**Roots of the refugee dilemma, way of dealing with consequences**

working paper

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*Refugees are part of human societies since times immemorial as already noted in several discussions of the Parliamentary Assembly of the Baltic Sea States working group. Traditionally sub regional organizations have their tasks assigned at the lower political level, and high politics are for the states or specific organizations to deal with such tasks [for example the UN SC, UNHCR, European Union]. However, if we in the low politics organizations have no say over the politics at the higher level, then we are stuck with several fundamental problems. Because initially the division of labor has worked in the European Union and each part has done its lot, political solutions were found in political discussions between parties represented. When there are transformations taking place in the European Union, and some level of decision - making cannot cope with the burdens of decision-making, the whole line of subsidiarity principle breaks down. When the latter happens, disenchantment with politics takes place and it fosters the rise of populism.*

Therefore, to have a structured debate about the roots of the problems and possible solutions my working paper is structured in three major parts. First, part outlines reasons why we perceive refugee crisis differently in the Baltic Sea region, what are the roots of the present refugee crisis, which we in the Baltic Sea area should be aware about. Second, the debate about who is primary onus to prevent wars as causes of migration globally and on European level, and finally, a proposal of possible policy responses.

**A. Economic migration and refugees**

Refugees are part of the human society and throughout history, world societies have grappled with this phenomenon for better or worst. Due to time constraints, I do not want to delve into the pre – modern times and concentrate on the post Second World War period in Europe only.[[1]](#footnote-1) In addition, and for the sake of fruitful debate I will concentrate on the region we are particularly working with.

Economic migration takes place in a structured world governed by laws. The United Nations have done their work and outlined series of definitions for migrants.[[2]](#footnote-2) Refugees are distinguished from economic migrants due to absence of legal framework and guardianship of law. Refugees are left alone, and that is a reason why Red Cross & Crescent, UNHCR exist, to take care of the downtrodden, and why it is important for every country to help those in need. The UN 1951 Refugee Convention is explicit about who is refugee and what is there to be dealt with.[[3]](#footnote-3) It is ominous that the UN Refugee Convention was accepted only after the immediate effects of the war were dealt with, and respective states and international organizations had learned a lesson during the war. The lesson was not uniform, however, thus to understand why we in the European Union have differences in perception about refugees and economic migrants, we have to make a short historic backtracking.

**Retrospective in the Baltic Sea region**

After World War Two, one of the totalitarian regimes was vanquished in Europe. Due to switching sides from one alliance into another, the USSR totalitarian regime stayed intact until Helsinki Final Accords of the OSCE were signed in 1975. The post - war refugee crisis was particularly heavy burden in Germany, Poland, Sweden, and Finland. All countries mentioned before cooperated with the Red Cross and other international organizations in order to alleviate the refugee situation after the WW2. Because mostly refugees were European origin it never caused discussions about cultural identity, but mostly concentrated on the alleviation of the problems caused by the war and destruction of livelihood. It is a working paper, and thus I am not include the exact number of millions of Germans that Western part of Germany had to integrate into its society, that also provided it later with economic boom. With traditional manufacturing, the same economic boom was witnessed in other war-devastated economies in Europe. Refugees were part of that boom, and it made them easier to adapt, learn the rules of the game in the democratic society and become part of the vibrant civic societies.

The same story behind iron curtain was a tad different and that is diplomatically speaking. First, for the Baltic States, East Germany, and Poland the destruction of war followed with reestablishment of the Soviet totalitarian regime. Second, there were no free elections, and with hundreds of thousands of refugees fleeing, the Soviet occupation soon shortage of labour was replaced either forced urbanization and subsequent problems in the rural areas, or with forced russification, as it happened in Estonia and Latvia. In addition, to finish the last bits of resistance against the Soviet occupation regime, the Kremlin illegally deported hundreds of thousands of innocent civilians to Siberia just to be replaced with labourers from inner Soviet Union. Finally, International Red Cross and other international organizations were not allowed to work in the USSR territory. What distinguishes the immediate postwar period on both sides of the iron curtain is the totalitarian regime and absence of civic society in the East from the iron curtain, as well as existence of the inefficient centrally planned economy there. Those two factors never allowed dealing with refugees or economic migrants humanely, because it was never dealt with at the lowest or municipal level, but in corridors in Moscow and later dictated to satraps in Warsaw, Riga, Vilnius and Tallinn.

In nutshell, while in Germany and Nordic countries political parties and civic societies decided about who gets, what and where or who is responsible tasks, then in the Kremlin ruled totalitarian regime civic society was emasculated and there were no political parties in the sense of Western liberal democracy with minority rights and free press. There were never meaningful debates and CPSU or Polish, East German homologues dictum explained what had to be accepted.

Thus, after the collapse of the Iron curtain we have witnessed gradual reestablishment of people to people contacts and labour immigration from East to the West. It was nothing unique, the immediate post WW2 period witnessed labour shortages in Western Europe and those were first met by the Southern European, later Yugoslavian, then Turkish, Maghreb countries labourers etc. This experience allowed Western European societies to establish legal framework for regulating the labour market and not creating the identity crisis. Liberal order allowed those workers to acquire thus needed skills, learn language, settle down or return to their respective domicile. East from the Iron curtain we never experienced such progressive policies, because the Soviet autarchic economic systems were stagnant and those inherent problems of stagnation led to the implosion of the Soviet state capitalist managerial system.

With a half a century delay Polish, Estonian, Latvian and Lithuanian labourers have left en masse for opportunities of better employment to the Western part of Europe since 2003, and with economies converging have started gradually to return to their home countries. The story with Russia is different, and until now we can only witness unidirectional brain drain and with replacing of needed labour with representatives from Central Asia, a policy that has been amended lately.

The keyword that explains labour movement within the European Union is convergence policies of the EU. Since Maastricht, the European Commission has been very purposeful in designing convergence programs in cooperation with major stakeholders.[[4]](#footnote-4) Convergence programs are part of state building process and let us not be shy of this description, particularly now, when Germany and France dynamically discuss the ways of further European integration. Convergence should make us better understand our homework in member states, but it would not enlighten us about the root causes of the refugee crisis.

**Causes of the present refugee crisis**

If one reads the UN definition about who is to be considered refugee it becomes clear that war, nature or human made devastations are major causes of refugee crisis. It is nothing new, and that is why we have International Red Cross & Crescent as well as UNHCR, to respond to the crisis immediately to save lives. Very often in our media distinction is blurred between natural and man - made crisis. If there is natural disaster, no one really questions about requests of major international organizations for help from member states. The man - made crisis is quite a different matter, and be it global warming or wars member states rightfully question actions of other states. We have witnessed common action taken to alleviate the global warming first at the UN level and finally with signing Paris Agreement on Climate Change.[[5]](#footnote-5) The bureaucratic process from the UN panel and Paris Agreements make our member states to limit carbon footprint and seriously think how to replace linear economic model with the circular one. The fact that I am underlining the bureaucratic process highlights the miscomprehension of the problem of economic migrants and refugees among Western European publics. Our agencies and ministries could make propaganda posters or videos, and simply explain how our recycling, higher taxes, relocation of factories directly alleviates climate change. On average it is hard for average citizen to connect the dots, and understand that warmer sea levels destroy fish stocks triggering refugee crisis, how relocation of factories could create jobs in underdeveloped world and stem economic migrants from leaving their destitution. Teaching our policies of recycling and establishing garbage - burning electricity production centers in underdeveloped world could help save the planet. Citizens in the Baltic States and Poland know it first hand, because within one generation we have witnessed, how the European norms have helped to transform the Soviet inefficient and polluting economic system into the humane system where people want to live and raise their children. Return of the people to their well - governed countries, ability to raise their families in peace and respect by their elected representatives are luxury of European governance.

Many countries cannot afford such luxury, and war in Syria and Ukraine is a major cause of refugee crisis as well as lack of democratic governance in Middle Eastern and African countries. Syria is literally a failed state and Russian policy unilaterally vetoing numerous UN Security Council resolutions does not alleviate the situation with international war criminal still ruling Syria, thus refugees continue fleeing the war and destruction.[[6]](#footnote-6) Russian war in East of Ukraine has made millions of Ukraine’s citizens to become internally displaced persons in Ukraine and Russia. Big numbers of Ukraine’s economic migrants have arrived to Poland and other EU states. While it serves as brain drain on Ukraine’s nascent economy, it serves as economic boon for the EU economy.[[7]](#footnote-7) The post war lessons have taught European Union how to manage labour shortages, how to reform governance or education system, and how to converge economies of respective member states in balanced manner. The EU system works, it could work for Ukraine, Georgia, Moldova and Eastern Partnership countries as well, and there is no better example as transformations in Visegrad, Western Balkan, and Baltic States since 2004 EU enlargement. However, European Union does not have all the tools to alleviate the root causes of external shocks like migration.

**B. Institutional framework to deal with refugee dilemma**

The Parliamentary Assembly of the Baltic Sea states has its mission to make the countries around the Baltic Sea to cooperate in a way to solve the matters politically and, that our solutions would not endanger our environment and serve future generations. Solving external shocks of the refugee crisis takes place at the UN SC, UNHCR, and European Union level, thus we can only deal with secondary policies. So far, the working group has served this purpose with meetings in Hamburg and Stockholm. First, it showed how the refugee centers as well as work with migrants on municipal level function in Germany and Sweden. It allows to emulate the best governance practices of other member states. The good practices allow us to learn from each other and to transfer that expertise across the former East-West divide in Europe.

Political discussions between different political parties are part of democratic process. However, it is essential to have a well - informed debate, and here it is essential for the mass media to inform the participants of our respective countries to understand how our economic and governance systems, as well as our basic norms of political culture developed. Without such understanding, our societies will always be prone to the populist targeting and lies in questionable media outlets peddled with the help of the social media outlets. If there is no honest discussion, about who is whom, our citizens will feel socially estranged, and that is why it is important to call spade a spade. Thus, it is essential to have a free media liberated from government control that would report news instead of spinning opinions of the media representatives. Therefore, while we have external pressure of the refugee crisis, we should also remind ourselves about the founding principles of the United Nations.

Rather often, the UN member states interpret solid UN Charter [the Charter][[8]](#footnote-8) in a way that it serves their own purposes and failing to see the basic principles in context. Article I of the Charter is very clear: “To maintain international peace and security, to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, to achieve international co-operation in solving international problems and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion”, states must follow the basic principles as outlined in the Article II of the Charter. The Art. II answers to the principles in the Article I.[[9]](#footnote-9) To achieve this end, however, the sub-section 7 states, that “nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VlI.” The paramount role of the UN Security Council is embedded in the existing security structure, however, after atrocities in Bosnia, Rwanda, and Kosovo, the UN in 1999 adopted basic principles of protection of civilians [responsibility to protect].

“In paragraphs 138 and 139 of the 2005 World Summit Outcome Document ([A/RES/60/1](https://documents-dds-ny.un.org/doc/UNDOC/GEN/N05/487/60/pdf/N0548760.pdf?OpenElement)) Heads of State and Government affirmed their responsibility to protect their own populations from genocide, war crimes, ethnic cleansing and crimes against humanity and accepted a collective responsibility to encourage and help each other uphold this commitment. “The Summit Outcome is a General Assembly resolution adopted at the level of Heads of State and Government. Regardless of the member states’ commitment, the Responsibility to Protect, as described in these paragraphs is based on an underlying body of international legal obligations for States, which are contained in international instruments or are developing through State practice and the case-law of international courts and tribunals. These existing international obligations require States to refrain from and take a number of actions to prevent and punish genocide, war crimes, ethnic cleansing and crimes against humanity.”[[10]](#footnote-10)

Having the principles of international law, the forum to discuss those matters that are pertinent to protect migrants [e.g. UNHCR] we have tools to enforce jurisdiction against entities that clearly transgress international law. We have our member states foreign affairs departments, plethora of regional and sub regional organizations in the Baltic Sea area. Therefore, we as a parliamentary representatives of a regional organization could appeal to other sub regional organizations [for example the Council of Baltic Islands, Council of Baltic Cities, Nordic Council, Arctic Council, The Baltic Assembly and others] to first, raise awareness in our populations about who exactly is responsible for the crimes against humanity in Syria and Ukraine, that cause refugee flows and affect our societies. Second, upon receiving an answer for responsible authorities, to call our member states to boycott those parties who violate international norms. Complacency with existing situation is not a solution, as organizations we could remind our populations that priorities in one’s life matter. Our predecessors were smart enough to create the UN exactly for the purpose of keeping peace achieved at such a terrible price during the Second World War. Thus, even though it sounds idealistic, there is a way for political parties in our member states to use this opportunity, and with collective actions to demand ending previously mentioned wars that cause flows of migration.

The 2015 uncontrolled migration made several media outlets to compare them with the war in the Former Yugoslavia during the 1990’s. European public was neither prepared then nor now.[[11]](#footnote-11) Certain complacency is a routine in our jobs, but as elected representatives and experts in international affairs we are more aware about the modus operandi of the international system, thus we should be more vocal protecting our societies from those misusing the international system for their particular needs,

Because we do not have a common EU migration policy we had to find *ad hoc* solutions in 2015.[[12]](#footnote-12) Blaming Hungary or other medium sized countries was a mirror image of absence of the common migration policy, and media frenzy in several Western European countries actually empowered authoritarian leader of Hungary. We have the 2003 Dublin regulation. Every asylum application within Schengen area needs to be examined, and each EU member state must be able to determine if and when it is responsible for handling an asylum claim. The objective of Dublin regulation is to ensure quick access to asylum procedures by a clearly determined member state. The system is dysfunctional, however, when the mass crisis hits, because the Dublin system does not provide the same standards of refugee centers across the EU, and because the external border countries are affected by the migration flows more, and it serves as a drag on their economies.[[13]](#footnote-13)

The ongoing refugee crisis in the EU shows that the Dublin regulation does not operate properly during the times of crisis. Strengthened external border and FRONTEX mission were responses available within the present legal framework. There have been proposals for quick fixes in migration policy by the Dutch, Slovak, Maltese, and Estonian EU presidencies, but they have all failed. Most probably Bulgarian proposal for Dublin III would fail as well[[14]](#footnote-14), because Italian centre-left government already accuse that the new asylum agreement was to please Germany. Absence of common migration policy and visible, and latest summit between German and French leaders gives an impression that initial agreements for the Meeting of the European Council includes agreement on common asylum policy as well.[[15]](#footnote-15) The upcoming summer with increase of migration flows, election campaign in Sweden and Latvian, as well as domestic turmoil in Germany will keep some of us busy. The recent past proves that there are no quick fixes if fundamental issues are not solved. Thus, to conclude we can use the argument that in today’s dynamically changing world no single country in the European Union is able to solve matters by itself, common action is dearly needed.

**C. Possible policy responses**

It is obvious that in social affairs, where we deal with democratic norms and regulations there are no simple policy solutions. International or EU affairs, the Baltic Sea regional affairs consists of complex web of interactions. We should never forget that the primary onus of all international webs are our member states where authority and democratic legitimacy is embedded. Therefore, while we propose solutions for a certain policy issue **within organizational mandate**, we should find the best way for our member states’ governments to find answers. In order to respond to the problems as outlined during introductory chapter there are four possible policy responses proposed.

**First**, we should acknowledge objective differences in our political systems and perceptions of our respective societies about the migration and refugees. They are created by the scars of the Second World War, and legacy of the totalitarian rule particularly in the Baltic States, East Germany, Poland, and Russia. To mitigate those differences we should continue discussing and sharing best governance practices of our states in order to raise awareness in our societies. We could foster people to people contacts in the Baltic Sea region, help our municipalities to cooperate more on grassroots level.

**Second**, we should not be shy due to political correctness to call facts and arguments by their own names. We must understand not only how certain policies and organizations came about, but we also must call things like they are. After all, political organizations are forums to discuss political disagreements and in democracy disagreement is a norm rather than exception. Our colleagues from Russia have a forum to speak out their minds, but in most cases they have to fall in line with the official Kremlin’s position, which does not provide the international community a solution to the conflict that is pretty much of Kremlin’s own making. We are cooperating with our Russian colleagues well within the limits of our mandate and we all share common values and respect to human rights and dignity. Thus, we should not be shy to tell our colleagues that the present Moscow’s modus operandi in Ukraine and Syria does disservice to the Russian national interests in the medium and long term, and does not foster peace, prosperity, mutual co-existence, and rule of law in the Baltic Sea region.

**Third**, as a parliamentary assembly we could appeal to the subregional organizations raising awareness about transgression of international law as much war in Syria and Ukraine is concerned. We could appeal to the United Nations to raise awareness and demand our heads of states to raise this issue as a common problem from our heads of states during the UN annual General Assembly meeting in September.

**Fourth**, as parliamentary assembly we could coordinate information with likeminded sub regional organizations in the Baltic Sea area, and jointly appeal to the European Council to continue work in order to establish a common EU migration policy.

1. it is widely accepted in the history of science to consider French Revolution as a watershed between pre modern and modern times [↑](#footnote-ref-1)
2. “The UN Convention on the Rights of Migrants defines a **migrant worker** as a *"person who is to be engaged, is engaged or has been engaged in a remunerated activity in a State of which he or she is not a national."* For more information see at: <http://www.unesco.org/new/en/social-and-human-sciences/themes/international-migration/glossary/migrant/> [↑](#footnote-ref-2)
3. “A refugee is someone who has been forced to flee his or her country because of persecution, war, or violence. A refugee has a well-founded fear of persecution for reasons of race, religion, nationality, political opinion or membership in a particular social group. Most likely, they cannot return home or are afraid to do so. War and ethnic, tribal and religious violence are leading causes of refugees fleeing their countries.” For more: <http://www.unhcr.org/1951-refugee-convention.html> [↑](#footnote-ref-3)
4. For more about convergence programmes or “the European Semester” read at <https://ec.europa.eu/info/business-economy-euro/economic-and-fiscal-policy-coordination/eu-economic-governance-monitoring-prevention-correction/stability-and-growth-pact/stability-and-convergence-programmes_en> [↑](#footnote-ref-4)
5. The Intergovernmental panel of climate change at the World Meteorological Organization is a major forum for discussions og global response at the local level. For more see at <http://www.ipcc.ch/> . In addition French and European leadership allowed to sign Paris Agreement on Climate Change <https://unfccc.int/process-and-meetings/the-paris-agreement/the-paris-agreement> [↑](#footnote-ref-5)
6. The subsequent UN resolutions on Syria, October 4, 2011, No. [S/2011/612](https://www.un.org/en/ga/search/view_doc.asp?symbol=S/2011/612), Febryary 4, 2012 No. [S/2012/77](https://www.un.org/en/ga/search/view_doc.asp?symbol=S/2012/77), July 19, 2012 No. [S/2012/538](https://www.un.org/en/ga/search/view_doc.asp?symbol=S/2012/538), 22 May, 2014 No. [S/2014/348](https://www.un.org/en/ga/search/view_doc.asp?symbol=S/2014/348), October 8, 2016 No. [S/2016/846](https://www.un.org/en/ga/search/view_doc.asp?symbol=S/2016/846) (Russia), December 5, 2016 No. [S/2016/1026](https://www.un.org/en/ga/search/view_doc.asp?symbol=S/2016/1026), April 12, 2017 No. [S/2017/315](https://www.un.org/en/ga/search/view_doc.asp?symbol=S/2017/315) (Russia) were vetoed by either Russia or Russia and China.For more information see at: <https://news.un.org/en/story/2018/04/1006991> [↑](#footnote-ref-6)
7. <https://www.economist.com/europe/2017/08/05/ukrainian-immigrants-are-powering-polands-economy> [↑](#footnote-ref-7)
8. <http://www.un.org/en/sections/un-charter/un-charter-full-text/> [↑](#footnote-ref-8)
9. As a tool for achieving protection of human rights the International Declaration of Human Rights was adopted in 1948, when 48 out of 58 members voted for it. Article 14 specifically gives humans’ rights of asylum in other countries to save someone from persecution. For more, see at: <http://www.un.org/en/universal-declaration-human-rights/> [↑](#footnote-ref-9)
10. <http://www.un.org/en/genocideprevention/about-responsibility-to-protect.html> [↑](#footnote-ref-10)
11. <https://www.rferl.org/a/serbia-syrian-refugees-croatian-war/27352067.html> [↑](#footnote-ref-11)
12. The common migration policy was proposed to be included in the 1997 Amsterdam Treaty, but the German Chancellor Helmut Kohl did not have support for it in the Bundesrat, thus the policy never came into fruitition. [↑](#footnote-ref-12)
13. <http://www.unhcr.org/protection/operations/4a9d13d59/dublin-regulation.html> [↑](#footnote-ref-13)
14. <https://eu2018bg.bg/en/news/1204> [↑](#footnote-ref-14)
15. <https://euobserver.com/migration/142140> [↑](#footnote-ref-15)