

## **“THE EU IS THE ONLY ANSWER”**

*Interview with Dr. Hans-Gert Pöttering, President of the European Parliament ret. and Chairman of the Konrad-Adenauer-Stiftung*

**Images of streams of refugees moving towards Europe have been making the headlines for weeks. The member states of the European Union appear disunited in the search for solutions. What impact is the refugee crisis having on cohesion within the EU?**

Overcoming the current refugee crisis represents a historic challenge for the European Union. There have not been this many people fleeing war and ruin at any other time since the end of World War II. The conflicts in Europe and at our doorstep affect and challenge us intensely. The dimension of this refugee crisis exceeds the absorption capacity of any single EU member state. We will therefore only overcome it if we look upon it as a European endeavour. Consequently, we must find common solutions for dealing with refugees that will above all require a spirit of solidarity. Unfortunately, not all member states see it that way, but it cannot be that individual states refuse to apply the principle of European solidarity. Not only would that be morally questionable in view of the crises in our neighbourhood, it would also be inconsistent with the humanitarian values to which the member states have committed themselves in the Treaty of Lisbon. Membership in a community not only entails benefits but obligations as well. We must remind the countries of the fact that have benefited from their EU membership in the past and are now refusing to support others. In this concrete case, solidarity means that every member state should accept refugees within its capabilities, thus making a contribution to an equitable sharing of burdens.

**“There is not enough Europe in this Union. And there is not enough Union in this Union” and “... our European Union is not in a good state”. These were the words with which the President of the European Commission Jean-Claude Juncker castigated the lack of solidarity shown by some EU members in the**

**refugee crisis in his State of the Union speech on 9 September. In view of the current situation, do you think the European Union is at a crossroads?**

No! The situation may be serious, but the European Union has already mastered many crises where an agreement had initially appeared out of reach. Think back to the Greek national debt crisis, for instance, which occupied us in the spring and summer of this year and which put the solidarity of the members of the eurozone to the test. On that occasion too, a compromise was found after lengthy negotiations with the Greek government.



Looking for equitable solutions: Dr. Hans-Gert Pöttering talks about the future of the EU. | Source: © Benjamin Gaul, KAS.

However, we must not make the mistake of ignoring the different opinions of the member states on how to deal with the refugee issue. In our search for an equitable solution, it is beyond doubt that we must take seriously the worries and concerns of all member states about a quota-based EU-wide distribution of refugees – those of the states at the periphery of the EU and those of the states in Eastern Europe. No EU member must gain the impression that they are not being treated as an equal with respect to their concerns. This forms part and parcel of our obligation as a community of states to engage in a permanent and constructive dialogue about our common values and goals.

**Besides disunity among the EU members, the debate over how to deal with the refugees seeking asylum in Europe also reveals deficiencies in the Common European Asylum System. Have the efforts to harmonise the asylum policy throughout Europe over the last few decades failed?**

I wouldn't use the term "failed", as there are now a number of rules on how to treat refugees laid down that are binding for all members of the EU. However, these have not yet been adequately implemented. Asylum policy was communitarised within the European Union through the Amsterdam Treaty. The commitment to a common asylum policy is embodied in Article 78 of the Treaty on the Functioning of the European Union (TFEU); the principle of solidarity and fair sharing of responsibility in the area of border control, asylum and immigration in Article 80 TFEU. In a number of further agreements and treaties, such as the Dublin Regulation, common rules for treating asylum seekers were adopted. Most recently, consistent protection standards for refugees were laid down in the Common European Asylum System (CEAS), ratified in 2013.

However, the developments over the last few months have also shown that the existing regulations under the common asylum policy are inadequate for dealing with a situation such as the one we are facing today. I am referring here above all to the Dublin Regulation. It has transpired in practice that the procedures laid down in this regulation, according to which the particular member state where an asylum seeker first enters European territory is responsible for processing their asylum application, are no longer compatible with the principle of solidarity and the fair sharing of burdens across member states. Added to this is the fact that while the refugee status and minimum services for refugees are harmonised under EU law, the implementation continues to be subject to national law. One consequence of this is that there are great differences in the asylum standards and in the approval and repatriation rates across the EU. I believe this is where a reform of the Common European Asylum Policy should start, with the aim of harmonising these standards.

**In the eyes of some observers, the temporary reintroduction of internal border controls and non-adherence to the Dublin Regulation are jeopardising important European achievements. Does this opinion have some validity? Is the European Union even still in control of the situation?**

It is the case that in a small number of EU countries some European regulations have been temporarily suspended in view of the enormous influx of refugees and migrants and their unequal distribution. Some states, such as Greece, Italy and Hungary, have failed to properly register asylum seekers who had reached their territory and have allowed them to travel on to Western and Northern Europe unhindered. This is not, however, due to a lack of political will or inadequate legal foundation but to abruptly changing facts on the ground. Furthermore, the Schengen Agreement has been suspended for now through the temporary reintroduction of controls at the German-Austrian border. And for humanitarian reasons, Germany has temporarily ceased to insist on compliance with the Dublin Regulations and has not returned asylum seekers who had already entered the country to the countries at the EU periphery.

This may have given some people the impression that the situation has got out of control and everybody is doing what they want. And, to be honest, we must say that some EU countries have been overwhelmed by the events of recent weeks. But one has to bear in mind that the suspension of the regulations is only temporary and was only applied in response to the situation of the people in dire need. I don't believe these emergency measures are jeopardising the achievements of the European Union such as the Schengen Agreement. The question as to whether we shall be able to maintain the Schengen Area will, in fact, in the long term depend on the willingness of the EU member states to establish a permanent distribution mechanism for the refugees and in particular more effective protection of the EU's external borders. This poses great challenges to us. When the Schengen Agreement was adopted 30 years ago, the politicians had, in fact, taken into account that the abolition of the internal borders in a united Europe would need to go hand in hand with more efficient and better controls at the external Schengen borders; but we now realise that the agreement cannot be implemented with the instruments currently available. Added to this is the fact that one central point was left open when the Schengen Agreement was adopted, namely the question as to how the members of the Schengen Area should respond in emergency situations such as the current refugee crisis. This is where we need to fill in the gaps and lay down binding rules. I therefore back the proposal by the EU Commission for a permanent European distribution mechanism based on specific criteria. Only if we have effective common European border controls for the external borders and binding rules for

accepting refugees will we be able to facilitate orderly immigration and help those people who need our help most.

**Dissatisfaction with the EU's crisis management is mounting among citizens in many European countries. To what extent does the debate on the refugee crisis provide a boost to populist and Eurosceptic parties?**

Unfortunately, we see populist and Eurosceptic parties attempting to capitalise on the refugee crisis and the related concerns of EU citizens as well as the disunity among EU member states for their own political ends. Surveys have shown that populist and Eurosceptic parties are on the rise in many European countries. In their rhetoric, they frequently play on people's fears of rising refugee numbers and foreign infiltration and stir up hostility towards people from other cultures.

Particularly in countries and regions that have no historically developed experience with migration or where people have had negative experiences with the integration of immigrants or minorities, there are not only concerns and fears in evidence but also aggression toward refugees. In some Central European countries, this hostile attitude manifests in the form of an automatic defensive reaction against a Europe-wide regulation on the acceptance of refugees. Besides xenophobia, this reaction also reflects concerns about a potential loss of identity and uncertainty about people's own social and material future. Anybody feeling that anxious will be more receptive to populist slogans.

Eurosceptic parties, for their part, are capitalising on the doubts in the European Integration Project among some citizens, which had emerged during the euro crisis and which are now being reinforced by the handling of the refugee crisis, in order to fuel opposition to the European Union and promote national solutions.

**How should democratic parties deal with this?**

On the one hand, democratic parties should avoid the temptation to veer towards the messages of populists in their rhetoric; instead, they should counter them with objective arguments and not shy away from debates. On the other hand, they should take people's concerns seriously and actively engage with them. This will need to include an honest dialogue about our European claim to be a value-based society and – with respect to the refugee

issue – efforts to bring greater objectivity to the debate, which the populist parties are purposefully conducting on an emotional level in an effort to play on citizens' fears. Ultimately, the important thing is to re-establish trust in the EU's strength and capacity to act, which the populist parties are questioning. Politicians are therefore called upon to speedily find comprehensive and, above all, European answers to the unresolved questions of the refugee crisis, for instance through a reform of the asylum and immigration policy.

Whenever the European Union is put into question, one needs to remind people that the EU as a community of law, liberty and solidarity is the only answer to current and future challenges. As I already mentioned: no individual state will be able to master the current challenges alone. Only by standing together will we be able to defend our values and our interests in a globalised world.

**On 13 November 2015, terrorist attacks in Paris claimed the lives of over 120 people. While the European Union was engaged in finding a solution for dealing with the refugees, the terror of the so-called Islamic State finally arrived in the heart of Europe. What repercussions will there be for the European Union in terms of security policy?**

The acts of terror in Paris represent an attack on all of us and on our liberal democratic value system. It is therefore a matter of course that we stand shoulder to shoulder with France to jointly defend our value-based social model. The activation of the mutual assistance clause that has been part of the EU Treaty since Lisbon (art. 42, par. 7 TEU) by the President of France François Hollande is a clear call to the other EU member states to demonstrate solidarity in the fight against terror, which we must answer. All member states have committed to this. Combatting terrorism and its causes is a common European and international challenge.

Even before the refugee crisis began, we knew that we must make efforts to further stability outside our borders in order to maintain stability within our borders. Instability and war in our neighbourhood have been of concern to us for quite some time. Russia's 2014 annexation of Crimea in contravention of international law has effectively shifted borders by force in Europe for the first time since 1945. This represents a violation of all the principles of the peaceful order in Europe. While the Kremlin maintains the occupation of Crimea and supports the separatists in eastern Ukraine,

a return to normal relations is out of the question. To the south of Europe, large parts of North Africa and the Middle East are characterised by violence and upheaval. The war in Syria has now been raging for five years. It has so far cost over 300,000 lives and driven twelve million people from their homes. Not only does this war threaten to destabilise the entire region; its repercussions have long since reached us as well. The streams of refugees and Islamist terrorism are just two consequences whereby the war in Syria also directly impacts on us in the European Union and which have caused some EU member states to become militarily involved to combat the IS terrorists.

It is incumbent on us as the European Union, who understand ourselves as a peace project, to make a contribution to pacifying this conflict, which is becoming increasingly complex as time goes on, giving top priority to political solutions. The results of the talks in Vienna on 30 October and 14 November 2015 are encouraging in this context. It is now to be hoped that the agreed roadmap towards a process of political transition and a truce can be implemented in the near future. However, this will require all the involved actors, Russia, the USA, Iran, Saudi Arabia, Turkey and, of course, the Europeans, to make a contribution and to find compromises despite their greatly diverging interests. At the same time, it is crucial to find an effective strategy for the fight against the terror, which will need to be conducted simultaneously on several fronts, for instance also in the EU member states where terror cells have established themselves.

To ensure that the European Union as a community of states will be able to deal with future security challenges more effectively, the Common Security and Defence Policy (CSDP) will need to be revised in the medium term. We must develop Europe into a foreign policy actor capable of taking action as well as a reliable ally for the long term. The new European foreign and security strategy, which is to be available by next June, must take into account the changed security situation in Europe's neighbourhood and define regional priorities in EU foreign relations.

The interview was conducted by Martina Kaiser, Desk Officer for European Policy at the Konrad-Adenauer-Stiftung in Berlin.