

“The welcome to Ukrainian refugees is uniquely compassionate. Discuss”

Article 14 of the Universal Declaration of Human Rights 1948 (UDHR) recognises that ‘Everyone has the right to seek and enjoy in other countries asylum from persecution’¹. The UN Convention on Refugees 1951 codifies refugee rights at an international level. It allows for the protection of individuals, and notes that provisions should be applied without discrimination as to race, religion or country of origin. A refugee is defined by Article 1A(2) of the Convention as someone:

“...owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group of political opinion, is outside the country of his nationality and is unable, or owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.”²

The ongoing war in Ukraine has caused a severe refugee crisis. Approximately 15 million people have been forced to escape from their homes³. The UK has implemented various immigration policies to cater for these needs and show their support. Though, it begs the question why such unique compassion, or rather exclusive compassion, has been shown to Ukrainian refugees compared to those from non-European countries (NECs).

This paper will focus on the unique or exclusive compassion that UK has reserved towards Ukrainian refugees through the immigration system. It will analyse the benefits of the implementation of Sikh jurisprudence in UK immigration policies and attitudes to ameliorate current refugee hostility in British society.

It is argued that the treatment of Ukrainian refugees is the standard Britain should be adopting for all refugees. Exceptions of such welcoming policies should not be subjective of nationality. Indeed, this attitude, as embodied in the Refugee Convention, is complementary to the values of Sikhism focusing on equality and

¹ Article 14 of the Universal Declaration of Human Rights 1948

² Article 1A(2) UN Convention on Refugees 1951

³ <https://www.brookings.edu/blog/future-development/2022/06/21/forcibly-displaced-ukrainians-lessons-from-syria-and-beyond/>

social justice. Originating in 1500 CE⁴, Sikhism is followed by 0.7% of the population in the UK⁵, being the fifth largest religion in the world. Despite being minority in the UK, the Sikh community has always assisted and advocated for those in need regardless of their background. Its ethos transcends borders and softens the complexity and resentment towards those crossing borders.

The solutions of the global refugee crisis are out of the scope of this paper, however what will be noted is how the Home Office should implement philosophies stemming from Sikh jurisprudence to avoid unique/exclusive compassion.

Sikh jurisprudence:

Equality

Guru Nanak, the founder of Sikhism, emphasised that God is within us all, and thereby all should be treated with equality. The Guru Granth Sahib (the Sikh religious scripture) contains the teachings of the lineage of gurus. The Mool Mantra, the beginning chant in the scripture, illustrates the values of equality and social justice. It begins with 'Ik Onkar', there is One God/being, and notes that God without fear and without hate, 'Nirbhau Nirvar'. The teachings also note that God is within everyone, 'All beings and creatures are His; He belongs to all'⁶. It follows that if God is within everyone, all should be treated with equality and thereby live without fear and without hate. Certainly, this encompasses the very principle of the UN Refugee convention; for refugees to live as equal beings, without worry and animosity towards them.

What is integral to this is the practice of hospitality⁷, demonstrated in the various services Sikhs provided to all equally. The service of *Langar*, providing free meals to all, and the structure of the Gurudwara with a door open on each of the four sides, symbolises that all are welcome without regard for religion or background⁸. The global Sikh humanitarian NGO, Khalsa Aid, reflects this principle of recognising 'the whole human race as one'⁹. They have provided supplies and resources to Syria and

⁴ https://www.bbc.co.uk/religion/religions/sikhism/history/history_1.shtml

⁵ ONS, 2011 Census: Population estimates for the UK, Table 9

⁶ Guru Granth Sahib 425

⁷ https://digitalcommons.unomaha.edu/cgi/viewcontent.cgi?article=1000&context=gchr_publications

⁸ *ibid*

⁹ <https://www.khalsaaid.org/>

Greece as examples of hospitality towards refugees. In the UK, they have recently formed a partnership with the International Rescue Committee to support the integration of refugees such as through cultural orientation and mentorships schemes¹⁰. Therefore, the active examples of Sikh principles show the benefits equality provides in the sphere of asylum and immigration.

Social justice

The second principle is social justice. The Khalsa was formed by Guru Gobind Singh, the tenth Guru. This was a military group to defend the religion from religious and political persecution during the takeover of the Mughal Empire. The 5 Ks were born from this; relevant to this paper is the Kirpan. This ceremonial sword is symbolic of social justice, as it is used only for the purposes of self-defence, and to protect individuals from injustice.

The UK's stance on refugees

The UK Home Office's hostile reputation precedes itself. The many examples during the last decade of the Conservative government have seen men, women and children die crossing their way through the English Channel¹¹. Indeed, this is the one of the dangerous routes to enter, as there is no application process to claim asylum outside the UK. This immediate inadequacy of the system notes the difficulty to seek refuge in the UK. The recently enacted Nationality and Borders Act 2022 emphasises this, as it has the motivation to ensure a '*fair but firm immigration system*'¹², arguably being *fair* in only name.

An example is the differential treatment of refugees in the UK, essentially creating a two-tier system. Group 1 refugees are those who enter lawfully, and Group 2 are those who enter the UK via irregular routes. Group 1 is classed as individuals that have not stopped in any other country where protection could have been sought, and they have presented themselves without delay to the authorities. Those who enter the UK unlawfully may also come under this group if they can show 'good cause for

¹⁰ <https://www.khalsaaid.org/news/khalsa-aid-and-irc-launch-a-new-partnership-to-support-refugee-integration-in-the-uk>

¹¹ <https://www.newyorker.com/news/letter-from-the-uk/the-tragic-choices-behind-britains-refugee-crisis>

¹² <https://www.gov.uk/government/news/borders-act-to-overhaul-asylum-system-becomes-law>

their unlawful entry'. Group 2 are those who do not meet any Group 1 requirements. The Home Office have the power to treat individuals from these groups, and their families differently. For example, they may alter the length of their leave in the UK, access to public funds, and whether leave is granted to members of the refugee's family. This criteria produces harsh inequality between those fleeing harm and injustice, in fact, the U.N.'s High Commissioner for Refugees described this as "a recipe for mental and physical ill health, social and economic marginalisation, and exploitation."¹³. This is focused on a hostile and limiting system, involving unnecessary administration in matters where documents are difficult to carry and source. It contradicts the very essence of the Refugee Convention and thereby Sikh principles, whereby there is no equality in treatment, nor sense of social justice to assist those affected.

The UK's welcome of Ukrainian refugees

The UK's welcome of Ukrainian refugees has been uniquely compassionate. These provisions should not be excessively praised as it should be the standard procedures for all refugees entering the UK.

There are two routes provided for Ukrainian refugees outside the UK.

- 1) The Ukrainian Family Scheme is for Ukrainians and immediate family members outside the UK. This allows Ukrainians to enter if they have a family member in the UK.
- 2) The Home for Ukraine Sponsorship Scheme allows Ukrainians without UK family ties to enter if the route conditions are met. Here individuals can host Ukrainian guests as sponsors.

It is argued that this bespoke humanitarian support package¹⁴ for Ukrainians is unfair, with no such welcoming compassion or treatment for Palestinians during the Israel-Palestine conflict, particularly during the bombardment of Gaza in May 2021. The extended support of these policies branches out to financial and educational assistance for Ukrainian refugees. This is of stark different when compared to those from non-European countries, an example being minimal signs and symbols of

¹³ <https://www.newyorker.com/news/letter-from-the-uk/the-tragic-choices-behind-britains-refugee-crisis>

¹⁴ <https://www.gov.uk/government/speeches/home-secretary-statement-on-humanitarian-support-for-ukrainians>

mental health support lines for Palestinian or Syrian refugees displayed around the arrival gates of Heathrow Airport, as plastered for those from Ukraine. Sociologist, Encarnacion Gutierrez Rodriguez notes the arrival of the 'other' develops a fear within Europeans leading to the construction of illogical rationale to justify such fear¹⁵. These very ideologies make such unique, exclusive compassion justifiable. This approach can be deemed as the 'coloniality of migration'¹⁶, whereby such an ideology is based upon a globalised racial social hierarchy, favouring European and western ways.

Such provisions to facilitate the welcome of Ukrainian refugees is contradicted with the rejection of refugees from NECs. In 2016, when refugee figures were the highest across the continent, Britain received approximately 38,500 asylum applications, compared to around 722,300 for Germany and 123,4000 for Italy; it is no secret that Britain has an incredibly low refugee acceptance rate in Europe¹⁷. However, UK efforts are applauded given the ongoing conflict in Ukraine. In fact, they complement the Sikh principles of social justice where effective instruments are provided to ensure injustice is resolved and individuals supported.

Although, these provisions exude a sense of inequality given the scarcity of the same for non-European refugees. With no visa route to claim asylum from outside the UK for refugees generally, the Ukrainian schemes allow a legitimate means of entering the UK with safety, though refugees from NECs are forced to cross treacherous waters facing the death. It must be questioned why government policies are not consistent in dealing with refugees from all over the world. Professor Serena Parekh aptly notes that we should 'focus on the commonalities instead of the differences: These are families desperate to protect their children, these are people who fled and left behind all of their belongings'¹⁸. Favouring one demographic and not the other juxtaposes the Refugee Convention and Sikh jurisprudence. Equal

¹⁵ <https://link.springer.com/content/pdf/10.1007/978-3-030-28979-9.pdf>

¹⁶ <https://www.degruyter.com/document/doi/10.1515/9783110600483-011/pdf#:~:text=The%20coloniality%20of%20migration%20not,link%20between%20racism%20and%20capitalism>

¹⁷ <https://www.theguardian.com/commentisfree/2020/jan/01/refugee-crisis-europe-mediterranean-racism-incarceration>

¹⁸ <https://www.theneweuropean.co.uk/the-empathy-gap-after-ukraine-we-must-think-again-about-the-refugees-we-have-ignored/>

compassion towards all would avoid the many deaths faced by refugees on their journey to safety.

Comparison of policies for Afghan refugees

A parallel circumstances of conflict zones can be considered. During the takeover of the Taliban in Afghanistan in the summer of 2021, the UK set up similar provisions through the Afghanistan Citizen Resettlement Scheme (ACRS). Initially, it prioritised the most vulnerable, including women, girls and children. The most recent update has seen the scheme prioritise:

'- those who have assisted the UK efforts in Afghanistan and stood up for values such as democracy, women's rights, freedom of speech, and rule of law

- vulnerable people, including women and girls at risk, and members of minority groups at risk (including ethnic and religious minorities and LGBT+)'¹⁹

A key issue to note is that there is no application process for the ACRS. Those eligible are prioritised and referred for resettlement. The referral procedure is debatably limiting and bias, given that the status and safety of an Afghan national is dependent on the assessment of third parties. It begs to question why all Ukrainian refugees have the liberty to make applications, however Afghan nationals must rely on or seek for others to determine their despairing plight. Furthermore, the eligibility criteria are essentially a 'give to get' notion whereby those assisting in UK efforts will be prioritised. It is plausible to say this goes against the grain of the Refugee Convention to assist all refugees fleeing persecution or conflict, regardless of their nationality.

This defies Sikhism's teachings of equality as the consideration of others individual circumstances are disregarded. Certainly, the unique compassion for Ukrainian refugees should be the norm. The embodiment of Sikh values in the Home Office's policies would change the hostile policies of those from NECs to ensure this unique compassion is not exceptional, but the standard procedure. It would thereby ensure the UK is not paying the Refugee Convention mere lip service and is *fair*. It raises a poignant point that, if Ukrainian refugees are welcomed with such compassion, then

¹⁹ <https://www.gov.uk/guidance/afghan-citizens-resettlement-scheme>

refugees from all backgrounds should not be regarded as a societal problem. Though this discourse is out of the remits of this essay, it is an important principle to note, and one that compliments Sikh jurisprudence in that all are equal, no matter what country an individual is seeking refuge from.

Furthermore, the facilitation of social justice is inadequate if attitudes of welcoming Ukrainian refugees is only due to the proximity of the conflict. It insinuates a selfish and inhospitable nature of the UK where issues far from home do not affect the country and thereby efforts. This attitude must change and can do so under the influence of Sikh jurisprudence through welcoming all from every corner of the world, providing the same service and restoring harm.

Conclusion

Thus, the ethos behind the fair treatment of refugee rights is part and parcel with that of the Guru Granth Sahib and the Refugee Convention. The differential treatment and exclusive compassion towards Ukrainian refugees subvert the values of both these beneficial texts. As argued in this paper, the UK should adopt a consistent policy towards all refugees and follow their stance on Ukrainian schemes. This will not only ensure equality, but also social justice where these bureaucratic systems are not the perpetrator, but the facilitator for a protected life.