SE-01 · ESSAY

Who Pays the Bill?

A Semperist reading of the European Return Regulation

Second version · September 2026 · S. Harrison Knudson, J.D.

The question the vote did not ask

The European Parliament's June 2026 vote on the Return Regulation settled a question about who must leave. It left untouched the prior question: who owes for the displacement that put people on the move in the first place.

The essay does not argue for exiling refugees. It argues that the cost of forced displacement has a debtor, and that the debtor is neither the displaced person nor the state that received them.

The invoice follows the grant

A recognition decision is not only an act of protection. It is the receiving state's own adjudication of cause: this person was persecuted, and this regime did it. Aggregated by country of origin, those decisions form a ledger — an adjudicated ledger — of displacement the receiving state has already attributed to a named regime by its own procedures.

The bill therefore needs no new finding. It follows the grant.

Return is not accountability

Return reaches the failed claim. Removing a person whose claim was refused says nothing about the persons whose claims succeeded, and recovers nothing from the regime that drove them out. Return may be lawful and still settle no account.

The debtor is the regime, not the country

A regime that displaces its people has usually robbed the country as well. To bill the plundered state would be to collect twice from the same victims. The claim runs against the regime — its persons and its assets — and never against the successor state that inherits the damage.

Unbilled relief is a subsidy

Relief that is never invoiced is not neutral. It absorbs the cost of the regime's conduct and quietly solves its dissident problem for it. The humanitarian act is right; leaving the account unsent is what subsidises the tyrant.

The essay claims no new doctrine. Home-state responsibility for wrongful acts is general law. What it adds is the instrument: decisions that already exist, already name the regime, and already state the cause.

> The full essay works through the European instruments that could carry the claim — immobilised sovereign assets, the EU Global Human Rights Sanctions Regime, and universal-jurisdiction proceedings — and answers the objection that the Regulation reaches failed claimants rather than the persecuted.