

EU, states, and NGOs - multi-agency response to refugee crisis and its challenges for EU values.

MATEUSZ KRĘPA

DOCTORAL SCHOOL OF SOCIAL SCIENCES

UNIVERSITY OF WARSAW

5 DECEMBER 2019



How to understand a term *migration crisis*?

□ *human security* paradigm:

- to focus on individuals instead of on states;
- to assume a multisectoral approach.

□ Berger and Luckmann:

- reification of human phenomena creates a “dehumanized world”.



Source: Óglaigh na hÉireann, <https://www.flickr.com/photos/dfmagazine/18898637736>

A common response

- ❑ In an emergency of a sudden inflow of migrants, the Council may adopt provisional measures for the benefit of the Member State(s) concerned (TFEU, art. 78[3]);
- ❑ “A European Agenda on Migration” (2015):
 - Frontex operations aiming at saving lives at sea;
 - assistance of the EU with returning irregular migrants;
 - investigations against smugglers;
 - **“hot spot approach”** (a procedure of cooperation of EU agencies with the member states);
 - **relocation programme.**
- ❑ Council Decision (EU) 2015/1523 of 14 September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and of Greece;
- ❑ Council Decision (EU) 2015/1601 of 22 September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and Greece.

The Relocation Programme

- ❑ Legal action of HU and SK (supported by PL) against the programme dismissed by the Court of Justice of the EU, infringement procedure by the EC;
- ❑ The goal assumed in the beginning was fulfilled only in **less than one third**;
- ❑ European Parliament resolution on making relocation happen (2017/2685(RSP));
- ❑ Catherine Woollard, Secretary General of the European Council on Refugees and Exiles (ECRE):
 - *The only game in town when it comes to solidarity;*
 - *... a challenging but manageable situation became a crisis.*

“Disembarkation crisis”

- ❑ Sea-Watch: *our work is both humanitarian and political but politics cannot be a priority in a matter of life and death;*
- ❑ MOAS called for avoiding politics in SAR initiatives;
- ❑ MSF: *humanitarian work is strictly attached to the critique of the causes of human suffering*
- ❑ Paolo Cuttitta:
 - *governments are being relieved from their responsibilities by NGOs;*
 - *the border regime is getting humanitarian non-state legitimation by actors who declare to contest it.*
- ❑ Italian court: Carola Rackete had not committed any act of violence because her duty was to protect life.
- ❑ Salvini tweeted: *I can't wait to expel this German communist and send her back home.*

The hot-spot approach

- ❑ A specific **sort of camp** equipped usually with containers and sanitation, designed exclusively for a working method assuming **deployment of EU agencies** to support member state authorities with **registration, identification** and **first assistance** of new arrivals.
- ❑ Standard Operational Procedures - developed in cooperation with: the European Commission, Frontex, Europol, EASO, UNHCR, and IOM.
- ❑ **FRONTEX**: assisting with registration, nationality screening, fingerprinting and investigating on smuggling routes and traffickers, escorting persons returned in line with EU-Turkey Statement;
- ❑ **EASO**: providing information to migrants, offering operational support to national authorities in case of Dublin procedures, conducting asylum interviews, delivering opinions on the admissibility of applications.



The social assistance

- ❑ The European Commission and UNHCR – an agreement to establish accommodation places in Greece funded by the EU;
- ❑ Greece: *Estia, Filoxenia, Helios* programmes, assistance of Red Cross and Save the Children;
- ❑ Greece: IOM and Danish Refugee Council running the camps;
- ❑ Italy: reception centres are generally run by public entities or other bodies chosen through public tender.

European values

- ❑ “A European Agenda on Migration”: *values Europeans should be proud of;*
- ❑ Attucci and Bellamy: *European values are contested / Zorgbibe: respecting of democracy;*
- ❑ Treaty of Lisbon, art. 1a: *respect for human dignity, freedom, democracy, pluralism, non-discrimination, tolerance, justice, solidarity and gender equality;*
- ❑ Barbara Skarga and Chantal Millon-Delsol: *dignity;*
- ❑ Wojciech Sadurski: *positive (i.e. supportive and active) functions of the state;*
- ❑ Leszek Kołakowski: *the ability to see ourselves through the eyes of others;*
- ❑ Luuk Johannes van Middelaar: *fear about security as spiritus movens of the integration process in its initial period.*

Jean Monnet



Source:
http://www.jmc.inp.uj.edu.pl/opis_projektu

- ❑ German sense of **humiliation** and French **fear** of Germany brought these two countries together;
 - ❑ The cooperation between nations alone is not enough - a “**fusion of interests**” is indispensable;
 - ❑ criticism of what he called “narrow-minded **national-interest mentality**”;
 - ❑ **catholic thought** not excluding but, on the contrary, serving as a **counterweight for nationalism**.
-

FEAR & HUMILIATION → **A COMMUNITY BASED ON DIGNITY**

↕
Exclusive concept

↕
Inclusive concept

Conclusions

- ❑ The biggest tensions between the EU and the MSs, but also between the MSs and NGOs – the presence of the migrant (the fact of passing the border);
- ❑ Operating in hot-spots and other camps – less problematic for mutual cooperation;
- ❑ **DIGNITY** – inclusive and universal or rather applied only when a person has already appeared on our territory (has passed the border)?
- ❑ The **BORDER** - inside or outside the order based on human **dignity**?
- ❑ **MIGRATION** as a **FEAR** which is neither purely internal nor external – joining the community as a *human*, and not as a *candidate state*?
- ❑ How to understand **DIGNITY** under the circumstances of territoriality?

Thank you for your attention.
