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Abstract: The Socio-Political Conditions in the European Union and the Right of Refugees

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The European Union considers the fact that there is the need for a balance between global process and the process of integration in the E.U. European Union Policies being short or long term is geared towards solid developmental plan to boost the process of integration. The E. U attempts to restrict the influx of refugees into its territory to enable it consolidate and implement its policy on integration .In any case the E.U,S immigration policies has nothing to do with its humanitarian programmes. The EU runs an agency European Community Humanitarian office (ECHO). The EU is the world's largest donor of humanitarian aid for refugees, emergency and food aid for victims of natural disasters and armed conflicts. It provided more than 60% of all humanitarian aid to the former Yugoslavia in 1996 Since the beginning of the war and through its humanitarian office. In 1998 the EU was financing aid efforts in 60 countries including Rwanda, Liberia, Cambodia, Northern Iraq, Afghanistan, Haiti, and Cuba.. European Union report in November 2001 indicates that the EU spent 491.7 million Euro on aid for victims of natural disasters and armed conflicts. Articles 61,62,63 of the EU'S consolidated treaties outlines its visa and immigration policies. Article 63 specifies the EU'S relation with the Geneva Convention of 28th July 1951 and the protocol of 1967. The EU respects the 1951 UN Convention as an international humanitarian law but it has to regulate the influx of refugees into its territory especially because of its expansion policy. While some European countries have been nominated as candidates to the EU. Refugees, especially from the non European countries will be met with critical eyes by EU immigration authorities. " Africa Refugee crisis cannot become an agenda of priority to Europeans while Europe is disintegrating into nationalist flats"( Albert Antwi Boasiako, Africa Refugee crisis in a changing World, Almere Netherlands,2002).The Amsterdam treaty on the European Union signed in 1997 and which was legally implemented in1999 considers series of steps in the area of refugee status . The steps specifically spells out mechanisms to offer social assistance to refugees and how they could be distributed to other EU countries in case of mass uncontrolled influx into a particular or particular countries.

The EU'S regional funds were bolstered, and a new cohesion fund has been established to promote transport and enviromental projects in the four

poorest countries in the community-Greece, Spain, Portugal and Ireland. As a result of unemployment problems in these above-mentioned member countries there has been a mass movement of people from the specified countries to the economically stronger countries like the UK, Germany, France, Belgium, Netherlands etc etc to seek for employment opportunities. This problem coupled with the expansion policy, the struggling democracies in Eastern Europe will push the EU into looking at the granting of asylum status critically.

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TOPIC –THE SOCIO POLITICAL CONDITIONS IN THE EUROPEAN UNION AND HOW IT AFFECT THE RIGHT OF REFUGEES.

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SOCIO-POLITICAL CONDITIONS IN THE EUROPEAN UNION AND THE RIGHT OF REFUGEES (OVERVIEW).

I presume that there will be questions like ‘why should such a topic be treated, ringing within the domain of many hearts’ is the European Union (EU) changing her policies towards the third world? Or is the EU refusing to honor her obligations to the UN. It is a stark reality that relations with the third world are one of the fields in which the community has played a pioneering and conspicuous international role. The European Union is now gradually equipping itself with a common foreign and security policy, this has meant, among other things, that it was able to help restore peace to the countries of former Yugoslavia. (The peace agreement signed in Paris on 14<sup>th</sup> December 1993). Once it has pressed further ahead with this common policy, the EU may perhaps have enough influence to prevent such conflicts breaking out. Why then the discussion ‘ the EU and refugees’. Wouldn’t it be a good question to put, why has the EU got to do with refugees while the UNHCR is there? We are all confirmed and principled advocates of letting them who are supposed to do, carry on with their work. The discussion of this topic has a profound meaning to many of us; yes the destiny of the EU cannot be separated from global progress. This has been manifested in several ways, despite the fact that it should be realized that striking contrasts exists in the distribution of social wealth. While to some the fruits of progress come in abundance, for others they remain totally out of reach. Mankind needs to re-examine the values by which it lives. It has to transform the entire system of economic, political, legal and cultural relations in the world. Above all, it needs to change its way of thinking, to realize that the world is a single and interdependent whole. This interdependence should not be seen as burdensome fetters. It holds out a promise of mutual enrichment, of building a community of states and nations where the simple laws of morality and justice would be as natural as they are in relations between civilized individuals. It is against this background that the EU takes third world issue serious. The EU is the world’s largest donor of humanitarian aid for refugees, emergency aid and food aid for victims of natural disasters and armed conflicts. It provided more than 60% of all humanitarian aid to the former Yugoslavia in 1996. Since the beginning of the war, and through its humanitarian aid office (ECHO), the EU

Is financing aid efforts in 60 other countries, including Rwanda, Liberia, Cambodia, Northern Iraq, Afghanistan, Haiti and Cuba. The EU and its member states as the world’s largest donors of development aid, runs an agency European Community Humanitarian Office (ECHO) to help victims in the world’s crisis areas, be it in man-made crises like the civil war in Ethiopia or in areas hit by natural disasters. The commission according to its program will endeavor to develop relations with a number of non-member countries, the countries of former Yugoslavia with consolidation of peace process and the efforts at reconstruction.

We are part of a dynamic movement and as such we have a vision for the future. We must move on to ask if we simply are to keep doing things as we do them now, or is there another step we should take? Are things as usual satisfactory or is there a new vision for us to pursue as we look ahead? We live in an era of rapid changes and as children of the universe we must adapt our life style to suit the times, as we face new challenges, new dreams are needed; new trends in the world encourage us to take new steps in the approach

of issues, we should try to stay away from traditional stereotypes and misconceptions. Not only the public but governments and the UN are becoming increasingly aware of the unifying significance of global problems, there is really the need for interdependence which shouldn't be seen as burdensome fetters as stated before, but do we continue to adhere to the old traditions where there is always the tendency to go to the more affluent west, as political and economic refugees? Maybe I am sure that we are all deeply grieved by overdraw nationalistic feelings that get one group over against the next, whether they are Tutsi and Hutu in Rwanda, Serb and Croat in the former Yugoslavia black or white, Brown or yellow, eastern or Western, these feelings show that those who have them are not humanitarian-driven, but tribe- or nation-driven, or race-driven assuming that they are humanitarian driven whose fidelity to principle and righteousness will allow them to stand against these tendencies, the tendency to stand against these attitudes should be seen as commendable humane deed, the global economic situation is not permitting the sympathizers to do as they desire. Globalisation of the world's economy and technological progress continuously increases the level of interdependence between nations. At the same time the internal social structures between countries proves that there is a big difference between the rich and poor. If on one hand there are new signs of development, the contrast is seen on the other side, in some parts or areas, these conditions for such infrastructures are never seen, there is a sinking into poverty. In any case all countries both the industrialized and the developing ones faces the problem of class division, the poor and the rich, others that are able to improve upon their quality of production and at the same time able to make use of their goods which helps them to use the various opportunities that globalization of the world's economy has brought, improve upon their standards of living. The other groups are less privileged, they are even taken away from the market or can't stand the competition of the labor market because of low qualifications, they are never satisfied with their salaries and they fall outside the periphery of society. These tensions and relations be created by unemployment and abject poverty, these elements, developments, social strata have led to mass immigration to the developed world in most cases. The weakest has been isolated by these conditions, these conditions put countries in dangerous positions, it creates room for instability, nationalist and fundamentalists movements, international terrorism and it impedes democratic processes, which in the long run endangers international security and peace. There is the need to look into these irregularities, I think there has been an international conference on this issue in Vienna and Cairo, really there is the need for an international evaluation of this phenomenon. These inequalities in the social strata of society especially with the developing countries as has been stated already leads to political instability, separatist movements, and sometimes a complete disrespect for law and order and so forth and so on. In today's Africa separatist movements, rampant civil strifes, ethnic conflicts, and disintegrating economies characterize for instance the atmosphere. Some African and Asian Countries have splintered into dozens of fiefdoms divided along tribal and political lines. Some African Countries are heading towards chaotic nationalism, while there is a greater effort on the part of Europeans towards greater Unity. (Albert Antwi Boasiako, Almere, Netherlands, The Voice magazine August 2002 page 22) Those who are able

To cross international borders are accepted as refugees. This disequilibrium in the international economic order has given rise to rampant civil strifes, ethnic conflicts, which has been nursed by disintegrating economies. There are cases that governments are unable to offer protection to asylum seekers; this has resulted in the soaring up of the number of refugees for the past years (the paper of 21<sup>st</sup> July 1996). This is a matter of fact, add weight to my idea of the need of a separate NGO to be solely responsible for Refugee Settlement, as contained in the paper presented to the UNHCR Representative dated 23:04:97, this will again be mentioned in the concluding paragraphs. Some EU countries have historical and cultural ties with their former colonies, (UK, Spain, France, Portugal; to some extent Belgium and Germany). It should be noted that language and culture influence refugee movements, it

reduces the harshness of the xenophobia, which they would have to cope with under a different language situation. The political instability in the two Congos now gives room to suppose that refugees might migrate to France or Belgium than to the UK. Like an Indian student said 'why wouldn't the frustrated from the Liberation Tigers of Tamil Eelam pack and leave for the UK if the UN cannot solve the problem,' much as I was not defending any party I said what can the UN do when in the Liberian civil war some of the soldiers had no respect for war conventions. "Indisciplined militias, said to number between 35000 and 60000 men in all, maroon their way across the countryside. In the past five years they have killed an estimated 15000 people and driven half the country's 3 million people from their homes' (Newsweek February 6<sup>th</sup> 1995 page 28). This is not to say that peace processes should stop but attitudes have obstructed its advancement. This is just by the way. Once when there was political instability in Togo, once Togoland, Germany was concerned because of historical ties though in the last instance it is not the accredited colonial master. In the linguistics direction the German language has something to do with the Ewe language which is the indigenous language of the people in the Volta region in Ghana and Togo. Which direction should the Algerian who is frustrated and disappointed by continuous civil strifes and deep rooted-social antagonism take? A way out of this chaotic Muslim fundamentalism is to get the next plane to France, to the former colonial master. If the Angolan cannot continue to live in the sophisticated peace process, he has to be getting ready to leave for Portugal or Spain. Political refugees, the internally displaced in South America (Latin America) will be heading towards Spain, paradoxically Spain has been rated as one of the poorest EU countries. There is a big difference in my opinion between politics and realism, despite the fact that the United States advocated for human rights in the former Communist blocks including Cuba, with emphasis on the freedom of movement, the United States did not allow the free movement of Cuban refugees into the United States (US). If the US had allowed free migration of Cubans into its territory, a large number of Cubans could have migrated to the US, that is not to say that I am or I was against the US Immigration Policy pertaining to the above issue, immigration must be controlled, but I want to bring a conviction to conscience that there is a difference between politics and realism as the paper will unfold later. The EU's regional funds were bolstered, and a new cohesion fund has been established to promote transport and environmental projects in the four poorest countries in the community - Greece, Spain, Portugal and Ireland. As a result of unemployment problems in these member countries, there has been a mass movement of people into the economically stronger countries like the UK, Germany, France, and Belgium for employment opportunities. It goes without saying therefore that political and economic refugees, Spanish and Portuguese speaking, migrating into Spain or Portugal may have to bear in mind that these countries may not be in the capacity to contain them. There is a difference between political and economic refugees but in some cases refugees have depended on recipient countries before mechanisms could be worked out to bring refugees under the full canopy of the UN convention. Of 1951. In the economic sense they could be classified as economic refugees since they will have to depend on the economy of the recipient country before the UNHCR takes full control. This does not mean that economic interdependence makes the whole world economic refugees, I must be understood in this special issue.

It is believed that there are about 30 million Kurds in the world, basically they are distributed to Iran, Iraq, Syria and Turkey, and it is believed that Turkey has the majority of Kurds. Historically some Kurds could claim some relationship with the UK taking into consideration the fact that Iraq had once been under the British rule. If Iraq was to be a member of the British Commonwealth of Nations then some Kurds could lay claim to some historical ties and migrate to Britain; where will be the place of 4 million Kurds in Britain as refugees, I am just doing a guesswork; it could be more.

The Other interesting issue is that we see Europe as a continent torn between apparently two conflicting trends: one toward greater unity, another toward chaotic nationalism 'some panelists said the EU would be betraying its ideals if it failed to reach out

now, urgently, to the struggling democracies in the east, threatened by economic hardships, ethnic strife and popular disillusionment with barely budding democracy. The penalty for delay, they maintained, could be chaos on the community's borders and unstoppable waves of economic refugees' (Frederick Pajnton 1991).

'To think we can be an oasis of peace while the rest of Europe is in shambles is an illusion' (Dominique Moisi, Associate Director of the French Institute of International Relations in Paris). As to what the disintegration of the former Soviet Union could bring to Europeans for that matter the EU, Sir Charles Powell, a former advisor to Margaret Thatcher and John Major on Foreign Affairs and Defence Policy, who favored intergovernmental cooperation saw dangers to the European enterprise in what he considered a reckless rush to political union at a time when Europe should be dealing with more pressing issues. The EC has been caught flat-footed in responding to the needs of a Europe with a newly emancipated eastern half, Powell complained. The former Soviet President Mikhail Gorbachev was not only very much concerned about the control of arms, his worry was the army and arms which cannot be under one central control, but he was very much concerned about chaotic nationalism, civil strife with the inevitable consequence of mass immigration of Soviet Citizens. The former Soviet leader accused the American administration for playing an accelerated role in the break up of the Union, disappointed by the frequent trips by the then US Secretary of State, James Baker to the Ukraine and other parts of the former Soviet Republics. He said - the whole world would be affected by the disintegration of a country, which covers 1/6 of the planet. In her presentation in 1996 on 'The Role of the UNHCR in assisting refugees in times of crisis' under the theme "the role of humanitarian agencies in assisting refugees in times of crisis" Vera Soboleva, Public Information officer, Regional Information Office, UNHCR, Moscow said some 9 million people have left their homes in the CIS countries. An interesting exception is that after Moscow has been able to nurse these internally displaced people they leave finally for the EU countries. Paul Kulakov, the Director of ADRA states that ADRA has put up a lot of infrastructures for the internally displaced in the Central Asia Republics of the former Soviet Union all the same they continue to migrate to the EU countries. The problem here has not always been lack of social amenities for the displaced persons, it is the desire to be with the affluent west.

It goes without saying that the man who was frustrated over the destiny of millions has become a 'political prophet'. The movement stems from tensions over disputed territory between the republics of Armenia and Azerbaijan, then Ukraine, the second and the most populous republic in the former Soviet Union, many of them who voted for full independence which they did not see the implications. The fear of the new situation in the Eastern Europe was expressed in these words by David Anderson, Director of the Aspen Institute - Berlin and a former US Ambassador to Yugoslavia - 'this is not a new Europe. It is a very old Europe that seems to be lurching toward the past with the same sort of players - petty nationalism, ethnic violence - we saw 100 years ago'. In the light of the uncertainty of the movement of the political barometer in Eastern Europe, looking at the breakdown of the communist system in Eastern Europe, the French ultra-right Nationalist Front showed tendencies to be hostile to immigrants. The EU has not fully recognized Russia as part of Europe, and there was not much signs that Russians could be made comfortable with Europe. 'Russia is like Japan - open to Europe but not part of it' - Igor Malashenko, then a political editor at Moscow's Central Television Network and a former press advisor to Gorbachev. In any case like he said ' I'm now convinced that neither Soviet Russia nor Eastern Europe can solve their problems without Western Europe's support' - Horst Teltshick, formerly Chancellor Kohl's principal foreign policy and security advisor. A student of international relations in Romania- Simona Buretea who had a short course in language proficiency at the Pushkin's Institute of Russian Language in Moscow said- 'Romania's economy is down, I don't think there is any long-term policy from the West to deal with the situation, the inevitable consequences is migration into the Western countries'.

In any case the event in Luxembourg in December 1997 holds some perspective for Romania.

The discussion of this topic today means that we have a sense of realism, yes a fundamentally important period in world history. The reality of the topic is determined by the weight of the refugee problem.

We need to look at the EU'S economy with the social security system in mind. Uppermost in European minds was the fear that a resurgent Germany might dominate its neighbors too much; all the more reason, it was argued, to bind the giant more tightly into a European partnership. Now suddenly, the issue is Germany weakness. Germany's economy was crippled by strikes; the resignation and pure farce embarrassed its government over a crucial new appointment. Germany looks anything but Europe's champion. Others were asking what the German unification would mean to them and for Europe's ambitious plans for further integration. 'Unemployment is at a record high in Germany. The country's steel industry, like those in most industrialized countries, has been in a dismal downward spiral. Last year there were fewer than 109000 steelworkers in Western Germany, one-third the number employed by the industry in its heyday during the 1970's. Almost none has been laid off; instead many are sent into 'pre-retirement' (Theresa Waldrop, Bonn - Newsweek, Feb., 6,1995). The nation's dole money continues to dwindle and steelworkers are becoming ever younger, job cutting continues at an estimated rate of 5 percent of the work force a year. The Federal Government shelled out 15 billion Deutsche marks for retraining and reschooling in 1994. One third of all workers in East Germany have taken part in continuous training, updating skills for current jobs. There is leaner production in Germany as companies are training fewer apprentices. Invited guests, the world has the right to pay attention to this new situation in Germany. East Europeans and the former Soviet Union look at it as their main partner in aid and trade. West Europeans rely on it as the anchor of the European exchange-rate mechanism. Much cannot be achieved with regards to the monetary union if German's commitment to that weakens. Germany receives a greater percentage of refugees in Europe; refugees in the former Yugoslavia cannot be allowed to leave on humanitarian grounds since the conflict can erupt at any time. Dr. Michael Reimann, a German who holds a Ph.D. in Slavic Linguistics, who had a research program at the Pushkin Institute of Russian Language, Moscow, in 1998 is of the opinion that 'the unification was not necessary as many semi-skilled workers have been relegated to the sheet of unemployment'. Claudia Feverbach a graduate from Leinfelden in Germany is of the opinion that 'the reunification has brought economic woes notwithstanding we should accept it and cope with the situation'.

What has this got to do with the Convention of July 1951? The Convention has remained the basic legal document in the defence of the rights, interests and safety of political refugees. There were voices to the effect that the immigration law with regard to Nigeria, Ghana, Sri Lanka, India, Pakistan and others was changed by the UK because of the boycott of the Commonwealth games by some of these countries, whether it is true or not, permit me to ask the international community a question. What will be the situation in Britain if 20 million Indians and 20 million Nigerians were to be allowed into the UK as the old practice permitted? Will Britain allow 10 million Nigerian; 10 million Indian and 2 million Ghanaian political refugees entry permit into Britain?' the UN and the E.U should not shrink from the responsibility of seeing to it that the halting and doubting steps of some African countries towards democracy is put on the pathway of certainty. The international community Should figure out the catastrophic consequences of an outbreak of ethnic conflict in Nigeria, against this backdrop the African refugee crisis will be intensified . Is it not easy to say that once the convention stipulates that political refugees who manage to cross international borders be given asylum, so there is nothing new the EC as part of the community of states has not shifted from this count. There are two phases of the issue, the political obligation that is conforming to international humanitarian law and the economic aspect the ability of the recipient country to offer protection in all aspects. The global economic recession is making

people migrate into more lucrative economic zones to seek for greener pastures; wars and separatist movements especially in the third world is driving a lot of people away from their homelands. To many they see it as an obligation to be accepted, as one refugee said - 'as for Africa we are not going'; many cannot see the reason why we should be involved in this great issue, many refugees regard it as unimportant, and thus led to treat it with neglect. While the economic giants may not be able to continue to harbour large number of refugees, it could be worse in the developing countries. For example, Ghana's economic strength may not be able to contain the continual influx of refugees from neighbouring West African countries, that is not to say that Ghana is swaying from the UN Convention regarding refugees but the economic capacity of weaker countries cannot continue to sustain the upkeep of refugees, for example Malawi which has its own formidable social and economic problems to solve had to offer refugee status to more than 100,000 Mozambican civilians who were pushed to the very edge of survival by the effects of drought and civil war, in 1992 alone( Albert A Boasiako, London 2001) . The EU has got its own problems. Once the rules favoured every European, jobs seemed to be the birthright of every European, but today many are the dropouts from Europe's prosperous societies, people whom may never hold a job. France has the highest jobless rate of the EU's large industrialized states. 'Signs of exclusion are now all too commonplace. Begging in the Paris metro was unheard of a decade ago. 'I had an office job, and I worked hard. I had a happy family. Now the job is gone, and my family is terrified. There are no more jobs, believe me. Can you really say is my fault?'(Theodore Stanger - Newsweek, Feb. 1995). Signs of the times, a jobless man in central France seeks any kind of job-Acceptetous travaux mercide-Votreaide. The true picture of the future of refugees in the EU became clearer in December 1997 in Luxembourg, the steps taken by the EU to increase its membership, the possible addition of 11 other European countries the voting of about 83billion USdollars signals to refugees from the third world that not much goodness awaits them especially from the third world will be clearer as the event in Luxembourg in December1997 unfolds, the step taken by the EU to increase its membership, the possible addition of about 11 other European states, the voting of about 83 billion dollars for this exercise speaks for itself, the fate of the refugee in the future common European house is becoming clearer. Much as the script which was written in September 1996 is speaking today like the talking bamboo so is other utterances by some leaders are also crucially beneficial today. Speaking on the African situation, Edith P. Quaye, a graduate of political science, University of Ghana currently working with the Ghana Immigration Service said 'African must learn to take care of its own refugees, Africa must look for some form of a Union and they should be abided by the constitution of that Union, a Union to solve her economic and conflict problems; Africans should go back to Dr. Kwame Nkrumah's model on African unity and his mechanism on the resolution of conflicts in Africa'. . Ghana is giving protection to refugees from the neighboring West African countries but she said there are still some of the refugees trying to acquire immigration status to enable them travel to the U.S and other Western countries.

The EU has shown concern with the problem of refugees, the steps to transfer asylum and immigration policy, questions related to the external borders and to third country nationals testify to the fact that there are some serious concern over the issue. (European Parliament Extracts 1997).

There is a struggle to belong to some economic block, the US, the economic giant belongs to NAFTA, NATO and other regional economic blocks; the third world should realize that there is the need to tow the same line and their organizations must be productive. NATO - USA = EC, the block has twofold functions, solving political and economic problems.

The donor countries include the EU where we have other members of the UN Security Council and they are also being weighed down with sediment of refugee problems in Europe. 'As the mass movement of refugees continue there is a higher tendency on the part of the host countries to withdraw their generosity, the other issue is that Europe is

becoming a safe haven for Europeans and Africa should be for African's. EEC countries are marshaling all efforts to stop the ethnic conflict in Bosnia and not in Liberia or Sierra Leone; it goes without saying that the African refugee crisis cannot become an agenda of priority to the EEC for example' (Albert Antwi Boasiako, Almere, Netherlands, 2001).

#### INTEGRATION PROCESS AND REFUGEE PROBLEMS

The expansion policy of the EU could be a stumbling block to asylum seekers. Negotiations are going on to admit new candidates. Though article 49 of the Treaty on the European Union states that any country which respects the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law may apply to become a member of the Union. (EU still enlarging Brussels June 2001 page 3). That does not imply that the EU will not tighten immigration laws. Current socio-political changes taking place in the EU and the trend of immigration into its territory will automatically dictate the nature of new EU immigration laws with regards to refugees." The EU is taking on countries from a broad range of situations: small Mediterranean islands, former Soviet republics. It is happening against a background of rapid development of the EU practices. And it offers the perspective of consolidating political stability and prosperity for all European citizens, as integration reduces the potential for conflict"(page three the same book). While it is an agenda of the EU to maintain stability based on the rule of law and even to help these budding democracies in Eastern Europe, the EU will definitely lay emphasis on European integration as its priority area. This does not presuppose that the EU has neglected the developing world. For instance the EU allocated 264million Euro to Cote d'Ivoire under the 9<sup>th</sup> European Development Fund (EDF). The Courier states that" Just before General Guei took over power in 1999 the State coffers were empty. Cote d'Ivoire's stability was the next " constant to crumble. Four forcible takeovers followed in the wake of Robert Guei's putsch' (The Courier No 192,May-June 2002 page 26). The E.U instead of funneling funds for developmental projects in the developing countries will have to shift emphasis from developmental projects to the supply of humanitarian aids to refugees and the internally displaced in these countries The EU will automatically have funds for humanitarian programs in war torn zones. but in the context of the integration process when funds are needed to support applicant countries the EU may have to reduce her quota for humanitarian aid for refugees and the internally displaced in the conflict zones of the least developed countries. There are a lot of factors that militate against the asylum seekers; that the EU has created a special fund, that is the Cohesion Fund. The Cohesion fund is meant to help develop the least developed countries in the EU to improve upon their environmental infrastructure and their transport system. The resources of the Cohesion fund amounts to about 2.5 billion per year from 2000 to 2006, for a total of 18billion Euro (at 1999 prices). In a nutshell between 2000 to 2006 213 billion will be available to improve the economic situation of the least developed regions, areas with specific handicaps and at-risk groups in society. (European Union, Regional Policy. Working for the Regions, Brussels, December 2000, page 8). The situation in the applicant countries engaged the attention of the EU when it drew its financial perspectives for 200-2006. Most of the candidates are from the Central and Eastern countries. In this respect two new pre-accession funds, ISPA (Instrument for structural Policies for pre-Accession) and SAPARD, (Special Accession Program for Agriculture and Rural Development) funds were created. A reserve of 40billion was set-up for anticipated structural expenditure following accession. " The needs of these countries are enormous in every respect: infrastructure, industry, services, small business, agriculture and the environment. To prepare to join the Union, they have drawn up" Accession partnerships" with the commission set out the main problems to be overcome breach country. These strategy documents provide a framework for programming pre-accession aid"(European Union, Regional policy. Working for the Regions, Brussels, December 2000 page 8). From the foregoing it is clear that the European Union has two crucial issues to tackle which could reduce the attention supposed to be showered on refugees." The urgency was palpable. Twelve neophyte democracies were scheduled to join the EU, with the first admissions

looming in 2004, the EU therefore had to adopt mechanisms that at some point could force the interminable talking shop to stop talking and act.”(Elizabeth Pond, the Washington quarterly, autumn 2001 pages 31). This testifies to the fact that the EU is confronted with a Herculean task that should not give room to any hullabaloo. that the EU should not belittle the serious assignment before it.The admission of new candidates into the EU which might imply slicing the cohesion fund meant for the least favoured countries could also be a bone of contention for EU budget planners. “

Madrid may have been happy that its threat to veto admission of new Central European members into the club-should enlargement subtract one penny from Spain’s generous EU subsidies-seemed to be paying off “(Elizabeth Pond, The Washington Quarterly, Autumn2001, page 30). It actually does not mean that Italy and other least developed countries resist the idea of EU enlargement but the stark reality remains that without enlargement developments could be accelerated in the least developed countries. If such a fear persist in the circles of the least developed countries in the EU then it goes without saying that asylum seekers may not be welcomed in countries like Spain and Portugal which have colonial ties with most developing countries in Africa and South America. In my own observation while I was in London I can conclude that there will still be movement of people from the least favoured countries of the EU to the economically stronger EU countries leaving a question mark to the admission of immigrants and refugees into the territory of the EU. They will have to share the bread meant for them with third country immigrants.

#### THE EUROPEAN UNION AND THE 1951 UN CONVENTION ON REFUGEES;

Such global problems like the influx of refugees into other countries can be resolved only through comprehensive international cooperation and the mechanism of international legal regulation in the interests of all nations. There is no alternative to cooperation between all nations other than international law as a common platform that would express the interests of all nations. The proclamation and ensurance of the basic human rights and freedoms based on international treaties and agreements is, as part of international cooperation in the humanitarian field. An important element in establishing a comprehensive system of international security. The EU recognizes the fact that in the process of working out international standards for human rights and freedoms and an international mechanism of cooperation in this field, all states are called upon to share their experiences in human development and promote the fullest possible exercise of human rights and freedoms on their territories. Article 14 of the Universal Declaration of Human Rights states that each person has the right to seek a save heaven in another country. In these last instances the international community has evolved a set of principles and rules of inter-state cooperation, providing favourable conditions for every individual to enjoy fundamental rights and freedoms both in peacetime and in periods of armed conflict. The 1951 UN Convention on Refugees has become a segment of the UN Human Rights system and above all should be seen as generally recognized fundamental principles of international law. (Albert A Boasiako, London 2001). The EU acts in consonance with the procedure as enshrined in the Amsterdam Treaty.The EU is to consider the following points from the day the Amsterdam treaty came into force.

- 1) Rules and regulations regarding the granting of asylum status to applicants within the frame work of the Geneva Convention of 1951 and the protocol of the 31<sup>st</sup> January 1967, And all other Conventions relating to the right of refugees.
- A) Mechanism and criteria necessary for member countries to look into every concrete asylum application from an applicant from the third world who has submitted an application for asylum status in any of the EU member countries.
- B) EU countries require some minimum standards before an application for refugee status can be considered.
- C) There is the need for some minimum criteria of qualification for third country citizens before asylum could be granted by EU countries.
- D) There is the need for some minimum standards of procedures necessary to follow before

- E) 2) Some other rules and regulations concerning refugees and the internally displaced in the EU countries.
- F) A) The need to have some minimum standards to grant temporary protection for the internally displaced and others in need of international legal protection from a third country, then the possibility of returning refugees and the internally displaced to their country of origin should condition improve in those countries
- G)
  - b) The need to balance and support efforts among member countries in their dealings with refugees and the internally displaced, and to solve any problem arising from the exercise.
  - 3) Other issues concerning immigration policies were also considered by the EU countries:

The EU considered the possibility of repatriating immigrants illegally living in the territory of the EU countries. The EU also reserves the right to transfer people legally living in the territory of one EU country to another. This presupposes that refugees who have been granted asylum status could be transferred to other EU countries.

(European Union. Consolidated treaties, Moscow 2001 page 75-76).

The EU has been selective in its immigration policy in view of the changing social conditions. Some EU countries could enter into special bilateral agreements with some developing countries in the field of technology, development cooperation with other countries should differ from immigration laws regarding ‘uninvited visitors’. The future of the working population in Europe is at stake. It is estimated that the working age population between 20 and 59 years will decline by nearly 5% over the next 25 years while those over 60 will increase by 8% to reach 29% of the total population by 2025. Some European countries continue to experience shortage of labour and some have publicly advertised for thousand of skilled labour from the developing countries. At the same time there has been a corresponding increase in the number of asylum-seekers, refugees, displaced persons wanting to migrate to Europe. EU governments are faced with the problem of how “to cope in an area without internal frontiers with large numbers of immigrants while respecting Europe’s humanitarian traditions of welcoming foreigners and offering a safe heaven to refugees from persecution and danger” (Justice and home affairs in the European Union, Belgium, 2001. page 9). The Amsterdam Treaty gives the EU considerable powers in relation to immigration. This includes procedures for the acquisition of asylum status. Methods and procedures for asylum acquisition differs from one EU country to the other.” In October 1999 at a special meeting in the Finnish city of Tampere, EU leaders decided to develop a common asylum and migration policy cornerstone of this policy will remain the right of third-country nationals to seek asylum” (The same page). The national authorities of the various EU countries reserve the power to grant asylum to third country applicants seeking for safe heaven. In any case EU countries have decided to harmonise their rules so that request for asylum status in one country will tally with the basic EU immigration and asylum policy. This became one of the basic ideas of the EU leaders in Tampere, set down rules and regulations on the basis of a common asylum procedure. The EU had agreed in May 2000 to provide temporary shelter for a maximum of two years in case of a mass influx of refugees and the displaced persons into its territory. The EU will ensure they enjoy the same minimum conditions in all EU member countries. This was agreed upon by the EU Council of Ministers in May 2000. In September 2000 the EU came out with the European Refugee Fund to help member states with the reception of refugees, their integration and voluntary return program. There are also proposals to revise the Dublin Convention signed in the Irish capital in 1990 by the then 12 Member States of the European Union which entered into force in 1997.

The Convention unfolds series of rules and regulations on the decision as to which EU member is responsible for dealing with a particular claim for asylum. It also discourages

what has been termed as “asylum shopping’ that is seeing for asylum in one EU country and seeking for shelter with the same case in another EU country. It presupposes that once asylum has been granted in one EU country one cannot make the same claim elsewhere in the EU. A positive segment of the common asylum and immigration policy That is being discussed is the possible integration of third –country nationals who are legally resident

The EU in its attempts to coordinate humanitarian interventions in countries where conflicts have erupted came out with the European Commission Humanitarian Office (ECHO), The precise import of this office is for the EU to show solidarity with the victims of chronic and ferocious conflicts. ECHO surfaced at a time when ethnic cleansing campaigns were raging in the former Yugoslavia, Somalia has been wracked by civil war and large areas of Iraq has been taken from Bagdad and given to the international community for protection. ‘Together with its partners- The UN agencies, the Red Cross network and NGOs- the EU has been involved in projects in 85 countries across all five continents. Between 1992 and the end of 2000, the EU allocated EUR5350 million to humanitarian action, with the full support of public opinion, the institutions and the member states. In 1999 alone, the amount allocated was EUR812 million, more than half of which went to fund actions resulting from Kosovo’ (European Solidarity with Victims of humanitarian crisis, Germany 2002, page 6). The outbreak of armed conflict in early 2001 between ethnic Albanians nationalists and the Skopje government created a new humanitarian crisis, drawing the EU and its partners back to the country. The EU s’ indiscriminate attitude towards areas of humanitarian crisis was clearly manifested in their humanitarian action in Tajikistan. Since 1993 the EU has been involved in emergency and structural projects of various kinds. In 1993 the EU spent EUR7.9 million on interventions. Between 1998 and 2000 the allocation doubled when the civil war erupted and drove more than 6000 000 people from their home, that was about 10% out of the total population. In 2001 the EU provided EUR 10 million, basically for food and basic health care. The EU stretched its humanitarian hands to Colombia. In 1996/97 was first figured among the EU humanitarian priorities. Repeated natural disasters and armed conflict turned a significant number of Colombians into rural displaced persons, as many as a million and half at any one time. The EU in conjunction with about 50 local and European NGOs helping to relieve the suffering of the most vulnerable groups in this society. In the year 2001 the EU allocated EUR10 million basically for food shelter, and health care and psychological aid programs, vital for the systematic violation of human rights, which is the main source of the crisis. The humanitarian crisis in West Africa attracted the attention of the European Union. This crisis involved three countries, Liberia, Sierra Leone and Guinea. The number of displaced persons and refugees exceeded 700 000 in the year 2002. The ECHO alone- allocated EUR14 million in 1998 and EUR 16.1 million in 1999 to emergency programs in the region. In East Timor ECHO and its partners played a conspicuous role in the humanitarian crisis in the war –torn area. The aim of the program was to help refugees return home and to guarantee an acceptable level of logistical organization, food and health care for the entire population. Appropriations amounted to EUR13 million in 1999, EUR15 million in 2000, and almost EUR 11.3 million in 2001. Timor was one of the leading beneficiaries of the EU humanitarian between 199-2001. The EU in spite of the tremendous hurdles that impeded and impedes humanitarian intervention in Afghanistan is still one of the major donors involved in Afghanistan. In Afghanistan warring factions have prevented aid workers and humanitarian aid from reaching their victims. In spite of the general climate of insecurity the EU did not withdraw its generosity (European Solidarity with the Victims of humanitarian crises, Germany 2002 pages 3-16) .

**THE REAL PROBLEM FACING THE EUROPEAN UNION AND THE UNITED NATIONS;**

The major problem facing the United Nations and the European Union is the swelling number of economic refugees. The asylum institution has been adulterated to some extent by a fleet of economic refugees who are fleeing economic hardships in their various countries. From the foregoing it is clear that the EU has not been a real problem for people fleeing war and persecution, the real problem has been the influx of economic refugees into the territory of the EU countries. Most of these economic refugees have been converted into refugees under the 1951 UN Convention and have been receiving assistance from the UNHCR. There are convincing and fabricated stories that makes it difficult to distinguish between a Liberian and a Sierra Leonean or a Nigerian and a Camerounian, a Syrian and a Palestinian, a Chechen and a Georgian. This has in most cases interrupted asylum determination procedures. Most of these economic refugees in condition of hardships and uncertainties in the countries they traveled to, to seek for greener pastures shifts to the UNHCR for assistance. In actual sense the 1951 UN Convention made no provision for economic refugees. (Albert Antwi Boasiako, Moscow Times 1995). The economic refugees should not be neglected entirely but needs to be assisted under a new programme like the one evolved by the International Organisation for Migration for Africa and other specialists from the third world (Albert A Boasiako, Response to Aid for stranded African Students Moscow times 28<sup>th</sup> of November 1996). Despite the difficulties that these economic refugees encounter, they still continue to stream into Europe, USA, Canada, and Australia.

The rank of the world's economic refugees are swelling inexorably. Almost 5000 people are smuggled into Europe each year and about 300,000 to the United States. Back in 1993 the United Nations Population Fund estimated the world wide number of migrants to be 100 million, of which a third had settled in Europe and the United States. (Albert A Boasiako, The World's Refugee Crisis and Other Related Humanitarian Issues, St Petersburg University, Petersburg, February 2002). In an article entitled "Illegal immigrants war in Spain" that appeared in the Netherlands based Magazine, The Voice" the magnitude of illegal immigrants sneaking into Europe was unfolded by the Spanish Foreign Ministry. The paper said "The desperation of Africans to reach Europe seem not to deter more Africans from risking their lives and attempting to enter Europe at all cost. .... would send a warning signal to many Africans that Europe is distressed of seeing African Immigrants and they are doing everything to stop the inflow of immigrants" (The Voice Magazine. Almere, Netherlands, October 2001 page 22). The paper continues ... "sent over 3,000 migrants in the year 2001 back to where they have arrived from, most of them were African immigrants and they are. According to the report from the police, as the paper reports, about 450 of those arrested were Moroccan men trying to land on Southern Spanish Coast near Tarifa. They were hidden in rubber dinghies approaching Spain. According to the paper more than 1000 illegal migrants from Morocco had to be sent at the end of June 2001. In the year 2001 15,000 African Immigrants tried to enter Spain with Score thought to have drown in the attempt: King Mohammed, in an interview published in the French Newspaper Le Figaro, accused mafia gangs in Spain of playing the biggest role in the trafficking of humans"

## CONCLUSION

The wide humanitarian programme of the EU indicates that the EU per se is not against people fleeing war and persecution. The issue is the problem of economic refugees trying to hide under the canopy of the UN Convention of 1951. The other issue is that EU a major donor of the UNHCR has to allocate fund to help Spain and Portugal. Spain remains poor as compared to other EU countries. Spaniards are only 83% as rich per person as the average EU citizen though the gap is closing. This lesser standing rankles, as it has ever since slipped from its days of glory. Spaniards are edgily aware that a fair chance of their prosperity, perhaps as much as 3% of annual GDP, has come from the EU's special funds to help the Union's poorer countries and regions, as well as from subsidies under the common

agricultural policy “( The Economics, March 17th ,2000).While there is the desire on the part of Europeans to reduce its size, which has increased , it sends a signals that not much favourable unification policy awaits asylum seekers. Funds meant for Africans Asians and South Americans could be drastically reduced to sponsor the building –up process of new membership .Europeans may deem it expedient to stabilize Europe characterized with chaotic nationalism. “ The EU would be betraying its ideals. It has failed to reach out now,urgently to the struggling democracies in the East, threatened by economic hardship and popular disillusionment with barely budding democracy. The penalty for delay, they maintained, could be chaos in the communities’ borders and unstoppable waves of economic refugees” warned Panelist Dominique Moisi, Associate director of the French Institute of International Relations in Paris( Time Magazine December 9<sup>th</sup> 1991)

. With Asian countries like South Korea, Thailand, Malaysia, Singapore, Hong Kong, Taiwan etc. booming economically stronger, migration into the EU could reduce in the near future. Immigrants in South America both political and economic refugees may migrate to the US more than to the EC, in any case we don’t exclude the possibility or mass migration to Spain and Portugal as the former colonial master. There will still be the higher tendency of African refugees migrating to the EU due to weakened economies and disintegrating governments. In any case the refugee crisis both in the developing and other European countries is not resolved in the EU countries or elsewhere but effective antidote could be found in the indigenous countries.

Whatever be the case the UN convention of 1951 should be observed by all states as an international humanitarian law, but we should not forget that there are several occasions when the UN has appealed to the international community for humanitarian assistance where the international community is not outside the UN. There are several cases where the UN department for humanitarian affairs has appealed to other relief agencies outside the FAO of the UN. The UN is a sea, all rivers flow into it but when the sea dries there will be no rivers’. Asylum seeking status must not be allowed to be abused, it is realized that of late many immigrants flee to the EU and other countries of the developed world under the guise of political refugees. This is a flagrant abuse of the asylum institution by this so-called political refugees whose events have turned out to be nothing but economic refugees fleeing from the hazards caused by both political and economic mismanagement of their leaders at home. ‘Zairians are today starving and begging for crumbs, despite the fact that Zaire is among the richest countries in the world’ it is because the ‘thieving’ hands of Mobutu Sese Seko had exhausted their national coffers. All these unfortunate victims from the third world are not to be entirely blamed but rather their tyrants who collude with the developed world including multi-national corporations and some financial institutions in destroying and siphoning the wealth of poor countries in the third world. It is in such circumstances that have given rise to the huge influx of refugees from the third world into the EU countries. It is also necessary to treat the issue of non-interference in the internal affairs of states with serious caution in order not to exacerbate a volatile situation that would lead into an all out war, subsequently and exodus of refugees into the EU and other developed countries. We encourage the evolution of new forms and methods of preventive diplomacy initiated by the UN in the past few years and hopes that other regional organizations may attempt to do the same. An appeal should be made to states to implement a general embargo on all delivery of weapons in conflict areas. In this respect the monitoring role of the UN must be conspicuous. We are lauding the efforts of the East African states in reacting to the tribally-motivated coup in Burundi by imposing a blockade on the country, this move forced the military strong man Pierre Buyoya to seek reconciliation between the two main tribes, the Tutsi and the Hutu and thus prevent the country from degenerating into the Macabre situation that occurred in neighboring Rwanda in 1994. This is a shining example to help force soldiers out of power and to return countries to civilian rule. The import of this action by the East African embargo on the military government in Burundi was to create the conditions, which could encourage Burundians to stay at home. There is the need for third world governments to create a strong,

integrated and self-reliant national economy that can effectively produce the goods and services required by the population, provide jobs and relieve scores of Asians, Africans and South Americans from desperate poverty hitting them.

That is not to say that the other European countries are not offering asylum to refugees, even there are a number of refugees in countries like Hungary, Czech and others, candidates of EU. The Russian Federation is also offering refugees status to quite a number of nationals from the third world and from the former Soviet Republics, the majority of them from Afghanistan, according to UNHCR source last year; but the topic for discussion is the European Union and refugees.

, To many it is the problem of intellectual attitudes, the spirit of compromise and conformity. The EU immigration policies started, little by little, at first in stealth and silence, and then more openly as it increased in strength and gained control of the minds of member countries and scholars, there will come real difficult times for refugees and immigrants like he said 'it is difficult to make a public confession but when it is made the effects are felt in overwhelming circles' John Wycliffe. A topic like this 'the European Union and refugees' should be seen as a topic to be treated with special attention by the governments in the millenium. The motive behind the strict immigration laws is not to suggest that the EU would not like to welcome foreigners but it is a stark reality that the EU would want to make Europeans feel more comfortable before showering attention on refugees and immigrants from the third world. That is in the right direction, other continents can do the same, the globalisation of the world's economy is being accompanied by a series of measures, the third world countries should be starting to explore new strategies to solve economic problems. In my paper, 'The Non-aligned Movement and the Present World Order' presented on African Day last in May 1997 it was suggested that much as the role of the NAM in international security should be preserved there is the need for an active economic cooperation among members. It is in the light of this process, the European integration, that The NAM needs a serious re-organization to adapt to the needs of the times, really this is the time the NAM should be used as an effective international weapon to help in the development of member countries. 'What will be the fate of the ACP countries which continually benefit from the EU?' 'There is the growing concern that the launching of the Euro which is at the heart of the European Monetary Union (EMU) and the inclusion of Eastern European countries which spent decades in involuntary service to Moscow, into the EU, may result in substantial reduction of EU's development assistance for Africa'. (Ibrahim Awal, European single currency and African economic growth). The paper continues to say 'under the revised Lome IV Financial Protocol, the EU is providing about \$25 billion for the development of ACP countries under a five year agreement which ends in 2000. Since the signing of the first Lome Convention in 1975, the EU has made available to Ghana an amount of over \$653 million in support of its development. The question is, what happens after the year 2000 when the Lome IV Protocol expires?' These were fears expressed between 1997 and 1998 by a concerned writer from the third world and we saw the slow attitude of countries towards the renewal of the Convention. 'what will be the fate of African refugees in the kitchen of the common European house?' (A.A.Boasiako - African refugee crisis and the current international situation, in Russian Language, Sept. 1996). The former Soviet Foreign Minister E.A. Shervardnadze said 'the discussion of any situation changes the quality'. It is against this background that our discussion today is important and for that matter the forum. 'Freedom is the right to stick to dream, to follow your dream or stick to your conscience, even if

You are the only one in a sea of doubters' (Ronald Reagan, US-Russia Summit Moscow 1998) The EU continues to pursue its policy of making Europe the home of Europeans first. The EU is driving more closer to this idea and doubting Thomases in the developing world should better concentrate on the development of their various countries

European NGO'S should create a special unit to be solely responsible for refugee settlements in the developing world, we hope donor countries will increase their

contributions towards these projects should they accept the challenge to start since they have got the features of an NGO already, This will help immigrants from the third world settle at home. ? The importance of such an idea is seen in the light of the current developments in Southern Sudan, where human beings are being exchanged for \$100, these have been the products of ethnic conflicts and poverty, while the searchlight continues to see to the possibility of drawing a comprehensive framework for such a project, the UNDP and the EU could set up a special commission to look into the problem of Southern Sudan and other war torn areas like Afghanistan. The problem of Southern Sudan should be described as 'the resurrected slave trade'. The other instant that underpins the significance of this idea is that for instance there were complains from some circles that billions of dollars have been spent on the Cambodian problem but the international community's attention to the Somalia problem was dwindling, it is in such cases that a separate NGO's created by the EU could help bring some equity in the distribution of development projects in the third world countries. , Having nothing to do much with local or international politics can do a good, The Kurdish problem justifies the formation of such an organization. Some Kurds have become perpetual refugees and a resettlement program of such nature is not out of place. The recent tension in the Gulf send a signal to the whole world that Kurds could be baits for persecution should war in the gulf spark. The UNDP the EU the UN OCHA, UNHCR, UNICEF could set a special commission on Kurdish settlement program with the participation of the countries concerned - Syria, Iraq, Turkey, Iran and experts. The future NGO if formed could supplement the UN humanitarian efforts. .

. Yes we can solve the refugee problem with our dissimilarity of opinions, which is a mighty force, then we should talk of disarmament ' people who mean peace don't need guns' - John Major. 'We should unite our prayers in the season of peace for peace' - Bill Clinton.

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