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978-0-521-76479-7 - Migration, Refugee Policy, and State Building in Postcommunist Europe

Oxana Shevel

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Migration, Refugee Policy, and State Building in Postcommunist Europe

Why do similar postcommunist states respond differently to refugees, with some being more receptive than others? Why do some states privilege certain refugee groups whereas other states do not? This book presents a theory to account for this puzzle, and it centers on the role of the politics of nation building and of the office of the United Nations High Commissioner for Refugees (UNHCR). A key finding of the book is that when the boundaries of a nation are contested (and thus there is no consensus on which group should receive preferential treatment in state policies), a political space for a receptive and nondiscriminatory refugee policy opens up. The book speaks to the broader questions of how nationalism matters after communism, and under what conditions and through what mechanisms international actors can influence domestic policies. The analysis is based on extensive primary research the author conducted in four languages in the Czech Republic, Poland, Russia, and Ukraine.

Oxana Shevel is an assistant professor of political science at Tufts University. She is an associate at the Davis Center for Russian and Eurasian Studies and the Ukrainian Research Institute at Harvard University. She is also a member of the Program on New Approaches to Research and Security in Eurasia (PONARS) and of the EUDO Citizenship expert group as a country expert on Ukraine. Her research focuses on comparative politics of the postcommunist region, especially on issues of nation and state building, the politics of citizenship and migration, and the influence of international institutions on domestic politics. Her work has appeared in *Comparative Politics*, *East European Politics and Societies*, *Europe-Asia Studies*, and *Slavic Review*.

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For Jorge and Sofia

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OXANA SHEVEL

Tufts University



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Acknowledgments

The idea for this book originated from an internship at the UNHCR office in Ukraine I had as a graduate student. Observing the efforts of the UNHCR to have the Ukrainian government adopt and implement measures that would extend protection to refugees as required by the 1951 Geneva Convention sparked an interest in the process of refugee policy formation in the post-communist region and international influences on this process. Turning this interest into a dissertation, and its subsequent transformation into this book, would not have been possible without the support and guidance along the way of many teachers, friends, colleagues, and research-supporting organizations.

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¹ Oxana Shevel, "The Politics of Citizenship Policy in New States," *Comparative Politics*, Vol. 41, No. 3 (April 2009), pp. 273–291; Oxana Shevel, "Nation Building and Refugee Protection in the Post-Soviet Region," in Dominique Arel and Blair A. Ruble, eds., *Rebounding Identities: The Politics of Identity in Russia and Ukraine* (Johns Hopkins University Press, 2006), pp. 208–240; Oxana Shevel, "The Post-Communist Diaspora Laws: Beyond the 'Good Civic versus Bad Ethnic' Nationalism Dichotomy," *East European Politics and Societies*, Vol. 24, No. 1 (February 2010), pp. 159–187; Oxana Shevel, "Russian Nation-Building from Yel'tsin to Medvedev: Ethnic, Civic or Purposefully Ambiguous?" *Europe-Asia Studies*, Vol. 63, No. 2 (March 2011), pp. 179–202.

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Abbreviations

CAHAR	Ad Hoc Committee of Experts on the Legal Aspects of Territorial Asylum, Refugees, and Stateless Persons of the Council of Europe
CEAS	Common European Asylum System
CIS	Commonwealth of Independent States
ČSSD	Czech Social Democratic Party
ECHR	European Court of Human Rights
EU	The European Union
FAO	United Nations Food and Agriculture Organization
FDPs	Formerly Deported Peoples
FMS	Federal Migration Service (the Russian Federation)
FSU	Former Soviet Union
IDPs	Internally Displaced Persons
IOM	International Organization for Migration
IOs	International Organizations
IR	International Relations
IRPs	Involuntarily Relocating Persons
JHA	Justice and Home Affairs
KDU- ČSL	Christian Democratic Union – Czech Peoples Party (the Czech Republic)
KSČM	Communist Party of Bohemia and Moravia (the Czech Republic)
LDPR	Liberal Democratic Party of Russia
MOI	Ministry of Interior
MP	Member of Parliament
NIS	Newly Independent States
ODA	Civic Democratic Alliance (the Czech Republic)
ODS	Civic Democratic Party (the Czech Republic)
OSCE	Organization for Security and Cooperation in Europe
PHA	Phare Horizontal Program of Asylum
PiS	Law and Justice Party (Poland)

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Abbreviations

PO	Civic Platform (Poland)
PRC	Polish Red Cross
PSL	Polish Peasant Party
RMS	Regional Migration Services (Ukraine)
RSFSR	Russian Soviet Federal Socialist Republic
SCNM	State Committee for Nationalities and Migration (Ukraine)
SCNR	State Committee for Nationalities and Religions (Ukraine)
SDPU(o)	Social Democratic Party of Ukraine (united) (Ukraine)
SLD	Democratic Left Alliance (Poland)
SOZE	Society of Citizens Assisting Emigrants (Czech Republic)
SSR	Soviet Socialist Republic
UNHCR	United Nations High Commissioner for Refugees
UP	Labor Union party (Poland)
USSR	Union of Soviet Socialist Republics
UW	Freedom Union party (Poland)
ZHP	Polish Scouting and Guiding Association

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Russian- and Ukrainian-language material is transliterated here using the Library of Congress system with the following exceptions:

- Common spelling is employed for words or names that widely appear in English-language media (e.g. Chechnya not Chechnia, Yeltsin not Iel'tsyn)
- Y is used at the beginning of soft vowels (ya, ye, yu) that are first capital letters in words (e.g. Yushchenko not Iushchenko)
- Where people's names are used by a person him- or herself in western publications, the names are rendered as in the existing transliteration (e.g. Palyanitsa not Palianytsia)

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