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Moral responsibilities towards refugees

Ethical Annotation #2

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1 The issue

Since the war in Ukraine started on 24 February, millions of people have fled to the EU. Poland and Germany have received the greatest numbers — 1.5 million and 1 million, respectively.[1] Ukrainian refugees can, based on rules concerning temporary protection, stay temporarily and work, and they have a right to certain social and medical provisions.[2] Before the war in Ukraine, many refugees and asylum seekers from, among other countries, Afghanistan, Venezuela, Colombia and Iraq, and above all Syria, travelled to the EU. Their numbers increased greatly in 2015 (to more than a million people) and then decreased again in the years thereafter.[3] Syrian and many other refugees often have not received a warm welcome in the EU. For instance, when the number of Syrian refugees travelling to the EU increased, the EU tried to come to an agreement with countries through which (Syrian and other) refugees travelled, and — very controversial — agreements and forms of cooperation exist with, for example, Turkey and Libya.[4] In addition, for years large numbers of people have been dying while trying to reach the EU via the Mediterranean.[5]

Given this background, there is an urgent question to be answered about how the EU should act regarding the admittance of refugees — and who is a refugee. This is the topic of this Ethical Annotation (which does not, however, zoom in on the differences between the reception of Ukrainian refugees and that of other refugees). We hope that public debates could benefit from an overview, as provided in this Annotation, of some of the main positions and arguments from the relevant philosophical literature, and from the particular reading of that literature that we will propose.[6]

More precisely, this Ethical Annotation will focus on *moral* reasons for admitting (or not admitting) refugees.[7] Such reasons concern what is (not) right or permitted to do; that is, things for which one could (not) appropriately blame some agent.[8] We will not be concerned with what is legally required or permitted (although this can be connected to what is morally right). Nor will we be concerned with political legitimacy, which is a different idea; for example, policies that are politically legitimate — in the sense of being in accordance with democratic principles — are not always morally right.[9]

1 https://data2.unhcr.org/en/situations/ukraine, accessed 8 November 2022.
2 www.europarl.europa.eu/news/en/headlines/world/20220324STO26151/the-eu-response-to-the-ukraine-refugee-crisis, accessed 8 November 2022.
3 www.bbc.com/news/world-europe-44660699, accessed 8 November 2022; https://ec.europa.eu/eurostat/databrowser/view/tps00191/default/table?lang=en, accessed 8 November 2022.
4 The EU-Turkey agreement, confirmed in 2016, states among other things that refugees who have travelled from Turkey to Greece and do not apply for asylum there, or whose application for asylum in Greece has been rejected, will be sent back to Turkey. For every Syrian who is sent back, the EU will accept another Syrian from Turkey directly. (www.migrationpolicy.org/article/eu-turkey-deal-five-years-on, accessed 8 November 2022.) With regard to Libya, the EU, including Italy (from 2017), provides training and financial support for the Libyan coastguard. Migrants sent back to Libya often end up in detention camps with hellish conditions. (www.amnesty.org/en/latest/news/2022/01/libya-eu-conditions-remain-hellish-as-eu-marks-5-years-of-cooperation-agreements/, accessed 8 November 2022.)
5 See e.g https://apnews.com/article/immigration-africa-migration-united-nations-mediterranean-sea-0b8f0524756564850045123e6e617717, accessed 8 November 2022; https://apnews.com/article/middle-east-africa-greece-immigration-df115568e5ed7c95c1c71c112f2c0174, accessed 8 November 2022.
6 In this reading, the notion of 'low cost' plays a major role, as will be seen.
7 As well as speaking of moral reasons, we will also speak, interchangeably, of morally relevant reasons, reasons from a moral point of view and, also largely interchangeably, of ethical reasons. We view ethics as a systematic reflection on morality.
8 A precise characterisation of what is meant by 'morally/ethically right or permissible' would require a long digression and is beyond the scope of this Annotation.
9 See Carens (2013: 219).

This Annotation will focus on the question of how the *European Union* and its member states should act towards refugees — even though it is certainly also important what, for example, other states should do. We first ask who is a refugee (Section 2) and we explicate a number of assumptions that are often implicitly made in relevant debates (Section 3). Then we discuss various morally relevant reasons that the EU has to admit refugees (Section 4), as well as morally relevant reasons that could oppose admitting refugees (Section 5). The provisional conclusion will be that the EU has a moral duty to admit refugees at least as long as it can do so at little cost to its citizens (Section 6). We go on to discuss whether the EU should be allowed to do less than this (Section 7) or whether it should do more than this (Section 8). Section 9 concludes.

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2 Who is a refugee?

The most-used definition of who is a refugee is found in the Convention Relating to the Status of Refugees (United Nations 1951). According to this Convention, a refugee is

> ***any person who [...] owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.***[10]

This definition contains terms that are not entirely unambiguous, such as 'well-founded' and 'being persecuted'.[11] However this may be: even on broader and more flexible interpretations of this definition, many persons whose human rights are under threat in their home country will not qualify as refugees, for example those who are not personally persecuted but are fleeing because of civil war or famine. It seems problematic that these categories of people are excluded by the Convention's definition; what seems to be important above all is *the fact that* people have a problem with the protection and realisation of their human rights at their place of origin, rather than *what causes* that problem — be it political persecution or something else.[12] This is why this Annotation will use the definition of a refugee that the UN's agency for aiding and protecting refugees (UN High Commissioner for Refugees [UNHCR]) uses. According to this definition, persons are also considered refugees if they 'are outside their country of nationality or habitual residence and unable to return there owing to serious and indiscriminate threats to life, physical integrity or freedom resulting from generalised violence or events seriously disturbing public order'.[13] This conception of a refugee is broader than that of the Convention, but not so broad as to include, for example, people who leave their place of origin because of poverty. Although it is entirely inappropriate to call these people 'fortune seekers', as the news media sometimes do, the UNHCR definition seems defensible because it offers (more or less) the following perspective: solving refugees' plight at the place of origin is not the most defensible way to go, and might even in some sense be impossible.[14]

10 Convention on the Status of Refugees, Art. 1(A)(2). This text was the result of the geographical and temporal limitations being removed from the Convention, in 1967.
11 See Carens (2013: 200).
12 Carens (2013: 200-201).
13 UNHCR (2011: 19). This definition, too, speaks of those 'outside their country of nationality or habitual residence' (19).
14 It often goes too far to say that this need cannot be solved at the place of origin (but sometimes this is true, e.g. where entire areas become uninhabitable due to climate change). Often a solution at the place of origin is possible (if certain actors are willing), but the arguments for moving elsewhere seem better. If they are not better, the persons concerned would not qualify as refugees according to the proposed definition, which is thus actually somewhat broader than that of the UNHCR. For important contributions on the concept of refugee, see the section 'Further reading'. Incidentally, one could distinguish a philosophically adequate definition from a politically sensible one. The UNHCR definition seems to be both to some extent. Within the current framework, we leave the issue of internally displaced persons to one side, although it is of great importance, for instance because of climate change.

3 Background assumptions

In discussions concerning refugees, it is often remarked that the most important thing to do would be to remove the causes of people fleeing, such as famine, war or generally human rights violations at their places of origin. Surely this remark is correct, and there is a lot the EU can do in this respect.[15] But the question remains how the EU should act regarding the admittance of the refugees that there are at the moment, for example those fleeing the violence in Syria or Ukraine. This is the question that we will focus on.

When asking this question, we make a number of assumptions about our current world: we assume that there are great numbers of refugees and that the world is composed of largely sovereign states that have the power and the means to admit larger or smaller numbers of people to their territory. Moreover, we assume the existence of an EU that is not a complete federation but more than merely cooperation between states. It makes sense, indeed it is urgent, we assume, to ask how this EU should act with regard to admitting refugees. We will usually be talking about the EU as a whole, but there should also be a fair distribution and allocation of admitted refugees between its member states (we will elaborate below).

15 It is beyond the present scope to go into what the EU can and should do here.

4 Morally relevant reasons to admit refugees

Let's discuss four morally relevant reasons why the EU has to admit refugees.[16] In this discussion, we presuppose that admitted refugees should have basically the same rights as the other citizens of a country.[17] There may also be morally relevant reasons not to admit refugees (see Section 5), and these could in certain cases outweigh the reasons in favour of admitting them, as we will argue later (Sections 6ff.).[18]

The first morally relevant reason to admit refugees is humanitarian: the EU has a reason to admit them simply because they are in great need and the EU can help them. Many different philosophical positions will recognise such a humanitarian reason — that if someone is in great need, this generates a strong moral reason to help them.

The second morally relevant reason is based on human rights. Human rights are, according to many, not only juridical standards but also, and perhaps first of all, *moral* standards.[19] According to the definition of refugee we use, refugees are people whose human rights are under threat — and somehow inescapably so, see above — in their country of origin. This provides a strong reason for them to be admitted to other countries, a reason that is even stronger when it is applied to countries, such as those making up the EU, that have morally and legally committed themselves to human rights.

Thirdly, sometimes the actions of foreign states are the reason (or part of it) why people have to flee their country. For example, if air raids by Western countries are the reason that makes people flee, the countries concerned will have a particularly great responsibility to assist them.[20] This reason, which is widely acknowledged across a range of philosophical positions, will in certain cases apply to the EU (as well as to the US and others).

Fourthly, the existence of refugees is linked to the international political order. The current world order consists of largely sovereign states that prioritise protecting the interests of their own citizens. This world order has certain notable advantages — for instance, it offers important opportunities, in certain cases, to enhance domestic well-being and prosperity.[21] And it can help to protect the rights of individuals. But the rights and interests of people in poorly functioning states are not well protected in this world order, and stateless persons are not strongly represented. Inasmuch as the EU is part of this world order and benefits from it, it has, morally speaking, a role to play in setting right its downsides.[22]

16 For a more detailed description of the first, third and fourth reasons, see Carens (2013: 195-196). The first three reasons in particular are widely endorsed in the philosophical literature.
17 For a limited number of rights, such as rights to certain benefits, it may be justifiable for refugees to have these only in due course.
18 Furthermore, refugees can also be helped in other ways than through admission, particularly through reception in their regions of origin. In section 7, however, we will argue that this is by no means always a morally acceptable solution.
19 Some authors link human rights to human dignity and would elaborate on the reasons for this by referring to human dignity, among other things.
20 Further elaboration of this argument would require looking more precisely at concrete examples, such as Iraq, Syria and Afghanistan.
21 Christiano (2008: 934).
22 Fifthly, not only many human rights approaches, but also many other perspectives in the ethical and political-philosophical literature assume the freedom and equality of all people. Some authors argue that any restriction of freedom must be very well justified, and others that there must be equal opportunities for all people in the world. Such perspectives frequently focus on what an ideally just world would look like, and they often argue for open borders. But these perspectives can also provide morally relevant reasons for admitting many refugees in the current situation. Whether this is so, however, is controversial (Cf. Wellman (2008), Christiano (2008)), and we will leave these reasons aside.

5 Morally relevant reasons not to admit refugees

In addition to reasons to admit refugees, there are also morally relevant reasons not to admit refugees. The latter kind of reasons might in certain situations outweigh the former.

Admitting (large numbers of) refugees could in certain cases lead to problems with, among other things, security and law enforcement in a country, [23] with the economy or housing, with maintaining a welfare state, with the functioning of democratic institutions, or with the continuation of certain cultural patterns or traditions.[24] The integration of large groups of refugees could also lead to issues to do with competition between societal groups for work or for certain amenities. All this may sometimes give rise to morally relevant reasons to limit the number of refugees who are admitted.

Another reason draws on the importance of political self-determination.[25] We understand this notion here as the ability of existing polities (mostly, countries) to largely shape their political community as they deem fit. This can be important for democracy and to enhance prosperity. It can also help for different cultures with a certain continuity — although of course they change over time and are very complex and internally varied anyway — to develop in different areas. Participation in a culture can be regarded as important for people to live meaningful lives. It is sometimes also claimed that only people who share certain cultural traditions etc. can have enough solidarity to maintain a stable welfare state together.[26] In any case, however, admitting relatively small numbers of refugees will jeopardise neither political self-determination nor important cultural patterns and traditions of the political community as they existed before the refugees were admitted. Hence, considerations of self-determination or culture will not provide convincing reasons against admitting relatively small numbers of refugees.[27]

PARTIALITY

The reasons not to admit refugees that were just discussed will, it seems, usually be less weighty than the (humanitarian etc.) reasons in favour of admitting them. Thus the question arises of when — if ever — the 'costs' (broadly conceived, not merely or primarily financial ones) for the receiving country, where there are such costs, could be weightier than the costs that refugees face if they do not get access to a safe country to continue living their lives. It seems that the costs for the receiving country would only be weightier, or equally weighty, if this country would face, say, chaos or great economic upheaval if it were to admit more refugees.

However, this way of looking at things seems to assume that a state should weigh the interests of its citizens and those of refugees in

23 It also matters what causes problems such as disorder. Sometimes they are caused by, for example, reactions of the local population which can justifiably be considered unjust. It would be strange if these reactions were to provide a morally relevant reason for not admitting refugees.
24 Cf. Wellman (2010).
25 Some authors interpret (a right to) political self-determination as (a right to) almost complete 'freedom of association', that is, freedom to associate with whomever one wishes. Cf. for example (also for criticism) Miller (2007), Wellman (2010).
26 This is an almost purely empirical argument, cited by Sangiovanni (2012) but not endorsed by him.
27 The issue here is when an existing community can no longer, in broad terms, determine its own future as a result of receiving refugees. If it can still do so, political self-determination remains intact, and if so, it will in any case not provide any moral justification for refusing to admit (more) refugees. Apart from this, however, there is the question of who gets to decide on the admission of refugees. If political self-determination is to be maintained, it will have to be, broadly speaking, the existing political community that decides. But that does not mean that every decision made by that community is also morally right.

an impartial way. The consequence of doing so would certainly be, in the world as it is, that rich countries have moral responsibilities to admit very many refugees indeed.

This may well be correct. Still, it is arguably morally defensible for states to be to a certain degree partial towards their own citizens.[28] This could, among other things, be defended by appealing to a moral division of labour, where the idea would be that every state would in the first place be responsible for the well-being etc. of its own citizens.[29] A certain degree of partiality could also be defended on the basis of states having some kind of special relationship to their own citizens.[30]

Yet even assuming that a state may weigh the interests of its own citizens to a certain extent more heavily, there should in any case be substantial interests at stake for these citizens, if refugees are to be refused admittance. These interests could be, for instance, that the welfare state or certain very important elements of culture are clearly compromised by admitting more refugees. If there are no substantial interests in play, there seems to be nothing of real moral relevance that can be used to even begin to argue that the interests of refugees in being admitted can be morally outweighed.[31] But even if such interests are in play, it will not always be the case that states are allowed to refuse admitting more refugees: whether they are will depend on the *extent* to which states may be partial towards their own citizens. According to many ethical views, such partiality will only be permissible to a limited extent (see also Section 8).

28 This is possible even in a morality that does not make room in a very deep way for partiality (different from, for example, Walzer (1983)) but considers that all partiality must ultimately, and fundamentally, be justified in an impartial way. However, partiality of a state for its citizens may be ethically more difficult to defend than partiality of individuals for themselves (for the latter, Cf. Scheffler (1994), for example).

29 Cf. Goodin 1988. Goodin, by the way, is very critical of this idea.

30 See, for instance, Nagel (2005), Armstrong (2012).

31 Gibney (2004: 230ff) develops a position that is similar in many respects and calls it 'humanitarianism'. The reasoning that is in the background here could be called sufficientarian. For a similar reasoning (although not by that name) in another field, cf. Philips (2007, para. 2.2).

The EU should admit at least as many refugees as it can do at little cost.

6 Taking stock

LITTLE COST

How far do the moral responsibilities of the EU to admit refugees extend? Even if one accepts that states, and the EU, may to a certain degree be partial towards their own citizens, good moral reasons will be needed for refusing to admit more refugees. Now suppose that admitting more refugees to the EU could be carried out at little cost. Here, cost could refer to financial costs but it could, alternatively, refer to, say, deteriorating social security arrangements, frictions to do with housing or with the job market, or sometimes to important cultural patterns and traditions coming under pressure.[32] The description *little cost* means that these and other weighty goods are hardly infringed upon.[33] As long as this is so, there will in any case be no good moral reasons for refusing to admit more refugees. Therefore, the EU *should admit at least as many refugees as it can do at little cost*. It is important to emphasise here, though, that admitting refugees can also have clear — social, economic etc. — benefits for the EU, for example in countries with shrinking and ageing populations.[34]

ACTIONS TO BE AVOIDED

In addition to the above considerations about little cost being incurred, we should mention certain actions, or in some instances policies, to be avoided by the EU and its member states on human rights grounds and humanitarian grounds; justifying these actions or policies would be very hard and would need *very* good reasons indeed. The first — which is an omission rather than an action — is not going to the rescue of people in acute danger (for example those in vessels on the Mediterranean) or not assisting undocumented people on a state's territory who are in great need (those who, for example, have an serious, acute health issue).

Another example is that keeping people away from the borders of safe countries will often be morally problematic,[35] all the more so if it is done in a very active way. One reason for this is that the consequence of keeping desperate people away from the borders of safe countries could be to drive them into the arms of smugglers. Actively keeping potential refugees away from borders may also signal that safe countries do not even want to know about their plight. Something else that is very problematic (not only morally but also juridically[36]) is not making adequate efforts to find out whether or not someone who seeks refuge in a certain country is a refugee. Making such efforts is one of the minimal responsibilities towards refugees that the EU and its member states have.[37] Relatedly, humanitarian and human rights organisations demand that the EU, and the US and others, work hard to achieve international agreements that ensure that all who turn out to be refugees find a safe place somewhere. This is one of the respects in which the EU-Turkey deal, which is still in place, is ethically very disputable.[38]

32 The notion of low cost therefore already includes the fact that the admission of refugees, and the ability to continue to admit them, is not the only thing the EU should be concerned with.
33 The interpretation of costs and of what are (not) small costs can be done, for example, by means of a so-called 'reflective equlibrium' approach. See Rawls (1971).
34 See http://ec.europa.eu/economy_finance/structural_reforms/ageing/demography/index_en.htm, accessed 8 November 2022.
35 See Carens (2013: 209).
36 Cf. Kritzman-Amir and Spijkerboek (2013).
37 Here too, as with admission, there is a question of fair distribution, and in that light the EU's Dublin Regulation is in many ways questionable. Cf. Carens (2013: 216-217).
38 In international law, there are very explicit obligations here that are also endorsed by many ethicists, such as the obligation not to send refugees back to an unsafe country ('non-refoulement'). See, for example, Carens (2013), Gibney (2004). But there should be further binding agreements on distribution (cf. Carens (2013: 206)).

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7 Can it be permissible for the EU to do even less than it can do at little cost?

FAIR SHARING

Can it be permissible in certain cases for the EU (and its member states) to do even less than it can do at little cost? One reason to think so is that the 'burdens' of assisting refugees should be shared fairly among states (although this could also very well mean that the EU would have to do a lot!).[39] After all, the moral reasons that were discussed above apply not only to the EU and its member states but to all states. One would want all states to take their responsibility and share the relevant burdens among them on the basis of relevant criteria. One such criterion could be causality: states that contributed to causing the situation because of which people are fleeing, have a greater responsibility. Other criteria could be the state of a country's labour market, its population density, its GDP (per capita), and the preferences of refugees themselves. Under certain conditions, cultural and ethnic affinity could also be relevant criteria.[40] What could be expected of the EU based on such criteria could be called a 'fair share'. This could be less than what the EU can do at little cost.[41] Incidentally, not only can the criteria just mentioned help to determine what the EU's 'fair share' is, but they can also help with the fraught problem of how refugees can to distributed fairly among EU member states.[42]

What if not all states do their fair share? Does the EU then have a moral responsibility to do more than its fair share? This seems unfair; yet as long as there are no effective international agreements about a fair distribution of refugees, there will be many refugees in search of a safe place, even after the EU has done its fair share. Now suppose that the EU can do more than its fair share without incurring great (social, economic etc.) costs. It is hard to imagine in that scenario that this unfairness (being required to be a 'sucker') would morally weigh more heavily than the plight of the refugees who wouldn't find a place to stay.[43] Concerning the longer term, the EU should play its part in endeavours to reach international agreements which ensure that states do their respective fair share. But as long as such agreements are not in place, it would not be convincing if the EU were to suggest that it only has to do a fair share. Instead, refugees should be admitted for at least as long as the EU can do so at little cost.

ACCOMMODATING REFUGEES IN THEIR REGION OF ORIGIN

There may be another reason why it might be morally acceptable for the EU to admit fewer refugees than it can do at little cost: that it could assist refugees in other ways, rather than by simply admitting them.[44] For example, it is often said that it would be preferable to accommodate refugees in their region of origin, temporarily (often in refugee camps) or even permanently. This already happens a lot. For example, 20% of Lebanon's population currently consists of Syrian refugees.[45] The EU could offer services

39 See, for instance, Schuck (1997), Gibney (2015).
40 Carens (2013: 213-14) argues for a duty of admission based on these criteria. Matthew Gibney (2015: 10) cites a country's GDP and population size as the main criteria for determining a fair share. The resulting share is not really ideal — it obviously excludes (at least) the respective states from which people flee.
41 It could also be *more*. See footnote 54.
42 Distributing refugees between EU Member States poses practical problems in view of the free movement of persons and goods. We assume within the scope of this Annotation that these problems are solvable.
43 Cf. Hohl and Roser (2011) for similar reasoning about another issue (climate change). The discussion is further pursued by Karnein (2014), Hoesch (2017) and Stemplowska (2019), among others.
44 Wellman (2019).
45 www.unhcr.org/pages/49e486676.html, accessed 8 November 2022.

and money to facilitate accommodating refugees in their region of origin. There is a lot of interest in such accommodation (for instance on the part of politicians and the news media) and it could have advantages that could also be morally relevant. The chance that refugees will return to their country is bigger if they are accommodated near that country,[46] and this is also in the interest of their country of origin. Refugees often also have greater cultural, linguistic, ethnic or religious affinity with countries in their region of origin, which can be advantageous for both the refugees and the receiving countries.[47] And it can be relevant that the financial costs of accommodating refugees regionally are often lower than the financial costs of doing so in countries far away.[48]

Still, accommodating refugees in their region of origin is usually only acceptable as a short-term solution. The human rights of refugees should always remain protected. This is hard to achieve if people stay in refugee camps for a considerable time. The provision of adequate medical care is a challenge, and there is arguably even more of a challenge regarding education and opportunities for personal and social development. On the other hand, if large numbers of refugees were to be fully integrated into the societies of neighbouring countries, this would often entail unfair sharing of burdens. The costs for a country of accommodating refugees in the short term (in refugee camps etc.) can to a large extent be compensated for by financial and material assistance — which should be provided by other countries and by the EU. By contrast, full social integration of large numbers of refugees has impacts on a society — on its labour market, cultural traditions etc. — which cannot be appropriately dealt with through financial and material assistance. It will also lead to profound social and economic changes. Hence, if we are speaking about accommodation that will be longer term — or whose length is unknown — the only morally defensible course for the EU to take will commonly be to admit refugees.

SOCIETAL ACCEPTANCE

The greater the number of refugees that the EU admits, the more likely it seems that part of the EU's citizens will in some way not accept the new arrivals. Can such a lack of societal acceptance provide morally acceptable reasons for the EU to admit fewer refugees? In the very short term, a lack of societal acceptance, or even (say) an aggressive attitude by certain citizens towards refugees and asylum seekers,[49] may be a given for policymakers that they cannot change. If so, they should take this given into account when making and implementing policy, and should also consider it where they have moral responsibilities to admit refugees. In the longer term, politicians and policymakers do in many cases have a responsibility to try to change aggressive attitudes and other similar stances among citizens.[50]

46 Carens (2013: 207).
47 Carens (2013: 214); cf. Gibney (2015).
48 Carens (2013: 214).
49 We use the term 'asylum seekers' here because we are also concerned with the attitude of the citizens of a country towards those asylum seekers who will not turn out to be refugees. (In addition, there might be an attitude of aversion among certain citizens with regard to the reception and integration of recognised refugees). One reason that has been cited to justify a defensive attitude on the part of citizens is that young men are overrepresented among asylum seekers — and also that those who are most vulnerable are often unable to flee. The latter observation underlines the importance of trying to solve the problems on the ground. But what is important about the young men is what reasons they had for fleeing.
50 See, for example, Gibney (2004: 244-246). In a liberal democratic society, the government may not interfere with certain attitudes of citizens, but with some attitudes it may or even should interfere, e.g. when fundamental rights are affected in certain ways.

8 Should the EU do more than it can do at little cost?

If the EU only has a responsibility to admit refugees as long as the (social, economic, geo-political etc.) costs are small, this could mean that it may leave many refugees out in the cold.[51] Even if this were morally permissible, it would be a tragic situation.[52] This situation shows once more how important it is that the EU makes significant efforts to achieve an international order that guarantees the protection of all refugees; and it also raises the question of whether the EU should, after all, do more than it can do at little cost.

It is indeed plausible that it should sometimes do more. Admitting only as many refugees as can be done at little cost means adopting the greatest degree of partiality that may perhaps still be justifiable: in any case, states may *not* be partial towards their own citizens if there are *no* great costs at stake for these citizens. But even if there *are* great costs at stake for them, it could be that states may still not always be partial towards their citizens — according to many ethical approaches, there are limits to the degree of partiality that is morally permissible. For example, is it really permissible not to admit more refugees because doing so would reduce the economic prosperity of a country to a certain degree? Especially where the EU has contributed to causing problems (it may, for instance, have supported certain regimes or fuelled certain conflicts)[53] that lead people to flee, it is plausible that its responsibilities are greater.[54]

Apart from this, it is important to emphasise that a lot can already be done at little cost. On an honest assessment of when costs become large,[55] much can be done before this happens; some would even argue that costs are only high in situations such as those in countries that are close to conflict areas and that accommodate millions of refugees. Moreover, admitting refugees can (as previously indicated) also have great benefits for the EU, for example if we think about its ageing populations.

51 Moreover, even if a country only has to admit a limited number of refugees morally speaking, it is in practice impossible to control the border completely, all the more so because not all means of controlling it are permitted.
52 Cf. Miller (2007: 227).
53 Cf. Pogge (2004).
54 Moreover, in some cases, doing it's fair share of assisting refugees will already be more than the EU can do at little cost. And doing a fair share is often considered a minimum requirement in the ethical literature, which in that sense partly diverges from the position taken in this Annotation.
55 Cf. footnote 33.

The EU's moral responsibilities towards refugees will not always be restricted to what can be done at little cost — even if what can be done at little cost is already much more than it may seem at first sight.

9 Conclusion

Based on the above discussion, we can conclude that the EU should admit at least as many refugees as it can do at little cost, even if this means doing more than its fair share. Especially in a world like the current one, this will mean that the EU will often have a moral responsibility to admit a lot of refugees; doing so will in many cases not lead to problems of public order, or to problems with the functioning of democracy or the welfare state, or to problems that affect important aspects of cultural identity. In certain cases, part of the EU's responsibility will be to facilitate accommodating refugees in their respective regions of origin — but such accommodation will by no means always be morally acceptable.

Accommodating refugees could sometimes bring costs (social, economic etc.) with it in the long run, although it can also have great advantages. In any case, the EU's moral responsibilities towards refugees will not always be restricted to what can be done at little cost — even if what can be done at little cost is already much more than it may seem at first sight.

Finally, it remains essential that the EU works to help solve the (many) conflicts that lead people to flee their homes. And it is likewise a key responsibility of the EU to try to achieve international agreements about the protection of refugees and to work to enforce these agreements.[56] Such structural improvements are of the greatest importance for refugees worldwide.

56 Cf. Carens (2013: 206ff).

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FURTHER READING

Much of the literature in ethics and political philosophy focuses on immigration in general, but in a number of cases it explicitly addresses refugees as part of this theme. **Walzer (1983)** provides a classic discussion. **Wellman (2019)** gives a good overview with a good and comprehensive bibliography. (For full references, see the reference list.) **Carens (2013)**, the life's work of a very influential author in the discussion, elaborates in chapter 10 on the position that refugees should almost never be refused entry. **Miller** (**2007**: ch. 8 and **2016**: ch. 5) and **Wellman (2008)** argue that there are several reasons why a political community may decide to refuse refugees. **Gibney (2004)** offers a book-length political-philosophical discussion of refugees and asylum and has a strong focus on state impartiality and partiality and on case studies. **Owen (2020)** distinguishes different types of refugees and has a nuanced position on the responsibilities of different states towards them. Important contributions on the concept of refugeehood include those by **Shacknove (1985)**, **Carens (2013)**, **Lister (2013)**, **Miller (2016)**, **Owen (2020)** and **Parekh (2020)**.

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