

Migrants, 'Schengen area' and European solidarity by Yves Bertoincini, Secretary General of Notre Europe

The 'Schengen area', which is both an old and symptomatic achievement of European integration, is today in the firing line to the extent that its management and its 'reform' are on the agenda of the European Council of 23 and 24 June. The arrival of migrants on the Italian coast is the source of this criticism but there had already been difficulties along the Greek-Turkish border and also concern in the perspective of the Bulgarian and Romanian accessions.

In this context, we must first point out that the Schengen area is based on simple principles:

- The elimination of 'internal' fixed border checks in the area of free movement created by its [25 member countries](#)* (for example between France and Belgium);
- Keeping mobile checks, presumed to be more effective, and which can be joint ones (depicted humorously in the Dany Boon film "Rien à déclarer -Nothing to Declare")
- The possibility of invoking 'safeguard clauses' to reestablish fixed checks at national borders on targeted basis, for example for sports or political events (these clauses have already been activated many times since 1985, under the EU's control);
- Finally, the joint management of external borders, which are *ipso facto* 'our' borders, as those that cross them can freely enter other member countries as long as they respect European rules in terms of visas and resources.

Every day, the application of these principles allows tens of thousands of people to go and work, to study, to meet people close to them and have fun in a huge geographic area, without administrative formalities or long queues at border posts. So safeguarding 'Schengen' is first about protecting the rights of the Europeans in a period featuring proposals for a return to checks at national borders, whose budgetary cost would not be negligible, especially given their relatively modest efficiency.

The 'Schengen area' is also about monitoring our common external borders in an 'asymmetric' context: the land and sea borders of some countries are indeed more exposed to major migration flows given the geography (e.g. Greece) and sometimes the history (e.g. Malta following the Arab revolutions). This 'asymmetry', [particularly visible in terms of asylum seeking](#), is partly the source of tension in recent times, in connection with issues relating to solidarity with neighbouring countries, theoretically just as concerned.

It is then also necessary to underline that several European solidarity mechanisms exist between Schengen area member states to take account of this asymmetry:

- Financial adjustment mechanisms first of all, via [four European funds](#) that are not very well known: the European External Borders Fund, the European Refugees Fund, the European Integration Fund and the European Return Fund. Each member state receives a fixed share of these funds as well as a share proportional to his degree of exposure to migratory flows, which is the concrete expression of European solidarity.
- This European solidarity is also expressed via [the FRONTEX agency](#), which can offer technical assistance to member states facing considerable migratory pressure. This assistance leads to the funding of joint sea patrol operations ('Operation Hermes' off Italy in 2011); it also leads to sending

* The underlined words refer to documents available on the website of Notre Europe (www.notre-europe.eu).

'rapid intervention teams to borders (or 'Rabits', i.e. 'Rapid Border Intervention Teams'), made up of border guards from all or some of the member states, acting under the authority of the host country but financed by their country of origin. These [European teams](#) were, for example, successfully used in November 2010 when Greece asked for help to improve its handling of migration flows at the border it shares with Turkey.

- European solidarity can also be expressed in terms of its hosting refugees seeking asylum in Europe: the [Temporary Protection Directive](#) adopted in 2001 stipulates that, where a country hosts a number of asylum-seekers exceeding its hosting capacities, neighbouring countries can take on some of them.

All these solidarity mechanisms have been put in place in the last ten years, as part of a gradual Europeanisation of the management of migration flows, which has traditionally been the remit of member states. It is then hardly surprising that they can still be deepened and improved, including because they were designed to deal with 'standard' migration flows and are no doubt ill-suited to crisis situations. These improvements include in particular a big increase in European funding as part of the big upcoming budget negotiations, as well as putting in place a common system to manage huge flows of illegal immigrants (outside asylum-seekers).

The deepening of this European solidarity would no doubt contribute to making the management of the external borders of the 'Schengen area' more efficient and more balanced - in any case much more so than a hypothetical return to national borders. It is an infinitely more promising path than the expression of national responses that may fuel conflicts between neighbouring countries and the [legality of which is uncertain in terms of European rules](#). As such, the deepening of this European solidarity seems to have to go hand in hand with more responsibility of Schengen area member states, which in particular implies that:

- National authorities take on their tasks and do not systematically call for the solidarity of neighbouring countries when they are faced with migration flows of a limited size by comparison with their total population: this is why Italy and its 60 million inhabitants were not deemed to require help when they were hosting a little over 20,000 migrants from Tunisia;
- Asylum policies run by Schengen area countries are harmonised further: the [levels and rates of acceptance of asylum requests](#) vary considerably from one country to another such that those making substantial efforts in terms of openness and hosting can balk at helping those whose efforts are much lower;
- It is also necessary for national authorities to be able to trust each other and for countries that are presumed to be failing to accept the scrutiny and assistance of their neighbours: it is, for example, because Bulgaria and Romania for a long time denied the insufficient reliability of their border checks that the prospect of their joining the 'Schengen area' was greeted with some reluctance.

These aspects of the debate on the 'Schengen area' are echoed in broader discussions on a number of solidarity mechanisms put in place in the EU in old areas of action (for example the [CAP](#) (Common Agricultural Policy) and cohesion policy) as well as more recent ones (in particular in the eurozone or in the field of energy). These mechanisms are at the heart of European integration, based on the Jacques Delors 'competition that stimulates, cooperation that strengthens and solidarity that unites' formula. Notre Europe is today launching a first [series of publications](#) on these central issues, on which we intend to fuel common reflections in the coming months.