

The EU has been trying to develop a robust plan to stem the tide of [irregular migration](#) that threatens European security at a large scale, including a replicated deal. Especially in the Aegean Sea, it was observed that a tremendous amount of the flow had tried to reach the Greek shores. In this context, the March 18 agreement has [aimed](#) to address the overwhelming flow of smuggled migrants and asylum seekers traveling across the Aegean from Turkey to the Greek islands by allowing Greece to return to Turkey “all new irregular migrants” arriving after March 20.

Last week, there was an interesting demand expressed by the Maltese PM Joseph Muscat. He [said](#) the new measures should have the same impact as an agreement struck with Turkey last year that cut the number of migrants and refugees reaching Europe from Turkish shores to below 390,000 from well over a million in 2015, according to the International Organization for Migration. “*There is no doubt that unless the essence of the Turkey deal is replicated in the central Mediterranean, Europe will face a major migration crisis,*” said Muscat. He also demanded an increase of EU cooperation in returning migrants from Libya to their home countries with setting up new camps in sub-Saharan countries.

Safe Third Country Concept: A replicated deal

In order to make *a replicated deal* the EU-Turkey readmission agreement with Libya or other Northern African governments, those countries have to be described as a *safe third country*. According to [the European Asylum Procedures Directive](#), a migrant/refugee could solely be sent back to a safe-third country that have a guaranty for their protection-in legal basis: (a) “*in which the applicant was previously recognised as a refugee and that he or she can still avail himself or herself of that protection*”(b) “*or where he or she can still enjoy sufficient and effective protection including protection against refoulement.*” It could not be argued that a country which has low crime rates would be defined automatically as a safe country. It is just about its legal structure that how it affiliates with the international agreements on the migration statuses.

The status of Turkey within the [safe third country](#) framework had been disputable in many ways. Until quite recently, Turkey did not have an adequate legal structure to cover all aspects of the asylum regime and refugee crises. The current laws implemented a couple years ago, cannot be applied entirely now. Besides, the new legislative arrangements have caused a bicephalous structure which makes an efficient plan difficult to manage. Although there were numerous concerns about Turkey’s status, the EU has accepted Turkey as a safe third country. Then, the readmission agreement has started to work.

Deal with an Unstable Country

Now, Libya has two different political authorities. While the UN-backed Tripoli government can control only a part of the soils, the other authorities are not recognized by the UN. For instance, the coastal city of Zawiya is ruled by local leaders who are gaining large amounts of income from human smuggling. The local economy of the city is mainly based on human trafficking of asylum seekers and migrants, especially from under-developed African countries. So, there is no chance to make an agreement with those so-called governments where lawlessness provides impunity to human smugglers. The UN-backed government is seen as too weak to establish political unity throughout the country. In such context, how could the EU decide to make an agreement with a country that [could not have political unity and stability?](#)

Are They Refugees or Migrants?

There is a crucial difference between two Mediterranean routes. The 81% of people who passed the Eastern Mediterranean route to make asylum application have come from regions of hot conflict like Syria, Iraq, Pakistan, Iraq, and Palestine. Almost all of those migrants have fled warfare in order to seek a safe zone for shelter. According to [the 1951 Geneva Convention](#), a *refugee* is someone who has been forced to flee his or her country because of persecution, war, or violence. A refugee has a well-founded fear of persecution for reasons of race, religion, nationality, political opinion or membership in a particular social group. Most likely, they cannot return home or are afraid to do so. War and ethnic, tribal and religious violence are leading causes of refugees fleeing their countries. Therefore, it is more likely to define them as refugees in the legal framework.

However, the Libya-Italy/Malta route is taken mostly by *economic migrants* who have suffered from the impoverishment of sub-Saharan African economies. They seek to reach a much wealthier European country for a better chance of employment and higher living standards. Because most of them are not fleeing from a serious threat to their lives, it is not possible to define them as refugees. In this case, they could not be eligible for the relocation program within the EU. Thus, a Turkish-style one-to-one readmission agreement seems totally impossible.

What Could be Done?

Even if such a readmission agreement is not applicable and effective, other measures have not been exhausted yet. *Preventive measures* consist of huge investments in the countries in which migrants come from. The coherence between development policy and migration has a central role to ensure that development assistance provides easier and more effective management of the crisis. It focuses on the aim of establishing a better life at home so that people won't need to move to other countries. In this way, the European Commission [proposed](#) to deploy 8 billion euros (\$9.1 billion) in the next five years to deal with the migrant flows. It underlines a new partnership framework which would return more arrivals

to their countries of origin or transit. The new model addresses the root causes of the current refugee crisis that caused countless deaths in the Central Mediterranean routes.

It is also called as [a European Marshall Plan to Africa](#), with an approach that sees Africa as a *trade partner* and an *investment opportunity*. It seems more effective to bear with the crisis than aforementioned offers. We need to be realistic while thinking about the possible solutions. Only if such long-term financial measures that are more sustainable and effective are taken, people will be convinced to desist from taking the very dangerous journey across the Mediterranean. Otherwise, we will mention another migrant crisis every year, with rising concerns.

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ABOUT US

Bosphorus Migration Studies is an independent “think-together tank” focuses on migration. Founded in July 2015 by a group of independent researchers studying in Boğaziçi University. Headquartered in Ankara.

- Our mission is to promote inclusive and sustainable migration policies and generate alternatives for policy-makers.
- We support junior researchers seeking to deepen their knowledge and networks.
- We engaged NGOs and researchers to develop innovative frameworks.

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*We have another portal in Turkish: bmshaber.com