone from Afghanistan or Eritrea or Syria asks for asylum in Germany with

your story, that the result will be exact same as when you for example will ask for asylum in Hungary. So we do want to invest in projects like these, but at the same time we do know it will be very hard. Regarding the level of provision we should also try to create the same. The quality of reception in Greece has to improve. The level of reception in Hungary has to improve. At the same time we do know it will be very hard to achieve this. And everyone should feel the same responsibility. The Italians have to register the incoming people. The Hungarians shouldn't make the reception unattractive that they're actually pushing people away. The Hungarians detain everyone and then say no that's not true you have to leave. At the east side you should leave. And what really has been a large bottleneck is the Dublin story. Our secretary of State also gave an interview about this in which he mentions that he wants different agreements. Now we have said that you have to return to the country where you register first. He wants that you return to the country where you have travelled to. That is for Holland a very good deal. Because nearly no one travels over sea and hardly no one enters via Schiphol. They all come via Germany or Belgium, but when he proposed this the Belgian secretary of state said well we think this is a good idea. But yeah this seems logic because for him it's the same story, they come from Luxembourg, Germany or France. So now its waiting for the French, the German and the Luxembourg people to say it's a good idea and then eventually you will have the problem lying at the Italians, and if we solve the problem with this we don't know. The effect then will be yeah you can say you travelled through/via Italy so we can send you back to Italy. But yeah I just told you about the quality of the reception in Italy, that wont become better. We still think that we should invest in Europe and that it will be only way. And what also plays a large role is the return. And then especially forced return. In Our policy now forced return is often not possible. Many countries, when people do not have travel documents the countries we don't want you back, and then we have a Moroccan who we want to send back but then Morocco says yes but this one is not ours. We do not want it back we do not provide travel documents for this person. I believe that you can only solve this via a European way. If we as the Netherlands stay individual in this, we are only a small country, we think that we have to make it European the return proceedings. If countries say we don't take back people, okay fine but then your ministers and their spouses no shopping visa for London and Paris. I really think this will help. We have to be stronger in this.

Coming back to your question whether the existing EU refugee policies function properly, I would like to add that I can say this with 100 percent certainty that more integration is needed. The Dutch government has also mentioned this rather clear in the coalition agreement. We really think that we as Europe should strengthen ourselves. This could also mean that on some parts you will be worse off, that certain arrangements will be made and set which we would rather not have. But we are willing to accept this within limits. You can notice this at the moment. There are now very much negotiations about the Common European Asylum Policy. But there is a clear limit for us. So it shouldn't go too crazy. But we are very much in favor for having the same asylum application process in the whole of Europe and that it would have the same outcome. And we are also very much in favor for having the same level of facilities throughout Europe. The quality of the reception and access to the labor market for example, there is a large difference between the different countries on these two aspects. When do you get access to the job market and how much money do you get given? So we are very supportive of that becoming more unified. And we the Netherlands are willing to compromise on certain parts but within limits. The goal of this cabinet is still the only way to survive this is by handling it in a European way, Europeanize. It. Because if not each country just keeps on doing what they want themselves..

**4. Do you think that the refugee crisis has damaged the process of EU integration? If so, why?**

Brexit has to do something with this. It definitely has put more pressure on it. I already notice it here with my colleagues. Many people were always very pro Europe, and now you notice that people say I don't really know. People have become more suspicious. I don't think it has benefitted the European case.. the ratio north south against east west. It has definitely not benefitted it! It was definitely a test. Look Europe is beautiful when it goes well, but now you see that when there is pressure, the solidarity is quite hard to find. My colleague is working on effective solidarity. The idea at one point of the European commission was okay, there are apparently countries who do not want to receive too many refugees. Then they have to do something else. Each refugee that you decide not to take in, you have to pay 250,000 euro. This money can then be used in other member states to support and fund the

shelter of the refugees. Or if Hungary do not want to know anything about the refugees but you do enjoy guarding your borders, then you must provide additional capacities in the Mediterranean Sea. But this is of course very hard. You have to compare apples with pears. But there are people in Europe who truly believe in this concept. They think we can invent a model where under at the stripe everyone does their fair share. It would be beautiful but I'm afraid it is too hard.

**5. To what extent did the EU have influence on the return proceedings of the refugees within the Netherlands?**

Well, first of all the whole return proceedings policies framed within European law. The Netherlands did practice this on their own national way. The return and departure service did work together sometimes with other EU member states, but that was more about the good relationships between the DT&V, than that that happened on European level. What did happen, when the Netherlands was chairman, we did talk about pilot to work together with 3 countries in the section of departure. This was however a lot of hassle, because the problems differed between each country, a problem for one country was not a problem for the other country. There have been three countries which decided to work together on European level, but I do not even remember what countries that were so that says a lot about the efficiency of this project. I don't think it really came alive but it was the goal.

**3. Interviewee:** Peter Diez

**Interviewer:** Madelon Jansen van Rosendaal

**Date:** 06-06-2018

**Location:** The Hague, The Netherlands

**1. What was the position of the Netherlands towards the process of resolving the refugee crisis?**

What was the crisis? Why did we have it? Why couldn't Europe deal with all the people entering? It is weird that they couldn't deal with it because we have agreements on what to do when 1 person arrives, or 10 people. We do not have agreement on quantity but we do have agreements on quality. So when people cross



the external border of the union, and say hello I am here because I am seeking asylum, then it is completely normal that you will be registered as asylum seeker. That you will be taken care of there. That is the logic, the agreements that we have made. But thereafter, I have questioned myself, what if I position myself in the position of the country such as Italy or Greece, and 10,000 people arrive here per week, 60,000. Do we have the capacities and the manpower to deal with this? Within no time the refugee camps explode because they can't deal with the amount of people arriving. Then you will have inhumane conditions if you cannot deal with all that. So then they will be sent to the mainland to be taken care of there. But mainland? Mainland is not a prison, and a reception center is also not a prison, so before you know those people will be arriving in the Netherlands two weeks later. Or Sweden or wherever. But it begins at the beginning, and that is registration, you have to register all the people! it is one of the fundamental and basic things in the refugee policy in the union, it also has to do with safety, but you want to know who enters your country. Who enters Europe? Actually the intention is to then already divide the good people from the bad. That you can see hey sorry you're coming from Tunisia, you say you're from Syria but I can tell that you're from Tunisia. Those things happen. I found an identity card on one of the Greek islands from a Moroccan. Large quantities require preparedness, early warning mechanisms, and massive help. Because that you can't deal with it by yourself being Greece and Italy, yes I understand that, but we also have agreements about this in Europe! Go, via Frontex missions, via asylum support teams of EASO, go help! But it starts with a country's own responsibility, to secure its external borders, and everything that has to do with that, so also an asylum application. If you're responsible and you realize you can't deal with it, you yourself have to ask for help, because we are not an occupying power, the other countries, you have to be willing to accept this help. So, you see during the refugee crisis a very good mismatch between what is said and organized on paper, and it also requires organization skills from a country itself to feel its responsibilities and to come up with a help question on time so that other countries can help on time. And because all of this was not right at that time, images of 1000 of people walking on high ways because they themselves thought well nice that I've been accepted into Italy now but actually my goal is to go to such and such. What also didn't help in that period is that Germany said at one point, we don't send Syrians back to the country of first entry, the Dublin regulation. Everyone thinks that Dublin means that you have to be taken

care of in the country where you first enter, yes in the list of rules is it the last one. By default the member state where you first entered the union is responsible, but there are other rules who have a larger priority, if you enter Greece via turkey, and you have a passport with a visa which is given by a Dutch embassy, then that means that the Netherlands is responsible, not Greece, if there are family members of a family then that is. There are so many rules and only when none of these rules apply, then you arrive at the last one and yes then Greece is responsible. And there are people who say yes but that is unfair, because if I understood correctly, that default rule, you present it nice Peter, but that is the main rule, if you look at the quantity, the amount of people, that would mean that the outer shell of the European Union, that is where it should all happen, they are responsible, and the others, two things, 1. If, I think it influences the behavior of future migrants, if they know that it is not up to them to choose where but that, that they will be processed there where they, and of course, Europe is not a prison, you can go where you want to, but you will be sent back by the law to Italy, you will be sent back by the Dutch to Greece, then it might have a filtering effect on the decision of the people who still want to go, and then I don't mean the people who are in real danger and fear because for them it shouldn't matter, you're happy that you are safe, but for the people who think it is a lottery and why don't I just try, who knows I might have a golden future in Sweden. So that is one. If the system would work as it works, it has a filtering effect. And you cannot tell me that if the situation would be that that eventually means that the people who can stay, because for the processing you will get help, but if that would mean that the people who can stay will cause a disproportionate heavy pressure on the entire shell, from Lisbon till Riga, then don't tell me that we cannot make agreements and deals about this in Europe to distribute it more fairly. But that is again paper reality that yes, if we look at the rules then the outer shell they all have to solve it, okay with help from others, both at the border surveillance as in the asylum procedure, but how many people do not slip through the loopholes, or the cracks of the laws and controls, because there is no fence in the sea, you can easily go by boat and arrive somewhere in the night on an Italian beach, no one will see you, you are not noticed by the Coast Guard, or via the green border, Greece Bulgaria there that corner, that you still manage to secretly enter, and yes people who enter secretly. And who then signs up as asylum seeker in the Netherlands in the asylum center, that person is not registered anywhere, and if you're not registered, then who is responsible? Yes then The Netherlands is

responsible, so you will still always.. so my position and meaning is that had we not had Dublin, then we Germany, the Netherlands, Sweden, would have had many more asylum seekers than we had now. So is it actually the other way around. So where countries as Italy and Greece say well the Dublin regulations, have you read them properly? But if we take that literally then we will always be the ones fooled, but then I would turn it around and say no but look at the reality, what are because if you guys are right, then you will be left with all the asylum seekers, and where are all the asylum seekers in Europe? Where are most of them? Are they in Greece and Italy? Now, since the crisis, then there was a positive spin off, you can notice that the asylum numbers in Greece and Italy finally seem to get a size that one can say well now I understand, because now, these are numbers, large numbers, but Germany also has these, and Sweden also has these, and the Netherlands also has these, and on the one side it is nice that we have rules to determine who is responsible, but then I will invite you to take a close look and see well how exactly does it work with the asylum seeker who has been reported in the Netherlands (who has applied in the Netherlands) and we check Eurodac and think well this is a hit! Italy is responsible. And that you then go and take a look and think okay, this reminds me of a book of the DT&V – then why don't you just send them back? Then why don't you just send them to the country that is responsible? Well no but wait a minute, the person concerned can go to the court and say that he does not agree, no because in his case he cant go to Italy and then we have to take it back to court and the court has to make a decision and so if you see how many claims we have on a country and how many percent of these claims we actually really make work effectively and send the person concerned back to the country of first enter, then you will be amazed. A large percent of the people disappears. Rather do I disappear in the illegality, not necessarily in the Netherlands because we do not know that, they are just not there anymore, it was the hour to take the person concerned in a bus well yes gone. Where they are, nobody knows. But they will appear somewhere again and we think who are you actually? That could also be in Letland, like who are you actually? No papers, well then we have to go check Eurodac, and then..

**I: But it happens right, that they get sent back?**

Then they will be sent back to Italy. Cos that that is the only because Eurodac will then say Italy, but then Latvia has to inform Italy and say hey we have someone here and he is registered in your country as asylum seekers and as illegal border crosser,

and ten Italy first has to agree with this about the transmission, there are deadlines for that, many times Italy just ignores the deadlines and makes them expire, and that means tacit agreement and consent, but yes this will take another 3 months, so it's complicated.

**2. Does the Dutch government think that more political integration is needed at EU level to deal effectively with refugee crises?**

I don't really know what you mean by more political integration. If you understand under this more powers for Brussels, then I don't know if this will be the solution for the problem. The problem is that in the treaty is states that we have a common asylum policy as a Union. And if you look at how member states perform and present themselves in the council, then you must really ask yourself sorry but what do you understand under a common asylum policy? If you say these kind of things. So yes there is a lack of political unanimity in the field of the migration file in Europe. But yes everyone can see this. If you read the newspapers that you know ooh but at the same time I say yes but wait a minute, is that so weird? Yes if you look at it from a juridical point of view then yes it is weird hey we have a treaty? All these heads of state have signed it, and it made official and there have been made parliaments, how come that we have such a large problem with this? And then you see three interest groups in Europe. You have the countries who think they have a problem with illegal immigration, they do not have a problem with asylum, they have a problem with illegal immigration, there are countries who traditionally take in many asylum seekers, the countries like the Netherlands, Germany, Sweden, Austria.. they do not have a problem with illegal immigration, they have a problem with asylum! Then there are countries, Portugal, Baltic countries, Hungary, Poland, they think this is hard, all these people with weird colors, because we hardly have any of those in our own countries, and actually we want to keep it that way, now I mentioned a few countries but not all think like this, but lets put it this way, there are a few who express themselves like that, who really talk about the homogeneity of their society. They talk about but wait a minute sorry are we not allowed to decide this ourselves? Can we ourselves decide how we want our society to look? We are not going to let Brussels tell us how to make up our own society! Brussels,, European Union. Well, that problem of asylum and illegal immigration is the same problem. The illegal

immigrant today in Sicily, will be the asylum seekers tomorrow in the Netherlands or Germany or wherever. So we should stop pretending that those two things are different separate problems. It is one and the same problem! Or phenomenon! What manifests differently. Cos you know, if you as an illegal immigrant arrive in Spain and you can enter the black market there and work there, without problems and that you can just because there is demand for in south Europe for labor and manpower, legal, illegal, well whatever, a piece of paper, don't make such a fuss of it. So you know they do not have such a big issue with asylum because those people do not have to ask for asylum there, they can just work there, yes in Greece that is different so okay. But the big problem is, because if you say okay south and north west Europe they will see that this is one and the same problem which we have to solve together, and that are we doing in practice, but there are a few east European countries who that with this background, where if you think about it any longer, and you try to position yourself in their position you can think well this is bad, then you will understand better what their problem is, but if you understand their problem better, you can better think of solutions. So have we proposed them. We said okay well if it is a problem for you to receive people of which you know those are real refugees, so they will stay, to then still share the burdens of this whole puzzle, can we then not decide that you will receive people of which we beforehand know and that it is clear that they will have a very low chance for asylum. So that you guys are responsible for making sure those people return to the country of origin. Then you have spread out the pain of that area. There are more solutions! What I want to add is that during the crisis I think that both the Netherlands and the EU looked both wanted to work together. We have worked very hard on European solutions, also I have to say, we would have become chairman of the degree of the union on 1 January 2016, right in the middle of the crisis, and there have been many moments during the end of 2015 where we thought okay, a chairman is already pretty tough, but a chairman in combination of a crisis, well how are we going to handle this? So we have really, you can always notice when its your turn, half a year you will be chairman of the council of ministers, but that already stars with most certain half a year before, in the sense that well yes we are going down a peg, we are going to try to achieve our own national policies a little less, because yes we have to prepare ourselves for the role of honors broker as chairman. But I am sure, also when we would not have had that chairman position, we would always have looked very much for a European solution. And which we have

eventually also have found! So that is for the European side. Did we look for national solutions? Of course we looked for national solutions! For things that we ourselves are being faced with. We ourselves have to organize shelter for the immigrants, we ourselves had to organize it. The normal shelter was full well then we have to create emergency shelter but at a certain point those were also full so then we have to create crisis reception centers. And those were at some point also full! So at one point we had to put people into busses and said to the bus driver go and drive, yes but where to? Yes I don't know but just start driving and I hope I will be able to tell you in a couple of hours where you can bring these people. This is how bizarre the conditions were! And still were we able in this period every day to realize, and we would never know this at the beginning and start of the day, but at the end of the day we could every time say we again managed to provide everyone a bed! For those kind of things it really is your own responsibility, you as a country have to organize and provide the shelter.

**3. Do you think that the existing EU policies vis-à-vis refugees provide a sufficient framework to deal with potential refugee crises in the future?**

No not yet, but there are many proposals of the commission that do aim to be future crisis proof. But these proposals do have to be accepted by the council and by the European parliament. But with the current legislation you can come a long way, but in particular that distribution issue is still a problem.

**4. Do you think that the refugee crisis has damaged the process of EU integration? If so, why?**

I do not think it had a positive effect, no. I really believe, back in the days, before 2004, we also had these problems. 2004 was the year wherein the last 10 member states joined the European union. Political not correct to speak of the former Eastern Bloc countries, and I still see people writing this down and then I think guys from which time frame do you guys come from? That is a massive shame these days! But when the European Union only had 15 member states, and you only had the opposition between north and south, we already had this problem!! We had the war on the Balkan in the 1990s, people killing each other in Yugoslavia, large refugee flows,

so yes we've been there! So you can say hey what have we learnt from the problems of the 1990s? Because yes no one can predict the future but something like that can happen again. Thankfully not because of a war in Europe itself, but because of a war close to Europe! Bordering Europe! Syria is very close! If you look on the map how close Syria is from Cyprus, then you think ooh you can almost row your boat there to get from one place to another! So you know back then it was Yugoslavia, now it is Syria, what will it be next? But that something like this will repeat itself, look at the demographic development in Africa, look at how the population structure is there, look at water shortage, look at the ground reasons for migration, try to predict what that means for a continent like Africa in the coming decennia, well I have seen predictions that I think we haven't seen anything yet, and we are going to laugh about the crisis in 2015/2016. Remember? 2015/2016? We called that a crisis! We called that a crisis! We were so naïve! Yes.

#### **5. To what extent did the EU have influence on the return proceedings of the refugees within the Netherlands?**

No that much. Look there is a return guideline. So yeah if you say what is the influence of the EU, oh wait a minute, you can interpret the question in two different ways, one is juridical, what is the effect, well there is a return guideline so there is legislation in Europe that discuss the return proceedings. That is good. But it is also an obstacle in some areas. Some things we cannot do, but what we would really like to do, but the return guidelines create an obstacle for this. And well to get the commission in state to change the legislation and little legislation has been made in the area of asylum and migration that was so sensitive for the European parliament as the Return Directive was. That only the memory alone makes that the commission is very reluctant to come up with a proposal to adjust it because then we will open Pandora's box and we will get a large argument with the European Parliament. That is juridical. From a political perspective – I think that the European Union, we could have a lot more leverage as the European union if the European Union will bring us in contact with third world countries. Belgium once had a problem with Russia. The Russians refused to take back illegal Russians, a lot was invested in this. It didn't work. At some point the Belgians were really done with it! They said okay then we now are going to play a different game. We are closing the consulates in Moscow and

St Petersburg. No visa will be given to Russians anymore!! Then you think obviously, then you can just ask a visa for Holland,, yes but then you do have to travel a different way! or then you ask a visa for Paris? Yes but then you have to travel via Paris and this is a lot of hassle. En these meetings are in Brussels! Russians have to go to Brussels for meetings! That lasted 3 weeks and then Russia said okay then... and then they managed to work together! With this example I try to demonstrate that if the small Belgium manages to convince big Russia, how is it possible that the big European Union does not manage to realize something like this in relationship with Ghana? Just to mention a example. I understand it becomes sensitive when I give other examples, European union china. But we have so many practical return problems with countries of which we think yes sorry we are not taken seriously apparently as union? And the Netherlands can say hello Ankara is someone home we want to talk, ooh not interested. And we have even made them feel during the development cooperation with Ghana like okay well then you will receive 10 million less development aid. Well it did not help! Nothing! But this is the Netherlands in relationship to Ghana but how would it be if the European union as a whole in relationship with Ghana, what will happen then? Or the European union as a whole and Somalia? And I can name many more examples! I really think that the European union can achieve more and you touch a different subject this is nexus between migration policy and foreign policy. You have to use your foreign policy to realize and achieve things on the migration policy in contact with third world countries. you need this for return proceedings. But as long as we do not have a good return policy and good working relationships with third world countries about returning, then you end up with many people who are justly asking for protection but you also end up with a lot of people of which everyone thinks they should return to their country of origin! But they won't return! You can't get them tog o back. And the longer it takes the more the roots of these people end up in the ground and they get children who do not know their country of origin and do not speak the language of the country of origin and get a passport of the new country.