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**Between fear and Compassion:**  
How refugee concerns shape responses to  
humanitarian emergencies – The case of  
Germany and Kosovo

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# Abstract

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Since the end of the Cold War, population movements have become a priority on Western security agendas. Simultaneously, a consensus has emerged purporting to seek the prevention of displacement as a humanitarian end itself. This has polarised the debate over the motivations behind interventions in complex emergencies. Based on an analysis of the German public discourse surrounding Kosovo's refugees in the 1990s, this dissertation will show how the interplay of fear and compassion shapes policy responses to crises. Germany's involvement in Kosovo was both a means of appeasing the demands of civil society and addressing the nation's non-military security concerns.

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# List of Abbreviations

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<b>CDU</b>	<i>Christlich Demokratische Union Deutschland</i> (Christian Democratic Union of Germany)
<b>DM</b>	<i>Deutsche Mark</i> (German Mark)
<b>EU</b>	European Union
<b>IDP</b>	Internally Displaced Person
<b>IFOR/SFOR</b>	Implementation Force/Stabilisation Force
<b>JAT</b>	<i>Jugoslovenski Aerotransport</i> (Yugoslav Airtransport)
<b>KFOR</b>	Kosovo Force
<b>NATO</b>	North Atlantic Treaty Organisation
<b>NGO</b>	Non-Governmental Organisation
<b>SPD</b>	<i>Sozialdemokratische Partei Deutschlands</i> (Social Democratic Party of Germany)
<b>UNHCR</b>	United Nations High Commissioner for Refugees

# Introduction

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The conflict in Kosovo at the end of the 1990s triggered the largest population movement in European history since the end of World War II.<sup>1</sup> Over the course of the fighting it is estimated that 90% of Kosovar Albanians were either internally displaced or became refugees.<sup>2</sup> For Germany, intervention in this unfolding humanitarian emergency represented a watershed. Haunted by memories of its own violent past, the German public had eschewed militarism for over half a century. With the NATO intervention in 1999, Germany for the first time since World War II sent combat troops abroad.

Germany's decision to join NATO's attacks was driven by a number of motives. These included a fear of a new German *Sonderweg* in international affairs, the need of the coalition government to demonstrate unity in the face of its first major foreign policy challenge and a desire to prevent human rights abuses informed by memories of the Holocaust.<sup>3</sup> However, more importantly, the intervention was fundamentally driven by concerns over the unfolding refugee crisis. As Defence Minister Rudolf Scharping frankly stated at the time: "Do we deal with force, murder and expulsion by tackling these problems at their source? Or do we watch passively and wait until their consequences come home to us?"<sup>4</sup> This dissertation will investigate how a combination of fear and compassion shaped the German response to Kosovo's refugee crisis.

The dissertation is divided into three sections. By drawing on the works of Barry Buzan, Mark Duffield, Mary Kaldor and Yannis Stivachtis the first section provides the theoretical foundations for an understanding of the complex relationship between perceptions of population movements as security threats and the rise of cosmopolitan norms, which seek to prevent forced displacement as a humanitarian end in itself. The section will offer a brief discussion of the interaction of these dynamics in the three major crises at Europe's periphery in the 1990s, namely Northern Iraq, Bosnia and Kosovo. Section 2 focuses on the public discourse in Germany in relation to Kosovo's refugees.

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<sup>1</sup> Glen Segell, "Why Kosovo?" in *Refuge: Canada's Journal on Refugees* 18:3 (1999), 20.

<sup>2</sup> Independent International Commission on Kosovo, *The Kosovo Report: Conflict, International Response, Lessons Learned* (Oxford, New York: Oxford University Press, 2000), 106.

<sup>3</sup> Hanns Maull, "German Foreign Policy Post-Kosovo: Still a 'Civilian Power?'" in *German Politics* 9:2 (2000), 1-10.

<sup>4</sup> Adrian Hyde-Price, "German Perceptions" in Mary Buckley and Sally N. Cummings, eds., *Kosovo: Perceptions of War and its Aftermath* (London, New York: Continuum, 2001), 108-109.

This section will show how political rhetoric represented a classic case of securitising population movements. However, in playing on societal fears German politicians misread the popular mood. A genuine concern for the well-being of Kosovo's displaced manifested itself both in the public discourse and the actions of civil society. Section 3 analyses the policy implications of this relationship between fear and compassion. Firstly, the *Bundeswehr* assumed an unprecedented role in humanitarian tasks to contain the crisis. Secondly, German policymakers focused on generating the conditions for a safe return to reverse the population movements. Thirdly, Germany learnt the lesson that military intervention was neither adequate at responding to non-military security threats nor humanitarian concerns. The 'Stability Pact for Southeast Europe' consequently became the German government's pet project for the prevention of future refugee flows from the Balkans.

Beyond an extensive review of secondary literature the dissertation is based on an analysis of the German public discourse through primary sources. The point of such a discourse analysis is to "illustrate how...textual and social processes are intrinsically connected and to describe...the implications of this connection."<sup>5</sup> Since "the dispute about the war took place in the media rather than in parliament" the dissertation seeks to get a sense of the popular mood through a reading of the left-leaning *Süddeutsche Zeitung* and *Spiegel*, and the right-of-centre *Die Welt* and *Frankfurter Allgemeine Zeitung*.<sup>6</sup> By choosing some of the most popular publications from across the political spectrum, the research has aimed to capture a representative sample of the public discourse. It should be noted that the research did not include widely read tabloids like *Bild*. While this would have enriched the findings, it would have also moved the dissertation beyond a feasible scope. The discourse analysis drew on over 250 articles from the archives of the above-mentioned newspapers between 1998 and 1999. Particular attention was paid to the summer of 1998 when the upcoming *Bundestag* elections made the Kosovo crisis a hot political topic, and the spring of 1999 when the refugee crisis intensified during the course of NATO's air strikes. The research also benefited from a number of interviews with experts and eyewitnesses, particularly from within the German Green Party (*Bündnis 90/Die Grünen*) and the Social Democratic Party of Germany (SPD).

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<sup>5</sup> Jennifer Milliken, "The Study of Discourse in International Relations: A Critique of Research and Methods" in *European Journal of International Relations* 5:2 (1999), 225.

<sup>6</sup> Simon Duke, Hans-Georg Erhart and Matthias Karadi, "The Major European Allies: France, Germany and the United Kingdom" in *Kosovo and the Challenge of Humanitarian Intervention: Selective Indignation, Collective Action, and International Citizenship*, eds., Albrecht Schnabel and Ramesh Thakur (Tokyo, New York, Paris: United Nations University Press, 2000), 134.

This dissertation does not aim to argue whether Germany's involvement in the intervention was right or wrong. As Michael Ignatieff notes, "motives are not discredited because they are shown to be mixed", even if they "include as much callow self-interest as high humanitarian resolve."<sup>7</sup> Instead, the dissertation seeks to move beyond the highly polarised debate, which in recent years has split the academic community between those who see realist motives lurking behind every move of the international community and those who unquestioningly celebrate the birth of humanitarianism.<sup>8</sup> By analysing the German public discourse around Kosovo's refugees, this dissertation will show that policy responses to humanitarian emergencies are driven as much by societal fears as genuine compassion.

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<sup>7</sup> Michael Ignatieff, *Empire Lite: Nation-Building in Bosnia, Kosovo and Afghanistan* (London: Vintage, 2003), 23.

<sup>8</sup> Khalid Koser, telephone interview with the author, 17.08.2012

# 1

## Refugees in the Post-Bipolar World

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### Securitisation and Cosmopolitanism

The end of the Cold War marked a fundamental shift in the way population movements were conceptualised in the West. Prior to the fall of the Berlin Wall, refugee flows were at worst seen as the inevitable effect of violent crises, while at best they struck propaganda victories against Socialism by showing dissidents to be voting with their feet.<sup>9</sup> With the recasting of the international order in the early 1990s population flows from East to West vastly increased, while the sharp rise in civil conflicts led to an explosion in the overall world refugee population. Refugees ceased to be merely the unavoidable consequence of war but came to embody a crisis in themselves.<sup>10</sup> At the same time, the disappearance of the Soviet veto on the UN Security Council for the first time raised the possibility of challenging the doctrine of non-intervention to respond to these crises.<sup>11</sup>

While the collapse of the Soviet Union triggered the transformation of the international system, the roots of change date back to the 1970s when capitalism switched from a system of expansion to one of consolidation. As Mark Duffield shows, while market relations deepened in core economic areas, much of the world's periphery was rendered structurally irrelevant and the prospects for incorporation into "the conventional economic flows of the global economy" became increasingly bleak.<sup>12</sup>

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<sup>9</sup> Joanne van Selm, introduction to *Kosovo's Refugees in the European Union*, ed. Joanne van Selm, (New York, London: Pinter, 2000), 10.; Bill Frelick, "The False Promise of Operation Provide Comfort: Protecting Refugees or Protection of State Power?" *Middle East Report* No.176 (1992), 23.

<sup>10</sup> Van Selm, introduction, 9-10.

<sup>11</sup> Mary Kaldor, "A Decade of Humanitarian Intervention: The Role of Global Civil Society" in *Global Civil Society 2001*, eds. Helmut Anheier, Marlies Glasius and Mary Kaldor (Oxford, Oxford University Press, 2001), 109-110.

<sup>12</sup> Mark Duffield, *Global Governance and the New Wars: The Merging of Development and Security* (London, New York: Zed Books, 2002), 3-6.



Though formally excluded, the periphery integrated itself through informal networks of conflict, migration and crime that were emerging as a consequence of structural irrelevance.<sup>13</sup> With the removal of the narrative of superpower rivalry, underdevelopment itself was reconceptualised as a threat to global stability. Security could no longer be conceived of in purely military terms. The population movements encouraged by increasingly vast discrepancies in development became a prominent element of the West's security agenda.<sup>14</sup>

As Yannis Stivachtis shows, the manner in which refugee flows can be perceived as security threats falls into five categories. The first is the military threat of armed conflict itself being internationalised through population movements. The second is political, referring to the perceived danger of refugees to the institutions and organising ideology of the host state. Thirdly, refugees pose an economic challenge to the host by placing pressure on jobs, housing, education and health. Linked to this is the fourth point of refugees posing a threat to environmental security, particularly in relation to natural resource use. The final threat is to societal security, referring to collective identities that can function independently of the state.<sup>15</sup> Joanne van Selm notes that in Western post-Cold War security thinking the *raison d'être* of the state is no longer primarily to protect its territorial integrity but rather to preserve its identity.<sup>16</sup> Barry Buzan demonstrates how even small levels of immigration can raise concerns not only over economic competition but the nation's very cultural and ethnic purity.<sup>17</sup> What makes this so salient is the mobilising potential of popular fears. Similarly to the resentment triggered by threats to economic security, perceived threats to societal security can lead to increased xenophobia and undermine stability.<sup>18</sup>

Almost simultaneously to this growing fear over population movements, the last two decades also witnessed the rise of benevolent global networks promoting cosmopolitan ideals. The Western public is not only being mobilised out of fear of population movements but also in opposition to violence and human rights abuses.<sup>19</sup> As

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<sup>13</sup> Duffield, *Governance*, 2-5.

<sup>14</sup> Barry Buzan, *People, States and Fear: An Agenda for International Security Studies in the Post-Cold War Era* (Colchester: ECPR Press, 2007), 91.

<sup>15</sup> Yannis A. Stivachtis, "Kosovar Refugees and National Security" in *Refuge: Canada's Journal on Refugees* 18:3 (1999), 42-46

<sup>16</sup> Van Selm, introduction, 11.

<sup>17</sup> Buzan, *Fear*, 90-91.

<sup>18</sup> Stivachtis, "Refugees", 44-45.

<sup>19</sup> Duffield, *Governance*, 258.

Mary Kaldor shows, the role of NGOs, think tanks and the media has been particularly important in rallying the Western public around humanitarian norms. Part of the reason for this has been the rise of what Kaldor describes as ‘New Wars’; wars in which population displacement has increasingly become a military tactic in itself, making civilian suffering more visible. The realities of distant wars thus manifest themselves in the developed world both through evocative images on television and the internet, and when those fleeing human rights abuses arrive in the West seeking protection.<sup>20</sup>

At first sight the simultaneous rise of fear and compassion appears contradictory. In fact however, they are closely linked and have demonstrated a phenomenal capacity to shape public policy in the last two decades. The combination of fear and compassion has enabled the securitisation of population movements. This is the process by which an issue is presented as an existential threat that warrants emergency measures, even when that threat may be more imagined than real.<sup>21</sup> The desire to prevent the crises of the developing world from manifesting themselves in the West, together with the cosmopolitan urge to prevent human suffering, has given rise to an era of humanitarian intervention. A system has been created where immigration rules are steadily hardening, while humanitarian assistance and safe haven policies are deployed to disincentivise population movements. The modern response to refugee flows has become a system of “global poor relief and riot control”, with the aim of appeasing humanitarian impulses without having to bear the burden of granting asylum.<sup>22</sup>

## Northern Iraq and Bosnia

In March 1991 these new international dynamics were put to the test. Following a failed uprising against Saddam Hussein’s regime, 400,000 Kurds in northern Iraq attempted to flee the country. Prioritising national security concerns over the right of asylum, the Turkish government closed its borders. Cut off from humanitarian assistance, 200,000 persons became trapped in the mountainous no man’s land between Turkey and Iraq.<sup>23</sup>

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<sup>20</sup> Kaldor, “Intervention”, 110-119.

<sup>21</sup> Stivachtis, “Refugees”, 42.

<sup>22</sup> Duffield, *Governance*, 4-5, 31 & 112-113.

<sup>23</sup> Katy Long, *No Entry! A Review of UNHCR’s Response to Border Closures in Situations of Mass Refugee Influx* (Geneva: UNHCR Policy Development and Evaluation Service, 2010), 1-29.

Media images of the crisis placed tremendous public pressure on Western governments to act.<sup>24</sup> The result was Security Council Resolution 688, which created a safe haven in northern Iraq through Operation Provide Comfort. Though the intervention was in large part driven by the humanitarian concerns of Western electorates, the policy response is indicative of the securitisation of population movements. While the Western media stressed the need to establish a safe haven, they remained silent on the implications of Turkey's border closure for the principle of asylum.<sup>25</sup> In light of the Turkish government's ongoing conflict with the Kurdistan Workers' Party it was clear that the "Kurdish refugee flows were...a political and not just a humanitarian problem."<sup>26</sup> Given Turkey's role as a key Western ally, Resolution 688 was framed as a means of preventing population movements that might jeopardise regional stability.<sup>27</sup>

Operation Provide Comfort set a precedent for future interventions by providing policymakers with a means of addressing humanitarian concerns without igniting fears of immigration.<sup>28</sup> Particularly within UNHCR the decision to provide assistance to IDPs caused debate, being seen as both a legitimisation of Turkey's border closure and assent to the desire of Western governments to escape the responsibility of granting asylum.<sup>29</sup> UNHCR has since been accused of allowing itself to be "transmogrified from the international community's lead agency for protecting refugees into its spearhead for containing or reversing refugee flows."<sup>30</sup> In the 1990s the terms repatriation and prevention came to dominate the discourse on refugees.<sup>31</sup> According to David Keen this has served as a means of deflecting attention away from Western governments' systematic "neglect of responsibilities under international law to provide asylum for refugees."<sup>32</sup>

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<sup>24</sup> Sadako N. Ogata, *The Turbulent Decade: Confronting the Refugee Crises of the 1990s* (New York, London: W.W.Norton, 2005), 17-18.

<sup>25</sup> Long, *Entry!*, 19.

<sup>26</sup> *Ibid.*, 17.

<sup>27</sup> Frelick, "Promise", 26

<sup>28</sup> Duffield, *Governance*, 112-113.

<sup>29</sup> Gil Loescher, Alexander Betts and James Milner, *The United Nations High Commissioner for Refugees: The Politics and Practice of Refugee Protection into the Twenty-First Century* (London, New York: Routledge, 2008), 106-107.

<sup>30</sup> Beth Whitaker, "Changing Priorities in Refugee Protection: The Rwandan Repatriation from Tanzania," *New Issues in Refugee Research Working Paper No.53* (Geneva: Evaluation and Policy Analysis Group UNHCR, 2002), 4

<sup>31</sup> Francois Jean, "The Plight of the World's Refugees: At the Crossroad of Protection," in *World in Crisis: The Politics of Survival at the End of the Twentieth Century* (London: Routledge, 1997), 46.;

<sup>32</sup> David Keen, *Complex Emergencies* (Cambridge: Polity, 2008), 120.

With the outbreak of hostilities in Bosnia in 1992, civil society and the media once again moved to the forefront of building a consensus for intervention. Reports of mass rapes, executions and detention camps triggered a public outcry.<sup>33</sup> Across Europe grassroots groups sprang up. Volunteers travelled to the Balkans and countless relief convoys were organised. Local municipalities became heavily involved in raising awareness and organising responses to the unfolding crisis.<sup>34</sup>

Though there were conflicts just as destructive raging in other parts of the world, Bosnia captured the public's attention.<sup>35</sup> Undoubtedly the movement of one million refugees to the EU did much to bring home the realities of the conflict.<sup>36</sup> As Susan Woodward has shown, the refugee crisis was the primary spillover from the Balkan wars into Western Europe. As Bosnians followed already established paths of economic migration, refugee concerns became a priority on the political agenda. The vast population movements were perceived as a threat to the economic and political balance of the receiving states.<sup>37</sup> In light of the rise in xenophobic crimes in the early 1990s, the fact that the majority of the displaced were Muslim contributed to the desire to raise barriers to their entry.<sup>38</sup>

Much of Western Europe imposed severe visa restrictions on Bosnians, in effect trapping them within the conflict.<sup>39</sup> Containment became the priority. This meant beefing up the capacity of UNHCR and providing humanitarian assistance within the region to disincentivise the displaced from seeking protection further afield.<sup>40</sup> Civil society pressure persisted, however always with an emphasis on intervention rather than calls for asylum.<sup>41</sup> In 1992 the German government, which had up to this point accepted 340,200 refugees from former Yugoslavia, began to place pressure on Britain and France (who had only

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<sup>33</sup> Nicholas J. Wheeler, *Saving Strangers: Humanitarian Intervention in International Society* (Oxford: Oxford University Press, 2002), 252.

<sup>34</sup> Kaldor, "Intervention", 124.

<sup>35</sup> *Ibid.*, 124.

<sup>36</sup> Richard Black, Khalid Koser and Martha Walsh, *Conditions for the Return of Displaced Persons from the European Union: Final Report* (Brighton: Sussex Centre for Migration Research, 1997), 6-7.

<sup>37</sup> Susan Woodward, *Balkan Tragedy: Chaos and Dissolution after the Cold War* (Washington: Brookings Institution, 1995), 368.

<sup>38</sup> Joanne van Selm-Thorburn and Bertjan Verbeek, "The Chance of a Lifetime? The European Community's Foreign and Refugee Policies Towards the Conflict in Yugoslavia, 1991-95" in *Public Policy Disasters in Western Europe*, eds., Pat Gray and Paul T'Hart (London, New York: Routledge, 1998), 180.

<sup>39</sup> Bill Frelick, "Refugee Rights: The New Frontier of Human Rights Protection" in *Buffalo Human Rights Law Review*, 4 (Buffalo: 1998), 269-270.

<sup>40</sup> Woodward, *Tragedy*, 295.

<sup>41</sup> Van Selm-Thorburn and Verbeek, *Chance*, 189.

accepted 8,640 and 5,524 refugees respectively) to shoulder a bigger share of the burden. Instead, Britain took the lead in devising a safe haven strategy to contain the population movements regionally.<sup>42</sup>

The European public, the media and the displaced themselves were led to believe that safe havens implied active protection. In reality these areas had little more than a symbolic value. Their weakness became clear in 1995 when UNPROFOR troops looked on as 8,000 Muslim men were massacred in the town of Srebrenica. As Joanne van Selm-Thorburn and Bertjan Verbeek later charged, “EU governments may have succeeded in keeping people in need of international protection out of their territory, but they clearly failed to protect lives.”<sup>43</sup> Since Bosnia, through measures such as tighter visa regulations, stricter border controls, the issuance of fines for carriers of illegal migrants and the extra-territorial handling of asylum claims, Europe’s refugee regime has developed further in the direction of what Michael Agier describes as a process of “governing the undesirables of the planet.”<sup>44</sup>

## **Kosovo**

While the eyes of the world were on Bosnia, a further crisis erupted on the Balkans. The province of Kosovo with its majority of ethnic Albanian inhabitants was the thorn in the side of Serb nationalism. Due to the province’s important place in Serb national mythology, many saw the Albanian population there as little more than ‘tourists’ that would need to be encouraged to return to Albania. In 1989, the Yugoslav government revoked the province’s autonomy and introduced a system of strict segregation with the intention of creating conditions so intolerable that Albanians would voluntarily leave the province. The Albanian population responded with peaceful resistance and established a system of parallel institutions. However, when the 1995 Dayton Agreement ended the Bosnian war without addressing the Kosovo question, the patience of the Albanian population was at an end and attacks on Serb institutions increased.<sup>45</sup>

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<sup>42</sup> Keen, *Complex*, 119.

<sup>43</sup> Van Selm-Thorburn and Verbeek, *Chance*, 178-187.

<sup>44</sup> Michel Agier, *On the Margins of the World: The Refugee Experience Today* (Cambridge: Polity Press, 2008), 44.; Long, *Entry!*, 3.

<sup>45</sup> Noel Malcolm, *Kosovo: A Short History* (London, Basingstoke: Macmillan, 1998), 343-352.

Yugoslav leader Milosevic responded with a systematic policy of ethnic cleansing through expulsions, massacres and calculated starvation.<sup>46</sup> By summer 1998, UNHCR described the situation in Kosovo as “explosive”, remarking that tens of thousands had already been forced to flee.<sup>47</sup> By October the number of displaced had risen to 300,000.<sup>48</sup> After a temporary lull in fighting over the winter, violence again intensified in early 1999. On 22<sup>nd</sup> March UNHCR reported the movement of 20,000 Kosovars over the Albanian border in a single two-day period.<sup>49</sup>

Facing the making of a refugee crisis of unprecedented proportions, Western leaders sprang into action. The cooperation of policymakers, the media and civil society was crucial. Intervention was presented as the pinnacle of the new era of humanitarianism, in which the duty to prevent human suffering would no longer be ignored.<sup>50</sup>

On 24<sup>th</sup> March 1999, NATO planes began attacking targets in the former Yugoslavia without Security Council authorisation. The campaign was unsuccessful at ending the displacement of ethnic Albanians. In the first week of air strikes expulsions occurred at a rate nearly ten times as fast as at any point in 1998.<sup>51</sup> The total exodus eventually amounted to over 850,000, representing the worst refugee crisis in Europe since the end of the Second World War.<sup>52</sup>

Refugee concerns shaped both the decision to intervene and the course of the intervention. The movements of the Kosovar population had serious implications for regional security. The arrival of refugees in Macedonia put a strain on ethnic relations in that country.<sup>53</sup> Given the region’s explosive ethnic tensions, the fear that the war could be exported to neighbouring countries was not ill founded.<sup>54</sup>

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<sup>46</sup> Bill Frelick, *Testimony: The Kosovo Refugee Crisis* (Washington: U.S. Committee for Refugees, 1999), 7-9.

<sup>47</sup> Guy Goodwin-Gill, Review of *The Kosovo Refugee Crisis: An Independent Evaluation of UNHCR’s Emergency Preparedness and Response* by *Astri Suhrke, Michael Barutciski, Peta Sandison and Rick Garlock* (Oxford: Refugee Studies Centre, 2000), 3.

<sup>48</sup> Ivo H. Daalder and Michael E. O’Hanlon, *Winning Ugly: NATO’s War to Save Kosovo* (Washington: Brookings Institution Press, 2000), 23.

<sup>49</sup> Van Selm, introduction, 5.

<sup>50</sup> Alex Danchev, “Gardening” in *Kosovo: Myths, Conflict and War*, eds., Kyril Drezov, Bulent Gokay and Denisa Kostovicova, (Keele: Keele European Research Centre, 1999), 60.

<sup>51</sup> Daalder and O’Hanlon, *Ugly*, 112.

<sup>52</sup> Tim Judah, *Kosovo: War and Revenge* (New Haven, London: Yale University Press, 2002), 250.

<sup>53</sup> Michael Barutciski and Astri Suhrke, “Lessons from the Kosovo Refugee Crisis: Innovations in Protection and Burden-Sharing” in *Journal of Refugee Studies* 14:2 (2001), 96.

<sup>54</sup> Woodward, *Tragedy*, 364.

However the refugee crisis was more than a regional problem. As Woodward has shown, the proximity of the conflict to the EU was the key factor driving NATO's willingness to commit such vast resources.<sup>55</sup> On 5<sup>th</sup> March 1999 Italian Prime Minister Massimo D'Alema warned Bill Clinton that if Serb aggression remained unchecked "the result...would be 300,000 to 400,000 refugees passing into Albania" and onwards across the Adriatic Sea into the EU.<sup>56</sup> For Western leaders already overwhelmed by the mass of Albanian asylum seekers that had arrived throughout the 1990s, containment became a priority.<sup>57</sup> This became particularly important once NGOs like Human Rights Watch began making vocal calls to accommodate refugees within the EU to stave off an exacerbation of the humanitarian crisis.<sup>58</sup> While at first representing a public relations nightmare, the plight of refugees was soon explicitly used to justify NATO's intervention. The BBC's Jeremy Bowen cut to the point when on 16<sup>th</sup> June 1999 he exclaimed: "This is why Nato went to war: so the refugees could come back to Kosovo."<sup>59</sup>

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<sup>55</sup> Susan L. Woodward, "Should We Think Before We Leap?: A Rejoinder" in *Security Dialogue* 30:3 (1999), 278.

<sup>56</sup> Noam Chomsky, *The New Military Humanism: Lessons from Kosovo* (London: Pluto Press, 1999), 21.

<sup>57</sup> Judah, *Kosovo*, 242.

<sup>58</sup> Thilo Thielke, "Unsere Kraft ist am Ende", *Spiegel*, 26.04.1999

<sup>59</sup> Philip Hammond, "Third Way War: New Labour, the British Media and Kosovo" in *Degraded Capability: The Media and the Kosovo Crisis*, eds., Philip Hammond and Edward S. Herman (London, Sterling: Pluto Press, 2000), 126-128.

# 2

## Kosovo's Refugees and the German Public Discourse

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### Fear

No country experienced greater inner turmoil in the discourse surrounding intervention than Germany. Sending troops abroad was a hard sell in a nation, which had developed a deep distrust of militarism as a consequence of its own history. NATO's war seemed to be breaching both international law and the German constitution, two legal instruments designed largely in reaction to the horrors of German behaviour in the Second World War.<sup>60</sup> Throughout the Cold War Germany had kept a low profile militarily and in November 1982 the Federal Security Council had reiterated that Germany's constitution forbade the deployment of troops in 'out-of-area' operations.<sup>61</sup>

During the Gulf War, Germany confined its involvement to logistical and financial support.<sup>62</sup> This "cheque-book diplomacy" however came under growing criticism from NATO allies demanding Germany meet its treaty obligations.<sup>63</sup> Through peacekeeping missions in Cambodia and Somalia, as well as support for IFOR/SFOR operations in Bosnia, the German government slowly adjusted voters to a new, more active role of the *Bundeswehr*.<sup>64</sup> When in 1998 the US put pressure on Germany to commit to a participation

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<sup>60</sup> Thomas Deichmann, "From 'Never Again War' to 'Never Again Auschwitz': Dilemmas of German Media Policy in the War against Yugoslavia" in *Degraded Capability: The Media and the Kosovo Crisis*, eds., Philip Hammond and Edward S. Herman (London, Sterling: Pluto Press, 2000), 154

<sup>61</sup> Rainer Baumann, "German Security Policy within NATO" in *German Foreign Policy since Unification: Theories and Case Studies*, ed., Volker Rittberger, (Manchester, New York: Manchester University Press, 2001), 169

<sup>62</sup> Hyde-Price, "Perceptions", 106-107.

<sup>63</sup> Baumann, "NATO", 174

<sup>64</sup> Hyde-Price, "Perceptions", 107-108.



in military operations against Milosevic, the *Bundestag* overwhelmingly voted in favour of intervention.<sup>65</sup>

Throughout the 1990s, Germany's position with regards to refugee flows was more complex than that of Britain or France, two nations which were repeatedly willing to close themselves off to population flows while using interventions to prevent further displacement. In the decade following the fall of the Berlin Wall, Germany had received the bulk of asylum seekers arriving in the EU.<sup>66</sup> Particularly for those escaping the chaos of the disintegration of Yugoslavia, Germany's geographic proximity, economic power and liberal asylum regime made it a favoured destination.<sup>67</sup> Linked with the vast flow of arrivals from the former Soviet-bloc, immigration became a heated political topic.<sup>68</sup>

In 1998, when the debate around intervention in Kosovo began to rage, memories of the preceding years, and particularly the refugee spillover from the war in Bosnia, entered the political discourse. Germany had accommodated by far the greatest number of Bosnians, whose continued presence was breeding resentment in many *Länder* governments. Though Germany was pursuing repatriations at a faster rate than any other European nation, the speed of return was still widely perceived as "slow and cautious."<sup>69</sup> In 1999, after years of systematically attempting to send refugees home, around 100,000 Bosnian asylum seekers were still living in Germany. As the spectre of a new flood of refugees emerged, conservative voices demanded that the remaining Bosnians be returned before further refugees could be accepted.<sup>70</sup>

Even before the escalation of hostilities, Germany had become home to around 350,000 Kosovar migrant labourers and asylum seekers.<sup>71</sup> In 1998 asylum applications from Kosovo shot up to a high of 5,090 in the month of October alone.<sup>72</sup> The number of clandestine arrivals likely dwarfed this statistic. In the first half of 1998, German border police reported a 50% increase in attempted illegal immigration.<sup>73</sup> From March 1998 onwards, the German government began to emphasise the need to prevent the situation in

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<sup>65</sup> Duke, "Allies", 133.

<sup>66</sup> Khalid Koser, "Germany: Protection for Refugees or Protection from Refugees" in *Kosovo's Refugees in the European Union*, ed., Joanne van Selm (New York, London: Pinter, 2000), 34.

<sup>67</sup> Koser, interview

<sup>68</sup> Whitaker, "Protection", 4.

<sup>69</sup> Ignatieff, *Empire*, 104.

<sup>70</sup> Koser, "Germany", 29-30.

<sup>71</sup> Judah, *Kosovo*, 69.

<sup>72</sup> *ibid.*, 26-28

<sup>73</sup> "Flüchtlinge: 38 Kurden im Fiat", *Spiegel*, 03.08.1998

Kosovo from escalating with specific reference to the potential influx of refugees moving towards Germany.<sup>74</sup>

When a number of SPD-ruled *Länder* imposed a moratorium on deportations pending a reassessment of the situation in Kosovo, the Kohl government's Interior Minister Manfred Kanther and Bavarian Interior Minister Günther Beckstein, expressed their fear that an easing of the deportation policy would only further turn Germany into a magnet for displaced persons from around the world.<sup>75</sup> This position was not only held in conservative circles. After the European boycott of the Yugoslav airline *JAT* created a *de facto* moratorium on deportations in the summer of 1998, the Interior Minister of SPD-led Niedersachsen Gerhard Glogowski similarly remarked that an end to deportations would represent an open invitation for more people to seek asylum in Germany.<sup>76</sup>

A key concern of German politicians was financial. In a meeting with Boris Yelzin in June 1998, Kohl appealed to the Russian President to be sympathetic to Germany's concerns over the Balkan refugee crisis, which had already cost the German taxpayer 15bn DM.<sup>77</sup> In 1999, when the Schröder government's Interior Minister Otto Schily made proposals to increase Germany's refugee quota he was met with vehement protests by several *Länder*. According to German law, the federal government would only subsidise the expense of granting asylum for six months. Many *Länder*, whose financial resources were already stretched by the presence of Bosnian refugees and the arrival of clandestine migrants, feared a prolonged conflict would eventually see them having to shoulder the entire cost of accommodating Kosovo's refugees.<sup>78</sup>

Politicians also tried to capitalise on popular perceptions of migrant criminality. In the summer of 1998, both *Die Welt* and *Spiegel* commented on the disproportionate representation of Albanians in crime statistics.<sup>79</sup> Conservative figures like Günther Beckstein and Wolfgang Schäuble regularly emphasised the criminal notoriety of Albanians, leading the SPD's Walter Kolbow to issue a stark warning against criminalising male

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<sup>74</sup> "Kinkel droht mit Eingreifen der Nato im Kosovo", *Frankfurter Allgemeine*, 05.06.1998

<sup>75</sup> "Kanther attackiert SPD-regierte Länder", *Süddeutsche Zeitung*, 12.03.1998

<sup>76</sup> Boris Kalnoky, "Jugoslawien deportiert seine eigenen Staatsbürger", *Die Welt*, 15.09.1998

<sup>77</sup> Karl-Ludwig Günsche, "Jelzin warnt vor Militäreinsatz im Kosovo", *Die Welt*, 10.06.1998

<sup>78</sup> Koser, "Germany", 27-33

<sup>79</sup> Nikolaus Blome, "Vor der Flucht", *Die Welt*, 06.08.1998; "Kehr um, Milosevic!", *Spiegel*, 15.08.1998.

Kosovar asylum seekers in the public imagination.<sup>80</sup> According to police statistics 60% of organised crime was in the hands of foreigners, igniting a debate over the impact of immigrants on German law and order.<sup>81</sup> These numbers gave political ammunition to all parties. In the run-up to the *Bundestag* elections in September 1998, Kosovo only entered the political discourse in relation to the question of Albanian criminality. While the situation in Kosovo deteriorated, the main concern of politicians was to present voters with the most efficient strategy for deporting criminals.<sup>82</sup>

Deeper fears over societal security also haunted the discourse. Since the early 1990s, Germany had witnessed a sharp rise in xenophobic crimes. Particularly in Eastern Germany, where many towns suffered from 50-70% unemployment rates, people became receptive to anti-immigrant sentiment as large numbers of economic migrants arrived from the former Communist bloc.<sup>83</sup> A 1998 survey found that 54% of West Germans and 62% of East Germans felt immigrants were taking away jobs and threatening the nation.<sup>84</sup> Rooted in economic desperation, economic migrants and refugees fused in the imagination of a substantial number of Germans. This development was further fuelled by the tendency of conservative politicians to criticise the lack of integration of the Albanian community.<sup>85</sup> Even a *Spiegel* article warned of the risks of “ethno-cultural conflict” stemming from the Muslim community’s isolation.<sup>86</sup> According to Stivachtis, the large presence of Albanians allowed the prospect of further arrivals to easily be portrayed as a threat to Germany’s identity.<sup>87</sup> Fearing the loss of votes to right-wing extremist parties, the conservative CDU proved itself particularly willing to pander to xenophobic elements in German society.<sup>88</sup>

Politicians deployed a number of strategies to keep Kosovar asylum seekers out of Germany. Border controls were stepped up to combat illegal immigration. In 1993 only 2,500 officers had been patrolling Germany’s eastern border. By 1998 that number had risen to 7,300 as a direct consequence of the crisis in the Balkans.<sup>89</sup> Advocating these

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<sup>80</sup> “Abschiebung in alle Welt”, *Süddeutsche Zeitung*, 01.10.1999; Tina Hildebrandt, Susanne Koelbl and Georg Mascolo, “Flüchtlinge: Jetzt geht es erst los”, *Spiegel*, 10.05.1999

<sup>81</sup> “Das Asylrecht ist am Ende”, *Spiegel*, 31.08.1998

<sup>82</sup> Michael Stenger, *Tödliche Fehleinschätzung: Deutschland und der Kosovo-Krieg* (Frankfurt: Pro Asyl, 1999), 23.

<sup>83</sup> Woodward, *Tragedy*, 368

<sup>84</sup> “Das Asylrecht ist am Ende”

<sup>85</sup> Marianne Heuwagen, “Das Mißtrauen bleibt”, *Süddeutsche Zeitung*, 13.03.1998

<sup>86</sup> “Das Asylrecht ist am Ende”, Translation Appendix 1.1

<sup>87</sup> Stivachtis, “Refugees”, 42

<sup>88</sup> “Kehr um, Milosevic!”

<sup>89</sup> “Flüchtlinge: Kettenmäßig organisiert”, *Spiegel*, 28.09.1998

tactics was by no means the preserve of the right. The Interior Minister of SPD-led Schleswig-Holstein Ekkehard Wienholtz in September 1998 stressed the need to tighten border controls to prevent Germany from becoming a magnet for Kosovars.<sup>90</sup>

Aside from making illegal immigration difficult, the German government closed its doors to those attempting to enter Germany legitimately. The commonly expressed excuse was that granting asylum would reward ethnic cleansing by depopulating Kosovo.<sup>91</sup> Up until the beginning of NATO's air strikes, the German authorities attempted to send failed asylum seekers back into the war zone. Throughout 1998, the Foreign Ministry legitimised this by downplaying human rights abuses. In one statement the Ministry remarked that "generally no targeted persecution of returning Kosovo-Albanians through organs of the state is to be expected. Returnees do not face greater risks than any other inhabitant of Kosovo of Albanian ethnicity."<sup>92</sup> Even in early April 1999, only a few days after the commencement of air strikes, the Federal Interior Ministry continued to issue deportation notices claiming there were still peaceful areas within Kosovo where asylum seekers could seek protection.<sup>93</sup>

The most popular means of escaping the responsibility to offer protection was the emphasis on regional solutions to the crisis, a method already tried and tested by the international community in Northern Iraq and Bosnia. In August 1998 only weeks before the *Bundestag* elections, Kohl's Foreign Minister Kinkel made a televised appearance in an Albanian refugee camp calling upon the displaced not to attempt the journey to Western Europe. Similarly, Bavaria's Interior Minister Beckstein advocated the construction of refugee camps in Albania and Italy to prevent Kosovars from pushing on towards Germany.<sup>94</sup> Federal Minister for Economic Cooperation and Development Carl-Dieter Spranger bluntly stated that investing in regional solutions would represent a lower financial cost to the taxpayer than the granting of asylum.<sup>95</sup>

By autumn 1998, deportations had become unfeasible due to the *JAT* boycott.<sup>96</sup> This increased the urgency for the new ruling coalition to continue the previous

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<sup>90</sup> Dieter Schütz, "Vom Abschiebestopp will Kanther nichts wissen", *Die Welt*, 10.09.1998

<sup>91</sup> Joanne van Selm, "Kosovo's Refugees and the EU: Wherein Lies the Threat?" in *Refuge: Canada's Journal on Refugees* 18:3 (1999), 47.

<sup>92</sup> Stenger, *Fehleinschätzung*, 23. Translation Appendix 1.2

<sup>93</sup> "Stoppt denn niemand diese verdammte Behördenmaschine?", *Süddeutsche Zeitung*, 03.04.1999

<sup>94</sup> Peter Münch, "Zehntausende in die Flucht getrieben", *Süddeutsche Zeitung*, 05.08.1998

<sup>95</sup> "Fünf Millionen Mark für Flüchtlinge", *Frankfurter Allgemeine*, 25.09.1998

<sup>96</sup> "Spranger fordert Rückkehrkonzept", *Frankfurter Allgemeine*, 17.06.1998

government's emphasis on regional containment. In an interview with the *Süddeutsche Zeitung*, Schily justified this stance as threefold. Firstly, from a humanitarian point of view, the refugees would feel less alien in a familiar linguistic and cultural environment. Secondly, by positioning support in neighbouring countries refugees could be helped more quickly. And thirdly, removing refugees from the region would diminish the prospect for return.<sup>97</sup> Though masked in humanitarian rhetoric, the spectre of a permanent refugee population reminiscent of Bosnia's haunted German policymakers. German politicians hid behind calls for greater burden sharing across the EU, remarking that they could not shoulder the crisis alone.<sup>98</sup> This not only provided politicians with a justification for their barriers to entry but also allowed them to score points against their EU neighbours. By playing on a sense of unfairness, politicians tried to obscure their own failure to offer protection.

## Compassion

In their hard-line stance German politicians misread the popular mood. Across Europe the Kosovo crisis caused an unprecedented outpouring of goodwill. As the media broadcast images of the displaced, civil society stepped up its efforts.<sup>99</sup> Germany was no exception. With charitable donations reaching 150 million DM, the German people collected more money for Kosovo's refugees than any other European nation.<sup>100</sup> Newspaper articles from the early days of the intervention are riddled with accounts of concerned citizens getting organised to support humanitarian efforts.<sup>101</sup> One article from the *Süddeutsche Zeitung*, describes the NGO Caritas collecting three tons of donations in the small Bavarian town of Gemering alone, including 1.5 tons of potatoes from local farmers.<sup>102</sup> Driven by the desire to help, many devised well intentioned but ill-conceived plans of driving truckloads of humanitarian assistance directly to the crisis area. This forced the Bavarian Red Cross to issue an appeal for citizens to focus their generosity on cash donations.<sup>103</sup>

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<sup>97</sup> Peter Münch and Stefan Ulrich, "Die Flüchtlinge müssen möglichst auf dem Balkan bleiben", *Süddeutsche Zeitung*, 08.04.1999

<sup>98</sup> Blome, "Vor der Flucht"; "Einige verlieren die Nerven: Interview mit Klaus Kinkel", *Spiegel*, 04.05.1998; Münch and Ulrich, "Flüchtlinge"

<sup>99</sup> Van Selm, introduction, 1.

<sup>100</sup> Thomas Darnstädt und Erich Follath, "Krieg für das gute Gewissen", *Spiegel*, 26.04.1999

<sup>101</sup> Andreas Metzner, "Krieg weckt Spendenmüde", *Süddeutsche Zeitung*, 31.03.1999

<sup>102</sup> "Hilfe für Flüchtlinge", *Süddeutsche Zeitung*, 08.04.1999

<sup>103</sup> Dietrich Mittler, "Einzelaktionen helfen im Augenblick nicht weiter", *Süddeutsche Zeitung*, 10.04.1999

While in many countries the media only began to pay attention to the plight of refugees with the commencement of air strikes, a fierce debate had raged on the issue in Germany for years.<sup>104</sup> Unlike the popular outrage in Britain and America, which had been instrumental in legitimising strategies for the prevention of refugee flows in Northern Iraq and Bosnia, German popular humanitarian concerns were more than a thinly veiled tool for the containment of population movements. From as early as 1993, newspapers across the political spectrum condemned the German government's deportation of failed Kosovar asylum seekers.<sup>105</sup> From early 1998 onwards, reports increasingly documented widespread human rights abuses experienced by Kosovars at the hands of German authorities and upon return to Yugoslavia. Politicians were accused of being in denial over the crisis so as to escape the responsibility of offering protection.<sup>106</sup> The government's plans to remove asylum seekers' right to financial support in order to encourage 'voluntary' repatriation were widely condemned.<sup>107</sup> *Spiegel* in particular stressed the fact that the unwillingness to offer asylum merely played into the hands of human traffickers and drove people to risk their lives to enter Germany.<sup>108</sup> Even newspaper articles that played on popular fears of Albanian criminality opposed forced repatriation.<sup>109</sup> The German media rejected dealing with the refugee problem simply by removing its evidence from German territory.<sup>110</sup>

Civil society organisations put this compassion into practice. From January 1998 onwards, newspaper articles began reporting on the work of grassroots organisations with names like "Citizens for Human Rights Bad Tölz", advocating for the rights of Kosovar asylum seekers.<sup>111</sup> Other organisations like the Bavarian Refugee Council made high profile accusations against leading politicians. Bavarian Interior Minister Beckstein came under fire for allegedly attempting to rid the *Land* of as many refugees as possible before an anticipated all-out war would make deportations unfeasible.<sup>112</sup>

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<sup>104</sup> Judah, *Kosovo*, 251.

<sup>105</sup> "Abschiebung von Kosovo-Albanern", *Frankfurter Allgemeine*, 25.11.1993

<sup>106</sup> Christian Schneider, "Trotz der äußerst gespannten Lage in Serbien; Bayern schiebt erneut 77 Kosovo-Albaner ab; Flüchtlingsrat wirft Innenminister Beckstein eine „unverantwortliche Aktion“ vor," *Süddeutsche Zeitung*, 05.03.1998

<sup>107</sup> "Wasser und Brot", *Süddeutsche Zeitung*, 03.02.1998; "Ausländer: Täuschen und Drohen", *Spiegel*, 23.02.1998

<sup>108</sup> "Das Asylrecht ist am Ende"

<sup>109</sup> Peter Münch, "Schizophrene Kosovo-Politik", *Süddeutsche Zeitung*, 09.03.1998

<sup>110</sup> "Bayerische Kurzsichtigkeit", *Süddeutsche Zeitung*, 16.04.1998

<sup>111</sup> Astrid Pfeiffer, "Vergebliche Fahrt zum Flughafen Stuttgart; Mißlungene Abschiebung der Familie Namani; Pilot weigert sich, Asylbewerber aus Bad Tölz ins Flugzeug nach Belgrad einsteigen zu lassen", *Süddeutsche Zeitung*, 27.01.1998

<sup>112</sup> Schneider, "Trotz der äußerst gespannten Lage"

Local branches of the Green Party were another vital pro-refugee element in German society. An ambivalence towards intervention existed within the party. A genuine desire to atone for inaction during the Bosnian war competed with the party's deep-seated pacifism. While split on the question of intervention, a consensus was built around the right of asylum and local party organisations widely offered their support to refugees.<sup>113</sup>

Churches were a further element, which belies the claim that humanitarian rhetoric is but a tool for the self-interested prevention of refugee flows. Churches played an important role in advocating the right of asylum and often found themselves confronting the German bureaucracy head-on. Throughout the 1990s the *Wanderasyl* movement protected failed asylum seekers from deportation. In 1997 alone, 92 cases involving a total of 334 people were reported of churches hiding failed asylum seekers. Describing this movement, a *Spiegel* article praised the church's civil disobedience. 70% of the deportation decisions re-examined after an individual had received church protection were reversed.<sup>114</sup>

When the refugee crisis escalated, the willingness to help those arriving in Germany continued. Van Selm remarks, that the public was generally "very accepting and welcoming" and while "state-level solidarity seemed to be absent, individual solidarity for human beings was very much present." Whatever abstract fears may have existed in German society with regards to asylum seekers throughout the 1990s, once "Kosovan Albanians began to flee in large numbers, it was if [the] river of hostility started to flow backwards"<sup>115</sup>

The German media heaved criticism upon France's reluctance to accept refugees.<sup>116</sup> Similarly, the Australian and American governments were attacked for devising means of ensuring refugees did not come into contact with the general population of their countries.<sup>117</sup> Civil society pressure, including lobbying from the rank-and-file of the SPD and Green Party, was vital in softening the German government's stance on asylum.<sup>118</sup> The *Süddeutsche Zeitung* positively commented on the willingness of the population of Munich to make generous donations in anticipation of the arrival of the first Kosovars officially

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<sup>113</sup> Ludger Volmer, telephone interview with the author, 26.07.2012

<sup>114</sup> "Asyl: Bedenkliche Praktiken", *Spiegel*, 18.05.1998

<sup>115</sup> Joanne van Selm, conclusion to *Kosovo's Refugees in the European Union*, ed., Joanne van Selm (New York, London: Pinter, 2000), 193-194.

<sup>116</sup> Jochen Hehn, "Frankreich lehnt die Verteilung von Flüchtlingen strikt ab", *Die Welt*, 09.04.1999

<sup>117</sup> "Australien bietet für drei Monate Unterkunft", *Süddeutsche Zeitung*, 08.04.1999; "USA bringen Albaner auf ihre Basis in Cuba", *Süddeutsche Zeitung*, 08.04.1999

<sup>118</sup> Jürgen Dahlkampf, Felix Kurz, Georg Mascolo and Thilo Thielke, "Ich liebe Deutschland", *Spiegel*, 03.05.1999

classified as refugees in April 1999.<sup>119</sup> The newspaper even made appeals for readers to take refugees into their homes once the city's accommodations reached capacity.<sup>120</sup> Members of the Green Party and the *Rosa Liste* in the Munich city council noted how 20,000 Bosnian refugees had lived peacefully alongside the city's residents between 1992 and 1998. Back then the city had proven its compassion and tolerance. In that same tradition it should now lobby the federal government to increase its refugee quota.<sup>121</sup> Due to civil society pressure, Munich eventually accepted twice the federally mandated amount of refugees.<sup>122</sup> *Die Welt* meanwhile remarked upon the tremendous support being offered by organisations like the Rotary Club to refugees arriving in northern Germany.<sup>123</sup>

Recognising the widespread popular compassion towards refugees, politicians suddenly began making grand displays of hospitality. Civil society however was not fooled. Both *Spiegel* and *Süddeutsche Zeitung* highlighted the hypocrisy of politicians for instrumentalising the arrival of refugees for political ends. Only a few months earlier those very politicians had been complicit in the gross mistreatment and deportation of Kosovar asylum seekers, the newspapers claimed.<sup>124</sup>

From August 1999, the European media began to shift in their unconditional compassion for refugees. Articles started distinguishing between 'good' refugees in need of assistance in Albania, Macedonia and Montenegro and 'bad' illegal migrants crossing the Adriatic Sea to Italy. Commenting on the Europe-wide public discourse, van Selm notes that "the same individual who was a 'poor, helpless Kosovar refugee' when in Albania could be redefined as an 'illegal scrounging immigrant' on arrival via smuggling networks in EU states."<sup>125</sup>

In Germany this sentiment was rare. Instead, German newspapers stressed the desire of Kosovar refugees to return home and rebuild their country.<sup>126</sup> The fear of a permanent refugee population was absent. When the German government began making plans for deportations at the end of 1999, the media condemned these as both immoral

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<sup>119</sup> "Münchner zeigen sich hilfsbereit", *Süddeutsche Zeitung*, 08.04.1999

<sup>120</sup> "Stadt bringt Flüchtlinge in Zelten unter", *Süddeutsche Zeitung*, 21.06.1999

<sup>121</sup> "Grüne für die Aufnahme von mehr Flüchtlingen", *Süddeutsche Zeitung*, 08.05.1999

<sup>122</sup> "Viele Flüchtlinge nehmen Kurs auf München", *Süddeutsche Zeitung*, 21.05.1999

<sup>123</sup> "Stafettenübergabe bei den norddeutschen Rotarien", *Die Welt*, 03.06.1999

<sup>124</sup> Jürgen Dahlkamp, Tina Hildebrandt, Wolfgang Krach, Georg Mascolo and Bettina Mussal, "Flüchtlinge: Wegschauen und verdrängen", *Spiegel*, 12.04.1999; "Die Bürokratie ist dagegen", *Süddeutsche Zeitung*, 26.04.1999

<sup>125</sup> Van Selm, conclusion, 205-206.

<sup>126</sup> Anuschka Roshani, "Der lange Marsch ins Nirgendwo", *Spiegel*, 14.06.1999



and counterproductive.<sup>127</sup> Instead of spending millions forcibly removing refugees to war-torn Kosovo, conditions for a genuine voluntary return should be created.<sup>128</sup> A sense spread that offering asylum was not enough. The root causes of displacement would need to be tackled.<sup>129</sup>

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<sup>127</sup> “Landratsamt übt Druck auf Kosovaren aus”, *Süddeutsche Zeitung*, 31.08.1999

<sup>128</sup> “Abschiebung in alle Welt”

<sup>129</sup> Volmer, interview

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## Policy Implications

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### Containment

German policy towards the refugee crisis was driven by a mixture of fear and compassion. The behaviour of Germany during the NATO campaign and its aftermath defies simplistic explanations of the self-interested roots of humanitarian interventions. The complex dynamics of German refugee concerns shaped policy in three dimensions. These contain evidence both of the securitisation of population movements and the rising humanitarian norms in Western societies.

Once NATO air strikes began, Germany's desire to contain the refugee crisis went beyond mere financial support to neighbouring countries. The *Bundeswehr*, as "the German government's politico-military instrument" for the advancement of national security interest, assumed an unprecedented involvement in relief operations specifically designed to contain population movements.<sup>130</sup> On the request of the High Commissioner for Refugees Sadako Ogata, NATO assumed the responsibility of coordinating relief efforts. On 2<sup>nd</sup> April, as Macedonian authorities began turning away newly arriving refugees, 8,000 NATO troops were deployed to actively expand Macedonia's capacity to deal with the population movements by building refugee camps.<sup>131</sup> By 6<sup>th</sup> April NATO had sent 10,000 tents and 30,000 beds to support humanitarian efforts.<sup>132</sup> Eager to appease the Macedonian government and avoid having to bow to pressure to move refugees to third countries, NATO also turned a blind eye to the questionable Macedonian practice of banning Kosovars from leaving the camps. For the Macedonian authorities this served as a means

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<sup>130</sup> Bernhard G. Voget, "Civil-Military Cooperation of the German Armed Forces" in *Civil-Military Cooperation in Post-Conflict Operations: Emerging Theory and Practice*, ed., Christopher Ankersen (Abingdon, New York: Routledge, 2008), 143.

<sup>131</sup> Judah, *Kosovo*, 252.

<sup>132</sup> Andreas Middel, "Mit Hubschraubern gegen die serbischen Truppen im Kosovo", *Die Welt*, 06.04.1999

of controlling the movements of refugees and preventing them from permanently settling in Albanian areas of the country.<sup>133</sup> On a typical day in April, NATO would deliver 300,000 meal rations to Kosovo's neighbours. By June, NATO had transported over 4,500 tons of food and water to Macedonia and Albania. NATO planes were also used to move refugees from the immediate border area between Albania and Kosovo to safer camps further inland.<sup>134</sup>

The *Bundeswehr* assumed a prominent role in these containment efforts. German troops were stationed in Albania with the specific mandate of protecting refugees. In light of German public scepticism towards the deployment of ground troops, it was emphasised that German soldiers would solely offer humanitarian assistance.<sup>135</sup> The deployment of troops to build refugee camps in Macedonia represented the *Bundeswehr's* biggest ever response to a humanitarian emergency. On one day in early April alone, the German military flew eleven flights from Germany to Macedonia laden with 130 tons of humanitarian assistance.<sup>136</sup> By the second week of intervention, the German military had flown 500 tons of aid with the frequency of flights increasing to 16 per day.<sup>137</sup> The *Bundeswehr* also took responsibility for flying German Red Cross donations to the region.<sup>138</sup> When Foreign Minister Joschka Fischer decided to deploy further ground troops in early May, the move was justified on the basis that NGO's lacked the capacity to deal with the magnitude of the refugee problem.<sup>139</sup> The attempt to contain displacement, led to an unprecedented blurring of civilian and military roles in the German operations.

While these actions are at first sight consistent with an interpretation that sees humanitarian intervention as little more than a means of addressing domestic fears of population movements, the strength of civil society compassion also influenced the course of events. On 7<sup>th</sup> April, Germany accepted its first contingent of refugees. That day the *Bundeswehr* flew six flights containing a total of 654 refugees from the crisis area to Germany.<sup>140</sup> Undoubtedly pressure by civil society was a crucial factor enabling Germany

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<sup>133</sup> Judah, *Kosovo*, 252.

<sup>134</sup> Daalder and O'Hanlon, *Ugby*, 124.

<sup>135</sup> Andreas Middel, "Deutsche Soldaten werden in Albanien stationiert", *Die Welt*, 10.04.1999

<sup>136</sup> "Luftbrücke für Vertriebene", *Süddeutsche Zeitung*, 06.04.1999

<sup>137</sup> "Friedliche Expedition an den Rand des Krieges", *Süddeutsche Zeitung*, 08.04.1999

<sup>138</sup> Cornelia Wolber, "Köln-Skopje und zurück, sechs mal täglich", *Die Welt*, 07.04.1999

<sup>139</sup> "Am Freitag beschloss der Bundestag, weitere Soldaten nach Albanien und Mazedonien zu schicken", *Süddeutsche Zeitung*, 08.05.1999

<sup>140</sup> "Erste Flüchtlinge nach Deutschland geflogen", *Süddeutsche Zeitung*, 08.04.1999

to become the only nation to fill its refugee quota by the third week of April.<sup>141</sup> Protecting refugees, even if that meant moving them to Germany, became a vital means for policymakers to maintain popular support for an intervention, which had inadvertently exacerbated displacement.

## Reversal

Despite the widespread popular willingness to accept refugees, German politicians feared the emergence of a permanent Kosovar population that could breed resentment among the electorate. As soon as the first KFOR troops arrived in Kosovo, the mood among German policymakers shifted towards repatriation. Schily stressed that the quick return of Kosovars would be necessary to maintain German popular willingness to accept refugees in the future. Especially in light of the high incidence of criminality among the Albanian population, Schily remarked that popular tolerance was nearing its end.<sup>142</sup> In July the German government announced plans to begin the deportation of those whose asylum claims had been rejected before the NATO intervention began. The policy brought on heavy criticism from the German media with newspaper articles criticising the absurdity of expecting people to establish a new life in a country plagued by militias and landmines.<sup>143</sup>

To appease civil society, the renewed enthusiasm for deportations was coupled with a policy of creating favourable conditions for return. The main purpose of the 8,500-strong German KFOR contingent was specifically to facilitate the creation of an environment, which would allow Kosovo's refugees to come home.<sup>144</sup> While IDPs and those sheltering in tent cities in Albania and Macedonia were prioritised, the *Bundeswehr* actively engaged in the reconstruction of Kosovo to reverse the outflow of refugees beyond the region.<sup>145</sup>

The first priority was Kosovo's housing crisis. According to UNHCR half of all homes had been damaged or destroyed during the fighting.<sup>146</sup> Germany's KFOR contingent quickly engaged in a winterisation campaign for the houses that had remained

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<sup>141</sup> "Europäische Länder müssen ihre Kontingente ausschöpfen", *Süddeutsche Zeitung*, 22.04.1999

<sup>142</sup> Stefan Aust, Georg Mascolo and Horand Knaup, "Ich habe lernen müssen", *Spiegel*, 15.11.1999

<sup>143</sup> Doris Näger, "Flüchtlinge unter Druck", *Süddeutsche Zeitung*, 27.07.1999

<sup>144</sup> "Kfor-Truppe beginnt Einmarsch in das Kosovo", *Die Welt*, 12.06.1999

<sup>145</sup> Martina Fietz, "Rückkehr der Flüchtlinge erst im Frühjahr", *Die Welt*, 12.06.1999

<sup>146</sup> "Die Menschen wollen alle zurück", *Die Welt*, 09.06.1999

intact. Soldiers refurbished 1,600 homes and supplied building materials to homeless families.<sup>147</sup> The *Bundeswehr* acted much faster than NGOs, which were bogged down by slow administrative procedures and high operational costs. *Spiegel* reported that while by the end of July, the NGO Caritas had only fixed the roof of one house, a single *Bundeswehr* unit had already repaired 250 roofs or provided material for their repair.<sup>148</sup> From the spring of 2000 onwards, German soldiers systematically focused on constructing homes. Thomas Mockaitis described the *Bundeswehr*'s efforts as "quite aggressive" and remarked that they were "motivated as much by domestic political considerations as by concern for refugees."<sup>149</sup> The German media rallied behind the military's efforts of constructing houses, repairing the electricity network, and rebuilding schools and hospitals.<sup>150</sup>

Beyond basic infrastructure, the German government provided hundreds of police officers to facilitate the safe return of refugees and to "enable the building of stable social structures."<sup>151</sup> Germany also helped in the restoration of livelihoods by revitalising agriculture through the provision of farm machinery, pesticides and fertilisers and offering a 450 DM grant to each returnee to ease the transition to life in Kosovo.<sup>152</sup> As the *Frankfurter Allgemeine* described it, Germany was "helping refugees to help themselves."<sup>153</sup> The *Bundeswehr* even went so far as to provide psychological assistance to traumatised refugees.<sup>154</sup>

By German standards reconstruction efforts were funded in an unusually unbureaucratic manner.<sup>155</sup> The prioritisation of the reversal of refugee flows allowed virtually all refugees to return home within weeks of the war officially ending.<sup>156</sup> Germany's behaviour is evidence of the adaption of the *Bundeswehr* both to non-military security concerns and the demands of civil society. Bernhard Voget rightly observes that the *Bundeswehr*'s activities should not be seen as motivated by developmental but rather

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<sup>147</sup> Voget, "Cooperation", 155-156.

<sup>148</sup> Barbara Smid, "Bürokraten im Schlamm", *Spiegel*, 16.08.1999

<sup>149</sup> Voget, "Cooperation", 155-156.

<sup>150</sup> Lena Pawlovsky, "Brüssel bremst den Wiederaufbau im Kosovo", *Die Welt*, 06.11.1999

<sup>151</sup> Andreas Ulrich, "Persönlich gefestigt", *Spiegel*, 12.07.1999, Translation Appendix 1.3

<sup>152</sup> "Kosovo: Teurer Wiederaufbau", *Spiegel*, 17.05.1999; "Rückkehr der Kosovo-Flüchtlinge beginnt am Mittwoch", *Süddeutsche Zeitung*, 05.07.1999

<sup>153</sup> "Finanzielle Anreize für Rückkehrwillige", *Frankfurter Allgemeine*, 29.06.1999, Translation Appendix 1.4

<sup>154</sup> Carolin Emcke, Susanne Koelbl and Andreas Ulrich, "Bundeswehr: Der Geruch verwesenden Fleisches", *Spiegel*, 21.06.1999

<sup>155</sup> Voget, "Cooperation", 156.

<sup>156</sup> Daalder and O'Hanlon, *Ughy*, 4.

security concerns.<sup>157</sup> Even so, the sophisticated manner in which Germany attempted to create the conditions for safe return is evidence of a popular compassion that recoiled at the prospect of forcibly sending refugees back to a devastated Kosovo.

## Prevention

As early as 1998, German newspapers had stressed that aid should not be a substitute for political solutions to humanitarian crises.<sup>158</sup> *Die Welt* stressed that the responsibility of the German government should be to prevent refugee flows rather than to contain them. While this would not be feasible in all crises, in the case of the Balkans, whose displaced quickly found their way to Germany, it should assume a policy priority.<sup>159</sup> Similarly the *Süddeutsche Zeitung* emphasised in March 1998 that if Kosovo's "melange of fear and poverty" was not addressed, no amount of containment would prevent the refugee crisis from manifesting itself in Germany.<sup>160</sup>

Civil society rejected the containment strategies, which had underpinned Europe's engagement with the Balkans throughout the 1990s. The self-satisfied prosperity of the economic core of the continent, mixed with short-sighted interventionism in the periphery, had failed to prevent either the human suffering of displacement nor the non-military security threat of refugee flows.<sup>161</sup> Even after the air strikes ended, the dire economic conditions in Kosovo led to a continued exodus across the Adriatic Sea.<sup>162</sup> The intervention had failed to prevent an escalation of the refugee crisis and while the German public did not turn on the displaced as quickly as other European nations, calls for a lasting solution to conflict in the Balkans became widespread.<sup>163</sup>

The financial costs of the military intervention alone meant that Germany was unwilling to allow Kosovo to set a precedent for population containment strategies.

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<sup>157</sup> Voget, "Cooperation", 143-147.

<sup>158</sup> Katja Ridderbusch, "Auf der Suche nach den Flüchtlingen", *Die Welt*, 08.08.1998

<sup>159</sup> Blome, "Vor der Flucht"

<sup>160</sup> Münch, "Schizophrene Kosovo-Politik", Translation Appendix 1.4

<sup>161</sup> Peter Münch, "Ein Anti-Programm für den Balkan reicht nicht; Kurzfristiger Druck ohne langfristige Strategie hilft am Ende nur Slobodan Milosevic", *Süddeutsche Zeitung*, 29.10.1998

<sup>162</sup> Rose-Marie Borngässer, "Albaner flüchten trotz Kriegsende weiter übers Meer nach Italien", *Die Welt*, 04.11.1999

<sup>163</sup> "Immer mehr Flüchtlinge in der Stadt", *Süddeutsche Zeitung*, 18.06.1999

Instead stability and regional cooperation moved to the focus of German security policy.<sup>164</sup> Only by offering developmental perspectives to Kosovo and its neighbours would future conflicts, and the inevitable movement of refugees towards Germany, be prevented.

After assuming the EU Presidency, Germany became the driving force behind the ‘Stability Pact for Southeast Europe’. The Stability Pact was formally adopted on 10<sup>th</sup> June 1999 and included all major global powers as signatories, as well as the Balkan states, key international organisations, NGOs and private sector actors. The aim of the pact was to prevent future conflicts through regional integration, democratisation and economic development, with the ultimate bargaining chip being eventual inclusion in the EU.<sup>165</sup> The refugee dimension of the pact was embedded in the wording of the agreement, which stated: “We want to prevent forced population displacement...this also includes migration driven by poverty. We want to guarantee the safe and free return of all refugees and uprooted persons to their homes.”<sup>166</sup> Though receiving only a muted welcome in the Balkans, the Stability Pact became the international community’s favoured tool for the prevention of conflict in the region.<sup>167</sup> Germany not only initiated the project, but also took the lead in its financing, channelling 1.2bn DM towards it within a four year period.<sup>168</sup> The pact became a means of bridging the gap between German security and humanitarian concerns and was a crucial means of maintaining domestic support for the continued presence of the *Bundeswehr* on the Balkans.<sup>169</sup>

The Stability Pact allowed Germany to pursue its national security interests in a manner consistent with the demands of civil society. It embodied Germany’s self-perception as a ‘civilian power’ that engages in international relations on the basis of ideals similar to those underpinning the functioning of domestic society.<sup>170</sup> The experience of Kosovo taught Germany that military might is neither sufficient to meet the security challenges of the modern world nor to appease the humanitarian impulses of the electorate. Instead, Germany’s post-intervention engagement in the Balkans embodied what Duffield describes as the new focus of Western development strategies “to transform the

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<sup>164</sup> Kommission Internationale Politik beim SPD-Parteivorstand, *Der Kosovo-Krieg und seine Lehren* (Bericht an den Bundesparteitag der SPD, November 2011)

<sup>165</sup> Maull, “Post-Kosovo”, 5.

<sup>166</sup> “Ein Pakt für Frieden, Demokratie und Wohlstand”, *Die Welt*, 12.06.1999, Translation Appendix 1.5

<sup>167</sup> Winfried Didzoleit and Walter Mayr, “Balkan: Diplomatie mit dem Brotkorb”, *Spiegel*, 02.08.1999

<sup>168</sup> SPD-Parteivorstand, *Kosovo-Krieg*

<sup>169</sup> Hyde-Price, “Perceptions”, 114

<sup>170</sup> Maull, “Post-Kosovo”, 14.

dysfunctional and war-affected societies that it encounters on its borders into cooperative, representative and, especially, stable entities.”<sup>171</sup> Similarly Michael Ignatieff sees the humanitarian engagement and nation-building in Kosovo as an example of the attempt to “reconstruct war-torn societies for the sake of global stability and security.”<sup>172</sup> In an age where an active media and an engaged civil society made the mere containment of refugee crises politically unfeasible, the preventative approach of the Stability Pact embodied the merging of fear and compassion in the policymaking process.

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<sup>171</sup> Duffield, *Governance*, 11.

<sup>172</sup> Ignatieff, *Empire*, 19.



# Conclusion

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While German policymakers dwelled on societal fears throughout the crisis and tried to present the movement of Kosovar refugees as a non-military security threat, the public discourse stood in stark contrast to this scare mongering. On 1<sup>st</sup> February 1999 Sadako Ogata made a plea in the *Süddeutsche Zeitung* not to confuse the debate over the right of asylum with domestic migration and security concerns. Ogata remarked that while media images of distraught refugees triggered widespread sympathy, this compassion often switched to fear once those in need moved beyond their borders to seek protection in the West.<sup>173</sup> Though directed at the German public in general, Ogata's appeal clearly targeted policy makers out of touch with their electorate. From as early as 1998, the German media and civil society had demonstrated their willingness to defend the right of asylum not only rhetorically but by sheltering failed asylum seekers, campaigning against deportations and, once refugees began arriving in April 1999, proving themselves to be welcoming hosts.

German policymakers drew important lessons from Kosovo. Air strikes had failed either to contain the refugee crisis or to adequately respond to the humanitarian demands of the electorate. Military might in itself was no match to the simultaneous demands of growing cosmopolitan norms and concerns over non-military security threats. Due to the complex relationship between fear and compassion, the German policy response acquired three dimensions: containment, reversal and prevention. The unprecedented involvement of the *Bundeswehr* in humanitarian tasks was a response to fear and compassion. The German military not only tried to deal with the crisis regionally but also facilitated the movement of refugees to safety in Germany. Equally the reversal strategies of the German government were informed both by fear and compassion. Though eager to return refugees to Kosovo as soon as the fighting ended, civil society pressure meant forced deportations into the chaos of post-war Kosovo were politically unfeasible. Instead, Germany focused on creating the conditions for the voluntary return of refugees. Finally, the preventative aims of the 'Stability Pact for Southeast Europe' were a response to civil society pressure to tackle the root causes of displacement rather than merely responding to its effects militarily.

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<sup>173</sup> Sadako Ogata, "Plädoyer für eine liberale Asylpolitik", *Süddeutsche Zeitung*, 01.02.1999

The case of Germany's involvement in Kosovo shows the powerful potential of the interplay of fear and compassion to shape Western policy responses to humanitarian crises. Media outrage and civil society concern were more than a tool to legitimise containment strategies. The sentiments expressed in German newspapers across the political spectrum are evidence of a clear rejection of simplistic solutions. As Adrian Hyde-Price has argued, "the cumulative impact of these debates has been to shape a German public discourse and political identity that is deeply conscious of the need to avoid simple answers to complex moral and political dilemmas."<sup>174</sup> Germany's decision to intervene and the strategies deployed, demonstrate that humanitarian interventions are neither merely the results of thinly veiled imperialism nor pure cosmopolitanism.

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<sup>174</sup> Hyde-Price, "Perceptions", 118.

# Appendix: Translations

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Note: All direct quotations from German newspapers were translated by the author.

- 1) “...die Zuspitzung des ‘ethnisch-kulturellen Konflikts’...”
- 2) “Auch nach den jüngsten Ereignissen im Kosovo ist grundsätzlich nicht mit einer gezielten Verfolgung von rückkehrenden Kosovo-Albanern durch staatliche Organe zu rechnen. Ihre Gefährdung unterscheidet sich nicht von der aller anderen Bewohner des Kosovo mit albanischer Ethnie.”
- 3) “...den Aufbau stabiler gesellschaftlicher Strukturen ermöglichen...”
- 4) “...den Flüchtlingen Hilfe zur Selbsthilfe zu leisten.”
- 5) “Eine Melange aus Angst und Armut...”
- 6) “Wir wollen eine erzwungene Vertreibung der Bevölkerung verhindern . . . Dies gilt auch für Migration, die durch Armut verursacht wird. Wir wollen die sichere und freie Rückkehr aller Flüchtlinge und entwurzelten Menschen in ihre Häuser garantieren. . . .”

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## List of Interviews:

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Name	Position	Organisation	Interview
ERLER, Gernot	Member of Parliament (since 1987)	SPD	Email to the author, 08.08.2012
KOSER, Khalid	Academic Dean	Geneva Centre for Security Policy	Telephone interview with the author, 17.08.2012
NACHTWEI, Winfried	Former Member of Parliament (1994- 2009)	Bündnis 90/Die Grünen	Email to the author, 09.08.2012
STRÖBELE, Hans-Christian	Member of Parliament (since 1998)	Bündnis 90/Die Grünen	Email to the author, 16.08.2012
VOLMER, Ludger	Member of Parliament (1985- 1986 & 1994-2005)	Bündnis 90/Die Grünen	Telephone interview with the author, 26.07.2012