Europe and the refugee crisis
10 side-effects

Pol Morillas, Elena Sánchez-Montijano and Eduard Soler (coords.)
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2015 will go down as the year Europe felt a tragedy of global dimensions for itself. Other parts of the world have been facing what is now known as the “refugee crisis” for much longer and with much greater intensity. The impact of the crisis will be felt strongly throughout Europe, not just in a handful of countries, and it will continue to affect the European construction project as a whole, not just some of its policies. In the papers brought together in this monograph, we identify ten collateral effects that are already being felt.

The first three contributions analyse the effects of the crisis on the cohesion of European societies from different angles. Yolanda Onghena approaches it from the perspective of the EU’s founding values, which are being called into question. Marga León and Joan Subirats note how the mass arrival of refugees in some member states is revealing the fragility of social welfare systems already hit by the economic crisis and austerity policies. And, finally, in his paper, Jordi Bacaria argues that if well managed the arrival of these people could be an opportunity to revitalise European labour markets.

Blanca Garcés and Elena Sánchez-Montijano, in their respective analyses, underline the challenge that the crisis poses to the EU’s asylum policies and its current system of free movement of people. They contend that the number of voices from different quarters demanding revision of the Dublin Convention and the Schengen Treaty is steadily growing. These contributions warn that any revisions should not be made at the expense of European countries’ obligations in terms of international protection of refugees and the intra-European mobility scheme.

The response to the arrival of hundreds of thousands of people in the space of a few months has deepened the divisions at the heart of the EU as well as in some of its states, especially those that have taken in the largest number of refugees. Pol Morillas examines the opening up of a breach that had been forgotten between western and central Europe and the rest of the continent. Once again, the EU astonishes with its unprecedented capacity to accumulate crises and multiply the factors of disintegration. In his analysis, Eckart Woertz focusses on one of the main
protagonists, Germany, where the figure of Angela Merkel stands out for her moral leadership that transcends the borders of her country. But her initial open policy towards the refugees has provoked greater division in German society as well as within her own party.

Finally, three areas are pointed out where the crisis has conditioned the EU’s external action: EU foreign policy itself, the role of Turkey, and Russia bursting onto the scene of the crisis. Francis Ghilès points out the deficiencies, weaknesses and miscalculations made in foreign policy by an EU that is ill-equipped to handle a much more hostile scenario than that which prevailed at the end of the cold war. Eduard Soler argues that Turkey has taken advantage of its geographical location and EU weaknesses to present itself as an indispensable actor. In this sense, if the refugees were previously seen as a burden for Ankara, they have now become a diplomatic trump card. Finally, Nicolás de Pedro tackles the role of Russia in the intersection between the humanitarian crisis and the war in Syria. In his reflection, he underlines how the Kremlin’s strategy targets the EU’s weak points, with the management of refugee flows among the most notorious.

This monograph reflects that the crisis we face has a long way to run yet, as much because of the magnitude of the phenomenon as the side-effects that it is unleashing. With this in mind, CIDOB’s efforts in this field have been redoubled and remain cross-cutting. In 2015 we launched a work programme that is designed to be long-lasting and which approaches the refugee phenomenon at three levels: the causes at source, the European response and the reception policies in the local environment. This collective effort is one of its first results.
Even with the shocking images of hundreds of thousands of refugees on Europe's external borders, our attention remains focused on discussions and negotiations that elicit only a tepid, weak internal response from the European institutions. What have become of the democratic values of solidarity, dignity and liberty on which the European Union has been built? Political discourses speak of “migratory crisis” and even “humanitarian crisis”. But invoking those concepts leads us to a sad, shameful realisation if they are not accompanied by a strong, shared, long-term strategy. In this context, fundamental European values emerge again, such as those established in the Treaty of Lisbon: “respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities”.

The same treaty, meant to open Europe up to the 21st century, also maintains that “these values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail”. Such postulations were made at times when renewed enthusiasm for openness and unity was needed: enlargement and a single currency shared by all member states.

Two questions present themselves in relation to the reappearance and emphasis in the debate on European values: Are these values European, universal or national? How does this story of values reach the citizens and to what extent can we consider Europe an engine of motivation? At first sight, European values are indistinguishable from universal values and in fact they should not distinguish Europe from the rest of the world. What is specifically “European” about these values is the historical importance of countries who had just lived through and participated in the two world wars recognising shared values. Peace was the common denominator out of which a desire for solidarity, tolerance and justice was born, and over time the pluses and minuses were meant to be evened out. But today’s reality is different. Europe is suffering from an economic and financial crisis in the midst of which the values of tolerance and openness are in decline. Hundreds of thousands of people are seeking to enter Europe – refugees and migrants – and the response of our leaders is to let the countries with external borders build fences
or seek any other means of rejecting them. Thus, while from one side efforts are made to close the borders and impose restrictive migratory policies, from the other come messages of unity and warnings about retreating into nationalist responses. We have been able to hear François Hollande in the European Parliament on October 7th, reusing François Mitterrand’s words, “Nationalism is war”, and adding that “Sovereignty is decline”. Angela Merkel, in the same plenary session, saw the end of Europe in the return of national borders and lack of unity to fight the crisis: “More Europe, not less”, she demanded.

For years, there has been talk of a “European identity crisis” or an “identity deficit”, reproaching the European Union for shirking its responsibility and accusing it of advancing the European construction while neglecting the citizens, thereby increasing disaffection. Nevertheless, it is Europe’s current economic and financial crisis, as well as the strict austerity measures that have resulted, which feed directly anti-European populist discourses. To this may be added the public alarm about Islamist terrorism, which seeks to link Muslim identity to an excess of immigration that is itself due to the opening of the borders. All of this produces the perfect chemistry for populist discourses, institutional cowardice and fear of foreigners causing the loss of a putative European identity.

What gets through to us, the European citizens? Why does the arrival of hundreds of thousands of refugees put the existence of certain European values to the test and produce warnings about national selfishness and intolerance?

The images, the vision of hundreds of thousands of people seeking refuge on the borders of Europe, challenge us. What is Europe’s response? Allowing borders to be closed and restrictions placed on immigration is not exactly a show of this “solidarity between member states” who defend the treaties, but neither is there a strong voice. In fact, what has resulted is an absence of voice, a total silence while other voices make noise, a lot of noise. The dominant discourse in this time of crisis has been overwhelmed by the opinions of the populist leaders of xenophobic parties. The xenophobic discourse has established itself, curiously, in countries with rather tolerant pasts − the cases of Sweden and Finland, for example − and has been consolidated in places where extremist populist parties already form part of coalition governments or support minority governments. Their influence on mainstream politics is evident. The threat of the rise of extremist populist parties results in a Europe that is intolerant, xenophobic and racist.

The MEP Marine le Pen, president of the French National Front, was indignant that Anne Hidalgo, mayor of Paris, posted “Welcome to Paris” in French, English and Arabic on Twitter, aimed at the refugees. The next day, in a meeting, she suggested Hidalgo wear the veil to welcome the “clandestines”. Some speeches have also crossed the line and are explicitly racist. The leader of the Dutch Party for Freedom (PVV), Geert Wilders, speaks in the Netherlands of an “Islamist tsunami” in which the homeland will be lost to the invasion of young Muslim “testosterone bombs” from whom their wives, sisters and daughters will be at risk. Pure identitarian ultranationalist victimisation. Muslims and the supposed threat to European culture are at the centre of his message and his policy proposals increase xenophobia by putting fear into the voters
about the loss of the autochthonous culture. The Hungarian prime min-
ister, Viktor Orbán, leader of FIDESZ, is closing the borders because of
the arrival of the refugees. “Most of them are not Christians, but Mus-
lims. This is an important question, because Europe and European iden-
tity is rooted in Christianity”, he said, accusing Europe of setting aside
the primordial role of Christianity in the history and culture of the contin-
ent. There is a worrying, growing tendency to gain popularity with slo-
gans based on “our people first”. In response to this kind of intolerance,
the French president, François Hollande, invites those countries who do
not share the values and principles of the European Union to rethink
their presence in it.

Is there real concern about the rise in popularity of the extreme right and
the populist parties in Europe? Who is condemning the racism? Where
is the initiative of the progressive parties to prevent intolerance, xen-
ophobia and racism returning to the mainstream of any European society?
Europe has a historical challenge to provide a valid response to a crisis
where the paradigm of exclusion, xenophobia and racism are overrid-
ing the values of solidarity and tolerance. This response concerns all of
us and has much to do with European values: it is our time to evaluate
whether we can still believe in this Europe.
Europe's political and social project has, since the post-war period, aspired to a concept of citizenship that transcends the diversity of models of national citizenship rooted in territorialised concepts that preclude membership of a single culture. From another perspective, openly transnational discourses claim the universality of human rights as an organising principle of European citizenship. The 1957 Treaty of Rome recognises the free movement of people as one of the founding principles of the European Community. From the start, this yearning for European citizenship carried simultaneously the key to its own destruction with it. Firstly, because freedom of movement has always been mainly linked to labour integration. While the treaty speaks of rights, the free movement of European workers from the early 60s onwards was, in reality, facilitating the massive flow of economic migration from southern Europe to its northern and central regions. The idea of European citizenship finds fertile ground above all when its development benefits economic integration and the consolidation of the single market. Secondly, rights in Europe are almost always subject to limitations that are justified by public policies and security matters that are usually restricted in the nation-states. Despite globalist discourses, various models of social integration have survived and persist in Europe. The recent migratory waves have little in common with the migratory movements of the 1960s and 1970s, both within and outside Europe. European societies, punished by the recession, with serious internal imbalances in both social equality and labour market participation, are less willing to give opportunities to those arriving from outside compared with the old European times of full economic expansion. What is more, the poorly-named multicultural or integration policies introduced by European governments to manage the diversity resulting from immigration have created substantial tensions and problems. As Malik says, the, in general, failure of these policies in many European countries has encouraged the dangerous perception that Europe is suffering from excessive immigration and a lack of integration. It is a perception that is difficult to counteract with arguments based on the need for foreign labour in ageing populations. Ultimately, the capitalisation on the discontent by far-right parties is largely due to the significant imbalance

that exists today between the most vulnerable social groups and the main political parties (those whom Ford and Goodwin call the “left behind”).²

If the social, economic and political contexts are not comparable, can responses remain unchanged? Undoubtedly, for countries with solid welfare systems, open borders present a number of dilemmas. The tradition of countries like Sweden and Germany of offering political asylum dates back to a time in history when being a political refugee was a privileged form of migration. The change in the scope and scale of today’s migration means that these policies, which were not designed for the kind of eventualities that we now face, need revising. The humanitarian scale of this crisis makes depending on the greater or lesser generosity of the European welfare states problematic. Establishing quotas that to some extent balance out each country’s efforts seems a reasonable step but also one that is insufficient. The number of people travelling each day in different parts of Europe (10,000 - 20,000 according to Frontex) adds up to the enormous difficulties countries are facing in handling asylum applications. The different administrative procedures are clearly incapable of managing this crisis. It is like trying to empty the sea with a spoon.

Orders are given in the European Union based only on what the market demands, thereby fulfilling its founding values. But the effects of this rationale in the democratic countries that make it up erode and pervert the formally existing democracy. In a recent doctoral thesis, Clara Marquet described how in 1956 the socialist minister Guy Mollet proposed harmonisation of social and fiscal legislation as a prior condition of market integration. It is today self-evident that the desire of some to build a strong Social Europe is fading away in the name of global economic efficiency on the one hand and national interests on the other. We have a common market and a single currency but inequality abounds.

But the problem is that with today’s Europe, we will neither be able to find a way out of the crumbling of the logic that allowed the creation of the welfare states in 1945, nor, without Europe, will it be possible to go beyond resistance-like autarchy. Today’s Europe is not thought out to be able to respond to trends and dilemmas that put its formally democratic conceptions at risk. Despite explicit reference to the need to combine social cohesion and economic growth, the former has clearly been sacrificed in the name of the latter. Without international organisations endowed with the political will and the necessary resources to fulfil the treaties that we have all agreed, this human tragedy will continue only to benefit mafias who trade in desperation.

The refugee crisis in the European Union (EU), with more than 700,000 people arriving this year, has added to the migratory “pressure” of recent decades and produced both negative reactions – because of its cumulative effects and a labour market that is stretched by low levels of job creation – and positive – relating to the need and obligation to offer asylum to the victims of political persecution in their countries of origin. The number of refugees in countries outside the EU is much greater. Turkey has received more than two million from Syria and more than 300,000 from Afghanistan, Iraq and Pakistan. Lebanon has taken in more than a million Syrians, and Jordan more than 600,000. This disproportion has varying effects on labour markets, depending on the country, and also effects other markets such as housing and food. Because of its size, demography and economy the EU’s absorption capacity as a whole is very different to that of both the countries outside the EU taking the first impact and those EU countries with external borders and less solid economies.

Taking the case of the EU, from the point of view of the costs and benefits of immigration, we may consider the entry of both migrants and refugees to the labour market in practically the same way (below we will highlight some of the differences arising from entry regulations). First of all, there is a significant difference between people who migrate and those seeking refuge from economic impacts. In the case of refugees, the impacts may be felt more in the social field, as the perception of citizens can equate the arrival of refugees to increased “competition” for social allowances and benefits. Second, another difference is that the migrants are usually young men with training and entrepreneurship, although subsequent family reunification may later lead to a better balance. Refugees, on the other hand, are whole families, with members of all ages and a level of income that enables them to reach the countries they have chosen beforehand, and about whom it may therefore be deduced that, in general, they have a high level of human capital. Despite this difference, in the end it is very difficult to make a distinction between migrants for economic reasons and refugees when it comes to the impact on the labour market.
The most important thing to highlight on this point is that, despite the fear of the negative impact of the entry of migrant and refugee workers to the labour market, numerous studies have shown the economic benefits of migrants for host countries. In a study on the impacts of immigration in Europe, various authors point out that, contrary to popular beliefs, the effects on average salaries are positive and wage inequality among native workers is reduced.\footnote{Frédéric Docquier, Çıral Özden and Giovanni Peri. “The wage effects of immigration and emigration”. NBER Working Paper Series, no.16646 (December 2010).} From a technical point of view, Georges J. Borjas has demonstrated that unrestricted cross-border migration increases efficiency and, just as with free trade, the free movement of people is necessary to increase global GDP.\footnote{Georges J. Borjas. “Immigrant and emigrant earnings: a longitudinal study”. Economic Inquiry, vol. xxvii (January 1989).} With emigration the balances are restored, diminishing labour surpluses in countries of origin at the same time as meeting the demand in host countries. Thus, the allocation of resources in the labour markets is improved.

So far, briefly, goes the theory. Nevertheless, the perception of the consequences in host countries is normally negative, protectionist attitudes arise along with demands for protection in terms of free trade. The perception of workers in host countries is that salaries may fall and they will have more competition and may even lose their job. At the same time, the unemployed feel that they may have to wait longer to find work if the new arrivals in the labour marker compete for the same job. This is another of the perceptions that goes beyond the labour market and affects competition for social services and their possible decline in quality due to the arrival of new beneficiaries.

Although the EU labour market provides a degree of unity, in particular for resident and regular migrant workers because of the possibilities for free movement in the Schengen space, the same does not apply to people who have been granted asylum status, as their movement outside the host country is restricted. For this reason, a number of distortions and imbalances may arise because of the lack of a European refugee visa that permits this movement. If this visa existed, the labour market would be closer to a matching market or one of bilateral pairing of types in labour and academic markets in which, for example, students look for the best university and universities the best student, or medical interns look for the best hospital for their training and hospitals look for the best medical intern candidates.

This situation also applies in the case of refugees if the host country can welcome the “best” candidates (level of training or age) and the refugees can seek the “best” country for their goals (better chances of qualified work, higher salaries, education for their children). Once the refugee has received asylum in a country, although they may have incentives to move to another, they would not have permission to do so given their refugee status. This situation could generate distortions in the labour market, in the sense that the “best” countries could attract the “best” refugees, and the countries with fewer possibilities would attract the refugees that had not found their best job. Thus, divergences may result between countries in the availability of human capital and levels of labour productivity, something that is of particular concern in the EU where labour movement is already heavily affected by cultural and linguistic issues. Although the possibility of seeking the best opportunity also applies in the migrant labour market, the absence of restrictions on movement allows for a more balanced market in the short and medium term.
Who’s welcome? Refugees, yes, economic migrants, no. This is one of the mantras repeated time and again by the majority of European heads of government and state. In early September at the Moncloa Palace, Mariano Rajoy and David Cameron jointly asked for a distinction to be made between refugees and economic migrants. According to Rajoy, “Spain will not deny anyone their right to asylum, but there is a different issue: that of irregular migration for economic reasons”. Weeks later, the German interior minister, Thomas de Maizière, gave out a similar message: “We are clearly committed to integrating those who are worthy of protection, those who are not will have to leave”.

What is the difference between a refugee and an economic migrant? While refugees are defined as forced migrants fleeing war or persecution, economic migrants are those who leave in search of a better life. The reality, however, is much more complex. As Yolanda Onghena pointed out in her *Opinión CIDOB* article, motivations are always diverse and a single story tends to combine elements of forced flight and desires for a better life. Nevertheless, whether a person does or does not apply for asylum, and whether they are or are not recognised as a refugee are significant differences. While the 1951 Refugee Convention obliges states to guarantee protection of refugees, issues relating to economic migrants are national prerogatives. Guaranteeing protection of refugees means not returning them to the dangers they have fled, giving them access to fair, efficient asylum processes and providing them with safe, dignified living conditions. In the European context, the Asylum Procedures Directive (2013) and the Reception Conditions Directive (2013) establish the procedures to be followed, as well as the conditions of accommodation, food, health, employment, medical and psychological attention.

The current refugee crisis casts doubt on the extent to which “those who are worthy”, those whom we say we welcome, we really do. On the one hand, they have to risk their lives in the Mediterranean to be able to enter. On the other, within the European Union, we are seeing reinforced concrete walls and barbed-wire fences put up to prevent their entry. The images speak for themselves: on one side, the national police, on the other, thousands of people (including children) begging to be allowed through.

After crossing seas, walls and fences, countries like Denmark, the Netherlands and, more recently, Germany are limiting aid for asylum seekers and refugees. At the beginning of September, the Danish government published an advertisement in Lebanese newspapers informing of a reduction by half of the social benefits given to refugees, along with the toughening up of the conditions of family reunification and the acquiring of residence permits. They are “policies of disintegration” that seek to put up more walls, invisible but no less real, against those who arrive and, above all, those who might think about coming.

Those who, despite it all, manage to seek asylum in a European country have long months of waiting ahead of them, normally in reception centres and without being able to work, without learning the language and without being able to leave. All of this – or, better said, none of it – while waiting to hear the outcome of their asylum application. It is worth recalling that in 2014 more than half (55.3%) of the asylum applications made in the European Union were rejected. If, finally, they are recognised as refugees, with the residence permit they will (now, finally) have the chance to restart their lives. If not, they will be deported as quickly as possible. Or this is what is repeated time and time again in the majority of member states. In practice, it is well known that most stay in Europe, among other reasons because they have nowhere to go back to. They do so as irregular immigrants, now definitively without access to housing, work and healthcare.

And, if all of that were not enough, remember that public discourses are not always welcoming. Increasingly, more and more diverse voices accuse them of seeking a better life (as if that were illegitimate and incompatible with forced migration), of being jihadi terrorists or of wanting to Islamise “the old continent”. Remember, for example, the statements made by the cardinal and archbishop of Valencia, Antonio Cañizares, wondering whether “this invasion of migrants and refugees brings only good apples” and “where Europe will be within a few years”. To these declarations others are increasingly added, warning that Europe cannot take “them all”. But, what would one or two million refugees mean in a Europe of 500 million citizens? To put it in context, we are talking about 0.2% or 0.4%.

Alongside this kind of statements, the number of attacks against refugees is growing, as well as against the politicians accused of welcoming them. Though it should not be forgotten that xenophobic movements and political parties remain a minority, it is also true that citizens’ support for the refugees is gradually diminishing. A survey carried out recently by the French Institute of Public Opinion (IFOP) shows that only 12% of those surveyed in France are in favour of implementing programmes of help and reception for the refugees. In Germany, the percentage of those interviewed who consider that there are too many foreigners has risen from 33% to 44%, and 80% want the refugees only to stay a few months or years.

So, who’s welcome? Asylum seekers and refugees, increasingly less: there is talk of externalising aid for refugees to neighbouring countries such as Turkey, strong border controls inside and outside the European Union are increasing, social aid and rights to residence are being cut
back and the voices that cast suspicion on them are ever more frequent. With the current refugee crisis we are placing the right to asylum in Europe at risk. If we do not want it to be “collateral damage” in this crisis, we need more discordant voices, voices from cities, social organisations and citizens’ movements but also other voices from within the institutions of the European Union and the various national governments themselves. We need other voices that recall that receiving refugees is not only a moral obligation but a legal one, and no policy is more dangerous than a failed one, or the absence of one. Europe can take them in and must do so without hesitation.
Schengen is the agreement signed in 1985 creating a single, “border-free” territory inside the European Union. It was a big step, not only for European integration, but also, and especially, for the creation and development of European citizenship. Schengen not only allows citizens of signatory states to cross borders without passports, it also fosters convergence and understanding between them. Schengen is recognised by European citizens not just as one of the key pillars of the EU but as its main achievement. Nevertheless, the refugee crisis is calling those achievements into question along with the viability and continuity of this right.

This is not the first time member states have closed borders. Schengen’s own legislation establishes that borders may be closed in cases where public order or national security requires, but only temporarily. The interruption of the free movement of people for reasons linked to the mobility of people has been suggested on various occasions. An example is the bilateral agreement made between the leaders of France and Germany, Sarkozy and Merkel, at the end of 2011 to face the difficulties of controlling the external borders of member states when third-country nationals arrive. However, it is the closing of the Italy-France border in 2011 following an increase in irregular immigrants from Italy that provides the closest example to the current crisis. Today, we see the reposition of controls by Germany on its border with Austria, Austria with Slovenia, Slovenia with Croatia and Sweden – the last to join this group – with Denmark, all with the aim of controlling the flow of refugees, which is a measure of how far the erosion of the area of free movement has gone.

As in other areas of the European construction process, Schengen is only a partial act of integration. Many complementary policies for managing movement within the EU remain in national hands. It is not possible to construct a common area of freedom, security and justice (AFSJ) while the management of asylum, control of external borders and immigrant integration policies remain in national hands, without shared policies and mechanisms. And while member states continue to resist ceding competences, the likelihood of falling into greater disagreement increases and
the possible end of Schengen approaches. No current mechanisms of governance allow internal freedom to be guaranteed. The refugee crisis has made clear that, to survive, Schengen needs reforms that go beyond the AFSJ.

The common asylum policy will need to be reshaped, especially when it comes to establishing the country responsible for handling the asylum process (the Dublin system) and reinforcing coordination of external borders. But a policy to fight people trafficking must also be designed that strives to defend the human rights of migrants and refugees and which also works on the causes of forced displacement, among other factors.

We must learn from our mistakes. Closing the border between Germany and Austria to control the entry of refugees was counterproductive if what the German government sought was to pressure the other member states into committing, in solidarity, to the handling and relocation of the refugees. Finally, collectively, the EU will have to improve its capacity for anticipation and foresight. Not only to handle a new arrival of refugees but also to face the strengthening of Eurosceptic and anti-immigration political forces who demand permanent restrictions on the free circulation of people. Forces that have not hesitated to use the attacks in Paris to restate their thesis. Facing these discourses it must be put on the table and explained to the public that closing internal borders can only further weaken the capacity for joint, coordinated response.

Weakening Schengen by using it as a tool for exerting pressure strikes right at the heart of Europe, challenging one of its key pillars, in particular the development of a European citizenship. The refugee issue will not be a temporary crisis and may continue for many years. Thus, as long as member states cannot reach global agreements based on solidarity and cooperation that affect the whole of the EU, the Schengen system will be robbed of its essence. There may be no declaration of death, but its collapse will be ever more visible.

So, ultimately, will the refugee crisis put an end to the free movement of people? The answer is that while it provides one significant reason for it, alone it is not enough. The convergence of various open fronts such as the increase in intra-EU labour movement due to the crisis, the immigration of third country nationals coming from outside as well as inside the Schengen space itself, the growth of Eurosceptic parties and now the refugee crisis are all factors that, together, put the free movement of people at risk. If member states continue to introduce temporary closures of national borders, the EU will be destined for a weakening of its power and influence, both inside and outside its borders.
It has been written that the refugee crisis has divided Europe into two. This exemplifies the way a clash of civilisations is emerging in the West, with part of Europe welcoming those fleeing war and another barring entry; with one side arguing that protection of human rights should take precedence in this humanitarian crisis and the other demanding protection for national and ethnic identities from what is viewed as a threat to European civilisation. The two Europes find their greatest expression in the alliance between the Germany of Merkel and Juncker’s European Commission, on the one hand, and the Hungarian government led by Viktor Orban which is at the head of the Visegrad Group (of which the Czech Republic, Poland and Slovakia also form part), on the other. In Europe, the division between east and west threatens to become the next line of fracture in the European project, after the euro crisis divided the continent between north and south, or creditors and debtors. The end of freedom of movement, the reestablishment of internal borders and the abandonment of the fundamental values of the EU (all basic pillars of the European integration project) could become unwanted effects of the refugee crisis.

On the western side, Germany received the compliments of many when Angela Merkel expressed a willingness to receive up to 800,000 refugees and reform the EU mechanisms for handling the arrival of new waves of migrants, such as, for example, the control of a single European external border or of a common migration and asylum policy. Merkel’s policy took refuge in the need to bypass common European rules in times of humanitarian need and when international conventions such as the Geneva become applicable. The EU cannot hide behind the obsolete Dublin Convention, which obliges refugees to register in the country of entry before being able to move to other European countries. With her open border policy, Merkel allowed hundreds of thousands of refugees to arrive and drew criticism from the members in the east, who accused her of not complying with European regulations in contrast to her mantra of scrupulous respect for the precepts of the monetary union during the euro crisis.

At the same time, the Merkel policy found an ally in Juncker’s commission, which, with its proposal to resettle the asylum applicants among the mem-

ber states, considered a quota system to be the only way to give a joint European response to the crisis. The Berlin-Brussels axis ended up convincing other member states who were little inclined to the initial sharing out of refugees such as Spain or Portugal, but who preferred to join the western states than aligning themselves with the more belligerent postures of the Visegrad Group. Merkel’s policy, articulated around the non-existence of limits on the right to asylum, soon generated controversy for her at home, with 51% of the German public revealed to be worried by the arrival of new refugees. The insufficient absorption capacity of the asylum processing centres and the complaints of local authorities and of the länder like Bavaria have also made Merkel retreat.

In the east, developments took the opposite course. When Germany and the European Commission sought a common response to the refugee crisis, countries such as Hungary and Poland withdrew into their national (and even ethnic and religious) identities in order to justify a restrictive policy. Their proposals referred to bolstering the EU’s external borders, weakening the pull effect caused by an open arms approach and helping third countries contain the flow of refugees moving towards Europe. They argued that eastern Europe, having already faced an incessant flow of refugees during the Ukrainian crisis, would be unable to take in refugees coming, this time, from conflicts close to Europe’s southern border (read: Syria). Also, the leaders of the Visegrad Group considered that their welfare states and social infrastructures did not allow them to exercise German-style solidarity, much less so if, owing to their distinct cultural roots the conflict would degenerate into rivalries for limited services between local and foreign populations. What is certain is that they were not alone in this stance. Countries such as Denmark, whose asylum policy was previously among the most generous in Europe, showed their support for the thesis from the east, even going as far as publishing official propaganda in Lebanese newspapers to prevent refugees traveling to Denmark.

The adoption of shared refugee quotas by qualified majority in the Justice and Home Affairs Council on September 22nd 2015 (with the Visegrad countries abstaining) was a milestone in intra-European division in the crisis. Germany came to suggest withdrawing cohesion funds from those who refused to act in solidarity with the humanitarian drama of the refugees. The heads of state and government managed to calm the internal divisions in the European Council meeting of October 15th, where the EU forged a minimal agreement for facing the refugee crisis, reinforcing EU borders and promising help to third countries with the containment of flows of migrants and their integration. There was no sign in the council’s conclusions that the EU would move towards the adoption of a common asylum policy or the strengthening of action in the countries where the crisis originated.

Some will be tempted to say that the refugee crisis shows the low level of commitment of the countries in the east to the European project and that, surely, they joined the EU too early. What is certain is that the 2004 European expansion took place shortly before intergovernmental dynamics began to dominate at the heart of the union, above all from the economic crisis onwards. The predominance of national visions and the inability of current leaders to support a common project explain why Europe is not reacting to the crisis affecting its fundamental foundations.
Germany has taken a leadership role in the current refugee crisis. It will accommodate about a million refugees this year and there has been widespread volunteering among its civil society to help them. International praise has ranged from the *New York Times* to the Pope. The German government stopped applying the Dublin Regulation for Syrian refugees in August, which would have obliged it to send refugees back to the countries where they first entered the EU, such as Greece and Italy, to seek asylum there. Shortly afterwards, when letting in stranded refugees from Hungary, it helped without unnecessary red tape. Later it strong-armed Eastern European countries into accepting the redistribution of 120,000 refugees within the EU through a majority decision by EU ministers of the interior against the votes of Hungary, Czech Republic, Slovakia and Romania. The goal is to install a reformed version of the Dublin Regulation and convince the EU border states that increasingly ignore it to comply by offering to redistribute their refugees.

At the moment the refugee debate in Germany is dominated by immediate domestic concerns, but in the future the pan-European dimension of the issue is likely to acquire greater importance.

The German chancellor, Angela Merkel, has invested her political capital in the refugee crisis. When confronted with logistical bottlenecks, she famously declared “We will manage” and when criticised by her junior coalition partner CSU for letting the trains in from Hungary, she replied at a press conference: “I have to honestly say that if we now have to start to apologise for the fact that we show a friendly face in the presence of need, then…. this is not my country.”

Yet soon after, leaders of municipalities protested that they could not accommodate more refugees and Germany reinstated temporary controls at the border with Austria. In September it fast tracked a new asylum law meant to limit refugee flows by speeding up legal procedures, declaring safe country status for the Balkans and expediting the deportation of refused asylum seekers. The magnitude of the refugee crisis has obviously taken German politicians by surprise. The German interior minister, Thomas de Maizière, has suggested introducing EU-wide quotas for refugees beyond which no further
applicants would be accepted. This would amount to a severe curtailment if not effective abolition of the right to asylum, which is written into the German constitution and which knows “no upper limit” as the German chancellor declared shortly before.

The influx of refugees raises the issue of their long-term integration and puts considerable strain on logistical capacities. In an apparent swipe at de Maizière and his Ministry of the Interior, Merkel has moved the responsibility for coordinating the refugee crisis to her Chancellery. She is under increasing pressure domestically. Horst Seehofer, the chairman of the Bavarian sister party of Merkel’s CDU has vocally opposed her. In an evident act of provocation he even invited Hungarian PM Viktor Orbán, who has taken a hardline stance on the refugee question, to a CSU convention. Her other coalition partner, the Social Democrats (SPD) also doubts Germany could sustainably accommodate one million refugees per year. It has argued that the borders should remain open in principle, but has called for migration ceilings combined with more proactive integration policies. Merkel's approval ratings have declined because of her position on the refugee crisis. Her in-party opposition has been growing and will continue to do so if the results of a number of regional elections in March 2016 turn sour.

Such elections might also bring a new right-wing party to the fore, the Alternative for Germany (AfD). In contrast to many other European countries, Germany has not had an established right-wing party until now. In July, the AfD ousted its founding chairman, Bernd Lucke, who ran on a ticket of fiscal conservatism and opposition to euro bailouts, but embraced liberal positions on immigration, provided migrants had the right qualifications. The national conservative wing has now taken over the party and is close to populist agendas as expressed by the infamous Pegida movement whose marches through the city of Dresden have become a common occurrence. Beside acts of solidarity, Germany has seen a record level of arson attacks on refugee centres. Many Germans are not strangers to xenophobic attitudes, especially in eastern Germany, where right-wing activism among some youth is entrenched and can count on a certain acceptance among parts of the broader population. The assassination attempt on the mayor of Cologne by a right-wing activist has shown that such attitudes can morph into fully fledged right-wing terrorism.

Opposition to the relative openness towards refugees is not only fed by populist sentiment and limited bureaucratic capacities, but also by concerns about long-term integration issues. Besides relatively well-qualified people from Syria's middle class, about 15-20% of refugees are illiterate, according to estimates. Around 70% of refugees are young males, a demographic that can be prone to social problems and political radicalisation if not well integrated into labour markets and connected with their families, which would still need to follow. Some of the issues have been on display during riots in cramped refugee camps. Christians and minorities like the Yazidis have complained about attacks and intimidation tactics by radical Muslims. To avoid future conflicts, police officials and politicians have suggested separating refugees along religious and ethnic lines. Yet others fear that such a separation might prepare the ground for future ghettoisation, an issue that played a role in the migration debate in Germany before the refugee crisis.
The German migration debate currently circles around domestic issues, but a European dimension will gain prominence as Germany tries to reduce its current migration inflow and to manage the long-term integration of new arrivals. Germany demands European burden-sharing, namely the redistribution of refugees between all member states, reduced migration flows via the Balkans and improved EU border security in cooperation with neighbouring countries like Turkey. It is also preparing to embark on diplomatic initiatives and aid transfers to address the immediate causes of refugee flows in the countries of origin.

In parallel, Seehofer’s CSU has been pushing for the implementation of so-called “transit zones” on Germany’s borders. Like at Germany’s airports, they would allow immediate processing of asylum requests at the border and the speedy rejection of claimants from secure countries of origin like the Balkans. However, opposition parties, the Greens and the Left, as well as the SPD (the CDU/CSU’s coalition partner), have been concerned that this “speediness” might undermine the lawful vetting of asylum requests and that the vetting might not be as speedy as hoped, in which case transit zones would turn into longer-term detention camps. Ultimately the grand coalition decided against transit zones on 5 November, but agreed on the expedited handling of asylum seekers from secure destination countries in specially created immigration centres and their speedy expulsion in the case of rejected requests.

If established, transit zones could have been used to send refugees back to where they first entered the EU and thus press for the reinstatement of a reformed Dublin Regulation. In fact, the interior minister de Maizière said on 10 November that Germany would start to apply the Dublin Regulation again for Syrian refugees, except for those who are coming from Greece. For the time being, the idea of transit zones is off the table, but if a European solution should prove impossible and domestic opposition to current arrangements should grow, some modified version of it might resurface. In this case it could mark the beginning of national border controls and the end of the Schengen Agreement as we know it.
The massive arrival of refugees from Syria, above all, but also those from other countries and regions such as Afghanistan and sub-Saharan Africa have shown EU foreign policy for what it is rather than for what it pretended to be – threadbare. It is not simply a question of the lack of coherence of different member states in their response to the largest movement of population since the Second World War, nor is it only a matter of not using the instruments that exist in the EU tool box (humanitarian aid, neighbourhood policy, etc.) to best effect. The breakdown is not the result of some administrative failure which can be easily righted, it is conceptual. If this reading is correct, the events witnessed on our TV screens last summer suggest that the impact of hundreds of thousands of refugees – for that is what most of these people are – being pushed around the borders of Croatia, Hungary, Austria and France speaks of an utter breakdown in how the European institutions and the three countries which play a key role in shaping the continent’s foreign policy – France, Germany and the UK – have framed their foreign policy since the collapse of the Soviet Union a quarter of a century ago.

Today, strong humanitarian impulses compete with growing fears about the absorption of large numbers of Muslims. Why then has Europe not made a much bigger effort to fund the running of the camps set up in Turkey, Lebanon and Jordan, to ensure not just that the people are fed but that their children are educated? Why have they not insisted that access to Western consular officials and NGOs be greater than it is? David Cameron’s suggestion that more should be done to settle refugees nearer the borders of the country they are fleeing makes sense but the British prime minister muddies the waters and displays a cheap xenophobic line of argument when he speaks of a “migration crisis” amid a discussion on national security and goes on to refer to “Islamist extremist violence”. French official language is more restrained but every politician except the German chancellor and the Swedish prime minister use words which fan the growing fears about the absorption of large numbers of Muslims in the EU. Anti-immigration parties such as the French National Front are having a field day; arsonists are targeting asylum centres in Germany and right-wing politicians from Hungary to Denmark, Slovakia and Poland are in unison in their fear of an Islamic invasion.
Europe's foreign policy framework has broken down conceptually and will be difficult to recast. Built on the conviction, since 1989, that being the biggest trading group of nations in the world and able to hold itself up as the mirror of post-cold war politics to the rest of the world was the bedrock of its relations with the periphery, now it can only contemplate broken glass. When it was set up at the turn of the century, some European politicians envisaged the euro as a currency that would soon rival the US dollar. Having misread Vladimir Putin when he returned to the Russian presidency and having failed to read the UNDP reports on the Arab world which after 2002 spoke of very serious problems lying ahead for most Middle Eastern countries, Europe blew the peace dividend which accrued from the collapse of the Soviet Union. France and Britain ran down their armed forces. London engaged in unwinnable wars in Afghanistan and Iraq. And Nicolas Sarkozy discarded his predecessor’s reluctance to get involved in Iraq. The French head of state lead the coalition to rid Libya of Colonel Gaddafi all the while ignoring the advice of those who foresaw trouble ahead. Nation-building was all the rage in the US and EU at the turn of the century; today we are left with broken nations such as Libya and Syrian that nobody knows how to put back together.

European foreign policy was never even the sum of its parts. It liked to forget that its two leading armed members, France and Britain, would always pursue their perceived interests independently from Brussels. It deluded itself into thinking that its trading clout made it an equal of the US. It utterly failed to read its eastern and southern neighbours in terms of realpolitik and hard interests, not least because until 9/11 it spent much more time absorbed in its own institution building, in trying to modernise its economy and speed up growth, convinced of the infinite attraction of its democratic values and economic virtues to the rest of the world.

Today, hard-nosed interests are what count but these will have to be discussed in the context of a continent, many of whose inhabitants and political leaders feel as beleaguered. It will notice that its economy is growing much more slowly than anticipated and that millions of its young people simply cannot find a job. The hubris of yesteryear has evaporated and given way to ever greater pessimism. After 1989, European policy makers proved to be too optimistic about what the continent’s foreign policy could achieve. Today the reverse is true.

Europe’s southern neighbours, notably in North Africa, take no comfort from Europe’s disarray. If the refugee crisis is to serve any purpose, it must be to force the EU to dare to think out of the box, to map out bold scenarios for the future. Dealing with the refugee issue should be one among the many priorities in a comprehensive and bold European foreign policy in the framework of the ongoing EU Global Strategy review.
Turkey is an essential part of this refugee crisis for three reasons. First, because it has received more than two million Syrian refugees. Second, because it seems that number will continue to grow – we only need note that more than 50,000 Syrians, mostly from Aleppo, crossed the Turkish border in a little over two weeks to escape the Russian bombing. Third, because it has become a migratory hub, being the main platform from which Syrians, Afghans and Iraqis attempt to enter EU territory at a time when other access routes, such as Libya, are not only further away but also more dangerous.

The number of Syrians and people from other groups attempting to reach Europe through Turkey has grown exponentially in 2015. The dynamic of the Syrian conflict, the fact that it is perceived to be a war without end and the massive amount of destruction caused in four years of violence have all contributed to many Syrians thinking that they will be unable to return to their country in the near future – something similar also happens to Afghans – and that, if they have to be refugees for life, it is perhaps easier to rebuild their lives in Europe than in the countries that have sheltered them until now. Although the intensity and nuances vary, the reception conditions in Turkey, Lebanon, Jordan and Iraq have deteriorated in recent months due to budgetary pressures, the fragility of social protection mechanisms, the precarious labour market and growing social tension. For Afghans it is even more evident, as the governments of Iran and Pakistan, two countries that have provided refuge until now, are inviting them to leave.

The Turkish government sees surveillance of its western border as a lower-order priority, especially when the threats come from the directions of Syria and the spiralling violence with the PKK. Also, the desperation of these refugees has produced a roaring trade for mafia groups (from the sale of boats, motors and life jackets to the falsification of passports) as well as conventional traders. No less important is that many Syrians believe that their chance of getting to Europe is now or never. The announcement of the construction of the fence in Hungary, the absence of safe channels for reaching European territory (for example, with humanitarian visas and ambitious resettlement
plans) and signs on the European side that it is overwhelmed, have contributed to a perception that the gates of Europe will be open for a short time only.

So, paradoxically, a refugee crisis that until now had been a burden for the Turkish government has become an opportunity. Turkey may now ask its European partners to take on part of the responsibility and to do so by taking care of the reception costs. Until now Turkey has spent €6bn of its own money constructing the camps and guaranteeing basic social services such as schooling and medical attention. But it is not just a question of money. If the Europeans want further Turkish cooperation on border surveillance and readmission, Ankara is asking for visa exemptions for Turkish citizens in exchange, something that was already under negotiation, but which will need to be sped up if Turkish demands are to be met. And, while they’re at it, how about reactivating the negotiation process for the integration of Turkey into the EU, which has, for years, been in a situation of paralysis. All these issues were discussed in the European Council meeting of October 2015. But there is something more that will never be put in writing in the negotiations. Erdogan sees this as an opportunity to rehabilitate himself internationally and to recover ground after the criticisms that European politicians and media have made of his method of government. There is no doubt that with this crisis Turkey’s stock has begun to rise in the European political and institutional market. And, although it is less obvious, something similar is happening in Ankara. “European anchoring” has begun to regain value in a Turkey that feels isolated and under threat. Russian bombings and the deployment of its troops in Syria have made relations between Ankara and Moscow tense, and the Middle East is not the space, either economically or politically, that Turkey imagined it to be in 2011.

This “mutual rediscovery” may be a necessary condition, but it is nowhere near enough for sustained revitalisation of the European Union accession process. The offer to defrost the negotiations has been seen in Turkey as a move that smacks of desperation and not much sincerity. While in many European countries, Turkish pressure is seen as blackmail. It does not look like the best basis on which to rebuild confidence. Also, in various European countries far-right parties and movements are growing in strength by taking advantage of the crisis. The groups stirring up the fear of “invasion” and “Islamisation” of the old continent are unlikely to applaud Turkey-EU rapprochement. Finally, the situation in Syria is contributing to greater polarisation and tension in Turkey’s political and social situation. This climate of tension will not help to produce a social and political majority in the EU that openly supports the need to integrate Turkey.

Turkey and the EU are not on honeymoon together, but it is true that they have rediscovered that they are damned to get along. The EU’s capacity to respond to Turkey’s needs, on the one hand, and the evolution of the political situation in Turkey after the November 1st elections, on the other, will determine whether this rediscovery can produce real rapprochement.
By intervening in Syria since late September, Moscow has managed to place itself, once again, at the heart of European debates. Situation that has been reinforced after the terrorists attacks in Paris on November 13th and the offer made by Russia to France for establishing a coalition to face the “common threat” embodied by the Islamic State (ISIS). A scenario that was already complicated for the EU is now even more so. Brussels and the member states must now evaluate carefully the dilemmas and potential costs posed by Russia’s proposal.

At the moment, the Russian deployment is limited, but has already completely altered the landscape of the war and the scenarios for its eventual resolution. The Kremlin has decided to ensure the survival of Bashar al-Assad, at least until a hypothetical negotiation table is formed. Russia is providing aerial cover to the regime’s land forces, which are strengthened, according to some information, by Iranian units and members of the Lebanese group, Hezbollah. The Syrian regime is, according to the international organisations and humanitarian actors, the main culprit in the suffering of the civilian population and their aerial attacks on densely populated areas are the fundamental key to the refugee crisis. The Russian intervention on the side of the regime therefore aggravates the humanitarian crisis and, according to the United Nations, in the first four weeks of intense Russian bombardment, another 120,000 Syrians were forced to abandon their homes. If this pattern is maintained, the Russian intervention will produce more refugees not fewer.

The initial plans considered by some EU member states to establish a no-fly zone as a way of protecting the displaced civilian population are already ruled out. The risks of direct collisions with Russian fighter planes (or anti-aircraft systems) or of contributing to the consolidation of a proxy war with regional scope are high. Formally, the EU has stayed firm and united in its response to the Russian intervention. Point 10 of the conclusions about Syria made at the European Council meeting of October 12th indicated that the Russian bombardments that “go beyond Daesh and other UN-designated terrorist groups...are of deep concern, and must cease immediately. So too must the Russian violations of the sovereign airspace of neighbouring countries” (read: Turkey).
However, the attacks in Paris have shifted the terms of the debates. Until then, the role of Bashar al-Assad in a scenario of national transition was one of the axes of the discussions taking place at the heart of the EU. Now, as Minister García-Margallo has stated, Assad might be (again) considered as the lesser evil. And none of the current alternatives to the Assad regime generate sufficient confidence to galvanise decisive and meaningful European support. The fear of potential chaos and a power vacuum or, still worse, the consolidation of an extremist Sunni regime and/or extension of Islamic State plays a decisive influence in such calculations.

Putin’s chances of profiting from his intervention in Syria are strengthened as much by the United States’ lack of strategic clarity as by the division and lack of will of the Europeans. The result of both factors is the waver ing and strategic disorientation of an EU that acts by reactive impulses to emergencies or large terror attacks with little consistency. So, for example, in the case of Syria the EU has gone from almost totally ignoring the war to taking a huge gamble on it (conflict resolution, reconstruction of the country) to address the refugee crisis or, more precisely, its impact on European soil. To avoid misunderstandings: the criticism is not of the approach, but the lack of real commitment and political will behind it.

And, despite what some expect, the Russian invasion in Syria will not only not reduce the burden on the EU, it will raise its costs. Not only because it runs the serious risk of other regional powers deciding, in turn, to up their intervention in the war, but because Russia’s objectives go way beyond Syria. Above all, Moscow wants a bargaining chip with which to force its reaccommodation with the West – with the sanctions a priority issue – and, in growing harmony with China, challenge the post-cold war international order. The Kremlin, in fact, spares no efforts when sending messages meant to be instructive to the West. Moscow’s insistence, for example, on the supposed legality of its intervention in Syria carries an explicit criticism of previous Western interventions. Without doubt, the Iraq war of 2003 was a profound strategic error whose dire consequences will in all probability continue to unfold for decades. But that does not automatically legitimate the actions of Russia either in Syria, Ukraine or in any other setting.

This stance by Moscow implicitly shows its desire to delegitimise and finish with the principle of “responsibility to protect”. When approaching the case of Syria, the Kremlin insists on using Libya and the wrong done there as a precedent when, abusing the Security Council’s mandate, France and the United Kingdom went much further than the establishment of a no-fly zone and contributed decisively to the fall of the Gaddafi regime. But, the principle of “responsibility to protect” is meant for cases of serious violations of human rights within a state (think of the genocide in Rwanda or the ethnic cleansing in the Balkans), the international community is not blocked by the primacy of non-intervention and it is possible to act for humanitarian reasons. The underlying idea is that national sovereignty is not absolute, it has limits and comes with responsibilities. For Russia, as well as for China and many other countries, it is a sort of “right to arbitrary interference” used surreptitiously by the Western powers who profess to oppose it. Again, to avoid misunderstandings: it is legitimate to criticise the use of the principle
(Libyan precedent), but the idea of “responsibility to protect” is at an incipient stage and the EU should not facilitate its elimination, but seek formulas for producing broader consensus within the international community.

One last aspect that should not be lost from sight is that the Kremlin’s diplomatic strategy is articulated on what it perceives as two EU weak points. And thus, the emergencies in the refugee crisis present a favourable landscape for the Kremlin. That is why it is unwise to expect great concern from Russia for the humanitarian dimension of the conflict. But Moscow does not have much time either. Brussels, trapped in its complex (and on occasions painful) decision-making process – which exacerbates its tendency for self-flagellation – normally buys into the image of a strong, invulnerable Putin. But it is weakness, caused by falling oil prices, the effect of the sanctions and the uncertainties of the Chinese economy, rather than strength that is behind Moscow’s risky gamble in Syria, whose success, by the way, is far from assured.