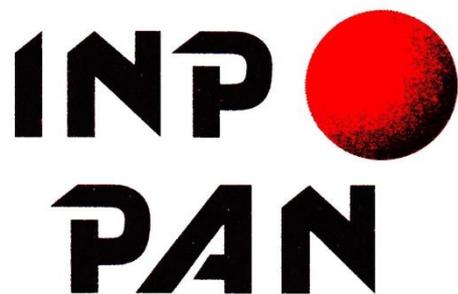


Security or humanitarian approach

the attitude of the EU and member
states in 'solving' refugee crisis



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- Security agenda was introduced in early 1990
- Fear of immigrants and of Islamists terrorists - created by politicians and pop-media
- Idea of defending Europe from “invasion” – from others, especially culturally distant
- Immigrant/asylum seeker = Muslim = terrorist

Sealing of Europe

- Making migration law stricter and stricter – closing legal ways of arrival
- Building fences at the EU border (physical or electronical) and pushing refugees away from “our” territory
- Borders’ proliferation – making other countries responsible for protection *of* refugees and protection *from* refugees

European “humanity”

- ❑ Twisting the term of “vulnerability” – it no longer applies to asylum seekers but to borders
- ❑ Criminalisation of solidarity:
 - Blaming NGOs’ search and rescue missions for their collusions with traffickers

The NGO madness must be stopped (Sebastian Kurz, Austrian minister of foreign affairs)

- Punishing NGO activists and citizens “with conscience” for their aid for asylum seekers – making them responsible for illegal smuggling or assistance with illegal stay
- ❑ Those behaviours are unpatriotic

Is it racism?

- ❑ *We do not want our own colour, traditions and national culture to be mixed in with those of others. We do not want that at all (Victor Orban, 02.2018)*
- ❑ Is it racist or it's just a reasonable alternative right or "identitarian" statement
- ❑ They try to *make racism modern and fashionable* (Christoph Gurk)

So yes, I did call (...) Viktor Orbán a racist and xenophobe. (...) Because it is time to stand up to the bullies of Mr Orbán's ilk. Hatred is a combustible force; and it will not win – not in Europe; and not today

(Zeid Ra'ad Al Hussein,

UN High Commissioner for Human Rights, 7.03.2018)

New racism

- The principle, or position, which link immigrants and the demise of the nation, is that cultural differences threaten the existing way of life. It is thus seen as rational to preserve one's culture through the exclusion of the other cultural group. This negative attitude toward migrants should be understood as racism.

(Ibrahim 2005)

Who is the saviour?

- Courts played a significant role in protection immigrant human rights in the past
- Ambivalent role of the Court of Justice of the EU about EU-Turkey agreement (cases T-192/16, T-193/16, T-257/16) and obligation for issuing humanitarian visas (case C-638/16 PPU)
- Role of domestic courts – do human rights or “security” reasons prevail?

- Refugees are very embodiment of 'human waste' (...), 'asylum seekers' have now replaced the evil-eyed witches and other unrepentant evildoers, the malignant spokes and hobgoblins of former urban legends. (...) Nothing is left [for them] but the walls, the barbed wire, the controlled gates, the armed guards (Bauman 2007)

**Thank you
for your attention**

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