

THE LEVEL TELLING FIELD AND EU POLICY RESPONSES TO THE UKRAINIAN DISPLACEMENT

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Content

THE LEVEL TELLING FIELD AND EU POLICY RESPONSES TO THE UKRAINIAN DISPLACEMENT	4
1. <i>The level telling field</i>	4
2. <i>The typology applied to large-scale refugee displacement from Ukraine</i>	6
3. <i>Toward a Level Telling Field</i>	7

THE LEVEL TELLING FIELD AND EU POLICY RESPONSES TO THE UKRAINIAN DISPLACEMENT

1. The level telling field

In ‘Beyond Vicarious Storytelling How Level Telling Fields Help Create a Fair Narrative on Migration’ (Work Package 2 – Deliverable 2.2, Part 2), Gebauer and Sommer (2023, 6) correctly point out that *‘in public discourses, migrants are often reduced to numbers. Numbers emphasize perceived security threats, helping to portray irregular migration as a challenge to national sovereignty. Numbers also play a key role in European migrant quotas and relocation schemes, defining the ‘fair share’ member states are expected to contribute to a joint European migration policy. Finally, discussing migration in terms of numbers is a core rhetorical strategy of right-wing nationalism, emphasizing the economic burden on the receiving country. Such reductive representations neither account for lived experience, including suffering, loss, and trauma, nor do they sufficiently acknowledge that basic human rights are at stake when borders are ‘protected’ by illegal pushbacks or when rescue missions are denied entry to European ports. In addition, they fuel hostility against refugees and migrants, making successful integration, let alone an inclusive welcome culture, difficult if not impossible to achieve. One way of challenging such stereotypical representations is a humanitarian approach based on narratives and stories.’*

But narratives in migration discourse are neither neutral nor always fair. Gebauer and Sommer distinguish between narratives on migration, that is, approaches from an outside (etic) perspective seeking to devise policy solutions that reflect the concerns of the host society or of the interlocutor, and narratives of migration, that is, stories reflecting the lived experience of migration and present mobility from an inside (emic) perspective. In narratives of migration, authorship belongs to migrants and refugees.

However, this dualism does not capture the complexity and diversity of migration story telling. For in between narratives of, and on, migration there are hybrid narratives used by journalists, human

rights groups and NGOs designed to introduce a humanitarian perspective on migration. These exemplify forms of either vicarious storytelling, that is, speaking on behalf of migrants and refugees and asserting their rights, or empowering storytelling, that is, enabling migrants to share their stories. While such hybrid narratives are important in counterbalancing official discourses on migration, they, nevertheless, tend to be less effective in procuring social change and fair migration policies because they rely heavily on empathy.

In contrast, a ‘level telling field’, a notion devised by the Opportunities project, provides opportunities for ‘direct encounters for direct encounters and meaningful dialogue among migrants, citizens, and stakeholders’. By so doing, it can foster a ‘new, fairer narrative on migration: one which doesn’t merely talk about refugees and migrants but speaks with them’ (Gebauer and Sommer, 2023, 7).

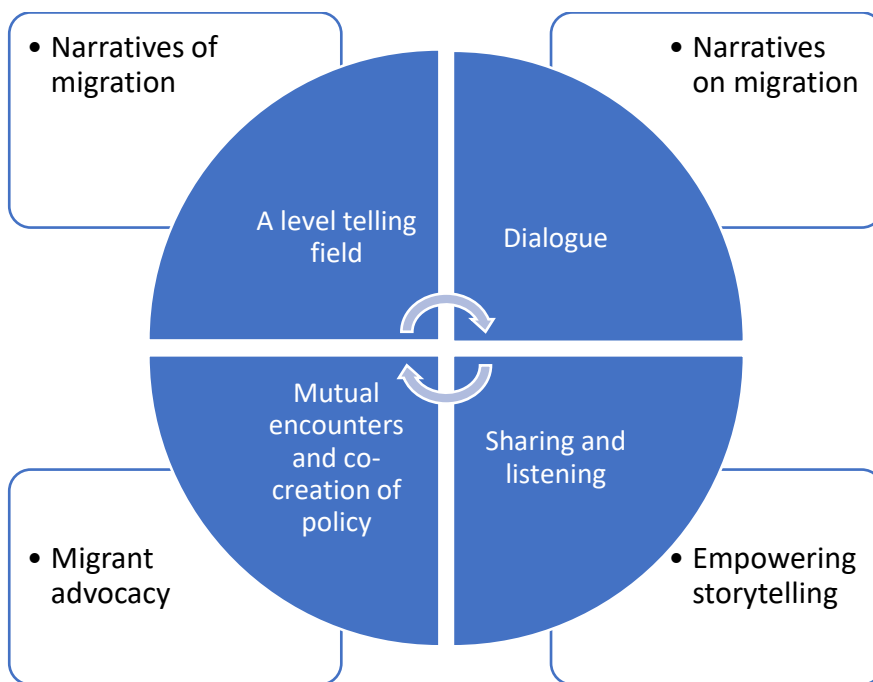


Diagram 1: *Typology of migration narratives and the level telling field*

5



2. The typology applied to large-scale refugee displacement from Ukraine

Since the Russian military aggression and invasion of Ukraine on 24 February 2022, ten million people sought sanctuary in the EU Member States. The European Commission's President, Mrs Ursula von der Leyen, without any hesitation stated on 2 March 2022: *'Europe stands by those in need of protection. All those fleeing Putin's bombs are welcome in Europe. We will provide protection to those seeking shelter and we will help those looking for a safe way home.'*¹ The EU Temporary Protection Directive of 4 March 2022 provided just that; temporary protection and the right to reside, work and have access to accommodation, education, social assistance and healthcare in the EU.² By December 2022, nearly four million people fleeing Ukraine enjoyed temporary protection in the EU³ in a population of 10 million people who entered the EU from Ukraine.⁴ It was estimated that more than half of those who fled Ukraine have been children.⁵

The ethic perspective on the forced large scale displacement relies on the anchoring assumption that the temporary protection provided to people is an emergency response of limited duration. It assumes that the war will not last for a long period of time and that people will return home. The European Union and its Member States have thus ensured that the displaced enjoy basic rights as guests and will safeguard their safe and durable return when the war ends. Generally speaking, the expectation is repatriation; temporary protection serves as temporary safety net in a return-oriented process. What is missing in this narrative on the exodus is a discussion about the (appropriate) boundaries of EU

¹ European Commission, 'Ukraine: Commission proposes temporary protection for people fleeing war in Ukraine and guidelines for border checks' (2 March 2022); https://ec.europa.eu/commission/presscorner/detail/en/ip_22_1469

² Council Directive 2001/55/EC OJ L 212/12 [2001] 7.8.2001. The Temporary Protection Directive was activated for the first time since its adoption in 2001 in 2022 and applies to all Member States with the exception of Denmark which applies its own national rules; Council Implementing Decision (EU) 2022/382 of 4 March 2022. On the implementation of the EU Temporary Protection Directive in Hungary, Romania, Poland and Slovakia, see FRA, *The War in Ukraine – Fundamental Rights Implications within the EU*, Bulletin 1, 1 March – 27 April 2022, Luxembourg: Publications Office of the European Union 2022.

³ FRA, *Fleeing Ukraine – Displaced People's Experiences in the EU*, Ukrainian Survey 2022, Luxembourg: Publications Office of the EU, 2023, p 7.

⁴ The discrepancy is due to the fact that many people return or commute to Ukraine; pendulum migration observed among displaced persons; FRA, *The Russian War of Aggression- The Broad Fundamental Rights Impact in the EU*, Bulletin 2, Luxembourg: Publications Office of the European Union, 2022, p. 11.

⁵ IOM, 21 March 2022. According to the European Union Agency for Asylum, over 2,3 million persons fleeing Ukraine has registered for protection in the EU as of 28 April 2022.

citizenship and a longer-term vision about the future of this population beyond the provision of temporary protection which, by its nature, lapses after three years.

The emic perspective, on the other hand, has made visible the traumatic experiences of the displaced during their exodus from Ukraine and the difficulties surrounding their settlement in EU Member States. The citizens and residents of the EU have had access to the moving stories of Ukrainian refugees and their attitudes towards them were informed accordingly. Ambassadorial storytelling illustrated racist incidents at the borders of the EU, living conditions while they were in transit and problems in accessing accommodation, healthcare, schooling and work. Empowering narratives, on the other hand, provided a template for the displaced to escape the victimhood status and to voice their inspiring determination to recover, establish a sense of self-determination over the conditions of living and even to thrive in the host societies.

But none of the above narratives have led to a wider public debate about the long-term status of Ukrainian refugees in the EU, their full participation in the host societies and their rightful place in the EU when temporary protection ends in March 2025. As the anchoring assumption of the temporary protection regime is repatriation, the policy menu remains limited and one-sided. This, in turn, places limits to integration, the real inclusion of Ukrainian refugees in public discourse and the realisation of the EU as a rights-based, diverse and inclusive community beyond the state.

3. Toward a Level Telling Field

While the large-scale displacement of people from Ukraine evaded the traditional mainstream narratives which typically frame migration and asylum as a crisis or threat, it has not managed to transcend reductive and oversimplifying representations. The public discourse has left very little room for a consideration of the interests and life choices of the refugees themselves - they have been relegated to mere beneficiaries of temporary protection and support. Interestingly, the Fundamental Rights Agency of the EU conducted a survey of the displaced people's experiences in the EU from 22 August 2022 to 29 September 2022. There were 14,685 respondents to the survey which was published in spring 2023. The survey included first-hand accounts of their everyday lives since the war and found that one in three respondents ultimately want to return to Ukraine when the war is over (35%).



But a similar proportion (38%) would prefer to remain in the host country while 23% of the respondents were undecided. Among the respondents who have an ethnic minority backgrounds, more than half (52%) plan to stay in the EU,⁶ thereby giving rise to an urgent question about how the EU will continue to provide protection following the expiry of the temporary protection status lapses in March 2025.⁷

Indeed, in his foreword to the survey, the Director of FRA, Mr Michael O’Flaherty, noted that the need for a rights-based solution.⁸ And he further added on page 7, ‘...we risk finding ourselves in a situation of ‘permanent emergency’, applying short-term solutions to long-term problems. The findings point to an urgent need to consider what will happen when the temporary protection provided by the directive ends. It is therefore necessary to start a discussion about durable solutions to ensure that those displaced by the war are properly socio-economically included in our societies’.

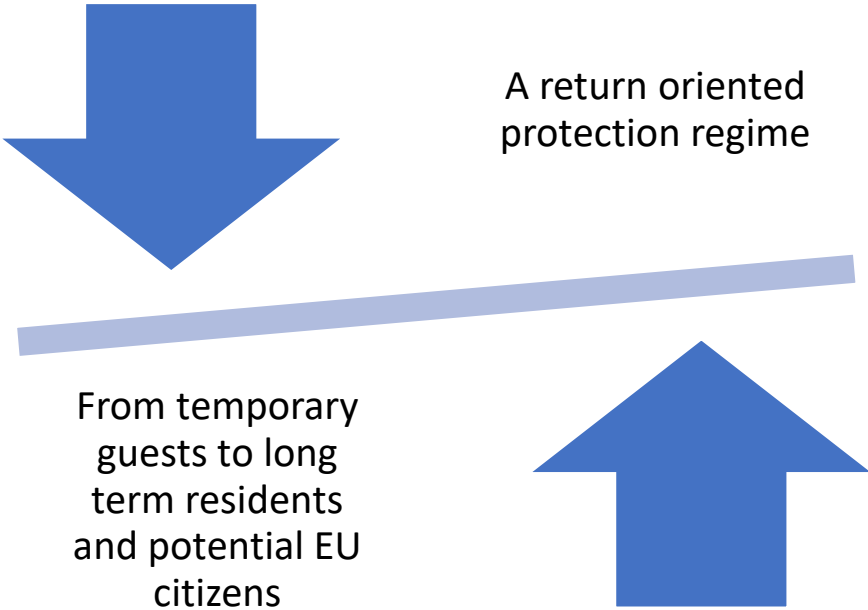


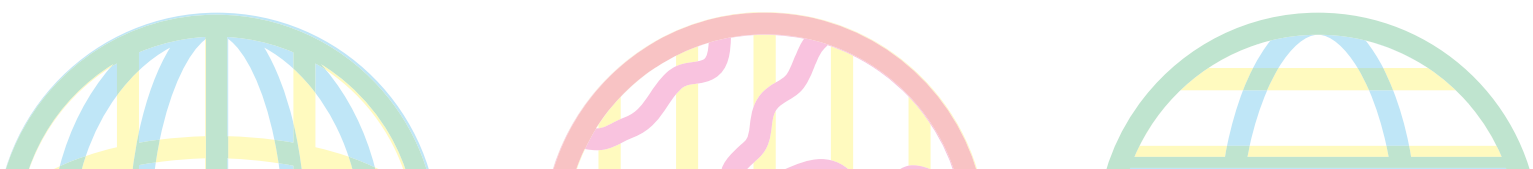
Diagram 2: Contrasting anchoring perspectives

⁶ FRA, *Fleeing Ukraine - Displaced People’s Experiences in the EU*, Luxembourg, p. 25-26.
⁷ Temporary protection, which is initially for one year, can be extended for up to three years. In October 2022, the EU decided to extend the temporary protection until March 2024; Justice and Home Affairs Council Meeting of 13-14 October 2022.
⁸ FRA, *Fleeing Ukraine*, page 1.

This is where the ‘level telling field’ notion can make a difference. Instead of either relegating the displaced to a position of vulnerability or reducing them to ‘suppliants and petitioners, highlighting their personalities and rights’, it places them at the centre of a public debate about the rightful solution to their future status in the EU and the co-creation of a common vision among European Member States, the EU, Ukraine and the individuals themselves which would not presuppose another displacement from ‘the home’ they created in the EU. A level telling field thus relies on the mutual reception and recognition of all parties involved, is not state-centric, and requires an ethics of listening and reasoning so that appropriate responses and policy designed can be fathomed.

As Gebauer and Sommer (2023, 16) argue, *‘level telling fields, in abstract terms, are playbooks and mechanisms for an open, constructive, and productive debate – the cornerstone of a democratic, pluralist, secular society. They are best viewed as commitments by all participants in a debate to adopt a shared set of premises, to agree on principles and rules, and to define processes and procedures for conducting debates and documenting results. LTF premises include: a) a commitment to a democratic worldview grounded in human rights and a human development paradigm (Nussbaum 2010); b) adhering to commonly accepted standards for evaluating claims, opinions, and arguments; and c) sincerity, i.e. a serious commitment to debate as a democratic means of opinion-building and decision-making.’*

Such a level telling field approach would be inclusive by design and comprehensive in content thereby re-examining the legal and policy instruments which are currently available as well as those which could be available in order to ensure a smooth status transition of the displaced population in the EU without ruling out phased strategies. These could range from granting them a secure long-term resident status with rights to enter and reside in a second Member State to granting them free movement rights such as those applying to EU nationals, to protection under an EU citizenship statute and even EU citizenship rights. For the unforeseen war in Europe has prompted enquiries into the limits of the existing personal scope of EU citizenship and possibilities for a more inclusive and outward looking institutional design in the wider European neighbourhood and candidate countries.





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