

No need for walls to equitably distribute the refugees

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Few issues arouse such strong passions as immigration, where concrete economic and social problems overlap with the fundamental concept of national identity. It is thus not surprising that Europe is having difficulty in coming to grips with the refugee crisis. It is also clear that the current 'Dublin' system under which frontier countries are assigned the responsibility for dealing with refugees is simply not tenable. The EU must thus move towards a fairer sharing of this responsibility. This implies that the refugees are distributed across different member states according to their economic, demographic and structural capacities to absorb them, while taking into account the refugees' private and family links with specific member states. The decision taken during the recent Extraordinary Justice and Home Affairs Council Meeting to relocate 120,000 refugees from Greece and Italy is a first step in this direction.

The facile argument against the EU Temporary Relocation System is simply that if all the asylum-seekers want to go to Germany, one cannot forcibly send them to another country against their will. Jacek Rowstoski has recently argued ("Perils of mandatory migrant quotas in Europe", *Financial Times*, 15 September 2015) that imposing national quotas for refugees in the EU would be equivalent to building new walls because most of them are looking for opportunities in Germany, not Hungary or Poland. But this argument does not correspond to reality. Refugees transferred to different member countries are likely to remain there because that is the only place where they have a right to social security benefits.

Refugees fleeing real danger to their lives have a human right to international protection and a minimum level of support to ensure that they can live with dignity. There are of course large differences in income and social benefits across EU nations, but even in the poorest member states refugees will be safer and have a higher standard of living than they had in their home country or in a refugee camp in the Middle East. The poorest member state, Bulgaria, has a higher income per capita than oil-rich Iraq. And per capita income in the most vociferous opponent of quotas, the Slovak Republic, is several times higher than that of Syria or Afghanistan. It would

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thus be unreasonable for those claiming the need for international protection to refuse relocation to another country and it is unlikely that many would do so.

After a certain period (usually five years) of (legal) residence in the EU, non-EU nationals can then use the right to move and seek work anywhere in the EU. But the right of free movement is mainly the right to look for a job anywhere, not an unconditional right to claim social security benefits. One could argue that this might imply that most of the asylum-seekers 'forcibly' resettled in Eastern Europe might still end up in Germany. But this is an easy assumption and there is no evidence to support it. A key incentive for people to stay in a particular country is that proper reception conditions are fully ensured on the ground by the receiving state. An asylum-seeker may possess skills that are in demand in countries like Germany, especially in light of its shrinking working-age population, but others will have strong family ties or personal preferences to be relocated in other EU member states where their integration opportunities are greater.

But those who depend on social security benefits will have to stay in the country of relocation. No walls will be needed because their right to social benefits will be linked to residence conditions in that country. In this respect, the situation of relocated refugees is similar to that of legally resident non-EU nationals and even EU citizens.

Nor can the Eastern EU member states claim that an unreasonable burden has been foisted on them by the new EU Temporary Relocation System. For Slovakia the total number of applicants to be relocated is a mere 800 persons! This sum is hardly unbearable for a population of 5 million. Moreover, the Slovak government will receive €4.8 million from the EU budget to defray the cost of housing and feeding these 'masses'. This is on top of Slovakia's share of an overall EU expenditure on the management of the immigration crisis of several billions of euros.

Refugees arriving in the EU cannot claim a right to the highest levels of social benefits available in the EU. But they have a right to a speedy, individual and fair hearing of their asylum application and are entitled to proper reception conditions. The EU will pay for most of the latter, but some distribution of the remaining responsibility is necessary. To date, the performance of most member states in these areas fall far short of EU standards, such as those envisaged in the Reception Conditions Directive, and in some cases constitute an abysmal failure. All EU member states, including those not situated in the 1st line of the crisis, should be looking ahead to identify ways to better equip the asylum system to respond to future crises.

The EU Temporary Relocation System might not be an all-encompassing solution to address the refugee crisis. Nevertheless, it constitutes a movement towards the urgent need to go beyond the current EU Dublin regime and ensure more equitable sharing of legal responsibility across all member states.