

**REFUGEE PROBLEM IN INTERNATIONAL
POLITICS IN THE CONTEXT OF
GERMAN UNIFICATION**

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IDZES ANGMO KUNDAN

**CENTRE FOR INTERNATIONAL POLITICS,
ORGANISATION AND DISARMAMENT
SCHOOL OF INTERNATIONAL STUDIES
JAWAHARLAL NEHRU UNIVERSITY**

NEW DELHI-110067

INDIA

1994



जवाहरलाल नेहरू विश्वविद्यालय
JAWAHARLAL NEHRU UNIVERSITY
NEW DELHI - 110067


Centre for International Politics,
Organisation and Disarmament

Date: 19.7.94

CERTIFICATE

Certified that this dissertation entitled "Refugee Problem in International Politics in the context of German Unification", submitted by Ms. Idzes Angmo Kundan, Centre for International Politics, Organisation and Disarmament, School of International Studies, Jawaharlal Nehru University, New Delhi for the award of the degree of Master of Philosophy, is an original work and has not been submitted so far, in part or full, for any other degree or diploma of any university. This may be placed before the examiners for evaluation for the award of the degree of Master of Philosophy.


K.S. JAWATKAR
(Supervisor)


K.S. JAWATKAR
(Chairperson)
Dr. K.S. Jawatkar
Chairman
Centre for International Politics
Organization and Disarmament
School of International Studies
Jawaharlal Nehru University
New Delhi-110 067

For Abaley and Amaley

FOREWARD

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Idzes Angmo
Idzes Angmo Kundan

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INTRODUCTION

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German unification did not occur only by lucky chance at a unique European history. It was made possible by the concurrence of a variety of factors, the most influential of which were the lasting consequences of the previous detente policies, in particular the long pay off's of Bonn's *Ost Politik* dating back to early 1970, the changes being promoted by the Conference on Security and Cooperation in Europe (CSCE) process, the new rapprochement in the US-Soviet relationship and the changing nature of Soviet-American duopoly, and above all Gorbachev's decision to encourage reform at home and abroad and to reduce Soviet power in Central and Eastern Europe.¹

Until the hurried opening of Berlin wall on 9 November 1989, the demonstrations in Leipzig, Dresden and East Berlin had demanded democracy in the German Democratic Republic (GDR) and not German unity. Only in

1. Manfred Knapp, 'Negotiating the Unification of Germany', § 'International dimensions' in *The Economics of German Unification* A Ghanie Ghaussy and Wolf Schäfer, (ed.), (London : Routeledge 1993).

the middle of November was the popular slogan 'we are the people' gradually drowned out by others, 'we are one people' and 'Germany a United fatherland'. The national slogan was the slogan of a hitherto silent majority, not that of the active and largely intellectual opposition. This demand for a unified Germany saw its culmination on 3 October 1990, when a more progressive Federal Republic of Germany (FRG) was united with GDR.

However like every change, German unification also brought in its share of incongruities. The euphoria of unification was soon overshadowed by the ugly faces of resurgent Nazism. This rekindered feeling of racism was enflamed by the mass exodus of population, fleeing their country of origin due to various reasons like internal strife, political persecution, dissatisfaction with government and other reasons. This exodus coupled with the Precarious economic position of unified Germany stirred discontentment among Germans, who turned their frustration on the refugees and other foreigners in Germany.

The primary objective of this study is to analyse and understand the diversity of problems generated by refugee's. Migration is not a modern phenomenon but in recent times it has acquired varied dimensions. Europe is

faced with its most serious refugee crisis since 1945. Over the years the concept of 'refugee' itself has undergone various changes. This change in the concept of refugee along with the various categories of existing refugees, is dealt with in the first chapter. Besides the definitional problem this chapter also touches upon the evolution of various international organizations that have emerged to control the complexity of refugee generated problems.

The second chapter deals with the historical aspect of population movement in Germany in particular and Europe in general. The study involves historical analysis of massive dislocation of population caused by Hitler's ambition to create a Homogeneous state of 'Purest Aryan' race in Germany. This chapter further highlights the composition of divergent groups of incomers who have sought refuge in Germany since 1945. An attempt has been made to distinguish between various incomers by categorising them under categories like refugee, asylum seekers, expellees, guest workers and resettlers. It is important 'not to confuse one group for another since each one of them, though foreigners, have different equations with indigenous population and hence are accorded different treatment by people as well as the government.

For example, expellees, refugees and resettlers being all of German extraction, are likely to be more acceptable than other groups. Next in the hierarchy comes Citizens of other European Community (EC) countries such as Greeks, Italians, Portuguese and Spanish, who are helped by a certain familiarity picked up through contacts. The third group in the hierarchy of acceptability would probably be the "guest workers" but among 'guest workers', Turks, Vietnamese, Moroccans are particularly susceptible to racist attack, may be because of their alien manner and appearance. Gypsies or the Roma's are perhaps the most disliked group of foreigners in Germany. This dislike generally stems due to their resistance to assimilation with indigenous Germans.

Though each group of foreigners are met with differentials in treatment nevertheless by and large all of them are perceived as threat to socio, economic and political security and stability of Germany, specially now when German economy is still reeling from the impact of unification.

'Security' is a social construct with different meanings in different societies. An ethnically homogenous society, for example, may place a higher value on preserving its ethnic character than does a heterogeneous

society and may therefore, regard a population influx as a threat to its security². The third chapter of this study deals with fear of 'real' and 'perceived' threats generated by refugee crisis in Germany. Not only has the refugee influx created 'mass anxiety' among people about unemployment and other economic changes but have also fuelled paranoid notions of threat among other countries. The outbreak of racist attack against foreigners is seen within many quarters as assertion of German aggression and reawakens among them the memory of Hitlerian dictatorial regime.

Though most of the fears are well founded and can be justified by certain historical experiences others can be rejected as creation of absurd Paranoid fears with no foundation. The importance of study of Refugee problem can be gauged from the impact it has had on German Socio, Economic as well as Political fabric. Problem of refugee has gained such an importance in Germany that it is stated as one of the most important problem facing the unified Germany.

Not only has refugee generated problem within Germany but also threatens its relation with other countries.

2. Myron Weiner, 'Security, stability, and international migration', *International Security*, Volume 17, No.3 (Winter 1992/93),Pg 103.

With the emergence of new open Europe, where boundaries are being rapidly dismantled refugee problem will not abate but might grow to uncontrollable heights. There is a need for understanding the complexities of refugee situation and bring some solution. Though many studies have been done recently on refugee crisis they have by and large remained theoretical conceptions. It should be brought out from the folds of abstraction and treated as a concrete reality. Although generalisation can be made upto certain extent regarding causes and consequences of refugee crisis, they however are each product of different situations and create different problems for receiving countries. For example in an underdeveloped country problem is likely to be related to overburdening on national resources, not that developed country is not faced with this problem, but it is more pronounced in a developing country where there is generally acute shortage of basic necessities. The problem in developed country is more likely to relate to problem of sharing the national resources and fear of change in existing living standards. In the present 'age of Refugees' not only is there need to identify the source and consequences of refugees but emphasis should be laid on solution also. The third chapter in this dissertation

asserts the need for combating refugee problem not only by establishing stringent laws by affected countries but also by eradicating the very causes of refugee creating situations. Thus, the solution of refugee problem requires clear understanding of factors which generates it.

This might seem to be a very ambiguous solution however it is possible to achieve this with the help of international organisation's like United Nations High Commissioner for Refugees (UNHCR), Non Governmental Organisation (NGOs) and other voluntary associations. In the increasingly Interdependent world the importance of International Organisations have been magnified. A reference to this aspect is also made in the third chapter.

SOURCE MATERIALS

The study has been made on the basis of secondary sources. Statistical informations acquired from UNHCR fact sheet from Geneva, are the main source of material for the study of impact of refugee on Germany. The information about population movement in Germany and evolution of International Organisations has been gathered by studying the various books and articles pertaining to

the subject. In addition the information from newspaper has been used to highlight contemporary development in Germany. The documents from UNHCR information centre has enabled the study to be fully updated.

Chapter 1

CONCEPT OF REFUGEE, ITS GROWTH AND RELEVANCE IN INTERNATIONAL POLITICS

Though Refugees have always existed, mankind has never been faced with refugee problems of such formidable dimensions as during the present century. It has been affirmed in various contexts that the Refugee problem is International in scope and character and that responsibility for International refugee rests with International community.

According to *Myron Weiner* "Examples abound of migration flows both of Economic migrants effected by the push and pull of differential in Employment opportunities and income and of refugees from the pushes of domestic turmoil of persecution that have generated conflicts within and between states and have risen to the top of the political agenda."¹

Between the two world wars various attempts were made to produce a Legal definition of the term refugee. The

1. Marson Weiner, "Security, stability and International migration" *International Security*, volume 17, no 3 winter 1992/93 p.91.

definition held by International instruments on refugees during this period were generalised and ad-hoc in nature. Refugees were identified by reference to a certain nationality. Implicitly it was indicated that Political events in the named country had forced the person to escape. The definition of a refugee included in the 1951 United Nations (U.N) convention relating to the status of refugees is the most widely recognized Legal formulation. In practise, however, many states and International organizations operate with a wider understanding of the term. According to the 1951 convention, a refugee is a person who "Owing to a 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 unwilling to avail himself of the protection of that country."²

The organization of African Unity's 1969 convention on Refugee Problems in Africa accepts the U.N criteria, but also recognizes as a refugee a person who has had to flee his or her country "Owing to internal aggression,

2. Article 1 A. 2, U N convention Relating to the status of Refugees, 1951

occupation, foreign domination or events seriously disturbing public order"³ They Tried to define refugee from a legal point of view. Thus, Article 1 Para 2 of 1969 OAU convention gives a widened definition of the term Refugee. In 1984, the central American nations, along with Mexico and Panama, adopted a declaration that built upon the organization of African Unity (OAU) definition, adding to it the additional criteria of 'massive violation of human rights'.

The definitional issue is important as refugee status is a privilege or entitlement, giving those who qualify access to certain scarce resources or service outside their own country.

There are basically three groups who are most likely to become refugees; residents, target minorities and victims of violence. A fourth category, the victims of massive human rights abuses, can be added. The first two of these are covered by 1951 convention as 'victims of persecution'. OAU convention codifies the 'Victims of Violence, while Cartagena Declaration identifies 'Victims of massive human rights' abuses.⁴

3. Article 1.2 OAU convention on Refugee Problems in Africa 1969.

4. Cartagena declaration on Refugees, 19-22 November 1984.

According to James Hathaway, refugee law is designed to substitute the Protection of the International community for national protection. It is a 'response to disenfranchisement from the usual benefits of nationality.'⁵ One of the salient features of Refugee problem is 'ethnicity'. In many refugee crisis of the modern era, ethnicity has been one, if not the major, criterion according to which people have been denied the protection of their own government. The relationship between states and ethnic groups is central to the consideration of the role of ethnic conflict in generating refugee movements because refugees are defined by their relationship to the state of which they are citizens. Ethnic affiliations have always been used as powerful tools for political gains. However importance of ethnicity can be greatly undermined in a state which emphasises on an inclusive national identity that transcends ethnic Particularism. Ethnicity is an important factor, not only in causing people to flee, but also in determining their choice of and reception in countries of asylum. People who leave their own home generally seek refuge in regions populated by ethnically related people.

5. James C. Hathaway, "Fear of Persecution" and the law of human rights". *Bulletin of Human Rights*, vol 91, no. 1 March 1992 PP 101-2.

Moreover, receiving countries are more receptive to asylum seeker of their own ethnicity. Germany, for example, offers citizenship to all ethnic Germans who wish to return. Approximately 160,000 ethnic Germans left for Germany in 1991.

There are forces at work in contemporary world politics contributing to both the growth and the decline of refugee producing ethnic conflicts. The break up of Soviet empire have contributed greatly to growth of refugee producing ethnic conflicts. Ethnic conflict is common when boundaries are redrawn and generally the consolidation of national identities that follow is exclusive, leaving minority groups exposed.

INTERNATIONAL ORGANIZATION

The post world war period saw the emergence of many institution with the prime purpose of catering to Refugee problems and its repercussions.

In 1943, the *United Nations Relief and Rehabilitation administration* (UNRRA) was established to assist 'victims of war in any area under the control of the UN. During the first session of UNRRA, Repatriation of the Refugees to their own land was described as part of their mandate. It was agreed that Refugees having 'Valid' reasons not to return to their land of origin would not be repatriated.

In 1946, UNRRA was replaced by *International Refugee Organization* (IRO). By this time the Phrase 'danger to their lives and liberties' in the Bermuda declaration, had been replaced by the criterion 'Persecution'. IRO was responsible for both displaced persons and refugees. In its definition of the term refugee the important part of the constitution prescribed that a person could refuse repatriation on grounds of Persecution, or fears based on grounds of persecution because of race, religion, nationalism or political opinions. The basic intention of IRO was to protect persons from communist countries. Hence a strong political element had been inserted in defining the term refugee. The fear of antagonising the Soviet Union, however, prevented many nations from becoming the member of IRO. Since the term 'refugee' was aimed at describing asylum seekers from Eastern Europe and majority of the states were hesitant to take side vis a vis the Soviet Union, IRO, inspite of being a UN specialized agency with its own constitution, members and Budget remained largely unrepresented.

In 1950 *United Nations High Commissioner for refugees* (UNHCR) was established by the United Nations General Assembly. The statute of UNHCR was drafted by western

states only. It was established as a subsidiary organ under UN general Assembly. Accordingly its statute is not a treaty which should be ratified by member states. It is annexed to a resolution adopted by the General Assembly under the ordinary voting rules of UN. The definition of term 'refugee' adopted by UNHCR was similar to that of earlier conventions, except for the fact that unlike other conventions UNHCR mandate covers future groups of refugees also. The earlier refugee conventions followed the concept of 'date line' which emphasised that the cause of refugee situations must have taken place prior to 1 January 1951. In the 1960 when new refugee problems arose, the date line was felt to be a serious abstacle in providing International Protection to refugees. Accordingly an amendment to 1951 refugee convention was made by the UN resolution of 18 November 1966 and a resolution of 16 December 1966 by which the date line was deleted. This resolution entered into force on October 1967 as the Protocol relating to the status of refugees. UNHCR was authorized to lend its 'good office' in respect of refugees who did not come within the competence of UN. Originally the so called good office applied to refugees in Africa. Later refugees in Asian and Latin American countries were also assisted. These refugees were

different from world war refugees and were regarded as (internal) displaced person. In the treatment of these refugees there was lack of emphasis on persecution criteria and their admittance to any nation did not imply any form of condemnation of the country. Thus, the good office function of the office of UNHCR made it possible for the office to assist refugee without making an evaluation of the political conditions in the country of origin. Broadly speaking, there are two types or categories of refugees.

The FIRST group consists of person who, owing to well founded fear of persecution, are forced to leave their country of origin. They arrive individually and their asylum request is determined on an individual basis.

The SECOND group consists of people forced to leave their country of origin because of political or other events in that country. They arrive in large groups which makes group determination necessary. Among this group there are individuals who have left their country of origin due to fear of persecution. Thus, it is not possible to draw a distinct line between the two groups.

However, this traditional definition of refugees proves inadequate when potential countries of asylum are

confronted with a new situation. This problem of definition is further aggravated by introduction of term 'de-facto' refugees. This definition is applied to those aliens who do not have well founded fear of persecution within the conventional definition but they cannot return because of political disturbances in their country of origin. On other occasions political obstacles preclude identifying a person as a conventional refugee.

Unlike the vagabonds or wandering poor, who at least are seen as part of a society, refugees often find themselves entirely outside the web of national community. They some times wander for years through the interstices of the state system and many pass on their anomalous status to a second generation. This is mainly because, some refugee agencies treat people as refugee until they satisfactorily resolve the question of their nationality

_____ A technical Procedure of often unending complexity. But in part modern refugee have remained homeless so long simply because of the great number involved. The pre modern times knew no camps where masses of civilian could be interned for lengthy periods and needed no special category to suspend them outside the framework of the civilized community.

HISTORY OF REFUGEE MOVEMENT

It is essential to scrutinize some earlier experience of forced expulsion, in order to put modern refugee movement in perspective. In Europe, the first expulsion of Jews from Iberian Peninsula in 1492 created a million refugee. This expulsion was followed by protestant from France and Spanish Netherlands. During the reformation era protestants or catholics from states and principalities in central Europe were similarly exiled.

As *Michael R. Marrus* puts it "Thus generally refugees expelled during this period were religious minorities who were held to constitute some challenge to existing political authority."⁶

These displaced people were considered an asset rather than a liability by the host country, as big population was considered essential for a nations security. Thus immigration was encouraged and emigration discouraged. Frederick William of Prussia invited Protestants to settle in his kingdom in 1685 after they were expelled from France by the revocation of edict of Nantes. Similarly Peter The great and Catherine The great

6. *Michael R. Marrus, 'Unwanted' European refugees in the twentieth century.* (New York: Oxford University Press, 1985).

encouraged immigrants to Tsarist empire. Since there was no responsibility to protect them they were seldom considered a burden. Until the 19th century there was absence of general term to designate refugees. In Europe refugees almost exclusively denoted the protestants driven from French kingdom at the end of the 17th century. Before 1914, the slow retreat of the Ottoman turk from European continent and the accompanying series of wars that disrupted the Balkans generated hundred of thousands of refugees. After First world war Europe faced mass refugee problem and league of nations established a High commissioner for refugees under direction of Norwegian Polar explorer Fridtjot Nansen. For the first time Europe seriously addressed together a refugee crisis of International dimension.

Until the last, few decades of the 19th century it was the 'exiles', individuals who had chosen their political path, rather than large masses of people torn loose from their society, who were the visible expression of refugee existence. Among the first political outcasts to define a distinct refugee identity for themselves were polish nationalists, enemies of the absolutist tsar Nicholas I and proponents of polish independence from Russian empire. In 1831, more than 5,000 poles left the

country and were well received in France where they were paid living allowances from French national treasury. The first half of 19th century has been called the age of revolutions --- democratic, nationalist and social. Each of the political upheavals of this era sent out its band of exiles, they all found easy refuge in Europe. After 1890 conditions deteriorated. Adding to volatility of emigre politics was a flurry of anarchist violence that spread like epidemic. The latter part of 19th century thus witnessed a growing nervousness about refugees. Countries like France and Italy expelled many foreigners.

The disintegration of ottoman empire which had once extended from the gates of Vienna South to the Mediterranean and east to the steppes of Russia, was one of the great drama of European politics. The polyglot character of Balkan whose mountainous geography was the home of many different linguistic ethnic and religious groups complicated the matter further. It produced refugees of two types :

- i) Muslim population, who turned south, retaining Turkish protection;
- ii) Christian population who went north escaping ottoman control and sorting themselves into states.

Greece was first to escape turkish domination in 1832, followed by Serbia, Moldavia, Walachia. By first world war Turkey was left with only Eastern Thrace of their former European territory leading to dislocation of population. By 1908, group of 'Young Turks' had emerged in Turkey who wanted to make Turkey into a centralised more homogenous Muslim state. They wanted to exchange their Christian population with Muslims from elsewhere. The convention of 'Adrian Pole' known as the First Interstate treaty on exchange of population was concluded between Bulgaria and Turkey in November 1913. Turkey tried to have similar deal with Greece too.

"'Integration crisis' is thus an important precipitator of refugee flows in the modern period".⁷ Such crisis arise due to mobilisation of new state to achieve the goals of state makers and satisfy their nationalistic projects of absorbing coveted territories. Thus, Nationalism in Balkans fueled refugee movement.

Hitler was one of the leading advocates and Practitioners of the principle of population transfers. Having conquered Poland and re-annexed the pre-versailles

7. Aristide R. Zolberg, "Contemporary Transnational Migration in Historical Perspective: Patterns and Dilemmas" In Mary M. Kritz ed., *US Immigration and Refugee Policy Global and Domestic Issue*.

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German Provinces of Posen and West Prussia into the Reich, he needed Germans to settle the new Lebensraum.

On 6 October 1939, Hitler announced that there would be a 'new order of ethnographical conditions. This meant drawing upon the several million Volksdeutsche (ethnic Germans) living in the various countries of Eastern and South-eastern Europe. On 15 October 1939 the Reich concluded an agreement with Estonia involving the transfer of 12,900 German nationals. On 21 October 1939 Germany signed an agreement with Italy involving 185,365 Southern Tyrolians, on 30 October 1939 an agreement with Latvia was signed involving 45,600 Baltic Germans and 3 November 1939 agreement with Soviet Union involving 128,007 Germans from Volhynia and East Galacia was made. Besides these legal population transfer; Hitler expelled over one million poles from west Poland which he wanted for resettlement of Baltic and East European Germans. He further expelled 100,000 French Alsatians into vichy France after invading France and occupying Alsace-Lorraine.

After the 2nd World War many Population Transfer Agreements were concluded. On 27 February, 1946. The Governments of Czechoslovakia and Hungary signed a population transfer treaty. This agreement provided for compulsory transfer of 200,000 Magyars out of

Czechoslovakia into Hungary against 200,000 Slovaks out of Hungary into Czechoslovakia. Similarly, Hungary and Yugoslavia signed a treaty in September, 1946 which provided for exchange of 40,000 Magyars against 40,000 Serbs and Croats. Soviet Union too signed such agreements with Poland and Czechoslovakia in 1945-46.

The creation of state of Israel on 14 May 1948 led to displacement of Palestinian Arabs. Following the UN resolution to partition Palestine, open Arab Jewish war broke out. The question of a population transfer became partly moot. Since the military events led to a mass flight of Arab Civilians from Jewish occupied areas to Arab occupied Portion of Palestine and to neighbouring Arab states. By the time, the truce was signed in 1949, more than 600,000 Palestinian Arabs had become refugees. The Palestinian issue continues to persist and now the number of registered Palestinian refugee has reached more than two million.

Mass Fights to escape intolerable conditions are frequently not very different from mass expulsions. In many ways, they are worse, because there is no governmental or international supervision of the 'transfer'. During Partition of India and Pakistan in 1947, it is estimated that some 14 million persons were

uprooted in the course of population exchange. In 1971, civil war in East Pakistan, 10 million refugees both Hindus and Muslims crossed the border of East Pakistan into India. When East Pakistan emerge as an Independent Bangladesh a majority of the Refugees returned home.

In Africa, it has been primarily ethnic, not religious persecution that led to thousands of persons to seek refuge#. Expulsions have also been motivated by economic Reasons. In August 1972, president Idi Amin of Uganda announced that all Asians residing in Uganda who were not of Ugandan nationality would have to leave the country. Within 90 days over 40,000 people were affected.

In 1976, the government of Libya expelled over 20,000 Egyptians. More recently Natural Calamities have forced many Africans to mass migrate.

Thus, it is evident that world's population flows do not merely happen, more often they are made to happen. We can identify three distinct types of forced and induced emigration in the contemporary world.

FIRST, government may force emigration as a means of achieving cultural homogeneity or asserting the dominance of one ethnic community over another. The rise of nationalism in Europe was accompanied by state actions to eject religious communities that did not subscribe to

the established religion, and ethnic minorities that did not belong to the dominant ethnic group. The expulsion of minorities of Eastern Europe - Bulgarians, Greeks, Jews, Turks, Hungarians, Serbs, Macedonians in the early decades of the 20th century can be cited as examples of such expulsions. Population movement in the contemporary period in Post Independent Africa, Middle East, South Asia, and South East Asia are similarly linked to the rise of nationalism and emergence of new states. Many government expelled their minorities or created conditions that induced them to leave, thereby reducing them to the status of refugee in the receiving country. List of such expulsion include Chinese from Vietnam, Tamils from East Africa, Chakmas from Bangladesh, Ahmediyas from Pakistan and so on. The war of "ethnic cleansing" in Yugoslavia is the latest example of governments seeking to force populations to move in an effort to establish ethnic hegemony over a territory.

SECONDLY, Governments have forced emigration as a means of dealing with Political dissidents and class enemies. For example Khmer Rouge regime killed or forced into exile citizens tainted with French and other western cultural influences, in an effort to reduce Cambodia's cultural and economic ties with the west.

THIRDLY, Forced emigration can also be used as a tool to achieve a Foreign Policy objective. For example, in 1981 Haiti government encouraged its citizen to flee by boat to Florida to press the US to substantially increase its economic aid. Reagan administration promised increased amounts of Foreign aid to improve the conditions that purportedly promoted the flow.

Migration can be perceived as threatening by government of either population sending or population receiving communities. Refugees are rejected or absorbed by host countries depending on the Economic absorptive capacity of receiving nation and the volume of refugees. However, though Economic situation of receiving and Volume of refugee do matter, receiving nations do not consider them to be the sole criteria. A government and its citizens for example are more likely to be receptive towards migrants with whom they share "ethnic affinity". According to Myron Weiner, "To many 19th century American Protestants, Jews and Catholics were not "one of us", and today, for many Europeans, Muslims are not "one of us".⁸

8. Myron Weiner, Security, Stability and International Migration', International Security, Vol.17, No.3, Winter 1992/93, pg.105.

REFUGEES AS THREATS

Refugees and migrants are regarded as a threat by sending and receiving countries if they are opposed to the regime of their home country as this can harm the relation between the two countries involved. Similarly, Refugees are considered to be a threat for host country if they pose threat to security, culture or economic stability of the host country. A new element growing out of recent development in the Gulf is using immigrants as an instrument of threat against the country of origin by the host country. Following the invasion of Kuwait on August 2, 1990 the government of Iraq announced a series of measures using migrants as an instrument for achievement of political objectives. The Iraqis declared that westerner living in Iraq and Kuwait would be forcibly held as a shield against armed attack.

STRATEGIES TO CONTROL REFUGEE INFLUX

Faced with unwanted flows whose entrance they cannot control, governments have increasingly turned to strategies for halting emigration. This can be achieved to a certain extent by infusing aid and investment in countries which are regarded as potential migrant creating

state. Assistance can also be used by governments to persuade other governments to retain refugees. For example the US and France have been willing to provide economic assistance to Thailand if the Thais would hold Vietnamese refugees rather than permit these refugees to seek entrance into US and France. Where generosity does not work threat and Diplomatic pressures may be exerted to halt emigration. The Indian government, for example, pressurised the government of Bangladesh to halt Bangladeshi land settlement in the Chittagong Hill tracks, which had led local Chakma tribals to flee to India. Indian government threatened to damage Bangladeshi trade and effect the flow of river waters if they did not accommodate. Such coercive diplomacy to induce a country to halt actions that force people to flee have proved to be more effective than collective International Sanctions.

Thirdly, there is the extreme Sanction of armed Intervention to change the Political conditions within the sending country. For example, the Indian government supported Tamil Tiger refugees in India and enabled arms to flow into Sri Lanka in an effort to force a political settlement between Tamils and the Srilankan government but the result was increase in ethnic conflict which prompted direct intervention by Indian military.

EFFECT OF REFUGEE ON SENDING STATE

Besides having a substantial effect on receiving countries emigration can have effect on sending state also. FIRST, remittances, at least in the short term, may have the most positive implications for the originating state because nationals often send significant portion of their earnings to their families. In most instances, these funds are used to purchase goods and services that soon enter the local economy.

SECOND, the 'brain drain' may have a major negative bearing on the less developed countries (LDC) as citizens with potentially needed skills depart, possibly permanently.

THIRD, the lessening of social, political and other forms of pressure within LDC society through emigration may function as a type of 'safety valve' which can eliminate a segment of the state's excess population.

Social stability may be preserved through short - or long term emigration where unemployment among young adults entering the labour force is high, where the state's health and education infrastructure is inadequate to serve a rapidly growing population, or where the departure of large number of government opponents removes the

likelihood of politically oppressive measures being introduced by the authorities. The ability to emigrate, whether or not it is exercised, may be just enough to avert destructive turmoil within many over populated countries.

The final consequence is the effect returned migrants have on their states of origin. As with the causes for emigration, the reasons why persons return to their homeland are numerous and interconnected. Most return because they had intended to and such returnees do not have any real benefit for their country of origin⁹. On the other hand some emigrants return due to compulsion.

In present times the problem of refugee and migration flow has reached unprecedented heights. Europe is faced with its most serious refugee crisis since 1945. With the end of cold war there has been a resurgence of violent recessionist movements that create refugee flows. With the democratization and Political Liberalization of authoritarian regimes, barriers to exit from the former Soviet Union and Eastern Europe have been lifted. The

9. Gerald E. Dirks, 'International Migration, in the nineties : Causes and Consequences' *International Journal*, Volume XLVIII, No.2, Spring 1993, *Migrants and Refugees*, pg.206-210.

~~E~~withdrawal of Soviet Power from Eastern Europe and the disintegration of the Soviet Union itself has led to eruption of conflicts between Turks and Bulgarians in Turkey and Hungarians in Transylvania, Armenians and in the Caucasus, Albanians, Croatians, Slovenians, Bosnian and Serbs in former Yugoslavia, Slovaks and Czechs in Czechoslovakia and among a variety of ethnic groups in Georgia, Moldova, Ukraine, and in the new states of central Asia.

The civil conflicts in these nations coupled with natural calamities and vast differentials in income and employment opportunity motivate economic migrants.

The Gulf war in 1990 resulted in the permanent or temporary displacement of an estimated 5.5 million people from 40 countries. The largest single group was an estimated 1-1.5 million Yemenis who were forced to leave Saudi Arabia to return to Yemens. The other main displaced people were Kurds, Kuwaitis, Palestinians and South Asians. Similarly, the conflict in Yugoslavia has led to displacement of 1.5 m people. The main external impact of migration from Yugoslavia has been on the adjoining states of Hungary and Austria and in Germany where the figure passed the 100,000 mark before the end of

April 1992. The Yugoslavia exodus comes on top of the general movement out of Eastern Europe after the fall of the Berlin Wall in November . 1989. Since that time apart from the consequences of subsequent German reunification, waves of Romanians (1990), Croatians and Bosnians have inundated German relief facilities. Even Britain, where immigration is relatively difficult, reported nearly 45,000 asylum seekers in 1991.

Everywhere where there are substantial minorities such as Russians in the Ukraine, Hungarians in Transylvania & Poles in Baltic states, tensions could lead to mass movement of people. The potential of mass migration is almost unlimited especially where economic deprivation and ethnic or religious conflicts coincide. The ^{movement} ~~most~~ of migrant workers from North ^{Africa to western Europe, migration from Latin} America to US and Canada, and the increase in the number of people from the third world and Eastern Europe claiming Refugee status in the west represent simply one dimensions of the global flaws. Most of the movement has been from one developing country to another; the world's largest refugee flows have been in Africa, South Asia, South-east Asia and most recently in Persian Gulf. In South Asia alone, 35 to 40 million people have crossed internal borders within the region. In middle East, wars and Civil conflicts have led

to large-scale population flows from Iraq, Kuwait, Israel, Saudi Arabia, Iran & Lebanon, In Africa natural calamities, civil wars have produced some of the largest refugee populations to be found anywhere in the world.

The very form and intensity of response to unwanted migration is itself an indication that such population flows are regarded as a threat to security and stability. These responses also suggest that states do not regard refugee flows and emigration as purely an internal matter.

The unprecedented rise in refugee crisis is causing a threat of Xenophobia. Countries like Britain is undergoing plans to change there immigration law. With real wages continuing to sink, and the quality of existing jobs deteriorating, Americans across the boarder are targeting their frustrations on immigrants. Thus, even US the melting pot is boiling over. Over the last few years application to the New York Immigration and Naturalization office have increased by 70%. Even Russia is now tightening control on Foreigners. The ITAR-TASS news agency said the new immigration law of tight control on verification of identification paper and payment of fees would also apply to foreign workers employed by Russians.

The Unified Germany is facing increasing violence by Neo-Nazi on Foreigners. The hitherto liberal immigration

law of Germany has also undergone major changes.

As a matter of political realism, a significant increase in the flow of refugees or of unwanted illegal economic migrants, is likely to lead the governments of population receiving countries to consider various domestic factors that force or induce people to leave their homeland.

Chapter 2

POPULATION MOVEMENT IN PRE-UNIFIED GERMANY

"The history of international migration in the past thirty years has been largely the history of refugees"¹ though refugee problems have always existed, it took serious dimension in Europe in particular and the world at large, after the end of I world war. In 1918 huge masses of refugees appeared in Europe, victims of new style nation states, especially those consolidating their precarious existence in the post war world. It was estimated in 1926 that there was no less than 9.5 million European refugees which included at least one million Germans expelled from various parts of Europe.

Post first world war treaties ignored refugees, as the great powers considered them to be of secondary importance. 'In the post first world war period, at least half a million refugees settled in Germany which was more than in any other country. During this period Paris was considered to be the political capital of refugees, around

1. Quoted by M. Marrus in, *'Un wanted : European refugee in the twentieth century'* Pg³ (New York : Oxford University Press, 1985) from Aric Tartakoer and Kurt R. Grossman, *'The Jewish refugee'* (New York, 1944).

400,000 refugees were settled in France, Romania had about 80,000, Poland 70,000, Yugoslavia 45,000, and Czechoslovakia 27,000 refugees.² After the defeat in the first world war, the humiliated Weimer republic received close to a million refugees. Germans poured across the new frontiers from Alsace-Lorraine, northern Schleswig, which went to Denmark, from Eupen and Malmedy, now joined to Belgium. Anti German feeling in Poland further prompted Germans to leave Polish occupied area of port of Danzig. Other German refugees came from the new Baltic states - Lithuania, Latvia and Estonia. It was during this period that Nazism arose.

The circumstances under which Nazism arose in Germany were in many ways similar to those under which Fascism had its origin. Nazism had the wit to make maximum use of the grievances of a war weary people, to find a scape goat for all their ills, and to offer them specious remedies. Germany was defeated and disillusioned country in 1918. The treaty of versailles, huge reparation demanded from Germany, and the heavy loss of territories, had left most Germans humiliated. Moreover, Germany faced an economic

2. Ibid., Pg 60, Quoted from Bryas, 'Peuples en Marche', 78.

collapse and nearly 6 million people were rendered unemployed. The allied powers, drafted a constitution based on traditional lines of western democracy, resulting in establishment of Weimar Republic. The constitution remained largely unpopular with the people. It was looked upon as a professors constitution, altogether academic and failing to take into account peculiar German traditions and temperament. It is against this political and economic atmosphere that Nazism emerged. Anton Drexler, a locksmith was the founder of this movement Adolf Hitler an Austrian German, joined it as the seventh member and by 1933 Nazi party became the sole dominant force in Germany.

History knows Hitler as one of the leading advocates and practitioner of the principle of population transfer. His main target was Jews. 'About four fifths of the 65,000 refugees who left Germany in 1933 were Jews.'³ It seems likely that the proportion of non Jews among the refugees declined significantly after 1933, following the stabilization of the Nazi regime and with the increased persecution of Jews.

Depression undermined every European economy following financial crisis of 1931. Nervousness about

3. Norman Bentwich, 'The Refugees from Germany: April 1933 to December 1935 (London, 1936) Pg. 175

economic conditions Moreover, was compounded by the weakened confidence in liberal society and a sense of dread about the future encouraged by post war literary and cultural trends. Weimar Germany, bearing the heaviest weight of depressions, succumbed completely to Nazism by beginning of 1933.

NAZI POLICY, 1933-1944

Hitlers plan to build a pan German empire was based on social preconceptions. His plan of establishing an empire comprising of the Purest stock of Aryan Race, required not only extention of German territory but also involved vast population movement. Hitlers main aim was 'emigration' of all Jews living ⁱⁿ German territory. The first phase of emigration of Jews was carried out under Ha'avara agreement in 1933. This agreement enabled the Jews to migrate to Palestine and take a fraction of their Property with them. However after 1938, changes in German government led to abandonment of earlier comparatively considerate policy of Jew emigration. Voluntary, transfer of Property from Jews, was replaced by forcible seizures of Jewish concerns.

Besides the Jewish question, the other major preconception of Hitler was the incorporation of millions of ethnic Germans living outside the boundaries of Weimar Germany. Until outbreak of second world war thousands of ethnic Germans living in different part of Europe, moved back to Germany. In 1939 other Poland was conquered by Germany. Polish territory was divided into two parts : Northern and western Poland, including Danzig, West Prussia, Posen and Eastern Upper Silegia, were incorporated into the Reich. The rest known as 'General government' was placed under a German Governor, directly responsible to Hitler. The incorporated provinces were subjected to intense Germanization to eliminate impure racial elements. The 'General government' became more of a labour camp where so called impure races were sent.

Hitler, also entered into population transfer pact with other countries. Agreement was signed with Lithuania, Latvia, Estonia, Rome and Soviet Union Ethnic Germans were incorporated into Reich while non Germans, specially Jews were deported. Nazi Jewish Policy Pursued the Chimera of mass migrations and expulsion until latter part of 1941. Then, during the course of Nazi invasion of Soviet Union, code named **operation Barbarossa**, a new "final solution" took shape : The Nazis decided to deport Jews from

everywhere in Europe to specially designed killing centres in Poland, where they would all be murdered. No Jews, according to the new directives, were allowed to escape. Emigration, far from being encouraged, was now to be blocked at every opportunity. Following the invasion of Russia, many socially inferior races were expelled or massacred. Most of them were driven across the urals into Siberia or central Asia. On the other hand, urgent requirement of labour to man German industries and agriculture, led to deportation of millions of able bodied workers to Germany. "Some 2.8 million East Europeans, mainly from Ukraine, were deported as slave laborers to Germany in the last few years of the war."⁴

Following her defeat in 1941, Yugoslavia also underwent similar population movement. Yugoslavia was divided between the Reich and her three European allies - Italy, Hungary, and Bulgaria, all, with the exception of Italy, expelled Yugoslavia, minorities. The Nazis sent 20,000 Slovenians from Südsteiermark, to croatia. While croatia deported around 18,000 ethnic Germans, to German occupied Poland. The croats and Hungarians expelled tens

4. Michael R. Marrus, *'Unwanted : European refugees in the twentieth century'*. (Oxford University Press, New York, 1985)

of thousands of Serbs to Serbia, which was under German military administration. Similarly when Rumania surrendered to the Soviets in August 1934, Berlin ordered a systematic transfer of about 50,000 ethnic Germans. The refugee crisis during the war period was further accelerated by the rigid and unsympathetic attitude of Switzerland towards refugee's seeking safety in Switzerland. On the other hand, Spain and Portugal gave assistance to refugees and allowed them safe passage across their territory.

The total number of displaced Europeans during the entire course of Hitler's war was more than 30 million. Europe had never seen so many refugees. "After the end of the war in 1945 close to one quarter of the entire population of the former German Reich was made up of refugees". By the end of the war, hundreds of thousands of Germans had been killed, and millions were homeless, evacuated, and scattered across central Europe. The Germans surrendered, following defeat in May 1945. Following the end of war, most countries tried to sort out the uprooted refugees and displaced people. Eastern Europe was in total chaos and the suffering lasted longer there. The total cost of German looting was reckoned to be

20 to 25 billion dollars in Poland⁵.

Since the end of world war II in 1945 Germany has been a divided country. In the name of the third Reich - The empire proclaimed to last a thousand years. Hilter's war against Germany's neighbors and their allies resulted in Germany's defeat and the postwar partition of the country into its western regions with a population of 50 million people, which evolved into the Federal Republic of Germany (FRG) and its Eastern regions with 17 million people, which eventually become the German Democratic Republic (GDR). Parts of Germany's former territory were annexed by Poland and the USSR. Thus Germany lost its national unity and emerged from the second world war as a divided country. From 1945-49 there was no "German" political system as the four principal wartime allies - the United states, France, Great Britain, and the Soviet Union, took overall power and placed what had been Germany under military rule.

World war II resulted in major dislocations of the German population. The war resulted in the expulsion of the majority of Germans from Prussia, Sileria, and other

5. Michael R. Marrus, *Unwanted : European refugees in the twentieth century.* (Oxford University Press, New York, 1985) Pg. 305.

areas east of the Oder Neisse line, the Sudetenland Germans from and Czechoslovakia, and Germans who had lived in Hungary, Rumania, and Yugoslavia before the war. By the time of the Potsdam conference in August 1945, 4 million Germans had already moved westward from the eastern territories of the third Reich. Subsequently, most of the 5.6 million Germans still living in what had been German lands east of the Oder and Neisse Rivers were expelled by force, as were the 3.5 million Germans who, before the war, lived in the Sudetenland in Czechoslovakia. All in all some 13 million Germans were dislocated of the vast majority being forced to leave their possessions behind.⁶

'Majority of the expellees eventually settled in what was to become the Federal Republic of Germany. In addition, between 1949 and the building of the Berlin wall in 1961, 2 to 3 million East Germans migrated to West Germany via West Berlin'. During the postwar years the western allies and the West Germany faced not only the gigantic task of rebuilding a devastated country, but also had to provide food, clothing, housing, and Jobs for

6. Rolf H.W. Theen and Frank L. Wilson, *Comparative Politics : An introduction to six countries*. (Prentice Hall, USA, 1986)

millions of refugees, to say nothing of assimilation of these refugees into the indigenous population. By 1949 the population of FRG had increased from 43 million to 49.2 million, due to the influx of refugees from the East and also wartime transfers. The population of West Germany in 1974 had reached 62 million. With the result West Germany had become most densely populated industrial states, at the same time being one of the smallest, state as far as area is concerned.

Most of the refugees who entered Germany got concentrated in so called 'refugee states' of Bavaria, Lower Saxony and Schleswig Holstein. An important fact about Germany was that, the refugees were by no means the only major mobile group there. Indeed something like two fifths of the German population was mobile at the end of the war. For refugees coming to Germany, Ruhr was the 'land der Arbeit', the land of work. By 1950 refugees made up 17% of the mining work force in Ruhr. One of the characteristic effects of an influx of refugees, is the development of tensions and bitterness over the question of how to allocate resources between newcomers and established community.

Over the last half century West Germany has integrated many incomers. These groups of (mainly German)

expellees and refugees were invaluable in the country's reconstruction phase in the aftermath of war, these incomers can be categorised as Expellees, Refugees, guest workers, Re - settlers Asylum seekers, Economic refugees, gypsies and minorities.

REFUGEES

Refugees initially came from Soviet occupation zone, and East Germany. Many East German fled from the communist regime of East Germany.

GUEST WORKERS

By 1964 there were around 600,000 unfilled Jobs in West Germany. Workers, specially Turks were encouraged to contribute their Lasour and fill up the gap of unfilled Jobs. Many of the second generation guest workers families now form part of the 5 million foreigners in Germany. Over 2 million of them were born in Germany and same 60% are under the age of 25; 3 million have been in Germany longer than 10 years.

RESETTLERS

Resettlers are mostly of German extraction, they mostly are descendants of former German migrants who over

the centuries moved East and settled in Yugoslavia, Soviet Union, Poland, Romania, Hungary, Czechoslovakia, Estonia, Latvia, Lithuania, Albania and Bulgaria.

EXPELLEES

The expellees came mainly from the former territories of the Reich within the borders as at September 1939, from East Germany, Sudetenland, Silesia, Pomerania and East Prussia. These expellees were gradually absorbed into the society.

ASYLUM SEEKERS

Most of the asylum seekers in Germany are from Romania, Yugoslavia, Turkey and Lebanon. Followed by Vietnam, Poland, Bulgaria, Afghanistan, Iran, Palestine, India, Syria and Sri Lanka. These Asylum seekers form the poorest group of foreigners. Majority of the asylum seekers in Europe are not recognised as refugees under the 1951 convention because they are not threatened by any personal persecution. In 1990 Germany recognised only 4.4 percent of asylum seekers as refugees. Almost two thirds of asylum seekers in European community apply in Germany. Many Economic refugees try to enter Germany under the asylum seekers category.

Besides these group of foreigners there are large number of minorities like Jewish minority and gypsies who have not been assimilated into German society. These minorities are not very popular with the actual inhabitants and pose a permanent threat to peace and stability in the society.

Thus, Germany a magnet for immigration is a conglomeration of people belonging to diverse ethnic groups. Former West Germany attracted not only people from other parts of Europe, Asia, Africa but even the East Germans considered it a safe haven to escape from the rigidity of Communist rule in East Germany. Some 1 million refugees moved from East of western Europe in 1990. The increased mobility of migrants is enhanced by the media networks spreading information and tempting advertising bait, and traffic networks bringing the "better life" within physical reach of those living in poverty and suffering oppression.

The diverse ethnic groups in Germany had been living in a seemingly friendly and adjustable atmosphere. However within few days of German unification in October 1990 the thin veneer of friendliness and mutual toleration broke down. Disputes about economic benefits have become more fiercely contested in the economically weaker unified

Germany. "Making scapegoats of refugees and asylum seekers, particularly those easily identifiable as belonging to different ethnic groups, has been an ugly feature of the resurgence of right wing populism ⁱⁿ ~~the~~ Germany."⁷

7. Kathleen New Land, 'Ethnic conflict and Refugees, survival, volume 35, no.1, spring 1993 Pg. 89.

Chapter 3

IMPACT OF REFUGEE ON A UNIFIED GERMANY

On October 3, 1990 East and West Germany were united. The treaty that became effective on October 3rd, united West Germany with what was officially called "middle Germany", adding the six Laender Berlin, Mecklenburg, West Pommerania, Brandenburg, Saxony, Saxony Anhalt and Thuringia to the Federal Republic of Germany. Hence Germany is not re-united, because *Silesia*, *East Pommerania* and *East Prussia* were not included, in the unified Germany. After the expulsion of twelve million Germans at the end of World War II, these territories were occupied and settled by Poles and Russians. After the unification practically all West German laws and institutions have been imposed on East Germany.¹

The area of united Germany is smaller than that of Texas, California or Montana. Its population though largest in West Europe is less than 1/3 of that of US. There are certain misconceptions that the unification

1. See Gans Werner Sinn, 'Macro Economic Aspects of German Unification' in *Economic Aspect of German Unification*, Paul J.J. Welfens. (ed.) (Berlin, Heidelberg: Springer Verlag, 1992), p.79.

joined two Germanies of similar size and that the German Economy as a whole will soon be twice as strong as that of West Germany. In reality, though East Germany makes up to 30% of United Germany's territory, its population however is 21% and its (pre-unification) GDP only 15%.²

East Germany till its unification with West Germany was a rigidly organized communist state without free elections, guaranteed human and civil right in practise, or even the fundamental freedom of the citizens to leave their own country. It was contained within a satellite system under the tight control of Moscow. The Federal Republic of Germany, on the other hand, had a western democratic constitution with all due rights and liberties for the individual, including free elections. It is also a part of NATO alliance.

Regarding the process of German Unification, it is appropriate to distinguish between two different issue areas: The External (International) dimensions and the Domestic (Internal) dimensions. As far as Domestic dimension is concerned majority of the people of East Germany strongly favoured a swift accession to and incorporation into FRG and not a unification on basis of a

2. Ibid., p.81.

gradual integration of two separate states. Certain parties like social democratic party wanted the unification to go at a slower pace. Had it been so, then consideration could have possibly been given to keeping the GDR as an autonomous unit with a confederated Germany, without too much structured upsetting in that state. But then, the fear of East German Economy breaking down completely and the fear that the social security system and mood of population in West Germany will run into deep crisis due to massive influx of refugees from East Germany led to early expedition of the unification. On 18 March, 1990 election, 'alliance for Germany' scored an impressive victory (48.15%). This party grouping of Christian Democratic Union (CDU), and German Social Union (DSU) and Democratic Awakening (DA), advocated an immediate accession of GDR to the FRG on the basis of Art 23 of the Basic Law".³

As far as External aspect of unification is concerned, there was a need to address the basic question of according full sovereignty to Germany, hitherto reserved by the four powers - US, UK, Soviet Union and

3. See Manfred Knapp, 'Negotiating the Unification of Germany' in *Economics of German Unification*, A.G. Ghavssy and wolf schäjer (ed.), (London: Routledge, 1993); p.2.

France. There was also the need to confirm the definitive border of the United Germany, especially with the Polish. Third, agreement had to be reached on the delicate subject of the temporary stationing of Soviet troops in Germany and their ultimate withdrawal. Provisions to tackle the size of German armed forces and other limitations regarding the military power status of the United Germany also had to be worked out. No less sensitive question was the question of right of United Germany to belong to alliances.

The most important Multilateral negotiations was between the two Germanies and the four former victorious and occupying powers i.e., US, UK, Soviet Union and France. This forum is more popularly known as 2+4 negotiations. Besides this, Bonn government also had talks with European Community and North Atlantic Treaty Organisation (NATO). Conference on security and co-operation in Europe (CSCE) was also involved in the talks. CSCE has 51 members. With German Unification its membership was decreased to 34. In 1992, with formal admission of Croatia, Slovenia and Georgia, the membership increased to 51 again.⁴

4. R.K. Jain, 'Germany, NATO, and the CSCE in 1990s' in *EC92, United Germany and the Changing World Order*, KB Lall, H S Chopra, Thomas Meyer (ed.), (New Delhi : Radiant, 1993), p.85.

Many Bilateral talks were also held between Chancellor Kohl, George Bush and President Gorbachev. The six foreign ministers of 2+4 nations met four times in the ensuing months. The negotiations finally resulted in signing of final agreement with respect to Germany, in Moscow on 12 September 1990. From a German point of view an essential feature of the treaty is the provision that the four powers terminate their rights and responsibilities relating to Berlin and Germany as a whole. Accordingly, all corresponding related quadriparites agreements and practices are also terminated and all four power institutions are dissolved. Thus United Germany has full sovereignty over its Internal and External affairs (Article 7). Altogether, the treaty on the final settlement embodies 10 Articles. Definitive nature of external borders of United Germany is ensured by *Article 1.*

Article 2 assures of peaceful ambition of Germany

Article 3 Emphasises that the Armed forces of United Germany shall be reduced to 370,000 men within four years.

The question of withdrawal of Soviet forces is dealt with in Art 4 and 5.⁵

5. Manfred Knapp, 'Negotiating the Unification of Germany : International dimension' in *The Economics of German Unification* A Ghanie Ghaussy and Wolf Schäfer, (ed.), (London : Routledge 1993), pp.5-6.

On 1 July 1990, The West German currency Deutschmark was introduced in East Germany, thus economically unifying the two Germanies. On 16 July, 1990, an overall agreement was reached that included Gorbachev's willingness to accept NATO membership for United Germany. In return for Soviet Agreement for NATO membership for Germany, Kohl promised financial aid to the Soviet Union.

Eventually the official Internal Unification of the two Germanies took place on 3 October, 1990. The First all German election took place on 2 December 1990. In this election the electorate of the five, so called new Federal States of former GDR also participated. From these all German elections the Christian democrats emerged as the strongest party. Thus enabling chancellor Kohl to continue his coalition government with the free democrats.

The process of German unification is interlinked inseparately with the on going process of constant and intensified integration of the European Community. Germany will be a leading power in Europe and one of the leading powers in the world. From its very beginning as a separate German state, the FRG has always stressed that European integration and German unification are not considered to be mutually exclusive but inclusive.

The process of German unification was also made possible by the concurrence of variety of factors, the

most influential of which were the lasting consequences of the previous detente policies, changes being promoted by the CSCE process, the new rapprochement in the US-Soviet relationship and the changing nature of Soviet American duo politics and Soviet Power in Central and Eastern Europe.

German Unification was by no means motivated solely by nationalism. The real factors were the growing alienation between people and leadership in East Germany due to short supply of consumer goods supplies, economic inefficiency and other dissatisfactions. Moreover, since 1970s, some sort of parallel society had been emerging in East Germany society which encouraged openness and encouraged a new consciousness and awareness among people. Even before unification took place thousands of East Germans fled to West Germany. East Germany was deprived of a substantially large number of trained workers and employees in all sectors of society so that in many of them the normal catering to the needs of the population was not possible any more. While in West Germany, refugee camps and social security systems were over used to such an extent that a social crisis and an increasing political dismay surfaced.

The table below gives the data of movement of East Germans from former GDR to FRG between the period of 1989 to 1990.

Table 1

THE INFLOW OF INDIVIDUALS FROM GDR
FROM OCT. 1989 TO JANUARY 1990⁶

1989	October	57,024
	November	133,429
	December	43,221
1990	January	73,729
	February	63,893
	March	46,241
	April	24,615
	May	19,217
	June	10,689

Source : Rolf Hosse, 'German German Monetary Union in The Economic of German Unification, et al.

6. Rolf Hasse, 'German-German Monetary Union' in *The Economic of German Unification*, et al.

Table 1 shows that between October 1989 to January 1990 some 300,000 individuals went to West Germany. Since July 1990, such migration has been treated as Internal movement. From July 1990, 10,000 (Appox.) individuals has migrated to West Germany per month.

Such massive population movement from East Germany to West Germany prior to Unification led to drastic change of mood of the population in West Germany. As opinion polls carried out in the second half of 1989 proved, the enthusiasm for unification decreased proportionately with the increase of the opportunity to bring it about. In August 1989, only 28% of West German Population believed in an early opportunity for unification whereas 79% strongly were in favour of it. But in November, 84% believed that unification was possible soon where as only 70% found it desirable'.⁷

On 3 October 1990, when the unification took place, peaceful, celebration were marred by counter demonstrations. In Berlin atleast 150-250 people were arrested for demonstrating against the unification. With

7. Thomas Meyer, 'German Unification and European Integration : Sudden development and Deliberate Hesitations' in EC 92, United Germany and the changing World Order, KB Lall, H S Chopra, Thomas Meyer (ed.), (New Delhi : Radiant, 1993) pp. 54-55.

the unification started the privatisation of old state run East German Companies. Treuhand agency was entrusted with the privatisation of East German state enterprises. In the preceding months it became focus of growing public anger and was viewed as an embodiment of East German Economic misery. By April 1991, Treuhand had sold 1,000 companies out of 8,000. Moreover, 330 enterprises employing 8,000 people was closed down. By November 15, 1993, 13,000 companies were either privatised or liquidated. The privatisation of state companies was supposed to create a new class of capitalists in the east. But now it seems that many buyers had no intention of rebuilding the east. They had bought the companies only for real estate, or to shut out a potential competitor or worse, to strip the assets and run.

With recession biting, hundreds of new owners who promised to safeguard jobs are begging Treuhand to renegotiate their deals. East Germans are being blamed for clinging to a debilitating delusion that state should always attend to their needs. West Germans argue that their new compatriots shun initiative and cling to entitlement mentality developed under forty years of communism. Helmut Kohl attempted to clone its own brand of state capitalism onto Eastern Germany. However, by

attempting to graft an expensive high wage, high benefit system onto a society with low productivity, Kohl and his technocrats have created an Eastern Germany that is quickly becoming an investment Pariah. With free market competition forcing the shut down of 70% of East German Productive capacity, the old Industrial star of the Soviet block is facing an economic collapse.

The Economic backwardness of East Germany has greatly reduced Germany's ability to act as the continents economic locomotive. Germany's federal government is transferring \$ 120 billion a year from prosperous west to bankrupt East to help their economic reconstructions. This has led to huge deficit. This recession in the West and the shock of collapse in the East has led to resurgence of far right extremists. Germany's 1.6 million turks and other Auslander are being blamed for taking jobs from 'real' Germans. "This influx of foreigners must be stopped", says Werner Miller, head of the right wing Republican Party in Berlin.

Germany's immigration policy seems to encourage influx of foreigners. The German immigration systems origins lie in a mixture of nobility and nativism. In an effort to expunge the Legacy of Nazism, West Germany's constitution guarantees that 'Persons persecuted on

Political grounds shall enjoy the right to asylum. The constitution also paid homage to the idea of a homogenous German people bound by ties of blood and culture. It guaranteed automatic citizenship to ethnic German living abroad. With the result Germany has become a safe haven for many displaced people. Refugee's come looking for better standards of living. Majority of foreign settlers in Germany are Turks. In Berlin itself there are more than 100,000 Turks. Yugoslavs are found in concentration in Munichs, Berlin, Frankfurt and Stuffgart; Italians in Munich cologne and elsewhere; Poles in Berlin, Munich and sop on . In some parts of these cities foreigners may form over 60% of the inhabitants. Many middle easterns, Asians, Africans have also sought refuge in Germany. Most of these foreigners, especially the Turks are engaged in menial jobs. Most Turks were recruited a decade ago when the German economy was booming and Labour was in short supply.

After unification, Foreigners are perceived as an extra burden which should at least be shared by other European Community member states. Moreover with the rising scale of unemployment animosity towards these foreigners engaged in various works is becoming more apparent. In Autumn 1991, only one year after German unification,

hostility towards foreigners reached a new dimension. **Hoyerswerda** an artificial creation of the East German regime was first town to hit the headlines. On 17th September, 1991 there was a gang attack on Vietnamese traders selling goods in the market square. They later attacked a hostel of foreigners housing about 70 Vietnamese and Mozambique workers. Hoyerswerda, 30 km from Cottbus was created in 1956. The majority of the 70,000 populations were guest workers who were encouraged to come during Pre-unification days. With many locals living on social assistance and unemployment benefits, these foreigners were obvious scape goats.

The actual vigilante attacks were carried out by 'skin heads' from Leipzig and Dresden. Reporters noted that the local inhabitants seemed to approve of what happened. The reception centre too was attacked by Neo-Nazis, Rioters gave the Nazi Salute and shouted slogans like "Germany for Germans", "Foreigners out", "Sieg Heil".

There excitement was further encouraged by cheering bystanders. It is ironical that these groups of foreigners mainly expellees and refugees who are now perceived as a threat to Germany's socio, economic and political security were invaluable in the country's reconstruction phase in

the aftermath of war.

Before, explaining the reaction of indigenous Germans towards foreigners it is essential to first understand significance of nationalism in Germany. In Germany 'nationalism' has long been and still is one of the most complicated and highly disputed problems. As has been seen historical development in German speaking part of Europe were highly contradictory. They did not lead to general congruence of ethnic, linguistic, governmental and national factors. On the contrary, during the transition from medievalism feudalism to modern bourgeois society, they resulted in deeprooted governmental and social differences which, in extreme cases as the Netherlands, Switzerland, Austria and Luxembourg also led to foundation of Independent nation. The German speaking segments of the population such as the Alsations, Lotharingians of France, were even integrated into another national states. German speaking area in Europe thus were dominated by Particularism.

As a result Germans are spread in all parts of Europe. In Romania there are different ethnic groups like: Hungarians, Germans, Ukrainians, Russians, Serbs, Croats and Roma. Though most of the Germans in Romania have left, there are still quite a number left there. In

Czechoslovakia, there are Czechs, Slovaks and small minority of Hungarians, Germans, Poles and Ukrainians.

The thawing of the cold war has unfortunately led to a resurgence of old rivalries dating from the establishment of arbitrary frontiers after the break down of such multi ethnic states as the Ottoman empire and the Austro Hungarian empire. In the emerging crisis in Europe there is a strong potential for displacement of Germans from their adopted state. This type of potential has been most spectacularly realized in the former Yugoslavia. Yugoslavia had a volatile ethnic mix comprising of Bosnian - Herzegovina Muslims, Croations and Serbs. More than three million people were displaced within the borders of the former Yugoslav territories at the beginning of 1993.⁸

In the face of such displacement, FRG is willing to accept the ethnic German's back. The FRG, for example, has such a legal norm. Under a law passed in 1913 - and still valid-German citizenship at birth is based exclusively on descent (Jus Sanguinis), thus the children of migrants born in Germany are not thereby automatically entitled to citizenship (no jussoli). The basic law (Germany's

8. Statement by the UNHCR at the meeting of the Humanitarian issues working group of the International Conference on former Yugoslavia, Geneva, Switzerland, 4 December 1992.

postwar "constitution") however accords citizenship to those Germans who no longer live in Germany and who may no longer speak German but came from Germany including the territories from which Germans were expelled after war.⁹ Thus, Thousands of immigrants who entered the FRG from Poland are still regarded as German citizens returning "home".

These immigrants thus cannot be treated at par with other immigrants and hence cannot be categorised under titles like Refugee and asylum seekers. However, even these migrants can pose potential threat to security of Germany. Because whenever migrants emigrate they take their rivalries with them. Thus a German expelled from Romania is least likely to feel sympathetic towards Roma Gypsies in Germany. Besides creating tension between various ethnic element within Germany. They are also capable of harming Germany's external relation with the country involved. Hence, ethnic German migrants though considered to be outside the parameters of conventional refugee definition have more or less similar effect on

9. Kay Hail bronner, "Citizenship and Nationhood in Germany", in William Rogers Brubaker, ed., *Immigration and the Politics of Citizenship in Europe and North America* (Lanham, Md. University Press of America, 1989).

Germany's internal structure as well as external relations as does the regular refugees.

According to official government sources (Ministry of the Interior), some 2 million refugees (with or without formal refugee status) were living in Germany on 31 December 1993. Apart from the formally recognised refugees (183,000) and asylum-seekers (550,000), this figure includes recognised refugees, 400,000 civil war refugees and 755,000 so called defacto refugees, i.e., person who either did not apply for asylum or those whose applications were rejected, but who, nevertheless, were not deported for legal, political or humanitarian reasons.¹⁰

As mentioned earlier one of the main reason for influx of refugees in Germany is the liberal immigration policy followed by Germany. Since 1982, there is no mechanism for the determination of refugee status under the 1951 Geneva convention accepted by Germany in 1953. The existing procedure deals with the grant of asylum, mentioned in article 16 of the German constitution, and the question as to whether an asylum seeker may be

10. Fact Sheet, United Nation High Commissioner for Refugee, 15 March 1994 Courtesy : Centre for documents on refugees, UNHCR Geneva.

deported to the country of origin. Due to differences between the definition of a refugee according to Geneva convention^{and} of German constitution, UNHCR assumes that there are large numbers of refugees in Germany who are not recognised as such. By 31 December 1993, 1085,000 persons were granted asylum on the basis of Article 16 of the German constitution. 52,500 'quota refugees' were accepted i.e. persons resettled in FRG as refugees (mainly Vietnamese boat people). Besides these refugees the German government recognised some 22,000 so called homeless foreigners. Thus by beginning of 1994, Germany housed around 183,000 foreigners or refugee, excluding the illegal immigrants.¹¹

As shown in Table 2, Asylum seekers of European origin formed the largest regional group within the last few years. The recognition rates at the federal office for the recognition of foreign refugees went up from 4.3 percent (9,189 persons) to 3.2 percent (16,396) in 1994. Thus there has been a marked decrease in the number of refugee's recognised by 1994.

11. Ibid.

Table 2

Total Arrivals of asylum-seekers:

1991 :	256,112
1992 :	438,191
1993 :	322,599
1994 :	23,700 (as at 28 February 1994)

Ten main countries of origin

Percent	1992	Percent	1993	Percent	1994
Serbia	115,395	26.3	72,476	22.5	7,998
Montenegro					37.7
Romania	103,787	23.7	73,717	22.8	1,963
8.3					
Bulgaria	31,540	7.2	22,547	7.0	504
2.1					
Bosnia			21,240	6.6	1,690
Herzegovina					
7.1					
Turkey	28,327	6.5	19,104		
5.9					
Vietnam	2,797	11.8	10,960	3.4	874
3.7					
Armenia	12,258	2.8	6,469	2.0	469
2.0					
Nigeria	10,486	2.4			
Zaire	8,305	1.9			
Algeria	7,669	1.7	11,262	3.5	471
2.0					
Ghana	6,994	1.6			
Afghanistan	6,351	1.5	5,506	1.7	728
3.1					
Russian			5,280	1.6	
Federation					
Srilanka					556
2.3					

Source : Fact Sheet, UNHCR, 15 March 1994.

Courtesy : Centre for documents on refugees, UNHCR, Geneva.

The asylum procedure in Germany is implemented by the federal office for the recognition of foreign refugees (under the federal minister of interior) based in Nuernberg. Appeals against negative decisions can be lodged at administrative courts, except in cases of individuals coming from the so called "safe countries" where applications are determined to be manifestly unfounded.

On 1 July 1992, a revised asylum procedure act (APA) came into force aiming at accelerating the processing of manifestly unfounded applications within a period of six weeks. In order to reach the goal, a large number of central reception centres were established throughout Germany. Rejected asylum seekers are generally given toleration permit due to humanitarian reasons, such as threat of torture, death penalty or reasons contained in the European Human rights alien act allows the toleration of certain refugee groups for a restricted period. Thus the asylum laws of Germany provides a recipe for chaos, because of its lack of clarity. As a result refugees are pouring through Germany's wide open gates, few of them with any legitimate claim to persecution. After a wrenching internal debate, Kohl's government finally decided to modify the guarantee of asylum. The new legislation on asylum law came into force on 1 July, 1993 and brought about three major changes¹² :

12. Ibid.

- 1) A list of so called safe third countries, including all immediate neighbours of Germany, all EU member states as well as Sweden, Finland and Norway. It is stipulated that asylum seekers who have travelled through these countries should be returned there and will not be able to obtain asylum in Germany.
- 2) The citizens of so called safe countries of origin i.e. Bulgaria, Czech republic, Hungary, Romania, Senegal, Slovakia, will not have claim to refugee status. They can have access to an accelerated asylum procedure, in which they can present their individual reasons for flight, but their applications will generally be determined "manifestly unfounded".
- 3) A special regulation was introduced for asylum seekers arriving at German airports.

Implementation of this new asylum legislation in the second half of 1993, led to around 50 per cent decrease in asylum claimants. However what is not known is whether, this new legislation led to increase in number of illegal aliens. UNHCR plays a monitoring role in asylum guarantee process.

The refugee's who are accorded recognition, enjoy the full benefits of the 1951 Geneva convention in respect of their civil, social and political rights. Besides, the right to vote, they enjoy all other rights accorded to German nationals. However, in practice their situation remains marked by limited socio-economic measures; such as restriction of freedom of movement, camp accommodation, and social welfare assistance in kind.

The massive exodus of refugee's and asylum seeker has aggravated accommodation problem resulting in shortage of housing in urban areas of Germany. The accommodation of asylum seekers, while governed by federal law, is the responsibility of the federal states (Laender). They run reception Centre with average capacity of 600 to 500 persons. Following the German unification in October 1990, some 20 per cent of asylum seekers were assigned to the five new federal states of East Germany. Beside reallocation of refugees by German authorities, many voluntary agencies like, German red cross, caritas, Diakonisches werk have established a close network of counselling centres for refugees and asylum seekers.

The process of rehabilitation of refugees is founded by the German government. According to estimates of the German government, a total of 15.5 billion DM were spent

for refugees, asylum seekers and de facto refugees, out of public funds in 1993. A total of 9.7 billion DM alone were required for accommodation and assistance (including counselling) of 500,000 asylum seekers. To put it more clearly, around 19,300 DM is spent on each asylum seeker per year. This amount includes some 12,000 DM for social welfare and 7,000 DM for administrative expenditure.¹³ Considering the high expenditure involved in accommodating refugees and asylum seekers, it is but natural that Germans already suffering from recession and unemployment should protest. Societies generally react to immigrants because of the economic costs they impose or because of their purported social behaviour such as criminality, welfare dependency and delinquency. In most advanced industrial societies, services provided by the welfare state to migrant workers, permanent migrants, or refugees, generate local resentment".¹⁴ Thus, the refugees in addition to impinging upon the national treasury of the host country also create social tension.

Government officials in Germany, otherwise concerned with the plight of refugees, fear that a decision to grant

13. Ibid.

14. Myron Weiner, 'Security, Stability and International Migration' *International Security*, Vol.17, No.3 (Winter 1992/93), p.114.

refugee status to a small number of individuals might open the floodgate beyond what German society is prepared to accept. One reason they hesitate to grant refugee and asylum status to those fleeing because of economic and even violent conditions at home -- as distinct from having a personal "well founded fear of persecution" is the concern that the number of asylum request would then increase. Germany is thus torn between a "humanitarian sentiment towards refugees and the recognition that the more generous the law of asylum, the greater the number of applications".¹⁵

The growth in number of refugees and asylum seekers, coupled with the increasing resentment and xenophobic tendencies among Germans, led the government to bring some changes in social benefits schemes for refugees and asylum seekers. Since 1 November 1993, a new law governing social benefits for refugees and asylum seekers entered into force severely limiting assistance during the first twelve months of their stay in Germany. As a general rule under this law, assistance should be given in kind not in cash with the amount of additional pocket money limited to 80 DM per month. Person under 15 would get only 40 DM per

15. Ibid.

month. In most cases, asylum seekers are now provided with food parcels or ready made meals, some of questionable quality. Besides, these restrictions, asylum seeker's access to medical benefits has also been limited under the new law to medical and dental treatment essential in cases of acute illness or pain. However, the refugees and asylum seekers have been allowed to work. In mid 1991, the employment ban was lifted enabling them to work, provided no German or EU nationals are available. In 1993, 64,538 asylum seekers (according to German government sources) received a work permit for the first time.

However, inspite of the new restrictions on asylum law and the considerable cut down on the social benefits tensions continue to persist. On 8 March 1994, the Federal Minister of Interior issued new figures on xenophobic attacks. According to these statistics, 1,609 criminal acts of xenophobic nature were registered in 1993, as compared to 2,544 in 1992. Though this decrease is encouraging, the registered, number of attacks is still alarming. Most of the attacks were made on accommodation centres and homes of foreigners and asylum seekers. There have been three bomb attacks in the past one year. More than 70 per cent of suspects involved in

racist violence are in the 15 to 20 years old age group. Only 5 per cent are older than 30 years.¹⁶

According to the Federal Office for the Protection of the Constitution (FOPC) there are 41,400 right-wing extremists in 77 organisations throughout Germany, with a militant core of 4,400 members (skin-heads). The German government recently announced harsher sentences for racially motivated criminal acts as well as the use of Nazi-like symbols used by the Neo Nazi's. Thus, in the present changed international scenario, the problem of refugees, and other migration related problems have assumed considerable importance. They have come to be perceived as potential or even actual dangers to the attainment and maintenance of state security and systemic stability. Besides the social repercussions of refugee influx, certain law and order problems are also created by refugees in the host country.

As routinely occurred in traditional states of immigration, contemporary newcomers to Europe have settled in close proximity to each other creating ethnic ghettos. Such ethnic groupings in Germany are involved in

16. Fact Sheet, UNHCR, 15 March, 1994.
Courtesy : Centre for documents on refugees, UNHCR Geneva.

organised crime specially in Federal republic. Though it is unknown that foreigners play a part in organised criminality in German, many people prefer to reject this as social prejudice. These foreigners have been playing a growing role in cross border activities via the increasingly 'Leaky' frontiers of post 1992 Europe. Yugoslavs and Israelis largely control night life in Frankfurt and the Rhine-Maine area. Besides this Yugoslavs, along with Poles and Chinese have jointly carved up an illegal market in Hamsburg. Russian exiles and Poles are forcing their way into the Berlin Underworld.¹⁷

These ethnic groups also use their links with their home countries to internationalise the crime, creating a need to guard against Mafia style manipulation and bribery and for the formation of a coordinating working group. This needs to link the Justice ministry, Economic ministry, Environmental ministry, Finance ministry (since customs and excise and credit deals fall under its jurisdiction) and the foreign ministry because of

17. Alasdair, Stewar, 'Migrants, Minorities and Security in Europe' *Research Institute for the Study of Conflict and Terrorism*, 1992.

international measures that are necessary. It is also essential to pool the information of Federal Criminal Police office (Bundeskriminalamt) which functions as Interpol centre, and handles serious crimes like International drug trafficking, with customs border protection, office for protection of the constitution and foreign intelligence service.¹⁸ An anti drugs lead agency perhaps needs to be established in Germany with the cooperation of other European countries and TREVI Group (Terrorism, Radicalism Extremism and International Violence). With the dismantling of frontiers, cooperation among all European countries have been further necessitated.

The increasingly, Interdependent Europe, afflicted by immigration problems decided to set up a centre in Geneva to take over the co-ordination and control of immigration and asylum policies. This measure taken in July 1991 was accepted by 13 West European countries and USA, Canada and Australia. An Agreement relating to problems of border control was reached in Schengen agreement. The Schengen treaty terms provides :

- 1) No checks on persons at internal frontiers.
Increased checks at external frontiers.

18. Ibid., pp.16-17.

- 2) Visas mutually recognised, uniform visa planned.
- 3) Asylum procedure : Only one state to be responsible for implementing procedure BUT national asylum law remains.
- 4) Police Cooperation : "SIS" - Schengen Information System; common computer search and information system; "Police hot Pursuit"; Pursuit of Criminals across frontiers.¹⁹

The socio, economic factors of migration has affected the politics of Germany : Besides the resurgence of right wing populism intolerance of migrants has manifested itself in the adoption of anti alien policies by both mainstream and new extremist parties. Besides this, presence of refugees, migrants, asylum seekers in any country attracts attention of not only non governmental and UN agencies but also draws attention of international media. The issue of entitlement, treatment of migrants brings to focus the question of human rights issues. The inability of migrants to acquire citizenship in this adopted country even after many years of productive contributions to that society is held up as an

19. Ibid., p.19.

example of how persons born elsewhere are discriminated against. Even in liberal democratic states, the matter of what constitutes basic rights for migrants may not be beyond controversy.²⁰

The escalating contemporary migration phenomenon has found its way onto the agendas of a growing number of multilateral conferences. The Diplomatic efforts to deal with the refugees crisis are complicated by lack of consensus among countries directly affected. Germany wants the adoption by the European Community countries of a Quota system for accepting refugees. Austria, Hungary, Croatian and Slovenia backed the proposal but found no support from EC countries except Germany. Britain and France in particular argued that refugees should be accommodated and given appropriate assistance as near as possible to their place of origin. Proposals for establishment of so-called 'safe haven', similar to those set up for Kurdish civilians after Gulf war, were not taken up either, largely because it required the deployment of ground troops for which there was no consensus.²¹ However most of the European countries

20. Gerald E. Dirks, 'International migration in the nineties: Causes and consequences' International Journal, volume XLVIII No.2 Spring 1993, migrants and refugees.p.211.

21. Keesings Record 1992, pp.39012-39013.

have come to an agreement that certain degree of cooperation is essential if they do not want the refugee problem to remain a permanent problem in Europe.

The tensions arising out of refugee influx not only disrupts peace within the receiving nation but can also threaten bilateral relations between refugee creating and receiving nations. Germany's decision to repatriate illegally settled Romanians in Germany back to Romania led to lot of bitterness between the two countries. Even Foreign critics questioned Kohl's decision to single out Romanians - most of them Gypsics - for swift repatriation. Finally, on 24 September 1992, under an agreement, Romania agreed to accept back all Romanians living illegally in Germany in return for DM 30,000,000 as reintegration aid. Thus, as far as Economic issue of repatriation is concerned Germany stands to loose.

Even after more than fifty years of Nazism, Germany has not been able to come out of its shadow. Every time Germany deports some one it is seen as repetition of Nazi racism. It is felt that if Germany were seen to welcome a fair share of the World's migrants, complaints about German nativists bias would start to melt away. Meanwhile, German bashing continues to be essential part of European politics. In October 1992, relations between

Germany and Britain had reached one of its lowest ebbs. 1992 saw Britain reeling under sterling crisis. In a mood of unease inspired by reports of anti-foreigner riots, it was an easy step to see the hand of a maligned Germany in the declining value of sterling. Even before sterling fell out of the European exchange rate mechanism resentment was being built up against the Germans. Sterling was sunk because of hints from Bundesbank, which is independent of government and sets German economic policy and Deutshmark is the currency against which all the others are alienated. It was alleged by Britain that Bundesbank officials felt sterling was overvalued and hence they did not support the pound when it was on the way down. At the bottom of this accusation lies their belief that continuation of Kohl's government is dependent on the country's economic success.

Germany's economic stability will be under scrutiny, as long as countries specially European neighbours do not outgrow the fear of German imperialist tendencies. Prior to German unification, Press in UK were replete with articles with fiery headlines like "Beware of Reich Resurgent" (Times 10/3/1989), "Spectre of German Unification" (Guardian, 09/20/89). While Financial Times (12/11/89) talked of "Apprehension and of a "Pandora box".

Today, it is feared that were the current world recession to hit Germany severely and unemployment reach dangerous proportion, would democracy survive ? This is hardly an idle question to those who recall that Hitler was democratically elected in midst of an economic crisis. Moreover, the present atmosphere of xenophobia, created by current actions of certain disreputable elements in Germany have further strengthened this apocalyptic view. Pictures of the Hitler salute appear on television screens underscoring apprehension about a resurgence of Nazism.

In an attempts to bring some solution to present refugee crisis, the conference of interior ministers of the Federal government and Federal states, agreed in November 1993 to extend existing deportation ban regulations for Bosnians only. No other group benefits from a deportation ban. The original Federal states decision of November 1993 to end temporary protection for all Croation citizens who entered Germany before 22nd May 1992 was publicly challenged and subsequently modified in February 1994. It was then decided that a "phased approach" starting from May 1994 would be adopted with the return of adults from areas under control of the Croation government. Croation citizens originating from Serbia occupied or destroyed parts of Croatia should return by 30

June 1995.²²

In March 1994, a further controversial discussion was unleashed by the announcement of a plan to send rejected asylum seekers from Serbia Montenegro to their home country via Romania. It involved travel by air from Dusseldorf to Timisora (Romania) on a chartered Romanian aircraft. From Timisora the rejected asylum seekers were expected to be taken by bus to the Yugoslav border. However, as no formal transfer agreement had been concluded with Romanian government, the operation has been postponed.

In the first half of 1994, a decision of the Federal constitutional court is expected regarding the constitutionally safe third country regulation in the new legislation introduced in mid 1993. Among other things, the Judges will have to decide how far a third country rule that automatically excludes people from the asylum process can be reconciled with the principles of general international law and the German constitution.

Thus, it is evident that the social, economic and political consequences of refugee influx in Germany are turning out to be far more dramatic than even sceptics may

22. Fact Sheet. UNHCR, 15 March, 1994.

have feared. While on one hand unemployment is increasing on the other hand wage is also increasing although volume of goods and services produced in former German Democratic Republic has decreased drastically. Wage increase in East Germany are entirely unrelated to the pace with which productivity is growing. It can be argued that had the wage growth been more modest, the opportunity for at least temporarily preserving old jobs would have been better. Lower wages might also have been more conducive to the creation of new small business and local firms. The drastic rise in wages brought in by replacement of Marks by Deutsch marks in Germany is providing an additional attraction to eager economic migrants. A minimum income which is higher than that the average income in some member states of the EC and several times that of the living standard in developing countries will no doubt create incentives for Economic refugees.

Most academicians are of the view that the nature of sudden imposition of West German economic system on East Germany is the main cause for the economic crisis there. Walter Eucken in 1952 formulated a view of the interrelatedness of the organisational forms of human societies.²³ According to him economic system must be

23. Manfred Knapp, 'Negotiating the unification of Germany, in *Economies of German Unification* A.G. Ghaubsy and Wolf Schäfer (ed.), (London : Routeledge, 1993), pg.21.

seen in the context of the organisational forms of the societies, the governments and legal systems within which they operate. Many transformation processes have not been successful because economic reforms have been implemented without changing social governmental and legal systems appropriately. If market economy is to be established a corresponding change also needs to be made in social and legal system of the effected country.

Gorbachev's failure in recognizing the importance of interdependence between all human forms of organisation led to disunification of Soviet Union. He brought reforms within the system rather than reform the system.

A system that has become entrenched over decades cannot be transformed suddenly in a revolutionary or shock manner. Transformation should be made in a well planned and incremental manner.

Table 3 shows the fundamental context for transformation process in a schematic fashion. It is evident from the table that there is fundamental difference between the society, government and legal system of capitalist and socialist system. Abrupt imposition of one type of system over the other will be nothing short of catastrophe.

Table 3

Economy	Market Economy (workable competition)	Centrally Planned Economy (Quality Planning)
Society	Open Society (upward and down ward mobility based on per- formance)	Closed Society (Privileges for nomenclature)
Government	Pluralistic democracy (Govt = Provider of services to population)	One party system or dictatorship (govt = apparatus for domination of the population)
Legal System	Rule of Law	Rule of man

Source : A Ghanie Ghaussy and Wolf Schäfer, *The Economics of German Unification* (London : Routledge, 1993); pp.21-22.

The earlier 10 point plan of Helmut Kohl, presented in his inaugural speech of 28 November 1989, but subsequently abandoned was a very constructive plan. According to this plan, the two Germanies would have developed a confederate system that could have been expanded incrementally and would have allowed them to coalesce institutionally over the time. This system would have allowed GDR to continue to exist and with assistance from the west, the organisational system in GDR could have slowly assimilated to the system in FRG. Had the currency reform taken place after corresponding changing in the economic, social, governmental and legal systems then a number of problems might have never occurred. Making it possible for government to take more measures for supporting social welfare which have helped to revitalize individual areas. In such a situation impact of Refugee influx on the socio, economic and political system of Germany might have been less dramatic. Though change and modernisation always provide potential sources of violence and conflict, careful handling of changes can prevent many unpleasantness. The changes in Europe leading to modernisation demand mobility, flexibility, competition, rationalization, innovation, re-

training, education and the division of labour.²⁴

At present one of the most important task facing Germany is to control the influx of refugee into Germany and to help the existing refugee groups in assimilating with the mainstream population. Instead of trying to impose stringent refugee laws attempts should be made to solve the refugee creating problems. There are both optimists and persimists among those who recommend ways to reduce the number of people violently uprooted by ethnic conflict. The optimist escape solutions focused on protection of human and minority rights; democratization with a commitment to pluralism; mechanisms for the readers of grievances; and political representation and power sharing. According to this view, the role for the international community is to foster strong domestic institutions and procedures, negotiate human rights guarantees, reinforce moderate pluralists and if necessary, impose sanctions on those who promote discrimination or violent ethno-nationalism.²⁵

24. Aladair Stewart, 'Migrants, Minorities and Security in Europe'. Research Institute for the Study of Conflict and Terrorism, 1992. p.23.

25. Kathleen Newland, 'Ethnic conflict and refugees', Survival, volume 35, no.1, spring 1993, pg.96.

Pessimist, on the other hand, look for ways to arrange for the peaceful and orderly reparation of conflicting groups, whether through negotiated secession, partition, exchanges of populations with compensation for lost property and, in the extreme, the evacuation of target groups. The role of international institutions, according to this view, is to help negotiate the terms of separation in as civilized manner as possible, on the assumption that conflictual relations between groups cannot be repaired.²⁶

Though both school of thoughts differ on mode of solution of refugee crisis they nevertheless realize the importance of International Organisation. UNCHR is considered to be one of the most important International Organisation dealing with refugees.

UNCHR's approach to assistance to refugees is to provide solutions to their problems by promoting voluntary return to their own countries, or integration elsewhere. This approach is in keeping with the idea that refugees should be helped to help themselves. In applying this principle, every effort is made to resolve their problem in terms of the three possible solutions: voluntary repatriation, local settlement, or resettlement through

26.] id.

migration to another country. While durable solutions constitute the ultimate goal, the overriding priority, in the first instance, is to ensure the refugees well being and to provide them with emergency relief. This has become more acute in recent years because of the suddenness of new influxes, the large number involved and, often, the lack of facilities in the areas where refugees arrive.²⁷

However, the lack of finance very often limits the activity of UNHCR. UNHCR's expenditure is financed by a very limited subsidy from the regular budget of the United Nations as well as by voluntary contributions from governments, non-governmental organisations and individuals.

The task of caring for refugees is a matter of international concern and hence every nation should see to its successful functioning by contributing regular funds. In recent years Germany has been a major contributor to UNHCR. Germany contributed some 26.1 million US dollars to UNHCR in 1993, while total contributions for 1994 totalled USD 10,928,244 as at 14 March 1994.²⁸

27. UNHCR, Information Paper, Geneva 1990.

28. Fact Sheet, United Nation High Commissioner for refugees; 15 March 1994.
Courtesy : Centre for Documents on refugees, UNHCR, Geneva.

Besides seeking help from International Organisations, countries faced with unwanted flows whose entrance they cannot control can adopt three strategies: The first is to pay to avoid what one does not want. It has been suggested that an infusion of aid and investment, an improvement in trade, the resolution of debt crisis, and other measures that would improve income and unemployment in low income countries would reduce the rate of emigration. Economic aid can be used as payment to a government to halt a refugee flow. Secondly, refugee flow can be controlled by using diplomatic pressure on refugee generating countries. Lastly, in extreme cases an affected country can use coercive powers like sanctions to pressurise a government to control its refugee flow.

Chapter 4

CONCLUSIONS

Floods of refugees continue to pour through Germany's wide open gates, few of them with any legitimate claim to persecution. Germany's attempt at tightening the asylum rules may not solve the country's immigration problem, rather it will encourage illegal immigrants. The problem of the influx of foreigners has now reached the top of the list of problems in West Germany. The rank order given to other problems are : Unemployment; Prices; environment; housing; pensions; state debts; drugs, crime and lastly the equalization of conditions in both halves of Germany. However, though refugee rates highest in the list of problems in West Germany, it is not considered very threatening in East Germany. East Germans have a different rank order; problems of unemployment; crime; prices; environment; housing; foreigners; state debts. Thus, foreigners poses greater problem in West Germany than in its eastern counterpart. The low rank order position of "Foreigners" in the East is because the area is not a magnet for immigration.

At the end of this study, one can point at following realities: first, international migration shows no sign of abating indeed with the end of the cold war there has been

a resurgence of violent secessionist movements that create refugee flows, while barriers to exit from the former Soviet Union and Eastern Europe have been lifted. The disintegration of Soviet Union has further fuelled migration.

Second, more people want to leave their countries than there are countries willing or capable of accepting them. Fears of Xenophobia, economic effects, social tensions and other feared problems make most countries reluctant to open their borders to eager migrants and helpless refugees.

As Myron Weiner says attention has been given by economists to the ways in which economic differentials between countries influence migration, and by some political scientists to the ways in which conflicts within countries lead to refugee flows. But little systematic comparative attention has been given to the ways in which international population movements create conflicts within and between states that is, to population flows as an independent rather than as a dependent variable.¹ It is important to study how migration creates conflicts, in

1. Myron Weiner, "Security, Stability, and International Migration", International Security, Volume 17. No.3 (Winter 1992/93) pg.94.

order to understand why states and their citizens often have an aversion to international migration even when there are economic benefits.

Myron Weiner, a professor in the department of Political Science at the Massachusetts Institute of Technology, suggests the need for a security/stability framework for the study of international migration, which he says can be contrasted with an International Political economy framework. The security/stability framework focuses on state policies towards emigration and immigration as shaped by concerns over internal stability and international security. This framework should consider political changes within states as a major determinant of international population flows, and migration, including refugee flows, both as causes and as consequence of international conflict.²

The international political economy framework explains international migration primarily by focusing on global inequalities, the economic linkages between sending and receiving states including the movement of capital and technology and the role played by transnational institutions and structural changes in labor markets linked to changes in international division of labor.

2. Ibid.

These two frameworks are interactive framework which points at linkage between migration processes and other global processes. Hence if we study problems of population movement with the help of these frameworks it would help us to understand its different aspects and thus help us to create different conceptual tools for analysis.

Most of the contemporary literature on international migration focuses on global economic conditions as the key determinants of population movements. According to this view problems regarding wages, employment, condition of labor, stimulates population movement. Accordingly, it is further argued that, changes in global economy, such as a rise in the world price of oil or shifts in terms of trade and international flows of capital, will increase the demand for labour in some countries and decrease in others. Similarly, the economic strategies, maladministration of income within states influence migration.

However, though economic explanations do explain international population movement with great clarity any effort to develop a framework for the analysis of transnational flows of people must also take into account the political determinants and constraints upon these flows. It should be remembered that the international population movements are often impelled, encouraged or

prevented by governments or political forces for reasons that may have little to do with economic conditions. Even if Economic conditions do create inducements for people to leave their country, it is governments that decide whether their citizens should be allowed to leave and whether immigrants should be allowed to enter, and these decisions are frequently based on non-economic considerations. A security/stability framework can work in conformity with Economic theory of migration and make the study of population movement and refugees a more comprehensive study.

Most of the industrialized world hold the view that refugee problem has to be attacked at its 'roots' by controlling the out flow. In 1980, a debate on 'root causes' was launched in the United Nations system. The discussion in the special political committee rapidly divided along an internal/external axis. Western states generally claimed that these mass outflows were caused by totalitarian regimes in the countries of origin which violated human rights. Socialist and many developing countries responded by citing colonialism global economic inequality, and apartheid as the underlying causes of social conflict and related migrant outflows. In 1981 under Prince Sadruddin Aga Khan, a former UN High

Commissioner for refugees', sought to incorporate both these perspectives. They came to the conclusion that the 'root cause' of refugee was 'a lack of economic opportunity for all too many people... [The] unavoidable corollary [is] political disruption which triggers the uprooting of sections of the population.'³

Hence, both Economic and Political factors jointly contributed towards creation of refugee. Hence in order to control refugee, attempt will have to be made to understand Economic and political factors causing it.

Prior to the collapse of the former regimes ideological and philosophical factors had been the primary causes of whatever emigration that occurred. Now these causes have been replaced by ethnic and economic anxieties of the former regimes, inhabitants. In present times Germany has emerged as one of the most popular refuge of displaced people, it is seen as an economic magnet, the target of migration. Refugees have inundated German social system to such an extent that the frustration encouraged resurgence of neo-nazim. The refugee crisis in Germany is also posing a major threat to European

3. United Nations, Economic and Social Council, E/CN/4/1503, 31 December 1981, 37.

security. New risks have emerged there, which requires new policies and new forms of cooperation.

FRG has always emphasised upon constitutionally guaranteed 'one German citizenship'. The basic law is very explicit about this in the article 16 and 116 :

"No one may be deprived of his German citizenship... unless otherwise provided by law. A German within the meaning of this Basic law is a person who possesses German citizenship or who has been admitted...to the territory of German reich within the frontiers of 31 December 1937 as a refugee or expellee of German stock or as the spouse of descendant of such a person..."

Thus, the wide open armed welcome that all Germans received on returning to West Germany further increased the burden on Germany. Most Germans seem to feel that there should be an EC wide sharing of the burden on the basis of an EC member state's area population and GDP. Refusal to adopt such burden sharing may work out to the overall disadvantage of all member states. Subsidiarity must mean not only "TIMBY" (this is my backyard) but must be based on an equitable right to claims that "This problem is too large for one country".⁴

4. Alasdair Stewart, 'Migrants, minorities and Security in Europe', *Research Institute for the Study of Conflict and Terrorism*, 1992.

The xenophobic crisis in Germany has once again triggered off debates among nations about the direction the present hatred towards foreigners will take. There is a fear among certain section of people who think that, there is potential of Nazism becoming a national ideology. Anecdotal evidence is given to emphasise that support for neo-Nazism is broadening. Some Germans worry that it might be just "the tip of the iceberg".

Any attempts to classify types of threats from 'refugee' quickly runs into distinctions between "real" and "perceived" threats, or into absurdly Paranoid notions of 'threat or mass anxieties that can best be described as racist. But even these extreme notions are elements in the reaction of governments to immigrants and refugees. It is necessary to find an analytical stance that, on the one hand, does not dismiss fears, and, on the other hand, does not regard all anxieties over immigration and refugees as a justification for exclusion.

Though Nazism does pose considerable threat to the credibility and position of Germany as a responsible nation to equate it to wartime Nazim would be an overreaction. The fact that the United Germany is tied into European community and into Atlantic alliance acts as an obstacle to the Pursuit of an Independent nationalist

course, by Germany. Unlike the first German nation - state, which foundered on its own ambitions the second German nation state, formed with the agreement of its neighbors. The aggressive German nationalism of the past burned out though the danger is not that some day Nazis are going to seize powers. But if there is any dislocation in east or secession in the west , it provides the Far right ingredients to make gains. The vast majority of Germans clearly want to live in harmony with the foreigners but whenever there is fear of unemployment or lay offs among workers, ~~they are most likely to workers,~~ they are most likely to join hands with the Republicans; who want to expel Foreigners.

The turmoil that present Germany is under going is not much different from the was time insecurities that it went through Hitler had the perception to understand the mood of the people at that time. Hitler's Nazism arose on its strength to play on the years of German citizens; their insecurities gave Nazism legitimacy. The Present Germany which is under going a metamorphism also suffers from insecurities brought about by complexities of changes. The inherent tendency of Germans to fall back on racism whenever faced with any threat is once again evident in Germany but its revival is no where similar in

scope and extent to war time Nazism. However, it still can not be dismissed as a limited problem, no worse than in big cities any where. Neo Nazi resurgence besides having a negative fall out in German society damaged Germany's foreign relations with some nations.

Japanese, executives say they are shunning investments in eastern Germany because of racism. Similarly, most Bankers in Germany have to face awkward questions about xenophobic problems from would be U.S investors. Germany's racist heritage will always make it an issue of suspicion and any kind of shortcoming on its part to disperse such notions is most likely to be condemned as an indication of its nativist bias.

In present situation, with recession biting and high inflation, Germany cannot afford to displease its heighbours.

The main cause of present anti-foreigner sentiment in Germany is high unemployment rate and inflation. The economic gains that Germany receives from other countries are essential not only for rejuvenating its economy but also dispeling any fear of threats from foreigners. Unless strong measures are not taken against continuing racist attacks, Germany faces a risk of loosing out on potential

investors making a safe ground for Far right to strengthen their position.

To its credit Bonn has banned the most rabid of the Neo Nazi parties and have also tried to control influx of foreigners by changing ~~of~~ its immigration Law. What Germany needs now are rules that would permit a limited but significant degree of legal immigration, with a relatively swift process of naturalization and most difficult of all - social changes that would enable legal immigrants to be integrated into German life.

It is an accepted fact that Germany has low birth rate, and hence its economy does need immigrants upto a certain extent. The supply of young workers is projected to shrink in the next century even after the recent infusion of East Germans. Today there are 28 Persons of retirement age in Germany for every 100 workers. Since reunification the birth rate in the East Germany has sunk dramatically. In 1980 2,00,000 birth rate were recorded in the east, last year it was less than half that amount. IF immigration incentives are targeted to attract young people who are eager to learn and also have prospects of acquiring German citizenship within a short period of time it would be possible to prevent a rapid graying of Germany's labor potential.

Germany needs to implement rules that would permit a limited but significant degree of legal immigration, with a relatively swift process, of naturalization, so that by enabling foreigners to assimilate with mainstream people, their will be lesser chances of them standing out like a 'sore thumb'; there by becoming less vulnerable to xenophobic sentiments IF Germany, allows a fair share of the worlds migrants, not only will it improve its economic position but will also reap political benefits. When the nations acknowledge Germany's sympathetic attitude towards refugees and other displaced people, complaints about German nativist bias would fade away.

It is true that adjusting to a multiethnic society won't be any easier for Germans than for any one else, Certainly the U.S. a quintessential 'nation of immigrants', has been plagued through out its history with out brusts of anti immigrant sentiment. But now that Democracy has made a traditionally emigrant continent of Europe as a recipient continent, Germany being its leading member has to play its part responsibly.

There needs to be an assertive feeling of identity among East and West Germans who can together prove that they are particularly good Germans, precisely because they have been disadvantaged by history. For a strong Europe a

strong Germany is must.

In the face of this crisis, Germany in particular and Europe in general must remain strong, stable and politically outward looking if it is to assist with global problems of demographic explosion, economic disaster, exhaustion of natural resources pollution, climate change deforestation migration poverty and unemployment.

In the never ending search for peace and justice a "conclusion" is probably inappropriate. However, at present various groups are involved in practical steps to meet the challenges presented by migrants, minorities and the need for security. Politicians and academics need to set up think tanks to study the integration of foreigners. A restructured Europe will have to ensure massive outward investment to staunch the flow of migrants. Economic organizations, an alternative to fortress Europe's negative defensiveness, will have to try to provide some long term answers.

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