
AFTER THE STORM

LEARNING FROM THE EU RESPONSE TO THE MIGRATION CRISIS



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By Elizabeth Collett and Camille Le Coz

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EXECUTIVE SUMMARY

There is no perfect crisis management system. Whether faced with natural disaster, political upheaval, or mass migration, governments must make difficult choices in terms of mobilising and allocating resources, and clearly delineating and assigning responsibilities—all in a high-pressure environment. The irregular and unexpected flow of thousands of migrants and refugees into Europe in 2015 and 2016 presented the European Union with a transnational (and existential) crisis in a policy area that had not been constructed to manage fast-paced change. Deep political dissent and complex divisions of power between EU institutions, as well as between Member States, further hampered the European Union’s ability to respond, exacerbating long-standing tensions that persist several years on.

The prevailing hope amongst European governments is that no similar situation will occur again. Significant investments—financial, political, and diplomatic—are being poured into a preventative strategy, largely outside and at Europe’s external borders. But officials remain concerned that, despite the high salience of migration issues in Brussels over the past several years, the bloc remains no better prepared to face sudden changes than it was in 2014.

In view of this concern, the Migration Policy Institute Europe (MPI Europe) was commissioned by the General Secretariat of the Council of the European Union in December 2017 to reflect upon the formal and informal crisis-response mechanisms that have evolved in Europe since 2014 to address unexpected migratory flows. The central goal was to help EU policymakers develop (or maintain) promising response structures to ensure greater resilience to future volatility. Crises rarely look the same twice, but this does not mean governments cannot prepare for them. This report builds on that analysis. It draws on MPI Europe interviews with a broad range of senior officials involved in EU and national responses to the 2015–16 crisis, and examines a range of different elements of crisis response: information collection and sharing, coordination, leadership, and resourcing.

Crises rarely look the same twice, but this does not mean governments cannot prepare for them.

A core challenge in the early stages of the crisis was the absence of sufficient data to draw a comprehensive and up-to-date picture of rapidly evolving migration flows. Instead, EU practitioners relied on scattered sources of information, often conflicting, including media and nongovernmental sources, as well as gut instinct. Over the past several years—and particularly since the triggering of the European Council’s in-house political crisis-response mechanism (the Integrated Political Crisis Response, or IPCR)—this information flow has improved. However, the European Commission can step up reporting further by incorporating more analytical and qualitative elements into its reports (rather than simply presenting data) and by focussing more strongly on trends that might require a concerted policy response—steps that can both improve decision-making and allay fears rooted in confusion.

Information, while necessary, is also insufficient. From the outset, it proved difficult to signal and spur a response to changing needs—from shifts in movement through to difficulties accessing financial resources—unless raised at the highest political level. Often, the trouble lay in identifying who was responsible, and responsive, for any given task among a highly diffuse range of venues and actors, from the many directorates-general in the European Commission, to clusters of UN and EU agencies, and multiple Member States. This made coordination extremely challenging, not least because many EU-level actors were unused to working together in a high-pressure environment, while forging delicate working relationships with key national governments. This was particularly the case as the European Commission rolled out ‘hotspots’ to process new arrivals in Greece and Italy, an effort that required close daily cooperation between a number of EU, national, and civil-society actors.

Another key challenge throughout much of the crisis was that there was little consensus on how the European Union should respond. Due to the political sensitivity of the issue, much of the ultimate decision-making remained with heads of state. In a series of European Summits, Member State leaders engaged in lengthy and politically bruising discussions as to the direction of their shared response. Thus, absent an overall plan, many of the actions taken by the European Commission in the intervening months took the form of triage—ensuring basic support was in place and offering emergency funding—rather than developing a proactive response.

Due to this equivocation and the absence of pre-existing institutional mechanisms, coordination in Brussels was slow to emerge. Following a meeting of EU and West Balkan leaders called by European Commission President Juncker in late Autumn 2015, representatives of 11 states along the Western Balkans route (known as contact points) began to meet and exchange information on a weekly basis. This kick-started action elsewhere. By the end of October, both the Council and the Commission had also activated their own crisis coordination mechanisms, IPCR and Argus. Together, these constituted the backbone of EU high-level coordination during the crisis.

Much of the response relied on the activism of specific, key individuals ... who were willing to work collaboratively and creatively across EU institutions and portfolios.

In March 2016, the signing of the EU-Turkey Statement to stem the flow of migrants across the Aegean raised a whole new set of coordination and leadership challenges, not least how the deal should be implemented. These were mitigated to some degree by the appointment of a coordinator on the ground in Greece from within the senior ranks of the European Commission. The relative effectiveness of the Greek coordinator illustrates the importance of individual personalities during the crisis: much of the response relied on the activism of specific, key individuals (sometimes acting outside the formal bounds of their roles) who were willing to work collaboratively and creatively across EU institutions and portfolios.

The ad hoc nature of the response has made monitoring and evaluating crisis response very difficult, exacerbated by the multiplicity and fluid roles of the actors involved. The informality of much of the response has meant that nongovernmental actors, particularly in Greece, have become central both to direct service provision and in monitoring outcomes and flagging gaps and deficiencies.

Looking back, it is clear that a great deal of learning, and progress, has been made. However, rather than continue to rely on ad hoc responses, two things need to occur. First, a habit of learning will need to take root within the EU institutions to ensure that good practices are not lost as officials move on to new posts—a recognised problem even before the crisis. Second, permanent mechanisms should be established to allow key actors to anticipate emergencies, exchange information, and coordinate responses and available resources. With these in place, the EU institutions will be capable of undertaking a planned response, swiftly and effectively, and in the process, minimising the chaos and uncertainty that so negatively affected public confidence during the crisis and in the years since.

Key recommendations of this study include:

- ***Establishing a means to switch between crisis and non-crisis mode.*** The European Union cannot, and should not, remain in permanent crisis mode. Currently, EU institutions are wary of deactivating key crisis coordination mechanisms for fear of losing the ability to quickly react to change. The European Union needs to set in place a series of non-crisis mechanisms that can both flag concerns effectively and escalate responses when needed. The key elements of the IPCR, for example, should be translated into an IPMR (with an M for ‘migration’, rather than a C for ‘crisis’), to allow the critical reporting of the mechanism to continue. The Commission should also expand its own capacity to gather and analyse data. In short, the EU institutions should strive to retain the benefits that have come from enhanced coordination, without the urgency.

- ***Appointing a migration coordinator.*** The time has come for the European Union to move beyond the ‘muddling through’ of the past few years. A significant number of senior officials interviewed during this study noted the need for stronger lines of authority—a chain of command—and a single point of coordination through which all information and operational responses are to be channelled. This is a controversial innovation, given the sensitivities of national autonomy, but a migration coordinator within the EU institutions could both set clear operational priorities and delineate tasks, and quickly signal when additional action needs to be taken. A number of choices face European leaders in designing such a role—not least, whether this should be a political or bureaucratic position, and whether it should be positioned in the European Commission or Council of the European Union. Yet creating such a role would be critical in demonstrating to Member State governments and publics that the European Union is ready to address persistent weaknesses in the management of migration.
- ***Consolidating needs assessments and contingency planning.*** There is a need to bring together the various planning and preparedness mechanisms of the EU agencies (notably those of Frontex and the European Asylum Support Office, EASO) to build a more complete picture of how ready each Member State is to react to shifting migration trends. Through this, the European Union can support its Member States in developing their own contingency plans and undertaking periodic risk assessments that will improve their resilience to unexpected changes.
- ***Developing an early warning system.*** Because no two crises look the same, predictions of large-scale movements are notoriously hard to pin down. However, the lack of joined-up analysis of events beyond Europe’s borders on the one hand and of changing migration trends to and within Europe on the other has become a critical weakness. There is a need for the European Commission to invest in an information management system and analytical capacity that can pool and filter a broad range of sources, including the valuable information provided by nongovernmental actors. Doing so will be important to ensure the European Union is capable of taking a proactive approach to humanitarian crises.
- ***Building greater financial flexibility and standing resources.*** The EU budget proposed in May 2018 and currently under consideration will include far more funding for actions related to migration, borders, and asylum. But the experience of the last few years has demonstrated that the European Commission needs to break through its own bureaucratic constraints to ensure it can support Member States to the greatest extent possible and at the earliest opportunity. Finding ways to avoid delays in translating funding into material resources, in particular, requires further reflection.

In many ways, the European Union is in a much better position to respond to a new crisis than it was in 2014. Yet it risks squandering the progress made if it cannot consolidate the lessons it has learned and create sustainable mechanisms to manage future emergencies. Given the current fragility of EU cooperation on migration—not least within the Schengen area—the EU institutions cannot afford to offer national governments further excuses to withdraw into unilateralism. Building stronger tools to help Member States manage future uncertainty is the surest path to rebuilding public confidence and fostering the resilience of the European Union more broadly.

I. INTRODUCTION

There is no consensus on the timeline and origins of the crisis situation that reached its peak in Europe during Autumn 2015. For many observers, unmanageable mixed flows across European sea borders have been a crisis several decades in the making, made more precarious by the incomplete design and implementation of EU immigration and asylum policy. Deeply uneven national experiences with migration and capacity to respond across the European Union exacerbated this sentiment.

For years, there were signs a crisis was building. In late 2013, governments were alerted to increasing flows and significant loss of life along the central Mediterranean route.¹ After a particularly notable tragedy in which at least 800 migrants drowned,² an emergency European Summit was held in April 2015, at which the basic tenets of a common response were set out. While this was perceived as a crisis for the European Union, the impact at this stage was largely confined to a single EU Member State: Italy.

However, during the summer of 2015, the number of sea arrivals from Turkey to Greece rose exponentially, followed by a mass movement of asylum seekers and migrants through the Western Balkans and onwards to a wide range of EU Member States. This shift in flow changed the nature of the crisis, and its depth. Though the face of the challenge—maritime mixed migration—was comparable to prior flows, the scale of the phenomenon in the eastern Mediterranean challenged the European Union’s ability to respond on multiple fronts.³ From border management to humanitarian assistance, EU actors struggled to respond to the crisis as it unfolded in numerous countries, some Member States and some third countries.

The ‘crisis’ label has been disputed from many angles.⁴ Some have noted that the scale of arrivals remained small compared to the total resident population of Europe,⁵ and should thus not be termed a crisis in comparison with the much larger-scale refugee displacement experienced elsewhere in the world.⁶ While true, this underplays the geographic concentration of much of the impact—both in transit and destination countries. This line of argument also fails to acknowledge that the immigration and asylum systems of EU Member States are not designed to manage extreme fluctuations in flow, even after their experience with displacement from the Balkans during the 1990s.⁷ Separately, many political actors have been nervous to use crisis terminology as it implies a lack of control and authority on the part of responding governments, thus reducing public confidence in their leadership. But by Autumn 2015, few could argue that the unmanaged movement of tens of thousands of migrants across the Western Balkans did not fit the textbook definition of a transboundary crisis.⁸

- 1 Elizabeth Collett, ‘Unauthorised Maritime Migration in Europe and the Mediterranean Region’ in *All at Sea: The Policy Challenges of Rescue, Interception, and Long-Term Response to Maritime Migration*, ed. Kathleen Newland (Washington, DC: Migration Policy Institute, 2016).
- 2 Alessandra Bonomolo in Catania and Stephanie Kirchgaessner, ‘UN Says 800 Migrants Dead in Boat Disaster as Italy Launches Rescue of Two More Vessels’, *The Guardian*, 20 April 2015, www.theguardian.com/world/2015/apr/20/italy-pm-matteo-renzi-migrant-shipwreck-crisis-srebrenica-massacre.
- 3 This report analyses the situation along both the central and eastern Mediterranean routes. Because of the transboundary nature of movements along the eastern route (including through the Western Balkans), this report focuses more heavily on this dimension of the EU crisis response.
- 4 See, for example, Hannah Postel, Cynthia Rathinasamy, and Michael Clemens, ‘Europe’s Refugee Crisis Is Not as Big as You’ve Heard, and Not without Recent Precedent’, Center for Global Development, 10 September 2015, www.cgdev.org/blog/europes-refugee-crisis-not-big-youve-heard-and-not-without-recent-precedent; Hein de Haas, ‘Myths of Migration: Much of What We Think We Know Is Wrong’, Hein de Haas Blogspot, 29 March 2017, <http://heindehaas.blogspot.be/2017/03/myths-of-migration-much-of-what-we.html>.
- 5 There were 1,322,825 asylum applicants in the European Union in 2015, compared to a total EU population of 510,277,177 on 1 January 2016. See Eurostat, ‘Asylum and First Time Asylum Applicants - Annual Aggregated Data (Rounded) [asyl_app]’, updated 3 May 2018, <http://ec.europa.eu/eurostat/web/products-datasets/-/tps00191>; Eurostat, ‘Population on 1 January [tps00001]’, updated 18 May 2018, <http://ec.europa.eu/eurostat/web/products-datasets/-/tps00001>.
- 6 For example, Turkey hosted 2,541,352 refugees while Kenya provided shelter to 553,912 refugees in 2015. See United Nations High Commissioner for Refugees (UNHCR), *Global Trends: Forced Displacement in 2015* (Geneva: UNHCR, 2016), www.unhcr.org/statistics/unhcrstats/576408cd7/unhcr-global-trends-2015.html.
- 7 See ‘Council Directive 2001/55/EC of 20 July 2001 on Minimum Standards for Giving Temporary Protection in the Event of a Mass Influx of Displaced Persons and on Measures Promoting a Balance of Efforts between Member States in Receiving Such Persons and Bearing the Consequences Thereof’, *Official Journal of the European Communities* 2001 L212/12, 7 August 2001, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2001:212:0012:0023:EN:PDF>.
- 8 Crisis is defined as ‘a shared perception of threat to a fundamental part or value of society, which requires urgent action on the part of authorities under conditions of deep uncertainty.’ The concept of transboundary crisis further elevates this to highlight the fact that ‘crisis can, in effect, cut through multiple types of borders: geographic, policy, political, cultural, language, legal.’ See European Societal Security Research Group, ‘What is a Transboundary Crisis?’, accessed 4 June 2018, www.societalsecurity.eu/wp/slides/what-is-a-transboundary-crisis/.

The language of crisis can be useful to policymakers in catalysing a response. At times of perceived threat, leaders have more leeway to prioritise necessary decisions and authorise expedient use of resources in the name of emergency response. Disparate actors, under pressure, learn to collaborate in new and inventive ways to achieve necessary objectives. Of course, without sufficient authority vested in a single or network of actors, crisis can quickly give way to chaos and panic. But in developed governance contexts, time and again, crisis situations have birthed new means of coordination and effective operational response. Few places is this clearer than in the European Union, where food, health, and financial crises have all led to the creation of new regulatory and response structures.⁹

The European Union has historically developed its crisis-response capacity in a ‘punctuated and fragmentary manner’.¹⁰ There is no blueprint for institutional crisis response within the bloc, and indeed, Member States have developed strikingly different national crisis-management mechanisms.¹¹ The EU response to migration has been no exception. Yet there is a wealth of lessons to be drawn from this experience, and the ability to learn from them will be critical if the European Union is to remain a credible actor capable of supporting its Member States in managing unexpected migration flows—especially as future crises, and the responses they will require, may look very different.

Time and again, crisis situations have birthed new means of coordination and effective operational response.

This report offers a first reflection on the formal and informal crisis-response structures that evolved to manage the arrival of migrants and asylum seekers on EU territory between 2014 and 2017. It takes an in-depth look at the overall architecture and coordination of crisis mechanisms, including their relative positioning within the EU institutional framework; the function and sustainability of various initiatives; and whether their core objectives were achieved. The report concludes with an exploration of potential adaptations and improvements that could strengthen existing initiatives, as well as new elements that may prove necessary in the longer term.

An earlier version of this report was commissioned by the General Secretariat of the Council to inform internal discussions with senior EU and national officials.¹² Focused on developments at the EU level, the analysis it puts forward is based on an extensive review of published and unpublished official documents (including strategy documents, meetings summaries, and operational plans) and interviews with key EU officials and other actors involved in responding to mixed migration flows during the 2014–17 period.¹³ The report also draws on discussions during a closed door roundtable of senior national and EU officials co-hosted by the Migration Policy Institute Europe (MPI Europe) and the Estonian Presidency in October 2017.

9 Arjen Boin, Madalina Busuioc, and Martijn Groenleer, ‘Building European Union Capacity to Manage Transboundary Crises: Network or Lead-Agency Model?’, *Regulation and Governance* 8, no. 4 (2014): 418–36.

10 Ibid.

11 Tom Christensen, Ole Andreas Danielsen, Per Lægred, and Lise H. Rykkja, ‘Comparing Coordination Structures for Crisis Management in Six Countries’, *Public Administration* 94, no. 2 (2016): 316–32.

12 The findings of this report were discussed at a Directorate-General for Migration and Home Affairs (DG HOME) internal management meeting in February 2018 and presented at the Strategic Committee on Immigration, Frontiers, and Asylum (SCIFA) in March 2018.

13 Over the course of this research, the Migration Policy Institute Europe (MPI Europe) met with more than 30 stakeholders from the General Secretariat of the Council and the cabinets of President Juncker, Vice President Timmermans, High Representative of the EU for Foreign Affairs and Security, several Commissioners, and the Secretariat General. The MPI Europe team also met with representatives of DG HOME, the Directorate-General for Neighbourhood and Enlargement Negotiations (DG NEAR), Directorate-General for European Civil Protection and Humanitarian Aid Operations (DG ECHO), Directorate-General for International Cooperation and Development (DEVCO), the Structural Reform Support Service (SRSS), Frontex, European Asylum Support Office (EASO), the representatives of seven Member States, the International Organisation for Migration (IOM), UNHCR, and nongovernmental organisations (NGOs) active in Greece and the Western Balkans (e.g., Oxfam and the Norwegian Refugee Council, or NRC). In sections on the budget, this report also draws on discussions at a roundtable organised by MPI Europe on the Multiannual Financial Framework, Brussels, 20 February 2018.

Given the fast-paced nature of both crisis response and institutional reforms, it is important to note that some of the mechanisms discussed in this report are still evolving; this is particularly the case for the expanding role of the EU agencies.¹⁴ The impact of these unfolding policy and operational developments is still unclear, as is their future status. Similarly, it should be noted that while there are many interlocking dimensions both to the recent crisis and the EU response to it, this report represents a focussed assessment of EU-level mechanisms that contributed directly to the response to migration flows between 2014 and 2017.¹⁵

This analysis comes at a critical moment as EU institutions transition out of immediate crisis mode but are still acutely aware of the likely need for swift action in the future. By bringing together the innovation and learning that has occurred among both high-level policy players and on-the-ground operational actors, this research identifies the strengths and persistent gaps of current approaches to managing crisis. In doing so, it offers guidance on how best to consolidate the (often improvised) crisis-response mechanisms that have been developed and sets out options for the institutionalisation or adaptation of these initiatives.

II. HOW DID THE EUROPEAN UNION RESPOND TO THE 2015–16 CRISIS?

Looking at the chaotic scenes that emerged across the European Union beginning in 2015—whether the muddy trails across the Western Balkans or the overcrowded train stations in Budapest and Vienna—it is easy to pronounce the EU response woefully inadequate. Indeed, the failure to foresee, prepare for, and swiftly respond to such visible and distressing situations has had an enduring impact on public confidence in national and EU leaders’ ability to manage current and future migration flows. At the same time, there are limits to how, and how far, the EU institutions can directly intervene in what is essentially a sovereign domain, even when these impacts spill across borders. As overseer of the Schengen system and, by association, the Common European Asylum System, the EU level would seem to be the natural place to resolve transboundary migration challenges; however, EU institutions are limited by subsidiarity and deep political sensitivity. Thus, the European Union is always engaged in a delicate back-and-forth between those Member States that wish to see more intervention (almost always in another state) and those that see such intervention as an unreasonable intrusion into their governance and practice.

14 ‘Regulation (EU) 2016/1624 of the European Parliament and of the Council of 14 September 2016 on the European Border and Coast Guard and Amending Regulation (EU) 2016/399 of the European Parliament and of the Council and Repealing Regulation (EC) No 863/2007 of the European Parliament and of the Council, Council Regulation (EC) No 2007/2004 and Council Decision 2005/267/EC’, *Official Journal of the European Union* 2016 L251, 16 September 2016, <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R1624>; European Commission, ‘Proposal for a Regulation of the European Parliament and of the Council on the European Union Agency for Asylum and Repealing Regulation (EU) No 439/2010’ (COM [2016] 271 final, 4 May 2016), https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/20160504/easo_proposal_en.pdf.

15 Other aspects of European crisis response that, while important, are beyond the purview of this report include national mechanisms (except where they directly affected the implementation of EU initiatives); broader EU migration policies (e.g., the Common European Asylum System, and return and readmission policies); and some external dimensions to the crisis (though Western Balkan aspects are thoroughly discussed). Since 2015, for example, EU policymakers have placed huge emphasis on forging partnerships with third countries as a means of addressing factors that drive irregular migration. See, for example, European Council, ‘Valletta Summit on Migration, 11-12/11/2015’, updated 2 May 2018, www.consilium.europa.eu/en/meetings/international-summit/2015/11/11-12/; European Commission, ‘Commission Announces New Migration Partnership Framework: Reinforced Cooperation with Third Countries to Better Manage Migration’ (press release, Strasbourg, 7 June 2016), http://europa.eu/rapid/press-release_IP-16-2072_en.htm; Elizabeth Collett and Aliyyah Ahad, *EU Migration Partnership: A Work in Progress* (Brussels: MPI Europe, 2017), www.migrationpolicy.org/research/eu-migration-partnerships-work-progress.

This is not a challenge limited to migration policy. Researchers who have assessed the European Union’s role as a crisis manager have highlighted two models that the bloc has attempted to balance when dealing with crisis more generally:

- **Management by a lead agency.** A single EU-level decisionmaker with a defined mandate takes control of a situation and directs other actors (at both EU and national levels).
- **Management by a network.** A more complex interaction of different national and EU actors working together with a less defined chain of command.¹⁶

Recent studies suggest that crisis coordination follows a hybrid of the two models—one capable of managing the diffuse interests and capacities of a wide range of actors (many of whom do not want to be ‘led’), while maintaining a coherent narrative and clear course of action.¹⁷

In developing—for the first time and under intense pressure—an EU-level crisis response to mixed migration flows, the EU institutions have inevitably engaged in a significant amount of ‘muddling through’. A wide range of new initiatives have been launched since 2014, often on an ad hoc and reactive basis. At times, these can be difficult to analyse either separately or chronologically. Not only do many of these mechanisms involve the same actors (though in different constellations), a number of them overlap. For example, the implementation of the 2016 EU-Turkey Statement in Greece required strong interaction with and oversight of the development of hotspots in the Greek islands. Meanwhile in Italy, hotspots remained an entirely separate concept, with a different organisational structure and management. In the same vein, some of the same actors have found themselves participating in a variety of coordination meetings, not least the office of the Structural Reform Support Service (SRSS)¹⁸ and the office of the Secretariat General of the European Commission. This is not to say that having multiple venues for discussion rendered any one venue defunct; rather, it highlights that management of and response to the crisis required numerous constellations of officials at various levels, with certain ‘lynchpin’ roles emerging to ensure some level of overall coherence.

To understand the extent of the changes that have taken place since 2014, it is useful to reflect upon the key phases of the crisis—turning points and political responses—within which the European Union proved to be a central actor. In the words of one DG HOME official, the European Union followed the classic Brussels blueprint until Autumn 2015, when the crisis reached a point of such intensity it required a seismic shift in response.¹⁹

Five phases of ‘crisis’ response

It is easy to assume that the migration patterns that became so problematic during the 2015–16 period were unprecedented and sharply divergent from those seen previously. In actual fact, this type of mixed migration was not new; flows to Europe have fluctuated in composition and across a number of different routes over the past several decades. However, two key things did change in 2015: (1) the scale of the movement, particularly across the eastern Mediterranean (see Figure 1); and (2) the proportion of arrivals who were nationals of

16 Boin, Busuioac, and Groenleer, ‘Building European Union Capacity’.

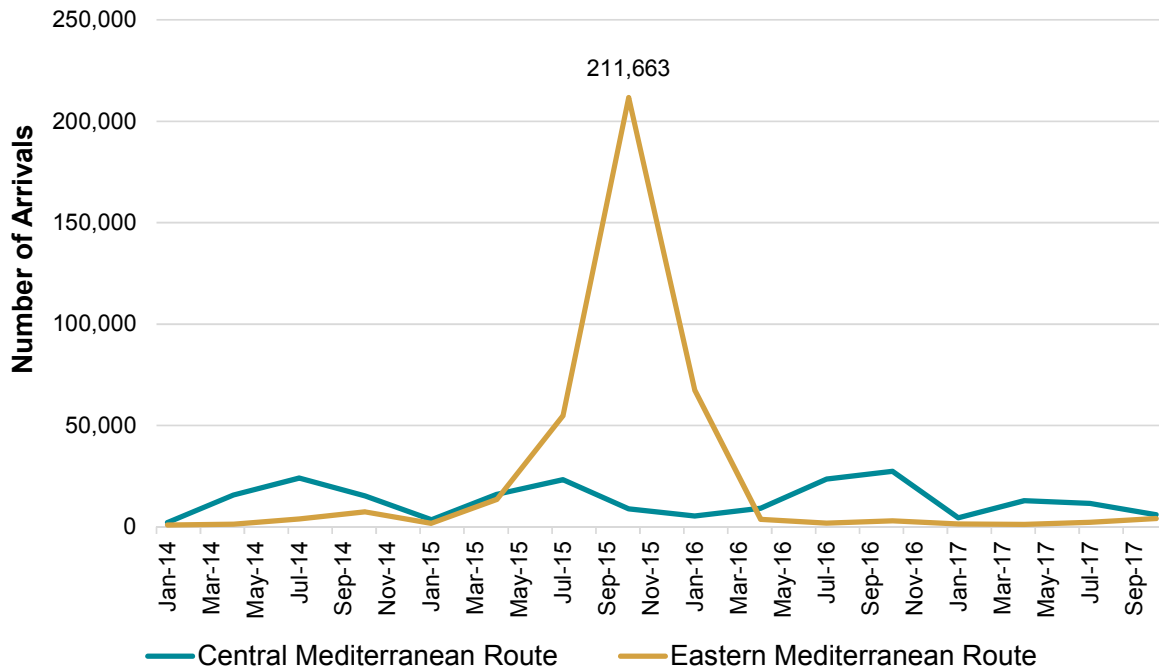
17 See, for example, Christensen, Danielsen, Lægread, and Rykkja, ‘Comparing Coordination Structures’.

18 The SRSS was established in July 2015 within the Secretariat General of European Commission to steer and coordinate technical support for Member States. When the EU-Turkey Statement was released in March 2016, the SRSS Director General was appointed as the EU coordinator for its implementation. See European Commission, *Strategic Plan 2016-2020: Structural Reform Support Service (SRSS)* (Brussels: European Commission, 2017), https://ec.europa.eu/info/sites/info/files/srss_sp_2016_2020_en.pdf.

19 Author interview with DG HOME official, Brussels, February 2018.

countries experiencing conflict and instability. During 2015, around 90 per cent of those arriving in Greece by sea were from Syria, Afghanistan, or Iraq.²⁰

Figure 1. Total number of arrivals on the central and eastern Mediterranean routes, 2014–17



Sources: United Nations High Commissioner for Refugees (UNHCR), ‘Operational Portal, Refugees Situations: Italy—Sea Arrivals by Month’, accessed 30 May 2018, <http://data2.unhcr.org/en/situations/mediterranean/location/5205>; UNHCR, ‘Operational Portal, Refugees Situations: Greece—Sea Arrivals by Month’, accessed 30 May 2018, <http://data2.unhcr.org/en/situations/mediterranean/location/5179>.

Similarly, the policy challenges associated with management of the European Union’s external borders and asylum responsibilities date back to the establishment of the Schengen system and its corollary, the Dublin Regulation. EU oversight of its borders can only be as strong as its weakest link, and the challenges faced in Greece were well known; indeed, in 2011, judgements from the European Court of Human Rights and the European Court of Justice²¹ halted the transfer of asylum seekers back to Greece on the basis of ‘systemic deficiencies’ in both Greek asylum procedures and reception conditions.²² The challenge in Italy was slightly different; while the country had greater capacity to manage its borders, few of the migrants rescued at sea remained there for long, instead moving onward to other parts of Europe. Member States across the rest of the European Union fell into two camps: they were either unaffected by these secondary movements (and thus unconcerned), or they were willing to accept a certain level of secondary movement in the interest of maintaining the overall Schengen space. Grumbings behind closed doors rarely erupted into large-scale political disputes, with the exception of the brief closure of the French-Italian border in 2011 following the arrival of

20 IOM, *Mixed Migration Flows in the Mediterranean and Beyond: Compilation of Available Data and Information, Reporting Period 2015* (Geneva: IOM, 2016), www.iom.int/sites/default/files/situation_reports/file/Mixed-Flows-Mediterranean-and-Beyond-Compilation-Overview-2015.pdf.

21 *M.S.S. v. Belgium and Greece*, Application no. 30696/09 (European Court of Human Rights, 2011), <http://hudoc.echr.coe.int/eng?i=001-103050>; *N. S. v. Secretary of State for the Home Department and M. E. and Others v. Refugee Applications Commissioner, Minister for Justice, Equality, and Law Reform*, Joined Cases C-411/10 and C-493/10 (European Court of Justice, 2011), <http://curia.europa.eu/juris/document/document.jsf?text=&docid=117187&pageIndex=0&doclang=EN>.

22 Beginning in 2011, EASO had deployed asylum support teams in Greece to improve the implementation of asylum procedures and strengthen the operational capacity of asylum services.

around 20,000 Tunisians on Italian shores during the Arab Spring.²³ While EU rules—particularly those on monitoring Member States’ management of EU external borders—were tightened, in the words of one senior national official, the system remained one of ‘tolerated dysfunction’.²⁴ Thus, in 2015, it was the sharp rise in arrival numbers that made this dysfunction intolerable, and secondary movement impossible to ignore.

While EU rules were tightened, in the words of one senior national official, the system remained one of ‘tolerated dysfunction’.

1. 2013–14: The pre-crisis status quo

Prior to 2015, as indicated above, the European Union’s primary focus was on reducing the number of fatalities in the central Mediterranean. Indeed, it was the drowning of 366 migrants, most Somali and Eritrean, off the coast of Lampedusa that catalysed the creation of Task Force Mediterranean, led by the Italian government and European Commission, and the commencement of Operation Mare Nostrum.²⁵ Over the course of the next year, Mare Nostrum rescued more than 100,000 individuals.²⁶

Despite the increased sense of urgency, created in part by Operation Mare Nostrum, initial policy responses essentially maintained the status quo. The initial report on the priorities of the Task Force Mediterranean, published in December 2013, contained little of note and effectively collated and reiterated approaches already underway.²⁷ This document illustrates how little EU policy approaches had shifted in the preceding decade, largely offering more of the same: continuation of the Global Approach to Migration and Mobility, including mobility partnerships and regional dialogue processes, joint Frontex operations, and the establishment of EUROSUR in the Mediterranean. In June 2014, EU Heads of State agreed new strategic guidelines intended to inform policy developments over the subsequent five years.²⁸ Again, few new and concrete ideas

23 European Commission, ‘Statement by Commissioner Malmström on the Compliance of Italian and French Measures with the Schengen Acquis’ (press release, 25 July 2011), http://europa.eu/rapid/press-release_MEMO-11-538_en.htm?locale=en.

24 Author interview with senior national official, Brussels, October 2015.

25 The European Union contributed 1.8 million euros in emergency funding to Operation Mare Nostrum, but further calls for support to Italy from other EU Member States were not heeded. The Slovenian government was the only one to respond by offering a ship to support rescues under this operation. See European Commission, ‘Frontex Joint Operation “Triton” – Concerted Efforts for Managing Migratory Flows in the Central Mediterranean’ (press release, 31 October 2014), http://europa.eu/rapid/press-release_MEMO-14-609_en.htm; Government of the Republic of Slovenia, ‘Slovenia Will Show Solidarity’ (press release, 24 April 2015), www.vlada.si/en/media_room/news_from_slovenia/news_from_slovenia/article/slovenia_will_show_solidarity_52721/.

26 Adam Taylor, ‘Italy Ran an Operation That Saved Thousands of Migrants from Drowning in the Mediterranean. Why Did It Stop?’, *The Washington Post*, 20 April 2015, www.washingtonpost.com/news/worldviews/wp/2015/04/20/italy-ran-an-operation-that-save-thousands-of-migrants-from-drowning-in-the-mediterranean-why-did-it-stop/.

27 The Commission set out five main areas of action for the Task Force Mediterranean (TFM): cooperation with third countries; regional protection, resettlement, and reinforced legal avenues to Europe; combatting trafficking, smuggling, and organised crime; reinforcing border surveillance, enhancing the maritime situational picture, and protecting and saving of lives of migrants in the Mediterranean; and assisting and standing in solidarity with Member States dealing with migration pressures. In reality, it only led to a few meetings and the development of guidelines. Still, while the TFM was not seen as an effective crisis-response mechanism, the broad policy tenets of the migration strategy it set out remain central to current initiatives. See European Commission, ‘Communication from the Commission to the European Parliament and the Council on the Work of the Task Force Mediterranean’ (COM [2013] 869 final, 4 December 2013), https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-is-new/news/news/docs/20131204_communication_on_the_work_of_the_task_force_mediterranean_en.pdf.

28 European Council, ‘European Council 26/27 June 2014 Conclusions’ (EUCO 79/14, 27 June 2014), <http://register.consilium.europa.eu/doc/srv?l=EN&f=ST%2079%202014%20INIT>.

were put forward.²⁹ While some more detailed proposals emerged outside of the spotlight—such as the Austrian government’s Save Lives initiative,³⁰ designed to encourage greater refugee resettlement—the sense of inertia was pervasive.

2. Spring 2015: Political escalation

As central Mediterranean crossings increased during the first months of 2015, the cycle of shock and reaction picked up speed. Two large, overcrowded boats capsized in mid-April; in one of these incidents, more than 800 lives were lost.³¹ This resulted in the hasty development of a ten-point plan—drafted by officials in DG HOME in just a few days—that was subsequently endorsed at what was to become the first of many European Council meetings dedicated to the issue of managing migration.³² Among the plan’s key elements were calls to support an EU-led Operation Triton in the central Mediterranean (the successor to Italian-led Operation Mare Nostrum),³³ and a more general emphasis on counter-smuggling operations, including a Common Security and Defence Policy military operation (later to become the EU Naval Force, or EUNAVFOR).

In the coming years, these hotspots would prove critical components of the transnational crisis response in both Greece and Italy.

The ten-point plan, in turn, became the genesis of the European Agenda on Migration, published in May 2015.³⁴ Here, the European Commission expanded upon themes such as emergency relocation³⁵ and increased resources for maritime operations. The key innovation in the agenda document was its proposal to create a set of ‘hotspots’. Vague in its articulation, the broad goal was to bring EU agencies to work on the ground with frontline Member States to identify, register, and fingerprint incoming migrants (see Box 1). Accomplishing these three interconnected aims was critical to the success of the Common European Asylum System, primarily to assess which country was responsible for asylum applications, but also to organise relocation. In the coming years, these hotspots would prove critical components of the transnational crisis response in both Greece and Italy.

29 Elizabeth Collett, *The EU’s Strategic Guidelines on Migration: Uncontentious Consensus, but Missed Opportunity* (Washington, DC: MPI, 2014), www.migrationpolicy.org/news/european-union-strategic-guidelines-migration-uncontentious-consensus-missed-opportunity.

30 Austrian Delegation to SCIFA, ‘EU Resettlement Initiative – “Save Lives”’ (discussion paper presented at the Council of the European Union, Brussels, 17 September 2014), www.europarl.europa.eu/meetdocs/2014_2019/documents/libe/dv/18_resettlement_save_lives_/18_resettlement_save_lives_en.pdf.

31 Bonomolo and Kirchgaessner, ‘UN Says 800 Migrants Dead’.

32 European Commission, ‘Special Meeting of the European Council, 23 April 2015 – Statement’ (press release, 23 April 2015), www.consilium.europa.eu/en/press/press-releases/2015/04/23/special-euco-statement/pdf.

33 The Italian government launched Operation Mare Nostrum in 2013, with a strong search-and-rescue component. It ended one year later and was replaced by the EU-led Operation Triton. The EU launched Operation Triton in November 2014, with the objective of increasing border control but also conducting search and rescue. See European Commission, ‘Frontex Joint Operation “Triton” – Concerted Efforts to Manage Migration in the Central Mediterranean’ (press release, 7 October 2014), http://europa.eu/rapid/press-release_MEMO-14-566_en.htm.

34 European Commission, ‘Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: A European Agenda on Migration’ (COM [2015] 240 final, 13 May 2015), https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/background-information/docs/communication_on_the_european_agenda_on_migration_en.pdf.

35 Following a 2015 European Commission proposal that established a mandatory emergency relocation system, Member States agreed to relocate eligible asylum seekers arriving in Greece and Italy between September 2015 and September 2017. See ‘Council Decision (EU) 2015/1601 of 22 September 2015 Establishing Provisional Measures in the Area of International Protection for the Benefit of Italy and Greece’, *Official Journal of the European Union* 2015 L248/80, 24 September 2015, <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015D1601&from=EN>.

Following the publication of the European Agenda, a duality emerged. On the one hand, within senior policy circles in Brussels, there was a sense of complacency that the response had been sufficient for what was viewed as a largely localised crisis. The ‘crisis situation in the Mediterranean’, many felt, was primarily the responsibility of the frontline states, notably Italy, that now had increased support from the European Union and other Member States. At the highest level of the Commission, there was a desire to swiftly return to business as usual.

At the same time, the European Agenda on Migration unleashed feverish operational learning on the ground. The hotspots concept, once articulated, had to become a reality, despite few guidelines beyond the overarching goals to be achieved. During the spring and summer of 2015, the development of the hotspots became a microcosm of the promise and limitations of EU direct intervention in a Member State (see Box 1). However, even as the intensive work began, it was driven by a sense of urgency rather than crisis.

Box 1. The evolution of the hotspots

The idea of creating hotspots to manage irregular maritime arrivals, though not new, was first formally integrated into EU policy through the European Agenda on Migration in May 2015. The definition in the policy document was, however, sufficiently imprecise to give Member States the flexibility to decide what the hotspots would look like. Greece and Italy agreed to implement the hotspots, enticed by the possibility that they could facilitate the relocation of newcomers in need of international protection.

With the rapid increase in arrivals in Greece over the summer, the hotspots quickly became a priority for the European Union. In mid-September, the Commission appointed Special Envoys to Greece and Italy to provide operational support and oversee their establishment. These envoys were primarily selected based on their existing relationships with national authorities in the two countries—an effort to smooth what were considered very sensitive missions. Their role was critical because they coordinated the delivery of technical support by DG HOME and also reported back to Brussels, helping the Commission grasp very concrete implementation challenges.

Italy

Italy had prior experience organising arrivals, and it already managed centres (Centres of First Assistance and Reception) in Lampedusa and Pozzallo. Thus, setting up hotspots was expected to be straightforward; with infrastructure already in place, the centres only needed to be upgraded to come closer to what was envisioned for the hotspots. The Italian authorities led implementation, with direct support from EU agencies and in close coordination with DG HOME. Several interviewees from the Commission acknowledged that the relationship between DG HOME and the Italian government had to be carefully managed, but over time and through sustained engagements, the team deployed in Italy managed to position itself as a resource as well as a catalyst for action.

Yet from the beginning, the unpredictability of arrivals complicated implementation. Sequencing of activities on the ground was also a main challenge, as the hotspots involved many partners with different backgrounds and responsibilities. Practical issues quickly emerged, including the inadequate provision of information to migrants upon disembarkation about their rights and the asylum procedure. Other difficulties were more political and resulted from disagreements over the objectives of the hotspots. The Commission, for example, frequently asked Italy to increase its detention capacity, whereas Rome was reluctant to set up detention facilities for migrants to be returned to their home countries.

Greece

In Greece, setting up hotspots was more difficult because it entailed starting from scratch, with limited government capacity to invest in new infrastructure. After September 2015, a DG HOME team was deployed

Box I. The evolution of the hotspots (cont.)

in Greece and regularly travelled to the islands, while another team affiliated with the Commission managed political discussions in Athens. As Greek authorities had to assess needs in a rapidly changing environment and bring together institutions not used to working together, planning and coordination were the most pressing problems. Lack of coordination resulted in the spread of inconsistent information. At the level of the hotspots themselves, basic management was difficult as the government did not appoint operations managers for several months.

The EU agencies and the EU Regional Taskforces (EURTFs)

EU agencies were on the frontlines for the implementation of the hotspots, especially the European Asylum Support Office (EASO) and border-control agency Frontex. The two agencies quickly moved into operational roles: for instance, EASO supported the national authorities in managing relocation and providing information to asylum seekers, whereas Frontex assisted Italian and Greek authorities with fingerprinting, registration, debriefing, and organising returns.

However, in both countries, the lack of resources hampered the work of these two agencies. EASO issued a series of emergency calls to Member States to send more experts but received only a few answers, even at the peak of the crisis. Many of the experts dispatched did not have the appropriate background or skillset. And even experienced officials had to spend time learning about the Italian and Greek asylum systems, which drained valuable time from their short, 6-to-8-week deployments.

To improve coordination between national authorities and the European agencies, the EURTFs were established in 2015 in Catania, Italy and Piraeus, Greece. Soon after, a permanent DG HOME staff member was based at the EURTF in Catania, and the DG HOME team began to regularly visit Piraeus. According to several interviewees, the presence of DG HOME in Catania contributed to building trust between Italian and European partners and this had a direct effect on their exchange of information. Despite these benefits, however, the EURTFs were limited by their lack of clear decision-making power and the central governments in Rome and Athens were careful to keep ownership.

Results

In just a few months, the hotspots led to an increase in the proportion of migrants fingerprinted in Italy and, to a lesser extent, in Greece. As reported by the European Court of Auditors, this rate jumped from 8 per cent in September 2015 to 78 per cent in January 2016 in Italy. Another achievement was the creation of a habit of collaboration between national authorities, DG HOME, and the agencies. Existing relationships and interpersonal trust were key to this outcome, and it enabled the partners to establish objectives acceptable on all sides. However, persistent and deep deficiencies remain in terms of reception conditions and information provision, particularly on the Greek islands (even prior to the EU-Turkey Statement).

Sources: Dimitris Avramopoulos, 'Explanatory Note on the "Hotspot" Approach' (unofficial explanatory note sent to Justice and Home Affairs Ministers, European Commission, Brussels, 15 July 2015), www.statewatch.org/news/2015/jul/eu-com-hotspots.pdf; International Rescue Committee (IRC), Norwegian Refugee Council (NRC), and Oxfam, *Joint Agency Briefing Note: The Reality of the EU-Turkey Statement* (N.p.: IRC, NRC, and Oxfam, 2017), www.oxfam.org/sites/www.oxfam.org/files/bn-eu-turkey-statement-migration-170317-en.pdf; Aspasia Papadopoulou, *The Implementation of the Hotspots in Italy and Greece: A Study* (Amsterdam: Dutch Council for Refugees, 2016), www.ecre.org/wp-content/uploads/2016/12/HOTSPOTS-Report-5.12.2016..pdf; European Commission, 'Communication from the Commission to the European Parliament, the European Council and the Council: First Report on Relocation and Resettlement' (COM [2016] 165 final, 16 March 2016), https://eur-lex.europa.eu/resource.html?uri=cellar:532a5219-eb88-11e5-8a81-01aa75ed71a1.0001.02/DOC_1&format=PDF; European Commission, 'Communication from the Commission to the European Parliament and the Council: Progress Report on the Implementation of the Hotspots in Greece' (COM [2015] 678 final, 15 December 2015), <http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52015DC0678&from=EN>; European Court of Auditors, *EU Response to the Refugee Crisis: The 'Hotspot' Approach* (Luxembourg: European Court of Auditors, 2017), www.eca.europa.eu/Lists/ECADocuments/SR17_6/SR_MIGRATION_HOTSPOTS_EN.pdf.

3. Summer 2015: Unanticipated shifts in flow

As officials got to work in Italy and Greece, the slow shift in arrival numbers across the eastern Mediterranean was not initially perceived as problematic in Brussels. There were several reasons for this. First, official statistics emanating from Greece underestimated the scale of arrivals. In the early summer months, the first responders to maritime arrivals tended to be local residents, volunteers, and small nongovernmental organisations (NGOs); official presence was minimal. As a result, official data were patchy and often undercounted actual arrivals.

Second, at this point, many policymakers perceived the primary challenge at hand to be the danger of the journey itself, rather than the scale of arrivals. The short journey from Turkey to the Aegean islands was seen as less perilous than the long one from Libya to Italy, so the fact that this was becoming the more-used route was not questioned. Officials underestimated the attractiveness of a safer, more direct route for those seeking passage to Europe, and thus failed to grasp the levels to which these arrivals might climb. The sense of hiatus was also fuelled by more prosaic factors. The Brussels summer calendar was in full effect, which meant few to no scheduled meetings of EU and Member State officials and many key personnel absent from their positions. It was not until the late summer and early September that the machinery began to move once more, and it was then that collective understanding dawned that something momentous was taking place. By this point, several thousand migrants and asylum seekers were arriving each day on the Greek islands, and the beaches were littered with discarded life vests.

Officials underestimated the attractiveness of a safer, more direct route for those seeking passage to Europe, and thus failed to grasp the levels to which these arrivals might climb.

During this summer period, crisis response was piecemeal. A number of states triggered the use of the EU Civil Protection Mechanism (see Box 2), while others made use of ad hoc emergency funds. As early as July, the Directorate-General for European Civil Protection and Humanitarian Aid Operations (DG ECHO) had begun to respond to the humanitarian situation emerging in the Western Balkans as thousands of migrants transited through the region en route to a range of EU destinations; it granted more than 90,000 euros to the Former Yugoslav Republic of Macedonia (FYROM), followed by 150,000 euros to Serbia in August 2015, and a further 1.5 million euros to the two countries combined at the end of that month.³⁶ Indeed, it proved easier for the European Union to respond to the needs of non-Member States, partly due to the fact that DG ECHO could not initially fund humanitarian projects within EU territory. Money was channelled directly to large NGOs (notably national Red Cross societies) operating in third countries to facilitate provision of basic services, such as health care and shelter, allowing the European Commission to avoid having to coordinate the flow of funds itself. In these efforts, DG ECHO focussed not on managing the movement of people, merely on ensuring their safety.

³⁶ European Commission, 'EU Support for the Western Balkans at 2015 Summit in Vienna' (press release, 26 August 2015), http://europa.eu/rapid/press-release_IP-15-5529_en.htm.

Box 2. Existing crisis-response tools: the EU Civil Protection Mechanism

The EU Civil Protection Mechanism (EUCPM) was established in 2001 to further cooperation amongst EU Member States and better coordinate responses to natural and man-made disasters. Unlike many EU mechanisms, the EUCPM covers both the EU-28 and non-Member States anywhere in the world. Once a government makes a request to activate the mechanism, the European Commission (through the European Response Coordination Centre, or ERCC) coordinates voluntary in-kind contributions from participating states and assists with transportation of the equipment provided. This mechanism is thus entirely reliant on the active participation of national civil protection authorities.

The EUCPM was not originally intended to respond to migration crises. However, already in 2013, Bulgaria activated it to address inflows of Syrian refugees. In 2015, as movement along the Western Balkan route increased, DG ECHO encouraged states along the route to activate the mechanism. Hungary did so in June 2015, and Serbia, Croatia, and Slovenia during Autumn 2015. But despite repeated encouragement, Greece did not activate EUCPM until December 2015. These activations followed partial border closures in the Western Balkans, after which it became clear that large migrant populations would remain in the region for at least the short term.

As arrivals and onward movements increased during Autumn 2015, responses from other Member States had become progressively more limited, as governments began to use their own emergency supplies domestically. At the same time, some governments questioned the list of needs presented under the EUCPM and the lack of prioritisation, particularly in Greece.

During this period, EUCPM exhibited a number of strengths as an initial emergency response. It is coordinated by crisis managers trained to identify and fulfil short-term needs, and used to cooperating across borders and teams. Pooling resources through the mechanism also meant lengthy procurement procedures could be avoided. However, the activation of EUCPM alone proved to be insufficient as the crisis spread beyond Greece and the Western Balkans. Member State engagement was unreliable, and there was no way to ensure sufficient contributions would be made. Moreover, the absence of clear procedure for linking use of EUCPM to other support mechanisms limited its long-term impact. The fact that it must be activated by an affected Member State can also be a limitation because, as was the case in Greece, a government may be unwilling to do so when the emergency reveals a lack of national preparedness.

Sources: European Commission, 'European Assistance to Help Bulgaria Face the Refugee Crisis' (press release, 23 October 2013), http://europa.eu/rapid/press-release_IP-13-993_en.htm; ERCC Analytical Team, 'Refugee Crisis – European Union Civil Protection Mechanism (EUCPM) Activations and Assistance Provided' (ECHO daily map, ERCC Analytical Team, Brussels, 7 January 2016), <http://erccportal.jrc.ec.europa.eu/getdailymap/docId/1443>; Alberto Nardelli, 'Refugee Crisis: EU States Failing to Meet Funding and Resource Commitments', *The Guardian*, 5 November 2015, www.theguardian.com/world/2015/nov/05/refugee-crisis-eu-states-not-doing-enough-says-european-commission; European Commission, 'Communication From the Commission to the European Parliament, the Council and the Committee of the Regions: Strengthening EU Disaster Management: RescEU Solidarity with Responsibility' (COM [2017] 773 final, 23 November 2017), <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52017DC0773>.

Small groups of EU officials began to meet and sketch out a European response, some raising the possibility of invoking the Temporary Protection Directive for the first time.³⁷ However, without direction from Brussels, smaller groups of Member States began to cooperate independently. As reported by a Member State official, Austria, Slovenia, and their Western Balkans neighbours attempted to address shared challenges through informal cooperation at ministerial, senior policy, and technical levels.³⁸ Doing so was not easy, given the volatility of the flows, heightened political sensitivities, and historical tensions between several neighbouring states. As the summer wore on, a national diplomat reported that at least one Member State requested guidance from the European Commission as to whether there was a legal basis upon which they could take up a ‘wave-through’ policy, allowing asylum seekers and other migrants to pass through their territory to reach other EU destinations, but received no answer.³⁹

By early September, media reports had shifted from documenting Mediterranean arrivals to tracing the progression of growing numbers of migrants and asylum seekers through the Western Balkans en route to destinations such as Austria, Germany, Belgium, Netherlands, Denmark, and Sweden.⁴⁰ Caught by surprise, volunteers stepped in to service gaps, offering food and shelter, while national governments scrambled to expand reception, opening makeshift facilities in army barracks, holiday camps, and former ministry buildings.⁴¹

Within the EU institutions, it was unclear who should be leading the response and, more fundamentally, what the EU response should be.

Meanwhile, President Juncker’s September 2015 State of the Union⁴² address focussed largely on a proposal to expand the emergency relocation programme from 40,000 to 160,000 individuals⁴³ (see Box 3) and to reinforce European asylum and border-management standards. While the language was one of crisis, highlighting the plight of ‘families sleeping in parks and railway stations in Budapest, in tents in Traiskirchen, or on shores in Kos’,⁴⁴ the response from the Commission leadership seemed to be focussed on advancing longer-term EU policy goals.

This also reflected internal doubts. By this point, the unfolding crisis had become multilayered: first and foremost, a humanitarian crisis whereby governments struggled to provide food and shelter, but also a policy crisis, with EU and national leaders unable to agree on a collective answer. Within the EU institutions, it was unclear who should be leading the response and, more fundamentally, what the EU response should be. The acceptance of onward movement, as opposed to the closing of borders, necessitated very different practical and humanitarian responses.

37 This idea had also been raised by the Italian government after the Arab Spring, but no consensus was reached and it was never activated. See Joanne Van Selm, ‘Temporary Protection: EU Plan for Migrant Influx’, EU Observer, 14 October 2015, <https://euobserver.com/opinion/130678>.

38 Author interview with Member State official, Brussels, February 2018.

39 Author interview with national diplomat, Brussels, February 2018.

40 Anemona Hartocollis and Dan Bilefsky, ‘Train Station in Budapest Cuts off Service to Migrants’, *New York Times*, 1 September 2015, www.nytimes.com/2015/09/02/world/europe/keleti-train-station-budapest-migrant-crisis.html.

41 For example, the Dutch authorities set up emergency reception centres in pavilions, multipurpose halls, and holiday parks. See Government of the Netherlands, ‘Reception of Asylum Seekers in the Netherlands’, accessed 4 June 2018, www.government.nl/topics/asylum-policy/asylum-procedure/reception-asylumseeker.

42 Jean-Claude Juncker, ‘State of the Union 2015: Time for Honesty, Unity, and Solidarity’ (press release, 9 September 2015), http://europa.eu/rapid/press-release_SPEECH-15-5614_en.htm.

43 By comparison, 147,123 persons arrived in Greece by sea in September 2015. See UNHCR, ‘Operational Portal, Refugees Situations: Greece—Sea Arrivals by Month’, accessed 30 May 2018, <http://data2.unhcr.org/en/situations/mediterranean/location/5179>.

44 Juncker, ‘State of the Union 2015’.

Box 3. From a voluntary to a mandatory relocation system

In Spring 2015, the European Commission began advocating for a mechanism that would allow for the relocation of asylum seekers from frontline Member States to the rest of the European Union, in part to demonstrate solidarity with Italy and Greece. Before the summer, the European Council set out a plan for the exceptional voluntary relocation of 40,000 refugees.

As the number of arrivals in Greece quickly increased over the summer, a second relocation mechanism was proposed—this time mandatory—but the principle faced fierce opposition as early as the June European Summit. In September, the Council agreed (through a qualified majority vote, due to lack of consensus) to the establishment of a mandatory relocation system for an additional 120,000 refugees. This created a major shift within the European Union (see Section III.C.).

The mechanism also raised very practical questions. For example, how would the number of asylum seekers each Member State should receive be calculated, and how would transfers between countries be organised? The Commission developed an elaborate distribution formula based on four country-specific indicators: population size, GDP, average number of asylum applications per 1 million inhabitants over the past five years, and unemployment rate. To implement the mechanism, Member States had to appoint a national contact point and, in liaison with EASO and other agencies, establish direct cooperation and exchange of information between authorities.

All these practical aspects were new for the European Union and its Member States. Initial delays and misunderstandings amidst already strained diplomatic relations contributed to tensions between governments, especially as Greece and Italy felt they had not received sufficient support from their European counterparts. For many interviewees, the shift to mandatory relocation represented a turning point in the political discussion on how to manage the crisis, deepening divisions between Member States over how to share responsibility for asylum claims.

Sources: ‘Council Decision (EU) 2015/1523 of 14 September 2015 Establishing Provisional Measures in the Area of International Protection for the Benefit of Italy and of Greece’, *Official Journal of the European Union* 2015 L239/146, 15 September 2015, <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015D1523&from=EN>; Council of the European Union, ‘Outcome of the Council Meeting: 3405th Council Meeting, Justice and Home Affairs’ (press release, 20 July 2015), www.consilium.europa.eu/media/22985/st111097en15.pdf; ‘Council Decision (EU) 2015/1601 of 22 September 2015 Establishing Provisional Measures in the Area of International Protection for the Benefit of Italy and Greece’, *Official Journal of the European Union* 2015 L248/80, 24 September 2015, <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32015D1601&from=EN>; European Commission, *Relocation & Resettlement: Sharing Responsibility and Opening Legal Pathways to Europe, September 2017* (Brussels: European Commission, 2017), https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20170906_relocation_and_resettlement-sharing_responsibility_and_increasing_legal_pathways_to_europe_en.pdf; European Commission, ‘Fact Sheet: Refugee Crisis – Q&A on Emergency Relocation’ (press release, 22 September 2015), http://europa.eu/rapid/press-release_MEMO-15-5698_en.htm.

4. Autumn 2015: The emergence of crisis-response mechanisms

By mid-Autumn 2015, it was clear that the ‘triage’ approach of providing piecemeal support for affected countries was no longer sustainable. Under pressure from governments across the Western Balkans route, notably Austria and Slovenia, the Commission convened a Leaders Meeting on the Western Balkans Migration Route in Brussels on 25 October. The summit gathered leaders from Albania, Austria, Bulgaria, Croatia, the FYROM, Germany, Greece, Hungary, Romania, Serbia, and Slovenia. It was notable for being held in Commission headquarters, rather than those of the Council.⁴⁵ Following this meeting, the countries involved agreed on a 17-point plan⁴⁶ that included the creation of a contact group of high-level representatives from countries along the route to monitor implementation of the action plan (see Box 4)

With this, the institutional cogs began to move. From informal constellations of cabinet members and senior officials in September, the Commission finally decided to trigger its general rapid alert system, ARGUS,⁴⁷ on 29 October. A day later, the Luxembourg Presidency triggered the Integrated Political Crisis Response (IPCR) in the Council in information-sharing mode, and then activated it at its highest crisis mode for the first time two weeks later, on 9 November (see Box 4). For some interviewees, while ARGUS was useful to ensure co-ordination between Commission actors, it was the IPCR that became the ‘situation room’ for crisis response.⁴⁸

Box 4. The emergence of institutional coordination

Three main coordination mechanisms emerged at the end of October 2015. Though somewhat delayed, they proved to be game-changers. These initiatives brought policy and operational officials together on a regular basis to flag challenges and identify responses. The first one, the Western Balkans Contact Group, was a new instrument, whereas the other two, ARGUS and the Integrated Political Crisis Response (IPCR), existed but had never been used at such a high level.

Western Balkans Contact Group

The weekly coordination meeting instigated by the October 2015 leaders meeting was an innovation for the European Commission. From the beginning, it facilitated regular, direct interactions between directorates-general, the governments of Member States and affected third countries, and key partners (e.g., IOM and UNHCR). President Juncker’s cabinet has chaired these meetings since 2015, lending discussions strong political legitimacy.

The Contact Group has primarily been an information-sharing mechanism, and during the crisis, it opened the door to more informal communication channels (see Section III). Its main shortcoming has been the lack of enforcement capacity, and NGOs have warned that cooperation remains limited at the operational level. As such, these weekly meetings have not led to decisive shifts in regional dynamics, though their institutionalisation has still been a positive development for enhanced dialogue.

45 Several officials interviewed to inform this report highlighted the diplomatic convenience of this. It allowed for non-EU Member States to participate without the full Council machinery, and it circumvented some of the tensions that had emerged in recent European Summit meetings.

46 European Commission, ‘Meeting on the Western Balkans Migration Route: Leaders Agree on 17-Point Plan of Action’ (press release, 25 October 2015), http://europa.eu/rapid/press-release_IP-15-5904_en.htm.

47 European Commission, ‘Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: Commission Provisions on “ARGUS” General Rapid Alert System’ (COM [2005] 662 final, 23 December 2015), <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52005DC0662>.

48 Author interviews with EU officials, Brussels, February 2018.

Box 4. The emergence of institutional coordination (cont.)

ARGUS Coordination Meetings

The Commission formalised weekly coordination meetings after ARGUS was triggered in October 2015, and these meetings really gained momentum in early 2016. Under the chairmanship of the Secretariat General, they have consistently gathered high-level participants from, among others, DG ECHO, DG HOME, DG NEAR, DG DEVCO, EEAS, and the cabinets of the President and the Vice President. Especially in 2016, these meetings played a critical role by providing a clear venue for high-level oversight and problem-solving between portfolios. At the time, discussions focussed on Greece, Turkey, the Western Balkans, Italy, and, to a lesser extent, the Migration Partnership Frameworks (later on, EEAS and the Commission started organising dedicated coordination meetings for the Migration Partnership Frameworks). These one-hour meetings typically do not allow for lengthy discussion, but they have provided opportunities to frame strategic guidelines.

Integrated Political Crisis Response

The IPCR, the Council's crisis management mechanism, was mysterious to most stakeholders prior to November 2015. Created in 2013 to enhance Member States' ability to respond to transboundary crises, such as bird flu or earthquakes, it had never before been fully activated and Member States were unsure of what could be expected from it. Soon after its activation by the Luxembourg Presidency, it became a critical instrument used by the Council, Member States, and the Commission to disseminate information and discuss the crisis response.

The core asset of the IPCR has been its Integrated Situational Awareness and Analysis (ISAA) reports, which gather information about migration flows from the Commission services, EU agencies, EEAS, Member States, and organisations such as IOM and UNHCR. This has included several key reporting streams: DG NEAR on the progress with Turkey (from the EU-Turkey Joint Action Plan to the implementation of the EU-Turkey Statement after March 2016), DG ECHO on humanitarian affairs, and DG HOME on the set-up of hotspots. The data are primarily quantitative, reviewed by the Secretariat General for consistency, and presented neutrally to focus policymaker attention on identifying knowledge gaps and discussing practical responses. After overcoming initial obstacles, particularly before a report template was created, these reports have become the primary source of standardised information for Member States, the Commission, and EEAS—success due in part to a sense of ownership among the many actors involved.

The IPCR also involves roundtables that have primarily been used as a tool for the Presidency to gather more in-depth information and look for political solutions. Some roundtables are technical and others high level, with issues often discussed first at a technical session and escalated to a high-level meeting if a political intervention is needed. These exchanges sometimes pave the way for discussions in the Committee of Permanent Representatives (COREPER), which prepares the agenda and the strategic decisions of the European Councils and is organised in two forums—COREPER I and COREPER II (which covers Justice and Home Affairs and comprises the permanent representatives).

Source: Author interviews with participants of the Western Balkans Contact Group and ARGUS Coordination Meetings, along with the Secretariat General of the Council, Brussels, February 2018.

Finally, with heightened coordination among the European institutions and in close consultation with key Member States, such as Germany and the Netherlands, a plan began to emerge for how to engage with Turkey on managing flows to Greece. Diplomacy from various actors, including Vice President Timmermans and DG NEAR Commissioner Hahn as well as senior officials within DG HOME, DG NEAR, and the European External Action Service (EEAS), led to the adoption of the EU-Turkey Joint Action Plan on 29 November 2015.⁴⁹ The plan aimed to support both Syrians under temporary protection and host communities in Turkey, while also strengthening measures to prevent irregular migration.⁵⁰ This effort not only represented strong coordinated action within and between EU institutions, as well as with EU Member States, it also implied that a convergence of opinion on how to address heightened arrivals from Turkey was beginning to quietly emerge.

For many officials, this was now critical: while Member States had just about managed to cope with arrivals in 2015, there was a fear that if flows crept back to the same level in 2016, this would be disastrous for European solidarity, public confidence, and, ultimately, the ability of Member States to continue to offer adequate protection to arrivals. This realisation motivated those at the highest levels in Brussels to take stronger direct responsibility and engage in active management of arrivals. While the implementation of the relocation scheme continued to unfold in Italy and Greece, it was primarily part of an effort to encourage the collaboration of these two frontline states, rather than an end in itself. In other words, the Commission wanted a relocation system to demonstrate the solidarity of the other Member States, but it did not expect the mechanism to make a significant difference in the management of arrivals.

5. Spring 2016: The EU-Turkey Statement and follow-up

The crisis entered its final phase on 18 March 2016 with the signing of an EU-Turkey Statement at a European Council meeting in Brussels.⁵¹ By that time, movement through the Western Balkans had already slowed, due largely to decisions by governments in the region (encouraged by EU actors) to limit passage to certain nationalities in November 2015,⁵² and further limits and closure in February 2016.⁵³

The March statement acknowledged the progress that had been made on the terms of the November joint action plan,⁵⁴ but noted that further efforts were required to ‘end the irregular migration from Turkey to the EU’.⁵⁵ To achieve this goal, the agreement goes on to state that irregular migrants arriving in Greece after 20 March 2016 are to be returned to Turkey, and that the European Union is to resettle one Syrian for every Syrian returned from the Greek islands. The deal also demands that Turkey more actively prevent irregular migration to the European Union. In exchange, Ankara received guarantees that several items of strategic interest would move

49 European Commission, *Joint Action Plan on the Implementation of the EU-Turkey Statement* (Brussels: European Commission, 2016), https://ec.europa.eu/commission/sites/beta-political/files/december2016-action-plan-migration-crisis-management_en.pdf.

50 This included the creation of a dedicated Facility to ensure adequate financial support for refugees in Turkey. See European Commission, ‘Managing the Refugee Crisis – EU-Turkey Joint Action Plan: Implementation Report’ (fact sheet, European Commission, Brussels, 2016), https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/background-information/docs/managing_the_refugee_crisis_-_eu-turkey_join_action_plan_implementation_report_20160210_en.pdf.

51 European Council, ‘EU-Turkey Statement, 18 March 2016’ (press release, 18 March 2016), www.consilium.europa.eu/en/press/press-releases/2016/03/18/eu-turkey-statement/pdf.

52 Patrick Kingsley, ‘Aid Groups Say Balkan States Blocking Refugees Based on Nationality’, *The Guardian*, 19 November 2015, www.theguardian.com/world/2015/nov/19/balkan-countries-block-refugees-nationality-aid-groups.

53 Jennifer Rankin, ‘Croatia and Slovenia Impose Limits on Refugee Numbers’, *The Guardian*, 26 November 2016, www.theguardian.com/world/2016/feb/26/croatia-slovenia-limits-refugee-numbers-europe-greece.

54 In January 2016, Turkey adopted the Regulation on Work Permit of Foreigners under Temporary Protection, which allowed Syrians to work. Ankara also established visa obligations for Syrian arrivals from third countries, such as Lebanon and Jordan. See Government of Turkey, ‘Regulation on Work Permits of Foreigners under Temporary Protection’, 11 January 2016, www.refworld.org/docid/582c71464.html.

55 European Council, ‘EU-Turkey Statement, 18 March 2016’.

forward, including visa liberalisation, the upgrading of the EU-Turkey Customs Union,⁵⁶ and the EU accession process.

From a headline point of view,⁵⁷ the swift implementation of the EU-Turkey Statement (on the Turkish side at least) signalled an end to crisis.⁵⁸ For those on the ground, however, it merely signalled a shift in the characteristics of crisis. During Autumn 2015, the main challenge had been responding to large numbers of people on the move, followed by their eventual reception across Northern Europe.⁵⁹ Within 48 hours, Greece found itself in the midst of a new type of reception crisis: a far smaller population of migrants and asylum seekers were confined on resource-limited islands amongst resident populations, halted en route and facing worsening conditions, particularly near the FYROM border. For a Greek government that was already massively overstretched, the challenge of the crisis had in some ways only just begun.

Within 48 hours, Greece found itself in the midst of a new type of reception crisis.

At the eleventh hour, the European Commission appointed the Structural Reform Support Service to oversee the implementation of the EU-Turkey Statement. The SRSS, a new Commission service at the time, aimed to facilitate administrative and structural reforms in EU Member States. Though not an expert in migration policy, the Director General of the SRSS had been in Greece for nearly a year, and his team had strong relationships with key government officials. As such, the SRSS became an important interlocutor between Athens and Brussels as implementation of the Greek side of the deal progressed. The team received operational support from DG HOME, which resulted in unusual reporting lines⁶⁰ but helped to overcome technical gaps at the SRSS.

From a crisis-management perspective, the EU-Turkey Statement represented yet another experiment on the part of the EU institutions in operationalising a response to a complex, multilateral policy challenge. While the negotiation of the statement itself required high-level political discussion, its implementation required strong coordination, practical planning, and the collaboration of national and local governments, EU institutions and agencies, seconded officials from other Member States, and a range of nongovernmental and international agencies (see Box 5). At the time of signing, little of that planning had been undertaken, despite the fact that it was due to be implemented within 48 hours of signature. Greek officials were left scrambling to respond, with little initial direction beyond the statement itself. This was particularly problematic with respect to implementing the agreement in accordance with the rules and functioning of EU and Greek asylum law, noted at the time by Greek officials, and with hindsight by EU officials. Implementation of the statement is still incomplete, and conditions on the Greek islands remain deeply problematic. The process reflects EU progress along a steep learning curve in terms of simultaneously managing crisis response and meeting urgent needs on the ground, all in a context of heightened political urgency.

56 Turkey and the European Union have been linked by a customs union agreement since 1995, and part of the present agreement was to strengthen this cooperation.

57 See, for example, BBC, 'Migrant Crisis: EU-Turkey Deal Is "Working"', BBC, 24 April 2016, www.bbc.com/news/world-europe-36121083; *Die Zeit*, "Über die Ägäis kommen kaum noch Flüchtlinge," *Die Zeit*, 11 April 2016, www.zeit.de/politik/ausland/2016-04/fluechtlingskrise-eu-tuerkei-abkommen-griechenland-sinkende-zahlen.

58 European Commission, 'Report from the Commission to the European Parliament, the European Council and the Council Seventh: Report on the Progress Made in the Implementation of the EU-Turkey Statement' (COM [2017] 470 final, 6 September 2017), https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20170906_seventh_report_on_the_progress_in_the_implementation_of_the_eu-turkey_statement_en.pdf.

59 While, in theory, hotspots were increasing the proportion of those registered and fingerprinted in Italy and Greece, in practice many of those arriving in Northern Europe had not been previously identified. See European Commission, 'Communication from the Commission to the European Parliament and the Council: Progress Report on the Implementation of the Hotspots in Greece' (COM [2015] 678 final, 15 December 2015), <http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52015DC0678&from=EN>.

60 The data the SRSS shared on a daily basis with the Commission was, to a large extent, collected by DG HOME staff and came to Brussels via this channel. This mechanism functioned well, but it could generate some misunderstandings—highlighting the importance of clear chains of responsibility and communication, especially in crisis situations.

Box 5. Implementing the EU-Turkey Statement: Unanticipated challenges

Contrary to the expectations of EU policymakers, the deal between the European Union and Turkey proved challenging to implement due to legal obstacles as well as operational issues on the Greek side. While the agreement aimed to swiftly return asylum seekers from Greece to Turkey, this neither a straightforward nor a particularly quick process under Greek asylum law, itself based on EU and international law.

Beyond this legal issue, this discussion focusses on the unrealistic expectation that Greece could drastically and quickly increase its capacity to process asylum claims on the islands without prior planning. In a few days, Greek authorities were expected to shift from managing arrivals and onward movement to processing tens of thousands of asylum claims. The recruiting and training of Greek Asylum Service staff was time-consuming, and even as the agency quickly grew, limitations remained. EASO provided much-needed support, but this too took time to operationalise.

This new challenge came as Greece was transforming hotspots, still under construction in most locations, to comply with their revised objectives and meet standards for longer-term receptions—a process made more challenging by the withdrawal of civil-society organisations in protest to the EU-Turkey deal. Local authorities also complained, viewing the hotspots as threats to tourism.

The physical presence of an SRSS coordination team proved essential to fully grasp the local situation and address delays experienced under previous action plans. The SRSS established a weekly steering committee in Athens, with participants from the Commission, the agencies, the Greek administration, and key Member States. These meetings helped to set realistic objectives and clarify the position of each partner, though some noted they did not solve the bigger issue of the legality of the deal.

Under such pressure, operational actors had to be creative with their procurement procedures. Some, including EASO, proved flexible, even as Greek authorities struggled to access DG HOME funds. These issues, coupled with the length of the asylum process, made meeting the Commission objective of building the capacity to process around 200 cases a day by mid-May near impossible. With some Member States exerting tremendous pressure on Greece to deliver, the SRSS became a critical arbitrator by helping manage expectations.

Concerns remained, however, about the poor conditions in reception camps, the quality of the asylum process, the limited information provided to migrants about the legal options available to them, and ongoing tensions with local communities. As flows increased slightly in Summer 2017, backlogs appeared once more, demonstrating the overall fragility of the situation. By the end of 2017, the Greek government had begun to transfer asylum seekers to the Greek mainland to alleviate overcrowding on the islands.

Sources: Liz Alderman, 'Greece Struggles to Enforce Migrant Accord on First Day', *New York Times*, 20 March 2016, www.nytimes.com/2016/03/21/world/europe/greece-struggles-to-enforce-migrant-accord-on-first-day.html; European Commission, 'Communication from the Commission to the European Parliament, the European Council and the Council: First Report on the Progress Made in the Implementation of the EU-Turkey Statement' (COM [2016] 231 final, 20 April 2016), https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/20160420/report_implementation_eu-turkey_agreement_nr_01_en.pdf; European Commission, *Joint Action Plan on the Implementation of the EU-Turkey Statement* (Brussels: European Commission, 2016), https://ec.europa.eu/commission/sites/beta-political/files/december2016-action-plan-migration-crisis-management_en.pdf; IRC, NRC, and Oxfam, *Joint Agency Briefing Note*; A. Makris, 'Large Number of Migrants and Refugees Leave from Lesbos; Migration Ministry's Decongestion Plan in Full Progress', *Greek Reporter*, 10 December 2017, <http://greece.greekreporter.com/2017/12/10/large-number-of-migrants-and-refugees-leave-from-lesvos-migration-ministrys-decongestion-plan-in-full-progress/>.

Elsewhere in Europe, governments strove to return to business as usual, addressing large asylum backlogs and beginning the complex process of developing integration strategies for those offered protection. Following the EU-Turkey Statement, the European Commission began to work on its own longer-term policy response, in many ways reverting to its default mode of operation: producing legislation on asylum reform, regular progress reports, emergency and other funding tools, and, later, a newly reinvigorated strategy for migration partnerships with non-EU countries.⁶¹

Yet despite the sense that crisis has passed, many of the initiatives put in place between 2015 and 2016 are still operating in 2018, including Council-level coordination structures such as the IPCR. Implementation of the EU-Turkey deal—and the development of workable action plans in Greece—has taken several years and remains deeply problematic. There is a lurking reluctance to deactivate these coordinating structures, lest it mean overlooking the onset of a new crisis. The fragility of many neighbouring countries, notably Libya, suggests the European Union will need to consider how best to create flexible mechanisms to ensure a swifter, more supportive response to emerging situations in EU Member States in the future.

What is notable about the timeline of events described in this section is that it did not oscillate in line with actual flows. Indeed, at the moment when policymakers should have been scrambling for an early response, EU institutions wavered. This hesitation reflects the deep uncertainty felt by many as to what the appropriate response should be, as well as the absence of a clear set of goals and accompanying supporting narrative around which actors could rally. It also reveals just how unprepared the EU machinery was to manage significant volatility in mixed migration flows to Europe. A response had to be cobbled together on the spot.

III. THE STRENGTHS AND WEAKNESSES OF EU CRISIS RESPONSE

There is no perfect crisis management system, especially when facing a situation like the migration crisis of 2015–16. Policymakers must make choices about the organisation and management of crisis-response capacity based on knowledge of key tradeoffs. This is particularly the case when addressing crises that cross both borders and portfolios, and thus involve an intricate landscape of actors, from the local to the EU level. For crises unfolding within the European Union, this complexity is further compounded by the need to respect Member States' sovereignty in determining a course of action.

Policymakers must make choices about the organisation and management of crisis-response capacity based on knowledge of key tradeoffs.

This does not mean that EU institutions cannot prepare. The literature on crisis response identifies a number of key elements that can be pre-emptively set in place—mechanisms to recognise the early signs of crisis, to facilitate clear decision-making, and to foster vertical and horizontal coordination, communication, accountability, learning, and flexibility.⁶² Some of these are relatively straightforward. They may include establishing expert networks, identifying (and contracting) capable partners, and investing in personnel training.

However, some elements of crisis response are less tangible, such as the ability to overcome entrenched organisational beliefs (thinking outside the box) and the ability to muster the political will to set aside resources

61 See European Commission, 'Commission Announces New Migration Partnership Framework'. In-depth discussion of the European Union's external relations strategy is beyond the scope of this report.

62 Arjen Boin, Sanneke Kuipers, and Werner Overdijk, 'Leadership in Times of Crisis: A Framework for Assessment', *International Review of Public Administration* 18, no. 1 (2013): 79–91.

that may only be used on an occasional basis. And while not covered in depth in this report, the importance of building a compelling and coherent narrative should not be underestimated.⁶³ Leading institutions must offer a strong account of what is happening and of how their proposed approach will both manage crisis and reaffirm core values.

Thus, while there are some dimensions to effective crisis response that cannot and should not be institutionalised, a closer look at four broad elements can illuminate how well governance structures are responding to crises.⁶⁴

1. **Information and early warning.** This requires the collation and analysis of information from a variety of sources that can help flag an emerging challenge at the earliest opportunity—and the ability to effectively signal the implications of this analysis to decisionmakers.
2. **Effective coordination.** This challenge is particularly complex with respect to migration as it requires strong understanding and collaboration across a wide range of portfolios and institutions, clearly defined tasks and responsibilities, and key actors having the resources and mandate to fulfil them.
3. **Legitimate and accountable decision-making.** For the European Union, ensuring legitimate and respected decision-making is challenging. Strong Member State support and consensus are needed for core EU decisions, particularly if they deviate from established norms and processes. In addition, dedicated structures are needed to ensure the accountability of all actors involved.
4. **Resource allocation.** Policy initiatives are meaningless unless the financial (and human) resources can be allocated to put them into practice. Ensuring that sufficient resources are both available and can be disbursed in a reasonable timeframe is a particular challenge for the European Union, which is used to pre-allocating budgets years in advance.

This section analyses the multifaceted EU response to migration pressures over the past three years. It aims to answer one key question: when taken together, do these initiatives constitute a comprehensive response capable of managing the crisis?

A. Making sense of crisis (information and early warning)

Data and information on mixed migration flows to Europe were available well before the summer of 2015. However, for officials with limited time, they were scattered and sometimes contradictory. From the quarterly risk analyses published by Frontex⁶⁵ through to largely unpublished national government documents monitoring onward movements, policymakers had access to a large number of disparate reports, but no comprehensive overview. In addition, much of this information was exchanged on an ad hoc basis, with different groups making decisions based on different datasets. As a result, for the first months of the crisis, the narrative was driven by the media and nongovernmental actors working along the route, calling for a stronger response.⁶⁶

63 This is referred to as ‘meaning-making’ in crisis-response literature. See, for example, Arjen Boin, Paul ‘t Hart, Eric Stern, and Bengt Sundelius, ‘Meaning Making: Crisis Management as Political Communication’ in *The Politics of Crisis Management: Public Leadership under Pressure*, ed. Arjen Boin (Cambridge: Cambridge University Press, 2005).

64 The first three of these are taken from Boin, Busuioc, and Groenleer, ‘Building European Union Capacity’.

65 As early as Quarter 2 of 2015, Frontex noted a 690 per cent increase in illegal border-crossing in Bulgaria and Greece, and warned about the record number of migrants arriving on the Greek islands. These quarterly risk analyses can be accessed on Frontex, ‘Publications: Risk Analysis’, accessed 29 May 2018, <https://frontex.europa.eu/publications/?c=risk-analysis>.

66 Joel Hernandez, ‘Refugee Flows to Lesbos: Evolution of a Humanitarian Response’, *Migration Information Source*, 29 January 2016, www.migrationpolicy.org/article/refugee-flows-lesvos-evolution-humanitarian-response.

While many national officials were also warning about increased arrivals—with several thousand migrants crossing into EU Member States each week from the Western Balkans as early as June 2015⁶⁷—the fragmented nature of the information flow meant these warnings apparently did not reach the critical mass necessary to engender a policy response at the EU level. Other factors also contributed to this slow response. Policymakers were nervous about escalating a situation for which they had yet to identify and agree a clear solution. The nature of EU institutional exchange—and the number of actors involved—means that the European Union often struggles to maintain a separation between internal discussion and public debate. Still, amongst the EU- and national-level officials interviewed for this report, there is general agreement that the absence of trusted official information sources and analysis in the early months of crisis contributed to both disputes over the nature of the emergency and delays in developing a concerted response.

1. Access to data but limited analysis

The delivery of robust data has now become a priority for the European Commission. The major catalyst for this was the activation of the IPCR by the Luxembourg Presidency in November 2015, which mandated the creation of weekly ISAA reports (see Box 4). These reports have been considered a major advancement in terms of collating relevant information—the ‘hero of the crisis’ according to several officials interviewed at the Commission.⁶⁸ They have ensured that all actors are receiving the same information, on a regular basis, and in an accessible format.

These reports have been considered a major advancement in terms of collating relevant information—the ‘hero of the crisis’ according to several officials interviewed at the Commission.

The establishment of a steady stream of information has taken time, especially as the IPCR was a previously untested idea. The EU institutions had to swiftly design a template and begin gathering data with little guidance. In turn, the ISAA reports have spurred some Member States to improve their own data collection mechanisms. A key takeaway from the success of these reports is how effective reliable and shared information can be as a tool to build the case for mobilising additional financial support and encourage greater Member State action (promoting additional secondment of officials to hotspots, for example).

Still, in the two years since the activation of the IPCR, the ISAA reports remain an inherently imperfect exercise. There is no common data collection methodology, and some Member States have been reluctant to provide detailed information about sensitive issues. More broadly, it is intrinsically difficult to quantify irregular migration flows, meaning that while these reports reflect the best data available, they are unlikely to capture all arrivals or onward movements.

Interpreting this type of data also requires a deep understanding of context and information from a broad range of (governmental and nongovernmental) sources. The ISAA reports focus on quantitative rather than qualitative data, which means that some key contextual dimensions are not documented in depth, such as the existence of drug trafficking, violence, and prostitution in the hotspots; the characteristics of particularly vulnerable populations; and issues of poor management.⁶⁹ Flow data may indicate the scale of the response needed, but they will not communicate the nature of the needs that must be met.

67 This was corroborated by UNHCR reports. See Jonathan Clayton, ‘Refugees and Migrants on Western Balkans Route at Increasing Risk’, UNHCR, 12 June 2015, www.unhcr.org/news/latest/2015/6/557afd4c6/refugees-migrants-western-balkans-route-increasing-risk-unhcr.html.

68 Author interviews with European Commission officials, Brussels, February 2018.

69 Helena Smith, ‘Refugees in Greek Camps Targeted by Mafia Gangs’, *The Guardian*, 20 August 2016, www.theguardian.com/world/2016/aug/20/refugees-greek-camps-targeted-mafia-gangs.

Officials from EEAS through to DG HOME have identified this lack of critical contextual information as a potential area of improvement for the reports, though they also acknowledge that such information is more time consuming to gather and more sensitive to analyse.⁷⁰ Conversely, providing too much information can be distracting. Weekly microvariations in flows may be due as much to errors in data collection as to meaningful changes that require a policy response. In the future, it may be useful to continue to produce concise reports that highlight broad trends, but to include a greater proportion of qualitative information in them.

Beyond the collation of data, it is important to offer a robust interpretation of its implications. Currently, policymakers are left to select the data they deem most pertinent, and to draw their own policy and operational conclusions. There is a tradeoff here: on the one hand, drawing analysis from a single source can shut out assessment through multiple lenses (e.g., security vs. humanitarian) and slow the delivery of information; on the other hand, the absence of analytical input can limit opportunities to develop a more comprehensive, rather than pro forma, response. Over time, the European Commission has begun to offer a bit more analysis in the ISAA reports where data indicate a new trend (for example, changing proportions of particular nationalities in irregular migration flows).⁷¹

More analytical IPCR reports have proved useful, particularly as a means of avoiding the impression of finger-pointing between EU institutions and Member States, but they have only been used on an ad hoc basis. A great deal of analytical material is produced in various quarters of the European Union, and within the European Commission, additional funding has been committed to research on migration under the Horizon 2020 programme.⁷² However, deep investments such as this largely emerged in 2016 or later, as a response to the gaps identified during the crisis, and new information sources are still working to make a name for themselves. For example, the European Commission launched the Knowledge Centre on Migration and Demography (under the Joint Research Centre, JRC) in June 2016 to collate datasets on migration. While the centre aims to develop tools tailored to the needs of policymakers, a number of interviewed EU officials admitted they were not aware of its work. Other potential resources, such as the European Migration Network, other parts of the JRC, and the Centre of Thematic Expertise on Migration (at DG NEAR), currently have limited budgets and lack an analytical function that is sufficiently reactive to policymaker needs.⁷³

2. Timing and delivery are key

For many of these publications, timing is a major issue. Reports are often released six months to a year after data collection—longer for research involving fieldwork—with recommendations that may no longer apply to a situation that has since evolved. A European Court of Auditors report on hotspots is a case in point.⁷⁴ The information was gathered between May 2015 and Summer 2016, but the report was only released in April 2017. By that time, conditions on the ground had drastically changed and many of the recommendations were no longer relevant. EU agencies have, in recent years, produced more frequent analytical reporting, notably the quarterly risk assessments produced by Frontex. International agencies such as IOM also produce data for

⁷⁰ Author interviews with EEAS and DG HOME officials, Brussels, February and March 2018.

⁷¹ Author interviews with officials from the Commission and the General Secretariat of the Council, Brussels, January and February 2018.

⁷² For an in-depth discussion of the intersection of migration research and policy in the European Union, see Elizabeth Collett, 'Understanding the Role of Evidence in EU Policy Development: A Case Study of the "Migration Crisis"', in *Bridging the Gaps* (Oxford: Oxford University Press, forthcoming).

⁷³ Author interviews with EU officials, Brussels, February and March 2018.

⁷⁴ European Court of Auditors, *EU Response to the Refugee Crisis: The 'Hotspot' Approach* (Luxembourg: European Court of Auditors, 2017), www.eca.europa.eu/Lists/ECADocuments/SR17_6/SR_MIGRATION_HOTSPOTS_EN.pdf.

policymakers on transit flows in third countries, such as Niger,⁷⁵ and the UNHCR website on the Mediterranean Situation collates figures, fact sheets, and weekly operational reports.⁷⁶

Questions have arisen as to how to disseminate the information produced in an accessible and easily digestible form. Currently, much of the analysis is communicated through in-person presentations by representatives of EU and international agencies during formal meetings, each highlighting data relevant to their specific mandate. Much of the rest of the research the EU institutions produce suffers from a disconnect with decisionmakers and may only reach those officials who actively seek it out. This is even more of a problem when it comes to the large amounts of research gathered by nongovernmental actors.

There is an opportunity to build on the foundational work of the ISAA reports by developing a multisectoral, long-term analysis that can help policymakers design proactive policy responses. However, it is unclear whether that is a function that can be developed in house through a dedicated unit of trained DG HOME professionals, or whether it would be more beneficial to form partnerships with NGOs and international organisations. Proximity to decisionmakers (and recognition of the constraints under which they are working) is critical to ensuring that analyses are mindful of both the political and policy realities. However, independent and fresh analysis can help policymakers avoid group think and challenge deeply held assumptions. This may also prove an opportunity to strengthen the analytical function of the EU agencies, particularly in working together to collate and reconcile the information they collectively produce.

3. Risk assessments and early warning

One area where efforts to improve the aggregation and dissemination of knowledge may prove fruitful is in building understanding of the types of capacity governments need to respond to changing migration dynamics. Here, the EU institutions can capitalise on the various monitoring processes that have been established in recent years. This includes the establishment of a Vulnerability Assessment Network under the aegis of the European Border and Coastguard (Frontex), the potential development of a monitoring mechanism under the proposed EU Asylum Agency, and the long-standing Schengen evaluation mechanism (Scheval), all of which assess different aspects of Member State readiness to manage mixed migration flows. While deeply dependent on active Member State participation, the combined knowledge these mechanisms produce should, in theory, provide a portrait of capacities across the European Union—an overview that could perhaps be included in ISAA reporting. This, combined with a more in-depth assessment of flows, could form the foundation for a system capable of signalling when a more robust, EU-level collective response is needed. The newly created Knowledge Hub on Migration and Security within DG HOME may be a natural home for such a function.⁷⁷

The EU institutions can capitalise on the various monitoring processes that have been established in recent years.

But the aggregation of information alone is insufficient without the ability to signal changes effectively. Several officials reported that—due to a combination of instinct, experience and scattered information—they could sense that there would be future shifts in flow, but were unable to communicate this to political leaders.

75 IOM, 'Displacement Tracking Matrix', accessed 4 June 2018, <https://displacement.iom.int/>. Some have questioned the reliability and quality of this reporting, and the methodology used. See, for example, Julien Brachet, 'Au Sahara, Voyager Devient un Crime', *Le Monde*, 1 June 2018, www.lemonde.fr/afrique/article/2018/06/01/au-sahara-voyager-devient-un-crime_5308325_3212.html.

76 UNHCR, 'Operational Portal on the Mediterranean Situation', accessed 17 June 2018, <https://data2.unhcr.org/en/situations/mediterranean>.

77 The Knowledge Hub is part of the Directorate on Strategy and General Affairs at DG HOME. See DG HOME, 'Organisation Chart for DG HOME' (organisation chart, April 2018), https://ec.europa.eu/info/sites/info/files/organisation-chart-dg-home_en_april2018.pdf.

As early as April 2015, the Dutch Ambassador to the European Union, with the support of MPI Europe, convened a small working dinner to discuss the possibilities of putting in place some form of early warning and/or coordination between foreign policy and interior actors, and potential EU response mechanisms, in case flows dramatically shifted in the coming years.

But while a large number of early-warning systems already exist elsewhere in the EU institutional machinery, notably in the EEAS, few if any of these monitor migration flows. In the foreign policy context, mass migration is seen as an output indicator of instability—a signal of the need for a regional humanitarian response—rather than something to predict in and of itself. Thus, it remains difficult to link instability in the European neighbourhood and beyond to migration flows to Europe, despite several well-documented shocks in recent years (including the Arab Spring in 2011).

During the 2015–16 crisis, those institutions with the most sophisticated early-warning machinery tended to be the least involved in the response, notably the EEAS. Interviewees tended to diminish the role the EEAS played, despite the fact that in-house knowledge of geopolitical and regional change would be critical to any robust early-warning mechanism, including the EU Conflict Early Warning System. In 2016, the EEAS created a Hybrid Fusion Cell to provide analysis of hybrid threats,⁷⁸ and then developed a playbook outlining the relevant crisis-response institutions and designated actors in 2017.⁷⁹ It is notable that, despite the events of recent years, the Cell does not seem to incorporate mixed migration flows into its analysis.⁸⁰ However, the unit may offer a template for how the EU institutions can bring together analyses produced by various EU actors, international organisations, and national intelligence agencies in a more manageable format.

It remains difficult to link instability in the European neighbourhood and beyond to migration flows to Europe.

The continued production of ISAA reports, a crisis tool, into 2018 and the de facto transition of these reports into a monitoring function highlight the high level of demand for a migration-specific early-warning function within the European Union. Indeed, the ISAA reports have proven a useful proxy for traditional early warning. This is due in no small part to the direct channel they have for signalling emerging needs via the EU Presidency that leads the IPCR (with the option to organise roundtables to further discuss those needs), and they have thus maintained a strong link with Member States. There is a small risk that an early-warning system formalised elsewhere in the EU machinery would suffer from a weaker ability to signal changes.

There are numerous early-warning and predictive models that the European Union can draw from. INFORM—a collaboration between the Inter-Agency Standing Committee (IASC) and the European Commission—brings together a wide range of information to produce a Global Risk Index that incorporates regional displacement as a risk factor in regions of origin as well as further afield.⁸¹ UNHCR is strengthening its own preparedness to respond to humanitarian emergencies, including by creating risk analyses and action plans at

78 The European Commission and the European External Action Service (EEAS) established an EU Hybrid Fusion Cell with a view to improving capacity to receive and analyse classified and open source information on hybrid threats. Member States were invited to set up National Contact Points to establish secure communication and cooperation with the Hybrid Fusion Cell. The analyses the cell produced are shared with EU institutions and National Points of Contact. See European Commission and EEAS, 'Joint Report to the European Parliament and the Council on the Implementation of the Joint Framework on Countering Hybrid Threats – A European Union Response' (JOIN [2017] 30 final, 19 July 2017), <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52017JC0030&from=EN>.

79 European Commission and EEAS, 'Joint Staff Working Document: EU Operational Protocol for Countering Hybrid Threats, "EU Playbook"' (SWD [2016] 227 final, 5 July 2016), <http://edz.bib.uni-mannheim.de/edz/pdf/swd/2016/swd-2016-0227-en.pdf>.

80 European Commission and EEAS, 'Joint Report to the European Parliament and the Council on the Implementation of the Joint Framework on Countering Hybrid Threats'.

81 Inter-Agency Standing Committee (IASC) and the European Commission, *Inform Global Risk Index: Results 2018* (N.p.: IASC and the European Commission, 2018), www.inform-index.org/Portals/0/InfoRM/2018/INFORM%20Annual%20Report%202018%20Web%20Spreads%20v2.pdf?ver=2017-12-20-141446-540.

the mission level.⁸² At national level, one successful forecasting model is the one used by the Swedish Migration Agency to predict the likely future volume of asylum applications. The agency generates prognoses several times a year before settling on a ‘most likely’ figure within a defined range of possibilities.⁸³

B. Coordination

It is hard to underestimate both the necessity and the difficulty of managing a coherent response to a quickly unfolding crisis. While a plethora of venues existed prior to the crisis that were capable of bringing relevant actors together, the institutional machinery of the European Union was not designed for a rapid, coordinated response to migration challenges.

1. Herding cats

The number of actors involved in the 2015–16 crisis response was dizzying. Coordination was needed on several layers, from high-level political direction, through policy and technical coordination, down to implementation of policy choices on the ground. At the same time, the response spanned policy areas, at various points requiring the expertise and resources of the interior, foreign affairs, neighbourhood, budget, and humanitarian portfolios of EU and national governments. Finally, to be effective on the ground, national governments relied on the assistance of operational actors, from EU agencies (notably Frontex, Europol, and EASO) through to international organisations and NGOs (e.g., UNHCR, IOM, and the International Committee of the Red Cross). Bringing these actors together to respond in a coherent manner constituted a significant challenge, particularly as many had not worked together prior to the crisis.

a. At the European Commission level

The European Commission has long recognised the need for coordination. In 2006, Vice President Frattini instigated a short-lived Taskforce on Migration composed of seven other relevant Commissioners.⁸⁴ In the decade since, while individual officials and units have sometimes developed effective day-to-day working relationships, the differing philosophies, priorities, practices, and resources of the directorates-general have tended to inhibit coordination on particular aspects of immigration policy, from external relations through to integration. Across EU institutions, these challenges are exacerbated by territorial tensions—who has primacy over certain policy issues and can take final decisions.

In some cases, specific expertise took precedence. Towards the end of 2015, DG NEAR took the lead on negotiating a first agreement with Turkey, the EU-Turkey Joint Action Plan,⁸⁵ which reflected the relevance of specific networks and knowledge it could provide. DG NEAR understood what was possible and what broader interests were at stake, and it had the energy and focus to deliver. Meanwhile, other parts of the Commission, such as DG ECHO, prioritised short-term emergency response.

82 UNHCR, *Policy on Emergency Preparedness and Response, 2017* (Geneva: UNHCR, 2017), www.refworld.org/pdfid/59d4d4c54.pdf.

83 Swedish Migration Agency, ‘Forecast: “We Now Have the Right Conditions to Work Differently”’, updated 28 February 2018, www.migrationsverket.se/English/About-the-Migration-Agency/News-archive/News-archive-2018/2018-02-28-Forecast-We-now-have-the-right-conditions-to-work-differently.html.

84 European Commission, ‘First Meeting of the Commission’s Task Force on Migration Produces a Comprehensive Overview of European Activities to Address Immigration Crises’ (press release, 20 September 2006), http://europa.eu/rapid/press-release_IP-06-1225_en.htm.

85 European Commission, ‘Managing the Refugee Crisis’.

As noted in Box 4, above, coordination within the European Commission took time to emerge during the last trimester of 2015. Groups of officials from different institutions gathered together in various constellations, but with a more information-sharing than operational focus. More critically, it was initially unclear who would be taking the lead in developing a collective response. While in April 2015, officials in the services of DG HOME had drafted the ten-point plan⁸⁶ that became the template for the European Agenda, the political sensitivity of the Greek situation and the lack of consensus around the EU policy response meant that leadership eventually emerged from an ad hoc group of cabinet members. In theory, this would allow policymakers to take critical political dynamics into account as they shaped the coordinated EU response. In practice, however, several EU officials reported that it created a gap between the cabinets and the services, which did not receive clear direction and were more inclined to depoliticise the crisis response.⁸⁷

Avoidable delays in response had a negative impact on the Commission’s credibility with affected Member States. A number of EU and national policymakers expressed concern that the Commission remained unaware of the gravity of the situation until late September or even early October 2015, compelling Member States to develop their own national and regional responses.⁸⁸ These concerns underplay the level of activity within the Commission—during this period, the Commission tabled a series of policy ideas through the European Agenda on Migration—but highlights that, for many governments, subsequent offers of support were unequal to, and sometimes inappropriate for, the task at hand. On more than one occasion, the European Commission offered national governments situated some distance from the EU’s external borders support to establish hotspots on their territories. These governments quickly rejected the offers, in large part because they conflicted with the core rationale of the hotspots—to identify individuals at the first point of entry into the European Union. This left some states with the sense that the Commission had little to offer.

Once established, the ARGUS weekly coordination meetings chaired by the Deputy Secretary General quickly became a critical means to exchange updates on policy and operations at the height of the crisis (see Box 4). Placing the Secretariat General in the lead offered several advantages: first, the office was seen as a neutral arbitrator of disputes between competing directorates-general; and second, as a body with strong political backing and communication with the office of the Commission President, it had sufficient authority to push through decisions. In addition, the strong crisis mentality that accompanied the meetings encouraged actors to work together and set aside broader differences.

b. At the level of EU agencies and international organisations in the field

On the ground in Italy and Greece, EU agencies quickly became a critical element of crisis response, particularly through the establishment of the hotspots. However, it has taken time to ramp up coordination between these agencies and with EU institutions, as each has its own internal priorities and procedures. A number of interviewees, as well as reports from NGOs and the European Court of Auditors,⁸⁹ have noted that the development of operational working methods occurred on a largely organic basis, strongly influenced by national government capacity, needs on the ground, and the overall method of coordination adopted at the national level (including through the EU Regional Task Forces). This development of modes of coordination also differed from hotspot to hotspot. For seconded EU officials arriving in a particular hotspot, it was often unclear who was the ultimate decisionmaker; indeed, fast turnover of personnel (particularly in Greece) meant that few coordinated operations benefitted from consistent leadership.

As the hotspots themselves lacked a formal legal basis, European Commission officials on the ground were unable to lead on day-to-day management and could only advise the various actors. Though expected to have

86 European Commission, ‘Joint Foreign and Home Affairs Council: Ten Point Action Plan on Migration’ (press release, 20 April 2015), http://europa.eu/rapid/press-release_IP-15-4813_en.htm.

87 Author interviews with EU officials, Brussels, January and February 2018.

88 Author interviews with EU and national policymakers, Brussels, January and February 2018.

89 See, for example, Aspasia Papadopoulou, *The Implementation of the Hotspots in Italy and Greece: A Study* (Amsterdam: Dutch Council for Refugees, 2016), www.ecre.org/wp-content/uploads/2016/12/HOTSPOTS-Report-5.12.2016.pdf; European Court of Auditors, *EU Response to the Refugee Crisis*; author interviews with officials from the European Commission, Brussels, February 2018.

an oversight role, in practice their position depended on developing trusted interpersonal relationships.⁹⁰ The absence of an established coordination process between the agencies also led to delays. At one point, if Frontex wished to request information from Europol operating in a shared location in Italy, a message had to be conveyed through the Italian ministerial contact point for Europol, who would refer the request through Europol's SIENA network, that would then send operational instructions to the Europol officers operating in the same hotspot in which the original request was made. To overcome blockages, senior officials in Brussels—including the Director General of DG HOME—became key informal interlocutors, bringing heads of agencies together by phone to discuss challenges.

Coordination seems to have improved over time but remains strongly rooted in the unique working methods that developed in each situation. Ensuring flexibility and tailoring to local governance contexts is important, but there is room to improve this coordination by introducing more standard forms of engagement between the EU agencies, especially as their capacities expand.

Despite being significant actors in the field, EU agencies were unevenly incorporated into coordination meetings in Brussels, suggesting a weak feedback loop: they were invited to some meetings, such as the Western Balkans Contact Group and the high-level IPCR roundtables, but not others, such as the ARGUS weekly coordination meetings.

There is room to improve this coordination by introducing more standard forms of engagement between the EU agencies, especially as their capacities expand.

Similarly, international organisations played an essential role during the later stages of the crisis—from procuring transport to increasing reception capacity in Greece to ensuring safeguards were present in Italian hotspots. But while IOM and UNHCR were involved in many of the coordination mechanisms (e.g., those of DG ECHO in Greece and national authorities in Italy) and contributed to ISAA reports, they were not always included in decision-making processes. This meant that some political decisions with implication for their programming were taken without consultation, which has in some cases disrupted budgets and implementation timelines. UNHCR was involved in some political and policy discussions—including being invited to the October 2015 Leaders Meeting on the Western Balkans Route—but their organisational priorities and position sometimes placed them in conflict with the policy priorities set out by Member States.⁹¹

c. At the Member State level

For EU Member States, there are multiple loci for exchange at various political and technical levels. These include European Summits (for heads of state), Justice and Home Affairs (JHA) Councils (ministers of interior), Committee of Permanent Representatives (COREPER) II (ambassadors), and committee groups such as the Strategic Committee on Immigration, Frontiers, and Asylum (SCIFA)⁹² and the IPCR (senior officials and JHA Counsellors). However, in the early stages of mass movement through the Western Balkans, the absence of coordination from either the European Commission or Council meant that more ad hoc systems of communication emerged, primarily to facilitate exchange with the non-EU governments of the Western Balkans. This took place at a number of levels, from diplomatic communication between heads of state and government through to meetings of police chiefs.⁹³ These states were under extreme pressure domestically, both in terms of the humanitarian situation and from their electorates.

90 Author interviews conducted in February 2018 suggested that deploying EU officials from Italy and Greece proved highly effective in developing trusting relationships and launching effective operations.

91 See, for instance, Stephanie Nebehay, 'Europe Must Share Refugee Burden with Turkey: UNHCR Chief', Reuters, 7 March 2016, www.reuters.com/article/us-europe-migrants-un/europe-must-share-refugee-burden-with-turkey-unhcr-chief-idUSKCN0W9276.

92 Created in 2004, SCIFA is a working group at the Council that gathers senior officials and focusses on immigration, asylum, and frontiers.

93 Emir Numanovic, 'Austria Takes Steps to Control Migration on Balkan Route', Deutsche Welle, 1 July 2016, www.dw.com/en/austria-takes-steps-to-control-migration-on-balkan-route/a-19372251.

The coordination that eventually developed in the wake of the October 2015 Leaders Meeting did so along two tracks.⁹⁴ The Western Balkans Contact Group was created to meet immediate humanitarian and public-safety needs. In parallel, several EU officials explained that the cabinet of President Juncker took on a softer diplomatic coordinating role and were key in resolving sensitive tensions between neighbouring Balkan states, such as the threat from Serbia to close its borders in mid-November 2015.⁹⁵

The activation of the IPCR in November offered affected Member States an additional means of coordination via the Presidency of the Council of the European Union. Problems could be identified through the IPCR, which would then push them to the appropriate Council grouping, such as COREPER II or the Political and Security Committee (PSC).⁹⁶ Yet policymakers expressed some concerns that decisions were often taken at the wrong technical level: for example, PSC Ambassadors spent many hours deliberating on the exact per diems that should be paid to members of the Libyan Coast Guard, but this decision, in the end, had to be taken at an even higher political level.⁹⁷ Similarly, in the early stages of coordination, senior officials found themselves resolving basic logistical problems, rather than focusing on more strategic policy issues. This was not merely a question of misdirected decision-making: many of the operational decisions being weighed had significant political repercussions, and hesitation to make them reflected broader ethical concerns as to the direction of policy.

The IPCR allowed for greater exchange at the policy level. However, a number of Member States have pursued independent policy reforms without prior discussions at the EU level, including some that have had a knock-on effect on neighbouring states. Bilateral diplomacy between EU institutions and Member States was also undermined by the absence of any mechanism to ensure follow-up on commitments made, whether receiving data on flows and capacities, to Member State offers to second officials to frontline states. Frequently, officials in EU institutions resorted to tapping personal connections, publishing lists of commitments versus delivery, or raising issues to the highest political level to ensure action.

There has been some criticism that not all EU Member States were represented around the IPCR table. Only the Presidency and the officials invited—often from the most affected countries—participated in these debates. But while some Member States felt excluded, this was also recognised as a more efficient approach, particularly in light of delays in other Council groups where all 28 states were represented. IPCR is also deeply dependent on the character and capacity of the leading EU Presidency, a variable that has been mitigated by the active and consistent presence of the General Secretariat of the Council in all meetings. On the whole, the IPCR has proved a useful tool when compared to other potential venues. One of the more obvious groupings—SCIFA, which brings together the most senior national immigration officials—has been criticised for not delivering on its strategic goals; in reality, the seniority and mandate of its attendees vary significantly, and the current format does not lend itself to open, problem-solving discussions.

2. The coordination learning curve

With so many coordination mechanisms in play, many of them created within a short timeframe, the EU institutions experienced a sharp learning curve. A number of lessons can be drawn from their experiences over the past few years. Coordination between EU institutions has depended greatly on the actions of particular individuals (see Section III.C.). Over time, this has been supplemented by various meetings that became part

⁹⁴ European Commission, ‘Meeting on the Western Balkans Migration Route’.

⁹⁵ Author interviews with EU officials, Brussels, February 2018.

⁹⁶ Being composed of Member States’ ambassadors and chaired by representatives from the EEAS, the Political and Security Committee (PSC) is, among other things, tasked with ensuring political control and strategic direction of crisis-management operations. A number of interviewees expressed scepticism that the PSC grouping had been helpful. Author interviews with EU and national policymakers, Brussels, January and February 2018.

⁹⁷ *Ibid.*

of the response coordination, though these links remain critically incomplete.⁹⁸ While the ‘crisis spirit’ has improved policy coordination within the Commission enormously over the past several years, there are concerns that this will lapse and prove insufficient to sustain collaboration in the long term.

To get to this point of stronger operational coordination, a number of structural weaknesses needed to be overcome. Critically, DG HOME had to shift from a primarily legislative function to one with solid operational expertise in order to direct activities on the ground more effectively. Indeed, national officials criticised the early action plans developed within the European Commission—for example in Greece—as not truly operational documents, but rather lists of actions that needed to be taken.⁹⁹ The absence of any prioritisation or in-depth feasibility assessments limited their usefulness. This, in turn, led to difficulties managing expectations concerning timelines and deliverability, especially as operational actors were not always consulted before these documents were published. The various Council bodies working in home affairs had a similarly strong focus on legislation, facing many of the same challenges. While significant progress has been made over the last three years, a number of interviewees highlighted that further cross-fertilisation between directorates-general with different skillsets and priorities would be welcome.

A second learning curve has been in recognising and managing the frequent asymmetry of capability and competence between EU institutions, Member States, and other actors present on the ground (notably, EU agencies, international organisations, and NGOs). The policy and financial leads were squarely positioned in Brussels and the capitals, and their initial links with on-the-ground actors were fairly weak. The resulting delays in translating emergency funding into resources in affected areas became a significant impediment to action. A number of interviewees highlighted a critical need to review funding mechanisms, perhaps under the next Multiannual Financial Framework (see Section III.D.), and the standing response capacity of the EU institutions.

Delays in translating emergency funding into resources in affected areas became a significant impediment to action.

The gap between levels of operational oversight and management was also seen as a major challenge. On the one hand, remote oversight in Brussels is too distant to do more than coordinate resources and actors. However, daily micromanagement by EU actors on the ground—notably, the SRSS function in Greece—risks negating national responsibility and autonomy. It is arguable that the situation in Greece is somewhat unique and context specific, with oversight decisions having been made based on the prevailing challenges and some weak governance structures. This may thus be less of a concern for future response mechanisms. Yet the fact that a number of operational issues needed to be raised to the highest political level to ensure resolution suggests that the question of how best to calibrate oversight to the appropriate level remains to be answered.

The need for a strong link between operational functions and political backing should not be underestimated. Most interviewees agreed on the effectiveness of the combination of a very practical set of mechanisms on the ground (such as the SRSS-led steering committee for the implementation of the EU-Turkey Statement) and high-level political support (the coordinator for the EU-Turkey Statement had recourse to both the Greek Prime Minister and the President of the European Commission). However, many also noted that this was a unique situation that would be difficult to replicate. The SRSS was already in country, working on the euro crisis, which meant they were already aware of the Greek government’s capacities, particularly with respect to financial management and procurement processes.

⁹⁸ Representatives from the Commission, the Secretariat General and, initially, the SRSS would attend IPCR meetings, providing a vital link. Reports of IPCR discussions would then be fed back into the weekly Commission coordination meetings, and vice versa. On the Council side, the GSC would participate in Commission-led meetings, such as the Western Balkans Contact Group. But neither the Council Presidency nor the GSC participates in the Commission’s weekly meetings, which created a critical gap in information flow.

⁹⁹ Author interviews with Member State officials, Brussels, January and February 2018.

As the EU agencies evolve and expand, the question of coordination is likely to re-emerge. Currently, many Member States are happy to have their own bilateral relationships with the agencies. This will become increasingly time-consuming for agencies to manage. A number of interviewees in EU agencies and the Commission highlighted the need for a clear step-by-step plan for responding to problems flagged by Member States (or EU institutions/agencies). Currently, each actor has their own process for escalating and resolving issues.

EU institutions have been most successful when they have maintained a delicate balance between insisting on coordinated operational planning, particularly in frontline states, and avoiding the impression that they are imposing their will on national governments. The Western Balkans Contact Group is one example of when this balance was successfully struck, as its focus was on exchange of information and the articulation of concrete needs by participating states. Here the Commission acted as a facilitator and problem solver, rather than an overseer, and it was consequently broadly welcomed. Still, the European Union may have reached the limits of this approach.

It is clear that some form of lead agency model will need to emerge from the complex latticework of coordination mechanisms and ad hoc hierarchies.

The lessons learned during the 2015–16 crisis highlight the need for some established lines of authority and some structural links between the highest political level and operations on the ground. Currently, challenges are resolved in the nearest available forum, progressively moving upwards as needed. Problems, in some cases, serendipitously reach the right person at the right time and are quickly resolved; for example, the speed with which emergency funding was allocated to Bulgaria was due in large part to the physical presence of Presidents Tusk and Juncker in the country when the issue was raised. By the same token, this ad hoc approach meant that other problems only came to light at a very late stage and once they had been escalated up a winding or unclear chain of command. While advancements in networking and coordination should not be diminished, it is clear that some form of lead agency model will need to emerge from the complex latticework of coordination mechanisms and ad hoc hierarchies if the European Union is to sustain and strengthen its ability to respond to future migration challenges.

3. Managing politics

The absence of a proactive, high-level lead forum for decision-making may be one reason a significant amount of coordination and leadership emanated from the series of emergency European Summits convened in late 2015 and early 2016. To a certain extent, this was unavoidable. The series of emergency summits called by the European Council were designed to a) forge political consensus for next steps and b) ensure follow-through on commitments (though it should be noted that not all heads of state and government had the means to do so). While these summits allowed Member States to make critical decisions, heads of state and government and their high-level representatives typically have limited expertise in the complexities of immigration and asylum policy, and are thus ill equipped to understand how to respond during the early phases of crisis.¹⁰⁰ This was not improved by the fact that the Presidencies of the Commission and the Council adopted different views on certain aspects of response, notably whether to close the Western Balkans route during Autumn 2015.

Governments broadly agreed on the need to mount a response in Greece, to improve operational responses, and, later on, to look beyond the European Union's external borders. However, discussions on asylum-seeker relocation created a broad fracture between Member States during the second half of 2015. Several Central

¹⁰⁰ Indeed, basic misunderstandings about core EU policies—such as the Dublin Regulation—plagued initial discussions.

European states felt that the use of qualified majority voting in the September 2015 JHA Council meeting to approve the mandatory-relocation plan represented a breach of an earlier political agreement that such a decision would not be made without reconvening Member State leaders on the topic (see Box 3).¹⁰¹ This schism led to further entrenchment of positions and has arguably hampered cooperation on a range of other issues, including the scale of relocation itself. As a result, summits have become a less useful venue for discussing migration, evidenced by the failure of the December 2017 European Summit to make progress on the reform of the Dublin Regulation. Faced with this high-level political impasse, JHA Council meetings have similarly become less productive.

On the one hand, the migration crisis demonstrated the necessity of collective political action when faced with a phenomenon that affects such a significant proportion of Member States. It also highlighted that the European Union can be an effective venue to pursue those collective goals. This is not just due to mutual interests that would be negatively affected by unilateralism—those engendered by the existence of Schengen, for example—but also because the European Union has the ability to join up individual national actions and ensure coherence. However, political cooperation on migration remains extremely fragile. This tension is likely to persist whenever the European Union is seen as pushing beyond its designated mandate, and it is unlikely to be resolved through bureaucratic measures alone, particularly given the extremely low level of trust between a number of Member States at present. But stronger coordination can ensure that future crisis moments are not further inflamed by mismanagement.

The risk that a ‘beggar thy neighbour’ approach to national policymaking will emerge and undermine the coherence of EU crisis response is significant.

As EU Member States retain authority over much of their policy in the migration domain, and the effects of these policies are often not bounded by national borders, the need for effective coordination and information exchange is both critical and sensitive. The risk that a ‘beggar thy neighbour’ approach to national policymaking will emerge and undermine the coherence of EU crisis response is significant. This is not a new challenge for the European Union, but one that has become more pressing in a context of rapidly shifting mixed migration flows.

C. Legitimacy and accountability

In times of crisis, there is a critical need for legitimate and accountable decision-making. The European Union is theoretically well placed to ensure accountability, given its strong oversight procedures. But it can struggle when the crisis response needed is fragmented across a number of agencies and policy portfolios, each with different operational rationales and requirements. As the European Union will continue to face the challenge of balancing competing goals, the establishment of clear lines of management and responsibility are essential.

101 In a September 2015 joint statement, the heads of state of the Czech Republic, Hungary, Poland, and Slovakia stated that ‘[t]he key elements of the EU common approach for the coming months should include especially [...] preserving the voluntary nature of EU solidarity measures—so that each Member State may build on its experience, best practices and available resources; principles agreed at the highest political level, including in European Council conclusions must be respected; any proposal leading to introduction of mandatory and permanent quota for solidarity measures would be unacceptable.’ See Visegrád Group, ‘Joint Statement of the Heads of Government of the Visegrád Group Countries’ (press release, 4 September 2015), www.visegradgroup.eu/calendar/2015/joint-statement-of-the-150904.

1. Leadership

During the 2015–16 crisis, particular heads of state and government emerged in leadership roles. These included, notably, the leaders of Germany and Hungary, as well as the EU Presidencies of Luxembourg and the Netherlands. But informal constellations of states have also coalesced, broken up, and reformed over the past several years—from the like-minded group of predominantly Northwestern Member States and the Visegrád Four¹⁰² to the southern EU Member States. This type of regional leadership has not necessarily improved overall relations between governments, or led to a more coherent response; indeed, such groupings may agree on one aspect of crisis response and vehemently disagree on others.

But at the EU level, no single political leader emerged as the core decisionmaker. This meant that key decisions had to be negotiated carefully in the Council of the European Union or even the European Council, and that decisions made without full consensus tended to quickly lose legitimacy. While this should not be surprising, given the nature of EU decision-making and the sensitivity of the decisions being made, it does speak to the challenges the European Union faces when seeking to ensure swift and decisive action.

During this time, no single department or institution was positioned to resolve the many types of dispute over authority and responsibility—from agency task delineation through to high-level face-offs between Member States. This is not necessarily a disadvantage. The multifaceted nature of the policy response required a cast of individuals in various positions capable of utilising a broad range of policy levers. However, the management of conflict between these actors was often ad hoc and dependent on the willingness and availability of high-level political leaders to intervene.

When leadership eventually emerged, it was strongly linked to the initiative and characteristics of individuals, rather than their roles.

As noted above, the SRSS experience in Greece illustrates what is possible when political mandate and on-the-ground proximity and management are combined. However, even with this lead role, the existence of multiple actors from Brussels and European capitals offering conflicting direction proved challenging. For example, discrepancy arose between those mandated to set agendas and priorities and those who—for political reasons—chose to take the lead, evidenced by the development of multiple confidential action plans for the implementation of the EU-Turkey Statement. This type of gap frequently resulted in paralysis or inaction, highlighting the critical need for a designated point person capable of coordinating all actors involved. In other areas, division of authority was clearer.

At the policy and operational level, interviewees highlighted that, when leadership eventually emerged, it was strongly linked to the initiative and characteristics of individuals, rather than their roles. Specific (often serendipitous) skillsets and strong political backing from a range of sources further cemented their leadership. These individuals tended to find each other across institutions and develop informal practices that allowed them to move forward, often using creative means to effect outcomes.

Cabinets and the various high-level representatives (such as those appointed for the Western Balkans Contact Group) proved essential in developing broader interpersonal networks that could resolve many disputes before they reached the highest levels. And at certain points during the crisis, expediency trumped concerns about institutional primacy or mandate: the actor that could get things done was the actor that prevailed. While this crisis spirit was admirable, it may have further confused understanding of who held what position in the chain of command at any given point.

¹⁰² Visegrád Group, or Visegrád Four, was made up of the Czech Republic, Hungary, Poland, and Slovakia.

Expertise proved to be a similarly double-edged sword. On the one hand, knowledge of migration dynamics and policies were essential; as reported by Commission officials, the coordinator for the EU-Turkey Statement, who did not have a background in migration or asylum law, had to embark on accelerated learning in the months following appointment in March 2016.¹⁰³ On the other hand, in-depth knowledge of a single portfolio could contribute to siloed thinking and a tendency to underestimate the strengths of coordinating with other policy areas. Some level of expertise is needed regardless, but there is no obvious locus of leadership: an effective leader on issues such as this will need to be many things to many people.

2. Feedback and accountability

Efforts to strongly link goals and outcomes, and to ensure that resources were expended effectively, are critical challenges—and ones that can get lost in the intensity of crisis response. It has become clear that formal management systems within the European Union were not capable of providing feedback and evaluation at the fast pace required during the 2015–16 crisis. Instead, coordination meetings (in both the Council and the Commission) and progress reports became the central means of assessing progress. However, these were often based on subjective reports from individuals, and some EU officials expressed concern that some of their colleagues were more interested in avoiding blame than in offering an honest appraisal.¹⁰⁴ The absence of routine monitoring mechanisms also meant that there were few tools to flag issues before they escalated, or to double-check that data and progress reports were accurate.

There is thus a pressing need for more flexible oversight mechanisms, particularly ones capable of covering more than one agency or policy area. A real-time evaluation structure within the EU system would be particularly relevant. Ideally, such a structure would complement formal multiyear evaluations and the ad hoc interventions of actors such as the European Court of Auditors, yet foster more robust reflection than ad hoc reporting in coordination meetings. The Commission’s ‘Lessons Learned’ staff working document, which drew together observations on the experience of developing hotspots, is one example of how this might be done, though it is unclear how documents such as this will be incorporated into future planning and strategy.¹⁰⁵ Creating a more formal and continuously growing repository of learning—rather than relying on pro forma evaluations and impact assessments—may serve policymaker needs more effectively.

NGOs and media outlets have largely raised awareness of gaps in service provision and rule of law—particularly in Greece—and galvanised some response.

Questions have also been raised as to whether there are sufficient external accountability mechanisms, and whether those that exist have the necessary level of flexibility. While the European Parliament is supposed to take on an oversight role in ensuring the correct implementation of EU law, it is not clear how much impact this has had. The LIBE Committee (the European Parliament’s Committee on Civil Liberties, Justice, and Home Affairs) undertook missions to Greece and Italy,¹⁰⁶ but does not seem to have challenged the status quo to a great extent. Instead, NGOs and media outlets have largely raised awareness of gaps in service provision

103 Author interviews with European Commission officials, Brussels, January and February 2018.

104 Author interviews with EU officials, Brussels, February 2018.

105 European Commission, ‘Best Practices on the Implementation of the Hotspot Approach’ (SWD [2017] 372 final, 15 November 2017), https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20171114_commission_staff_working_document_en.pdf.

106 European Parliament, Directorate-General for Internal Policies, *On the Frontline: The Hotspot Approach to Managing Migration* (Brussels: European Union, 2016), www.europarl.europa.eu/RegData/etudes/STUD/2016/556942/IPOL_STU%282016%29556942_EN.pdf; European Parliament, *Mission Report Following the Mission to Italy (18 – 21 April 2017)* (Brussels: European Parliament, 2017), www.europarl.europa.eu/cmsdata/125420/mission-report-italy.pdf.

and rule of law—particularly in Greece—and galvanised some response.¹⁰⁷ While the European Antifraud Office (OLAF) is responsible for investigating financial irregularity,¹⁰⁸ it will be some years before overarching and detailed financial reporting from the 2015–16 period can be comprehensively examined, arguably too late to redirect resources.

D. Resource allocation

While academic literature does not always include resourcing in lists of the formal components of crisis response, ensuring that personnel, materials, and money reach the right locations at the right time is at the heart of effectiveness. As the migration crisis unfolded, it placed severe pressure on EU and national budgets alike. It soon became clear that the Asylum, Migration, and Integration Fund (AMIF)¹⁰⁹ and Internal Security Fund (ISF)¹¹⁰ emergency funding was inadequate. Since 2015, the European Union has dramatically increased the amount it spends on migration-related goals, both within the bloc and in key origin and transit countries.

Having maxed out this modest budget for migration emergencies, and with needs rapidly rising, the Commission activated a range of emergency instruments.

The spending priorities and allocations of the current Multiannual Financial Framework (MFF)—the seven-year plan that regulates the EU budget—were set in 2013. Allocations made to Member States were based on 2011–12 migration data, and so reflected neither the empirical reality nor needs on the ground in many countries by 2015. The amount of AMIF funding set aside for emergency assistance—such as additional support for receiving asylum-seekers in frontline states or for reinforcing border management—was quickly exhausted. Having maxed out this modest budget for migration emergencies, and with needs rapidly rising, the Commission activated a range of emergency instruments and redeployed funds from other policy areas using amending budgets and transfers.

By the end of 2017, 14 Member States had received emergency assistance under the AMIF, totalling 441.7 million euros, with a further 188.6 million euros channelled to EASO, UNHCR, and IOM for operations in Bulgaria, Greece, and Italy.¹¹¹ Similarly, 8 Member States received ISF emergency assistance totalling 301.5 million euros, with EASO, Europol, and UNHCR receiving just under 14 million euros for operations in

107 Daniel Howden and Apostolis Fotiadis, ‘The Refugee Archipelago: The Inside Story of What Went Wrong in Greece’, *Refugees Deeply*, 6 March 2017, www.newsdeeply.com/refugees/articles/2017/03/06/the-refugee-archipelago-the-inside-story-of-what-went-wrong-in-greece; Papadopoulou, *The Implementation of the Hotspots*.

108 Jacopo Barigazzi, ‘Anti-Fraud Office Investigates EU Asylum Agency Director’, *Politico*, 24 January 2018, www.politico.eu/article/jose-carreira-olaf-anti-fraud-office-investigates-eu-asylum-agency-director/

109 AMIF was established for 2014–20, with 3,137 billion euros. It has four main objectives: (1) strengthening the Common European Asylum System, (2) supporting effective and efficient legal migration policies, (3) enhancing fair and effective return policies, and (4) making sure that the Member States most affected by migration flows can rely on the solidarity of other Member States. See DG HOME, ‘Asylum, Migration and Integration Fund (AMIF)’, updated 22 June 2018, https://ec.europa.eu/home-affairs/financing/fundings/migration-asylum-borders/asylum-migration-integration-fund_en.

110 ISF was created for 2014–20, with a total budget of 3,8 billion euros. It had two main priorities: (1) fight crime and (2) managing risk and crisis. See DG HOME, ‘Internal Security Fund – Police’, updated 22 June 2018, https://ec.europa.eu/home-affairs/financing/fundings/security-and-safeguarding-liberties/internal-security-fund-police_en.

111 European Commission, ‘Financial Support to Member States under the Asylum, Migration and Integration Fund and the Internal Security Fund’ (Updated Annex 8 of COM [2015] 510, European Commission, Brussels, 31 December 2017), https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/press-material/financial-support-to-mss-under-amif-and-isf_en.pdf.

Greece and Italy.¹¹² As a result, the European Union now has limited flexibility to respond to any crises that may emerge during the remainder of the current MFF cycle (ending in 2020).¹¹³

A great deal of creativity has accompanied efforts to find funds (often those decommitted from other projects and reoriented towards migration priorities) as well as to shortcut bureaucracy while attempting to maintain internal accountability. An EU official reported that in a few instances, the Commission was willing to disburse emergency funding to particular countries (Bulgaria, for example) prior to the receipt of a full action plan, as is usually required, instead eliciting a formal commitment that the countries would provide one at a later stage.¹¹⁴ This creativity has largely been the work of several senior officials who have been mindful to balance increased flexibility with efforts to ensure that all funds are effectively accounted for.

While the topic of future EU financing in the area of migration goes far beyond the scope of this report, the experience of the past several years offers several key takeaways. These lessons could prove instructive not only in designing the next Multiannual Financial Framework, but in the short term as well.

1. Financial administration and procurement

One of the defining challenges of the recent large-scale movement of people through the Western Balkans was ensuring that resources could reach those operating on the ground quickly. Unfortunately, while the European Union was able to release funding fairly swiftly, it was not able to directly translate this into the range of supplies and services most urgently needed. Some Member States, including Austria and Italy, have noted that the emergency funding made available during this period was a tiny proportion of the total funds that had to be disbursed, but that they took up a disproportionate amount of administrative time and energy, particularly as many costs can only be reimbursed after the fact.¹¹⁵

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This heavy administrative burden is due in part to timing. The fact that the new MFF had only just gone into effect in 2014 meant that many of the structures for managing its funds were still under construction. The safety-first approach adopted by the European Commission to ensure that funds are spent responsibly has also meant that many funds are not used at all, even in the face of growing needs on the ground. This challenge has been compounded by the large gap between those who understand how to manage EU funds (usually finance ministry personnel) and those who understand how to direct the funds in policy and operational terms (such as interior ministry policy officers). While the former group is concerned with meeting reporting requirements, the latter is often more focused on making the most timely and effective use of the funding, particularly when experiencing intense migration pressures.

One interviewee pointed out that, beyond this, some countries lack the basic financial administrative capacity to absorb EU funds.¹¹⁶ This was a particular challenge in Greece, where the central government had limited resources and expertise, and additional restrictions were placed on its procurement procedures. More generally, the slow pace of progress on creating reception places—and the poor conditions in island reception centres that persisted through several successive winters—are reflective of these procurement challenges, shot

112 Ibid.

113 European Court of Auditors, 'Future of EU Finances: Reforming How the EU Budget Operates' (briefing paper, European Court of Auditors, Luxembourg, February 2018), www.eca.europa.eu/Lists/ECADocuments/Briefing_paper_MFF/Briefing_paper_MFF_EN.pdf.

114 Author interview with an EU official, Brussels, February 2018.

115 Author interviews with Austrian and Italian officials, Brussels, February 2018.

116 Author interview with EU official, Brussels, February 2018.

through with lacklustre political will. Despite the provision of AMIF and ISF emergency funding to the Greek national government,¹¹⁷ EU agencies, international organisations, and NGOs were still left to fill critical gaps.

At the same time, in March 2016, the European Union adopted in a very short timeframe a new regulation on the provision of emergency support within the Union.¹¹⁸ This regulation was designed to overcome the barriers to working in Member States DG ECHO experienced when attempting to intervene in Greece (see Box 2). Under the EU Emergency Support Instrument created by the regulation, DG ECHO allocated more than 600 million euros to humanitarian actors in Greece.¹¹⁹ Though not without challenges and reports of mismanagement,¹²⁰ this allowed the European Union to quickly channel aid to refugee populations in the country.¹²¹ While there is broad consensus amongst senior EU officials¹²² that this was necessary, it was not considered an optimal policy choice. Rather, it reflected deficiencies at both the EU and national levels when it came to responding to unexpected operational needs.

2. Flexibility

It is clear that the next MFF will need to incorporate greater flexibility if it is to allow EU Member States to respond more effectively to unexpected changes in migration dynamics. Yet there is a core tension with respect to creating greater elasticity in EU funding mechanisms. On the one hand, a midterm review over a seven-year period is unlikely to deliver the kind of flexibility that will demonstrably improve crisis response. More frequent programmatic reviews would offer national and EU officials opportunities to reallocate spending towards more pressing priorities—particularly if paired with better information flows and monitoring. However, Member States are resistant to unallocated budgets that would offer this type of flexibility as they make long-term planning more difficult. Similarly, there is concern within the European Commission that too much emphasis on meeting short-term needs will overshadow important long-term capacity building aims.

More frequent programmatic reviews would offer national and EU officials opportunities to reallocate spending towards more pressing priorities—particularly if paired with better information flows and monitoring.

Regardless, there is broad agreement that some form of enhanced ability to spend swiftly and effectively at moments of crisis is desperately needed. Establishing a workable set of guidelines that can be used to identify situations in which emergency funding is needed, and/or utilising some form of EU-wide contingency planning that plugs into the various EU agency monitoring mechanisms could be one means to achieve this. The initial proposals for the next EU budget would seem to have taken a number of these challenges into account.¹²³ Not only is the overall envelope for the proposed Asylum and Migration Fund (AMF) much expand-

117 Combined, this amounted to nearly 200 million euros as of the end of 2017. See European Commission, 'Financial Support to Member States under the Asylum, Migration and Integration Fund and the Internal Security Fund'.

118 'Council Regulation (EU) 2016/369 of 15 March 2016 on the Provision of Emergency Support within the Union', *Official Journal of the European Union* 2016 L70/1, 16 March 2016, <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R0369&from=EN>.

119 DG ECHO, 'Factsheet: Greece', accessed 24 May 2018, https://ec.europa.eu/echo/where/europe/greece_en.

120 Howden and Fotiadis, 'The Refugee Archipelago'.

121 DG ECHO ran some activities in the Greek islands up until the end of 2016. After these came to an end, humanitarian aid focussed solely on activities for refugees in the mainland.

122 Author interviews with EU officials, Brussels, February 2018.

123 European Commission, 'Proposal for a Regulation of the European Parliament and of the Council Establishing the Asylum and Migration Fund' (COM [2018] 471 final, 12 June 2018), https://ec.europa.eu/commission/sites/beta-political/files/budget-may2018-asylum-migration-fund-regulation_en.pdf.

ed, but there is an effort to inject greater flexibility into the national allocations (taking into account ‘pressures and needs’), while holding back a greater proportion of total funding for emergencies.

IV. CONCLUSIONS AND RECOMMENDATIONS

While it took time for the European Union to mount a crisis response to rising maritime arrivals and unmanaged onward movements, much of the necessary machinery is now in place. It has also become clear to all involved that perfect solutions are rare, and that decisionmakers must weigh various tradeoffs—from political sensitivities to practical, day-to-day management issues. The main questions are thus how best to ensure that the positive structures, knowledge, and habits that have emerged are maintained in a manageable way, and how to address persistent weaknesses. Addressing these twin questions will help prevent EU crisis-response systems from backsliding, lest they face future migration pressures unprepared.

The main questions are thus how best to ensure that the positive structures, knowledge, and habits that have emerged are maintained in a manageable way, and how to address persistent weaknesses.

There are two main aspects to this. The first is deciding how best to foster or sustain a culture of learning so that current good practices are not lost as key individuals move on from their positions. This should occur regardless of whether any other actions are taken. The second is to consider whether (and if so, how) to invest in further reforms.

An visual overview of institutional coordination mechanisms—both their current set-up and future options—can be found in Appendices B and C.

A. Ensuring sustainability

1. Maintaining knowledge and expertise

There is a need to rethink skills and fields of specialisation within the European Commission and other European institutions. Very few officials working on migration issues in 2014–15 had experience in crisis response. Turnover of staff has also been significant at all levels—from policy through to operational positions. The institutional memory of the Commission is such that few officials are aware of policy initiatives that stretch back more than five years. There is a very real likelihood that, should a similar set of circumstances emerge several years from now, few officials with first-hand knowledge of how to respond will remain in their posts.

A number of simple changes might improve the longevity of the expertise the European Commission and other institutions have accumulated:

- **Strengthening a culture of learning.** One means of mitigating high rates of turnover would be to increase the flexibility of internal postings, allowing those with experience to stay in, or feed into,

the same role. A number of interviewees lamented the lack of time to reflect on what has been learned, fearing that much of it could be lost without such reflection. This is a particularly pressing challenge for the SRSS, which covers a broad range of policy issues and is designed to move nimbly across countries and portfolios. Indeed, the SRSS is poised to handover responsibility for the EU-Turkey Statement to DG HOME in Summer 2018—a transfer that could come with a loss of accumulated expertise, if not adequately managed.

- ***Establishing coordination contact points.*** Currently, a large number of officials are invited to the various coordination meetings, and their attendance is uneven. There is a need to rationalise attendance, vesting responsibility in a single contact point or unit. At a basic level, consistent participation would ensure that new developments can be placed in context, reducing the risk of either over- or under-reaction.
- ***Specialised training.*** Officials in particular units stand to benefit from training that encourages them to think through operational problems and run risk scenarios. Doing so can help them avoid the path dependency that so often arises in large bureaucracies. It may also support the maintenance of a baseline of capacity and strengthen links between personnel with operational expertise, the agencies, and actors working on the ground.
- ***Diversification of skillsets.*** DG HOME has expanded its in-house skillsets considerably, but many acknowledge that this is still a work in progress. Broadening expertise, in DG HOME as well as other portfolios, to further include operational knowledge and developing in-house analytical muscle will be key to ensuring long-term resilience.
- ***Strengthening institutions.*** The General Secretariat of the Council would benefit from additional human resources, particularly staff that can feed into the IPCR process (or any subsequent process). While DG HOME has increased in size between 2014 and 2017,¹²⁴ and the EU agencies are poised to increase exponentially, the staffing in the Council has not shifted substantially aside from the allocation of some nonpermanent staff to the IPCR itself. It will be critical to strengthen the IPCR team, especially if the mechanism continues to be activate for long periods of time.

2. Consolidating practice

There are a number of opportunities to consolidate practices that have emerged in recent years, particularly where weaknesses have been identified.

- ***Practice guidelines.*** A number of recent innovations—notably, the development of hotspots—stand to benefit from thorough evaluation, with a view to creating flexible guidelines. The deeply contextual nature of hotspot development should not be ignored, and it is clear that a one-size-fits-all approach would be inappropriate, even within a single Member State. However, creating a record of some best practices could facilitate faster set-up and implementation in the future. This could go hand in hand with the introduction of structured reflection and learning initiatives for relevant officials.
- ***Real-time evaluation.*** The EU institutions have already established a number of formal evaluation mechanisms. However, many of these operate on lengthy timelines, reducing their usefulness to officials seeking to calibrate their responses to evolving situations. For example, evaluations of MFF funds have rarely been available in time to inform proposals for subsequent budgets, leaving policymakers

¹²⁴ DG HOME, *Annual Activity Report 2014* (Brussels: DG HOME, 2014), https://ec.europa.eu/info/sites/info/files/activity-report-2014-dg-home_august2015_en.pdf; European Commission, 'HR Key Figures, Staff Members' (fact sheet, European Commission, Brussels, 2017), https://ec.europa.eu/info/sites/info/files/european-commission-hr-key-figures_2017_en.pdf.

reliant on informal input and personal experience.¹²⁵ As investments in migration-related activities increase, matching them with more flexible and regular evaluations could allow officials to adjust their policies on an ongoing basis and respond more efficiently to shifting migration dynamics.

- **Filling gaps in agency mandates.** During the crisis, some EU agencies found creative solutions to fill critical gaps in operational mandate, particularly where tasks did not fall cleanly under the umbrella of a specific agency. These ad hoc measures proved effective in the short term, but many of the underlying gaps persist. While the EU has focussed on expanding the mandate and capacity of both Frontex and EASO, it is also time to review operational cooperation with a view to identifying and addressing these gaps. This would ensure clarity of purpose and responsibility when under operating pressure.
- **Financial training and support.** There is an urgent need to build capacity within EU and national administrations to make the use of emergency (and nonemergency) funding more effective. A broader challenge is that few financial administrators understand the complexity of on-the-ground needs. Building knowledge in this area would reduce delays and bureaucratic obstacles, while maintaining strong accountability. A corps of financial experts within DG HOME might even be deployed alongside emergency funds to help demystify bureaucratic procedures and support procurement.

B. Readiness

Since the adoption of the EU-Turkey Statement, the EU institutions have focussed their attention on a prevention strategy, as evidenced by investments in external border controls and partnerships with third countries such as Turkey, Libya, and Niger. The European Union cannot afford to be complacent about this approach, not least because early reports suggest these endeavours will remain fragile and beholden to broader geopolitical shifts.¹²⁶ As such, the European Union should also invest more deeply in its own preparedness: ensuring the most relevant actors have the information, resources, and ability to respond quickly to future challenges.

One key element of crisis preparedness is the ability to shift smoothly between standard operations and heightened activity.

The absence of proactive measures to boost readiness is fuelling a more short-term concern as well—while the sense of crisis has largely passed, some actors worry that a formal de-escalation of initiatives such as the IPCR and the weekly Commission coordination meetings may make it harder to re-engage them in the future. One key element of crisis preparedness is the ability to shift smoothly between standard operations and heightened activity, including stepped-up cooperation within or between institutions and access additional resources. Separately, with EU funding reserves now exhausted, officials are concerned that they may not be replenished in time to meet future emerging needs.

Of course, political sensitivities—and caution—are always likely to accompany requests to reactivate key response structures, often tied to fear of putting a name to a perceived weakness. Structured investment in preparedness and crisis-response procedures can diminish these sensitivities to some extent. Having these in place can also minimise the sense of chaos and loss of control that proved so damaging to public trust during 2015 and 2016.

¹²⁵ Vitor Caldeira, 'The Oversight of EU Legislation' in *Scrutiny of EU Policies*, ed. Alfredo De Feo and Brigid Laffan (Florence: European University Institute, 2017), http://cadmus.eui.eu/bitstream/handle/1814/48867/Book_ScrutinyEU_Policies2017.pdf?sequence=1&isAllowed=y.

¹²⁶ See, for example, Collett and Ahad, *EU Migration Partnerships*; Daniel Howden and Giacomo Zandonini, 'Niger: Europe's Migration Laboratory', *Refugees Deeply*, 22 May 2018, www.newsdeeply.com/refugees/articles/2018/05/22/niger-europes-migration-laboratory.

1. Developing a robust early-warning system

Developing a far more comprehensive, crossportfolio early-warning system, capable of responding to information from a broad range of sources (including valuable civil-society indicators) will prove indispensable to efforts to prepare for future migration crises. A number of different models exist, including within the European Union system itself, though few focus on migration specifically.

The European Commission has at its disposal a broad range of information from both internal and external sources. Bringing these together could offer huge benefits to policymakers in need of swift and regular updates on situations within and outside the European Union. Many may find it daunting to sort through data from a wide range of sources and of varied quality, without a structured risk analysis that can flag potential trends and issues at the earliest point.

The European Union could gather information produced by national and EU early-warning systems and integrate it into a model based on phases of movement. A process such as this would bring together observations from relevant agencies with varied perspectives on the migration journey (which could in turn lead to earlier signalling of challenges, rather than identification of situations once they reach a crisis point). This could be overseen by a coordinating actor that can feed information into relevant Council and Commission bodies as appropriate to trigger a timely response. However, no central coordinating body currently exists—information flows are channelled through the IPCR—and it is unclear how best to join up the elements of such a model.

2. Improving institutional preparedness

While some of the resources and knowledge needed to swiftly respond to evolving migration flows existed prior to the crisis, these were either scattered across agencies and portfolios or in need of further operationalisation. Opportunities exist to consolidate these existing tools along three lines:

- **Consolidated needs assessments.** The various tools that have been, or are being, developed by EU agencies (such as Frontex’s vulnerability assessment¹²⁷) suggest that continuous monitoring of needs and capacities will need to be a feature of future asylum and border-management cooperation. Currently, these are divided up according to function, whether asylum, border management, or visa policy. A consolidated needs assessment—one that pulls together country-level assessments from different EU agencies—would offer a comprehensive picture of the relative strengths and weaknesses of Member States, including emergency reception capacity, standing resources, and border and asylum staffing needs. This could be supplemented with more detailed needs assessments (e.g., inventories for specific response scenarios) as well as updates to existing guidelines detailing agency responsibilities should particular scenarios emerge. This would create greater clarity about the level and type of resources likely to be needed in the future, as well as the types of operational readiness agencies will need to build (a key piece of self-awareness as EU agencies continue to develop).
- **EU-wide contingency planning.** An overarching needs assessment would also provide the EU institutions with a foundation for developing EU-wide contingency plans. This, combined with national multiannual programming funded by AMIF and ISF, would allow for greater forward-planning and preemptive capacity building. Critically, it would enable EU agencies to make requests well in advance, rather than on the spot. This in turn would help the European Union better accommodate short- and long-term migration-related investments.

¹²⁷ Frontex, ‘Vulnerability Assessment’, accessed 18 June 2018, <https://frontex.europa.eu/intelligence/vulnerability-assessment/>.

- **Operational planning.** Some EU and national officials have expressed concerns that the action plans developed for specific Member States, notably Greece and Italy, have lacked a sense of what is realistic given operational resources and constraints. Realistic operational planning is a difficult, yet critical, skill that the EU institutions will need to acquire to avoid setting unachievable targets for themselves as well as for Member States. The considerable expertise that has built up over the past several years could be translated into a more formal set of guidelines for developing action plans that can help the European Commission respond quickly, and credibly, when faced with a new challenge.

3. Navigating between normal and crisis mode

As the sense of crisis diminishes, there is a need for a process for returning to ‘normal’ mode. Yet a number of interviewed officials asked the question: ‘How do we know when a crisis is over?’ An empirical or political assessment may not be the most appropriate way to tackle this puzzle. Indeed, UNHCR guidance suggests that the deactivation of emergency-response mechanisms should not be based on end of a crisis per se, but on a judgment that the operational response has stabilised.

Issues of timing aside, EU decisionmakers must also address the question of how best to establish a ‘normal’ level of information flow and coordination that incorporates innovations forged during crisis and ensures readiness is maintained. Some key elements would include:

1. establishing a process for flagging concerns and a forum within which those concerns can be discussed (within both the Commission and the Council); and
2. setting a clear procedure for escalation (and de-escalation), should concerns require a more intensive response. Such a plan should outline clear steps and key actors to be contacted and brought into coordination meetings. This will always involve some political calculation, but clarity with respect to the path ahead has great potential to reduce delays.

It may be that maintaining the same mechanisms but decreasing the frequency of activity and limiting attendance would be sufficient in this regard. Steps may include:

- **Moving from IPCR to an Integrated Political Migration Response (IPMR).** There is a general consensus that two key functions of the IPCR remain necessary, regardless of whether the European Union is in ‘crisis’ mode: 1) the gathering and dissemination of information through the ISAA reports, and 2) the strategic exchange of information on operational developments in a format that does not require the presence of all 28 EU Member States. It is clear, however, that permanent maintenance of the IPCR would negate its core function as a crisis mechanism. A number of options exist, including the transfer of some functions to a core group (similar in membership and function to the IPCR) that would focus on migration rather than crisis response. Alternately, an ad hoc working group could be created and made responsible for responding to and signalling changes that might require the reactivation of IPCR or action on the part of the Council or the Commission. The direct line of communication between this group, regardless of the form it takes, and the coordination meetings in the European Commission would be maintained. It could also feed into high-level meetings of the Council (perhaps SCIFA or COREPER II) to ensure the calibre of these meetings as well as broader feedback into policy-making processes.
- **Maintaining and improving ISAA reporting.** Whether or not the IPCR continues in its current format, the reporting cycle established by the European Commission should continue. Gathering the human and financial resources to continue this within either the DG HOME Knowledge Hub on Migration and Security or the Migration Management Support Unit would be the simplest and most logical options. However, finding ways to ensure that national governments and parts of the EU machinery continue

to feed data into the ISAA reports will present a challenge. The IPMR (outlined above) could ensure follow-up and push for additional reporting as required, feeding into SCIFA as needed.

- **Fortnightly/monthly coordination meetings.** The Commission coordination meetings have proven useful on many levels, not least in fostering stronger cooperation between directorates-general. To maintain a strong sense of participation and purpose, it may be necessary to reduce the frequency of these meetings, and/or to be more selective about participation. This could be done in concert with the creation of a core working group of officials to ensure that collaboration continues and to build a stronger link to the Council of the European Union.
- **Playbooks.** Such guides would set out the processes to be followed in the event of a change in migration flows that might require a more robust European response, plus the actors involved and a decision-tree to be followed. The EU Fusion Cell developed a playbook in 2017 that set out relevant actors, processes, and notification procedures in the event of a hybrid threat—this could be used as a template.¹²⁸

4. Resource allocation

A number of options for improving the MFF have been put forward. It seems largely uncontested that there should be an increase in the overall size of the migration budget, which would allow for greater resources to be set aside for unexpected changes in migration flows. There are a number of ways additional resources might be applied.

- **Increasing the proportion of unallocated funds.** This would allow Member States, and the European Union itself, to accommodate changes in need and purpose. It has been noted that during the negotiations on the last MFF, the most flexible elements of AMIF and ISF were removed. They have since been de facto reintroduced due to the crisis, but this has come at significant cost to flexibility elsewhere in the EU budget. There is an emerging consensus that greater flexibility will be necessary going forward, though negotiations often prioritise maximising the amount of money each country takes home, rather than recognising that money kept in reserve or spent in other countries might be more beneficial overall.
- **Set-aside emergency reserves.** EU policymakers may choose to create a larger emergency reserve within AMF and ISF that is set aside and used only in extreme situations. This could ensure quicker delivery of more readily available bespoke funds in an emergency, but may lower the amounts available to pursue longer-term goals.
- **Simplified procedures for emergency situations.** Alternatively, the European Commission could design a simplified procedure for spending during emergency periods. Such a procedure would reduce the overall administrative burden on both the Commission and Member States, redirecting funds already committed to a particular government.

It may also be possible to mix and match these approaches to ensure that core goals set out under the MFF are not simply brushed aside. In addition to refining how resources are managed at the EU level, additional steps can be taken to further the effectiveness of spending:

- **Linking emergency funding to action and contingency planning.** Should more capacity be developed to assess national and EU needs, as recommended above, emergency funding could be better tailored to situations in advance or disbursed at an earlier moment. Currently, large amounts are sent to countries with little consideration for actual needs, costs, and how the money will be spent.

¹²⁸ European Commission and EEAS, 'Joint Staff Working Document: EU Operational Protocol for Countering Hybrid Threats'.

- *Linking EU Civil Protection Mechanism (EUCPM) resources to standing capacities of the EU agencies.* As Frontex and EASO increase their operational capabilities, it may be useful to build stronger links with the proposed reforms of the EUCPM.¹²⁹ Many agency resources might be useful for broader civil-protection goals, and vice versa. As a first response mechanism, the EUCPM may be well placed to move first, then coordinate on longer-term needs with the EU agencies.

C. Institutionalising coordination

Many of the crisis coordination components that were utilised over the past few years have put the EU institutions in a better place to respond to future fluctuations in flow. Key to this has been a shift in philosophy, in terms of overseeing a more operational response as well as bringing together different portfolios to ensure greater coherence.

A number of Member States and institutional officials have expressed concern that, despite the emergence of means of coordination, these remains fragile.

It may thus be possible for the European Union to maintain this approach with little additional innovation, focussing instead on clarifying when to activate and how to lead various mechanisms in the future. Maintaining the status quo holds strong advantages at a time when the politicisation of immigration, particularly the challenges of mass migration flows, has meant larger-scale reform can be harder to achieve. It would require little high-level intervention to undertake the activities outlined above, particularly as the major roles and mechanisms would not change.

However, a number of Member States and institutional officials have expressed concern that, despite the emergence of means of coordination, these remains fragile, and that key elements of accountability and lines of authority are lacking. Decision-making is currently deeply dependent on the knowledge and expertise of the individuals who hold certain positions, and there is a serious risk of backsliding into pre-crisis habits should those officials move to new roles. The adjustments outlined in this section offer tools to mitigate or overcome these challenges.

1. Building resilience into institutions

In order to improve the resilience of its institutions when it comes to crisis response, the European Union could invest in transforming the ad hoc mechanisms developed through necessity into permanent structures capable of shifting between normal and crisis mode as needed. In addition, this would involve addressing identified weaknesses in decision-making and networking.

Some interviewees at the Commission floated suggestions of more extensive reforms, such as the creation of a parallel crisis-response mechanism in the European Commission to mirror the work of the IPCR.¹³⁰ Others, from Member States, expressed the idea of creating a ‘crisis’ COREPER III composed of ambassadors solely focussed on hybrid threats and transboundary crisis.¹³¹

129 European Commission, ‘rescEU: A New European System to Tackle Natural Disasters’ (press release, 23 November 2017), http://europa.eu/rapid/press-release_IP-17-4731_en.htm.

130 Author interviews with European Commission officials, February 2018

131 Author interviews with Member State officials, Brussels, Brussels, January and February 2018.

In the short-term, more minor changes, such as developing a non-crisis version of IPCR that retains its most useful coordination elements, should be seriously considered. This might helpfully force a rethink of the current function of key working groups and constellations within the Council. For example, while the strategic element of SCIFA has waned in recent years, there is an opportunity to reinvigorate meetings by injecting a longer-term strategic perspective into meeting agendas. This would also require some consistency of participation on the part of senior officials who would come to the table with some degree of policy mandate. Experiments in using SCIFA meetings as brainstorming sessions has also proved valuable, according to officials involved.¹³²

The configuration of other forums for coordination also remains an open question. While there is consensus that the European Commission coordination meetings initially chaired by the Secretariat General should continue, there is scepticism that the recent shift of chairmanship to DG HOME will be successful in the long term. The neutrality of the Secretariat General has been a key advantage, allowing collaboration to grow on neutral ground between directorates-general that frequently compete. A move of this coordination tool to DG HOME may weaken this valuable neutrality, despite the personal authority of the chair, who transferred alongside the role. However, it should be noted that in the longer-term, the expertise necessary to inform the agenda of this coordination body is likely to remain closer to DG HOME than anywhere else, as the Secretariat General moves on to other priorities. Should a situation escalate, EU decisionmakers may decide to shift chairmanship back to the Secretariat General to reap the benefits of neutrality observed in the 2015–16 period.

Beyond this, a number of mid-level reconfigurations might be considered:

- ***Building on the newly created analysis unit.*** There is a strong argument to be made for strengthening the Knowledge Hub on Migration and Security¹³³ within DG HOME that would combine ISAA reporting with an early-warning function. This unit would continue to collaborate closely with DG NEAR, DG ECHO, and EEAS, bringing together key officials from the agencies to regularly coordinate and discuss their findings on emerging trends. This should not be an impediment to more operational developments, but rather complement these activities.
- ***Developing a real-time evaluation unit.*** To be useful, this would require the establishment of a real-time monitoring function (as opposed to multiyear, static evaluations) within DG HOME as well as oversight of agency function and coordination. This is a more significant investment that could extend beyond the migration field, potentially covering a number of policy areas that require more flexible oversight. This function might be well incorporated into an expanded Knowledge Hub unit (as above).
- ***Stand-by field teams.*** The EURTFs in Greece and Italy highlight the benefits of having Commission officials on the ground. Ensuring there is scope to deploy stand-by teams to Member States to work with national government agencies and EU agencies, and to signal the need for additional resources, would be a consolidation of this positive experience. Such field teams would remain in an advisory capacity but have strong links to senior officials at the national and EU levels who can assist in troubleshooting problems early on.

An additional adjustment within EU agencies may also be considered:

- ***Protocol for coordination.*** EU agencies may wish to develop a protocol for interagency coordination (in lieu of a lead-agency model and based on the lessons learned through the experiences of the Greek and Italian EURTFs) to avoid constant referrals to headquarters when faced with new challenges. This is particularly important in view of the evolving and expanded role of these agencies.

¹³² Participants in the MPI Europe/Estonian Presidency brainstorming seminar, held in October 2017, noted that the opportunity to discuss and reflect in a more informal setting was extremely beneficial.

¹³³ Established in 2016, the Knowledge Hub on Migration and Security is a unit within Directorate A (Strategy and General Affairs) that currently produces the ISAA reports.

2. Appointing a migration coordinator

One of the enduring challenges for the EU institutions has been balancing the need for clear lines of authority within a system that benefits strongly from a networked approach. While EU working practices adhere closely to a network model of crisis management, the absence of a lead agency can result in delays, gaps in service provision, and challenges of interoperability.¹³⁴ Because responses to migration challenges are multifaceted, span policy portfolios, and require careful management of the relationship between EU and national responses, coordination is likely to continue to suffer from a piecemeal approach, unless stronger links are established between the Council and Commission. Otherwise, the ad hoc practices being institutionalised risk becoming pro forma bureaucratic processes rather than genuine forms of collaboration, with institutions reverting to their internal logic and process.

The creation of a single point of coordination informed by improved early-warning tools and with a mandate to bring actors together and, if necessary, make recommendations to the Commission and Council is long overdue.

Within the EU institutions, there is a broad sense that the ‘muddling through’ of the past few years has been adequate, and that there is no need for additional coordination. However, several key officials in both national and EU institutions have suggested it may be time to create an additional coordination structure with strong links to national governments, particularly as the EU-level strands of migration policy proliferate.¹³⁵ The creation of a single point of coordination informed by improved early-warning tools and with a mandate to bring actors together and, if necessary, make recommendations to the Commission and Council is long overdue. It is not a new idea, and versions of this have been floated over the past several years.¹³⁶ In 2014, in a prescient document outlining how the European Union can improve its responses to refugee crises, the German government proposed the introduction of an EU-level special representative for refugees and an expert group on refugees that would draw participants from multiple directorates-general.¹³⁷ In the intervening years, de facto migration coordinators have emerged in several contexts, not least the Secretariat General, IPCR leadership, and the Office of the SRSS.

Such a role might incorporate a second tier of coordination at the operational level, either nationally or across a specific route or region. A migration coordinator in Brussels could appoint such a figure from among the actors operating in the field (including national government leadership). This position would set operational priorities and delineate tasks, taking into account the specific characteristics of the situation and available capacities. This mirrors the structure that has been developed within UNHCR, whereby strategic teams in headquarters are complemented by a dedicated emergency response coordinator in the field, with strong links between the two.¹³⁸

The characteristics of a migration coordinator should include:

- specialist expertise in both emergency response and immigration/asylum/border policy (with a dedicated team possessing crosscutting expertise and lines of communication into relevant directorates-general and agencies);
- responsibility for assessing early-warning signals and flagging potential needs for action;

¹³⁴ Boin, Busuioc, and Groenleer, ‘Building European Union Capacity’.

¹³⁵ Author interviews with EU and national officials, Brussels, February 2018.

¹³⁶ See, for example, Elizabeth Collett, *The Development of EU Policy on Immigration and Asylum: Rethinking Coordination and Leadership* (Brussels: MPI Europe, 2015), www.migrationpolicy.org/research/development-eu-policy-immigration-and-asylum-rethinking-coordination-and-leadership.

¹³⁷ German Federal Ministry for Economic Cooperation and Development (BMZ), ‘Preventing Refugee Crises, Improving Our Response to Refugee Crises’ (unpublished memo, July 2014).

¹³⁸ UNHCR, *Policy on Emergency Preparedness and Response, 2017*.

- responsibility for instigating and overseeing implementation of key EU initiatives, such as hotspots;
- oversight of agency collaboration and relationship with the national government in which they are working;
- direction of critical resources, including ability to recommend activation of the EUCPM, and oversight of the designation of emergency funds (and related action plans), upon request; and
- direct connection to technical/policy and political leadership (both Council and Commission) to recommend actions and request response.

Designing such a position includes making difficult choices in terms of seniority, positioning, and resourcing. These tradeoffs include:

- ***Whether this should be a bureaucratic or a political position.*** In interviews, senior-level officials have suggested that having a nonpolitical appointee would likely be more effective and allow the individual to avoid difficult clashes with Member States over authority.¹³⁹ However, a political figure may carry more weight during high-level discussions, notably during European Summits. Many interviewees were ambivalent, though all agreed that a coordinator ‘without ego’ would be essential.
- ***What the institutional location of the position should be.*** The most effective actors during the 2015–16 period had a critical distance from specific portfolios, suggesting that a migration coordinator role should be linked to a General Secretariat, whether within the Council or the Commission. Officials highlighted pros and cons of each choice: a coordinator in the Council would likely be more effective in working with Member States, but less effective in marshalling resources within the Commission, and vice versa. Overall, interviewees felt a Commission lead would be more effective, with strong links to the Council. Personal authority and the ability to rise above institutional rivalry would be critical, regardless of positioning.
- ***What size support team would be needed.*** Given the significant increase in the human resources available to respond to crisis, from DG HOME through to the EU agencies, a migration coordinator would likely not need a large supporting team as long as they had the ability to call on expertise as needed was clearly included in their mandate. Instead, a small bespoke team representing a cross-section of relevant skills (including foreign and JHA policy, operational knowledge, and political networks) and with appropriate seniority would likely be most suitable. The inclusion of seconded officials from key Member States would also be an advantage, ensuring strong links to the national level. The building blocks for this team already exist, though not in this form.
- ***Whether or not to give the coordinator direct command over resources (and which resources).*** Given the large number of funds that have relevance to crisis response, it would be difficult to envisage a coordinator with direct command over these many resources. However, some ability to direct emergency funding (perhaps a bespoke contingency fund) and to commission more detailed operational analyses would reduce critical delays and ensure the coordinator had all the relevant information to hand before making funding recommendations.

The creation of a coordination position is not just a practical development. It also demonstrates to European governments and publics that the European Union is addressing its weaknesses and investing in measures to ensure future unexpected changes in migration dynamics will be handled proactively. Doing so will also reduce the risk of chaotic scenes that have proved so damaging to public confidence in the ability of the European Union and its Member States to manage migration. Carefully designed, the coordinator role would support an internal narrative of control over the situation, while avoiding concerns about Member States ceding too much command capacity to the European Union. The post would not be a ‘crisis’ position, but one intended to prevent crisis in the future.

¹³⁹ Author interviews senior EU and national officials, Brussels, February and March 2018.

D. Closing observations

In many ways, the EU institutions are in a much better position to respond to new crises than they were in 2014. Yet the European Union risks squandering this progress if it cannot consolidate the lessons it has learned and create sustainable mechanisms to manage future emergencies. The challenge is twofold. First, policymakers will need to look backward on what did and did not work about the European Union's response to the 2015–16 migration and refugee crisis, and extract lessons that can be embedded into the fabric of new crisis tools. Second, they will need to look forward and think about what it will take for the European Union to respond swiftly and flexibly to future needs as they emerge. There is ample evidence that the EU institutions have already begun this process of consolidation and learning, an endeavour that should be further supported.

The European Union risks squandering this progress if it cannot consolidate the lessons it has learned and create sustainable mechanisms to manage future emergencies.

APPENDICES

Appendix A. Timeline of key crisis-response initiatives, 2014–17

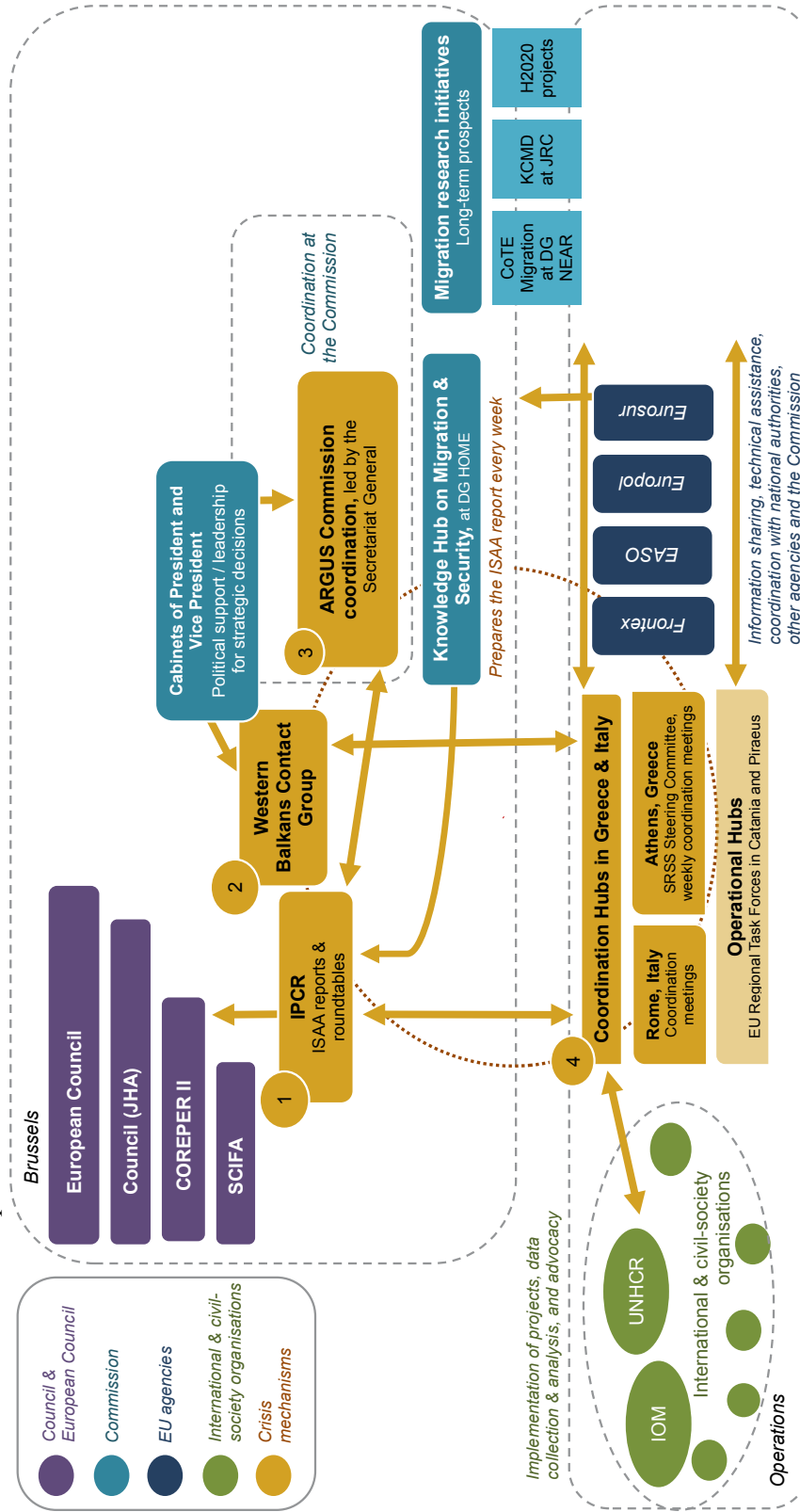
Date	EU response
7–8 October 2013	Task Force Mediterranean is established to determine actions that might be taken to prevent deaths at sea.
23 April 2014	Five-point plan on immigration is presented by President Juncker in Malta.
20 April 2015	Ten-point action plan on migration is presented to a joint council of interior and foreign affairs ministers, as an immediate response to the crisis situation in the Mediterranean.
23 April 2015	Special Meeting of the European Council is held, at which leaders agree on a range of measures, including strengthened EU operational presence in the Central Mediterranean through Operation Triton, preparations for an EU-African Union summit on migration (the Valletta Summit), and work begins to develop a Joint Action Plan with Turkey.
13 May 2015	European Agenda for Migration is published by the European Commission to outline immediate and longer-term measures to better manage migration. Hotspots concept set out for the first time.
18 May 2015	EUNAVFOR Med , an EU military operation, is established to address smuggling and trafficking networks in the Mediterranean (first phase launched on 22 June 2015).
27 May 2015	Emergency relocation proposal is tabled by the European Commission to move 40,000 people in need of protection from Greece and Italy to other EU Member States.
26 June 2015	European Summit is held, at which leaders agree on the need for voluntary relocation, alongside a range of other measures (exact contributions for relocation subsequently determined at a Justice and Home Affairs [JHA] Council on 20 July 2015, and finally agreed on 14 September 2015).
9 September 2015	Package of proposals to address the refugee crisis is published by the European Commission, including second emergency relocation proposal (120,000 people from frontline countries), EU Emergency Trust Fund for Africa, and proposed permanent relocation mechanism.
22 September 2015	Extraordinary JHA Council agrees temporary relocation mechanism of 120,000 people in need of international protection by qualified majority voting.
23 September 2015	Informal meeting of heads of state and government is held to set priorities for action, including assistance for Western Balkans countries, support for frontline Member States through additional resources, and reinforced dialogue with Turkey.
8 October 2015	Western Balkans Route conference takes place alongside JHA Council, bringing together interior and foreign affairs ministers from the EU-28 (and the European External Action Service), Western Balkans, Turkey, Lebanon, and Jordan.
15 October 2015	European Summit is held, at which leaders endorse the Joint Action Plan with Turkey.

Appendix A. Timeline of key crisis-response initiatives, 2014–17 (cont.)

25 October 2015	Leaders Meeting on the Western Balkans Migration Route is held, at which leaders of 11 countries (Albania, Austria, Bulgaria, Croatia, the former Yugoslav Republic of Macedonia, Germany, Greece, Hungary, Romania, Serbia, and Slovenia) agree on a 17-point action plan and the Western Balkans Contact Group is established.
30 October 2015	Integrated Political Crisis Response (IPCR) is activated by the Luxembourg Presidency in information-sharing mode (later upgraded to full activation on 9 November 2015).
11–12 November 2015	Valetta Summit on Migration is held, at which EU and African leaders agree on a political declaration and an action plan, and the EU Emergency Trust Fund for Africa is launched.
29 November 2015	EU-Turkey Joint Action Plan is announced, which aims to support both Syrians under temporary protection and host communities in Turkey, and to strengthen cooperation to prevent irregular migration.
15 December 2015	European Border and Coast Guard proposals are published by the European Commission as part of a broader package of proposals.
3–4 February 2016	Refugee Facility for Turkey financing is agreed by EU Member States and confirmed a day later at an international pledging conference (3 billion euros contribution to assist Syrians in Turkey).
18 February 2016	European Summit is held, at which leaders reiterate priorities, including implementation of key initiatives, such as relocation, hotspots, and the EU-Turkey Action Plan.
8 March 2016	Meeting of EU heads of state and government with Turkey is held to discuss new means of addressing crisis, including draft EU-Turkey Statement
15 March 2016	Instrument for emergency assistance within the European Union is adopted by the Council (financing approved on 16 March).
18 March 2016	EU-Turkey Statement is agreed by EU leaders, and with Turkey, to be implemented beginning 20 March 2016.
4 May 2016	Common European Asylum System (CEAS) reform proposals are published by the European Commission, including proposed reforms of the Dublin Regulation.
7 June 2016	Migration Partnership Frameworks are introduced with third countries that are key origin and transit countries for migrants. Compacts were initiated with Ethiopia, Jordan, Lebanon, Mali, Niger, Nigeria, and Senegal.
6 October 2016	European Border and Coast Guard Agency is launched.
8 December 2016	Greece Joint Action Plan is issued by the Structural Reform Support Service office.
3 February 2017	Malta Declaration is issued, aiming to address the external aspects of migration along the central Mediterranean route.
4 July 2017	Action Plan on measures to support Italy is released, outlining ways to reduce pressure along the central Mediterranean route and increase solidarity.

Appendix B. Existing EU crisis-response mechanisms

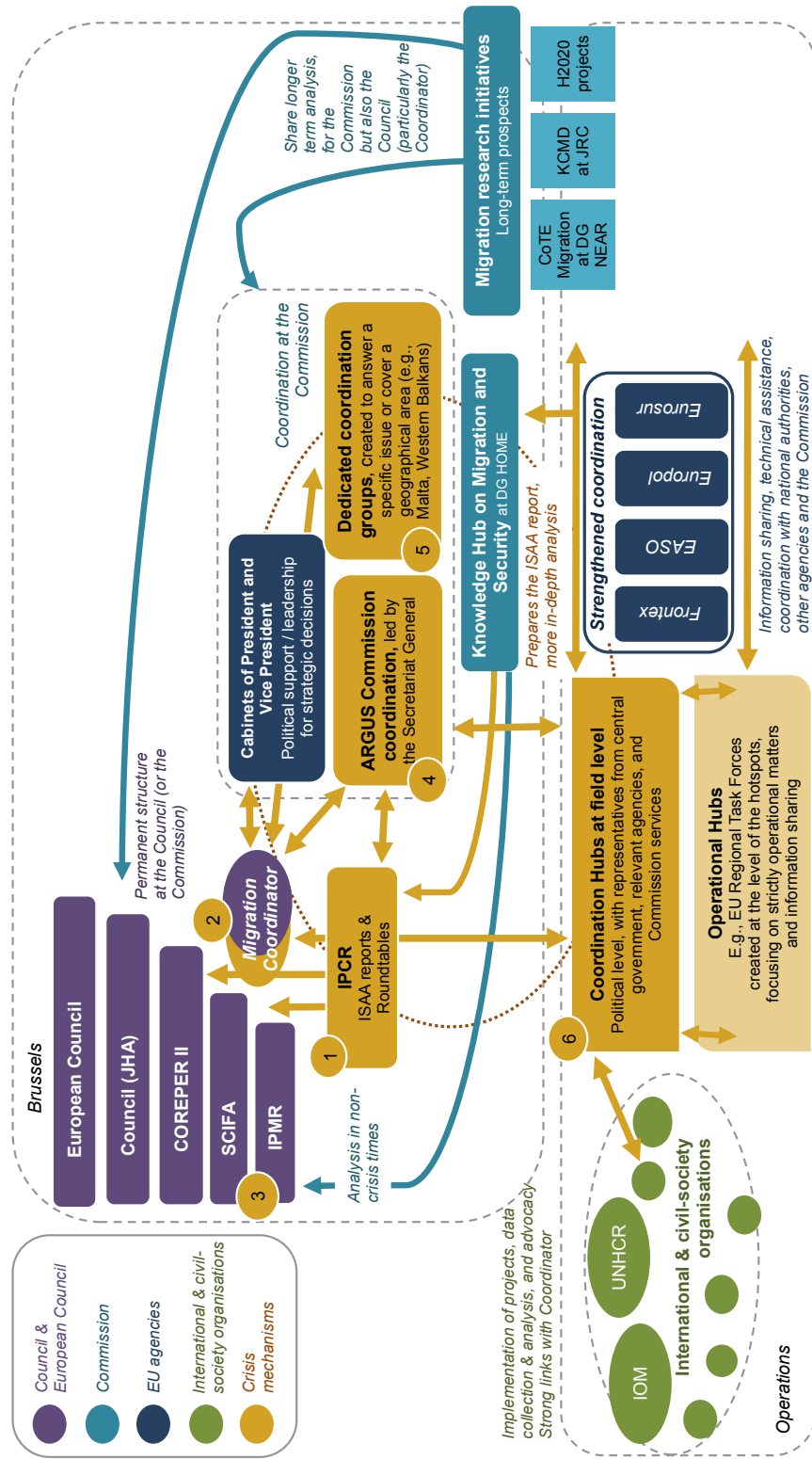
This chart represents the EU crisis mechanisms that have been set up since 2014 (in gold). It shows the positioning of the (1) Integrated Political Crisis Response (IPCR) under the Council though it also works closely with the Commission, especially the Knowledge Hub on Migration and Security within DG HOME that prepares the Integrated Situational Awareness and Analysis (ISAA) reports, and with coordination mechanisms in the field, particularly the Structural Reform Support Service (SRSS) in Athens. The chart also indicates the position of the (2) Western Balkans Contact Group, which involves both EU Member States and non-Member States and is chaired by the Cabinet of President Juncker. Finally, it shows (3) ARGUS (the Commission coordination mechanism), led by the Secretariat General (until recently), which makes sure Commission-led initiatives move forward. Finally, (4) coordination in frontline Member States is split across two forums: one that is more political and in which national authorities take strategic decisions (the Steering Committee chaired by the SRSS in Athens), and the other, the EU Regional Task Forces, which is purely operational and typically involves local authorities. In addition to Member States, the Commission, and the EU agencies, international organisations and civil society have been active in the crisis response.



COREPER II = Committee of Permanent Representatives; CoTE = Centre of Thematic Expertise; DG HOME = Directorate-General for Migration and Home Affairs; DG NEAR = Directorate-General for Neighbourhood and Enlargement Negotiations; EASO = European Asylum Support Office; H2020 = Horizon 2020; IOM = International Organisation for Migration; IPCR = Integrated Political Crisis Response; ISAA = Integrated Situational Awareness and Analysis; JHA = Justice and Home Affairs Council; JRC = Joint Research Centre; KCMD = Knowledge Centre on Migration and Demography; SCIFA = Strategic Committee on Immigration, Frontiers, and Asylum; UNHCR = United Nations High Commissioner for Refugees.

Appendix C. Recommended EU crisis-response mechanisms

This chart shows some of the mechanisms this study recommends to improve EU crisis response (in gold). Under this strengthened crisis-management structure, the (1) Integrated Political Crisis Response (IPCR) would remain in place, but it would be complemented by two permanent mechanisms: a (2) Migration Coordinator and the (3) Integrated Political Migration Response (IPMR). The IPMR would be a working group at the Council, whereas the Migration Coordinator would be located at the General Secretariat of the Council (or the Commission) and have a close relationship with the Cabinets of the Commission President and the Vice President and with actors in the field during non-crisis times. During a crisis, the Migration Coordinator would be in touch directly with (4) ARGUS and any new (5) coordination forums established. In frontline states, (6) on-the-ground coordination would remain split between political and operational activities, but stronger lines of communication and coordination would be created between these two levels. EU agencies would also reinforce their interagency coordination mechanisms and work closely with affected Member States, the Commission, international organisations, and civil-society actors.



COREPER II = Committee of Permanent Representatives; CoTE = Centre of Thematic Expertise; DG HOME = Directorate-General for Migration and Home Affairs; DG NEAR = Directorate-General for Neighbourhood and Enlargement Negotiations; EASO = European Asylum Support Office; H2020 = Horizon 2020; IOM = International Organisation for Migration; IPCR = Integrated Political Crisis Response; IPMR = Integrated Political Migration Response; ISAA = Integrated Situational Awareness and Analysis; JHA = Justice and Home Affairs Council; JRC = Joint Research Centre; KCMD = Knowledge Centre on Migration and Demography; SCIFA = Strategic Committee on Immigration, Frontiers, and Asylum; UNHCR = United Nations High Commissioner for Refugees.

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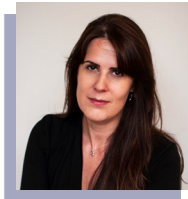
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ABOUT THE AUTHORS



Elizabeth Collett is the Founding Director of the Migration Policy Institute Europe and Senior Advisor to MPI's Transatlantic Council on Migration. She is based in Brussels, and her work focuses in particular on European migration and immigrant integration policy. Ms. Collett convenes MPI Europe's working group on the future of the Common European Asylum System (EU Asylum: Towards 2020), bringing together senior policymakers from more than a dozen European countries to discuss future asylum policy reform.

Ms. Collett has produced dozens of working papers, policy briefs, and memos focused on the future of EU immigration and asylum policy, as well as national-level policy developments. She is regularly cited in prominent print and broadcast outlets, doing interviews on all aspects of European migration policy and its broader policy ramifications.

Prior to joining MPI, Ms. Collett was a Senior Policy Analyst at the European Policy Centre, a Brussels-based think tank, and was responsible for its migration program, which covered all aspects of European migration and integration policy. She has also worked in the Migration Research and Policy Department of the International Organisation for Migration (IOM) in Geneva and for the Institute for the Study of International Migration in Washington, DC. She also served as a Research Associate at the Centre for Migration Policy and Society, Oxford University (2011–13), and consulted for numerous governmental ministries and nongovernmental organisations, including foundations, nonprofits, and UN agencies.

She is a member of the Advisory Board of the International Centre for Migration Policy Development (ICMPD). She is also a member of the Dahrendorf Committee, which advises the Dahrendorf Forum, a joint initiative between the Hertie School of Governance and the London School of Economics and Political Science that encourages constructive reflection on the mid- to long-term strategic challenges facing Europe.

Ms. Collett holds a master's degree in foreign service (with distinction) from Georgetown University, where she specialised in foreign policy and earned a certificate in refugee and humanitarian studies, and a bachelor's degree in law from Oxford University.



Camille Le Coz is a Policy Analyst at MPI Europe, where she primarily works on EU migration issues. Her research areas include EU policies on asylum, resettlement, legal migration, and integration.

Ms. Le Coz came to MPI Europe from Altai Consulting, a research and consulting organisation, where she was a Project Director responsible for the migration practice. She was based in Kenya and Afghanistan, where she managed various research projects for institutions such as the European Union, the UN High Commissioner for Refugees (UNHCR), and the IOM. At Altai, she researched trafficking and smuggling, protection issues along migratory routes, as well as return and reintegration projects. She has conducted fieldwork in countries including Senegal, The Gambia, Niger, Libya, Morocco, Ethiopia, Djibouti, Somalia, Kenya, and Afghanistan.

Ms. Le Coz holds a dual master's degree in international relations from Sciences Po Paris and the London School of Economics. She also holds a bachelor's degree from Sciences Po Paris.



Migration Policy Institute Europe, established in Brussels in 2011, is a non-profit, independent research institute that aims to provide a better understanding of migration in Europe and thus promote effective policymaking. Building upon the experience and resources of the Migration Policy Institute, which operates internationally, MPI Europe provides authoritative research and practical policy design to governmental and nongovernmental stakeholders who seek more effective management of immigration, immigrant integration, and asylum systems as well as successful outcomes for newcomers, families of immigrant background, and receiving communities throughout Europe. MPI Europe also provides a forum for the exchange of information on migration and immigrant integration practices within the European Union and Europe more generally.

www.MPIEurope.org

Residence Palace
155 Rue de la Loi
5th Floor
1040 Brussels
Belgium

Phone: +32 (2) 235 2113