

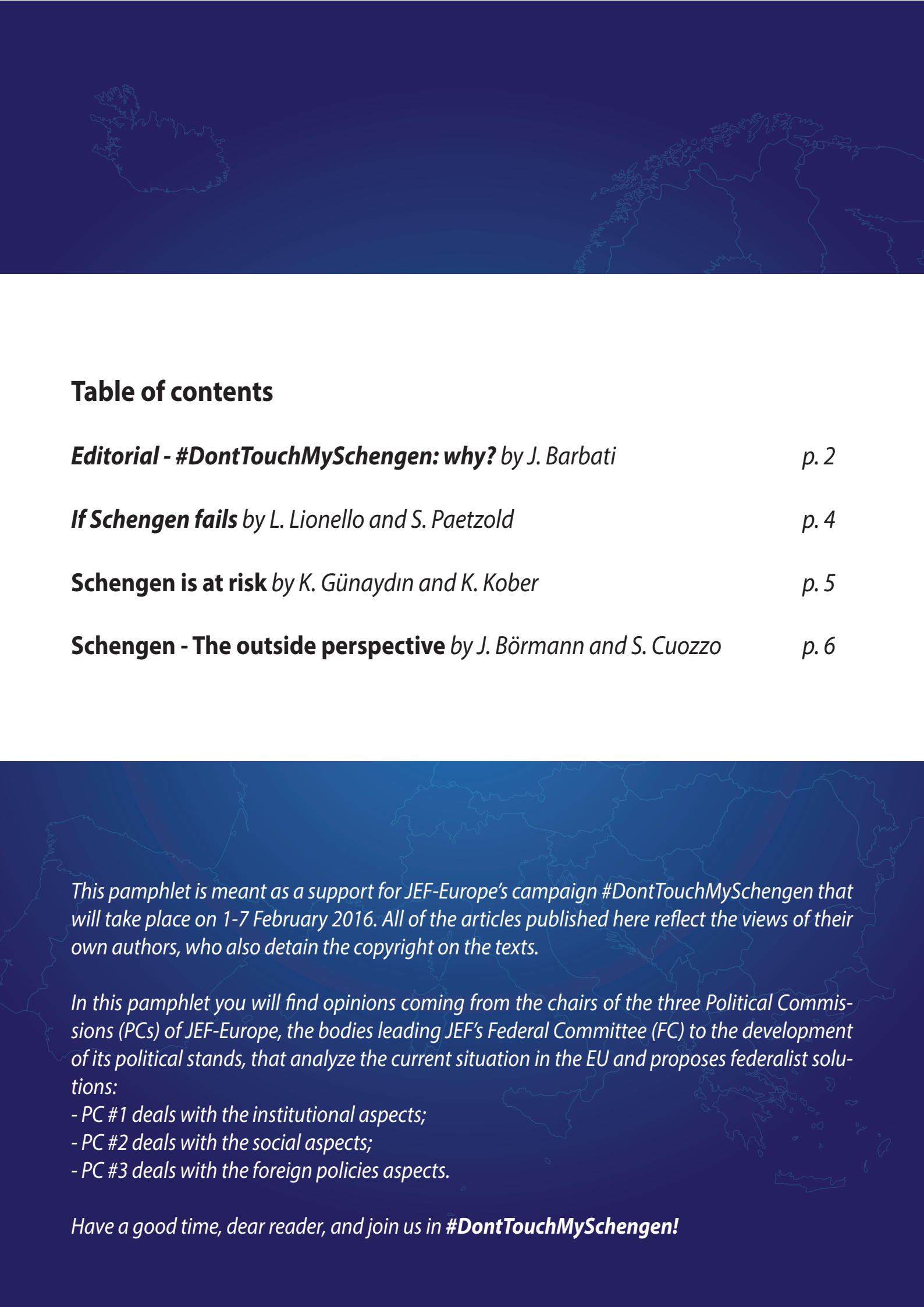


# #DontTouch MySchengen: why?

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*This pamphlet is meant as a support for JEF-Europe's campaign #DontTouchMySchengen that will take place on 1-7 February 2016. All of the articles published here reflect the views of their own authors, who also detain the copyright on the texts.*

*In this pamphlet you will find opinions coming from the chairs of the three Political Commissions (PCs) of JEF-Europe, the bodies leading JEF's Federal Committee (FC) to the development of its political stands, that analyze the current situation in the EU and proposes federalist solutions:*

- PC #1 deals with the institutional aspects;*
- PC #2 deals with the social aspects;*
- PC #3 deals with the foreign policies aspects.*

*Have a good time, dear reader, and join us in **#DontTouchMySchengen!***

## **Editorial - #DontTouchMySchengen: why?**

**by Jacopo Barbati, member of the Executive Board of JEF-Europe  
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Europe, 1 February 2016

Starting from last year, Europe - the whole Europe - is facing a new challenge: massive streams of migrants coming mainly from Northern Africa and Middle East.

For European Mediterranean Countries like Italy, Malta and Greece this has been not something new, since they always experienced the arrival of desperate people crossing the Mediterranean while hoping to leave their troubled home-lands and to get (even though illegally and with enormous risks - deadly shipwreckings were not rare) to Europe.

Some of them were asylum-seekers, but not so many; so the EU mildly developed some asylum policies under the infamous Dublin Regulations, that left heavy responsibilities to the first incoming and welcoming Countries - hence, the Mediterranean ones.

Those Mediterranean Countries were moreover left alone with their means in patrolling sea and coasts, except for the poorly equipped "Frontex+" programme, implemented after Italy's pressures due on the increasing number of illegal boat journeys (and shipwrecks) encouraged by the unstable political situation in Libya, the main harbor for those illegal journeys.

But in 2015, the Syrian civil war triggered another path for migration towards Europe, the so called "Balkan route", mainly terrestrial through Turkey, Greece, Macedonia, Serbia, Croatia, Hungary or Slovenia to get finally to the most aspired destinations, the rich Austria, Germany, Denmark, and Sweden.

In August, problems began at the border between Macedonia and Serbia and at the border between Serbia and Hungary. The Hungarian government answered with the well known "wall" and blocking migrants who made it to Budapest, while Croatia and Slovenia started tightening their border controls. Austria and Germany initially showed solidarity, with people going from Vienna to Budapest and back to carry migrants from Hungary to Austria, and people warmly welcoming Syrian refugees in several train stations in Germany.

But soon the refugees and migrants flux became too intense, the incidents involving foreigners too numerous, the indigenous people too hostile and the costs for these operations too high.

As of 1 February, internal border controls are reintroduced in Germany, Austria, Denmark, Norway and Sweden (+ France, following the 13/11/2015 terrorist attacks in Paris); Sweden is expelling 80'000 asylum seekers; Denmark will seize migrants' goods if they will exceed a 10'000 Kronas of estimated value.

Well, that escalated quickly.

In the meantime, there were several attempts within the EU to solve: let's introduce quotas for redistribution of asylum seekers; let's improve external border controls, let's renegotiate

Dublin Regulations. Finally no agreement was found on definitive decisions and eventually the EU as an institution is risking to collapse because of 500'000 migrants.

Freedom of movement within the EU is not the problem. Freedom and rights cannot be problems. The problem is that, once again, EU Member States cannot find common solutions within the intergovernmental system of the Union.

Limiting the effectiveness of the Schengen Agreement is simply wrong, because the issue of migrants fluxes towards Europe is something concerning the external borders of the EU while member States are finding a solution concerning the internal borders of the Union.

Acting unilaterally is also wrong, because this issue is affecting the whole Europe and therefore it needs a single, common answer from the whole Europe.

All this is not acceptable. And when we talk about the EU not being able to do something, we are actually talking about Member States' governments not being able to find an agreement, since the EU works with an intergovernmental system. This system has already shown, and it is going on to show, its deficiencies: few governments can damage the interest of the whole Union for the sake of their interests, not understanding that if the Union collapses, they will do as well.

The logical solution is to develop a single action regarding the protection of EU external borders, the identification of migrants and the analysis of their asylum requests, backed by single policies about foreign affairs and asylum.

It is absolutely needed to eventually overcome the Dublin Regulation and the intergovernmental system and to proceed therefore towards a federal system.

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.

This campaign will run on the social media for the whole first week of February and will culminate on 6 February in dozens of squares and streets in the whole Europe, where JEF activists will ask for a free, democratic, federal Europe and against the end of the freedom of movement in Europe. #DontTouchMySchengen!

## If Schengen fails

by Luca Lionello and Simon Paetzold, chairs of PC #1  
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*"If the spirit of Schengen leaves our lands and our hearts, we will lose more than Schengen"*

The Schengen Agreement is - as this quote by Jean-Claude Juncker shows - at the heart of European integration. A single currency would hardly make sense without the unobstructed movement of people and goods but even more important, the spirit of Schengen, the spirit of cultural exchange and cross-border cooperation, would be shaken to the very foundations. To travel without passport controls from the Atlantic coast of Portugal to the northern lights in Finland, from the stony island of Iceland to the sunny shores of the Aegean is for the younger generation a normality. In itself it is one of the cornerstones of a Europe that enhances personal freedoms and doesn't erect barriers between its people. We need not only to protect this freedom but also to move ahead and finalise the project that began with the abolishment of the EU's internal borders in order to move out of the crisis mode that Europe has been stuck in for the last years.

Already shortly after World War II, Young Europeans have been calling for the establishment of a European Federal State, with a European Parliament and a genuine European Government. Exactly on 6 August 1950, Europeans from 7 different countries staged a nonviolent protest at the French-German border where their fathers and grandfathers faced each other in battle before. With the peaceful burning of the French and German border tollgates, they made clear that borders will not separate us from each other again. 35 years on, their calls have been heard when the abolishment of border controls within a United Europe became reality with the signature of the Schengen Agreement. However, nowadays, almost twice the time it took the national governments to respond to their citizens' demands, the content of the Schengen Agreement is in peril.

In 2015, terrorist attacks have struck the continent and the number of people escaping from war and misery trying to reach European soil has increased substantially. Confronted with these European - if not global - challenges, several governments within the European Union have resorted to isolationist measures. They have closed borders, built fences and crawled away into their national nutshell. Nevertheless, in light of an ever increasing interconnectedness within Europe and with the world beyond our shared borders, these measures will in no way defend our freedoms. Moreover, while the reintroduction of border controls was a necessary step in the imminent moment of crisis, it must not become a permanent mechanism with which we respond to the challenges we are facing.

If European citizens, European politicians and the governments of Member States do not want to give up on an open Europe where individual freedoms are enhanced, the border controls within the European Union have to be reduced progressively. The opportunities for a deepened integration resulting from the current crisis need to be seized. In order to win back the hearts and minds of the European citizens the European external borders have to be secured effectively. If one State within the Schengen Area introduces border controls today, the bordering countries are compelled to introduce their own controls until this domino effect will have reached the EU's external borders. To prevent this knock-on effect the European Union should find the courage to regain control of the too often chaotic situations we have seen in 2015. Thus, the efforts invested in a common European external border management have to be increased extensively. At the same time, a common European asylum system has to be established in the spirit of European solidarity which was profoundly lacking over the last months. National Governments have so far done too little and too late as they are not living up to the commitments they have made. European and national authorities as well as citizens need to make clear that further cooperation and sharing of sovereignty are the answer to the perils that the Schengen Agreement has found itself in. In order to effectively move beyond the crisis-mode, a European Border Guard and a European Asylum system are needed in addition to a European Government that will provide its citizens with the freedom they are demanding today as they have done in the past.

## Schengen is at risk

by Kardelen Günaydın and Klemens Kober, chairs of PC #2

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Cross-border free movement without control is de facto out of order in an unprecedented way. Since autumn last year, nine out of 26 Member States have reintroduced border control, six of these are still in place. European leaders are currently stressing that within two months time a “solution” has to be found, implying that otherwise Schengen as we know it will cease to exist. This would mean the end of passport-free travel in Europe. The repercussions of this concerns all of us, as European citizens.

The Schengen agreement was a breakthrough in the history of the European Union. One of its major goals is strengthening the solidarity between European citizens by removing border controls. Reintroducing them would disrupt the unity of European people.

Free movement is at the centre of the European integration, as well as a fundamental right of EU citizens. Schengen has allowed millions of Europeans to get to know the diversity of our continent through mobility of students, workers and tourists. It has fostered closer ties between EU citizens on a human, cultural and an economic level. Thanks to the Schengen Visa, non-EU citizens also have the chance to travel all around Europe without dealing with each country's bureaucratic procedures. Schengen has thus formed a new set of links between citizens of the EU and other countries.

Giving this up will affect us all.

Keeping Schengen will strengthen the solidarity among European citizens and refugees, as well as show that values of European citizenship are founded upon inclusion, irrespective of borders. Whereas ending it will come to the help of current proposals of European leaders to cut back on social rights linked to our European citizenship, effectively undermining the basic principle of European integration: non-discrimination. Let's not be discriminated against and be stripped of our freedom of movement -instead, let's move towards more federated Europe!

## Schengen – The outside perspective

by Johannes Börmann and Simone Cuzzo, chairs of PC #3

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What it means to be outside of Schengen can probably best be observed at the little Polish-Ukrainian border crossing Hrebenne-Rava-Ruskanot, 50 km away from Lviv, the economic and cultural centre of Western Ukraine. The Polish-Ukrainian border is the eastern border of the EU most often crossed with roughly 15 million annual crossings. Crossing the Ukrainian – Polish border near Lviv has become synonymous with long delays. When buses slowly approach the border crossing it evokes dark memories of a European past when Schengen was not in place. Cars over cars are queuing for 3 hours, on good days, which can amount quickly to 6 hours depending on the Polish border police and the situation in Ukraine. It is the entry gate for a border-free travel zone as wide as Portugal and Iceland. Here, the word freedom of movement is not deprived from its progressive and promising connotation and neither Euro-crisis nor refugee-crisis could change anything in this perception. Statistics show that youth of EU Neighbourhood Countries appreciate freedom of movement, that is maybe more valued there than within the EU.

The importance of Schengen for neighbouring countries has been reflected continuously in negotiations. The EU has used its attractiveness towards third countries to pursue its foreign policy goals. It succeeded in bargaining visa facilitation or liberalisation for substantial structural reforms in candidate countries or even in countries far away from this perspective. The carrot of access to the Schengen Area still remains a mighty tool in the hands of the EU during negotiations with countries of the European Neighbourhood, from Morocco to Belarus. In 2013 visas were abolished for Moldovans, a reward for choosing closer integration with the EU over a customs union with Russia. As recent researches demonstrate, this form of political conditionality favours the adoption of domestic reforms in third countries, at least when it is getting closer to EU promoted standards. However, political will of local governments remains crucial for the implementation process to move from words to action.

Furthermore, the Schengen area has a fundamental indirect effect on third country nationals who enter the EU with short-term visas. By travelling, studying or working within the EU millions of third state nationals, particularly from neighbourhood countries and particularly young people were able to explore the experiences of freedom of movement given within Schengen. Compared with non-migrant peers, they showed more democratic and pro-European orientations. Once back to their countries of origin, they were able to share their views with their peers and influence them to bring some change in those countries. That virtuous process brought to the EU enlargement towards the East and the establishment of the Eastern Partnership in mid-2000.

By being aware of this experience, aiming at a more effective EU neighbourhood policy, the positive effect of a more solid and deeper Schengen Area cannot be underestimated. It has to be considered how travelling in the EU may have a positive influence on third-countries nationals' minds. Of course, this is not just a one way road. The mutual benefits for the EU are striking. The EU and its neighbours would benefit from a better understanding of each other and from a possible convergence on political views. The perspective of the reduction of security challenges in the EU neighbourhood is more concrete with a mindful management of the external border.

The recent humanitarian crisis brought a surge in irregular immigration, moving over the Mediterranean Sea and the Western Balkans. A lack of EU common foreign policy and failures of European Neighbourhood Policy contributes to instability at the EU borders. War in Syria and Iraq and political crisis in Libya produced an impressive number of asylum seekers that unveil how dysfunctional the EU asylum policy is.

The logic of the Dublin Regulation put a disproportionate amount of pressure on frontline EU Member States holding the common EU external land and sea borders.

To preserve Schengen's main achievement of internal free-borders, a unified asylum system is needed, in which burdens are shared equally as well as the responsibility for administration, funding, and finally repatriation or integration. Moving away from a reality in which implementation of a common policy resides on Member States' political will and national budgets, a real common asylum system is more than needed.

Recently, the European Commission made several comprehensive proposals in order to address the shortcomings of the Schengen system. To overcome the Dublin regulations, a temporary relocation system has been introduced, but it has resulted inadequate due to big numbers and was opposed by several Member States.

Secondly, a proposal to create a common European Border and Coast Guard was published on 15 December 2015 to better secure European External Borders. By reinforcing FRONTEX and better equipping it financially and capacity-wise, the Europeanisation of external border management offers a way to safeguard Schengen.

Although a redesign of Schengen is urgently needed due to conceptual shortcomings highlighted by the refugee crisis, several Member states prefer to bury their heads in the national sand. Member States are exploiting the scope of Schengen to establish temporary, for now, controls at their internal borders.

Hard to believe that putting up a fence would stop a refugee, who flees from war, death and destruction. Seeking asylum is not a crime, thus European values and the principle of solidarity between Member States are clearly at stake. In conclusion, the Schengen Area is a promise to the youth of neighbouring countries which can, if carefully applied, lead to improvements within the Neighbourhood. But taking responsibility for the common external border is an obligation for every Member State and must be reflected in the creation of a common European Border and Coast Guard. Nevertheless, it should not be forgotten that allowing asylum to persecuted people is an international obligation under the Refugee Convention, a regional obligation under the European Convention on Human Rights and an EU obligation under the EU Charter of Fundamental Rights.