

1st NoVaMigra Policy Dialogue: True to its Values? The Road ahead in Europe's Migration and Refugee Policy

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NORMS AND VALUES IN THE
EUROPEAN MIGRATION AND REFUGEE CRISIS

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1st NOVAMIGRA Policy Dialogue: True to its Values? The Road ahead in Europe's Migration and Refugee Policy

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How is the European migration policy currently designed and what values (if any) drive the development of these policies? How should we understand the role of ‘European values’ particularly following the refugee ‘crisis’ of 2015 and in light of the populist and nationalist challenges of recent years? How could the disagreement within the EU be overcome and which kind of common migration policy could be implemented – what would be the solution moving ahead?

These were among the key questions addressed during the first **NOVAMIGRA Policy Dialogue** organized in Brussels on 11th September 2018. Bringing **together representatives from the European policy level, think tanks and important stakeholders with researchers** from the Horizon 2020 project NOVAMIGRA (Norms and Values in the European Migration and Refugee Crisis), the interactive workshop discussed the highly topical but also extremely contested field of European migration and refugee policy.

In many contexts, values are the driving forces of civil society action and advocacy. People engaging with refugees on the ground are motivated by different values, which might be e.g. national, European, liberal or religious in character.

The **first NOVAMIGRA Policy Dialogue sought to identify the major challenges to a unified approach to migration and asylum in the European Union**. Which are the requirements and particularities on the local, member state and European Union level any migration policy must meet? Do values claim the same motivational force on the level of policy-making? Is there a moment where normative arguments play a role? Or has value-based policy-making been replaced in favour of crisis management? These were some of the questions discussed with representatives from the European policy level, who shared their experiences and actively engaged in discussions with the researchers and other stakeholders in the policy dialogue.

Still a long way to go: reactivity and fragmentation in European migration policy

- The participants acknowledged that in reality there is still no European migration policy but rather efforts to harmonize and minimize fragmentation **of different kinds of policies on migration**. Migration policy is, unfortunately, still reactive rather than proactive. However, the **migration and refugee crisis boosted EU activities in the field of migration/integration**. The cooperation of the European Commission with member states and the local level has increased significantly during and since the crisis.
- Whereas the European Commission is putting **much effort in harmonizing EU asylum policies** by referring to universal norms and values that can be found in EU directives, EU law and international conventions, **integration policies are seemingly often accepted to be less coherent** as there might be the need for them to be more responsive to national processes and cultural or political circumstances and requirements.
- Events in 2015–2016 highlighted the failure of the **Dublin System** to perform under pressure. Despite the need to correct the deficiencies of the system, an agreement has proven difficult, as it has to be consensual. Some of the participants expressed concern that persistence on mandatory relocation risks splitting up the European Union.
- Migration is a shared competence between the European Union and member states. Even though the European Commission fosters **a common vision of integration/migration**, both topics remain

highly contested between and within the member states. Unilateral actions often have a spill over effect on other member states as witnessed recently with the disembarkation issue.

- The participants identified a number of **research gaps**, which should be filled to better inform policy decisions/decision making: The first concerns the Council of the European Union's **2004 agreement on common basic principles for immigrant integration policy**. **What were the values pushed forward** by the EU at that moment? Given that this agreement predates the current challenges, decision makers could benefit from a temporal comparative analysis with the norms and values that were part of the Action Plan in 2015. **What kinds of values and principles should underlie integration going forward?**

What role for values?

- Participants emphasized that **universal values** are at the core of the European project. Nonetheless, **normative arguments do not seem to play a significant role in the policy-making process in the migration/integration context**.
- Ultimately, decisions – especially in recent years – are very much **driven by the sense of urgency and political considerations** (being highly contested among the member states with regard to mid- and long-term visions) and less by moral/value-related concerns. Often, the decisions are a balance between very different political points of view. The remaining question is how sustainable these kinds of solutions are. Impact assessments may bring in a value/moral-related element; however, they take much time, which is not available in times of crisis.
- Instead of '**evidence-based policy**', there is all too often '**policy-based evidence**'. It is imperative to reach a common understanding among the EU member states of what integration means, and to make policy with regard to it more fact- and figure-based.
- **Values** do play a role in the justification and implementation of policies, but not so much in their generation and evaluation. They are **used defensively**, while both **policy-making and policy-evaluation have been dominated by the security and emergency approach** currently prevalent in migration issues.
- The value of **solidarity** comes into play as an 'implementing strategy' and is realized in terms of solidarity among member states and solidarity with refugees. The concept of **flexible solidarity** picks up the concern of a fair share by promoting either the just distribution of refugees or an adequate financial support. Solidarity with refugees is realized by implementing further temporary resettlement frameworks.
- The multidimensional **concept of solidarity** – towards migrants/refugees as well as between EU member states – is put into question today, which has an impact on the future of the European Union. **The question to be answered is how solidarity can work in practice today**. Can this concept of solidarity create clear obligations?

The crisis happens in the process of dialogue and debate

- The refugee and migration crisis would more aptly be called a **political crisis** – a **crisis of trust** in the European Union and its institutions on the part of the citizens.
- The **migration debate is embedded in an emotional context**. It is crucial to open up the debate to include a wider spectrum of voices. Today, we observe that the discourse about European values is mostly driven by Eurosceptics and used by some as a reason for exclusion. The risk is that this echo chamber can lead to a rise of populism.
- There is a **danger of a dominant emergency/security discourse** that occupies the public debate and policy-making. Research should reclaim this space for autonomy in the production of knowledge.
- The EU is cautiously promoting the argument that **migration is a reality** and that the majority of it is legal. The numbers of migrants/refugees are not the problem, but the **sense of lack of control**, which evokes emotional responses.

The future of Europe – the crisis as a challenge and an opportunity

- The EU's migration and asylum policies still constitute a **work in progress and big challenge for the EU**. It is important to define its priorities now. Important elements are: human rights, legal pathways to migration, solidarity and the investment in integration.
- The **Global Compacts on Refugees and Migrants** could be **valuable points of reference** in the discussion of values and particularly in relation to solidarity. The Global Compacts could offer ways to **develop a common understanding** of how the principle of solidarity could be framed and implemented in a legitimate way in the European Union.
- The refugee and migration crisis is also an **opportunity** for the EU to put forward a **common external strategy** – a step to a common foreign policy.
- A direct link between the European and the micro level is very interesting when we think about **models for a cosmopolitan Europe** as outlined in NOVAMIGRA's work plan. Maybe there are fewer tensions between the EU and the local levels – also with regard to the underlying values – than between member states and the EU?
- Participants discussed whether there was the need for a **different narrative**: a positive discourse on migration and a debate focused on substance and the long-term effects and how research should contribute to this debate.
- There is a **need to better connect research and policy in the field of migration**. The pace of events during the migration and refugee crisis required urgent actions but on the medium-/long-term, policy should also be shaped by underlying research.

About NOVAMIGRA

Several, partly interconnected crises have profoundly challenged the European project in recent years. In particular, reactions to the arrival of 1.25 million refugees in 2015 called into question the idea(l) of a unified Europe. What is the impact of the so-called migration and refugee crisis on the normative foundations and values of the European Union? And what will the EU stand for in the future?

NOVAMIGRA studies these questions with a unique combination of social scientific analysis, legal and philosophical normative reconstruction and theory.

This project:

- Develops a precise descriptive and normative understanding of the current “value crisis”;
- Assesses possible evolutions of European values; and
- Considers Europe’s future in light of rights, norms and values that could contribute to overcoming the crises.

The project is funded with around 2.5 million Euros under the European Union’s Horizon 2020 research and innovation programme for a period of three years.

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