

Out of sight, out of mind

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Ever since I began writing this blog, I planned to feature contributions from colleagues to whom I owe much inspiration and motivation. Today's blog was written by Julia Duchrow, a lawyer and head of the human rights and peace department at Brot für die Welt.

Out of sight, out of mind: that seems to be the EU's motto when it comes to refugee policies. The deal reached between the EU and Turkey on 18 March represents a new low. From now on, all migrants who are intercepted in Turkish waters, or who travel irregularly into Greece through Turkey and aren't granted asylum or other protections, will be sent back to Turkey. Asylum claims are now to be examined in fast-track procedures in Greece.

But the German Constitutional Court and the European Court of Human Rights prohibit sending refugees to Greece due to its failing asylum system and catastrophic conditions for people arriving there. Years of efforts have failed to bring about the improvements that would be needed to allow sending back those seeking protection. This situation has not been changed by the introduction of so-called hotspots.

Among those to be deported are women, children and men whose asylum applications are rejected because they come from what is considered a safe third country. The EU now wants to categorize Turkey as one such country. In return, Turkey will be offered visa exemptions until mid 2016 and the three billion Euro previously promised to help take in refugees will now be distributed sooner. Turkey is to get a further three billion Euro by 2018 if it meets its obligations under the deal. The EU has also promised that for every refugee taken back by Turkey, the EU will take one Syrian refugee from a Turkish refugee camp.

This reveals the cynicism of the celebrated deal; the EU is prepared to accept Syrian refugees only when people brave the treacherous journey across the Aegean Sea. The underlying calculation: if Turkey succeeds in blocking the path through the Aegean, then nobody will be taken in. At any rate, a maximum of 72,000 refugees will be accepted into the EU from Turkey. Anyone who tries to enter the EU irregularly will not be taken in.

The principle of deterrence would have it as follows: only those who remain in Turkey – and, from these, only Syrians – have a chance at being considered for the exchange of refugees. Not the Eritreans, fleeing a dictatorial regime, not the Iraqis, fleeing the so-called Islamic State and not the Afghans, fleeing the Taliban.

Meanwhile, the human rights situation in Turkey is getting worse by the day and the country is increasingly unstable. The Turkish asylum system is far from in line with human rights standards, a fact ignored by the decision to categorize it as a safe country. Turkey entered a reservation on the Refugee Convention stating that it applied only to European asylum-seekers, not to Syrians, Iraqis or others, who will receive only a conditional or temporary refugee status. According to asylum law expert Reinhard Marx, this does not meet the standards of protection required by the Convention.

With this deal, the EU has disregarded the unusually frank reprimands of the UN High Commissioner for Human Rights, the UN Special Rapporteur on the human rights of migrants and the European Council's Commissioner for Human Rights. To the great

satisfaction of authoritarian regimes, the EU has shown that it is only interested in upholding human rights as long as its own interests aren't affected.

Instead of building on the great willingness to help shown by many sections of society in Europe, instead of improving maritime rescue operations, instead of facilitating family reunification, instead of improving the situation for those arriving at the EU's external borders, the EU has chosen barriers, deterrence and displacement. After all: out of sight, out of mind.