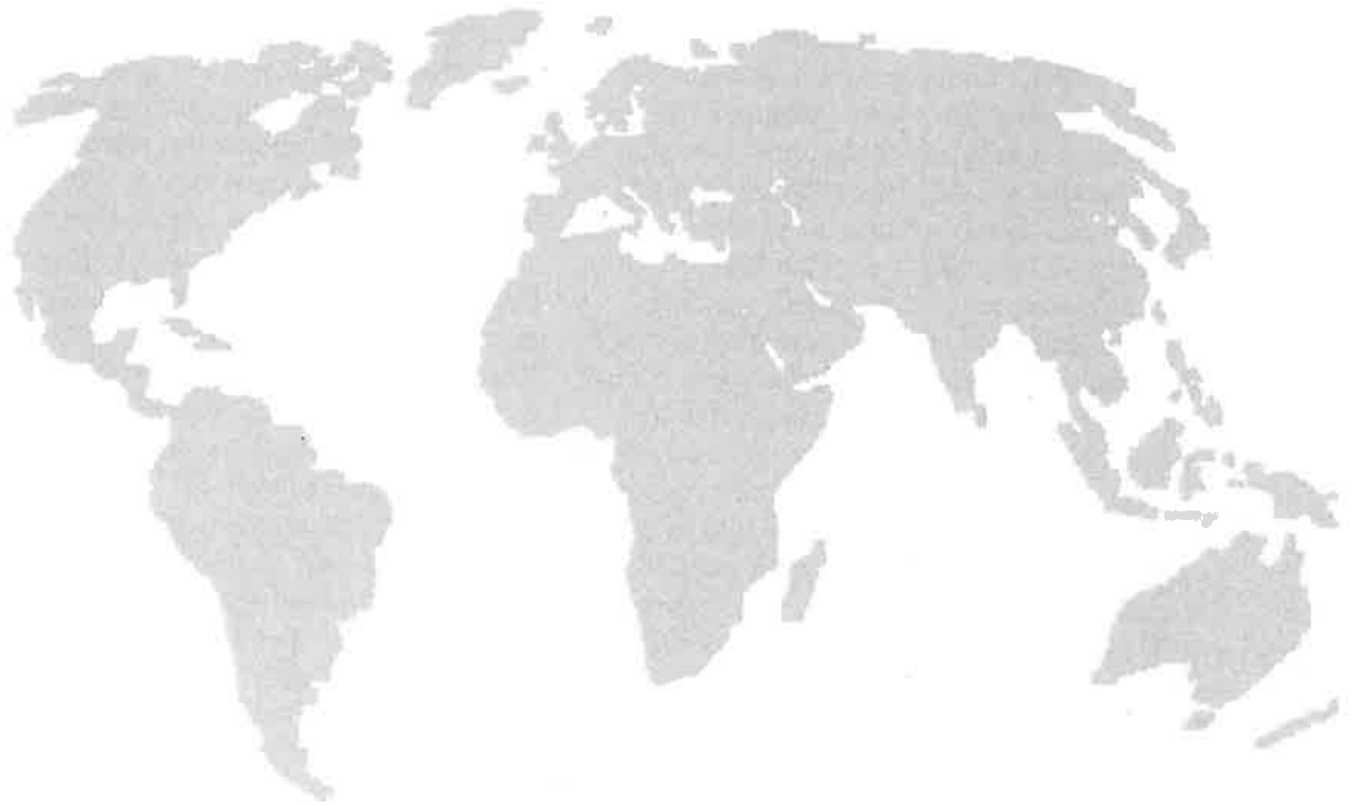

Year XXIX, Number 2, July 2016
New Series

The Federalist Debate

Papers on Federalism
in Europe and the World



*The problem of establishing a perfect civil Constitution
depends on the problem of law-governed external relations among nations
and cannot be solved unless the latter is*
Immanuel Kant

Europe Put to the Test by Influx of Migrants

Dusan Sidjanski

Europe is exposed to an accumulation of challenges and threats. Of course, today we are understandably obsessed with the migrant tragedy. Angela Merkel's open-door immigration policy showed a humane side of this female leader who believed she could act single-handedly by imposing her plan without consulting with her European partners, in particular France and Italy. Alone and overtaken by events, she has humbly asked for Erdogan's forgiveness. By acting without a European mandate, she has managed to place Turkey in a position of strength: the refugees flooding into the Greek islands are to be sent back to Turkey in exchange for financial aid, lifting of visa restrictions and the promise of restarting EU membership talks, which many Members believe will put Europe in danger of being overrun by Turks.

The migrant crisis has exposed the EU's shortcomings. It was incapable of foreseeing and preventing the influx of migrants, to which all the signs already pointed: insecurity in the wake of the fall of Gaddafi and the Arab Spring, the wars in the Middle East, Syria and Daesh, not to mention the interminable Israeli-Palestinian conflict. The consequences have not come as a surprise. Greece, still in a state of crisis, is subject to a wave of migrants arriving at its Eastern islands. As usual, the EU is slow to react. It is only now with the human catastrophe at its climax, aggravated by Macedonia shutting its border with Greece and the steady flow of migrants in their quest for a German El Dorado, that the Union has granted a 700 million euro refugee aid package for Greece and has reached an agreement with Turkey under Angela Merkel's leadership: the

EU has pledged 3 billion euros in aid in two installments, to scrap visas for Turks and to resume accession negotiations by opening the chapter on Financial and Budgetary Provisions. Mrs Merkel was pleased to announce «We have taken an important step towards finding a lasting solution». This first step implies that starting Monday 4th April all migrants illegally arriving in Greece may be sent back to Turkey.

According to this plan, for every Syrian returned to Turkey, another refugee will be readmitted to the EU. The implementation of this arrangement will alleviate the pressure on Greece. However what happens next will depend on the efficiency with which the plan is executed and the responsibility which is incumbent on both the Commission and the Greek Commissioner for Migration, Home Affairs and Citizenship.

This tragic display of a major economic power of 500 million inhabitants powerless in the face of a few million refugees and migrants will seriously damage its credibility. It will reinforce the memory of a Union which prefers to forget about unfinished projects, as was the case with the Economic Union which was supposed to follow on from Monetary Union, or the agency Frontex which was intended to guard Europe's borders. These oversights, combined with a general sluggishness to make and implement decisions and with various internal divisions, represent the many growing pains from which the European Union is suffering and which are brought to light in times of crisis.

And so, impassioned controversies have unveiled deep divides between the EU15 and the new ex-communist Members, who have publicly proclaimed that they refuse to take in Muslim

refugees and migrants. Moreover, it is these very same countries which distinguished themselves by adopting authoritarian regimes in defiance of rule of law and democracy, as well as the values

underlying the EU. Hence the urgent need to form a dynamic core group of Member States sharing their sovereign powers, their democratic values and their common future.

#DontTouchMySchengen

The Young European Federalists (JEF-Europe), firmly believing in the need for a further democratic development of the political integration of the European Union towards a federation as the only way to cope with the problems of the globalized world, always respecting the principles of democracy, freedom, subsidiarity and rule of law, called its sections and activists (30,000 in more than 35 European Countries) to mobilize in a campaign called #DontTouchMySchengen, that took place in the first week of February 2016.

Thousands of people in more than 25 cities across Europe were talking with citizens on the streets, train stations and squares. Meanwhile, thousands of Europeans were doing more or less the same on the virtual streets of social media, under the hashtag #DontTouchMySchengen, that gained a social outreach of more than 1.5 million users.

This huge support for Schengen was easily found: that agreement is one of the greatest success of the history of European integration, one of the few provisions which has truly contributed to the building of a common European identity by facilitating European-wide travelling.

This was also underlined in an open letter to the President of the European Council, Donald Tusk, promoted by JEF-Europe and co-signed by 18 pan-European organizations. Mr. Tusk, Mr. Juncker and Mr. Schulz contacted JEF-Europe, praising the initiative, alongside several MEPs and other political and civil society actors.

There are good reasons why we've all said #DontTouchMySchengen, but as a next step we should also say #TouchMyTreaties: the current situation is unacceptable, and these are the JEF-Europe's proposals:

1. Give the European Commission the appropriate tools to strictly control the suspensions of the Schengen Agreement made by Member States. The current definition of "national security" is unclear and can be easily misinterpreted or abused.
2. Implement a European border force for external borders. Under the control of the European Parliament, this force would fight against organised crime, human trafficking and all other illegal offences committed in crossing the national borders of EU Member States.
3. Implement single migration and asylum policies, in the framework of a single foreign affairs policy that respects international humanitarian law and human rights.
4. Create a single European migration agency to implement EU migration and asylum policies.
5. There should be no more internal borders in the EU; free travel should be a right of