



Discrepancies in the European Union's Responses: Syrian versus Ukrainian Refugee Crises *Avrupa Birliği'nin Tepkilerindeki Tutarsızlıklar: Suriyeli Mülteci Krizine Kıyasla Ukraynalı Mülteci Kriz*

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ABSTRACT

Irregular refugee flows have always constituted a serious concern for the European Union (EU). Thirteen years have passed since the starting of the Syrian Civil War and the number of displaced Syrians reached over 14 million (UNHCR 2024). While the Syrian refugee crisis was unfolding, Russian invasion of Ukraine in February 2022 has led to the emergence of an additional refugee crisis: the Ukrainian refugee crisis. The number of displaced Ukrainians reached nearly 6.5 million (UNHCR 2024). In the case of Syrian refugees, the EU have preferred to deliver humanitarian aid to those states hosting the largest number of Syrian refugees and to control irregular Syrian refugee flows rather than providing legal grants. In contrast to the case of Syrian refugees, member states largely provided Ukrainian refugees legal protection in the form of temporary protection. In this regard, while the EU has demonstrated its full commitment to 1951 Refugee Convention (Geneva Convention) regarding Ukrainian refugees, similar adherence cannot be observed in terms of Syrian refugees. The purpose of this study is to identify the responses of the EU institutions and EU member states to Syrian and Ukrainian refugee crises. Through a comparative analysis, this study spotlights the EU's contrasting policies and the geopolitical, social, and economic considerations influencing the divergent responses towards these two refugee populations.

ÖZ

Düzensiz mülteci akınları Avrupa Birliği (AB) için her zaman ciddi bir endişe kaynağı olmuştur. Suriye İç Savaşı'nın başlamasından bu yana on üç yıl geçmiş ve yerinden edilen Suriyelilerin sayısı 14 milyonu aşmıştır (UNHCR 2024). Suriye mülteci krizi devam ederken, Rusya'nın Şubat 2022'de Ukrayna'yı işgal etmesi yeni bir mülteci krizinin ortaya çıkmasına neden olmuştur: Ukraynalı mülteci krizi. Yerinden edilen Ukraynalıların sayısı yaklaşık 6,5 milyona ulaşmıştır (UNHCR 2024). Suriyeli mülteciler söz konusu olduğunda AB, yasal hibe sağlamak yerine Suriyeli mültecilere ev sahipliği yapan ülkelere insani yardım sağlamayı ve düzensiz Suriyeli mülteci akışını kontrol etmeyi tercih etmiştir. Suriyeli mültecilerin durumunun aksine, AB üye devletleri Ukraynalı mültecilere büyük ölçüde geçici koruma şeklinde yasal koruma sağlamıştır. Bu bağlamda; AB, Ukraynalı mülteciler söz konusu olduğunda 1951 Mülteci Sözleşmesi'ne (Cenevre Sözleşmesi) tam bağlılığını ortaya koyarken, benzer bir bağlılık Suriyeli mülteciler açısından gözlemlenememektedir. Bu çalışmanın amacı, AB kurumlarının ve AB üye devletlerinin Suriyeli ve Ukraynalı mülteci krizlerine verdikleri tepkileri tespit etmektir. Karşılaştırmalı bir analiz yoluyla bu çalışma, AB'nin zıt politikalarına ve bu iki mülteci nüfusuna yönelik farklı tepkileri etkileyen jeopolitik, sosyal ve ekonomik hususlara ışık tutmaktadır.

1. Introduction

The two concepts; 'asylum seeker' and 'refugee' actually have different meanings. The 'UN Refugee Convention' (UN, 1951) defines refugee as a person who is "outside his or her country of nationality and who is unable or unwilling

to return to his or her country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion" and whose application for legal asylum is accepted. On the other hand, the 'UN High Commissioner for Refugees' (The UN Refugee Agency)

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△ Yazarlar bu çalışmanın tüm süreçlerinin araştırma ve yayın etiğine uygun olduğunu, etik kurallara ve bilimsel atıf gösterme ilkelerine uyduğunu beyan etmiştir. Aksi bir durumda Akdeniz İİBF Dergisi sorumlu değildir.

defines asylum-seeker as a person who has fled their country for similar reasons and sought asylum in another country but has not yet been officially recognized as a refugee. In other words, although refugees are initially asylum-seekers, asylum-seekers are only recognized as refugees once they obtain legal authorization. While some of the people who fled the Syrian civil war and sought asylum in European countries have been granted refugee status after the application process, the application process of some asylum seekers is still ongoing. Apart from these, there is a noticeable number of Syrian people, who have entered European Union (EU) member states illegally. In this study, all these categories are considered, while analyzing the EU's handling of this issue. However, for practical reasons, the term 'refugee' will be used to refer to both those who seek asylum and those who are awarded refugee status because of this action.

The EU experienced the greatest refugee flow since the Second World War with the influx of the Syrian refugees due to the Syrian civil war which started in March 2011. The irregular flow of Syrian asylum seekers to EU member states caused deep concerns both among the EU institutions and the member states' governments. The situation turned into a critical crisis by the summer of 2015. The EU's attitudes to Syrian refugee crisis clearly demonstrated divisions among EU members states' approaches with respect to how to address the issue. The EU experienced the crisis, when it was already facing other political and economic challenges. The terrorist attacks to Paris and Brussels, consequently in 2015 and 2016, further complicated the situation and led to greater securitization of the Syrian refugee crisis. There were mainly four different responses of the EU in managing the Syrian refugee crisis including support for political transition process in Syria, collaboration with refugee-hosting states, granting asylum to a limited number of Syrians and increasing border security to prevent undocumented refugee flows. Among these responses, cooperation with neighboring states of Syria stands out as the most favorable policy of the Union. Through contributing to the migration management capacities of Türkiye, Lebanon and Jordan, the EU has sought to externalize administration of the Syrian refugee crisis.

Eleven years after the starting of the uncontrolled influx of Syrian masses to European borders, this time Ukrainian masses began to seek asylum in the EU member states responding Ukraine's invasion by Russia in February 2022. When compared with the Syrian refugees, Ukrainian refugees received a more favorable and a uniform treatment by the EU institutions and the member states. For the first time, the EU activated the 'Temporary Protection Directive' and showed full respect to international law and human rights principles. Mobilization of all existing instruments to protect Ukrainian refugees through their sincere embracement by the EU occurred. The EU preferred to simplify border controls and conditions of entry for Ukrainian refugees. The divergences and discrepancies in EU's management of two different refugee crises have led to questioning of EU's actorness as a normative power committed to humanitarian norms. In addition, coherency and consistency among member states in their commitment to a 'Common European Asylum System' (CEAS) is questioned.

This study seeks to identify the responses of the EU institutions and EU member states to Syrian and Ukrainian refugee crises. By analyzing the EU's strategic choices - providing humanitarian aid and controlling irregular flows in the Syrian context, versus granting legal protection to Ukrainian refugees- this research aims to find out the underlying factors driving these divergent responses. The methodology employs a comprehensive review of EU policy documents, and selected discourses of the key political figures in EU member states. Through a comparative analysis, this study sheds light on the EU's contrasting policies and the geopolitical, social, and economic considerations influencing the divergent responses towards these two refugee populations. The scientific contribution of this study lies in its critical analysis of the EU's response mechanisms to refugee crises, offering insights into the complex interplay of international obligations, domestic pressures, and foreign policy objectives. Firstly, the focus will be on EU's migration policies and their evolution through time. Then the EU's attitudes to the Syrian and Ukrainian refugee crises will be examined consequently in the two following sections. Lastly, EU's policies towards the Syrian and Ukrainian refugees will be compared in a detailed way.

2. The European Union's Migration Management: The External Dimension

Since the early 1990s, exacerbated by increased migration from former communist countries and the former Yugoslavia (Boswell, 2003, p. 619-21), public and political discourses in Europe have predominantly revolved around controlling migration due to the presence of serious number of asylum seekers and irregular migrants (Finotelli & Ponzio, p. 1). In addition, the rise in irregular migration, particularly from Africa to countries such as France, the Netherlands, Belgium, Germany, Italy, and Spain, prompted a shift toward implementing measures to restrict immigration policies and enhancing border controls during the 1990s. Subsequently, the European states began exploring the externalization of border controls beyond their national boundaries (De Haas, 2008, p. 1307-9). This control-oriented approach necessitated collaborating with sending and transit countries of migration. Correspondingly, at the EU level, the practice of externalization evolved, focusing on the incorporation of migration and asylum objectives into its foreign policy (Boswell, 2003, p. 619). Externalization represents the EU's objective of delegating surveillance and control mechanisms to countries situated at its external borders through formal agreements and cooperative arrangements (Geddes & Scholten, 2016, p. 67-9). This approach is perceived as a manifestation of securitization, aimed at preemptively addressing irregular and illegal migration before it escalates into an internal challenge (Alkan, 2019, p. 563).

The EU began establishing its migration policy in the 'Treaty on the European Union' (1992), which recognized immigration and asylum as common interests. With the 'Treaty of Amsterdam' (1997), the EU assumed responsibility for managing migration. This marked the beginning of the evolution of the EU's external migration management dimension (Delcour, 2013, p. 261-2). Subsequently, a number of European Council meetings

played a critical role in outlining the EU's approach to external migration management. Notably, the 'Tampere European Council' in 1999 marked a significant milestone by adopting a program aimed at establishing an 'area of freedom, security, and justice' (AFSJ) within the EU. This initiative necessitated close cooperation with countries of origin and transit to effectively direct migration flows, combat illegal migration, and address human trafficking. Additionally, the 'Tampere European Council' emphasized the importance of promoting voluntary return and enhancing these countries' capacity to address these challenges by introducing the external dimension of the EU's AFSJ (European Council, 1999).

During the European Council meeting which took place in Laeken by 2001, there appeared a strong emphasis on adopting a balanced approach within the common asylum and immigration policy. This approach aimed to safeguard refugees in accordance with the principles outlined in the '1951 Geneva Convention' while also considering the reception capacities of the Union. Additionally, the European Council advocated for the integration of the EU's migration policy into its foreign policy, highlighting the importance of establishing readmission agreements with third countries (European Council, 2001). In line with these aims, the European Council meeting in Seville in 2002 emphasized the utilization of suitable mechanisms to integrate the EU's immigration policy into its foreign relations. Notably, this summit reinforced the EU's novel strategy for addressing the underlying factors of illegal immigration. Within this framework, it proposed measures such as enhanced economic cooperation, increased development assistance, trade, and conflict prevention to enhance economic conditions in countries of origin, thereby mitigating the likelihood of migratory movements to the EU (European Council, 2002).

Herewith, the external dimension of the EU's migration management has introduced an alternative approach alongside its previous control-oriented strategy. The control-oriented approach relies on third countries to enhance their border controls, combat illegal entry, address human trafficking, and facilitate migrants' return whose entry into the EU was unauthorized. Conversely, the EU's novel preventive approach centers on addressing the underlying root causes that lead people to migrate to the Union. By targeting these causes, the EU seeks to improve the likelihood of retaining potential refugees and migrants in their original countries (Boswell, 2003, p. 619-20). While the EU has employed a combination of both strategies, Boswell (2003, p. 620) highlights the prevalence of externalization tools for migration control over preventive measures at the time of the composition of these strategies. This dominance is attributed to institutional structures and electoral pressures. The politicization of migration issues, coupled with promises of restrictions by political parties, has accentuated this trend. Furthermore, Vollmer (2011, p. 320) highlights the portrayal of immigration as a security challenge among the member states dating back to the 1980s.

The anticipated inclusion of the 'Central and Eastern European Countries' (CEEC) in 2004 brought to light new migration-related risks for the EU (Delcour, 2013, p. 262). The EU formally recognized the external aspect of its

domestic security through the adoption of the 'European Security Strategy' in 2003. This strategy highlighted challenges such as terrorism, organized crime, cross-border trafficking of humans and drugs, and illegal migration originating from state failures and violent conflicts in neighboring regions. Consequently, well-governed states in the Union's neighborhood were identified as a priority for European interests. As the interplay between internal and external security dimensions has become increasingly intertwined, the EU has embraced more of a preventive approach to addressing migration. This approach centers on the advancement of good governance, active support for social and political reforms, anti-corruption efforts, ensuring the respect for rule of law and human rights (Council of the European Union, 2003). In this way, the EU extended its security approach to third states via the 'European Neighborhood Policy' (ENP) agenda (Hernández i Sagraera, 2010, p. 571).

Within the ENP framework, migration has emerged as a key area of cooperation, aligning with the EU's objectives in the realm of 'Justice and Home Affairs' (JHA). The EU's ENP 'Strategy Paper' reflects a control-oriented approach by prioritizing border management in the formulation of 'Action Plans'. However, to avoid hindering people-to-people interactions, the 'Strategy Paper' also acknowledges the potential facilitation. This facilitation is positioned as a precursor of the conditionality mechanism, contingent upon the ENP partner countries' willingness and effective efforts to address irregular migration (Commission of the European Communities, 2004). In pursuit of preventing adverse external effects stemming from the EU's new neighbors, the ENP prioritizes migration-related aspects within its 'Action Plans'. These plans predominantly emphasized border control measures, capacity-building initiatives, and alignment with international conventions (Trauner & Cassarino, 2017, p. 394-5).

Since 2005, the EU has engaged in collaboration with third states, with a specific focus on the 'Middle East and North Africa'. Notably, Morocco, Algeria, and Libya have been prioritized within the context of the 'Global Approach to Migration' (GAM). Under this approach, the EU emphasized not only capacity-building for border management but also recognized the interconnectedness between migration and development (The Council of the European Union, 2005). In 2011, following by the Arab Spring, the EU introduced the term "mobility" into its lexicon and launched the 'Global Approach to Migration and Mobility' (GAMM). Under the GAMM, the EU emphasized the integration of development cooperation and a migrant-centered approach within its external migration policy. The scope of the GAMM was expended to prioritize the EU neighborhood as a key region. Migration and mobility dialogues, aligned with the EU's 'Common Foreign and Security Policy', were positioned as central to the GAMM. Additionally, the GAMM prioritized mobility partnerships, employing a "more for more" approach that linked visa simplification to readmission agreements (European Commission, 2011a). The EU has updated its framework for mobility partnerships by emphasizing the importance of demonstrating both willingness and capacity to collaborate in addressing irregular migration. This has formed the foundation for extending the benefits of mobility (European Commission, 2011b).

In addressing irregular migration at its external borders, the EU has strategically employed a range of mechanisms. These include migration dialogues, mobility partnerships, visa liberalization dialogues, visa facilitation agreements, and readmission agreements (Delcour, 2013, p. 262). Through political dialogues and partnerships with third countries, the EU has sought to reduce irregular migration. This endeavor necessitated collaborative efforts focused on the return and readmission of irregular migrants (European Parliament, 2019). Within the framework of the ENP review, the EU's prevailing restrictive stance became evident from 2015 onward, emphasizing the primacy of readmission. Specifically, the EU committed to leveraging all available tools to enhance collaboration on return and readmission, thereby positioning readmission at the core of discussions with countries of origin and transit concerning irregular migrants (European Commission, 2015). The linkage between the conclusion of a visa-facilitation agreement, and a readmission agreement has emerged as a pivotal element in the EU's external migration policies as a result of its preference of control-oriented approach over preventive approach especially in its neighborhood (Hernández i Sagrera, 2010).

Collaboration with third countries as a fundamental component of the EU's migration management reflects the prioritization of the EU's interests. This is evident in its efforts to mitigate pressure on its external borders and reception capacities, prevent irregular arrivals, facilitate returns, and share the burden of responsibility for protection (Vara, Andrade & Molnar, 2023, p. 902). Several policy instruments of migration management such as return and readmission agreements and development aid programs are used both for control-oriented purposes and as preventive measures targeted at alleviating the root causes of irregular migration to the EU (Niemann & Zaun, 2023, p. 2965-9). With the 'European Agenda on Migration' (European Commission, 2015) following the refugee crisis of 2015-2016 in Europe, the EU has brought its securitization approach forward where it emphasized the threats associated with the root causes of irregular migration to the EU with a view to prevent them. As an innovative approach, it introduced a negative conditionality to third countries' cooperation on readmission and visa facilitation as the ultimate carrot in a way under the 'any measure' to ensure the cooperation of third countries on readmission (Andrade, n.d.).

In 2020, the European Commission (2020) introduced its 'New Pact on Migration and Asylum'. Notably, the European Commission (2020) characterizes its approach as "humane", emphasizing solidarity among the EU member states and prioritizing the relocation of vulnerable groups through "a pool of projected solidarity measures". Yet, in alignment with the EU's tendency of addressing the root causes of irregular migration to the EU, the 'New Pact on Migration and Asylum' advances collaboration with third countries, reinforcing the already existing toolbox such as development assistance to host countries and readmission agreements to externalize irregular migration. The European Council (2023) reaffirmed in its conclusions the call for heightened EU involvement in the external dimension of migration. This engagement aims to reinforce the capacity of third countries for effective border management, curbing irregular migration flows and

improving the return rates. The European Commission's recently endorsed 'Pact on Migration and Asylum' received approval from the European Parliament in April 2024 and acceptance from the Council of the EU in May 2024, focuses on strategic integration of migration within international partnerships (European Commission, 2024a). The essential objective remains constant to mitigate irregular migration by aligning it with the broader tendency to externalizing migration.

3. The European Union's Responses to Syrian Refugee Crisis

In March 2011, more than thirteen years ago, widespread popular uprisings began in the Syrian Arab Republic governed by Bashar al-Assad regime parallel to mass demonstrations in other Arab countries widely known as the Arab Spring. Syrian demonstrators expressed their discontent with authoritarianism of the Assad regime demanding democratic reforms and freedoms. Syrian government responded to protests with hard power employing police, military and paramilitary forces. This harsh response had triggered the formation of armed resistance groups and involvement of external actors which in return dragged the country into a devastating civil war. The worsening security and economic conditions caused by the war had led millions of Syrian civilians either to seek asylum in relatively safer regions within their country or to flee neighboring states including Türkiye, Jordan and Lebanon. Dissatisfied with the living conditions in the neighboring states, approximately one million Syrians continued to seek refuge in Europe between 2014 and 2016 (Hudson, 2018, p.1). The reaching of growing number of Syrian refugees to European borders constituted a significant challenge to normative commitments of the Union and solidarity among its member states. The drama particularly tested EU's commitment to the '1951 Geneva Convention on Refugees'. The test occurred when the EU was already coping with a number of other crises such as financial problems, Brexit and the rise of right-wing political parties.

There were four leading responses of the EU regarding the Syrian refugee crisis. Despite the plurality of the responses, it would be fair to suggest that the EU prioritized containment of the crisis in its external boundaries namely within the Middle East region. First of all, the EU backed the political transition process in Syria from authoritarianism to democracy, sponsoring the legitimate demands of Syrians. To encourage political transformation in the country, the EU put pressure on the Assad regime through imposing severe economic sanctions against it. The Union has committed itself to a negotiated political solution in Syria and support for Syrian refugees through organizing annual Brussels conference from 2017 onwards. The VIII Brussels Conference was held on 30 April 2024, where the Union reaffirmed its standing with the Syrian people and dedication for them "to live in dignity and peace" (EEAS, 2024). On the international front, the Union backed United Nations (UN) initiatives such as UN resolutions and statements condemning actions of the regime and calling for a ceasefire, participated Geneva meetings led by the UN to achieve a political solution and contributed to the UN Syrian Observer Missions (Biondi, 2016, p.217). The EU also participated in gatherings of 'Friends of Syria Group'

calling for inquiry of human rights violations by the Syrian government. In addition, the Union cooperated with the 'League of Arab States' (LAS) through endorsing the Arab Plan of Action and appreciating both the LAS observer mission to Syria and LAS sanctions against the Syrian regime (Fargues and Fandrich, 2012).

The second and the most favored response by the EU was addressing the humanitarian crisis both within Syria and across the region mostly through the mobilization of aid for resilience-building. It has been the leading donor in responding to needs of Syrians both inside Syria and in neighboring states. The Union and the member states donated the largest amount, €1.1 billion, for the Syrian crisis in the 'Third International Pledging Conference', which convened in Kuwait by 31 March 2015 (Karageorgiou, 2016, p.208). The Union collaborated with refugee-hosting states neighboring Syria including Türkiye, Jordan and Lebanon, and allocated financial and technical assistance to advance the conditions of refugees within these states. Since starting of the Syrian civil war, the Union along with the member states delivered more than €33 billion to support Syrian people both within Syria and in the refugee-hosting states in the region (European Commission, 2024b). Offering tailor-made partnerships to refugee-hosting regional states, the Union aimed to stabilizing these states and developing their capacities to cope with refugee flows (Fakhoury, 2022, p.2913). While the financial assistance to refugee-hosting states by the EU seemed to be generous, overall, it has remained insufficient to present a permanent solution for the needs of Syrian refugees. According to Petillo (2023), European assistance mainly covered temporary humanitarian needs of the Syrians without offering durable answers in respect to their "access to economic livelihoods and rights or legal and human rights protections" (Petillo, 2023). Ayaz and Wadood (2020, p.4) argue that EU's financial support for Syrian refugees in these neighboring states in fact aimed at stopping the refugee flow to Europe and reinforcing the European borders.

Among refugee-hosting states in the Syria's neighborhood, Türkiye has hosted the greatest number of Syrian refugees. As of 2 May 2024, Türkiye hosts 3.6 million registered Syrian refugees (UNHCR, 2024a). Many Syrian refugees have viewed Türkiye as the gateway to Europe. In the meantime, being aware of Türkiye's role as the key transit country for Syrian refugees, the EU has sought to relocate the cost and the risk related with refugees to Türkiye offering the reactivation of bilateral relations via accession talks and Europeanization (Bilgin and Arıkan, 2021, p.833). Externalization of the crisis by the EU particularly increased after 2013. The EU and Türkiye concluded the 'Readmission Agreement' on December 16, 2013. (Republic of Türkiye, Ministry of Foreign Affairs, 2013). With this deal, Türkiye agreed to accept undocumented migrants (both Turkish citizens and citizens belonging to third countries) in the EU if there is proof that they came from Türkiye. In return, EU authorities accepted to start dialogue with Türkiye on visa liberalization for Turkish nationals traveling Europe. Further externalization of the refugee crisis occurred in summer 2015 when the number of Syrian refugees aiming to reach European countries

reached to a peak. By November 2015, intensified dialogue between European and Turkish authorities led to the drafting of 'Joint Action Plan' to address the refugee crisis. According to the plan, Türkiye would offer employment opportunities to Syrians in the labor market, increase the security of its borders and share greater information, and in exchange the EU would grant three billion Euros of additional assistance to Türkiye through the Facility for Refugees (Van Genugten & Lubbe, 2016 p.356).

The next arrangement between the Union and Türkiye came on March 18, 2016, as the two sides agreed on a refugee agreement aimed at putting an end to smuggling routes and preventing the influx of illegal migrants to Europe. Agreement included Türkiye's taking back undocumented migrants who reached Greek islands from Türkiye through the Aegean Sea (Fisseha, 2017, p.48). The agreement included 'one-for-one deal'¹ which required the return of one Syrian refugee in a Greek island to Türkiye and in return a Syrian refugee in a camp in Türkiye would be settled in the EU (Dahlman, 2016, p.8; Das and Sharma, 2023, p.216). The deal provided 6 billion Euros of refugee fund from the Union to Türkiye, relaxation of visa requirements for Turkish citizens by the end of 2016 and revival of accession talks among the two sides (Muftuler-Bac, 2022, p.304; Goalwin, 2018, p.130). The agreement is widely criticized by the international community due to its controversial legal, moral and practical dimensions. It has been found incompatible with "the non-refoulement principle of the Geneva Refugee Convention, Universal Declaration of Human Rights and the EU Fundamental Rights Charter" (Fisseha, 2017, p.48). As Menendez (2016, p.411) rightfully points out, the agreement demonstrated not only the Union's acting in an irresponsible way, but also its limit for an effective asylum system for a large group of Syrian people. In its cooperation with Türkiye on the refugee issue, the Union utilized three leading instruments including 'Facility for Refugees in Türkiye', 'the Conditional Cash Transfer for Education program' and 'Emergency Social Safety Net program'. Through these instruments, the EU sought to positively contribute to the living conditions of Syrian refugees third countries (Muftuler-Bac, 2022, p.305).

Other than Türkiye, the EU sought to externalize its migration regime regarding Syrian refugees through cooperation with Lebanon. While Türkiye is the state to accommodate the largest number of Syrian refugees, Lebanon has hosted the greatest number of Syrian refugees in terms of its population. As of 31 April 2024, Lebanon hosts 779,645 registered Syrian refugees (UNHCR, 2024b). Through presenting positive incentives to Lebanon such as employment of financial tools to support Lebanese economy and strengthening bilateral trade relations, the Union has sought to strengthen resilience of the country regarding hosting of the refugees (Fakhoury, 2022, p.2914). In this respect, the 'Lebanon Compact' is the most relevant framework adopted by the EU and Lebanon on November 11, 2016. Through the Compact, the Union would provide initially around 400 million Euros for the 2016-2017 period and additional funds to Lebanon "to improve the living conditions of both Syrian refugees in Lebanon and vulnerable host communities". (European Commission,

¹ The deal is also known as 'refugee-swap-deal' or 'one in, one out deal'.

2017b). To assist Syrian refugees, the EU aimed at supporting Lebanon's economy along with investing in infrastructure and other developmental projects in the country (Republic of Lebanon, Ministry of Economy & Trade, n.d.). In exchange, Lebanon would simplify documental procedures for refugees and offer them employment opportunities in specific sectors, for instance agriculture (Fakhoury, 2022, p.2915).

Besides Türkiye and Lebanon, the EU has cooperated with Jordan contributing to its capacity to respond Syrian refugees. As of 30 April 2024, Jordan hosts 634,728 registered Syrian refugees (UNHCR, 2024c). Seeberg (2022, p.199) mentions that the EU has closely followed the daily circumstances of Syrian refugees in Jordan within the framework of its ENP and the Union has been the largest donor to support Jordan's migration regime. Through its financial aid to Jordan, the Union has sought to limit the Syrian refugee flow to Europe. By February 2016, the EU and Jordan concluded the 'Jordan Compact'. Through the Compact, the Union pledged to deliver Jordan around 747 million Euros for 2016-2017 period, to be used as humanitarian aid and macro-financial assistance (European Commission, 2017a). The compact sought to encourage trade ties between the Union and Jordan in return for greater integration of Syrian refugees to Jordanian society (Petillo, 2023). Specifically, Jordanian export sector was offered favorable entrance to the EU markets in return for Jordanian Government to offer jobs to 200,000 Syrian refugees in the country (Almasri, 2024, p.1).

The third response of the EU to Syrian refugees is granting asylum to a limited number of people. During the initial phase of the crisis, from 2012 to spring 2015, there had been relatively more positive responses to the Syrian refugees. Some member states such as Sweden and Germany welcomed Syrian refugees, provided them considerable humanitarian support and took their asylum requests under consideration (Fisseha, 2017, pp.44-45). Yet, as underlined by Ayaz and Wadood (2020, p.4) the overall number of Syrian refugees admitted into the EU member states remained low when the total number of refugees hosted by the neighboring countries of Syria is considered. In fact, EU member states had remained short of demonstrating a uniform approach with respect to Syrian refugees. The situation took a more complicated shape when Syrian refugees' entry to Europe reached to its peak by spring 2015. At that time, as an alternative to the Mediterranean route, the Aegean direction from Türkiye's western shore to east Aegean Greek islands became very popular among the refugees to reach Europe. (Hudson, 2018, p.2). The Syrian refugee crisis soon became the worst humanitarian crisis for Europe after the Second World War. Tragic boat accidents had increased pressures on the EU to adopt an effective strategy to address this critical issue. In particular, the heartbreaking picture of "three-year old Syrian boy Aylan Kurdi" whose body washed ashore while trying to reach "the Greek island of Kos with his family" shocked the international community (The Guardian, 2015).

The total number of asylum submissions to member states reached around one million leading the EU policymakers to formulate a "ten-point action plan on migration" on 20 April 2015 including measures to control migration flows and proposals on relocation and resettlement of migrants in

Europe which constituted the backbone of the 'European Agenda on Migration' which the European Commission offered by May 2015 (Saatçioğlu, 2021, p.811). Basically, the proposal aimed at achieving "solidarity and responsibility-sharing among EU member states" through reducing the burden of frontline countries, Greece and Italy, that had been subject to extraordinary number of refugee arrivals (Saatçioğlu, 2021, p.808). However, though time, the ongoing refugee influx caused divisions among member states about how to cope with the crisis. The divergences did not only occur among the member states, but also within these states. Some states and groups within states viewed the issue from a humanitarian perspective welcoming refugees and helping them, whereas some others approached the issue from a different angle expressing their security, economic, cultural concerns and supporting anti-immigrant policies (Ayaz and Wadood 2020, pp.1-2).

Disparities had their mark on states' willingness to fulfill their responsibilities towards the refugee-seeking Syrian people. As Thielemann (2018, p.63) states; during the acute stage of the crisis in 2015, the EU just admitted roughly matching number of Syrian refugees compared with that of Lebanon and almost half the number in comparison with Türkiye. Among the EU member states, being more willing and welcoming, Germany accepted the largest number of Syrian refugees. In 2015, Germany accepted "more than one third of all asylum applications lodged by Syrians in the EU" (Thielemann, 2018, p.63). Announcing its "Welcome Politics" through Chancellor Angela Merkel's "We Can Do It" motto, Germany opened its doors to Syrian refugees and adopted policies to integrate Syrian refugees socially and economically to German society (Karci, Dogan, & Berument, 2022, p.202). According to Momin (2017), Germany's adoption of a welcoming, human rights-based approach towards Syrian refugees was primarily driven by moral imperatives. This approach was influenced by a combination of Germany's historical political responsibilities, its social role and status, and its capacity to assume a leadership position within the EU, thereby resulting in its actions to fulfil its duty to protect refugees (Momin, 2017, p. 78). As pointed out by Açıkalın (2020, p.253), another reason behind Germany's humanitarian response to Syrian refugee crisis was undeniably related with the impact of Angela Merkel's vision and values, shaped by her leadership and personal background, on Germany's foreign policy as a "solution-seeker that focus humanitarian, political and social aspects of solution". Here, it would also be fair to suggest that Germany's liberal approach to Syrian refugees in 2015 has not always exhibited a fully consistent tone. Ayoub (2023) underlines that this initial welcoming response in 2015 was followed by more restrictive asylum legislation by Germany. Ayoub (2023, p.590) argues that this noticeable change in Germany's initial response and following policy could be attributed to an external force that is "Germany's obligation to adhere to the CEAS" and an internal force that is "the influence of the different policy actors involved in the asylum legislation".

Following Germany's footsteps, Sweden received the second highest number of Syrian refugees. But, in terms of population size, smaller countries including "Sweden (8.4 applicants per 1,000 of population), Austria (3.3) and Malta (3.2)" hosted relatively larger number of Syrian refugees

(Thielemann, 2018, p.66). Breaking ranks with the above-mentioned states, France initially rejected the European Commission's request to accept minimum 40,000 refugees, but as the crisis unfolded, Francois Holland government agreed to accept 30,000 refugees (Ayaz and Wadood 2020, p.4).

In the meantime, not all EU member states adopted a welcoming approach to Syrian refugees. For instance, Italy, the first state of entry in the Mediterranean Sea for many refugees because of its geo-strategic position, is known with its appalling attitude towards Syrian refugees and is widely criticized by the international community (Ayaz and Wadood 2020, p.4). Likewise, Greece and Bulgaria have not adopted a friendly approach to Syrian refugees with their dysfunctional asylum systems (Ayaz and Wadood 2020, p.4). This resulted in limited asylum of Syrian refugees by these states. In the case of Italy, 58% of asylum applications were rejected in the third quarter of 2016 (Panebianco & Fontana, 2018, p.9). Greece received 63,010 asylum applications by Syrians among which "the number of positive asylum decisions was only 15,990" (Karci, Dogan, & Berument, 2022, 202).

The fourth and the last response by the Union towards the Syrian refugees is increasing border security to prevent undocumented refugee flows. Unexpected increase in the number of unauthorized immigrants led not only the EU policymakers, but also member states' governments to adopt various measures to safeguard their borders (Das and Sharma, 2023, p.215). The terrorist attacks by ISIS (Daesh) to European cities such as Paris (2015), Nice (2016) and Brussels (2016) also largely contributed to concerns with respect to whether terrorists infiltrated into Europe through refugee camps. These terrorist attacks caused erosion in the European public opinion regarding refugees and made some EU states to become more cautious in receiving refugees (Hudson, 2018, p.7; Fisseha, 2017, p.50). On October 6, 2016, European Commission introduced "the European Border and Coast Guard Agency (EBCGA–Frontex)" which was based on the foundations of Frontex² with the aim of monitoring external borders of the EU, improving the internal security of member states and managing migration in a more efficient way (European Commission, 2016). Through the EBCGA–Frontex, the Union has undertaken joint border control operations and maritime operations such as Poseidon and Triton in the eastern and central Mediterranean to avoid additional loss of lives at sea (Thielemann, 2018, p.73; Panebianco & Fontana, 2018, p.7).

Besides the launch of specific agencies by the EU, some member states have sought to intensify border controls and to strengthen their borders. Faced with massive wave of Syrian refugees in 2015-2016, several member states began to implement internal border controls and restrictions which constituted a serious challenge to Schengen system (Topping, 2016, pp.331, 339, 368). As Panebianco & Fontana (2018, p.9) rightfully suggest "the promised 'uniform-protection-no-matter-where' is hostage of variable geometries of protection and of divisions among member states, with an evident failure of the duty of protection entailed by the notion of sovereignty". Some

member states even enclosed the borders with barbed wire and deployed border guards. For instance, by the fall of 2015, Hungary built a fence between Serbia and its border to deter refugees from entering which in return led refugees to shift their route to the border between Serbia and Croatia (Hudson, 2018, p.7). Bulgaria also constructed fences in its border with Türkiye to discourage massive arrivals from its neighbor (Panebianco & Fontana, 2018, p.9). Greece chose to further deploy 1,800 border guards to its border with Türkiye though the Evros/Meriç river and "placed 26 floating barriers along the river" to prevent additional Syrian refugee flow (Fargues and Fandrich, 2012).

Having analyzed the Union's above-mentioned responses regarding the Syrian refugee outbreak, it would be fair to suggest that the Syrian refugee crisis has underlined the failure of the CEAS. Despite institutional efforts to adopt a uniform policy, divergences among EU member states' perceptions as well as management of asylum-seekers have prevented the Union to have a common asylum policy particularly in practical terms. Yet, a common preference can be observed among the member states on the externalization of the migration regime through signing deals with Syrian-refugee hosting states, delivering aid to these states for the support of the Syrian refugees and transferring relevant risks to Syria's neighbors. The increasing reluctance of the EU member states to admit Syrian asylum-seekers and growing tendency to securitize their policies towards refugees have also led to questioning of Union's commitment to humanitarian values.

4. The European Union's Responses to Ukrainian Refugee Crisis

With Russia's attack on Ukraine by late February 2022, the EU encountered with an additional refugee crisis at its borders. In the aftermath of the invasion, Poland, Slovakia, Hungary and Romania -the EU member states bordering Ukraine- witnessed the influx of over half a million displaced persons from Ukraine. The EU was very quick to provide prompt and efficacious support to individuals escaping the war in Ukraine. The European Council (2022) convened on the same day of the Russia's assault, showing solidarity with the people of Ukraine and calling for the European Commission to propose contingency measures. In consideration of holders' of Ukrainian biometric passports visa-free entry into the EU for 90 days, and its proximity to the Union coupled with the EU's eagerness to manage the conflict by respecting basic rights and international agreements, the Commission on 2 March 2022 proposed the recognition of "a mass influx of displaced Ukrainians and other third-country nationals and stateless persons legally residing in Ukraine at the time of the conflict, based on the 'Temporary Protection Directive 2001/55/EC' of 20 July 2001" (European Commission, 2022b). Border controls and conditions of entry for people fleeing Ukraine were immediately simplified (European Commission, 2022a). The Council unanimously accepted the Decision 2022/382 by 4 March 2022, actuating the 'Temporary Protection Directive' once since its adoption in 2001.

With this decision, the EU provided Ukrainian nationals who were forcibly displaced after 24 February 2022 due to

² Frontex is a European agency, established by the EU in 2004 to coordinate and support external border enforcement among the member states.

the military incursion initiated by Russia with legal protection in the form of temporary protection. Furthermore, this temporary protection is meant to extend to third-country nationals who have been displaced from Ukraine following 24 February 2022, and who were recipients of refugee status or equivalent protection prior to that date (Official Journal of the European Union, 2022). Temporary protection is an exceptional measure implemented for at least one year with the option for extension up to three years -a period which has recently been extended from 4 March 2024 to 4 March 2025. Although each EU Member State has some sort of flexibility to implement the framework, the fundamental objective is to adopt an immediate and humane approach exemplifying unity at the Union level. Temporary protection grants essential rights such as, access to housing, education, labor market, medical and social services across the EU (EU Solidarity with Ukraine, n.d.). Furthermore, the EU consolidates its rights-based approach to the Ukrainian refugee crisis with the 'Temporary Protection Directive' since it authorizes the Member States to enact their national temporary protection arrangements if they provide more advantageous provision than the Directive itself (Official Journal of the European Union, 2022).

Temporary protection status confers upon Ukrainian refugees' certain rights that are not extended to other asylum seekers within the EU. Notably, Ukrainian refugees possess the autonomy to choose their preferred city or country of residence as opposed to being obligated to seek asylum in the "first safe country" they arrive at (Kirby, 2022). This approach departs from the 'Dublin Regulation' and the EU's traditional migration management policies that were in practice during the 2015 refugee crisis. Besides, the 'Temporary Protection Directive' does not mandate Ukrainian refugees to remain within a single state, permitting Ukrainian refugees to travel within the EU following their admission into EU territory (Luyten, 2022), leaving the consideration of refugee quotas for national reception systems out of account. The rationale behind this approach stems from the need to lessen the pressure on the national asylum systems of the member states and solve the solidarity-responsibility crisis given the burden on the first arrival countries. In the case of the Ukrainian refugees, Germany, Poland, Czech Republic, Italy and Spain act as "traditional destination countries" by hosting the highest record of Ukrainian refugees under temporary protection in the Union whose number exceeded 4 million in 2023 (EU Monitor, 2023). The EU has also established the 'Solidarity Platform' to coordinate the implementation of the 'Temporary Protection Directive' in collaboration with all parties, namely the EU member states, Schengen Associated States, EU Agencies, Ukrainian authorities, and international and other partners including civil society organizations. One key objective of the 'Solidarity Platform' is to pursue the solidarity-responsibility balance by coordinating on the reception and accommodation capacities of the member states (Migration and Home Affairs, n.d.).

The EU's right-based approach to the Ukrainian refugee emergency with the adoption of the 'Temporary Protection Directive' has been enhanced with some measures for readying the Member States both financially and technically to serve the needs of Ukrainians fleeing war. In order to ease

the burden associated with the reception of the Ukrainian refugees at the Member States, the EU demonstrated solidarity at the Union level. The EU has taken measures to facilitate the disbursement of funds to bolster the capacity of member states accommodating refugees, ensuring they have adequate resources to address the growing demands for accommodation, educational services, and medical care. In this regard, the EU has implemented policies to enhance the flexibility in the allocation of EU cohesion policy funds, and to broaden their scope to offer member states immediate fiscal support for their actions in accommodating Ukrainian refugees (Council of the European Union, 2022a). Also, with the initiative of the 'Cohesion's Action for Refugees in Europe' (CARE), it is aimed to facilitate the Member States in delivering urgent assistance such as temporary housing or healthcare to meet the fundamental needs of persons fleeing Ukraine due to the Russian invasion. Additionally, CARE may be used to bolster the administrative capabilities of the Member States to address refugees' needs and to implement long-term strategies for their integration (European Commission, n.d.). In response to Poland accommodating the most substantial number of Ukrainian refugees, approximately at around 1.5 million just within the first eight months of the Russian invasion, the EU has committed around 145 million Euros within the context of the 'Asylum, Migration and Integration Fund' (AMIF) to assist Poland in delivering extensive and immediate relief (Lesinska, 2022).

In addition to the rights associated with the temporary protection status and the freedom to move within the Union, other measures were taken to provide support to the Ukrainian refugees across the EU. The Council of the European Union (2022b) agreed on a recommendation regarding the exchange of Ukrainian national currency into EU currencies free of charges at the Member States, aiming to support persons fleeing the war in Ukraine. Additionally, a voluntary agreement between the EU and Ukrainian telecommunications has been established to permit Ukrainian refugees to contact Ukraine for free or at nominal charges (Council of the European Union, 2022b). The EU signed agreements with Ukraine for cooperation on health to enhance the availability of healthcare services, and on education to improve educational support for Ukrainians under temporary protection in 2023 (European Commission, 2022c).

The Ukrainian refugee crisis has shown the EU's normative approach, political will as well as capacity as an actor to deal with such an influx. The EU's approach to the Ukrainian refugee crisis mainly aimed to protect the refugees within the EU with a very humane attitude, calling it "the largest humanitarian crisis that Europe has witnessed in man years." (France24, 2022). The President of the European Commission, Ursula von der Leyen's remarks that "Europe stands by those in need of protection. All those fleeing Putin's bombs are welcome in Europe" (European Commission, 2022a) revealed the EU's welcoming approach from the onset of Russia's invasion. The EU's and the Member States' welcoming approach to the Ukrainian refugees have been shaped by several factors. One factor stems from the conclusion of the 'EU-Ukraine Association Agreement' in 2014 as part of the ENP, and the setting of visa-free travel to Schengen Area in 2017 which have prepared the ground for an unexpected inflow of Ukrainians

with the war easing Europe to embrace the Ukrainian refugees (Aslund, 2022, p. 4-6).

Some member states who have refused to admit non-European refugees since the 2015 refugee crisis and are known for their brutal treatment of these refugees at their borders exemplified double standards in their responses to show solidarity with the Ukrainian refugees (Reilly & Flynn, 2022). One significant factor to do with these member states' welcoming approach towards Ukrainian refugees' is Ukrainian's proximity to Europeanness. In this regard, Poland has set an example for welcoming the Ukrainian refugees based on their religious, historical and cultural commonalities. On the same day of the onset of Russia's invasion, Poland's immediate response was to manifest solidarity with "our Ukrainian brothers" through the announcement of the launch of reception centers at the border with Ukraine, which had been prearranged in anticipation of an influx of refugees (Ministry of the Interior and Administration Republic of Poland, 2022). Physical proximity was another theme that was prominent in the statements of hardliners against the reception of non-European and non-Christian refugees. For instance, Austrian Chancellor Karl Nehammer – a hardliner against the reception of Afghan refugees in Austria- stated that they would accommodate Ukrainian refugees "if necessary" since "it's different in Ukraine than in countries like Afghanistan", grounding his stance on "neighborhood help" (Bayoumi, 2022). Some member states' welcoming responses reflected the perceptions and discourses of refugees as a security threat. Discriminatory statements were also explicit in their welcoming of the Ukrainian refugees. An example for this kind of discourse is set by Bulgaria's Prime Minister Kiril Petkov in his following statements: "These are not the refugees we are used to... These people are Europeans... These people are intelligent. They are educated people. ... This is not the refugee wave we have been used to, people we were not sure about their identity, people with unclear pasts, who could have been even terrorist." (Faiola, Noack & Adam, 2022). Another example is set by Hungary's Prime Minister Viktor Orban, who is well-known for his stance against the Syrian refugees, in his acknowledgement of support for Ukrainian refugees based on "elementary human, Christian instinct" by claiming that the Muslims leaving their countries arrive at Europe "in hope of a better life" while "Ukrainian refugees who have come to Hungary because of the war." (Hungary Today, 2022).

5. Comparison of EU's Responses to Two Refugee Crises

In this section, the initial focus will be on the differences between EU's attitudes towards Syrian and Ukrainian refugee crises. Then the factors behind the disparity in EU's handling of Syrian and Ukrainian refugees will be examined. The first difference between the EU's addressing of Syrian and Ukrainian refugee crises is the reluctance of the EU institutions and the member states to view the Syrian refugee crisis purely as a humanitarian issue, whereas general tendency towards the Ukrainian refugee crisis is shaped by the prioritization of the humanitarian aspect. Hesitancy to offer settlement to Syrian refugees has been nourished by the economic and security concerns and related doubts, whereas Ukrainian refugee crisis has been

perceived as an urgent humanitarian disaster to be addressed. Following Russia's incursion of Ukraine, both the EU institutions and the member states hurried to provide humanitarian backing to Ukrainian refugees in a highly organized manner, while this has never been the case when it comes to Syrian refugees. As Hierro and Maza (2024, p.1) rightfully point out; "the climate of widespread support" in the Ukrainian refugee crisis "contrasts sharply with the majority 'look the other way' attitude" seen in the Syrian refugee crisis.

The second difference between the EU's responses to above-mentioned two refugee crises is EU organs' and member states' full commitment to international law and humanitarian norms in the Ukrainian case, whereas there has been incoherent and inconsistent commitment to international law in the Syrian case. The EU fulfilled its responsibilities as a normative actor regarding Ukrainian refugees, while there has been a visible "gap between EU's norms and actions" in the Syrian case (Gürkan & Coman, 2021, 277). While member states refrained from fulfilling their obligations to protect Syrian refugees harmonizing with the 'Geneva Convention' and its 1967 Protocol, the European Council's actuation of the 'Temporary Protection Directive' (2001) occurred by March 2022 with respect to Ukrainian refugees. In addition to the activation of 'Temporary Protection Directive', the EU extended "Ukrainian refugees' stay visas up to 1 year" in the aftermath of the Russian invasion (Okten Sipahioglu, 2023, p.194). In contrast to the rights granted to Ukrainian refugees, Syrian refugees have been denied such rights by the EU. In this regard, it would be fair to maintain that the EU performed as a normative player in responding to Ukrainian refugees through sincere commitment to humanitarian principles and values, even bending the rules and making special arrangements. Unlike its adherence to humanitarian norms in the case of Ukrainian refugees, EU's normative power is widely debated in the case of Syrian refugees.

The third difference among EU's responses to these two refugee crises is EU's adoption of a burden-sharing approach towards Ukrainian refugees, whereas the EU adopted a burden-shifting attitude towards Syrian refugees. The EU authorities and governments of the member states are willing to share responsibilities among themselves in handling the Ukrainian refugee crisis within the boundaries of the EU. In hosting Ukrainian refugees, member states of the Union have shown unprecedented hospitality and generosity from which Syrian refugees have largely been deprived. In sharp contrast to the will to solve the Ukrainian refugee crisis within the EU through responsibility sharing, EU authorities preferred to externalize the Syrian refugee crisis through shifting responsibility to Syria's neighboring states. Rather than preferring to directly host the Syrian refugees, member states chose to accomplish international agreements with host states such as Türkiye, Lebanon and Jordan to shift the costs to third states (Panebianco & Fontana, 2018, p.9). The EU pursued to reinforce the adaptive capacities of these host states through providing humanitarian assistance to them so that these host states can keep Syrian refugees. In contrast, the member states themselves offered resettlement opportunities to Ukrainian refugees.

The fourth difference between EU's responses to these two refugee crises is EU bodies' and member states' tendency to securitize the Syrian refugee crisis, whereas this has not been the case regarding Ukrainian refugees. When the Syrian refugee flow reached to its peak by spring 2015, many member states tended to secure their borders from refugees' entry. Furthermore, there was tightening of border security across EU member states though strengthening their borders by constructing walls and fences. Securitization has not been observed in EU's response to Ukrainian refugees. Despite tightening border checks with respect to Syrian refugees, relaxation of border checks occurred regarding Ukrainian refugees.

The fifth difference is, despite exceptions, Syrian refugees have largely faced discrimination across European societies mostly due to their race and ethnicity, whereas embracement has been the dominant attitude towards Ukrainian refugees across the same context. The EU members states which refused to host Syrian refugees welcomed Ukrainian refugees by open arms. Positive perceptions of Ukrainian refugees are reflected in generous greetings by societies within the EU which clearly contrasted with negative perceptions of the Syrian refugees reflected in their unfavorable treatment by the European societies (Alsabeti, 2023, p.73).

The last difference can be observed with respect to member states' willingness to open their doors to Syrian and Ukrainian refugees. In terms of the Syrian refugee crisis, they are mainly the high-income EU member states to accommodate the largest number of Syrian refugees. Specifically, Germany is the leading state within the Union to host the greatest number of Syrian refugees. As a relatively higher income member state, Germany has also received a noticeable number of Ukrainian refugees. Yet, even more than Germany, they are the eastern EU countries including Poland, Czech Republic, Estonia, Lithuania, Bulgaria and Latvia to accept quite high number of Ukrainian refugees notwithstanding their limited asylum capacities (Hierro & Maza, 2024, p.4, 8). On the contrary, Syrian refugees have rarely been accepted by the eastern European states within the Union.

Having examined the differences among EU's attitudes to Syrian and Ukrainian refugees, now the concentration will be on the factors behind the differential treatment of Syrian and Ukrainian refugees. The first factor is related with the geographical proximity to EU borders of the two countries, from where the refugees are coming. None of the Union's member states is severely subject to Syrian refugee influx or shares a common border with Syria. When compared with Syria, Ukraine is geographically closer to the EU as it shares common borders with four member states including Slovakia, Romania, Poland, and Hungary. Thus, the Ukrainian refugee crisis has taken place in the immediate neighborhood of the EU and Ukrainian refugees fleeing from Russia's invasion have straightforwardly entered the EU.

The second factor behind disparity in EU's policies towards Syrian and Ukrainian refugees is correlated with divergences in EU's diplomatic relations towards the countries, where the refugees are coming from. Prior to

starting of the Syrian uprising in March 2011, relations between the Union and Syria were shaped by 'Euro-Mediterranean Partnership' (EMP) introduced in the 1995 'Barcelona Summit'. However, an Association Agreement has not yet been signed between Syria and the Union. On the other hand, affairs between Ukraine and the Union have been shaped as part of the 'Eastern Partnership'. The entrance of the Association Agreement between the Union and Ukraine into force dated back to September 2017 approximately five years before the Russian invasion. In June 2022, four months after Russia's occupation, Ukraine was awarded candidate status for membership to the Union. Lastly, accession talks started between the EU and Ukraine by December 2023. When compared with its ties with Syria, the EU has clearly established closer diplomatic ties with Ukraine including it within its enlargement agenda.

The third factor behind divergence in EU's policies towards Syrian and Ukrainian refugees is related with cultural, religious and racial issues. Ukrainian refugees are viewed as Europeans as they share similar cultural, religious and racial characteristics with those European societies hosting them. Unlike the Ukrainian refugees, Syrian refugees are viewed as the 'other': Muslim versus Christian, Middle Eastern versus European, white versus darker skin (Abbas, 2019, p.2456). Widespread suspicion about the "Europeanness" of Syrian refugees has given rise to serious concerns about their integration to European societies. As opposed to favorable treatment of Ukrainian refugees by European societies, Syrian refugees have mostly faced discrimination based on prejudices by the European public. Syrian refugees even have to cope with xenophobic public attitudes shaped by negative public media coverage. For instance, Bulgarian media has presented coverages of Syrian refugees associated with epidemic diseases and radical Islam (Nancheva, 2015, p. 447).

The fourth factor behind variance in Union's dealing with Syrian and Ukrainian refugees is related with the relevancy of the incident which led to the refugee flow. The Syrian refugee flow is the result of an ongoing civil war fought by various armed factions with the involvement of some external actors. Unlike the Syrian refugees, Ukrainian refugees have fled their country due to extensive attacks initiated by another country, Russia. Russian invasion of Ukraine is viewed as a significant security challenge not only against Ukrainians, but also against European citizens as a whole.

Lastly, the negative impact of 2015 and 2016 terrorist attacks to European capitals can be regarded as a factor behind Union's differential treatment of Syrian and Ukrainian refugees. Following the terrorist attacks to Paris and Brussels, whose responsibility were claimed by the 'Islamic State (IS)'³ there was a rise in fears that Islamist terrorists were "exploiting refugee channels to enter Europe" which are also used by Syrian refugees (Abbas, 2019, p.2450). This has led to an unhealthy tendency across European societies to associate Muslim refugees including Syrian refugees with terrorism (Nail, 2016, p.164). Such an association has never been the case in terms of Ukrainian refugees.

³ The 'Islamic State (IS)' is also called as 'Daesh', 'ISIS', 'ISIL'.

6. Conclusion

The world history had witnessed various instances, when the number of asylum seekers fleeing violence and armed conflict increased all of a sudden. The Syrian and the Ukrainian refugee crises which began respectively in 2011 and 2022, almost a decade in between, are two such cases. Despite differences in the occurrence of the conflictual situation that led to the massive refugee flow and socio-cultural traits of the asylum seekers, both groups of refugees have viewed EU member states as safe zones to take shelter. Yet, these two different refugee groups have rarely received a common treatment and implementation of migration policies by the EU authorities and governments of the member states. The Union has demonstrated solidarity and dedication to address the Ukrainian refugee crisis with all its potential means, whereas the Syrian refugee crisis is able to achieve neither the same extent of mobilization nor the same extent of sincere welcome. While each refugee crisis has its own distinct characteristics, the sharp divergence between EU's responses to Syrian and Ukrainian refugees has presented a display of double standards. Through comparison of the EU's attitudes towards these two refugee crises, this study has found out the Union's selective application of international law. EU bodies' and member states' half-hearted commitment to human rights norms and international obligations in terms of the Syrian refugee crisis has clearly contrasted with full respect for international human rights and European regulations on refugees in the terms of the Ukrainian refugee crisis.

Even though the Union officially adopted a CEAS, this system in practice has never been employed in a consistent and coherent manner towards all refugee groups in a uniform manner. Syrian refugees have faced many difficulties in seeking refuge within the EU borders and they seldom received favorable treatment and standard protection, both of which are granted to most of the Ukrainian refugees. Ukrainian refugees have benefited from simplification of border controls and conditions of entry to EU member states, whereas the Union prioritized cooperation with neighboring states including Türkiye, Lebanon and Jordan in addressing the Syrian refugee crisis. In other words, while the EU institutions and the member states embraced the Ukrainian refugee crisis through sharing the costs in a willing way, they have sought to shift the relevant costs to regional states hosting Syrian refugees through signing various deals with them and contributing their capacities to deal with the refugees. As opposed to internalizing management of the Ukrainian refugee crisis, there has been externalization of the Syrian refugee crisis by the EU authorities.

Besides putting forward the differences between EU's policies to two refugee crises, this study also questions the functionalism and fairness of the CEAS. The EU's management of the Syrian refugee crisis uncovered controversies within the Union which jeopardized the achievement of a common European response. In addition, there were divergences among EU member states not only in responding to two different refugee crises, but also to a single refugee crisis. For instance, while Germany and Sweden have been willing to host Syrian refugees, countries including Greece, Bulgaria and Hungary have largely opposed to hosting them. Therefore, EU member states have

followed different migration policies towards the same group of refugees. It would be fair to argue that CEAS remains to be dysfunctional due to hesitancy of the member states to implement it in the same way. Selective application of it by the member states seriously harms the necessary uniformity with the regulation, absence of which in return threatens its legitimacy. Here, the EU must encourage a compromise among its member states on the internal sharing of responsibilities in managing refugee crises. Fair allocation of asylum responsibility within the Union and punishment of its violation is the only way to ensure collective EU policies in managing migration. Lastly, to repair its credibility in terms of a normative actor, the EU needs to make sure that all refugee groups, independent of their culture, religion and race, are treated in an equal and fair way.

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