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List of Abbreviations

AMIF - Asylum, Migration and Integration Fund
AS - The Asylum Service
CEAS - The Common European Asylum System
COVID -19 - Coronavirus disease 2019
EASO - The European Asylum Support Office
EBCGA - The European Border and Coast Guard Agency
ECA - European Court of auditors
ECRE - The European Council on Refugees and Exiles
ECSC - The European Coal and Steel Community
EDPS - The European Data Protection Supervisor
EDU - The Europol Drugs Unit
EEC - European Economic Community
EFCA - The European Fisheries Control Agency
EMIST - EU Mobile Investigation Support Team
EMSA - The European Maritime Safety Agency
EMSC - The European Migrant Smuggling Center
ENU - Europol National Units
EP - The European Parliament
EPN - The European Patrols Network
ETIAS - European Travel Information and Authorisation System
EU - The European Union
Euratom - European Atomic Energy Community
EURODAC - The European Asylum Dactyloscopy database
FRA - The European Union Agency for Fundamental Rights
GAS - The Greek Asylum Service
GDP - Gross domestic product
IOM - The International Organization for Migration
IPA - International Protection Act
ISF - The Internal Security Fund
LI - Liberal intergovernmentalism
MMST - The Migration Management Support Teams
NGO - A non-governmental organization

RAO - The Regional Asylum Office

UN - The United Nations

UNHCR - The United Nations High Commissioner for Refugees

V4 - The Visegrad Group

1. Introduction

1.1 Problem description

Several years ago, the European Union experienced the largest migration crisis since its inception (Glorius and Doomernik, 2020). 2015 was a difficult year for the European Union and Europe as a whole. At the end of 2015, there were approximately 1.2 million Syrian refugees in Europe (Lima, Bernabè, Bubbico, Leonardo and Weiss, 2016). Most of them came to the EU illegally, and orphans were the largest group of asylum seekers. Other nationalities seeking asylum in the EU were 178,200 Afghans and 121,500 Iraqis. It should be noted that the displacement of refugees began in 2013, but the number of officially registered Syrian refugees increased from 2.3 million at the end of 2013 to 3.7 million by December 2014 and to 4.9 million by December 2015 (Kugiel, 2017).

The worst situation was in the Mediterranean. After all, the refugees who fled to Europe first came to Greece. At the same time, Greece received an extremely large number of asylum applications from nationals of Syria, Pakistan, Iraq, Afghanistan, Albania, Iran, Bangladesh, Palestine, Georgia and Morocco (Velentza, 2018). From the very first days of the refugees' arrival, it became clear that the EU was not ready for such events. Although the EU has struggled with illegal migration throughout its existence, the number of refugees arriving in a short time has led to the collapse of the EU's already existing migration policy, and it became clear that a new policy and action plan was needed (Bonacia, 2018). The hotspot approach has become a so-called solution for the European Union to regulate the number of refugees and migrants arriving in the EU. Conceived as a temporary measure, this approach was intended to help front-line Member States, which were most affected by the disproportionate number of arrivals. The Member States in which the hotspots were located, in our case Greece, were responsible for managing the hotspots. However, in managing these hotspots, the state must be guided by EU law and must respect the rights and principles set out in the EU Charter of Fundamental Rights, and all other EU institutions and agencies must abide by this Charter (European Union Agency for Fundamental Rights, 2019).

Based on this, the research question of this master's thesis is - **To what extent the creation of hotspots in Greece has affected the relationship between the national government of**

Greece and the European Union's supranational institutions ? With the increase in the number of refugees, the EU has given Member States the opportunity to introduce temporary controls at internal borders in the event of serious threats to internal security (Glorius and Doomernik, 2020). For their part, national institutions tolerated what they understood as marginal “laissez-passers”, implemented, similarly to Greece, to cope with growing arrivals (Semperebon and Pelacani, 2020). In order to settle the situation faced by the European Union, many decisions and agreements were made that created the conditions for deepening the migration crisis and left Greece alone with problems. In addition, the European Union's approach to migration has created a crisis of solidarity towards Greece. The emergency relocation mechanism, whose task was to share the burden between EU Member States and thus overcome the migration crisis, ultimately only made the situation worse. This mechanism has shown a gap in the system of migrant placement in a fair manner. However, the main reason for the failure of this mechanism was the reluctance of EU Member States to help Greece (Fine, 2019).

The hotspot approach preceding the emergency relocation mechanism was developed by the European Commission in May 2015 and its main objective was to improve cooperation between national authorities and European agencies, namely the European Asylum Support Office, Frontex and Europol, which cooperated for rapid identification and registration as well as ensuring the process of resettlement and fair distribution of refugees between EU Member States (Orav, 2016). Mainly hotspots were located in Italy and Greece. However, after a while, the idea of creating hotspots has been called into question, as initial observations have shown an increased risk of discrimination on a national basis, as well as possible human rights violations that may result from the forced and hasty processing of asylum applications. The biggest problem with hotspots was the reluctance of Member States to accept refugees and the inaction of the EU caused hotspots to be overcrowded. As a result, Greece was left alone with the migrants (Staff member from Caritas Italiana, 2016). In addition, the fact that none of the migrants could easily access (or use) the reception system, points to some other critical problems. First, transit through Europe has affected the rights and conditions of applicants and holders of international protection. Secondly, it has put countries in border areas in an even more tense situation (Glorius and Doomernik, 2020).

At the same time with the creation of the hotspot approach, a migration program was created which included the relocation of refugees from Greece to other EU Member States. The first problem that countries have faced is the lack of financial assistance and operational support

from the EU. However, the European Commission relied on the principle of solidarity and the division of responsibilities between Member States in the framework of border checks, asylum and immigration, so it was decided to initially relocate 40,000 people. The next step was the resettlement of 120,000 people. In the summer of 2015, the Justice and Home Affairs Council agreed on a draft decision to establish a temporary and emergency resettlement mechanism (European Commission, 2015b). This project concerned refugees who arrived in Greece from September 2015 to September 2017, as well as applicants who arrived in the territory of these Member States from spring 2015 (European Commission, 2015c). However, it became clear later that relying on the solidarity of the countries was a wrong decision, as Slovakia, Romania and the Czech Republic opposed the resettlement plan immediately after its development. In 2015, Slovakia even submitted to the Court of Justice of the European Union the cancellation of the second decision on resettlement, since, in their view, the scheme violates the principles of institutional balance, legal certainty, representative democracy and proportionality (Orav , 2016). After Slovakia, Hungary also filed a lawsuit against the second resettlement decision. Poland did not file a petition with the European Court, but said it would veto any new refugee resettlement plan. Subsequently, Sweden also stopped receiving refugees. The Council of Europe has agreed to suspend Sweden's participation in the refugee resettlement scheme for one year. Austria also proposed to suspend the resettlement of 30% of the applicants. The Commission, in turn, decided to provide countries with emergency financial assistance of EUR 162 million under the Asylum, Migration and Integration Fund and EUR 37 million under the Internal Security Fund (ISF). However, the refugee resettlement plan in the EU has been widely criticized. The EU has not been able to force countries to fulfill their responsibilities, leaving Italy and Greece alone with many refugees (Orav , 2016).

The rapid development of the EU has brought with it new forms of governance that differed from the common method of the Community. As a result of these changes, supranational actors have begun to support newly established institutions. Such newly created bodies gain considerable autonomy through the executive or the legislature and gain a certain level of control over their own resources (Scipioni, 2018). According to these changes, the newly created EU agencies must meet the following criteria, namely:

- these agencies should be advisory in nature;
- the delegation should be addressed not to the European Commission but to these bodies;
- the powers acquired by new agencies should be narrowly specialized.

The main task of these agencies should be to gather information and provide technical expertise. The accountability mechanism plays an important role in the growth of agencies. Proponents of the new agencies argue that this marks the creation of a new European administrative space, bringing together national and supranational bodies around newly created bodies at EU level. Agencies such as Frontex and EASO have started to operate on an intergovernmental basis, and this has been confirmed by their composition, as they consist of one representative from each Member State and two appointed members of the Commission. Due to the development of EU migration policy, the creation of Frontex raises more and more questions, namely whether this agency really has value in terms of accountability efficiency compared to the previous status quo. It is also assumed that the creation of Frontex is more of an example of experimental management. It is believed that the institutional evolution of EU agencies is more likely to take place through a deepening of competences than through horizontal enlargement. This can happen if the agencies move from simply coordinating Member States' actions to initiating cooperation, which will increase the responsibilities and monitoring capacity (Scipioni, 2018).

In modern governance, the phenomenon of 'agencification' is significant for two reasons. On the one hand, modern agencies go beyond the classic EU model, as they require supranational development and are empowered in terms of money, staff and coercion. On the other hand, the agencies physically represent EU officials in the territory of the Member States. The main purpose of the EU presence is to strengthen or even replace the actions of national authorities. The presence and activities of EU agencies exercise sovereignty together with the states and thus the state no longer has a monopoly on its territories. In such circumstances, EU Member States must compromise with a high level of ambiguity within the framework of the model of shared sovereignty. This in turn creates political conflicts between the EU and states. The EU's dependence on hybrid governance structures creates shortcomings at both the national and supranational levels (Freudlsperger, Maricut-Akbik and Migliorati, 2022).

Delegation of powers through EU agencies takes place under the guise of assistance. The problem with delegating authority is the issue of accountability. It is the duty of the Greek government to comply with international and European legislation on the protection of refugees. However, due to the creation of hotspots, the asylum process is partly entrusted to

European agencies, and because of this, the boundaries of responsibility are blurred. The migration crisis and the creation of hotspots have led to radical interference in the work of national actors. It is the delegation of EU agencies to the territory of Greece and is an example of such an intervention. This is through a mechanism to encourage Greece by providing significant financial support (Bousiou and Papada, 2020).

In the field of migration, these agencies introduced innovations that were later legalized. Thus, a study by the European Parliament showed that cooperation between Frontex and third countries has led to significant innovations that were not clearly defined in the law. Such processes occur due to legal uncertainty and ambiguity. The best example of such processes are hotspots. The refugee camps became the so-called platform for agencies. It was thanks to the hotspots that the agencies were able to quickly and intervene in the affairs of member countries. Although operational support has always been one of the main missions of Frontex and EASO, the level of support in hotspots has been unprecedented. Hotspots have become a so-called place for further deepening the competencies of EU agencies (Scipioni, 2018).

In order to understand the relationship between the Greek national authorities and the EU's supranational bodies after the creation of the hotspots, it is necessary to analyze Greece's attitude towards the EU itself. The Greek government understood European integration as a supranational project that would bring security to the country, economic development and better living standards. The Greek government saw more in the image of the EU financial assistance and stability, which to some extent was true. That is why the Greek political elite understood that the potential benefits of Greece's interaction with the EU outweigh the potential losses. And because of this, the EU has become the main political center for Greek national policy (Tsirbas and Sotiropoulos, 2016). This was especially noticeable after Greece faced various crises. After 2009, Greece became dependent on external financial assistance from the EU. Despite Greece's dependence on the EU, unpopular left-wing political parties began to develop in Greece after 2010. And already in 2012, this left-wing political party received the status of the main opposition party in the Greek parliament. Unlike the Greek population, the Greek government's commitment to the EU has only grown. The Greek government was aware of the growing dependence on EU funding (Tsirbas and Sotiropoulos, 2016). EU financial support for Greece in managing migration flows comes from the EU's three main funds. It has provided 1.71 billion euros to the Asylum, Migration and Integration Fund, 450 million euros to the Internal Security Fund and 643.6 million euros from the Emergency Support Instrument (European Commission, 2020b).

During the migration crisis, the EU's popularity among the Greek population began to decline sharply, which is not the case with the Greek authorities. At the same time, the Greek government is receiving a third package of financial assistance from the EU, which only shows that the Greek government is not going to strengthen its independence. The migration crisis and the creation of hotspots in Greece have given the Greek government the opportunity to demand even more financial help from the EU (Tsirbas and Sotiropoulos, 2016). In order to receive additional assistance, the Greek government has even advocated strengthening the powers of the European Parliament. In addition, the Greek government called on the EU to increase financial assistance, which according to the Greek side will limit economic differences between Greece and the EU. The Greek government was also ready to transfer power from the national to the supranational level on migration policy. At the height of the migration crisis, the Greek authorities' views on the issue of European identity remained unchanged. Greece's attachment to the EU remains strong, although confidence in the EU's supranational bodies has begun to decline sharply due to poor EU regulation of the migration crisis. The practice of Greek policy towards the EU remains unchanged, with the Greek government continuing to demand economic assistance, the transfer of immigration and some structural financial issues to the supranational level, and the strengthening of the European Parliament (Tsirbas and Sotiropoulos, 2016).

As for the Greeks themselves, the majority of the population in 2015 supported the provision of financial assistance to Greece. Although the Greeks themselves oppose EU policy. According to a Pew Research Center poll, in 2014, only about a third of Greeks were positive about the EU. In addition, the poll showed that Greeks felt abandoned by their EU partners. Although the people of Greece, as well as the government, oppose EU interference in Greek affairs, they understand that they are dependent on EU financial assistance (Stokes and Kehaulani, 2015). Providing Greece with financial support to regulate hotspots makes Greece dependent on EU bodies. Due to this dependence, as practice shows, the Greek government will not be able to oppose the EU and self-regulate hotspots. However, on the other hand, the Greek government has been criticized for misusing funds and deteriorating hotspots.

The creation of hotspots was based on multilevel governance (MLG), which led to the division of power up to supranational organizations such as the European Union, and down to regional and local authorities in this case the Greek government. Municipalities at the lowest level viewed the refugee crisis as a situation in which they were involved without a mandate. Apart from the fact that the municipalities were under the greatest pressure, they not only did not receive assistance from the EU but also did not receive assistance from the Greek

government (Berry, Garcia-Blanco and Moore, 2015). Although Greece received some financial support from the EU, the government did not support the cities where the hotspots were located. Thus, Greek employees were paid much less than employees of EU agencies. In addition, disputes have always arisen in the field between the Greek side and representatives of EU agencies. Limited asylum policies have only led to further controversy (Bousiou, 2021).

1.2 Structure of the work

This paper aims to analyze the European Union's actions during the migration crisis and their implications for Greece, which is the main subject of research. The topic of migration and hotspots has been studied by many scholars, namely Marco Scipioni wrote two famous works - "Failing forward in EU migration policy? EU integration after the 2015 asylum and migration crisis" and "De Novo Bodies and EU Integration: What is the Story behind EU Agencies' Expansion? ". Aila Spathopoulou and Anna Carastathis wrote an article "Hotspots of resistance in a bordered reality" which I also refer to when writing this master's thesis. Thus, the topic of hotspots is extremely important, because despite the fact that today, there is no such a large flow of refugees, this does not mean that refugees do not continue to illegally enter Europe. In addition, it should be noted that hostilities in Syria and other Middle Eastern countries do not stop and therefore no one can say with confidence that the events of 2015 will not be repeated. In this master thesis, the attention is drawn to EU mechanisms and approaches to Greece and to agencies that have had a direct impact on the migration crisis.

It is believed that any crisis can be assessed through the prism of theories, so from this point of view it is important to consider neofunctionalism as one of the most prominent theories of European integration. In addition, neofunctionalism can provide insight into understanding important aspects of the EU's response to the crisis (Niemann and Speyer, 2018). Another theory I would like to analyze is Liberal Intergovernmentalism (LI), although this theory does not explain the causes of integration crises, LI assumes national preferences reflect the interests of powerful internal groups. In addition, the functional theory of LI institutions explains how international institutions stabilize international cooperation (Schimmelfennig, 2018).

The analysis of migration policy includes an analysis of EU actions, agreements and decisions taken to overcome the migration crisis, with particular emphasis on the hotspot approach and

the emergency relocation mechanism. In addition, attention is paid to agencies at the local level, for instance in Greece. Empirical analysis is based on primary sources namely official documents, reports, proposals and recommendations.

2. Theoretical aspects of migration crises

2.1 Neofunctionalism

Neofunctionalism originates from functionalist, federalist, and communication theories, while relying on "group theorists" of American politics. Two of the most famous neofunctionalists writers, namely Haas and Lindbergh, combined functionalist mechanisms with federalist goals (Niemann and Schmitter, 2009). Neofunctionalism emphasizes the mechanisms of technocratic decision-making. One of the biggest differences between functionalist and neofunctionalist theory is that functionalists believed that the scope and purpose of an organization was determined by the task it was to perform, while neofunctionalism paid attention to the autonomous influence of supranational institutions where the role of organized interests was formed. Neofunctionalism gave integration a special regional orientation. In addition, Jean Monnet played an important role in the development of neofunctionalism, he gave the theory of neofunctionalism a clear academic significance, and at the same time, this theory became a normative guide to action. At the same time, Haas and Lindberg begin to talk about the idea of European unification in their works (Niemann, Lefkofridi and Schmitter 2018).

To date, it is difficult to give a precise definition of the concept of neofunctionalism, the reason for this is that, first, in the process of development neofunctionalist theory has undergone a number of reformulations. The very first versions of Ernst Haas and Leon Lindberg on the definition of non-functional theory have been revised and modified by many researchers, such as Philippe Schmitter, Stuart Scheingold and Joseph Nye, and many others (Ibid). Secondly, in the process of creating the theory, there were many differences within the neofunctionalist school, such as differences of opinion on the final state of integration and politicization. Third, uncertainty about the nature and limits of neofunctionalism thought has also given rise to great semantic uncertainty (Ibid).

The early theory of neofunctionalism derives from Haas's seminal book, *The Unification of Europe* in 1958, although the theory itself does not offer a single authoritative definition of integration. Haas and Lindbergh themselves understood integration as a process, not a statement. In addition, they argued that integration involves the creation and expansion of the role of regional institutions. Lindberg limited his research to the European Economic

Community (EEC). Haas based his analysis on the ECSC, but extended his findings to both the EEC and the European Atomic Energy Community (Euratom) (Ibid).

Neofunctionalist theory is based on several fundamental principles, some of which have become the basis for understanding and defining the concept of integration. First, neofunctionalist aimed to build a general theory that included a general theory of integration. Second, integration is understood as a process. Third, neofunctionalism is "pluralistic" in nature (Ibid). Contrary to traditional theories, neofunctionalism argues that regional integration is characterized by many diverse and changing actors. Fourth, neofunctionalists view the community as an "elite being". At the very beginning of the development of this theory, Haas paid great attention to the role of non-governmental elites, in turn, Lindbergh focused mainly on government elites. However, none of them attached much importance to the role of public opinion. In addition, there is speculation that Haas assumed continuous economic growth in Europe, although he did not mention it. The reason for this assumption is that Haas argued that prosperous societies would focus primarily on the pursuit of wealth rather than nationalist, socialist, or religious ideals. It follows that neofunctionalism is mainly a theory of the dynamics of European integration (Ibid).

The following five aspects are the driving force on which neofunctionalism is based, namely: researchers of this theory assume that national and supranational elites recognize the limitations of national decisions. The relocation to a new center is also seen as motivated by the interests of the actors (Ibid). However, these interests are likely to change in the integration process. Haas argues that membership of the ECSC has changed the way stakeholders and, subsequently, member governments are perceived. Once established, institutions can gradually avoid the control of their creators. The early theory of neofunctionalism emphasized the primacy of gradual decision-making over large projects. Haas also agreed with Pierre Uri's suggestion that the emerging functional interdependence between entire economies and their productive sectors tends to promote further integration (Ibid).

Thus, these assumptions became the basis for explaining the integration process in Europe. In addition, here arises the term "functional overflow", which explains the functional and economic rationale for further integration. Haas and Lindbergh note that supporting the integration process among economic and political elites is extremely important. National elites must promote further integration, thus providing a political impetus to the integration

process (Ibid). In addition, Haas focused on pressure from non-governmental elites, namely business and professional associations, trade unions, and other stakeholders. Lindberg, in turn, attached greater importance to the role of government elites and socialization processes. He focused on widespread EU working groups and subcommittees, which in turn involve thousands of national officials in cooperation between themselves and the Commission, which in turn creates a complex system of bureaucratic interaction. According to Lindbergh, such interaction increases the likelihood of socialization processes (Ibid). Neofunctionalism has challenged the classic intergovernmental vision of decision-making in the Community, which is based solely on national strategic negotiations, and created a "supranational" problem-solving process where participants seek compromise through compromises that strengthen common interests. Such socialization processes should contribute to the formation of consensus among agents of member governments, which in turn will lead to integrative results (Ibid).

It is important to emphasize the role of participants in the integration process. Thus, all parties must have a common position so as not to jeopardize those areas where consensus prevails. Participants in such negotiations exchange concessions in related areas under the auspices of the European Commission. In this case, the Commission acts as the main subject of the creation of functional and economic interdependence (Ibid). In addition, in the last century, Haas foresaw the gradual expansion of the Commission's powers, thus giving the integration process even more impetus. Lindberg, in turn, stressed the need for links between national elites and the Commission. In such a structure, the Commission occupies a central government position, in which it not only manages the dynamics of relations between states, but also the relations of stakeholders in each state. Lindberg also notes that such cooperation between the Commission, national state and stakeholder groups will eventually lead to the gradual "informal cooperation" of these groups in order to achieve European goals (Ibid).

Thus, from the above we can conclude that neofunctionalism was developed as an attempt to take into account the political regional integration process. In addition, non-functional theory has challenged dominant international relations and interstate cooperation. Regional integration in Western Europe in the 1950s was defined as a process of voluntary agreement on the establishment of new forms of relations and new methods of conflict resolution (McGowan, 2007). To better understand the role of neofunctionalism in the development of European integration, it is necessary to consider another concept, spillover. This term is understood as a process by which political cooperation leads to the adoption of new goals that

require further expansion of political cooperation. This term is also used to analyze the process by which integration in a particular policy area moves in a "spillover" direction, thereby influencing integration in other policy areas (Jensen, 2000). In addition, the term spillover explained the transformational changes that took place in the last century in Western Europe. Haas and Lindbergh suggested that the integration process was irreversible as member state governments increasingly found themselves under the pressure of delegating more powers and responsibilities to regional institutions (McGowan, 2007).

In the late 1980s, active work was carried out to complete the single market project enshrined in the Single European Act at the end, which in turn sparked a new wave of interest in neofunctionalism. Here, spillover did not contribute to the European solution, but rather pushed for a harmonious policy development in the EU (McGowan, 2007). Such cooperation allowed supranational officials to act as informal political entrepreneurs in other areas and in turn forced Member State governments to delegate further powers to supranational actors. In addition, such a political division affects the loyalty of key political actors at Member State level. This provided an opportunity to see the response to integration from stakeholders, who in turn focused their expectations and actions on the supranational level of decision-making in the EU (McGowan, 2007).

In the late 1990s, Stone Sweet, Sandholtz and Fligstein published some works that created the so-called new form of neofunctionalism: the theory of supranationalism. Unlike the early theory of neofunctionalism, these authors were critical of the automatism of integration, although they did not rule out that once the process of integration began, it was already irreversible (Ibid). In addition, these authors also supported the importance of the government as a key player in the integration process. However, they argued that Member State governments are only part of the EU's multilevel structure, and that understanding the development of the EU requires research into the activities and motives of EU supranational institutions and their interaction with non-governmental groups. Therefore, this new approach has made it possible to consider three interrelated dimensions, namely existing EU rules, EU organizations and government structures (Ibid).

Despite the fact that in the mid-1970s Haas declared the neofunctionalist theory "obsolete" in some of his predictions, he was still right, since he argued that the European Commission was a complex political system that should not be seen only as an integration project. Therefore, integration in one policy area will inevitably lead to another. This phenomenon was explained

by neofunctionalism, because in 1985 the European Economic Community created the Internal Market Program, which removed tariff barriers (Niemann and Schmitter, 2009). The result has been an increase in trade between Member States. This in turn led to the freedom of movement of goods, and later this freedom of movement included people, services and capital. The spillover effect could easily be seen in economic and monetary policy. Furthermore, neofunctionalism explains how the euro emerged as a result of a spillover from relatively unrelated policy areas. If neofunctionalism explains the emergence of the Eurozone, then the same theory can explain the crises that occur in the EU (Dunn, 2012). Another argument in favor of the usefulness of non-functional theory is the European Court. The EU is a supranational institution that is virtually unaffected by individual nation states. The neofunctionalism argue that the European Court, in partnership with subnational actors, seeks to legally integrate the European justice system. Such an integrated European justice system will benefit Europe and deepen integration (Dunn, 2012).

Despite all the arguments, neofunctionalism is severely criticized. Some scholars, such as Moravcsik, have argued that neofunctionalism is not a theory but a collection of unrelated statements. The greatest critique of neofunctionalism calls into question the theoretical foundations of this approach. In addition, Moravcsik considered neofunctionalism as a set of overly ambitious claims. He also argued that neofunctionalism was too focused on the analysis of endogenous causes despite exogenous factors. Therefore, based on this, Moravcsik argues that neofunctionalism does not provide an appropriate framework for studying European integration (McGowan, 2007). Proponents of intergovernmental institutions argue that nation-states play a more important role than neofunctionalists argue, and thus prove that this theory is outdated. In addition, they argue that the state plays a central role in the foreign policy and foreign policy of member countries. The European Parliament and the European Commission help to ensure that Member States have their own interests. Hoffman and Moravcsik argued that individual governments control the pace of integration within the European Union, thus rejecting the spill effect. However, it seems that neofunctionalism has taken a new course, as economic integration has given rise to the integration of the social and political systems of the European Union (Dunn, 2012).

Schimmelfennig believes that neofunctionalism presupposes a progressive dynamic of integration, which depends on certain factors. Often the beginning of integration is quite unstable, the reason for this is the dependence of integration on national preferences, rather than functional requirements. An integral part of the integration dynamics is the emergence of

various crises. Schimmelfennig argues that such crises are endogenous and arise through the very process of integration (Schimmelfennig, 2018). One of the positive features of crises is the strengthening of integration through institutionalization. Supranational organizations and agencies play an important role in expanded integration. The crises that have shaken the EU in the 21st century have led to a significant increase in the budget and staff of EASO and Frontex, but they have not been given supranational competence. EU Member States continued to coordinate EASO. In the case of Frontex, the European Commission has repeatedly sought to give the agency supranational competences, but the Council of Europe and Parliament have rejected this request (Schimmelfennig, 2018).

In turn, national governments prefer to abide by their initial agreements. Governments are also reluctant to give up autonomy by making new commitments, and governments agree to deepen integration only when absolutely necessary (for example, if curbing integration requires high costs). But on the other hand, in the event of a crisis, integrated policies have a high risk of disintegration if they remain at a low level of transnational interdependence and supranational capacity. In this case that neofunctionalism explains the difference in integration outcomes, transnational interdependence, and supranational capacity (Ibid).

Thus, summarizing the above, neofunctionalism presents European integration as prone to crisis, but at the same time due to crises, European integration is actively progressing. However, while on the one hand the crisis is an impetus for integration, on the other hand such an impetus depends on the consequences of previous integration, transnational interdependence and supranational capacity. As for supranational capacity, it requires independent decision-making by supranational actors and the ability to mitigate intergovernmental conflicts and transnational pressure. Neofunctionality emphasizes the need for interdependence and organizational capabilities (Ibid).

2.2 Liberal Intergovernmentalism

Liberal intergovernmental mechanism (LI) is one of the key theories of studying regional integration. LI has been the main theoretical alternative to neofunctionalism since the 1960s. LI is based on the ideas of international political economy, liberal and institutionalist theory of international relations. In addition, this theory is based on two assumptions about international politics. The first assumption is that states are extremely important actors in the context of international anarchy (Moravcsik and Schimmelfennig, 2019). It is here that the European

Community is seen as an international policy coordination regime, and the Member States have outstanding decision-making power and political legitimacy. The second assumption is that actors calculate the usefulness of alternative courses of action and choose the one that best suits them. Agreements between states on cooperation or the establishment of international institutions are explained as a collective result or a rational choice of states. In addition, LI explains international cooperation. Thus, states first determine their preferences, then discuss the main arrangements and ultimately create institutions (Moravcsik and Schimmelfennig, 2019).

LI has no specific explanation for integration crises. LI argues that national preferences reflect the interests of powerful internal groups. Agreements between states on integration reflect the relative bargaining power in a situation of asymmetric interdependence. LI as a theory does not explain the origins and causes of integration crises. However, LI explains how international institutions stabilize international cooperation. With regard to ongoing crises, the LI indicates that governments are unable to anticipate or prevent crises that may affect their integrated political regimes. However, this theory suggests that governments respond rationally to such crises (Schimmelfennig, 2018). One of the crises mentioned by LI is integration crises, which are situations of increased interdependence, i.e. we are talking about the external effects of international politics, which create a particularly high demand for policy coordination. However, due to the asymmetric interdependence of the crisis, states are affected in different ways. In addition, governments respond differently to crises and pursue their national interests, minimizing the crisis burden and maximizing the benefits of political and institutional change. LI as a theory explains why this is the way, and not otherwise, governments act in times of crisis. LI points out that the national interest is a consequence of internal conflicts and relations between the authorities. After all, for example, domestic producers usually define national preferences in domestic market policy (Schimmelfennig, 2018).

However, it is believed that asymmetric interdependence and unequal international distribution lead to intergovernmental negotiations and deepening integration. After all, those states that have suffered the most from the crisis have the added benefit of integration. Conversely, the states that have suffered the least from the crisis can count on concessions from those states that have suffered the most from the crisis. From this, we can conclude that domestic policy affects the negotiating force and the outcome of negotiations. During crises, governments work together to protect their integrated policies from internal pressures (Ibid).

Emerging crises also have a direct effect on the relationship between the supranational government and the governments of states. After all, as a rule, during crises, governments combine decision-making processes and delegate powers to supranational institutions in order to maximize the benefits of integration (Berry, Garcia-Blanco and Moore, 2015). That is why they are making every effort in the EU institutions to stabilize integration and cooperation. This is because governments are more willing to delegate and consolidate sovereignty during crises, due to the fact that the crisis demonstrates the disadvantages of former decentralized institutions, thus encouraging governments to increasingly delegate and unite for the necessary integration (Ibid).

LI presupposes a rational response of governments to crises arising in the EU. Rational and strategic policy decisions of governments require joint action, which is part of European integration. Thus, the result of integration is explained by negotiating power between Member States. However, crises occurring at the international level can affect integration in different ways (Oğurlu, 2019). LI as a theory explains the emergence of crises that have occurred and are occurring in the EU. The refugee crisis is one of those crises that LI analyzes and explains. The reason why this theory explains the migration crisis is that Member States have participated in the transfer of loads from Greece and Italy. In addition, it is this crisis that unfolded in the space of freedom, security and justice of the EU, which includes domestic policy, namely - border security, asylum and immigration (Schimmelfennig, 2018). Since LI as a theory explains the reasons for integration and the actions of states in integration processes, this theory also explains the behavior of states during the migration crisis, because anti-crisis governance is mainly in tough interstate negotiations (Schimmelfennig, 2018).

Scholars use LI to explain the reasons for the lack of political reform during international crises. Of course, this depends on the problems faced by the states, as well as on the states themselves. The ability of states to respond rationally to adverse events depends on both the economic structure, geographical location, and fiscal potential. After all, as costs increase as a result of exogenous shock, states tend to prefer a more coordinated policy and, consequently, political integration itself (Berry, Garcia-Blanco and Moore, 2015). LI argues that constellations of preferences and relative bargaining power can determine reforms and share the benefits of working with other nations. It is assumed that political reforms depend on two main factors. First, the reform agreement depends on the type of collective action problem faced by states. Although states can easily solve the problems of cooperation and coordination through joint agreements and the creation of strong institutions. Second, models of

asymmetric interdependence can lead to an asymmetry of power, which has a direct impact on negotiations between states (Biermann, Guérin, Jagdhuber, Rittberger, and Weiss, 2019).

The refugee crisis was quite different from other international crises that Europe was struggling with. It was during this crisis that most joint decisions and political reforms failed. Moreover, it was during the refugee crisis that unilateralism increased. In 2015 alone, the European Commission presented three policy packages or emergency measures to overcome the migration crisis, but not all proposals were implemented. Member States' reform decisions are based on asymmetric interdependence, which is determined by the intensity of migratory pressure. Therefore, it is believed that countries facing strong migratory pressures (such as Greece and Italy) will vote for regulatory reforms (e.g. requiring a fairer burden-sharing mechanism). In turn, Member States with a low flow of migrants prefer to maintain the legal status quo and implement it effectively (Biermann, Guérin, Jagdhuber, Rittberger, and Weiss, 2019).

Summarizing the first section of this master's thesis, I can assume that neofunctionalism and the liberal intergovernmental mechanism share a functional optimism about the proposal of integration. This optimism is reflected in the explanation of the ways of integration, common politics and crises that have a direct impact on the integration of states. In addition, these two theories suggest ways to resolve conflicts through the promotion of common interests and through distributive negotiations (Genschel and Jachtenfuchs, 2017). These two theories are ideal for analyzing the migration crisis in Europe. After all, LI explains the need for major negotiations on refugee quotas, and neofunctionalism in turn helps to explain why the gradual growth of supranational activity is overlooked. Neofunctionalism considers the dysfunction of the status quo, which may be the cause of the crisis. In addition, neofunctionalism analyzes entities that offer deeper integration to correct dysfunction. These two theories help us understand the crises that have shaped the EU over the last decade. They use different proofs and visions of integration. Neofunctionalism and LI view crises as episodes of intergovernmental negotiations (Hooghe and Marks, 2019).

So, the purpose of this paper is to answer the question of how the creation of hotspots in Greece has affected the relationship between the national government of Greece and the European Union's supranational institutions. To do this, I need to consider these two theories, which reflect the development of EU migration policy. After all, these theories are the basis of the empirical part. The reason for choosing these theories was that they form the basis of the

theory of European integration, partly explaining the reasons for migration and the need for international cooperation (Huber, 2018). Neofunctionalism as a theory focuses on the institutions and problems of integration, so neofunctionalism can help to understand the causes of EU action that led to the creation of hotspots, in addition, neofunctionalism focuses on problem-solving through EU institutions and policies, and this will help to some extent to answer on the main research question of this master's thesis.

Liberal intergovernmentalism studies the relationship between the state as an actor at the national level and the European Union as an actor at the supranational level, and this theory shows the need for negotiations between these actors in order for states to achieve their goal. Since the research question is about the hotspots, supranational and national actors, this theory helps me understand and to some extent explain the actions of these actors.

3. Methodology

Greece has always suffered from the arrival of migrants because of its location. Greece has been facing the first waves of migration since the 1990s. However, between the 1990s and the beginning of the 21st century, Greece showed that it was unprepared to regulate migration flows. Since 1998, Greece has adopted a number of programs to regulate migration flows, but they have been ineffective. In addition, the problem with these programs was that they did not provide a long-term perspective (Skleparis, 2017). In 2010 and 2011, the Greek government passed several positive laws on citizenship, naturalization, and the establishment of police-independent special asylum and first-reception facilities for refugees. However, the negative public attitude towards migration forced the government to create special groups to control the Greek-Turkish land border to combat illegal entry into Greece. At the end of 2012, the construction of a 12.5 km long fence was completed on the Greek-Turkish land border (Skleparis, 2017).

2014 proved to be a very difficult year for Greece, when Greece faced the economic crisis and the refugee crisis, which ultimately had the greatest negative impact on Greece than on other EU countries. In 2014, due to the war in Syria, a large number of refugees began arriving on the shores of Greece. In addition, the EU put pressure on Greece, noting the urgent need to comply with the rules of protection of human lives at sea (Spathana and Papamina, 2014). In 2015, about 710,000 refugees arrived in Greece (European Commission, 2015c). In 2014, the UN High Commissioner recommended a pilot project to resettle Syrian refugees in various European countries based on a fair distribution system. In addition, a new Immigration Code has been adopted concerning the status of residents of third-country nationals residing in Greece. The new Immigration Code prescribes the possibility of legal settlement of certain categories of refugees who meet certain conditions for obtaining a residence permit for one reason or another (Spathana and Papamina, 2014).

After the parliamentary elections in 2015, the new Greek government tried to change the migration policy against the background of an unprecedented increase in migration flows on the Greek-Turkish sea border. Therefore, in the same year a decision was made to open the "Western Balkans Route" which relieved some tension on the Greek islands. However, in a year the decision to close the "Western Balkans Route" was adopted. The new Greek government failed to resolve the migration of the refugees. So, in February 2015, the government announced closing migrant detention centers, and opening refugee shelters. In addition, a law was passed on the return of migrants and those who were denied refugee

status, but the deportation of migrants was impossible, so they all remained in Greece (Skleparis, 2017). The EU's cooperation with Turkey has forced the Greek government to tighten its policies on asylum, detention, deportation and control of external borders. In 2016, a new law was created that established an exclusive asylum regime on the Greek islands and other border areas. In addition, this law regulated the issuance of asylum applications. That is, refugees who have received a positive response may remain in Greece until the asylum procedure is fully completed, and those who have received a negative response and a refusal of appeal must be deported. Another law (4368/2016) provided free access to pharmaceuticals and medical care in medical centers and hospitals. All persons receiving international protection were entitled to various social benefits. Another law allowed the reception of classes for refugee children in Greek public schools (Skleparis, 2017).

The process of resettlement of refugees from Greece to other countries has been rather slow, as most EU member states have refused to participate in the resettlement mechanism. More than 1.5 years after the resettlement mechanism began, about 15% of the total number of refugees were sent to other EU countries. As a result, Greece found itself in a state of disrepair, so it was decided to relocate a large number of refugees to specially set up camps. Refugees in the camps faced the need for health care, education and psychological assistance (Ibid). These camps, the so-called "hotspots", which had a nominal capacity of about 9,000 places, began to operate far beyond their maximum capacity. All this has led to overcrowding and poor conditions for the displaced population. These conditions led to protests by refugees living in hotspots. In addition, several cases of violence and suicide attempts have been reported in these camps on the islands. Subsequently, the Greek government began the process of distributing food and non-food items among the residents of the hotspots, but this only met their basic needs (Ibid). As Greece struggled not only with the migration crisis but also with the economic crisis, employment opportunities and incomes for third-country nationals declined, leading to lower wages and volatile employment conditions. At the same time, there has been a reduction in the health sector. In addition, public funding for language and vocational courses has decreased. All these factors only reduce the prospects for social integration for people living in refugee camps and centers (Ibid).

I chose Greece because it has become the center of a migration crisis and a catastrophe caused by the policies of both the EU and the Greek government itself. The creation of hotspots seemed to be a lifeline for Greece and the EU as a whole, but in the end it was a failure of migration policy and the creation not of "temporary" centers but of permanent

accommodation for thousands of refugees. As of March 17, 2020, about 37,427 people live in 5 hotspots in Greece (Lesbos, Chios, Samos, Kos and Leros) (Human Rights Watch, 2020).

As the main purpose of this article is to explore how the creation of hotspots in Greece has affected the relationship between the Greek national government and the supranational institutions of the European Union, primary resources are used to answer the research question. I analyzed the main legal regulations by which the EU tried to cope with migratory pressures. Therefore, to understand what EU policy was based on, I analyzed The European Agenda on Migration and the Dublin Regulation. Much attention has been paid to EU agencies because they have represented EU bodies in Greece and played an important role in regulating hotspots. Most of the analysis of the legal framework is based on official documents of the European Commission. The analysis of the actions of the Greek government is also largely based on the analysis of Greek laws. To understand how the creation of hotspots has affected relations between Greece and the EU, an analysis of cooperation between national actors and supranational institutions has been carried out, as well as changes in the rhetoric of communication between Greece and the EU.

An important point for a qualitative analysis is an in-depth study of the content of official documents and their interpretation. In addition, a reasonable presentation of the material is needed to filter the information obtained and use relevant data. Neofunctionalism and the liberal intergovernmental had to be taken as the two theories that best explain the need for integration, crises that are an integral part of integration and the actions of national actors (Greek government) and supranational actors (institutions EU).

4. Empirical Analysis

4.1 The European Agenda on Migration

The European Agenda on Migration, adopted by the EU in spring 2015, became a so-called guide and document that set out ways to distribute the burden voluntarily (namely the distribution of refugees arriving in the European Union) based on national GDP, refugee numbers, employment and total population. The new agenda was aimed at closing gaps in the reception and control procedure. However, despite the EU's efforts to overcome the problems in migration policy, the biggest gap remains the European Union's ability to implement prompt and standardized verification methods, apply asylum principles and resettle refugees between EU countries (Tinker, 2016). This gap has called into question the basic principles of solidarity, subsidiarity, the free movement of people within the European Union and the effectiveness of the EU's legal and political framework. The European Agenda on Migration aimed to formulate long-term provisions for the management of the financial costs of migration management and provisions for the reception and processing of asylum applications under current European Union law and international refugee law. The new program noted that not every asylum seeker has the right to stay in the EU, which is why the European Agenda on Migration provides for the possibility of returning refugees to their country of origin, even if they have already arrived in the EU. Thus, the new agenda allows EU member states to deny asylum to some asylum seekers (Tinker, 2016).

Following the adoption of the European Agenda on Migration, security in the Mediterranean has become a key issue. In order to strengthen control at sea, the EU has decided to increase Frontex's budget for operations such as Triton and Poseidon. Europol also had to step up its information activities (JOT MARE). Changes have also taken place in the distribution scheme of refugees, in order to ensure fair and balanced participation of all EU member states. Thus, the state that first accepts a refugee will be responsible for examining the application in accordance with established rules (European Commission, 2015a).

As noted above, the migration crisis has revealed many gaps in the EU's existing migration policy. Therefore, in order to address these gaps, the new agenda has identified four pillars of action on EU migration policy. The aim of these four pillars was to implement a new migration policy that should respect the rights of refugees, establish a clear framework for European migration policy and withstand humanitarian pressures. Reducing incentives for

illegal migration has become the first pillar of the new agenda. However, migration is usually caused by phenomena that do not depend on the EU. Although the EU pursues an active foreign policy aimed at supporting other countries, this unfortunately cannot affect civil wars, persecution, poverty and many other factors. At this stage, the EU has decided to strengthen its partnership with countries of origin of refugees and transit countries, which in turn should reduce the illegal entry of refugees into the EU. An example of such a policy is the strengthening of cooperation with Turkey. Thus, in 2014, Turkey received 79 million euros to combat the pressure on the refugee management system and help prevent the movement of refugees in the Mediterranean (European Commission, 2015a). The EU has deployed additional Frontex officers in Turkey. The EU also allocated € 96.8 billion from the budget between 2014 and 2020 to support regions such as Africa, Asia and Eastern Europe. EU agencies have played an important role in the development and implementation of the agenda. European agencies were to assist the authorities of European countries in the fight against criminal networks of smugglers. Thus, Frontex provides its full support to the Member States, but at the same time Frontex is limited in its mandate and can only coordinate return missions, but not initiate its own (Ibid).

Border management was the second pillar of the agenda. To this end, the EU gave Frontex new powers and sought to establish cooperation with Member States. The Coast Guard played an important role in border management. The EU Internal Security Fund has allocated more than € 2.7 billion to member states to improve border control management (Ibid). The common asylum policy was the next pillar of the agenda. The migration crisis has shown a gap in mutual trust between Member States. Therefore, ensuring an effective European asylum system has become a priority for the EU. Here, an important role was to be played by EASO, which was to become the information center on which the asylum decision should be based. EASO should provide support to Member States by setting up a dedicated network of Dublin national units (Ibid). The last stage of the agenda was the development of a new policy on legal migration. For a long time, the EU has been facing a number of long-term economic and demographic challenges. The working age of EU citizens is rapidly declining. Europe has become open to skilled migrants. That is why the EU aims to create a directive to attract talent to Europe (Ibid).

As part of the European Agenda on Migration, the European Center for Migration Smuggling was established at Europol. This center provided operational support to EU member states. During the migration crisis, the issue of smuggling was extremely urgent. Therefore, the

European Center for Smuggling of Migrants conducted investigations and provided support to joint investigation teams. For the EU, border protection and rescue operations have become a key goal. That is why the EU has significantly intensified joint operations "Triton" and "Poseidon". In addition, with additional investment, the EU has supported the Turkish Coast Guard to increase their ability to conduct search and rescue operations. The creation of the European Border and Coast Guard Agency was quite innovative, as successful border management depends not only on the agency but also on the support of EU countries. The mandate of the European Border and Coast Guard Agency included coastal protection functions, with the assistance of the European Maritime Safety Agency and the European Fisheries Control Agency (Ibid).

The European Migration Program has strengthened the capacity of third countries to manage their borders effectively. To this end, work has been done on intellectual borders, and this has been implemented in the entry-exit systems and the European Travel Information and Authorization System (ETIAS). The purpose of creating these systems was to identify possible migration risks. In mid-2017, the European Agency for Operational Management received an additional mandate in the area of freedom, security and justice. These innovations were intended to better protect the EU's external borders and strengthen its internal security (European Commission, 2017).

4.2 The emergency relocation mechanism

The European agenda introduced a resettlement scheme for migrants. This mechanism was created in order to improve the situation and relieve the frontline states, namely Greece and Italy. The resettlement mechanism involved the distribution of asylum seekers between Member States. In order to distribute asylum seekers fairly, the European Commission has decided to allocate persons on the basis of "objective, quantitative and verified criteria that reflect the ability of Member States to integrate refugees". The resettlement mechanism included four elements, namely the most important indicators were the population and the total GDP of the country, the next element is the number of asylum applications and the number of displaced refugees per 1 million inhabitants for 2010-2014 and the last factor is unemployment. In addition, it was decided who will be granted asylum in the first place: North Africa, the Middle East and the Horn of Africa (Šabić, 2017).

In the summer of 2015, the Council of Europe decided to resettle 16,000 refugees from Greece. However, it later became clear that this was not enough to help states, so in September the European Council decided to resettle an additional 120,000 people from Italy and Greece. However, not all EU countries supported the new mechanism. Thus, Hungary, Slovakia, the Czech Republic and Romania voted against accepting asylum seekers, while Finland abstained. Some countries, such as the United Kingdom and Denmark, have refused to accept as many asylum seekers as they should under the new mechanism. Instead, the United Kingdom has said it will only be able to accept 20,000 refugees from camps in Turkey and North Africa (Šabić, 2017). Two years after the adoption of the new resettlement mechanism, the situation regarding the number of resettlements of asylum seekers was as follows:

Country	Number of refugees that the EU state must accept	Number of refugees that the EU state agrees to accept	Number of relocated refugees	Percentage of relocated persons in relation to legally foreseen
Austria	1953	50	15	0.8%
Belgium	3812	1530	997	26.2%
Bulgaria	1302	1070	50	3.8%
Croatia	968	316	78	8.1%
Cyprus	320	205	143	44.7%
Czech Republic	2691	50	12	0.4%
Denmark	0	0	0	
Estonia	329	396	141	42.9%
Finland	2078	2128	1975	95.0%
France	19714	6940	4468	22.7%
Germany	27536	13250	8479	30.8%
Greece	0	0	0	
Hungary	1294	0	0	0.0%
Ireland	600	1152	552	92.0%
Italy	0	0	0	
Latvia	481	627	321	66.7%

Lithuania	671	1160	382	56.9%
Luxembourg	557	545	430	77.2%
Malta	131	205	148	113.0%
Netherlands	5947	2825	2442	41.1%
Poland	6182	100	0	0.0%
Portugal	2951	3218	1496	50.7%
Romania	4180	2182	728	17.4%
Slovakia	902	60	16	1.8%
Slovenia	567	579	217	38.3%
Spain	9323	2500	1279	13.7%
Sweden	3766	3777	2276	60.4%
United Kingdom	0	0	0	
Norway	0	1500	1509	
Switzerland	0	1530	1237	
Lichtenstein	0	10	10	
Total	98255	47905	29401	29.9%

Source: Šabić, 2017: The Relocation of Refugees in the European Union: Implementation of Solidarity and Fear

According to the table, the resettlement plan of the asylum seekers was not successfully implemented. In two years, only 29,401 refugees were relocated. During this time, there were quite a few gaps that became a possible obstacle to the implementation of this plan. The first major problem was technical barriers, which included problems with identification, registration, and selection in Greece and Italy. The next obstacle was the EU states themselves, which did not want to accept asylum seekers. For example, Sweden has requested that the resettlement quota be suspended due to the inability to accept such a large number of people. And countries such as Hungary and Slovakia immediately opposed the resettlement mechanism (Ibid).

The European Union has allocated funds to the Greek government to implement a refugee resettlement mechanism. Greece also received € 500 for the transportation costs of each displaced asylum seeker. All amounts of funds received by Greece were included in the national program AMIF Greece. Resettlement schemes for asylum seekers were funded by

AMIF 2014-2020 in support of the Greek Asylum Service. The national program was funded at 35.54 million euros and involves the relocation of 60,000 people from Greece to other member states. However, as of 2017, the number of displaced asylum seekers from Greece was 19,044. The European Union was not satisfied with this result and pointed to a possible problem on the part of national policy and bureaucratic obstacles. The Greek government, in turn, considered such a large number of GDPs a success, and pointed to the problem of the EU's refusal to accept asylum seekers and the short deadlines for applications (The Greek Ombudsman, 2018).

At this time, disputes began to arise between the Greek government and EU bodies. On the one hand, the Greek side has not been able to effectively resettle asylum seekers, as the EU has not been able to hold member states accountable for the resettlement mechanism. The EU claimed to have provided all necessary assistance to Greece (both financial and practical, by sending staff from its agencies to assist the Greek government), but Greece has repeatedly reported a shortage of workers in the field. The EU, in turn, accused the Greek government of delaying the processing of applications and thus of failing to deal effectively with the resettlement of asylum seekers. In my opinion, the problem was that both sides could not agree with each other and only shifted responsibilities.

4.3 Gaps in the legal regulation of migration flows

On April 3, 2016, a new law 4375/2016 on asylum was published, which aimed to adapt Greek legislation to the provisions of EU Directive 2013/32. This law included provisions on the issuance of residence permits for humanitarian reasons. In addition, the new law prescribes the organization of reception and identification of refugees. Law 4375/2016 establishes automatic access to the labor market for those refugees who have received an asylum seeker card, this innovation abolished the previous law which required a separate procedure for obtaining a work permit after granting refugee status, in addition, the old law included conditions related to the needs of the labor market for specific professions (Greek government, 2016).

In addition, the adoption of Law 4375/2016 was necessary for the implementation of the agreement between the EU and Turkey of 18 March. However, the law did not give Turkey the status of a "safe third country", which in turn reduced the guarantees that Turkey would become a country of first refuge for some refugees. It also meant that Turkey could deport

refugees by denying them asylum claims. These gaps in the law have meant that the practice of the first country of asylum granting asylum seekers refugee status and protection under the Geneva Convention has not worked for Turkey. Another gap in the new law was the provision that allows for exceptional measures to be taken in the event of a large number of arrivals at the borders. This provision allows EASO officials to support national authorities in registering applicants and conducting interviews. However, there were very short deadlines for registration and interviews, for instance 1 day to prepare for the interview and 3 days to decide on the appeal. Such actions were taken away by the right of asylum seekers to effective legal protection established by EU asylum legislation (European Council on Refugees and Exiles, 2016).

The Asylum Act 4375/2016 has become a so-called geographical restriction on freedom of movement. The goal of the European Commission and the Greek government was the rapid return of refugees from hotspots to Turkey. That is why restrictions on the movement of asylum seekers were intended to prevent the irregular relocation of refugees to other EU Member States. Keeping refugees close to Turkey was not accidental, as under Greek Asylum Law 4375/2016, refugees could be denied asylum on the grounds that Turkey was to be considered a "safe third country" under Art. 56 Law 4375/2016. In addition, the hotspot approach, with the support of the European Commission and Frontex, has been adapted to facilitate the rapid return of asylum seekers to Turkey from the Greek islands. However, in practice we know that Turkey has not received the status of a "safe third country", so the plan to return refugees from hotspots to Turkey was not successful (Ziebritzki and Nestler, 2018).

Restrictions on freedom of movement, an increase in the number of newcomers to the Greek islands and a limited number of hotspots have made it impossible to detain asylum seekers systematically. However, the geographical constraint revealed advantages in the strategy of hotspots, since such a restriction in movement reduced the cost of regulating migration flows, as it did not provide for the construction of housing for refugees throughout Greece and other EU countries. But on the other hand, hot spots in Greece began to overflow, thus deteriorating the living conditions of asylum seekers (Guérin, 2021).

The adoption of Law 4636/2019 only complicated the situation, as the new law provided for the construction of additional closed centers. In addition, section 46 (5) (b) of the new law increased the length of detention of asylum seekers from 45 to 50 days, and in some cases to 18 months. These reasons may be due to gaps in the principles of the Schengen area and the

Dublin regulation. After all, with the help of Greece, the EU restricted the freedom of free movement of asylum seekers. And the detention of asylum seekers, conceived as a temporary and urgent measure, eventually became one of the main elements in controlling migration flows in the EU (Guérin, 2021).

In the winter of 2020, the International Protection Act (IPA) entered into force. At the time, this was Greece's fifth legislative asylum reform since the signing of the EU-Turkey agreement. Events have shown that Greece has been at the center of EU migration policy since 2015. The Greek authorities noted that this law is a "significant breakthrough" because it combines all important EU legislation in one national law. However, as practice has shown, the adoption of this law has led to an even greater collapse of the Greek asylum system. The IPA included severe punitive measures that resulted in asylum seekers being removed from the asylum system and sent to their country of origin (Kafkoutsou and Oikonomou, 2020). In addition, following the deterioration of relations between Greece and Turkey, the Greek government began detaining refugees at the borders and forcing them back, thus violating the right of refugees to apply for asylum. However, the EU has not condemned such actions by Greece, which cannot be said of the UN, which pointed to a violation of the principle of non-refoulement enshrined in the Geneva Convention. Some politicians have pointed out that this law in turn reflects the EU's migration policy to reduce the freedoms of refugees when reviewing their cases (Kafkoutsou and Oikonomou, 2020).

In addition, there are significant gaps in the protection of vulnerable settlements, so those asylum seekers in need of additional support (e.g. unaccompanied children, survivors of violence, the mentally ill, etc.) are entitled to special assistance and the right to change their reception conditions. However, in practice, those who get to the island's hotspots will not receive the assistance provided. It is difficult to say unequivocally who is to blame for this, because the Greek authorities after the creation of hotspots found themselves in a so-called overcrowding cycle, which led to the fact that the inhabitants of the camps were imprisoned (Ibid). One of the biggest problems is that the EU and the Greek authorities planned that the hotspots would become a short-term place for asylum seekers, and the main goal of the camps was to facilitate the registration, identification and fingerprinting process. However, strained relations with Turkey, a lack of clarity in EU law and the adoption of the IPA have led to those who were to be relocated remaining in hotspots. In addition, a new law passed by the Greek authorities takes away their priorities from vulnerable groups. The IPA had a major impact on the right of asylum seekers to access an effective remedy, namely that after the adoption of

this law, asylum seekers lost their right to appeal against the rejection of their case. This means that asylum seekers who were rejected in the application were deported to Turkey or countries of origin (Ibid).

Last September, the European Commission launched the "New Pact on Migration and Asylum", with the aim of a new project to reform the European Union's main migration policy (Kirişci, Erdoğan and Eminoğlu, 2020). The European Commission proposes in the new pact to introduce a comprehensive border crossing procedure, which will include a preliminary screening, which will include the identification of all those who cross the EU's external borders. Identification also includes health checks, fingerprints and registration in the Eurodac database. The Covenant is based on a fair distribution of responsibilities and solidarity. This means that EU member states have an obligation to act responsibly and in solidarity with each other. That means that each EU member state, without exception, must support the Member States under pressure in solidarity and ensure the fulfillment of humanitarian obligations. Although the new system is based on cooperation and flexible forms of support based on a voluntary basis, tighter contributions will be needed as pressure on individual Member States increases. The new pact will also include a more effective legal framework, namely strengthening the role of the European border and coast guard (European Commission, 2020a).

The new project focuses on foreign policy, namely strengthening partnerships with migrants' countries of origin and transit. The next important direction of the new migration policy was to strengthen and improve the management of the EU's external borders. The last direction, but no less important, is to achieve a balanced division of responsibilities between EU members. However, all areas of the new migration policy have some gaps. Some critics argue that the new policy is in line with the priorities of more conservative and anti-immigrant member states (such as Hungary, Poland and Slovakia). This confirms the fact that the new program allows member states to refuse to participate in the resettlement of asylum seekers.

The main focus is on border protection, and the new pact emphasizes the need to re-establish partnerships with third countries. However, at the same time, the new pact does not reject the forced partnership with these countries, for instance if a third country does not want to cooperate with the EU then the new pact does not reject the possibility of "applying restrictive visa measures" to third countries (Kirişci, Erdoğan and Eminoğlu, 2020).

In 2019, the European Court of Auditors (ECA) concluded in its reports that the application process in Greece takes a long time. Although according to the report, the registration,

obtaining and processing of migrants' fingerprints has significantly improved, the situation in Greek hotspots has remained critical. There are also some gaps in the operations of agencies such as EASO due to a lack of national experts. However, the division of powers of agencies in the countries is unclear, if in Greece the situation is complicated by the lack of experts, then as an example in Italy the situation is different, there Frontex has attracted more staff than needed (European Court of Auditors, 2019). In 2020, the EU Agency for Fundamental Rights (FRA) reported a deterioration in hotspots in Greece due to an outbreak of the Coronavirus. Last year, the European Council on Refugees and Exiles (ECRE) monitored the functioning of hotspots and identified gaps in the implementation of Greek asylum management at the levels of registration, reception, decision-making, procedural rights and abuse of the Dublin Regulation. However, ECRE believes that these gaps are due to errors in the implementation of the EU-Turkey agreement and shortcomings in the EU's migration policy itself (Luyten and Orav, 2020).

Practice shows that the most noticeable disputes and problems between the national government structures of Greece and the supranational bodies of the EU arose in the management of hotspots. The main responsibility for the hotspots was borne by the Greek authorities and they were often unable or unwilling to lead the camp, which in turn led to massive problems with the coordination of the refugee camps themselves. However, such gaps could be found at other levels as for a long time there was no understanding of who and which side was responsible for coordinating hotspots. For example, the mechanisms of UN humanitarian coordination were not used in Greece because the Greek government wanted to coordinate on its own (Dittmer and Lorenz, 2021) . Due to the failure of the resettlement mechanism, European Civil Protection and Humanitarian Aid Operations and the Greek government itself often changed and created new coordinating bodies. The main problem was that such bodies did not merge and therefore no unified strategy of action was created between the Greek national authorities and the supranational bodies of the EU. Because of this, various provisions were very often revised and the responsibility for the failure shifted to both the Greek side and the EU side. Those decisions made at the level of EU bodies had no practical application in the field. Due to this gap between national authorities and EU supranational bodies, even in the financing of hotspots, gaps have arisen due to the creation of so-called "double funding" (Dittmer and Lorenz, 2021) .

In order to establish cooperation between Greece and the EU, it was decided that the Greek government needs to build its capacity. In the process of building capacity, the Norwegian

Refugee Council was to act as a consultant to the Greek authorities. However, in the end, this plan also failed. The Greek government was criticized for this failure and it was believed that the Greek government was not interested in capacity building, as this would impose additional responsibilities on the Greek government. These developments have only exacerbated the situation in hotspots by worsening the provision of assistance to asylum seekers. It can be said that the Greek government played a controversial dual role (Ibid). Greece, as a sovereign state, had the ultimate power to make decisions within the country, but ultimately failed to meet the relevant requirements due to many problems that arose in the state itself. Gaps in the work of the Greek government have most affected the hotspots. Due to financial cuts in the context of large-scale economic problems in Greece, this has led to a lack of coordination and effective decision-making. However, the same problem has been faced by EU bodies and international organizations (Ibid).

4. 4 The problem of "hotspots"

As part of the European Agenda on Migration, the European Commission presented a "Hotspot Approach" aimed at helping Europe regulate migration flows, which reached record numbers in 2015. The hotspots were to be the first refugee reception points, and their successful operation depended on the coordination of EU agencies and national authorities. Such hotspots were located only in Greece and Italy. The creation of hotspots in Greece became a key strategy in addressing migratory pressures. In order to support the Greek national authorities, the European Commission has deployed the European Asylum Support Office, Europol and the European Border and Coast Guard Agency. EASO aimed to process all applications from newly arrived refugees as soon as possible. EASO provides information on distribution procedures and selects those EU Member States where a refugee should be resettled. Frontex supports EU member states by coordinating the return of illegal migrants. Frontex has also set up screening teams to support EU member states in refugee registration and identification procedures (Luyten and Orav, 2020).

From the outset, the implementation of the hotspot approach in Greece has been closely linked to the implementation of the EU-Turkey agreement. The signing of this statement meant Turkey's commitment to stop illegal migration from Turkey to the EU. The signing of this agreement had a huge impact on the development of hotspots in Greece. Thus, in 2020, the European Commission noted that due to the signing of this agreement, the number of arrivals in Greece decreased by 94%. However, in reality the situation has only worsened, as

hotspots in Greece have become closed centers since the signing of the EU-Turkey agreement (Ibid). Thus, refugees arriving in Greece were housed in hotspots and if these individuals did not seek international protection or their applications were rejected, they had to be returned to Turkey. Although the European Commission considered this system successful and well-established, in fact the procedure for returning refugees from Greece to Turkey was very slow and the number of returnees to Turkey was extremely small (687 people were returned to Turkey in 2017 and 322 in 2018). This situation has led to growing tensions between the EU and Turkey. As a result, in 2020 the Turkish government stopped deterring refugees and opened roads for migrants to Greece (Ibid).

The total number of asylum seekers arriving in Greece in 2015 is estimated at 856,723, and another 170,815 in 2016. Today, Greece is still the main country of first entry from the Eastern Mediterranean route. After the closure of the Balkan route and the failure of the resettlement mechanism, about 60,528 refugees were "stuck" in Greece. In 2016, the Greek authorities announced the upgrade of the reception system and the intention to create 39 open reception centers for asylum seekers with a capacity of 32,700 people. After all, the hotspots created in Greece have already been overcrowded. Thus, by the end of October 2016, the hotspots had hosted more than 15,000 asylum seekers, instead of the 7,000 they had been targeted from the beginning (European Council on Refugees and Exiles, 2016).

Although the islands housed various actors involved in the registration and accommodation of asylum seekers, this did not improve the situation. This was due to the fact that, for example, the Asylum Service (AS), which had offices or mobile units in hotspots that were responsible for the eligibility interview and had access to the asylum procedure and application process, essentially had seven registered staff in Chios. The Asylum Regional Office (RAO) in Moria, Lesbos, had six staff members to register asylum seekers. This has an extremely small number of workers compared to the huge number of asylum seekers in hotspots. The lack of staff only added to the problems of registering asylum seekers, which led to asylum seekers becoming "hostages" in the camps during the reception and identification process. Even after the identification procedure, asylum seekers remained on the island pending a decision on their asylum application (Ibid).

Such overcrowding of refugee camps and long accommodation times have worsened living conditions. Though the containers were equipped with air conditioners, private toilets and showers, asylum seekers who did not get a place in the camps and lived in tents did not have such conditions. The hotspots consisted of three complexes - dormitories (houses), containers

and tents. NGOs report dirt, poor food quality and long queues at food distribution sites. Another problem was that the police did not control the order in the camps themselves, and this led to constant conflicts due to ethnic hatred, sexual harassment, food disputes, frustration over long waits, and so on. The Greek government has decided to step up police patrols in the refugee camps themselves and to separate refugees and migrants involved in criminal activities from other camp residents (Ibid).

The Greek asylum system was seen more as a single deportation mechanism. Asylum seekers themselves often organized protests against the system. Thus, just before the implementation of the agreement between the EU and Turkey on the islands of Lesbos, asylum seekers began to resist the border order. The island's hotspots, government officials and NGOs have faced the so-called "Pakistani problem". Pakistani citizens were not allowed to leave the island and they, in turn, resisted registering at the hotspot, as in their case, applying for asylum would lead to their immediate detention. The reason for this was that asylum seekers from Pakistan were considered as "economic migrants" and therefore the Greek government could deport them in the first place. Pakistani migrants have deliberately resisted applying for asylum (Carastathis and Spathopoulou, 2020). The signing of an agreement between the EU and Turkey has led to the resettlement of asylum seekers, including Pakistanis, to special centers awaiting deportation. The reason for this was to create space on the islands for all those asylum seekers who were expected to arrive after March 20. Due to the riots in the spring of 2016, the Greek government announced possible actions by the state in the event of continued rallies, such as - the creation of special centers for the detention of migrants who show signs of misconduct. Such statements by the government have been widely criticized for using the Greek government to intimidate asylum seekers instead of regulating and improving government capacity and living conditions (Carastathis and Spathopoulou, 2020).

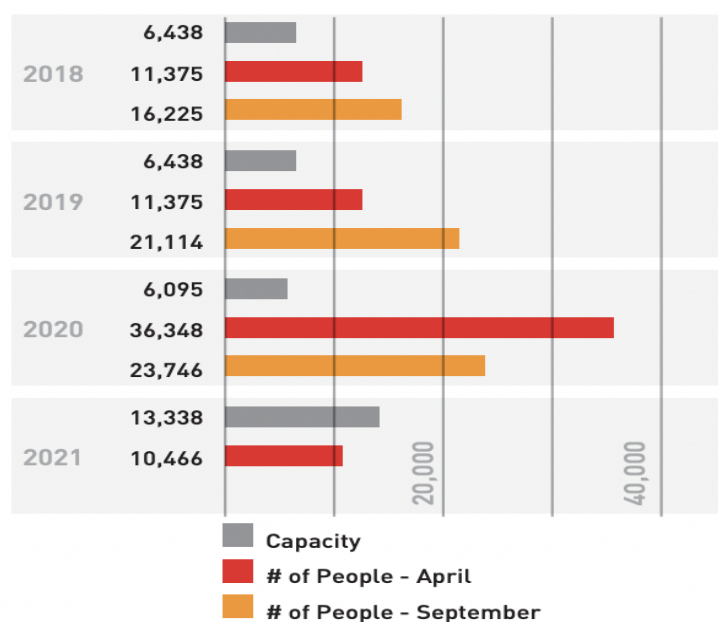
However, despite the actions of the Greek government, agencies and various organizations during these years, the situation within the hotspots shows that the EU was wrong about the success of the hotspot approach. In 2019, 74,613 refugees and migrants arrived in Greece, which was 48% more than in 2018 and more than in all other countries. The hotspots approach in Greece is controlled in accordance with Law 4686/2020, which is based on Law 4636/2019 - Law on International Protection (IPA) - and Law 4375/2016. The total capacity of the five hotspots in Greece was 6,095 seats (Luyten and Oray, 2020). However, as of September 2020, these camps housed 23,269 people, indicating severe overcrowding (see table).

Hotspots	Start of operation	Total reception capacity	Occupancy
Lesbos	October 2015	2 757	12 767
Chios	February 2016	1 014	3 496
Samos	March 2016	648	4 643
Leros	March 2016	860	1 023
Kos	June 2016	816	1 340
Total capacity (September 2020)		6 095	23 269

Source: Luyten and Orav, 2020: European Parliamentary Research Service

In addition to hotspots in Greece, there are other places operating under the UNHCR (ESTIA) or non-governmental organizations (NGOs). Such places work for the temporary accommodation of vulnerable groups. The overpopulation of Greek hotspots has put increasing pressure on Greek infrastructure, the medical system and caused security concerns. Despite the efforts of the Greek authorities, the European Commission and the EU agencies, the situation in the camps and in Greece itself remains critical (Ibid). Lack of places, poor living conditions, gaps in the asylum procedure have caused significant tensions among hotspots. In addition, in 2020, actions were taken in hotspots to prevent and control coronavirus. These measures included the suspension of all administrative procedures and the restriction of the movement of camp residents, which worsened the situation. All this led to protests among the local population. The protest was also prompted by a new law passed by the Greek government allocating land on five Aegean islands to build new closed centers for refugees and migrants. The situation was exacerbated by a large fire in the center of Moria in Lesbos, which broke out in September 2020, as a result of which almost the entire population of the camp was left homeless (Ibid).

New research on refugee camps has shown that the failure of hotspots continues to have a serious impact on the mental health, well-being and protection of asylum seekers. We can say that to some extent asylum seekers have become hostages of the policy of deterrence, which led to the emergence of a humanitarian crisis with devastating consequences. Since 2016, camp overcrowding has resulted in several deaths among asylum seekers, and in September 2020, a fire destroyed the Moria camp, which housed more than 13,000 people, although it was designed for 2,757 people (Médecins Sans Frontières, 2021). However, not only the Moria camp was overcrowded, but by 2020 the situation in other camps was dire (see chart).



Source: Médecins Sans Frontières, 2021: Constructing crisis at european's border: The EU plan to intensify its dangerous hotspot approach on Greek islands

This graph shows how many asylum seekers currently live in five hotspots. Analyzing these data, we can see that in each camp today there are at least twice as many people as expected. This trend is disappointing because it shows that the situation in the camps from the beginning of their creation is not resolved but only worsens. For example, the capacity of the Samosi camp is exceeded by about seven times. After the destruction of the camp of Moria, a temporary camp was built, which unfortunately does not meet any living standards. In most camps, common problems are sanitation, security and water shortages (Médecins Sans Frontières, 2021).

So, it can be said that the creation of a hotspot approach in Greece in the framework of the European Agenda on Migration was an important step for the EU to regulate the migration crisis. Although the European Commission believes that the creation of hotspots has had a positive impact on the regulation of migration flows, in reality we see overcrowding of Greek hotspots, collapse of the Greek medical system, security problems and protests by local residents. Although more than 430 million euros have been allocated to support Greece within the EU, this has not helped the Greek authorities to tackle the problems that have arisen with the creation of hotspots. In turn, EU agencies point out that the Greek authorities are not making significant efforts to regulate the tension (Luyten and Orav, 2020).

However, the implementation of hotspots in Greece is the most intense. The reason for this is the direct relations between the Greek government and the EU institutions. After all, Greek

and EU reforms regarding hotspots have been and are highly politicized at both the national and supranational levels. This, combined with the tense situation in the hotspots, has led to a deterioration in the camps themselves and confusion at all levels of registration and distribution of asylum seekers (European Council on Refugees and Exiles, 2016). Most of the actions taken by both the EU and the Greek authorities have failed to improve the situation in the hotspots. Although the EU and the Greek authorities have adopted many new laws and amendments aimed at improving the regulation of migration flows, most of the new laws have been criticized for many gaps. New laws and regulations have failed to speed up the refugee registration process, stimulated an increase in the number of returned refugees and an increase in rejected applications. The new law passed by the Greek authorities has created closed controlled centers, which in turn violates human rights (Luyten and Orav, 2020). EU policy and the EU-Turkey agreement have had a direct impact on Greek national law. The creation of a hotspot approach has given EU bodies a direct right to interfere in Greek public affairs. The massive influx of migrants and the failure of the EU-Turkey agreement have led to differences in policy between the Greek government and the EU's supranational bodies. These developments have affected the institutional structure of the national asylum and reception system, and the Greek government has launched a number of institutional and legal initiatives (Dimitriadi and Sarantaki, 2019). But unfortunately, practice shows that neither the EU nor the Greek authorities are able to regulate migration flows or improve the stay of migrants in camps.

4.5 Greece's attitude toward the EU's response to the migration crisis

During 2011-2015, the suspension of Dublin transfers led to close cooperation between Greece and the EU on migration issues. These negotiations led to the creation of hotspots and a resettlement mechanism for asylum seekers. The suspension of Dublin transfers meant that Greece became a transit country and gained increasing geopolitical importance in light of the migrant crisis. However, everything changed in 2015 when the SYRIZA-ANEL coalition came to power. SYRIZA key figures have condemned the construction of migrant detention centers and called for a change in Greece's national migration policy. In the wake of the migration crisis, the SYRIZA-ANEL government has made a paradigm shift in Greek refugee policy towards a less restrictive and punitive stance on illegal migration. In early 2015, the government announced the closure of the Amygdaleza Detention Center and abolished the 18-month detention period. This change in Greek policy was linked to SYRIZA-ANEL's broader anti-European rhetoric (Tsourapas and Zartaloudis, 2022).

For its part, the Greek government has faced accusations that Greece has effectively renounced any border controls. The Greek government has refused to make concessions to Europe, saying tight border controls would mean thousands of innocent deaths. The management of illegal migrants in Greece became a key issue on the foreign policy agenda of the coalition government at the time (Tsourapas and Zartaloudis, 2022). The Greek government's attitude towards the EU has repeatedly changed depending on the situation. From 2015 to 2016, the Greek coalition government tried to blackmail the EU in order to improve the country's situation. Such statements were aimed at revising the country's Second Economic Adaptation Program. Since March 2016, Greece has changed its approach to the EU and started negotiations with the EU to ensure economic benefits. Some studies have shown that Greece has used refugees in its migration diplomacy strategies (Tsourapas and Zartaloudis, 2021). In order to blackmail the EU, SYRIZA-ANEL has made concrete changes in its national policy. Greek opposition parties have accused the government of trying to facilitate the transit of illegal migrants. This use of refugees by the Greek government has led to great criticism from many European countries. For example, Austrian Foreign Minister Sebastian Kurz blamed Greece for the migrant crisis because he said the Greek government was doing everything possible to force refugees to move to Central Europe as soon as possible (Tsourapas and Zartaloudis, 2022).

In September 2015, early elections were held and many left the SYRIZA party. Despite the change of government, Greece's policy on illegal migration has not changed. However, the EU has made some decisions that have undermined Greece's blackmail strategy. First, the agreement between the EU and Turkey was effectively to stop the outflow of refugees across the Aegean to Greece and later to the rest of Europe. The agreement deprived Greece of the status of a major host country. Second, Austria has reached an agreement with a number of countries in the Western Balkans to ensure border controls to block the flow of illegal migrants. In March 2016, Northern Macedonia, Croatia and Slovenia announced the official closure of their borders, leading to thousands of illegal migrants remaining in Greece, undermining Greece's strategic position as a transit country for migrants. The closure of the Balkan Corridor and the EU-Turkey agreement effectively deprived the Greek coalition government of all negotiation tactics (Ibid). Following these events, the Greek government changed its policy. The Greek government has detained all migrants and asylum seekers who arrived by sea and placed them in closed facilities on the Greek islands. In April 2016, the Greek government passed Law 4375, which officially established the Ministry of Migration

and Asylum and restricted the movement of newly arrived refugees. In 2016, the Greek government began receiving significant funding and began hosting refugees in hotspots. The Greek government did not give up hope and continued to call on the EU to show solidarity. Since 2016, the SYRIZA-ANEL government has agreed to abide by EU rules and place refugees in hotspots (Ibid).

Greek dissatisfaction with EU and member states' policies began to grow rapidly during the migration crisis. The Greeks were dissatisfied with the lack of a clear response from the EU to mass migration flows. As Greece became a "leading power in defense" of Europe's borders, Athens began to actively seek greater solidarity and a consistent EU response to illegal migration. In the immigration catastrophe, Greece became the main point of application of the EU Regulation "Dublin II", which obliged Greece to pursue a policy in accordance with international obligations and the European Charter of Fundamental Rights, despite the country's problems and limited financial resources. According to the rules, Greece is obliged to provide migrants with appropriate services and guarantees (Stergiou, 2016). We can say that Greece has become a hostage on the one hand of migrants and on the other commitments on the part of the EU. Since Greece has become the center of a humanitarian catastrophe and the EU has not been able to complete the resettlement mechanism, the EU has decided to provide Greece with humanitarian funding, for the first time in its history. This decision by the EU has shown that the migration crisis is not seen as an EU security issue but as a humanitarian one. The Greek government was not satisfied with this EU policy and continued to demand that the EU bodies share the burden fairly between the member states. Not only was the Greek government dissatisfied with EU policy, but Greeks also began to block migrants by strengthening the EU's external border. Due to the migration crisis, Europe was divided into two camps. Some who blamed the EU authorities for the failure of migration policy and others who blamed Greece for everything. These disputes were exacerbated by fears of growing terrorism and a surge in nationalism and populism. In the middle of the EU, double standards have emerged in humanitarian terms. So many Europeans have been willing to help refugees, but only as long as refugees stay away from their homes (Stergiou, 2016).

In February 2016, a survey was conducted among Greeks, which showed that 54% of respondents blame Western countries and competition between the Great Powers in the migration crisis. 28% blame the Greek government for the failure of migration policy. However, political views among the population depend on political identification. 21% of respondents believe the EU is to blame for the migration crisis. Half of the respondents

believe that migrants pose a serious threat to Greece. The Greek government has continued its efforts to resolve the migration crisis and has actively raised migration issues at EU forums and summits. Greece has also sought to form coalitions with other EU member states to strengthen its position. However, all these attempts were in vain. Over time, the Greek population and political parties actively criticized not only the actions of the EU but also the Greek government (Dimitriadi and Sarantaki, 2018).

Thus, the migration crisis has only worsened Greece's attitude towards EU policy. The Greek government tried to use the migration crisis to project national interests and its national policy at the EU level (Tsourapas and Zartaloudis, 2022). On the one hand, the Greek government failed to achieve the desired results and was forced to submit to EU policy. However, on the other hand, the Greek government began to receive financial assistance, and this seemed to be one of the most important goals for Greece, although the Greek government was repeatedly criticized for this. Relations between Greece and the EU have never been easy, and the migration crisis has only exacerbated the situation. As the practice shows, instead of solving the problem of hotspots, the EU decided to make a humanitarian zone, thereby providing financial support to the Greek government.

So, summarizing the above, since its inception, EU policy on migration and asylum has been imperfect. However, in the Temporary Protection Directive, Member States have committed themselves to preventing excessive burdens on individual Member States. Low harmonization, gaps in monitoring, lack of solidarity and lack of strong EU institutions have led to the failure of migration policy. National administrations, which were primarily responsible for implementing laws passed by EU bodies, were also unable to effectively implement and monitor the implementation of their tasks (Scipioni, 2018). Practice has shown that the adoption of EU rules has not led to convergence of policy results at the national level. In addition, the crisis has revealed gaps in the national implementation of EU rules and laws that have created risks to the stable existence and functioning of the EU. The practice of hotspots has shown that European agencies have set themselves the goal of only identifying and registering asylum seekers, which has become a policy priority. Such a policy is an example of an approach aimed at limiting the role of public authorities in the implementation of tasks. Instead, the EU decided to delegate powers to supranational bodies to ensure the proper functioning of the mechanism (Scipioni, 2018).

Although neofunctionalism does not take into account the actors, their interests and their actions in the integration process, followers of this theory point out that it is the actions of actors that directly affect the delay in the dynamics of integration. Scipioni and neofunctionalists believe that such a division between states can only lead to negative effects, which in turn will lead to increased integration pressure and new crises. Incomplete or poorly implemented EU plans, such as the resettlement mechanism or the creation of hotspots, will ultimately exacerbate the migration crisis. However, neofunctionalists also believe that incomplete integration may be the impetus for more active EU action, but this depends on the direct action of EU governments. The hotspot approach and the resettlement mechanism have shown that the governments of most countries are not ready to help Greece and fulfill its obligations (Huber, 2018).

From the intergovernmental point of view, such actions of the states in relation to the mechanism of resettlement and functioning of hotspots are explained by the desire of the states to defend their interests. The interests of the state are influenced by the political orientation of the government, the upcoming national elections, the political and social climate in the country towards asylum seekers. Intergovernmental mechanism explains the actions of the state regarding the mechanism of resettlement of asylum seekers. The European Parliament had little to do with the decision-making process, and placed all the responsibility on the Council of Europe, which in turn failed to force states to accept refugees and decided to make the process voluntary (Huber, 2018).

5. EU legislation on migration policy

5.1 The Dublin Regulations on migration in the EU

The "Dublin System" began to develop after 1985 on the basis of the European strategy for the space without borders, and the Dublin System itself was adopted in the summer of 1990 in conjunction with the Schengen Convention. The Dublin System is a European collection of acts and norms to determine which state is responsible for examining asylum applications. The Dublin system was only part of a large-scale tightening of migration controls that began in the last century. However, even during the first international crises in Bosnia and Kosovo, it became clear that the asylum scheme was unattainable (Vink, 2013). Even then, critics claimed that the Dublin system was in fact more focused on shifting the burden than on distribution. The Dublin system was hierarchical because it determined which state was responsible for examining an asylum application, and it was the state that was the first to receive a large number of refugees. In addition, the Dublin system determined the rules that apply when a person has already applied for asylum in another state. In 2000, the Eurodac Regulation was created, which allowed states to identify asylum seekers and persons detained at borders. In addition, the regulations establish rules for the storage, comparison and removal of fingerprints (Ibid).

However, the Dublin system has undergone many changes. First, the initial convention was signed in the summer of the 1990s, but came into force six years later. The reason for this was dissatisfaction with the convention itself. The problem was that there were few compliance tools to ensure the criteria agreed in the Convention. In addition, as mentioned, the Dublin Convention was not very effective in times of crisis. Subsequently, in 1999, the so-called "Dublin Regulation" or the "Dublin II Regulations" were adopted and entered into force. Since 2003, this regulation has provided the basic legal basis for the Dublin system (Ibid). In addition, the adoption of the new regulation was a significant step towards the creation of a Pan-European Asylum System. This Regulation was the first step in establishing a single pan-European procedure for determining the Member States responsible for applying for asylum. The new regulation also aimed to address the shortcomings of the Dublin Convention, namely to eliminate the uncertainty of applicants and Member States, the imperfection of legal protection, the disproportionate burden on border states and much more. However, as the events of 2013-2014 show, this regulation also failed, as the new criteria for

determining the Member State responsible for examining asylum applications were to express the principle of solidarity, which shifted the burden to EU border states (Lenart, 2012).

Problems arose with the adaptation of new regulations and practices of Member States. For example, in 2007, the recognition of Iraqi asylum seekers as refugees ranged from 0% to almost 90% in Member States. Problems also arose in those states that were most receptive to refugees. For example, Sweden became such a state in 2006, so it had to introduce a stricter policy, which in turn led to a falling level of recognition due to lack of response to the call for solidarity. As a result, these regulations have become more like a lottery than a well-thought-out and unified plan. Everything was complicated by the fact that the border states that took on the greatest burden could not apply a liberal policy of asylum (Lenart, 2012).

In the summer of 2013, a new Dublin III Regulation was adopted, replacing the Dublin II Regulation adopted in 2003. The new regulation states that new asylum seekers must apply in a Member State when entering the EU or in a Member State where they already live. As soon as one of the asylum seekers applies for asylum, regardless of where he or she is in the EU, his or her fingerprints are sent to the central EURODAC system to find out if the person has already been registered (Scherrer, 2020). The new regulations defined the criteria for determining liability, namely:

- Family reunification is one of the most important criteria. The point is that the receiving state must check whether the person's relatives have applied for asylum in another state. If so, then this person should be sent to the country where her/his relatives are;
- if the previous criterion does not apply then the host country must check if the person has not obtained a residence permit or visa in another EU country, if so then that person must be sent to where he/she received the documents;
- if the first two criteria are not applied then the first country to which the asylum seeker has arrived will be the responsible country;
- if the asylum application is made in the transit zone of an EU country, then that country will be responsible for that person (Scherrer, 2020).

The use of these criteria means that the so-called request for liability mechanism is launched - these are cases where a Member State initiates a procedure to determine which Member State is responsible for the person who has applied for asylum. It is possible to transfer an asylum seeker to another state, but only if there are members of his family in another state. Requests

for return are also possible, but only if the applicant has applied for asylum in one state and then travels to another. The latter country can then initiate proceedings to decide which country should be responsible for the applicant. With the help of EURODAC each EU country can verify the information on each of the applicants (Ibid). The Dublin Regulation regulates the voluntary transfer of asylum seekers between EU countries and provides humane conditions for people in full compliance with fundamental human rights. On the other hand, the Dublin Regulation provides for the possibility of detaining those applicants who fall into the risk group (these are those applicants who may flee illegally). However, the Regulation itself does not have clear definitions of who is at risk, so EU countries have the right to identify such applicants themselves. The new Dublin Regulation provides guarantees for the applicant throughout the procedure, namely:

- the right to information;
- personal interviews;
- special guarantees for minors and their protection;
- the right to appeal (Ibid).

2013 and 2014 were a test for the EU migration system, creating unprecedented tensions for the asylum systems of many EU countries. The "first arrival" countries at the EU's external borders, particularly Greece, have been particularly hard hit. These events have intensified action on the part of the EU and states, so border states have regained control of their internal borders. At the supranational level, efforts have been made to support Greece and Italy, namely, the relocation mechanism and the creation of hotspots. These measures only exacerbated the situation and led to tensions. These events have shown that the Dublin Regulation has not coped with the task of dividing responsibilities between Member States, but on the contrary has led to the imposition of responsibility for the processing of an asylum application by one State and, as practice has shown, that State was Greece (Ibid).

After all the events, the European Commission conducted two external evaluations of Dublin III in 2015-2016 and the conclusions were as follows:

- none of the EU states has established a formal coordination mechanism;
- the potential and actions of the authorities varied greatly from one EU country to another;
- the information that should have been provided to the applicants was provided late or was not available at all;

- the criteria for the division of responsibilities were also violated, for example, reunification with a family member was rarely used.;
- many states refused to accept asylum seekers or handed them over to the first country of entry.

Following the results of Dublin III, the European Commission proposed to reform the Dublin Regulation. In the new regulation, the Commission proposed to supplement the relocation mechanism (Ibid). Reforming the Dublin Regulations (ie Dublin IV) has become the most controversial issue. In addition to the resettlement mechanism, Parliament proposed the following innovations:

- if the applicants are related to an EU country, then they must be relocated to that country;
- if the applicant is not related to any of the EU countries, then that applicant is automatically assigned to the Member State according to the distribution key;
- applicants can choose one of the four countries that received the lowest number of asylum seekers at that time;
- the country of first entry must register all applicants and verify their fingerprints;
- juvenile asylum seekers become a priority;
- if the applicant has a family member in another EU country, he/she must be immediately relocated to that country;
- applications for international protection of the family must be processed together.

Despite clear arguments from parliament, the lack of agreement in the Council prevented the adoption of the Dublin reform. The main reason for the differences was the mechanism of division of responsibilities. The lack of agreements resulted in a de facto halt in negotiations on other asylum proposals. However, in autumn 2019, the Council of Europe adopted the Dublin reform. Although the 2019 report has reduced the number of newly arrived migrants, the European Commission has said that migratory pressures are likely to continue and that the EU needs to review asylum rules and create a fair system (Ibid).

2020 was a challenge for the Dublin system due to the COVID-19 outbreak. In the first quarter of 2020, about 175,000 people applied for international protection. In the same period of 2019, there were about 227,500 people to replenish. Compared to the beginning of 2020, the figures for May 2020 fell by - 84%. This was due to the outbreak of COVID-19, as measures to reduce the spread of the virus also affected Dublin transfers, since EU countries closed their borders and reduced travel. In addition, almost all European countries have

temporarily suspended transfers of asylum seekers, with the exception of Switzerland. However, in April 2020, the Commission called on all EU countries to resume the transfer as soon as possible. Another problem was that the collection of up-to-date statistics on the Dublin system was suspended. In Greece, the publication of statistics on asylum processes ceased to be published in February 2020 (AIDA, 2020).

5.2 The European Asylum Support Office

In 2010, a new agency was established, known as- European Asylum Support Office. The agency itself had limited human and financial resources from the beginning and did not have the authority to directly interfere in government decision-making practices. EASO acted as a coordinating agency, providing support to national and supranational bodies directly involved in the implementation of European asylum legislation. From the outset of the new European agency, there has been controversy over the role and functioning of EASO. In the spring of 2010, the EASO regulations were created. However, in the field of justice and home affairs, EASO mainly acts in the context of "expertise". It is a provider of information and analysis, training, quality standards and operational support (Schneider and Nieswandt, 2018).

However, during the migration crisis in 2015, there were quite large changes in the activities of the agency. With regard to hotspots, EASO provides for administrative discretion, namely interviews and evaluation of evidence. When national authorities take decisions on asylum seekers and coordination, they take into account the results provided by EASO. Also, the role of EASO in political discourse has changed. Thus, EASO became the main coordinator of CEAS. Since 2016, EASO has been managing and monitoring administrative asylum initiatives in a particular EU country. In addition, EASO has been given the right to intervene and address identified "shortcomings" in the activities of EU countries. Another important task of EASO is to monitor compliance with European asylum procedures. That is, all responsibility for the asylum practice is transferred to EASO (Ibid).

EASO's activities have always been accompanied by political debate over its mandate. Based on the principle of subsidiarity, the CEAS provides for the Europeanisation of legislative and judicial functions, but the final decision on asylum remains with the competent authorities of the Member States. However, despite the fact that the official EASO mandate has remained unchanged, it can be seen that since 2015 EASO has gained more access to supranational governance. All this may indicate a gradual and informal change in its sovereignty (Ibid).

EASO currently operates in four EU countries: Greece, Italy, Cyprus and Malta. The main task of the agency is to support these countries. Thus, for the period from January 2018 to June 2019, EASO sent additional experts and staff to these countries. However, it is Greece that receives the most assistance from the agency. During 2018 and 2019, an additional 963 individual experts were involved in Greece. The group of experts also includes translators, cultural mediators and security personnel. In addition, EASO plays an important role in supporting and assisting in the registration of asylum applications. Greece is the only country to involve EASO staff to support the appellate body (Mouzourakis, 2019). EASO also assigns assistants to support the registration authorities (including the Greek Asylum Service). In 2019, the agency processed more than half of the asylum applications. Registration is supported by the Agency through the placement of registration assistants with the competent national authorities throughout the country. In Greece, registration support was provided in the following cities: Lesbos, Chios, Samos, Leros, Kos, Athens, Piraeus, Thessaloniki, Crete, Alexandroupolis, Filakia, and Paranesti. In Greece, assistance from the agency begins at the very first stage of registration. In addition, the EASO Head Office in Athens also has a hotline that responded to 28,000 inquiries in 2018 (Mouzourakis, 2019).

EASO has played an important role in supporting the fast-track border procedure in the Greek islands, involving both experts from EU Member States and temporary experts. The accelerated border procedure depended on the nationality of the asylum seeker. As of 2019, rapid interviews with border procedures on the islands are conducted only by EASO staff (in 2019, about 2,955 interviews were conducted). However, the accelerated border procedure in Greece has been criticized for being opaque and repeated changes in legislative and administrative practice (Ibid). EASO regularly monitors the quality of certain tasks. Any quality comments are sent directly to EASO. The agency, in turn, regularly holds briefings to improve the quality of work. The UN is actively involved in supporting the Asylum Quality Assurance System by providing its additional experts. Greece has built a whole multi-layered quality assurance system, which consists of:

- the team leader, who performs the supervisory function and also considers the conclusion of the service before he is sent to the Asylum Service;
- helpdesk, which consists of a group of EASO experts, and the main task is to respond to staff inquiries in coordination with the head office.
- training, which includes training modules and instruction from EASO (Ibid).

As for the cooperation between EASO and the Greek authorities, it started in 2011 and included cooperation in several areas. Following the large influx of refugees, EASO is

supporting Greece by setting up Asylum Groups and experts. In addition, the Agency helped to establish services such as the First Reception Service, the Asylum Service, the Appellate Body and improved reception conditions. Following the creation of additional services, EASO has extended its activities to other areas, namely the training of staff of the newly created services, the support of committees, the improvement of procedures for receiving and managing EU funds allocated to the regulation of migration flows (EASO, 2017).

In autumn 2015, EASO signed an operational plan for Greece - EASO Hotspot. The new European migration program has included a hotspot approach. Based on this approach, EASO's activities in Greece have been significantly expanded to include special measures in support of Greece. In addition, EASO supported the resettlement program, by assisting the national authorities in Greece, and providing information to potential candidates for relocation. Also, two special hotlines have been set up in Athens and Thessaloniki to increase efficiency (EASO, 2017). Thus, EASO has played an important role in regulating migration flows by Greece.

EASO representatives were directly present on the islands and supported the process of registering asylum seekers. For example, five eligibility experts were present in Chios and four EASO temporary staff members of the Asylum Service. In Lesbos, EASO had two inadmissibility experts, four specialists and 40 translators. Despite the presence of EASO representatives, the European Commission has repeatedly commented that EASO's contribution is insufficient. In addition, EASO frequently participated in interviews, thereby assisting the Asylum Service. However, there were cases when the interview was conducted exclusively by EASO representatives not in the official language of the asylum seeker, but in English, thus violating the rules provided by Greek law. Although from the beginning the main function of EASO in hotspots was to support and encourage relocation, later the function of EASO was also to track inadmissibility. Critics of EASO's work have argued that the agency's activities should be clarified in terms of legal liability to national authorities and should comply with Greek law. EASO experts themselves must have practical experience to ensure quality and efficiency (European Council on Refugees and Exiles, 2016).

5.3 Frontex

In 2004, a European Council on Operational Cooperation at the External Borders (Frontex) was established by a Council of Europe resolution. The new agency is responsible for integrated border management, and its main mission is to ensure secure and well-functioning

external borders, which in turn will ensure the security and sovereignty of the EU. During its existence, the regulations of Frontex have undergone many changes, which indicate the rapid growth of the agency (Kalkman, 2020). Frontex has a budget of more than 300 million euros, which helps it to constantly fund a large staff and buy its own vehicles. EU regulations stipulate that Frontex must perform about 21 tasks. For the EU, the creation of Frontex was a kind of attempt to introduce "integrated border management", the main purpose of which is to introduce measures to curb illegal migration. To successfully achieve this goal, Frontex must cooperate with EU Member States, third countries and various institutions such as Europol. Most of Frontex's operations are concentrated in the Mediterranean. In addition, Frontex deals with the identification and registration of migrants, as shown by the practice of Frontex in Greece. Once identified, Frontex begins the asylum and humanitarian assistance process for the agency's partner (Kalkman, 2020).

It can be said that Frontex is a network agency, because it interacts and stabilizes formal and informal network activities, which in turn reduces transaction costs for coordination. In addition, the agency plays a crucial role in the political environment, as it connects authorities at the national and supranational levels. Over time, Frontex began to create further subnets, such as the European Patrol Network, the Risk Analysis Network and others. The agency also encourages the rapprochement of EU countries by developing projects and evaluating the work done (Pollak and Slominski, 2009).

Frontex and EASO work together with Migration Management Support Teams (MMST). The two agencies are working together to develop a conceptual framework and communication protocol to regulate and coordinate MMST activities, and to conduct joint training activities in hotspots. In addition, Europol joins the working group. These agencies communicate with each other and consult with each other on common issues in health, safety in hotspots and other areas of joint activity. Joint training for MMST members is also held on a regular basis. Frontex and EASO cooperate with EU Member States on migration policy, and work is particularly active under the concept of hotspots and through the European Union Regional Working Groups. Frontex supports EASO's work in developing a European Sectoral Qualifications Framework for officials working directly in shelters and reception centers. (EASO, 2019).

The migration crisis faced by the EU in 2014 had a huge impact on EU agencies, and one such agency was Frontex, which has been heavily reformed. Frontex's main focus was on the Western Balkans, which was one of eight major routes used by migrants to reach Europe. This route begins in the Hellenic Republic, then passes through the Republic of Northern

Macedonia, the Republic of Serbia, the Republic of Croatia and Hungary. It was here that Frontex encountered many problems, such as the problem of organizational and legal dimension (Bukowski, 2019). In 2015, Frontex recorded a 17-fold increase in the number of illegal crossings of the EU's external border. Frontex's main task was to control the EU's external borders, through which the Western Balkans route passes, and to assess the number of illegal immigrants arriving in the EU. This information is published in annual and quarterly reports. In addition, Frontex provides training for border guards and other border services in the countries through which the Western Balkans route passes. Agencies such as EASO, IOM and the United Nations High Commissioner for Refugees (UNHCR) are also involved (Bukowski, 2019).

In 2016, the EU countries agreed to transform Frontex into the European Border and Coast Guard Agency (EBCGA) and renamed it "Frontex +". In addition to the new name, the agency was given additional tasks, such as: Frontex + received additional resources and competence to initiate EU return flights for migrants and greater opportunities in the fight against organized crime and human trafficking (Angelescu and Trauner, 2018). However, as a result of negotiations on the new competencies of the agency, the states were faced with several contradictory proposals, which were eventually revised or repealed. Such proposals were the idea that the EBCGA should be given the "right to intervene" without permission in the affairs of EU states, which can not cope with the crisis. This innovation could lead to a shift of sovereignty to a more functional and centralized side of control at the EU's borders. The second controversial issue was the proposal on the right of Frontex to return illegal migrants before they enter the EU (Angelescu and Trauner, 2018).

Throughout its activities, Frontex has been involved in many joint operations at land, sea and air borders. These operations take place on the basis of risk analysis carried out by Frontex or at the request of EU states. In addition, an analysis of the risks of the operation and an operational action plan required for its implementation. Once the action plan is approved, Frontex will ask for the support of other states (Benedicto, 2019). During 2004 to 2018, the following operations were carried out, namely - Poseidon, Hera, Indalo, Minerva, Attica and Hermes. Most of these operations are performed in the Mediterranean, and such as Minerva and Hera extend to North Africa. At the EU's external borders, Frontex is setting up focal points for the long-term exchange of specialized staff to implement the concept of integrated EU border management. Each of these focal points assists local authorities in border regions to better manage large numbers of migrants (Benedicto, 2019).

Due to the increase in the number of migrants, it was decided to conduct a joint operation "Poseidon". The operation began in 2006 as part of the European Patrol Network (EPN), and included joint patrols such as Hera, Indalo, Minerva and Triton. In 2010, the operation was intensified and replaced the RABIT operation in Greece. In addition to stepping up Operation Poseidon, it gained a larger operational base that covered the borders between Greece and Albania, Bulgaria and Turkey. In addition, EU Member States have begun to control land, sea and air borders. The purpose of such control was to intercept migrants at the borders with the EU, their further registration and identification (Ibid).

In 2015, Operation Poseidon was strengthened again and received an additional budget (18 million Euros was allocated for Operation Poseidon). However, compared to the Italian operation "Mare Nostrum", which received 9 million euros a month, the Greek operation "Poseidon" had the smallest budget. The Greek operation faced the problem of controlling the sea border, as the possibility of sea rescue was greatly reduced due to the large area. That is why, in 2015, it was decided to replace Operation Poseidon with the Poseidon Rapid Intervention. In addition, EU countries have provided Greece with additional experts and technical equipment. The main purpose of the innovations was to accelerate the registration and identification of migrants in the Greek islands (Ibid). That same year, Greece, unable to cope with the large number of migrants, asked Frontex to relocate RABIT to the Greek islands and the Aegean Sea, to regulate the number of migrants arriving in Greece. However, this required the Greek side to increase the number of employees. This has provided Greece with additional staff, equipment, patrol boats and vehicles, as well as experts in security control, data verification and human identification (Ibid).

Frontex was also constantly present on the islands where the hotspots were located. For example, on the island of Lesbos, 264 staff members from the Member States were present during the fieldwork. 80 Frontex employees were present on the island of Chios. Frontex was directly involved in assisting land and sea patrols under the command of the Coast Guard. In addition to patrols, Frontex participated in the registration of asylum seekers and in the verification of persons together with the Greek police. Subsequently, Frontex fully screened refugees arriving in Greece (European Council on Refugees and Exiles, 2016).

In 2018, it was proposed to increase Frontex resources, by increasing the number of employees by 10,000 people. This proposal enshrined Frontex's status as a central component of the EU's response to illegal migration. In addition, a new budget of Frontex for the period 2021-2027 has been proposed, it will amount to 11.3 billion euros. Another proposal from the European Commission was to give Frontex additional competencies, such as checking

persons, granting permission or refusing entry through border checkpoints, patrolling borders and detaining people who have crossed the border illegally (Angelescu and Trauner, 2018). However, all these measures must remain under the control of the EU host country. These proposals for new competencies of the agency may face some problems in their implementation. The main problem is the sovereignty of states that fear Frontex interference in their affairs. The next problem is employee training. There are also concerns about possible human rights violations. Also, some EU countries, in addition to their fears, believe that Frontex will not be able to reduce migratory pressure in the EU (Angelescu and Trauner, 2018).

On March 18, 2021, the directors of Frontex, the European Border and Coast Guard Agency, the European Maritime Safety Agency (EMSA) and the European Fisheries Control Agency (EFCA) signed a new agreement to strengthen European cooperation on coastal protection functions. The new agreement aims to structure the work of these agencies by supporting national authorities to increase land and maritime safety. Also, the agreement includes border control, these agencies, fisheries control, customs activities and environmental protection. The document also covers cooperation on risk analysis and exchange of information on possible threats (Frontex, 2021).

However, despite the EU's relatively rapid response to the migration crisis, border surveillance mechanisms have not been able to prevent serious human rights violations. An analysis of Frontex's actions, through which the EU directly influenced the management of the migration crisis, showed an inability to reliably investigate and take measures to regulate migration flows. The rapid growth of Frontex's powers has not led to more effective agency activities in the field. European and international non-governmental groups and the media have repeatedly reported violence and illegal repulsion and denial of access to asylum by Greek officials and the coverage of these actions by Frontex. At the end of 2020, there was evidence in Greece that Frontex played an active role in concealing and supporting the repulsion of migrants on the land and sea borders with Turkey. Six months later, in the spring of 2021, a team set up to investigate these offenses reported that there were no offenses from Greece or Frontex, despite clear evidence to the contrary (Human Rights Watch, 2021).

It must be understood that the EU has a direct responsibility to ensure that Frontex's activities are based on EU and international human rights standards. But in practice, no official has been prosecuted for Frontex's involvement in human rights abuses. For many years, Frontex has covered up its coordinating role and lack of executive power to avoid responsibility for human rights. The practice of cooperation between Frontex and the Greek government has shown the

facts of covering up each other's illegal actions. Thus, in the summer of 2020, Frontex stated that no violations of fundamental rights had been recorded during its operations in Greece. Despite all the evidence of wrongdoing by the Greek authorities, in March 2021 a working group of the Board stated that it was inappropriate to terminate the Frontex operation in Greece (Human Rights Watch, 2021).

5.4 Europol

In 1998, the European Union Agency for Law Enforcement Cooperation (Europol) was established with its headquarters in The Hague. This agency is an EU body whose task is to support and strengthen cooperation between EU countries in the field of cross-border law enforcement. Informally, Europol's activities began with police cooperation in the 1970s. At that time, counter-terrorism groups were actively created in Europe, and later these groups were given additional opportunities and tasks, namely the fight against drug trafficking and illegal immigration. One such group was called "Trevi" and consisted of representatives of the Ministries of Interior and Justice from 12 Member States of the European Economic Community. However, this organization was informal and established outside the Community, so in the winter of 1991 a European police body was set up on the basis of this agency (Cîrlig, 2019).

In 1993, the Europol Drug Unit (EDU) was set up to exchange data between national authorities and analyze data and coordinate the investigative work of national law enforcement agencies. The problem was that this group did not have a central database and could not store personal data. In 1995, the EDU was given additional powers, including control of nuclear and radioactive materials traffick, control of underground immigration networks, control of human trafficking and sexual abuse of children. However, in the same year, EU countries signed the Europol Convention, which replaced the EDU (Cîrlig, 2019). In 1997, the Amsterdam Treaty provided for an additional role for Europol in the collection, storage, processing, analysis and exchange of relevant information, including information held by law enforcement agencies on suspicious financial transactions. Europol became operational on 1 July 1999. In addition, the newly created body was given a mandate to combat terrorism within the EU, drug trafficking and other serious illegal forms of international activity. Subsequently, illegal money laundering in connection with crimes, Europol's permission to participate in Joint Investigation Teams and the possibility of

concluding operational agreements with third countries, including the exchange of personal data, were added to the mandate (Ibid).

The following tasks of Europol were also prescribed in the Convention: to facilitate the exchange of information between EU states; obtaining information and its analysis; communication with national authorities through national units; support for a computerized system of collected information. The Europol Information System was set up in 2005 and includes data on people suspected of committing crimes. In 2010, a decision of the Council of Europe on the authorization of Europol for police and judicial cooperation in criminal matters came into force. This meant that Europol became an EU body funded by the general budget of the EU. In addition, Europol's powers have been expanded. The Council of Europe has established an obligation for Europol to conduct threat assessments and strategic analysis (Ibid). Following the innovations, Europol had two types of main tasks, the first being the collection, storage, processing, analysis and exchange of information and the coordination, organization and implementation of operational actions with EU countries. In 2017, a new Regulation was adopted which strengthened the role of Europol as the main information exchange center. Also, the new Regulations have established more flexible rules for the creation of specialized units that deal with certain types of crimes. Europol has strengthened its governance regime and gained greater protection for its data. The innovation included the right of individuals to access their personal data, and the right to compensation for illegal data processing (Ibid).

Europol's Office consists of the Management Board, the Executive Director and other advisory bodies. The Management Board of Europol is the body that makes the main decisions of the Agency. The Management Board consists of representatives of each EU country and one representative from the European Commission with a four-year mandate. The Council's task is to create a strategic direction for Europol, to establish the Agency's internal rules, to report on the Agency's activities to the European Parliament, the Council of Europe, the European Commission and national parliaments. In addition, this body monitors the implementation of tasks assigned to the agency (Ibid). The Executive Director of Europol represents the agencies and is responsible for its activities. He is appointed by the Council for a four-year term. In addition, three deputy executive directors are elected. As of 2018, Europol had 1,294 employees. In 2019, Europol's budget was 138.3 million euros, which is 8 million euros more than in 2018. Over its long existence, the agency has established several centers to combat crime, namely: the European Cybercrime Center, the European Internal

Redirection Unit, European Center for Migrant Smuggling, and Coordinated Coalition on Intellectual Property Crimes (Ibid).

Cooperation between the EU and Europol is as follows: each EU country creates a Europol National Unit (ENU), which is the liaison body between Europol and the competent national authorities. States may also allow direct contact between Europol and national authorities, but only if Europol exchanges information with ENU. Each unit has its own liaison officer representing ENU in Europol. The main tasks of ENU are to transmit relevant information to Europol, to respond to Europol's inquiries, to ensure communication and cooperation between Europol and national authorities, and to raise awareness of Europol's activities. The relationship between the units and Europol is governed by the national law of each EU country. However, there are restrictions on the exchange of information between units and Europol, including: information that is contrary to the security of the EU, if this or that information could jeopardize investigations conducted in the country, and if the information threatens human security (Ibid).

The EDPS is an independent EU data protection body. This body controls the processing of Europol's data and ensures that its activities comply with the provisions of the Regulation on the protection of the fundamental rights and freedoms of individuals with regard to the processing of their personal data. The EDPS's activities in relation to Europol include: reviewing complaints, analyzing and monitoring activities in relation to the Regulation, and advising Europol on data protection. The EDPS also has the right to order Europol to correct, delete or destroy illegally processed personal data. The body may also refer disputes to the Commission of Europe, the Council of Europe, the Parliament and the Court of Justice (Ibid).

In 2019, a strategic program for the development of Europol for the period from 2019 to 2021 was developed, which included the following strategic goals, the following: Europol should remain the EU's information center, provide operational support, and Europol should provide a platform for European decisions on police issues, the agency should implement law enforcement innovation and research. Strengthening its position as a center for the exchange of criminal information within the EU will remain a priority for Europol, for which purpose the agency aims to build a new information architecture for Europol, provide a rapid and reliable response to developments and expand partnerships (Ibid).

Europol exchanged security information with many external partners. The Europol Convention prescribes and provides for cooperation with EU actors, third countries and international organizations. EU bodies may enter into agreements with Europol, which usually

include strategic or technical information. With the approval of the Council, Europol may enter into agreements with third countries. Thus, strategic agreements have been concluded with more than 21 countries. Due to the expansion of cooperation, some changes have been made to the situation of Europol. Therefore, Europol can exchange information and personal data not only with EU countries, but also with third countries, international organizations and private parties. Usually such cooperation takes place on the basis of working agreements. However, the Regulation includes a ban on the processing of information that violates human rights (Ibid).

5.5 Cooperation between agencies

Following the creation of the hotspots, Frontex, EASO and Europol began to work closely together to assist frontline states. Cooperation between Frontex, EASO and Europol can take place formally or informally. Informal cooperation between Frontex, EASO and Europol is extremely important. These agencies hold meetings, share practices, exchange information and conduct joint analyzes. Informal coordination based only on trust and mutual respect. Such cooperation is officially enshrined in the Regulations of these agencies. However, such cooperation may weaken the independence of these institutions, and can lead to duplication of actions of the agent, which may adversely affect the common goal. Examples of duplication are migration, asylum and border management policies. After all, it is in these areas that Frontex, EASO and Europol perform similar tasks or provide parallel support to the same national authorities (Fernández-Rojo, 2021).

In 2008, Frontex and Europol signed the first agreements aimed at strengthening cooperation between the two agencies by exchanging information on illegal smuggling of migrants. Over the years, Frontex and Europol have strengthened their relationship in the fight against illegal migration. In addition, the two agencies worked closely together at the EU's external borders. The agreement signed in 2008 gave Frontex access to Europol's information and data. Frontex, in turn, began to actively involve Europol in its operations. The next agreement signed by the two agencies was ratified in 2015. The new agreement focused on the exchange of strategic information and specialized knowledge between agencies. These agencies exchange information on cross-border criminal activity in order to develop a European situational picture in real time. And in the summer of 2019, the following plan was signed, which aimed to strengthen cooperation between agencies (Fernández-Rojo, 2021).

Due to uncontrolled migration flows, Frontex, EASO and Europol were called upon to support the competent national authorities to resolve the situation. Frontex and EASO, in turn, assisted states in granting asylum, and Europol supported national investigations into illegal smuggling of migrants. The tasks of Frontex, EASO and Europol were to register, process data and identify arriving migrants, and to provide human resources. In order to avoid duplication of powers, the European Commission has proposed a document that should clearly regulate the powers of Frontex, EASO and Europol in hotspots. This document was adopted in 2015, and on its basis the European Asylum Support Office, Frontex and Europol should work on frontline areas for the purpose of rapid identification, registration and fingerprinting of incoming migrants. In addition, the diligence of the agent should complement each other and look like this - migrants who need asylum will be transferred to EASO, which will help to consider asylum cases as soon as possible. For those migrants who do not need protection, Frontex will ensure the return of illegal migrants. Europol and Eurojust will assist the host country in investigations into the elimination of smuggling and trafficking networks (Ibid).

Europol's main mission in hotspots is to increase the exchange of information, check databases and provide groups of experts. Europol's main goal is to assist states in preventing and combating migrant smuggling, human trafficking and the proliferation of terrorist networks. To achieve this goal, Europol monitors information, improves national investigations, conducts analysis, screens migrant arrivals and provides forensic support in hotspots. However, unlike other agents, the Europol Regulation does not define his role as a key player in hotspots. In 2016, Europol developed the concept of EU Mobile Investigation Support Teams (EMIST). This concept was developed for Greece to provide Europol specialists and analysts, to train guest officers and to provide financial support to guest officers. Europol operates in hotspots through the EMSC (Ibid). Since 2016, the EMSC has been providing information to national law enforcement agencies, exchanging analysis and investigating smuggling networks. In addition to actively supporting national authorities in investigating existing criminal networks in the Mediterranean, EMSC, together with Frontex and national authorities, conducts surveys of migrants in hotspots and evaluates data collected from interviews and investigations. Europol is also deploying in hotspots investigative and analytical support groups, namely the Europol Mobile Investigation Team and the Europol Mobile Analysis Group, which conduct systematic security checks and support in Greece (Ibid).

The agencies' activities in Greece were not immediately successful, as the launch of the hotspots has been delayed since the start of the hotspot approach and insufficient expertise and resources have been provided by the EU to the agencies. Eleven hotspots were planned to open in Greece from the beginning in 2015, but only three started in mid-2016. Of the five hotspots identified by the Greek authorities, only Lesbos became partially operational in May 2015. In the summer of 2015, the European Commission provided Greece with daily specialized technical assistance to launch a hotspot approach in Greece. In 2017 alone, five hotspots with a total capacity of more than 7,000 seats were launched (Ibid).

However, Frontex, EASO and Europol faced the problem of non-compliance by Member States with their commitments in hotspots. An example was that the staff provided to these agencies was housed in Greece for only a short period of time. The reasons for such actions on the part of the EU Member States were, first of all, the political situation in their own states, practical and logistical obstacles, and the trust of the host Member States. However, all this did not prevent the agencies from conducting such joint operations as Poseidon and Triton. Also, the deployment of Europol officers in Greek hotspots has helped the competent national law enforcement agencies to combat smuggling networks and control frontline areas. In 2016, Europol received a grant of € 1.5 million to house officers in hotspots to conduct secondary security checks and combat smuggling networks of illegal migrants. In the spring of 2017, the number of officers in hotspots from Europol increased to 278 (Ibid).

The slow development of hotspots, inaction on the part of EU countries, lack of reception facilities and unprecedented migratory pressure on the Greek coast have led to overcrowding of hotspots, which in turn has led to poor living conditions. The legal mandate of Frontex, EASO and Europol prescribes the specific operational functions of these agencies, but their operational tasks go far beyond just technical assistance. Thus, Frontex has played an operational role that goes beyond simply assisting national authorities in identifying, registering and screening migrant arrivals at hotspots (Ibid). Also, it can be said that Frontex had a decisive influence on Greek officials, who in practice based their final decision entirely on Frontex's assessment. In turn, Europol's main mission is to exchange information and develop criminal intelligence. With regard to hotspots, Europol, with the assistance of its officers, carried out security checks in hotspots and provided support to the competent national authorities in investigations. Europol also provides support to EU countries in combating illegal migrant smuggling networks. Another agency, EASO, focused on the asylum procedure and the processing of asylum applications with national authorities in hotspots. Following the signing of the EU-Turkey agreement, EASO also became responsible

for registering and interviewing asylum seekers in Greek hotspots. However, the final legal responsibility for deciding on individual asylum applications rests with the Greek authorities. Due to the fact that the Greek asylum system was overloaded with asylum applications, the task of identifying those asylum seekers who fall into the vulnerable category was transferred to EASO. Sometimes, vulnerable asylum seekers were first identified by the Greek asylum service and then subjected to another assessment by EASO (Ibid).

Neofunctionalism follows the dynamics of proliferation, various supranational agencies, endogenous changes and the functional improvement of EU institutions. Intergovernmental organizations and supranational agencies are asymmetrically interdependent, but neofunctionalism helps us find differences in the institutional mechanisms of integration. Such intergovernmental organizations include Frontex, the European Asylum Support Office (EASO) and others (Genschel and Jachtenfuchs, 2017). In turn, the Liberal Intergovernmental Mechanism best explains the main steps of European integration, such as making changes to decisions resulting from interstate negotiations (Smeets and Zaun, 2021).

LI is partly responsible for the formation of national preferences. The policies of the EU Member States reflect the state's position in international interdependence and distribution conflicts. That is, with the help of LI it is possible to understand the state policy towards EU agencies, especially in relation to migration policy. Also, LI provides a negotiation process between states and agencies, but unlike the non-functionalism that explains the difference in institutional outcomes due to the migration crisis, LI does not talk about distribution conflict and outcomes. Neofunctionalism focuses on transnational and supranational relations. These two theories highlight the importance of interstate negotiations at both the national and supranational levels. This section showed that without cooperation and negotiations between states and agencies, the situation in Greece would have only worsened (Schimmelfennig, 2018).

5.6 What role did the Greek government and EU institutions play in the failure of the hotspots approach?

According to many experts, such actions of the Greek government regarding the migration crisis, the unwillingness of the Greeks themselves to accept and help asylum seekers and the discrepancy between the legal environment of immigration and its implementation in Greece are explained by historical factors. For the Greeks, nationality and religion have always played an important role, so most political actors have always supported xenophobia and

ethnic alienation. Therefore, the migration crisis and asylum seekers were presented as a threat to the security and ethnic character of the state. Despite the attitude of the population towards asylum seekers, the fact that Greece has become home to a large number of illegal asylum seekers remains a long-term problem in the country's political life (Mavrikos-Adamou, 2017).

The first attempt to regulate illegal migration was made in 1997. As a result, more than 370,000 immigrants received temporary residence permits and about 212,000 received permanent residence permits in Greece. Four years later, in 2001, a new law was passed aimed at giving immigrants the opportunity to legalize their status, only if the migrant lived for one year before the law came into force in Greece. In addition, the law gave migrants the right to an interpreter during detention and the right of immigrant children to go to school. However, this law was not implemented due to logistical difficulties. In 2005, the next migration law was passed, which was to help implement the 2001 law. Although this law was more successful than the last, it still had many shortcomings (Mavrikos-Adamou, 2017). However, for the first time in 2005, Greek law included EU directives on immigrants. All subsequent laws or amendments to them have been adapted to the relevant EU rules, including the new EU Directive 2008/115/EU on the return of illegal migrants. In 2009, a new Greek law provided for stricter administrative and criminal sanctions for smugglers. From 2010 to 2015, immigration laws in Greece began to expand and increasingly included EU legislation. The new law gave migrants living in Greece the right to vote in local elections. Already through the moat in 2011, the Greek government passed a law establishing an independent asylum service. The First Reception Service under the Ministry of Civil Protection is also being established (Mavrikos-Adamou, 2017).

After the 2015 elections, the newly formed government decided to change its migration policy in the first place amid the migration crisis. The opening of the Western Balkans Route in the same year partially eased tensions on Greece's borders and gave the Greek government time and opportunity to change migration laws. The new government aimed to speed up the asylum application process, lift the arrests of asylum seekers, open so-called hospitality centers instead of detention centers, provide citizenship to second-generation migrants, strengthen human rights protections in general, and revise the Dublin Regulations. As the Western Balkans Route closed shortly after its opening, the EU-Turkey agreement was not long-term and did not live up to expectations. Most of the new government's plans have not been implemented. However, this was to be expected, as the new government did not pay attention

to the rapidly growing numbers of newly arrived asylum seekers and the humanitarian emergency (Skleparis, 2017).

In early 2015, the newly elected coalition government announced the closure of migrant detention centers and the opening of new open hospitality centers. In the summer of 2015, thousands of asylum seekers were released from custody and transferred to new centers. And those asylum seekers who were denied asylum had to be repatriated, but as practice has shown, in most cases deportation was still impossible. At the same time, the Greek government decided to change its policy of controlling Greece's internal and external borders. By canceling border security operations, most likely due to lack of funds, the Greek government has only worsened the situation. In addition, in early July 2015, the new government abolished anti-smuggling penalties for transporting third-country nationals in need of international protection, thus legalizing and increasing smuggling under the guise of "humanitarian transportation" (Skleparis, 2017).

A new law passed by the Greek government in 2016 introduced an exclusive asylum regime on the Greek islands. Newly arrived asylum seekers were subject to one of two international protection procedures, depending on when the person arrived in Greece before or after the adoption of the EU-Turkey application. Those who arrived in Greece before the adoption of the treaty fall under the "normal" procedure of international protection. These individuals were transferred from the islands to refugee camps in mainland Greece. And those who arrived after the signing of the agreement fell under the extremely fast procedures of the asylum law. According to this law, all asylum seekers must be interviewed by the European Asylum Support Office and the staff of the Greek Asylum Service. The same law gave applicants for international protection the right to various social benefits and created classes for refugee children in Greek public schools. This division of asylum seekers has led to an increase in the number of applications for international protection, which in turn has overloaded the already busy application processing system (Skleparis, 2017).

Soon the new government decided to implement some changes in order to improve the effectiveness of the new law but these changes only made it more difficult to regulate migration flows. The failure of the EU-Turkey agreement has left thousands of asylum seekers stranded in Greece, creating hotspots in the Greek islands. The new law was supposed to regulate migration points, but on each island the same law was interpreted differently. This policy has gradually led to an increase in the use of automatic administrative detention of all newcomers. The Greek government has faced the problem of regulating hotspots, which is still a big problem today. The overcrowding of the camps led to a shortage of medical staff,

translators, cultural mediators, lawyers, and so on. This, in turn, led to delays in interviews and applications. The Greek Asylum Service (GAS) has been asked to draft a legislative amendment that should give priority to the priority processing of applications from particularly vulnerable groups of migrants. However, international NGOs have called on the Greek parliament not to vote in favor of such amendments (Joint Agency Briefing Paper, 2017). The argument against this amendment was the lack of legal aid to ensure compliance with procedural guarantees and rights. Although the Greek authorities are trying to take full responsibility for managing the response on the islands, this remains impossible today. Overpopulation of hotspots has led to the fact that asylum seekers live in very poor conditions, which in turn increases the risk of infectious diseases, conflicts, etc. These conditions of residence of asylum seekers directly affect the inhabitants of Greece itself. Greek authorities tried to improve the situation in the camps and decided to gradually force asylum seekers from the islands to the mainland. However, the Greek government has faced some problems, namely which facilities to send asylum seekers to, what capacity these facilities should have, what information to provide asylum seekers with regard to new living conditions, and so on (Joint Agency Briefing Paper, 2017).

Unfortunately, the Greek side was unable to abide by its own laws from the beginning. After all, just like EU law, Greek law states that particularly vulnerable asylum seekers need special protection, including access to appropriate services, special reception conditions and appropriate support. The assessment of the vulnerability of individuals takes place at the very beginning of the identification procedure. However, international observers indicated that the Greek side did not identify vulnerable asylum seekers. Subsequently, the Greek government reformed the law, further restricting the definition of vulnerability and removing protection for those most in need of protection and assistance. This was exacerbated by a shortage of workers (Médecins Sans Frontières, 2021). Last year, the Greek authorities decided to implement the Law on International Protection, which should speed up asylum procedures and increase the number of detainees. However, this decision has been criticized because the adoption of this law will only reduce the already imperfect standards of protection of migrants and create additional obstacles for asylum seekers (Médecins Sans Frontières, 2021).

Inhumane living conditions, the failure of the Greek government to implement migration laws, discriminatory policies and fears of potential return to Turkey have only led to various cases of violent protests and riots. In turn, such incidents have contributed to the fact that the Greek population has begun to treat asylum seekers even more, which in turn has led to the strengthening of far-right movements that justify the use of force against third-country

nationals (Skleparis, 2017). Hostility and xenophobia on the part of the authorities and factions in local communities have intensified in recent years. For example, last year the Greek local organization Lesbian Solidarity decided to close an alternative shelter that provided housing for vulnerable groups. Also last year, Greek authorities announced the construction of additional camps on the Greek islands. The statement led to riots, roadblocks, arson and xenophobic attacks by the Greek population (Médecins Sans Frontières, 2021). Such actions of the population can be explained by the increase of unemployment level in Greece, beneficiaries of international protection and the right to employment cannot find work, which makes asylum seekers hostage to the situation and completely dependent on Greece, which provides them with financial assistance and food. Over the past years, the financial and migration crisis has led to lower wages, higher unemployment and higher prices in Greece. The government has been forced to reduce the health sector and cut spending on migrants. All these factors not only worsen the life conditions of asylum seekers but also complicate the prospects for social integration for beneficiaries of international protection (Skleparis, 2017).

The Greek government has been criticized for failing to create strong enough places for asylum seekers to live. It was also pointed out that the Greek side should more efficiently distribute millions of euros provided by EU institutions for systems of reception and integration of asylum seekers. With this money, the Greek government had to develop the capacity of civil servants involved in the reception and asylum system. It was also believed that the EU should be responsible for the actions of agencies that temporarily help the Greek side to regulate the hotspots. In addition, the government should provide legal, medical and other assistance to migrants at all stages of the registration of asylum seekers (Joint Agency Briefing Paper, 2017). After all, the Greek government did not build alternative housing for asylum seekers on the mainland, which was also criticized. Without rushing to new housing, it was expected that the Greek side would at least strengthen the existing security measures of the shelter. In addition, the government has faced the problem of improving living conditions in overcrowded refugee camps, which has always been one of the biggest challenges in terms of organization, funding and human resources. In order to ensure effective regulation of hotspots, it is necessary to form adequate staffing and increased access to regional asylum offices throughout Greece. It is so important to provide timely and qualified legal assistance in order to avoid delays in the consideration of cases in the appeal committees (Joint Agency Briefing Paper, 2017).

The European Council was called on to help Greece cope with the migration crisis. The activities of European institutions have been represented by European agencies, which throughout the existence of the hotspots and today are directly involved in the activities, distribution and registration of asylum seekers. The issue of security in the longing was one of the most important, so it was always discussed at coordination meetings, but the European Commission was unable to increase EASO's support for the provision of experts (European Court of Auditors, 2017). Based on the data on the actions of European agencies analyzed in the sections above, it can be said that the European Commission, together with the relevant agencies, did not fully support Greece. The Greek side has repeatedly reported a shortage of specialists from the agencies, but this problem has not been resolved. In addition, the European side argued that it was Greece that should modernize asylum camps and increase their capacity, but this was not possible because of the financial situation in Greece. To date, the EU has not defined regulatory provisions, standards and minimum requirements for hotspots. Furthermore, there is no legal basis for approaching the hotspot as part of managing the EU's external borders (European Court of Auditors, 2017).

The migration crisis has shown the inconsistency of the international protection directives of the European Commission, the European Parliament and Greece itself. This can be seen in the living conditions of asylum seekers in the camps. If at the beginning of the hotspots it was believed that the EU and Greece need time to regulate and improve the living conditions of asylum seekers, now after more than 5 years it looks like negligence. The European Union needs to refine its solidarity policy, which has caused the burden-sharing mechanism to fail and Greece to be left alone with thousands of migrants who still live in camps. The European Union has failed in its refugee resettlement plan and has failed to oblige countries to meet their obligations (Kafkoutou and Oikonomou, 2020). Although there are many reasons for the failure of the hotspots approach, in my opinion the fact that European institutions have not helped Greece prevent overcrowding and the reluctance of member states to play their fair share in protecting refugees and asylum seekers has led to a failure of Greece's entire migration policy (Joint Agency Briefing Paper, 2017).

Last year, the European Commission approved and allocated funds for a plan to build indoor centers in the hot spots of Samos, Kos and Leros. The new plan is to turn existing camps into closed reception centers, or open new closed centers. Closed camps will allow individuals to roam freely but only inside the camp and not outside it. This plan has provoked controversy from both international organizations and the Greek population. But the most outrageous was the fact that the European Commission supported the creation of such closed centers. Given

that the European Commission is not conducting any checks on how the Greek side manages migration, this plan will only worsen the already terrible living conditions of migrants and cause a new wave of protests among the population (Mesic, 2020). The adoption of this plan shows that the EU and the Greek government are deviating from what was agreed in the past. Now the creation of "controlled centers" where asylum seekers will receive an ambulance and registration is secondary. The creation of these facilities and the events at Moria's largest camp only underscore the failure of the hotspot approach and the resettlement mechanism. The fact that the Greek government and the EU do not pay attention to the problems in hotspots and only support the creation of new closed centers indicates that the problem of hotspots and migration crisis will not be solved. Nevertheless many different organizations have opposed this type of policy because it has no basis in human or refugee law and could pose a threat to EU security (Mesic, 2020).

Continued EU attempts to expand refugee camps can be explained by the desire of EU institutions to further integration. The actions of the European Commission, such as migration policy and attempts to expand their powers over the Member States, are the basic principles of neofunctionalism and are the type of behavior and tasks of supranational government described in theory. According to the theory of intergovernmental governance, supranational institutions are responsible for improving the efficiency of political processes and providing full information to member states. The actions of the European Commission reflect the structure of the theory of neofunctionalism, as it promotes further integration and aims to strengthen its powers over national authorities. Experts believe that the integration process will meet the forecasts of neofunctionalists and will only promote further integration by mastering interdependent areas in the political process. In addition, neofunctionalism indicates that in the future the European Commission will only expand its powers over national authorities (Ingimarsdottir, 2016).

Results

Following the failure of the resettlement mechanism and the creation of hotspots, the European Union has decided to provide Greece with € 700 million in emergency humanitarian funding by 2018 so that the Greek government can overcome the mass refugee crisis. The EU countries and the EU institutions themselves perceived the situation in Greece not as a threat to EU security but more as a humanitarian problem. Despite financial assistance, Athens continued to demand that the EU share the burden fairly between the EU and step up action on migration control. In addition, the Greek government and the Greek people themselves began to question whether Greece's national borders were in fact the borders of the European Union, as provided for in EU treaties, and Europeans began to question whether Greece wanted and was able to protect EU borders. In addition, the EU population began to accuse the Greek government of taking so long to register asylum seekers because of their imperfect migration policies and judicial system. Such bilateral accusations have given rise to double standards between European countries and the Greek population. In most EU countries, migration has become politicized and has had a major impact on the actions and decisions of the European Commission (Stergiou, 2016).

Due to the interference of EU institutions in Greek national policy and the creation of hotspots, which led to the deterioration of the political, economic and humanitarian situation in Greece, the local population began to shift their pro-European sentiment towards Euroscepticism and support for Eurosceptic parties. Although the population that supports Eurozone membership is still quite large, the population's fear of international isolation and geopolitical insecurity plays a major role. Therefore, against the background of Euroscepticism, the popularity of creating pro-European parties is growing. In addition, the Greek government itself supports the creation of pro-European parties and seeks to reduce Eurosceptic sentiment among the Greek population (Katsanidou and Lefkofridi, 2020).

However, regardless of the attitude of the Greek population and the population of other countries towards certain actions of each other, for the Greek government membership in the union, cooperation and assistance from EU institutions is extremely valuable and key in shaping its direction and discourse. Although the Greek government must adhere to its values, they must guarantee that these principles are supported by European institutions. Despite differences in views with European institutions, the Greek government must continue to establish regional cooperation schemes that focus on economic and cultural cooperation. By supporting the Greek government, European institutions are in turn contributing to the

stability of the international order. Liberal Intergovernmentalism and Neofunctionalism explain such actions of the Greek government and European institutions as a symbiosis to achieve different goals (Triantaphyllou, 2018).

Although the creation of hotspots on the Greek islands had an extremely bad effect on the population, political life and all spheres of state activity in general. It is impossible to say exactly to what extent and who is to blame for the failure of the hotspots approach. As cited above, just as the Greek government was accused of irrational distribution of EU funds and imperfect migration policies, European institutions have been criticized for leaving Greece alone with tens of thousands of asylum seekers and failing to ensure solidarity with renouncing member states share the burden of responsibility with Greece. Analyzing the data and information above, in my opinion, the creation of hotspots and their failure did not worsen or damage the relationship between the Greek government and the EU institutions. As noted, Greece is quite dependent on the European Union and tries to maintain good relations with supranational institutions. This confirms the fact that the EU has supported the Greek government's plan to create new closed camps for asylum seekers and has allocated several million euros to implement the plan. The failure of the hotspots approach has only affected the attitude of the Greek population towards European institutions. The rise of anti-European sentiment was due to the deterioration of Greece's economic stability through the establishment of refugee camps and raised security issues. However, despite the dissatisfaction among the local population, in my opinion, this will not be a trigger for the deterioration of relations between the Greek government and the EU.

Conclusions

Mass migrations began to gain momentum in the twentieth century. Frequent conflicts in Africa, the Middle East and Asia were the result of migrations to Europe. The term migration refers to any movement that leads to a permanent or temporary change of residence. The following are the most common causes of migration: the economy - the desire of people to seek a better standard of living (that is why migrants seek asylum in the most developed countries) (Bağ, 2016). The next reason for migration is business - this type of emigration is related to career, ie. migrants are looking for the best employment opportunities; education and research - is today one of the most common types of emigration, although not the most widespread; security - is the cause of the largest number of migration flows today. The cause of this type of migration is often armed conflicts (Bağ, 2016).

In late 2010, uprisings broke out in several African countries, which were later called the Arab Spring. The reasons for such phenomena were unemployment and corruption growth. The uprisings began in Tunisia and then in Algeria, Libya, Jordan and other countries in North Africa and the Middle East. Subsequently, in 2011, the war in Syria began, forcing about 13 million Syrians to flee their country. Gaddafi's rule and his subsequent overthrow have led to increased migration from Libya. Most migrants fled to European countries because of their convenient location and developed economy. In addition, Europe has been forced to accept refugees, as all EU countries have signed the Geneva Convention, which obliges asylum seekers to apply for refugee status (Ibid). Therefore, in 2013-2014, the EU faced the largest migration of all its years. Such unprecedented migration has endangered the security of European states and the existence of the Schengen area. Migrants came to Europe in four routes, namely: the central (Mediterranean) route - across the border with Italy; eastern (Mediterranean) route - across the border with Greece; The Balkan route - across the Serbian-Hungarian border; and the Eastern European route - across the border with Poland (Ibid).

From the very beginning, the countries of Europe faced many problems, and especially the countries that first received refugees. Another problem was the legalization of refugees, which led to many migrants being left with uncertain status in a particular country. In addition, many refugees needed medical and psychological assistance, which in turn overloaded the medical systems of European countries. The next problem that is relevant today is the integration of migrants into society. Today, migration flows are becoming a matter of international relations, because they directly affect national and international security. An example is France, which

has so far had the biggest problem with migrants. Despite the fact that France provides migrants with good social protection, the issue of migration has become a serious social problem for France. A similar situation is happening in Germany (Ibid).

Liberal Intergovernmentalism explains the actions of supranational European institutions in crises that arise in the EU. However, the migration crisis showed many gaps in the work of all EU supranational institutions and they were therefore forced to seek help from UNHCR and some non-governmental organizations. The actions of the European institutions differed to some extent. Thus, the Council of Europe advocated a liberal policy towards asylum seekers, and the EP and the Commission, in turn, advocated Europeanization of policy (Smeets and Zaun, 2021). The resettlement mechanism has only exacerbated differences between EU countries over refugee quotas and further weakened the role of the European Commission. In this situation, Europe was divided into three camps: the countries of the southern border sought help from European institutions and support from other countries to share the burden. North-West traditional countries aimed to get more commitment from border countries to comply with the Dublin Regulation. And the third camp, V4, in turn strongly opposed burden-sharing commitments. The European Commission has not been able to resolve the problem within the EU and therefore the resettlement mechanism has failed (Smeets and Zaun, 2021).

Neofunctionalism in turn explains the migration crisis as a result of existing dysfunctions between supranational institutions and a weak external border regime in the hands of Member States. The migration crisis has revealed weaknesses in supranational institutions and in the activities of national governments. The supranational institutions, unable to regulate migration flows, decided to financially support Greece, whose government was unable to allocate funds efficiently. Neofunctionalists point to the weakness of supranational actors during the negotiations, which explains the outcome of the migration crisis (Niemann and Speyer, 2018).

In 2015, due to its convenient geographical location, specificity and length of the border, Greece became a center of illegal migration by asylum seekers. Greece was in urgent need of effective control of its land and sea borders. The migration crisis has forced the Greek government to step up cooperation with EU supranational institutions to regulate migration flows. At the European level, Greece had to take an active part in the activities of European agencies such as Frontex, Europol and others (Tryfon, 2012).

The hotspot approach in Greece served as a measure to control migration, ensure their registration and identification. The biggest problem of hotspots in Greece was the

overcrowding of refugee camps. Due to the lack of workers who could not cope with the registration of asylum seekers, thousands of refugees were stuck in the camps and still live in inhumane conditions. The failure of the agreement between Turkey and the EU has only worsened the situation in the hotspots. Due to the fact that different national and supranational actors worked in the hotspots, it was difficult to coordinate their work (European Council on Refugees and Exiles, 2016). This has led to inefficient information provision and many other gaps in working with asylum seekers. Hotspots in Greece have been associated with compulsory detention, and this practice applies to all groups of asylum seekers, such as families and young children. The hotspot approach has shown how the EU's supranational institutions have shifted responsibility for regulating migration flows to the national level. In addition to pressure on local Greek authorities, all responsibility for the failure of migration policy was eventually shifted to Greece. Although the Greek government has been criticized for allocating EU funds unwisely, significant investment in human resources is needed to support and regulate refugee camps to identify migrants (European Council on Refugees and Exiles, 2016).

Despite the fact that the EU agencies Frontex, EASO and Europol have existed for a long time, the emergence of the migration crisis, their multilateral cooperation has intensified with the creation of a hotspot approach. Coordinated assistance to frontline member states was a key factor in their work. It is through the hotspots approach that the EU wanted to show multilateral and systematic cooperation between EU agencies. To some extent, this approach aimed to improve the interaction of agencies. In addition, for the first time in their history, Frontex, EASO and Europol have taken on the power to influence the implementation of certain rules that were previously the exclusive competence of the Member States (Fernández-Rojo, 2021). The migration crisis had the greatest impact on Frontex's activities and led to significant reforms. As a result of the reform, Frontex has gained an unprecedented right to intervene in a state that cannot cope on its own with the threat at the EU's external border (Bukowski, 2020). The agencies' working methods have led to greater integration between the EU's supranational institutions and the Greek national administrations. For example, despite limited human resources, EASO turned to Member States' experts to fulfill its mandate. Most of the agencies' work consisted of expert consultations and training of members of national administrations. The creation of a hotspot approach only strengthened the role of European agencies, but the final decision remained with Greece (Tsourdi, 2017).

As Greece has been and is a center of migration and the first country to attract migrants, the Greek Government's cooperation with EU agencies for effective border surveillance is

important, as surveillance of land and sea borders is a matter of general security. Effective control requires close cooperation between the Greek police and the Coast Guard and other EU agencies. Faced with a migration crisis, Greece became heavily dependent on EU supranational institutions and therefore had to pursue an appropriate foreign policy to address the general problem of illegal migration (Tryfon, 2012). At European level, Greece must be actively involved in European agencies to tackle the migration crisis. Unfortunately, the Dublin Rules did not guarantee a fair distribution of responsibilities, and this was the reason why it was not the EU member states who were proportionally responsible for the distribution of asylum seekers, but the Mediterranean member states themselves. This migration test had a strong negative impact on the social, economic and political structure of Greece. Effective border control has become a challenge for supranational European institutions as well as at the Greek national level. Although since 2016 the Greek government and EU institutions have been trying to agree on a solution to the migration crisis, this has not helped solve the problems with asylum seekers. Financial support from Greece without an effective migration policy from the EU has only led to a deterioration in housing and restrictions on the freedom of asylum seekers.

Answering the main research question of this master's thesis - To what extent does the creation of hotspots in Greece affect the relationship between the national government of Greece and the European Union's supranational institutions? It can be said that there has been no significant deterioration or improvement in relations between the national government of Greece and the European Union's supranational institutions. However, the period from 2015 to 2016 was arguably the most tense in relations between Greece and the EU. The Greek government, seeing what was happening at the supranational level, decided to achieve solidarity from European countries through blackmail. However, Greece not only did not get what it wanted but was condemned for it. The national government failed to achieve solidarity in the mechanism of resettlement of asylum seekers from supranational bodies and member states, so the Greek government was forced to accommodate thousands of asylum seekers in refugee camps. Since 2016, relations between Greece and the EU have been improving, due to the financial assistance that supranational bodies have begun to provide to Greece. Despite this, dissatisfaction with EU policy towards Greece continued to grow among the Greek population, due to hotspots that led to collapses in the social, medical, economic and many other areas of Greece. The creation of hotspots had an extremely bad effect on Greece itself, on the living standards of the population and on Greek institutions. After all, the failure of the resettlement mechanism has led to the fact that today thousands of asylum seekers remain living in closed refugee camps. Since the problem of the migration crisis is still unresolved,

the national government of Greece and the European Union's supranational institutions depend on each other, because on one hand Greece will not be able to fight the influx of migrants and the EU will not be able to control its borders in the Mediterranean without the help of Greece.

Since theories suggest that EU development is impossible without enhanced integration, this means that crises in the EU may become an integral part of it. The migration crisis has shown large gaps not only in EU regulatory mechanisms but also in cooperation between EU states and institutions (Tryfon, 2012). To date, the EU and Greece have not coped with the migration crisis, and thousands of asylum seekers are still living in camps in appalling conditions in Greece. The EU must review its migration policy, which is based on solidarity, equal and shared burden-sharing as they have shown their inaction. Effective border control is a challenge for both Greece and the EU and requires joint efforts at both supranational and national levels. The development of an effective migration policy in the future depends solely on joint efforts.

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Abstract

The migration crisis that broke out in Europe in 2014-2015 changed the view of the migration policy of the EU institutions and the national policy of the European Union member states. Although the EU has taken many steps to resolve the migration crisis and has involved European agencies such as Frontex, EASO and Europol to help affected countries, this has not helped to address the problem of illegal migration. Greece has become the center of this crisis, and the EU's decision to set up hotspots on five Greek islands has only worsened the situation in the country. This master's thesis argues that the introduction of the hotspot approach has had a major impact on the relationship between the national government and the EU's supranational institutions. Although the creation of hotspots has had an extremely negative impact on Greece, its dependence on the EU remains very strong.

Abstract

Die Migrationskrise, die 2014-2015 in Europa ausbrach, veränderte die Sicht auf die Migrationspolitik der EU-Institutionen und die nationale Politik der Mitgliedstaaten der Europäischen Union. Obwohl die EU viele Schritte unternommen hat, um die Migrationskrise zu lösen, und europäische Agenturen wie Frontex, EASO und Europol einbezogen hat, um betroffenen Ländern zu helfen, hat dies nicht dazu beigetragen, das Problem der illegalen Migration anzugehen. Griechenland ist zum Zentrum dieser Krise geworden, und die Entscheidung der EU, Hotspots auf fünf griechischen Inseln einzurichten, hat die Situation im Land nur noch verschlechtert. Diese Masterarbeit argumentiert, dass die Einführung des Hotspot-Ansatzes einen großen Einfluss auf die Beziehung zwischen der nationalen Regierung und den supranationalen Institutionen der EU hatte. Obwohl sich die Einrichtung von Hotspots äußerst negativ auf Griechenland ausgewirkt hat, bleibt dessen Abhängigkeit von der EU sehr stark.