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Horton, Taylor Dalton Davis

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Filling the Fulfillment Gap: NGO Refugee Responses in a Time of Rising Populist-
Nationalism

A Thesis submitted in partial satisfaction of the
requirements for the degree Master of Arts
in Global Studies

by

Taylor Dalton Davis Horton

Committee in charge:
Professor Alison Brysk, Chair
Professor Kai Thaler
Professor Raymond Clemençon
Professor Esther Lezra

June 2019

The thesis of Taylor Horton is approved.

Kai Thaler

Raymond Clemençon

Esther Lezra

Alison Brysk, Committee Chair

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ABSTRACT

Filling the Fulfillment Gap: NGO Refugee Responses in a Time of Rising Populist-Nationalism

by

Taylor Horton

This thesis seeks to address two main issues. First, how have the recent rise of populist-nationalism and the elections of populist-nationalist governments challenged the international refugee rights regime? Second, how have humanitarian non-governmental organizations (NGOs) responded to new anti-refugee policies, and what does this mean for their position within civil society? To answer these questions, this project offers a comparative study between the United States under the administration of President Donald Trump and Italy under the administration of Deputy Minister of the Interior Matteo Salvini. By analyzing government and NGO policies for both cases in response to the European refugee crisis and the rise of asylum-seekers from Central America, this thesis concludes that humanitarian NGOs have undergone fundamental shifts in operations in response to these populist-nationalist administrations and their undermining of the refugee rights regime. Among these changes include the increasing fulfillment of refugee rights obligations by humanitarian NGOs themselves in place of the national government and a turn away from political neutrality within humanitarian organizations. This paper concludes by discussing what policy changes should be made at the international, state, and NGO level in order to best protect refugee rights and NGO operations.

TABLE OF CONTENTS

| | |
|----------------------------------------------|----|
| I. An Order Undermined | 1 |
| II. A Multilayered Challenge | 18 |
| III. The NGO Resistance in the United States | 43 |
| IV. The NGO Resistance in Italy | 58 |
| V. Policy Lessons, Analysis, and Conclusions | 72 |
| References | 90 |

Chapter 1: An Order Undermined

“There are a great number of peoples who need more than just words of sympathy from the international community. They need a real and sustained commitment to help end their cycles of violence, and launch them on a safe passage to prosperity.”

- Kofi Annan, former Secretary-General of the United Nations

“A large part of history is therefore replete with the struggle for those human rights, an eternal struggle in which a final victory can never be won. But to tire in that struggle would mean the ruin of society.”

- Albert Einstein, Founder of the International Rescue Committee

Introduction and Outline

Context and Questions

Over 6 million people have become refugees as a result of the Syrian Civil War, which first began in 2011. These 6 million have been dispersed across nearly 50 countries worldwide, from Turkey, to Germany, to the United States, and to Argentina. The number of internally displaced persons exceeds that of those displaced elsewhere, totaling close to 7 million as of December 2017. One of the results of this has been a widespread humanitarian crisis in which many nations have struggled to process, integrate, and provide basic standards of livings for these refugees in need, nearly forty percent of whom are children under the age of 12.

The United States’ response in particular falls in line with its historical tendency to underwhelmingly respond to genocide and mass atrocities, maintaining a bureaucratic fortress against those that are in need of humanitarian aid. Geographically the U.S. is far removed from the ongoing Syrian displacement and it has been able to halt the entrance of asylum seekers before they arrive at its borders. Instead, the European Union has been the desired destination for many that are fleeing from persecution and violence. While in many

instances host societies have been welcoming and integrative, other states have proven to be hostile and antagonistic, causing real harm. At the same time, the United States is experiencing an increased number of migrants and refugees coming from Central and South America. Gang and drug related violence in Honduras, El Salvador, Guatemala, and Mexico have caused people to seek safety and refuge in the United States, even if they do not meet the formal definition of a refugee (Grillo 2018).

This paper seeks to fill a gap in the literature on humanitarian efforts of nongovernmental organizations. Previous research on NGOs has focused on a variety of aspects, from empowering the role of women in development, to the politicisation of aid, to the relationship between NGOs and formal (inter)governmental organizations (Baitenmann 1990; Blue 2005; Charnovitz 1996). In response to the ongoing Syrian refugee displacement, the primary research focus in the past 7 years has been on the responses, or lack thereof, of states to the displacement. A host of literature has examined and analyzed the responses of the United States, the United Kingdom, and the European Union and its individual members (Ostrand 2015, 255). Additionally, there has been a large amount research on the past decade's rise in right-wing populism throughout the EU and U.S., which in and of itself is a response to the migrant "crisis." What has yet to be studied are the effects of populism and the populist response to this migrant crisis on the roles and goals of NGOs and humanitarian rights organizations. While this research will illustrate many of the policies that states have taken in response to migratory displacements and asylum seekers, the central focus will be on those policies which either directly affected the work of NGOs or indirectly increased the responsibility shared by these same organizations.

Thus, this paper seeks to answer three primary questions. First, how have NGOs and global civil society fit within the greater liberal international order historically? Second, how and why have the rise in populism and the new populist governments in Italy and the United States affected both the liberal international order itself as well as the positions and operations of NGOs in providing refugee rights? Last, how have NGOs adapted to these new governments in their responses to humanitarian crises?

Outline

The remainder of this chapter will serve to illustrate the theoretical backings behind the focal issues of this thesis. First, I will discuss the historical structure of the liberal international order (LIO) that arose out of the end of World War II. Within this I will also cover the foundations of refugee human rights, global civil society, and the theories surrounding their positioning within the greater LIO. Second, I will introduce the rising populist-nationalist threat to the LIO in the past decade and the conditions that resulted in this new international force contending for influence.

Chapter 2 will provide a top-down examination of the liberal international order and the nationalist changes that have occurred in recent years. Starting at the international level, I will work down in scope to the European, followed by Italy, and concluding with the United States. The goal of this chapter is to demonstrate how the post-war system operates at each level, to what extent the nationalist challenges exist at each level, and to further detail the populist policies and actions taken at each level that are detrimental to the greater liberal international order. This will establish the context under which humanitarian NGOs now exist and have to operate.

Chapters 3 and 4 will cover the responses of NGOs in the United States and Italy respectively to the recent humanitarian refugee crises and the populist policies which these governments formulated as their own responses. Chapter 5 will conclude this thesis with a policy analysis. Along with discussing critical insight gained from working at the International Rescue Committee, one of the foremost refugee rights providers in the United States, this chapter will serve to discuss the lessons learned and the challenges remaining for NGOs and human rights provisions. I will analyze the decisions and changes made thus far by NGOs and provide policy suggestions moving forward. I aim to provide at least a glimmer of hope for the refugee rights regime and the liberal international order.

The Liberal International Order, Global Civil Society, and The Refugee Rights Regime

The Liberal International Order

The post-World War II efforts to establish a multilateral political and economic consortium of states succeeded where the post-World War I efforts had failed. Lessons learned from the failure of the League of Nations and the end of WWII resulted in the establishment of a series of international institutions and agreements to maintain peace and foster cooperation in a new postwar era. The United Nations and its human rights components, the International Monetary Fund, the World Trade Organization, the World Bank, and a multitude of other institutions are what constitute the distinctive system that found their start in the years after World War II. However, it is important to note that many of these institutions and values did not form a global hegemonic system until after the end of the Cold War.

What does it mean to have a liberal international order? Several key features are characteristic of the LIO: peace, liberal democracy and democratic values, market

economies, and transgovernmental communication, to name a few (Slaughter 1995). It is furthermore characterized by tenets of interdependence, collective security, and the responsibility to protect marginalized and targeted individuals abroad. These features in particular are critical in the establishment and maintenance of the human rights regime. By intertwining states in multifaceted manners, the overarching goal is cooperation so deep that the cost of war between states within the LIO would be far too great compared to the benefits of mutual cooperation. However, it would be farcical to say that complete state equality has emerged out of this system. While states have been given a seat at the table so to speak, such as with the United Nations' Group of 20 or Group of 77, the 5 members of the UN Security Council have remained dominant in the post-World War II system. This is particularly the case for the United States, Russia, and China in the past several decades.

Realist notions of hard power drove Cold War tensions between the United States and the Soviet Union. The nuclear arms race and the tenets of mutually assured destruction testify to this. During the Cold War, the United Nations simply became another ground for realist great power politics and national interest to unfold. For example, the USSR and the U.S. utilized their UNSC veto 68 times and 61 times, respectively, during the Cold War period, often in a tit-for-tat fashion. I mention this primarily to illustrate that the United Nations and the LIO are not free of individual motives and realist agendas.

The 1970s also marked the beginning of a *neoliberal* movement in the political-economic sphere, characterized by “deregulation, privatization, and withdrawal of the state from many areas of social provision...” (Harvey 2007, 71). Neoliberalism has changed over time, but this early variety was based more on its “relation to classical liberalism because of its rejection of laissez-faire and emphasis on humanistic values” (Boas and Gans Morse

2009, 157). While such neoliberal policies dominated in the United States and much of Western Europe, East Asian countries such as Japan and South Korea thrived economically without any other neoliberal reforms experienced elsewhere. At the same time, in the late 1990s and early 2000s, the “Wall Street–IMF–Treasury complex” that emerged during Bill Clinton’s tenure as U.S. president coaxed many developing nations to implement neoliberal policies themselves, thereby allowing U.S. economic influence expand even more broadly and deeply (Harvey 2007).

The liberal international order is undoubtedly imperfect. The United States helped to lead the effort to construct the post-war order in part to create a rules-based international system to which the U.S. itself was not completely bound. The resulting American exceptionalism comes in many forms, from unwillingness to ratify human rights treaties in spite of signing them, to unilateral action with little regard for the opinions of international institutions, to self-immunity from the International Criminal Court. In an idealistic liberal international order, no one would be exempt from any of the provisions set forth, both on paper and in practice. In examining the ongoing refugee crises, we bear witness to the limits and failures of the state aspects of the LIO as well as to how humanitarian NGOs are attempting to uphold the ideal form of the LIO and the international refugee rights regime.

Global Civil Society

What are the factors that contribute to something being part of civil society? The generally agreed upon conceptualization of who/what constitutes global civil society is that it is made up of non-state, self-governing, voluntary (i.e. not legally required to join), and (largely) not for-profit organizations. These can range from humanitarian NGOs like the ones discussed in this thesis, to environmental groups, to hospitals, to universities (Salamon et al

2004). Clearly, the breadth of the term reaches far across the public sphere. While civil society consists of a specific yet varied set of actors, the focus in this paper is primarily on humanitarian NGOs.

It is important to define what I mean when discussing humanitarianism and humanitarian organizations. I adopt the definition provided by Christopher Coyne (2013) in his extensive critique of state humanitarian intervention. Humanitarianism is thus examined as a broader “humanitarian action” that consists of standard state intervention, but also enterprises that can exist beyond the state, such as “delivery of short-term emergency relief and long-term assistance intended for development purposes in order to alleviate existing human suffering and to protect vulnerable people from suffering in the future” (13). This definition works to encompass not only traditional humanitarian aid provided by states, but also other means utilized by states and international NGOs alike to mitigate whatever the humanitarian crisis may be. Furthermore, I wish to account for humanitarianism as a greater ethos or ideology that, in part, constitutes global civil society.

NGOs have been the bearers of transnational civic identities within global governance. They themselves are shifting their roles within the global order as part of their reactions to these migration and humanitarian crises. While historically the power of NGOs has been discursive and normative, this power dynamic is now shifting to one where NGOs are actively providing services and rights alongside their advocacy and norm promotion. These actions themselves *are* a form of advocacy and norm promotion, however. In sum, it is a shift within the core of civil society. NGOs are now some of the foremost defenders of the liberal international order’s refugee rights regime at a time when key states around the world

are defecting from this very order. This is why it is critical to examine NGOs during this time period.

This new wave of populist-nationalist policy has created several conflicts for humanitarian NGOs. It has created a greater need for providing rights while at the same time restricting the ability of NGOs to help provide these rights. For example, this is evident in the case of the Trump administration creating family separation detention centers while preventing NGOs, legal organizations, and even politicians from gaining access into these centers. Other tensions include cuts to funding, the cancellation of certain government programs, and lack of transparency that have all created an antagonistic environment through which NGOs must now traverse and reorganize themselves. What this ultimately means is there is an added layer of complication and obstruction put into place by these governments, which compounds the greater movement of downgrading the liberal international order and human rights regime.

NGOs are in a double-edged era of increased responsibility and increased state-imposed restrictions. At the same time many states are pulling back from humanitarian obligations, they are also limiting the efforts of NGOs and civil society to fill in these gaps. The 2019 Freedom in the World Report by the NGO Freedom House marked the 13th straight year of “decline in global freedoms” and a growing trend of democracy in retreat. Part of this are the widespread attacks and impositions placed on civil society, which contribute to the drastic “shrinking” of civil space in society (Buyse 2018). As NGOs and civil society has less room to navigate state-by-state, dire consequences continue for those needing aid. The squeezing of civic space has shown to have damaging effects on humanitarian assistance, health, fighting back against climate change, and mediating conflict

(Mendelson 2015). This paper will demonstrate how new populist-nationalists have come to challenge human rights and NGOs, and how these NGOs have come to navigate this new global environment.

The Refugee Rights Regime

Like the LIO, the foundations of the refugee rights regime came into being in the post-World War I era. The League of Nations established the Nansen International Office for Refugees and placed it in charge of aiding refugees from war-torn countries from 1930 to 1939. During this same time period, the League of Nations drafted the 1933 Convention Relating to the International Status of Refugees. This Convention dealt with the issue of “Nansen passports” for stateless people, the issue of *non-refoulement*, and the creation of several committees for refugees. By doing so, the League of Nations set the precedence for the 1951 United Nations Convention Relating to the Status of Refugees and the creation of what is now the modern day refugee rights regime (Jaeger 2001).

The two initial agreements that came out of this post-war period are the 1948 Universal Declaration of Human Rights and the 1951 United Nations Convention Relating to the Status of Refugees. The Declaration itself is impressively comprehensive for its time. In spite of this, the document comes with many limitations and drawbacks, such as how the opening paragraph describes the declaration as only a “common standard for achievement” for which all nations *should* strive. None of the articles are thereby legally binding for a state, though this may have been a necessary evil to even allow the formation of the declaration to take place. Nevertheless, there are critical articles within the Universal Declaration relating to refugee rights, as they set a vital precedent. These provisions include the freedom from arbitrary detention (art. 9), the right to leave one’s own country (art. 13), the right to seek

asylum in other countries (art. 14), the right to an international order which upholds the rights prescribed in the declaration (art. 28), and the prohibition of any actor to destroy or obstruct any of the rights provided in the declaration (art. 30). Together these articles constitute the first global attempt to protect those fleeing persecution and war.

While the 1948 Universal Declaration accounts for a broad spectrum of human rights protections, the 1951 U.N. Convention Relating to the Status of Refugees provides for an extensive list of protections and provisions for refugees. Perhaps most importantly is the creation of a formal definition of what constitutes being a “refugee.” Prior to this point, determining the status of a person was largely subjective as no international standardization existed. Before the Convention’s revised Protocol in 1967, the treaty only applied to persons who would have refugee status prior to the treaty’s signing in 1951. The 1967 Protocol removed this temporal aspect, which was a critical step forward for the rights of persons who became refugees *after* 1951.

Article 1 of the Convention sets out to define the term “refugee.” The defining factor is that one must possess a “well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion...” by one’s national government. Thus, reasons such as famine, war, disease pandemics, or economic collapses are all not sufficient enough to make someone a refugee, provided that there is no governmental persecution involved. Subsequently, the definition can be extremely limiting in its application. Article 3 states that the provisions of the Convention cannot be made, or restricted, on the basis of one’s race or religion. This will be useful in examining President Trump’s travel ban on Muslims and the subsequent versions of that ban, as well as other attacks and rhetoric made by the League in Italy.

Article 33 of the Convention is perhaps one of the most important for examining the Italian case. It prohibits the expulsion of a refugee to “the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, [or] membership of a particular social group or political opinion.” This constitutes the principle of *non-refoulement*, a legal obligation that is absolutely crucial when examining the law of the sea and humanitarian rescue in the Mediterranean. The 1967 United Nations Declaration on Territorial Asylum goes on to reaffirm the obligation of *non-refoulement*.

There have been recent efforts made to reaffirm state commitment to the refugee rights regime. The 2016 New York Declaration for Refugees and Migrants is one of these. The provisions address many of the challenges posed from the new populist-nationalist threat, such as xenophobic hostilities. Additionally, the Declaration establishes four main goals for the refugee regime moving forward as part of a Comprehensive Refugee Response Framework (CRRF): 1. Ease pressures on host countries, 2. Build the self-reliance of refugees, 3. Expand access to resettlement, and 4. Foster conditions for refugees to voluntarily return home.

The New York Declaration has since been adopted as part of the larger, 2018 Global Compact for Safe, Orderly, and Regular Migration, which sought to address "all dimensions of international migration in a holistic and comprehensive manner." While the Compact is not legally binding, the United States remained as one of five nations to vote against support of the Compact in the United Nations General Assembly. The U.S. was joined by Israel, Hungary, Czech Republic and Poland, the final three of which represent a fierce anti-migrant, anti-refugee position within Europe. Meanwhile, Italy was one of twelve states to abstain from voting on the issue. Regardless of the agreement’s non-binding nature, these positions

reflect a greater opposition to supranational impositions on state immigration policy, even if states are not legally obligated to follow this Compact.

This portion served to show the common ground on which Italy and the United States operate. These aforementioned treaties and agreements are only one part of the refugee rights regime, albeit a large one. In the following chapter, I will discuss a vital component in the Common European Asylum System and the European Union's quest to create a comprehensive and pragmatic international refugee resettlement and rights provision system. While it certainly has not been a perfect system, it demonstrates an operationalization of the greater international refugee rights regime (and the problems that can arise out of that).

The Nationalist-Populist Threat

A Nationalist Resurgence

While there do exist left-wing brands of populism such as that exemplified former U.S. Presidential candidate Bernie Sanders, or even the Syriza party in Greece, there has been a considerable rise in popularity and vocalization of right-wing populism in recent years. In the United States and Europe alike, this brand of populism has targeted immigrants, refugees, asylum seekers, and the general cultural and political "Other." I utilize an expanded version of the definition of populism provided by Cas Mudde in "The Populist Zeitgeist" (2004). In this, Mudde describes populism as "an ideology that considers society to be ultimately separated into two homogeneous and antagonistic groups, 'the pure people' versus 'the corrupt elite', and which argues that politics should be an expression of the *volonté générale* (general will) of the people" (543). I expand on this to not just include the corrupt elite, but also those others that are deemed as being the *impure* people of a society.

Furthermore, the concept of a combined “populist-nationalism” equates to populism as a subset of a broader nationalist ideology (López-Alves 2018, 22).

Immigrants have often been the scapegoat of choice for populists. It has not always been immigrants of color that are targeted by populists; in the mid-1800s Irish refugees were deemed an undesirable populace. Anti-German sentiment escalated dramatically with the beginning of World War I. In the 21st century, however, the anti-immigrant focus has been on Muslims (regardless of country of origin), asylum seekers, refugees, and other migrants from Central America, parts of Africa, and parts of the Middle East, all of which are groups for which NGOs have recently sought to provide services and to defend from various human rights abuses. However, what we are witnessing today is a global movement of nations closing off both their borders and societies to asylum-seekers and refugees.

Two prominent theories have emerged as the frontrunners for an explanation to this drastic increase in populism in the past decade. Between the *economic insecurity* thesis and the *cultural backlash* thesis, support is most evident for the latter. As Norris and Inglehart found, this new populism has grown out of a reaction and dissatisfaction to progressive and cosmopolitan cultural shifts (2016). This comes largely in the face of a perceived increase in immigration, as well as increases in the number of refugees and asylum-seekers entering, or attempting to enter, the United States and Europe. Even in the instance of economic insecurity, immigrants are blamed for stealing jobs, driving down wages, and increasing unemployment, while at the same time draining public welfare programs (Hogan and Haltiner 2015).

This backlash can be seen in a number of regions around the globe. It is clearly evident in the United States, the United Kingdom, Sweden, Italy, Australia, Hungary, and

more. It has resulted in human rights abuses, violence, and the rise of xenophobic rhetoric towards a variety of peoples. It has justified a resurgence in isolationism, the disregard for established international rules and norms, and a dangerous attack on the liberal international order that could have harmful repercussions for years to come. This new nationalist shift challenges liberalism and neoliberalism in some respects, while reinforcing it in others.

President Trump, for instance, has continued with neoliberal policies of deregulation, tax cuts for the wealthy, etc, within the U.S., while admonishing and threatening free trade and the free market internationally. However, this economic duality is not under examination in this paper. Rather, it is the antagonistic challenge to political and human rights that these populist-nationalist governments and parties are enacting. As such, it is important to look at the forms of resistance against this nationalist threat. While there are many aspects of civil society's challenge to the populist-nationalist challenge, I find that discussion of NGOs provides critical insight into this new shift of resistance.

It is important to lay out how the populist-nationalist shift is a systematic one. While Chapter 2 will provide a layered analysis of these shifts, here I will explain the various arenas that are experiencing changes and challenges in states across the globe. *Politically*, populist nationalism has done increasing damage to democracy and transparency within these states. Russian interference in support of the election of President Trump, along with Trump's own willingness to disregard this same interference, has led to a democratic crisis in the United States. In Hungary, Prime Minister Viktor Orban has methodically undermined checks and balances in the nation, along with centralizing control over the nation's media, all in an effort to cement nationalist control over the state (Kingsley 2018). *Culturally*, new populist-nationalist governments have employed rhetoric and values that oppose pluralism and

multiculturalism. They have used asylum-seekers and refugees as a means to sow social and cultural discord, which in turn provides the governments more opportunity to impose restrictive and xenophobic policies in the name of national defense. With respect to *international law*, populist-nationalist governments have ignored human rights requirements, the principle of cooperative burden sharing, and have issued policies that have both directly and indirectly resulted in protracted human rights abuses. A more detailed accounting of these policies and their results is provided in the following chapter, while Chapters 3 and 4 demonstrate how NGOs and civil society have changed in response to these systematic shifts.

The Cases of Analysis

There are several factors that contribute to the selection of the United States and Italy as the case studies for this paper. Both are representative of the greater populist-nationalist movement and both feature charismatic demagogues making influential policy decisions. As both states have pushed for a retraction from and downgrade of the liberal international order, they are prime examples to analyze further. Additionally, NGOs have played prominent roles in combating the xenophobic and detrimental policies of these states since they came to power. Together, these cases reflect the larger movement of populists in downgrading and undermining the liberal international order.

The United States

Donald Trump's campaign and presidency have operated on populist notions of isolationism, restrictive immigration policies, and xenophobia. This has led to several humanitarian and human rights abuses, such as the family separation policy at the United States-Mexico border. Furthermore, the decision to halt refugee admissions from Syria proved a critical blow to civil society operating within the U.S. itself. In general, the Trump

administration has completely dismissed and ignored the norms and rules governing the international refugee rights regime.

The Trump administration has threatened the LIO in a host of ways, including the the advocacy for other populist candidates and parties in Europe. As a result of these policies, many NGOs have had to react and restructure their operations in new ways. NGOs have fought back against harmful Trump policies at nearly every turn. This comes in spite of budget cuts and drastic reductions in admitted refugees and asylees. Examining these responses is critical in understanding the larger dynamics of global civil society attempting to uphold the LIO and refugee regime while it is under siege by the larger populist-national movement. The larger presence of humanitarian NGOs operating within and out of the United States also helps to make this a prime case for the topic of this thesis.

Italy

Italian Deputy Prime Minister and Minister of the Interior, Matteo Salvini has found much inspiration in Donald Trump and his populism, rhetoric, and policies. Salvini has even utilized former Chief Strategist for the Trump administration, Steve Bannon, as an advisor (Walt 2018). Additionally, Salvini and the League party have adopted a slogan which echoes that of the Trump movement, “Italians First.” More crucial, however, are the restrictive and abrasive policies and discourse Salvini and the League have implemented in Italy since coming to power. Their attacks on Muslims, migrants, and asylum-seekers run parallel to those of the Trump administration’s attacks on Syrian refugees and Central American asylum-seekers and migrants. At the same time, Italy is in the peculiar position of operating under European Union policies alongside national provisions. As I will demonstrate though, several of these European Union policies (such as the Dublin Agreement) have actually

contributed to the rise of the populist right in Italy and the country's move towards restrictive immigration and asylum policies.

As a critical entrypoint for asylum-seekers in Europe, Italy has been at the forefront of the refugee crisis since 2011. Subsequently, Italy has been a key base for NGOs providing aid to new arrivals, be it legal aid, food and shelter, education, and the ever important search and rescue missions in the Mediterranean Sea. In 2016, humanitarian NGOs were responsible for 26% of all rescues in the Mediterranean. However, since the League administration has come into power, NGO operations at sea have been restricted heavily and even criminalized for supposedly aiding and abetting human smuggling.

In summary, the United States and Italy prove to be pivotal cases in studying the greater trend moving away from the established liberal international order and towards a more nationalist one. Each state has acted to retract from the LIO and establish an isolationist form of nationalism with no regard for the tenets founded in the post-WWII international system. One of the most critical cases of this comes in the form of their assault on the refugee rights regime. As a result, humanitarian NGOs, operating under global civil society, have had to restructure, replan, and react to these destructive policies as a way to uphold human rights and, ultimately, to try and uphold the liberal international order as best they can.

Chapter 2: A Multilayered Challenge

“Give me your tired, your poor, Your huddled masses yearning to breathe free, The wretched refuse of your teeming shore. Send these, the homeless, tempest-tossed, to me:

I lift my lamp beside the golden door.”

- Inscription on the Statue of Liberty

“States in the world are like individuals in the state of nature. They are neither perfectly good nor are they controlled by law.”

- Kenneth Waltz, *Man, the State, and War*

Introduction

The previous chapter introduced the liberal international order and how civil society fits into this order. Also introduced was the rising populist challenge to these spheres. This chapter seeks to address two primary questions: How does the liberal international order and its refugee rights regime manifest at varying levels? How have recent populist-nationalist changes at each level challenged the LIO and the refugee rights regime? These questions contextualize the setting in which NGOs must now operate. Along with looking at the populist-nationalist movement on a more global level, this chapter demonstrates the various nationalist, anti-refugee policies put in place by the new governments in both the United States and Italy. These same sections will also show how these policies challenge and undermine the liberal international order and the preexisting refugee rights regime in the pursuit of a larger nationalist international order. Ultimately, this chapter will set the stage for examining how and why humanitarian NGOs have changed in the midst of these nationalist challenges.

An International Perspective

Post-War System

While the initial seeds for the liberal international order sprouted after the end of World War II, they did not fully take root of the international system until decades later. The evolution of the post-war liberal system was elucidated in Chapter 1, and thus this section will primarily focus on the growing challenges to this historical system. Immanuel Wallerstein argued that the liberal-order had eroded in the 1990s (1993). The principal factors Wallerstein cites as challenging the U.S.-led world order originated solely from outside the United States itself; the rejection of the world order by states such as Iran, the attempts to challenge the military dominance of the “North” by actors such as Saddam Hussein, and the large shift of migration from the global South to the global North (5). During this same time when the United States’ dominance in the international system was declining, the European Union was nearing its cumulative formation and demonstrating a continued commitment to the liberal international order. From a U.S.-liberal order perspective, Wallerstein was correct that that era was coming to an end. However, it was certainly not a global end to liberal values. I contend that this is the case now, however, as a truly global shift towards populist-nationalism in place of the liberal international order is in mid-swing.

Nationalist Shift

The rise of right wing, nationalist, illiberal movements is now global. While the primary focus in this paper is on the United States and Italy, it is important to discuss here how these two cases are part of a much larger trend. The liberal international order is being challenged in each quadrasphere of the world. In the United States, Europe, Australia, and

Brazil, among many more countries, a specific type of populist-nationalist force has taken root. There are similarities in each case: nativism, isolationism, and a discontent with the benefits and costs of their respective place in the world order. Strongman politics are triumphing, scapegoating others for support of a specific in-group. As Kenneth Roth writes, they “treat rights as an impediment to their conception of the majority will, a needless obstacle to defending the nation from perceived threats and evils” (2017). For Roth, the global rise of populism signals a dangerous challenge to the human rights regime.

Populism itself is not new, nor does it consist of a singular type. The right-wing, authoritarian, often xenophobic populism that I discuss in this paper differs widely from the populism that arose in parts of Latin America. It is not a bottom-up movement. Rather, it is a movement which claims to represent the “everyday” nationals in a state and utilizes various scapegoats as a method to implement restrictionist policies (Aydın-Düzgit and Keyman 2017). The contemporary populism taking root in the United States, Europe, and several other states globally is an exclusionary type, as identified by Mudde and Kaltwasser (2013). That is to say, while right-wing populists can be seen as politically inclusive due to their advocacy of a “silent majority,” they most often promote the exclusion of non-natives as a means to solve the political and economic problems of their base (163).

States are turning inward, even while continuing to manage diplomatic and political relations internationally. This comes at a time where global challenges are more dire than ever. Climate change, pollution, population increase, substance abuse crises, displaced persons - all of these are global issues that require global solutions. States are now rejecting their parts in solving these critical collective action problems. As the U.N. Secretary General Antonio Guterres stated in a 2018 speech, “Challenges are growing outward, while many

people are turning inward. Multilateralism is under fire precisely when we need it most.” What does this mean for the international order and the refugee rights regime moving forward? I contend that the answer to this question depends on what unfolds within each region in the coming years, and the shifting roles of the EU, states, political parties—and civil society.

A European Perspective

Post-War System

While the European Union did not arise immediately in the aftermath of World War II, the foundations of it did, and not merely the principles guiding the creation of the United Nations. The economic integrative system that arose in the post-war era continued to expand as the decades went on, though this was not necessarily a smooth and linear growth. While the historical starting point of the creation of what is now the European Union was economically (neo)liberal, the formal creation of the European Union established a more interconnected and cooperative political realm of operation. This process brought forth the liberal international principles of interdependence. As part of this, and particularly in response to the Syrian refugee crisis of 2011, the European Union and its members have had this political coordination tested heavily.

The decades long process of creating the European Union was both politically and economically motivated. Even under the initial formations of the European Coal and Steel Community (ECSC) established by the 1951 Treaty of Paris, the goal was to prevent future war through economic integration and diplomatic stability. This trend continued with the Treaty of Rome in 1957, which turned the ECSC into the European Economic Community (EEC). One vital development that occurred during the time of the EEC was the

establishment of free movement and flow of goods among member states as part of the 1985 Schengen Agreement. The Schengen Area has been a key area of dispute and controversy in light of the refugee crisis. After the EEC, the 1992 Maastricht Treaty took the European project out of its formal bounds of economic policy and began the process of creating a three-pillared European Union of economic, foreign, and security policymaking.

Thomas (2017) identifies four distinct periods of EU membership norms and values: from a Europe of non-communist states from 1957 to 1961, to a Europe of non-communist parliamentary democracies from 1962 to 1969, to a Europe of liberal democracies from 1970 to 2005, and to an uncertain Europe thereafter. In spite of a consistent presence of human rights requirements in many of the integrative steps the EU took across these periods, Thomas argues that membership norms had little to do with respect for human rights (236). While Thomas' claim rests in the evolution of membership norms across the years, Manners (2008) insists that human rights have been one of nine normative principles promoted *in practice* by the European Union. These nine principles, including democracy, freedom, and social solidarity, and characteristic values of the liberal international order.

The start of the European process to create distinctive human rights guidelines began with the 1950 European Convention on Human Rights, which followed the post-World War II efforts to create an international understanding of human rights obligations. Among its eighteen articles include the right to life, the right to freedom from discrimination, and the requirement of states to prescribe these rights to everyone under their jurisdiction. Perhaps the most important aspect of this convention is the establishment of the European Court of Human Rights, which has made judgements on over 20,000 cases, with 40% of these cases

concerning Turkey, Italy, and the Russian Federation (“Overview”). This was only the beginning of a collective move towards a regional human rights regime.

When the European Union formally came into being, it created a regional asylum framework in order to standardize asylum procedures among member states. The Common European Asylum System (CEAS) is comprised of a series of Directives and Regulations pertaining to the European refugee regime. These include the Asylum Procedures Directive, the Reception Conditions Directive and Qualification Directive, the Dublin Regulation, and the Eurodac Regulation. The Eurodac Regulation goes hand-in-hand with the Dublin Regulation.

Eurodac established an EU-wide database to hold fingerprint records. These fingerprint records are used to determine the party member responsible for examining an asylum claim, provided that an applicant attempts to apply in a nation other than the one in which their fingerprints are first registered. While the system was originally set up in 2003 to only be used for asylum purposes, its mandate has been expanded since then. For instance, the European Union Agency for Law Enforcement Cooperation (Europol), can now access the database to compare fingerprints in criminal investigations. Together, the Asylum Procedures, Reception Conditions, and Qualification Directives detail the full process of and standards for the asylum application bureaucratic process. These standards also provide for access to safe and reliable living conditions while an application is being processed. Additionally, it speaks on the obligatory principle of *non-refoulement*. Unfortunately, what the standards prescribe and how they are implemented have not always been the same since the refugee crisis began.

One of the most important asylum procedures to analyze is the Dublin Regulation, which has gone through three iterations in its lifespan. The first came in 1990, while the second and third came in 2003 and 2013. The primary goal of the Regulation is to provide for a common set of guidelines among European nations in regard to handling asylum claims. As a result, the members would be able to quickly determine which member state is responsible for adjudicating an asylum claim. While the Dublin Convention was originally established in 1990, it did not come into force until seven years later. The main change that occurred between each version was an expansion of membership; the original Dublin Convention had only 12 signatories, the subsequent Dublin II and Dublin III Regulations came to include all EU members (except Denmark), with additional agreements working to include Switzerland, Liechtenstein, Norway, and Sweden as well.

The core principle of the Dublin Regulation is that the nation responsible for handling an asylum claim is the nation in which the asylum applicant first entered. This country is then responsible for examining the application. If an applicant applies for a nation in which they did not first set foot, they would be returned to the nation in which they first entered the EU in order to complete their claim. The necessity for this regulation stems from the EU's Schengen Agreement, which provides for open borders and travel between the majority of European Union members. The creation of the Schengen Area was vital in the integrative process of the European Union, as open borders fostered interstate travel, commerce, and labor between countries. However, the lack of internal borders led to the creation of a singular external border for which the EU was now at least partially responsible. The Dublin Regulation was supposed to equitably distribute asylum responsibility among member states. This was not always equitable, however.

With the documented flows of Syrian refugees, the countries most often entered first are Greece and Italy. As a result of their geographic location, a disproportionate share of bureaucratic burden is placed on their shoulders. In this instance, the outsourcing of refugee responsibility is not shifted from the EU to outside countries, but rather it is outsourced within its own members. Germany disrupted the Dublin Regulation process in 2015 by voluntarily taking in refugees from Italy and Greece, among other countries. The inability to effectively coordinate and respond to the increased arrivals of refugees and irregular migrants signalled the start of the refugee crisis, also known as the Schengen Crisis, as the Schengen Area allowed refugees to move throughout Europe with little formal control.

Unlike the Eurozone Crisis that began in 2008, the Schengen Crisis marked a shift in European identity politics characterized by the rise of right-wing Euroscepticism and the issue of border controls. The initiative to establish a “Fortress Europe” became a key policy point among those opposed to accepting this new influx of refugees. While the Eurozone Crisis resulted in an increased integrative process, the results of the Schengen Crisis have downgraded this process and undermined European cohesion (Börzel and Risse 2018). For example, the Schengen Crisis was a central factor in the Brexit vote. This came in part from the perceived necessity to retake control of the U.K.’s borders, but also due to a perceived economic threat. In fact, Great Britain had the fourth highest perception of migrants as a socio-economic threat among 47 European countries (Marozzi 2015).

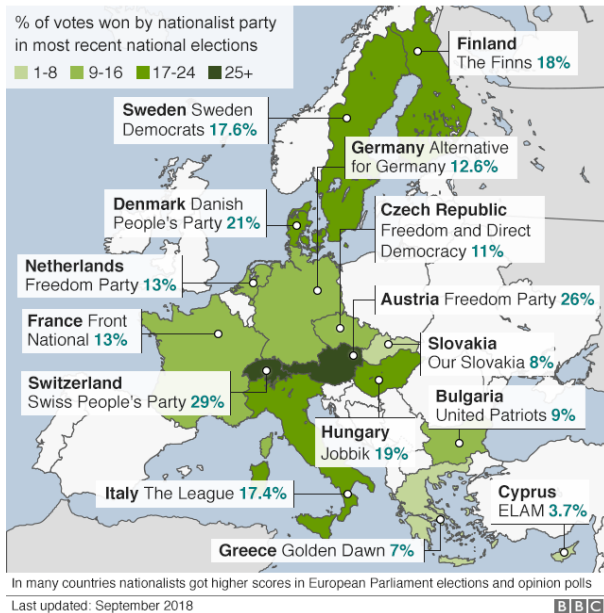
As the crisis continued, many states began to defect or challenge the European Union’s established asylum framework. While there are undoubtedly valid criticisms of the system, a variety of state governments and political parties expressed their discontent with a more xenophobic and racially charged rhetoric. Several states, such as Hungary, Poland, and

now Italy, have taken this rhetoric and turned it into policy, often at the expense of asylum-seekers. The following section will cover this challenge to the system in more detail.

Nationalist Shift

Scholars have written on the rise and (non)threat of European populism long before the contemporary refugee crisis began (Ivarsflaten 2007; Rupnick 2007; Oesch 2008). Even in the early 2000s many Europeans feared the threats of an Islamization of Europe and being left behind by globalization (Moïsi 2007). While formerly the populist focus was on the economic liberalism characteristic of the European Union, it has shifted now to border security, religion, and cultural grievances. Since the beginning of the refugee crisis, the European Union has seen the rise of populist parties in Western Europe. The refugee and migration crisis only exacerbated pre-existing worries for Europeans and permitted populists to capitalize on these fears.

Rise of nationalism in Europe



This new trend has created far-right, nationalist, populist forces in not only Eastern Europe, but Western Europe as well. The map adjacent demonstrates the widespread support such populist parties that press for anti-immigrant policies have throughout Europe as of late 2018. These parties have been steadily gaining support over the past several years, leading up to the control of some governments such as Italy.

Perhaps the most dramatic rises in support have come in Italy, Sweden, and Germany.

Populist control in Hungary and Poland is not new, though leaders such as Viktor Orbán of Hungary have inspired and allied with populist leaders in Western Europe. In early 2019, the new Italian government allied with Orbán's populist government in Hungary as well as with Poland's populist government to form an "anti-migration front" (Tondo 2018). This illiberal shift is distinctively focused on migration and the refugee crisis. This populist front has called for a "European Spring" to challenge German Chancellor Angela Merkel and French President Emmanuel Macron, whose parties are calling for a stronger and more unified European Union at a time where it is being challenged and weakened on multiple fronts (Walker 2019).

In the case of the United Kingdom, discontent with the European Union, its economics, and its refugee and migratory policies led to the pursuit of withdrawal from the European Union. Though the process has staggered since it began in mid-2016, the British exit from the EU has inspired similar conversations and dissent elsewhere. Only recently did the Swedish Democrats remove their call for a Swedish withdrawal from their party platform. The League in Italy has claimed they would push for an Italian exit unless there is an increase in populist parties within the EU's government, though Salvini himself has contested this. Brexit has shown the consequences of attempting to leave the EU, though domestic political challenges are also to blame. At the same time however, grievances towards EU policy still exist, and the liberal international/regional order of which it is so intricately a part is being undermined.

How has EU policy failed, though? One could devote an entire paper to analyzing the European Union's entire response to the refugee crisis over the past decade. One critical failure was the establishment of the Relocation Programme, created in September of 2015 in

order to ease pressures on Italy and Greece. The Programme was set to relocate 160,000 asylum seekers. A European Commission report published in May of 2018 revealed that only 35,000 had been relocated to participating member states (“Relocation of Asylum Seekers”). Part of the failure came due to a refusal to accept any refugees by states such as Poland, Hungary, Denmark, and the United Kingdom. This failure to equitably relocate refugees shows the limits of EU integration and cooperation, a contributing factor in the rise of right-wing populism and Euroscepticism, particularly in Italy. The May 2019 parliamentary elections in the EU proved beneficial to Europe’s populists, and as a result could effectively paralyze further resolutions and changes to resettlement and asylum policy from taking place, putting the EU in a deadlock (Traub 2019).

The concerns about refugees, security, and migration have all challenged the foundational beliefs and hallmarks of European integration. Specifically, these have raised questions over the Schengen Zone and freedom of movement between member countries. In turn, this crisis has driven increased distrust in Europe’s integrative process and ability to successfully mitigate problems (Van Meurs et al 2018, 264). A lack of trust in the EU’s liberal institutions has directly contributed to the rise in nationalist and more isolationist beliefs. As more populist parties come to power in EU member states, the more its institutions will be targeted. While one can only speculate what policy shifts would take place in that instance, more restrictive and damaging refugee and asylum policies are likely a safe assumption. The challenges to the European Union are a challenge to the liberal international order on the whole. The EU is a key site to see the refugee rights regime unfold on the ground. This is why it is critical to examine how humanitarian NGOs are working to protect refugee rights on the ground, with Italy being a prime case of analysis.

An Italian Perspective

Post-War System

The Republic of Italy as we know it today largely came into being as a direct result of World War II and its end. As the new liberal international order emerged out of 1945, Italy was experiencing several national challenges while also trying to situate itself within the new international system. Namely, its economy was in shambles and the country was still divided among those who supported Mussolini's regime and those who opposed it (Andreatta 2001). Furthermore, a narrow national referendum abolished the monarchy and the Kingdom of Italy, turning it into a democratic, parliamentary republic.

Within the post-war international institutions that arose, Italy was a large proponent. It has supported the enlargement of NATO, the creation of a more involved, rotating group of seats for the United Nations Security Council, and has regularly been the top European provider of troops for European peacekeeping missions (Andreatta 2001, 55-56).

Historically, Italian national law has functioned in line with international treaties and laws. Italy has adhered to the Universal Declaration of Human Rights and ratified the UN Convention Relating to the Status of Refugees. Its Constitution also provides for the right of individuals to seek asylum. Thus, Italy has also acted to integrate itself legally in compliance with the norms and values central to the liberal international order.

From the beginning of the processes of both international and European integration, Italy has been most often a staunch supporter and willing participant. While the nation was eager to join the European Union, disagreements among members states about the structure of union, issues surrounding fiscal reform necessary to join the single currency market, and inconsistent government policies in regard to joining the EU all made for greater discontent

with the project (Daniels 1998). Nevertheless, Italy underwent an intensive structural adjustment program in order to join the eurozone at its inception, showing a strong desire to avoid isolation, economic and otherwise, from the rest of Europe (Mancini 2009). I mention all of this to show that Italy in the postwar system has frequently been an advocate for liberal international values. This has been promoted further by many of the major Italian politicians of the last several decades, namely Romano Prodi, Silvio Berlusconi, and Matteo Renzi, though their support was not necessarily without any criticism of liberal international institutions.

On the other hand, Italian political and economic institutions are quite weak. The coalition style of governance in the Italian political system has led to 66 unique governments since 1946, or an average of a new government after every year and a month (J.P.P 2013). While Italy was successfully integrated into the eurozone at its inception, the Italian economy has struggled. In recent years, Italy has possessed the 3rd largest unemployment rate in the EU (second only to Greece and Spain), while also experiencing the lowest economic growth in all of the eurozone and EU (Cameron 2018). These economic concerns are only part of what led to the results of the 2018 Italian general election and the creation of a Eurosceptic coalition government between the League party and the Five Star Movement. These economic woes, feelings of abandonment by the EU in regard to the recent migrant and refugee crisis, and new cultural rifts, have all contributed to the rise in popularity of this right-wing, populist coalition which is now challenging the liberal international and European orders.

While the Five Star Movement is equally a part of the coalition government, the focus in this paper is on the leadership and policies spearheaded by the League and its members,

particularly Salvini. Both the League and the Five Star Movement can be typed as populist and going against the status quo (Ivaldi et al 2017). However, the League is consistently more xenophobic and anti-migrant/refugee, thus making it more important for analyzing the effects on NGO operations in Italy and the Mediterranean.

Nationalist Shift

The League, formerly referred to as the Northern League, has gone through several directional shifts before coming to power in Italy in 2018. The original party name established in the late 1980s was actually Northern League for the Independence of Padania, advocating for the creation of a separate state in the north of Italy. From its original goal of the creation of two independent Italian states, to current criticisms of the European Union, the League has been a separatist, populist movement at its very core.

Salvini's leadership of the League has directly echoed the Trump movement in the United States. Running on slogans such as *Prima gli italiani* (Italians First) and *Roma ladrona* (Rome the thief!), across its history the League has distinguished itself as a populist movement for both northern Italians and Italy on the whole. While previously the vitriol was directed against the elites of Rome, the focus has turned to the elites of Brussels (Brunazzo and Gilbert 2017). Salvini's populist support for Italians comes in contrast to his attacks on North African migrants, Syrian refugees, and Muslims in general. Salvini and Trump endorsed one another during their respective campaigns, and Salvini has often referred to Trump administration policies as an inspiration for his own immigration policy, such as in this post on Twitter: "What @POTUS is doing on the other side of the ocean, I'd like it done in Italy. An invasion is underway, it needs to be blocked. #Trump."

The League has made rightful criticism of EU policies towards the Syrian refugee and migrants crisis, some of which have left Italy struggling. In spite of recent efforts by the EU to better redistribute refugees from Italy, the League and Salvini have decided to close Italian ports and borders. While Salvini himself has defended his diatribes as being directed at *economic migrants*, not refugees, the policies his administration has enacted since coming into power have shown otherwise. These actions have begun to further dismantle both the international and European refugee rights regime. As a result, NGOs operating in Italy and the Mediterranean have had to alter their operations in order to protect refugees and save lives.

Thus far I have only mentioned the rhetoric and ideological backings to the League and its policies. Now I move on to answer the real question: how has Salvini and the new administration harmed the refugee rights regime? There are several specific instances that contribute to a greater movement towards undermining the refugee system, all of which occurred during the first year of the administration's governance.

One of the League's biggest policy moves thus far is the creation of the "Salvini decree," formally known as the Decree-Law on Immigration and Security, which has revoked the issuing of humanitarian asylum permits. As part of this, the administration has begun closing down asylum reception and processing centers across the country, forcing many into homelessness while relocating others with little to no notice or indication of where they will be heading (Tondo and Giuffrida 2018a). A particularly striking quote came from a staff member who previously worked at an asylum center in Castelnuovo di Porto, Italy's second largest center. The worker stated that "At the end of the day, this shows that in Italy welfare is done by citizens, not the government" (Giuffrida 2019b) This statement demonstrates how

the importance of civil society and NGOs has grown even further under the League administration.

While Salvini's concerns over the volume of irregular or illegal migrants into Italy can be seen as legitimate, he has shown on multiple occasions that he is not as supportive of "real" refugees as he has claimed at times. In October of 2018, Salvini stated that Italy "won't be considered a refugee camp anymore" ("The Latest: Italian Minister"). Like the previously cited Tweet, this comment demonstrates that Salvini views refugees in general as detrimental and deteriorating to Italy and Italian society. While Salvini has claimed he is welcoming of those seeking refuge from war and terror, he has repeatedly taken actions to prevent that from happening (Scherer 2018). For example, and as I will discuss in much further detail in Chapter 4, Salvini and the League administration have recently blocked efforts of humanitarian NGOs to dock in Italian ports after rescuing migrants in the Mediterranean.

Since January of 2018, Syrians account for approximately 9%, or the fourth most overall, of all sea arrivals across the Mediterranean. While the overall numbers of Syrian arrivals have shrunk in comparison to other Sub-Saharan nationalities, the still substantive number of arrivals shows that the central route continues to be a utilized strategy of arrival for asylum-seekers. Since the beginning of the Mediterranean crisis, the percentage of those dead or missing on the Mediterranean route has actually increased. According to the UNHCR Mediterranean Situation Sea Arrivals data, 2015 witnessed the largest number of arrivals at just over one million, with 0.36% dead or missing relative to the total number of arrivals. That ratio currently sits at 2.4%, the highest it has ever been ("UNHCR Mediterranean Situation"). Thus, to close off ports completely and refuse to even process or review potential

asylum claims, while at the same time dismissing and attacking NGOs doing this same kind of work, is a dangerous venture.

These restrictions on NGO vessels also comes as the League administration pursues continued relations with Libya and the Libyan coastguard in order to combat boats from departing in the first place. The deal made between the Italian government, the EU, and Libya to limit Mediterranean crossings came before the League's rise to governance. This agreement enabled the Libyan coastguard to intercept boats and return migrants and potential asylum-seekers back to Libya. Were an EU vessel to do the same, it would be in violation of the principle of *non-refoulement*. To return someone to a state where many migrants have experienced violence, rape, and torture is in direct violation of international law (Tondo and Giuffrida 2018b). Outsourcing the responsibility to Libyan ships has circumvented these consequences and the international obligation to protect people from returning to states where their lives are in danger. The situation is undoubtedly complex. Part of the reason for its inception was the result of the Dublin Regulation and failed Relocation Programme, though that does not excuse the violation of international law. Restricting NGO operations at sea has only exacerbated the problem. In the following chapters, I will demonstrate how NGOs have altered their operations and strategies in protecting human rights in response to the populist challenges covered in this chapter.

A United States Perspective

Post-War System

Chapter 1 touched on the United States' role in crafting the liberal international order and the ways in which the U.S. has also exempted itself from its own creation since the end of World War II. From the multipolarity of the war itself, to the bipolar system of the Cold

War era, to American hegemony of the late 20th century and early 21st century, the United States has been a major power in the international system. Prominent research on the subject in recent years has focused on whether or not the “American century” is over, as Joseph Nye put it in his 2015 book. Scholarship has focused on the challenge of China to the system and whether the liberal order can survive without U.S. hegemony, as well as whether or not populism will triumph over globalization (Deudney and Ikenberry 1999; Ikenberry 2008; Schweller and Pu 2011; Nye Jr. 2017). Challenges to U.S.-led liberal international order are not new by any means. Rising global populism is only one of the newer challenges. Other contending factors are the rise of India, China, and Brazil, regional blocs, and alternative spheres of influence that exist outside of the West’s liberal international model (Ikenberry 2011). This decline in U.S. power in the international sphere undoubtedly contributed to the resurgence of populist-nationalism and its recent popularity. To “Make America Great Again” means to turn back time to the height of American power and the supposed American century.

Nationalist Shift

In the buildup to the 2016 Presidential election, the topics of both legal and illegal immigration became particularly salient among candidates and the American public alike. A 2016 study revealed that immigration was considered a “very important” voting factor by 70% of the electorate. Conversely, past versions of this survey showed that the importance of immigration among presidential election voters was only 54% in 2008 and 41% in 2012 (“2016 Campaign” 34). The debates over immigration and refugees cover a variety of questions that include “How many should we let in?”, “What preventative methods should we use?”, and “What is the inherent worth of immigrants/refugees?” The answers to each of

these are heavily split among partisan lines. This is not just the case in the United States, but throughout Europe as well.

The uptick in importance of immigration comes in the midst of the Syrian refugee crisis. The United States' geographic isolation from the Middle East and Europe has made the crisis less present here. Nevertheless, in both Europe and the United States one of the most common responses to the Syrian refugee crisis and unauthorized immigration in general has been a drastic upsurge in support of right-wing, populist parties. The Trump campaign's forefront slogan of "America First" signalled a supposed rescission from world affairs, backing away from the liberal international order in order to prioritize the needs of the United States.

Throughout the presidential campaign and continuing into his presidency, Trump has created scapegoats and constructed them as threatening the livelihoods of his base, of "the American people." These scapegoats have come in many forms; Mexican immigrants, Muslims, Syrian refugees, Central American asylum seekers. As his presidency has shown, this scapegoating has been more than just rhetoric. Trump and his administration have systematically attacked these groups and worked to deprive them of rights that are protected by international humanitarian agreements and norms.

Looking back at the Syrian refugee crisis, one of Trump's first actions in office was issuing an executive order effectively banning the admission of refugees from Syria and other Muslim-majority countries. While Syrian refugee admissions were to be blocked *ad infinitum*, admissions from Iran, Iraq, Libya, Somalia, Sudan, and Yemen were suspended for an initial period of 90 days. This executive order was forced to go through several iterations before being upheld by the Supreme Court in June of 2018, nearly a year and a half after the

first version was published. The executive order was rampant with Islamophobia from the start, a sentiment much of Trump's base seemed to reflect. A 2017 study by Baylor University revealed that 74% of Trump supporters viewed Islam as a threat, while 81% "strongly agreed" that refugees from the Middle East posed a significant terror threat. More in tune with Trump's populism, 72% of his supporters believed that the United States should be a "strong Christian nation." This concoction of beliefs, if held to be true, makes for a higher chance of human rights abuses and violations directed at those who practice Islam.

The ban violates a host of protections of freedom from discrimination, even United States law. The 1965 Immigration and Nationality Act was explicitly designed with establishing a protection from discrimination. As Representative Philip Burton stated to Congress during the drafting of this Act, at its core was the effort to "eliminate discrimination in immigration to this nation composed of the descendants of immigrants." Furthermore, a federal court ruled that the initial enactments of the travel ban were unconstitutional as it discriminates against people based on religion. President Trump's previous remarks against Muslims were cited as evidence in the ruling (Lavoie 2018). A third version of the ban, which also restricted travel from Venezuela and North Korea, was eventually passed through the Supreme Court with a 5-4 vote. In spite of this, the previous versions demonstrate the administration's carelessness towards violating established human rights protections. In mid-2018 this would become abundantly clear with the Trump administration's new policy at the U.S.-Mexico border.

One of the policies that has received the most backlash under the Trump administration is the systematic process of family separation for migrant and asylum-seeking families that crossed the southern border. The separations come as part of a "No Tolerance"

standpoint on border crossings, meaning that everyone crossing “illegally” will be federally prosecuted. During this litigation period, parents and their children have been separated and detained in different facilities. A lack of information has led to parents and children not knowing where or when they would see one another again. In regard to the policy, former Attorney General Jeff Sessions stated that “If you cross this border unlawfully, then we will prosecute you. It’s that simple” (Jenkins 2018). However, the reality of the situation is far from simple.

The position that the Trump administration is taking is fundamentally saying that even asylum seekers crossing the border are breaking the law. In opposition to this claim lies a host of international humanitarian provisions. Article 13.2 of the Universal Declaration of Human Rights prescribes the right to leave any country, including but not limited to one’s own country, and also includes the right to return to one’s own country. Implicit in this article is the right to enter a different country from the one an individual is leaving. Of course, the United Nations is not advocating here for a global open border policy, but rather the inherent right to not be criminalized for seeking refuge in another nation.

The crux of the issue is the Trump administration’s decision to change the application of existing immigration law. The Obama administration also separated families, but this was primarily in the instances that officials had reason to doubt the veracity of the familial relationship and needed to ensure the child or children were not being trafficked. Previously however, there did not exist a separation policy on the scale that the Trump administration is currently operating. What has changed is that while families seeking asylum were previously released from federal custody and their cases were reviewed in the civil court system, the parents are now being detained and prosecuted in criminal courts first while the children are

placed into the resettlement process as if they were now unaccompanied minors (Rizzo 2018).

This policy has led to a host of human rights violations, particularly of the Convention on the Rights of the Child. Articles 7, 8, and 9 protect a child's right "to know and be cared for by his or her parents," "to preserve his or her identity, including...family relations as recognized by law without unlawful interference," and "to not be separated from his or her parents against their will," respectively. While Article 9 states that children may be separated from their parents in exceptional circumstances, they must still be allowed to "maintain personal relations and direct contact with both parents on a regular basis..." and must also be provided information on the parent's whereabouts. The Trump administration violated these provisions specifically by failing to keep parents and children alike aware of one another's location and situation. Furthermore, the administration failed to reunite families in a timely manner, at times deferring to NGOs in order to find missing family members, as I will discuss in a later chapter (Pyati 2018).

While the U.S. signed but did not ratify the Convention on the Rights of the Child (making it the only United Nations member to not ratify), Article 18 of the Vienna Convention on the Law of Treaties binds states to "refrain from acts which would defeat the object and purpose of a treaty." Again, while the United States is only a signatory to the Vienna Convention, it later admitted that it views the treaty as binding via customary law. Additionally, with the Convention on the Rights of the Child having a 99.5% ratification rate it is effectively the highest instance of *jus cogens*, making the United States' abstention from ratification void.

Months after the initial backlash in regard to the family separation policy, the Trump administration continued its systematic attacks on migrants and asylum seekers coming from the Northern Triangle. Trump has made two key moves in response to one particular migrant “caravan” that began their journey northward on October 12th, 2018. This group of migrants fled Honduras primarily due to gang violence and significant levels of poverty. The group started out with just over one hundred members, but swelled quickly in the days after the initial group left El Salvador. As of November the caravan was estimated to contain nearly 5,000 migrants and asylum seekers from the Northern Triangle, whose stories, needs, and reasons for fleeing are by no means uniform (“Migrant Caravan”).

Throughout the period in which the caravan was in the public spotlight, the common thread in the Trump administration’s responses was deterrence. This began with the deployment of nearly 7,000 United States troops to the border in order to meet the migrants at non-ports of entry (Youssef and Caldwell 2018). The journey to a U.S. port of entry such as San Ysidro, California, would lengthen the trip for the caravan, making it more likely that many will arrive at the U.S. border in Arizona or Texas.

The most brash move made by the Trump administration came soon after the asylum-seeking group began their journey through Mexico. On November 9th, President Trump issued a proclamation denying these asylum-seekers the right to enter through non-ports of entry in order to establish a claim for asylum. Furthermore, any who cross into the U.S. via non-ports of entry are immediately deemed ineligible for asylum, even if they would be eligible otherwise. The proclamation also states that a third-country agreement will be sought in order to effectively outsource responsibility to Mexico, a move which would not be the first in the United States’ immigration policy history. Even during the Obama administration,

the government worked with Mexico to stem the flow of immigration from Central America. By assisting with Mexico's own immigration efforts, the U.S. *de facto* extends its southern border to that of Mexico's own southern border. These are some of the primary efforts that the administration has taken to increase deterrence.

As a result of these policy overhauls and attacks on refugees and asylum seekers, humanitarian NGOs have had to fill in the gaps made by the Trump administration in order to best provide services for these individuals. In both the Syrian refugee context and the Northern Triangle context, NGOs have come to play critical roles in attempting to ensure that human rights and the greater human rights regime prevails. The following chapters will serve to demonstrate how NGOs in both the United States and Italy have responded to these populist-nationalist challenges in order to uphold the LIO's refugee rights regime to the best of their ability.

Part of the Trump administration's reasoning behind its own attacks on the United States' resettlement process is the increasing backlog of asylum applications. Since late 2017, the backlog of applications has increased by 26%. A March, 2019 memorandum by the Trump administration stated that new changes would be put in place to "strengthen asylum procedures to safeguard our system against rampant abuse of our asylum process." This has included the implementation of application fees for both the asylum-seeking process and for their work visa application. While the memo did call for existing cases to be settled within 180 days, on the whole it is only a continuation of the Trump administration's tactics of denying access to the system as much as possible (Kanno-Youngs and Dickerson 2019). However, at the same time they are criticizing the backlog, the administration is making policy moves that only increase it and slow down processing times. In March of 2019, the

Trump administration announced that it would be shutting down all 23 United States Citizenship and Immigration Services international field offices, which operate across 20 different countries, including El Salvador, Guatemala, and Honduras. Among other responsibilities these field offices, provide a local point of access for refugee applications and family reunification petitions. While USCIS and the Trump administration state that the effort will help to decrease the backlog in applications, others are more critical. Sarah Pierce, a policy analyst from the Migration Policy Institute, claims that "It's yet another step that USCIS has taken that slows the processing of refugee applications and will slow customer service in general," and that a slowdown of processing could lead to more calls for reductions in the refugee cap in future years (Romo and Rose 2019). In sum, it creates a self-fulfilling prophecy of refugee admissions and bureaucratic slog.

Chapter 3: The NGO Resistance in the United States

“Is the liberal international order dead? No. Is it under threat? Yes. Is it under threat from without as well as within? Yes. Does it need to be fought for? Yes.”

- David Miliband, President of the International Rescue Committee

“Of course there are days no migrant dies – and other days when hundreds do. Nonetheless, it’s time to stop counting and start changing, beginning with the way we manage migration worldwide.”

- William Lacy Swing, General Director of the International Organization for Migration

Introduction

The previous chapters outlined the context under which humanitarian NGOs are now operating, not only globally but within states as well. In the case of the United States, the Trump administration has drastically undermined the refugee rights regime. This administration has set the lowest refugee admission ceiling and the lowest number of refugees admitted in the past 40 years. In 2018 the administration saw the third lowest admissions-to-ceiling ratio, ranked only behind the two years following the September 11th, 2001 attacks (“U.S. Annual Refugee”). Rights are being revoked and responsibilities ignored. This chapter is the first of two parts in answering how NGOs have responded to these challenges, when they themselves are also being opposed by the Trump administration. Additionally, this chapter seeks to address how these changes in NGOs are affecting the broader dynamics of civil society at large in the 21st century.

NGOs in U.S. History

The existence of non-governmental organizations dates back to as late as the 18th century. In the United States, one of the earliest humanitarian NGOs was the Pennsylvania Society for Promoting the Abolition of Slavery, which was founded in 1775 (Charnovitz

1996, 191). While there is much debate as to when the modern era of (I)NGOs began, one of the simplest starting points would be 1945. It was in this year that the United Nations was founded. Article 71 of the UN Charter formally provided for cooperation and consultation between the UN and non-governmental organizations. This article explicitly validated the role of these organizations around the world as an important part of civil society. Operating in this system, NGOs can play a unique role as “the closest approximation to direct popular participation in the intergovernmental machinery” (“General Review”). Since their formalization in the international system, NGOs have been at the forefront of combating human rights abuse, providing aid to those in emergencies, and raising awareness of the abuses around the globe. These operations remain the core pillars of humanitarian NGO work today.

Towards the end of the 20th century, NGOs began to put an increasing amount of resources and effort into advocacy. By 2000, the number of NGOs that recognized advocacy as a key endeavor in pursuit of their objectives, the more directed attention given to advocacy programs, and the increase in NGO leadership specializing in advocacy all demonstrated an “increased strategic priority to be given to advocacy” (Anderson 2000, 449). The focus became a normative one: to raise awareness of certain issues, admonish rights abusers, and promote humane solutions. In this respect, NGOs have largely been rights *promoters* since the 1990s and early 2000s. Historically, NGOs have endorsed liberal values through *informal* methods of condemnation and repercussions.

NGOs have been the bearers of transnational civic identities within global governance. They themselves are shifting their roles within the global order as part of their reactions to these migration and humanitarian crises. While previously the power of NGOs

has been discursive and normative, this power dynamic is now shifting to one where NGOs are actively providing services and rights alongside their advocacy and norm promotion. However, these actions themselves *are* a form of advocacy and norm promotion. In sum, there is a shift occurring within the core of civil society.

NGOs also serve their role as advocates by amplifying domestic claims and pressuring foreign states and IGOs to take action (Keck and Sikkink 2014). Humanitarian NGOs will often act to make sure the promotion of and agreement to human rights provisions is more than mere lip service. Previously, the power of NGOs stemmed primarily “from the ability to highlight deviations from deeply held norms of appropriate behavior” (Snyder 2009). These actions by humanitarian organizations reflect an internalization of the very norms themselves, and in turn their promotion helps to serve a greater acceptance of these norms as binding. In spite of the desire by many for NGOs to remain apolitical, this form of “socialization” in which civil society organizations pressure states to protect and enforce human rights practices is inherently political (Risse and Sikkink 1999).

The Trump administration, as demonstrated in Chapter 2, has posed a grave threat to the liberal international order and to liberal values within the United States itself. This administration has systematically undermined the refugee rights regime, targeting the most vulnerable populations, increasing bureaucratic slowdown, revoking asylum rights, and attacking humanitarian NGOs attempting to protect human rights. As a result, NGOs operating within the United States have responded in a variety of ways in order to protect themselves, liberal values, and refugees and asylum-seekers.

NGOs and the U.S. Nationalist Challenge

I identify one major shift and three minor shifts in NGO operations that have come out of this nationalist challenge to the liberal international order and the human rights regime. First and foremost, NGOs have begun to fill operational human and refugee rights gaps created directly by the Trump administration on a scale that has not been experienced before. Second, and in line with point one, many NGOs have found themselves in the position of becoming more politically charged. Third, NGOs have come to utilize technology and social media as a means to promote *and* provide rights to a variety of vulnerable groups. Fourth, as transparency and communication with the Trump administration on major policy decisions has been void, NGOs have experienced drastic and sudden shifts in operations, causing many to operate on a more reactive basis and threatening many rights programs.

Filling in the Gaps

In a direct signal towards the new and evolving role of NGOs acting under populists, Justice Department lawyers submitted a filing in August calling for the American Civil Liberties Union to use its “considerable resources” in order to locate parents that the Trump administration deported prematurely and prior to being united with their family. While the ACLU acknowledged that the organization would undoubtedly help to aid the families that have been separated, it is not their responsibility alone, as the United States government must be the one to undo their own mistake. Furthermore, the ACLU addressed the crux of the issue with the following statement in court: “the United States Government has far more resources than any group of NGOs (no matter how many NGOs and law firms are willing to try to help)” (Schmidt 2018).

The obstinacy of governments to use their own resources in order to fix their own abuses is an affront to basic human decency and responsibility. Even if the NGOs do act to reconnect families, it is not their sole responsibility to take on. As the lead ACLU lawyer stated in the case against the administration, “The ACLU, private firms, and NGOs are largely doing what the government should be doing. Is that ideal for all of us? No. Is it necessary? Yes” (Semple and Jordan 2018). This is where the current dynamic stands; NGOs are filling the fulfillment gaps where the United States government has created them and where the U.S. should be filling the gaps itself. This includes, among others, the provision of legal representation for asylum-seekers. As it stands, immigration courts in the United States do not guarantee the right to free legal counsel. Thus remains two options for asylum-seekers: pay for a lawyer out-of-pocket, or rely upon legal counsel from humanitarian NGOs and other legal organizations offering their services. While this aspect of the courts are not new, the recent increase in the number of asylum-seekers, combined with the new and restrictive policies put in place by the Trump administration, means that more of the responsibility will fall onto the shoulders of humanitarian NGOs.

These humanitarian organizations have not only filled in the United States’ gaps at home, but abroad as well. There has been an increased presence of NGOs in the Northern Triangle, working with IGOs such as the United Nations Refugee Agency and the International Organization for Migration in order to alleviate some of the harmful conditions in these countries (Lieberman 2018). NGOs such as the International Rescue Committee have been aiding those internally displaced with cash assistance, emergency housing assistance, and increasing access to quality healthcare and nutrition services. Long-term aid

and support to these regions are critical efforts to promote long-term stability and help these countries create safe environments from which people will not have to leave.

In October of 2018, President Trump posted on Twitter that the United States would be cutting foreign aid to development programs in the Northern Triangle:

“Guatemala, Honduras and El Salvador were not able to do the job of stopping people from leaving their country and coming illegally to the U.S. We will now begin cutting off, or substantially reducing, the massive foreign aid routinely given to them.”

While this Tweet was taken as only a threat, at the end of March 2019, the Trump administration announced they would be cutting all direct aid to Honduras, Guatemala, and El Salvador. This includes aid for programs working to reduce gang violence, which is one of the foremost catalysts of asylum-seekers coming to the United States (Rogers et al 2019). Long term aid is vital in addressing the root causes of the migration of asylum-seekers to the United States. To rescind aid while simultaneously attacking those seeking refuge in the U.S. is both hypocritical and self-defeating. While analyzing the effectiveness of aid programs is understandable for any government, a complete abrogation of funding is a drastic step that can only lead to dire and negative consequences. From the creation of a border wall, to family separation, to the administration’s “Zero Tolerance” policy on border crossings, and now to potential cuts in aid, President Trump and his administration have shown that they have no desire to address the catalysts of asylum-seeking itself, merely entrance of asylum-seekers into the United States. While the U.S. is certainly not the only contributor of aid to the region, its absence would leave a large hole in the funding. This leaves INGOs in a precarious position.

Not only are NGOs filling in gaps within the United States as well as at the border to aid those from the Northern Triangle, but local and international NGOs alike are filling new and old gaps to help reduce the drivers of asylum-seekers and migrants from the region. NGOs such as Save the Children, the Red Cross, and the International Rescue Committee continue to operate on both fronts in order to continue fighting for human rights in spite of the Trump administration's blatant disregard for both the refugee rights regime and the provision of a sustainable, long term solution to the crisis. The actions of these NGOs in contrast the Trump administration's own shows that NGOs are vital to upholding the refugee rights regime and the values of the liberal international order, particularly in this time of global, populist challenges to the LIO.

In response to the groups of asylum-seekers coming to the United States from the Northern Triangle, also known as "migrant caravans," many NGOs mobilized to prepare for the new arrivals and provide aid where necessary. The Trump administration's "Zero Tolerance" policy made it clear that when these individuals arrived at the U.S.-Mexico border, they would likely need legal aid. One organization, the Kino Border Initiative, has worked to provide adequate food and shelter for new arrivals waiting to begin the asylum process in the United States. NGOs like the Kino Border Initiative have worked to protect the rights of migrants and ensure that lack of water, shelter, or healthcare does not dissuade or affect their pursuit of asylum (Turnbull 2018).

As a result of the family separation policy changing detention policies at the border, as well as a demographic shift in those coming from the Northern Triangle, some NGOs have had to rework their approach to helping asylum-seekers. Data have shown that there is an increasing number of women and children asylum-seekers from the Northern Triangle in

recent years. The journey alone leaves these individuals particularly vulnerable to further violence and sexual trafficking. Government reception centers and medical staff are often ill-equipped to handle helping those deeply traumatized by the journey, and thus NGOs such as Save the Children must fill in the gap with specialized mental health resources and staff (Welsh 2018).

Some organizations have relied on new partnerships in order to resist policies and provide support to asylum-seekers in more than just rhetoric. One example of this is Save the Children's response to the family separation policy at the U.S.-Mexico border. While the organization's primary focus has been addressing the root causes of the crisis within the Northern Triangle, it has partnered with the American Immigration Council and Kids in Need of Defense (KIND) to create a stronger support network. This partnership would enable for greater provision of legal aid, resources, and family reunification ("Save the Children Announces"). This is a trend that is seen in both the United States and in the Italian case. While NGO partnerships are not a new endeavor, there has been an increased need for cross-NGO cooperation and support in order to better resist illiberal, xenophobic policies and to better protect the human and refugee rights regimes.

The Political Push

One NGO in particular has become a de-facto leader in the resistance against the Trump administration, reinventing itself in the process. While government contracted resettlement organizations such as the IRC, HIAS, and the Church World Service have suffered financially due to the restrictive refugee policy implemented by the Trump administration, the American Civil Liberties Union has not. Conversely, the ACLU saw donations increase dramatically following the election of Donald Trump in 2016. In the first

two years after the election, public memberships in the organization grew from 400,000 to nearly 2 million. In the three years prior to the election, the ACLU earned approximately \$4 million per year in public donations. After Trump's election, that annual figure has increased to nearly \$120 million (Zhao 2018).

The ACLU has pushed itself into the American political sphere as a direct result of the Trump administration's attack on liberal values and human rights. Since the early 1900s, the ACLU's primary focus has been on policy challenges in court. The drastic increase in funding has enabled the organization to make this shift away from the courtroom and towards a more public, grassroots style of mobilization and campaigning. While formerly, the ACLU's value of staying nonpartisan meant staying apolitical as well, they have taken a shift in this stance. Their newfound political role comes through educating voters on civil liberties and human rights records of all candidates, detailing the consequences of specific elections, and mobilizing voters. As the Executive Director, Anthony Romero, stated, the goal is to empower individual members of civil society and "give people a real opportunity to be protagonists" (Wallace-Wells 2018).

The International Rescue Committee has also pushed itself into new political territory. In January of 2017, the organization launched a fundraiser with the goal of raising \$5 million to respond to the needs of refugees in the United States. This came in a direct response to the Trump administration's announcement of the Muslim ban. The IRC stated that it was the first time the organization had ever had to issue an emergency appeal to help refugees already in the United States. Part of the funding goal was to help fill in the funding gap that would be created by the Trump administration's drastic reduction in admissions, but the funds would also enable the IRC to fight back against the ban itself (Stack 2017).

NGOs have become increasingly involved in directly challenging the Trump administration's human rights abuses and restrictive policies. At nearly every step, NGOs have issued legal challenges to these anti-refugee and anti-asylum seeker policies. While the ACLU has been involved in several of these, they are not the only ones. Smaller organizations such as Al Otro Lado and the Border Network for Human Rights have been involved in other legal and political challenges to the Trump administration's attacks on the refugee rights regimes. This signals a new trend in NGOs not just advocating against nationalist anti-refugee policies, but being fully committed to contesting them in multiple avenues. While these lawsuits focused on the violation of U.S. asylum and rights laws, they nonetheless represent the pursuit of upholding the highest standards of international human rights laws and norms. In this way, the increasing shift towards NGOs operating on a legal and political basis represents a larger commitment to upholding the liberal international order against nationalist challenges.

A Technological and Reactive Shift

Apart from the standard emergency aid and economic development programs, some agencies have become more innovative in reaching people affected by the violent conditions in the Northern Triangle. In the case of the IRC, the organization recently released an online information service called *CuéntaNos.org* (in English, "Tell us"), which provides a detailed map of El Salvador showing locations to receive legal aid, healthcare, shelter, education, and employment and work programs. This comes as part of a larger collaborative initiative with Mercy Corps and Peace Geeks called Signpost. Together the three NGOs have created sites similar to *CuéntaNos.org* in order to provide information for refugees, asylum seekers, and migrants in Bulgaria, Greece, Hungary, Serbia, and Italy. These sites allow the

aforementioned groups to be connected with services of which they otherwise would be unaware. Signpost Projects demonstrates how innovative some NGOs have had to become in response to these global problems; they have become advocates, information providers, and service providers abroad, filling the humanitarian fulfillment gaps wherever possible.

In order to help the mental health of refugees and aid workers alike, the NGO Field Innovation Team partnered with a Silicon Valley tech company to create and implement a program called Karim. Karim is an artificially intelligent online bot that uses natural language processing in order to provide mental health support conversations to Arabic speaking refugees within the United States and to those displaced in the Middle East, who may not have ready or affordable access to mental health professionals (Paul et al. 2018, 22).

There is a growing trend of NGOs utilizing technology as a means to expand advocacy programs, reach more individuals in need, and come up with new ways to protect vulnerable populations. The 2018 Global NGO Technology Report, which surveyed over 5,000 NGOs across 164 countries, found that NGOs are rapidly increasing their use of technology and social media. While this is not a direct response to growing nationalism, it permits NGOs to protect and advocate for human rights in new ways, as Chapter 4 will show as well. It shows a continued commitment to supporting refugees and refugee rights no matter the political context. While these innovations were not a reaction to the Trump administration, many operational shifts have been.

The immediate result of the 2017 executive order banning refugees from several Muslim-majority states in the Middle East was chaos and confusion at airports across the U.S. as airport authorities began detaining new arrivals who were already granted refugee status and/or green cards. It became readily apparent that this was the desired effect for the

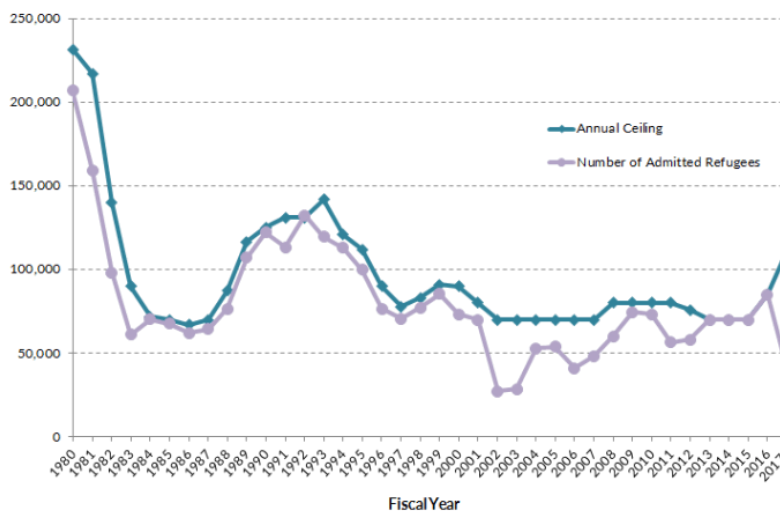
Trump administration, as the President himself stated one day after the ban took place that “It’s working out very nicely. You see it at the airports, you see it all over” (Dehghan et al 2017). Of course, the ban affected many more than just those detained at U.S. airports. The Hebrew Immigrant Aid Society, an international NGO primarily known today as HIAS, reported that 2,000 people were set to be rescheduled the week after the travel ban went into effect.

As a result of policies such as this, many NGOs have had to operate on a more reactive basis. As one pro-immigrant advocacy leader stated, “From an advocacy standpoint, it’s a different world we’re in than just a couple years ago. Now we’re playing a lot more defense on all sorts of different fronts” (Zepeda-Millán and Wallace 2018, 93). In the instance of the travel ban, many international NGOs such as CARE, Relief International, and Mercy Corps, all of whom provide emergency humanitarian assistance to those in need, have had to restructure their assistance strategies and reassign their workers to different locations. Early on, CARE expected that the ban would affect at least 300 of its U.S. staff members, as it would impact their ability to travel to and return from the fragile countries in which they operate, including 5 of the 7 countries listed on the initial ban (Lieberman 2017). These types of measures can greatly limit the full utilization of an NGO’s tools; if an NGO is not able to gain access to an emergency, then its resources are effectively nullified.

While it is certainly not the case that only U.S. based NGO workers would be the ones to potentially provide aid to a disaster or other humanitarian need, this type of policy by the Trump administration has the potential to exacerbate existing disaster conditions by hindering relief availability. A spokesperson for Mercy Corps confirmed that the process of responding to humanitarian emergencies has become more complex due to the ban, stating

that the organization now needs to “weigh an additional factor — the aid worker's nationality — in addition to experience, technical skills, languages the person speaks and all the other things that come into consideration” (Lieberman 2017). In the worst case scenarios, operational convolution such as this can result in the creation of even more displaced persons—which the current U.S. administration clearly does not want to accept, and/or a higher death count as a result of the disaster and its aftereffects.

Travel is not the only factor augmented by the administration’s policies that is



making NGO operations more complex. Due to the drastic decrease in admissions of refugees and asylum seekers, many NGOs have had to close offices, lay off workers, or rework existing programs and services. The administration’s

decision to cap refugee intakes at 45,000 per year (as opposed to President Obama’s cap of 110,000) marks the lowest admissions ceiling since the creation of the U.S. refugee resettlement program in 1980 (Gomez 2018). As government funding for resettlement is tied to admission numbers, the nine voluntary agencies which the government contracts to aid in the resettlement process have received extensive budget cuts.

The San Diego, California branch of the International Rescue Committee had to layoff 15 workers due to budget cuts, as well as switch their English as a foreign language courses to be run by volunteers or interns only, as they simply could not afford the upkeep

anymore. Church World Service, another voluntary resettlement agency, had to layoff over one hundred workers while closing offices and having to merge operations with other NGOs. World Relief laid off 140 employees and closed 5 offices nationwide as a result of dwindling refugee admissions (Mento 2018).

Due to these changes, many NGOs have had to shift their focus towards representing other types of immigrants in federal court and immigration proceedings. This is all part of a much wider undermining of the refugee rights and resettlement regime within the United States by the Trump administration. As NGO resources are stretched thin after these closures and dismissals, the bureaucratic machinery of resettlement becomes clogged, slowing the process further. Ryan Crocker, the Former Ambassador to Afghanistan and Iraq, has stated that these policies are a “strategic...[and] conscious effort to deconstruct the [refugee] system” (Amos 2018). When the time comes for the refugee admissions cap to be raised again, the system as it is now will be strained to mobilize and resettle new arrivals. As I propose in Chapter 5, greater contingency plans need to be established by NGOs in order to prepare for this possibility, along with other potentially damaging policies by the Trump administration that could arise in the final years of his presidency.

Conclusion

As this chapter demonstrated, NGOs have been forced to adjust their own operations and responsibilities in response to the Trump administration’s attacks on liberal values and the refugee rights regime. While many NGOs have had to fill in the rights fulfillment gap by providing services and resources to asylum-seekers and refugees, they continue to be strong advocates for human rights. NGOs have become the defenders of the liberal international order by continuing to provide rights and push for the upholding of liberal values, even when

being challenged and undermined themselves by the Trump administration. As the next chapter will show, this finding becomes even more clear when comparing efforts of U.S. NGOs to those in Italy.

Chapter 4: The NGO Resistance in Italy

“We have a duty toward our brothers and sisters who, for various reasons, have been forced to leave their homeland: a duty of justice, of civility and of solidarity.”

- Pope Francis

“The problem is to block an organised invasion that is producing the ethnic cleansing of Italians and Europeans. In a year we'll be talking about hundreds of thousands of people arriving.”

- Matteo Salvini, Minister of Interior

Introduction

As in chapter 3, this chapter seeks to answer similar questions to those addressed in Chapter 3. First, how have populist, anti-refugee and anti-migrant policies affected the operations of NGOs? Second, why are NGOs being targeted in this case? Third, how have NGOs responded and reorganized in response to these challenges? Last, what do these responses mean for the liberal international order and refugee rights regime?

NGOs operating in Italy and the Mediterranean are a unique case for a number of reasons. Much of their newfound role came at the start of the Syrian refugee crisis in 2015. The number of NGO search and rescue (SAR) boats increased drastically, and for a time NGOs led all parties in terms of number of individuals rescued at sea, reflecting a large shift in civil society as rights providers and protectors. These changes came years before Salvini and the League administration came to power. What is interesting about the Italian case now is that these new roles are being staunchly challenged and undermined by the League administration.

Whereas in the United States case many anti-refugee policies indirectly, though greatly, affect the operations of NGOs, the Italian case sees policies directly attacking NGOs that save lives at sea. These policies have had adverse results on a variety of elements

pertaining to the crisis, from an increase of deaths at sea, to a collapse of the integration system within Italy itself, to the criminalization of search and rescue, to a continued “shrinking space” of civility in the nation. The Italian case is important *because* the challenges to NGOs are so extreme. When compared to the case of NGOs in the United States, we begin to discern how, in similar yet differing environments, NGOs have attempted to uphold the refugee rights regime against the undermining of populist nationalism. This comparison reveals what more can be done by NGOs in either case, and how policies need to change. I answer this latter question in the following chapter.

NGOs in Italian History

The roots of civil society in Italy can be traced back to the 14th century development of civism and humanism (Muir 1999). What we view now as modern civil society and non-governmental organizations did not come to flourish until the 1990s, where civil society protests broke out against former Prime Minister Silvio Berlusconi’s control of Italian media (Ginsborg 2013). This recent rise, in part, has contributed to a lack of formal research done on NGOs in Italy. Historically, the Italian government has had a limited conception and formal recognition of civil society and various NGOs.

In general, the Italian government has a more restrictive definition of what constitutes an NGO. Namely, and I argue that this changed in practice in 2015, NGOs recognized by the state were those dedicated to operational development overseas, not civil projects in Italy. To be formally recognized by the state and eligible for federal funding, these organizations had to register with the Ministry of Foreign Affairs under a law implemented in 1987 (“Law 49/87”). Recently, the number of NGOs recognized by the state marked just over 230. This is in contrast to the thousands of local and national NGOs working solely in Italy, and primarily

as advocacy NGOs (“Italian NGOs”). The debates over search and rescue operations in the Mediterranean have brought NGOs, whether formally recognized by the Ministry of Foreign Affairs or not, into the spotlight. Regardless of existing distinctions between the various organizations that operate SARs at sea, they have nonetheless been categorized rhetorically into the conceptualization of NGOs by the Italian government and in the public’s eye.

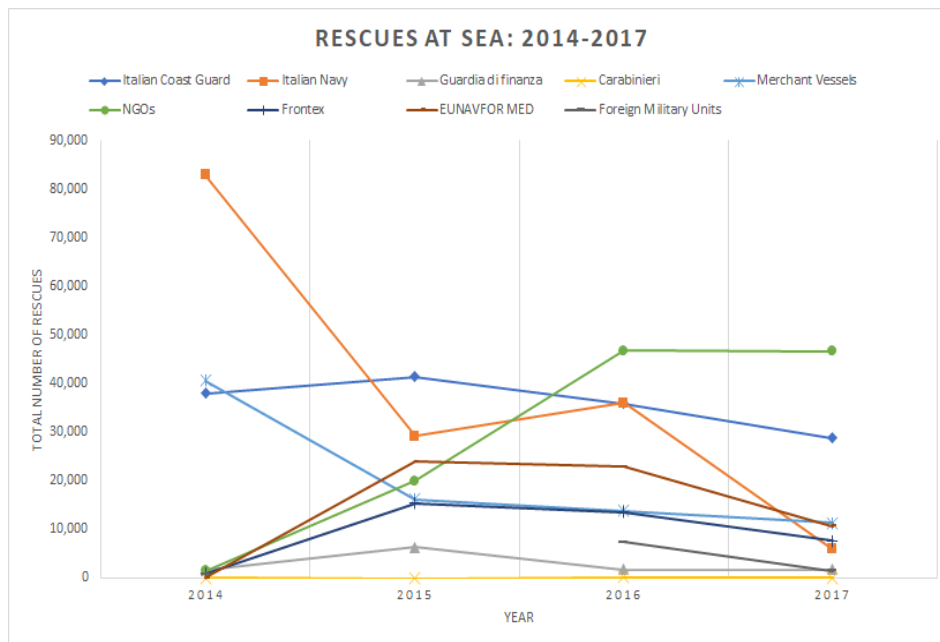
NGOs in Italy, like those in the United States, have integrated the values promoted by the liberal international order. The largest NGO collective in Italy is the Association of Italian organizations for international cooperation and solidarity (AOI), which has transnational development as its central focus. Additionally, it was built upon and continues to promote the values of pluralism, democracy, human rights, common goods, and mutual accountability, all tenets for which states in the liberal international order advocated post-World War II. Even prior to the election of the League administration, Italian NGOs consistently reiterated their defense of human rights and liberal values in the face of opposition in Italy, the EU, and around the globe. Events such as the “Stand Up for Human Rights, Side by Side with NGOs” gathering of leading NGOs in Rome signals the partnership among NGOs in defending the liberal international order against rising populist, nationalist challengers in a variety of arenas (Fusco 2018).

In April 2015, a boat carrying migrants across the Mediterranean to Italy collapsed, resulting in the deaths of over 800 people, many of whom were from Syria. This collapse and several others that took place soon after, are generally agreed upon to have marked the beginning of the refugee crisis in Europe (“Mediterranean Crisis 2015”). Furthermore, they sparked the focus on SAR operations in the Mediterranean conducted by state, European, and eventually NGO operations alike. As a result of this shift, state reference to NGOs came to

include humanitarian organizations aiding migrants who have arrived in Italy as well as those who began to conduct rescue operations at sea, even if these organizations were not necessarily involved in transnational development, as was the original defining factor.

NGOs and the Italian Populist Challenge

Throughout the entirety of the refugee and migrant crisis, local and international nongovernmental organizations have acted in order to provide aid and basic services to those arriving that are in need. Since 2015 especially, a year which witnessed a near 400% increase



in the number of deaths of people attempting to cross the Mediterranean, NGOs have been key actors in rescuing people at sea, as the chart adjacent using data from the Italian Coast Guard demonstrates. Be it by rescuing those lost at sea or providing legal services to those that are newly arrived, NGOs have been at the forefront of this crisis from the beginning. Many, such as Minister of the Interior Matteo Salvini, see this as precisely the problem. Since the League administration came into governance, there have been two main efforts that have directly altered the humanitarian operations of NGOs working in and with Italy, as well

as several other policies that have drastically damaged the human rights regime. As a result, NGOs have been left to not only fill in service provision gaps, but to continue to advocate for upholding human rights norms and liberal values in the face of a government that openly ignores these tenets and standards.

What is happening to NGOs in Italy is representative of a much larger problem facing the globe; the Italian case is only more visible and extreme currently. Throughout the European Union, NGOs are being subject to an increasingly “shrinking space” in which these organizations can navigate. That is to say, “the layer between state, business, and family in which citizens organise, debate and act seems to be structurally and purposefully squeezed in a very large number of countries” (Buyse 2018). This is not necessarily a uniquely new phenomenon, nor is it exclusively caused by populism. Though in recent years it has predominantly been countries in Eastern Europe that have been criticized most for their attacks on humanitarian workers and NGOs.

The trends identified in this chapter are not as strong as those witnessed in the United States case, though I believe they are precursors of things to come. Nevertheless, I identify three initial shifts and operational responses taking place in order to protect asylum and human rights in spite of the League administration’s drastic rights rescissions. First, NGOs have begun a practice of working around or directly disobeying new laws imposed by the League. Second, while NGOs are attempting to fulfill rights provisions gaps on the ground, these nationalist policies and rhetorical attacks are forcing NGOs operating in Italy into a defensive posture. Third, like in the United States, new technological initiatives have enabled a way for NGOs to survive this new nationalist environment while under the threat of an ever-shrinking space for civil society.

Obedience and Disobedience

One remarkable case of resistance to the League administration's block on NGO SAR ships docking in Italian ports is the creation of an operation called "Mediterranea." This effort is comprised of members and organizations from various parts of civil society, including the NGOs Sea Watch and Open Arms. It is self-described as "a non-governmental action of moral disobedience and civil obedience..." (Martucci Schiavi 2018). A press release by the leaders of the operations explains this further, stating that:

We will disobey nationalism and xenophobia. Instead we will obey our constitution, international law and the law of the sea, which includes saving lives.

Mediterranea presents a unique partnership between NGO operations with governmental aid as a means to subvert the League's illiberal, anti-NGO policies. The hallmark of Mediterraneana is the ship Mare Jonio (also called Mare Ionio), which was bought and equipped by a coalition of left-wing Italian politicians, anti-racist associations, and university professors, and then subsequently placed under the supervision of two humanitarian NGOs. The ship was able to avoid the blockade on NGO SAR ships operating out of and docking in Italy by flying the Italian flag (Martucci Schiavi 2018). Since the ship is officially an Italian vessel, under the new decree it is able to dock. Mare Ionio first departed from Italy in October of 2018.

Five months later, in March of 2019, Mare Ionio was seized after rescuing 49 asylum seekers who were at sea for over two days. It was permitted to dock in the small Italian isle of Lampedusa before being accused by Minister Salvini of aiding and abetting illegal migration (Tondo 2018). In spite of supposedly being illegal migration, the 49 migrants are all expected to begin the refugee application process in Lampedusa. According to

Mediterranea spokesperson Alessandra Sciorba, “As far as we are concerned, there are the rights of people, international law, human rights, international conventions” (“Mare Ionio Migrants”). It is clear that with this example, the tenets of the liberal international order, along with the values and norms set out in the international refugee rights regime, directly influenced the actions of these various civil society members in opposing the League administration’s repressive policy.

The partnership that created Mediterranea represents a greater movement of cooperation and alliance between NGOs themselves. Additionally, NGOs and mayors in Italy have shown a newfound partnership of resistance against Salvini and the League administration. One other key example of this increased solidarity came when Italy refused to allow the Sea-Watch 3 SAR ship, operated by the German based NGO Sea Watch, dock after having rescued 32 migrants at sea. During the Sea-Watch 3’s two-week gridlock at sea, nearly a dozen mayors across Italy notified the ship that they would stand in solidarity with the NGO and welcome the migrants if it were to dock in their city (“Italian Mayors Rebel”). Salvini rebuked the mayors’ offers, stating that if they followed through they would “answer for their actions before the law and the history books” (Balmer 2019). In many ways, this new resistance parallels the existence of sanctuary cities within the United States. These cities limit their cooperation with the federal government and its immigration enforcement bodies in order to provide relative safety to undocumented immigrants, refugees, and asylum-seekers. Oftentimes these cities contain NGOs providing safe access to legal resources. In both the U.S. and Italian context, NGOs become linked to local level resistance to national anti-immigrant policies.

In Migrazione, a local Italian NGO, has sought to improve the integration of asylum-seekers and refugees into Italian society in spite of the increasing hostility towards them, especially by Salvini and the League administration. Others like In Migrazione have responded to the hostility by becoming the force which seeks to integrate individuals into Italian society and bridge the gap between this group of people, portrayed as a threatening and unruly “other” by the League administration, and Italian citizens (Riegert 2018). In response to the Salvini Decree, In Migrazione created a project called UMANItalia, a play on words of “humans” and “Italy.” This project aims to provide housing and food to those directly affected by the Decree and the subsequent closing of asylum shelters around the nation. UMANItalia reveals the extent to which NGOs have come to fill the fulfillment gap left open by the Italian government. Furthermore, and particularly revealing, the project directly echoes the motto of *Mediterranea*, asserting that the project is a practice of disobedience towards these restrictive and harmful policies while in defense of the human rights of access to shelter, food, and medicine.

Perhaps the most direct signal of “civil obedience, more disobedience” came in March of 2019, when over 200,000 protesters marched in Milan against the illiberal, nationalist, and xenophobic policies of Italy’s new government. This movement was orchestrated by a group of six rights-based NGOs and was supported by the mayor of Milan, Giuseppe Sala, who is one of several prominent mayors throughout Italy resisting the League administration. Among these NGOs are the prominent SAR organizations *Sea Watch* and *Open Arms*, as well as *Mediterranea*. This protest was a grand gesture in defending human rights and the values of the liberal international order, as well as in direct opposition to the nationalist policies and tenets being put forth by Salvini and the League. In reference to the

protest and the liberal principles being promoted, Mayor Sala stated that “This is our vision of Italy.”

This event reveals that in spite of a variety of attacks on refugee rights, on NGOs, and on civil society, there is still a strong movement of resistance within Italy. This movement is helmed by the same NGOs that have been challenged and whose operations in the Mediterranean have been cut off by the League administration. While the operations in the Mediterranean were largely halted, these same NGOs continued their commitment to promoting refugee rights by organizing a large-scale public demonstration. This shows some hope. However, the rest of the changes that have occurred since the election of the League administration have not been as favorable for humanitarian organizations.

On the Defensive

Why is it that NGOs are being targeted specifically in the Italian case? There are a number of potential factors. However, the most prominent argument put forth by the Salvini administration is that NGOs contribute to an increase in people who ultimately make the trip across from Libya or Tunisia. Many organizations have vehemently defended themselves against these accusations, and understandably so. These accusations have placed humanitarian organizations in a negative and critical spotlight, elevating them to the level of scapegoat and damaging their reputations and values in one fell swoop.

From the start of the League administration coming to power in 2018, NGOs in Italy, like those in the United States, have had to act on a more defensive basis against brash accusations of malpractice, illegal operations, and being a “pull factor” to potential migrants. These claims are part of a broader debate in the European Union in regards to NGO SAR operations. However, they become even more relevant in the Italian case, as they are used to

justify the attacks on humanitarian rescue operations. Salvini has criticized NGOs for being a “taxi service” for migrants and asylum-seekers. These organizations have continued to defend themselves in spite of the allegations being proven categorically false across multiple studies (Arsenijevic et al 2017; Heller and Pezzani 2017; Villa et al 2019).

The NGO resistance to populist, xenophobic governments is not a story of unbound successes. While many NGOs have found new ways to protect human rights the best they can, at times NGOs have had to succumb to the political will of the parties in power. For instance, the NGO Medecins sans Frontieres had to end all operations of its SAR ship, the Aquarius. Since February of 2016, the Aquarius rescued over 30,000 people in the Mediterranean. As a direct result of the League administration’s new policies and persistent attacks on NGO SAR operations, Medecins sans Frontieres felt like they had no choice but to shut down operations of the Aquarius in October of 2018. Until the Mare Jonio set off on its SAR mission, Aquarius had been the final NGO ship pursuing SAR in the Central Mediterranean for a number of months (Landauro 2018).

The Aquarius provided an opportunity for Salvini to play out his populist narrative in the national and global spotlight. Salvini made the issue a staunchly political one, and for this we see a parallel shift in NGO narrative as witnessed in the United States. Namely, many NGO actions have become overtly political. One of the founders of the Mare Jonio initiative, Erasmo Palazzotto, stated that the motivations of this mission were no longer merely humanitarian but political as well. Palazzotto asserted that “Nowadays saving lives is political” (Pronczuk 2018). Whereas only a few years ago humanitarian organizations accounted for the majority of the rescues at sea without issue, their evolution into the status

of political scapegoat has meant that all of their actions and rescues, no matter how small or how few are saved, are now inherently political and defiant.

Whereas many NGOs in the United States have actually benefited monetarily from the post-Trump election surge in donations, in Italy the case appears much different. Since early 2018, donations have dropped up 10%. Many NGO leaders suspect that this decrease is a direct result of accusations and attacks by populist leaders such as Matteo Salvini. The international press spokesman for Oxfam Italy, Francesco Petrini, stated that the reputational damage is more damning than any monetary drop. Petrini stated that "For us, the tragedy is not losing money, but losing credibility" (Day 2018) The 2019 Edelman Trust Barometer report revealed that Italy is one of 6 nations where the majority of the population distrusts the work of NGOs, and is one of four nations where trust in NGOs declined from 2018 to 2019 (along with Russia, Spain, and to a minor extent, Turkey). Not only is the League administration undermining the refugee rights regime, but it is also undermining the values and missions of hundreds of NGOs in Italy. Causing the public to question or criticize NGOs under false pretenses is greatly detrimental to the tenets of the liberal international order being promoted and defended. If the other parts of civil society begin to challenge the place of NGOs, then this would be the final nail in the coffin of the shrinking humanitarian space in Italy.

In February of 2019, these accusations against NGOs came to the floor of the Italian Parliament. The right-wing Italian thinktank Center for Political and Strategic Studies presented a report suggesting increasing scrutiny and taxation on foreign funded NGOs across the civil society sector in Italy. The report referenced recent laws in Hungary that enacted these same policies against NGOs. I mention this because, even though these policies

have not been adopted as of April 2019, the report signals the larger nationalist international movement. The adoption of the exact same anti-refugee, anti-NGO policies attests to the collective challenge to the liberal international order and its values. As the spokesperson the Italian NGO In Defense Of stated in response to the report, its mere presence in the Italian Parliament gives its accusations a sense of legitimacy, and it “is the signal of an increasingly worrying trend against civil society at large, that will require the development of appropriate strategies and responses ” (“Italy: Debate on NGOs”). The more time NGOs have to spend defending their own reputation, values, and operations, the fewer resources and time are able to be diverted elsewhere.

Navigating a Shrinking Space

As noted in the previous chapter, one new way in which NGOs have been aiding refugees and asylum-seekers in Italy has been through the technological initiative SignPost, known in Italy as Refugee.Info. This site offers intensive information for refugees and asylum-seekers in order to help them access resources such as healthcare, education, or legal assistance. Humanitarian NGOs providing key information to new refugee arrivals in a country is not new by any means. However, this often required refugees and organizations to be in the same place, at the same time. Through SignPost, refugees can now gain this critical, trustworthy information no matter where they are, so long as they have a way in which to gain access to the site. This initiative becomes particularly important in light of the recent Salvini Decree.

As reception centers are forced to close across the country, civil society has had to respond in order to ensure refugee rights are still being protected (Giuffrida 2019a). With people being evicted, SignPost provides an important tool for these individuals to access aid

moving forward. Apart from the website itself, the initiative provides for fast responses to inquiries made on various social media pages. On the Refugee.Info Facebook page, regular updates were made throughout the various stages of the Salvini Decree being implemented and made into law. Across nearly a dozen posts in reference to the Decree, the workers for Refugee.Info responded to hundreds of inquiries by individuals seeking help understanding their situation, as well as how to get further assistance and where to find housing with centers being shut down.

Similar to SignPost, a coalition of local NGOs called Tavolo Apolidia, loosely translated as “Table for the Stateless,” created an info sharing platform in Italy. The coalition’s foremost focus are those who are “in-between” official statuses. This info sharing platform provides vital information for access to food, shelter, and legal help, as well as information for the public in regard to the issue of statelessness in Italy. While this project was not directed towards asylum-seekers specifically at its onset, the recent Salvini Decree makes the coalition’s efforts pertinent, as asylum-seekers pursuing a humanitarian asylum permit could be forced into statelessness if they were unable to file before the October 2018 deadline.

When looking at these two technological examples along with those illustrated in the United States chapter, we see an increasing trend in the utilization of what is deemed “humanitarian cyberspace” (Sandvik 2016). As Sandvik argues, the use of information and communication technology provides an opportunity for humanitarian organizations to expand beyond the political shrinking space of operation into a “new frontier” of advocacy and knowledge-sharing to those who need it (9). Through social media, apps, and websites, NGOs can now better ensure that asylum-seekers and migrants alike are able to access

resources necessary to them. This becomes particularly useful when considering the Salvini Decree. Even when individuals are transferred to other reception centers throughout Italy, the change of locale can mean refugees are unaware of how to continue to receive certain services, such as mental health help, that they had access to prior via NGOs or other local aid organizations.

Conclusion

Italy is a unique site in which to examine the work of humanitarian NGOs in response to the ongoing refugee crisis. Challenges by the Italian government came even before the League administration was elected. However, the new government has continuously targeted these organizations more directly. Similar to the NGOs operating within the United States, those operating in and with Italy have had to drastically shift their operations and resources in order to continue to provide services and defend the refugee rights regime to the best of their abilities. This next, and final, chapter will look at viable policy options and steps that can be taken by NGOs, states, and IGOs alike in order to mitigate the refugee rights crisis and the rise of populism, and to protect the values of the liberal international order.

Chapter 5: Policy Lessons, Analysis, and Conclusions

“It is not an issue of capacity, it is purely down to a scandalous lack of political will. We’re talking about people who are fleeing from war and persecution, and unaccompanied children who are being left alone in overcrowded camps.”

- Ska Keller, German Member of the European Parliament

“MSF will welcome a compact that puts people at its heart. A compact that alleviates the great suffering that current policies have created. We cannot be blind to the violence endured by those on the move. We cannot ignore their despair. Above all, we cannot pretend we don’t know what is happening. What is partnership about? Partnership is about standing for humane policies.”

- Dr. Joanne Liu, President of Médecins sans frontières

Introduction

This final chapter takes a more pragmatic turn, analysing various policy options available on several levels in order to better protect refugee rights, NGO operations, and liberal values, if not the liberal international order itself. This chapter seeks to answer the question of how NGOs can survive in a declining liberal international order. As demonstrated in previous chapters, there is a large-scale undermining of the liberal international order by right-wing, xenophobic populists. With this has come the degradation of the refugee rights regime, which humanitarian organizations have now come to uphold to the best of their ability. Many NGOs have changed their *modus operandi* and organizational goals as a means to resist these populist policies, particularly in the United States and Italy. The threat to NGOs, refugees, and asylees is still ever-present, and with this chapter I aim to share some hope for the human rights regime and propose how it, and most importantly those whose well-beings depend on it, can still be protected.

What We Have Learned

This thesis has demonstrated the extensive challenges to the refugee rights regime that have arisen as a result of new populist-nationalist regimes. The policies and rhetoric put forth by these administrations in the United States and Italy have systematically disadvantaged humanitarian NGOs in terms of responsibility, resources, administrative support, and even public support. We have seen how NGOs have responded with increasingly taking on the state's responsibilities in providing human rights, becoming more politically charged in the process, as well as finding new and innovative ways to enable refugees and asylum-seekers to find useful medical, housing, and legal resources. Together, these changes represent a new era in humanitarian NGO work. So long as populist-nationalist states continue to operate in a similar vein to what we have witnessed so far in these cases, it is likely that these changes and new modes of operation will persist into the years to come.

In September of 2018, I had the opportunity to interview Martin Zogg, the Executive Director of the International Rescue Committee's office in Los Angeles. The key takeaway though was that, as Zogg claimed, this administration has signalled the most drastic challenge to humanitarian operations that he has faced in his two decades as Executive Director with the IRC. I asked him about the challenges that have arisen since the election of President Trump, and how things have changed in comparison to President Obama's time in office. When questioned about the biggest issues the IRC faced at the time in terms of refugee resettlement, he said: "Housing, jobs, these are problems that have always been important. They don't change from one administration to another. However, what we've seen with the Trump administration is a new problem of *transparency*." The level of openness and communication between the administration and the nine voluntary resettlement agencies was,

and likely still is, at the lowest point it has ever been, according to Zogg. I think that this perfectly encompasses the larger challenges for humanitarian NGOs on the whole.

As this paper has shown, these new nationalist governments have proven detrimental to the liberal international order and refugee rights. This is not a program of mutually beneficial reform, but rather an attack on the notion of human rights and state responsibility. They have taken an individualistic, populist approach to free themselves from the “burden” of providing human rights and protecting those in need. The resulting changes that many NGOs have undergone have been necessary to their survival within the new national (and international) order.

NGOs in the United States and Italy faced similar nationalist governments who imposed anti-refugee policies that often directly and indirectly damaged these humanitarian organizations. In spite of the comparable environments of operation, the trends identified in Chapters 3 and 4 show similar strategies employed by NGOs in each case. Humanitarian organizations in both the U.S. and Italy have become rights providers in response to populist-nationalist policies, though Italian NGOs, particularly search-and-rescue ones, have received immense antagonism from the Salvini administration. With this increasing hostility and continued retraction from rights provisions by these governments, it is critical to consider policies that can reverse these trends, protect refugee rights and NGO operations, while at the same time quelling the general tensions surrounding the debates on asylum-seekers and refugees. As such, the policies suggested in this chapter will differ between cases, but will ultimately contribute to similar results in the success of NGO operations in protecting the refugee rights regime and the values of the liberal international order.

Policies Moving Forward

There are a number of policies for NGOs, states, and IGOs alike that would be beneficial moving forward to better protect refugee rights and the liberal international order. The policies I am proposing here are policies that I view as pragmatic and attainable. Each section includes a mixture of short-term and long-term plans that would serve to better provide human rights to asylum-seekers and refugees as well as, to a certain extent, alleviate tensions causing these fulfillment gaps to arise in the first place.

NGO Level

In Italy specifically, the situation for NGOs remains much more dire. Each of my findings presents certain possible solutions. In terms of the shrinking space in Italy and Europe, NGOs should consider shifting resources towards addressing push factors and the catalysts of migration. The cyberspace frontier has been one remedy to mitigating crisis when people have already arrived in Italy. Working towards alleviating the drivers of movements in the first place, when the state is not, could keep people safe and avoid putting them in the fray of populist-nationalist policies. Italian NGOs will also have to continue their appeal to other parts of civil society and local resistance, as a solo campaign of civil obedience and moral disobedience can only last so long without retaliation from the government. Salvini has already proposed a fine on NGO ships rescuing those crossing the Mediterranean at a rate of 5,500 euros per person rescued (Perrone 2019).

Perhaps their most impactful operational front, Mediterranean search and rescues, is no longer an option. In this respect, NGOs can only continue to advocate for the acceptance by EU states of those rescued at sea. Legally, NGOs could continue to challenge the Libya deal in court and its violation of *non-refoulement*. Meanwhile, NGOs like Doctors without

Borders/MSF should continue to improve conditions in Libya to the best of their ability. By that, I do not mean for them to attempt to solve the ongoing Civil War. Rather, they should increase operations to improve the quality and standards in place for migrant centers. If the European Union and Italy are to continue forward with using Libya as a reception center or outsourcing location, then NGOs should ensure that human rights standards are being met. Of course, this would be less of a necessity if the EU had a better resettlement mechanism in place.

In both the United States and Italy, NGOs should continue pushing into the “new frontier” of humanitarian cyberspace. With the continuously shrinking space for civil society in Italy, NGOs must take advantage of whatever strategies remain to them, as is the case here.

Protests around the respective nations show that there are still people that wish to help. While individual NGOs often have pages of their websites or posts on their social media accounts signaling how people can help, be it through donations or volunteering their time, it can be difficult for prospective volunteers to find out how and where they can help. I believe that a useful step forward into humanitarian cyberspace would be the creation of a unified online platform across a multitude of NGOs in which one can put in the name of their city and discover the various events, groups, and organizations nearby for which they can donate their time or money. This is particularly important for Italy, as grassroots partnerships and mobilization is key for NGOs moving forward.

A large tactic of the populist nationalist front is the portrayal of refugees, asylum-seekers, and irregular migrants alike as existential threats. These have become real fears that people in both Italy and the United States have adopted. Not only do NGOs need to continue

to advocate for the rights of those seeking asylum, but a more nuanced form of campaign needs to take place in order to deconstruct the dangerous narrative presented by these administrations. Strong, substantiated counter-narratives are needed to try and inform the public and combat the nationalist lines of thought promoted in these states. These counter-narratives need to be deployed contextually; the grievances towards all types of migrants are different in Northern Italy than in Southern Italy, even if there are some commonalities. There are some positive examples in the U.S. For example, the Hebrew Immigrant Aid Society has had publicity campaigns about the accomplishments of prior generations of migrants and materials such as stickers that encourage people to identify as descendants of immigrants.

As NGOs in Italy have begun to do with local politicians and other parts of civil society, partnerships of this kind must continue in order to foster greater grassroots responses on the ground, especially when unexpected policy shifts occur as in the case of the Muslim ban in the U.S. Collaborative efforts can mean pooling resources, information, and personnel in order to best provide aid to those in need, as well as to create a more unified front against these nationalist governments. The Trump administration in particular has shown to make policy decisions with little to no warning or communication ahead of time. Thus, extensive contingency plans should be established to account for a multitude of restrictive and detrimental policies to refugee and asylum rights.

It is important to consider the possibility of depoliticization of NGOs moving forward. I believe that humanitarian NGO work has become largely become irreversibly political. I would argue that the crux of this does not necessarily lie with the *what* humanitarian NGOs are doing, but for *whom*. NGOs providing medical aid to those in need

seems benign enough, but if the *who* is say, immigrants or asylum-seekers, it can then become politically charged. While NGOs could certainly attempt to detach politically and appeal to citizens to promote the value of humanitarianism in general, I am skeptical at the efficacy of this approach. For that, I can only see humanitarian NGOs furthering their political involvement or advocacy.

State Level

It is much more difficult to propose policies at this level. While there is hope with the U.S. after the 2018 midterm elections, the League remains in solid control of the Italian government. As a result, the bulk of proposed solutions to the Italian case lies on the shoulders of the European Union. Under the current administration, any proposed policies to mitigating the crisis that does not involve deterrence or deportation is tragically too idealistic. The May 2019 European Union parliamentary election witnessed a drastic increase in votes for the League, signalling that the populist party is here to stay, and voters are okay with that. The League's victory in the polls comes at the same time the populist National Rally party (formerly National Front) came out of the elections ahead of French President Macron's party. Additionally, populists held strong in countries like Hungary and Austria.

My only proposal for the Italian case then has to do with the Libya agreement and Salvini's continued pursuit of outsourcing the asylum and immigration problem. The initial policies to address departures from Libya were backwards. They began with training the Libyan Coast Guard to intercept and return irregular migrants and/or potential asylum-seekers, and now are attempting to address the dire conditions affecting these people in Libya itself. Médecins sans frontières have seen these conditions firsthand, stating that the facilities are overcrowded, lacking sufficient food and clean water, and have little protection from the

cold weather. A 2017 United Nation Human Rights Council report also found that from the moment someone steps into Libya, they become “vulnerable to unlawful killings, torture and other ill-treatment, arbitrary detention and unlawful deprivation of liberty, rape and other forms of sexual and gender-based violence, slavery and forced labour, extortion and exploitation by both State and non-State actors.” With these findings, how can the European Union and member states legally and morally outsource responsibility to the Libyan Coast Guard to keep people from arriving in Europe? This agreement does not work to solve the migration crisis - it quarantines it.

In theory, long-term 3rd country agreements are only humanitarily viable if the rights of those in the 3rd country are upheld to the same degree as they would be in the primary party (such as an EU country). Disregarding for a moment the issues surrounding detention and processing conditions with the EU itself, both of the main 3rd country agreements (Libya and Turkey) have been severely inadequate, and thus should not continue in their current state. Human Rights Watch has reported high levels of child labor by Syrian refugees in Turkey. In Libya, processing and detention centers for refugees are in ghastly conditions and are vulnerable to violence in the midst of Libya’s civil war.

What then are the alternatives? First, the European Union must not let the externalization of resettlement lead to a lax in human rights provisions or conditions within the 3rd country. Greater United Nations supervision and aid would be useful to ensure conditions and protections are met. Without these protections, the agreements create reasons for asylum-seekers to seek other means of reaching Europe, such as making the dangerous trip across the Mediterranean. In a way, this is its own “pull-factor,” as individuals not wanting to be stuck in Turkey or Libya are pushed more towards crossing into Europe of

their own accord. If conditions were safe and stable, then there would be no harm in staying in Turkey or Libya while being processed, but this is simply not the case. However, these suggestions are moot if the EU and EU countries are simply using these agreements as a way to keep asylum-seekers and migrants out of the EU indefinitely, and not as a means of actual processing.

For the United States, these proposed policies are reliant upon Congress. As of the start of 2019, the House of Representatives has a Democratic majority, while the Republicans remain in control of the Senate. At the very least, these are policies the House Democrats should adopt in order to strengthen refugee rights within the United States and resist Trump's pursuit of a nationalist international order. As noted in Chapter 1, the United States is the only nation that has yet to ratify the United Nations Convention on the Rights of the Child. The U.S. signed the Convention 1995, but a full ratification would show a renewed commitment to international human rights laws and norms. This treaty itself is particularly important given the large number of asylum-seekers from the Northern Triangle who are young children. The Convention explicitly binds ratifying states to it under international law. Were the U.S. to have ratified the treaty previously, it would undoubtedly be in violation of several articles prescribed by the Convention. In particular, these are articles; 3, which ensures the best interests of the child and requires that the rights of the parents in this respect must also be acknowledged; 7, the right to know and be cared for by one's parents; 8, the right to family relations without interference; and 9, which ensures a child must not be separated from one's parents unless under extraordinary circumstances or there is reasonable suspicion of neglect to the child, and that even if separated, there must be allowed sufficient contact between family members and knowledge of their respective whereabouts. The Trump

administration's inability to reconnect separated family members, and its subsequent demands for NGOs to reconnect the family members themselves, is direct evidence towards the Trump administration's carelessness towards international law. To ratify and be fully compliant with the Convention would mean humane treatment and processing of asylum-seekers, and would prevent the responsibility from falling upon the shoulders of humanitarian NGOs.

The United States must increase funding for the asylum-processing system. This means increased funding for immigration judges, processing centers, and USCIS asylum/refugee officials. Since the Trump administration has cut refugee admissions, and therefore cut funding to the nine NGO resettlement agencies, it has newly freed up funds available to redistribute. Of course, an increase in efficiency of the refugee resettlement system would necessitate increased funds back to these resettlement organizations.

Furthermore, a more humane and rights-centric alternative must be found to family separation and detention policies. One of the most straightforward steps would be to renew the Family Case Management Program, started by the Obama administration in 2016 and then terminated by the Trump administration in 2017. Under this program, families that had passed the credible fear interview and deemed candidates for less secure types of release (such as pregnant women or women with young children) were allowed to live in the country while moving forward to asylum procedures. Across the six areas of the country where the program operated, local NGOs would help to take care of the program's participants, helping them to understand their rights, giving them access to medical and legal aid, and aiding them in the asylum process. This type of policy was lambasted by President Trump as "catch and release," but of the nearly 1,000 families enrolled in the program, 99.3% attended all of their

immigration court hearings, and 99.4% attended all of their appointments with Immigration and Customs Enforcement (ICE). Cost-wise, required funding for this program was \$38 per family per day, in contrast to ICE family detention, which costs \$320 per family per day (“Family Case”).

In line with the Family Case Management Program’s incorporation of NGOs in helping manage asylum cases, Congress should work to better cooperate with NGOs and establish formal channels of cooperation to aid asylum-seekers and refugees. Establishing an upfront, collaborative relationship would enable NGOs to retreat from their reactive state that arose from the Trump administration’s restrictive and antagonistic policies. Operations such as this would also work to combat narratives surrounding refugees and asylum-seekers as being lazy, opportunistic, or untrustworthy. It would help to demonstrate that these individuals are committed to the legal process, even when Trump administration rhetoric portrays them as otherwise.

As it exists currently, the screening and interview process for asylum-seekers is incredibly inefficient. Once individuals are initially approved for asylum via USCIS asylum officers, they must then enter into the immigration court system. Not only is there currently a backlog of over 700,000 cases, but the determination and evidence discovery process has to begin again before an official ruling is made. Greater investment and training should be put into USCIS asylum officers, allowing them to make final decisions. New asylum-seekers would only enter into the immigration court system if they attempted to appeal a decision by a USCIS officer. In this manner, the backlog would diminish and present asylum-seekers would be able to get protection faster and more efficiently. This type of decision making is

already present for some forms of asylum, but making it universal would mean better control over the process and ensuring timely processing for asylum-seekers.

Furthermore, establishing an immigration court specifically for border and ports of entry case appeals would help to ensure that the six-month application decision requirement is met. This would also signal to those that are not qualified for asylum that they would not be able to remain in the United States for any longer than six-months if they appeal the decision on their case. Furthermore, the U.S. should renew the granting of Temporary Protected Status for those who do not meet asylum requirements, but otherwise need protection.

Intergovernmental Level

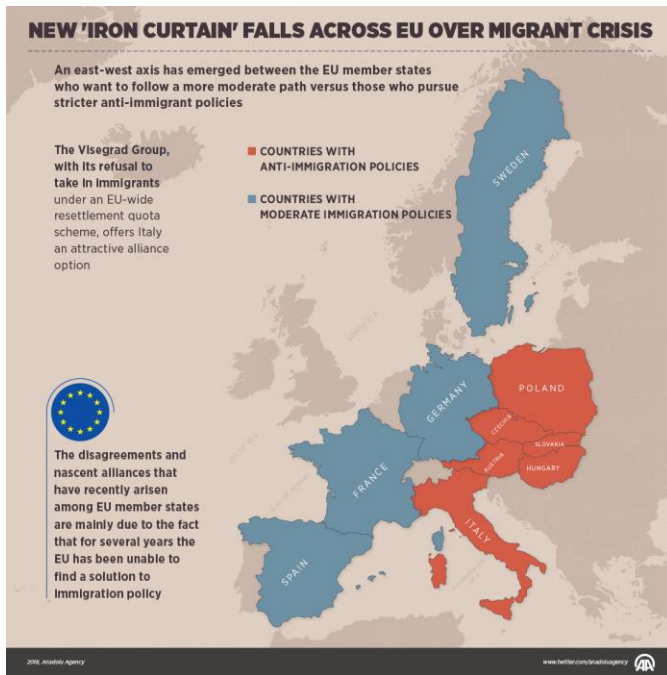
The European Union situation is undoubtedly complex. There are many working parts and minutiae that I could not hope to fully address in this paper. Thus, at the EU level these policy suggestions are broad strokes that I believe would put the EU on a path to better alleviating the refugee crisis and easing the feelings of certain states that feel the EU is antagonistic towards them or has left them behind.

Current European Union level protections of humanitarian non-governmental organizations are limited. The 2002 Facilitation Directive to combat smuggling includes an article stating that EU member states have the choice to pursue charges against those providing humanitarian assistance to migrants attempting to enter into the EU. NGOs have been criminalized for helping those in need even prior to the populist nationalist rise (Heller and Pezzani 2017). While the 2015 “EU Action Plan against migrant smuggling” stated that in 2016 the European Commission would “seek to ensure that appropriate criminal sanctions are in place while avoiding risks of criminalisation of those who provide humanitarian

assistance to migrants in distress,” it does not appear that any such proposals took place or were adopted by the Commission. As such, and as the Salvini administration’s responses to and rhetoric towards NGOs have shown, the risk of criminalization of humanitarian NGOs is dangerous. The discretion allotted by the Facilitation Directive has led to a lack of uniformity among Member States. With Italy’s central position in the asylum-seeker crisis, its ability to halt all SARs by NGOs under threat of persecution is in opposition to the values of the EU and the liberal international order. Thus, the EU should move forward to protect these operations and provide for a long-term solution to processing and resettling those rescued at sea.

The European Union has been in the midst of a so-called “Australian solution” to the migration crisis since the 2016 EU-Turkey deal went into effect. These types of safe third country processing programs could work, in theory, but the current nations being utilized for this type of outsourcing (Libya, Tunisia, Turkey) are in no position to do so. Libyan outsourcing has already occurred in the form of intercepting migrant boats and returning them to Libyan shores. Salvini and the League administration have been staunch supporters of using Libya as a middleman for processing asylum-seekers before they arrive in Italy itself, though the formally recognized Libyan government has been resistant to the idea (Wintour 2018).

Whether or not resettlement processing outside of the EU begins to work, resettlement within the EU needs to be examined again. The Dublin Agreement must be addressed and reworked in order to better reduce the responsibilities of the EU's frontline states. The EU must work to provide greater incentive for member states to fulfill their quotas. Part of what led to the crisis, as well as to the rise of the League administration in



Italy, is the failure of the Dublin Regulation to adequately and fair redistribute new arrivals into Europe. Cooperation between governments in spite of agreed commitments on paper has been weak to follow through on said commitments. Stronger cooperative policies with streamlined and standardized processes for registering asylum-seekers and making decisions on

these cases are absolutely vital. Hard economic incentives need to be instated to address discord among various EU member states. Those that still refuse to host refugees or process asylum-seekers should be made to contribute in other means to help countries that do accept these individuals.

Among these changes as well should be a definitive relocation system from southern European Union states, such as Italy and Greece. The previous relocation plan fell drastically short of its goal. However, the crisis cannot be solved without addressing the severe adjudication inequality among EU member states. Using a third-party buffer as in the cases

of Libya and Turkey has only led to more human rights abuses and problems. European Union-sponsored reception and resettlement centers outside of Europe have shown little promise when similar “hotspot” centers within the EU itself have failed in many respects. One possible solution is to pool reception centers across members states in order to better share responsibility, standardize reception centers further, and ensure compliance with international human and refugee rights treaties and norms (Fratzke 2015). This would bring the core of the asylum and resettlement processes in line with the values and tenets of the liberal international order and the standards called upon by the refugee rights regime.

Future Research

There are a multitude of avenues in which future research could shed more light on this issue. With populism rising throughout Europe and the potential for a second term Trump presidency in the United States, there is a strong likelihood that these parties and politicians will remain influential for years to come. At the very least, their policies will have successfully done lasting damage to the liberal international order, its values and systems, and the refugee rights regime. With that in mind, it would be interesting to follow up on the questions posed and analyzed in this thesis two or three years from now, to see what trends, if any, become more dominant in the NGO resistance to these policies. Nevertheless, the question remains of where to go from here with research.

First, let me begin by addressing the gaps or limitations of my own thesis here. One limit was the lack of firsthand insight into the workings of NGOs in Italy itself. While some news interviews proved useful in understanding the actions and motives behind certain NGOs, the opportunity to conduct more in-depth interviews asking specifically about responses to Salvini and the League administration would prove even more fruitful. This

thesis relies more on secondary sources than preferred. With the Italian case, this research is limited by the fact that the League administration is relatively new at the time of writing. While the administration has made drastic migration and asylum policy overhauls in that time, there has been a limited time period for which to examine the responses of NGOs. Nevertheless, the comparison between Italy and the United States has proven insightful to the study of civil society and humanitarian NGOs. Further research could reveal different facets of this field of study.

It would be worthwhile to produce a larger scale analysis of NGO efforts on the ground in the countries from which asylum-seekers and refugees originate. For instance, in the case of the Trump administration threatening to rescind foreign aid to the Northern Triangle, along with its continued rhetoric and policies of deterrence, it would be insightful to examine how these changes have affected NGOs operating in El Salvador or Guatemala, for instance. How are they addressing and working to alleviate the conditions that catalyze the need for refugee resettlement in the first place, and how effective are these efforts?

Additionally, a further look into the other parts of civil society in working to uphold refugee rights would provide a more complete picture of civil society on the whole. As mentioned at the start of this thesis, humanitarian NGOs are only one aspect of civil society. How has the rest of the public sphere responded to the populist-nationalist rise and its undermining of the refugee rights regime? With the increase in social media in recent years, a larger change over time analysis in terms of tactics, mobilization, and discourse could be useful. How have public-private partnerships worked to counteract hostile policies towards refugees, asylum-seekers, and general immigrants, and how has this varied across states?

These are only a few examples of what is likely a broader movement of mobilization by citizens, outside of NGO operations, to resist these ongoing populist policies.

Conclusion

Refugee rights are only one instance of the greater rights rescissions being enacted by populist-nationalists. For instance, the Trump administration has consistently rolled back protections of the LGBT+ community, particularly for transgender individuals. The restrictive and hostile policies towards refugees and asylum-seekers by the Trump and Salvini administrations reflects a willingness to target some of the most vulnerable groups, and virtually any minority group could become a target next. To uphold refugee rights is to uphold human rights altogether. The fight for refugee rights is long from over, as flows will likely persist or even increase in the years to come as the number of climate refugees increase, and as civil war and terrorist groups continue to cause violence, unrest, and instability in parts of Northern Africa in particular. NGOs will likely continue in their new operational position through all of this so long as populist-national governments remain in power. That is of course unless the shrinking space for civil society does not completely push out NGOs from the picture, as it is moving towards in Italy.

As this paper has shown, humanitarian organizations are in a dire situation worldwide. Recent crises of asylum and refugee policies have shown the dangers that have come from the rise in nationalist governments, particularly in the United States and Italy. These cases have provided a glimpse into the much larger issues of a systematic downgrading of the refugee rights regime and a nationalist challenge to the liberal international order. As demonstrated in Chapters 3 and 4, NGOs have been openly attacked by the Trump and League administrations, and as a result, have had to drastically shift their

role within the LIO in order to attempt (both successfully and unsuccessfully) to uphold the LIO and its values against the threat of the nationalist international order. Many NGOs have successfully been able to adapt and fight for the rights of those being targeted. Further operational changes are necessary moving forward in order to continue the resistance against the nationalist international order. NGOs are the last gasp of the liberal international order, and their success is vital for refugee rights on the whole as well as the interdependent protection of human dignity.

References

- “2016 Campaign: Strong Interest, Widespread Dissatisfaction” Pew Research Center. July, 2016.
- Amos, Deborah. “The Year The U.S. Refugee Resettlement Program Unraveled.” *NPR*, NPR, 1 Jan. 2018
- Anderson, Ian. "Northern NGO advocacy: Perceptions, reality, and the challenge." *Development in Practice* 10.3-4 (2000): 445-452.
- Andreatta, Filippo. "Italy at a crossroads: the foreign policy of a medium power after the end of bipolarity." *Daedalus* 130.2 (2001): 45-65.
- Arsenijevic, Jovana, et al. "DEFENDING HUMANITY AT SEA." Luxembourg Operational Research. Médecins sans Frontières Aug, 2017
- Aydın-Düzgit, Senem, and E. Fuat Keyman. "The Trump Presidency and the Rise of Populism in the Global Context." Policy Brief. Istanbul: Istanbul Policy Center (2017).
- Baitenmann, Helga. "NGOs and the Afghan war: the politicisation of humanitarian aid." *Third World Quarterly* 12.1 (1990): 62-85.
- Balmer, Crispian. “Naples Mayor Offers to Welcome in Stranded NGO Migrant Boat.” *Reuters*, Thomson Reuters, 4 Jan. 2019
- Blue, Sarah A. "Including Women in Development: Guatemalan Refugees and Local NGOs." *Latin American Perspectives* 32.5 (2005): 101-117.
- Börzel, Tanja A., and Thomas Risse. "From the euro to the Schengen crises: European integration theories, politicization, and identity politics." *Journal of European Public Policy* 25.1 (2018): 83-108.
- Brunazzo, Marco, and Mark Gilbert. "Insurgents against Brussels: Euroscepticism and the right-wing populist turn of the Lega Nord since 2013." *Journal of Modern Italian Studies* 22.5 (2017): 624-641

- Buyse, Antoine. "Squeezing civic space: restrictions on civil society organizations and the linkages with human rights." *The International Journal of Human Rights* 22.8 (2018): 966-988.
- Cameron, David. "Stagnation and High Unemployment - Italy's Other 'Dangerous Game'." *Financial Times*, Financial Times, 3 Oct. 2018
- Charnovitz, Steve. "Two centuries of participation: NGOs and international governance." *Mich. J. Int'l L.* 18 (1996): 183.
- Coyne, Christopher J. *Doing bad by doing good: Why humanitarian action fails*. Stanford University Press, 2013.
- Daniels, Philip. "Italy in European Union." *Economic and Political Weekly*, vol. 33, no. 35, 1998
- Day, Jonathan. "A Rising Tide of Hostility Threatens Italian Rights Groups." *Liberties.eu*, 20 Apr. 2018
- Dehghan, Saeed Kamali, et al. "US Airports on Frontline as Donald Trump's Travel Ban Causes Chaos and Protests." *The Guardian*, Guardian News and Media, 28 Jan. 2017
- Deudney, Daniel, and G. John Ikenberry. "The nature and sources of liberal international order." *Review of International Studies* 25.2 (1999): 179-196.
- Dwyer, Colin. "U.S. Announces Its Withdrawal From U.N. Human Rights Council." *NPR*, NPR, 19 June 2018
- "Family Case Management Program." *Womensrefugeecommission.org*, 20 July 2018.
- Fratzke, Susan. 2015. "Not Adding Up: The Fading Promise of Europe's Dublin System." Brussels: Migration Policy Institute Europe.
- Fusco, Thomas. "Despite Hostile Work Climate, Italian NGOs Resolve to Fight On." *Liberties.eu*, 17 Jan. 2018
- General Review of Arrangements for Consultations with Non-Governmental Organizations (Report of the Secretary-General) E/AC.70/1994/5 of 26 May 1994, para. 33
- Ginsborg, Paul. "Civil society in contemporary Italy: theory, history and practice." *Journal of Modern Italian Studies* 18.3 (2013): 283-295.

- Giuffrida, Angela. "Italy Evicts More than 500 People from Refugee Centre." *The Guardian*, Guardian News and Media, 23 Jan. 2019a
- "These People Aren't Cattle': Anger over Evictions at Italian Refugee Centre." *The Guardian*, Guardian News and Media, 27 Jan. 2019b
- Gomez, Alan. "Refugee Admissions to U.S. Plummet in 2017." *USA Today*, Gannett Satellite Information Network, 3 Jan. 2018
- Griffiths, D. "NGOs to Nikki Haley: Not Our Fault U.S. Left U.N. Human Rights Council." *POLITICO*, 24 June 2018
- Grillo, Ioan. "Why Central American Refugees Will Keep Coming to the U.S." *Time*, Time, 21 June 2018
- Harvey, David. *A brief history of neoliberalism*. Oxford University Press, USA, 2007.
- Heller, Charles, and Lorenzo Pezzani. "Blaming the rescuers." *Forensic architecture agency* (2017).
- Hogan, Jackie, and Kristin Haltinner. "Floods, invaders, and parasites: Immigration threat narratives and right-wing populism in the USA, UK and Australia." *Journal of Intercultural Studies* 36.5 (2015): 520-543.
- Ikenberry, G. John. "The rise of China and the future of the West-Can the liberal system survive." *Foreign Aff.* 87 (2008): 23.
- "The future of the liberal world order: internationalism after America." *Foreign affairs* (2011): 56-68.
- Inglehart, Ronald F., and Pippa Norris. "Trump, Brexit, and the rise of populism: Economic have-nots and cultural backlash." (2016).
- Italian Law, 26 February 1987, N.49 (Legge 26 Febbraio 1987, N.49) ("Law 49/87")
- "Italian Mayors Rebel against Salvini Migrant Laws | DW | 04.01.2019." *DW.COM*, Deutsche Welle, 4 Jan. 2019

“Italian NGOs: an Introduction.” *Wanted in Rome*, 28 May 2002

“ITALY: Debate on NGOs and Foreign Funding in the Parliament Raises Worries among Italian Civil Society Freedom of Association ITALY: Debate on NGOs and Foreign Funding in the Parliament Raises Worries among Italian Civil Society.” *Civic Space Watch*, 28 Feb. 2019

Ivaldi, Gilles, Maria Elisabetta Lanzone, and Dwayne Woods. "Varieties of Populism across a Left-Right Spectrum: The Case of the Front National, the Northern League, Podemos and Five Star Movement." *Swiss Political Science Review* 23.4 (2017): 354-376.

Ivarsflaten, Elisabeth. "What unites right-wing populists in Western Europe? Re-examining grievance mobilization models in seven successful cases." *Comparative Political Studies* 41.1 (2008): 3-23.

Jaeger, Gilbert. "On the history of the international protection of refugees." *International Review of the Red Cross* 83.843 (2001): 727-738.

Jenkins, Aric. “Jeff Sessions: Parents, Children to Be Separated at Border.” *Time*, Time, 7 May 2018

J.P.P. “Why Is It so Hard to Form a Government in Italy?” *The Economist*, The Economist Newspaper, 24 Apr. 2013

Kanno-Youngs, Zolan, and Caitlin Dickerson. “Asylum Seekers Face New Restraints Under Latest Trump Orders.” *The New York Times*, The New York Times, 30 Apr. 2019

Keck, Margaret E., and Kathryn Sikkink. *Activists beyond borders: Advocacy networks in international politics*. Cornell University Press, 2014.

Kingsley, Patrick. *As West Fears the Rise of Autocrats, Hungary Shows What's Possible*. The New York Times, 10 Feb. 2018

Landauro, Inti. “Aquarius, the Last Mediterranean Refugee Rescue Ship, Ends Operations.” *Reuters*, Thomson Reuters, 7 Dec. 2018

Lavoie, Denise. “Appeals Court Declares Trump Travel Ban Unconstitutional.” *AP News*, Associated Press, 15 Feb. 2018

- Lieberman, Amy. "NGOs Rethink Emergency Response Plans amid Trump Travel Ban Uncertainty." *Safety & Security Manager | Devex*, 13 Feb. 2017
- "UN, International NGOs Boost Central America Presence amid Migrant and Refugee Crisis." *Safety & Security Manager | Devex*, 17 July 2018
- López-Alves, Fernando, and Diane E. Johnson, eds. *Populist Nationalism in Europe and the Americas*. Routledge, 2018.
- Mancini, G. Frederico. "The Italians in Europe." *Foreign Affairs, Foreign Affairs Magazine*, 28 Jan. 2009
- Manners, Ian. "The normative ethics of the European Union." *International affairs* (2008): 45-60.
- "Mare Ionio Migrants to Disembark - English." *ANSA.it*, 19 Mar. 2019
- Marozzi, Marco. "Construction, robustness assessment and application of an index of perceived level of socio-economic threat from immigrants: A study of 47 European countries and regions." *Social Indicators Research* 128.1 (2016): 413-437.
- Martucci Schiavi, Roberta. "NGOs Foil Italy's Migrant Ship Blockade by Flying Italian Flag." *Liberties.eu*, 18 Oct. 2018
- "Mediterranean Crisis 2015 at Six Months: Refugee and Migrant Numbers Highest on Record." United Nations High Commissioner on Refugees, 1 July 2015
- Mendelson, Sarah E. "Why Governments Target Civil Society and What Can Be Done in Response: A New Agenda." *Center for Strategic & International Studies*. (2015).
- Mento, Tarryn. "Budget Cuts, Layoffs And Closures Hit Refugee-Serving Organizations." *KPBS Public Media*, 25 Sept. 2018
- "Migrant Caravan: What Is It and Why Does It Matter?" *BBC News*, BBC, 26 Nov. 2018
- Moisi, D. (2007), 'The Clash of Emotions: Fear, Humiliation, Hope and the New World Order' *Foreign Affairs* 86:1
- Mudde, Cas. "The populist zeitgeist." *Government and opposition* 39.4 (2004): 541-563.

- Mudde, Cas, and Cristóbal Rovira Kaltwasser. "Exclusionary vs. inclusionary populism: Comparing contemporary Europe and Latin America." *Government and Opposition* 48.2 (2013): 147-174.
- Muir, Edward. "The sources of civil society in Italy." *Journal of Interdisciplinary History* 29.3 (1999): 379-406.
- Murray, Stephanie. "Nikki Haley Casts Blame on NGOs for U.S. Withdrawal from Rights Council." *POLITICO*, POLITICO, 20 June 2018
- Nye Jr, Joseph S. "Will the liberal order survive: The history of an idea." *Foreign Aff.* 96 (2017): 10.
- Oesch, Daniel. "Explaining workers' support for right-wing populist parties in Western Europe: Evidence from Austria, Belgium, France, Norway, and Switzerland." *International Political Science Review* 29.3 (2008): 349-373.
- Ostrand, Nicole. "The Syrian refugee crisis: A comparison of responses by Germany, Sweden, the United Kingdom, and the United States." *J. on Migration & Hum. Sec.* 3 (2015)
- Paul, Amy, Craig Jolly, and Aubra Anthony. "Reflecting the Past, Shaping the Future: Making AI Work for International Development." *USAID.gov*, USAID, 5 Sept. 2018.
- Pronczuk, Monika. "Italian Rescue Boat Confronts Salvini over Migrants." *Financial Times*, Financial Times, 2 Nov. 2018
- Pyati, Archi. "Trump Administration Misses Deadline to Reunite Families Separated at the Border - the Horror Hasn't Ended." *USA Today*, Gannett Satellite Information Network, 11 July 2018
- "Relocation of Asylum Seekers from Italy and Greece" *European Migration Law*, 3 Apr. 2018.
- Risse, Thomas, and Kathryn Sikkink. "The Socialization of International Human Rights Norms into Domestic Practices: Introduction." *The Power of Human Rights: International Norms and Domestic Change*, edited by Thomas Risse et al., Cambridge University Press, Cambridge, 1999, pp. 1–38. Cambridge Studies in International Relations.

- Rizzo, Salvador. "The Facts about Trump's Policy of Separating Families at the Border." *The Washington Post*, WP Company, 19 June 2018
- Rogers, Katie, et al. "Trump Directs State Dept. to End Aid to 3 Central American Countries." *The New York Times*, The New York Times, 29 Mar. 2019
- Romo, Vanessa, and Joel Rose. "Trump Administration Seeks To Close International Immigration Offices." *NPR*, NPR, 12 Mar. 2019
- Roth, Kenneth. "The dangerous rise of populism: Global attacks on human rights values." *Journal Of International Affairs* (2017): 79-84.
- Rupnik, Jacques. "From Democracy Fatigue to Populist Backlash, op. cit, and Ivan Krastev: Is East Central Europe Backsliding? The Strange Death of the Liberal Consensus." *Journal of Democracy* 18.4 (2007): 56-63.
- Salamon, Lester M., S. Wojciech Sokolowski, and Regina List. *Global civil society*. Vol. 2. Bloomfield, CT: Kumarian, 2004.
- Sandvik, Kristin Bergtora. "The humanitarian cyberspace: shrinking space or an expanding frontier?." *Third World Quarterly* 37.1 (2016): 17-32.
- "Save the Children Announces Partnerships with Leading Nonprofits Serving Children and Families at U.S.-Mexico Border." *Savethechildren.org*, 13 July 2018
- Scherer, Steve. "Italy's Salvini Gets Win with New Asylum and Security Rules." Reuters, Thomson Reuters, 29 Nov. 2018
- Schmidt, Samantha. "Trump Administration Puts Burden on ACLU to Find Deported Parents Separated from Children." *The Washington Post*, WP Company, 3 Aug. 2018
- Schweller, Randall L., and Xiaoyu Pu. "After unipolarity: China's visions of international order in an era of US decline." *International security* 36.1 (2011): 41-72.
- Semple, Kirk, and Miriam Jordan. "For Families Split at Border, an Anguished Wait for Children's Return." *The New York Times*, The New York Times, 1 Sept. 2018
- Slaughter, Anne-Marie. "International law in a world of liberal states." *European Journal of International Law* 6.3 (1995): 503-538.

- Snyder, Jack. "One World, Rival Theories." *Foreign Policy*, Foreign Policy, 26 Oct. 2009
- Stack, Liam. "Donations to A.C.L.U. and Other Organizations Surge After Trump's Order." *The New York Times*, The New York Times, 22 Dec. 2017
- "The Latest: Italian Minister Says Country Not 'Refugee Camp'." *AP NEWS*, Associated Press, 9 Oct. 2018
- Tondo, Lorenzo. "Matteo Salvini and Viktor Orbán to Form Anti-Migration Front." *The Guardian*, Guardian News and Media, 28 Aug. 2018a
- Tondo, Lorenzo. "Italian-Flagged Migrant Rescue Boat Defies Anti Immigration Minister." *The Guardian*, Guardian News and Media, 4 Oct. 2018b
- Tondo, Lorenzo, and Angela Giuffrida. "Deaths at Sea Expose Flaws of Italy-Libya Migration Pact." *The Guardian*, Guardian News and Media, 23 July 2018a
- "Vulnerable Migrants Made Homeless after Italy Passes 'Salvini Decree'." *The Guardian*, Guardian News and Media, 7 Dec. 2018b
- Traub, James. *The EU's Next Big Election Is Heading for Disaster*. Foreign Policy, 12 Mar. 2019
- Turnbull, Lornet. "How You Can Help as Migrant Caravans Arrive at the U.S. Border." *YES! Magazine*, 15 Nov. 2018
- "U.S. Annual Refugee Resettlement Ceilings and Number of Refugees Admitted, 1980-Present." *Migrationpolicy.org*, Migration Policy Institute, 31 Oct. 2018
- UNHCR Mediterranean Situation Sea Arrivals. 2018 Available online: <https://data2.unhcr.org/en/situations/mediterranean>.
- Van Meurs, Wim, et al. "From Crisis to Crisis," in *The Unfinished History of European Integration*. Amsterdam University Press, Amsterdam, 2018, pp. 263–280
- Villa, Matteo, et al. "Fact Checking: Migrazioni 2018." *ISPI*, Istituto per Gli Studi Di Politica Internazionale, 11 Feb. 2019
- Walker, Shaun. "Viktor Orbán Calls for Anti-Migration Politicians to Take over EU." *The Guardian*, Guardian News and Media, 10 Jan. 2019

Wallace-Wells, Benjamin. "The A.C.L.U. Is Getting Involved in Elections-and Reinventing Itself for the Trump Era." *The New Yorker*, The New Yorker, 8 June 2018

Wallerstein, Immanuel. "The world-system after the cold war." *Journal of Peace Research* 30.1 (1993): 1-6.

Walt, Vivienne. "Why Italy's Matteo Salvini Is the Most Feared Man in Europe." *Time*, Time, 13 Sept. 2018

Welsh, Theresa. "NGOs Grapple with Shifting Demographics of Central America's Migrants and Refugees." *Devex*, 16 Aug. 2018

Wintour, Patrick. "Italian Minister Calls for Migrant Reception Centres South of Libya." *The Guardian*, Guardian News and Media, 25 June 2018

Youssef, Nancy A., and Alicia A Caldwell. "Troops Deploy to Parts of Border Where Migrant Caravans Are Deemed Most Likely to Go." *The Wall Street Journal*, Dow Jones & Company, 3 Nov. 2018

Zepeda-Millán, Chris, and Sophia Wallace. "Mobilizing for Immigrant and Latino Rights Under Trump." *The Resistance: The Dawn of the Anti-Trump Opposition Movement* (2018): 90-108.

Zhao, Christina. "Trump's Election Victory Caused ACLU Membership to More than Quadruple." *Newsweek*, 5 July 2018