



JEAN MONNET CHAIR IN MIGRATION:
THE CHALLENGE OF EUROPEAN STATES

MIGRATION: INTERDISCIPLINARY CHALLENGE IN LEARNING



FOREWORD

Ondřej Filipec, Ph.D.
Chief Editor of the Issue

Dear readers,

We are proud to present you our booklet “Migration: Interdisciplinary Challenge in

Learning”. Migration is a multidimensional phenomenon which may be seen through different perspectives of science. Similarly to other human activities the issue of migration penetrates the field of social sciences and in some cases, beyond. This special Issue deals with various perspectives of social science addressing issues of migration but also goes to more civic dimensions and presents personal experience. Some articles are the result of our research conducted under the umbrella of the Jean Monnet Chair in Migration awarded to the Faculty of Social Sciences at University of Ss. Cyril and Methodius in Trnava. Thanks to this generous grant we were able to conduct research about topics which shapes politics in many countries and most probably will also decide the future of Europe.

A volunteer perspective is provided by Zuzana Schreiberová whom I was honoured to meet in Prague. Zuzana and her friends showed great determination and solidarity with refugees at the time when migration raised mixed feelings within Czech society. Despite her

story not being strictly academic, it provides valuable perspective into the mind of a young woman who decided to do something while many others were just talking or watching. Her attitude has made me more positive about the young generation.

A “greeting” from the German-Polish borders has been sent to us from Jarosław Jańczak. Prof. Jańczak is an internationally recognized professor whose passion about borders has produced excellent research. In his greeting he writes about the border issue in the divided city of Frankfurt (Oder)-Słubice.

The TOPICs presented in this Issue are Diasporas, a favourite research subject of Rafał Raczyński who is a leading Polish researcher working at Emigration Museum in Gdynia and Pomeranian University in Słupsk. His dedication to this issue was evident from the first conversation I had with him, during a lecture on Diasporas.

Professor Václav Stehlík, from the Faculty of Law, Palacký University in Olomouc provided us an interview about migration in the context of EU law and European studies. He is one of the leading Czech experts and holds the title Jean Monnet Chair in EU law at the faculty. His interview is full of inspiration.

Security expert Aaron T. Walter shared with us his thoughts on the link between terrorism and migration. A topic, which is often misused by populists and nationalists in the mobilization of public support.

Next to these various interviews you will find also an international security perspective, a environmental perspective and internal security perspective. So, many perspectives but one topic. Enjoy the reading!

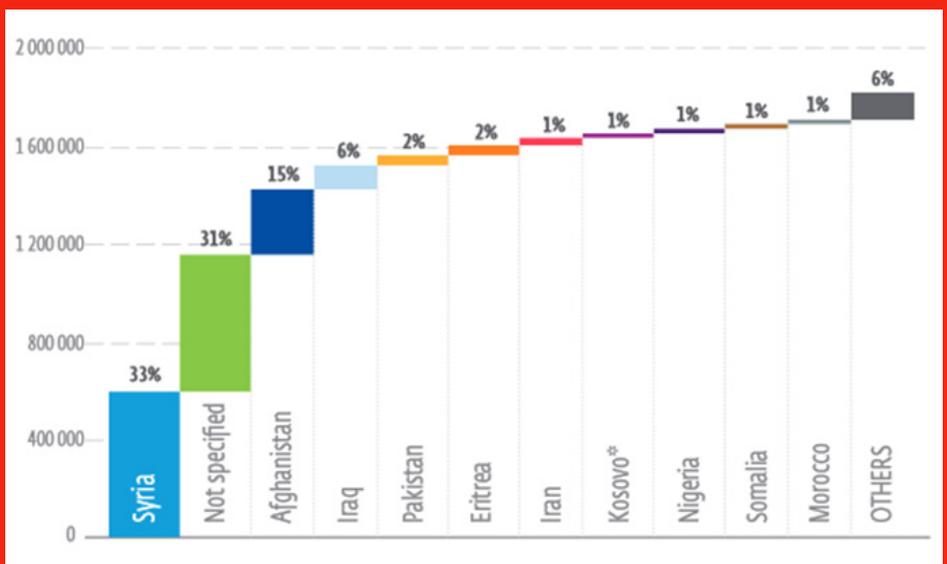
Finally we would like to thank the Jean Monnet Chair for supporting our project:

Ondřej Filipec, Ph.D.
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INTERNATIONAL SECURITY PERSPECTIVE

There have always been wars in human history, which fuelled migration and generated refugees searching for safety. Even in 21st century conflict, one of main causes of migration is war. And even though the nature of conflict may have changed, human nature remains the same. Frontex – An EU Borders Agency which helps EU member states to deal with migration – estimated, that at the peak of immigration crises in 2015 there were approx. 1,8 million illegal crossing. In other words, almost 2 million people came to the EU in search for safety and better life. The majority of them came from countries involved in ongoing conflict as visible in figure 1.

Figure 1: Detections of Illegal Border Crossing by Nationalities in 2015



Source: FRONTEX (2016) Risk Analysis for 2016.

Syria

Approximately 33 % of refugees came from war torn Syria. Before the war it is estimated that Syria had around 17 million inhabitants. As of 2017 it is estimated that the Syrian civil war has taken around 500 000 lives, generated 8 million internally displaced persons and more than 5 million refugees have been registered by UNHCR. In other words, the civil war has affected every part of Syrian society, and no family is without loss. Nearly seven years of bloody conflict has turned Syria into one of the most hostile places in the world and the consequences of the conflict will be visible for generations.

Before the outbreak of civil war, Syria was a relatively stable country composed of people of multiple identities. These included Syrian and Palestinian Arabs (74 %) mainly Sunnis, Shias (13 %), Alawites and Mershdīs, Christians from various of churches including Eastern Catholic Churches, Syraic Orthodox, Greek Orthodox and local varieties such as Church of Antioch, Assyrian Church of East. There were dozens of other religious and ethnic groups such as Syrian Kurds, Assyrians, Armenians, Turks, Circassians, Turkmens, Greeks, Mhallami, Yezidi and others. In short, Syria was a multiethnic state, bound together by the strong dictatorship of President Bashar al-Assad who suppressed any opposition and sign of resistance against his regime.

In 2011 the Assad government brutally suppressed the Arab Spring which in the beginning brought hope for the regime's transformation. However, bloody suppression of protesters has resulted in a civil war, which contributed to the fragmentation and radicalization of Syrian society and has created an environment favourable to the creation of multiple terrorist groups. Some of these later succeeded to gain control over territory; war crimes including ethnic cleansing and acts of genocide have been reported on a daily basis.

After seven years of civil war, peace is unforeseen. The conflict has contributed to polarization and radicalization of the society and destroyed the soft balance that has been build up in the country for decades. Ongoing internationalization of the conflict and conflicting interest of regional actors (mainly Saudi Arabia, Iran and Turkey)



and global powers (especially USA and Russia) are fuelling the conflict.

Afghanistan

Around 15% of refugees in 2015 were from Afghanistan. Afghanistan has in many aspects similarly complicated

social structure as Syria, however the nature of conflict is slightly different. Afghanistan is an economically weak state, which suffers from internal instability. Due to lack of capacities from the central government in Kabul, there is little control over remote areas in the country, such as distant mountainous areas which has become safe havens for terrorist groups.

During the Afghan civil war (1996-2001) the Taliban, radical movement, succeeded in gaining control of Kabul and provided safe haven for Al-Qaeda which had good conditions to prepare attacks on New York and Washington in September 2001. Following the US-led invasion to Afghanistan and the re-establishment of a pro-West government however, did not lead to stabilization of the country. A weak central government, even with Western support, was unable to stop the spread of radical groups around the country and prevent continued violence. For this reason some areas in Afghanistan remains one of the most dangerous places in the world.

Iraq

Iraq was for decades another divided society between Sunni and Shia Muslims who lived in one state under the strong rule of dictator Saddam Hussein. The US-led invasion of Iraq in 2003 removed Saddam Hussein and violated the fragile equilibrium. Iraq soon turned into

sectarian violence. Similarly to the case of Afghanistan, a weak central government despite strong US support was unable to stabilize the society and guerrilla warfare and emerging terrorist groups happened. This environment of instability and emerging conflict between Sunni and Shia Muslims was fertile ground for terrorist organizations such as Al-Qaeda to fuel the conflict. Moreover, similarly to Syria, Iraq become a battleground with interest of other powers, i.e. Iran supporting Shia Muslims while Saudi Arabia supports the Sunnis.

After the US withdrawal, the central government in Iraq has been unable to prevent the loss of territories and cities to the so called Islamic State (IS), which evolved from al-Qaeda. The called Islamic State started its brutal campaign against Iraqi minorities including Shia Muslims, but also Christians or other ethnic and religious groups such as the Yezidis. Despite the fact that the Islamic State has lost territories since 2016 to a multinational coalition, northern parts of the country are far from peaceful. Moreover the ongoing struggle between Sunnis and Shia may continue as IS will transform back into an “underground” terrorist organization and the multinational coalition may split due to diverging interests.

Pakistan

Pakistan is another example of state which does not exert full control over its territory. The influence of the central government in some territories is weak which open space for local conflicts and skirmishes between gangs and armed groups. Because Pakistan is not officially involved in any war, the situation of people mainly from the northwest of the country is overlooked by the international community. Nevertheless, it is important to note that an estimated more than one million people are directly affected by violence in the country.

Eritrea

Eritrea is another example of divided state composed of several ethnic groups such as Tigrinya, Tigre, Saho and others. According to

international observers Eritrea has a very bad record of human rights violations. The one party state has repeatedly postponed elections and introduced lengthy military service with indefinite conscription. Many young men thus have chosen to escape the country in order to avoid military service or punishments. Moreover, Eritrea is one of the most poor countries in the world. The regime is using “soldiers” for reconstruction works as cheap labour force, some of them serving decades or even life.

Next to the refugees from Syria, Iraq, Afghanistan, Pakistan and Eritrea, there is a large group of refugees with no specified nationality simply because their internationally recognised documents have been lost or destroyed.

A VOLUNTEER PERSPECTIVE: AN INTERVIEW

with **ZUZANA SCHREIBEROVÁ**



Foto: Eugen Kukla

1. You are one of the co-founders of the initiative “Hlavák” (referring to the main train station in Prague). What was the first moment when you decided to go and make something?

When the „refugee crisis“ started I had quite mixed sentiments. I knew, that among refugees are people in need, but at the same time I was still little bit scared after Charlie Hebdo attack. When my classmate Monika Horáková announced that there are refugees on Prague Main Train Station, I decided to join her. Just to see refugees with my own eyes and to build my own opinion and not be dependent on images from the media. When I came back from the train station, where we met our first Syrian family, I saw news about the drowned syrian boy Aylan Kurdi. In that moment I knew, that I´am doing the right thing and I was proud on myself, that I could do something to help those people.

2. What is Hlavák?

We started as a group of friends who went to the train station with bottles of water and bread. We ended as an independent volunteer based activist organisation, which was able to provide (of course with cooperation with other organisations e.g. Red Cross, Malta Order) accommodation, tickets, basic medical care, legal consultations to

these people. In the most busy times, we had at the train station more than 400 volunteers, in five three-member shifts from 4 a.m. to midnight. We helped more than 900 refugees released from the detention center, in which had been not only young men but whole families including children and pregnant women. These people had to pay every day in detention center approximately 10 euro, that is why they were absolutely without money, without possibility to continue in their journey. We started also visiting those detention centers and brought food, toiletries, telephone card and books to refugees.

3. The perception of refugees within Czech society is very negative as Czech citizens have most negative attitude among all EU citizens. How was the reaction of public on the initiative? Were people hostile or helpful?

We had a stand in the middle of the train station with the words “refugee help” in Arabic and Farsi. Of course it caused many reactions. They called us “muslim whores”, attacked us, spit on us, took pictures on us and put them on Facebook. But in the same moment, a similar number of people came to offer us help – give us money, buy food and expressed sympathy to us.

4. What was the most motivating and disappointing moment of your work?

I was absolutely excited about the people, who joined our initiative. They were from all groups of Czech society – most of them were left oriented, but for exemple I identify myself as a centre-right voter; they were different groups of occupations – you can serve your shift with a waitress, a mother on maternity leave and a former CEO. I remember a shift where there was with me, Jewish, a French-Algerian Berber girl and an American.

Of course, it was a great pleasure to hear, that refugees are safe by their families. And I especially liked the moment, when refugees sit in the train and we wave to them goodbye as their journey continued. My most disappointing moment was when the mayor of Prague, Adriana

Krnáčová came to the train station, made a selfie with our volunteers and announced, that there weren't refugees on the train station. It is a paradox that at the same day a group of 40 refugees came, including 3 months old baby. She also decided to include our volunteers under the social services of Prague. Fortunately, that has not happened and led us to further our help to refugees independently.

5. Are you still in touch with some refugees you helped? How are they doing?

Sometimes I added some refugees on facebook. I follow them and I can see their new life in Germany. I have to highlight two stories – Ahmad is a young man from Pakistan. When I met him, he was terribly thin and absolutely broken after three months in the detention center, which he described as the prison. Now, he in Germany volunteering as a translator for other refugees and he has created a refugee cricket team. The second story is of Waheed. Waheed was a 17 years old boy from Syria, who travelled to Germany to see his mother. He spend some time also in detention, we helped him to get the train and he met her mother. I can see via Facebook that he is living an absolutely normal life, the same life as all the boys of his age.

ENVIRONMENTAL PERSPECTIVE

The environmental perspective on migration has strengthened in the last few decades and is increasingly discussed in relation to climate change. However, from the historical point of view, environmental events such as floods, droughts, earthquakes and volcanic explosions are also important drivers for migration. Environmental migration has been essential for changes in human behaviour. It is argued that around 3900 BC intense aridification triggered worldwide migration to river valleys from which, later, our ancient civilizations developed.

Increasing aridification has important impact on migration.



In 1990 the Intergovernmental Panel on Climate Change (IPCC) predicted, that by 2050 there will be around 200 million climate refugees generated by shoreline erosion, coastal flooding and agricultural disruptions: effects closely related to global warming

and climate change. While some countries have moderate geographic position and good environmental capacity to absorb upcoming challenges, some countries are heavily exposed to the consequences. For example, in the small Pacific countries the population is deeply concerned with rising sea levels and seek migration to Australia and New Zealand. Opening doors to climate refugees from Pacific islands may be positive for both sides. It ensures personal safety to refugees and main decrease costs for humanitarian aid provided by Australia and New Zealand elsewhere in the world.

Climate change is not however only the issue in Pacific but also affects countries in Africa. Ongoing desertification is destroying resources for living. Water resources are scarce and often contain human waste that causes the spread of diseases such as diarrhoea, cholera, hepatitis, dysentery and typhus. For example, in Eritrea 77 % of population practices open defecation and in many African countries situation is similar. It is estimated that 663 million people do not have access to an improved source of drinking water.

Lack of food and water may produce conflict. Some scholars expect that future wars in the developing world will be fought over water and fertile areas as access may be difference between life and death. Lack of basic resources may be source of tension and violence with political implications. For example, before the outbreak of Arab Spring in the year 2007-2008, grain prices dramatically rose due to low harvest. Bread prices rose by 37%. This had important implications as the population was increasing together with unemployment making more people addicted to subsidized food. A similar situation occurred in Syria where a drought from 2006-2009 hit farmers who already experienced hard times during reforms. Economically motivated protests of Syrian Farmers soon gained political dimensions and lead to opposition against Bashar al-Assad.

The environmental aspect of the Arab Spring has been so far underestimated and it can be expected that weather may accelerate unhappiness among populations in poor regions and lead to violence. Environmental changes are thus an important primary and secondary push factors in migration.

MIGRATION AND THE EUROPEAN UNION: AN INTERVIEW WITH A EU LAW EXPERT

Associate Professor Václav Stehlík is head of the EU and International Law Department at the Faculty of Law, Palacký University in Olomouc. He is also Jean Monnet Chair in EU law. We have asked him a few questions on the current issues related to migration.

Dear professor, thank you for your time. First, I would like to ask you about origins. When did the EU start to deal with migration from non-EU member states within EU law?

The issues of migration appeared in the context of European integration very soon after the establishment of the European Union. At that time there was set informal and formal documents at the EU level. However, very important developments occurred in the late 1990s in regard to the adoption of the Amsterdam treaty which resulted in so called communitarization of the former third pillar. This resulted in adoption of legislative packages involving asylum measures, but also rules dealing with students, researchers and qualified workers arriving from the third countries.

So, does EU law distinguishes between various groups of migrants coming to the EU?

Of course, and these groups vary according to their laws. This is not only in relation to entry, but also regarding their residence rights social benefits and the possibilities of expulsions. Namely the first group of third country nationals comprises family members of a migrating EU citizen, that is an EU citizen who resides in another EU Member State. According to directive 2004/38 family members (including third country nationals) of free moving EU citizens have

the right of residence in another EU Member State. It is well known that rights of family members are broad and are derived not only from the directives but also from very rich case law of the Court of Justice of the EU. In particular, recent development in EU case law is very interesting. For example, while the cross-border element may be missing in some cases, despite this, family members of EU citizens from third countries may get a residence permit in the EU. This is for example, the issue for third country nationals, who take care of children of an EU citizen in one of the EU member states.



Jean Monnet Chair in EU Law Václav Stehlik (Faculty of Law, Palacký University in Olomouc)

And those groups from non-EU member states? What are their rights?

In addition to the above mentioned group, third country nationals come to the EU on the basis of external contracts concluded between the EU and a third country. Typical examples are association agreements concluded with the countries of Central and Eastern Europe. Although they did not guarantee the right of entry, they

introduced a ban on discrimination on grounds of nationality in the event of a legal residence. As a result, Czech and Slovak citizens (prior to their accession to the EU in 2004) had the same conditions for employment and business in the EU as EU citizens. A similar model not governing the right of entry, but based on the prohibition of discrimination appears in other external treaties. Perhaps the best-known agreement is the Association Agreement with Turkey, which aims to progressively remove obstacles to the free movement of workers. In any case, it foresees a ban on discrimination against Turkish workers legally residing in the EU. While these agreements do not guarantee the right of accession to the EU, that is, in the Member States' discretion, they are still responding to the level of integration in the Member States. At certain times, these persons may gain more rights. Long-term residents from third countries will then be covered general provisions on a possible independent right of residence. The provisions on non-discrimination are also included in other treaties such as the Treaty on the European Economic Area, the agreements concluded with Switzerland or, for example, the agreement with Canada (CETA).

EU Countries are both transit and target countries for asylum seekers.



What about Brexit? How will Brexit influence EU migration policy?

Migration was the central topic of the referendum; at the same time, this is also the case in the negotiation process. One of the options that were discussed unnecessarily after the referendum was the entry of Great Britain into the European Economic Area. But that would not solve the migration problem. EEA is based on participation in the internal market, including the free movement of persons. In addition, EEA states have an obligation to take over, inter alia, Directive 2004/38 regulating the conditions of free movement in the EU. The use of the salvatory clause in the EEA Agreement, which makes it possible to dispense with certain obligations under EU law, would be unrealistic; perhaps only considered when dealing with crisis situations. At the same time, the EU has made it clear that it does not intend to retreat from the free movement of persons if the UK wants to participate in the internal market. But this is a political process where reversals are always possible and the deal with the UK is far from complete.

Another one of the problem issues related to migration is security. Do states have enough rights? Because it is mainly the responsibility of the member states to ensure security for its citizens...

This is an interesting and multi-layered question. All EU rules on the movement of persons contain exceptions relating to the protection of public security and public order. It is detailed in Directive 2004/38 governing the free movement of EU citizens and their family members. Recently, there has even been a broad interpretation of the concept of public safety by the Court of Justice, which has enabled the Member States to intervene more significantly in relation to long-term residents (with a stay of more than 10 years). Yet the possibilities of expelling long-term residents – EU citizens – is limited. The idea of Europe without borders, non-discrimination, European citizenship or the right to family life meets the requirements of national security or the local community. In immigration regulations from third countries, the discretion is much broader. E.g. as confirmed by the Court of Justice of the EU in its 2017 decision in relation to Directive 2004/114

concerning the admission of third-country students, even a potential public security threat that may afterwards lead to the refusal of granting a visa, without the need for a link to personal behavior. This contrasts with the requirements of Directive 2004/38, which requires a person to be a real threat with regard to his or her personal conduct.

My last question will be little bit personal. You have the honour to use the title Jean Monnet Chair, what are you researching now?

First of all, within the Jean Monnet Chair awarded by the European Commission, I introduced the subject of European Migration Law, which I teach at the Faculty of Law in Olomouc. I am also second time the principal investigator of two projects, a project supported by the Grant Agency of the Czech Republic focused on the status of third-country nationals within EU law and a project supported by the Palacky University, focusing on the rights of children in EU asylum procedures. This project involves primarily cooperation with our PhD students who deal with EU asylum regulations. Recently, I have been dealing with the issue of migration and public security.

MIGRATION AND BORDERS – A VIEW FROM THE GERMAN- POLISH BOUNDARY

BY JAROSŁAW JAŃCZAK

Migration processes are both intensive and visible in border areas. They tend to concentrate there in terms of real flows of people as well as political discourses. This is due to the functions assigned to borders. Traditional roles played by state boundaries in their Westphalian context is to protect and spatially mark exclusive sovereignty manifested in control of who and how one enters or leaves a specific state territory.



The river Oder/Odra makes border between two countries.

Border migration has been intensively studied at the German-Polish border where two academic institutions interact. Adam Mickiewicz University in Poznań, Poland and European University Viadrina in Frankfurt (Oder), Germany. It was here that was established over two decades ago a joint research and education institution, the Collegium Polonicum. Located directly on the border, in the German-Polish “divided” border city of Frankfurt (Oder)-Ślubice, is the location where an international group of scholars study border related processes. This double town is itself often referred to as the “laboratory of European integration”, where continental unification, with all its successes and difficulties, can be observed in scaled-down form.

The last two decades have been marked there with at least three interesting phases related to migration issues.

First, the decade of the 1990s was characterized by the reunification of Germany and that made the German-Polish border the last barrier for migrants from the East, especially post-Soviet and post-Yugoslavian countries, to reach the peaceful and wealthy western world. Frankfurt (Oder) and Ślubice, being located on the main east-west transportation corridor in this part of Europe, experienced on the one hand organized human smuggling, on the other hand an increased cross-border cooperation of border guards intensifying the common aim of reducing human trafficking. This period attracted the attention of not only scholars but also popular culture with numerous artists reflecting the problem in their works, and probably the best known German-Polish movie “Lichter/Światła”.

Together with the European Union’s eastern enlargement and Schengen Zone enlargement two years later, the nature of border migration changed. Strict filtering of human traffic was moved to the Polish eastern border, with all the human and infrastructural resources. Illegal migration became marginal in Frankfurt (Oder)-Ślubice. Another interesting phenomenon started to be visible there however, especially after the Romanian and Bulgarian entry to the European Union in 2007. A group of Turkish speakers settled there in Ślubice bringing a set of new Kebab restaurants to the town and integrating - especially linguistically - very quickly with the local Polish community. They were mainly Bulgarian citizens of Turkish

origins, being not legally allowed to move to Germany, but welcomed in Poland. Due to the migration networks and spatial proximity to Germany they settled as close to this state as possible – on the Polish side of the border.

The last two years were marked with a new migrating related process—settlement of Syrian refugees accepted by Germany in Frankfurt (Oder). This time, on the German side of the border, a big and visible group of newcomers were settled. Poland at the same time refused implementing the relocation mechanism and no refugees were accepted. The situation to some extent is marked with reversed migration flows direction – immigrants are located on the German side of the border and the debate is (how) to move them to the eastern side.



The above signalized processes briefly point to the main border related migration tendencies in Frankfurt (Oder) and Słubice as they represent Germany and Poland at the micro-scale. More information as well as academic analyses can be found when contacting one of the indicated institution or scholars who investigate migration flows.

Prof. dr hab. Jarosław Jańczak
European University Viadrina in Frankfurt (Oder)
and Adam Mickiewicz University in Poznań

INTERNAL SECURITY PERSPECTIVE: ARE REFUGEES CRIMINALS?

Because refugees arrive mainly from war torn countries and of countries with different culture they are sometimes perceived as potential threats. Especially after the terrorist attacks in Paris in 2015 revealed a connection between terrorism and migration as several of the perpetrators came to Europe with the immigration wave. However, terrorism and crime seems to be a lesser evil than populists and radical parties have claimed. Instead of what the media has covered as single acts of violence an overall of statistics is necessary.

Most of the refugees were accepted in Germany. According to Eurostat 441,800 refugees applied for asylum in Germany in 2015. The majority of them were from Syria, Afghanistan, Iraq, Iran and Eritrea. Since 2014 *Bundeskriminalamt* (BKA) or General Criminal Office is keeping statistics about the criminal rate among immigrants. The absolute number between 2014 and 2015 of offences increased by 79%. However, it is important to note, that at the same period the number of immigrants increased by 440%. As for crime suspects, there were approximately two million suspects in 2016 in Germany and approximately 30% of them (616,000) were of non-German origin. This number is twice higher than in 2015 when there were 911,864 crime suspects.

Among non-Germans most crime suspects in 2015 were Syrians (14,7%) and Turks (8,5%). However among suspects are other nationalities represented, namely, Romanians (5,8%) and Poles (4,9%). This is mainly due to large national communities living in Germany. It is important to mention, that most of the crime is made by re-offenders. According to BKA 40% of crimes are made by approximately 1% of migrants. Moreover, the nature of offenses are not significant.



As for 2014, evidence indicates that there were 208,000 offenses made by migrants. In total 50,167 cases (approximately 25%) were offenses related to document manipulation in order to gain benefits. Another 28,712 cases were related to using public transportation without tickets. However, the highest share were thefts: 85,035 cases or 41 % of the total amount. Most of the offenses have an economic character. This is mainly related to two issues: First, migrants are from the socio-economic perspective on low level within society are exposed to marginalization. Another issue is their different cultural background and understanding of values which may lead to criminal offenses. There are, however, more issues behind a migrant's criminality such as gender or age. More than 80% crime suspects are men and criminality is more frequent among young immigrants. Though interestingly, this is similar with regular German population where criminality rate among people between 18 and 21 is approximately 3-4 higher than among general population.

Unfortunately, there are some more serious crimes related to migration. Acts of violence are more often among those who were refused asylum or among migrants staying illegally. Due to their illegal status they face problems in finding jobs and are marginalized within society. Due to economic problems they often fall within organized crime networks involved in illegal activities, especially the drug trade. For this reason the criminality rate is rather higher among nationals from the Balkans (Albania, Serbia) or former Soviet Union who does

not have chance to gain asylum. Unsuccessful applicants may join existing criminal networks who operate in Europe.

Immigration also accelerated crimes against immigrants. Between 2015 and 2016 there was an increase of crimes inspired by the radical right. In 2016 there were 995 attacks against refugees facilities, 14,3% more than in 2015. However, it is important to note that attacks inspired by Islamism are also in the rise approximately on a same scale by 13,7% in the selected period.

The criminal rate and the nature of crime committed by refugees are not serious. However, the situation is not ideal and may present a potential threat in the future. The atmosphere within society is exploited by radical and populist parties, including AFD which entered into the Bundestag in 2017. After decades there will be people in the German parliament denying the holocaust, which is another extreme Germany should avoid and condemn.

In order to stabilize the criminal rate among migrants it is important to improve effective returns of unsuccessful applicants and prevent re-entry of expelled migrants. An important issue is also affectivity of integration programmes and criminality prevention measures in the areas prone to crime. It is important to remember, that the vast majority of immigrants are not criminals and seek life in peace.

Box 1: Methodological problems
in measuring criminality
of immigrants

There are several problems in measuring criminality rate among migrants. First of all the majority of states does not keep statistics about migrants as a specific group. Migrant criminality is thus part of general population statistics. In other words, acts of immigrants are split.

Another issue is that from the criminalist perspective one should look at longer data. A slight increase of 5% from one year to another can be caused by a unique event instead of signaling new trend. A trend can be distinguished after taking into consideration 10 or more periods.

There are other interferences which may influence statistics. For example, change in methods how data are collected or definitions applied. A good example is

in Sweden when there is an increasing trend in sexual violence. However, this is caused by extending the definition of sexual violence over time and a change in methodology. For example, when a woman reports that she was raped every night by her husband for a year it is counted as 365 acts of rape while in other EU countries it would count just as one case.

The reader must be aware of data interpretation. While an increase in the absolute number can be impressive, in reality the increase is not significant, if we consider the relative share. For example, when the number of offenses increase by 79% but in the same period the number of people increase 400%.

Immigration and its relation to crime or terrorism are sensitive issues which often lead to an emotional reaction. For this reason the topic is misused by tabloid newspapers or information servers fabricating “fake news” in order to provoke negative reaction among citizens. The intention is usually to decrease the trust in government, its policies or to undermine support for democratic system. Consider every source carefully, verify facts and do not let them manipulate you.



TOPIC: THE ISSUE OF DIASPORAS: INTERVIEW WITH RAFAŁ RACZYŃSKI, EXPERT ON DIASPORAS

Diasporas in Europe and around the world have existed for centuries. What is the difference between ancient and modern Diasporas?

Diasporas have indeed existed and functioned for centuries, as people have always migrated. It means that representatives of some communities sifted into the territories of other communities and established consolidated clusters that were characterised by their unique cultural specificity. The scope of meaning of the term 'diaspora', quite like in the case of many terms from social sciences, has evolved in the last several decades. Etymologically, the word diaspora comes from Greek and means 'scattered, dispersed seeds'. Broadly speaking, the contemporary meaning of the word is that of an ethnic or religious group living in dispersion. In its classical take, the term referred to Jewish, Greek and Armenian populations. Now, the term came to be used in reference any ethnic group living beyond the borders of its country. There is even a tendency to identify any emigrational community with a diaspora, with the reservation that certain scientists (e.g. Robin Cohen) indicate, namely emigrational communities must possess certain features to be considered as diasporas.

As far as differences between contemporary and ancient diasporas are concerned, the latter were chiefly formed under 'duress', as a

result of collective exile. The diasporas of today are shaped also as a result of a voluntary choice and a conscious decision dictated by searching for job or, broadly speaking, better life conditions. The members of diasporas today, on account of civilizational progress (shorter travel time, satellite TV, the Internet, etc.) may keep in touch with the countries of their origin much more easily. It can be said that they are simultaneously living in two parallel realities (real - in the country of residence and virtual - country of origin).



Diaspora may stimulate economic development in the city.

What are the main positives and negatives associated with Diasporas? May Diasporas pose threat to state and society?

At the turn of the 21st century diasporas earned the status of important actors, both in relation to international policy, and domestic policy in many countries. Currently, diasporas are more often than not in the possession of a considerable political, economic, cultural and social potential. This potential may, of course, be utilised in a different way both by the diasporas themselves, and the countries of their origin. The economic potential of the diasporas may be, for example, a factor that contributes to the development of the country of their origin. Diasporas may be sources of money transfers (according to

the IOM, the estimated amount of transfers sent by emigrants in 2014 was \$583 billion), direct economic investments, development of commercial networks etc. Diasporas may also be the tool of political leveraging (e.g. lobbying), as well as the transfer of knowledge, technology and social capital. All of that may have a positive effect and benefit both the diasporas and the countries of their origin and countries of their residence. However, we must not forget that diasporas may act as destabilising factors. They may support and finance political extremism and terrorist activity, and contribute to the deepening of the differences in the countries of origin, including armed conflicts. For example, the authors of one of the studies carried out at the turn of the 21st century by the World Bank concluded that by far the strongest effect of war on the risk of subsequent war works through diasporas. After five years of post conflict peace, the risk of renewed conflict is around six times higher in the societies with the largest diasporas in America than in those without American diasporas. This is of course related to financial support given to the conflicted parties by the members of the diaspora. In international affairs, the countries of origin may take advantage of diasporas and use them as leverage. Diasporas may for example be a pretext for the development of irredentism that is sponsored by the state. They may become a 'fifth column' through which state A will intervene with the policy of state B.

What are the relations between Diasporas and the state and what are the key differences in these relations in Europe?

The relations between diasporas may have various natures. A general tendency is that states try to take various symbolic, legal, institutional, cultural and economic initiatives, in order to create or strengthen bonds with their compatriots living abroad so that they can use them to fulfil their national interests. States are even trying to extend their power to the members of diasporas so that they can maintain control over them. On the other hand, diasporas are trying to act as independent actors and fulfil their own interests. Of course, there have been cases where it was the diaspora that tried to

dominate the country of origin. The Armenian diaspora may be set as an example, which for many years exerted influence on the policies of Armenia.

Can you briefly describe the Diaspora engagement policy?

The Diaspora engagement policy is a rather complex policy of a sending country in relation to its own diaspora. This term refers to those state institutions and practices that apply to members of that state's society who reside outside its borders. Contrary to programmes and projects, a diaspora policy is a coherent set of decisions with a common long-term objective (or objectives) affecting the engagement of the diaspora (M. Frankenhaeuser, M. Noack). According to Alan Gamlen, such a diaspora engagement policy encompasses three piers: 1. capacity building policies - building of a centrally oriented 'national community within transnational space' and appointing adequate institutions (references to national symbolism through establishing emigrational museums, organising congresses with the participation of diaspora members, financing the media directed to the diaspora and building institutions and mechanisms, e.g. ministries dedicated to the diaspora, consultative entities with the participation of the members of the diaspora, establishing authorities under the head of state, etc.); 2 extending rights to the diaspora (e.g. granting consent for double citizenship, granting the right to vote and stand in elections, etc.); 3. extracting obligations from the members of the diaspora, which is based on the assumption that they owe loyalty to the country of their origin (e.g. taxing the members of the diaspora, introducing investment incentives). All these activities may be perceived as the state's attempt to extend its governmentality over the members of the diasporas that function in the transnational reality.

What is the impact of the diaspora engagement policy on state and its functions?

Nowadays, the diaspora engagement policy may be perceived as one of the most crucial factors that affect the way of understanding

the concept of the state, and thus contributing to the re-definition of its traditional interpretation. According to the classic tripartite definition, the state consists of the people, territory and power. In other words, the state is the people that permanently resides in a particular territory and is subject to an authority. However, the diaspora engagement policy, which is developed by states, partially modifies the interdependencies and relations between the elements of the triad, which constitute a single state. Within the diaspora engagement policy, through such actions as building symbolical and institutional ability oriented towards the creation of a 'national community within transnational space', extending their rights over the members of the diaspora and taking actions to enforce obligations from them, the states cause the relationship between territoriality, identity (belonging) and sovereignty (power) to loosen. In the former case it means that belonging to a national community and, importantly, an active participation in that community does not have to be linked with the necessity to live in one territory. In a practical dimension, membership in a national community and a strong sense of national identity that goes with it, may now be trans-border in nature and, in a way, 'deterritorialized'. In the latter case, states, by extending their power over the members of emigrational communities and providing them with certain privileges, make an attempt to carry their authority (sovereignty) over the state's border. A problem may also arise in the identity aspect of 'double loyalty' of the members of the diaspora for the country of residence.

MIGRATION AND TERRORISM: A MISSING LINK?

BY AARON T. WALTER

The idea that there is a link (casual or otherwise) between migration and terrorism is not new. There have been several books written on this topic as

well as notable scholarly articles. Moreover, what, if any role that the state and non-state terrorism might have in causing migration and the broader effect upon refugees and asylum seekers in the context of radicalization for the reason that *genuine* migrants, legal foreign residents, and immigrants are hurt with this link more than terrorists who travel under the auspice of refugee or immigrant status.

Since the middle of the twentieth century and first decade of the twenty-first, migration has been thought of primarily in terms of people crossing international borders and within supranational organizations such as the European Union, via intra-state migration. Nevertheless, within the migration context, the extent of human mobility has been significant. Either free or forced, regular and irregular mobility has been on the forefront of national media discourse since early 2006 with migration ‘waves’ to Europe; the migration “crisis” of 2015 and notable news stories of migrant terror since that year. It is without exaggeration that two respected scholars have spoken of the present as an Age of Terrorism¹ and an Age of Migration².

In 2015 alone the EU received nearly 2 million new applications for asylum³. Nearly half a million were from Syria while another half



¹ W. Liqueur. 1987. *The Age of Terrorism*. Boston: Little Brown.

² S. Castles and M.J. Miller. 2003. *The Age of Migration International Migration Movements in the Modern World*. London: Palgrave Macmillan

³ Asylum statistics. Eurostats. http://ec.europa.eu/eurostat/statistics-explained/index.php/Asylum_statistics

a million came from Afghans, Iraqis, Pakistanis and Nigerians. It was to a large degree the result of the Schengen border control system breaking that year as migrants arrived in mass from Turkey and Libya. As a direct result to the instability in Northern Africa since the 2011 Arab Spring and Syrian civil war, hundreds of thousands of people have escaped to Europe in a 'wave' that produced a crisis not observed since the massive population displacement following the Second World War. The people since 2006, and in particular since 2015 have been asylum seekers, economic migrants and others that have Germany, Austria and other Western European nations as their destination. After a series of terrorist attacks and other crimes attributed to predominantly male Muslim migrants in 2016 there was in the European media a discussion of an organized invasion and how the migrants were a 'Trojan horse'. This theme has been used effectively by right-wing xenophobic conspiracy theorists. Additionally, and arguably un-helpful, NATO's supreme commander in Europe made a claim that refugees were 'weaponized' by Russia against Europe.

Direct link between migration and terrorism is difficult to establish.



The result has been predictable. The ill-controlled influx of migrants from North Africa and the Middle East has created deep apprehension amongst native Europeans who see those immigrants who arrive in Europe not as weak women and children, but men who have left their families behind; the families who need safety and security. Paul Collier¹, an expert on the economics of migration, has argued that Europe is admitting the wrong sort of people. European public sentiment towards immigrants has been loosely based on the prejudiced opinion that hiding within the large numbers of Muslim refugees are terrorists. As such, individual EU nation states have been fearful and Brussels policy makers have been anxious about offering asylum seekers assistance, regardless of the fact that such asylum seekers are entitled to such protections under the 1951 Convention and the 1967 United Nations Protocol Relating to the Status of Refugees. The apprehension and prejudice is not misplaced, however. A majority of immigrants have traveled from nations that because of their fragile, weak, failing state status is associated with terrorism. The overlapping territory of Syria and Iraq that the so-called Islamic State (IS) created and operates within has tens of thousands of foreign fighter jihadists from hundreds of countries. The lack of compassion in some sectors of European society towards people who have escaped civil war, state failure, state repression or insurgent terrorism in their countries of origin is worrisome. Its deliberate exploitation by demagogic right-wing leaders and populist politicians makes matters worse. It is unfair to paint immigrants, those seeking political asylum and economic migrants as hidden terrorists.

But, precisely because those home nation states often claim a monopoly on the use of force, frequently challenged in revolts and revolutions and civil war the result is instability. Internally displaced people are a concern, but armed non-state actors engaging in campaigns of terror are larger in scope as found in many databases² that information on armed non-state actors engaging in campaigns of terrorism. It is not only nation-states that produce the conditions for

¹ P. Collier. 2013. *Exodus: Immigration and Multiculturalism in the 21st Century*. London: Penguin Books

² See A.P. Schmid's chapter on Databases in *Routledge Handbook of Terrorism Research*, 2011.

migration and acts of terrorism. When governments engage in state terrorism or other forms of violence, refugees are the result. Again Syria is the case study. Despite Western news media focus on the atrocities of the Islamic State, the Syrian regime of Bashir al-Assad has expelled more Syrians since 2015 than IS through forced migration where displacement has occurred as the civilian infrastructure has largely been destroyed causing Syrians to flee abroad.

As to the link between migration and terrorism the chain is difficult to establish, especially when state and non-state terrorism are involved, though paradoxically in the case of European migration the absence of a strong state and state failure are probable causes of terrorism and migration. It is precisely because failing states cannot provide security that causes citizens to emigrate and those migration routes can be used by terrorists. With this being said, there is as of yet, no conclusive results comparing state weakness and severity of terrorism in Europe.

The Islamic State is where the most direct link between terrorism and internal displacement and external migration is observed where the population of cities under IS declined and people fled. Moreover, nations affected by terrorism in recent years such as Pakistan, Iraq, Afghanistan and Syria have an observable direct link between high levels of terrorism and migration to Europe¹ as people who fear for their lives have attempted to avoid the conflict, thus choosing to emigrate to the Continent.

So, it is accurate that a state's weakness may produce higher numbers of refugees, of whom a percentage (statistics vary depending upon study) has traveled to Europe. However, the severity of terrorism in Europe based upon a weak state is difficult to determine precisely because the parameters of such a question are difficult to agree. One study may show direct connection between terrorist and their nationality, while another may only indicate motive or inspiration. For example, a lone wolf terrorist who is a second-generation French citizen or a naturalized German citizen from Turkey who has been radicalized and inspired by the Islamic State to commit an act of terror.

¹ Institute for Economics & Peace, "Global Terrorism Index 2015", p. 60. (Figure 33), based on numbers from START, University of Maryland and Eurostat, <http://www.visionofhumanity.org>.

Therefore, in conclusion, conflict-related terrorism and refugee migration is plausible, given the refugee levels of countries torn apart by war. However, since 2015 it is evident that a coherent policy from the EU is needed to address the potential terrorists who use migration routes to Europe as well as a balanced individual domestic policy of EU members states so that targeting of asylum seekers and economic migrants by local xenophobic resistance is mitigated.

Aaron T. Walter

Faculty of Social Sciences

University of Ss. Cyril and Methodius in Trnava

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Cover: source (www.freepik.com)
Contact: ondrej.filipec@ucm.sk



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