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## BRIEF: THE EU'S REFUGEE AND TERRORISM CRISIS

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### INTRODUCTION: WEAPONIZED MIGRATION?

The EU is in crisis. This crisis is the result of a large influx of refugees trying to escape various conflicts in Syria, Iraq and Libya. It is also the result of an increasing number of high-profile attacks and attempted attacks in mainland Europe and the widespread reports across the continent of refugee men robbing and sexually assaulting European women in public open spaces. The crisis has fundamentally altered the way that European citizens currently view the free movement of people, their own Muslim populations and offering safe haven to those escaping war zones.

General Philip Breedlove, who is NATO's Supreme Allied Commander, made the strong claim in March 2016 that Russia and Syria had 'weaponized immigration'.<sup>1</sup> He argued that the use of Syrian barrel bombs against civilian populations was designed to get those populations to move, and to relocate problem populations outside of Syrian borders. These displaced populations have relocated to Jordan, or travelled through Turkey and onto the European Union. There has been a mixed response in the EU to the crisis, with a small contingent holding a view that these refugees should be helped on humanitarian grounds, and a growing percentage

feeling that the financial burden and security risks of accommodating these refugees outweigh the humanitarian norms. Southern European countries who have been the first point of entry for migrants have complained about the financial burden of the crisis. In northern Europe, finance has also played a role in the resistance to the numbers of refugees arriving, but societal cohesion and security – particularly following the high profile attacks on Paris and Brussels – have played a more prominent role in the public's thinking. This brief explores the background to this current European refugee and terrorism crisis, the possible short and medium term outcomes of the crisis, including the dangers it presents to European politics and culture, and finally how the crisis can be mitigated by European policy-makers.

### TERRORISM AND THE REFUGEE CRISIS

The threat from jihadist terrorism has been starkly experienced by European populations in Madrid in 2004, London 2005 in the coordinated bombing attacks (non-suicide in the case of Madrid, and suicide in the case of London), and then more recently with two Mumbai-style paramilitary attacks on Paris (January and November 2015), an attack on a Thalys train that was thwarted, and a coordinated partial suicide attack on Brussels in March 2016. It has become clear to European populations that they now live under conditions of fear, and that terrorist attacks will be an unfortunate way of life for them way into the medium term. The

fallout from the Snowden affair sits uneasily with a growing realization that greater levels of intelligence and surveillance activity, along with information sharing across Europe and the US will be required to roll back some of threat from jihadist terrorism.<sup>2</sup>

One part of the controversy that swirled around the November 2015 attack on Paris was the presence of attackers who had travelled many times between Europe and Syria, and the speculation that several of the support team had arrived as refugees into Europe. This speculation dovetailed to link the threat from terrorism with the arrival of around a million refugees from Syria. It might have been possible to contain the public reaction to such a connection, as it had been after the Madrid and London attacks, were it not for widespread reporting of robberies and sexual assaults by refugees in northern European cities across the Christmas and New Year period running into 2016. This merely confirmed some of the narratives that had been present around the Paris attacks that Islam and Christianity are fundamentally incompatible, and that Muslim men (in particular) harbored troubling and disrespectful views about women (in general) and about white, European women in particular. The sheer number of refugees arriving in a matter of months has put rather a large percentage of European populations in fear, destabilized societies, and with young women having to change the way they behave and move around cities at night, changed something of the culture and atmosphere in cities, whilst also sharply polarizing political elites who remain wedded to the liberal project of helping refugees, with publics who are rapidly drawing the conclusion that their elites are overlooking the real threats.

## THE PROBLEM OF COLOGNE (AND OTHER EUROPEAN CITIES)

Cologne is a vibrant German city, an economic success story, and a city entirely rebuilt following its almost complete destruction during Allied bombing in World War Two. By most measures – scientific and anecdotal – Cologne is a peaceful city, with a harmonious blend of cultures, as is the case in most

small northern European cities. But Cologne has come to represent the problem and failure of the refugee policy in Europe, and Germany in particular. More than a million refugees entered Germany during 2015, in a population of 81.1 millions<sup>3</sup>, an uplift of 1.3%. The number of refugees entering Germany and German cities like Cologne is problematic: it is difficult for any country to take such a large number of people so quickly, add into this that these people are arriving from nations which are very culturally different to Germany, and from active conflict zones too, then the problem of accommodation becomes even starker.

The reason why Cologne became an emblem for the challenges and problems of mass refugee migration can be found on New Year's Eve 2015 into 2016. It is estimated that around a thousand refugee men gathered outside the train station in Cologne during the evening. From this group of a thousand, an unspecified number emerged and carried out one confirmed rape and over 700 confirmed incidents of sexual assaults against local German women and girls in the public open spaces of the city during the evening. It later emerged that something similar had occurred during festivals in Stockholm, Sweden during 2015 but the news had been suppressed by the police.<sup>4</sup> In Cologne, it was reported that the attacks on young women had been coordinated from the main rump of the crowd using mobile phones and social media. This coordinated mass sexual assault, which was accompanied by low level robberies, looked – then – either like an organized criminal activity or one run by jihadists to divide populations. At the time of writing it is still not clear what the motivation of the perpetrators were. It sits outside of what we currently know about criminality within German refugee communities. During 2015 refugees committed 186,000 criminal offences in Germany of mostly low-level thefts and mostly against other refugees. Those offenses with a sexual connotation only formed 1% of the reported crimes amongst this group.<sup>5</sup> So, the Cologne incident was both shocking to the people of Cologne and Germany, it was also an outlier, and one whose timing has placed a large

amount of pressure on German Chancellor Merkel and her 'open door' refugee policy.

The German Chancellor had positioned herself during 2015 as being determined to face the historic challenge of accommodating the large number of refugees heading towards the EU. But as the Cologne controversy broke and developed during early 2016, she was forced to temper her message, and to talk of legitimate versus illegal migrants, to avoid being unseated by poor election results. The speed at which German politics polarized raised unfortunate historical resonances, as charismatic right-wing and populist politicians gained the sort of traction they had not enjoyed for many decades.

One version of this populism comes from the group Pegida (*Patriotic Europeans Against the Islamization of the West*, and from the original German: *Patriotische Europäer gegen die Islamisierung des Abendlandes*) which sprung up in the German city of Dresden and which essentially conducts anti-Islamic and anti-immigration street protests, and seeks to evoke a 'wholly white Germany', the like of which has not existed in living memory. Pegida has international branches in Norway, Denmark, Sweden, Belgium, Spain and the UK, but their impact in those countries has been limited thus far. Another version is the political party, Alternative für Deutschland (AfD) who has made its name opposing Merkel's open door migration policy and also the activities of the European Central Bank in Frankfurt. The AfD attracted some controversy when its co-leader, Frauke Petry, was taken to be advocating the shooting of migrants trying to effect illegal entry into Germany. She subsequently repositioned this statement. Whether the rise of these groups can be positively correlated to incidents of violence against migrants or migration centers is not entirely clear. However, German police have recorded circa 300 attacks on migrant accommodation in the first few months of 2016 (the reporting of which has included both low level crime such as graffiti and more serious crimes such as arson). This compares to 1029 incidents during the whole of 2015, 199 in 2014, and 69 in 2013.<sup>6</sup> Crimes against migrants and their

support infrastructure do seem to positively correlate to absolute numbers of refugees seeking asylum.

However, in the three regional state elections on March 13 that effectively formed the first electoral test of Merkel's refugee policy, Merkel's Christian Democratic Union of Germany Party (CDU) suffered electoral losses as a result. The AfD won 15.1 per cent in Baden-Württemberg, 12.6 per cent in Rhineland-Palatinate and 24.2 per cent in Saxony-Anhalt, which is well known for a residual core of far-right supporters. Merkel's CDU party, by contrast won a surprisingly low 30.3 per cent in Baden-Württemberg, 31.8 per cent in Rhineland-Palatinate and 29.8 per cent in Saxony-Anhalt. The social-democratic SPD did badly in Baden-Württemberg and Saxony-Anhalt (12.7% and 10.6%), whilst registering a respectable 36.2% in Rhineland-Palatinate. Recriminations has persisted since mid-March about whether Merkel's policy was politically expedient, and subsequently she has sounded a more cautious note around the refugee issue. For the issue to not feature so prominently in future elections, the sheer volume of refugees entering Germany will need to dramatically decrease in number, the perception of criminality from these groups will need to have decreased and the number of terrorist incidents will have also needed to have receded. Getting cities like Cologne back to the peaceable and relatively fear free cultures they enjoyed prior to 2015 will be the larger and longer term test of effective policy making in this sphere. There is, however, some evidence that the numbers travelling to Germany have begun to decrease with registered arrivals in Germany dropped in March 2016 to circa 20,000 from circa 61,000 in February 2016, 92,000 in January 2016 and their November 2015 peak of 206,000.

## A TROUBLED AND TEMPORARY DEAL WITH TURKEY

The pressure on Europe's southern borders from the number of refugees seeking to escape from the conflict zones in the Middle East has led the EU to

contemplate and propose a very ambitious deal with Turkey in March 2016, one which some international lawyers claim breaches the UN's guidelines on the treatment of refugees. The core of the deal is a very straightforward 1:1 resettlement program: all Syrian refugees and economic migrants arriving on a Greek island will be immediately returned to Turkey. In return, refugees properly processed in Turkey and accepted as being worthy of entry to the EU will be accepted into the EU from Turkey and distributed across the EU member states according to a formula that has yet to be agreed by the Member States. This aims, partly, to throttle some of the supply of refugees into the EU, to choke off the irregular migration currently destabilizing parts of Europe, and to remove the incentives for refugees to seek out people traffickers.

Conscious of how desperate the EU has become to see some sort of resolution or improvement to the refugee crisis, the Turkish government negotiated from a position of strength to reframe its relationship with the EU over the coming medium term. The Turkish government has extracted the pledge of a European visa waiver for Turkish citizens (which could be in place by June 2016), Cyprus was persuaded to lift some of its opposition to Turkish membership of the EU and additional EU funding to Turkey would be in place by 2018.

The deal with Turkey is hastily created, and from the EU Member State perspective it is hastily created in order to meet the pressing political and increasingly electoral problems associated with thousands of Syrian, Iraqi and Libyan refugees travelling to the EU. After several years of this deal with Turkey it is likely that the EU would have been forced to accept and resettle hundreds of thousands of Syrians. The problems with this will be found in the political, social and security spheres. It is well established that the Islamic State group has placed its operatives within the refugee convoys, and so the EU is likely to be importing battle-hardened and exceptionally dangerous men, housing them and offering them financial and social support. Allied intelligence covering Syria is patchy, at best, and so correctly

identifying who are adversaries as opposed to those who come in peace is an impossible task. We also know from the November 2015 and March 2016 attacks on Paris and Brussels that the European intelligence network - facilitated in part by bilateral relationships between intelligence and security agencies and partly through Europol - is similarly patchy. Indeed, when the intelligence relates to people and activities on Belgian soil, it can be accurately described as weak and dysfunctional. So, the EU-Turkey deal allows for the import of considerable risk, when the counterintelligence capabilities of the EU, as a whole, are not up to the task. This is politically very dangerous for sitting European governments. As more and more attacks take place across Europe, the connection to refugees and the deal with Turkey will become toxic. It seems that a good number of European governments have already realised this. The German Chancellor has found herself increasingly isolated as she seeks to find partners willing to take some of these refugees. Whilst Germany has gently mooted that it might take 200,000 - 300,000 refugees, the British government has said it will take a maximum of 20,000 over 5 years, other smaller European states have not pledged to firm numbers and have sounded ambivalent, whilst the Hungarian government has promised a veto over the deal if it is suggested that it will be forced to take any refugees.

There are - therefore - considerable issues around the taking of refugees, but of near equal magnitude is the subsidiary issue of pledging to allow visa free travel to 75 million Turkish Muslims. This is controversial because Turkey is by no means seen by European publics as being a reliable or safe partner, with Turkey being the transit route for jihadists travelling from Europe to fight in Syria. Allowing Turks visa-free travel would open most mainstream European governments up to sustained attacks from populist, right-wing parties. It might well - for example - change the nature of the upcoming French Presidential election allowing Marie Le Pen of the National Front into the final run off for President.

There are also strong suspicions, fueled by Russia's unusual act of placing intelligence into the public realm, that the links between Turkey's governing classes and Islamic State are uncomfortably close.<sup>7</sup> But anonymized interviews with senior diplomats involved in the EU-Turkey negotiation report that Recep Tayyip Erdogan, Turkey's president, has prized the visa access for his citizens above all else in the negotiations, because it would be electorally popular in Turkey. Before the refugee crisis, the EU had been negotiating with Turkey to gently break down and liberalize the existing visa controls, whilst tying progress to the admissions criteria for membership to the EU (the five chapters), and with no guarantees that some Member States, like France, would agree at all. The crisis brought this timetable forward, and under much friendlier terms to Turkey, moving from a liberalization of visa controls to the sorts of freedoms given to Schengen area members. This element of the EU-Turkey deal remains in the balance, due to the sheer amount of work that would need to be done to get it agreed and signed off in time from both sides.

There are further legal problems with the EU-Turkey deal. Turkey is not a full member of the Geneva Conventions and thus it might be illegal to return refugees to Turkey. It is not clear that Turkey conforms to the definition of a 'safe country' for refugees (and the EU deal only covers those coming from Syria, making it potentially hazardous for non-Syrians). Immigration and human rights lawyers have claimed that the deal would fail if brought before the *European Court of Human Rights* in Strasbourg, which opens up the prospect that the European leaders who have brokered this deal have done so for the short term expediency of temporarily breaking the flow of refugees into northern Europe, whilst relieving some of the pressure on Greece which has borne the brunt of processing large numbers of immediate arrivals.

## SUMMARY: THE EUROPEAN PROJECT IN PERIL

The EU currently faces a set of unprecedented challenges in its short history. It faces several sources

of geopolitical instability at a moment of acute weakness which, when combined, form an existential threat to the future of the EU.

The EU is confronted with the prospect of enduring instability on its Eastern flank. A resurgent and activist Russia has taken Ukrainian territory in the form of the Crimean annexation, and effectively destabilized the Ukrainian government in a show of strength and punishment for the closer relations between the EU and Ukraine. The EU has shown itself to be particularly weak and ineffective in offering support to the Ukrainians and the absence of capabilities or cohesive will to effectively check the Russians means that further destabilization of Eastern Europe is all but guaranteed.

The insecurity from the refugee crisis that is focused on Southern Europe, but which is now found across the whole of Europe also contains a Russian dimension. Whilst Europe and the US backed the largely misnamed 'moderate forces' in Syria against the sitting government of Bashar Al-Assad, the Russians backed their ally, Al-Assad and provided effective military support against those moderate forces. The misalignment between the European and US allies and Russia allowed the Islamic State to grow into a large problem. Whilst Russia has an interest in defeating the Islamic State, its greater interest is in preserving the regime of Al-Assad, and securing a friendly successor to him. The US and EU were politically unable to deploy sufficient force to make a difference in the Syrian civil war, and so are now faced with the prospect of having an implacable enemy of the west, and previous state sponsor of terrorism remaining in power in Syria, whilst having also not killed off a dangerous enemy in the form of the Islamic State. This toxic cocktail of circumstances in Syria has caused an enormous displacement of people, a large number of whom are now heading for what they imagine to be more peaceful lives in Europe.

The displacement of people in Syria, Iraq and Libya has also provided an opportunity for radicalized jihadists to take their war to Europe. The unrestrained migration of the 1990s and early 2000s

of Islamic communities into Europe, and who mostly clustered into small geographical locations, has now taken on a hostile and risky connotation that was not there at the time. Consequently, the very culture and fabric of Europe is currently under huge strain – the tranquil cobbles of Belgium cities are now heavily policed, Parisian cafés are no longer places of unadulterated relaxation, German, Swedish and Danish town squares are no longer places for evening strolls, and the free movement of European people across borders has become less free. The political and social effect created by the relatively limited application of (terroristic) military force is as astonishing as it is frightening. A compelling and charismatic political force who calls out the threat and the risks to their country or to Europe more widely in a compelling way, will be able to disrupt the normal pattern of European politics. An attack on the UK prior to the June 2016 referendum on EU membership might well push the British public to call time on its EU membership: the call from populist politicians that the UK ‘has lost control of its borders’ has an unfortunate resonance currently.

The solutions to these current challenges are complex and multifaceted. The short-term solutions center on radical improvements to intelligence sharing and surveillance techniques across Europe, and on persuading Muslim communities to do more to report those in their communities who have become radicalized and to make greater efforts to combat radicalization. Ultimately Muslim refugee and migrant communities have got to do more to align their value sets to the communities they are entering: a failure to do so will result in violent social tension. The longer-term solutions are geopolitical: finding a way to stabilize the Middle East and to remove permissive environments for radicalization is key. In the short-term this will mean militarily defeating terrorist groups, but longer term, finding better political solutions even if this means tolerating benign dictators who mean us no harm. Finding ways of neutralizing, containing or agreeing with Russia will also be key. Russian foreign policy activism has wrong-footed European Member States and the EU: its use of hybrid warfare against the EU has not yet

received an adequate response. Finally, the issues surrounding Turkey are a further long-term challenge for the EU: Turkey wants accession to the EU, but it does not want to obey the democratic norms around elections, free speech or free media demanded of the EU. Its status as a Muslim nation deeply concerns European publics and there is evidence that it has assisted and traded with the Islamic State in Syria and Iraq, raising the question of where its allegiances lie. Turkey is embedded into European security structures and yet remains allied to questionable actors, and is currently deeply antagonistic towards Russia at a moment where the EU would benefit from cooperative working with Russia.

WRITTEN 13 APRIL 2016

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<sup>1</sup> Geoff Dyer (1 March 2016), Nato accuses Russia of 'weaponising' immigrants, *Financial Times* (London), <http://www.ft.com/cms/s/0/76a52430-dfe1-11e5-b67f-a61732c1d025.html#ixzz42JtVieom>

<sup>2</sup> Jim Brunsten (5 April 2016), Paris attacks forced Europe to focus on counter-terrorism, *Financial Times* (London)

<sup>3</sup> According the 2014 census

<sup>4</sup> Richard Milne and Stefan Wagstyl (11 January 2016), Swedish police face allegations of cover up over mass sex assault, *Financial Times* (London) <http://www.ft.com/cms/s/0/775235c8-b834-11e5-bf7e-8a339b6f2164.html#axzz45WPW2l88>

<sup>5</sup> Stefan Wagstyl (15 January 2016) Taboos shattered as Germany agonises over Cologne attacks, *Financial Times* (London), <http://www.ft.com/cms/s/0/386ed934-bb94-11e5-bf7e-8a339b6f2164.html#axzz45WPW2l88>

<sup>6</sup> Stefan Wagstyl (6 April 2016), Germany considers easing border checks after migrant flows slow, *Financial Times* (London), <http://www.ft.com/cms/s/0/a7bb7e58-fbdd-11e5-8e04-8600cef2ca75.html?siteedition=uk>

<sup>7</sup> Tom Brooks-Pollack (5 December 2015), Russia unveils 'proof' Turkey's Erdogan is smuggling Isis oil across border from Syria, *The Independent* (London), <http://www.independent.co.uk/news/world/europe/russia-releases-proof-turkey-is-smuggling-isis-oil-over-its-border-a6757651.html>