# THE MODERN STATE AND PROSPECTS OF SETTLEMENT OF PROBLEMS OF REFUGEES AND OTHER CATEGORIES OF MIGRANTS ARE IN EUROPE

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## Abstract

*This article focuses on the European migration crisis of 2015 - 2019, caused by the influx of migrants in Europe from the wars of Africa and the Middle East. The focus is on analyzing the background and causes of the migration crisis in Europe; mechanisms for shaping and implementing the common migration policy of the European Union. At the same time, the article considers Ukraine as part of the EU's common transit space and the so-called "buffer zone" between the EU and the rest of the Eurasian continent.*

*Keywords: migration crisis, refugees, European Union, statistics, migration policy, foreign policy, diplomacy, institutionalization, FRONTEX, UN.*

The European migration crisis has become one of the biggest challenges for EU countries in the 21st century. The influx of millions of refugees and economic migrants into war-torn Syria, as well as Iraq, Afghanistan, Libya and other countries in the Middle East and Africa, has caused a genuine humanitarian disaster that Europe has not known in its recent history.

The issue of stopping the flow of refugees has given rise to consolidation and at the same time has become a stumbling block for European countries. The united Europe was not ready for a migration crisis of this magnitude.

To date, numerous facts indicate that it was the migration crisis of 2015-2016 that revealed deficiencies in the functioning of the European Union as one of the most influential regional organizations. Moreover, the European migration crisis has not been resolved, although its severity is significantly reduced compared to 2015-2016.

In this sense, it is indicative that in July 2019, even after four years of crisis and dozens of high-level meetings, EU interior ministers again failed to agree on a special mechanism for distributing asylum seekers.

**The purpose of the study** is to conduct a thorough and comprehensive analysis of the prerequisites, causes and course of the migration crisis of 2015-2019, identify the place and role of a religious factor in it.

**Presenting.** UNHCR's official statistics show that the flow of refugees to Europe has decreased significantly during 2017-2018. Thus, according to the latest report by the Office of the United Nations High Commissioner for Refugees on the situation in the Mediterranean, 172 301 arrived by sea in 2017, which is twice less than in 2016. At the beginning of December 2018, this figure was approximately 111,830 persons [17; 18].

Traditionally, the number of applications for asylum in 2017 and in 2018 is dominated by Syrians, Iraqis and Afghans. Countries that confirm asylum applications and host refugees have slightly different statistics. In 2016, the top five were Germany (about 50% of all applications), Italy, France, Austria and Greece. In 2017, Austria was replaced by the United Kingdom, which provided asylum to 10,620 refugees (from January to April 2017), and in 2018, Spain was included in the list.

Significant changes in the statistics of the last two years have been observed with regard to arriving nationalities and countries that are the first to "meet" refugees from the Mediterranean. During the crisis, in 2015-2016, the largest number of refugees were hosted by Italy and Greece. In 2016, this figure was 181 436 people and 173 447 people respectively. In 2018, the situation has changed dramatically: the majority of newly arrived refugees by the sea are Spain: 61 566 people out of

111 830 people in total. Among the nationalities that came to the European coast, the bulk were Guineans, Moroccans and Malays, and then Syrians, Afghans and Iraqis. In 2017, the largest number of Nigerian citizens arrived [15].

Such statistics indicate that there have been changes in migration flows that continue to move towards Europe. The reasons for these changes are the relative lull in the war in Syria and, conversely, the intensification of armed conflict in Africa.

The exacerbation of the migration crisis and its gradual transition to political crisis began at the end of 2015, when the Visegrad Four countries (Hungary, Slovakia, Czech Republic and Poland) refused to resettle refugees in their territory according to the quotas set by the European Commission. As of the end of 2019, there has been no significant progress on the coherence of EU Member States' policies on refugee resettlement in Europe. There is some consistency, but it is situational. There is no universal operating mechanism for the resettlement of newly arrived migrants and refugees.

The migration crisis of 2015-2016 confirmed the urgent need for the EU to create common European border protection mechanisms. Modest progress is already noticeable: in August 2016, the European Parliament adopted a regulation establishing the European Border and Coast Guard (FRONTEX, reorganized into a new body with broader powers to tackle the refugee crisis more effectively) [13].

As FRONTEX is the operational body of the European Union's tool for border security, the priorities of the Agency's activity are determined on the basis of a risk analysis in those areas that need the highest attention from the point of view of illegal migration. According to the European Commission, the purpose of establishing a new body is integrated border management, which means the possibility of involving third countries, returning migrants to their countries of origin, as well as risk analysis [13].

One of the tasks of FRONTEX provided for in the founding regulations is to provide Member States with the necessary support, including at the request, coordination or organization of joint return operations. FRONTEX acts as an intermediary, coordinating with various national authorities that wish to participate

in a joint return flight. However, FRONTEX does not provide any information on individual cases of returnees. Personal data processed by the agency are not disclosed [13; 17].

How it works: One EU member state or Schengen country takes the initiative to arrange a joint return flight to a specific country and designates an aircraft for this purpose. The destination countries are selected according to their needs - the presence of illegal immigrants of the nationality who have received the return decision.

The organizing State shall inform FRONTEX of the information regarding the scheduled flight: the number of seats available for other participants. FRONTEX sends this information to other Member States. In some cases, a member organization sends an advanced detachment to the country. The task of the forward team is to reach an agreement with the local authority, to provide information on repatriates and other details of the landing and processing upon arrival. The repatriates, escorted by escorts (medical staff responsible for escorting), board the plane to their final destination [16].

The organizing country shall prepare and supervise the flight in accordance with the best practices of the management prepared by FRONTEX. In addition, each Member State is required by law to have a monitoring system in place to ensure compliance with the EU Charter of Fundamental Rights. The FRONTEX project manager always travels on a charter flight to the country. Its task is to make sure that the joint return operation is carried out in accordance with the FRONTEX Code of Conduct for Return Flights [13].

Joint return operations are funded by FRONTEX. Usually, the costs, fully or partially covered by the agency, include the cost of freighting the plane, the cost of travel, and the return. Costs covered by FRONTEX may also vary with other sources of funding [13].

In addition to refugee rescue and return operations, FRONTEX conducts a number of systematic surveys on the statistics of illegal border crossings, migration routes and major migration trends.

The issue of asylum applications and refugee displacement is being addressed in the future. As noted earlier, the Dublin Convention - the basis for determining which country is responsible for receiving refugees - impedes solidarity between EU Member States, as it places the brunt of the responsibility on the first-country country. The Convention needs to be amended and discussions have been ongoing since the crisis began. A European solution is now being developed in Greece, where the European Agency for the Support of Member States in the field of asylum policy (EASO) is examining asylum applications in order to assist the backlog of Greek services [17].

A single European asylum procedure will make it impossible to seek political asylum in different countries and will restore confidence between the participating States.

The European Union and the whole world must receive a large number of refugees directly from border countries, organized and with the appropriate level of security. This would be more acceptable to the public than the mess in the refugee reception system that exists today. This is the opinion of a considerable part of Eurosceptics [1; 8].

If the EU had made a commitment to accept only 300,000 refugees each year (and if other countries had committed themselves), most refugees would have realized that they had a high chance of reaching their destination. Then they will not try to enter Europe illegally, because it will not allow them to obtain refugee status.

Also, if conditions in the border countries were improved thanks to the assistance received, there would be no migration crisis (but the problem of economic migration would remain). That is, the next question that the EU has to answer today is financing.

The European Union needs a minimum of € 30 billion to implement a comprehensive refugee strategy. These funds are needed both within the EU (to strengthen borders and create effective migration agencies, to provide the right conditions for refugees, to develop fair asylum procedures and to create

opportunities for integration) and beyond - to support countries and the increase in jobs in Africa and the Middle East [11].

While € 30 billion may seem like a huge sum, it cannot be compared to the political and humanitarian consequences and economic losses of a protracted crisis. For example, there is a real threat of the collapse of the Schengen area, i.e. open internal borders in Europe. The Bertelsmann Foundation estimates that the Schengen refusal will result in an annual loss of EUR 47-140 billion of GDP by the EU [12].

Some European leaders are calling for the development of a "Marshall Plan" for Africa. It's a wonderful desire. However, in reality Europe is far from such a vision. Since World War II, the United States has invested 1.4% of GDP annually for four years in rebuilding Europe. To date, investments in the scale of the Marshall Plan would amount to € 270 billion a year over the next four years, a considerable amount that no one would agree to allocate.

The EU should develop a mechanism for the movement of recognized refugees within Europe. Such programs should be deeply rooted in local communities. The mayors of many cities in Europe have shown an overwhelming willingness to accept refugees, but their initiative has been wiped out by embryonic governments by countries.

To address these and other urgent issues of migration, an urgent EU summit in Brussels was convened in June 2018, attended by 18 EU Member States [4].

The precondition for the summit was the events near the Italian coast. On June 11, Italy refused to take Aquarius with 629 migrants on board. In response, French President Emmanuel Macron accused the new Italian government of "cynicism and irresponsibility". For this reason, the Italian Ministry of Foreign Affairs summoned the French ambassador to Italy. The department called the Paris reaction unacceptable.

Earlier, Italian Interior Minister Matteo Salvini said his country intends to deport half a million illegal migrants. This was his party's election promise [4].

The issue of the migration crisis, which has caused deep divisions within the EU, has caused an extraordinary "mini-summit" to be held in Brussels in June 2018

with the participation of sixteen European countries. At the summit, it was noted that the efforts of Europeans over the past two years have nevertheless significantly reduced the arrival of migrants to the European Union. Since the beginning of 2018, only 44,000 347 migrants have entered the Commonwealth. This is less than the record set in October 2015, when 48,000 refugees were found in Greece in just 5 days [4].

The leaders of the EU member states who took part in the summit agreed to support the further strengthening of their external borders and to allocate more money to countries from which refugees sail to Europe. But they still couldn't agree on how to distribute migrants who have already arrived in Europe and are seeking asylum in the EU. However, the leaders agreed on the establishment of new migration centers in the EU on a voluntary basis [5; 9].

According to the text of the agreement reached, these centers will identify who are the true refugees and who are the illegal migrants to be returned. However, it is unclear which countries will establish such centers voluntarily. The joint agreement also provides for restrictions on the movement of migrants between EU countries. German Chancellor Angela Merkel arrives at the summit stating that the EU needs a large-scale refugee agreement to prevent a political crisis in her country [2; 4].

In addition, politicians have agreed to set up a refugee camp in one of the North African countries to reduce the flow of people traveling across the Mediterranean. Which countries are ready to receive refugees and set up camps is not yet announced.

The next step in trying to cope with the effects of the migration crisis at the international level was the signing of the UN Global Compact on Safe, Organized and Regulated Migration on December 10-11, 2018. The 34-page treaty sets out a general approach to international migration and contains 23 tasks aimed at improving the organization of refugee flows and defining their rights more precisely. Participating countries agree, for example, to limit pressure on many migrant countries and promote the self-sufficiency of newcomers. However, many countries consider this pact a violation of their sovereignty [14].

The idea of a migration pact emerged during a debate at the UN General Assembly in 2016. The result was the New York Declaration on Refugees and Migrants, in which all 193 UN countries recognized that closer international cooperation was needed in this area. In particular, the countries that agreed to the declaration promised to respect human dignity, combat xenophobia, and support countries that host large numbers of migrants [14].

Germany also approved the agreement. Its most important aspects in the federal government are the fight against the causes of migration, the fight against illegal migration and the protection of human rights. After a year and a half of negotiations, the draft pact was put to the vote in the UN. It was supported by 192 states, with the exception of the United States alone. However, in recent months, several other countries have refused to sign the migration pact - Australia, Israel, the Dominican Republic, as well as a number of EU countries: Austria, Bulgaria, Slovakia, Poland, Hungary and the Czech Republic. In Belgium, this issue has caused a government crisis. The New Flemish Alliance has threatened to withdraw from the government coalition if the prime minister signs it under the UN migration pact [14; 18].

In Germany, after the heated debate, the Bundestag spoke in favor of the document. On November 29, 372 deputies voted in favor of the relevant draft resolution proposed by the ruling "grand coalition" in Germany, 153 opposed and 141 abstained. Christian Democrats (CDU / CSU), Social Democrats (SPD), Greens, Left Party and LDP liberals have defended the UN migration pact against criticism from members of the Right-populist party Alternative to Germany (ADN), which says the deal will cause "irreparable harm to the German people".

On its website, ADN calls the document "a hidden program for the resettlement of economic migrants and refugees from poverty". And Austrian Chancellor Sebastian Kurz (Sebastian Kurz) justifies his intention to refrain from signing a pact in defense of the national sovereignty of the state [1].

However, experts do not share these concerns. The UN Migration Pact "will not open the door to unrestricted mass migration to Europe," emphasize analysts at

the German Institute for Development Policy *(Deutsches Institut für Entwicklungspolitik)*. In their view, the document is rather a "sober assessment of migration, a global phenomenon that cannot be prevented by closing borders or allocating an additional several billion euros for economic development" [7].

In addition, this document is a cooperative agreement that is not legally binding and in no way violates the sovereignty of the States which approve it. "Recognizing that no state is capable of dealing with migration issues on its own, this pact promotes international cooperation between all major players involved in migration issues and upholds the sovereignty of states and their international obligations," the document reads [18].

According to the UN, about 250 million people or three percent of the world's population have left their permanent residence in search of a better life in the world. According to a McKinsey study, they account for about 10 percent of the world's production. The UN Migration Pact will be "the first global agreement between countries prepared under the auspices of the UN to address all aspects of international migration," writes the Scientific Service of the German Bundestag [18].

In Germany, it is hoped that the UN migration pact will help to reach a compromise between migrants' countries of origin, transit and the countries they are trying to reach.

Ukraine is part of a common transit space to the EU and a so-called "buffer zone" between the EU and the rest of the Eurasian continent. Having a close proximity to the EU Member States, Ukraine cannot stay out of the migration crisis in any way [6, p. 34-35; 19, p. 196-209].

In 2017, some 3,000 refugees from Syria and Afghanistan were identified in Ukraine, who used Ukraine as a transit territory, trying to reach the border with Hungary or Slovakia, and from there, to more affluent European countries. In 2018, 111 cases of illegal border crossings by refugees from the Ukrainian land border were identified.

Regarding migration processes in general, Ukraine is a leader in the field of labor migration statistics in the countries of the European Union. Data released on

25 October 2018 by Eurostat, the European Statistics Office in Luxembourg, showed that one-third of all primary residence permits issued in 28 EU countries during 2017 come from Ukrainians, Syrians and Chinese. At the same time, Eurostat only included those who submitted their documents for the first time or did not do so for more than six months [3].

The majority of legal migrants came from Ukraine - 21 percent of all foreigners who received a residence permit or other status in 2017 in one of the EU countries, which allows a stay of three months. Of the 662,000 Ukrainian migrants, 88 percent came to work. It is mainly to Poland. Last year, the Polish authorities issued new permits to stay in the country with more than 585 thousand Ukrainian citizens. Which it has made by Poland as a leader in receiving foreigners to the EU [3].

Ukrainian citizens also lead the way in obtaining permits in Hungary, Lithuania, Slovakia, the Czech Republic and Estonia. Last year, Ukrainians also ranked in the top three in Bulgaria, Denmark, Latvia and Croatia.

At the end of 2018, the Polish newspaper Rzeczpospolita wrote that in the third quarter of 2018, according to the Social Insurance Fund, the number of foreigners working legally increased to 569 thousand in Poland, with 426 thousand of them Ukrainians [10].

Thus, in the last two years of the post-crisis situation in Europe, there has been a decrease in the number of migrants who have arrived, but the statistics of asylum are maintained, as even those who arrived in Europe two or three years ago are still waiting for a decision while in camps. for refugees. Trends in major migration routes are changing. A route through the Black Sea has appeared.

Overall, in 2017-2018, the European institutions have made many steps towards meeting refugee issues, including the creation of the European Frontier and Coast Guard (FRONTEX), the conclusion of a number of bilateral agreements on refugee movement, and the discussion of pressing issues at regional supranational level Brussels) and the signing of the first universal document on migration - the UN Global Compact on Safe, Organized and Regulated Migration.

Notwithstanding the many problems that still exist in the EU with refugees, European countries continue to stimulate labor migration, generating some statistics on overall migration processes in the region. Ukraine is part of this process, playing the role of a transit zone for refugees on the one hand, and the role of a labor supply country to European countries on the other.

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