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SAFETY, PROVISION OF BASIC NEEDS, PROSPECTS

THE THREE-STEP APPROACH OF A NEW
POLICY FOR DEALING WITH FORCED
DISPLACEMENT

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ABSTRACT

The international community has so far failed to muster an adequate response as forced displacement has reached record highs around the world. Strategies for curbing it dominate, together with a broad debate about its causes. This paper takes a different starting point. It accepts that forced displacement will remain a part of human existence. It is therefore essential to develop better international rules, i.e. rules based on human rights, which allow this fundamental phenomenon to be addressed.

First, this paper argues that people whose lives are in danger must be able to reach safety. This human right is reflected in the concept of “country sponsorships” and could be created via an expansion of the recognised causes of forced displacement, a paradigm shift in the understanding of citizenship (Ecuador is examined here as an example), or a new right of admission, which would complement the existing right of exit and re-entry.

The section on prospects focuses on possibilities of resettlement, if people remain unable to return to their home country in the long term. The current impasses and implementation problems notwithstanding, this paper calls for quotas, which in Europe’s case could be 0.1 per cent of the EU population per year, for example. The key to this would be to cooperate with those who are willing, from the grassroots up.

In this context, this paper reflects on the EU’s agreement with Turkey, which, despite some positive approaches, does not offer a blueprint for other agreements of this kind. Concrete examples are also given of how people’s willingness to accept newcomers can be boosted at local level, by means of a democratic approach which focuses on the opportunities. The aim is to promote order rather than chaos, to empower the most vulnerable, and to create legal routes, particularly in order to eliminate the basis for profit-making from forced migration. With a positive approach, one in which people have a say rather than having measures imposed from above, this further development of human rights can be accomplished successfully

INTRODUCTION

Progress in the field of human rights and international law is rarely achieved simply as a result of someone coming up with a good idea. Progress in the field of human rights and international law emerges from war, misery and crises. Human rights follow human suffering. And so the 20th century, in which such terrible crimes against humanity were committed, also became a century of progress in international law, from the founding of the United Nations, to the adoption of the Universal Declaration of Human Rights, to the establishment of the International Criminal Court.

In 2016, 65 million people were forcibly displaced worldwide (UNHCR 2016: 2); more than half of them, around 37 million, were internally displaced persons (UNHCR 2016: 32). This is a new record for the era since the Second World War. A line has thus long since been crossed in terms of what is ethically acceptable. That said, the figures have already been at a high level for a long time. Europe only woke up to that reality in 2015, when a small proportion of these people reached our continent. Since then there has been much talk about the causes of forced displacement. If this talk leads to action, then perhaps the chaos and suffering of recent months will have ultimately also achieved something positive.

When I was born in 1974, I was one of a global population of roughly four billion. Today, it is over seven billion people. 65 million out of seven billion is 9 people per thousand. This is actually no reason to panic, given that migration has always been part of human existence. Each and every individual who is forced to flee is one person too many. But far, far more people stay put in the midst of war, terrorism or destruction, or are simply unable to escape the place where their lives are in danger. That is the first point which will be addressed in this paper.

The second point concerns the countries to which people flee. 85 per cent of these people are scattered within their home countries or have reached safety by crossing the nearest border. As a result, a large proportion of the forcibly displaced are stranded in what are already the poorest regions of the world, where the provision of their basic needs is not guaranteed. Almost nine out of ten refugees under the mandate of the United Nations are in developing countries (UNHCR 2017: 13).

This is exacerbated by glaring population imbalances. In Jordan, almost one in ten people are forcibly displaced. In Lebanon, they make up no less than a quarter of the population (UNHCR 2016: 2). In 2015, when two million forcibly displaced persons came to Europe, around half of them to Germany, there were three million in Turkey. If this continues, already weak regions will simply be weakened further, producing the next flow of refugees. Moreover, who would want to spend their lives – even in adequately equipped camps – somewhere where children are born without educational opportunities and life offers no prospects? Those who would not want to live like that

themselves should not expect anyone else to do so. The third point is therefore that solutions are needed to distribute people more fairly, if they are permanently unable to return to their home countries.

At present, people in crisis-stricken regions and warzones are trapped there; they have to risk their lives crossing the sea to reach Europe. People smugglers earn money which their organisations use to further fuel the conflicts which produce these waves of refugees. People who are old, ill or have a disability do not manage to escape at all. This situation cannot be allowed to continue. A three-step approach is therefore necessary. Firstly: people in need should be able to reach safety. Secondly: their basic needs should be properly met wherever they end up. And thirdly: anyone who has no prospects in the long term should be able to leave by legal and safe routes (this means quotas). The most vulnerable first.

This approach does not address the causes of forced displacement. Tackling the causes should always be the first consideration of a forward-looking policy. However, it is safe to assume that forced displacement will remain a part of human existence. A world without dictators, environmental disasters or hardship may be desirable, but it is unrealistic. The law is always developed for the worst-case scenarios. And if it proves to be inadequate, it must be developed further. How this can be achieved is outlined below.

SAFETY

Two years ago, three students came to my office to present their idea of “country sponsorships” (“Nationenpatenschaften”). They felt there was a lack of “constructive approaches to bring about a long-term improvement in the situation of forcibly displaced persons”, and rather than simply objecting to this, they had developed their own proposal. Briefly, this was as follows: every person should receive a second citizenship at birth, drawn randomly. In emergencies, it should then be possible to activate this second citizenship in order to reach safety (Riemer 2015).

Even though I give seminars on problem solving at my university and talk about the need to avoid the widespread “but” which dominates our discussions – and not just in politics – the first thing to come into my head were the arguments against the proposal. Is it feasible? Is it enforceable? Why this approach and not a different one? Of course, ours is a dialectic culture, and at school we are taught to think by means of debate, where the focus is on finding a critical counter to every argument. This overshadows the actual search for solutions. After all, even an unrealistic proposal can be a necessary stepping stone to a realistic solution. And so I swallowed my counterarguments. The three students had in fact identified a blind spot in the entire migration debate and had, moreover, come up with a solution. They deserved my respect, and at the very least, they deserved to have me listen to them and reflect on what they had to say.

At that point in time, work was already under way on an agreement with Turkey, with a view to better managing migration flows via the so-called Balkan route, at least. The agreement includes many positive aspects – at least on paper – which will be addressed later. What it does not contain, however, is an explicit commitment by Turkey to actually continue to let people from crisis-stricken areas beyond its borders into the country. The joint action plan agreed on by the two partners in the previous October contained a passage (I.4) stating that Turkey intends to “Ensure that vulnerable people continue to be identified and taken care of” (European Commission 2015). In November, the decision was taken to implement this action plan, but the focus had shifted. The statement now read: “Results must be achieved in particular in stemming the influx of irregular migrants” (European Council 2015). The focus was also on supporting the displaced persons who were already in Turkey. In other words, the aim was preventing rather than managing migration – as is generally the case in the European migration agenda. The (long-term) improvement of the situation for forced migrants was not the starting point of the negotiations and so is, at best, a by-product. The final statement of March 2016 ultimately says that the EU and its Member States “will work with Turkey in any joint endeavour to improve humanitarian conditions inside Syria, in particular in certain areas near the Turkish border which would allow for the local population and refugees to live in areas which will be more safe” (European Council 2016: 5). In other words,

the aim is to ensure people's safety, but outside Turkey's borders. Nothing is known about any substantial proposals, let alone steps being taken to implement this (Human Rights Watch: 2017). Syrians now once again require a visa to enter Turkey. There is no discussion of whether they are able to reach the authorities which could issue this visa. The border itself has been closed by Turkey, as Minister of State Michael Roth wrote to the members of the SPD parliamentary group in the German Bundestag on 19 September 2016. As is the case elsewhere, the forced migrants there face walls, fences and barbed wire, and are getting caught up in Turkey's internal conflict and the Turkish-Kurdish conflict, potentially putting their lives in danger: according to reports by NGOs, shots are being fired at the border (Human Rights Watch: 2016). It is unclear how the internationally agreed principle of non-refoulement (UNHCR 1977), i.e. that people who have been forcibly displaced should not be turned away, is supposed to be implemented in these circumstances.¹ It is all but impossible for people fleeing from bombing, death squads or persecution to reach safety by legal means. They are forced into what is referred to as "irregular migration", while simultaneously action is supposed to be being taken against it. But the only thing action is being taken against is the people who are fleeing for their lives.

As this topical example shows, the international community has a blind spot at exactly the point of greatest need, namely when people's lives are at risk and they are forced to flee. This example also shows that it is impossible to reach a viable solution in a specific negotiating situation, when there are various – and sometimes extraneous – competing interests which, moreover, are dependent on how the specific situation develops during the negotiations. What is needed is a general solution, i.e. a (new) codification of international law to benefit those in need of protection. What options exist to achieve this?

One way of doing so would be to expand the recognised causes of displacement or – to use a more neutral term – people's reasons for fleeing (Braunsdorf 2016: 2). National asylum systems are already overwhelmed today by a large number of cases where it is clear from the outset that there

¹ Arguments about this issue already took place in the context of the negotiations. Pro Asyl was among those who spoke of a "disgrace for Europe". It wrote that Turkey "only guarantees protection under the Geneva Convention to refugees from European countries", as the country signed the Convention with a "geographical limitation", and it cited deportations as evidence of this, including deportations of Syrians and Iraqis (Pro Asyl 2016). For its part, Germany's Federal Foreign Office argued that the deal with Turkey does not replace any existing arrangements, as it is merely a declaration of intent, not a formal agreement. The return of refugees from the EU to Turkey must comply with European law and therefore requires a case-by-case assessment. According to the Federal Foreign Office, ratification of the Geneva Convention, regardless of whether a geographical limitation exists, is not a necessary criterion under Article 38 of the Asylum Procedures Directive for a country to potentially be categorised as a safe third country. Instead, letter c) of Article 38 refers to respect in practice for the principle of non-refoulement in accordance with the Geneva Convention. The Federal Foreign Office claimed that this is already proven by the large number of Syrian and other refugees in Turkey. Respect for the principle of non-refoulement had, it said, been made a prerequisite for the agreement. In practice, however, no one can be turned back at the border if they do not even reach it.

is no prospect of success.² Conversely: if climate change threatens to become the most important reason forcing people to flee in future – yet another development caused by the conduct of the so-called developed world, incidentally – people will migrate regardless.³ Anyone who wants to preserve the right to political asylum – in the narrower sense⁴ – and who faces up to the reality of the situation must find regulations for a process which will otherwise take place unregulated.

Such regulations can sometimes be found in unexpected places. As early as 2008, Ecuador – “Latin America’s avant-garde” (Müller 2014) – scrapped visa requirements for all foreign nationals.⁵ The victorious APAS had already sought support for a transnational understanding of citizenship in its 2006 election manifesto: “From central government, we will launch a proactive international campaign to consolidate the supranational expansion of citizenship. This means that civic rights should not depend on one nationality or another, but solely on the human condition. In the political sphere, migration represents an opportunity to advance a new form of international understanding” (quoted in Müller 2014: 19). The national migration policy subsequently enshrined in the country’s constitution is based on the concept of “human mobility” (Célleri 2017: 1). Article 416 of the constitution calls for an end to the status of “foreigner”. The constitution also states that everyone enjoys the same rights in Ecuadorian territory (ibid.: 2). This also applies to those who flee to Ecuador, primarily from Colombia. In fact, Ecuador admits the most refugees by Latin American standards, even if in practice there are problems in terms of provision of their basic needs and their participation in society (ibid.: 4). Due to a lack of implementing legislation, it is impossible to reach a final conclusion about the effect of these provisions. But even as things stand, this is an interesting and innovative model which deserves greater attention.

A general solution is needed. Article 13, second sentence, of the Universal Declaration of Human Rights states: “Everyone has the right to leave any country, including his own, and to return to his

² The forced migrants themselves give a very wide range of reasons for leaving their country of origin: fear of violent conflict/war (70%), persecution (44%), poor personal living conditions (39%), discrimination (38%), fear of forced conscription (36%), economic conditions in the country (32%) (Brücker et al, 2016, p. 4). Steffen Angenendt describes mixed migration as a key challenge (Angenendt 2015: 30)

³ According to the Internal Displacement Monitoring Centre, “Natural disasters and environmental damage [...] have ranked first among the causes of displacement for several years, well ahead of armed conflicts” (Hirsch 2016: 14). It is difficult to make forecasts in this field, and the figures for the potential number of people displaced by climate change range from 25 million to 1 billion people (IOM 2014).

⁴ German law recognises the following reasons for fleeing: political persecution (right of asylum under Article 16a of the Basic Law); well-founded fear of persecution on account of race, religion, nationality, political opinion or membership of a particular social group (regulated in German law in Section 3 of the Asylum Act, and in EU law in Article 9 of the Qualification Directive – Directive 2011/95/EU; the basis for this is the Geneva Convention relating to the Status of Refugees); substantial grounds for believing that the person seeking protection faces a real risk of suffering serious harm in his or her country of origin (“subsidiary protection” under Section 4 of the Asylum Act). Subsidiary protection currently serves as a catch-all provision for all reasons for fleeing which are not considered in the Geneva Convention. In practice, the recognition rate depends to a very great extent on the individual’s ability to prove that he or she faces a risk of serious harm (Keßler 2016: paragraph 1).

⁵ Visa requirements were reintroduced for Cuban and Venezuelan immigrants in 2013. (Célleri 2017: 4)

country.” This right was one of the biggest steps forward of its time in legal terms. But it leads nowhere. It is like giving permission for a plane to take off, only for it to be denied permission to land. What is missing is the necessary – literally necessary – counterpart, namely the equivalent right to be admitted by another country. This right, incorporated as a new third sentence, would be “Everyone has the right to be admitted to a country”, at least all those who are unable to return to their own countries. A sentence of this kind would put human rights in their proper place, namely at the apex of the legal system. The same is true in international relations, where the principle of non-intervention in states’ internal affairs (UN Charter, Article 2 no. 7) is increasingly being confronted by the principle of responsibility to protect. Human rights are above the rights of states (see Kalscheuer 1999: 124). States serve people; they are not above them.⁶

⁶ Human rights experts warn against renegotiating the Geneva Convention relating to the Status of Refugees in a heated international atmosphere, for example, as it is feared that this would lead to a rollback of rights rather than progress (Hirsch 2016: 15).

PROVISION OF BASIC NEEDS

The United Nations sounded the alarm in March 2017: in Yemen, millions of people are threatened by one of the world's worst hunger crises. In a joint appeal, three UN agencies – the World Food Programme, the Food and Agriculture Organization (FAO) and the United Nations Children's Fund (UNICEF) – stated that more than 17 million people are starving, including countless children. Almost two-thirds of the population in this civil-war-torn country are suffering from hunger and urgently need life-saving assistance. According to the UN Emergency Relief Coordinator, Stephen O'Brien, around 20 million people in Yemen, Nigeria, South Sudan and Somalia are at risk of starving to death if the international community does not agree to step up its assistance (FAZ 2017). Incidentally, Somalia and Nigeria already rank sixth and seventh today among the countries of origin in German asylum statistics (Bundesamt für Migration und Flüchtlinge 2017: 2). Will this appeal succeed, and if so, how long will it take to organise effective assistance?

In 2015, as the number of people fleeing to Germany was in the process of doubling (Bundesamt für Migration und Flüchtlinge 2016: 4), the World Food Programme also sounded the alarm about the fact that it was being forced to cut rations in the refugee camps around Syria due to a lack of funding⁷ (World Food Programme 2015). Germany was among the countries which had cut its support. It is hardly surprising if people then try to go somewhere else, if they have held out for perhaps the fifth year in a row in the hope of peace and the chance to return home, if their hopes have been dashed yet again, and now, on top of that, they find that their basic needs are not being met.

Once people have reached safety, they must be properly cared for and given the essentials: food, drink and shelter. That is the bare minimum. And even this bare minimum is not being provided. Until it is, we should not be surprised if people set off for other countries. Obviously, even this bare minimum in provision will not be enough to keep everyone from migrating elsewhere.⁸ However, this line of argument has echoes of statements such as "We cannot, however, accept all of the people from crisis-stricken areas and everyone fleeing poverty who would like to come to Europe and Germany." Such statements, which have been made even by the German Minister of the Interior (Der Spiegel, 19 September 2015: 28), are both dangerous and stupid. Dangerous, because they stoke people's fears. Stupid, because not everyone even wants to come here. But there is another problem with this statement, and it is the reason why it is so successful: it is the truth.

⁷ Syrian refugees in Lebanon are only receiving half of the food they need. "Just when we thought things couldn't get worse, we are forced yet again to make yet more cuts". Muhannad Hadi, WFP Regional Director for the Middle East, North Africa, Central Asia and Eastern Europe (World Food Programme 2015).

⁸ Despite the fact that the comments by Alexander Betts and Paul Collier seem to spring largely from the logic of curbing refugee flows and keeping people out, they are right to say that: "[A] new paradigm is urgently needed. (...) That change cannot be cosmetic" (Betts/ Collier 2017: 10; 236).

Consequently, if it is not possible for everyone to come here, we must help to ensure that they survive and have prospects where they are. And those who argue against this minimal step because they want to do more for forced migrants are like opponents of the minimum wage who say that the minimum wage is not enough to feed a family or to avoid needing income support in retirement. These kinds of objections only undermine those who want to at least achieve something. They are signs that we should not stop at a minimal step. But they do not justify a refusal to at least attempt to achieve that much.

The civil war in Syria began in 2011; five years later, in 2016, a donor conference was held in London. An impressive sum of 11 billion euros was pledged, but this came much too late. And it was allocated on paper. It will take more time before the money is collected, and even more before it can be disbursed.⁹

Compared to that, the “Facility for Refugees in Turkey” verges on a shining example of how to deal with such issues. Perhaps not in terms of timeliness, but certainly in the sense that the financial resources are being channelled via aid organisations, and that the assistance is being provided over the long term: out of the 2.2 billion euros in funding already allocated for the period from 2016 to 2017, 39 projects have now been contracted for 1.5 billion euros (half of the total of 3 billion euros which has been pledged), and all of these projects have already been launched. At present, around 2.2 billion out of the three billion euros has been allocated, and 748 million euros has been disbursed. A total of 595 million euros has been allocated to date in the field of humanitarian assistance (of which 517 million euros has been contracted and 411 million euros has been disbursed), while in the socio-economic field (e.g. funding for school and health infrastructure) a total of around 1.6 billion euros has been allocated to date (of which around 939 million euros has been contracted and 337 million euros has been disbursed).¹⁰

Forcibly displaced persons must be helped at the earliest possible stage in the place where they

⁹ At the donor conference in London in February 2016, the participants pledged six billion US dollars in financial assistance for Syria for 2016; they agreed to provide a further 6.1 billion US dollars in the period from 2017 to 2020. International aid organisations requested a total of 4.54 billion US dollars for 2016 to meet Syrian refugees' basic needs and for their host countries; they received 63 per cent of that amount (2.88 billion US dollars). UNHCR/UNDP: Regional Refugee and Resilience Plan 2016-2017, Annual Report 2016, <http://www.3rpsyriacrisis.org/wp-content/uploads/2017/04/3RP-2016-Annual-Report.pdf>, accessed on 24 April 2017.

¹⁰ In the framework of the Facility for Refugees in Turkey, three billion euros is to go to projects and organisations which support refugees or host communities in Turkey. The funding is structured as follows: 1 billion euros is coming from the EU budget, while the remaining two billion euros is being provided bilaterally by the Member States. The German share is 428 million euros. Germany remitted the first tranche of around 127 million euros at the start of October 2016. The Facility was originally supposed to run until 2019, but due to socio-economic measures which are more long-term in nature (such as debt reduction), the Commission has asked the Member States to agree to let it run until 2021. In addition, Turkey has been promised a further three billion euros by the end of 2018 if it has met its commitments and the existing funding is almost exhausted.

have initially reached safety. At present, many aid organisations have to request new resources from the donor countries every year. For example, at the end of last year the UN Central Emergency Response Fund (CERF) had been granted just 60 per cent of the 450 million US dollars required for 2017. And the United Nations is expecting a significant increase in expenditure on humanitarian aid in the coming years. CERF is therefore to be topped up to one billion US dollars by 2018. If aid organisations like CERF, UNHCR or the World Food Programme are to be able to help, they need not only adequate funding, but also planning security. UNHCR and the European Commission's Directorate-General for European Civil Protection and Humanitarian Aid Operations require adequate financial resources. Germany's contribution to the UN organisations must also be stabilised.¹¹

¹¹ On 13 December 2016, almost 273 million US dollars was pledged at a donor conference for the UN Central Emergency Response Fund (CERF). According to CERF, that represents approximately 60 per cent of its needs for 2017. In recent decades, CERF's annual funding target was 450 million US dollars. By 2018, however, it is to be raised to a billion US dollars per year in order to fund the increased need for humanitarian aid (<http://www.unocha.org/cerf/resources/top-stories/high-level-pledging-event-reaches-60-annual-target-funding-2017>). The main donors, besides Germany, are Sweden, Norway, the Netherlands, Ireland, Denmark and Canada. A complete list of contributions to CERF made by individual countries can be found at: http://www.unocha.org/cerf/sites/default/files/CERF/CERF-HLC_for_2017.pdf. For more detailed information, see: CERF (2016): 2016 CERF in Action. Global Displacement, at http://reliefweb.int/sites/reliefweb.int/files/resources/CERF_HLC2016_FINAL_compressed.pdf.

PROSPECTS

When people are in need, we have to help them if it is in our power to do so. This means, firstly, creating safe zones within their countries of origin or nearby, and making it both possible and bearable to live there. However, if there is no foreseeable prospect of peace, reconstruction or the possibility of return, people must be resettled. Otherwise migration is exploited as a business, with the profits flowing into the conflicts causing the migration. I believe that this system of organised resettlement must be guaranteed worldwide, and of course not just by and to Europe. No one wants to spend years of their lives in a camp, let alone see their children grow up there. And so, in line with Kantian ethics, we cannot expect anyone else to do so either.

I was fortunate enough to meet a kindred spirit one Wednesday evening in March 2015. I had not really been looking forward to the meeting – dinner in the prim surroundings of the Germany Parliamentary Association (which I should have joined long ago, but which I find too stiff and formal). But sometimes that is exactly when you end up being pleasantly surprised. And my meeting with Mario Marazziti, the then chairman of the Italian committee on human rights, was very positive indeed. He had long been active for the Community of Sant'Egidio, including in international peace missions. In Sant'Egidio in Rome, the remains of a figure of Christ were once found, missing the cross and arms; it is revered as the “powerless Christ”. The founders of the Community of Sant'Egidio decided to “replace” the missing arms by seeking to act as Christ’s arms in the world – a beautiful image. Mario and I agreed to launch a joint initiative on a European refugee policy. As he put it: “A Europe which allows people to die at its borders is no Europe at all.” I agree wholeheartedly.

The Community of Sant'Egidio in Rome refused to stand by as refugees drowned in the Mediterranean. Together with religious partner organisations and the Italian government, it concluded an agreement at the end of 2015 which enables refugees to enter the country legally. Particularly vulnerable people, such as the seriously ill, child refugees and female refugees from Morocco, Lebanon and Ethiopia, are issued a “visa on humanitarian grounds”. They are flown safely to Italy and cared for there. The Italian state examines the applications in advance and then issues the necessary documents. The costs are covered by the religious organisations involved. In this way, 1000 people have been brought to safety so far (Community of Sant'Egidio 2015).

The similarity to the situation in Germany is notable, in that civil-society actors or even individuals are displaying empathy and sensitivity as they model what concrete assistance and solutions could look like. Point 4) of the EU-Turkey statement states: “Once irregular crossings between Turkey and the EU are ending or at least have been substantially and sustainably reduced, a Voluntary Humanitarian Admission Scheme will be activated. EU Member States will contribute on a

voluntary basis to this scheme.” One year and a substantial reduction in “irregular” numbers later, the Voluntary Humanitarian Admission Scheme promised in point 4) still does not exist. On 16 February 2017, the European Commission resumed negotiations with Turkey on this subject (the delay is being blamed on the Turkish side and the aftermath of the attempted coup). Until an agreement is reached, admissions are taking place on the basis of the procedural guidelines for the “one for one” mechanism (in other words, one person is admitted for every Syrian returned from the Greek islands). In concrete terms, 3665 Syrians have been resettled from Turkey so far (European Commission 2017: 9), of which 1215 have been taken by Germany (BAMF 2016b). This is a mere drop in the ocean.

Protection of the EU's external borders must therefore be permanently coupled with a quota for forcibly displaced persons which is both appropriate in humanitarian terms and acceptable for the receiving countries. 0.1 per cent of the European population could be a suitable figure. A quota means that, as part of a permanent resettlement programme, refugees who are already in a country on the EU's borders should be brought into the EU via an orderly and safe procedure, and then distributed among all EU Member States. However, quotas do not mean that other asylum seekers who manage to reach EU territory or the EU's external borders on their own can be turned away. A quota is not an upper limit. This kind of quota would seek to reduce the burden on the countries most affected by forced displacement and lead to refugees being distributed within the EU in a spirit of solidarity. The criminal gangs running smuggling rackets and irregular border crossings would be replaced by an orderly procedure. This would relieve some of the pressure which leads people to embark on the dangerous journey from crisis-stricken regions. At the same time, the Geneva Convention relating to the Status of Refugees and the European Convention on Human Rights will continue to apply without restriction to everyone who is persecuted or whose life is threatened and who applies for asylum at the European borders.

If things are stalled at international level, perhaps the initiative can come from the grassroots up – as the example of Sant'Egidio shows. Gesine Schwan has suggested that forcibly displaced persons should be admitted by individual municipalities, rather than by Europe, Germany's federal level or its *Länder* (federal states). Municipalities which voluntarily take in more forced migrants should not only be reimbursed for the costs but also receive additional funding to improve municipal infrastructure (Schwan 2016: 2)¹². This proposal is at once humane, sensible and pragmatic.

¹² a) Municipalities whose inhabitants are moving away could regain people who would give them a new lease of life, work there and increase their tax revenues;

b) existing infrastructure which is at risk of closure (child day care centres, schools, medical care, housing, transport, retail) could be used again and potentially expanded and upgraded;

c) new cultural, sporting and similar projects in which newcomers and existing inhabitants cooperate with each other could bring greater social cohesion and inject more (meaningful) life into municipalities,

Already in the autumn of 2015, I was focusing on the municipal level in partnership with policy-makers specialising in migration, Aziz Bozkurt, Serpil Midyatli, Irena Rudolph-Kokot (Bozkurt 2015), and my colleagues in the German Bundestag, Susann Rüttrich and Svenja Stadler (Castellucci 2015). Rather than a reactive approach driven by fear, the aim was to create a proactive dialogue about policies towards refugees and migration: “Our population is incredibly willing to help. Today, people are displaying the qualities Willy Brandt once called for: they are showing a sense of shared responsibility and empathy. They are daring more democracy by taking on greater social responsibility, spontaneously and without being asked to do so. At the same time, there are questions: what is the way ahead, what can be done, what will things be like one, two, three years from now? People deserve a greater say: how can our long-term immigration policy be shaped? How do we live up to our humanitarian responsibility? What support do the people coming here need, and what do we expect of them? These questions should be asked as part of a broad, high-profile public dialogue. Relevant groups within society, experts and laypersons alike, must be included in this dialogue in order to clarify the facts, develop goals and draw up policy recommendations.”

But the focus should be much more on involving the ordinary people in the neighbourhood: I would have asked them, in my local area and everywhere, when the forced migrants came: Hey, how much help do we feel able to give? I am sure that they would have felt able to give a great deal of help – and they are still doing so today. But if we had asked them, they would also have had a few questions:

Where are they all supposed to live? Is there space in our child day care centres – after all, we are always being told that there are fewer and fewer children? Where are the elderly people, those who are ill, the people with disabilities? Why aren't we helping them first; why are we looking on as they are left behind in a warzone? And so on. These are all good questions, and we are a long way from having good answers to them all. I am convinced that if we openly admitted as much, we would not face an outpouring of scorn, but instead motivate people to help us in seeking the answers. And then we would stand a (better) chance of finding them.

Under the Königstein formula, the distribution of refugees within Germany is very uneven. This is exacerbated by the fact that immigration more generally is also concentrated in certain regions and cities. The vast majority of people in Germany are in favour of helping people seeking protection. The potential this offers for integration can be increased if we give them a more active role in determining how this help is provided, instead of simply praising their voluntary engagement

improve the general mood and counteract the widespread, ill-defined fears of the future;
d) our own actions could be aligned with the European values we proclaim, improving the self-respect, reputation and authority of EU citizens. (Schwan 2016: 2)

– or even, at times, finding it tiresome, when those working in the town hall already have so much to do and all these people have so many questions and interfere in everything.

Finally: at every level where people are coming together for the first time, steps must be taken to ensure they live together harmoniously: in apartment blocks, in city boroughs, in municipalities, towns or cities. Based on the “Vienna Charter” project, a model “charter for harmonious coexistence” is needed. I am currently trialling this in my own home town in a project known as the “Wiesloch Handshake”. Germany should become a model of harmonious coexistence in an increasingly diverse society, and in this way offer encouragement in Europe and beyond, in cases where countries are finding change difficult (Castellucci 2015).

Alongside this process, forums are needed where people come into contact with each other. Into contact with others, not the same people as always. Places where people can genuinely engage with each other, not coexist without interaction or clash with each other. In places where people come into contact with each other, get to know each other and develop relationships, fears and prejudices disappear. However, our fragmented society has fewer and fewer platforms where all groups within the population come together. Such platforms – from community centres to intercultural cafés – need to be organised, given appropriate support, and boosted in their integrative approach. On this kind of basis, the level of willingness to admit people is not an issue – without any need to marshal arguments about the benefits in terms of demographic change, demand for skilled labour or population decline (Castellucci 2015).

Order rather than chaos, the most vulnerable rather than the strongest, legal rather than illegal, grassroots involvement rather than measures imposed from above – that is how quotas can be implemented. “We can do it” is simply not enough. We need to say how we can do it. Ensuring that people have legal ways to reach safety, that their basic needs are properly met and, if not, that they have safe ways to move elsewhere: this three-step approach is far from a complete solution, but it would be huge progress compared to the current situation.

The Universal Declaration of Human Rights will mark its 70th anniversary in the coming year. It is, as the Italian legal philosopher Norberto Bobbio put it, “the greatest historical test of the ‘consensus omnium gentium’ in relation to a given value system” (Bobbio 1999: 9). In fact, it is a wonder. For the first time, “a system of fundamental principles for human behaviour has been freely and expressly accepted” (ibid.). At the same time, it is shaped by the time in which it was created; it is incomplete and in need of further development. “As far as the quantity and quality of the listed rights are concerned, the Declaration can make no claim to being definitive,” according to Bobbio (ibid.: 15). The suffering in the world is a reminder and a warning to us that the age of human rights has only just begun.

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