

Europe's War Against Refugees Is Fueling the Far Right's Ascension

The international guaranteed rights of refugees are eroding on both sides of the Atlantic.

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The European Union is waging war on refugees.

Italy's far right government recently declared a [state of emergency](#) and hermetically sealed its ports. The other EU member states look the other way.

In February the leaders of the 27 EU countries [agreed on tougher measures](#) to tackle "illegal migration." This includes, above all, the mutual recognition of deportation decisions and asylum rejections and the strengthening of border protection, such as new infrastructure, more surveillance capabilities and better equipment for the European Border and Coast Guard Agency, Frontex.

Meanwhile, the dead bodies of people seeking help are washing up on European shores. Since 2014, according to UN High Commissioner for Human Rights **Volker Türk**, [more than 26,000 people](#) have died or gone missing crossing the Mediterranean.

This is certainly a significant underestimation of the true toll. The research project "[Migrant Files](#)," estimated that from 2000 to 2014 [up to 80,000 fleeing their countries](#) died in the sea alone — in addition, there would be at least the same number of victims dying of thirst in deserts, starvation or murder. And then there are those who experience violence or rape — among them children.

The EU's war against refugees didn't begin today. It started, at the latest, with the military tragedies in the Balkans in the 1990s. Back then, a lot of people tried to flee to Western European countries.

In 1993, the German asylum law was dismantled, including an [amendment to the Basic Law](#), in order to "protect" itself against those fleeing from the former Yugoslavia. Until then,

every politically persecuted person who reached German soil was protected. After the historic turnaround, anyone entering the country via a so-called safe third country was no longer able to invoke the right of asylum. Now, Germany, often referred to as the [European “powerhouse,”](#) has the most restrictive asylum law of any EU member state.

Additionally, the EU under the leadership of the German chancellor’s office created the so-called [Dublin Convention](#), which entered into force in 1997. With this agreement countries at the EU’s external borders were obliged to take in people coming to Europe in search of asylum.

This system keeps migrants more or less away from the prosperous northern countries as the situation for refugees in the poorer southern countries deteriorates. Refugees are now stuck in the border states which treat them poorly or are pushed back and forth between the member states. The design of the Dublin system is clearly intended to [demoralize refugees](#) and fend them off.

At the same time, the EU made so called “[doorman deals](#)” with Turkey, Libya, and other African countries. In course of such agreements, the EU cooperates with autocratic regimes to stop refugees in their countries, push them back to the sea, place them in prisons and deport them back, while the regimes receive aid and money in return. In this way escape routes to the continent have been blocked and criminalized by various real and virtual walls. Since then, there have been essentially no safe and legal ways for migrants to enter the EU.

Angela Merkel, then the German chancellor, summed up the repulsion strategy in a speech to the Bertelsmann Foundation in 2009 when she [noted](#) that the German government was also participating in the “fight against refugees” — she should have said: It was Berlin that enforced the blockade in the EU according to its interests.

While Germany [subsequently “profited”](#) from the tightened Dublin procedure (through ever lower refugee inflows and high compensation payments, which are distributed to all member states according to their absolute refugee numbers from an EU fund), the German government stood idly by as refugee protection in the EU’s main receiving countries at the external borders, such as Greece and Italy, increasingly eroded.

With its various restrictive, repellent and sealing-off measures, the world’s richest continent with half a billion people has been able to isolate itself relatively successfully from the majority of those coming from south of the Mediterranean seeking protection. In over 30 years, “Fortress Europe” has had only a few periods of crisis, such as in 2015/2016.

Back then, the situation of millions of Syrians, Afghans, Iraqis or Yemeni fleeing from wars and destruction reached an extreme low. The refugee camps in the region were overcrowded and ran short of food and medicine due to [underfunding](#) by the UNHCR donor countries. And neighboring countries like Lebanon or Turkey were not able or ready anymore to do the heavy lifting. Those seeking protection started to head north.

But shouldn’t at least the principle of causal responsibility apply? The wars of the U.S. and its European allies in the Middle East, the Syrian war, and support of dictators and authoritarian regimes by the West created the conditions from which many migrants are fleeing — such as the [U.S.](#) or [German](#) arms deliveries to the Saudi-led war in Yemen. These devastations produced refugee crisis after refugee crisis, while the walls of Europe grew ever higher.

Real walls were built, too, even before Donald Trump got to work on his [“big, beautiful wall”](#) — for which he received outrage from liberals in Europe. On Turkey’s border with Syria and Iran, a concrete wall hundreds of kilometers long and three meters high [was finished](#) in 2018, on which a barbed wire was stretched. The EU has equipped the Turkish border guards with security and surveillance technology [worth €80 million](#).

People are [mistreated at the border](#), killed and [deported back](#) to war zones in disregard for international refugee law.

The result: systematic violations of human rights. Today, refugees are held in concentration camps in Greece by the EU, despite strong objections from human rights organizations. Many drown in the Mediterranean, as boats are illegally pushed back to sea.

Over 100 Million Are Seeking Protection

All of this could be mitigated or ended. Experts and NGOs have been pointing out the solutions for decades: [ferries for refugees](#), fairly regulated [cooperation and distribution](#) according to capacities among countries, dismantling of barriers, no dirty deals with autocrats, internationalization of asylum administration and care for those seeking protection, harmonizing of standards for refugee care and asylum requests.

Above all, the causes of flight should be tackled. There is enough lip service from government leaders, but no action.

But what about the [media and politician’s invocation of](#) a “maximum load” that restrains states from doing more? Aren’t there limits to mercy? The truth is: We could do far more. We have enormous capabilities and resources at our disposal. It is a question of [political will](#), as refugee organizations correctly point out.

While global refugee numbers have doubled in the last decade alone, and have now broken the sad [100 million record](#), EU countries have provided protection to [3 million refugees](#) in this period until end of 2021.

But let’s not forget what Kenneth Roth, former executive director of Human Rights Watch, [said](#) in 2015 when alarm swept through Europe regarding a “tsunami” of desperate refugees rolling in. “This ‘wave of people’ is more like a trickle when considered against the pool that must absorb it,” he said.

Roth is right: The EU is an extremely wealthy region with 500 million people that has spent literally trillions in the last 15 years to save banks and corporations. For instance, following the financial crisis the EU Commission [approved](#) \$1,564 billion in capital-like aid plus \$3,924 billion as liquidity support to the financial sector between 2008 and 2017.

During the COVID-19 crisis, the EU set up a [massive aid program](#) amounting to \$763 billion to reinvigorate the economies of the member states and help businesses affected by the coronavirus pandemic to remain viable.

And those who are coming to us need help. As was happening in 2015/2016, most of them are receiving [protection status](#) today. The protection rate in Germany is 72 percent. In case of Syrians and Afghans it goes up to 100 percent. So, they are genuine refugees. To turn them away is in the end a violation of an elementary, legally guaranteed human right, the

Geneva Refugee Convention.

Ninety-seven million refugees and internally displaced persons are not in the EU, but remain in so called frontline states, most of which are developing countries that are hardly able to shoulder the many millions in need of additional aid because of rampant poverty, exploitative trade deals and debt arrangements, and many other concerns.

Thanks to “Fortress Europe” — and of course also thanks to “Fort America” — most of the refugees therefore remain trapped in so-called “hell experiments,” [as an ARTE TV documentary once put it](#). They are crammed in inhumane camp systems that grow out of the desert sand and mud like huge tent ghettos.

Misery and refugee apartheid are by no means without alternative. Europe is showing once again, as we did with the GDR and Eastern European refugees during the Soviet era, that we can do otherwise. Between 1988 and 1992 [more than 2.2 million citizens](#) from the former communist-ruled countries of Eastern Europe immigrated to the Federal Republic of Germany within five years. Why were these refugees accepted? Because they were politically useful for anti-communism during the Cold War.

Since Russia’s invasion of Ukraine a year ago, some [4 million Ukrainians](#) have arrived in the EU and [been welcomed](#). Poland, which is historically anti-migrant, accepted 1.4 million of them while Polish people supported those fleeing with donations and assistance.

Although the government in Warsaw has begun to [scale back](#) the funding for Ukrainians, a [recent survey](#) shows that 78 percent of them in Poland were employed — because the Polish state and society ensuring that Ukrainian refugees were able to find work. In the meantime, Germany has set up an unbureaucratic admission procedure for Ukrainians, suspending the exhausting asylum applications and mostly also suspending the use of degrading mass accommodations.

That was absolutely the right thing to do. But it is hypocritical and racist when panic about refugees is now suddenly stirred up again — often for political gains — and directed specifically against Africans, Arabs and Muslims.

Certainly, there are real challenges. The accommodation of refugees has to be managed and they must be provided resources. But Europe’s problems are homemade and artificially manufactured. The reason is that the funds for the municipalities [have been reduced](#) and [no new funds are in sight](#). This must change as quickly as possible.

Instrumentalizing the intentionally reduced capacities of these municipalities to fuel debates about border security, tighter barriers, further sabotage of refugee protection (i.e. moving asylum procedures to the external border) and limiting admission not only does not solve any of the problems, but it also promotes xenophobia, racism and hostility among the population.

Do Europeans really want to fuel the protofascist “us” versus “them” rhetoric again, as we did during the last “refugee crisis”? Back then, rhetoric of “floods of people,” overcrowding and criminal intruders, often as much used by liberals and social democrats as far right forces, ushered the neo-Nazi party Alternative für Deutschland (AfD) into all state parliaments and the Bundestag in Germany. Everywhere in Europe the right has gained new strength as a result.

If Europe Is So Anti-Refugee, Why Hasn't It Left the UN Refugee Convention?

There is really no reason for this talk of overburdening, even if after years of declining refugee admissions, the numbers are going up again. Nor is this rise surprising, given the numerous global crises and the COVID-19 pandemic.

For example, the number of new asylum seekers arriving in Germany in 2022 was [around 193,000](#), still below the limit of 200,000 repeatedly demanded by conservative parties. For 2023, however, a much higher number is expected. Even so, this is still a trickle, given the 100 million people seeking protection worldwide.

In contrast, Germany alone has taken in over a million Ukrainians who, as previously mentioned, do not have to go through an asylum process.

Although the asylum seekers represent only a small part of those admitted, they are at the center of the media debate, which again focuses on higher barriers, deportations and repulsion, as was the case during the last “refugee crisis” — which was a de facto sealing-off crisis that was answered with even [more non-entrée measures](#).

The leader of the conservative Christian Democrats in Germany, Friedrich Merz, again [speaks](#) of the nation having reached the “maximum load” — as if that is a quantity fixed by the laws of nature. He calls for more protection of the EU’s territory and asylum centers at the borders — a recycled AfD demand. Actually, the extreme right party as well as the German government’s new special representative for migration agreements, Joachim Stamp (Liberals), [want](#) to set these centers up in African countries.

This rhetoric is a populist red herring with no grounding, throwing sand in people’s eyes about the reality, including international law. African states have long [dismissed](#) these ideas as “neocolonial.”

The leader of the European People’s Party (EPP) in the European Parliament, the German politician Manfred Weber (from the German party Christian Social Union, CSU), [speaks](#) of the EU “sleepwalking into a new migration crisis,” of hundreds of thousands of “illegal migrants,” and [stresses](#): “Walls should be built as a last resort, but if there is no other way to stop illegal immigration, we must be ready to build fences” — as if the relatively small number of “illegal migrants” without any rights, [doomed to live underground](#), are a problem for the EU. Meanwhile, Weber’s colleague, Interior Minister Joachim Herrmann of the German state Bavaria, has [questioned](#) the social benefits of asylum seekers.

If the EU, political leaders and elite journalists want to position themselves against the right of unwanted refugees to seek protection — thus excluding the politically valuable Ukrainians — and use this to create anti-migrant sentiment and score points, why doesn’t the EU simply withdraw from the refugee convention altogether?

A number of states such as India have not signed the Geneva Convention, nor has Turkey in effect, since the country [retains a geographic limitation](#) to its ramification, which means that only those fleeing as a consequence of “events occurring in Europe” can be given refugee status. So, why has the EU for decades been going through all these efforts to insulate the continent from refugees protected by international law — efforts for which, by the way, a lot of money and resources have been senselessly squandered?

The dirty truth behind the humanitarian and liberal self-image of European and German elites, who carry their commitment to human and refugee rights proudly in front of them, is that they think and act less in line with humanitarian interests than geostrategic and nationalist ones.

James C. Hathaway, one of the leading refugee rights experts and author of the standard work, “The Rights of Refugees under International Law,” [once put it this way](#):

If the global north were to withdraw entirely from refugee law, there would be no politically viable basis upon which to insist that poorer countries continue to shoulder their refugee law obligations under the current system of atomized responsibility and fluctuating charity from the wealthier world. And if less developed states were to follow suit and abandon refugee law in the context of continued instability in much of the global south — producing often massive refugee flows — the negative ramifications for both global security and economic well-being could be immense. Indeed, with fewer options to find protection close to home, the logic for refugees of seeking protection farther afield would surely increase — a scenario that wealthier countries do not wish even to contemplate.

There are rational and sustainable solutions as well as reform proposals that are beneficial for all parties involved — especially for the refugees and the frontline states, but also the rich industrialized countries and their populations — beyond ad-hoc crisis management. They have been on the table for decades, elaborated by [parliamentary advisory bodies](#), human rights organizations and [academia](#). There is also broad support for them in Europe, if they are [implemented fairly](#).

But in the media debate, these proposals are virtually absent. As long as that is the case, the EU will continue to wage war on unwanted refugees as the U.S. does — with all the dire consequences that entails.

Sadly, there are no role models. The Biden administration promised to dismantle Trump’s hardline immigration agenda. But instead he replaced the Title 42 restrictions [with an even tougher policy](#). Now fleeing people are essentially [barred from asylum](#) as they have to pre-schedule an appointment at a port of entry via an unreliable mobile app or comply with a flawed third country rule — accompanied with [various forms of harassment](#) at the borders. The international guaranteed rights of refugees are eroding on both sides of the Atlantic, in the U.S. and in Europe.

Crocodile tears about tortured refugees — in countries with which we have brokered doorman deals — and drowning or starving asylum seekers — which we push back on the sea or deport — do not change this.

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