Going further

OFFICIAL DOCUMENTS:
- Cotonou Agreement, 23/06/2000 and successive revisions
  https://tinyurl.com/h4t4cpe
- Rabat Declaration, 11/07/2006 and Process
  https://tinyurl.com/9g4q6m and https://tinyurl.com/7d4rjgq
- Declaration of the Ministerial Conference of the Khartoum Process, 28/11/2014
  https://tinyurl.com/7j32g93
- A European Agenda on Migration, 13/05/2015
  https://tinyurl.com/5dbrf93
- EU Action Plan on Return, 9/9/2015
  https://tinyurl.com/7g1t9g9
- Italian non-paper, Migration Compact. Contribution to an EU strategy for external action on migration, 4/2015
  https://tinyurl.com/5dbrf93
- Turkish: Syria crisis – ECHO Fact sheet, 9/2016 (European Commission)
  https://tinyurl.com/7g1t9g9
- (EU) Regulation on the establishment of a European travel document for the return of illegally staying third country nationals, 23/9/2016
  https://tinyurl.com/5dbrf93
- EU-Turkey Statement, 18/3/2016
  https://tinyurl.com/7g1t9g9
  https://tinyurl.com/5dbrf93
- EC notice regarding a new framework for partnership with third countries, 7/6/2016
  https://tinyurl.com/7g1t9g9
- EP resolution on EU-Turkey relations, 24/11/2016
  https://tinyurl.com/5dbrf93

Most European tests are archived on the website of Statewatch, a member of Migreurop http://tinyurl.com/2p7m5v2

PUBLICATIONS BY MIGREUROP, MEMBERS OF THE NETWORK AND PARTNERS:

PRESS RELEASES:
- Europe aux migrants : l’arme de l’externalisation, Migreurop, 15/7/2016
  (in French)
  https://tinyurl.com/4qo9q
- EU forces its neighbours to accept its policy of inhospitality, Migreurop, 12/11/2015
  https://tinyurl.com/4qo9q

REPORTS:
- Turkey: Border Guards Kill and Injure Asylum Seekers, HRW, 10/5/2016
  https://tinyurl.com/4qo9q
- Steps in the process of externalisation of border controls to Africa, from the Valletta Summit to today, ARCI, 6/2016
  https://tinyurl.com/4qo9q
- Nausicaa Preiss, “Turquie-Europe, à qui la faute ?”, Plain droit n° 111, 12/2016 (in French)
  https://tinyurl.com/4qo9q

IN THE MEDIA:
- Le processus de Khartoum, un choix contre les migrants, il Manifesto, 4/12/2014 (in French)
- EU to Work with African Despot to Keep Refugees Out, Der Spiegel, 13/5/2016
  https://tinyurl.com/4qo9q
- Sudan and Eritrea crackdown on migrants amid reports of EU interference, Al Jazeera, 29/5/2016
  https://tinyurl.com/4qo9q
- Migrationskontrolle, a project by the German daily, Faz, launched on 18/12/2016 (in German)
  https://tinyurl.com/4qo9q

Externalisation across the board: from the EU-Turkey arrangement to Migration Compacts in Africa

In the space of a few months, the EU-Turkey Statement of 18 March 2016 has become the model for the European policy of externalising its borders. In a communication dated 7 June 2016 (COM/2016/0385), the European Commission praised its merits, adding that it “can inspire cooperation with other key third countries and point to the key levers to be activated.”

Elevated to the status of an actual agreement, this statement is in fact nothing more than a press release from the European Council. It announces ambitious cooperation with neighbouring Turkey, without prior consultation of the European Parliament, in order to “break the business model of the smugglers and to offer migrants an alternative to putting their lives at risk.” In concrete terms, this means putting an end to the “massive” number of arrivals from Turkey, in exchange for certain rewards.
Turkey has thus been considerably strengthened in its role as border guard of the European Union. It has notably committed to readmitting all “irregular migrants” arriving in Greece from 20 March 2016. The statement provides for a so-called “one for one mechanism”, whereby each Syrian present in Turkey is to be resettled in the EU for each Syrian that is sent back from the Greek islands (up to a maximum of 72,000 people).

Returns are supposed to be carried out in adherence to the principle of non-refoulement and the bar on collective expulsions. However, European legislation allows rejecting, without close examination, the asylum requests from those receiving protections from a “first country of asylum” and those who have travelled via a “safe third country”. It is therefore sufficient to consider Turkey as such in order to send asylum seekers back there.

Yet President Erdogan’s regime does not lift the asylum status. Turkey has signed readmission agreements with Iran, Somalia – although the EU is keen to grant it such status. Turkey has signed readmission agreements with countries such as Pakistan, Nigeria and Syria, and is negotiating readmission agreements with countries such as Pakistan, Nigeria and Syria, and is negotiating readmission agreements with countries such as Pakistan, Nigeria and Somalia. Amnesty International has flagged up hundreds of expulsions to Syria and Human Rights Watch has drawn attention to instances of violent refoulement on the Syrian border, where Turkish border guards have shot at migrants.

**Turkey, a “non-safe” country**

In 2016, as the International Organisation for Migration (IOM) reported 384,527 migrants arriving in Europe, over 3 million exiles were located in Turkey, mostly from Syria (92%), Iraq, Iran, Afghanistan and Somalia. Nevertheless, 1,187 exiles were returned from Greece to Turkey in the space of a few months, on the basis of the EU-Turkey Statement of April 2016. The Syrian exiles are placed in the Duzci camp on the Turkish-Syrian border, while the others are detained in Kirkilari, one of the 19 Turkish administrative detention centres (with a total of 6780 places). The United Nations High Commissioner for Refugees regularly finds its access to these camps restricted by the Turkish government. In 2016, according to the European Commission, 417 persons, who did not apply for a refugee status in Turkey, have been returned to their countries of origin with no mention of any measures taken to guarantee their rights.

Yet Turkey is far from being a “safe” country – either for its own citizens or for foreigners – although the EU is keen to grant it such status. Turkey has signed readmission agreements with countries such as Pakistan, Nigeria and Syria, and is negotiating readmission agreements with Iran, Somalia and Afghanistan. Amnesty International has flagged up hundreds of expulsions to Syria and Human Rights Watch has drawn attention to instances of violent refoulement on the Syrian border, where Turkish border guards have shot at migrants.

**Externalisation across the board: from the EU-Turkey agreement to Migration Compacts in Africa**

1. This commitment by Turkey is in fact based on two pre-existing readmission agreements: one bilateral agreement signed with Greece in 2001, the other signed with the EU in 2014, whose deferred application in relation to third country nationals was ultimately brought forward to June 1st 2016.

2. Although the African states opposed the use of this document at the Valletta Summit in 2015, the EU is seeking to introduce it through a policy of fait accompli and by placing the laissez-passer at the centre of any commercial or diplomatic negotiations.