



# EUROPEAN POLICYBRIEF



## NORMS AND VALUES IN THE EUROPEAN MIGRATION AND REFUGEE CRISIS

### MAIN MESSAGES AND POLICY RECOMMENDATIONS FROM NOVAMIGRA'S FINAL REPORT

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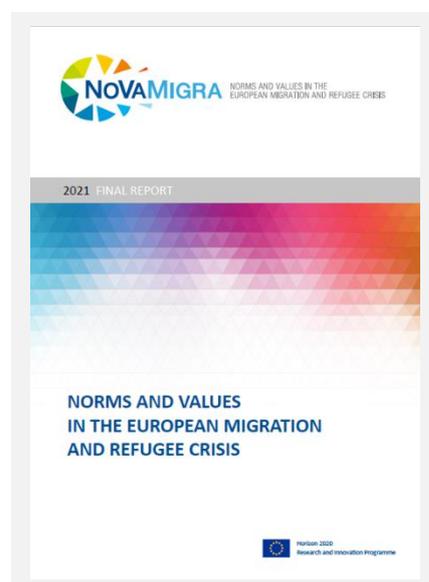
#### INTRODUCTION

#### What are “European values” and how do they relate to migration?

References to “European values”, and to values more broadly, have recently proliferated in the political discourse on migration issues. Right-wing nationalist and conservative parties have framed immigrants’ cultural orientation as a threat to European values, including liberal values, such as tolerance, autonomy or gender equality. National and supranational governments on the centre-right and centre-left have increasingly appealed for respect of civic values – the rule of law, democracy, a commitment to human rights – in response to the rise of right-wing nationalism, which has often thrived on anti-immigrant messages. At the same time, governments across Europe have ascribed increasing importance to value transmission in their civic integration policies, with some moving to make an adherence to values a condition not just for acquiring citizenship but also for residence permits or eligibility for social security payments.

To complicate the picture even further, it may be argued that value-laden language also increased on the side of pro-immigrant and human rights activists. Throughout Europe, local support groups have lobbied municipal governments to remain open to immigrants in spite of restrictive national policies, often invoking local values and identities (for case studies, see Goździak, Main and Suter 2020).

In particular, human rights activists have argued that aspects of its migration and refugee policy contradict the EU’s foundational values and commitments. In the area of migration and refugee policy, the argument has resonated with many, given the





documented infringements on fundamental rights and applicable procedures in various member states and at the EU's external borders. But seeing the loose connection between the values and political commitments previously mentioned, in what sense, if any, can we really extrapolate a concrete meaning from the EU's foundational values when it comes to its migration policy? And how, if at all, has this changed over the course of Europe's "refugee crisis"?

NOVAMIGRA (*Norms and Values in the European Migration and Refugee Crisis*) set out to provide a comprehensive understanding of the content, meaning and use of values in European migration and integration politics since the "refugee crisis" of 2015. From 2018 to 2021, the project combined philosophical analysis with legal theory, social sciences and anthropological approaches to pursue three leading aims:

- (1) We reconstructed what Europe's core values are and how they relate to migration.
- (2) We analysed if and how these values have changed in the wake of the 2015 "refugee crisis".
- (3) We constructed core principles for a realistic cosmopolitan migration policy, based on our empirical analysis.

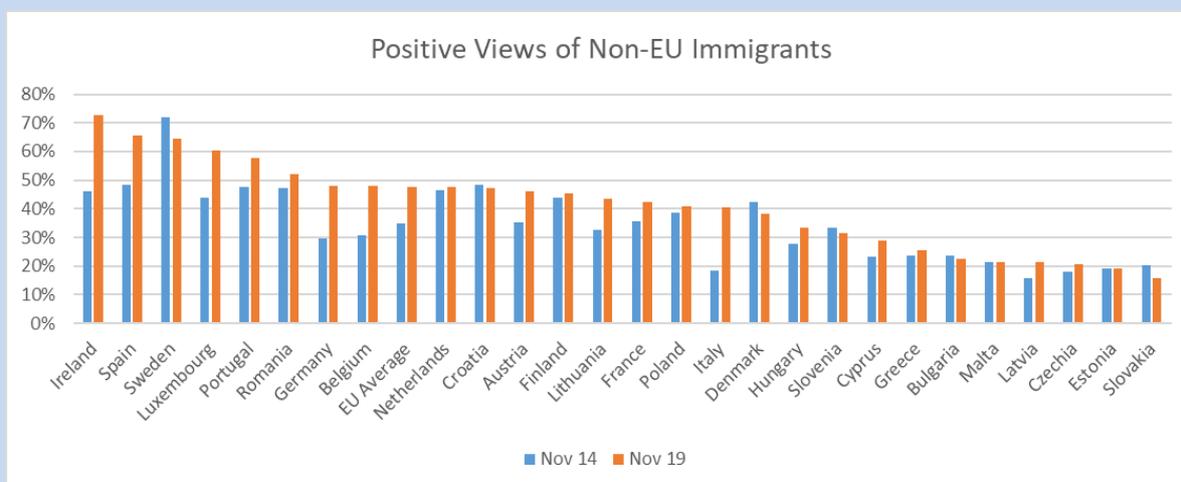
NOVAMIGRA's [final report](#) brings together the project's main research results and provides policy recommendations.

## KEY FINDINGS

### Have values changed after the 2015 "refugee crisis"?

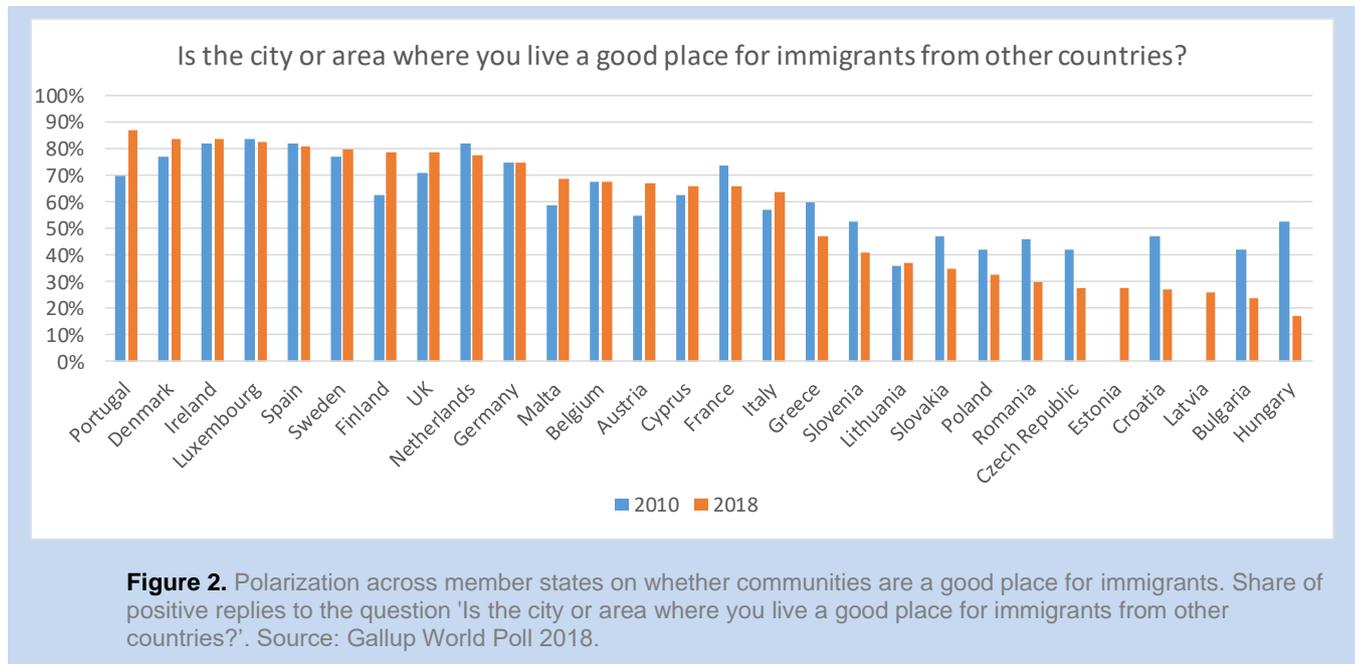
**Context:** At the level of individual attitudes, there is no sign that immigration is perceived more negatively since the "refugee crisis". In fact, many member states register markedly more positive attitudes. However, attitudes have polarized across member states.

Read over a medium-term period, the available data show consistency. In fact, both Eurobarometer (see figure 1 below) and European Social Survey data indicate that individual attitudes towards non-EU migrants in the EU have become more positive over time (Heath and Richards 2019). However, attitudes towards immigrants have polarised across member states (see figure 2 below; see also the discussion in Ray, Pugliese and Esipova 2017).



**Figure 1.** Share of respondents indicating that immigration of people from outside the EU evokes a "very positive" or "fairly positive" feeling for them. Source: Eurobarometer.

Polarisation has been most pronounced on questions of immigration from poorer countries and on asylum, and it spiked in the wake of the 2015 and 2016 “refugee crisis”. Nevertheless, the negative changes in attitudes in some member states have been found to be relatively modest, in the sense that – with a few notable exceptions – they do not appear to have had a lasting impact on the trend towards more positive overall views on immigration (see the discussion in Heath and Richards 2019).



**Conclusion 1:** Although there is no indication that values have changed at the level of individual attitudes, we observe that the idea of “European values” has grown more salient in public discourse. At the same time, interpretations of what these values mean are drifting apart. Actors invoke the same values to justify an increasingly incompatible range of policies.

In **European migration and refugee policy**, NOVAMIGRA’s research found that the values referred to by EU institutions involved in migration policy largely remained constant from 2014–2017. The main values cited in the official documents were solidarity, responsibility-sharing, saving lives at sea, human rights and protecting freedom of movement within the Schengen Area. These values have been linked to the EU’s human rights framework and the EU’s obligations under international law and, in this sense, have served as categorical restraints for policymaking (see Dimitriadi and Malamidis 2021a)

However, invoking values often seemed to carry meanings that went beyond merely referencing the applicable legal commitments – to the extent that EU institutions sometimes cited values to justify policies that stretched or bypassed legal commitments. An example of this is institutions invoking a commitment to saving lives at sea to justify a migration partnership with Libya, the overarching aim of which was the deterrence of migrants from European shores. In spite of their conceptual vagueness, we found that very few EU institutions attempted to define the values to which they referred.

The conceptual vagueness of values leaves considerable room for diverging interpretations. The range of interpretations put forward by institutions in migration policy has widened since 2015. Solidarity can again serve as an example. While this value has gained in salience in migration



discourses across EU institutions and member states, its interpretations drift apart, ranging from an insistence on implementing a binding refugee relocation scheme to a justification of financial alternatives and various opt-out mechanisms (see Dimitriadi and Malamidis 2021b)

The more frequent, but increasingly flexible use of values in public discourse is also observable in the area of **European integration policy**. The idea of conveying values to newcomers as part of civic integration courses has become more important in many member states' integration agendas in the wake of the "refugee crisis". Surveying state-issued orientation materials for civic integration materials in five member states, NOVAMIGRA found that the rights and duties associated with specific values differ significantly. Some documents largely restrict themselves to offering information about applicable norms and conventions. Others make explicit the need to seek a normative commitment from their readers. While some documents suggest that a commitment to legal norms is sufficient, others go further and indicate that addressees should arrange their way of life in line with specific values.

However, the documents are often unspecific when they refer to norms and values. Many use the terms "values", "norms" and "principles" interchangeably and leave implicit what duties they associate with them. Here, we see room for improvement. In order to enable a more reasonable dialogue about the commitments expected from newcomers in the process of civic integration, civic orientation courses and materials should make explicit whether they refer to legal norms, moral norms, social conventions or values in the strict sense. This should also be reflected in the teaching methods for integration course instruction (see Herrmann 2021; Suter, Ramsøy and Böhm 2021; see also the policy recommendations below).

**Conclusion 2:** The ambivalence in the EU's public discourse about what the Union's core norms and values imply with regard to migration leaves room for interpretations that are incompatible with the EU's human rights framework and its commitments under international law.

In public discourse, it is often not clear what the EU's core norms and values are and what they imply, especially when it comes to the question of migration. This leaves room for abuse – among other things, by giving right-wing populists the opportunity to frame the EU's commitment to cosmopolitan norms as standing in opposition to the preservation of national values.

Recently, EU policy makers have reacted to the populist challenge by re-framing the EU's core commitments in terms of "**European values**" or a "**European way of life**" in need of protection against both internal and external threats (see President of the European Commission 2019). However, framing the EU's core commitments in terms of values poses new problems for the legitimacy of the EU.

NOVAMIGRA's analysis shows that expressing normative commitments in terms of "values" is conceptually vague and leaves considerably more scope for interpretation than the ideas of norms, principles or (human) rights. It is not inconsistent for actors to hold many values at the same time and to want to realise them to varying, more minimal or maximal, degrees. Moreover, values are often understood as relative to individuals and contexts, grounding duties towards particular individuals or particular groups only – the ambivalent connotations of the idea of "European values" can be seen as a case in point (see Düwell, Göbel and Philips 2021).

For the internal dimension of European migration and refugee policy, this implies that increasing the appeal of policies by justifying them in terms of Europe's common values is likely to prove unsuccessful, since individual member states can rightly claim that they understand or rank these



values differently. Although references to norms, principles or (human) rights are also open to local contextualisation, they cannot be relativized in the same way.

Framing European migration and refugee policy in terms of “European values” also has consequences for the external dimension of European migration and refugee policy. With regard to immigration, it opens up the possibility of representing adherence to specific values as preconditions for the admission of immigrants, including refugees. **This risks relativizing the EU’s obligation to respect immigrants’ human rights by linking it to concerns about the protection of Europe’s cultural identity.** If the EU is to live up to its cosmopolitan commitments to human rights, it is important that these issues stay separate. A European migration and refugee policy that is based on a commitment to protect and promote “European values” also threatens to undermine the EU’s credibility in the eyes of third countries, as it can be interpreted in a way that relativizes the EU’s commitments under international law (see Göbel 2021; Deleixhe 2021).

## POLICY RECOMMENDATIONS

### 1. **Focus a public dialogue on the European Union’s core commitments on human dignity and human rights rather than on the idea of “European values”.**

While “value talk” has the merit of facilitating emotional commitment, the concept of values is ambivalent and can be used in ways that exclude outsiders and undermine the rule of law. What is needed instead is more clarity about the normative implications of human rights and their relationship to preserving cultural identity. This would address fears that a commitment to cosmopolitan norms could be over-demanding.

- **Stakeholders in public relations at the EU level** should be aware that framing the EU’s core commitments in terms of “European values” has ambivalent connotations, especially in the migration context. Values may be interpreted as part of a cultural identity that needs to be protected. This becomes especially apparent when universal principles like the rule of law or the protection of human rights are framed as specifically “European” values. Rights, by contrast, articulate standards that are owed to people. Accordingly, the protection of human rights is not only an act of benevolence, but a moral, political and legal duty.

Further Reading: Marie Göbel, “The European Union as a Cosmopolitan Structure: Reference Points and Constraints”, in: *Norms and Values in the Migration and Refugee Crisis: NoVAMIGRA’s Final Report*, pp. 234-245.

### 2. **When values are discussed as part of civic integration classes, make explicit if and how they connect to applicable norms, rights and duties.**

In the wake of the “refugee crisis”, many member states have expanded civic integration classes and moved civic integration to an earlier stage of the integration process as a whole. As a consequence, newcomers find themselves increasingly confronted with the obligation to demonstrate knowledge of and, in most cases, adherence to specific norms and values. It is important that they are given an opportunity to understand and discuss what kind of commitment is asked of them – and where its limits lie in a liberal society.



- In order to enable a dialogue about the commitments expected from newcomers in the process of civic integration, **stakeholders in integration policy and integration course providers** should ensure that course curricula and materials make explicit whether they refer to legal norms, moral norms, social conventions or values in a stricter sense. This should also be reflected in the teaching methods used for integration classes. In particular, where the intention is to address deeper-level value commitments as part of a civic integration course, course schedules should leave room for discussing legitimate value conflicts.

Further Reading: Therese Herrmann, "Values in Civic Integration for Immigrants: Evidence from Five Member States", in: *Norms and Values in the Migration and Refugee Crisis: NoVAMIGRA's Final Report*, pp. 168-182.

### 3. **Involve stakeholders, including refugees and immigrants, in decisions about the proper place of value transmission in civic integration.**

Values are plural and contested, both among immigrants and in member states' domestic public spheres. The design of integration course curricula and materials should be based on the experience of integration practitioners at municipal and regional levels. Refugees and immigrants often have their own experiences of defending universal rights and principles under adverse conditions, and their voices should be heard in the consultation process.

- **Stakeholders in integration policy at EU, national and regional levels** should ensure that the increasing diversity of European societies is adequately reflected and appreciated in integration courses. Some member states, including Sweden and Germany, have started (regional) programmes that match newly arrived refugees with locals from similar cultural backgrounds, who act as teachers and "bridge builders" in civic orientation courses. While this has the potential to facilitate early orientation, it is important that the representation of people with refugee and immigrant biographies in integration courses go beyond this. To underline the universal content of the values transmitted in civic integration, refugees' and immigrants' experiences of defending core rights and principles – both in their country of origin and their country of residence – should be highlighted at all levels of the integration process.

Further Reading (with a focus on the example of gender equality): Brigitte Suter, Ingrid Jerve Ramsøy and Franziska Böhm, "Valuing Gender Equality: Ideas, Practices and Actors in Integration Courses", in: *Norms and Values in the Migration and Refugee Crisis: NoVAMIGRA's Final Report*, pp. 184-199.

### 4. **Strengthen civil society in the reception and integration of refugees, especially through better access to funding.**

Europe's "refugee crisis" has not only led to polarisation between member states but also prompted an unprecedented enthusiasm in civil society for supporting the reception and integration of newcomers. Across the EU, initiatives have collaborated closely with municipalities to establish good practices. However, actors in civil society often face unstable working conditions due to a reliance on short-term external funding and, in some member states, government obstruction to accessing EU funds.

- **Policy makers at national, regional and local levels of governance** need to ensure that organisations and initiatives supporting the reception and integration of refugees, as well as



anti-racism more generally, have access to funding that enables long-term planning and stable working conditions.

- **At the EU level**, it is particularly important to make sure that civil society organisations are given direct and unbureaucratic access to AMIF funding, particularly in member states where they are put under political pressure by right-wing authoritarian governments.

Further Reading: Elżbieta M. Goździak and Izabella Main (Lead Authors), “Value Agents in Public and Civil Society Institutions”, in: *Norms and Values in the Migration and Refugee Crisis: NoVAMIGRA’s Final Report*, pp. 150-167.

## 5. Remain adamant about the unconditional character of the EU’s cosmopolitan core commitments.

The EU’s legitimacy rests on its claim to further cosmopolitan norms. Although the exact content of these norms is open to discussion, their egalitarian and universalist core cannot be compromised. Following an ethics of hospitality when dealing with migrants and asylum seekers is one minimum requirement in any conception of cosmopolitanism. This does not mean fully open borders, but it does require that newcomers be granted access to legal institutions and the right to apply for asylum status upon arrival.

- It is important that **stakeholders in migration policy and public relations at the EU level** remain aware of the fact that these are core principles, which cannot be relativized by being made to serve a “European value order”. A strategy that seeks to enhance the appeal of the EU’s commitments to the human rights of all and the universal principles of the rule of law, democracy, freedom, equality and respect for human dignity by framing them as part of a “European way of life” is unlikely to command success. Internally, reinterpreting the EU’s core principles as cultural values runs the risk of undermining the legitimacy of the EU in the eyes of its member states, since some member states could arguably claim that they understand or rank these values differently. Externally, it threatens to jeopardize the EU’s credibility in the eyes of third countries, as it relativizes the EU’s commitment to the core principles of international refugee law.

Further Reading: Martin Deleixhe, “A New Idea(l) for Europe: Report on the Future of Cosmopolitanism in Europe”, in: *Norms and Values in the Migration and Refugee Crisis: NoVAMIGRA’s Final Report*, pp. 246-263.

## FURTHER READING

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## PROJECT IDENTITY

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