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Transformation of the Migration Policy in the EU: The Impact of Covid-19 Pandemic

AB'de Göç Politikasının Dönüşümü: Covid-19 Pandemisinin Etkisi

Yazar(lar) / Writer(s)

Ahmet GÖRGEN, Doç. Dr., İzmir Demokrasi Üniversitesi, Siyaset Bilimi ve Kamu Yönetimi Bölümü, ahmet.gorgen@idu.edu.tr, ORCID: 0000-0001-9647-2691

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“Makalenin ilk hali 8-9 Mayıs 2024 tarihlerinde düzenlenen Uluslararası Güvenlik Sempozyumu (1923'ten 2023'e Türkiye Yüzyılında Güvenlik Perspektifi)'nda sunulmuştur.”



TRANSFORMATION OF THE MIGRATION POLICY IN THE EU: THE IMPACT OF COVID-19 PANDEMIC

Abstract

This paper examines the impact of the Covid-19 pandemic on the transformation of the migration policies of the EU member states. Recent analyses reveal that the migration flows in the last decade from the Middle East has prompted the EU member states to reform their migration policies. Public debates surrounding this process are based on criticizing the EU's open-border policies to accept refugees. Considering the increasing anti-refugee approaches in the social and political sphere of the EU, the Covid-19 pandemic of 2020 has led the EU member states to close their borders and reevaluating relations with other countries. Through qualitative research and analysis of primary sources, this paper aims to reveal this new security perspective that prioritizes public health and considers the impact of refugees on the broader society. The research in the case of Germany reveals that during the pandemic the touristic visits were restricted and the applications for asylum seekers from outside of the EU were suspended. Additionally, the digitalization process of migration of EU member states affected to have a new selection process for the highly qualified migrants to be welcomed in the member state.

Keywords: Covid-19, Pandemic, Transformation, Migration Policy, EU.

AB'DE GÖÇ POLİTİKASININ DÖNÜŞÜMÜ: COVID-19 PANDEMİSİNİN ETKİSİ

Öz

Bu çalışma, Covid-19 salgınının AB üye ülkelerinin göç politikalarının dönüşümüne olan etkisi üzerine bir araştırmaya dayanmaktadır. Alan üzerine yapılan önceki çalışmalar; Orta Doğu'dan son on yılda yaşanan göçlerin AB üye ülkelerini göç politikalarını yeniden şekillendirmeye zorladığını ortaya koymaktadır. Bu bağlamda kamuoyu tartışmaları, AB'nin mültecileri kabul ederken uyguladığı açık kapı politikalarını eleştiri temelinde şekillenmektedir. AB'de toplumsal ve siyasal alanda artan mülteci karşıtı yaklaşımların olduğu bir dönemde 2020 yılında ortaya çıkan Covid-19 salgını, AB üye ülkelerinin sınırlarını kapatmalarına ve diğer ülkelerle ilişkilerini yeniden düzenlemelerine neden olmuştur. Nitel bir araştırma temelinde birincil kaynak analizleri yoluyla bu çalışma, toplum sağlığı ve mültecilerin daha geniş toplum üzerindeki etkisine odaklanan bu yeni güvenlik perspektifini ortaya koymayı amaçlamaktadır. Almanya örneği üzerinde yapılan bu araştırma, pandemi döneminde ilk etapta turistik ziyaretlerin kısıtlanma süreçleri ve AB dışından gelen sığınmacıların başvurularının askıya alınması gibi düzenlemeleri incelemektedir. Ayrıca bu çalışma, AB üye devletlerinin pandemi ile göç süreçlerini dijitalleştirmelerinin üye devletlere göçmen kabulünde yüksek nitelikli göçmenleri belirleme için yeni bir sürece sahip olmalarına katkı sağladığını göstermektedir.

Anahtar Kelimeler: Covid-19, Pandemi, Dönüşüm, Göç Politikası, AB.

INTRODUCTION

In the last decade, the Covid-19 Pandemic had a significant impact on the policies of the countries at a global level. A sharp change in the policies of the countries has been visible compared to pre-Covid-19 Pandemic times, which shows a direct effect on both domestic and international politics. The Covid-19 Pandemic and its effect on the social and political spheres are currently being debated in political science and international relations literature. There has been growing research examining the impact of the pandemic from economy to culture as well as the politics from internal to external level. One of the important changes has been around the treatment of the refugees that has been related to limiting the migrations of the people around the world. Countries with strong control mechanisms have been more successful in regulating the new migration process. The EU member states in this case seem to be a good example to regulate their refugee policy in relation to the new conditions that brought by the Covid 19 Pandemic.

There exist previous studies related to the impact of Covid-19 Pandemic on the refugees and migration policies. Concerning the impact of the Covid-19 Pandemic on the health of the migrants and the refugee groups, it is presented that Covid-19 Pandemic increases the mental health problems of the refugees (Aragona et al., 2020, p. 52-56; Serafini et al., 2021, p. 295). This is attributed to barriers related to limiting communication and job loss during the pandemic. Moreover, the studies focusing on the refugee camps have highlighted the impact of the Covid-19 Pandemic on the lives of the refugees in the camps. Concerning the living conditions of refugees and asylum seekers in Greece, the studies present the Covid-19 infection in the refugee camps in Greece is higher than the national average (Kondilis et al., 2021). This is presented as poor living conditions in these camps. Furthermore, studies related to the EU member states' policies combating the Covid-19 Pandemic present that the strict regulations did not stop the spread of the Covid-19 virus. Instead, these policies led to the marginalization of refugees through diminishing their rights in the EU (Freedman, 2021, p. 92-102).

In the previous studies, a comprehensive analysis is missing concerning the effect of Covid-19 pandemic on the transformation of the EU member states' refugee policy. Based on the theoretical explanations of securitization theory, this paper aims to uncover new security perspective of the EU member states towards refugees. Moreover, the research aims to examine the social and

political consequences of this new security approach in Europe, with the case of Germany. Overall, this paper aims to explore the effect of Covid-19 pandemic to the transformation of EU's refugee policy from open borders to stricter restrictions during the pandemic and its social and political implications in the case of Germany.

1. MIGRATION POLICY OF EUROPE IN THE HISTORICAL CONTEXT

The development of the EU in the historical context has been primarily driven by economic integration of the member states. This integration process started with the European Coal and Steel Community that was formed with the treaty of Paris in 1951 (Warlouzet, 2014, p. 98). The common policies that are aimed to integrate European countries were not only in the economic sphere, but also in political and social spheres. This has included freedom of movement of the people in the territories of the EU member states. Freedom of movement was also provided with new regulations for the third country nationals. This aspect has been the basis of the EU's migration policy that also gave priority to the specific positions of the member states.

Concerning the regulation of the freedom of the movement within the EU member states, the Schengen Agreement, signed by the five member states of the EU in Schengen, Luxembourg in 1985, has been important. First, the agreement included West Germany, France, Belgium, the Netherlands and Luxembourg. These countries shared mutual borders and had also similar economic development levels as well as similar political and economic structures (Barbulescu, 2015, p. 27-28). Moreover, this agreement was supported by the Schengen Convention in 1990 and not only regulating the free movement of the people but also having common visa policy has been included. Over time, the enlargement of the EU has also led to the enlargement of the Schengen area. In addition to the member states, nonmember states such as Norway and Switzerland have also been included. Croatia was included in Schengen in 2023. Furthermore, Bulgaria and Romania were welcomed to Schengen area on 1 January 2025 and the number increased to 29.

The Schengen area is closely tied to the free movement in the EU and common visa policy for the third country nationals. So, the migration to the EU member states from the third countries has a significant impact on the application of Schengen Agreement. For instance, there was an excessive migration flow to the EU member states in 2016 and some of the Schengen

countries such as Austria, Denmark, France, Germany, Norway, Poland and Sweden reintroduced again border control mechanisms. This has been regarded as temporary control of these countries to effectively manage the migration crisis (Alkopher and Blanc, 2017, p. 35-37). Another notable example is from Germany in September 2024. At that time, Germany announced a temporary border control of its borders with other EU member states. The main argument of Germany for this action was to control undocumented migration because Berlin's argument has been that many refugees were attempting to enter Germany even after they settled in other EU member states. These examples demonstrate significant impact of migration to the EU's integration as well as free movement of the people within the EU.

Regarding the integration of Europe and the extension of EU regulations to all member states, another important agreement is the Treaty of Amsterdam that was signed in 1997 and entered into force in 1999. The Treaty of Amsterdam is important for expanding the Schengen cooperation to encompass the entire EU and established a framework for the migration policies under the EU institutions' responsibility (Moravesik and Nicolaidis, 1999, p. 63-64). Regarding the asylum policies, EU member states had a multilateral agreement outlining their responsibilities. Based on the common cooperation mentality provided by the Treaty of Amsterdam, basic criteria and application procedures were agreed by the member states to fulfill their responsibilities. The responsibilities of the member states to deal with the asylum applications have been provided for effective dealing of each member state. This is because the asylum applications are made to individual member states and members are solely responsible for handling them.

The integration process of the EU has opened new opportunities for the development of a security policy for the common borders. The terror attacks on September 11, 2001, in the United States (US) had a significant impact on the EU member states to have an internal and external security measures that are closely linked to the global developments focusing on the security of the states (Arakon, 2009, p. 392). As a result, the European Agency for the Management of Operational Cooperation at the External Borders (Frontex) was established in 2004. Initially, the major responsibility of Frontex was to control the external borders of the EU Schengen area. However, Frontex had a role of controlling EU's external borders with the EU's enlargement process and increasing migration flow to the member states. Especially after refugee crisis in EU, related to increasing refugee flow from Syria, Frontex was reshaped as

European Border and Coast Guard Agency (Arman, 2017, p. 14). Renewed Frontex first served in 2016, in Türkiye - Bulgaria border to prevent the flow of Syrian refugees through Türkiye. So, Frontex is formed to have a task on the EU's sole security guard at the external borders by increasing the number of the staff. However, growing number of undocumented refugees in the EU member states raises questions about the effectiveness of the Frontex in ensuring the security of EU's external borders.

International agreements in relation to the migration to Europe play a crucial role in EU's migration policy. One significant agreement to mention in this context is Türkiye - EU Refugee Deal that was signed in 2016. With this agreement, it was aimed to reduce the number of refugees arriving in Europe and in this the EU member states would design their refugee policies and actions within a specific time (Duarte, 2020, p.284). The agreement guarantees that if a Syrian refugee is found in Aegean Sea or a Greek Island that passes via Türkiye, Türkiye would get this refugee back and in return, EU member states would get one refugee instead of this Syrian refugee (Duarte, 2020, p.278). This one-to one principle aimed that not all refugees would fill Greek Island and the whole EU would equally share this refugee burden. Additionally, Türkiye would also get 6 billion Euros by the end of 2018. The money would be spent to support the needs of the refugees living in Türkiye. Moreover, a visa free regime for the nationals of Türkiye would be granted with the agreement. However, it has never become a reality, nor has the refugee flows stopped to the EU. Ultimately, the success of the agreement was limited to a certain period and the ongoing refugee flow from the Middle East increased the refugee burden on both Türkiye and the EU.

Overall, until the Covid 19 Pandemic, the regulations related to reducing migration flow to the EU were not successful. This led to the emergence of far-right groups and movements across Europe. The primary protest of far-right groups has been against acceptance of refugees and has demanded that governments keep them out of the EU. Additionally, the overflow of refugees to the border countries such as Greece for the refugees from Middle East and Italy for the refugees from North Africa, has created an unequal burden for these states. Furthermore, the refugees' desire to move to specific destinations, such as Germany affect these specific EU member states having national regulations. Covid-19 Pandemic provided a new opportunity for the EU member states to implement specific regulations regarding refugees that affected to have a wider transformation of the migration policies.

2. THEORETICAL FRAMEWORK

The impact of Covid-19 Pandemic on the transformation of migration policies in the EU has been a significant topic. It deals with the security of not only the EU member states, but also the individuals and groups living within the territories of the member states. Therefore, the regulations after the Covid-19 Pandemic regarding the inflow of the refugees to the EU member states should be considered from a security perspective. This includes transformation of migration policies at both the EU wide, and national levels, as they are all regarded within the security dimension of European politics.

The unit of analysis of this research is the security of the EU member states that has been affected by the increasing migration flow. In this sense, the new regulations on the migration policy with the impact of Covid 19 Pandemic to meet the security needs of the EU member states is the point of analysis.

In fact, the formation and the development of the EU as a regional bloc has been built upon the cooperation of its members. This cooperation is rooted in socially constructed political harmony, which is based on regulations that are accepted by a wider consensus. The theoretical basis for this is the liberal perspective that prioritizes cooperation (Akşemsettinoglu, 2020, p.166). This has been visible in the EU's evolution from an economic union to a political union.

In liberal theories, security is not only seen as the security of the states, but also the security of the individuals (Şengöz, 2022, p.186). Therefore, economic and social concerns are considered important. It can be argued that the liberal security approach is not solely focused on the state. However, the key issue here is how to achieve this security. Liberal approaches prioritize the cooperation at both local and global levels (Şengöz, 2022, p.186). This cooperative mindset of liberalism emphasizes the mutual benefits of such cooperation.

Traditionally, cooperation among member states has played a crucial role in the formation and the development of the EU as a regional bloc. This can be seen in the treaties that established the EU and in the creation of its institutions. In the security arena an important example is EU - Türkiye Refugee Deal, signed in 2016 with the aim of regulating migration flows to the EU member states (Duarte, 2020, p.278). This agreement is based on cooperation of the member states and a candidate to the EU membership: Türkiye. It serves as a

prime example of the liberal security approach for the formation of security through cooperation.

In the contemporary process, the Covid-19 Pandemic has had a negative impact on the EU's cooperation-based policy approach and the individual policies of EU member states regarding the prevention of the spread of the virus have been forefront (Pacces and Weimer, 2020, p.1-2). This has also affected the specific policies of EU member states related to migration to their own territories. As an example of this, reinstating border checks again within the EU, halting the entrance of migrants for a certain period and requiring documents related to the health condition of the migrants, who are allowed to enter, have been the new procedures that were implemented by the member states themselves. These changes demonstrate that the Covid 19 Pandemic had an impact on the change migration policy of the EU member states, shifting the focus from cooperation to individual state decisions. Therefore, it is crucial to consider theories that focus on individual security policies of states for the analysis of the security debate in the post-Covid-19 Pandemic era. However, these theories should not only prioritize the military and political security, but also consider human and economic security, as well as the well-being of the people.

2.1. Securitization Theory

In the security analyses, securitization theory has gained prominence in the recent process. This theory is significant because it focuses on the states' security priorities that do not only cover the military and political securities but also the threats that affect the society (Eroukhmanoff, 2018, p.104). Unlike the liberal approach, securitization theory does not prioritize the cooperation among the states but rather emphasizes the importance of individual state decisions. This means that securitizing actors are important as they are politicians that have the functions on the decision-making mechanisms of the states (Eroukhmanoff, 2018, p.104). Therefore, decisions made by states themselves are crucial in determining security arrangements.

The end of the Cold War brought about significant changes in various aspects. Since then, one of the key debates has been centered around security. During the Cold War, the security agenda primarily focused on military security and the state's response to the external threats on military matters. However, the post-Cold War era introduced new security concerns such as human security, economic security, gender security, environmental security, ethnic and religious

security (Eroukhmanoff, 2018, p.105). This has opened a new realm for security measures of the states. As a result, political leaders have emerged as key security actors through their discourses and actions. These actors prioritize, either independently or through cooperation, the security of the individuals within their countries.

In order to analyze the post-Cold War security cases, securitization theory provides a crucial framework. Traditionally, security is viewed as a threat from one state or a group of states with a focus on the military dimension, as seen in realism (Şengöz, 2022, p.185). However, securitization theory has changed the threat perspective from one state or a group of states and the military dimension of the threat. Instead of it, it brought a new perspective that covers different threats to security, namely also non-state threats. This can be terrorism, migration as well as environmental issues and recognizes that these threats affect not only the states but also individuals. This highlights the importance of surveillance in effectively addressing these threats (Eroukhmanoff, 2018, p.105). Therefore, it is essential to effectively function security actors, particularly the politicians. In this sense, securitization theory places emphasis on the decisions made by political leaders.

The introduction of human security by Securitization theory does not mean that they ignore the threat posed by a militarily powerful state. Rather, it expands the focus beyond military security to encompass wider security perspectives including societal, environmental, economic security as well (Eroukhmanoff, 2018, p.105). Each type of security threats requires a different unit of analysis, depending on its impact. As a result, different security threats and responding them bring the function of political leaders' forefront. This is why the discourses and actions of the security actors are crucial in securitization theory.

Securitization theory is crucial for the analysis of this study in various aspects. Firstly, this study examines the impact of the Covid 19 Pandemic on the transformation of migration policy in Europe. In this case, a security threat arises due to the ongoing migration flow during the Pandemic. Therefore, the securitization theory serves as a valuable framework for analyzing this security dimension.

Secondly, the study does not focus on military security, but a threat to societal security. In this case, this study does not employ the traditional realist approach of security, but a new security understanding that sees a threat from non-state actors or issues. So, securitization theory provides an important ground for the analysis since it employs not only military security, but also societal, environmental, economic and gender security (Eroukhmanoff, 2018, p.105).

Third, the study does not only cover the EU member states' cooperation mechanisms for mutual security interests, but also individual actions of the states in the post-Covid-19 Pandemic era. In this case, a theoretical approach should also consider not only cooperation mechanisms, but also individual decisions that are mainly overlooked by the liberal security approaches. In this sense, securitization theory is important to employ in this study since it covers the individual security decisions of the states.

Fourth, this study covers the impact of Covid-19 Pandemic on the migration policies of the EU member states. The political discourses that come from the political leaders have been prominently featured during this transformation process. In this case, the role of political leaders as the important security actors is crucial to present. This is explained in securitization theory as the function of security actors to design the security policy with their discourses and actions (Eroukhmanoff, 2018, p.105). In this sense, not only the state centric decisions that ignore individual actors and only focus on the cooperative mechanisms for security actions, but the function of political leaders is also crucially employed in this study as it is explained in securitization theory.

3. COVID-19 AND MIGRATION POLICY OF EUROPE

As argued, the refugee crisis has been a crucial issue for EU member states to establish common regulations and address the problems in a more cooperative manner. However, individual actions by member states have existed in the foreign policy matter particularly during Donald Trump's first presidency in the US (Görge, 2021, p.1381). Despite this, concerning the refugee crisis, a cooperative approach has been maintained, as it affects all of Europe. The main objective has been to control the influx of refugees into EU member states by strengthening borders and sharing the burden among all member states. These efforts have been heavily criticized by anti-refugee groups within member states. However, the Covid-19 Pandemic has brought about a shift in the mentality of cooperation among member states. Each state has prioritized its

own decisions to regulate migration inflow. This was to protect the local people from the virus. This new security perspective has resulted in new regulations regarding migrations, including infection prevention measures, border controls, suspension of the Dublin Procedure and the development of a selective migration process. These regulations have given member states and political leaders in government more power in addressing migration in this new security perspective.

3.1. Regulations for Infection Prevention

Covid-19, a viral disease, emerged in November 2019 in China. Within two months, it had spread all over the world and on January 30, 2020, the World Health Organization declared a global pandemic (WHO, 2020). Due to the rapid increase in death rates, governments around the world implemented new regulations such as curfews, mask mandates and at least one-meter physical distance from the people. These have been mainly to protect their citizens from the effects of the virus. Furthermore, after the development of the Covid-19 Vaccines, it was obliged, especially to the people who are working in public, to be vaccinated in a certain period and in a certain number. These regulations, implemented by respective political leaders, have faced criticism, particularly in developed Western democracies like Germany, for limiting people's freedom (Wertheimer, 2020). This has resulted in stricter rules of the states over the people.

The stricter rules that have been applied not only to the nationals of the states but also the migrants. In this regard, it is possible to argue that the impact of these regulations has been more over the migrants both those already residing in a country and those seeking to migrate. These regulations have had a greater impact on migrants, as they faced additional obligations such as visa prolongation, finding employment, and maintaining family connections in their home country. Concerning the new regulations with Covid 19 Pandemic that affects the migrants, first in Germany, Federal Office for Migration and Refugees announced that it would only operate by appointment from March 20, 2020, till May 2020 (Bundesamt für Migration und Flüchtlinge, 2021). As is explained in securitization theory, the state prioritizes its own security. As a result, the first impact of the Covid-19 Pandemic for changes in the regulations was on migrants, since they have faced difficulties in accessing offices that deal with migration. In this case, extension of the visas and new asylum applications have been limited due to Covid-19 regulations.

Moreover, with the increasing number of Covid-19 infections and deaths in EU member states, new entry regulations have been implemented in workplaces and state institutions. In Germany, 3G rule was introduced in 2021, meaning that “geimpft, genesen, getestet” (vaccinated, recovered, tested)” (Eversheds Sutherland, 2021). This rule also has been applied in the state offices dealing with migrants and refugees (Bundesamt für Migration und Flüchtlinge, 2021). In this regard, further limiting their access into the migration offices exists without proper 3G application. This has been regarded as limiting the asylum applications since many refugees were not being able to reach to the test centers nor vaccinated. According to the European Commission, this resulted in a decrease of 33 % in the asylum applications across the EU in 2020 (Mentzelopoulou and Spinelli, 2022, p.2). This decrease highlights the impact of these restrictions on refugees.

3.2. Border Control and the Control of Migration

One important regulation that was implemented by member states is the introduction of border controls in response to the threat of the Covid-19 virus. Border checks of the member states between the other members were regulated by the Schengen Agreement in 1985. The agreement, signed in Luxembourg by 5 member states of the European Economic Community (EEC), including Germany, France, Belgium, Luxembourg, and the Netherlands (European Council, 2020). Over time, other EU member states have also adopted the Schengen Agreement for their own border controls. This agreement is part of the *Acquis Communautaire*.

Moreover, to implement the Schengen Agreement, Regulation by the European Parliament and of the Council for Establishing a Community Code related to the Border Controls namely Schengen Borders Code was accepted in 2006. This Code is not only for lifting border controls but also provides flexibility for implementing them in an emergency. Articles 25 and 28 of the Schengen Borders Code give members the right to apply border controls in exceptional cases, particularly for internal security purposes (Eur-lex, 2006). These articles allowed the member states to reintroduce border checks during the Covid 19 Pandemic.

During the pandemic, the EU Border and Coast Guard Agency (Frontex) has played an active role in regulating migration flows into member states. Frontex has been active in the external borders of the EU such as at Aegean Sea and Türkiye-Bulgaria border (Frontex, 2020, p.17-18). However, Frontex’s efforts

to regulate the migration flows through having a wider border check and having a guard throughout Europe has not been sufficient. Thus, illegal border crossings dramatically increased during the pandemic. According to information published by Frontex, illegal border crossing increased to 196000 in 2021, which is a 57% increase from the previous year (Mentzelopoulou and Spinelli, 2022, p.2). This highlights the fact that the EU's common regulations were not enough to stop the migration flow and to find a solution to the need of the member states to prevent the spread of the virus. As a result, member states have resorted to implementing their own policies to regulate the migration flow within the EU.

In the case of Germany, Chancellor Angela Merkel's government introduced the border controls for land borders with Denmark, Luxembourg, France, Switzerland, and Austria in March 2020 (European Commission Migration and Home Affairs, 2024). The main reason was explained as a need to prevent the spread of the virus to the local population. In this case, a threat to the public health was visible in Germany's approach as explained in securitization theory. In March 2020, Germany also implemented border controls for the air borders with Switzerland, France, Luxembourg, Denmark, Italy and Spain, as well as sea borders with Denmark (European Commission Migration and Home Affairs, 2024). The main cause was shown to prevent the spread of the Corona Virus. Germany's border controls policy in the Schengen Area continued also during Olaf Scholz's Government with the regular basis since the border controls have been regularly extended based on Article 25 and 28 in the Schengen Borders Code. These controls with a cause of preventing the spread of Covid 19 Virus continued until the end of 2022.

Furthermore, border controls were implemented with a different reason such as the control of refugees' influx with the decrease of the impact of the Covid-19 Pandemic. As an important example, Germany implemented land border checks with Austria from November 2022 to May 2023 to combat smuggling and strengthening the refugee's reception facilities (European Commission Migration and Home Affairs, 2024). This shows that the border controls initially introduced to control the spread of Corona Virus have also been used to regulate the migration flows within the Schengen Area. As a result, Covid-19 Pandemic has become a regular justification of the member states to implement border controls for their internal security needs, which is mainly used to regulate migration flow to the member states. Thus, most of the refugees were

directing their roots in Germany; Germany also implemented the border controls regularly.

3.3. Suspension of Dublin Procedure

The Dublin procedure is based on the Dublin Regulation, signed by the EU member states to regulate the application and settlement for refugees within the EU (Mouzourakis, 2014, p.10). The main aim of the Dublin Regulation is to apply the Convention Relating to the Status of Refugees, namely the Geneva Convention of 28 July 1951, signed under the United Nations, to consider the position of refugees and form procedures for granting the right to settle. This regulation clarifies how the application of refugees, settlements and movements between EU member states are to be organized.

Dublin Regulation first was signed in 1990, in Dublin, Ireland, by twelve EU member states including Belgium, the United Kingdom, Greece, Italy, Portugal, Luxembourg, Denmark, Ireland, the Netherlands, Spain, Germany, and France. Later, Austria, Finland and Sweden became a part of this regulation. The regulation has been in force since 1997. With the enlargement of the EU, the Dublin Regulation is implemented in all EU member states (Mouzourakis, 2014, p.7). Moreover, some of the non-EU members such as Norway, Switzerland, and Iceland implement the procedures of Dublin Regulation.

The main goal of Dublin Regulation is to prevent refugees from applying in multiple states (Mouzourakis, 2014, p.17). By doing this, it was aimed to assign the responsibility for their application and settlement to a specific member state. Moreover, it also aims to effectively regulate the constant migration of refugees between the states. These responsibilities that were granted to the EU member states by Dublin Regulation, were criticized by some of the member states during the refugee crisis. The main critique was that since it gives certain states, with a boundary share with non-member states, more responsibility and burden on their economy (Mouzourakis, 2014, p.26). Covid-19 has given member states the power to temporarily suspend the application of the Dublin Procedure.

As a result of the impact of the Covid-19 Pandemic, the inflow of the refugees and their applications to the EU member states were suspended for a certain period. This decision was made based on each member state's own security arrangements, influenced by political leadership, as explained by the securitization theory. As one of the first examples of this process, in March 2020, in Germany, Merkel government declared a temporary suspension of the

Dublin Regulation due to Covid-19 Pandemic. In this regard, the Federal Office for Migration and Refugees (BAMF) stopped Dublin transfers from and to EU member states (ECRE, 2020). However, voluntary returns of the refugees to their home countries were allowed. It was declared that this suspension is temporary and due to the Covid-19 Pandemic (ECRE, 2020). Within the next six months, it was expected to resume the normal procedure.

Research shows that there was a one-third decrease in Dublin procedures in 2020 in all EU member states, compared to the 2019 (EASO, 2021, p.84). It is an important indication of the impact of Covid-19 Pandemic on the Dublin Regulation. Furthermore, requests based on the Dublin Regulation decreased by 39% in Germany and 35% in France, followed by Italy and Malta (IADA, 2021, p.2). This demonstrates that the Covid-19 Pandemic significantly affected some countries, leading them to change their asylum policies. The rates differ based on the increasing number of applications and the position of the state with regards to migrations.

In order to continue the application of Dublin Procedure and share the burden of refugees among EU member states, the New Pact on Migration and Asylum was proposed by the commission in 2020. Moreover, in 2024, the EU Parliament and member states agreed on the new pact (European Parliament, 2024). In this regard, the main idea was to be in solidarity with the member states, which received the highest number of migrants and refugees, such as Italy and Germany. Other member states were expected to support these higher migration receiving countries either financially or by receiving some of the migrants to share this burden (European Council, 2024). In harmony with this new pact, member states were expected to implement these new regulations into their national laws within the next two years. This shows that the Covid-19 Pandemic has transformed the application of the Dublin Regulation and member states prioritized their own security policies by halting the flow of migration. The new pact aims to promote a new solidarity mentality among member states to effectively regulate migration to the member states of the EU.

3.4. A Selective Migration Process of the Member States

The Covid-19 Pandemic brought a new sphere of regulations for the migration in Europe. These new regulations, in relation to the protection of the local people from the spread of Covid-19, brought to the process of own regulations of the member states. This allowed EU member states to collect information

about refugees. This digitalization of pre-entry screening procedures was the new realities for controlling the migration to Europe.

Digitalization of the migration procedures provided an opportunity for the EU member states to collect the data of the migrant people including age, nationality, sex and education (Lebon, 2024, p.9). The personal information was kept by the state authorities and shared on a local and national level. This digitalization process has faced criticism in many ways for violating the personal rights of the people. Thus, it discriminates against refugees in comparison to locals. This digitalization process started with the Covid-19 Pandemic, to eliminate its effect in society. The new process continues even after the pandemic, providing a new basis for selecting highly skilled migrant workers to meet the needs of specific member states.

In the city of Berlin, digital information on the refugees has been shared with the other institutions of the city to access their information easily (Lebon, 2024, p.9). This digitalization process is presented for providing better services for the refugees. However, personal information about the refugees has been widespread shared in local institutions. Moreover, the digital app to provide information for the refugees is on the way to being developed (Lebon, 2024, p.9).

In the city of Amsterdam, a database has been created to share information about rejected asylum applications. The information has been shared with the other institutions and partner organizations that deal with various types of applications (Lebon, 2024, p.9). Moreover, a supporting network has been found for those whose applications were rejected because of the asylum applications. As seen in both Berlin and Amsterdam cases, digital controls were implemented to the refugees in relation to the status of their migration.

Overall, the digitalization process in the post-Covid-19 Pandemic era has provided important information related to the migrants to the respective authorities in the EU member states. Rather than the need for the refugees to live in a secure place, the need for the individual member states specific types of migrants was prioritized. This digitalization process aligns with the EU member states' recent migration policy to prioritize only high-skilled workers for the need of their national industries. Recording specific information about the migrants through digitalization process facilitates this.

CONCLUSION

As a conclusion, after 2011, EU member states encountered an increasing migration flow because of the civil war in the Middle East. Mainly, the refugees from Syria have been the bases of political debates in EU member states, and the political regulations have been attempted at EU level to share the refugee burden in a cooperative manner. As an important example, Türkiye - EU Refugee Deal that was signed in 2016 to coordinate the migration policy of the EU, aimed to distribute the refugee burden among all member states rather than the members at EU's external borders, such as Greece. However, this agreement did not effectively stop the refugee flow to the EU due to weaknesses in the EU's security policy to protect and coordinate its external borders.

Moreover, Covid-19 virus emerged in 2020, in China and affected the whole world as a global pandemic, had a significant impact on the migration policy of EU member states. In this context, to contain the spread of the virus, member states of the EU began implementing external border controls, through suspending the application of Schengen regulations and temporarily halting the Dublin Procedure. This shift to consider individualized security approaches, with the impact of the political leaders in governments, was visible for the member states different from the common security approach before the pandemic. This security approach was not solely focused on military security, but social and economic factors have been visible as explained by securitization theory. As it was presented in the case of Germany, deciding to implement border controls, and introducing new regulations, such as the proof of being vaccinated to entry into Germany and digitalizing migration management to select the highly qualified migrants to Germany demonstrated the shift towards individualized security approach of member states after the Covid 19 Pandemic.

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