

## **On solid ground?**

### **Twelve facts about the EU-Turkey Agreement in 2016**

11 January 2017

The EU-Turkey refugee agreement reached on 18 March 2016 had a dramatic impact on refugee movements in the Eastern Mediterranean. It sharply reduced irregular crossings from Turkey to Greece and, with this, the number of people who drown on this dangerous journey.

It achieved this without diverting refugees onto other, even more hazardous routes and without breaking EU and international refugee law. These laws prohibit refusing entry to people who request asylum, and sending them back without due process.

As a result, there were no mass expulsions; in fact, more people were returned from Greece to Turkey in the three months before the agreement than were sent back in the nine months after it was concluded.

The situation in the Aegean stood in a sharp contrast to that in the Central Mediterranean, where numbers of crossings and deaths were higher in 2016 than in 2015. The difference is that the EU had a sound plan for the Aegean and no plan for the Central Mediterranean.

Despite this success, there were serious implementation problems:

- There was no information about how Turkey treats refugees sent back from Greece. Turkey should verifiably offer Syrian returnees immediate protection under its Temporary Protection Scheme for Syrians; non-Syrian refugees a credible asylum process; and ensure that all categories have access to the envisaged benefits.
- The Greek asylum authorities were able to process only some of the asylum claims of newly arrived refugees, and the process was very slow. There was not sufficient help from EU member state experts. None of the 801 refugees sent back to Turkey had completed an asylum process; they were voluntary returnees.
- The Greek islands quickly filled up with refugees, overstressing existing accommodation capacities, and the refugees faced horrendous conditions. At times, there were 16,500 refugees on the islands and only 7,500 places.
- The EU did not fulfil its commitment under the EU-Turkey agreement “to offer migrants an alternative to putting their lives at risk”<sup>1</sup> through resettlement. Only 2,700 refugees were resettled from Turkey to EU countries.
- The EU institutions approached the issue of visa-free travel for Turkish citizens wrongly with the result that it is now dead-locked.

There is a chance to do better in 2017. If the EU-Turkey agreement is implemented in full, it will demonstrate that it is possible to control borders and at the same time respect the UN Refugee Convention - combining compassion and empathy with control and security concerns.

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<sup>1</sup> [EU-Turkey Statement](#), 18 March 2016.

## Twelve basic facts about the EU-Turkey agreement

**FACT ONE:** The refugee crisis of 2015 was largely about the Aegean where 84 percent of all illegal border crossings into the EU took place.

### *Detections of illegal crossings of EU borders in 2015<sup>2</sup>*

<b>Route</b>	<b>Border crossings</b>
Eastern Mediterranean (sea and land)	885,386
Central Mediterranean (sea)	153,946
Other routes (sea and land)	10,035
<b>TOTAL</b>	<b>1,049,367</b>

**FACT TWO:** There was a dramatic fall in the number of crossings in the Aegean following the EU-Turkey agreement in March 2016. More than 150,000 crossings were recorded in the first three months of 2016 vs 22,000 in the remaining nine months of the year.

### *Arrivals on Greek islands in 2016<sup>3</sup>*

<b>Month</b>	<b>Arrivals</b>	<b>Totals</b>
January	67,415	
February	57,066	151,452
March	26,971	
April	3,650	
May	1,721	
June	1,554	
July	1,920	
August	3,447	21,995
September	3,080	
October	2,970	
November	1,991	
December	1,662	
<b>Total</b>	<b>173,447</b>	<b>173,447</b>

<sup>2</sup> The other routes exclude the Western Balkan route (764,038 detections) to avoid double-counting and the circular Albania-Greece route (8,932). Frontex, [Risk Analysis for 2016](#), March 2016, p 17.

<sup>3</sup> UNHCR, Refugees/Migrants Emergency Response - Mediterranean, [Greece](#).

**FACT THREE:** After March 2016, the number of people drowning in the Aegean dropped as a result of fewer crossings. In the first three months of 2016, 366 people lost their lives in the Aegean compared with 68 in the remaining nine months.

*Deaths in the Aegean in 2016<sup>4</sup>*

<b>Month</b>	<b>Deaths</b>	<b>Totals</b>
January	275	
February	46	366
March	45	
April	10	
May	0	
June	0	
July	7	
August	3	68
September	27	
October	2	
November	14	
December	5	
<b>Total</b>	<b>434</b>	<b>434</b>

**FACT FOUR:** While the EU-Turkey agreement reduced the number of crossings in the Aegean, EU policies did not manage to influence the number of refugees and migrants reaching Italy. Arrivals via the Central Mediterranean route in 2016 (more than 181,000) were even higher than in 2015 (154,000).

*Detections of illegal border crossings by sea in 2015 and 2016<sup>5</sup>*

	<b>2015</b>	<b>2016</b>
<b>Greece</b>	856,723	173,447
<b>Italy</b>	153,842	181,438

<sup>4</sup> IOM/Missing Migrants Project, [Mediterranean](#).

<sup>5</sup> UNHCR, Refugees/Migrants Emergency Response - Mediterranean, [Greece](#) and [Italy](#).

**FACT FIVE:** There was no redirection of refugee/migrant flows from the Aegean to the Central Mediterranean sea route. These were separate and independent flows as the nationalities of the refugees and migrants show.

*Top nationalities of arrivals in Greece and Italy in 2016<sup>6</sup>*

<b>Greece</b>		<b>Italy</b>	
Syria	47%	Nigeria	21%
Afghanistan	24%	Eritrea	12%
Iraq	15%	Guinea	7%
Pakistan	5%	Ivory Coast	7%
Iran	3%	Gambia	7%
Other	6%	Senegal	6%
		Mali	5%
		Sudan	5%
		Bangladesh	4%
		Somalia	4%
		Other	22%

**FACT SIX:** There were no mass expulsions from Greece to Turkey. In fact, the number of people readmitted by Turkey from January to March 2016 under a bilateral Turkey-Greece readmission agreement (967 irregular migrants and failed asylum seekers<sup>7</sup>) was higher than the number of people returned under the EU-Turkey deal since (801). This is the result of slow processing of asylum claims on the islands and a reluctance of Greek asylum authorities to send asylum seekers to Turkey as a safe third country.

*Transfers from Greece to Turkey in 2016<sup>8</sup>*

<b>Month</b>	<b>Transfers (by person)</b>
April	386
May	55
June	27
July	0
August	16
September	94
October	139
November	31
December	53
<b>Total</b>	<b>801</b>

<sup>6</sup> UNHCR, Refugees/Migrants Emergency Response - Mediterranean, [Greece](#) and [Italy](#).

<sup>7</sup> European Commission, [First report on the progress made in the implementation of the EU-Turkey Statement](#), 20 April 2016, p. 4.

<sup>8</sup> European Commission, [Operational implementation of the EU-Turkey Statement](#), as of 3 January 2017.

**FACT SEVEN:** Although more than 20,000 refugees arrived on Greek islands between April and November 2016, only 9,304 had been able to submit asylum claims as of 27 November.<sup>9</sup> Of those, the Greek Asylum Service had decided 6,040 claims.<sup>10</sup> This makes 755 decisions per month - while on average more than 2,500 new people per month arrived on the islands between March and November 2016.<sup>11</sup>

Initially the European Commission asked for 400 asylum case workers and 400 interpreters from EU member states to be deployed through EASO on the islands in order to help an envisaged 200 Greek case workers process asylum claims.<sup>12</sup> The Commission later reduced the requirements to 100 EU case workers and 100 interpreters. However, in late 2016, there were only 39 EU case workers and 64 interpreters on the islands.<sup>13</sup> The Greek Asylum Service (GAS) did not publish deployment figures, but according to anecdotal evidence there were never more than 20 GAS case workers on the islands in 2016.<sup>14</sup>

**FACT EIGHT:** The vast majority of asylum seekers on the Greek islands who were to be sent back to Turkey as a safe third country (in “admissibility procedures”) or whose claims had been decided negatively on merits (in “eligibility procedures”) appealed these first-instance decisions. As of 27 November 2016, there were 2,014 appeals. Of those, the second-instance Appeals Committees had resolved 838 cases. In this, they overturned 390 out of 407 first-instance decisions to send asylum seekers back to Turkey. (After a negative second-instance decision, asylum seekers can turn to courts and also demand that their readmission is suspended until the court decision.)

*Appeals decisions concerning claims from the islands, 20 March to 27 Nov. 2016*<sup>15</sup>

<b>Number of appeals</b>	<b>2,014</b>
Number of decided appeals	<b>838</b>
<b>Appeals against first-instance inadmissibility decisions (return to Turkey)</b>	<b>407</b>
- Decided in favour of the appellant, reversing the first-instance decision	390
- Decided against the appellant, upholding the first-instance decision	17
<b>Appeals against first-instance negative decisions on merits (no right to asylum)</b>	<b>431</b>
- Decided in favour of the appellant, reversing the first-instance decision	62
- Decided against the appellant, upholding the first-instance decision	369

<sup>9</sup> European Commission, [Fourth report on the progress made in the implementation of the EU-Turkey Statement](#), 8 December 2016, p. 6.

<sup>10</sup> *Ibid.*

<sup>11</sup> See Fact Two on p. 2.

<sup>12</sup> European Commission, [EU-Turkey Statement: Questions and Answers](#), 19 March 2016, p. 2.

<sup>13</sup> The figure of 39 case workers is as of 5 December, and that of 64 interpreters as of 28 November 2016. European Commission, [Fourth report](#), 8 December 2016, p. 3, and European Commission, [Hotspot State of Play](#), as of 28 November 2016.

<sup>14</sup> ESI field research in Greece in May, July and August 2016 as well as phone research throughout the year.

<sup>15</sup> European Commission, [Fourth report on the progress made in the implementation of the EU-Turkey Statement](#), 8 December 2016, p. 6.

**FACT NINE:** While relatively few refugees and migrants undertook the dangerous and illegal journey to Greece, some still did almost every day, adding to the high number of refugees and migrants on the Greek islands.

*Arrivals on the Greek islands – daily average<sup>16</sup>*

<b>Daily average</b>	
January	2,175
February	1,968
March	870
April	122
May	56
June	52
July	62
August	111
September	103
October	96
November	66
December	54

**FACT TEN:** The number of refugees and migrants on the Greek islands was consistently beyond existing capacities to host people decently.

*Occupancy and capacity on Greek islands, 20 December 2016<sup>17</sup>*

<b>Island</b>	<b>People</b>	<b>Capacity</b>
Lesvos	6,391	3,988
Chios	3,804	1,202
Samos	2,286	932
Kos	2,206	1,242
Leros	868	1,066
Rhodes	363	0
Megisti	20	0
Tilos	0	50
<b>Total</b>	<b>15,938</b>	<b>8,480</b>

<sup>16</sup> UNHCR, Refugees/Migrants Emergency Response - Mediterranean, [Greece](#).

<sup>17</sup> UNHCR, [Greece sites - Daily map indicating capacity and occupancy \(governmental figures\)](#), as of 20 December 2016.

**FACT ELEVEN:** The number of 2,672 Syrian refugees that the EU resettled from Turkey in 2016 under the EU-Turkey agreement was inadequate. Turkey hosted more than 2.8 million Syrian refugees in 2016.

*Resettlements of Syrians from Turkey to EU countries as of 3 January 2017<sup>18</sup>*

<b>EU country</b>	<b>Syrians resettled from Turkey</b>
Germany	1,060
France	438
Netherlands	409
Sweden	278
Finland	140
Belgium	102
Italy	82
Spain	57
Luxemburg	52
Lithuania	25
Portugal	12
Estonia	11
Latvia	6
<b>Total</b>	<b>2,672</b>

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<sup>18</sup> European Commission, [Operational implementation of the EU-Turkey Statement](#), as of 3 January 2017.

**FACT TWELVE:** Despite repeated calls from the Commission, only 7,280 asylum seekers were relocated from Greece mainland to other EU countries. Two Council Decisions from September 2015 foresee the mandatory relocation of 63,302 claimants from Greece in two years.

Asylum seekers who reached Greece after 24 March 2016 do not qualify for relocation; nor do nationalities with recent EU recognition rates lower than 75 percent.<sup>19</sup>

*Relocations from Greece from Sept. 2015 until 6 Jan. 2017<sup>20</sup>*

<b>Country</b>	<b>Relocated from Greece</b>	<b>Relocated from Italy</b>	<b>Offers (GR and IT)</b>
France	2,414	282	3,720
Netherlands	836	380	1,475
Germany	644	455	4,250
Finland	560	359	1,270
Spain	546	63	900
Romania	513	43	1,502
Portugal	510	271	1,742
Ireland	240	0	514
Lithuania	185	0	550
Belgium	177	29	530
Latvia	155	8	491
Luxembourg	136	61	250
Slovenia	101	23	130
Estonia	66	0	210
Cyprus	55	10	140
Malta	34	46	131
Bulgaria	29	0	1,302
Czech Republic	12	0	50
Croatia	10	9	26
Slovakia	9	0	110
Sweden	0	39	300
Poland	0	0	100
Austria	0	0	0
Hungary	0	0	0
Denmark	n.a.	n.a.	n.a.
UK	n.a.	n.a.	n.a.
Switzerland	28	340	1,030
Norway	20	236	750
Liechtenstein	0	0	43
Iceland	n.a.	n.a.	n.a.
<b>Total</b>	<b>7,280</b> <b>(from 63,302)</b>	<b>2,654</b> <b>(from 34,953)</b>	<b>21,516</b> <b>(from 98,255)</b>

<sup>19</sup> European Asylum Support Office (EASO), [Questions and Answers on Relocation](#).

<sup>20</sup> European Commission, [Member States' Support to the Emergency Relocation Mechanism](#), as of 6 January 2017.