

International Migration in the 21st Century

International Migration in the 21st Century:

Problems and Solutions

Edited by

Gökçe Bayındır Goularas
and Işıl Zeynep Turkan İpek

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INTRODUCTION

In the contemporary world, every time that it was believed that the mass migrations caused by wars, political and economic crisis, oppression or other external reasons were coming to an end, humanity witnessed another new refugee crisis and a destabilizing era of mass migration, with thousands or millions of people, whether as individuals or communities, forced to move involuntarily, abandoning their homelands for unknown lands.

These migratory flows have taken different forms throughout history while their impact on the migrants, country of origin, and host country depend on the particular conditions, reasons, forms, and consequences of each migration. History shows that, whether forced or voluntary, temporary or permanent, migration itself includes a wish for a better life. Nowadays, migration is one of the main geopolitical issues concerning a significant number of countries, primarily due to its effects on national security, national economies and social order.

The beginning of the twenty-first century has been influenced by a large diversity of migratory movements, regular and irregular, worldwide. New immigration policies are being implemented, national borders reinforced and border walls planned or constructed. Especially with the Syrian civil war and its main consequence, the refugee crisis, international migration and refugee issues are now discussed with great concern.

The aim of this book is thus to understand the present state of contemporary international mobility, and the political, economic, judicial, social, and cultural aspects of contemporary migrations in different countries, but with a major focus on the Syrian refugee crisis and its impact on Turkey. The book includes sixteen chapters. After an introductory section about the current state of international migration, the second section focuses on migration from Syria since the beginning of the Syrian civil war. We assign particular importance to this issue because we consider that, among the various migration flows of the early twenty-first century, this is unprecedented because of the interaction of the huge number of refugees with the immigration policies, social order, and economic structures of the host countries involved.

In the first chapter of this section, Gökçe Bayındır Goularas provides an overview of migration in the twenty-first century. In the second chapter,

Catherine Withol de Wenden studies the migration and asylum crisis in contemporary Europe. In the third chapter, Nuray Ekşi analyzes the types of international protection and the legal status of Syrians in Turkey. This chapter is followed by a study of refugee protection in Turkey vis-à-vis international refugee law by Süheyla Balkar Bozkurt, and Melih Görgün's investigation of the international travel issues facing refugees in order to show the judicial background of the refugee issue.

The following four chapters focus specifically on the current state of the Syrian refugee crisis. Chapter six, written by Birol Ertan, Kılıncım Akkoyunlu Ertan, and İbrahim Yıldız, describes Turkey's role as a host country. In chapter seven, Esmâ Kabasakal and Elif Bakır focus on the effects of migration on the health of Syrian children. In chapter eight, Damla Zeynep Karanuh and Yeşim Arslan report on Syrian asylum-seekers as new fellow citizens. In chapter nine, Cemal İyem, Emel İslamoğlu, and Çağrı Sarıköse explain the phenomenon of Syrian migration to Turkey as a journey to a better life. Finally, Hakan Sezgin Erkan focuses in chapter ten on the economic effects on Turkey of Syrian immigration.

The second main section of the book offers different examples and considers different aspects of contemporary international migration. In chapter eleven, Işıl Zeynep Turkan İpek studies the culture of political participation of Turkish immigrants in Germany and France in order to describe Turkish immigrants' voting behavior and their interest in politics during recent elections in France, Germany, and Turkey. Chapter twelve, written by Elçin Kürşat, analyzes the psychogenesis of migration, more specifically the construction of the "new man" in migration as a psychic process of identifications and counter-identifications with respect to dual commitments to emigration and the host societies and cultures. In the following chapter, Armen Tanikyan investigates ways of raising immigrant children and the place in which they see themselves in the societies they or their parents migrated to. This chapter is followed by Özge Çopuroğlu's study focusing on the impact of migration on voting behavior in Switzerland. Chapter fifteen, written by Maïssam Nimer, studies migration through an international development program in Lebanon while the last chapter, written by Murat Yüceşahin, analyzes the impact of international migration on identity, and spatial conglomeration and disintegration in cities.

CHAPTER ONE

INTERNATIONAL MIGRATION IN THE TWENTY-FIRST CENTURY: A GENERAL OVERVIEW

GÖKÇE BAYINDIR GOULARAS¹

Introduction

International migration is at the forefront of public attention, with people and countries expressing concern more than ever about this issue. Academic studies focus on different aspects of migration while national and international media are very interested in migration issues, which are often among the main news items. However, international migration is not a new phenomenon. It is among the fundamental factors driving the evolution of world history and even history itself. Push and pull factors, which have always existed, continue to make migration one of the principle factors shaping the world. Contrary to the past, this phenomenon now influences many countries worldwide.

While migration has always been present in human history, it is most probably the Syrian crisis that has made international migration a major phenomenon of our era, drawing the attention of more countries and people than ever before. Refugees, asylum seekers, stateless persons, migrant children, labor migrants, migration policies, border walls, brain drains, exploding numbers of international migrants, dead people along migration routes, and so on are more and more a fact of our daily lives. In short, today, migration is a more complex and tangible phenomenon than before.

This chapter offers an overview of international migration in the twenty-first century, mainly by referring to data and reports of the United Nations High Commissioner for Refugees (UNHCR), the International

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Organization for Migration (IOM), the World Bank, and the International Labour Organization (ILO).

A. A Simple Review of Migration

Defined by the IOM Glossary on Migration as a “*Movement of persons who leave their country of origin, or the country of habitual residence, to establish themselves either permanently or temporarily in another country,*”² the importance of international migration is easily understood from the continuous increase in the number of persons living in a country other than where they were born. Numbers have increased from 173 million at the beginning of the twenty-first century to approximately 244 million in 2015, representing a 44% increase and a total increase of 3.3% of the world’s population, in comparison with 2.9% in the last decade of the twentieth century.³ According to a UN report, “*Trends in International Migrant Stock: The 2015 Revision,*” the number of international migrants has grown faster than the world’s population.⁴

In parallel with this increase in international migrants, the number of origin, transfer, and host countries has risen, with some acquiring all three dimensions of migration. Some countries have maintained their previous attractiveness, such as the United States of America—which hosts the largest number of migrants with more than 46 million in 2015—Germany (12 million), the Russian Federation (11.6 million), Saudi Arabia (10.2 million), and the United Kingdom (8.5 million).⁵ Others have become new centers of attraction (such as the emerging countries of Asia) or host countries for refugees (such as Turkey). The result is that 62% of all international migrants living in Asia consider European and other developed countries as destination countries as they are attracting more

² IOM Glossary on Migration, 2004:

<http://publications.iom.int/books/international-migration-law-ndeg25-glossary-migration>, p:33.

³ IOM, Global Migration Trends Factsheet 2015:

http://publications.iom.int/system/files/global_migration_trends_2015_factsheet.pdf, p:5.

⁴ Trends in International Migrant Stock: the 2015 Revision:

http://www.un.org/en/development/desa/population/migration/data/estimates2/docs/MigrationStockDocumentation_2015.pdf, p:

⁵ The United Nations Department of Economic and Social Affairs International Migration Report 2015,

<http://www.un.org/en/development/desa/population/migration/publications/migrationreport/docs/MigrationReport2015.pdf>, p:5.

migrants than developing countries.⁶ The movement of people evolves in parallel with globalization, which is why the direction of migration is adapted to globalization. Thus, migrations of the past from the South—“Africa, Asia (excluding Japan), Latin America and the Caribbean, as well as Melanesia, Micronesia and Polynesia”⁷—towards the North—“Europe and Northern America, Australia, New Zealand and Japan”⁷—have diversified to include migrations from the South towards the South and from the North towards the South today. In 2016, 37% of international migrations took place from the South towards the South, around 35% from the South towards the North, 22.5% from the North towards the North, and the rest from the North towards the South.⁷

Refugee flows and irregular migration continue to be major issues of our era. According to the UNHCR report, the number of refugees in 2016 was the highest ever recorded since the end of World War II⁸ while from 2000 until 2016, the number of refugees (not counting asylum seekers or other categories of forced migrants) increased by approximately 42%, with 51% of refugees being children in 2016.⁹ The main causes of irregular migration remain economic inequality between different global regions and obstacles to the right of free movement for all people.

Although technological advances should have made migration easier, it is more difficult to migrate than before. Especially after the massive flows of Syrians, international migration has become more and more a subject of national, regional, and international security. States are developing new migration policies that make it more difficult for migrants to reach their destination country. These new security measures are being taken in many countries to prevent refugee flows or irregular migration. Border walls and cross-border barriers are being constructed in the name of strengthening national security or, in other words, in the name of controlling national

⁶ The United Nations Department of Economic and Social Affairs International Migration Report 2015, <http://www.un.org/en/development/desa/population/migration/publications/migrationreport/docs/MigrationReport2015.pdf>, p.2.

⁷ The United Nations Department of Economic and Social Affairs International Migration Report 2015, <http://www.un.org/en/development/desa/population/migration/publications/migrationreport/docs/MigrationReport2015.pdf>, p.2.

⁸ UNHCR Global Trends, Forced Displacement in 2016: <http://www.unhcr.org/statistics/unhcrstats/5943e8a34/global-trends-forced-displacement-2016.html>

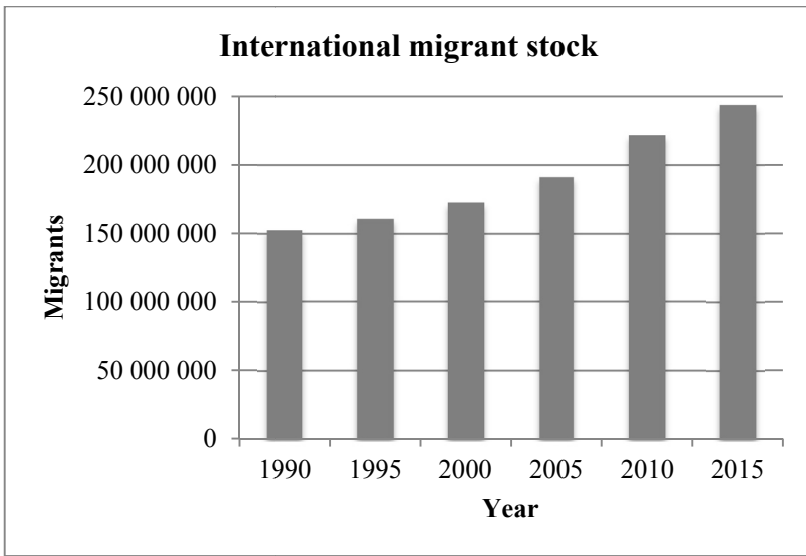
⁹ UNHCR Global Trends, Forced Displacement in 2016: <http://www.unhcr.org/statistics/unhcrstats/5943e8a34/global-trends-forced-displacement-2016.html>

sovereignty. We are also witnessing the rise of populist nationalism and xenophobia within public opinion and as a tool used by politicians that rejects the presence of foreigners in their territory. Some consider migration undesirable because it is perceived as a threat that undermines national and social unity and cohesion. Others claim that the arrival of “foreigners” provokes the loss or transformation of national values, and increases crime rates. Meanwhile, the number of deaths along migration routes increases,¹⁰ and criminal trans-national networks, the main groups of people involved in the smuggling of migrants, become increasingly active. To this day, women and children continue to be those most affected by migration and its consequences.

As Figure 1-1 shows, migrant numbers increased by nearly 60% from 1990 to 2015, while from 1990 to the present, there were slightly fewer international female migrants than male migrants, without a major change from 1990 to 2015 (49% in 1990 and 48.2% in 2015). The largest category of voluntary migrants (irregular migrants not included) is labor migrants, as we will discuss in the following section, while the second largest group is associated with reasons of *force majeure*, such as wars, conflicts, political pressures, natural disasters, etc., which will be the subject of the last section.

¹⁰ According to the International Organization for Migration’s (IOM) Missing Migrants Project, in 2016 7,763 persons lost their life during migration to international destinations. Compared with the year 2015 it is an increase of 27% and a 47% increase compared with the year 2014.
[http://gmdac.iom.int/data-and-analysis-search?f\[0\]=field_date_publish%3A2017](http://gmdac.iom.int/data-and-analysis-search?f[0]=field_date_publish%3A2017)

Figure 1-1: Evolution of international migrant stock from 1990 to 2015



Source: The UN Department of Economic and Social Affairs, Population Division, International Migration

Datas et on International Migration Stock : 2015

<http://www.un.org/en/development/desa/population/migration/data/estimates2/estimates15.shtml>

B. Voluntary Migration

Voluntary migration is associated with the need, the will, and the decision of individuals to find better living conditions that they cannot find in their departure country. Voluntary migration is wide-ranging and the reasons have diversified over time (such as labor migration, skilled migration, and migration of students, retired people, and celebrities).

As in the past, however, labor migration remains the most important category of voluntary migration, with up to 10 million workers annually leaving one country to work in another.¹¹ In this particular type of migration, aside from the independent personal decision, family and

¹¹ The United Nations Department of Economic and Social Affairs International Migration Report 2015 Highlights:

http://www.un.org/en/development/desa/population/migration/publications/migrationreport/docs/MigrationReport2015_Highlights.pdf, p.2.

national strategies are very influential. The presence of a dual labor market in developed countries ensures it continues.

This type of migration marked the second half of the twentieth century (migratory flows towards Europe and later towards the Gulf countries, etc.) and still it is the most often encountered among all forms of migration. As in the past, many countries continue to depend on a foreign work force, requiring sustainable immigration to maintain economic activity levels. According to recent estimates of the ILO, there are 150.3 million migrant workers worldwide,¹² meaning that, in 2015, of 244 million international migrants, around 65% were economic migrants. According to data from 2013, more than 70% of migrant workers work in services, 18% in industry, and the rest in agriculture.¹³

Obviously, labor migration follows a path from the periphery towards the center; in other words, from the developing to developed countries. Despite the attractions of the South, almost half of migrant workers are concentrated in Northern America and Europe.¹⁴ However, the emergence of new centers has also influenced the direction of migration. Except for the five principal destinations of international migrants mentioned above, various Gulf countries are the best examples of countries attracting migrants looking to improve their financial and social conditions. Because of their small active indigenous populations, these countries need foreign workers for their oil industry and other economic activities. Consequently, they attract 35.6% of international migrant workers.¹⁵ In 2015, the number of international migrants in the United Arab Emirates was very high, reaching 88.4% of their population, with corresponding numbers being 75.5% in Qatar and 73.6% in Kuwait.¹⁶

¹² ILO, Global Estimates on Migrant Workers, Results and Methodology Special focus on migrant domestic workers 2015 : \ http://www.ilo.org/wcmsp5/groups/public/---dgreports/--dcomm/documents/publication/wcms_436343.pdf, p:5.

¹³ ILO, Global Estimates on Migrant Workers, Results and Methodology Special focus on migrant domestic workers 2015 : http://www.ilo.org/wcmsp5/groups/public/---dgreports/--dcomm/documents/publication/wcms_436343.pdf, p:8.

¹⁴ The United Nations Department of Economic and Social Affairs International Migration Report 2015 Highlights: http://www.un.org/en/development/desa/population/migration/publications/migrationreport/docs/MigrationReport2015_Highlights.pdf, p:8.

¹⁵ IOM, Global Migration Trends Factsheet 2015: http://publications.iom.int/system/files/global_migration_trends_2015_factsheet.pdf, p:5.

¹⁶ IOM, Global Migration Trends Factsheet 2015:

Economic migration has become increasingly important to the development of countries of origin because the transfer of international workers' remittances back to these countries significantly raises their national income, reduces poverty, and improves their health and education services. Recognizing this positive contribution, the international community has incorporated migration into global development policies. According to a 2016 World Bank report, the three largest remittance-receiving countries in 2015 were India (72.2 billion US dollars), China (63.9 billion US dollars), and the Philippines (29.7 billion US dollars). In 2014, the top remittance-sending countries were the United States (56.3% of the total remittance), Saudi Arabia (36.9%), and the Russian Federation (32.6%) while the highest percentage of remittances within Gross Domestic Product (GDP) were in Tajikistan (41.7%), Kyrgyz Republic (30.3%), and Nepal (29.2%).¹⁷

C. Forced Migration

This type of migration is associated with reasons beyond the person's control that force them to leave their territories of origin, particularly long-lasting wars or other armed conflicts, political and social oppression, and natural or other disasters.

The twentieth century has been most strongly marked by the mass migrations due to the two World Wars, regional conflicts, and other wars (such as in the Middle East, the Balkans, and Africa), as well as the dissolution of the Soviet Union. In the twenty-first century, within less than twenty years, the world experienced a multiplication in long-term conflicts, increased violence, military interventions, popular revolts, military coups, many terror attacks, natural or energy disasters, and forced migrations related to climate change. Among the events that have caused massive population movements towards neighboring or more distant countries are the wars in Afghanistan and Iraq, interethnic violence in the Balkans, and the Arab Spring that destabilized several Arab countries and led to the civil war in Syria. Nor should it be forgotten that earthquakes, tsunamis, and other types of natural disasters in countries such as India, Thailand, Indonesia, Sri Lanka, Haiti, and Japan (with the nuclear accident

http://publications.iom.int/system/files/global_migration_trends_2015_factsheet.pdf, p:5.

¹⁷ The World Bank Group, Migration and Remittances Factbook 2016 Third Edition:

<https://openknowledge.worldbank.org/bitstream/handle/10986/23743/9781464803192.pdf>

in Fukushima), have caused the migration of hundreds of thousands of people within or across national borders. In 2015, more than a third of the world's 244 million migrants were forced migrants.¹⁸ In 2016, according to UNHCR data, 65.6 million people were forced to migrate due to persecution, conflict, violence, or human rights violations.¹⁹

Table 1-1 shows changes in the number of forcibly displaced persons from 1995 to 2016, categorized by type of migrant (stateless people, displaced persons, asylum seekers, refugees, etc.). Since the beginning of the twentieth century, the number of people forced to leave their territory of origin or residence has increased consistently to reach a peak of 67,749,800 in 2016.²⁰

¹⁸ UNHCR Global Trends, Forced Displacement in 2016:
<http://www.unhcr.org/statistics/unhcrstats/5943e8a34/global-trends-forced-displacement-2016.html>, p:2.

¹⁹ UNHCR Global Trends, Forced Displacement in 2016:
<http://www.unhcr.org/statistics/unhcrstats/5943e8a34/global-trends-forced-displacement-2016.html>, p:2.

²⁰ UNHCR Global Trends, Forced Displacement in 2016, Annex Tables:
<http://www.unhcr.org/search?query=global%20trends>

Table 1-1. Forced migrants: Refugees, asylum seekers, internally displaced persons, returnees (refugees and IDPs), stateless persons, and others of concern to UNHCR, 1997-2016

Year	Refugees	Asylum seekers (pending cases)	Returned refugees	IDPs protected/assisted by UNHCR	Returned IDPs	Persons			Total
						under UNHCR's statelessness mandate	Others of concern	Total	
1997	12,015,400	1,028,200	926,600	4,573,100	100,300	..	1,404,100	20,047,700	
1998	11,480,900	977,800	1,016,400	5,063,900	207,200	..	1,378,500	20,124,700	
1999	11,687,200	1,027,400	1,599,100	3,968,600	1,048,400	..	1,491,100	20,821,800	
2000	12,129,600	1,087,500	767,500	5,998,500	369,100	..	1,653,900	22,006,100	
2001	12,116,800	1,072,700	462,400	5,096,500	241,000	..	1,039,500	20,028,900	
2002	10,594,100	1,093,500	2,426,000	4,646,600	1,179,000	..	953,300	20,892,500	
2003	9,592,800	997,600	1,094,900	4,181,700	237,800	..	905,300	17,010,100	
2004	9,574,800	885,200	1,434,400	5,426,500	146,500	1,455,900	597,000	19,520,300	
2005	8,662,000	802,100	1,105,600	6,616,800	519,400	2,383,700	960,400	21,050,000	
2006	9,877,700	743,900	733,700	12,794,300	1,864,200	5,806,000	1,045,500	32,865,300	
2007	11,391,000	740,100	730,600	13,740,200	2,070,100	2,937,300	68,700	31,678,000	
2008	10,489,800	825,800	603,800	14,442,200	1,361,400	6,572,200	166,900	34,462,100	
2009	10,396,500	983,900	251,500	15,628,100	2,229,500	6,559,600	411,700	36,460,800	
2010	10,549,700	837,500	197,700	14,697,900	2,923,300	3,463,000	1,255,600	33,924,700	
2011	10,404,800	895,300	531,900	15,473,400	3,245,800	3,477,100	1,411,800	35,440,100	

2012	10,498,000	942,800	525,900	17,670,400	1,545,400	3,335,800	1,329,700	35,848,000
2013	11,699,300	1,164,400	414,600	23,925,500	1,356,200	3,469,200	836,100	42,865,300
2014	14,380,100	1,796,200	126,900	32,274,600	1,822,700	3,492,100	1,052,800	54,945,400
2015	16,121,400	3,219,900	201,400	37,494,100	2,317,300	3,687,700	870,700	63,912,700
2016	17,187,500	2,826,500	552,200	36,627,100	6,511,100	3,242,200	803,100	67,749,800

Source: UNHCR Global Trends, Forced Displacement in 2016, Annex Tables: [http://www.unhcr.org/search/?query=global%20trends](http://www.unhcr.org/search/query=global%20trends)

1. Stateless People

A stateless person is defined as “a person who is not considered as a national by any State under the operation of its law” (Art. 1, *UN Convention relating to the Status of Stateless Persons, 1954*).²¹ According to the UNHCR, several factors, such as discrimination against particular ethnic or religious groups, gender discrimination, the creation of new states, changing territories between existing states, or gaps in nationality laws can make a person stateless.²²

While the exact number of stateless persons remains unknown, the UNHCR estimates that there are around ten million, of whom approximately one third are children.²³ They are concentrated in the Middle East, Kenya, Caribbean states, Bangladesh, Nepal, Ivory Coast, and Europe (particularly after the collapse of the Soviet Union and Yugoslavia),²⁴ with Africa and Asia more affected than other regions.

2. Displaced Persons

Another category of forced migrants is displaced persons. According to the definition of the IOM Glossary of Migration, a displaced person is “A person who flees his/her State or community due to fear or dangers other than those which would make him/her a refugee.”²⁵ This category mainly comprises people forced to migrate due to conflicts or violence (conflict-related displacement), and those who have to migrate because of natural or other disasters (disaster-related displacement). Forced migration can involve movement to other countries (often neighboring countries) or within the same country, creating internally displaced persons (IDPs).

As Table 1-1 shows, the number of displaced people (protected or assisted by UNHCR) increased from 5,598,500 in 2000 to 40.3 million in 2016.²⁶ In 2015, approximately 41 million people were displaced due to conflicts, wars, or violence, more than half of whom (52% or 21,216,834

²¹ UNHCR Stateless People Report : <http://www.unhcr.org/stateless-people.html>

²² UNHCR Stateless People Report : <http://www.unhcr.org/stateless-people.html>

²³ UNHCR Stateless People Report : <http://www.unhcr.org/stateless-people.html>

²⁴ UNHCR Stateless People Report : <http://www.unhcr.org/stateless-people.html>

²⁵ IOM Glossary on Migration, 2004:

<http://publications.iom.int/books/international-migration-law-ndeg25-glossary-migration>, p:19.

²⁶ UNHCR Statistical Database:

http://popstats.unhcr.org/en/overview#_ga=2.105026880.2115710267.1501418770-1079115756.1497897366

people) lived in Asia, particularly Syria, Iraq, and Yemen.²⁷ In 2016, of 65.6 million forced migrants, 40.3 million were IDPs, of whom more than 6.5 million had returned to their areas of origin.²⁸ In the same year, armed conflict, widespread violence, and human rights violations forced nearly 5 million people to flee within their own countries. The two countries with the most conflict-related displaced people in 2016 were Colombia with 7.4 million and Syria with 6.6 million registered IDPs, followed by Iraq, Democratic Republic of Congo, Sudan, Nigeria, Yemen, Ukraine, South Sudan, and Afghanistan.²⁹

Regarding disaster-related displacements, volcanic activity, extreme temperatures, earthquakes, floods, severe winter conditions, and storms were the principal causes of forced displacement related to natural conditions and disasters. The continent most affected was Asia, where storms and earthquakes were the main causes of forced migration. In 2015, there were over 40,739,672 IDPs associated with disasters worldwide, with 4,422,838 people forced to migrate due to earthquakes alone. Among these, 77% were located in Asia, mainly in Nepal (2,622,733) and Pakistan (665,812). In the same year, 17,130,804 people left their homelands due to floods, of which 93.5% were in Asia, particularly 3,510,771 people in India. Of the 6,303,517 people forced to migrate due to storms, 96% were in Asia.³⁰

3. Asylum Seekers

The UNHCR defines an asylum seeker as someone whose request for sanctuary has yet to be processed. According to its data, around one million people seek asylum every year.³¹

²⁷ UNHCR Global Trends, Forced Displacement in 2016:
<http://www.unhcr.org/statistics/unhcrstats/5943e8a34/global-trends-forced-displacement-2016.html>, p:34.

²⁸ UNHCR Global Trends, Forced Displacement in 2016:
<http://www.unhcr.org/statistics/unhcrstats/5943e8a34/global-trends-forced-displacement-2016.html>, p:37.

²⁹ UNHCR Global Trends, Forced Displacement in 2016:
<http://www.unhcr.org/statistics/unhcrstats/5943e8a34/global-trends-forced-displacement-2016.html>, p:6.

³⁰ UNHCR Statistical Database:
http://popstats.unhcr.org/en/overview#_ga=2.105026880.2115710267.1501418770-1079115756.1497897366

³¹ UNHCR Asylum Seekers, <http://www.unhcr.org/asylum-seekers.html>

As we can observe in Table 1-1, from 2000 to 2013, the number of asylum seekers varied between 900,000 and 1 million. However, particularly because of the Syrian civil war, numbers then increased dramatically, peaking in 2015 at 3,219,900 asylum seekers, before slightly decreasing in 2016 to 2.8 million.³²

Syria, Afghanistan, Iraq, Ukraine, Iran, and the Democratic Republic of Congo are the principal countries of origin of forced displaced persons and therefore asylum seekers. From 2010 to 2016, Germany, the USA, the Russian Federation, South Africa, Sweden, Italy, Turkey, Austria, and France were the main destination countries for asylum seekers.³³ Since the Syrian crisis began, Germany has become the main country for asylum claims by Syrians, with 266,300 Syrian applications in 2016.³⁴

4. Refugees

According to the Convention related to the Status of Refugees (Art. 1A(2), 1951 as modified by the 1967 Protocol), a refugee is *“a person who, owing to well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinions, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country.”*³⁵

Refugees, together with asylum seekers, are undoubtedly the most well-known category, receiving extensive media coverage, although their number is significantly less than other migrant categories (for example, in 2016, out of 65.6 million forced displaced people, only 2.8 million were asylum seekers whereas 22.5 million were refugees).³⁶ The primary reason

³² UNHCR Global Trends, Forced Displacement in 2016: <http://www.unhcr.org/statistics/unhcrstats/5943e8a34/global-trends-forced-displacement-2016.html>, p:39.

³³ UNHCR Global Trends, Forced Displacement in 2016: <http://www.unhcr.org/statistics/unhcrstats/5943e8a34/global-trends-forced-displacement-2016.html>, p:40.

³⁴ UNHCR Global Trends, Forced Displacement in 2016: <http://www.unhcr.org/statistics/unhcrstats/5943e8a34/global-trends-forced-displacement-2016.html>, p:42.

³⁵ Convention and Protocol Relating to the Status of Refugees: <http://www.unhcr.org/3b66c2aa10>

³⁶ UNHCR Global Trends, Forced Displacement in 2016: <http://www.unhcr.org/statistics/unhcrstats/5943e8a34/global-trends-forced-displacement-2016.html>, p:2.

for this concerns the legal status of this category of migrants and, consequently, the obligations of signatory countries arising from the Convention related to the Status of Refugees and the rights that such countries must give to these refugees. In addition, the greatly increased number of refugees has affected many countries for various reasons.

Refugee flows affect many countries and regions, but particularly the Middle East and Africa. These two regions contain major source countries for refugees. In 2016, just three countries accounted for more than half (55%) of all the world's refugees: Syria (5.5 million), Afghanistan (2.5 million), and South Sudan (1.4 million).³⁷ At the same time, the two regions host a significant number of refugees. For example, in 2015, the Middle East was hosting more than a third of the world's refugees, particularly new host countries such as Turkey. In 2016, for the third consecutive year, Turkey hosted the most refugees of any country worldwide, with 2.9 million.³⁸ After Turkey, Pakistan (1.4 million), Lebanon (over 1 million), the Islamic Republic of Iran (979,400), and Uganda (940,800) hosted the most refugees in 2016. In the same year, among European Union member countries, only Germany, with 669,500 refugees, was among the top ten refugee-hosting countries.³⁹

Conclusion

Nowadays, as in the past, nothing can stop people leaving their home country in order to search for a place that can assure a better and safer life with favorable economic and social conditions. Migration is the oldest way to achieve this purpose, whether legally or illegally. This quest is usually associated with a lack of good living conditions in the country of origin or simply the need to survive wars, conflicts, political oppression, or natural disasters, and sometimes due to the determination of individuals or communities to find better living conditions. As human history has been shaped by the powerful phenomenon of migration, modern states face the challenge of both eliminating the factors that cause people to migrate and

³⁷ UNHCR Global Trends, Forced Displacement in 2016:
<http://www.unhcr.org/statistics/unhcrstats/5943e8a34/global-trends-forced-displacement-2016.html>, p:16-17.

³⁸ UNHCR Global Trends, Forced Displacement in 2016:
<http://www.unhcr.org/statistics/unhcrstats/5943e8a34/global-trends-forced-displacement-2016.html>, p:14.

³⁹ UNHCR Global Trends, Forced Displacement in 2016:
<http://www.unhcr.org/statistics/unhcrstats/5943e8a34/global-trends-forced-displacement-2016.html>, p:15.

finding ways to integrate migrants in their new host countries in order to deal with migration flows at the beginning of the twenty-first century.

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CHAPTER TWO

THE MIGRATION AND ASYLUM CRISIS IN CONTEMPORARY EUROPE

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Introduction

The migration and refugee crisis that Europe is currently experiencing constitutes a challenge for policy makers and is a subject of intense political controversy. Both member states and collective groups have attempted to manage the crisis through security-oriented and anti-immigration policy instruments. However, these seem to create more controversy while providing few results. Elements in this crisis include thousands of migrant deaths in the Mediterranean, the establishment of formal and informal camps, tensions on Europe's borders, violations of rights and legal provisions at national, European, and international levels, and a boom in trafficking and criminal activities around migration and migrants. The acute politicization of migration and refugee issues in Europe can lead us to question the relationship between the reality of new migrant flows and policy decisions.

Europe is facing an unprecedented flow of refugees because it is surrounded by countries in conflict, which has created forced migration flows. The migrants involved, if they do not all match the profile of the Geneva Convention of 1951 on statutory refugees, are mainly facing individual persecution or a well-founded fear of persecution. Whereas Europe used to expect around 200,000 asylum seekers per year, by 2014 there were 625,000 asylum seekers and 1.2 million in 2015. Nevertheless, we should not forget that Europe experienced similar crises in the past. Numbers increased after the fall of the Berlin Wall in 1989: until 1993, Europe received 500,000 asylum seekers per year, mostly in Germany,

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which welcomed three quarters of all asylum seekers in Europe from former communist regimes. A few years later, the crisis in former Yugoslavia also created a large number of refugees.

The present flows of refugees are mainly from Syria (5 million have left their country since 2013 while 7 million are internal refugees within Syria), Iraq (3 million), and the Horn of Africa via Libya, Afghanistan, and Kosovo. Turkey has welcomed most of these, with 4 million refugees on its territory currently. In Europe, this has created conflicts between member states and European Union institutions concerning the appropriate response to the influx of migrants.

Some European member states are bordered by countries suffering from internal and external conflicts. Those fleeing conflicts are asylum seekers (such as from Syria, Iraq, and Eritrea) but there are also mixed flows, such as labor migrants who are not unjustified in asking for asylum given the chaos in their countries of origin (e.g. Afghanistan, Sudan). After some procrastination by European leaders, there was a turning point in September 2015, when Chancellor Angela Merkel announced that Germany would welcome 800,000 asylum seekers in 2015. During that period, President of the European Commission Jean-Claude Juncker proposed that European countries should accept 160,000 recently-arrived asylum seekers for resettlement. Unfortunately, these important steps, which were also supported by Pope Francis in 2015, were insufficient for addressing the refugee crisis. This has exacerbated Europe's political crisis, challenging supposed European values of solidarity and human rights as well as the sovereignty of several Eastern European countries, who fear that their idealized view of maintaining a homogeneous identity and culture could be threatened by newcomers.

The refugee crisis of 2015 has thus confronted Europe with one of its most serious migration challenges, firstly because it does not consider itself as a continent of immigration, and secondly because public opinion has been influenced for many years by the rise of extreme rightist movements and political parties hostile to migration and refugees.

Many questions arise. What are the actual patterns of migration flows? Who is coming, from where and in what numbers? How has this been changing over time? What are the motives of migrants? Which are the key points of access and transit towards and within Europe? Where are migrants ending up?

A range of social mechanisms underpin this process. Firstly, various organizations and traffickers support it. In addition, border-crossing regimes determined by departure and destination countries, along with

mechanisms of closed or open borders, may encourage trafficking. Finally, there are push factors associated with political crises and unemployment.

The different and conflicting ways in which states and EU institutions are responding to the influx of migrants are creating a line of fracture between Europe's East and West, causing northern European states to distrust southern ones who are confronted daily with the refugee crisis. Europe's inability to reach agreement between the 28 member states about the treatment of refugees has led to a crisis concerning the Schengen Agreement, the Dublin II Regulation, the Frontex, and all legal frameworks relying on "path dependency," without considering other ways or alternative strategies to manage migration flows.

A. Actual Patterns of Migrations Flows

The refugee crisis stems from a world which is moving. During the last 40 years, international migration has multiplied by four, from 77 million in 1975 to 244 million people now. Internal migration has also increased to 740 million people. China alone has 240 million internal migrants, half of whom are illegal. Another new development is that the South now receives more international migrants (124 million) than the North (120 million). The globalization of migration, which now involves almost every country in processes of departure, arrival, and transit, is paradoxically accompanied by regionalization. That is, in all regions, more migrants come from the same region than from other parts of the world. This trend is due to the emerging presence of newcomers like women, unaccompanied minors, environmentally displaced migrants, internally displaced people (who rarely go far), and particularly refugees. There are currently 65 million refugees due to forced migration, whether they have official status or not, including internally displaced persons (IDPs). Another 42 million people have been displaced for environmental reasons, of whom 17 million are international climate refugees that lack any status. This regionalization of migration can be seen worldwide (in the Euro-Mediterranean area, in North America, South America, Russia, Turkey, the Gulf countries, Sub-Saharan Africa, South-East Asia, and Australia). In the past, in some of these regions, there were many Europeans among the migrants.

The reasons for this global mobility are structural, linked with inequalities of development, demographic structures, gaps between rich and poor, information about better opportunities for crossing borders due to new information and communication technologies, offers of mobility from trafficking, and political crises that create refugees. Europe is in the

middle of these shifting trends, surrounded by countries in conflict along the southern shore of the Mediterranean. It is the world's primary destination in terms of flows, followed by the United States, the Gulf and Russia. However, regarding stocks of settled populations, the US is first with 46 million settled immigrants while Europe is second with 42 million.

These basic statistics hide the diversity of migrants and their reasons for migrating. Recent discourse focusing on “good” asylum seekers and “bad” migrants is misleading because refugees and asylum seekers are both migrants. This discourse risks treating Sub-Saharaners differently from Near or Middle East newcomers, hinting at an ethnic classification between Africans who lie and Arabs who tell the truth. Migrations in recent years have included a mix of people searching for work and fleeing countries in crisis that no longer offer them a future. These flows are still growing, even if the number of workers has decreased, compared with those seeking family reunification, students, and highly qualified elites moving from South to North, asylum seekers, and other forced migrants. Restrictive immigration policies have strengthened these trends, including illegal newcomers. The current wave of *de facto* refugees primarily come from Syria, Iraq, Afghanistan, Kosovo, the Horn of Africa (Eritrea, Somalia), and Libya (itself a long-standing transit point for Sub-Saharan migrants towards the European Union).

The photograph of a three-year-old Syrian boy lying dead on a Turkish beach in Bodrum, who perished when the boat carrying him and his family to Greece sank in September 2015, was disseminated worldwide. It showed that most refugees look like us and threw into question the securitized approach responsible for his death, along with 30,000 other deaths in the Mediterranean since the end of the nineteen nineties, including 3,000 deaths in 2015 alone and the same number in 2016.

The main causes of these recent departures are war, political insecurity, instability, and violence, involving young men escaping from insecurity and an absence of hope at home, and families seeking asylum. Not all of these people, however, meet the definition of persecuted individuals laid out in the 1951 United Nations Refugee Convention on asylum, and many are unable to acquire refugee status because they have not been individually persecuted. In 2015, for example, France accepted 31% of applicants as statutory refugees and Germany 45%. Most of these people were middle-class, well-qualified, well-educated, and ready to work. Migration was for them an opportunity for a better life. Those who cannot get a visa are supported by smugglers offering passage. Some were working in their countries of transit, like Sub-Saharaners in Libya, but lost