

Security vs. Human Dignity: The Migratory Crisis is Knocking on the Door of the Fortress 'Europe'

Seguridad c. Dignidad Humana: la crisis migratoria llama a las puertas de la Fortaleza Europa

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ABSTRACT: In view of the magnitude of the migration crisis, the SEGERICO research group at the Nebrija University in Madrid organised a call for papers, inviting all interested researchers to join us in the reflection on these relevant events, which we wanted to describe metaphorically in the image of the migration crisis knocking on the door of Fortress 'Europe'. As a result of this reflection, we present to the general public, and to the scientific community in particular, a selection of six articles that address specific aspects of this crisis of human dignity and security, but that together provide a global and multi-faceted image of it, in accordance with the composition of our research group.

KEYWORDS: Migration, human rights, European identity, governance, Ulisses Syndrome, European Union.

RESUMEN: ante la magnitud de la crisis migratoria, el grupo de investigación SEGERICO de la Universidad Nebrija de Madrid organizó un *call for papers*, invitando a todos los investigadores interesados a sumarse a la reflexión sobre estos hechos trascendentales, que hemos querido simbolizar gráficamente en la imagen de la crisis migratoria que llama a la puerta de la Fortaleza Europa. Como resultado de esta reflexión, presentamos al público en general, y a la comunidad científica en particular una selección de seis artículos que abordan aspectos específicos de esta crisis de la dignidad y la seguridad humanas, pero que en conjunto ofrecen una imagen global y polifacética de la misma, de acuerdo con la composición de nuestro grupo de investigación.

PALABRAS CLAVE: migración, derechos humanos, identidad europea, gobernanza, Síndrome de Ulises, Unión Europea.

Revista de Estudios en Seguridad Internacional, Vol. 6, No. 1, (2020), pp. i-v.
<http://www.seguridadinternacional.es/revista/>

ISSN: 2444-6157. DOI: <http://dx.doi.org/10.18847/1.11.1>

INTRODUCTION

In July 2016, the research group "Security, Risk and Conflict Management" (SEGERICO) was born at the heart of the Antonio de Nebrija University to reflect on and study problems related to conflicts and, in general, to security, one of the most relevant aspects in any society and, unfortunately, also in Spanish and European society in the contemporary world.

SEGERICO is composed of researchers from different disciplines (law, political science, psychology, education and neuroscience). This configuration allows it to approach, from an interdisciplinary perspective, the analysis of the vulnerability of societies and the various conflicts that pose ongoing challenge in the current reality in Europe. In fact, if war and security have always been central concerns in the horizon of humanity, nowadays conflicts have undergone a radical transformation in terms of their protagonists, the scenarios in which they take place and their intensity. In this way, a new reflection is required, both on the means to avoid conflicts, for example, the promotion of human rights and development, and in relation to the characteristics of the new conflicts and their causes. The need to rethink the rules and norms of Humanitarian Law, as well as the management of post-conflict circumstances and the construction of peace, cannot be forgotten.

However, in recent years, within the great challenges posed by security threats and conflicts, SEGERICO has proposed a specific line of research: migration. Indeed, it is well known that one of the major concerns of international society at this moment is the migratory movements that, in various parts of the world, are causing enormous humanitarian problems.

In the Americas, the United States is carrying out some policies to hinder the migratory flow that in recent years has been rising through the American continent towards its borders. In fact, the so-called migrant caravan, made up mainly of Central Americans, has been walking towards North America since October 2018 in search of economic opportunities and security. In addition, President Trump, since the beginning of his term, has, among other things, limited Temporary Protected Status, ordered mass deportations, insisted on building a wall to protect his country from the migratory flow coming from the south, signed legal instruments that lowered the number of refugees —mainly coming from countries where Muslims were a majority—to be admitted in his country and removed the US from the UN 2018 Global Pact for Safe, Orderly and Regular Migration.

On the other hand, in Europe, we are witnessing, especially from 2015 onwards, one of the greatest migratory crises since the Second World War, in particular caused by the Syrian Civil War, the irruption of ISIS in the territory of Syria and Iraq, the situation of the failed state of Libya and, in general, the situation of instability in the entire African continent.

The most dramatic aspect of this phenomenon is the death in the Mediterranean of thousands of people who drowned after being transported illegally by mafias and criminals to our continent. In 2015, the European Union launched the so-called Operation *Sophia* to combat the business model of migrant traffickers in the Mediterranean. *Sophia* has managed to save many lives, but its effectiveness in relation to its primary objective has been much more questioned. In any event, Operation *Sophia* has been affected by the lack of solidarity and consensus amongst the various States of the Union with regard to migration policy in general. For that reason, the Council of the European Union, after many discussions, in March 2019, extended Operation *Sophia*, but in an adulterated form, since the deployment of naval assets was suspended during this extension, which deprived

it, in my opinion, of almost all meaning as a naval operation. Thus, since then the Operation continues to provide aerial surveillance, as well as support and training to the Libyan Coast Guard and Navy. In September 2019, the Operation was further extended, until 31 March 2020, under the same conditions.

The management of this migratory crisis, particularly in Libya, has raised many protests regarding the respect of migrants' human rights, which has even led to complaints by international bodies or to the filing of lawsuits before an international tribunal against Italy for its responsibility in these events. Furthermore, the treatment given to people on the move in the first months of the migration crisis in some Central and Eastern European countries, together with the little consideration being given in recent weeks to thousands of people on the Greek-Turkish border, support the idea that these are bad times for human rights in the European continent, which was supposed to be the champion of their protection and promotion.

Of course, these migratory and humanitarian crises are at the same time posing situations quite complicated in terms of the security of the States through which these migratory flows pass or to which they arrive, which it would be blindness not to take into account.

In view of the magnitude of these problems, the SEGERICO research group at the Nebrija University in Madrid organised a seminar, together with the Gutiérrez Mellado University Institute, in April 2019, on migration and security, and launched a *call for papers*, inviting all interested researchers to join in the reflection on these transcendental events, which we wanted to graphically symbolise in the image of the migration crisis knocking on the door of Fortress Europe. As a result of this reflection, we present to the general public, and to the scientific community in particular, a selection of six articles that address specific aspects of this crisis of human dignity and security, but that together provide a global and multi-faceted image of it, in accordance with the composition of our research group.

We have selected, as a gateway, two articles that deal in general with the migration/security equation: "Migrations and Security. The Problematic Circularity 'Philosophy, Law and Politics'"; "The Human Security Deficit as a cause for migratory and refugee flows: the design of an accurate response". Next, draw the attention to the European geopolitical scenario, we present two articles that analyze the European Union's response to the migration crisis of recent years: "The persistent refugee crisis in Europe. The legal and management framework of the European Union"; "Migration and Asylum Policies in the EU and its Application Problems in the Member States". Finally, this special issue of the RESI Journal is completed with two articles that study the migration crisis from a point of view closer to the human person: "Can Religious Human Rights Discourses Help Integrating Muslim Migrant Communities Across Europe?"; and "Ulysses Syndrome: immigrant limit stress". Let us introduce all of them.

Professor Bombelli's article — "Migrations and Security. The Problematic Circularity 'Philosophy, Law and Politics'" — focuses on the problematic pair migration-security, which calls into question classical philosophical-legal and political categories (State, law, territory) dating back to the origins of the modernity. For him, the analysis of some of Hobbes' and Grotius' insights allows us to grasp the distance between the modern framework and the post-modern scenarios. According to Giovanni Bombelli, the contemporary complex societies are characterized by fundamental sociological-legal transitions, in particular as regards the notion of "privacy", and by the progressive implementation of a new model of relation politics-law closely connected to the crucial

role played by technology. In the light of this horizon, the migration issue, including the political phenomenon called “populism”, should be fundamentally understood in a cultural perspective even before its immediate sociological, political and legal projections.

In her article —“The Human Security Deficit as a cause for migratory and refugee flows: the design of an accurate response”—, Professor Abad explains that the end of the Cold War has given way to an impressive transformation of the security concept, which has experienced an incredible expansion over the last few decades. This expansion has also gone hand by hand with the emergence of new concepts, such as *human security*. One of the questions which has become securitized in the context of the mentioned expansion of the security concept is migration. In this sense, the human security concepts serve as a better tool for the analysis of this reality and its causes than a traditional concept of security. In this sense, we cannot forget that people become migrants or refugees because they see their personal security at stake. Likewise, professor Abad proposes to pay attention to the extent to which, the host states and, particularly, their societies, may see their political, economic and societal security in danger. Therefore, the analysis should pay attention to the security challenges of both, host societies and migrants and refugees. Such an analysis will show the indivisible nature of security and the fact that the security of host societies and that of migrants and refugees, far from being incompatible, go hand by hand.

From the point of view of professor Alija, as stated in her article: “The persistent refugee crisis in Europe. The legal and management framework of the European Union”, the refugee crisis remains unresolved since the root-causes and factors that condition it remain unresolved. At this time, it has been demonstrated that the governance structures of the international system lack the capacity to respond adequately to these new challenges. For Adela Alija, the phenomenon of forced migration is a clear expression of the complexity of today’s international scenarios. The current crisis has tested, and continues to test, the foundations of the European Union, which is also going through a real existential crisis. In her article, professor Alija analyzes, on the one hand, the situation, context and conditions of forced migrants and more particularly of refugees, and, on the other hand, the role that the European Union is playing in front of this crisis, mainly through its legal and management instruments.

The article titled “Migration and Asylum Policies in the EU and its Application Problems in the Member States”, of Professor Jordi Regi, put it clear: the migratory issue and its growing pressure have caused the European Union one of its most significant crisis of the last decades. It also analyzes the active EU migration and asylum policies, as well as the problems caused by their application, based on the infringement procedures opened against Member States.

Dr. Sonia Boulos, in her article “Can Religious Human Rights Discourses Help Integrating Muslim Migrant Communities across Europe?” reflects on a relevant aspect for European identity, its relationship with human rights. In her view, the perception of Islam as antithetical to European values, especially to human rights, has become widespread in Europe, and it makes the integration of Muslim minorities a more challenging task. While incrementing respect to human rights among migrant communities is a necessary component of any integration policy, this goal should not be perused by forcing migrant communities to adhere to human rights norms based on purely secular theoretical foundations. According to her, human rights can be justified from different political, philosophical and religious perspectives. Furthermore, giving Muslim

migrant communities an opportunity to engage in an *intra*-group religion-based dialogues to reassert the meaning of human rights is consistent with the principle of subsidiarity, which forms part of international human rights law. Muslim migrant communities should also be engaged in cross-cultural dialogues to generate a wider agreement on the meaning and the application of human Rights, but these dialogues cannot be initiated if the separation of religion and State is understood as the complete exclusion of religion from the public sphere.

Finally, in their common article "Ulysses Syndrome: immigrant limit stress", professor Fernández Rodríguez, professor Domínguez Pineda and professor Neidy Zenaida Domínguez describe the so-called "Ulysses Syndrome" or Immigrant Syndrome with Chronic and Multiple Stress and explain their causes and consequences. Particular attention is paid to the grieving process and the stress related of the disorders. Furthermore, the areas of deteriorated personal functioning and their similarity to a grieving process are discussed in their work, due to the personal and social issues that immigrants leave behind in their different countries of origin. On top of that, the authors of the article describe the symptomatology of the syndrome. Lastly, a brief reference is made to the intervention protocols for in affected people, both in adulthood and in young children.