Refugees, Integration, and Informal Labor: The EU Pact on Migration and Asylum

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This report will examine migration flows in the context of the EU Pact on Migration and Asylum. The European Commission presented the Pact in September 2020.[1] It was an effort to overcome a deadlock amongst Member States and reopen negotiations.[2] All Member States will need to agree if it is to take effect. The report has three sections. The first examines current flows of asylum seekers to the EU. The second summarizes relevant portions of the EU Pact and evaluates its (a) consistency with European legal obligations towards refugees and (b) practicality. The third offers some suggestions for improving the Pact. The report argues that, while the Pact responds to a real challenge for states – outlined in the next paragraph – and contains some worthy proposals, it faces normative and political obstacles that will make implementation unlikely. The findings are based on NGO reports, the secondary literature, and interviews conducted in Rome in early 2022.

The Challenge of Asylum and Refugee Flows

EU member states that implement policy are held democratically accountable for their decisions by refugee-hostile electorates. The experience of the mid-2010s was instructive: the admission of 1.3 million refugees, most of whom went to Germany, above all, Austria, and Sweden, wrenched European politics. It reconfigured the party system, brought the far-right to power in Germany (which seemed unthinkable before then), and ensured, along with many other factors, Britain's exit from the European Union. In early 2017, politicians and pro-European citizens contemplated the horrific prospect of a Front National victory in France, a 'Frexit,' and an end to the European Union. EU migration and refugee policy cannot be judged purely from normative political theory because that policy will always

be wanting. Rather, refugee policy must be judged from the perspectives of both justice and political reality. Creating a framework for governing refugee flows is not merely a moral and legal necessity; it is a political one. If states conclude that they cannot manage asylum flows, the response will be to shut the door entirely; at the time of writing (early 2022), Greece is close to this high restrictionist position.

Asylum Seekers and Refugees in Europe

Most asylum seekers seek refuge in contiguous countries; hence, most of them are in the Global South (UNHCR data).In the main, this spares many wealthy nations – the US, Canada, and Australia – the effects of global displacement. The European Union is, by contrast, in an exceptional situation, as it is a contiguous continent: it rests above an arc of violence and instability (both of which drive refugee flows more than individual persecution) stretching from sub-Saharan Africa to Afghanistan. One-half of the world's largest refugee-producing countries – Syria, Afghanistan, and South Sudan – are in the region, and the second-largest – Ukraine – is in Europe itself. Over twenty percent of the world's refugees (6.6 million out of 30.6 million) are in Europe (UNHCR).

Over the last year, three significant refugee-producing events have affected the EU. Afghanistan once again became a major sending country following its August 15, 2021 capture by the Taliban. While there is limited data on the precise number of Afghans who fled following the takeover, UNHCR reports approximately 174,460 Afghan refugees seeking asylum in neighboring countries since January 1, 2021.[3] Following a pattern obtaining since 1979, most refugees fled to Pakistan, 117,550, and Iran, 38,189, others traveled to Uzbekistan, 13,020 and Tajikistan, 5,710.[4] However, the UNHCR notes that, the number of refugees arriving is most likely much higher.[5] Correspondingly, the Norwegian Refugee Council stated on November 10, 2021, that 4,000-5,000 Afghans were crossing daily into Iran and that local media was reporting that at least 300,000 Afghans had entered Iran since the Taliban takeover.[6] As for Afghans arriving in Europe, 24 EU states took in 28,000 Afghan evacuees in response to the Taliban's takeover.[7] The European Asylum Support Office documented that asylum applications by Afghans totaled 38,627 from August to October 2021.[8] However, there is no specific data on how many applications were from new arrivals.[9] In December, 15 European Union member states agreed to resettle 40,000 Afghan refugees.[10] Germany will accept the majority

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[3] https://data2.unhcr.org/en/situations/afghanistan
[4] https://data2.unhcr.org/en/situations/afghanistan
[5] https://www.unhcr.org/news/press/2021/12/61a72ed34/news-comment-unhcr-afghans-struggle-seek-safety-borders-remain-shut.html
[6] Page 66
https://coi.euaa.europa.eu/administration/easo/PLib/2022_01_EASO_COI_Report_Afghanistan_Country_focus.pdf
[7] https://www.unhcr.org/refugeebrief/the-refugee-brief-10-december-2021/ ;
https://www.euractiv.com/section/justice-home-affairs/news/eu-member-states-agree-to-take-in-40000-afghans/
[8] https://euaa.europa.eu/latest-asylum-trends-asylum ; https://euaa.europa.eu/news-events/afghans-lodge-72-more-asylum-applications-eu
[9] https://euaa.europa.eu/news-events/afghans-lodge-72-more-asylum-applications-eu
[10] https://www.euractiv.com/section/justice-home-affairs/news/eu-member-states-agree-to-take-in-40000-afghans/

of the arrivals, 25,000, the Netherlands will accept 3,159, while Spain and France will be taking in 2,5000, with the remaining distributed among the other countries.[11]

Arrivals have increased from Belarus, but they were engineered. On November 13, 2021, over 20,000 migrants and asylum-seekers were estimated to be present in Belarus.[12] In early November, the Belarusian regime escorted approximately 1,000 migrants toward the Polish border.[13] By mid-November, between 2,000-4,000 migrants were reported to be stranded at the Polish-Belarus border.[14] The Belarusian government had encouraged individuals from the Middle East, specifically Iraq, to travel to Belarus to obtain tourist visas and then transported them to the Polish-Belarusian border to orchestrate a migrant crisis in retaliation for European Union sanctions.[15] Migrants were not only attempting to transit to Europe through the Polish-Belarus frontier, but through Lithuania and Latvia as well. Thousands of migrants began arriving at the Lithuanian and Latvian borders in the months before November.[16] Latvia declared a state of emergency due to an increase in illegal border crossings from Belarus on August 11 for three months, and Lithuania issued a state of emergency on November 10.[17] The Eastern land borders of the European Union, which includes Lithuania, Latvia, and Poland, reported more than 7,915 illegal border crossings between January-December 2021.[18] The final destination for migrants entering Europe through Belarus appears to be Germany. In 2021, Germany's Federal Police registered 11,213 migrants who had entered Germany from Belarus.[19]

At the time of writing, the EU is receiving from Ukraine some of the largest refugee flows since the early postwar years, as 4.1 million refugees and 2 million internally displaced people fled the Russian invasion.[20] Most (2,384,814) arrived in Poland, followed by Romania (623,627) and Hungary (375,435).[21] The EU has managed this flow outside of the Pact through an EU directive on temporary protection granting one-year residence permits (with rights to work, welfare, education, and health services) renewable for up to three years.[22] The directive applies to Ukrainian nationals and third-country-nationals fleeing Ukraine. The Pact thus does not apply to people fleeing Ukraine.

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[11] https://www.euractiv.com/section/justice-home-affairs/news/eu-member-states-agree-to-take-in-40000-afghans/

[12] https://reliefweb.int/report/belarus/acaps-briefing-note-belaruspoland-migration-crisis-belarus-poland-border-2-december

[13] https://www.theguardian.com/world/2021/nov/08/belarus-escorts-hundreds-of-migrants-towards-polish-border

[14] https://www.rescue.org/article/what-happening-belarus-poland-border#:~:text=Between%202%2C000%20and%204%2C000%20refugees,refuse%20responsibility%20to%20provide%20protection.

[15] https://reliefweb.int/report/belarus/acaps-briefing-note-belaruspoland-migration-crisis-belarus-poland-border-2-december

[16] https://reliefweb.int/report/lithuania/60-migrants-who-spoke-whoeurope-belarus-lithuania-border-need-some-form-medical

[17] https://reliefweb.int/report/belarus/acaps-briefing-note-belaruspoland-migration-crisis-belarus-poland-border-2-december

[18] https://frontex.europa.eu/we-know/migratory-map/

[19] https://www.infomigrants.net/en/post/37559/11000-migrants-reached-germany-in-2021-via-belarus-and-poland

[20] https://data2.unhcr.org/en/situations/ukraine

[21] https://data2.unhcr.org/en/situations/ukraine

[22] https://www.consilium.europa.eu/en/press/press-releases/2022/03/04/ukraine-council-introduces-temporary-protection-for-persons-fleeing-the-war/

The EU Pact on Asylum and Migration

The Pact addresses three refugee challenges facing the Union. The first is a need for responsibility-sharing. The search for a common EU asylum policy, a decades-old effort, suffers from a classic free-rider problem. All EU states are signatories to the 1951 UN Convention relating to the status of refugees and its 1967 Protocol removing temporal limitations. Both EU member states and the European Union endorse its core obligation – not to return someone to a country where they face harm (the *non-refoulment* requirement). However, asylum applications are not, distributed evenly across the EU: instead, they concentrate in a handful of countries. Although some countries have found themselves the primary destination for asylum seekers at particular times (the UK in the late 1990s and early 2000s, Poland today), two regions have borne disproportionate responsibility for asylum seekers: the southern periphery of the EU (Italy, Spain, Greece) and northwestern Europe (Germany and, relative to their population, the Nordic countries). Fully 59% of sea arrivals land in Italy.[23] Such a distribution is patently unfair, but countries with few asylum seekers have little incentive to change it. Indeed, member states at times display an active disregard for any solidarity principle: the Czech Republic, Hungary, and Poland have loudly refused to accept Syrian refugees. In May of 2020, the Maltese coastguard refused to allow a boat with refugees to land and sent it on to Italy. By some accounts, the Maltese provided enough food for the journey (Tondo 2020). Against this backdrop, proposals for responsibility (or 'burden') have for almost three decades made little progress.

The second is long processing periods. Asylum processing rates vary by the member state, but they are invariably slow. As of April 2021, more than half the asylum applications across the EU have been pending for more than six months (European Commission 2021a). In wealthy Denmark, average waiting times reached nineteen months in 2018-2019 (European Commission 2021b). Although backlogs have recently reduced, in September 2021, there were 729,720 pending applications set against 70,085 new applications (European Commission 2021a). Long backlogs and processing periods raise hosting costs for states, leave asylum seekers in stressful limbo, and delay the incorporation of refugees, with likely long-term consequences, above all for children.

The third is the human misery caused by journeys to Europe. Since 2014, 23,150 migrants have gone missing and are presumed drowned in the Mediterranean (IOM Missing Migrants Project). Many are unable to swim and travel on dangerous vessels. Some smugglers and traffickers, like smugglers and traffickers everywhere, charge migrants exorbitant travel fees, lie to them about conditions in Europe, and abandon them at sea. Others, it should be noted, simply charge them a fee, whose cost varies directly with increases in restrictions imposed by European member states, for transport.

The Pact tries to meet all these challenges, although, it should be said, few of the proposals are particularly new. The Pact has four broad parts: (i) border screening and processing procedures (at the EU border), (iii) responsibility sharing, (iv) legal pathways to immigration.

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[23] Interview with Karen Whiting, Deputy Representative, UNHCR, Rome, January 11, 2022.

Border Screening and Processing

The Pact calls for the creation of a cross-Union, integrated border control infrastructure designed to screen all people entering the EU and to identify those who lack permission and/or arrived via a search and rescue mission.

Pre-screening would involve identification, health and security checks, fingerprinting, and registration in the Eurodac database. The goal is to screen applicants within five days, a period that can be extended for another five in exceptional circumstances (such as a mass influx) (ASGI 2021a). The application would be channeled into two broad procedures depending on the screening outcome: the border procedure and the asylum procedure. The latter would either be in-country or border processing. Border processing applies when: applicants originate from a country with low recognition rates (defined as below 20%); are deemed inadmissible on safe country of origin or safe third country grounds; "mislead" authorities; or pose a threat to national security. In these cases, asylum seekers would not enter member states. When rejected, the EU return procedure applies.

The border procedure should take no longer than twelve weeks, including adjudication, appeals, and a return decision. The Pact makes exceptions for unaccompanied minors, families with children under twelve, and low-recognition rate countries when the applicant belongs to a group for whom the 20% acceptance rate is unrepresentative (Caritas 2020). The goal of these provisions is to speed up adjudication and return and to prevent secondary movements.

The border proposals are in considerable measure an expansion of the 'hotspots' model developed by the Commission (a case of old wine in new bottles) during the 2015-2016 refugee crisis, and they suffer from the problems associated with it.[24] In principle, border adjudication could work. Asylum seekers have a right not to be *refoulé* to a place where they face harm. Respecting this right requires states to have fair and meaningful asylum determination processes; in the absence of them, they cannot claim with confidence that a rejected asylum seeker faces no well-founded fear of persecution. But it doesn't, in principle, matter where the determination occurs in a third country, at the border to the asylum-granting state, or within the latter. All that is required is that a border be crossed before a claim is lodged.

However, in practice, border adjudication makes it very difficult to honor obligations toward refugees for three reasons. First, at least in Italy's case and most likely in all states along the Aegean or Mediterranean, actors greeting asylum seekers at the border will have a control and exclusionary agenda flowing from a border control mandate.[25] Refugees may not receive the same fair hearing that they would at an adjudication meeting in Athens, Rome, or Madrid. There is evidence that officials at Italian hotspots pressured migrants into signing an Italian-language document stating they were uninterested in refugee protection (AIDA/ECRE 2021). Second, refugees would likely have little time to prepare and to take advice on how to negotiate an asylum application. They arrive exhausted, hungry, generally traumatized, and often lied to (and encouraged to lie) by smugglers.[26] Without adequate preparation, border adjudication will not be fair, and legitimate asylum seekers will be

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[24] Interview with Ilaria Masinara, Campaign Manager, Amnesty International Rome, January 19, 2022; Interview with Antonio Ricci, Deputy President, IDOS Study and Research Centre, Rome, January 10, 2022.
[25] Interview with Valentina Fabbri, President, Programma integra, Rome, January 10, 2022.
[26] Interview with Valentina Fabbri, President, Programma integra, Rome, January 10, 2022.

rejected. Finally, recognition rates vary radically across Europe: in the most extreme case, Italy recognizes ninety-seven percent of asylum seekers from Afghanistan, whereas Bulgaria recognizes one percent.[27] There can be no common border procedure without a cross-EU understanding of what constitutes a refugee.

A legitimate refugee process requires individual assessment.[28] While not inconsistent with such assessments, the expedited procedures could result in the refoulement of individuals from low-recognition countries who have well-founded fears of harm, such as LGBT+ people from Egypt or Tunisia.[29] The issue, and the legitimacy of the procedures, end up depending on how generously officials interpret exceptions to the 20% cut-off and on the methods for identifying those exceptions.

For border adjudication to be conducted on any meaningful scale, it requires an immense investment of resources for housing, trained adjudicators, lower-skilled staff (providing food, water bedding, cleaning services, and so forth), and security services. Asylum seekers would also need free legal aid to inform them of their rights. The Pact is silent on the provenance of those resources. Without an infusion of substantial funds for legal advisors, translators, monitors, and adequate detention facilities (the Pact does not mention them, but the twelve-week processing period makes them inevitable), the border screening and processing procedures could become arbitrary, abusive, and rights-denying, resulting in refoulement. Given the numbers that arrive in Italy, border screening/processing would require the construction of massive detention facilities. There is no tradition of pervasive/extensive detention in the country, and it is doubtful that civil society would tolerate such facilities.[30] Even Italian government officials responsible for border management take pride in the fact that Italy does not detain asylum seekers on any significant scale.

Finally, even if border adjudications work, they would, of course, not prevent the dangerous sea journeys that cost so many refugee lives. The border screening and processing procedures should thus be considered in the context of the Search and Rescue (SAR) proposals (Commission recommendation 2020/1365), and much depends on the detail. If substantial resources were invested in rescuing asylum seekers at sea and transporting them to Italy, Portugal, Greece, or Spain for processing, then the Pact would be a substantial improvement on the current situation, which allows hundreds, in some years thousands, of asylum seekers to die at sea. As it is, the European Parliament proposes a solidarity mechanism in which those rescued at sea are distributed across the EU. The proposal, supported by MEP Tomas Tobé, rapporteur on the regulation of asylum and migration management, has met substantial opposition from Austria, Estonia, Ireland, Malta, the Netherlands, Poland, and Slovakia (Nielsen 2021). In the Mediterranean, Italy is currently the only state supporting the safe disembarkation of NGO Search and Rescue vehicles in 2021.[31] The EU has issued a non-binding recommendation reminding states of their obligation to require shipmasters to aid people or vessels in distress at sea and not to criminalize humanitarian assistance (Caritas 2020). Cyprus, Greece, and Malta have thus far ignored the recommendations. The Pact's SAR proposals will

[27] Interview with Antonio Ricci, Deputy President, IDOS Study and Research Centre, Rome, January 10, 2022.

[28] Interview with Valeria Carlini, Spokesperson, Consiglio Italiano per i Rifugiati, Rome, January 22, 2022.

[29] Interview with Syed Hasnain, President, UNIRE Rifugiati, Rome, January 12, 2022.

[30] Interview with Karen Whiting, Deputy Representative, UNHCR, Rome, January 11, 2022; Interview with Ilaria Masinara, Campaign Manager, Amnesty International Rome, January 19, 2022.

[31] Interview with Karen Whiting, Deputy Representative, UNHCR, Rome, January 11, 2022.

probably not survive member state opposition, but, in any case, the opposition raises concerns about the next component of the Pact: responsibility sharing.

Responsibility sharing and solidarity

The Pact calls for a system of flexible contributions from all EU member states. Responsibility sharing would focus on relocation or return sponsorship (article 55). The Pact proposes a mechanism for moving from voluntary to required assistance. It promises to develop "solidarity mechanisms" to cover search and rescue operations (as noted) and sudden influxes. Measures would include mechanisms for immediate protection, strengthening compulsory relocation, and return sponsorship.

With one exception, the defining feature of this section is the absence of specificity. At the level of normative theory, the principle of solidarity is incontestable. As the Polish government is learning at the time of writing, "accidents of geography (Betts 2015)" rather than wealth or capacity determine the state receiving the largest number of asylum seekers and refugees. In the context of visa requirements and carrier sanctions, states on the periphery of Europe – Cyprus, Malta (when it accepts arrivals), Greece, Italy, Spain and, in the case of refugees from Eastern Europe, Hungary, Poland, and the Czech Republic – will receive more asylum seekers than northern/northwestern states.

The challenge for the EU, to say nothing of the refugees themselves, is that the normatively incontestable is often politically contestable. As the 2015-2016 crisis made clear, forcing the relocation of refugees is effectively impossible.[32]

Given this, it is curious that the Pact bothers to mention compulsory relocation. Not only is it politically impossible, in practice, to force a state to accept refugees when it flatly refuses, as the Czech Republic, Hungary, and Poland did, such efforts are a political gift to populists such as Hungary's Fidez and Poland's Law and Justice (PiS) parties. Amid the European Court of Justice's efforts to impose a fine on the Polish government for its attacks on judicial independence, a compulsory mechanism would be a political gift to PiS, which would be delighted to distract the Polish people from arguments about the courts and EU membership and reframe the debate around the need to block refugees and putatively defend Christian Europe against the Muslim hordes.

That said, (mandatory) relocation has strong arguments in its favor in one case: family reunification. Family reunification is not only a fundamental European value, enshrined in Article 8 of the European Convention on Human Rights; it also aids the integration of refugees. Refugees who have their families are more stable and productive, and they have greater incentives to learn the local language and succeed economically.[33]

The Pact's maintenance of the "first entry criterion (Article 21)," which requires the first state the asylum seeker reaches to adjudicate the application, raises the same concerns. The policy has never worked: there were only a small number of refugee transfers in Europe under the Dublin Agreement

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[32] Interview with Valentina Fabbri, President, Programma integra, Rome, January 10, 2022.
[33] Interview with Karen Whiting, Deputy Representative, UNHCR, Rome, January 11, 2022.

Relative to applications: in 2019, there were 691.090 asylum applications in the EU, 142.204 'Dublin' transfer requests, and 24.250 actual transfers.[34]

The hope is that by reinvigorating mandatory relocation, the Commission will reassure the main destinations for secondary movements – Germany above all, but also Austria, France, and the Benelux and Nordic countries that they will not become receiving countries *tout court*. The system may work, but history is not reassuring. Moreover, given long adjudication periods, with half of the applications taking longer than six months, regular adjudication would need to be sped up (raising the usual concerns for due process) or the six-month regulation revised.

Finally, while emphasizing the importance of mandatory relocation, the Pact ignores *voluntary* relocation by refugees themselves: for reasons of available work, family, friends, and diaspora networks, better educational opportunities for their children, and better social services (in that order), refugees know where they want to be in Europe. Efforts to block them are extensive but often futile. Most asylum seekers arriving in southern Europe do not stay there but instead move on to northern Europe.[35] Preventing them from doing so only delays their integration. Refugees in Italy that intend to move north remain in the country only long enough to get their residence permits (which, given Italian bureaucracy, can be years) and then head north. The time in between is wasted, as they have little incentive to learn Italian, which in turn blocks education and training.[36]

Enforcing solidarity

The Pact's proposals for enforcing solidarity constitute two steps forward, one step back. They are limited in that they only apply to "migratory pressure" (such as 2015-2016) and, as noted, SARs. They also retain the compulsory transfer mechanisms. This constitutes, except in the case of family reunification, one step back. Nonetheless, there are two steps forward: the Pact offers flexibility in respecting the solidarity requirement (thus giving the Central European oppositionists an 'out'), and it specifies financial contributions (to capacity building, presumably in periphery states, and to return). NGOs express concerns about sponsoring returns and the complexity of the mechanism (Caritas 2020), but the principle of payment as a substitute for relocation is promising: it recognizes state obligations to accept refugees while requiring a contribution to responsibility disproportionately borne by a few states. The Commission developed the alternative model with some Member States' opposition to relocation in mind and hopes it will overcome that opposition while ensuring that all states contribute to a common EU policy.[37] The proposal anticipates a 'coalition of the willing model' that might work, above all when the receiving country is one, like Germany, to which many refugees want to move. Germany's new Foreign Minister, Anna Baerbock, a member of the migration-friendly Green Party, has expressed her support for responsibility-sharing (a Verteilingsmechanismus) and for more support to Italy (Rüb 2022).

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[34] Interview with, Valeria Carlini, Spokesperson, Consiglio Italiano per i Rifugiati, Rome January 22, 2022.

[35] Interview with Andrea Costa, President, Baobab Experience, Rome, January 13, 2022; Interview with Syed Hasnain, President, UNIRE Refugiati, Rome, January 12, 2022.

[36] Interview with Syed Hasnain, President, UNIRE Rifugiati, Rome, January 12, 2022.

[37] Interview with Stefano Pes, European Asylum Support Office, Rome, January 13, 2022.

Conclusion

As the report has argued, the EU Pact on Migration and Asylum faces multiple normative and practical challenges that make it difficult to adopt, unlikely to work if it is, and possibly threaten refugee rights in the process. The unanimity requirement makes implementation even less likely. But one should not be too confident, lest one sound like British trade official Russell Bretherton, the UK's man at Messina. He, perhaps apocryphally, said, "Gentlemen, you are trying to negotiate something you will never be able to negotiate. But if negotiated, it will not be ratified. And if ratified, it will not work." The Commission has much experience in forging compromises where they seem impossible and seemingly insurmountable objections have in the past been overcome. The Mediterranean 5 originally made support for the EU Asylum Office, which works bilaterally with governments to implement EU asylum agreements, contingent on the Pact's full implementation but relented following Commission appeals. [38] In addition, both governments have made migration, along with climate change and the economy, a pillar of the planned mid-year German-Italian action plan, announced by Chancellor Scholz, in late 2021 and modeled on the Franco-Italian Qurinal Treaty (Rüb 2022; Wermke 2021). With the Franco-German relationship the bedrock of the EU and France committed to a common European asylum agreement, the Union's three largest states have thrown their support behind the Pact. Perhaps most importantly, the mass arrival of Ukrainian refugees in Central European states, transforming them overnight into frontline states, means that there might well be a window of opportunity to secure their agreement.

The Pact, or subsequent forms of EU cooperation should it fail, would benefit from two reforms. The first, suggested by Italian migration scholar Ferruccio Pastore (2017: 50), would involve replacing the system of negative incentives with positive ones: providing EU funding for states that agree to accept refugees. The amount should cover the integration costs for the first two years and include a further supplement, making refugees profitable. If refugees were seen as a financial benefit for governments and communities, local and national opposition should lessen. Such a system could be easily and logically paired with the current solidarity scheme. Rather than merely paying for return, states that do not want refugees could pay for their integration in other EU countries. There is precedent within the EU for such an approach: Rome creates asylum reception centers in southern Italy partly because most migrants arrive there and partly because they generate jobs and stimulate local demand in a manner that benefits southern communities.[39]

The second is opening more legal challenges to low-skilled migration. There is nothing new about this suggestion. NGOs and international organizations have long urged it, and the Commission itself has spoken of expanding legal channels.[40] The case is overwhelming: all European states, like middle- and high-income countries generally, are structurally dependent on cheap labor (Hansen 2023: conclusion). Figure 13 summarizes the dependence across the OECD:

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[38] Interview with Stefano Pes, European Asylum Support Office, Rome, January 13, 2022.

[39] Interview with Karen Whiting, Deputy Representative, UNHCR, Rome, January 11, 2022.

[40] Interview with Andrea Costa, President, Baobab Experience, Rome, January 13, 2022; Interview with Syed Hasnain, President, UNIRE Rifugiati, Rome, January 12, 2022; Interview with Ilaria Masinara, Campaign Manager, Amnesty International Rome, January 19, 2022.

Figure 13: Wage Levels: Percentage of workers earning low pay (low pay = less than two-thirds of median earnings) - OECD 2021
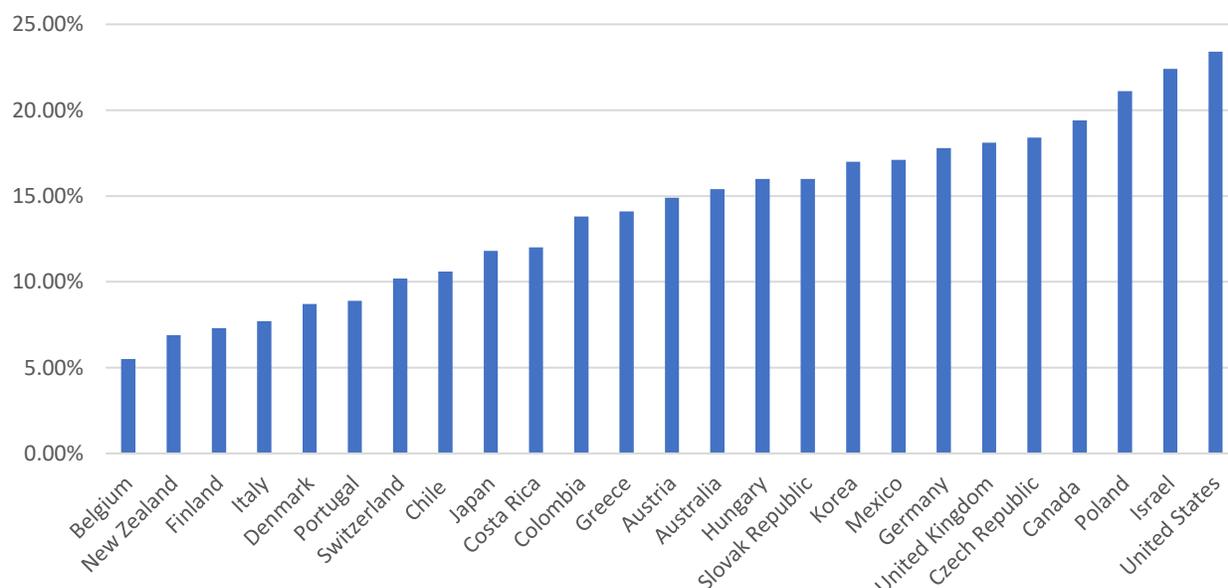
Thus, between five and twenty-five percent of the *formal* labour market in the European Union is made up of cheap labor. The development reflects long-term, structural economic trends. As Europeans were educated and skilled up, and as rural migration was exhausted, fewer and fewer national workers were willing to take on unappealing jobs. Both processes are advanced in Western Europe. Because of later economic development (and, in Poland's case, a massive agricultural sector), it is less advanced in Central Europe. Still, strong economic growth and extremely low birth rates mean that it too will find itself in a similar position. Indeed, across most of Europe, above all in Central and Southern, low birth rates and an aging population (which creates great demand for cleaners and caregivers, both migrant-dependent sectors), will only increase the need for low-skilled labor and labor migration.[41]

These figures only include the formal labor market. There is a massive informal labor market across the European Union; in Italy, the Union's third-largest economy, it is estimated at 15-17% of GDP (making it possibly the EU's second-largest economy). Migrants, primarily but not only informal migrants, fill most of these positions. Informal work makes such workers, who often have other vulnerabilities (poor language skills, ignorance of their rights, and fear of arrest and deportation), subject to exploitation. In exceptional cases, migrants with no other options turn to drug pushing and other criminal activities.[42] With such labor demand, the EU will get economic migrants whether it wants them or not.

Because of the absence of legal channels for low-skilled migrants, tens of thousands of economic migrants are forced pointlessly into asylum systems, slowing adjudication processes, costing vast amounts of money, and delaying their integration when they cannot work or study. European

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[41] Interview with Andrea Costa, President, Baobab Experience, Rome, January 13, 2022.
[42] Interview with Andrea Costa, President, Baobab Experience, Rome, January 13, 2022.

politicians will never meet the Union's migration challenge until it recognizes the need for low-skilled migrants and opens channels for them. Doing so will require that they speak truth to politics, namely their voters.

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