

MASARYKOVA UNIVERZITA

Migration and EU migration crisis seen from a Visegrad Group country

Filip Křepelka
associate professor –
EU law + medical/healthcare law
filip.krepelka@law.muni.cz



Introduction

- 2015 migration crisis
- 3 groups of EU countries:
- The South: affected with influx of migrants/refugees
- The North-West: attractive (economic opportunities, welfare, Wilkommenskultur).
- The East: less affected (reluctant)
- Dublin rules expecting competence (i.e. burden) in the first country
- Reallocation quotas adopted as decisions by the EU Council in 2015.



Judicial proceedings and their plausible result

- Czechia, Hungary, and Slovakia opposed, but unable to veto (qualified majority sufficient after the Lisbon treaty).
- Court of Justice: confirmation of decisions
- The Commission filed lawsuit against Czechia, Hungary and Poland.
- Condemnation could be expected.
- No feasible argumentation in EU law for defence.
- However, crash course (at least) in case of Czechia...
- Staunch opposition against "refugees".



Attitudes in the Visegrad Group countries

- Staunch rejection of such immigration.
- 2017 Parliamentary and 2018 presidential election
- Consensus of relevant political parties
- Genuinely positive attitude (Greens) failed
- Tactically positive attitude scored poorly (Social democrats, Cristian democrats, TOP09)
- Calm refusal (ODS, ANO, KSČM communists conservative contrary to their western partners). However, anti-immigration extremism (SPD) limited.
- Small groups of "welcomers" (universities, NGOs)



Seeking for explanation

- Different phase of development?
- Different attitudes towards other trends and tendencies (LGBT issues etc.)
- 14 years in the European Union? Teenage age?
- Widespread Czech euro-scepticism (if compared with most other central, Baltic and Balkans countries): for example, national currency retained.
- 2015 migration crisis sparked criticism of EU elites + elites of some West European countries: German chancellor Angela Merkel become most criticised global statesman.



Immigration to the Visegrad Group countries

- Definitely, at least some Visegrad Group countries have experience with immigrants!
- Czechia is among the most attractive
- Immigration from other EU member states
- Immigration from other Balkans countries
- Immigration from Ukraine, Russia, Belarus and other postsoviet republics
- Immigration from Mongolia and Vietnam (former non-European allies of socialist Czechoslovakia)



Reluctance and fear — anti-Islamism

- 1/10 of population in big cities (Prague, Brno) will be soon migrants or people with migratory origins.
- Immigrants with different socio-economic integration.
- Experience with immigrants (different groups of immigrants): their habits, culture, religion
- Czechs are generally irreligious, if not anti-religious (nevertheless, there are minority religious communities, which differentiate sharply now on the issue).
- Islam is suspect! Even without direct experience in contemporary interconnected world. Certainly, people hardly distinguish.



Partial truth in lower development

- Less developed: in many cases semewhere behind.
- Transition (two phases 1990-2004, 2005-2018)
- Significant technologic modernisation
- Social differentiation (Czechia A, B, C...?)
- Insensitiveness for social and cultural problems.
- Incapability to manage own problems: economically and socially marginalized Roma minority.
- Incapability to organize complex projects (motorways, high-speed railway is dream).
- Capability to absorb refugees? Wir schaffen das nicht!



Refugee laws and policies

- Necessary reaction at tragedies in WWI.
- The Geneva Convention 1951.
- Refugees from the Soviet Bloc (1945-1990):
- Defectors? Word now used in South Korea only.
- Growing immigration from Asia, Africa, Latin America to developed countries.
- No defectors, mixture of migrants from instability, lack of perspective, poor socio-economic conditions... (but surely not the poorest ones). Mixed together with genuine refugees fleeing persecution and war.



Gradual turnover in the West

- Gradual development of refugee law.
- Cementing with fundamental rights.
- Activism is rare (and frequently rejected)
- With recent migrant crises:
- EU mainstream politicians try to keep migrants outside benefits resulting from EU+CoE standards.
- EU + CoE refugee law becomes unsustainable.
- Climate change and population growth (taboo in recent discourse): could easily result into instability, was, persecution and thus generate genuine refugees.



(How) Can poorer and selfish countries teach?

In 2015, I signed an electronic petition of academicians and scientists calling for more profound consideration of ongoing migrant influx: become icon of idle academic idealism.

Paper written in English for collection of papers organized Europe-wide: criticised for inflammatory and racist remarks and rejected finally. Now I rewrite it again for one Polish journal (and want to finalize it).

I am glad being here "in central Europe" where extremes are taken with suspiciousness.

Poorer and distance observers are hardly listened, but can have sometimes brighter insight.



Migration is sensitive

- ... even in the European Union with its unique free movement of persons (500 million people).
- Brexit as outcome of excessive acceptation of migration (both from Poland, Romania etc. And outside – Pakistan, India, Africa, the Commonwealth...)
- Including those naturalized, i.e. formally no immigrants anymore, but mentally?!
- Even tourists can face discontent if coming in excessive numbers(Venice, Barcelona)
- Even Slovak students in Czechia could spark discontent.