

Migration and Human Rights in a Just Society

Human Rights and a Just Society
The 16th Symposium

Presented at

The University of Warsaw, Warsaw, Poland,
Department of Political Science and International Studies

October 14 and 15, 2024

Professor Jan Baszkiewicz Auditorium in the Auditorium Building
ul. Krakowskie Przedmieście 26/28, 00-927 Warszawa

Co-Sponsors:

The Faculty of Political Science and International Studies, The University of
Warsaw, Warsaw, Poland

The John Felice Rome Center (JFRC) of Loyola University Chicago

(All events will be held at the Professor Jan Baszkiewicz main auditorium of the Faculty of Political Science
and International Studies at the above address.)

Monday, October 14th 9:30 a.m. – 4:45 p.m.

9:30 – 9:45 WELCOME AND INTRODUCTION:

John Kurowski, Conference Chair

**Prof. Maciej Raś, Vice-Rector for Student Affairs and Quality of Teaching and Learning,
University of Warsaw**

Dr. Todd Waller, Director of the John Felice Rome Center of Loyola University Chicago

**Dr. Peter Schraeder, Dean of the College of Arts and Sciences, Loyola University
Chicago**

Panel I

9:45 – 11:00 Why are we here? The Big Picture Overview: 20th Century Migration History; Application and Subsequent Abandonment of International Law and Standards; the EU Approach vs. the US approach; Crisis. The 2015 influx of migrants.

John Kurowski, Katherine Kaufka Walts, Michał Balcerzak and William Mahoney

In rapid fire this introductory panel will set the stage, provide context for the program, and identify key issues.

Mr. Kurowski will overview historical migration with emphasis on the early 20th century experience in the US and EU, from open immigration to major controls imposed; the World War II experience, immigration restrictions and the Holocaust and the post war displaced persons crisis.

Professor Kaufka Walts will speak of global migration and displacement being at an all-time high. She will speak of the history of borders and nationalism. She will flesh out the terms used legally and in the vernacular such as “people on the move” “migrant” “displacement” “immigrant” “refugee”. She will identify the ‘push factors’ for migration today such as climate change, war, conflict, violence, and extractive business practices. She will discuss children as being the most affected by it.

Dr. Balcerzak will set forth the Post War international response, the Universal Declaration of Human Rights, The Convention on Refugees and Asylum, the Application of international law to migration issues and the ultimate abandonment of international law guidelines.

Mr. Mahoney will address the modern migration crises at both the US southern border and European issues with migrants from Africa, Mideast and east Asia. The 2015 numbers explosion will be examined along with the role of local and EU politics, domestic backlash and right wing parties. The presentation will conclude with discussion that the responses to migration are increasingly and overwhelmingly restrictive (global north vs. global south, both US and Europe sponsoring programs in migration corridors (N. Africa, Mexico) to keep migrants out.

11:00 – 11:30 Coffee Break

11:30 - 12:00 KEYNOTE ADDRESS – EUROPE’S MIGRATION CHALLENGES
Professor Maciej Duszczyk, University of Warsaw and Undersecretary of State at the Ministry of Interior and Administration of Poland, responsible for international issues, including those related to migration policy

Discussion and Question and Answer

Panel II

12:00 - 13:00

DEVELOPING AND SUSTAINING A MEANINGFUL POLICY FOR MIGRANTS IN THE EUROPEAN UNION

Moderator: Aleksandra Jarczewska

Professor Dorota Heidrich and Dr. Justyna Nakonieczna-Bartosiewicz - University of Warsaw

Critical insight into the militarization of management of irregular migration in the European Union Common European Asylum System (CEAS)

The current trends in managing irregular migration and asylum policies in the EU result from perceiving the phenomenon as possibly causing instability leading to the overall deterioration of the security situation in the EU, especially in the light of the ongoing war in Ukraine. The recently agreed (2023/24) modifications of the Common European Asylum System (CEAS) put emphasis on a new understanding of what massive irregular migration inflows may mean for EU security. Their introduction was a consequence of a toughening position towards instability at the EU's external borders. Professor Heidrich and Dr. Nakonieczna-Bartosiewicz will offer that the CEAS reform has been moving the entire system in the direction of the unprecedented trend of militarization of management of irregular migration and asylum procedures in the EU.

Professor Agnieszka Bieńczyk-Missala, University of Warsaw

Migration as a tool of war and politics

Professor Bieńczyk-Missala will discuss how migration has increasingly become a tool of both war and politics. She will discuss state-driven motives and objectives behind such practices, including the use of migration to build political leverage, create instability, intimidate populations, engage in statecraft, and combat the opposition with specific reference to Libya, Turkey, Belarus, Russia, and other regimes. The presentation will conclude with a consideration of the ethical and legal implications of using migration as a tool of war and politics. It will question the international community's capacity to respond effectively to such tactics and call for a rethinking of global migration policies and frameworks to address the weaponization of human movement and protect the rights and dignity of displaced populations.

13:00 – 13:45 Lunch on the Premises

Panel III

13:45 – 14:45

INVESTIGATING HUMAN RIGHTS IN THE CONTEXT OF MIGRATION

Moderator: William Mahoney

Carolina Jorda Alvarez, Senior Geospatial Analyst, Technology, Rights and Investigations Division, Human Rights Watch

Carolina Jorda Alvarez will discuss her work with HRW's unique Digital Investigations Lab that coordinates HRW human rights violations.

Nadia Hardman, Refugee and Migrants Researcher, Human Rights Watch

Nadia Hardman will discuss her work as a researcher in the Refugee and Migrants Rights Division of HRW. This will include her 2022 and 2023 work documenting abuses, including killings of migrants and the opening of a new path for migration between Ethiopia and Saudi Arabia.

Together, Carolina and Nadia will demonstrate how they coordinate their work with real case studies of migrant abuses.

Dr. Aleksandra Jarczewska, University of Warsaw

Dr. Jarczewska will present the US and EU experiences in the gathering of information, data and confounding misinformation in the protection of migrants. The presentation will focus on the current role of AI in managing migration processes. She will discuss how AI is being used to control the borders.

Panel IV

14:45 – 15:45 IMPACT AND RESULTS OF MIGRATION

Moderator: John Kurowski

Katherine Kaufka Walts, Director of the Center for Human Rights for Children of Loyola University Chicago School of Law, Professor of Law

The United Nations estimates that children and youth represent over one-half of the refugees in the world. Yet, the legal systems designed to respond to migrants (including refugees) do not take into consideration the unique and developmental differences between children and adults. Prof. Walts will demonstrate this gap in cases involving migrant children who were trafficked in the US, as well as a recently released research study on the conditions of care of migrant children in U.S. government custody. Using the United States as a case study, she will present on how immigration laws and policies violate international children's rights and provide recommendations for action and continuing research for students, scholars, and the public.

**Dr. Richard Miller, Professor of Systemic Theology and Sustainability Studies,
Creighton University, Omaha, Nebraska**

Up to one billion people could be displaced by climate change by 2050. We already see it is creating a need for new migration pathways and challenging the world's resources in new and unexpected ways and raising a host of new questions. Should climate change migration be a basis for asylum? Given what is happening today is the world ready for mass migration due to climate change? Dr. Miller brings his unique background and body of research in climate change, sustainability, and theology to bear on these issues.

Panel V

15:45 – 16:40 CRIMES BY AND AGAINST MIGRANTS

Moderator: Michał Balcerzak

Professor Patrycja Grzebyk, University of Warsaw

Crimes against migrants in the International Criminal Court

Professor Grzebyk's presentation will focus about migrants attempting illegally to get to Europe through the Mediterranean Sea and other migrations as crimes against humanity triggering ICC jurisdiction. This will also include consideration of the innovative approach to broadening the scope of the Court's jurisdiction using the example of the Myanmar/Bangladesh situation and its impact on possibilities to deal with the situation on the Polish/Belarusian border and on other borders where migrants attempt to cross them illegally. She will also discuss the recent development concerning issuance of arrest warrants in relation to deportation of children from Ukraine to Russia. Finally, her presentation will also focus on the successes and failures in triggering the jurisdiction of the International Criminal Court concerning crimes against people forced to migrate.

Dr. Łukasz Wieczorek, University of Warsaw

Foreign nationals' crime in Poland – what we already know and what we do not

Dr. Wieczorek will speak on crimes committed by foreigners in Poland from 2020 to 2023. He will address, first what we already know about crimes committed by foreigners, and the situation in Poland to date. Secondly, with the dynamic changes in migration in Poland due to the war in Ukraine and other things he will discuss whether the increasing number of foreigners coming to Poland, has produced a change in the crime structure regarding crimes committed by foreigners. Finally, he will answer the question: is it valid when information is sometimes conveyed to the Polish public through the media, the press, and some politicians that foreigner's crimes are worse than those of natives of Poland?

SOCIAL GATHERING FOR STUDENTS

18:00– 19:30 All students are invited to an informal social gathering at **Kufle i Kapsle ul. Nowogrodzka 25/2.** All students participating in the symposium are invited and encouraged to attend. The event is sponsored by Loyola's John Felice Rome Center (JFRC) and is underwritten by Leonard Slotkowski, a JFRC alumnus. This event is for students **only**.

TUESDAY OCTOBER 15, 2024

9:15 – 9:45

HOW ARE THE HOST COUNTRIES MANAGING IT? REACTIONS TO MIGRANTS IN POLAND?

University of Warsaw Professor Robert Staniszewski's broad and continuing study, *Public Perception of Refugees from Ukraine, Migrants, and actions taken by the government* findings as to how one EU country, Poland, is reacting and managing its large influx of Ukrainian and other migrants will be presented by two of Professor Staniszewski's students.

Jan Tyszká-Ostrowski and Pierre Solski, University of Warsaw

Panel VI

9:45 – 11:00

MIGRATION: THE HUMAN TOLL.

MIGRATION'S HUMAN COSTS: HUMAN TRAFFICKING AND FORCED LABOR

Moderators: John Kurowski and Aleksandra Jarczewska

Professor Zbigniew Lasocik, University of Warsaw

Professor Lasocik will address the most profound human costs of migration including slavery, human trafficking, and forced labor. He will discuss their connections to migration, their scale, geographic distribution, and cultural significance. Finally, his presentation will touch on the obligations of the state and society to respond.

A Photographer Journalist's Journey into Migration - Francesco Bellina

Award winning Italian free-lance photojournalist Francesco Bellina focuses on contemporary social-political issues with a particular focus on migration and climate issues. He will tell uncensored stories in photography, of the journeys of

actual migrants to the EU from Africa with all their life changing and life threatening challenges.

Panel VII

11:00 – 12:00

A CONVERSATION WITH TWO MIGRANTS

In August 2021, the United States departed Afghanistan after a twenty-year presence following 9/11. The Taliban resumed its oppressive government. In addition to evacuating American personnel many Afghans tried to leave for the West. Some made it. Many did not. **Ferishta Sardary** and **Najila Turabi** made it but their routes and stories are vastly different. With John Kurowski and Bill Mahoney, they will tell their stories.

FRANCESCO BELLINA will join **Ferishta** and **Najila** for discussion.

12:00 – 12:30

DITUFUL ACTION AND RESPONSE. WHAT ARE OUR MORAL OBLIGATIONS AS CITIZENS OF THE WORLD? WHAT CAN YOU DO?

Dr. Richard Miller

12:30 – 12:45 **Short coffee break**

Panel VIII

12:45 –14:30 STUDENT REFLECTION SEMINAR

Professor Maciej Raś of the University of Warsaw Political Science Faculty, Dr. Anne Wingenter, Professor of History at the John Felice Rome Center of Loyola University Chicago, Loyola law professor Katherine Kaufka Walts and Bill Mahoney will lead and facilitate a student exercise in considering dispositions and results in several different migrant experiences and scenarios. After a short opening presentation, the students will be divided into 6-8 evaluation and discussion groups and then return to the lecture hall for final discussion of the results.

Symposium Planning Committee:

John Kurowski, Partner, MG+M law firm (John Felice Rome Center alumnus), **Maciej Raś**, Professor, University of Warsaw Faculty of Political Science and International Studies, **Aleksandra Jarczewska**, University of Warsaw, Warsaw Faculty of Political Science and International Studies, **Anne Wingenter**, Professor of History, the John Felice Rome Center, **Michał Balcerzak**, Associate Professor of Political Science and Security Studies, Nicolaus Copernicus University, Torun; **Bożena Nowicka McLees**, Director of Polish Studies, Loyola University Chicago, **William Mahoney** Retired attorney (John Felice Rome Center alumnus)

Symposium Organizing Committee:

John Kurowski, Maciej Raś, Aleksandra Jarczewska, Jakub Nowotarski, Jakub Witczak

SPEAKERS BIOGRAPHIES PROVIDED SEPARATELY.