Jerusalem Center for Public Affairs

The Migration Wave into Europe
An Existential Dilemma

Fiamma Nirenstein (ed.)

- Prof. Asa Kasher • Dr. Tommaso Virgili
- Brig.-Gen. (res.) Yossi Kuperwasser
- Amb. Alan Baker • Amb. Dore Gold

The Migration Wave into Europe
An Existential Dilemma

Fiamma Nirenstein (ed.)

Read this publication online: http://jcpa.org/immigration-to-europe/

Cover Photo: Members of the crew of the Italian Navy's corvette Chimera help migrants in the Strait of Messina on June 14, 2014. (*Marina Militare*)

The Jerusalem Center for Public Affairs is a non-partisan, not-for-profit organization.

Contents

Migrants and refugees wait to be helped by members of the Spanish NGO *Proactiva Open Arms*, as they crowd aboard a rubber boat sailing out of control in the Mediterranean Sea about 21 miles north of Sabratha, Libya, 2017. (*AP Photo/Emilio Morenatti*)

The Immigration Crisis in Europe

Fiamma Nirenstein

Introduction

While 700,000 refugees wait in chaos on the shores of the Mediterranean Sea in the hope of reaching Europe, confusion reigns on the other side. There is a profound lack of means, ideas, and laws to safely distribute these desperate migrants among the 28 member states of the European Union. Furthermore, among the authorities, there is a clear inability to distinguish between refugees, economic migrants, and even criminals. Which of these migrants are in search of employment, and which of them are fanatics seeking to fight against the Western infidels?

When these immigrants are accepted, many countries do not possess the ability to integrate them within their own societies. Often, immigrants end up confined in camps and ghettos. Many of them face severe problems created by their own cultures, which are frequently so very different from Western cultures and may even be antagonistic to European principles. For example, in Italy, around 70,000 immigrants arrived in 2015, but in 2017 this total was reduced to a bit more than 23,000.[1] However, even though the numbers have shrunk, the general sense of alarm surrounding the immigrant issue has not lessened. The psychological impact has not followed the numbers. In fact, the opposite is the case. The issue of absorbing immigrants into Europe has continued growing, creating new politics and societies, and affecting the continent's entire future. The issue of real refugees vs. economic migrants still raises overwhelming questions, and the problems are

still immense. For this reason, it is worthwhile examining this issue, along with the concerns of the Western world.

The psychological pressure on Europe that has caused a secessionist trend among several nation-states of the European Union has overwhelmed the fact that the number of people illegally crossing into Europe actually dropped last year to its lowest level in five years, while there has been a spike in the number reaching Spain. An estimated 150,000 people entered the European Union through irregular crossings in 2018, according to Frontex, the border and coast guard agency. That is the lowest total since 2013, and it is 92 percent below the peak of 2015.

After 2018, Italy's new government and its attitude toward immigration is the basic reason for the dramatic fall of the previous government, which failed to solve the issue. The migrants taking the central Mediterranean route from Libya, Algeria, and Tunisia to Italy may be a little more than 23,000, representing an 80 percent drop from last year. How this reduction was achieved requires a great deal of discussion and raises the question of how the flow of immigrants can be slowed or halted — and if it should be stopped. After all, the human tendency is to help a person in need or distress, in danger, hungry, or seeking protection for his/her children.

Europe's Global Crisis

The growing disagreements within the European Union over opening or closing borders, the imposition of quotas and systems of admission, and other issues are leading to serious discord among the member states. These issues have become the main cause of a growing crisis among EU countries due to a deterioration of the economic situation, with deep divisions growing between Western and Eastern European states.

Most noticeably, it has deepened a schism between Germany and the rest of the old continent. This gulf was already there due to the preeminence of the constantly growing German economy, in comparison to the rest of Europe, which is in crisis. This has refueled the ancient conflict and divisions that led to the original establishment of the European Union.

It is not surprising that harsh accusations have been made against German Chancellor Angela Merkel for the way she managed the dominance of her country's economy and her attitude toward immigration. Most of this criticism has come from countries that are burdened by a heavy public debt while immigrants continue to flock in, such as Greece. These accusations have formed a strong rebuttal of the position of Germany's present leadership, as Merkel has decided upon an open-door policy (as discussed further on). This crisis has arisen at a time where there are many signs of the unsustainability of the European Union as a unitary institution or a seed for a future "United States of Europe."

This situation predated 1992, when the Treaty of Maastricht was signed after many hesitations that reflected internal cracks in the façade of a united Europe.

When the Treaty of Paris was signed in 1951, creating the original European Coal and Steel Community, which eventually metamorphosed into the European Union of today, the main problem of its signatories was resisting Soviet pressure, and the original project merely sought to build a common market for coal and steel.

However, the founding document of European ideology, or the pan-European gospel, first emerged in 1941 as a counterweight to the Europe of Nazi-Fascist nationalists. This was the famous *Ventotene Manifesto*, written by the socialist Eugenio Colorni, the radical liberal Ernesto Rossi, and the former Communist Altiero Spinelli during their confinement under the Italian Fascist regime. If one carefully reads its pages, which many quote without being sufficiently familiar with

them, you will find the national state is described as a war-mongering monster, destined to produce a Nazi plutocratic degeneration that exudes the rotten stink of "homeland and soil" and even race.

The imagined European federal state is, in the perspective of the manifesto's authors, a world that "reforms society" "against inequalities and privileges." Even democracy is seen as a dead weight against the backdrop of the socialist hope pervading the text. These are the roots of a united Europe from its very inception. The two world wars, having covered half a century with the gigantic layer of the blood of 100 million victims who perished between 1914 and 1945, only reinforced this ideology of giving people "peace and prosperity," abolishing borders, and enhancing commonalities.

In the same vein, the European Union lacks a normal constitution. (After two referenda in France and the Netherlands on whether to create an EU constitution, the "no" votes won out in 2005.) Instead, the European Union's constitutional basis is built upon substantive case laws and a somewhat vast, comic network of rules, all of which culminated in the Treaty of Lisbon, which was signed in 2007. The European Union is essentially an enormous, illegible corpus that takes care of everything, even the slightest trifle, from lamps to dairy products, with the aim of producing "good world government." To follow this through, there are 750 elected members of the European Parliament, as well as 42,500 civil servants who move from hall to hall, from office to office, inside the labyrinths of the EU building. For this, the already depleted taxpayer pays €9 billion per year in administration costs, and salaries ranging from €1,600 to €16,000 euros (equal to $1,800 to $18,200) per month. The monetary union of 1990 and the creation of the Schengen Area in 1995, which abolished internal borders within Europe, were built upon this basis. This led to a long period of grace, in which there has been a growing EU economy, long-lasting peace, and prosperity.

For a long time, Germany managed the leadership of the European Union with authority and wisdom amid grumbling and antipathies

from other member states, until European hysteria subverted Greece and brought on "Brexit" – the decision of the United Kingdom to leave the European Union. Until 2008, a favorable and peaceful objective situation prevailed in Europe. It is no small achievement for countries that were always at war and hated each other over the centuries to participate in this kind of federation. Consider the animus of France versus England, France and England both against Germany, everyone despising Italy, nobody even taking Spain into consideration, the Netherlands as an ornament, Northern European countries seen as a curiosity, and so forth. At the same time, the terrible conflicts that developed in Serbia – which Russia eventually managed – never received a single response from the European Union.

The Arab Spring

A crisis emerged in Europe, reaching its peak in 2008 when the Arab Spring unexpectedly turned into a source of severe concern as an uninterrupted flow of displaced migrants surged into the continent. The year 2008 was the year of the American credit crunch, when the large U.S. investment bank Lehman Brothers collapsed. It was the biggest financial crisis the world had ever seen since the Great Depression of the 1930s.

On August 8, 2008, another critical event occurred when Russia invaded Georgia. Following this, in 2014, a revolution occurred in Ukraine against the backdrop of that country's association agreement with the European Union, where Russia also got involved and eventually attempted to annex the Crimea and Sevastopol. All of this clearly showed that, after the Balkan war, the conflicts in Europe were far from over.

Amid this global chaos, Europe witnessed another split when Germany attempted to remind its European partners to abide by their economic promises, while the other European countries contested German supremacy. All EU members (including the dramatic example of

Greece) had to submit to a request to comply with the ideas of austerity, tax payments, and focusing on their public debt.

At first, the problem of the borders was not raised. Every EU country had its own problems, and each one blamed the others. Germany blamed everybody else, and everybody else blamed Chancellor Merkel. But the problem became more blatant when refugees began to flood the Mediterranean shores, as well as the headlines in an impoverished Europe, where unemployment is rampant, and the future of its youth is uncertain. The impoverished middle classes of Europe suddenly became a new actor that changed the continent's narrative.

Universalism was the original idea behind post-nationalism, the main ideology of the European Union. It was inspired by the dismissal of the nationalism that had dominated Europe for over a century and brought cataclysmic world wars. The aspiration was to diminish ethnic, religious, and geographic borders, and replace them with vast, transnational alternatives. But the post-national-fraternal Europe, whose leader is Angela Merkel, who served as a minister at the age of 37 in reunited Germany's first government, was pushed toward a deep crisis just by the questioning of the borders issue in relation to immigration. Many European countries have witnessed the rise of irate political forces around the simple refusal to accept growing rates of immigration.

To cite *The New York Times*, "Merkel has staked her legacy on upholding the European Union. A core tenet of the bloc is to maintain open borders among member states."[2] These issues are deeply interconnected, and it is no coincidence that the European anti-immigration parties are also the most Euro-skeptic. Merkel's project has crashed twice, tragically: externally due to her incapacity to reaffirm EU values in the face of the "illiberal democratic" wind blowing from the East, and internally, where her naïve optimism has backfired, raising popular support for the extreme Right and even threatening her 13-year-long reign.

Merkel's near-fall is nothing less than an example of the crisis of the European dream as a whole.

Root Causes of the Migration Crisis

It is still quite surprising how hard it has been for Europe to understand the fundamental importance of its problem. It is a mistake to see immigration as a sudden invasion that picked up in 2015 but became much smaller in 2016. In fact, immigration is a constant characteristic of the European Union and is a part of its very *raison d'être*. The Dublin Convention that unsuccessfully tried to organize the distribution of immigrants between 1997 and 1998 was the direct result of internal and external events. After the Maastricht Agreement and the adoption of the euro as the common currency, the immigration that followed was directly connected to the European conviction that opening borders, or, better, destroying them, was a very positive idea. A turning point was in 2014, when the European Union, which at the time had 15 members from Western Europe, welcomed Cyprus and Malta and, most importantly, eight new countries from the former Soviet bloc – the Czech Republic, Hungary, Poland, Slovakia, Slovenia, Estonia, Latvia, and Lithuania. Bulgaria and Romania had already joined in 2007.

Compared to the past, the economic disparity between the original bloc and the new states raised fears of an uncontrolled flow of low-level workers moving from East to West to undertake "welfare tourism." This reached the extent that in France, a fictional character, the "Polish Plumber," became a popular symbol of this phenomenon.[3] In effect, after a pilot period of restraint for the new countries' citizens, internal mobility within Europe consistently rose. Today, Romania and Poland are currently the two countries exporting the largest national groups in the European Union, with respectively 2 and 1.5 million EU migrants.[4] Meanwhile, tumultuous events outside the continent pushed third-country nationals, mostly Muslim from Africa and the Middle East, to move away from their birthplaces in the hope of reaching Europe.

The causes of immigration through the Mediterranean Sea and over the Turkish borders have been increasing over the past 10 years. They include the Arab Spring, with the consequential horrific Syrian civil war, the chaotic Iraqi situation, the frightening presence of the Islamic State, the wave of African wars that has its epicenter in Libya, revolts against old dictators, and violent militias such as Boko Haram in Nigeria. All of these tragic and momentous events have been pushing men, women, and children toward the Mediterranean shores. At the same time, Shiite Iran and its ally Hizbullah have taken advantage of the chaos, terrorizing the population of the Middle East. Extrajudicial killings, tortures, and abduction by the Shiite militias in Iraq against the Sunnis, including young boys, have been widely documented.[5] After the massacre of the Yarmouk camp undertaken by Assad, with the complicit silence of Hizbullah in 2015, even the Palestinians have started to turn against their old champion.[6]

As a consequence, a flourishing criminal trade of human beings is pushing masses of people toward rickety boats that can easily be sunk by the waves or the negligence and murderous behavior of the smugglers, whose interest is to move the largest mass they can, notwithstanding the danger. For this reason, almost 17,000 people have found their deaths in the sea between 2014 and 2018.[7] According to ISPI data, one out of every 10 people who departed from the shores of Libya either died or went missing in the first months of 2018.[8] In general, only half of the people who leave Libya make it to their intended destination. They are brought back, or incarcerated, and in recent years they have been cruelly kept on the Libyan side of the Mediterranean Sea by the same smugglers who used to sail them on their shaky crafts. On the other hand, ships belonging to NGOs sail into the waters to save the drowning people, with the effect of encouraging them to undertake the journey, but sometimes the real aim of these efforts is to increase the NGO's own importance or to get public finance.

The European countries have displayed differing reactions, but the attempt to stem the tide of immigration is evident notwithstanding any rhetoric. Even before the mass arrival of immigrants in 2015, Amnesty

International estimates that between 2007 and 2013 the European Union spent almost €2 billion on fences, surveillance systems, and patrols on land and sea. Immediately, this raises the question of who has the right to cross borders in search of asylum under international law. At the same time, there is a parallel problem of saving lives that are in danger; the Europeans could see plenty of people dying every day in the Mediterranean Sea. Of course, lives must be saved, but what should happen next? Almost three million people claimed asylum in the European Union in 2015 and 2016. Their arrival was chaotic, with many drowning in the sea. Others bypassed the laws governing the acceptance of refugees, and they spread out over Europe, disappearing further afield, never properly identifying themselves.

According to the Dublin Convention of 1997 and 1998, which was replaced in 2003 by the EU Dublin II Regulation, a request for protection must be handled by the country of first entrance, which also must assist the claimant throughout the process. Only some European countries have had to deal with this heavy burden, causing their own populations to become more and more panicked and confused, and psychological and technical obstacles arose everywhere.

The Dublin mechanism put the heaviest burden on frontier states, such as Italy, Greece, Spain, Malta, and Cyprus. The scenes of desperation and confusion of the ships arriving, after saving the migrants, at Lampedusa Island off the southern coast of Italy, for instance, became daily news. The number of people killed by stormy waves became a regular tally on news broadcasts. The sense of guilt was overbearing when a photo appeared of a small child lying dead on a beach, and the pain rocked the European Union whose main aim and hope was to overcome their historical colonial past and old racial and ethnocentric feelings.

Germany and the European Divide

Germany provides the best example of the desperate will to present a different attitude toward the problem of mass migration from a different and often antagonistic culture, such as Islamism. Germany saw the European Union as a symbol of its redemption from its horrific past. The attitude of Angela Merkel, while certainly morally appreciable, was to open the gates of Europe completely to the immigrants, with the particular aim of helping political refugees. In contrast to Nazism, which was totally nationalist, the Germany of the European Union chose to be European and post-nationalist. Its former xenophobia was transformed into welcoming all strangers, and its old aggressive attitude became a hymn for peace.

Of course, this idea was connected to the concept of European leadership, which has always unconsciously been important in Germany's mindset, along with economic dynamism and a sense of superiority. However, many other countries of the European Union did not perceive this attitude as a positive example. While the idea of saving the people in danger was accepted almost everywhere (at least in Western Europe), as a matter of fact, it was then followed by the problem of quotas and a fair division of this work. But the idea was never put into practice because some countries, such as Hungary, simply refused any entrance to immigrants at all. Furthermore, while naval laws made it natural to carry the people rescued either to the closest port or to the nation of the rescue ship, frequent news reports of smugglers and human trafficking made the stream of immigration appear dubious and questionable. At the same time, Angela Merkel was losing the struggle to quash nationalism by removing ethnic, religious, and geographic borders. Her slogan, "We can do it," today looks very much like the "Yes we can" of Obama.

In the end, Chancellor Merkel opened Germany's borders to an influx of more than one million[9] Middle Eastern refugees, many of whom German citizens would soon want to expel. This only served to fuel the growth of nationalism in the countries where the immigrants

were explicitly not welcomed, and national pride did not suffer any guilt feelings for this at all. Such countries included Poland, Hungary, and the Czech Republic, which sat decisively on the other side of the argument, declaring that immigration was destroying their national identity and also, not least, that their economy could not stand such a burden.

Italy's Interior Minister Matteo Salvini closed the country's ports to migrant boats in June 2018, and in November, his government passed a new law, abolishing the "humanitarian protection" category for migrants who do not meet Italy's asylum criteria. As a result, many had to leave the immigration center and entered a legal limbo, drifting in a situation of uncertainty that pushes them in an outlaw situation or toward some other European country. Non-governmental organizations have come under pressure to stop Mediterranean operations that are believed to be not only rescue operations but also a sort of hidden alliance with the criminal organizations that sell cheap travel in extremely unsound boats to poor people and entire families with children, thereby increasing the fatal incidents in the Mediterranean Sea. Actually, some of these criminal organizations trafficking in human beings are suspected of pushing people to leave, taking their money, and holding women and children in camps in Libya in inhuman conditions. At the same time, the growing presence of immigrants in Europe has created many fundamental problems in Europe, such as increasing the rate of family violence and exploitation of women, putting in danger the freedom of women,[10] raising levels of homophobia,[11] increasing criminality,[12] and in some cases even feeding the ranks of terrorist groups.[13]

In turn, the social upheaval in the European countries undermines leadership and the relations between nation states. European leaders held an emergency summer summit in 2018, but they have so far dodged any formal agreement on refugee quotas, with central states rejecting any form of mandatory action. Meanwhile, the migrants are looking for new routes and new kinds of transportations, like small dinghies that bring only little groups across stormy seas. They

disembark in new landing sites and rapidly disappear into the countryside.

On the other hand, in November 2017, a coalition of human rights groups published a list of the 33,293 people who died since 1993 "as a result of the militarization of asylum laws, detention policies, and deportations in Europe."[14] It showed that the generous attitude of opening doors does not always fit in with the structure of existing immigration laws. The instructions that appear in the general guides for the reception of people in danger and the regulations for those who wish to remain in the countries where they land are null and void, in spite of the apparent invitation for them to stay. Furthermore, it is almost impossible to accurately identify, qualify, and build categories for these "migrants" (as they are often defined by the NGOs and even the Pope) because it is almost impossible to ascertain whether an immigrant really provides his real name when asked to give his identity at the border.

Furthermore, those countries that have refused refugees without even trying to identify who is in danger have openly violated international law. Most critically of all, as far as a code of behavior is concerned, these countries have abandoned any "European criteria" reflecting an EU national identity as a result of the migration question, which is this code's first test.

All attempts to regulate the traffic of migrants have gone in an irregular direction: The deal with Turkey in March 2016, which was to be the first real major obstacle to the flow of immigrants, has reduced the number of Syrians heading to Europe. But while 12 million people have been displaced by the Syrian civil war overall, a total of 5 million, which is growing by the minute, are living outside their country, many of whom are in urgent need of the humanitarian assistance.[15]

Challenges and Moral Duties

The truth is that even the most dedicated research on how to deal with the migrants, divide the refugees from economic migrants, and establish a legality connected to a moral stance does not work. At the end of the day, both the nations that have welcomed these migrants and the countries that keep them out are all on the same page. The migrants suffer when they are kept out of a country, but they also suffer when they find themselves in camps inside the borders they so much wanted to reach. There, living conditions are often terrible. Sometimes, they wait months before their situation is examined and their requests are taken into consideration.

International law aims to protect refugees while allowing the host countries to retain control of their borders and presence. The definition of a refugee is subject to a constant struggle over who is deserving and who is not. The UNHCR Refugee Convention of 1951 defines a refugee as a person who has left his country due to a "well-founded fear of being persecuted for reasons of race, religion, nationality, or membership of a particular social group or political opinion." This definition did not cover everyone who fled a war zone, but it changed following pressure from the newly independent African states in the 1960s and later on again from the Latin American countries in the 1980s. However, while people forced from their homes by economic disaster or catastrophic climate change are still not included in this definition, no one can deny that they are a growing mass today. In effect, the power to decide who is a refugee remains mostly in the hands of nation-states, and when people flee from a country where terrorism causes catastrophes or war displaces the masses, it is still very hard to consider their needs without also considering local public opinion, which is becoming disgruntled by the presence of so many immigrants.

Therefore, once migrants cross the sea after incredible adventures and pass through the cruel filters of the smugglers, traffickers, and similar, they are sequestered in remote accommodations far from city centers. Their right to work is limited, and their access to welfare benefits is

selective. But in no way is their problem solved, and neither is the recipient state's dilemma. The era of immigration has created a gray zone where the Western morality of respecting human life becomes a real question mark. When the former Italian Minister of the Interior Marco Minniti declared his victory in containing the refugees, it was quite clear that the moral price he paid went far beyond the normal standard, having obliged, with the use of violence, men, women, and children to remain in Libya against their will. The same problem arose when other migrants were sent back to Libya after an agreement signed with the Libyan navy.

Sometimes the privileges given to migrants cause problems for the citizens of the host nation, such as when the economic help received by the immigrants in the form of pensions and subsidies are used to buy goods back in Morocco or Libya rather than being channeled back into the host country's economy. Suspicions may arise over the reasons why a migrant is demanding asylum. Furthermore, there are currently 66 million displaced persons in the world, and the number of 700,000 people waiting for a possibility to sail from the coast of Libya is enough to make both the leadership and the populations of EU countries question the extent of the duty that European society has toward this overwhelming mass.

In 2012, the European Union was awarded the Nobel Prize as "a community of nations that has overcome war and fought totalitarianism" and "will always stand by those who are in pursuit of peace and human dignity," as declared by Jose Manuel Barroso, president of the European Commission. But can this be said when many Europeans feel their "peace and human dignity," cultures, and traditions that led to the establishment of democracy and the renunciation of violence are threatened? Paradoxically, the effort to achieve peace of mind for the wave of immigrants is undermining the peace of mind for an entire continent.

Frighteningly, European racism is showing its persistence as part of the fight against immigration, while, conversely, the real foundations

of various popular fears are evident. There is a clear, general lack of a moral stance within the shared laws or principles that should guide policy, and there is also an inability to measure the real problems included in the immigration question, such as a possible existential threat to Europe's culture and its citizens.

Mass displacement and the inability to deal with it are not only causing humanitarian problems for Europe's democratic societies. The immigration question needs to be resolved in its entirety, taking into account its cultural, security, religious, and social magnitude, including the problems of terrorism and the disruption of western liberal customs. Unfortunately, many governments prefer not to emphasize this issue.

In 2003, the European Union financed a research project on growing anti-Semitism, as a revival of this ancient hatred had been noticed. The results were such that Romano Prodi, then president of the European Commission, decided that the results should not be made public. This was because it was extremely clear that contemporary anti-Semitism in Europe had a major Muslim component. This is just one example of how the culture of the immigrants can clash with Western values. The fact that right-wing parties in Europe have taken power in Hungary, Poland, Italy, and Austria, and have obtained significant gains almost everywhere else, cannot, therefore, be attributed only to "populism" and "demagoguery."

In this case, it is neither wickedness nor a negative interest that is at stake, but rather identity, security, and order, which people, rightly or wrongly, consider to be priorities. The idea of uniting the nation-states of Europe has shown its limits. Older values, like land, culture, belonging, and language, are taking center stage, and the individualistic idea is entering a crisis. People prefer to revere the concept of solidarity for their own nation. While the idea of peace has not been disregarded, today it has again become connected with homogeneity. Is this attitude right or wrong? In truth, while the question of self-defense has been put in a corner in recent years, clashes

of culture and religions and use of terrorism have become more acute despite the efforts of leaders to silence them.

This book intends to explore these intricate and contradictory issues, and it attempts to provide workable solutions to the problems of migration by shying away from both naïve openness and cruel rejection.

We will try to give answers to the following questions:

- What moral and legal criteria should be followed to differentiate between those we must admit and those we can or must reject?

- How can orderly migration pathways and selection procedures be assured?

- When is it morally wrong and when is it reasonable to deny entry to a migrant?

- What can we demand both from migrants and the host society for everyone to coexist peacefully, respecting the law and the individual rights of both sides?

- What can be done to address the root causes of migration in the countries of departure to minimize the flow of migrants as much as possible?

Answering these questions will help to establish a moral code to be used as a compass for civil nations in deciding when and how to welcome or reject migrants, balancing the duties of protection toward the host population with those we treat humanely by virtue of our cultural and ethical heritage.

Notes

1. https://www.lenius.it/migranti-2018/
2. https://www.nytimes.com/2018/07/03/world/europe/germany-political-crisis.html
3. https://www.migrationpolicy.org/article/free-movement-europe-past-and-present
4. *Ibid.*
5. https://www.amnestyusa.org/wp-content/uploads/2017/04/iraq_report_turning_a_blind_eye.pdf
6. https://www.jpost.com/Middle-East/Inside-the-Middle-East-Palestinians-in-Syria-lose-respect-for-Hezbollah-396698
7. Source: IOM. http://migration.iom.int/europe/ ; http://migration.iom.int/docs/MMP/Mediterranean_Update_23_DEC_2016.pdf
8. https://www.internazionale.it/bloc-notes/annalisa-camilli/2018/07/03/morti-migranti-mediterraneo-libia
9. https://www.politico.eu/article/angela-merkel-defends-open-border-migration-refugee-policy-germany/
10. EFD research + https://www.nytimes.com/2015/12/20/world/europe/norway-offers-migrants-a-lesson-in-how-to-treat-women.html
11. https://www.nbcnews.com/feature/nbc-out/berlin-s-lgbtq-refugee-center-haven-those-fleeing-civil-war-n854591
12. https://www.bloomberg.com/view/articles/2018-01-03/germany-must-come-to-terms-with-refugee-crime
13. Europol. See chapter 2.
14. https://www.theguardian.com/news/2018/jun/05/five-myths-about-the-refugee-crisis
15. Ibid.

Syrian refugee children attend a class at a makeshift school in a tent at an informal tented settlement near the Syrian border on the outskirts of Mafraq, Jordan, 2015. (*AP Photo/Muhammed Muheisen*)

Morality and Immigration

Asa Kasher in Conversation with Fiamma Nirenstein

Mass immigration is the most complicated moral issue arising in international relations today.

Issues of "just war" and "just fighting" during wars are of much importance, but generally, the issues of immigration are more complicated.

When discussing immigration, first of all, the moral assumptions that lie behind it should be made clear.

"Responsibility:" A Word to Be Taken Seriously

The most important moral concept relating to immigration is *responsibility* – in this case, the responsibility of governments. While it is clear that Non-Governmental Organizations (NGOs), citizens, charities, and similar bodies and even some individuals also bear some responsibility, the most important responsibility lies with governments. A country bears –

1. First responsibility, of course, toward its own citizens, and that includes providing them with security, health, education, transportation, and employment.

2. Responsibility for those people who are not citizens, don't vote, and don't have citizenship but who live within the country's borders. As these residents conduct their entire lives in this

country, the government has a serious responsibility toward them that is similar to the one for regular citizens. This is because the presence of these non-citizens is an ingredient of the local society and thus affects the country's way of life.

3. Responsibility for any action it performs affects beyond its borders: For example, if Israel does something that affects life in Jordan, Israel will then be partly responsible for what happens in Jordan as a result of these activities.

4. Responsibilities created by previous generations that still affect the current situation, such as the colonial issue.

5. The responsibilities that arise from being a nation-state. Beyond being an independent state, it has a history that embodies an identity that forms a nation. In Israel, we are the nation-state of the Jewish people. In other examples, Poland belongs to the Polish people, Hungary to the Hungarians, and Finland to the Finns, etc. For many countries, the basis of their existence is their relationship to a nation that exists even without a state, the latter being the consequence of their efforts to implement this original identity. Whereas in the United States, you first have to get a passport before you can become a member of the civil nation, another common process is the reverse. If you are born into a particular historical nation, you are related to its nation-state. For example, if your heritage is Finnish or Greek, you are connected to Finland or Greece. As the constitutive element of the existence of a nation-state is being a part of the nation to which most of its citizens belong, that state will have certain duties of care toward members of that nation, wherever they are. For example, if a Jew living in Brooklyn chooses to remain there, Israel is not usually responsible for his well-being. However, if he is persecuted for being a Jew, Israel has a responsibility to provide him with a safe haven and approach the relevant authorities to demand his protection. This is a clear example of a nation-state's general responsibility.

6. Responsibility toward humanity, which means taking the concept of responsibility to a broader, further extent. Basically, we are responsible for anybody who suffers, as long as we are able to practically shoulder that responsibility. Whenever and wherever people are suffering, nobody can afford to turn a blind eye.

What Can Be Done?

The question that arises is: "What can I – what can anyone – do within the framework of our abilities and activities?" The answer to this question must be sincere and responsible. Every case of human suffering *is* our business. For instance, we, the Jewish people, rightly complain about the fact that the American and British forces did not do enough to rescue Jews and stop the annihilation of the Jews during the years of the Holocaust. Jewish suffering, being an extreme case of human suffering, was their business, but they did almost nothing.

While one should never ignore human suffering in any situation, it is still necessary to measure the possibilities of offering help. Sometimes the answer may be, "Sorry, presently I can't do anything of real significance." Can I solve India's problems? In general, I don't think I can.

However, if there is a catastrophe and I can help, I must do so because human suffering ought to be relevant, and the answer must be part of my framework of activities. Israel has shown an excellent aptitude for this, providing humanitarian assistance in many situations of natural disasters, where rescue operations are crucial. Of course, this cannot rest on the state harming the welfare of its own citizens to help others. It is, however, required to do its best in the face of human suffering.

When it comes to immigration, the attitude must be the same. The questions and answers must be honest and straightforward. A state ought to decide what it can and what it cannot do. The concept of a "nation-state" must not be used as an excuse to avoid any responsibility,

even if it is understood that the consequences of a state being a nation-state are much more significant than what Europe thinks.

For instance, when Hungary completely closes its door to immigration, attributing this move to a desire to preserve its national identity, there is a problem that must be identified and faced. As a Catholic culture, giving charity is presumably an element of Hungary's identity as a nation-state. Therefore, while Hungary may not be able to do very much as a country, there still seems to be no justification for doing nothing at all, totally ignoring the immigration question, rejecting even the asylum seekers with the gravest circumstances.

Immigration: A Complex, Multifaceted Phenomenon

After the question of responsibility, there comes the problem of absorption. Once a migrant arrives on our soil, what should be done with him? There are so many stages of immigration, and to deal with the whole problem, we must look at all of them. The preliminary problem is how to define the different stages involved in becoming an immigrant. This is an extremely complex process, and it is necessary to use a flexible and multifaceted approach to help the people going through it. Every step along the way is complicated. Migration is not just a movement of people. It's not that one day they are here, and tomorrow you will see them elsewhere. There are many stops along the way, each with their own problems that all require different, proper solutions.

First of all, what are the migrant's country of origin and its government like? For instance, if he flees from Africa, we have to look at his country to understand its problems. These problems may be connected to the politics of that country's government. Therefore, we could try putting our efforts into helping to improve its politics and obliging the leadership to examine its citizens' problems and improve their living conditions, if possible.

Furthermore, beyond the duty of helping their own citizens, these countries of origin have a duty to control their borders. Usually, the border areas of these countries become zones for smuggling, crime, slavery, exploitation, and violence. These countries need to deal with these issues, while the countries of destination can help with finding solutions to these problems and strengthening the borders.

The paths that people follow on their way to Europe are often arranged according to certain unwritten rules. For example, migrants from Syria often go to Turkey, from where they move on to Italy, and from there to Germany. These routes need thorough security and well-being checks, and certain precautions should be taken. Who is monitoring these routes?

In Africa, these routes are particularly complicated. A migrant may travel from Nigeria to Chad and from there to Libya. At the Libyan shore, he is crammed onto a boat to Europe. Many arrival points serve as a passage to another destination, and this also needs to be clarified before making any final decision regarding where migrants should go.

International policing also plays a big role in avoiding tragic situations, such as mass casualties at sea. International controls and collaboration between the police, coast guards, and immigration authorities of the various countries involved can save many lives.

Then, there is the question of borders. This is obviously important, but differences between circumstances must be identified and faced. In a case of a ship adrift with children and their mothers, simply closing the doors is not the solution. All the more so, when their destination is unknown, and their health conditions have not been scrutinized.

An issue of an utterly different nature, related to another stage of immigration, is that of long-term or second- and third-generation immigrants. Obviously, those already living in our countries have a different status. They may be already integrated and have children identifying with the local culture. How should we deal with them?

Conversely, if they adhere to a different culture and religion, should we push them toward integration, embracing our cultures, or should we encourage them to maintain their own traditions?

There are so many questions, and they are all difficult and equally fundamental. All of them require a very developed moral and legal definition. "Being in favor" or "against" immigration is not a true sentiment, because the issue is so complex and unclear. Every stage must be investigated, conceptualized, understood, and integrated into a general framework of statehood, citizenship, responsibility, and respect for human dignity.

The Moral Aspect of the Immigration Issue

Each issue involves a long learning process required for determining what should be done to act morally and justly for all concerned. An immigrant may pass through 10 stations before he can be even defined as such, and none of them have yet been analyzed as necessary. This superficiality in analyzing the problem is an obstacle for trying to solve it morally and practically.

First and foremost, when it comes to issues related to immigration, the moral aspect ought to be given priority. A moral compass must be used to face, delineate, analyze, and solve the problem under consideration. The ethical aspect must always remain our guiding light.

Responsibility is the keyword: the entire spectrum of responsibilities must be applied here, toward both the migrants and the indigenous population alike.

This varies significantly from country to country. For example, in Israel, a group of people may have been allowed into the country 10 years ago, and they integrated into Israeli society. Their children were born with Hebrew as their native language, some of them want to serve in the army, and their world, friends, culture, and food are all Israeli. In

this case, the country has complete responsibility toward these people, and they should be recognized as immigrants, and then as residents.

Another factor to consider is a number limit. It is very important for each country to define a limit to the number of immigrants they can take in and absorb.

If a country takes its own needs into account and establishes a limit, it has a totally different kind of responsibility. It may decide that, according to its specific situation, the presence of a large number of migrants is too much, so it tries to keep them out. This was the case with several European countries, including Greece, Poland, Hungary, the Czech Republic, Bosnia Herzegovina, and even Norway and Denmark in Western Europe. However, absolute refusal to allow people into the state, come what may, is never justified. The minimal number possible and justifiable is never zero.

In fact, each country should be allowed to impose a limit on immigration because accepting too many migrants may jeopardize its nation-state's identity and stability. This limit is based on realistic assumptions like how many people you can give refuge to and provide with employment and housing, as well as factors such as freedom of religion, without significantly changing or jeopardizing the given character of the state. This calculation should not only be made by looking at the present situation, but also by considering the long run. What will happen in 20 or 40 years from now is also a question to be responsibly answered.

Concrete Steps for Finding a Moral Solution to the Immigration Issue

Once a state has decided, in accordance with its conscience and sense of general responsibility, how many migrants it has already and how many more it can accept, the next issue to examine is how to ease the problems in the countries of origin. This does not mean that efforts

toward those countries have not been made, but history has shown that there needs to be much more effort and better organization. While Europe cannot solve all of Africa's problems, it also cannot absorb all of the Africans who want to leave.

Europe must, therefore, adopt a policy of decisive intervention in the African economy. This does not only refer to providing immediate help to NGOs and humanitarian projects. This kind of assistance will probably help about 10,000 people a year. While this is a significant total, it is not enough in comparison to Africa's many problems. Help must be provided differently, under the banner: "build, build, build."

Germany and Spain are currently spending billions of dollars on absorbing new migrants. Yet this money would be much better spent on creating new cities, employment opportunities, factories, schools, hospitals, and other facilities to make life easier in the *native countries* of these migrants. The European Union, United Nations, and everybody else should contribute to this endeavor. For instance, Israel has great experience with agriculture and water engineering, which it can share to create a better world.

Many migrants travel abroad in search of help, pushed by dire necessity. But if life in their native countries improves, they themselves will want to go back home. To facilitate this possibility, a process can be created whereby, while they are abroad, they can prepare themselves to return home. This includes being able to plan how long they need to stay, and when they will be able to go back to their native countries.

In addition, under a variety of circumstances, particularly when migrants don't know what their destiny will be, it would be helpful to have temporary accommodations for them that are not concentration camps or similar sites. In these places, they should be able to cultivate their talents and benefit from medical centers, kindergartens, and schools. These should be places where they can *live* and not simply survive for months, whether they return to their home countries or move on to Germany or France.

The migrant camps in Turkey and Libya featured in news reports will not help to solve the problems of immigration. The objective should be to establish a full migration program for long-range transit, providing reasonable living conditions. This will put a stop to growing crime rates and provide the migrants with all their humanitarian needs. While it would be very hard to administer such a program, even for the United Nations, it would benefit the entire world. It would require a great deal of money and expertise, but it may be the only way to deal with the permanent movement and passage.

Respect

The keyword is *respect*. What is the difference between a person who risks his life in search of better living conditions and a refugee who is running for his life from ISIS? At first, there seems to be little difference between either of them. It can be hard to differentiate between all of the different kinds of migrants and their various needs. But the difference will eventually become apparent if we create reception centers in the form of towns where each migrant can express his talents and fulfill his requirements. These centers could become a training ground for their new lives as expatriates.

It takes time and effort to differentiate and to know what must be done in each case. It is not always possible to do it at the beginning when the migrants first emerge from the sea, but ideally, there should be practical ways of doing it properly.

Viewing all migrants as a mass of people who are either ripe for joining terrorist organizations or becoming criminals is pure imagination. The Western world, including the United States, Israel, and Europe, has excellent means for identifying and fighting terrorism. Screaming and yelling about the danger will certainly not help to fight it. Existing dangers should be fought by enforcing the law and enhancing international cooperation. Actually, the number of those who migrate for such negative reasons does not represent the majority.

Another controversial issue is that migrants often send the public funding that they receive from the countries hosting them to their families back home. In general, their aim, which can be controlled, is to build a home for these families. This is not a bad practice. It means that their presence is temporary, as they intend to return to their native countries within a few years. One goal may, therefore, be to draw up an agreement with these migrants to provide them with housing and work over a limited period. For example, they could be allowed to stay in the host country for five years, after which they would need to go back to their native lands, if possible.

Even the best studies on immigration have not yet created a list of possibilities and difficulties or designed a reasonable limit on the percentage of a country's total population that migrants can form before this proportion becomes unmanageable. For example, while 7 percent may be considered a sustainable number, other opinions may differ. When making this decision, the prevailing opinion should only be motivated and weighted by crucial considerations, not by superficial attitudes even if they are popular.

Most of all, this issue should be totally excluded by law from any political platform. Just as there are no elections on democracy, immigration is also an ancient and crucial issue that must not be carried by the tides of politics. Just as democratic politics is not a matter of political debate, but is the framework of the debate, respect and responsibility should form the framework of the political discourse on immigration. Helping other human beings is what lies at the core of a decent existence. However, we also cannot ignore the fact that immigration is a problem with many dimensions, including how to provide migrants with practical help and educate them to integrate into their host country.

Culture and Integration

Integration can either run smoothly or be very hard, depending very much on the situation. To define this issue further requires much profound study that should be divided into various aspects.

Differences in culture and dress can be a big issue that should be handled with balance and determination. Migrants can remain within the boundaries of their own culture only up to the point where they don't cause any harm to the nations that host them, including to their security, religion, and women.

While hosting migrants, it's hard to expect them to become really interested in democracy. They are often unfamiliar with it, don't want it, and have no preference for this system. In this case, the host country must be careful not to compromise or change the nature of its own democracy. It hopes that the migrants will behave accordingly, respecting laws and most cultural practices. In the United States, to become a citizen you must take examinations. You must be able to answer certain questions about the rights of citizens and speak English. However, in Europe, the situation is a little different.

The widespread presence of Muslim immigrants in Paris, for instance, has created situations of polygamy. However, this should be prohibited. The protection of human dignity, as the German Constitution says, is of utmost importance. Of course, this should be a two-way street, with mutual respect on both sides. Our concept of dignity forbids a man to have more than one wife or to harass women in the streets, as sometimes happens in Europe. However, as there are different issues, solutions may be different. Switzerland forbids the construction of minarets because they would change the landscape of that nation. The Swiss don't want to change their Christian environment, and they want their landscape to express their original culture. In Switzerland, this is a serious issue. In French schools, girls are forbidden to cover their heads. This is a controversial issue that seems to have gone too far as Jewish boys wear a *kippa*, and they are also not allowed to wear it in

school. This rule seems unnecessary and morally unjustifiable and is a nasty way of creating personal regrets and rage.

In 1995, I was invited by the German army to speak about the code of ethics in our army, the IDF (Israel Defense Forces). Afterward, I wrote:

"It was very moving to see eastern German young men, previously soldiers of East Germany, merging with the Westerners who were their enemies until a very short time ago. They had to be completely reeducated to be in the German army as they only knew German history from the Soviet side. They were taken to Auschwitz, were educated for about one year about democracy, and from then on they had a new start as German citizens. It took time, but this is the way to create a democratic citizen."

Today, in Germany, you don't see any significant Eastern anti-democratic enclaves. While there is an extreme nationalist party, it did not originate in Eastern Germany. It was founded in the heart of Western Germany.

Among Muslim migrants, extremism is certainly an issue. However, some balance is also required here. In Israel, the Arab faction in the Knesset (Israeli parliament) appears to be really extreme. Its members are often aggressive, always issuing harsh criticisms, always seem to be hostile. But Israeli Arabs generally do not behave like this. Many of them are proud to be Israeli, and they want to educate their children with Jewish ones. They seek better education and welfare for their families. They follow their own interests and wishes and have no time nor desire for hate.

This is the case in various communities all around the world. There is usually a minority that hates, while the majority wants to live in peace and prosperity. Extremism can pose a challenge to the immigrants, but again the answer is found within education. The first Israeli Arab to get a PhD in computer sciences in Israel was a 26-year-old woman who studied at the Technion in Haifa. Her family helped, and the

university nurtured and encouraged her. Another example is the Druse community, which has its own religion similar to Islam. They are completely integrated within Israeli society, serving in every unit of the army, including the most confidential intelligence units, with excellent results.

Conclusion

The issue of immigration has attracted overwhelming attention from politicians and the media, both of which are interested in the conflict. The public, which enjoys watching the media debate, is a victim of polarization between the staunch defenders and accusers of the immigrants that has been created by politicians and the media.

For this reason, the major victim of this fight is the truth.

As part of the moral struggle to create a just attitude toward immigration, it is necessary to break the situation down into exact conceptual parts by asking questions: How many migrants are involved? Where are they from? Who are they? What are their intentions? Where do they want to live? What are the realistic possibilities of each nation-state taking care of them? How harmful is the presence of the migrants to the well-being, security, and culture of the host country?

Secondly, without proper education, migration is simply impossible. However, education goes both ways. On the one hand, we have to respect human rights, which means providing aid and taking responsibility for the migrants. But on the other hand, it is also important not to ignore the national identity of the receiving state, and immigrants must be absolutely aware of this. Yet today, they have no idea about it.

Whenever the population of the host country and their leaders raise this issue, it is dangerous to accuse them of propagating Fascism. Whenever I am a guest in another country, I must respect their identity,

whether it is Italian, Polish, or Hungarian. When the right to one's own national identity is refused or rejected, this heightens the risk of raising the tones of extreme nationalism. The more human rights activists ignore the human right of respect for one's culture, the more the nationalists will take the upper hand in creating rules to determine by strength that which is denied by reasoning and civilized discussion.

In other words, the first rule is to tone down the rhetoric and go back to basics. Look at precise numbers and information, with the understanding that this problem will continue to exist no matter what we decide to do. It is argued that as there are 50 million migrants around the world, this phenomenon will affect several generations.

The second rule is to create a gradual program, without any pretense of impersonating justice or identity, human rights or the rule of law. Aims must be defined according to an agreed timetable that also involves the migrants' countries of origin.

As the immigration issue encompasses the concepts of human dignity and rights, identity, education, development, and nationalism, all of these should be included in the efforts to find a solution, and this should be done quietly, firmly, and responsibly.

Refugees in Hungary with all their belongings, during a standoff with police, while refusing to go to an already full registration center, 2015. (*UNHCR/ Mark Henley*)

Ways Forward after the Migration Crisis?

Tommaso Virgili

While migration to Europe is not a new phenomenon, the topic has definitely gathered new momentum in the last few years, especially because of the Syrian civil war that has caused a wave of migration considered by some analysts unprecedented since World War II.[1] However, the Syrian crisis will not dissipate the phenomenon of migration to Europe, as most fluxes nowadays are actually coming from Africa through Libya, and they include both asylum seekers and economic migrants.

Whatever the causes and origins, the migration issue as a whole now stands prominently among the top priorities of the European Union and its member states, and it does not seem destined to decrease in the upcoming years.[2]

How has this phenomenon impacted the European Union and its member states? Required is an analysis of the causes of the shock and the measures put in place to face it, focusing on an often-overlooked aspect of migration – i.e., the socio-cultural integration of newcomers into the liberal-democratic values of the host countries. A proper balance needs to be found between the moral (and in certain cases legal) duty of hospitality and the need to preserve the security, liberty, and social cohesion of European societies.
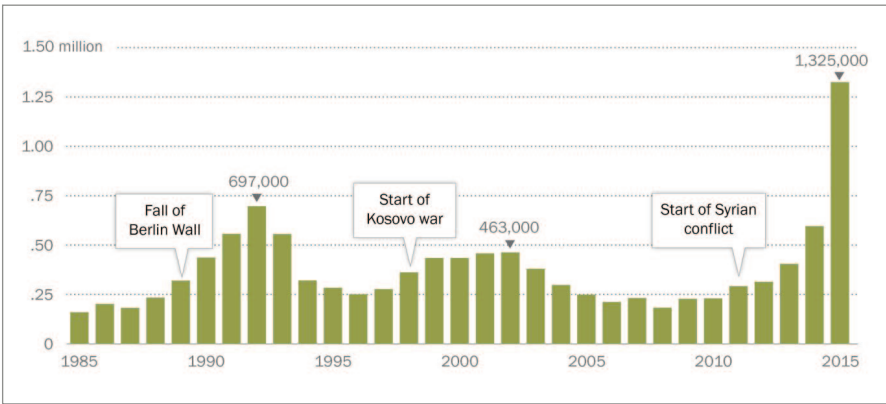
The Refugee Crisis and EU Divisions

In the last four years, Europe has received a large influx of (mainly) Syrian asylum seekers escaping the civil war. The most crucial year was 2015, when the European Union, Norway, and Switzerland had to cope with over 1.3 million asylum seekers.

In spite of all its tragedy and magnitude, this geopolitical earthquake alone fails to explain why a rich and developed giant such as the European Union (which did not even absorb the highest burden of fleeing Syrians) suffered so much to accommodate less than 1.5 million asylum seekers among its more than 510 million citizens.
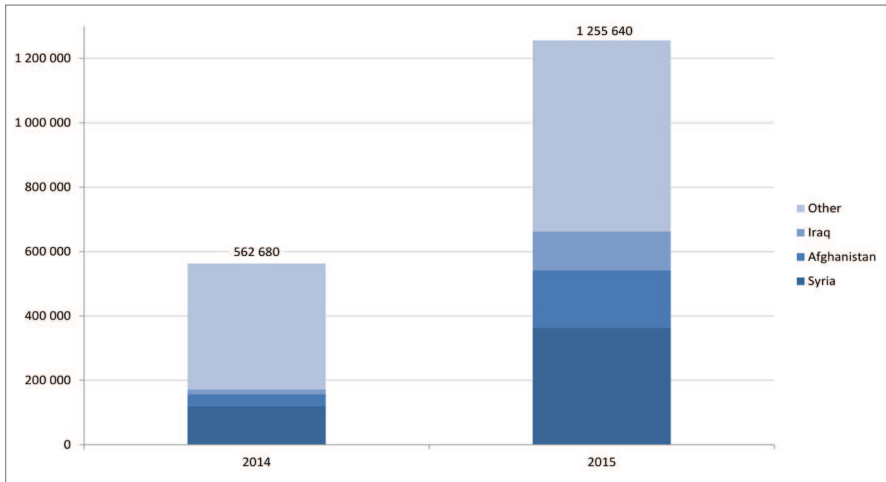
Furthermore, numbers by themselves are insufficient to explain why, once the emergency has subsided, the political debate around migration has not ceased to become more and more prominent and vitriolic. According to Frontex (the European Border and Coast Guard Agency) and the European Asylum Support Office, 2017 has registered

Annual number of asylum applications received by EU-28 countries, Norway, and Switzerland, 1985 to 2015

Source: http://www.pewglobal.org/2016/08/02/number-of-refugees-to-europe-surges-to-record-1-3-million-in-2015/

First time asylum applicants registered in the EU Member States, 2015/2014

Source: http://ec.europa.eu/eurostat/documents/2995521/7203832/3-04032016-AP-EN.pdf/790e ba01-381c-4163-bcd2-a54959b99ed6

a 60 percent decrease in irregular crossings of the EU external borders and 43 percent fewer asylum applications, thus bringing the situation back to the pre-crisis situation.[3]
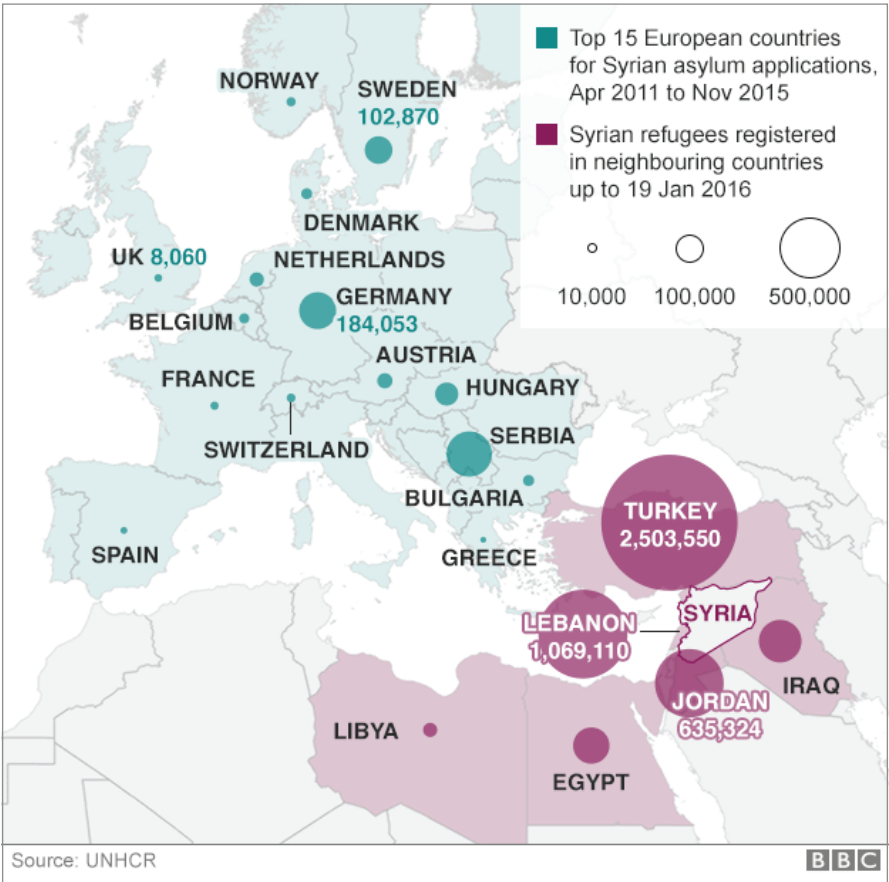
What happened, in fact, is that the migration peak caught Europe unprepared from several points of view, unveiling strategic short-sightedness, lack of political unity, and inadequate instruments to face the event.

The political earthquake created by the refugee crisis was reflected both domestically and at the international level.

Internally, it created a deep divide between political forces in favor of receiving refugees and others pushing for a closed-door policy. While the latter narrative assumed, in certain cases, a populist or even xenophobic connotation, it was also fed by objective problems related to security aspects and management of uncoordinated influxes, as I will explain.
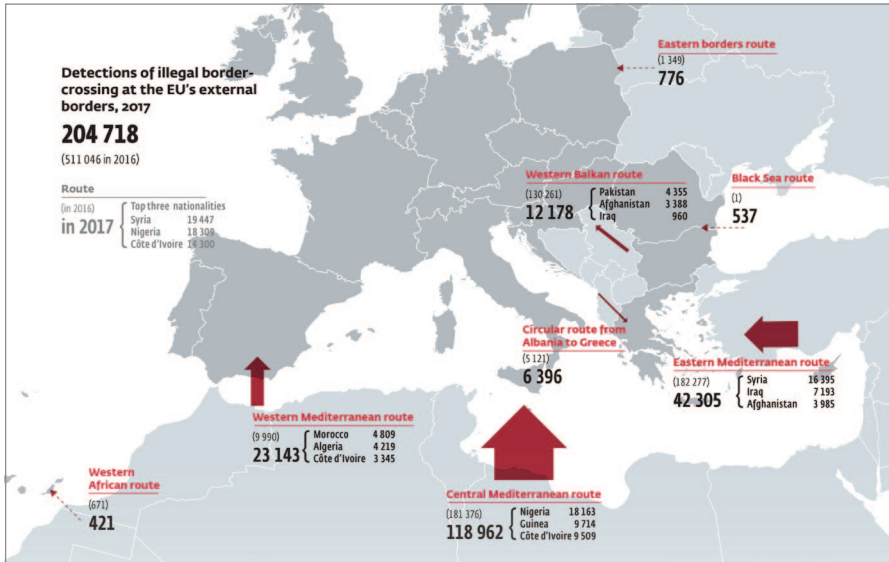
Syrians in neighbouring countries and Europe

Source: http://kathmandupost.ekantipur.com/news/2016-02-04/syria-civil-war-leaders-in-new-pl
ea-for-massive-refugee-aid.html

At the supranational level, Europe witnessed profound drifts. On the one hand, differences emerged between frontier states – penalized by the Dublin regulation – and continental ones. The Dublin Regulation, namely EU Regulation n. 604/2013, stipulates that the responsibility for processing an asylum request mainly lies on the state of first entrance, both in the case where the asylum seeker applies at the border of the concerned state[4] and if he crosses illegally.[5] Both occurrences, evidently, put a disproportionate pressure over frontier countries.

Illegal border-crossings: Overview

Detections of illegal border-crossing at the EU's external borders, 2017

204 718

(511 046 in 2016)

Route
(in 2016)
in 2017

Top three nationalities
Syria   19 447
Nigeria   18 309
Côte d'Ivoire 14 300

Eastern borders route
(1 349)
776

Western Balkan route
(130 261)   Pakistan   4 355
12 178   Afghanistan   3 388
                 Iraq   960

Black Sea route
(1)
537

Circular route from Albania to Greece
(5 121)
6 396

Eastern Mediterranean route
(182 277)   Syria   16 395
42 305   Iraq   7 193
                 Afghanistan   3 985

Western Mediterranean route
(9 990)   Morocco   4 809
23 143   Algeria   4 219
                 Côte d'Ivoire 3 345

Western African route
(671)
421

Central Mediterranean route
(181 376)   Nigeria   18 163
118 962   Guinea   9 714
                 Côte d'Ivoire 9 509

Source: https://frontex.europa.eu/assets/Publications/Risk_Analysis/Risk_Analysis/Risk_Analysis_for_2018.pdf

For this reason, several discussions have taken place on how to ensure a fairer distribution of asylum applications among all member states of the European Union.

On the other hand, a split occurred between Western and Eastern Europe, with the latter almost hermetically sealed. In Western Europe, conversely, Germany, in particular, adopted a remarkably open-door policy in 2015, suspending the Dublin protocol and opening its gates to all Syrian asylum seekers, in a bid to counter Eastern European and UK resistance.[6] More than one million asylum seekers thereby flooded into Germany. In the East, on the contrary, Hungary, Poland, and the Czech Republic took a particularly harsh stance against asylum seekers, refusing them entry.

The European Union, caught amid such polarizations, had but little margin of maneuverability and a short time to face the crisis.

To cite *The Economist*, "mutual recognition of positive asylum decisions across the EU, which would give refugees the freedom of movement that ordinary citizens enjoy, is years away"[7] since the legislative reform of the Dublin system is deadlocked.[8] The European Union has adopted emergency measures to mitigate, at least in part, its effects, thereby diminishing the pressure on frontier states. In 2015, the Council adopted an "Emergency Relocation Scheme" to share the burden of asylum applications submitted in Greece and Italy among the other member states.[9] In consideration of the increased migratory pressure on the Eastern route, a second relocation scheme was proposed less than three weeks after the first one. Although this would have included Hungary as a beneficiary, besides Italy and Greece, Hungary refused to be part of it.

While the two schemes provided for the relocation of 160,000 individuals, as of March 2018 only 34,323 asylum seekers had been effectively redistributed, with Poland, Hungary, and the United Kingdom accepting none.[10] Such political division even assumed a contentious dimension in 2017, when the European Union launched an infringement procedure against the Czech Republic, Hungary, and Poland for not complying with the emergency relocation scheme and then referred the three recalcitrant states to the European Court of Justice.[11] Hungary was also made the object of an additional infringement procedure and finally brought before the ECJ in July 2018, for not complying with EU asylum and return legislation.[12]

However, popular opposition against migrants is not the monopoly of Eastern Europe. In Germany, Merkel is under siege over her migration policies, as explained in Chapter One. Austria has been threatening for months to seal its borders with Italy and Slovenia, to prevent irregular migrants from crossing these borders. France has attracted its share of criticism for using a heavy hand with similar attempts occurring at the Italian border and has significantly tightened the rules on asylum,[13] following the examples of other countries such as Sweden and Denmark.[14] Italy, on its part, has entered into a controversial agreement with Libya to prevent smuggling of migrants through the

Central Mediterranean route, and, under the new government, has closed its ports to NGOs' vessels rescuing people outside national waters. Italy has revised the law to remove a layer of humanitarian protection.[15]

In sum, the migration issue has unleashed a wave of national selfishness jeopardizing European unity, and even threatening the EU project as such.

Deals with the Devil?

Regardless of the member states' lack of compliance, the Emergency Relocation Scheme described above was clearly insufficient to address the consequences of the 2015 crisis. At the same time, Merkel's hope to lead the rest of Europe by example crashed with the reality of national self-centeredness and political concerns.
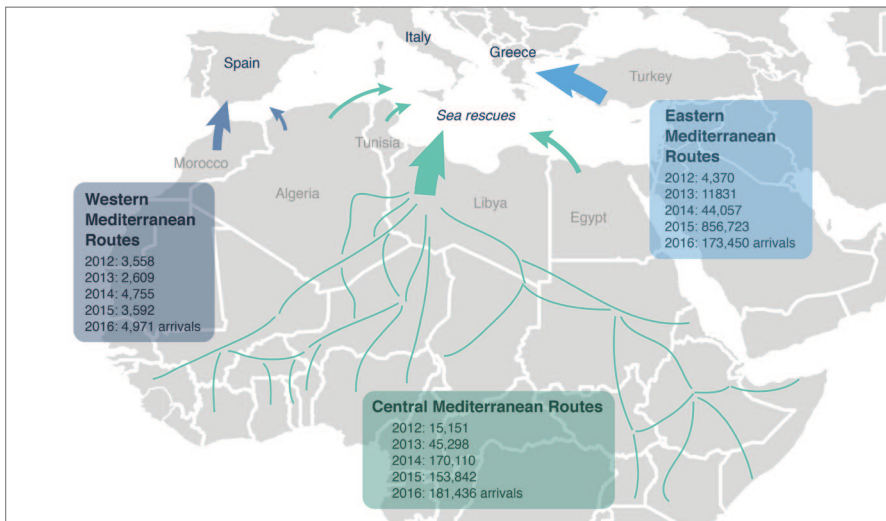
It is not by chance that Merkel herself, overwhelmed by the internal pressure and her responsibility as the de facto European leader on this issue, proposed the radical solution of an agreement with Turkey to block the migrants' attempts to reach Europe through the Eastern route. Under this agreement, signed in March 2016, Turkey committed to reaccept all-new irregular migrants reaching Greece after March 20, 2016, and to prevent by any means further illegal traffic toward Europe. On its part, the European Union committed that "for every Syrian being returned to Turkey from Greek islands, another Syrian will be resettled from Turkey to the EU taking into account the UN Vulnerability Criteria." Furthermore, Turkey obtained €3 billion to face the refugee crisis, plus the pledge of additional €3 billion once the previous disbursement is exhausted, and an acceleration in the visa liberalization procedure for Turkish citizens traveling to Europe.[16]

The deal has been criticized on multiple grounds. First of all, it could be considered as a collective expulsion of foreigners, which is prohibited under the European Convention on Human Rights.

According to the terms of the agreement, compliance with international law against collective *refoulement*[17] should be guaranteed through the examination of all individual asylum petitions presented in Greece, with the consequence that the "irregulars" to be returned are those not seeking asylum or whose petition has been considered unfounded. However, under articles 35-38 of the EU Asylum Procedure Directive, an application may be inadmissible if the asylum seeker is entitled to protection from a "safe third country" – as Turkey is considered – thereby making every Syrian arriving through Turkey irregular. The very qualification of Turkey as a "safe third country" has been put into question, due to alleged forced repatriations of Syrian asylum seekers and risks of persecutions against Kurdish asylum seekers.[18] In certain cases, these concerns have been confirmed by European courts, which have blocked deportations to Turkey.[19]

Regarding the political aspects of the deal with Turkey, the European Union has evidently bestowed upon an unfriendly, more and more

Overview of the main migration routes to Europe

Source: https://www.unhcr.org/publications/operations/595a02b44/mixed-migration-trends-libya-changing-dynamics-protection-challenges.html

dictatorial regime, with potent human leverage against Europe: Erdogan can now easily use the threat of opening Turkey's borders to multitudes of refugees should the European Union adopt unfriendly policies and resolutions against his government.

The ink had barely dried on the EU-Turkey agreement, having sealed the Eastern route, when Europe found itself exposed to a new migratory crisis, this time coming from the Central Mediterranean route – the one that the UNHCR identifies as being currently the most active.[20]

Italy, in particular, has traditionally been the country bearing the highest number of arrivals among European coastal states, mostly passing through Libya, (with the exception made for the peak influx from Syria in 2015).

For this reason, the former Italian government signed a Memorandum of Understanding with the Libyan Government of National Accord.[21] The document, which expressly builds upon the Treaty of Friendship,

Overview of the main migration routes to Europe

Source: UNHCR

BBC

Source: https://www.bbc.com/news/world-44397372
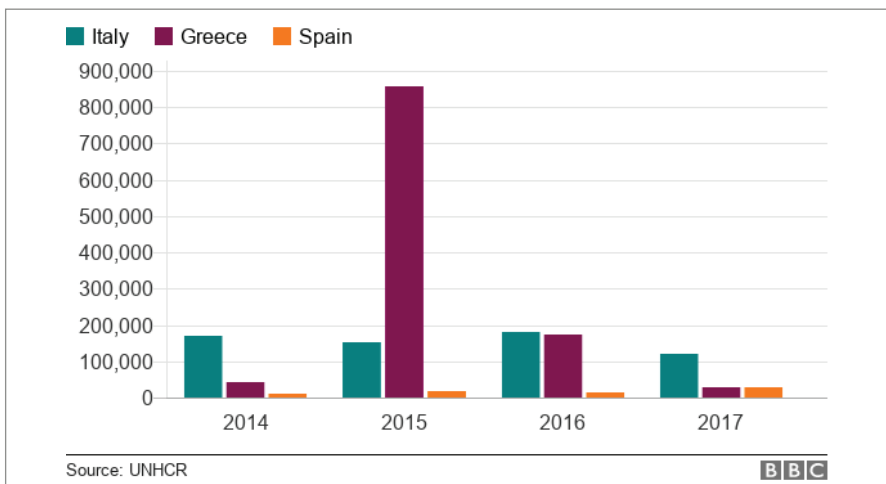
Partnership, and Cooperation signed in 2008, provides for cooperation between the two countries in stemming illegal migration through a system of border control *ex-art.* 19 of the 2008 Treaty. The most controversial part of the agreement concerns the fate of those prevented from leaving the African shore: the MoU explicitly mentions "the provision of temporary reception camps in Libya, under the exclusive control of the Libyan Ministry of Home Affairs, pending voluntary or forced return to the country of origin."[22]

Reports from the UN and human rights organizations describe an appalling situation for migrants in Libya. Abuses begin when they are stopped by the Libyan coast guard, allegedly responsible in many cases for beating and robbing migrants before bringing them to reception centers. These centers are in theory run by an agency of the Ministry of the Interior, but sometimes they are handed over to local militias as downright prisons where migrants, abusively detained in the absence of any incrimination and judicial overview, endure torture, sexual abuse, and de facto enslavement. Indefinite detentions and torture are sometimes the tools corrupted officials utilize to extort ransoms from migrants' families. Many never manage to leave the camps alive.[23]

Human rights organizations accuse EU member states of being complicit in this system of human rights abuses, not only for aiding the Libyan coast guard to intercept and stop migrants but also for providing support to the authorities running the horrific centers.[24] Indeed, article 2 of the MoU speaks openly about "training of the Libyan personnel within the above-mentioned reception centers to face the illegal immigrants' conditions," and about "adaptation and financing of the above mentioned reception centers' already active compliance with the relevant provisions, making recourse to funds made available by Italy and the European Union." At the same time, no clause imposes the respect of human rights for the purposes of the accord, insofar as each party, independently from the other, merely commits "to interpret and apply the present Memorandum in respect of the international obligations and the human rights agreements to

which the two Countries are parties," in the absence of whatever control mechanism.

In spite of these concerns, the European Council explicitly endorsed the Memorandum of Understanding and expressed its readiness to support Italy in its implementation, while vowing to help Libya hinder irregular migration by various means. The human rights component merely deserved a generic affirmation of compliance, with no reference at all to the specific situation on the ground.[25]

Long-Term Proposals at the EU Level

Irrespective of the political motives behind the states' behavior, the emergency nature of the adopted measures shows that the European Union, both before and after the crisis, has failed to put in place a sustainable and permanent mechanism to face the migratory pressure.

Discussions have gone on for years at the EU level regarding a better planned and orderly asylum process, based on a previous evaluation of individual requests outside Europe, followed by safe and legal migration routes.

In 2015, the Council adopted a Commission proposal on a European Resettlement Scheme, intended to establish legal pathways into Europe for 22,000 individuals over two years, mainly from Turkey, Jordan, and Lebanon.[26] This scheme, completed in 2017, was followed by another one in 2018, designed for at least 50,000 refugees not only from the Levant but also from North Africa and the Horn of Africa.[27]

A very promising pilot initiative following the same logic is that of the "humanitarian corridors," initiated in Italy and copied in other countries such as France and Belgium. Conceived, implemented, and financed by the Community of Sant'Egidio, the Waldensian Church, and the Federation of Evangelical Churches in Italy, it is about a civil-society-led resettlement program, approved by the Ministries of the

Interior and Foreign Affairs. Under this plan, around 1,000 Syrian refugees are expected to arrive in Italy over two years, legally and safely. After being preselected by the NGOs among those in situations of special vulnerability, they are vetted by the Ministry of the Interior; Once cleared, they obtain a humanitarian visa limited to the host country, which they reach through safe pathways. The program is completely financed by the NGOs involved, with no cost for the state.[28] An additional humanitarian corridor has been recently opened by the Catholic organization Caritas and Sant'Egidio to bring refugees from Somalia and Eritrea.[29]

These laudable initiatives are nevertheless not completely exempt from doubts. First of all, resettled asylum seekers under this system are very few. Although the slogan of the organizations involved defines them as a few drops "which are changing the ocean,"[30] the program needs to be scaled up to be effective at the national (and European) level. Secondly, the Belgian Center of Secular Action[31] has raised sensible concerns over entrusting a typically public task to private religious organizations, in spite of the principle of state secularity: which criteria are going to be observed in the choice of the selected individuals? Furthermore, asylum seekers are a very vulnerable category: while some religious organizations do commendable work in genuinely helping them, others might exploit and indoctrinate them in the pursuit of a political agenda.

Regardless of these problematic aspects, the numbers speak by themselves: neither the humanitarian corridors nor the broader resettlement schemes are adequate to cope with intense migration flow, especially during situations of crisis as seen in 2015.

The latest EU proposal advanced in July 2018 by the Commission attempts to define a long-term framework. It is centered on two main pillars: the setting of "Regional Disembarkation Arrangements" outside the European Union, and of "Controlled Centers" inside.[32]

The former is a revamped proposal of the old external hotspots: essentially, it aims to secure a shared responsibility among all Mediterranean states, calling on them to promptly search and rescue migrants at sea in their SAR (Search and Rescue) area, and to ensure their safe disembarkation and transport to "reception facilities providing adequate, safe, and dignified reception conditions," under the control of the UN High Commissioner for Refugees (UNHCR) and the International Organization for Migration (IOM). In those centers, their situation would be assessed and their fate thereby decided: either resettlement (not necessarily to an EU country) if they deserve international protection; or return to the countries of origin. What's the core of the proposal? The fact that, if migrants are rescued in third country waters or international waters by third country vessels, disembarkation and status assessment will take place in third countries. This way, the burdens of first aid and asylum evaluation would take place outside the European Union, considerably reducing pressure on European coastal states. So far, however, all North African countries have vigorously rejected the proposal, and it seems likely that the European Union will need to frame it in a greater cooperative scheme, including more incentives for Arab coastal states.[33]

The "Controlled Centers" are de facto closed centers, run by volunteer member states with EU support, where migrant status is to be processed after disembarkation in EU territory. These centers are essentially meant to avoid secondary movements and to facilitate quick returns in case of negative decisions. As an incentive for member states to accept disembarked migrants in their territory, they will receive €6,000 per each person transferred to it.[34] In spite of this, until now, this proposal does not seem to enjoy better fortune than the Regional Disembarkation Arrangements, insofar as no EU state has expressed its readiness to host a closed center on its territory.[35]

To address the very root causes of migration from African states, the European Union in 2015 launched an ambitious €1.8 billion plan, called "Emergency Trust Fund for stability and addressing root causes of irregular migration and displaced persons in Africa."[36]

The plan is conceived as a comprehensive and long-term strategy, embracing all the main root-causes of both economic and humanitarian migration through funding different projects aimed at:

1. creating employment opportunities;

2. supporting basic services for food and nutrition security, health, education, social protection, and environment;

3. improving migration management, "including containing and preventing irregular migration, effective return, and readmission, international protection and asylum, legal migration and mobility;"

4. promoting conflict prevention and enforcing the rule of law.

The plan has been criticized on multiple grounds: First of all, for being too ambitious in its aims, especially in relation to the economic commitment; and secondly, for fostering an often nontransparent system of migration policing in Africa, de facto entailing abuses and human rights violations. According to a *Washington Post* report, institutions supposed to control migration fluxes often receive bribes from smugglers.[37]

Regardless of the initial assessment over the plan, what is sure is that it is not meant to address the immediate causes of migration, especially the humanitarian ones, and that its effects, whatever they are, will only be visible in the long run.

The Challenges of Socio-Cultural Integration of Newcomers Finally inside Europe

Hurdles related to migration do not stop with border management. It would be dangerously ingenuous not to consider the often dramatic cultural differences between the hosted and the host populations. To ensure safe and harmonious coexistence of both, it is crucial that

European states do not disregard this aspect in the name of misguided multiculturalism and invest decisively in values-based integration.

This assumption is corroborated by a study recently conducted by the European Foundation for Democracy (EFD) on the integration of refugees in seven European countries, wherein this author took part.[38] We analyzed policies and practices in operation, and we interviewed 114 individual officials and civil society operators involved in refugee integration, as well as 131 refugees and asylum seekers.

This survey has unveiled a number of vulnerabilities and areas of concern related both to security and integration.

Interviewed officials admitted certain difficulties in assessing the identity of people traveling without documents or with fake ones, as well as their aims for coming to Europe. In particular, the poorly controlled influx of 2015 overstretched the competent offices, jeopardizing a proper vetting. However, officials downplayed the security risk, evidencing the strict cooperation with security services in evaluating the asylum procedures, as well as techniques to detect inconsistencies during the interviews.[39]

In spite of the precautions taken by secret services and officials involved in asylum procedures, inevitably some aspiring terrorists were able to reach Europe through the migration flows and apply for asylum, before attempting or succeeding to enact terrorist plots.[40] This is not to imply that asylum seekers represent a generalized security threat (on the contrary, most terrorists and foreign fighters are actually European citizens), but it shows the necessity of orderly and properly managed migratory procedures.

The problematic aspects of a poorly managed migration are not limited to the initial assessment of the applications. In our research, several issues emerged in relation to the subsequent phases.

Hurdles already begin in the refugee centers, where many of the interviewees witnessed or experienced episodes of violence, abuse, religious and political clashes, sexual harassment, and homophobic attitudes. Among the main triggers of tension seem to be controversies over the Syrian revolution and mistrust or downright hostility between Christians and Muslims. Some refugees also reported episodes of Islamist intolerance (e.g., for alcohol consumption, mistreatment of Christians and "bad Muslims," *etc.*).[41] Homophobia seems to be an endemic phenomenon, to the extent that Germany has started to open separate reception centers for LGBT asylum seekers.[42]

According to some refugees, authorities in charge of the centers do not always enforce rules on rights and duties strictly enough.

While one must take into account the stress and difficulties connected to living in such an awkward setting, which exacerbate tensions and frustrations, it would be unrealistic to assume that these issues simply disappear once asylum seekers are granted protected status and start their new life in the host country. Cultural barriers remain to various degrees, and most first-line practitioners acknowledge the existence of problems around sexual mores, gender rights, homosexuality, freedom of religion (including apostasy and atheism), and expression (including blasphemy).[43]

It is up to states' authorities to ensure refugees understand and respect the laws and values of the host country while protecting them from possible acts of racism and xenophobia.

Unfortunately, such awareness is not always present among policymakers and civil society actors, with the consequence that the focus of integration activities in Europe is disproportionately placed on the labor market and practical aspects of daily life, at the expense of training and activities concerning the values of liberal-democratic societies. While in some cases this is due to naïveté, in others it is a deliberate choice to guarantee "multiculturalism" and avoid "assimilation."

What champions of multiculturalism often tend to forget is that the first victims of this reticence to enforce liberal democratic values are nonconformist newcomers themselves, who happen to be victims of harassment from their peers when they seem to deviate from the mores dictated by the culture of origin. This problem is particularly acute in places with a high concentration of immigrants, whether refugee centers, as mentioned above, or "ghetto" neighborhoods. Among other things, we were told of episodes of harassment against asylum seekers for drinking alcohol and, in the case of women, for not wearing the headscarf or behaving too much *à la* West.[44] Many refugees interviewed also expressed distress with the conservatism and attempts at indoctrination they experienced in certain mosques, or from individuals and religious organizations allegedly helping them. While this phenomenon is already serious when happening outside any control (an example for all: Salafists trying to indoctrinate asylum-seekers in Park Maximilien in Brussels during the lodging crisis of 2015), it is even graver when it occurs in the framework of aid and integration activities delegated by the state.[45]

The abovementioned areas of concern show that a generic humanitarian call to "open the ports" would be too simplistic and naïve in the absence of a proper integration strategy.

At the same time, there is no point in boasting about the protection of our way of life from the external menace, if we are the first to brutally betray the very moral values upon which our societies are built. We are not showing the values of Humanism or Christianity in looking away from the children, women, and men drowning in the sea.

If we really want to preserve the values we are rightfully proud of – as we want and must do – we are under a moral imperative to find a balance between the lures of baseless, ideological optimism, and multiculturalism, which disguise the sometimes brutal reality under the rose lenses of a perpetual, colorful festival of ecumenism, and the temptation to egoistically lock ourselves in ivory fortresses.

Notes

1. http://www.pewglobal.org/2016/08/02/number-of-refugees-to-europe-surges-to-record-1-3-million-in-2015/
2. https://www.ecfr.eu/article/commentary_migration_dominates_eu_priorities_through_2023
3. http://www.aedh.eu/en/has-the-european-union-achieved-a-control-of-migratory-flows/
4. Article 3
5. Article 10
6. https://www.independent.co.uk/news/world/europe/germany-opens-its-gates-berlin-says-all-syrian-asylum-seekers-are-welcome-to-remain-as-britain-is-10470062.html
7. https://www.economist.com/briefing/2016/02/06/forming-an-orderly-queue?fsrc=scn/tw/te/pe/ed/forminganorderlyqueue
8. https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20181204_managing-migration-factsheet-7-dublin-regulation_en.pdf
9. http://www.unhcr.org/news/press/2017/9/59ca64354/unhcr-calls-eu-relocation-scheme-continue.html
10. https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/press-material/docs/state_of_play_-_relocation_en.pdf
11. http://www.europarl.europa.eu/legislative-train/theme-towards-a-new-policy-on-migration/file-2nd-emergency-relocation-scheme
12. http://europa.eu/rapid/press-release_IP-18-4522_en.htm
13. https://www.bbc.com/news/world-europe-43860880
14. https://www.ispionline.it/it/pubblicazione/i-nuovi-irregolari-italia-21812
15. https://www.ispionline.it/it/pubblicazione/i-nuovi-irregolari-italia-21812
16. http://www.consilium.europa.eu/en/press/press-releases/2016/03/18/eu-turkey-statement/
17. Refoulement definition, Oxford dictionary: "The forcible return of refugees or asylum seekers to a country where they are liable to be subjected to persecution." https://en.oxforddictionaries.com/definition/refoulement
18. https://www.theguardian.com/world/2016/mar/08/un-refugee-agency-criticises-quick-fix-eu-turkey-deal
19. https://www.washingtonpost.com/world/middle_east/europes-migrant-deal-with-turkey-may-be-unraveling-but-it-was-flawed-from-the-start/2016/05/25/311e95ac-1d1e-11e6-82c2-a7dcb313287d_story.html?utm_term=.fa8e44c33e6b
20. http://www.unhcr.org/publications/operations/595a02b44/mixed-migration-trends-libya-changing-dynamics-protection-challenges.html
21. The English translation may be found here: http://eumigrationlawblog.eu/wp-content/uploads/2017/10/MEMORANDUM_translation_finalversion.doc.pdf

22. *Ibid.*
23. https://www.amnesty.org/download/Documents/MDE1975612017ENGLISH. PDF; https://refugeesmigrants.un.org/fr/node/100042733; https://www.hrw. org/news/2018/01/18/libya-impunity-drives-violence;
24. https://www.amnesty.org/download/Documents/MDE1975612017ENGLISH.PDF
25. https://www.consilium.europa.eu/en/press/press-releases/2017/02/03/malta-declaration/#
26. http://europa.eu/rapid/press-release_IP-16-2434_en.htm
27. https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/ european-agenda-migration/20171207_resettlement_and_legal_migration_ en.pdf
28. http://www.santegidiousa.org/humanitarian-corridors/
29. https://www.avvenire.it/attualita/pagine/corridoi-umanitari-nuovi-arrivi-a-fiumicino-1-400-profughi-siriani-dal-2016
30. https://openmigration.org/analisi/accesso-legale-e-sicuro-per-i-richiedenti-asilo-tra-reinsediamenti-e-corridoi-umanitari/
31. *Centre d'Action Laïque*
32. http://www.statewatch.org/news/2018/jul/eu-com-disembarkation-and-controlled-centres-prel.pdf
33. https://www.ecfr.eu/article/commentary_more_for_less_europes_new_wave_ of_migration_deals
34. https://www.ansa.it/documents/1532425655795_propostaUe.pdf
35. https://euobserver.com/migration/143513
36. http://europa.eu/rapid/press-release_MEMO-15-6056_en.htm
37. http://www.washingtonpost.com/sf/world/2015/07/20/a-remote-city-of-smugglers/?utm_term=.eb04fc4f4dea
38. *Refugees in Europe, Review of Integration Practices & Policies*, available at http:// europeandemocracy.eu/2018/05/refugees-in-europe-review-of-integration-practices-policies/
39. EFD, 33.
40. Europol, *EU Terrorism Situation & Trend Report 2018*, 24. Europol, *EU Terrorism Situation & Trend Report 2017*, 14.
41. EFD, 46.
42. https://www.express.co.uk/news/world/747730/Germany-Cologne-gay-refugees-migrant-center; https://www.thelocal.de/20160223/berlin-opens-germanys-first-gay-refugee-center
43. EFD, 47.
44. EFD, 32.
45. EFD, 32.

Devestation at the Breitscheidplatz Christmas market after a heavy truck was deliberately driven into crowds of people by Anis Amri, a Tunisian, during a terror attack in Berlin, Germany, December 2016. (*Michael Kappeler/picture-alliance/dpa/AP Images*)

The Security Implications of Muslim Migration

Yossi Kuperwasser, Ehud Rosen, and Eitan Fischberger

Radical Islamism calls for violent action to change the world order which, in their perception, is based on Western values that are anti-Islamic. The terrorist acts of radical Islamists are the most immediate and pressing national security concern for Europe. Radical Islamist organizations, and especially "The Islamic State" (known as ISIS), have managed to garner support among Muslims who were brought up in Europe after they or their parents moved there some decades ago and have gained the support of European converts to Islam. Their agitation system uses social media, religious activities in mosques and beyond, and missionaries in European prisons. Many of those who joined the jihadi ranks of ISIS in countries like Syria and Iraq are now heading back home to Europe. Thus, a similar pattern to the one that took place several decades ago, when the early Al-Qaeda jihadists returned from Afghanistan "importing" jihad to their home countries, is already noticeable.

No less dangerous to European national security, although the danger they pose is less immediate, are the "Realistic Radical Islamists," better known as the "Muslim Brotherhood." Just like the "violent Extremists," they are also committed to changing the world order as soon as possible and replacing it with an Islam-based order, as they interpret it. However, since they believe that Islam does not have enough strength at this point to force such a revolution, they consider the use of force in Europe as counterproductive for now and justify it only in the Middle East and especially against Zionists, rival pragmatic

Muslims, or Westerners in cases where they see them as "occupiers" or "oppressors." In Europe, they have developed a theory that calls for promoting change through proselytization [*da'wah*] and political activism, keeping their support of terror at a low profile. The Realistic Radical Islamist system in Europe is very large and, in many cases, seen by the authorities as the interlocutor for the local Muslim community. As such, it enjoys legitimacy and relatively broad freedom of action.

The big wave of Muslim immigrants and asylum seekers that found refuge in Europe in recent years, and especially after the Iran Nuclear Deal was concluded in 2015, exacerbated the threat of Radical Islam for various reasons. First, it provided radical Islamists an opportunity to send operatives to Europe and to enable the return to Europe of some of the volunteers who came from Europe to help ISIS in the Middle East. Beyond that, it created a new reservoir of potential audiences for recruitment to both "realistic" and "violent" Islamist camps that may bolster the effort to replace the existing Western world order.

The immigration wave reflected the concerns and despair of mostly pragmatic Muslims who realized that the West has surrendered to the Shiite and Sunni Radicals the hegemony and control of the Middle East, and therefore there is no room and no hope for them there. Another part of the immigrants is made of Realistic Radical Muslims who were also driven out from their original homes, especially in Syria. Upon their arrival to Europe, the immigrants are approached by a local Realistic Radical Islamist organization, sometimes with the acquiescence of the local state, and a considerable portion of them go through a process of integrating into radical structures. This is true of those who arrive as realistic radicals, but it also applies to some of the pragmatists, because they wish to preserve their Islamic culture and are not interested and are not welcome to integrate into the wider local society.

This almost inevitable process leads more Muslims in Europe toward Radical Islam, with many adopting the Realistic attitude and a few going through the radicalization process all the way toward "violent

extremism," including readiness to carry out terror attacks on European soil.

In parallel, the immigration to Europe of dissidents who seek refuge, including from Iran, brings to Europe Iranian state terrorism, as manifested in the several attempts by Iranian operatives to carry out terror attacks in Europe against Iranian opposition activists.

Meeting the Threats

Dealing with this growing threat requires multiple changes:

1. Improving counter-terrorism systems, and especially the cooperation between intelligence organizations in vetting the immigrants and following their integration in their new country.

2. Adopting a policy that clarifies why Westerners are proud of the world order they have developed and that they are ready to protect it, instead of being shy about it.

3. Opposing all kinds of Radical Islamism in Europe (and in the Middle East) and promoting pragmatic forces within Islam by treating them as the interlocutors for local Islamic communities.

4. Supporting efforts to limit the power and presence of Radical Islamists in the Middle East. After depriving ISIS of its Caliphate, it is necessary to take the necessary steps (isolation and sanctions) to weaken Iran and force it to give up its imperialistic ambitions.

5. Much more investment is necessary in those countries from which Muslim immigration stems because of economic reasons. Success in the two last endeavors may convince many of the immigrants to return to their home countries.

Background

The adoption of the Joint Comprehensive Plan of Action (JCPOA, better known as the Iran Nuclear Deal), in the July 2015, signaled a major achievement of the radical camp, led by Iran, in the battle over the fate of the Middle East, and especially Syria, waged against the pragmatists led by Saudi Arabia. By legitimizing Iranian nuclear ambitions, Barack Obama sought to strengthen Tehran to secure a "cold peace" between the Iranians and the Saudis, in the hope that their proxy wars in Yemen, Syria, and Iraq would finally end. In other words, Obama wanted the two regimes to "share" the Middle East.[1] However, it is increasingly apparent that Obama did not foresee the potential ramifications this move would have, not only within the region but also throughout the entirety of Europe.

The clear path toward a nuclear weapons arsenal and inevitable regional supremacy that was given to Iran made the pragmatic Sunni Arabs in the Middle East, and especially in Syria, realize that the region was bound to succumb to Iranian ambitions and Sunni ultra-extremism exemplified by ISIS.

The pragmatists and some of the Realistic Radical Sunnis, especially those in Syria who were already suffering at the hands of the brutal Assad regime or had already moved to neighboring countries such as Turkey and Lebanon, read the writing on the wall. They lost hope that they would ever be able to return to their hometowns and villages and live there the way they wanted, and therefore they decided to migrate to Europe for the sake of starting a better life. This is one of the major sources of the wave of refugees that flooded Europe in 2015 and kept flowing since, and this is the component of the Muslim immigration that is beyond the usual immigration trend motivated by economic considerations.

Once they reached Europe, the pragmatists split into those who remained committed to living as Muslims peacefully in Europe, and those who lost hope of being able to do so. The latter group, disgruntled

by their lack of success and in dire need of vindication, searched for a body that could represent them socially and politically. Often, they found such a political and religious home in local organizations belonging to the Realistic Radical school of thought – mainly those affiliated with the Muslim Brotherhood. Many of these organizations were formed by previous Muslim immigrants to Europe and dominate the Muslim political scene, having been successful in their great efforts to position themselves as the interlocutors on behalf of the Muslim communities with the local governments. Some of these individuals go further and end up joining radical elements at the fringes of the Muslim community, such as the Salafi Jihadists.

Understanding the Muslim Brotherhood

The process of internationalization of the Muslim Brotherhood has been covered in depth by the Jerusalem Center.[2] The Muslim Brotherhood was founded in Egypt in 1928 by Hasan al-Banna for the purpose of reuniting the Muslim nation [*ummah*] following the fall of the Ottoman Empire in World War I. Since then, the Brotherhood has evolved into a colossal transnational, Pan-Islamic ideological network – known as the Global Muslim Brotherhood (GMB) – which is allegedly active in more than 80 countries worldwide. Muslim Brotherhood affiliates emphasize the need for grassroots work via coordinated and guided "civil society" groups in fields like education, welfare, medical services, and religious institutions, known as the *da'wah* (proselytization) system.

The main trigger that caused the movement to internationalize was Egyptian President Gamal Abdel Nasser's "ordeal" in 1954, in which many members of the Brotherhood were arrested, deported, killed, or fled Egypt. Of those who fled, many relocated to Saudi Arabia and Qatar. A third, much smaller and less organized group, relocated to the United States and a few European countries, such as West Germany, where they enrolled as students in local universities. These students proved to be the most effective in disseminating the ideology of the Brotherhood on a broader scale. The privilege of living in a liberal

democracy as students allowed them to nurture their ideology and spread it to their Muslim peers, and later to non-Muslim scholars and leftist oppositionists. Over time, as they developed more institutions and organizations that brought the teachings of Islam to the masses, the Brotherhood gradually became associated with the "establishment," serving as the gateway between the European Muslim community and local and national governments.[3]

In addition to the history of the Muslim Brotherhood, it is imperative to understand their ideology to discern whether they should be considered a moderate Islamist alternative to violent groups like Al-Qaeda, or as a harbinger of modern terrorism.[4] As stated previously, Al-Banna initially envisioned the Brotherhood as a movement whose purpose was to reintroduce Islam into Muslim territories to counter the rise of secularism and Western imperialism. He aimed to achieve this goal via proselytization in mosques, schools, parks, etc. The rise of Sayyed Qutb, the Brotherhood's chief ideologue in the 1960's, resulted in a drastic alteration of Al-Banna's vision. Qutb believed that the entire world was in a state of *jahiliyyah* (ignorance), and the only way to remedy this was the unification of the Muslim world into a caliphate governed by Sharia Law, even if attained through violence.[5]

Beginning in the late 1980s, the Muslims who fled to the West following the "ordeal" in 1954 had become accustomed to life there. As such, the perception of some Islamist theologians regarding the West changed; they no longer considered it *Dar al-Kufr* (the Land of Unbelief) or *Dar al-Harb* (the Land of War), but rather as *Dar al-da'wah*, sometimes even Dar al-Islam, where Muslims had the right to try to convince the local population, Muslims and non-Muslims alike, to live according to Sharia Law.[6]

Following this ideological shift, a new legal doctrine was introduced in the 1990s by two notable Islamic figures, Shaykh Dr. Taha Jabir Al-Alwani of Virginia, and Shaykh Dr. Yusuf al-Qaradawi of Qatar. Titled "*Fiqh al-Aqalliyyat*" (the minorities' jurisprudence), the doctrine focuses on aspects of daily life for the Muslim minority in the West

so that Muslims can live in harmony with the Westerners while still abiding by the dictates of Islam.[7] The logic behind *Fiqh al-Aqalliyyat* lies partly in the general approach of the Brotherhood that questions the conditions for the use of violence, and partly in its realism, namely, the understanding that Islam does not have at this point the power to force its opinion onto the West, definitely not in the West itself. Therefore, the Brotherhood seeks allies and partners within the European society that will increase its ability to make its *da'wah* effective. The Brotherhood does not see the West as an amalgamation of nation-states like the Westerners do, but rather as one single entity. This is consistent with the Brotherhood's idea that Islam is a religion which will eventually encompass the entire globe. Therefore, Muslims living in the West do not need to emigrate back to Dar al-Islam, because the whole world is destined to become Dar al-Islam. These nonviolent ideas were adopted by the "realistic radicals," who were starkly opposed to the "ultra-radicals" who engaged in violence.[8]

To simplify the Brotherhood's ideology, consider the following metaphor: In the book "*The Hitchhiker's Guide to the Galaxy*," it is discovered via a planet-sized supercomputer that the meaning of life is the number 42. One way to interpret this is that life is meaningless. In other words, there is a crisis of meaning in the West. The Brotherhood and its leaders, such as Qutb and Qaradawi, recognized this crisis and sought to use it to their advantage by offering the Westerners the only meaningful way possible for salvation – Islam.

Despite its non-violent messages and desire "to save" the West, many contemporary GMB leaders support violence in cases of conflict or the war on terror where they perceive Muslims to be under "colonialist" occupation and entitled to wage legitimate Resistance [*muqawamah*], such as the Palestinian-Israeli conflict, or in Iraq or Africa. The most central figures in the GMB and Hamas have also joined forces with leading Salafi and Salafi-jihadi figures as founding members of the Global Anti-Aggression Campaign (GAAC), an international, anti-Western umbrella that was mainly active between 2003 and 2016. At least seven leading GAAC figures and/or their organizations have

been designated as terrorists by the United States, the European Union, and/or the United Nations for their support of Al-Qaeda and related groups.[9] Such cooperation continues and can be seen when looking at the participants in various conferences held in Turkey, especially around Israel-related issues.

Qaradawi, himself a founding member of the GAAC, has called for violence toward the Zionists in Israel, as well as American soldiers in Iraq.[10] Moreover, GMB structures are intimately linked to Hamas, the genocidal terrorist organization that rules the Gaza Strip. Hamas itself is an offshoot of the Muslim Brotherhood, and its charter states unequivocally that, "The Islamic Resistance Movement is one of the wings of Muslim Brotherhood in Palestine."[11] This background explains Hamas' move in late April 2017 to publish its "Document of General Principles and Policies" as well as Hamas' current status in GMB structures.

For many years, Hamas and its supporters claimed that its 1988 charter – infamous for its robust anti-Semitism – is irrelevant to many of its members and is being reviewed. Eventually, the April 2017 document was published with the aim of updating Hamas' ideology and principles, but did not replace the original charter. Various analysts noted that the document did not mention Hamas' Muslim Brotherhood affiliation and concluded that that Hamas had disavowed the Brotherhood. In fact, Hamas merely adopted a similar language used by other Global Muslim Brotherhood affiliates to avoid referring to their linkages with the "official" movement. Hamas leader Khaled Mashal, for example, explained, "Hamas belongs to the Brotherhood's school of thought, but it is an independent Palestinian organization, not affiliated with any organization here or there."[12]

Earlier in January 2017, a Hamas delegation went to Egypt, the Muslim Brotherhood's nemesis. Mahmoud Al -Zahar reported on an improvement in the relations between Hamas, which controls the Gaza Strip, and Cairo, confirming that an agreement had been reached on "border control" between the Strip and Egypt.[13] Thus, it could be that

the attempt to distance Hamas from the Brotherhood has also been made as part of these understandings. In any case, it does not seem that any changes have been made in the efforts made by the Global Muslim Brotherhood to support and promote Hamas. On the contrary, they have nurtured and further developed the Popular Conference of Palestinians Abroad (PCPA), the global pro-Hamas umbrella group that focuses its work on the Palestinian "diaspora," a topic previously covered in a Jerusalem Center article.[14]

In a report submitted to the House of Commons, former British Ambassador to Saudi Arabia Sir John Jenkins stipulated that the Brotherhood had "deliberately, wittingly, and openly incubated and sustained an organization – Hamas – whose military wing has been proscribed in the UK as a terrorist organization." Furthermore, support for Hamas is considered a high priority for the Brotherhood both in Egypt and internationally. The Brotherhood has a staunch record of defending Hamas suicide attacks against Israel, and some of its charities have had links to Hamas, such as the UK charity Interpal, which was designated as a terrorist entity by the U.S. Department of Treasury.[15]

The Muslim Brotherhood in Europe

Although the Muslim Brotherhood projects an ostensibly peaceful image, hints of violent undertones frequently surface.

This is a problem for Europe. The influx of millions of refugees and asylum seekers into Europe in recent years changed the demographic makeup of the continent, and since most of the Muslims, including the new immigrants, live in and around the major cities, their presence is a noticeable issue. The prevalence of realistic radicalism in European Muslim Brotherhood-affiliated groups means that millions of Muslim migrants are now exposed to radicals in sheep's clothing. The migrants may not notice the extremism of realistic radicals like the Brotherhood due to them not outwardly preaching violence, but their ideology will

serve as a springboard that can lead some of the migrants toward more violent groups.

Just how deep are the roots of the Brotherhood in Europe?

The Federation of Islamic Organizations in Europe (FIOE) is an umbrella group consisting of member organizations from 28 countries across Europe. FIOE maintains a strong link to the main Brotherhood-affiliated organizations in Europe, as well as Hamas.[16] One of FIOE's stated goals is the appointment of Muslims to influential positions in Europe. This is indicative of their aspiration to become powerful players on the continent, and how far they intend to spread their influence. In addition, according to Saudi Crown Prince Mohammed bin Salman, there are over 500 Muslim Brotherhood-affiliated organizations in Europe.[17]

At the same time, it is important to realize that the number of GMB activists is rather small, and they usually operate in many of these organizations simultaneously and move between them.

Below is a breakdown of the state of the Brotherhood in the European countries where it has become particularly noteworthy:

In 2016, the German Federal Office for the Protection of the Constitution (*Bundesamt für Verfassungsschutz*, BfV), stated that the Brotherhood has more than 1,040 adherents in Germany.[18] Gordian Meyer-Plath, president of the regional department of the German domestic security and anti-terrorist organization, stated that "The Muslim Brothers still want to establish Sharia law in Germany."[19] German authorities view the Brotherhood as a graver threat to Germany's democracy than groups like ISIS and Al-Qaeda.[20]

The central and most important Brotherhood-affiliated organization and also the largest Islamic organization in the country,[21] is the Islamische Gemeinschaft in Deutschland e.V. (IGD) In addition to its headquarters in Cologne, the IGD has – by its own account – "Islamic

Centers" in Munich, Nuremberg, Stuttgart, Frankfurt on the Main, Marburg, Brunswick, and Münster.[22] The IGD has raised funds for Hamas during its conflicts with Israel[23] and has also been involved in the campaign to delegitimize Israel as the Jewish state.[24]

Furthermore, in countries like Germany and Austria, which have large Turkish communities, the question of involvement of the Turkish government or groups linked to it is becoming increasingly important, especially since Turkey utilizes GMB structures in many countries for such purposes. In early January 2019, for example, the *Türkisch-Islamische Union der Anstalt für Religion e.V.* or *Diyanet İşleri Türk-İslam Birliği (DITIB)*, another large Islamic organization with Turkish ties, held a three-day conference in Cologne-Ehrenfeld, organized by the Turkish Presidency of Religious Affairs (*Diyanet*), which hosted *Diyanet's* President Ali Erbaş and senior GMB figures.[25]

As one of the most important countries for Brotherhood operations outside of the Middle East, the United Kingdom hosts dozens of groups which may be affiliated with the Brotherhood (but most of which deny this affiliation). Steven Merley, the editor of *Global Muslim Brotherhood Watch* and a leading expert on the Brotherhood's activities in Europe, stated that "Britain is the command and control center for the Brotherhood in Europe. Nowhere else comes close – that is undeniable."[26]

In 2014, the Brotherhood's central arm – the Muslim Association of Britain (MAB) – claimed a membership of just 600 people.[27] UK Brotherhood affiliates have consistently defended Hamas attacks against Israel, including suicide bombings, and some also condoned attacks against British forces in Iraq. Only recently, Mohammed Sawalha, a senior veteran figure affiliated with the Brotherhood and a former member of Hamas' politburo, left his position as a trustee at the Finsbury Park Mosque. The mosque, close to the neighboring Muslim Brotherhood-aligned Muslim Welfare House (MWH)[28] and the MAB[29] claimed they were "unaware of his Hamas role."[30]

Several key organizations affiliated with the GMB had their headquarters in Belgium, including FIOE, and the Forum of European Muslim Youth and Student Organisations (FEMYSO), which presents itself as the "de facto voice of Muslim Youth in Europe." FEMYSO claims it "developed useful links with the European Parliament, the European Commission, the Council of Europe, the Organization for Security and Co-operation in Europe (OSCE), the United Nations, and a host of other significant organizations at the European and international level."[31]

A Belgian parliamentary report on Islamic radicalism showed that the Belgian Brotherhood and FIOE are linked with the controversial League of the Muslims of Belgium (LMB). Tariq Ramadan, grandson of Hassan al-Banna who also shares similar ideology, has lectured in Muslim Brotherhood institutions in the country.[32] Furthermore, the Belgian State Security Service has been monitoring the activities of the Belgian Brotherhood since the 1980s. In the 1990s, the Al-Aqsa Humanitaire was founded as the Belgian branch of the Al-Aqsa Foundation, a now UN-designated terrorist organization that provided funding for Hamas. In 2001, the entirety of the Al-Aqsa Foundation, including the Belgian branch, were listed as founding organizations of the Union of Good, a network of charities under the leadership of radical Shaykh Yusuf al-Qaradawi.[33]

According to the World Almanac of Islamism, Muslim Brotherhood affiliates maintain a serious presence in Spain, largely in the regions of Andalusia, Valencia, and Madrid.[34] In late 2017, the *Arab Weekly* reported a recent upsurge in Muslim Brotherhood activity in the Catalonian region in the form of organizing forums, building schools, and providing social services, in a bid to increase its legitimacy.[35] FIOE is represented in Spain by the *Liga Islamica Por El Dialogo Y Convivencia* (Islamic League for Dialogue and Coexistence.) In 2009, an independent, self-regulatory imam-training organization was formed, which has ties to the Global Muslim Brotherhood.[36] In 2018, Alaa Mohamed Said, an imam in Logroño and member of the Muslim Brotherhood, was deported to Egypt for being a "national security

threat."[37] Some leaders of the *Unión de Comunidades Islámicas de España* (Union of Islamic Communities of Spain) maintain ties with the Syrian Muslim Brotherhood. Among these leaders was Imam Abdelbaki Es Satty, who is believed to have radicalized members of his community of Ripoll and masterminded the 2017 Barcelona attacks, which killed 13 people and injured 130.[38] Es Satty died during the attack when explosives he had stockpiled in his apartment blew up.

France has also been a key country for Muslim Brotherhood-affiliated activities. The *Musulmans de France* (MF), formerly the Union of Islamic Organizations of France (UOIF), was linked to the CBSP (Palestinian Charitable and Relief Committee), a charity that was designated by the U.S. Treasury for Hamas funding in 2003.[39] Furthermore, anti-Semitic messages were found on UOIF's website, as well as messages advocating terrorism and calling for Jihad.[40] Brotherhood-affiliated organizations in France also cooperate with the government on education. Israeli Middle East expert and Arab affairs commentator Tzvi Yehezkeli compared the education Muslim children in France receive to that of Palestinian Arab children in the Gaza Strip under Hamas.[41]

Violent Islamist extremism is a rather recent phenomenon in Italy, beginning in the early 2000s. While some smaller-scale attacks have occurred on Italian soil, Italy has luckily largely escaped the wider scale attacks committed in other parts of Europe. UCOII, a FIOE member organization, is the largest Islamic organization affiliated with the Brotherhood in Italy. It enjoys a quasi-monopoly on almost all Italian mosques. Its members have expressed support for suicide bombings, downplayed beheadings, and have repeatedly uttered anti-Semitic and homophobic slurs.[42] In April 2017, it was reported that the Italian government signed an agreement with the UCOII to provide "moderate" imams to combat radicalization in the country's prisons.[43]

Tariq Suwaidan, a leading Kuwaiti Muslim Brotherhood figure and founding member of the aforementioned Global Anti-Aggression Campaign (GAAC) visited Italy in 2013.[44] Suwaidan is also known

for his anti-Semitic *Illustrated Encyclopedia of the Jews*. He was invited to speak in Italy again in May 2016, but his entry was barred by the Ministry of the Interior.[45]

In March 2017, a report commissioned by Sweden's Civil Contingencies Agency (MSB) to look into the influence of the Muslim Brotherhood in the country was published. The report claims that the Brotherhood dominates the state-sponsored part of the domestic Muslim community. Large sums of Swedish taxpayers' money are granted to various Brotherhood-affiliated organizations, meaning that Swedish citizens are unwittingly aiding in building the Brotherhood's infrastructure in the country.[46]

Ronald Sandee, a former senior analyst with Dutch Military Intelligence and an expert on terror and radicalization, confirms that over the last decade, the Brotherhood has gained a firm grip on the Muslim community in the Netherlands and is broadening its influence into local and national politics with the help of left-wing parties such as Groen Links and the PvdA. In 2011, an investigation by the General Intelligence and Security Service (AIVD) into the Brotherhood concluded that although they pose no current threat to national security, they could become a risk in the future.[47]

In an Austrian academic report published in 2017, Lorenzo Vidino wrote that the Brotherhood's use of victimhood and justification of violence creates a "fertile environment for radicalization" that has been particularly evident in Austria in recent years.[48]

In February 2016, a state-funded study into Islamic kindergartens in Vienna suggested that Islamist groups such as the Muslim Brotherhood and its Turkish counterpart *Milli Gorus* have links to some of the capital's preschools. Ednan Aslan, the author of the report, found that the religious education preached by several of the capital's 150 Muslim establishments led to "theologically-motivated isolation" and robbed children of their autonomy through "intimidation." The

study concluded, "Intellectual Salafists and political Islamists are the dominant groups in the Islamic kindergarten scene in Vienna."[49]

Muslim Migration to Europe

It is important to focus on recent migration patterns of Muslims into Europe and to analyze whether there is a correlation between the rise in migration and the rise in terror activity. In 2017, the Pew Research Center released a detailed report outlining the growth of the European Muslim community between 2010-2016 and then projecting the possible size of the community under three different scenarios by 2050. Between 2010-2016 the Muslim population in Europe increased from 19.5 million to almost 26 million, or 3.8 to 4.9 percent of the entire European population (figure 1).[50] Between 2014-2016, 7 million people migrated to Europe, of whom 2.5 million were regular Muslim migrants and 1.3 million were Muslim refugees, or 78 percent of total refugees (figures 2 & 3).[51]

Under the "zero migration" scenario (no migrants entering Europe), the Muslim population is expected to rise from 26 million people to 36 million, an increase from 4.9 percent to 7.4 percent. Under the "medium migration" scenario (regular migration continues, and refugee flows cease), the Muslim population will likely increase to 57 million, or 11.2 percent of the population. Under the "high migration" scenario (the refugee flows of 2014-2016 continue), that number should increase to roughly 76 million, or 14 percent of the population (figures 1 & 4).[52]

The effects of the growth in recent years become even more tangible when observing countries that have been particularly affected by the migration wave. For example, Germany received 670,000 refugees between 2010-2016, roughly 86 percent of whom are Muslims. In total, Germany's Muslim population rose from 3.3 million to 5 million in that period, growing from 4.1 percent of the population to 6.1 percent. The United Kingdom, which accepted relatively few refugees by EU

standards, was the most popular destination for regular migrants (1.6 million), 43 percent of whom were Muslims. The United Kingdom's Muslim population increased by over 1 million altogether in this period. France's Muslim population also rose by 1 million during this period, reaching nearly 6 million at the time of the study, the largest amount in the Western world. Finally, Sweden received more refugees in proportion to its population than the United Kingdom and France, which have much larger populations. Overall, 300,000 Muslim migrants – 160,000 of whom were refugees – arrived in Sweden during this period, almost doubling the Muslim population there, which in 2016 was 8 percent.[53]

Between 2014-2017, 1.8 million migrants received refugee status in Europe, with more than 1 million arriving just in 2015 (figure 5).[54] In 2015, migrants entering Europe through the Mediterranean Sea – the main thoroughfare for Muslim migrants into Europe[55] – started at a low point of 6,000 entries in January, reached a maximum of 220,000 entries in October, and ended the year with 119,000 entries in December (figure 6).[56]

Since the 2015-2016 peak, the number of refugee entries into Europe has been diminishing. The number of arrivals into Greece, Spain, and Italy, the three main points of entry into Europe due to proximity to the Mediterranean Sea, has steadily declined.[57] In fact, according to Frontex (the European Border and Coast Guard Agency), 2017 saw a 60 percent decrease in all irregular crossings into the European Union and 43 percent fewer asylum applications, thereby restoring the situation to pre-crisis levels.[58] This decline continued in 2018, when Italy, who in 2017 received 119,000 irregular migrants (67 percent of all irregular migrants entering the European Union), only received 20,000 by mid-September 2018.[59]

This decline is caused by a combination of reasons. First, many of those who wanted to immigrate have already done so. Second, some of those who were hesitating, once again became hopeful that they could return to their original homes, following the developments in eastern Syria,

and in light of the change in American policy under President Trump. The United States sided with the pragmatists in the Middle East at the expense of the realistic radicals, escalated the war against ISIS, and withdrew from the JCPOA. Finally, these potential immigrants realized that life in Europe is not easy for Muslim migrants. The 2016 EU deal with Turkey, new border fences in the Balkans, and the 2017 arrangement between Italy and Libya, also contributed to this matter.[60]

Security Concerns

Radical Islamist terrorism in Europe is not a new phenomenon. Europe has been the stage for some of the most horrible terror attacks by Muslim radicals, at the beginning primarily against Israeli targets, and later against Western targets (such as the 2004 Madrid Train Bombings and the 7/7 attack in London in 2005). Until recently, the attacks against the West were carried out to a large extent by homegrown radical Muslims who were educated in Europe, causing much frustration in European society. These radical Muslims continue to be the backbone of Islamic ultra-radicalism in Europe. However, the evidence suggests that the migration wave that began in 2014 increased the threat of Islamic extremism in Europe. Since 2014, almost 1,000 people have been injured or killed in terrorist attacks perpetrated by asylum seekers or refugees, and 16 percent of Islamist plots in Europe featured asylum seekers or refugees. These attacks occur most often within three years of arrival into Europe, and the plurality of terrorists hailed from Syria.[61] In addition, as many as 5,000 Europeans went to fight in Syria and Iraq, with 30 percent of them returning to Europe[62] where they can move freely from country to country thanks to the Schengen Agreement.

Furthermore, the European Union Agency for Law Enforcement Cooperation revealed that the number of jihadist attacks in Europe increased from 13 in 2016 to 33 in 2017.[63] The agency also noted that Islamic terror attacks killed a total of 135 out of all the 142 people killed in terror attacks in 2016, a massive increase from the four people killed by terror the year before.[64] Radicalization inside European

prisons is also a well-documented problem, which has resulted in many released prisoners committing terrorist attacks. According to the Tony Blair Institute for Global Change, radicalization in European prisons is widespread, and these jails serve as a "massive incubator for radicalization."[65] Prime examples of this trend are Abdelhamid Abaaoud, the mastermind behind the November 13, 2015 Paris attacks, and the *Charlie Hebdo* and kosher supermarket shooters Amedy Coulibaly and Cherif Kouachi.[66]

As mentioned, conversions to Islam could also pose a danger to the West due to the heightened susceptibility of converts to radical ideology. Research published by the Henry Jackson Society think tank found that Muslim converts are more susceptible to radicalization than non-converts due to their "vacuum of knowledge," which renders them unable to reject extremist ideology.[67] In fact, converts have been involved in Jihadist activity since before Al-Qaeda was fully formed. For example, two converts were among the team that plotted to blow up landmarks and tunnels in New York City in the 1990s "TERRSTOP" scheme. Other examples include German citizen Christian Ganczarski, who became a prominent Al-Qaeda operative and was connected to a 2002 bombing in Djerba, Tunisia, as well as Jamaican-born, English-raised Germaine Lindsay, who was a member of the cell responsible for the 2005 London Tube attacks. The list goes on and on.[68]

According to German authorities, there are an estimated 10,800 domestic Salafist Jihadists who can potentially radicalize incoming asylum seekers, and ISIS has reportedly used the recent wave of migration to Germany to sneak their own fighters into the country for this very purpose. This is in addition to the 950 members of Hizbullah and 320 Hamas members in Germany as of 2017, according to the Bfv (Federal Office for the Protection of the Constitution). More German citizens have died in Islamic terror attacks since September 11, 2001, than in the entirety of the violence perpetrated by the Red Army Faction, a far-left terror group that operated in Germany for over 30 years.[69]

The UK government views Islamic extremism and related homegrown radicalization as its chief security concern due to the high volume of terrorist attacks on British soil. Radicalization runs rampant in UK prisons (as it does in many EU countries), and not enough has been done to combat this phenomenon both inside prison and after the convicts are released.[70] Gilles De Kerchove, the EU's counter-terror coordinator, revealed that there are roughly 25,000 Islamist radicals in the United Kingdom, of whom 3,000 are considered a direct threat by MI5 and 500 are under constant surveillance by the authorities. De Kerchove also warned of radicalization in prisons, stating, "In prison, they will reinforce their beliefs and leave even more furious with the West."[71] While the exact number of individuals radicalized in prisons is unknown, the UK government has significantly increased efforts to combat this phenomenon. Besides separating the radicals from the potential radicals within the prisons, the government has appointed 100 counter-terrorism specialists and trained more than 13,000 frontline staff to ensure they can identify, report, and tackle extremist behavior in prisons.[72]

More than 500 Belgians are believed to have left the country to fight as terrorists abroad, according to the Belgian government. The returning foreign fighters pose a severe threat to the country and its neighbors. As mentioned, prime examples of this are Abdelhamid Abaaoud, the mastermind behind the November 2015 Paris attacks in which 130 people were murdered, and Mehdi Nemmouche, who perpetrated the May 2014 attack on the Jewish Museum of Brussels in which four people were killed. During Nemmouche's trial in February 2019, witnesses testified that as an ISIS fighter, he held them hostage and tortured them in Syria in 2013, after which he traveled to Belgium. Brussels is a breeding ground for Islamic extremism, with many high-profile lone wolf and wider scale attacks occurring there in recent years. Most noteworthy among these are the 2016 Brussels bombings in which 32 people were murdered. It was the deadliest attack in the history of Belgium.[73]

Spain has been the target of numerous Islamic attacks by groups wishing to reconquer "al-Andalus," the historical Arabic name for the Iberian mainland, which was under the control of the Islamic Caliphate until the late 15th century. These attacks include the 2004 Madrid train bombings, which killed over 190 people and injured some 2,000 others, making it the deadliest terror attack in the history of Europe.[74] In the years following the bombings, Spanish authorities have arrested over 470 Islamist militants, and a further 177 suspected terrorists were arrested in 2015-2016 alone.[75] Radicalization is also a problem in Spain. The 2004 bombings and the 2017 Barcelona attacks were carried out primarily by Moroccan nationals who were radicalized while living in Spain.[76] According to a 2017 study conducted by the West Point's Combating Terrorism Center, 90 percent of those detained in Spain for Islamist-terror related activities between 2013 and 2016 were radicalized inside Spain.[77]

France has been the target of numerous deadly attacks in recent years, such as the March 2018 Carcassonne attack, the July 2016 Bastille Day attack in Nice, the November 2015 ISIS attacks in Paris, and the January 2015 *Charlie Hebdo* and kosher supermarket attacks. Since 2015, more than 240 people have been murdered by terrorists aligned with ISIS. This led President Emmanuel Macron to declare counterterrorism as his most important foreign policy goal.[78] Terrorism in France tends to sprout mainly from homegrown terrorists.[79] This has prompted the French intelligence services to place 18,000 potentially violent radicals under surveillance. The number of Muslim converts in France by 2013 stood at 100,000, double what it was in 1986. Some Muslim organizations in the country place the number at 200,000.[80]

In Sweden, the security service stated that the greatest terror threat in the country stems from Islamic extremism. However, Islamists in the country are more likely to facilitate terror abroad via recruitment, finance, and travel assistance than carrying out domestic attacks.[81]

In the Netherlands, the AIVD stated that Islamic extremism has morphed from being almost nonexistent to a "widespread one with

several hundred supporters and thousands of sympathizers." The number of jihadist websites increased exponentially, and social media outlets are utilized for recruitment and organization. Moreover, radical Islamists and Salafists have been targeting higher numbers of Muslim asylum seekers since the onset of the current migration wave.[82]

In Austria, Vienna is well known as a hub for European Jihadists, and as of October 2015, 70 Austrian citizens returned to the country after serving as foreign fighters in Iraq and Syria. Homegrown radicalization is also a problem. For example, Bosnian-Austrian terrorist Mirsad Omerovic is responsible for raising funds for ISIS and inspiring 166 youth to fight in Syria. In 2014, the Federal Office for the Protection of the Constitution and Counterterrorism warned, "Religiously motivated extremism and terrorism, above all of Islamic character… present a great potential threat [to Austria]."[83]

Conclusions

Europe faces a significant problem. On the one hand, it is commendably taking in large numbers of asylum seekers for the sake of human rights, so many that the demographics of Europe are shifting. On the other hand, while the majority of these asylum seekers are simply looking for a better life in Europe free from persecution and radical extremism, a small minority of them are sent to Europe for the sole purpose of radicalizing the local Muslim population and committing terror attacks against the West.

Moreover, while the Muslim Brotherhood presents an image of a moderate Islamic movement that conducts charity work and community outreach, in reality, it is a movement run by realistic radicals who are committed to changing the world order as soon as possible and forming a worldwide Caliphate. The Brotherhood does not oppose terror in certain situations as a tool for achieving this goal; it provides deep-seeded support for Hamas; and it expresses anti-Semitic rhetoric. They pose a real security threat to Europe. They

radicalize native European Muslims, whose numbers are growing rapidly, and they radicalize some of the moderate pragmatists who fled to Europe to escape radicalism, only to find themselves arriving into a society where radicalism already exists. European countries, therefore, must acclimate these refugees efficiently enough, so they are not attracted to the *da'wah* structures, which offer them financial and welfare assistance. The European governments should also perform proper due diligence as to whom they choose to partner.

Lastly, consider the results of 1 million refugees entering Europe. Now consider what would happen if highly populated countries like Egypt were to fall, and tens of millions of refugees would flock to Europe. The consequences would be disastrous. This radicalism needs to be confronted, and its roots must be pulled from the ground before it entangles anyone else.

Migrants walk to board a train at a station near the village of Zakany, Hungary, September 2015. (*AP Photo/Petr David Josek*)

Appendix

Figure 1:

Projected Muslim counts over time under different migration scenarios

	2010	2016	2050 zero migration scenario	2050 medium migration scenario	2050 high migration scenario
Europe overall	**19,520,000**	**25,770,000**	**35,770,000**	**57,880,000**	**75,550,000**
United Kingdom	2,970,000	4,130,000	6,560,000	13,060,000	13,480,000
France	4,720,000	5,720,000	8,600,000	12,630,000	13,210,000
Germany	3,300,000	4,950,000	5,990,000	8,480,000	17,490,000
Italy	2,150,000	2,870,000	4,350,000	7,050,000	8,250,000
Spain	980,000	1,180,000	1,880,000	2,660,000	2,810,000
Sweden	430,000	810,000	1,130,000	2,470,000	4,450,000
Netherlands	990,000	1,210,000	1,510,000	2,200,000	2,790,000
Belgium	650,000	870,000	1,250,000	2,050,000	2,580,000
Switzerland	390,000	510,000	660,000	1,140,000	1,520,000
Norway	180,000	300,000	390,000	980,000	1,320,000
Austria	450,000	600,000	750,000	960,000	2,120,000
Denmark	220,000	310,000	430,000	770,000	1,100,000
Finland	60,000	150,000	220,000	720,000	990,000
Greece	590,000	620,000	590,000	700,000	860,000
Bulgaria	820,000	790,000	700,000	500,000	650,000
Cyprus	280,000	300,000	300,000	390,000	430,000
Portugal	30,000	40,000	50,000	210,000	220,000
Ireland	50,000	70,000	80,000	190,000	200,000
Hungary	< 10,000	40,000	30,000	110,000	390,000
Romania	70,000	80,000	70,000	110,000	120,000
Slovenia	70,000	80,000	80,000	100,000	100,000
Czech Republic	< 10,000	20,000	20,000	100,000	110,000
Croatia	70,000	70,000	60,000	70,000	70,000
Luxembourg	10,000	20,000	20,000	60,000	90,000
Poland	< 10,000	10,000	10,000	50,000	60,000
Malta	< 10,000	10,000	10,000	40,000	80,000
Slovakia	< 10,000	< 10,000	< 10,000	30,000	40,000
Latvia	< 10,000	< 10,000	< 10,000	< 10,000	< 10,000
Lithuania	< 10,000	< 10,000	< 10,000	< 10,000	< 10,000
Estonia	< 10,000	< 10,000	< 10,000	< 10,000	10,000

Notes: In zero migration scenario, no migration of any kind takes place to or from Europe. In medium migration scenario, regular migration continues and refugee flows cease. In high migration scenario, 2014 to mid-2016 refugee inflow patterns continue in addition to regular migration. Estimates do not include those asylum seekers who are not expected to gain legal status to remain in Europe.
Source: Pew Research Center estimates and projections. See Methodology for details.
"Europe's Growing Muslim Population"

PEW RESEARCH CENTER

Source: http://www.pewforum.org/2017/11/29/europes-growing-muslim-population/

About one-quarter of recent immigrants to Europe are refugees

Estimated counts of Muslims and non-Muslims immigrating to Europe between mid-2010 and mid-2016

■ Muslims ■ Non-Muslims

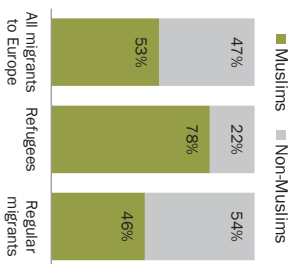|	Muslims	Non-Muslims
All migrants to Europe	3.7m	3.3
Refugees	1.3	0.3
Regular migrants	2.5	2.9
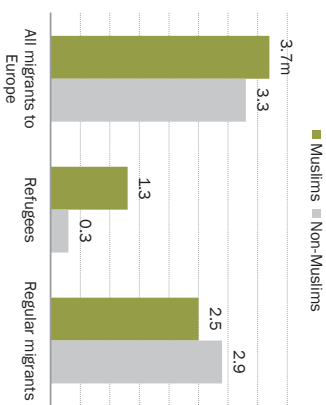
Note: Counts do not include those asylum seekers who are not expected to be granted legal refugee status to remain in Europe. Europe defined here as the 28 member nations of the European Union in 2016 plus Norway and Switzerland.

Source: Pew Research Center estimates. See Methodology for details.

"Europe's Growing Muslim Population"

PEW RESEARCH CENTER

Majority of recent refugees are Muslim

Estimated shares of Muslims and non-Muslims immigrating to Europe, 2010-2016

■ Muslims ■ Non-Muslims

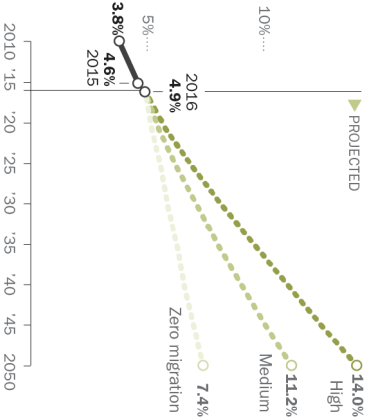|	Muslims	Non-Muslims
All migrants to Europe	53%	47%
Refugees	78%	22%
Regular migrants	46%	54%

Note: Estimates do not include those asylum seekers who are not expected to be granted legal refugee status to remain in Europe. Europe defined here as the 28 member nations of the European Union in 2016 plus Norway and Switzerland.

Source: Pew Research Center estimates. See Methodology for details.

"Europe's Growing Muslim Population"

PEW RESEARCH CENTER

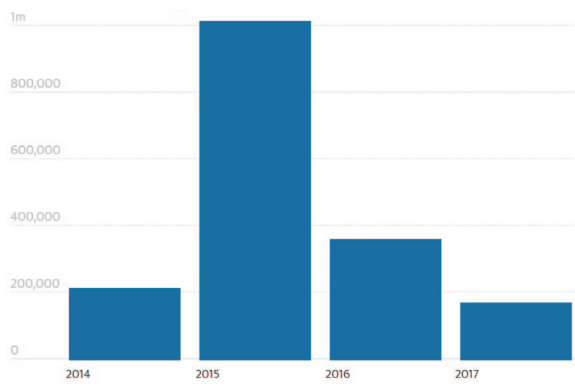## Amount of growth in Europe's Muslim population depends on future migration

Muslim share of Europe's population under different migration scenarios

▼ PROJECTED

10%

5%

3.8%
4.6%
2015

2016
4.9%

High 14.0%
Medium 11.2%
Zero migration 7.4%

2010 '15 '20 '25 '30 '35 '40 '45 2050

Note: In zero migration scenario, no migration of any kind takes place to or from Europe. In medium migration scenario, regular migration continues and refugee flows cease. In high migration scenario, 2014 to mid-2016 refugee inflow patterns continue in addition to regular migration. Europe defined here as the 28 countries of the European Union plus Norway and Switzerland. Estimates do not include those asylum seekers who are not expected to gain legal status to remain in Europe. Source: Pew Research Center estimates and projections. See Methodology for details.

"Europe's Growing Muslim Population"

PEW RESEARCH CENTER

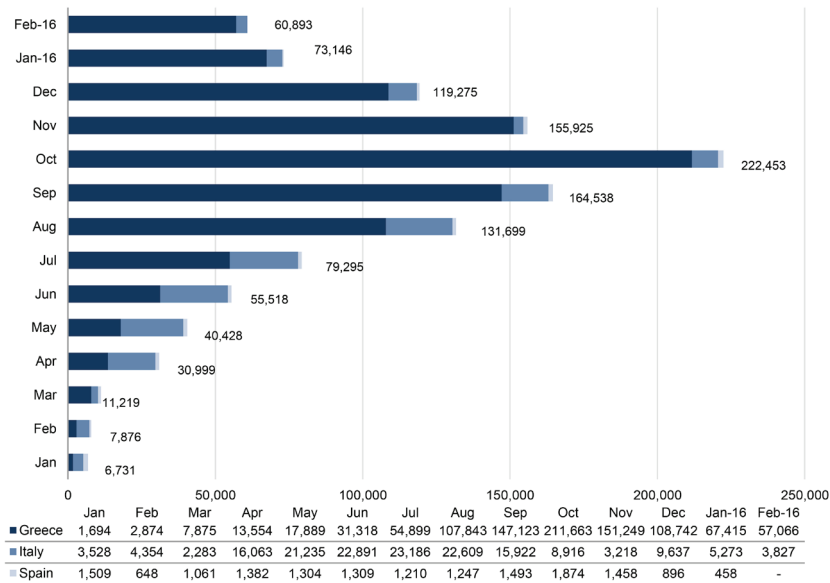Source: http://www.pewforum.org/2017/11/29/europes-growing-muslim-population/

Figure 5:

1.8 million refugees have arrived in Europe since 2014, more than 1 million of them in 2015 alone

Source: https://www.theguardian.com/world/2018/jun/15/what-current-scale-migration-crisis-europe-future-outlook (Graphic: Guardian; Data: UNHCR)

Figure 6:

Arrivals to Greece, Italy, and Spain by month

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan-16	Feb-16
Greece	1,694	2,874	7,875	13,554	17,889	31,318	54,899	107,843	147,123	211,663	151,249	108,742	67,415	57,066
Italy	3,528	4,354	2,283	16,063	21,235	22,891	23,186	22,609	15,922	8,916	3,218	9,637	5,273	3,827
Spain	1,509	648	1,061	1,382	1,304	1,309	1,210	1,247	1,493	1,874	1,458	896	458	-

Source: https://data2.unhcr.org/en/documents/details/47215

Notes

1. Goldberg, Jeffrey. "The Obama Doctrine." *The Atlantic* 317, no. 3 (2016): 70-90.
2. Rosen, Ehud. "Mapping the Organizational Sources of the Global Delegitimization Campaign against Israel in the UK." Jerusalem Center Public Affairs, 2011, http://www.jcpa.org/text/Mapping_Delegitimization.pdf
3. Ibid.
4. Ibid.
5. Eikmeier, Dale C. *Qutbism: an ideology of Islamic-Fascism*. ARMY WAR COLL CARLISLE BARRACKS PA, 2007.
6. Rosen, "Mapping the Organizational Sources," 2011.
7. Fishman, Shammai. *Fiqh al-Aqalliyyat: a legal theory for Muslim minorities*. Hudson Institute, 2006.
8. Ibid.
9. Steven Merley, The Global Anti-Aggression Campaign 2003-2016 A Global Muslim Brotherhood, Salafi and Jihadi alliance against the West, 2017. https://www.globalmbresearch.com/wp-content/uploads/2017/02/Global_Anti-Aggression_Campaign_2003-2016.pdf
10. MEMRI, Special Dispatch Series – No. 794 (6 October 6 2004), http://memri.org/bin/articles.cgi?Page=archives&Area=sd&ID=SP79404
11. http://avalon.law.yale.edu/20th_century/hamas.asp
12. https://www.youm7.com/story/2017/5/1/%D8%AE%D8%A7%D9%84%D8%AF-%D9%85%D8%B4%D8%B9%D9%84-%D8%AD%D9%85%D8%A7%D8%B3-%D9%84%D9%8A%D8%B3%D8%AA-%D8%AC%D8%B2%D8%A1-%D9%85%D9%86-%D8%A7%D9%84%D8%A5%D8%AE%D9%88%D8%A7%D9%86-%D9%88%D9%86%D8%AA%D8%B9%D8%A7%D9%85%D9%84-%D9%83%D8%AA%D9%86%D8%B8%D9%8A%D9%85-%D9%81%D9%84%D8%B3%D8%B7%D9%8A%D9%86%D9%89/3214593
13. https://www.youm7.com/story/2017/1/24/%D8%AD%D8%B1%D9%83%D8%A9-%D8%AD%D9%85%D8%A7%D8%B3-%D8%AA%D8%AD%D8%B3%D9%86-%D9%81%D9%89-%D8%A7%D9%84%D8%B9%D9%84%D8%A7%D9%82%D8%A7%D8%AA-%D9%85%D8%B9-%D8%A7%D9%84%D9%82%D8%A7%D9%87%D8%B1%D8%A9-%D9%88%D8%A7%D8%AA%D9%81%D9%82%D9%86%D8%A7-%D8%B9%D9%84%D9%89-%D8%B6%D8%A8%D8%B7/3071452
14. Ehud Rosen, Are the Muslim Brotherhood and Hamas Mobilizing to Take Over the PLO?, 26 March 2018. http://jcpa.org/article/are-the-muslim-Brotherhood-and-hamas-mobilizing-to-take-over-the-plo/
15. Jenkins, John, and Charles Farr. "Muslim Brotherhood Review: Main Findings." *London: Prime Minister's Office, Cabinet Office, Foreign & Commonwealth Office and Home Office. Accessed January 27 (2015): 2016.*
16. Merley, Steve. "The Federation of Islamic Organizations in Europe." *Nefa Foundation*, 2008.
17. http://www.theportal-center.com/2018/09/lmb-front-of-muslim-Brotherhood-in-brussels/

18. https://www.verfassungsschutz.de/download/vsbericht-2016.pdf
19. https://www.express.co.uk/news/world/764011/muslim-Brotherhood-monopoly-over-mosques-gordian-meyer-plath-bfv-saxony-germany
20. http://english.alarabiya.net/en/News/world/2018/12/14/Muslim-Brotherhood-more-dangerous-to-Germany-than-ISIS-Qaeda-says-report-.html
21. http://almanac.afpc.org/Germany
22. https://www.verfassungsschutz.de/en/fields-of-work/islamism-and-islamist-terrorism/figures-and-facts-islamism/islamist-organisations-2015
23. http://almanac.afpc.org/Germany
24. See: Ehud Rosen, The Spider Web: The Roots of BDS and the Campaign to Delegitimize Israel, JCPA, 2018. http://jcpa.org/the-spiders-web/chapter-i-delegitimization-in-germany/islamist-organizations/
25. https://amp.ksta.de/koeln/islamkonferenz-radikale-islamisten-nahmen-an-ditib-konferenz-in-koeln-teil-31834048 ; https://www.welt.de/politik/deutschland/article186767692/Ditib-Kritik-an-geheimer-Konferenz-mit-radikalen-Muslimen.html
26. https://www.independent.co.uk/news/uk/home-news/muslim-Brotherhood-government-report-concludes-they-should-not-be-classified-as-a-terrorist-10109730.html
27. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/486932/Muslim_Brotherhood_Review_Main_Findings.pdf
28. Adam Taylor, A neighborhood accused of terrorist ties has become a victim of terrorism, 19 June 2017. https://www.washingtonpost.com/world/europe/a-neighborhood-accused-of-terror-ties-has-become-a-victim-of-terrorism/2017/06/19/d2a5558c-54f9-11e7-840b-512026319da7_story.html?noredirect=on&utm_term=.3021efe42e46
29. https://www.conservativehome.com/highlights/2017/06/profile-finsbury-park-mosque-an-extremist-past-claims-of-muslim-Brotherhood-influence-and-an-establishment-present.html
30. David Brown, Hamas leader quits Finsbury Park mosque board after watchdog inquiry, 11 January 2019. https://www.thetimes.co.uk/article/dc9be4a2-150f-11e9-8239-c0a124428b01
31. https://femyso.org/history/
32. http://www.theportal-center.com/2018/09/lmb-front-of-muslim-Brotherhood-in-brussels/
33. https://www.globalmbwatch.com/wp-content/uploads/2015/06/The-Muslim-Brotherhood-in-Belgium.pdf
34. http://almanac.afpc.org/Spain#
35. https://thearabweekly.com/catalonia-next-target-muslim-Brotherhood
36. https://www.globalmbwatch.com/2009/10/27/new-spanish-imam-training-body-has-ties-to-european-muslim-Brotherhood/
37. http://www.egypttoday.com/Article/1/48216/Spain-to-deport-MB-Imam-over-extremist-behavior

38. https://www.globalmbwatch.com/2017/08/20/mosque-associated-with-barcelona-terrorist-imam-belongs-to-federation-with-close-ties-to-syrian-muslim-Brotherhood/
39. https://www.treasury.gov/press-center/press-releases/pages/js672.aspx
40. Simon Wiesenthal Center, "The True Face of the UOIF: Antisemitism, Advocacy and Financing
41. of Terrorism, and the Call to Jihad," http://www.wiesenthal.com/atf/cf/percent7BDFD2AAC1-2ADE-428A-9263-35234229D8D8 percent7D/trueUOIF.pdf
42. http://www.israelnationalnews.com/News/News.aspx/241461
43. https://www.counterextremism.com/countries/italy
44. https://www.globalmbwatch.com/2017/07/14/italy-partners-with-local-muslim-Brotherhood-ucoii-to-provide-imams-in-prisons/
45. See speech at an Islamic Relief event, Torino: https://www.youtube.com/watch?v=PxWCxE-8Ssw&index=12&t=0s&list=PLCfAGNC61c_zkYKm1wZcutuyGvgocqrEm
46. http://espresso.repubblica.it/palazzo/2016/05/24/news/giovani-1.267052
47. An English translation of the report is available on: https://clarionproject.org/wp-content/uploads/2017/06/Muslim-Brotherhood-Sweden-Magnus-Norrell.pdf
48. https://eeradicalization.com/the-growing-influence-of-the-muslim-Brotherhood-in-the-netherlands/
49. https://extremism.gwu.edu/sites/g/files/zaxdzs2191/f/MB percent20in percent20Austria- percent20Print.pdf
50. https://www.thelocal.at/20160229/muslim-preschools-linked-to-islamist-organisations
51. http://www.pewforum.org/2017/11/29/europes-growing-muslim-population/
52. Ibid
53. Ibid
54. Ibid
55. https://www.theguardian.com/world/2018/jun/15/what-current-scale-migration-crisis-europe-future-outlook
56. https://www.unhcr.org/567918556.html
57. https://reliefweb.int/sites/reliefweb.int/files/resources/MonthlyTrendsofNationalities-ArrivalstoGreeceItalyandSpain-31December2015.pdf
58. https://www.bbc.com/news/world-europe-44660699
59. http://www.aedh.eu/en/has-the-european-union-achieved-a-control-of-migratory-flows/
60. https://www.bbc.com/news/world-europe-44660699
61. https://www.theguardian.com/world/2018/jun/15/what-current-scale-migration-crisis-europe-future-outlook
62. Robin Simcox, "The Asylum-Terror Nexus: How Europe Should Respond", Heritage Foundation, June 18, 2018, https://www.heritage.org/terrorism/report/the-asylum-terror-nexus-how-europe-should-respond
63. https://docs.house.gov/meetings/FA/FA18/20170627/106184/HHRG-115-FA18-Wstate-HughesS-20170627.pdf

64. https://www.standard.co.uk/news/world/revealed-europe-faced-205-terror-attacks-last-year-and-more-than-half-were-reported-in-the-uk-a3867996.html

65. https://www.irishtimes.com/news/world/europe/deaths-from-terrorism-in-europe-have-spiked-since-2014-1.3122948

66. https://institute.global/insight/co-existence/prison-radicalisation-europe

67. https://www.counterextremism.com/blog/prevent-prisons-becoming-jihadist-factories

68. https://www.independent.co.uk/news/uk/home-news/muslim-converts-vulnerable-radicalisation-extremism-terror-attacks-isis-henry-jackson-society-report-a8017981.html

69. https://www.brookings.edu/articles/the-converts-zeal-why-are-so-many-jihadists-converts-to-islam/

70. https://www.counterextremism.com/countries/germany

71. https://www.counterextremism.com/countries/united-kingdom

72. https://www.independent.co.uk/news/uk/home-news/islamist-extremists-uk-highest-number-europe-25000-terror-threat-eu-official-isis-islam-britain-a7923966.html

73. https://www.gov.uk/government/news/government-bolsters-crackdown-on-extremism-in-prisons

74. https://www.counterextremism.com/countries/belgium

75. https://www.theguardian.com/world/2007/oct/31/spain

76. https://www.state.gov/j/ct/rls/crt/2016/272231.htm

77. https://www.counterextremism.com/countries/spain

78. https://ctc.usma.edu/differential-association-explaining-jihadi-radicalization-in-spain-a-quantitative-study/

79. https://www.counterextremism.com/countries/france

80. https://www.heritage.org/terrorism/report/the-asylum-terror-nexus-how-europe-should-respond

81. https://www.nytimes.com/2013/02/04/world/europe/rise-of-islamic-converts-challenges-france.html?_r=0

82. https://www.counterextremism.com/countries/sweden

83. https://www.counterextremism.com/countries/netherlands

84. https://www.counterextremism.com/countries/austria

Hundreds of migrants were rescued in December 2015 operations in the Sicilian Channel, coordinated by the Rome Coast Guard Operations Center. (*Marina Militare*)

International Law, Norms and Principles

Alan Baker

In multilateral and bilateral relations, some of the oldest and most basic elements and components of international law and practice arise with regard to migrants and refugees.

From time immemorial, whether individually or in groups, whether voluntarily by migration, or forcibly through seeking refuge from armed conflict, people have moved from country to country.

Such movement of people of necessity involves basic issues of sovereignty and territorial integrity of those countries that migrants and refugees seek to enter. Such countries have the sovereign and legal prerogative to permit such entry, to prevent it, or to limit it. By the same token, they have the power to determine the status of such people within their territory.

A concomitant issue in international practice regarding the movement of people is the basic human rights of those who choose to move, who have been deported or banished from their homes, or have run away to seek refuge from life-threatening dangers.

Receiving countries have had to ponder whether and how to receive such refugees and whether to absorb them permanently or otherwise.

All these situations involve the basic elements of international relationships – the human rights of people to move, migrate, seek

refuge and safety, and establish homes and settlements, on the one hand, and the sovereign rights and prerogatives of countries to open their borders and accept and absorb them, or to close their borders, detain, or deport them, on the other.

While geographic and demographic situations might be different today, as well as the causes of migration and the need for refuge, the normative, moral, political, and humanitarian challenges – both to receiving countries and to migrants and refugees – remain the same. In fact, current migration and refugee issues and challenges are not new.

Over the years, and based on long experience, international law and practice have developed a series of instruments that aim to set out guidelines as to the rights of the migrants/refugees and the duties of countries faced with waves of migrants and refugees.

Although there is no one, consolidated and comprehensive legal instrument at the international level establishing an obligatory framework for the management of migration, there are legal rules that constrain, regulate, and channel state authority regarding migration. Such rules – which have been created through country-to-country relations, negotiations, and practice – are enshrined in various multilateral and bilateral treaties, declarations, non-binding instruments, or have become part of customary international law

The main principles are set out in the following major international and regional instruments:[1]

Universal Declaration of Human Rights (1948)[2]

Article 13 Everyone has the right to leave any country, including his own, and to return to his country.

Article 14 Everyone has the right to seek and to enjoy in other countries asylum from persecution (this right may not be invoked in

the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations).

Article 15 Everyone has the right to a nationality. No one shall be arbitrarily deprived of his nationality nor denied the right to change his

Bogota American Declaration of the Rights and Duties of Man (1948)[3]

Article XXVII

Every person has the right, in case of pursuit not resulting from ordinary crimes, to seek and receive asylum in foreign territory, in accordance with the laws of each country and with international agreements.

Convention relating to the Status of Refugees (1951) as Amended by 1967 Protocol[4]

Article 1 Definitions: "Refugee"– any person without any geographic limitation who ... owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.

Article 26 Freedom of movement. Each Contracting State shall accord to refugees lawfully in its territory the right to choose their place of residence to move freely within its territory, subject

to any regulations applicable to aliens generally in the same circumstances.

Article 31 Refugees unlawfully in the country of refuge:

- No penalties where their life or freedom was threatened, provided they present themselves without delay to the authorities and show good cause for their illegal entry or presence.

- No restrictions other than those which are necessary until their status in the country is regularized, or they obtain admission into another country.

- Allow such refugees a reasonable period and all the necessary facilities to obtain admission into another country.

Article 32 Expulsion:

- Contracting States shall not expel a refugee lawfully in their territory, save on grounds of national security or public order.

- Expulsion of such a refugee shall be only in pursuance of a decision reached in accordance with due process of law.

- Contracting States shall allow such a refugee a reasonable period within which to seek legal admission into another country.

- Contracting States reserve the right to apply during that period such internal measures as they may deem necessary.

Article 33 Prohibition of expulsion or return ("*refoulement*"):

- No Contracting State shall expel or return a refugee in any manner whatsoever to the frontiers of territories where his

life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.

- The benefit of the present provision may not, however, be claimed by a refugee whom there are reasonable grounds for regarding as a danger to the security of the country in which he is, or who, having been convicted by a final judgment of a particularly serious crime, constitutes a danger to the community of that country.

Article 34 Naturalization:

- Facilitate assimilation and naturalization of refugees.

- Expedite naturalization proceedings and to reduce as far as possible the charges and costs of such proceedings.

International Organization for Migration (IOM) (1951)[5]

With 172 member states (including Israel) and eight observer states and offices in over 100 countries, IOM is dedicated to promoting humane and orderly migration for the benefit of all. It does so by providing services and advice to governments and migrants.

IOM works to help ensure the orderly and humane management of migration, to promote international cooperation on migration issues, to assist in the search for practical solutions for migration problems, and to provide humanitarian assistance to migrants in need, including refugees and internally displaced people.

The IOM constitution recommends:

- provision of migration services at an international level to ensure the orderly flow of migration movements throughout the

world and to facilitate, under the most favorable conditions, the settlement and integration of the migrants into the economic and social structure of the country of reception,

- international migration of refugees, displaced persons, and other individuals compelled to leave their homelands, and who are in need of international migration services,

- promote cooperation of States and international organizations with a view to facilitating the emigration of persons who desire to migrate to countries where they may achieve self-dependence through their employment and live with their families in dignity and self-respect.

- promote cooperation of States and international organizations, governmental and non-governmental, for research and consultation on migration issues, not only in regard to the migration process but also the specific situation and needs of the migrant as an individual human being.

Convention relating to the Status of Stateless Persons (1954)[6]

Defines "stateless person" as someone "who is not considered as a national by any State under operation of its law" and provides important minimum standards of treatment. It requires that stateless persons have the same rights as citizens with respect to freedom of religion and education of their children. For a number of other rights, such as the right of association, the right to employment and to housing, it provides that stateless persons are to enjoy, at a minimum, the same treatment as other non-nationals.

International Convention on the Elimination of All Forms of Racial Discrimination (1965)[7]

Article 5: every person shall have the right to leave any country, including one's own, and to return to one's country;

International Covenant on Civil and Political Rights (1966)[8]

Article 2 provides that each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth, or other status. Each State Party to the present Covenant undertakes: to ensure that any person whose rights or freedoms as herein recognized are violated shall have an effective remedy, determined by a competent judiciary or other system, and enforced by the state when granted.

Article 12 provides that everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence; everyone shall be free to leave any country, including his own; no one shall be arbitrarily deprived of the right to enter his own country. The aforementioned rights are subject to safety and national security interests.

Article 13 provides that an alien lawfully in the territory of a State Party to the present Covenant may be expelled therefrom only in pursuance of a decision reached in accordance with law and shall, except where compelling reasons of national security otherwise require, be allowed to submit the reasons against his expulsion and to have his case reviewed by, and be represented

for the purpose before, the competent authority or a person or persons especially designated by the competent authority.

UN General Assembly, A/RES/2312(XXII) 1967 - Declaration on Territorial Asylum[9]

Article 1

1. Asylum granted by a State, in the exercise of its sovereignty, to persons entitled to invoke article 14 of the Universal Declaration of Human Rights, including persons struggling against colonialism, shall be respected by all other States.

2. The right to seek and to enjoy asylum may not be invoked by any person with respect to whom there are serious reasons for considering that he has committed a crime against peace, a war crime or a crime against humanity, as defined in the international instruments drawn up to make provision in respect of such crimes.

3. It shall rest with the State granting asylum to evaluate the grounds for the grant of asylum.

Article 2

1. The situation of persons referred to in article 1, paragraph 1, is, without prejudice to the sovereignty of States and the purposes and principles of the United Nations, of concern to the international community.

2. Where a State finds difficulty in granting or continuing to grant asylum, States individually or jointly or through the United Nations shall consider, in a spirit of international solidarity, appropriate measures to lighten the burden on that State.

Article 3

1. No person referred to in article 1, paragraph 1, shall be subjected to measures such as rejection at the frontier or, if he has already entered the territory in which he seeks asylum, expulsion or compulsory return to any State where he may be subjected to persecution.

2. Exception may be made to the foregoing principle only for overriding reasons of national security or to safeguard the population, as in the case of a mass influx of persons.

3. Should a State decide in any case that exception to the principle stated in paragraph 1 of this article would be justified, it shall consider the possibility of granting to the person concerned, under such conditions as it may deem appropriate, an opportunity, whether by way of provisional asylum or otherwise, of going to another State.

Article 4

States granting asylum shall not permit persons who have received asylum to engage in activities contrary to the purposes and principles of the United Nations.

African [Banjul] Charter on Human and Peoples' Rights 1981[10]

*   Every individual shall have the right to freedom of movement and residence within the borders of a State provided he abides by the law.

*   Every individual shall have the right to leave any country including his own and to return to his country. This right may only

be subject to restrictions, provided for by law for the protection of national security, law and order, public health, or morality.

- Every individual shall have the right, when persecuted, to seek and obtain asylum in other countries in accordance with the laws of those countries and international conventions.

- A non-national legally admitted in a territory of a State Party to the present Charter, may only be expelled from it by virtue of a decision taken in accordance with the law.

- The mass expulsion of non-nationals shall be prohibited. Mass expulsion shall be that which is aimed at national, racial, ethnic, or religious groups.

Cartagena Declaration on Refugees, Colloquium on the International Protection of Refugees in Central America, Mexico, and Panama (1984)[11]

Internal procedures and mechanisms for the protection of refugees and to ensure that the national laws and regulations adopted reflect the principles and criteria of the Convention thus fostering the necessary process of systematic harmonization of national legislation on refugees.

UN General Assembly Resolution 40/144: Declaration on the Human Rights of Individuals Who Are Not Nationals of the Country in Which They Live (1985):[12]

Article 5

1. Aliens shall enjoy, in accordance with domestic law and subject to the relevant international obligations of the State in which they are present, in particular, the following rights:

(a) The right to life and security of person; no alien shall be subjected to arbitrary arrest or detention; no alien shall be deprived of his or her liberty except on such grounds and in accordance with such procedures as are established by law;

(b) The right to protection against arbitrary or unlawful interference with privacy, family, home, or correspondence;

2. Subject to such restrictions as are prescribed by law and which are necessary in a democratic society to protect national security, public safety, public order, public health or morals or the rights and freedoms of others, and which are consistent with the other rights recognized in the relevant international instruments and those set forth in this Declaration, aliens shall enjoy the following rights:

(a) The right to leave the country;

(b) The right to freedom of expression;

(c) The right to peaceful assembly;

(d) The right to own property alone as well as in association with others, subject to domestic law.

3. Subject to the provisions referred to in paragraph 2, aliens lawfully in the territory of a State shall enjoy the right to liberty of movement and freedom to choose their residence.

Convention on the Rights of the Child (1989)[13]

Article 22

States Parties shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties.

UN General Assembly Resolution 45/158 - International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990)[14]

Preambular paragraphs:

• Realizing the importance and extent of the migration phenomenon, which involves millions of people and affects a large number of States in the international community,

• Aware of the impact of the flows of migrant workers on States and people concerned, and desiring to establish norms which may contribute to the harmonization of the attitudes of States through the acceptance of basic principles concerning the treatment of migrant workers and members of their families,

• Considering the situation of vulnerability in which migrant workers and members of their families frequently find themselves owing, among other things, to their absence from their State of

origin and to the difficulties they may encounter arising from their presence in the State of employment,

• Convinced of the need to bring about the international protection of the rights of all migrant workers and members of their families.

Article 7 - Non-discrimination with Respect to Rights

States Parties undertake, in accordance with the international instruments concerning human rights, to respect and to ensure to all migrant workers and members of their families within their territory or subject to their jurisdiction the rights provided for in the present Convention without distinction of any kind such as to sex, race, color, language, religion or conviction, political or other opinion, national, ethnic or social origin, nationality, age, economic position, property, marital status, birth or other status.

Article 8 - Human Rights of All Migrant Workers and Members of their Families

1. Migrant workers and members of their families shall be free to leave any State, including their State of origin. This right shall not be subject to any restrictions except those that are provided by law, are necessary to protect national security, public order (*ordre public*), public health or morals, or the rights and freedoms of others and are consistent with the other rights recognized in the present part of the Convention.

2. Migrant workers and members of their families shall have the right at any time to enter and remain in their State of origin.

Article 9

The right to life of migrant workers and members of their families shall be protected by law.

Cairo Declaration on Human Rights in Islam (1990)[15]

Article 12

Every man shall have the right, within the framework of the *Sharia*, to free movement and to select his place of residence whether within or outside his country and if persecuted, is entitled to seek asylum in another country. The country of refuge shall be obliged to provide protection to the asylum-seeker until his safety has been attained unless asylum is motivated by committing an act regarded by the Sharia as a crime.

Arab League Charter on Human Rights (2004)[16]

Article 28

Everyone has the right to seek political asylum in another country in order to escape persecution. This right may not be invoked by persons facing prosecution for an offence under ordinary law. Political refugees may not be extradited.

EU Dublin Regulation 2013[17]

The Dublin Regulation, adopted by the European Parliament and Council on June 26, 2013, coming into effect on January 1, 2014: the Dublin III Regulation establishes practical, working criteria

to determine which Member State is responsible for deciding an application for asylum filed by a third-country citizen or a stateless person. The general underlying principle is that any asylum request must be examined by only one Member State. The responsibility to decide on a request falls primarily on the Member State where the applicant has first entered the European Union, with some exceptions.

As described by *Wikipedia*:

> The Dublin Regulation (sometimes the Dublin III Regulation; previously the Dublin II Regulation and Dublin Convention) is a European Union (EU) law that determines which EU Member State is responsible for the examination of an application for asylum, submitted by persons seeking international protection under the Geneva Convention and the EU Qualification Directive, within the European Union. It is the cornerstone of the Dublin System, which consists of the Dublin Regulation and the EURODAC Regulation, which establishes a Europe-wide fingerprinting database for unauthorized entrants to the EU. The Dublin Regulation aims to "determine rapidly the Member State responsible [for an asylum claim]" and provides for the transfer of an asylum seeker to that Member State. Usually, the responsible Member State will be the state through which the asylum seeker first entered the EU.[18]

UN General Assembly Resolution 69/167 on the Protection of Migrants (2014)[19]

Article 1

Calls upon States to promote and protect effectively the human rights and fundamental freedoms of all migrants, regardless of their migration status, especially those of women and children, and to address international migration through international, regional, or bilateral cooperation and dialogue and a comprehensive and balanced approach, recognizing the roles and responsibilities of countries of

origin, transit, and destination in promoting and protecting the human rights of all migrants and avoiding approaches that might aggravate their vulnerability;

Article 3(a)

Strongly condemns the acts, manifestations, and expressions of racism, racial discrimination, xenophobia, and related intolerance against migrants and the stereotypes often applied to them, including on the basis of religion or belief, and urges States to apply and, where needed, to reinforce the existing laws when hate crimes, xenophobic or intolerant acts, manifestations or expressions against migrants occur in order to eradicate impunity for those who commit those acts and, where appropriate, to provide effective remedy to the victims;

Article 4

Reaffirms the duty of States to effectively promote and protect the human rights and fundamental freedoms of all migrants, especially those of women and children, regardless of their migration status, in conformity with the Universal Declaration of Human Rights and the international instruments to which they are party,

New York Declaration for Refugees and Migrants – General Assembly Resolution 71/1 (2016)[20]

Basic aim:

- Call to create a New Global Compact on refugees to

- Improve response of the international community to large movements of refugees and protracted refugee situations,

- Provide for more equitable and predictable burden and responsibility-sharing in support of countries and communities particularly affected.

- It will not create new legal norms or envision a fundamentally different international architecture for refugee protection.

- Rather, it provides the framework for applying these norms in large-scale influx, as well as protracted refugee situations, grounded in the principles of international cooperation and responsibility-sharing.

UN Global Compact for Safe, Orderly and Regular Migration – General Assembly Resolution 73/195 (2018)[21]

- The Global Compact, while expressing the consensus of the international community as to ways to manage the migration problem, is not a binding international instrument. It reaffirms the sovereign right of States to determine their national migration policy and their prerogative to govern migration within their jurisdiction, in conformity with international law. As such, it distinguishes between regular and irregular migration status, including taking into account different national realities, policies, priorities, and requirements for entry, residence, and work, in accordance with international law.

- The UN Global Compact was adopted by a recorded vote of 152 votes in favor to 5 against (Czech Republic, Hungary, Israel, Poland, United States), with 12 abstentions, of a draft resolution endorsing the Global Compact — which was adopted by world leaders in Marrakesh, Morocco, on December 10, 2018.

- In his statement upon the adoption of the UN Global Compact, the UN Secretary-General stated that the document "reaffirms the foundational principles of our global community, including

national sovereignty and universal human rights, while pointing the way toward humane and sensible action to benefit countries of origin, transit, and destination as well as migrants themselves."[22]

- Representatives of Iceland, Lithuania, Malta, the Netherlands, and Denmark clarified their view that the Global Compact confirms the sovereign right of States to determine their migration policies in conformity with international law. The agreement creates no new legal obligations for States nor does it further international customary law or treaty commitments. States have the sole authority to distinguish between regular and irregular migrants, and they will maintain the right to apply criminal law for migrants smuggled onto their territory.

- The United States opposed adoption of the instrument, asserting that, "Decisions about how to secure its borders and whom to admit for legal residency or to grant citizenship are among the most important sovereign decisions a State can make and are not subject to negotiation or review…. In sum, the Global Compact strikes the wrong balance. Its pro-migration stance fails to recognize that well-managed, legal immigration must start and end with effective national controls over borders."

- France, while acknowledging the Global Compact's practical usefulness, noted that it is non-binding and is not geared toward heightening migration but rather, toward managing it. It stressed that there is no right to migration, pointing out that the agreement does not create such a right. Those who state views to the contrary are either doing so in bad faith or did not read the text.

- Jordan insisted that the Global Compact is not legally-binding and does not redefine international arrangements. Jordan does not consider itself committed to instruments to which it is not signatory and maintains certain reservations on several instruments mentioned in the text.[23]

The aims and objectives, as set out and detailed in the UN Compact, for safe, orderly and regular migration are summarized as follows:[24]

1. Collect and utilize accurate and disaggregated data as a basis for evidence-based policies.

2. Minimize the adverse drivers and structural factors that compel people to leave their country of origin.

3. Provide accurate and timely information at all stages of migration.

4. Ensure that all migrants have proof of legal identity and adequate documentation.

5. Enhance the availability and flexibility of pathways for regular migration.

6. Facilitate fair and ethical recruitment and safeguard conditions that ensure decent work.

7. Address and reduce vulnerabilities in migration.

8. Save lives and establish coordinated international efforts on missing migrants.

9. Strengthen the transnational response to the smuggling of migrants.

10. Prevent, combat, and eradicate trafficking in persons in the context of international migration.

11. Manage borders in an integrated, secure, and coordinated manner.

Conclusion

Analysis of the above instruments yields a wide range of honorable intentions, noble platitudes, moral and patronizing preaching – all typical of international instruments dealing with situations where there exist conflicts of international and national interests.

As with any form of international legislation, international instruments are the result of negotiation and compromise, with the lowest level of commitment, while attracting the widest consensus, which of necessity lacks solid means of implementation or clear legal obligations on countries.

The dichotomy between the inherent sovereign right of countries to control entry or exit of persons on the one hand, and the moral, humanitarian imperative to protect human rights of migrants and refugees on the other, dictates the manner in which countries manage their basic political, security, and economic interests.

Such interests are paramount in international practice and of necessity override the moral and humanitarian imperatives set out in international instruments.

Analysis of the above instruments nevertheless yields a number of common basic norms and principles applicable to situations of migration, and especially to large refugee movements:

- Protection of the human rights of all refugees and migrants, regardless of status.

- Ensuring that all refugee and migrant children are receiving an education within a few months of arrival.

- Preventing and responding to sexual and gender-based violence.

- Supporting those countries rescuing, receiving, and hosting large numbers of refugees and migrants.

- Humanitarian and development assistance to those countries most affected, including through innovative multilateral financial solutions.

- New framework that sets out the responsibility of Member States, civil society partners, and the UN system, whenever there is a large movement of refugees or a protracted refugee situation.

- Finding new homes for all refugees identified by UNHCR as needing resettlement; and expanding the opportunities for refugees to relocate to other countries through, for example, labor mobility or education schemes.

- Strengthening the global governance of migration by bringing the International Organization for Migration into the UN system.

- Strengthening and facilitating emergency responses to refugee movements and a smooth transition to sustainable approaches that invest in the resilience of both refugees and the communities that host them;

- Providing additional and predictable humanitarian funding and development support to host countries;

- Exploring additional avenues for refugees to be admitted to third countries, including through increased resettlement;

- Supporting the development and application of a comprehensive refugee response framework (CRRF) for large refugee movements, applicable to both protracted and new situations.

- The protection of human rights and basic freedoms for migrants/ refugees;

- Freedom to enter and to leave, subject to national security and public order;

- Prohibition of denial of entrance at the border and arbitrary deportation in situations of threats of persecution;

- Freedom of movement within the hosting country;

- Prohibition of racism and discrimination of any form;

- Balanced international cooperation to assist and regulate flows of migration, including assistance to hosting and transfer countries;

- Need for regulation and management of large-scale migration through practical solutions;

- Assistance to countries receiving/hosting migrants.

Clearly, it is difficult to extrapolate from any common ethical code of conduct that could apply to every migration situation without reference to the factual, political, and security circumstances and implications prevailing in, and relevant to, every such area and situation.

Notes

1. https://www3.nd.edu/~ndlaw/prog-human-rights/compendium/CompenMigration.pdf
2. http://www.un.org/en/universal-declaration-human-rights/index.html
3. http://www.cidh.org/Basicos/English/Basic2.American%20Declaration.htm
4. http://www.unhcr.org/en-us/protection/basic/3b66c2aa10/convention-protocol-relating-status-refugees.html
5. https://www.iom.int/about-iom, https://www.iom.int/constitution
6. http://www.unhcr.org/protection/statelessness/3bbb25729/convention-relating-status-stateless-persons.html
7. https://ohchr.org/EN/ProfessionalInterest/Pages/CERD.aspx
8. https://www.ohchr.org/EN/ProfessionalInterest/Pages/CCPR.aspx
9. http://www.refworld.org/docid/3b00f05a2c.html

10. http://www.achpr.org/files/instruments/achpr/banjul_charter.pdf
11. http://www.refworld.org/docid/3ae6b36ec.html
12. http://www.un.org/documents/ga/res/40/a40r144.htm
13. https://www.ohchr.org/en/professionalinterest/pages/crc.aspx
14. https://www.ohchr.org/Documents/ProfessionalInterest/cmw.pdf
15. http://hrlibrary.umn.edu/instree/cairodeclaration.html
16. http://hrlibrary.umn.edu/instree/loas2005.html
17. Dublin Regulation III, No. 604/2013 https://eur-lex.europa.eu/LexUriServ/
    LexUriServ.do?uri=OJ:L:2013:180:0031:0059:EN:PDF
18. https://en.wikipedia.org/wiki/Dublin_Regulation
19. https://www.iom.int/sites/default/files/UN_Documents/69th_Session/N1470710.
    pdf
20. https://refugeesmigrants.un.org/declaration
21. A/RES/73/195 https://www.un.org/press/en/2018/ga12113.doc.htm
22. https://refugeesmigrants.un.org/sites/default/files/180713_agreed_outcome_
    global_compact_for_migration.pdf
23. https://www.un.org/press/en/2018/ga12113.doc.htm
24. http://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/73/195 see
    paragraph 16

Staff of the Military Corps of the Croce Rossa Italiana provides relief to migrants aboard naval units of the Italian Navy, 2015. (*CRI/Giuseppe Lami*)

Afterword

Controlling the Wave: Israel Can Help

Dore Gold

Recent years have seen a dramatic shift in the focus of international conflicts. During the Cold War, the front line of Europe was the inter-German border, where Soviet armored divisions sat in East Germany and the Czech Republic, putting the focus on Central Europe. Today, while the southern flank of NATO is at the heart of the discussion, the reference is not to armored divisions threatening to chop Europe in half. The reference is to a large human migration beginning in southern Europe and making its way northward. It is mainly the huge flow of migrants coming into Europe as a result of conflicts in Syria and Iraq, and to some extent Afghanistan, and there are other waves on the way. In Syria, Iran seeks to expel Sunni Arabs and bring Shiites from Iraq, Afghanistan, and Pakistan, thereby altering the demographic makeup of the country.

Israel may play a role in dealing with the problems that arise from this issue. During an official Israeli visit to Italy several years back, one of the topics of discussion was interest in Israeli naval capabilities and working with Italy to see whether our detection systems could be helpful, at the time, with people attempting to cross into Italy from the Balkans, rather than from Africa or North Africa.

Since that time, a new focus has emerged on the threat of migration, not only from the Middle East but also from sub-Saharan Africa. In meeting with our British counterparts on policy planning, there was

a great deal of concern regarding Nigeria, which by the middle of this century will have a larger population than the whole European Union. People are already leaving Nigeria.

Appearing on the *CBS* program "60 Minutes" on January 6, 2019, Egyptian President Abdel Fattah el-Sisi admitted to the unprecedented military cooperation between Egypt and Israel in fighting ISIS in Northern Sinai. Imagine if Israel did not do that, and ISIS succeeded in taking over Sinai or northern Sinai. Their next step would be an attempt to extend their power toward the Nile Valley and take over Egypt.

The millions of Coptic Christians who live in Egypt would not remain there at the hands of ISIS if they took over. Many Muslims would not stay there either.

Today, we could face a new wave of migration, not from Syria but from Egypt. The Greeks would not open their doors – at this point. So the pressure would fall upon Italy, Spain, and beyond within Europe.

In other words, Israel's assistance to Egypt is not only out of Israel's self-interest: In helping Egypt fight ISIS, it is clear that Israel is helpful to all of Europe, to the extent to which Israel can forestall that kind of new population shift out of Egypt toward Europe. Israel has been assisting the Sub-Saharan states in the areas of water management, agriculture, and security in ways that could provide these states with a sounder economic base, and in so doing reduce the need for mass migration.

Egypt is not the only example. Libya has become a fertile terrain for ISIS since its failures in Syria and Iraq. In addition, thousands of Africans coming from Central Africa pass through Chad and other countries using Libya as a jumping-off point to go into Europe.

Added to this are hostile countries that are exploiting this population movement for their own benefit. Turkey maintains leverage over

Europe by controlling the flow that comes through their country. Over the past year, Moroccan diplomats have pointed out that Iran had used its embassy in Algiers as a conduit for assisting the Polisario. On the basis of this Iranian activity and the scale of its severity, the foreign minister of Morocco flew to Tehran in May 2018 to inform Foreign Minister Javad Zarif that Morocco was cutting diplomatic relations with Iran. Clearly, if the Maghreb is destabilized, that puts pressure on Spain and the whole Iberian Peninsula. By sea or land, several conduits for moving populations into Europe have not been fully exploited by hostile Middle Eastern players.

To the extent that Israel can communicate with countries in the Maghreb, it can explain its very strong position against Iranian meddling. Israel insists on seeing Iran removed from Syria, obviously, but also removed from meddling in other countries in the Middle East.

Today, diplomacy is not just sending a good cable. Diplomacy is about articulating one's position in the court of public opinion. That is where think tanks can come in and how the Jerusalem Center can play a role in dealing with this issue, using its potential to sensitize learned publics to the challenges Europe and Israel face. Once our common interests are identified, we must be on the same side and work intensely to protect our interests. Today, when the expression "our common interests" is used, this includes our Arab friends, whether they are in the Arabian Peninsula or Egypt.

Migration has evolved into the leading issue with which Israel and its neighbors are contending. Along with the threats that might emerge from these new population flows, there are also new opportunities for regional cooperation with which Israel must become fully involved.

About the Authors

Fiamma Nirenstein

An award-winning journalist and author, leading columnist for *Il Giornale*, an Italian daily, Fiamma Nirenstein is currently a senior fellow of the Jerusalem Center for Public Affairs, in charge of the European Project. For the Jerusalem Center, she has edited the book *Lessons from Israel's Response to Terrorism*. Between 2008 and 2013, she was a member of the Italian Parliament, serving as vice-president of the Committee on Foreign Affairs of the Chamber of Deputies. During her term, she established and chaired the first Parliamentary Committee for an Inquiry into anti-Semitism. Nirenstein is an expert in Middle East, human rights, terrorism, and anti-Semitism and has written 15 books on these issues.

Nirenstein is a Selection Committee Member of the Genesis Prize, a fellow of the Gatestone Institute, a member of the Advisory Board of NGO Monitor, and a board member of the European Friends of Israel (DFI). She is also one of the six founding members of the steering committee of the Interparliamentary Coalition on Combating Anti-Semitism (ICCA). She serves on the Board of the Friends of Israel Initiative, established in 2010 by the former prime minister of Spain, José Maria Aznar. She is also a board member of the "Talmud Project," a major initiative sponsored by the Italian government to translate the Babylonian Talmud into Italian.

Prof. Asa Kasher

Prof. Asa Kasher is the Laura Schwarz-Kipp Professor Emeritus of Professional Ethics and Philosophy of Practice and Professor Emeritus of Philosophy at Tel Aviv University in Israel. A member of the European Academy of Sciences and Arts, he is co-author of the Israel

Defense Forces Code of Ethics, "The Spirit of the IDF: Values and Basic Principles," 1994. His research covers a broad range of topics in philosophy and ethics, including military ethics and medical ethics, philosophy of language, as well as issues of Jewish identity. In 2000, Professor Kasher was awarded the Israel Prize for his work in philosophy and ethics.

Dr. Tommaso Virgili

Dr. Tommaso Virgili works at the Brussels-based policy center European Foundation for Democracy, where he specializes on a number of projects related to European policy, prevention of radicalisation, and Islamism. He has previously held posts at the European External Action Service (covering Egypt, Syria, Lebanon, and Jordan), the Middle East Forum in Philadelphia and the Italian Permanent Mission to the United Nations in New York. Tommaso holds a Ph.D. in Comparative Law focused on Islamic Constitutionalism, Sharia and Individual Liberties from Sant'Anna School of Advanced Studies in Pisa, obtained further to a Master of Arts in Middle East, Islamic Studies, and Arabic from the American University of Paris and Cairo.

Brig.-Gen. (res.) Yossi Kuperwasser

Brig.-Gen. (res.) Yossi Kuperwasser is director of the Project on Regional Middle East Developments at the Jerusalem Center. He was formerly director-general of the Israel Ministry of Strategic Affairs and head of the Research Division of IDF Military Intelligence.

Dr. Ehud Rosen

Ehud Rosen specializes in modern political Islam, focusing on the ideology and history of the Muslim Brotherhood. He received his PhD

from SOAS, University of London. He is currently a senior researcher at the Jerusalem Center for Public Affairs.

Eitan Fischberger

Eitan Fischberger, an intern at the Jerusalem Center for Public Affairs, is currently a student at the Interdisciplinary Center Herzliya (IDC). Previously, he interned at the Permanent Mission of Israel to the United Nations in New York.

Amb. Alan Baker

Ambassador Alan Baker is the director of the Institute for Contemporary Affairs at the Jerusalem Center for Public Affairs and the head of the Global Law Forum. He participated in the negotiation and drafting of the Oslo Accords with the Palestinians, as well as agreements and peace treaties with Egypt, Jordan, and Lebanon. He served as legal adviser and deputy director-general of Israel's Ministry of Foreign Affairs and as Israel's ambassador to Canada.

Amb. Dore Gold

Ambassador Dore Gold has served as president of the Jerusalem Center for Public Affairs since 2000. From June 2015 until October 2016, he served as director-general of the Israel Ministry of Foreign Affairs. Previously, he served as foreign policy adviser to Prime Minister Benjamin Netanyahu, Israel's Ambassador to the United Nations (1997–1999), and as an adviser to Prime Minister Ariel Sharon.

Jerusalem Center for Public Affairs

The Jerusalem Center for Public Affairs is a leading independent research institute specializing in public diplomacy and foreign policy. Founded in 1976, the Center has produced hundreds of studies and initiatives by leading experts on a wide range of strategic topics. The Center is headed by Amb. Dore Gold, former Israeli ambassador to the UN and director-general of the Israel Ministry of Foreign Affairs.

Jerusalem Center Programs:

Defensible Borders for Israel – A major security and public diplomacy initiative that analyzes current terror threats and Israel's corresponding territorial requirements, particularly in the strategically vital West Bank.

Jerusalem in International Diplomacy – Dore Gold analyzes the legal and historic rights of Israel in Jerusalem in *The Fight for Jerusalem: Radical Islam, the West, and the Future of the Holy City*. Jerusalem expert Nadav Shragai documents nearly a century of Arab violence in *"The Al-Aksa is in Danger" Libel: The History of a Lie*.

Combating Delegitimization and BDS – A public diplomacy program exposing those forces that are questioning Israel's very legitimacy. Publications include *BDS Unmasked: Radical Roots, Extremist Ends* (2016), *Defeating Denormalization: Shared Palestinian and Israeli Perspectives on a New Path to Peace* (2018), and *Students for Justice in Palestine Unmasked* (2018).

Global Law Forum – A program that undertakes studies and advances policy initiatives to protect Israel's legal rights in its conflict with the Palestinians and radical Islam.

Institute for Contemporary Affairs (ICA) – A program founded in 2002 jointly with the Wechsler Family Foundation that presents Israel's case on current issues through high-level briefings by government and military leaders to the foreign diplomatic corps and foreign press.

Jerusalem Center Serial Publications:

Jerusalem Issue Brief – Insider briefings by top-level Israeli government officials, military experts, and academics, as part of the Center's Institute for Contemporary Affairs.

Daily Alert – A daily digest of hyperlinked news and commentary on Israel and the Middle East from the world and Israeli press since 2002.

Jewish Political Studies Review – A scholarly journal founded in 1989.

Jerusalem Center Websites:

jcpa.org (English)
jcpa.org.il (Hebrew)
jcpa-lecape.org (French)
jer-zentrum.org (German)
facebook.com/jerusalemcenter
twitter.com/JerusalemCenter
youtube.com/TheJerusalemCenter
twitter.com/JCPA_Hebrew

President: Amb. Dore Gold
Director General: Chaya Herskovic
Chairman of the Steering Committee:
    Prof. Arthur Eidelman

Steering Committee:

Maj. Gen. (ret.) Uzi Dayan
Zvi R. Marom
Prof. Shmuel Sandler
Howard M. Weisband

This book addresses the unprecedented dilemmas confronting European states resulting from mass immigration from Africa and the Middle East, which today constitutes one of the most complex challenges in international affairs.

This mass migration phenomenon raises key security, diplomatic, demographic, legal, and economic issues discussed in essays by Ambassadors Dore Gold and Alan Baker, Brig. Gen (ret.) Yossi Kuperwasser, and Dr. Tommaso Virgili, Professor Asa Kasher, and myself.

Perhaps most pressing, European host nations have also been forced to confront unprecedented moral and ethical dilemmas, as thousands of refugees wait precariously in unseaworthy boats in Mediterranean waters for humanitarian rescue and reception by European host countries.

Professor Asa Kasher, an essayist in this volume and the internationally renowned author of the Israeli Defense Forces Code of Ethics, discusses these challenges in his chapter, "Morality and Immigration." These moral and ethical challenges have inspired the toughest questions, queries, probes and finally recommendations included herein.

Fiamma Nirenstein