



## THE MAIN PROBLEMS OF TODAY'S MIGRATION PROCESSES IN EUROPE: MIGRATION AS A POLITICAL TOOL

[ESP] *Los principales problemas de los procesos migratorios actuales en Europa:  
la migración como herramienta política*

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*“If migration is governed by just rules, it can contribute to the  
development of socio-economy of the country of its origin and destination”<sup>1</sup>.*  
Wu Hongbo, UN Secretary-General Deputy Economic and Social Affairs Deputy

**Abstract:** Migration serves as a political instrument in many EU countries now. Especially in recent times, Germany has become a leader in this area. Migration is the cause of xenophobia and racism in Europe. The political movements, mostly, radical right-wing parties, criticizing migration have been making significant progress. In order to come to power, they are covering different areas and sectors. They are not only dealing with a migration problem but also oppose EU mobility and the euro. Their goal is to save their nation as a state. Numbers (by the number of migrants) and words (by value) are viewed as a real threat to security and national identity. There are many who say that a national state in Europe is fading. How close it is to reality is an open issue. It is the beginning of the crisis of capitalism based on liberal values. That is why capitalism has begun to migrate to Europe. Today, Europe is moving to a new stage in the post-industrial era and, therefore, remains in the limiting migration and multicultural society.

**Keywords:** migration; migrants; human rights; “migration crisis”; European Union; refugee; asylum seekers.

**Resumen:** La migración sirve ahora como un instrumento político en muchos países de la UE. Especialmente en los últimos tiempos, Alemania se ha convertido en un líder en esta área. La migración es la causa de la xenofobia y el racismo en Europa. Los movimientos políticos, en su mayoría, los partidos radicales de la derecha, que critican la migración, han logrado un progreso significativo. Para llegar al poder, están cubriendo diferentes áreas y sectores. No solo se enfrentan a un problema de migración, sino que también se oponen a la

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<sup>1</sup> BOELT, W., «Цель предстоящего диалога ООН на высоком уровне - увеличение выгод миграции для всех», in *Нью-Йорк*, 2013:  
[<http://www.un.org/ru/ga/68/meetings/migration/pdf/internationalmigrantsworldwidetotals2013.pdf>]



movilidad de la UE y al euro. Su objetivo es salvar a su nación como estado. Los números (por el número de migrantes) y las palabras (por valor) se consideran una amenaza real para la seguridad y la identidad nacional. Hay muchos que dicen que un estado nacional en Europa se está desvaneciendo. Qué tan cerca está de la realidad es un tema abierto. Es el comienzo de la crisis del capitalismo basada en valores liberales. Es por eso que el capitalismo ha comenzado a migrar a Europa. Hoy, Europa se está moviendo a una nueva etapa en la era post-industrial y, por lo tanto, permanece en la migración limitada y la sociedad multicultural.

*Palabras Clave:* migration; migrants; human rights; “migration crisis”; European Union; refugee; asylum seekers.

## 1. INTRODUCTION: XXI CENTURY IS THE “MIGRATION AGE”

Although migration has been together with human being for a long time, it has never been an actual and discussed issue as today. XXI century is undoubtedly the “migration age”<sup>2</sup>. Indeed, migration is vague and it does not just belong to one nation or religion. Migration is today a socio-economic process that covers all areas and occurs in all regions

According to the United Nations Department for Social and Economic Affairs in 2017, globally, there are 258 million migrants<sup>3</sup> which constitutes 3.4% of the world's population. 60 million of these migrants are forced migrants - refugees and asylum seekers<sup>4</sup>. Migration is continuing to grow every year. Especially, the Arab Spring and the refugees that emerged as a result of the Syrian crisis have created "migratory crisis" for the EU.

Why is the European Union experiencing “migration crisis”? The answer to this question is diverse and numerous. Nevertheless, because of the fundamental reasons I will consider it dividing into three types. The first one is the shortcomings

<sup>2</sup> CASTLES, S., MILLER, M. J., *The Age of Migration: International Population Movements in the Modern World*, London 1998, pp. 15-18.

<sup>3</sup> UNITED NATIONS., «International Migration Report 2017.Highlights», in *Department of Economic and Social Affairs*, New York 2017.

[[http://www.un.org/en/development/desa/population/migration/publications/migrationreport/docs/MigrationReport2017\\_Highlights.pdf](http://www.un.org/en/development/desa/population/migration/publications/migrationreport/docs/MigrationReport2017_Highlights.pdf)]

<sup>4</sup> Ibid.



and problems in international law and regional legislation on migration and refugees. The second one is the lack of scientific research on migration. Third type is that migration is becoming a tool for many political movements and leaders than people's "grief" and "hatred".

## 2. FLAWS AND PROBLEMS IN INTERNATIONAL AND REGIONAL LAW ON MIGRATION

First of all, I would like to emphasize that migration is the product of human's actions. Different international human rights laws also cover the rights of migrants. However, many countries do not consider this when it comes to migrant workers, classifying human rights into two categories.

Even the internationally recognized migration rights are also very difficult to implement or are not generally accepted. In short, there is no clear international internationally accepted legal instrument for migration.

In particular, the Convention by number of 97 International Labor Organization (ILO) was signed by 49 countries as of 2013. Convention by number 143 was signed by only 23 states. The standard that guarantees the rights of migrants has also been designed-The 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families was signed by 47 countries. The countries that signed these conventions are mostly the countries who supply provide migrants. The major migrant recipient countries, notably the United States, European countries, Russia, and oil-rich Arab countries have not signed these conventions. Because they did not want to take responsibility for migrants.

Apparently, there are some reasons why these developed countries are refusing to join the convention. For example, illegal migrants are banned from leaving the country where they migrate, support for mergers of legal migrant family members, and the right to vote and be elected in the country of their origin, is a characteristics of the 1990 convention. As the host countries, such as North America



and Europe, do not ratify the Convention, the Convention can not serve as a means of international co-operation. The fact that the above-mentioned conventions are not signed by developed countries also implies that the rights of migrants are not considered as a human right. Instead, developed countries and migrant embassies are encouraged to work on migration based on their national legislation or on bilateral, multilateral, bilateral agreements. It is also appropriate to note that the signatories of these conventions have signed in order to protect their citizens' rights abroad.

At the same time, the developed and developing countries (ie, migrant recipients) have adopted the 2000 Protocol on combating transboundary migration (137 countries) and the Protocol to Combat Trafficking in Human Beings (157 states) signatures<sup>5</sup>. The above convention and protocols are primarily aimed at preventing human rights violations by the migrant recipient countries. Secondly, these conventions and protocols are aimed at preventing entry to Europe or the employer countries, rather than illegally, rather than protecting the rights of migrant workers. Thirdly, it is also important to prevent the development of transnational crime and crimes related to murder.

For developing or labor-sending countries, it is crucial for the citizens to avoid being deceived by their own citizens, not to fall into the hands of criminals, to endanger the lives of their citizens, and to prevent various crimes.

Therefore, the two countries, the recipient and sender of the migrant worker, have a great deal of conventions and protocols, and their ratification has been rapidly implemented. Even in the years passed, protocols on combating human trafficking and the prevention of illegal migration were signed by nearly a hundred countries.

However, the migration problem has not been efficiently solved yet. In many countries, the rights of immigrants who have been legally enrolled or have already

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<sup>5</sup> UNITED NATIONS., «International Migration Report 2013. Population Division», in *Department of Economic and Social Affairs* [<https://esa.un.org/unmigration/documents%5Cworldmigration%5C2013%5CChapter3.pdf>.]



been settled remain insufficient. It is pitiful that the Convention on the Protection of the Rights of Women of the International Labor Organization (ILO) in 2011 of 189, which deals with the protection of the rights of women employed in their domestic work, and the prevention of sexual and physical violence, has also been signed by very few countries. It is worth noting that crimes such as illegal migration and trafficking were actually caused by the prohibition of free movement of migrants, boundaries and bureaucratic procedures. And today, such crimes are costly to prevent and in many cases, finishing with tragedies.

Therefore, such norms of international law should be developed so that the both migrant sending and receiving countries should meet the same obligation and responsibility. At the same time, the legal migration must be sustainable. In other words, it is necessary to develop a modern form of the *gastarbeiter* system, which provided the right to work temporarily fifty years ago. Otherwise, migrant workers selling what they have will continue searching a chance to migrate, and this will increase the number and forms of humanitarian problems.

Throughout the world, especially in Europe, refugees remains an unsolved issue. Although the 1951 UN Convention on the Refugee (144) and the 1967 UNHCR Protocol (145) were signed by many countries, the problem of refugees is particularly relevant to the EU's "refugee wave" in the years 2014-2016, once again showed that it was a matter. Also, the fact that the EU countries failed to unite in the face of this problem has shown that the Treaty of Amsterdam and Tampere adopted by EU countries does not have an important role and role in the unexpected migration flow. Because, under the terms of these treaties, each State Party undertook to create conditions for refugees and asylum-seekers. However, during the "wave of refugees", many EU member states were ready to serve as a transit for migration, but avoided allowing refugee to serve as a shelter. Even in May 2015, the European



Commission's chairman's, Jean-Claude Juncker', proposal on the quota was refused by Eastern European countries<sup>6</sup>.

It is clear that the problem of refugees is not a problem of Europe only. Similarly, the 1951 Convention for the Solution of Refugees does not meet modern regulatory requirements and conditions. Therefore, the need for an international convention on refugees needs to be vital. A large number of refugees that emerged during conflicts and aggressions were mainly concentrated in geographically close and national, ethnic and religious backgrounds. This can be seen in the works of Nachmais N. and Goldstein R<sup>7</sup>. It is well-known that 90 percent of Syrians fleeing have also moved to neighboring countries. It is not a secret, in such cases, that the UNHCR and other international and regional organizations will undertake various measures to address the problem of refugees. However, the main problem, and the burden lies on the government entrusted to refugees. There are many examples in this regard. Turkish President R. Erdoğan has repeatedly emphasized that his country has spent 30 billion dollars on Syrian refugees<sup>8</sup>. In this situation, states also try to extradite refugees to other countries to get rid of them. In view of these circumstances, it is necessary to amend and introduce additions to the 1951 treaty. In particular, it should be ensured that refugees that emerged during a conflict be transferred peacefully and geographically to their states temporarily. Under the auspices of the UNHCR, a working group should be set up to visit the refugee camp and provide necessary conditions and to take the bulk of costs (from international funds and donor

<sup>6</sup> ROBERT, A., SCHWARTZ, A., LAMBOGLIA, A., TOST, D., KUBÁTOVÁ, E., HELLER, F., GOTEV, G., KOKOSZCZY'SKI, K., BEDNÁROVÁ, L., DUPÁKOVÁ, M., «Many EU countries say “no” to immigration quotas», in [<https://www.euractiv.com/section/justice-home-affairs/news/many-eu-countries-say-no-to-immigration-quotas/>]

<sup>7</sup> NACHMAIS, N., GOLDSTEIN R., *The Politics of Forced Migration: A Conceptual, Operation and Legal Analysis*, Baltimore 2004.

<sup>8</sup> Turkey spends \$30 billion on Syrian refugees: FM [<http://www.hurriyetdailynews.com/turkey-to-continue-responding-to-humanitarian-crisis-121982>] and: Syrian refugees in Turkey face calls to return as public mood changes. [<https://www.irinnews.org/feature/2018/03/27/syrian-refugees-turkey-face-calls-return-public-mood-changes>].



countries). That means that such a tool should be developed that the refugees should not be extradited to other states or to third countries. This is because, first of all, it creates difficulties for refugees, and secondly, it can lead to various social problems in other regions. Only asylum seekers who have to leave their countries due to their political, religious and philosophical views should be allowed to travel to any country they want. Thus, it would be expedient to provide two groups of statuses and rights, such as the number of refugees arising from internal conflicts and as few asylum seekers who have to leave the country due to their own views.

### 3. FLAWS IN SCIENTIFIC RESEARCH ON MIGRATION

Numerous studies on migration are currently being conducted. The reason for this is that the demand for it is rising. In my point of view, the issue whether migration is the process of mobility or social process that affects other societies remains answered. We know that Li was the first to recognize that migration was a mobility-oriented process<sup>9</sup> but Mangalam was one of the first scholars who was in favour of considering migration as a social phenomenon rather than mobility<sup>10</sup>. However, these two concepts are still being discussed in institutional form. In particular, international organizations (UN, ILO, etc.) and other institutions see migration as a greatly beneficial process for mobility-based human movement and globalization, and have been encouraging this process all the time. On the contrary, they look at migration as a social process that affects the national community. However, at a national level, no country has recognized the importance of migration.

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<sup>9</sup> LEE, E. S., *A Theory of Migration*, ed. JACKSON, J.A., Cambridge 1969, p. 285. Quote source: *Theories of International Migration*.

[<http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.667.4527&rep=rep1&type=pdf>]

<sup>10</sup> MANGALAM, J. J., *Human Migration: A Guide to Migration Literature in English 1955-1962*, Lexington 1968. Quote source: DE HAAS, H., *Migration and Development: A Theoretical Perspective. Working Paper 9 presented for International Migration Institute, James Martin 21st Century School*, Oxford 2008.



For example, German Chancellor Angela Merkel<sup>11</sup>, British Prime Minister D.Cameron<sup>12</sup> and French President Sarkozy<sup>13</sup> emphasized “*multinationality as a failure and asked to take preventive measures*”.

Is migration a process based on mobility or a social process that affects society and values? Why Is It Important to understand It? If migration is a mobility-based process (this is the case in the era of globalization), it is almost impossible to limit it and there is no use stopping it<sup>14</sup>. If migration is perceived as a process that affects societies and values, it is desirable to develop measures to prevent global migration. However, many western scholars today interpret migration as a social process that is gaining popularity. As Hofmann (2008: 16) notes, a critical reappraisal of Hirschman’s framework “*can be of significant heuristic value to our understanding of the dynamics of present-day migration and its social and political implications*”<sup>15</sup>.

*“Extensive evidence suggests that several countries use migration to influence politics of targeted countries in Europe and beyond. We mean by influence here the capacity to mobilize immigrants to change or contest measures taken by a government, to intervene in elections, to dissuade a host country for pursuing a policy, or to bring it to support the exporting-migration country’s policy”*<sup>16</sup>.

Another drawback in migration researches (from the resources I have reviewed), mainly, focuses are usually given on the origin or historical study of migration. According to the materials, migration consists of the classical and neo-classical economic theories (labor migration theory), the political (refugee, asylum

<sup>11</sup> The Guardian, 17 October 2010.

<sup>12</sup> The Independent, 5 February 2011.

<sup>13</sup> Le Figaro, 10 Février 2011.

<sup>14</sup> This also applies to the requirements of the Universal Declaration of Human Rights. Except for measures to prevent crime and terrorism.

<sup>15</sup> HOFMANN, B., «Bringing Hirschman Back In Conceptualizing Transnational Migration as a Reconfiguration of ‘Exit’, ‘Voice’, and ‘Loyalty’», in *GIGA Working Paper 91*(2008), pp. 1-21; HIRSCHMAN, ALBERT O., *Exit, Voice, and Loyalty: Responses to Decline in Firms, Organizations, and States*, Cambridge 1990.

<sup>16</sup> MIGRÁCIÓKUTATÓ, I., «Migration as an instrument of foreign policy», in *Migration research Institute 2017*: [[https://www.migraciokutato.hu/en/2017/09/20/3156/.](https://www.migraciokutato.hu/en/2017/09/20/3156/)]



seekers) theory, compulsory migration, the network theory, which includes various other causes, mainly migratory species, explains the origins. However, immigration integration studies are almost invisible in the work of mature scholars and academics who developed and proposed these theories. They also argue that these integration processes are based on western values. And this is most evident in the scientific works of the scientists of the European region. How is it measured? Will it be measured by the conservatism of European peoples and the demands of their people? Or is it that scientists from European academics have settled western values? If it is the second one, that's to say on European values, it can cause great problems in the future. If it is one of the first factors this is a normal and temporary phenomenon, and with reduced immigration, I think this problem will be solved if the initial factors - the conservative attitude of Europeans, in my opinion, who are the majority in Europe.

The need for more research is supported with a good example of migrants' integrity in the USA where there few problems with immigration integration. In the USA, a Muslim or any other members of any religion or race can adapt faster than in Europe. Not knowing the language can cause economic problems for a person, but not social problems. Also, carrying a religion or valuables does not create any problems for him, nor can he be under pressure. However, soon every nation or religion becomes American. So why is it impossible in Europe? If so, what ways? These questions, I think, must be the most acute issue for European academics and scholars.

#### 4. MIGRATION AS A POLITICAL TOOL

As migration interdisciplinary science, it can be found in many areas and fields. However, in my opinion, Europe's biggest concern for migration is its political significance.



According to the United Nations, in Europe in the year 2017, there were 77.9 million immigrants<sup>17</sup> who make up 33% of all immigrants in the world. But the world's largest migrant worker, according to 2017 data, is based in Asia (79.6 million people)<sup>18</sup> and many experts point out that future migrants will grow in the Asian continent. The dramatic aspect of the case is that the EU is drumming that it is currently in "migration crisis". However, according to the data from 2017 and even 2015, there are only 5 EU countries in top 20 immigrant receiving countries in the world, including Germany (12.2 million immigrants), Great Britain (8.8 million), France (7.9 million), Spain (5.9 million) and Italy (5.9 million). However, the issue is that the rest of the EU countries, especially Poland, Hungary, Greece, and others, with almost no immigrants, are reluctant to accept refugee crisis in the migration crisis, and that such EU Member States' initiatives are nothing other than propaganda in PR or OOPs is not.

As a proof of my statement, I will analyze again by 2017 UN data. According to this year's data, immigrants in Greece (1,220,000), Poland (641,000), Hungary (504,000), and Czech Republic (433,000), much lower compared to "immigrant sending" countries, Kazakhstan (3,635), Malaysia (2,704 thousand), Iran (2,699 thousand) and even in Uganda (1,692 thousand)<sup>19</sup> which never complain about migration at all.

Here is a natural question. Why do they have immigration problems in these countries? This is not just a case with the above-mentioned states, but I consider it a very important issue with socio-political processes in Germany, France, Austria, Switzerland and other countries. This means migration has become too political.

In many European Union countries, we can clearly observe the tendency of nationalist and ultra-right political parties and movements to grow. Such political

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<sup>17</sup> International Migration Report 2017, Op cit.

<sup>18</sup> Ibid.

<sup>19</sup> Ibid.



parties are particularly strong in Austria, Hungary, Switzerland, Sweden and Poland, and strongly influenced the formation of governments in the recent elections. In France, Le Pen-led Front National (FN) party enjoys considerable public recognition. However, the outcome of the last 2017 election in Germany is on the agenda of the global community. The alternative für Deutschland (AWD) party, the first time in Germany after the Second World War, was 12.6 percent, becoming a third party and an opposition party.

There is a very similar point in the ideologies of the right-wing and nationalist parties that have succeeded in Europe - the objection to immigration. This situation indicates how much immigration is politicized.

We cannot deny that there are several reasons why migration in Europe is politicized. In my opinion, the first and foremost reason is the cultural factor. That is, the immigrant movement of other cultures. Resistance to that is a huge and dramatic resonance in the EU. Overall, the degree of political integration in a diverse society and the effectiveness of participation policies are difficult to assess<sup>20</sup>.

It should be noted that the actions of nationalism and racism in Europe have not come out today but have a long history. However, today's nationalist and ultra-right parties and movements, as well as those outside their official circles, are opposed to the fact that members of the community who are absorbed in European culture or not belonging to a Christian community migrate to Europe. For example, in 2010, Bavarian prime minister Horst Seehofer said in an interview with FOCUS, “*We do not need migrants from other cultures (Middle Eastern countries). Because their integration is difficult*”<sup>21</sup>. In addition, Hans Olaf Hankel, an AFD builder and leader, said that in some parts of Germany, indigenous, Indian and Chinese cuisines

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<sup>20</sup> JACOBS, D., DELMOTTE, F. AND HERMAN, B., «Political participation for migrants: the MIPEX results», in *Legal Frameworks for the Integration of Third-Country Nationals* (2009), pp. 219-238.

<sup>21</sup> Премьер Баварии предложил остановить миграцию с Ближнего Востока // Актуально в Германии: rusverlag.de.11.10.2010.

[<http://www.rusverlag.de/2010/10/11/1193/horst-seehofer.html>]



can be found at every step, but that they have little or no traditional gissen or turingen, and for this reason it is necessary to resist to multidimensionality<sup>22</sup>. In this regard, Swedish writer Max Frish also mentioned that the same "*Wir Riefen Arbeitskräfte, eskamen Menschen*" (We called labor force instead of people) implied the emerge of another culture.

However, such words and phrases are judged by famous writers, scientists, and political leaders. In other words, in my opinion, the anti-immigration ideas and ideas are aimed at strengthening the position of more leaders than the people's "expression of will" and by criticizing the current government and extending its supporters. They bring such "nice" words about anti-immigration, but they do not have any good idea of how to deal with migration. With their populist speeches, they are only increasing their supporters.

For example, in Germany in 2014 a European anti-Islamic movement was established called PEGIDA. In its formation the words of formerly judged and unsuccessful Lutz Bakhman and tools of mass media (You Tube and Facebook) have played a significant role. The interesting thing is that this action was immediately supported by AfD. The reason is that the AfD has decided to increase its supporters in the upcoming elections, and so it happened. Seeing the outbreak of AfD, FN leader Le Pen met with AfD leaders. Thus, the right-wing extremists in Europe demonstrate solidarity. Its main objectives are to gain power. In doing so, they are using the strongest parameters of nationalist ideologies such as empowering immigrants and also strengthening national statehood, preserving traditions and values.

The second factor in the policy of migration in Europe is the collapse of liberal values. To put it another way, the problem of immigration is taking place with the same time as liberal values weakening.

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<sup>22</sup> Германия: в чём ошиблась Ангела Меркель? [<http://alleuropalux.org/?p=13344>]



I think that today there are two opposite tendencies in Europe. The first is to develop liberal-democratic values and to further strengthen it in the era of globalization and to spread to third countries. Second, there are efforts to reinforce national statehood against these acts, and to restore conservative and nationalistic values.

Today liberal views based on the principles of free trade are subject to strong resistance<sup>23</sup>. The 2008 financial crisis has had an impact on social welfare in Europe. Unemployment has increased and a number of public issues have emerged. In this case, immigrants began to seem to be “bulk” to the local population. However, most of these immigrants came to meet the labor force after the Second World War and played an important role in the economic development of many European countries. It is also unreasonable to see immigrants today as the cause of unemployment. In Germany, for example, in 2017, at the time of migration crisis unemployment dropped to 3.6%. The problem is not with migration, but it involves changes in the capitalistic system that causes the liberal values to sink. These changes are determined by the transformation of self interests into European countries. Therefore, those who once promoted integration in Europe, now oppose mobility.

In short, Europe today faces great challenges in securing integration with society in a multinational society. Moreover, the flow of refugees increases the resistance against it in the EU. Immigration authorities of the current governments and other socio-economic issues are causing tightening of the right direction.

The attractiveness of EU is not only its economy but also its welfare standards, education, health and freedom. However, present intensification of anti-migration movements in the EU and increased pressure on immigrants can lead to the loss of the EU's attractiveness. This logically can lead to a number of humanitarian, economic, and political problems, not just migrants' reduction.

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<sup>23</sup> Worsened by Trump's coming to the power.



Therefore, it would be expedient to develop and implement the right international legal documents on migrants and refugees, as well as to develop and implement different forms of integration with immigrants. These actions would make the migration contributing to the fact that it does not become politicized and does not become an instrument for parties and right-handed movements.