

**TESIS DOCTORAL**

**2016**

**MANAGING MIGRATIONS IN  
EUROPE'S SOUTHERN BORDER. THE  
CASES OF SPAIN, ITALY AND  
PORTUGAL**

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**MÁSTER EN CIENCIAS POLÍTICAS Y  
RELACIONES INTERNACIONALES**

**DOCTORADO EN SEGURIDAD  
INTERNACIONAL**

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*Aos meus pais*



## AGRADECIMENTOS

Gostaria de dedicar este espaço àqueles que de alguma forma contribuíram para a realização desta tese e que me acompanharam ao longo destes cinco anos.

À orientadora e grande amiga Professora Teresa Ferreira Rodrigues, por sempre ter acreditado em mim, pela sua palavra amiga e pelo exemplo de dedicação e profissionalismo que são uma inspiração para mim. A confiança que depositou em mim contribuiu para que este trabalho chegasse a bom porto.

Ao meu co-orientador Professor Rafael García Perez, pelo seu apoio e por ter contribuído para o meu crescimento profissional e pessoal.

Ao director do IUGM, Professor Miguel Requena, pelo acolhimento recebido e por toda a confiança e apoio e pelos seus conselhos que foram fundamentais para a realização deste trabalho.

Ao meu grande amigo Fran, pela preciosa ajuda nas revisões desta tese, mas acima de tudo pela sua amizade e pelos risos (e lágrimas) partilhados.

À família IUGM, aos de agora e aos que já não estão, por me terem acolhido de braços abertos. De modo especial aos meus colegas e amigos do Becariato que me acompanharam nesta aventura.

À minha família e amigos, que são a minha família do coração, cujo carinho e amizade foram tão importantes ao longo desta viagem. Em particular a: Josélia, Rita, Mónica, Elena e Matteo, Silvia, Tiny e Chico, Ticha e Bitó, Lena, Cátia, Borja, Tia Celeste e Tia Emília e aos meus afilhados lindos, Daniel, Sara, Tiago e Martinho.

Ao meu sobrinho que me deixa sempre com um sorriso estampado no rosto quando as saudades mais apertam. Ao meu irmão, e à minha cunhada Ana, pelo seu carinho e amizade que sempre me dão forças. Aos meus pais, que sempre me apoiaram e acreditaram em mim e por me incentivarem sempre a fazer mais e melhor.

*A todos, obrigada por tudo!*



# **A GESTÃO DAS MIGRAÇÕES NA FRONTEIRA SUL DA EUROPA. OS CASOS DE ESPANHA, ITÁLIA E PORTUGAL**

**SUSANA RAQUEL DE SOUSA FERREIRA**

**PALAVRAS-CHAVE:** Migrações, segurança, gestão de fronteiras, Mediterrâneo, União Europeia

No atual sistema internacional, as migrações internacionais têm que ser reguladas e geridas pelos Estados, de modo a garantir o impacto positivo destes nos países de acolhimento e a sua integração, bem como assegurar que os migrantes que entram sejam tratados com dignidade e vejam reconhecidos os seus direitos. No entanto, a experiência indica que este ideal nem sempre se produz e os Estados podem ver os fluxos migratórios, principalmente os irregulares, como uma ameaça. É neste sentido que focamos o nosso estudo na gestão dos fluxos migratórios no Mediterrâneo, na perspetiva da segurança internacional.

A gestão das migrações no Mediterrâneo é um dos principais desafios que a União Europeia (UE) enfrenta na atualidade. Os intensos fluxos migratórios que se registaram durante o ano de 2015 e as tragédias no mar Mediterrâneo puseram à prova os mecanismos das políticas de imigração e asilo da União e a sua capacidade de responder a crises humanitárias. Para além disso, estes fluxos de intensidades e geografias variadas representam uma ameaça para a segurança interna da União Europeia e dos seus Estados Membros. Ora, com o objetivo de garantir a segurança das suas fronteiras externas, a abordagem da UE centra-se na dimensão da segurança na definição de estratégias de gestão das migrações irregulares.

Assim, no âmbito da gestão das migrações no Mediterrâneo tomamos como estudo de caso três países: Espanha, Itália e Portugal, que nos oferecem um estudo comparativo entre a gestão das rotas da África ocidental e do Mediterrâneo ocidental e central. O caso português, de modo particular, permite a análise de uma realidade distinta no âmbito europeu, bem como a realização de um trabalho sobre a gestão de fronteiras em Portugal, tema muito pouco trabalhado a nível académico.

Constatamos que o sucesso do modelo de governança das migrações no Mediterrâneo resulta da interdependência entre diferentes níveis de ação (bilateral, multilateral e regional) e atores e que, na atualidade, prevalece a dimensão de *deterrence* (dissuasão), através da gestão das fronteiras externas e cooperação com países terceiros, incluindo a externalização da fronteira. Assim, partimos da hipótese de que a UE, dada a sua incapacidade para adotar e implementar uma política comum capaz de gerir com eficácia os fluxos migratórios na sua fronteira sul recorre a uma estratégia dissuasória, baseada em denominadores mínimos comuns.





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THE CASES OF SPAIN, ITALY AND PORTUGAL**

**SUSANA RAQUEL DE SOUSA FERREIRA**

**KEYWORDS:** Migrations, security, border management, Mediterranean, European Union

In today's international system, international migrations should be regulated and managed by States, in order to ensure their positive impact in host countries and migrants' integration. Furthermore, they should also guarantee a fair treatment of migrants and the recognition of their rights. However, experience has showed that this ideal does not always become a reality and States may conceive migratory flows, particularly irregular ones, as a threat. With this in mind, we have focused our study in the management of migratory flows in the Mediterranean, within an international security perspective.

The management of migrations in the Mediterranean is one of the greatest challenges that the EU (European Union) currently faces. The intense migratory flows registered during the year 2015 and the tragedies in the Mediterranean Sea have tested the mechanisms of the Union's immigration and asylum policies and its ability to respond to humanitarian crises. Moreover, these flows of varying intensities and geographies represent a threat to the internal security of the EU and its Member States. Therefore, in order to guarantee the safety of the external borders, the EU's approach focuses on the security dimension in the definition of strategies to manage irregular migrations.

In the context of the management of migrations in the Mediterranean we have taken the study of three Southern European countries: Spain, Italy and Portugal, given that those countries offer us a comparative study of the management of the Western Africa and Western and Central Mediterranean routes. Furthermore, the Portuguese case allows for the analysis of a different reality at the European level, as well as a thorough research on border management in Portugal, an understudied topic within the academia.

We found that the success of a model of migrations' governance of in the Mediterranean results from the interdependency of different levels of action (bilateral, multilateral and regional) and actors; and presently the dimension of deterrence through the management of the external borders and cooperation with third countries, including the externalisation of the border, prevails. Therefore, we assume that the EU, given its inability to adopt and implement a common policy to effectively manage migratory flows on its Southern border uses a deterrence strategy based on minimum common denominators.



# **LA GESTIÓN DE LAS MIGRACIONES EN LA FRONTERA SUR DE EUROPA. LOS CASOS DE ESPAÑA, ITALIA Y PORTUGAL**

**SUSANA RAQUEL DE SOUSA FERREIRA**

**PALABRAS-CLAVE:** Migraciones, seguridad, gestión de fronteras, Mediterráneo, Unión Europea

En el sistema internacional, las migraciones internacionales tienen que ser reguladas y gestionadas por los Estados, con el fin de garantizar el impacto positivo de los migrantes en los países de acogida y su integración, así como asegurar que los migrantes que entran sean tratados con dignidad y vean reconocidos sus derechos. Sin embargo, la experiencia indica que este ideal no siempre se produce y los Estados pueden ver como una amenaza los flujos migratorios, en particular los irregulares. Es en este sentido en el que enfocamos nuestro estudio sobre la gestión de los flujos migratorios en el Mediterráneo, desde la perspectiva de la seguridad internacional.

La gestión de las migraciones en el Mediterráneo es uno de los principales retos que la Unión Europea (UE) enfrenta en la actualidad. Los intensos flujos migratorios que se han registrado durante el año 2015 y las tragedias en el mar Mediterráneo han puesto a prueba los mecanismos de las políticas de inmigración y asilo de la Unión y su capacidad de responder a las crisis humanitarias. Además, estos flujos de intensidades y geografías variadas pueden representar una amenaza para la seguridad interna de la Unión Europea y de sus Estados miembros. Asimismo, con el objetivo de garantizar la seguridad de sus fronteras externas, el enfoque de la UE se ha centrado en la dimensión de la seguridad con un énfasis en la definición de estrategias de gestión de las migraciones irregulares.

En el contexto de la gestión de las migraciones en el Mediterráneo hemos elegido como estudio de caso tres países: España, Italia y Portugal, que nos permiten realizar un análisis comparativo entre la gestión de las rutas del África occidental y del Mediterráneo occidental y central. En particular, el caso portugués permite la observación de una realidad distinta en el ámbito europeo, por lo que resulta muy pertinente la realización de un trabajo sobre la gestión de fronteras en Portugal, tema muy poco trabajado a nivel académico.

Constatamos que el éxito del modelo de gobernanza de las migraciones en el Mediterráneo resulta de la interdependencia entre los diferentes niveles de acción (bilateral, multilateral y regional) y los distintos actores y que, en la actualidad, prevalece la dimensión de *deterrence* (disuasión), a través de la gestión de las fronteras externas y la cooperación con países terceros, incluyendo la externalización de la frontera. Asimismo, partimos de la hipótesis de que la UE, por su incapacidad para adoptar e implementar una política común capaz de gestionar con eficacia los flujos migratorios en su frontera sur utiliza una estrategia disuasoria, basada en mínimos comunes denominadores.



# ÍNDICE / CONTENTS

<b>INTRODUÇÃO / INTRODUCTION</b> .....	<b>1</b>
<b>1. THE LINK BETWEEN MIGRATIONS AND SECURITY</b> .....	<b>19</b>
1.1. Overview.....	19
1.2. Populations, spaces and security: dangerous connections?.....	21
1.3. Borders in the age of human mobility.....	27
1.3.1. <i>The deconstruction and reconstruction of borders</i> .....	27
1.3.2. <i>Border management</i> .....	28
1.4. The binomial immigration-security in International Relations .....	30
1.4.1. <i>Migration studies</i> .....	30
1.4.2. <i>The reconceptualization of security</i> .....	33
1.4.2.1. <i>Critical approaches to security</i> .....	34
1.4.3. <i>Human security: a people-centre approach to security</i> .....	40
1.4.4. <i>Securitisation theory</i> .....	41
1.5. Migrations as a security problem .....	44
1.5.1. <i>The securitisation of migrations: state of the art</i> .....	45
1.5.2. <i>Irregular migrations and the human security nexus</i> .....	49
1.5.3. <i>Surveillance and immigration</i> .....	52
1.6. Migration management.....	54
1.6.1. <i>From migration control to migration management</i> .....	54
1.6.2. <i>Historical background and academic proposals</i> .....	56
1.6.3. <i>Mechanisms of trans-regional governance</i> .....	59
<b>2. THE GEOGRAPHY OF MIGRATIONS IN THE MEDITERRANEAN</b> .....	<b>61</b>
2.1. Overview.....	61
2.2. The international migration system.....	64
2.2.1. <i>The globalisation of migrations</i> .....	64
2.2.2. <i>The geography of international migrations</i> .....	66
2.2.3. <i>Current trends in international migrations</i> .....	70
2.3. Characterising the Mediterranean .....	71
2.3.1. <i>Geopolitics of the Mediterranean</i> .....	71
2.3.2. <i>Economic, political and environmental specificities</i> .....	74
2.3.3. <i>Demographic dynamics</i> .....	77
2.4. Migration systems and spaces in the Mediterranean .....	82

2.4.1. <i>Intracontinental migration spaces</i> .....	85
2.4.2. <i>Intercontinental migration spaces</i> .....	87
2.5. Migration flows in the Mediterranean basin .....	87
2.5.1. <i>South-South migrations</i> .....	89
2.5.2. <i>South-North migrations</i> .....	90
2.5.3. <i>Irregular and mixed migration routes</i> .....	91
2.6. Evolution of South-North migrations .....	96
2.6.1. <i>The attractiveness of Southern Europe</i> .....	96
2.6.2. <i>From the World Wars to the Gulf Wars</i> .....	100
2.6.3. <i>From the late 20<sup>th</sup> century to the first decade of the 21<sup>st</sup> century</i> .....	102
2.6.4. <i>From the Arab Spring to the migration crisis</i> .....	104
<b>3. THE EU'S REACTION TO MIGRATORY CHALLENGES: TOWARDS SECURITISATION? .....</b>	<b>115</b>
3.1. Overview .....	115
3.2. Immigration as a security threat to the EU .....	117
3.3. The political and legal framework .....	121
3.3.1. <i>On the construction of migration policies</i> .....	121
3.3.2. <i>The guiding principles</i> .....	123
3.3.3. <i>The communitarisation of migration issues</i> .....	125
3.3.3.1. <i>Legal migrations</i> .....	127
3.3.3.2. <i>Asylum system</i> .....	130
3.3.3.3. <i>Irregular migrations</i> .....	132
3.3.4. <i>Border management: the creation of 'Fortress Europe'?</i> .....	135
3.3.4.1. <i>Integrated Border Management</i> .....	137
3.3.4.2. <i>The institutionalisation of border management</i> .....	139
3.3.4.3. <i>Border surveillance and exchange of information</i> .....	143
3.4. Managing migrations in the Mediterranean .....	145
3.4.1. <i>International and cooperation policies in the Mediterranean</i> .....	145
3.4.2. <i>Critical moments require emergency actions</i> .....	150
3.4.3. <i>Member states (in)action in a time of crisis</i> .....	156
3.4.4. <i>The operationalisation of migration management in the Mediterranean</i> .....	160
3.5. Narratives on migration: from words to perceptions .....	165
3.5.1. <i>Official and non-official documents</i> .....	166
3.5.2. <i>European leaders' speech acts</i> .....	170
3.5.3. <i>Public perceptions and opinions</i> .....	172

3.6. An overflowing problem without an operative answer? .....	174
<b>4. THE NATIONAL RESPONSES OF SPAIN, ITALY AND PORTUGAL .....</b>	<b>181</b>
4.1. Overview.....	181
4.2. Irregular flows as a threat to security in Southern Mediterranean .....	183
4.2.1. <i>Spain</i> .....	183
4.2.2. <i>Italy</i> .....	189
4.2.3. <i>Portugal</i> .....	193
4.3. Is there a Southern Mediterranean migratory model? .....	196
4.3.1. <i>National actions</i> .....	197
4.3.2. <i>Surveillance and border control</i> .....	201
4.3.3. <i>Cooperation with third countries and externalisation</i> .....	209
4.3.3.1. <i>Spain-Morocco Cooperation</i> .....	212
4.3.3.2. <i>Italy-Libya cooperation</i> .....	214
4.4. The specificities of the migratory model .....	215
4.4.1. <i>Spain: the trap of Ceuta and Melilla</i> .....	216
4.4.2. <i>Italy: From the Lampedusa crisis to the hotspot approach</i> .....	222
4.4.3. <i>Portugal: the Mediterranean ‘wanna-be’</i> .....	225
4.5. The paradoxes of border management: between security and human rights...228	
4.6. An approach to migration management in Southern Europe: a proposal .....	232
<b>CONCLUSIONS.....</b>	<b>237</b>
<b>BIBLIOGRAFIA / BIBLIOGRAPHY .....</b>	<b>245</b>
Annex I.....	273
Annex II .....	281
Annex III .....	285
Annex IV .....	295





# ACRÓNIMOS / ACRONYMS

ABC egate	Automated Border Crossing egate
AFSJ	Area of Freedom, Security and Justice
AfD	Alternative for Germany
AQIM	Al-Qaeda in the Islamic Maghreb
ASEN	Association for the Study of Ethnicity and Nationalism
CARIM	Consortium for Applied Research on International Migration
CEAS	Common European Asylum System
CETI	<i>Centro de Estada Temporal de Inmigrantes</i>
CFSP	Common Foreign and Security Policy
COPRI	Copenhagen Peace Research Institute
CSS	Critical Security Studies
EASO	European Asylum Support Office
EEC	European Economic Community
EES	Entry/Exit System
EMP	Euro-Mediterranean Partnership
ENP	European Neighbourhood Policy
EU	European Union (see UE)
EUA	<i>Estados Unidos da América</i> (see US)
EUROSUR	European Border Surveillance System
FCSH	Faculdade de Ciências Sociais e Humanas
FPÖ	Freedom Party
GAMM	Global Approach to Migration and Mobility
GAMP	General Agreement on Movements of People
GCC	Gulf Cooperation Council
GCIM	Global Commission on International Migration
GDP	Gross Domestic Product
GMP	Global Mediterranean Policy
HIV/AIDS	Human immunodeficiency virus infection / acquired immunodeficiency syndrome
IAPSS	International Association for Political Science Students

IBM	Integrated Border Management
IDP	Internally Displaced People
ILO	International Labour Organisation
IOM	International Organization for Migrations (see OIM)
IR	International Relations
IS	Islamic State
ISIM	Institute for the Study of International Migrations
IT	Information Technology
IUGM	<i>Instituto Universitario General Gutiérrez Mellado</i>
JHA	Justice and Home Affairs
LAOS	Long Arm Operational System
MENA	Middle East and North Africa
NATO	North Atlantic Treaty Organization
NGO	Non-Governmental Association
OIM	<i>Organização Internacional para as Migrações</i> (see IOM)
PALOP	<i>Países Africanos de Língua Oficial Portuguesa</i> (Portuguese Speaking African Countries)
QMV	Qualified Majority Voting
RCP	Regional Consultative Process
R&D&I	Research, Development and Innovation
RMP	Renovated Mediterranean Policy
RSC	Regional Security Complex
RTP	Registered Traveller Programme
SAR	Search-and-Rescue
SEF	<i>Serviço de Estrangeiros e Fronteiras</i>
GNR	Guarda Nacional Republicana
SAM	Sistema de Autoridade Marítima
SIA	Anti-Immigration Information System
SIS	Schengen Information System
SIVE	<i>Sistema Integrado de Vigilância Exterior</i>
SIVICC	<i>Sistema Integrado de Vigilância, Comando e Controlo</i>
SMC	Southern Mediterranean Countries
UE	<i>União Europeia</i> (see EU)

UfM	Union for the Mediterranean
UK	United Kingdom
UN	United Nations
UNDP	United Nations Development Programme
UNED	<i>Universidad Nacional de Educación a Distancia</i>
UNHCR	United Nations High Commissioner for Refugees
US	United States (see EUA)
USSR	Union of Soviet Socialist Republics
VIS	Visa Information System





# Introdução

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## Contextualização

As migrações internacionais traduzem o paradoxo da mobilidade humana. Este fenómeno transnacional e individual representa um dos grandes desafios deste século XXI, que muitos consideram a ‘era das migrações’<sup>1</sup>.

A permeabilidade das fronteiras e os contínuos desenvolvimentos tecnológicos (nomeadamente em termos de transporte e comunicações) permitiram conectar os diferentes pontos do globo, ao mesmo tempo que surgem crescentes receios securitários. Num mundo pós-hegemónico, onde as antigas estruturas de segurança criadas durante a Guerra Fria se transformaram, as migrações são cada vez mais entendidas (por alguns setores sociais) como uma ameaça à segurança interna e societal dos Estados. E, enquanto ao nível das telecomunicações e do mercado global se encurtam as distâncias e se eliminam as barreiras eletrónicas, os Estados erguem cada vez mais muros e barreiras físicas à circulação de pessoas.

Nos últimos anos as rotas migratórias da bacia do Mediterrâneo sofreram alterações rápidas e dramáticas, que afetam diretamente a geografia das migrações internacionais. O Mediterrâneo é hoje o corredor migratório mais letal do mundo, onde se cruzam rotas com origem na África Subsaariana, no Médio Oriente e no Sudeste Asiático, em que os movimentos irregulares assumem uma importância cada vez maior.

O mar Mediterrâneo é a fronteira mais porosa entre a Europa e os seus vizinhos do Sul e é ao mesmo tempo ponte e muro entre os dois continentes. A mobilidade Sul-Norte nesta região não é uma novidade, mas registou novas proporções nos últimos anos.

A gestão das migrações no Mediterrâneo é um dos principais desafios que a União Europeia (UE) enfrenta na atualidade. Os intensos fluxos migratórios que se registaram durante o ano de 2015 e as tragédias no mar Mediterrâneo puseram à prova

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<sup>1</sup> Conceito cunhado por Castles e Miller na sua obra “The Age of Migration” (2009), cuja última edição conta com a colaboração de Hein de Haas (Castles et al., 2014).

os mecanismos das políticas de imigração e asilo da União e a sua capacidade de responder a crises humanitárias.

No atual sistema internacional, as migrações internacionais têm que ser reguladas e geridas pelos Estados, de modo a garantir o impacto positivo destes nos países de acolhimento e a sua integração, bem como assegurar que os migrantes que entram sejam tratados com dignidade e vejam reconhecidos os seus direitos. É neste sentido que focamos o nosso estudo na gestão dos fluxos migratórios no Mediterrâneo, na perspetiva da segurança internacional.

Assim, no âmbito da gestão das migrações no Mediterrâneo tomamos como estudo de caso três países: Espanha, Itália e Portugal. Os primeiros dois oferecem-nos a possibilidade de realizar um estudo comparativo entre a gestão das rotas do Mediterrâneo central (Itália) e do Mediterrâneo ocidental e África ocidental (Espanha). O caso de Portugal é distinto, já que este país não se encontra banhado pelo mar Mediterrâneo, mas sim pelo Oceano Atlântico. Mas devido à proximidade do continente africano no Algarve e na ilha da Madeira (através dos países da África ocidental), o nosso país não se vê afetado por estas rotas migratórias irregulares. Neste sentido, o caso de Portugal possibilita um estudo de uma realidade distinta no âmbito europeu. Oferece-nos também a possibilidade de realizar um trabalho inédito sobre a gestão de fronteiras em Portugal, questão muito pouco trabalhada ainda a nível académico.

### **Da eleição do tema às implicações e relevância da investigação**

As migrações são e sempre foram parte da minha vida pessoal e profissional. Tenho muita família emigrada (espalhada por países como Canadá, Suécia, França ou Irlanda e com diferentes tempos e modalidades migratórias) e eu própria, durante este período de investigação, me tornei emigrante, juntando-me aos milhares de portugueses que abandonaram Portugal nos últimos anos. Uma realidade muito diferente da tratada neste trabalho, mas que, junto com a minha anterior experiência profissional como mediadora sociocultural e voluntária na Associação AMIGrante (Associação de Apoio ao Cidadão Migrante), me permitiu conhecer as diferentes dimensões da realidade migratória.

E assim começou este percurso, que num primeiro momento académico se traduziu na realização da dissertação no âmbito do Mestrado em Ciência Política e

Relações Internacionais, também na Universidade NOVA de Lisboa, dedicada à política de imigração europeia e à sua relação com a luta antiterrorista. Uma constante inquietação intelectual e a necessidade de aprofundamento sobre o tema conduziu à realização da investigação para este trabalho de doutoramento.

Se é certo que a pertinência e atualidade da temática escolhida parecem evidentes, dada a atual crise migratória europeia e a instabilidade vivida no Mediterrâneo, também é certo que o mesmo se traduziu em muitos entraves e obstáculos à realização da investigação e redação deste texto final. Para além disso, mais do que seguir tendências, o *timing* na eleição do tema de investigação não poderia ter sido melhor, já que este foi acompanhado por um conjunto de alterações no âmbito interno e externo que foram influenciando diretamente o caminho a seguir (como foram a Primavera Árabe em 2011 e os intensos fluxos migratórios que se registam no Mediterrâneo desde finais de 2013). Deste modo, estas ocorrências tiveram um profundo impacto na estrutura atual do trabalho apresentado e foram ditando também o seu desenvolvimento. Se inicialmente a perspetiva adotada era totalmente influenciada pelos efeitos e incertezas provocados pela Primavera Árabe (2011), os períodos de investigação realizados no estrangeiro e o trabalho de campo efetuado (os quais destacaremos mais à frente), aliados às alterações significativas que se vêm registando na região desde esse momento, conduziram a uma reestruturação do trabalho, que agora se centra nas respostas dos Estados membros a estes fluxos, com especial enfoque na gestão de fronteiras. Assim, mais do que seguir uma moda de investigação, este trabalho é resultado de todas as alterações que o sistema migratório internacional, e em particular o do Mediterrâneo, foi sofrendo nos últimos cinco anos, bem como de um constante processo de aprendizagem e de maturidade académica.

Este trabalho de investigação pretende contribuir para uma compreensão mais profunda das dinâmicas migratórias das rotas de África e Mediterrâneo Ocidental e do Mediterrâneo Central e das respostas da União Europeia e dos seus Estados membros a estas mesmas dinâmicas, em particular em Espanha, Itália e Portugal. Pretendemos também aprofundar a perceção sobre os riscos que estas dinâmicas apresentam para a União e os países considerados. Partindo das tendências do passado recente e da atualidade propomo-nos equacionar as principais linhas que deverão estar na base de possíveis modelos ou estratégias de atuação.



As migrações internacionais são atualmente uma área central de reflexão no âmbito das Relações Internacionais, bem como dos estudos de Segurança Internacional. No mundo globalizado dos nossos dias, os fluxos migratórios têm um peso significativo nas economias, tecido social e segurança dos povos e das nações de acolhimento. As migrações são matérias de *high-politics*<sup>2</sup> nas Relações Internacionais, dado o caráter global e transnacional das vagas migratórias e a sua importância nas relações entre os Estados. Para além disso, os crescentes fluxos migratórios irregulares representam uma das tendências da atualidade e de futuro que trazem grandes desafios aos países de trânsito e de origem.

Receios quanto às suas consequências económicas, políticas e muitas vezes de nível identitário, tornam muitos Estados relutantes em abrir as suas fronteiras, levando-os a tentar controlar ou definir os moldes, quantitativos e características dos fluxos de entrada. Estas e outras questões que trataremos neste trabalho explicam a razão pela qual a imigração enquanto problema de segurança do sistema internacional deve ser abordada no âmbito dos Estudos de Segurança.

Dada a importância da temática e a relevância que o seu estudo adquiriu nas últimas décadas, optou-se pela redação do corpo da tese em inglês, o que facilita a publicação dos resultados a nível internacional. É ainda importante sublinhar que este trabalho não pretende sobrepor-se a outros realizados, mas antes aprofundá-los e ir além destes, abrindo e apontando novos caminhos de investigação para o futuro.

### **Estado da questão**

A perceção da imigração enquanto problema de segurança (a nível político, societal e até mesmo de segurança humana) sugere a necessidade de uma abordagem da relação imigração-segurança. Além do mais, o terrorismo transnacional, enquanto ameaça à segurança interna dos Estados, é frequentemente associado com as migrações. Desde o 11 de setembro de 2001 que esta lógica se tem acentuado, agora com os crescentes receios de que os terroristas se possam infiltrar nos fluxos migratórios irregulares e nas deslocações de refugiados que atravessam o Mediterrâneo.

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<sup>2</sup> Opta-se pelo recurso ao termo em inglês por o considerarmos o que melhor expressa o conceito de matérias essenciais à sobrevivência de manutenção do Estado.

Com o final da Guerra Fria, as novas percepções de segurança procuram alargar o conceito de segurança a outras áreas, para responder a novos desafios (Haftendorn, 1991; Nye, 1989; Waever, 1993). É neste contexto que as migrações internacionais passam a ser objeto de investigação no âmbito dos Estudos de Segurança.

As novas abordagens aos Estudos de Segurança partem de uma panóplia de perspectivas que aspiram a superação das correntes tradicionais. No entanto, existem entre as várias escolas linhas de pensamento divergentes (desde a Escola de Copenhaga, à Escola galesa de Aberystwyth e ao pós-estruturalismo ou à Escola francesa). A nível do enquadramento conceptual da questão da segurança, optámos por conciliar a teoria da Escola de Copenhaga com a Escola de Paris de Didier Bigo e o conceito de ‘segurança humana’, o que nos permite uma abordagem global do fenómeno.

A imigração pode ser entendida como uma ameaça à soberania dos Estados ou como uma ameaça à liberdade da sociedade; no primeiro caso estamos perante a imigração como ameaça à segurança política e, no segundo, como ameaça à segurança da sociedade. É dentro deste paradigma que teóricos como Bourbeau (2006, 2011), Huysmans (2000a) e Léonard (2011), entre outros, alertam para o risco da securitização das migrações, o qual pressupõe que estas representam uma ameaça existencial que legitima o quebrar de regras na realização de ações de emergência. Deste modo, a securitização das migrações seria mais do que uma versão extrema da sua politização (Buzan, Wæver, & De Wilde, 1998).

A imigração irregular questiona a autonomia do Estado ao nível dos controlos de fronteiras, pelo que a gestão fronteiriça é um elemento essencial para a manutenção da segurança interna. As novas tecnologias surgem como resposta às necessidades de vigilância e controlo das fronteiras e à mobilidade das pessoas. Sistemas que permitem a identificação de cidadãos e o acesso aos seus registos nos vários países facilitam o controlo das movimentações transfronteiriças. Neste sentido, a Escola de Paris propõe uma abordagem à relação entre segurança e vigilância através da noção de *ban-opticon*, ou seja, pelo recurso a práticas excepcionais e a ações de caracterização de contenção de estrangeiros, que se traduz na vigilância de um grupo restrito (Bigo, 2006a, 2006b).

Os países mediterrânicos desempenham um papel relevante no contexto das migrações internacionais, porque se situam na confluência de dois sistemas migratórios de grande risco: uma grande área de mobilidade (como o continente africano) e a mais procurada das regiões de acolhimento mundial (a Europa). Acresce ainda que o

Mediterrâneo é uma região caracterizada por constantes tensões geopolíticas. Ora, o agudizar dessas tensões fomenta o intensificar do volume de migrantes irregulares no sentido Sul-Sul, mas também no sentido Sul-Norte, motivada pela instabilidade política, pelo diferencial demográfico, mas ainda e sempre pela procura de melhores condições de vida (Rodrigues & Ferreira, 2011, pp. 32–34).

As questões ligadas aos movimentos populacionais no Mediterrâneo são tratadas a vários níveis: (i) acordos bilaterais e multilaterais sobre controlos fronteiriços, acordos comerciais setoriais que permitem a circulação de pessoas; e, (ii) política de vizinhança europeia relacionada com migrações, terrorismo, criminalidade organizada, entre outros. Deste modo, o diálogo cooperativo Euro-Mediterrânico é essencial para o controlo e administração sustentável dos fluxos e contingentes de imigrantes (Rodrigues & Ferreira, 2011, p. 34).

Podemos considerar que a imigração é uma matéria política sensível, na qual os Estados têm relutância em cooperar. Por isso mesmo, a harmonização das políticas de imigração europeias, através da criação de um enquadramento jurídico comum – a política de imigração comum – tem sido pautada por avanços e recuos. De modo a criar uma política de imigração global, a UE tem procurado desenvolver uma abordagem integrada com base nos princípios da solidariedade, equilíbrio, bem como através de parcerias com os países de origem e de trânsito. Esta deve ser uma abordagem global e concertada, que tem em conta todas as fases do processo migratório e este facto reforça a necessidade de cooperação entre países de origem, de trânsito e de destino.

A UE vive atualmente momentos de grande incerteza relativamente ao seu futuro. Num momento em que ainda não recuperou da crise económica e financeira que sacudiu todo o continente, a crise migratória, juntamente com o *Brexit* (o processo de saída do Reino Unido da UE) e os problemas no Leste da Europa, questionam a verdadeira união desta União Europeia. A procura de uma solução para a crise migratória tem esbarrado com os diferentes interesses e agendas dos Estados membros. Concluimos que hoje a sua resposta se centra particularmente nas políticas de controlo migratório para gerir as migrações. No entanto, o seu enfoque deveria ser mais global e integral, através da adoção e aplicação de uma estratégia de gestão das migrações que englobe as suas várias dimensões. A Agenda Europeia para as Migrações, adotada em 2015, pretende dar um passo significativo nesse sentido. No entanto, as dissidências entre os Estados membros, a falta de vontade política e ambição para encontrar as

respostas adequadas, reflete-se diretamente no gizar das políticas europeias, que acabam por ser políticas de denominadores mínimos comuns.

Assim sendo revela-se de sumo interesse compreender esta realidade e o seu impacto no futuro da União.

### **Dos objetivos e perguntas de investigação**

A investigação científica nas ciências sociais procura dar sentido às situações sociais e à sua complexidade (King, Keohane, & Verba, 1994). Deste modo, após a eleição do tema, a definição dos objetivos e da questão de partida é importante para determinar a realidade que se pretende estudar; no nosso caso centrar-nos-emos na relação entre migrações e segurança no Mediterrâneo.

O nosso objeto de estudo são as dinâmicas migratórias na bacia do Mediterrâneo e as ameaças que estas apresentam à segurança da UE e dos seus Estados membros, em particular na sua fronteira sul. Assim, definimos um conjunto de objetivos no sentido de limitar o âmbito da investigação realizada. São eles: a) caracterizar as principais rotas e fluxos migratórios na bacia do Mediterrâneo e avaliar o impacto da crise migratória internacional nos fluxos irregulares para a UE; e b) avaliar os principais desafios que se apresentam na fronteira sul da UE e os retos que apresentam à gestão das migrações na UE.

Constatamos que o sucesso do modelo de governança das migrações no Mediterrâneo depende da complementaridade entre diferentes níveis de ação (bilateral, multilateral e regional) e atores e que, na atualidade, prevalece a dimensão de *deterrence* (dissuasão), através da gestão das fronteiras externas e cooperação com países terceiros, incluindo a externalização da fronteira. Assim, partimos da hipótese de que a UE, dada a sua incapacidade para adotar e implementar uma política comum capaz de gerir com eficácia os fluxos migratórios na sua fronteira sul recorre a uma estratégia dissuasória, baseada em denominadores mínimos comuns.

Deste modo, pretendemos responder à questão de partida que enunciamos: **Uma estratégia de *deterrence* (dissuasão) deverá ser a principal dimensão de um modelo de gestão da imigração na fronteira Sul da União Europeia?**

Relativamente ao conceito de ‘gestão migratória’ (o qual será tratado mais detalhadamente nos capítulos subsequentes) optámos por focar uma das dimensões deste conceito que é a do controlo, através da gestão de fronteiras. Uma vez que esta dimensão está intimamente relacionada com as demais, referimos muitos dos seus outros aspetos, mas não os analisamos em profundidade já que tal não cabe no âmbito desta investigação. Importa ainda referir a relação complexa entre gestão, liberdade e controlo (Geiger & Pécoud, 2010, p. 15), aspeto sobre o qual nos debruçaremos. A governança da população é antes de mais um processo nacional, daí que os Estados membros da UE tenham a última palavra neste processo. Já a gestão das migrações supõe uma governança regional ou global, pelo que a nível europeu a UE tem um papel fundamental na adoção de uma estratégia de governança conjunta – não só entre os Estados membros, mas incluindo países terceiros (países de origem e de trânsito), o que requer a definição de uma estratégia global e holística.

Da questão de partida decorrem três questões secundárias. São elas:

- Que desafios apresentam os atuais fluxos migratórios no Mediterrâneo à segurança europeia?
- As políticas de gestão das migrações da União Europeia traduziram-se numa securitização das migrações?
- Em que medida o controlo e vigilância das fronteiras são instrumentos efetivos para a gestão das migrações?

Assim, dedicaremos cada um dos capítulos centrais da tese a cada uma destas questões, o que facilita a investigação e análise do nosso objeto de estudo.

### **Da metodologia...**

As Relações Internacionais, na medida em que são um campo das ciências sociais, têm uma marca social. Como Castro (2012) refere:

(...) tendo múltiplas raízes e justapostas interfaces no âmbito humano, social e político simultaneamente, as Relações Internacionais estabelecem um amplo campo de avaliações, com recortes metodológicos, analíticos e científicos próprios, justificando o seu carácter autonomista.

Neste sentido, a metodologia, enquanto conjunto de métodos e princípios utilizados para estudar uma realidade (Bailey, 1994, p. 34), é necessária para produzir ciência.

Na investigação científica a eleição da metodologia permite-nos determinar o caminho a seguir no nosso processo de investigação. A metodologia e o conhecimento são dois instrumentos úteis ao processo científico, que nos permitem descrever, analisar e entender a realidade. A metodologia eleita oferece-nos uma lente para compreender a complexidade do sistema internacional e influencia o desenho da própria investigação.

Esta é uma investigação de carácter qualitativo, que se centra na informação e dados relevantes, mas sem tentar quantificá-los, já que o nosso objeto de estudo – a gestão das migrações no Mediterrâneo – não é inerentemente quantificável. Deste modo, uma abordagem qualitativa permite-nos compreender melhor esta realidade através de um estudo de casos, tomando como referência três Estados membros da UE: Espanha, Itália e Portugal. Centraremos assim o nosso estudo nos fluxos migratórios das rotas da África Ocidental e do Mediterrâneo Ocidental e Central. Espanha e Itália, dois países mediterrânicos que (em diferentes medidas e em diferentes tempos) se vêm diretamente afetados pelos fluxos migratórios no Mediterrâneo, oferecem-nos a possibilidade de realizar uma análise comparativa sobre a resposta adotada para a gestão destes fluxos. Já o caso de Portugal, um país atlântico mas que pela sua proximidade ao continente africano e pelas suas características como país do sul da Europa é considerado por vários autores como um país mediterrânico, oferece-nos uma perspectiva de contraste, uma vez que não se vê diretamente afetado por estes fluxos, embora seja um Estado membro ativo no apoio aos seus parceiros europeus, nomeadamente ao país vizinho (Espanha).

Apesar desta opção qualitativa, complementamos a análise com recurso a dados quantitativos, com vista a quantificar os fluxos migratórios na bacia do Mediterrâneo e medir e validar o seu impacto no desenvolvimento de políticas e estratégias de ação.

Recorremos a fontes de informação como obras de referência e documentação de organizações internacionais, nomeadamente da União Europeia, das Nações Unidas, da OIM – Organização Internacional das Migrações, da Agência Frontex, e do Fórum Económico Mundial, bem como de livros da especialidade, de publicações de académicos especialistas na área (em revistas nacionais e internacionais de referência) e ainda através do acesso a fontes de cariz oficial qualitativo e quantitativo disponível na internet (como o *World Population Prospects* da *United Nations Population Division*, o *World Economic Forum* e o *Eurostat*), sobre a temática em análise.

O trabalho de campo realizado em Portugal e Espanha e o acesso a bibliotecas nacionais e internacionais de prestígio (entre elas a da *London School of Economics*, em Londres, e a da Universidade de Georgetown em Washington, D.C.) facilitou a obtenção de informação menos conhecida no contexto académico europeu. Para além disso, a possibilidade de poder viver e trabalhar em dois dos países em estudo – Portugal e Espanha – permitiram um contacto direto com estas duas realidades e facilitaram a realização do trabalho de campo.

De destacar a importância da realização de um período de investigação no Instituto Universitario General Gutiérrez Mellado (UNED e Ministério da Defesa, Espanha) entre setembro de 2013 e setembro de 2015. Este período no estrangeiro foi essencial para o desenrolar da investigação, por ter possibilitado o contacto com uma nova realidade e a aquisição de instrumentos (através do acesso a documentação e fontes privilegiadas) que permitiram a adoção de uma nova perspetiva sobre a realidade em estudo. Para tal muito contribuíram as visitas realizadas a Ceuta e Melilla em março de 2014, durante a qual presenciei em Melilla o maior assalto à fronteira registado<sup>3</sup>, um momento muito marcante a nível profissional e pessoal; bem como a viagem a Marrocos e Melilla em janeiro de 2015, durante a qual pude contactar com ‘o lado de lá da fronteira’ e visitar o Monte Gurugú (em Nador, nas imediações de Melilla). Durante estas duas viagens tive a oportunidade de contactar diretamente com alguns imigrantes, de visitar os CETIs (Centros de Estada Temporal de Imigrantes) de Ceuta e de Melilla e de entrevistar as autoridades locais e responsáveis destes Centros. Ainda durante a estadia no IUGM foi possível contactar e entrevistar académicos especialistas em questões migratórias, bem como diferentes membros da Guardia Civil espanhola.

Também com o apoio do IUGM realizei um período de investigação de um mês, entre outubro e novembro de 2015, no ISIM - *Institute for the Study of International Migration*, da Universidade de Georgetown em Washington D.C. Durante este tempo participei em vários congressos, seminários e debates, entre os quais destaco uma audiência da Comissão de Helsínquia no Congresso dos EUA (Estados Unidos da América) sobre a crise migratória na Europa, bem como a assistência à *12th Annual Immigration Law and Policy Conference*, na qual participou o então Comissário das Nações Unidas para os Refugiados, António Guterres. O contacto com académicos e

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<sup>3</sup> Para mais informação ver Ramos (2014).

profissionais norte-americanos e de outros países a nível mundial permitiu-me distanciar de uma perspetiva europeia e contactar com outras realidades similares.

A participação em congressos nacionais (da Associação Portuguesa de Ciência Política ou o Congresso de Doutorandos da FCSH) e internacionais (nas *Jornadas de Estudios de Seguridad* do IUGM, nos Congressos da Associação de Demografia Histórica, no Congresso Mundial da IAPSS - *International Association for Political Science Students*, na Conferência Anual da ASEN - *Association for the Study of Ethnicity and Nationalism*, e no 6º *Workshop* da Universidade de Graz, entre outros) ao longo da realização da investigação permitiu o contacto com académicos especialistas na área e o intercâmbio de ideias e opiniões que em muito enriqueceram esta investigação. A disseminação e validação dos resultados da investigação pelos pares é essencial para validar os resultados da investigação. Assim, destas participações em relevantes fóruns académicos e da restante investigação resultou um conjunto de publicações que foram submetidas a uma revisão por pares e que permitem validar os resultados alcançados.

Através do trabalho de campo tivemos acesso a documentação privilegiada, que forma parte das nossas fontes primárias. Uma outra fonte importante são as entrevistas realizadas. Efetuámos um conjunto de entrevistas semiestruturadas com forças de segurança e forças armadas em Portugal e Espanha (diversos membros da Guardia Civil em Espanha, Guarda Nacional Republicana, Marinha Portuguesa e Autoridade Marítima Nacional), bem como com um membro da Frontex, no âmbito da missão Índalo. Estas entrevistas envolveram um conjunto de questões abertas, com base nas perguntas e hipóteses identificadas anteriormente, o que permitiu uma discussão mais profunda sobre os tópicos tratados, dando maior liberdade aos próprios entrevistados.

Para o estudo da securitização, enquanto um dos elementos centrais a este trabalho, adotámos uma técnica de *process-tracing*, segundo a conceptualização de Balzacq (2011a, p. 31)<sup>4</sup> (Figura 1). Este método examina os “*social mechanisms which brought a social phenomenon into being*” (Balzacq, 2011a, p. 47). Como em qualquer abordagem de Relações Internacionais, é necessário especificar a unidade e nível de análise (Balzacq, 2011a, p. 35). Elegemos como unidade de análise<sup>5</sup> o objeto referente

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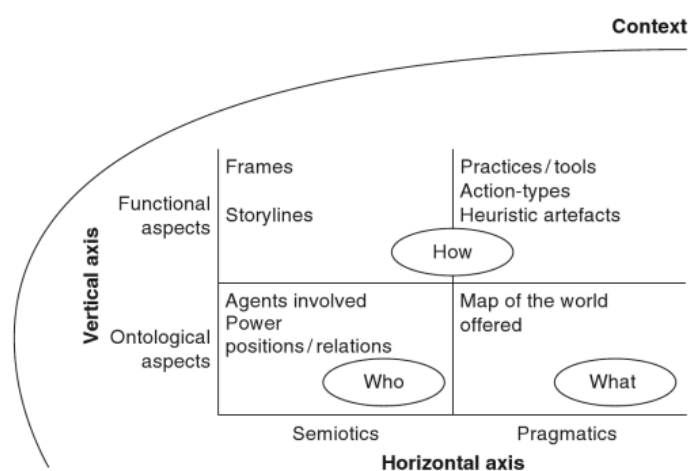
<sup>4</sup> Balzacq (2011a, p. 31) define três técnicas distintas para os estudos de securitização: análise do discurso, abordagem etnográfica, *process-tracing* e análise de conteúdos.

<sup>5</sup> Buzan, Waever e De Wilde (1998, p. 36) identificam três unidades de análise: (a) o objeto referente (*referent object*), algo que é visto como existencialmente ameaçado e que tem um direito legítimo a



que, no nosso caso, é a segurança interna da União Europeia e dos seus Estados membros. Quanto ao nível de análise<sup>6</sup>, focar-nos-emos no nível 2, que corresponde aos *atos*, principalmente no dispositivo de securitização, que são todas as práticas, instrumentos e políticas que geram securitização (Figura 1), tendo como finalidade entender a estrutura política da ameaça.

**Figura 1. A análise do processo de securitização em contexto**



Fonte: Balzacq, 2011, p. 37

Na Tabela 1 apresentamos uma sistematização da metodologia que será utilizada nos diferentes capítulos.

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reivindicar a sua sobrevivência; (b) os atores securitizadores (*securitizing actors*), atores que securitizam determinadas matérias ao determinarem que algo – um objeto referente – está existencialmente ameaçado; e (c) os atores funcionais (*functional actors*), os atores que afetam as dinâmicas do setor; sem ser o objeto referente ou o ator que clama por segurança em nome do objeto referente, este é um ator que influencia decisivamente a tomada de decisões na área da segurança.

<sup>6</sup> Balzacq (2011a, pp. 35–36) propõe três níveis de análise: Nível 1, os *agentes*, centra-se nos atores e nas relações que estruturam a situação sob escrutínio; Nível 2, os *Atos*, interessa-se pelas práticas, tanto discursivas como não discursivas, que subscrevem os processos de securitização em estudo; e, Nível 3, o *Contexto*, tenta situar o(s) discurso(s) tanto social como historicamente.

**Tabela 1. Aplicação da metodologia à tese**

<b>Capítulo</b>	<b>Metodologia</b>
1 – The link between immigration and security	Análise de fontes secundárias (livros e artigos da especialidade).
2 – The geography of migrations in the Mediterranean	Análise de fontes primárias (relatórios OIM, UN, UNDP, UNHCR, OIM, Frontex, etc) e secundárias (livros e artigos da especialidade).
3 – The EU’s reaction to migratory challenges: towards securitisation?	Análise de fontes primárias (documentação e legislação da UE); Realização de entrevistas semiestruturadas; Aplicação do método de análise da securitização
4 – Spain, Italy and Portugal: national responses	Realização de entrevistas semiestruturadas; Trabalho de campo (visitas a Ceuta e Melilla); Análise de fontes secundárias.

Fonte: Elaboração própria

### **...aos obstáculos metodológicos**

O nosso objeto de estudo apresenta-nos vários obstáculos ou problemas metodológicos que necessitam de uma primeira explicação, no sentido de facilitar o tratamento do mesmo ao longo de todo o trabalho. Podemos agrupar estes obstáculos em três grupos: 1) a avaliação crítica das definições; 2) a exceção das migrações irregulares; e, 3) a compilação de dados estatísticos.

A definição do termo imigrante coloca-nos sérias dificuldades. Em primeiro lugar o conceito de imigrante difere de país para país, sendo que com frequência este conceito é identificado com a imagem contrária do ‘bom cidadão’. É desta imagem, construída pelos *managers of unease*, que nasce a ideia do migrante enquanto ameaça. Esta visão surge explicitada em Bigo (2002, p. 6) que refere que “[m]igrant, as a term, is the way to designate someone as a threat to the core values of a country, a state, and has nothing to do with the legal terminology of foreigners. The word immigrant is a shibboleth<sup>7</sup>”.

Ao tentarmos definir o conceito de ‘imigrante’ constatamos que as definições nacionais de imigrante frequentemente diferem da definição internacional proposta pelas Nações Unidas, a qual adotamos ao longo deste trabalho:

international migrant (...) as any person who changes his or her country of usual residence. (...) Temporary travel abroad for purposes of recreation, holiday, business, medical treatment or religious pilgrimage does not entail a change in the country of usual residence (United Nations, 1998, p. 17).

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<sup>7</sup> *Shibboleth* é um termo de origem hebraica usado para distinguir membros de um grupo dos *outsiders*, ou seja, aqueles que não pertencem ao grupo.

Este conceito implica um movimento transnacional, no qual se regista o cruzar de uma fronteira internacional.

Apesar da aparente impossibilidade de consenso numa definição comum deste termo, é importante sublinhar que a definição de imigrante tem implicações no gizar das políticas de imigração de cada Estado, uma vez que é o conceito base das mesmas. Daí que as políticas restritivas e exclusivas se refletem nas diferentes conotações que adquire a palavra ‘imigrante’.

Para além disso, dentro da União Europeia, com a adoção do conceito de cidadania europeia, através do Ato Único Europeu (em 1986), os cidadãos europeus que se encontrem a residir num terceiro Estado não são considerados imigrantes. Assim, nesta investigação entendemos como imigrantes os nacionais de países terceiros à União Europeia. Já os europeus que residam noutro Estado membro são incorporados no grupo dos estrangeiros, que engloba os nacionais de países terceiros e os cidadãos europeus.

É a partir da conceptualização do imigrante que os Estados definem as suas políticas migratórias, que permitem distinguir entre migrações legais e migrações irregulares. As migrações irregulares são assim uma exceção à governança nacional. No entanto, a elas estão associadas um conjunto de conceitos que necessitam ser clarificados.

Antes de mais, ainda que o termo ‘irregular’ seja conceptualmente problemático<sup>8</sup>, este é preferível ao termo mais comumente usado (o qual é utilizado na legislação europeia e nos seus documentos políticos): ‘ilegal’. Koser (Koser, 2005, p. 5) identifica as principais críticas ao uso do termo ilegal: (a) o conceito em si mesmo tem uma conotação negativa, pela sua associação com a criminalidade, mas um imigrante irregular não é necessariamente um criminoso; (b) definir alguém como ‘ilegal’ pode negar a humanidade da própria pessoa; e (c) incluir os requerentes de asilo e refugiados nesta categoria pode colocar em risco o seu processo de asilo ou refugio.

As migrações irregulares poderão estar (ou não) associadas a uma entrada ilegal num determinado território, “without complying with the necessary requirements for legal entry into the receiving State” (International Organization for Migration (IOM),

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<sup>8</sup> Como refere Koser (2005, p. 6) “Irregular migration includes people who enter a country without the proper authority (...); people who remain in a country in contravention of their authority (...); people moved by migrant smugglers or human trafficking, and those who deliberately abuse the asylum system”. Para aprofundar este conceito ver o mesmo autor (Koser, 2005).

2004, p. 31), pelo que apenas neste caso nos referimos a uma ‘entrada ilegal’. Já a imigração clandestina implica: “Secret or concealed migration in breach of immigration requirements. It can occur when a non-national breaches the entry regulations of a country; or having entered a country legally overstays in breach of immigration regulations” (IOM, 2004, p. 14). Deste modo, por uma questão metodológica, adotamos a definição de De Haas (2008, p. 13) de migrações irregulares como “international movement or residency in conflict with migration laws”. Esta definição guiar-nos-á ao longo deste trabalho, no entanto, é nosso dever chamar a atenção para o facto de que, por vezes, principalmente aquando da transcrição de citações textuais de documentos da União Europeia ou outros, poderá surgir o termo ‘ilegal’, já que organismos como a UE só recentemente passaram a adotar o termo ‘irregular’ para referir-se a estes fluxos. Neste caso, e como veremos mais adiante, a eleição de palavras tem uma grande implicação política.

Importa, no entanto, distinguir das migrações irregulares os refugiados e requerentes de asilo, aos quais se aplica a Convenção de Genebra de 1951 e respetivo Protocolo, que definem as condições para ser considerado refugiado. Neste caso, adotamos o conceito geral da OIM de refugiados e requerentes de asilo, como:

Persons seeking to be admitted into a country as refugees and awaiting decision on their application for refugee status under relevant international and national instruments. In case of a negative decision, they must leave the country and may be expelled, as may any alien in an irregular situation, unless permission to stay is provided on humanitarian or other related grounds (IOM, 2004, p. 8).

Em terceiro lugar, a compilação de dados estatísticos relativamente aos fluxos migratórios apresenta-nos sérios obstáculos, em muito relacionados com as dificuldades na definição de um conceito global e a existência de distintos conceitos para um mesmo termo. Como refere Fargues (2014, p. 1):

Because statistics are produced by states to serve their own needs both in terms of policies and politics, and because international migration deals with highly sensitive issues related to nationhood, statistics of international migration are not always available. And when statistics are available they are not always reliable.

Sendo que a estatística procura simplificar os dados para a análise da realidade em estudo, é necessário ter em conta que as migrações são um fenómeno complexo e com um carácter multifacetado (Fargues, 2014, p. 10). Antes de mais, encontramos-nos perante um conjunto de dados recolhidos por diferentes organismos, que poderão ter como base conceitos distintos e considerar diferentes categorias de migrantes. Existe ainda a aplicação de diferentes metodologias de sistematização de dados, o que dificulta o estudo comparativo no espaço e no tempo.

Uma outra questão é a análise de dados sobre fluxos irregulares, bastante complexos por si só, e à qual se juntam os dois obstáculos enumerados anteriormente. Os dados disponibilizados por agências como a Frontex (Agência Europeia para a Gestão da Cooperação Operativa nas Fronteiras Exteriores dos Estados Membros da União), consideram os imigrantes detetados a atravessar ilegalmente uma fronteira, o que pode incluir uma ou mais tentativas de entrada por parte de uma mesma pessoa, bem como a sua entrada ou não em território europeu. Para além disso, os que não foram detetados, mas que entraram, não foram contabilizados. As estatísticas oficiais só contabilizam os sucessos na deteção e controle (Marenin, 2010, p. 42). Deste modo, as deteções de entrada apenas refletem a intensidade das operações de controlo migratório na fronteira e a eficiência das estratégias de gestão de fronteiras (Collyer, Düvell, & de Haas, 2012). Ora, embora este seja um indicador problemático e pouco fiável é o único que permite avaliar de alguma forma a intensidade dos fluxos, bem como a eficácia das medidas de gestão de fronteiras adotadas.

Importa ainda referir o acesso a recursos e fontes primárias. Através de contactos pessoais, que facilitaram os seus contactos, foi possível realizar a maioria das entrevistas pretendidas, no entanto, outras entrevistas que seriam de grande ajuda à investigação realizada foram impossíveis de conseguir (tal como com o SEF – Serviço de Estrangeiros e Fronteiras – em Portugal e com as autoridades italianas). Tal apresenta-se como uma limitação à nossa investigação já que não nos permitiu chegar ao contacto direto com essas fontes, pelo que tivemos que recorrer a relatórios e outra documentação dessas entidades.

Por último, dada a atualidade da temática em análise, é nosso objetivo apresentar os dados mais recentes, pelo que os dados apresentados são aqueles disponíveis até ao final do primeiro semestre de 2016 (dia 30 de junho de 2016). Assim, tomamos como referência o ano de 2015 como último ano de análise e relativamente ao ano 2016 apresentamos apenas os dados disponíveis à data, o que nos permite ler as principais tendências que se vão delineando para 2016.

Em suma, todas estas limitações condicionaram a investigação desenvolvida e o trabalho ora apresentado. Como investigadora procurei adotar uma perspetiva isenta de qualquer tipo de preconceito ou ideias pré-concebidas, no entanto tal encontra-se sempre limitado pelo meu entendimento e interpretação da realidade.

## **Estrutura da tese**

A tese encontra-se dividida em quatro capítulos e conclusões. No primeiro capítulo apresentamos o estado da arte sobre a temática em estudo e os restantes três procuram responder a cada uma das três questões secundárias identificadas.

Neste sentido, o primeiro capítulo intitulado *The link between migrations and security* apresenta as diferentes dimensões que permitem relacionar as migrações com os estudos de segurança. Assim, num primeiro momento apresentamos a ‘trilogia’ populações, espaços e segurança e identificamos as potenciais ameaças que daí possam surgir. De seguida analisamos o processo de desconstrução e reconstrução do conceito de fronteiras na era da mobilidade humana. Segue-se a análise do binómio imigração e segurança nas Relações Internacionais, onde conferimos particular atenção à reconceptualização da segurança e à teoria da securitização, com o objetivo de rever o estado da arte sobre as migrações enquanto problema securitário. Por fim, apresentamos as principais tendências no âmbito dos estudos sobre a governança das migrações. Este capítulo oferece-nos, assim, um conjunto de teorias e estudos que nos oferecem os instrumentos de análise para a conclusão deste estudo.

No capítulo *The geography of migrations in the Mediterranean*, analisamos o sistema migratório do Mediterrâneo e descrevemos as suas principais características. Através da caracterização do sistema migratório internacional podemos identificar as principais tendências migratórias e incluir o sistema do Mediterrâneo neste conjunto global. Para conhecer melhor a realidade em estudo apresentamos as suas principais especificidades geopolíticas, económicas, sociais, ambientais e demográficas. De seguida olhamos o Mediterrâneo como sistema e espaço migratório e analisamos a evolução dos fluxos migratórios nesta região, entre o final da Segunda Guerra Mundial e os nossos dias, com o objetivo de conhecer as principais tendências da atualidade.

Já no terceiro capítulo, que se intitula *The EU’s reaction to migratory challenges: towards securitisation*, examinamos as respostas políticas e as narrativas da UE, com o objetivo de aferir se existe uma securitização das migrações durante a última década. Em primeiro lugar, contextualizamos o capítulo com a apresentação das migrações como uma ameaça para a UE, através da análise dos seus documentos legislativos estratégicos. Em seguida analisamos as diferentes práticas políticas e legais adotadas no âmbito da UE sobre as questões de imigração e asilo, refugiados e fronteiras, centrando-nos na análise da gestão das migrações no Mediterrâneo através da

cooperação Euro-Mediterrânica e a sua operacionalização, bem como da resposta da UE e de alguns dos seus Estados membros à atual crise migratória. Na segunda parte deste capítulo fazemos uma análise mais geral das narrativas, em documentos oficiais da União e discursos de alguns líderes europeus, que relacionam as migrações com a segurança e aferimos se existe uma aceitação por parte dos cidadãos europeus, desta possível securitização das migrações. Por fim, enumeramos as principais fragilidades das políticas europeias ao nível da imigração, asilo e fronteiras e identificamos os principais momentos críticos no processo de securitização.

O quarto capítulo versa *The national responses of Spain, Italy and Portugal* apresenta um estudo de caso baseado nas estratégias de gestão migratória dos três países. Começamos por apontar os principais desafios que as imigrações irregulares apresentam a cada um deles e até que ponto são concebidas como uma ameaça nacional. De seguida, analisamos as diferentes dimensões do modelo migratório da Europa do Sul, nomeadamente ao nível das ações nacionais, vigilância e controlo de fronteiras e cooperação com países terceiros. Apresentamos ainda as principais especificidades de cada país, que o tornam único neste estudo de caso. Segue-se uma abordagem ao paradoxo da gestão fronteiriça, que consiste em procurar um equilíbrio entre a segurança e os direitos humanos. O capítulo termina com algumas ideias que deverão guiar a elaboração de estratégias de governança das migrações.

Por último apresentamos as principais conclusões da investigação, retomando a pergunta de partida e as questões secundárias enunciadas nesta introdução.

# 1

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## The link between migrations and security

### 1.1. OVERVIEW

The new international order is moving towards a more complex network of international processes. New actors, new regional dynamics, new security complexes and new threats have emerged in the international system in the last quarter of century. Those have profoundly changed international relations, particularly, security studies.

The accelerating economic and ecologic interdependence of the globalised world coexists with international security challenges, such as transnational threats. The demands of this global society turn populations into a predictor of future that can trigger security threats. The trilogy population, security and development has become increasingly difficult to manage, “as the geography of most vital natural resources does not match the geography of population” (Rodrigues, 2015, p. 38). In today’s societies, population volumes and distribution are an important element of soft and hard power<sup>9</sup> due to its characteristics: gender, age, education and skills (Rodrigues, Ferreira, & García Perez, 2015, p. 34).

Globalisation gave a new impulse to transnational movements and activities placing new challenges to Western societies. New atypical actors now play an asymmetrical chess game in the international system. The erosion of physical borders and barriers provided by technological advances has brought populations and nations together. Nevertheless, the intensification of human mobility questions the security of individuals, societies and states and strains the paradigm of human security. The connection between international migrations and security plays an increasingly more important role in the national and international political agendas, central to the governance of migrations.

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<sup>9</sup> For more on these concepts see Nye (1989).



In a post-hegemonic world, the attention is now focused on transnational threats, such as terrorism, drug trafficking, and trafficking of human beings, among others. This greater number of vulnerabilities amplified the perception of security and therefore the feeling of insecurity. Hence, security has become an imperative in today's societies.

The new transnational challenges require a global focus. Cooperation between the different international actors is fundamental to reach common and comprehensive strategies. The triad diplomacy, development and defence (also known as the 3-Ds), or even including democratisation (the 4-Ds), might not be enough to face the multifaceted dilemmas of the 21<sup>st</sup> century<sup>10</sup>. It is now time to address collective security in original ways to face the contemporary threats of this century.

In a time when international security concerns all international actors, national security is still seen as a prerogative of the modern State. The state is responsible for ensuring the integrity of the territory, safeguarding the population and protecting national interests against threats and aggressions. Transnational movements create new realities and question national identities. The distinction between external and internal security is now very thin.

The concept of security encompasses spaces, actors and institutions with varying levels of autonomy and power, which preserve relations with States that are not always easy. The *reconceptualisation* of security requires the recognition of the presence of foreigners as a defining element of modern societies. These do not fall within the dominant discourses of identity and, therefore, can be seen as a destabilising factor.

Changes in the international system, namely the fall of the Berlin Wall and the considerable number of refugees from East to West Germany in 1989, were a turning point in the perception of migrations within a securitarian framework (Huysmans, 2006; Weiner & Teitelbaum, 2001). Still, it may seem contradictory that the fall of a wall that for decades was the barrier between two worlds, a symbol of freedom and unity, brings with it a new array of threats to security.

Migrations are one of the main phenomena of the 21<sup>st</sup> century and one of the least predictable features of human behaviour. Immigrants are the human face of globalisation (Rodrigues, 2010b, p. 15), they contribute to economic, demographic and cultural development, concurring to the thriving of states. However, migrations also

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<sup>10</sup> For more on the security-development nexus see Tschirgi, 2005.

place various challenges, such as those connected to the integration of migrant communities. Migrations as a risk factor are mainly associated with economic phenomena and pessimistic scenarios related to governance crisis in unfavourable political and economic contexts. In fact, migrations are not a threat in the classical sense of security risks. Rather they are associated with other threats such as terrorism and organised crime (Rodrigues, 2010b, p. 24).

Thus, we frame our research within the binomial migration and security, which are the core concepts of this research. Therefore, we start with an analysis of the trilogy populations, spaces and security and the potential threats that arise from it, followed by an approach to the deconstruction and reconstruction of borders in the age of human mobility. Afterwards, we assess the binomial immigration and security in international relations, emphasising the reconceptualization of security and the securitisation theory, in order to review the state of the art of migrations as a security problem. Finally, we present the main trends on migration management. In the end, the combination of these theories and studies will give us the tools to answer to our research questions.

## **1.2. POPULATIONS, SPACES AND SECURITY: DANGEROUS CONNECTIONS?**

In nowadays' societies populations assume an increasingly important role. Populations – their characteristics, distribution and movements – transform societies and therefore international relations. We talk about 'new populations' (Rodrigues et al., 2015, p. 38), with different characteristics from the past, and an unbalanced geographical distribution. In this sense, “[p]opulations are now, perhaps more than ever before, both a subject (...) and an object of power” (Balzacq, et al., 2010, p. 10).

The asymmetries of demography – population ageing, youth bulges and migration flows, among others – challenge national and international security. Consequently, “[p]opulation is connected to national security as an indicator of challenge and opportunity, a multiplier of conflict and progress, and a resource for power and prosperity” (Sciubba, 2012, p. 268). The micro-demographic variables of population act as multipliers of national and international security in a geostrategic, geopolitical and prospective framework. As Rodrigues and Xavier (2013, p. 60) put it “the future of conflicts is being shaped by demographic trends in terms of fertility,

mortality and migrations<sup>11</sup>". Therefore, demographic dynamics are predictors of security (Rodrigues & Xavier, 2013, p. 60).

We live in a period of great changes in demographic trends. On the one hand, European and East Asian populations experience an intense ageing and its impact on the financial and economic growth of these countries is still unknown. On the other hand, the developing world witnesses large booms of population, in countries with underdeveloped economies and infrastructures. This demographic revolution accentuates North/South discrepancies, strengthens migration dynamics, causes or contributes to climate change and may, in the end, lead to conflicts over natural resources.

The growing demographic disparities between countries are correlated with different problems and political dilemmas. Academics, such as Goldstone, Kaufmann, & Toft (2012), Rodrigues (2013), Sciubba (2012), and Weiner & Teitelbaum (2001), have tried to identify the main demographic challenges of today's world, which may be summarized as follows: (1) youthful populations; (2) transitional age structures; (3) urbanization; and (4) uneven distribution of populations. These challenges give rise to a set of policy dilemmas that affect each state and the international system as a whole, such as: changes in populations' age structures and gender ratios that influence economic growth, unemployment, instability, and may even lead to violence; furthermore, urbanisation can lead to the creation of radical religious and nationalist movements; and, the growth of a heterogeneous ethnic and religious population can give rise to ethnic, religious and nationalist violence.

Therefore, demographic variables may be perceived as both an opportunity and a threat, as they "create conditions for either internal peace or conflict to which states must respond" (Sciubba, 2012, p. 268). Population challenges to security are associated with economic disparities, migrations, geopolitical conflicts, weak States, among others, which influence current geopolitics. Hence, the need to analyse the link between demography and security when studying the challenges posed by international migrations.

Demographic dynamics are increasingly more surprising and affect different areas of daily life: politics, economics and the social dimension. Those dynamics affect

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<sup>11</sup> In the original: "[o] futuro dos conflitos está a ser formatado pelas tendências demográficas em termos de fecundidade, mortalidade e migrações" (Rodrigues & Xavier, 2013, p. 60).

several aspects of States' security. Thereof, "[i]nformation regarding population volumes, age and sex characteristics and geographical distribution contribute to detect and prevent possible factors of risk" (Rodrigues, 2015, p. 35). As a result, demographic studies should be regarded as an important instrument to support the process of decision-making, namely in terms of security, defence and foreign policy (Rodrigues, 2012a, p. 90).

Political demography regards population as a strategic vector in terms of policy-making. Weiner and Teitelbaum (2001, p. 10) define it as "the study of the size, composition, and distribution of population in relation to both government and politics". However, political demography is still a scarcely studied field, and at times neglected, in political science and international relations. Yet, demographics are one of the few factors with higher predictability in social sciences. Based on a given country's fertility levels we can assess the number of workers, voters, or military in the coming decades (Goldstone et al., 2012, pp. 3–4).

Nevertheless, the one field in political demography that has received a special attention is the study of migrations. The challenges it presents to security are "particularly pronounced, since large-scale international population movements can both affect and be affected by the cohesion of societies and social and political conflict within and between countries" (Weiner & Teitelbaum, 2001, pp. 12–13).

Several academics have focused on the relationship between demographics and security (Goldstone, 2012; Rodrigues & Xavier, 2013; Rodrigues, 2012a, 2015; Sciubba, 2012; Weiner & Teitelbaum, 2001). Goldstone (2012) identifies six major trends in terms of challenges that both population and the environment place to security: (1) different processes of demographic transition with developed countries stabilising or reducing their population and countries with emerging economies continuing to grow, despite the tendency of reversal of behaviours; (2) mobility of a great number of youth, originating from Southern Africa, through the Middle East and the South and Southeast Asia; (3) rapid ageing of European, North American and East Asian populations; (4) increasing immigration from Third World to First World countries; (5) raising urbanisation, especially in China and Africa; (6) negative impact of climate change in the poorest and most populous countries. As the author claims, this is essentially a

problem of “population *distortions*<sup>12</sup> - in which populations grow too young, or too fast, or too urbanised, or too mobile” (Goldstone, 2012).

Population ageing in industrialised countries versus the youth bulges<sup>13</sup> in emerging economies question social stability and economic growth. Thus, demographic challenges, such as decreasing birth and mortality rates on advanced economies and lack of economic opportunities for youngsters in emerging economies, may have impacts in the social stability of emerging countries; while in western societies, the welfare state will become unbearable.

We are facing a scenario of major cleavages at the population level, with populations that are too young versus older populations, with rapid population growths *versus* stagnation, or even regression, of the population. In societies with a greater demographic growth there is a higher probability of social and political tension, vulnerability to radicalisation, and further degradation of the environment, among others. Nonetheless, in developed countries there is a faster population ageing, resulting in an overload of the welfare state and a reduction of economic growth. These asymmetries will become more acute if there is no structural change in terms of international security and global governance. Still, this division between the ageing shrinking North and the youthful growing South is no longer the only distinction. Sciubba (2012, p. 268) acknowledges that:

We are seeing the emergence of a second divide within the developing world, and thus the emergence of a third category of states that are growing older, more urban, more prosperous, more peaceful, and more active in international affairs.

A major concern nowadays is the impact of population on resources. The increasing competition for natural resources, not only renewable ones such as petroleum, but also for scarce renewable ones, such as fresh water, places great regional security challenges. These trends have a greater impact on “the arid Middle East and Central Asia, in both of which population growth is reducing the per-capita availability of fresh water in a manner that may make some peoples and states vulnerable to interruption of water supply by other states” (Weiner & Teitelbaum, 2001, p. 138). Therefore, competition for natural resources may result in major populations’ displacements (forced migrations) and even in regional conflicts.

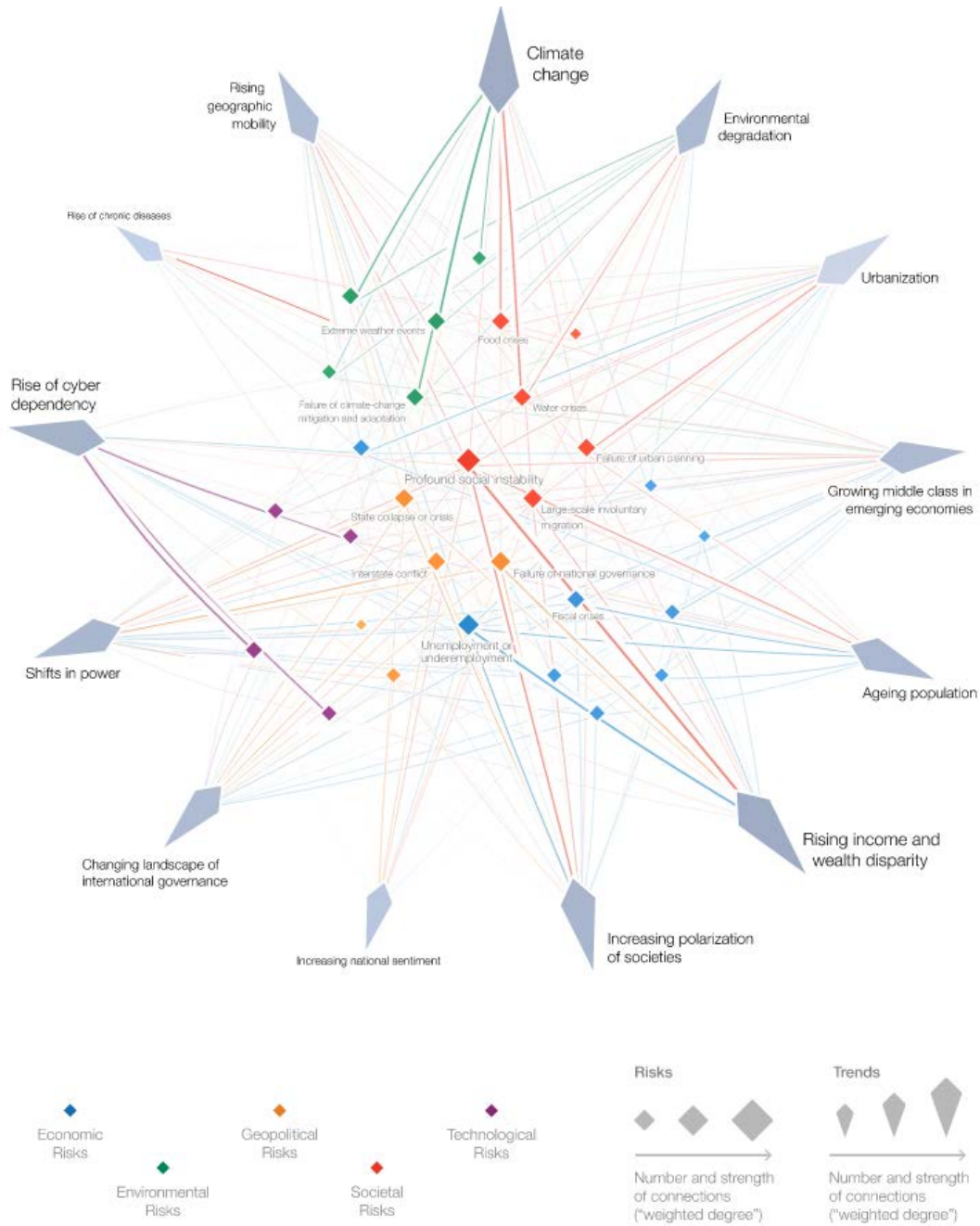
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<sup>12</sup> *Italic in the original.*

<sup>13</sup> For more on ‘youth bulges’ see Weiner & Teitelbaum (2001).

The 2016 Global Risks Landscape addresses this reality, emphasizing the increasing likelihood and risk impact of large-scale forced migrations, connecting it directly with long-term risks such as interstate conflict and state collapse, as well as climate change and water crises (Figure 1.1) (Weiner & Teitelbaum, 2001, p. 138).

**Figure 1.1. The risks-trends interconnections map of 2016**



Source: World Economic Forum, 2016, p. iv

International migrations are often the result of this imbalance between population volumes and resources. In this sense, it is a very sensitive demographic variable, conditioned by economic, social and political changes, as well as by the unpredictability of human behaviour (Rodrigues, 2012b). Nevertheless, migrations are a partial answer to the new demographic challenges of European societies. We should consider the concept of ‘replacement migrations’, adopted by the United Nations in 2000, which are, according to the UN (United Nations), “international migration that would be needed to offset declines in the size of population, the declines in the population of working age, as well as to offset the overall ageing of a population” (United Nations, 2001, p. 1). Thus, international migrations not only contribute directly to population growth but also indirectly to an increase in fertility<sup>14</sup>. Therefore, they are a major contributor to the growth of the resident population (younger and active populations), economic development (increased hand labour, raising productivity and consumption) and also enhance human skills. However, they may be perceived as a threat due to the higher variety of profiles and volumes, the increase in minor criminality; and intolerance from host communities.

Nevertheless, migrations are an unavoidable reality in today’s and tomorrow’s world. Development disparities between countries, along with demographic differentials boost human mobility. If enhanced and well managed it can help solve some of the demographic dilemmas of today’s world (in Europe an ageing population and a shortage of skilled labour, and in the developing world a very young population, with excess of manpower and lack of employment opportunities).

Until recently, in a relatively similar world (in terms of population), population volumes were an element of power for States. But the new populations and their skills and competences will determine the “importance of each State in the international system’s chess game, founded in new alliances and orders and new notions of de-territorialization and *un-timing*”<sup>15</sup> (Rodrigues & Xavier, 2013, p. 61). Thus, we should adopt a holistic vision of the international system that privileges a dynamic reading of the demographic reality.

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<sup>14</sup> Migrations from less developed countries contribute directly to increase levels of fertility, since those immigrants come from countries with higher fertility levels. However, during the process of integration in the host country, the breeding patterns of immigrant women tend to converge with the women of the host society. Therefore, reducing their contribution (Léon Salas, 2005, p. 130).

<sup>15</sup> In the original: “(...) importância de cada Estado no jogo de xadrez do sistema internacional, fundado em novas ordens, alianças e noções de desterritorialização e destemporização” (Rodrigues & Xavier, 2013, p. 61).

### **1.3. BORDERS IN THE AGE OF HUMAN MOBILITY**

#### **1.3.1. The deconstruction and reconstruction of borders**

The growing complexity of the international system, the broadening of the security agenda and the emergence of new powers and actors challenged the traditional static conception of borders. The functions and role of the border have evolved over the years, as it adapted to the changes of globalisation, creating the ground for interdisciplinary discussion on its concept and epistemology (López-Sala, 2015, p. 516). Thus, border studies gained momentum, leading to a conceptual and processual shift.

The transition from a static conceptualization of borders, moving beyond the lines drawn on a map, to that of a *bordering* process, recognizes the dynamic nature of the border (Newman, 2006, p. 145). This shift goes beyond the traditional territorial borders and acknowledges its permeable and dynamic character. The bordering process captures the complexity of borders, as a social construction where borders are constantly moving, adapting to the new transnational threats. Thus, the bordering thesis assesses the border as a social construction, which is in constant transformation, in contrast with a realist conception of borders as strategic lines that need to be militarily defended from external and military threats (Andreas, 2003, p. 81).

According to Krasteva (2015, p. 21) the border studies' scene is dominated by two views. On the one side there are the diachronically and theoretical attempts to define boundaries as specific empirical phenomena; and on the other side, there is a new focus on the development, purposes and essence of borders.

Borders are spaces of duality and opposition. In this sense, Krasteva (2015, pp. 18–19) identifies three pairs of opposite trends that characterize the border: integration versus fragmentation, hard versus soft borders, and opening versus closing. In the first case, there is the integration of territories such as the EU (European Union) and the consequent 'elimination' of internal borders, which contrasts with the fragmentation processes of certain regions, such as the Balkans. The second trend, hard versus soft borders, opposes a conception of borders as high and fixed, to one of soft interpenetration between different units. Lastly, the opening versus closing duality highlights the current situation with the closing the Mediterranean, through the



edification of borders and fences, with that of the opening of contemporary geopolitical regions.

Borders are in essence spaces of mobility. In this sense, López-Sala (2015, p. 517) highlights the interconnection between borders and mobility:

1. The role of borders as institutions in migration management and their increasing mobility and flexibility (through the extension of border control beyond the state's borders, a process known as externalization or de-territorializing);
2. Borders as a socially constructed phenomenon and delimiters of social categories;
3. Borders as spaces beyond the formal limits of the state that define people's collective narratives and experiences; and,
4. Borders as technologies of control and government that legitimize exclusion, creating a permanent state of emergence and exception.

Therefore, in the age of human mobility, the debate on borders is central to the development of public policies, in particular regarding migration management strategies. The conceptualization of migration policies, its concepts and methodologies are intrinsically related with the notion of border. In an increasingly connected international society, border management has to deal with new challenges regarding human mobility. While guaranteeing the regular and legal flow of goods and people, border controls have to prevent illegal crossings and all kinds of illegal transnational flows.

### **1.3.2. Border management**

Given its permeability, borders are subject to a wide range of threats. Hansel and Papademetriou (2013, p. 3) have organized them under five categories: terrorism, asylum, human smuggling and trafficking, irregular migrations and drug trafficking. By itself irregular migrations comprise many types of security threats: terrorists, traffickers, smugglers, and criminals, among others. Thus, border management takes place within the bordering processes in order to address and deter these threats.

The greatest challenge to border management is on how to find a balance between security and facilitation. The goal is to ensure a fluid flow of people, capital,

goods and services that are compliant with the laws and regulations of the country, while deterring those which somehow violate these norms (Zarnowiecki, 2011, p. 37).

Pérez Caramés (2012, p. 152) identifies the three main trends which are redefining the border regime: the process of ‘densification’, through which borders acquire a greater symbolic meaning, as mechanisms of social and political closure; the ‘de-territorialisation’, through the increasing externalisation of border controls, beyond the physical border, turning countries of origin into buffer zones; and, the process of ‘virtualism’, through which states create and produce irregular migration, as they are the ones responsible for defining the requirements for legal immigration. This triple process is developed through a set of strategies that increasingly more take place away or outside the border, within a trans-regional approach, based on a bilateral, regional and inter-regional dialogue.

Surveillance is a crucial dimension of border management. In this sense, through the notion of *ban-opticon*, Didier Bigo (2006, p. 6) establishes the relationship between security and surveillance. This concept derives from Jeremy Bentham’s *panopticon*<sup>16</sup>. The ban-opticon is characterized by the resort to exceptional measures, actions of characterization and contention of foreigners and by the imperative of mobility. Bigo (2006, p. 47) advocates that the ban-opticon,

(...) deconstructs some of the post-September 11 analysis as a ‘permanent state of emergency’ or as a generalized state of exception’, which reinstates the question of who decides about the exception in the heart of the IR debate: who is sovereign, and who can legitimately name the public enemy.

Hence, the ban-opticon translates into the surveillance of a narrow group, while there is a ‘normalization of the majority’ (Bigo, 2006, p. 35). In this sense, by seeking elements of differentiation (resorting to systems of biometric<sup>17</sup> data reading) the manager of unease can create a mechanism to control specific groups.

Thus, through the employment of new technologies, the surveillance dispositive facilitates the control of transnational mobility. Hence, surveillance and border management instruments have a central role in ensuring security in the management of illegal trafficking, given their functions of detection, interception, identification and diversion (Godenau & López-Sala, 2016, p. 11). However, the use of many of these

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<sup>16</sup> The notion of *panopticon* arises from the construction of a prison designed by Jeremy Bentham (1785) that as the observation (*-opticon*) of all (*-pan*) prisoners at its core, without the latter being aware of being observed. This model was chosen by Foucault as a symbol of the society of discipline and is often used in surveillance studies in the sense of observing unobserved (Bigo, 2006).

<sup>17</sup> Biometric means control of life (from Greek *bios*) through its exact measure (*metron*) (Aus, 2003, p. 4).

mechanisms still involves a set of legal problems, particularly with regard to privacy issues.

The Schengen area and the EU bordering activity has led to an acute theoretical and academic debate in the field of border studies (López-Sala, 2015, p. 516). The intense activity on the European border to secure the external border, while facilitating free movement within the internal borders has created a new set of practices. Thus, there is an increasing debate regarding the legal, political and humanitarian aspects of border management, as it may jeopardize not only Member States' internal security but also migrants' human security. The EU claims that only by reinforcing its borders can it ensure internal security, and that has been the strategy adopted so far to deal with external transnational threats, particularly with irregular migrations.

#### **1.4. THE BINOMIAL IMMIGRATION-SECURITY IN INTERNATIONAL RELATIONS**

##### **1.4.1. Migration studies**

The mobility of people, capital, goods and services is not a recent reality. However, with globalisation these phenomena have intensified, creating global networks of economic and social interdependence (Papademetriou, 2008, p. xiv). New technologies contribute to the rapid transfer of ideas, services, goods, capital and information, as States, economies, cultures and people are increasingly integrated and interconnected.

International migrations (which include immigration, emigration, internal movements and internally displaced people - IDPs) are transversal to all countries. Papademetriou (2008, p. xvii) explains that the “international migration system unites countries of origin, destination and transit through an increasingly complex set of connections”<sup>18</sup>. Therefore, international migrations are a rather complex phenomenon that involves the individual and the group, sending, transit and destination countries in a complexity of interactions, as well as different dimensions of analysis (economics, politics, social and cultural, among others). Thus, migration studies embrace two bodies of research: “(...) first the *determinants, processes and patterns of migration*, and,

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<sup>18</sup> In the original: “(...) sistema migratório internacional une países emissores, recetores e de trânsito através de um conjunto de ligações cada vez mais complexas” (Papademetriou, 2008, p. xvii).

second, research on *the ways in which migrants become incorporated into receiving societies*<sup>19</sup>” (Castles & Miller, 2009, p. 20).

Migrations are a dynamic process, an action, which arise from a social change and influence every aspect of social existence. Thereof, the migration process is the sum of a “complex set of factors and interactions which lead to international migration and influence its course” (Castles & Miller, 2009, p. 21). Migrations are interdisciplinary, as they involve different dimensions: economics, sociology, political science, international relations, geography, demography, history, among other fields of study. Each social discipline contributes with different approaches, based on divergent theories and methodologies to the study of international migrations<sup>20</sup>.

The *migration systems theory* and *migration networks theory* emerged as alternative approaches to the study of international migrations, aiming to “provide a basis for dialogue across social science disciplines” (Castles & Miller, 2009, p. 27). These interdisciplinary approaches “are helping to pave the way for more comprehensive conceptual frameworks for understanding migration” (Castles & Miller, 2009, p. 27). The migration systems theory advocates that migration movements commonly emerge from the existence of historical, political or cultural links between sending and receiving countries. This is the case of the Mediterranean region, as we shall see in Chapter 2, where we find a complex set of migration systems, which overlap with each other. According to Castles and Miller (2009, p. 28), the core proposition of the migration systems approach,

(...) is that any migration movement can be seen as the result of interacting macro- and micro-structures. Macro-structures refer to large-scale institutional factors, while micro-structures embrace the networks, practices and beliefs of the migrants themselves.

Furthermore, migratory networks are crucial in the migration process. Social networks facilitate the settlement practice and the formation of a community, as both family and community often provide the basis, assistance and support in the migration process (Castles & Miller, 2009, pp. 28–29).

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<sup>19</sup> Italic in the original.

<sup>20</sup> Among the economic theories of migration we may find the *neoclassical theory*, which are often “push-pull” approaches to migrations (for more see Borjas, 1989; or the *new economics of labor migration* approach, which focuses on the importance of the group in the migration process (see Taylor, 1987). The *historical-institutional approach* introduces an alternative interpretation to international migration, centring its attention on the way international migrations influenced world politics throughout history (for further reading see Castles & Miller, 2009; Cohen, 1987).

Nevertheless, no single factor can ever illustrate why people decide to move from one country to another. Uneven rhythms of economic growth, asymmetric human development patterns, imbalanced regional development, along with unequal demographic trends that challenge geopolitical balances all motivate human mobility (Ferreira, 2015, p. 184).

The “individual, transnational and exterritorial”<sup>21</sup> logic of human mobility challenges the traditional conception of a sovereign state (Brandão, 2007, p. 119). The end of the bipolar confrontation, centred in politico-military threats, shifted the perception of risks and threats. The attention is now focused in transnational menaces, such as terrorism and organised crime; while traditional risks coexist with contemporary ones. This greater number of vulnerabilities amplified the perception of threat and the feeling of insecurity. It is in this context that international migrations became part of the IR (International Relations) field of studies.

Scholars such as Zolberg (1989) and Weiner (1989) highlighted the interaction between migration movements and International Relations. Analysing international migrations through an IR framework gives a new focus to the political, international and transnational dimensions of this phenomenon. Brandão (2007, p. 135) points out the two approaches to migration studies in IR: a state-centred approach (state’s impact in the migration phenomenon); and a transnational approach (the impact of transnational movements in an organised constellation of states). It is this debate between realists (who focus on the state) and pluralists (who focus on the individual and networks) that transposes to the study of international migrations. Therefore,

[t]he complexity of the migration phenomenon results precisely from the fact that it is located at the crossroad between these two logics. Thus, the research agenda of International Relations contradicts decades of estrangement and contributes to the multidisciplinary approach of the movement of people (Brandão, 2007, p. 126)<sup>22</sup>.

In a post-hegemonic era, where the old security structures of the Cold War been converted, migrations are increasingly conceived as a security problem. Despite the positive contribute of migratory movements to economics, demographics, culture and the prosperity of States, they also raise several challenges, namely in terms of organised

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<sup>21</sup> In the original: “individual, transnacional e desterritorializada” (Brandão, 2007, p. 119).

<sup>22</sup> In the original: “A complexidade do fenómeno migratório resulta precisamente do facto de este se encontra na encruzilhada dessas duas lógicas, o que justifica que a agenda de investigação das Relações Internacionais contrarie décadas de distanciamento e contribua para a abordagem multidisciplinar dos movimentos de pessoas” (Brandão, 2007, p. 126).

crime, radicalism and terrorism, as well as regarding their own integration. Hence, the importance of analysing migrations within the field of Security Studies.

#### **1.4.2. The reconceptualization of security**

Conceptions of security have changed significantly in the past decades. The end of the Cold War gave room to the redefinition of security, specifically the core of security concerns. New perceptions of security arose by this time (*Cf.* Haftendorn, 1991; Nye, 1989; Waever, et al., 1993) aiming at enlarging the concept of security to other fields in order to face the new challenges. In a post-bipolar world, threats were no longer just military (the constant nuclear tension lived during the Cold War), and ‘new’ national and international concerns were included in the European security agenda.

The definition of security in International Relations is a contested issue. There are several definitions of this concept, mostly based on the assumption that security is the absence of threat. However, they differ in terms of subject. The traditional perspective of security is focused on the politico-military threat. This realist perspective is state-centred and basically defines security as *survival* (Buzan, 1997, p. 13). Walt (1991, pp. 213–214) argues that security studies, and by extension security itself, are “the study of the threat, use, and control of military forces”.

The broadening or update of the concept, aimed to go beyond this traditional realist perspective. Buzan (1991, pp. 18–19) claims that,

[i]n case of security, the discussion is about the pursuit of freedom from threat. When this discussion is in the context of the international system, security is about the ability of states and societies to maintain their independent identity and their functional integrity.

Thus, security is perceived as the states’ and societies’ capacity to preserve its own independence and integrity.

Charillon (2001, p. 105) considers that the Europeans reinvented the concept of security and that this was extended to inter-regional partners, comprising diversified dimensions such as migration control, military, cultural and commercial cooperation, among others. However, there is a considerable variety of theories and definitions, with different priorities and sensitivities which may be translated into diverging agendas (Alcaro & Jones, 2011, p. 18).

Rodrigues (2010b, pp. 119–120) recognises that:

[t]he concept of security acknowledges spaces, actors and institutions with variable levels of autonomy and power. These sustain relationships with the State that are not always easy to preserve despite recognizing the competence of security forces to ensure the needs of the civil society and protect it from crime and internal and external disorder<sup>23</sup>.

Nevertheless, academics such as Ayoob (1997, p. 121), contest this, what they call, ‘indiscriminate broadening’ that “make the concept so elastic as to render it useless as an analytical tool”.

Despite this lack of consensus on the definition of security, within this reconceptualization of security we may conceive immigration as a (potential) security threat. Moving beyond a state-centred approach to security we have new units of analysis such as society or even the individual.

At the core of security issues is the freedom-security dialectic. Huysmans (2006, p. 17) considers that “(...) too much freedom leads to increased insecurity while too much security reduces freedom”. In order to maintain peace and freedom, security measures are often strengthened<sup>24</sup>. Concepts such as security, freedom and justice are increasingly more thought focusing on the citizen within an advanced security framework (Rodrigues, 2010a, p. 114).

#### 1.4.2.1. *Critical approaches to security*

Critical approaches to security and security studies emerged in the late 1980s, and were mainly developed in the afterwards of the Cold War (Figure 1.2). In Europe<sup>25</sup>, these approaches are often associated with three main groups of scholars, referred to as ‘Schools’: the *Aberystwyth School*, the *Copenhagen School* and the *Paris School*. The first two were the first ones to emerge and have “strong roots in political theory, as well as in IR debates and their repositioning in relation to peace research and strategic studies” (C.A.S.E. Collective, 2006, p. 446). The Paris School has a different tradition since it “has its roots not in IR but in political theory and the sociology of migration and policing in Europe” (C.A.S.E. Collective, 2006, p. 446). These distinctions are also

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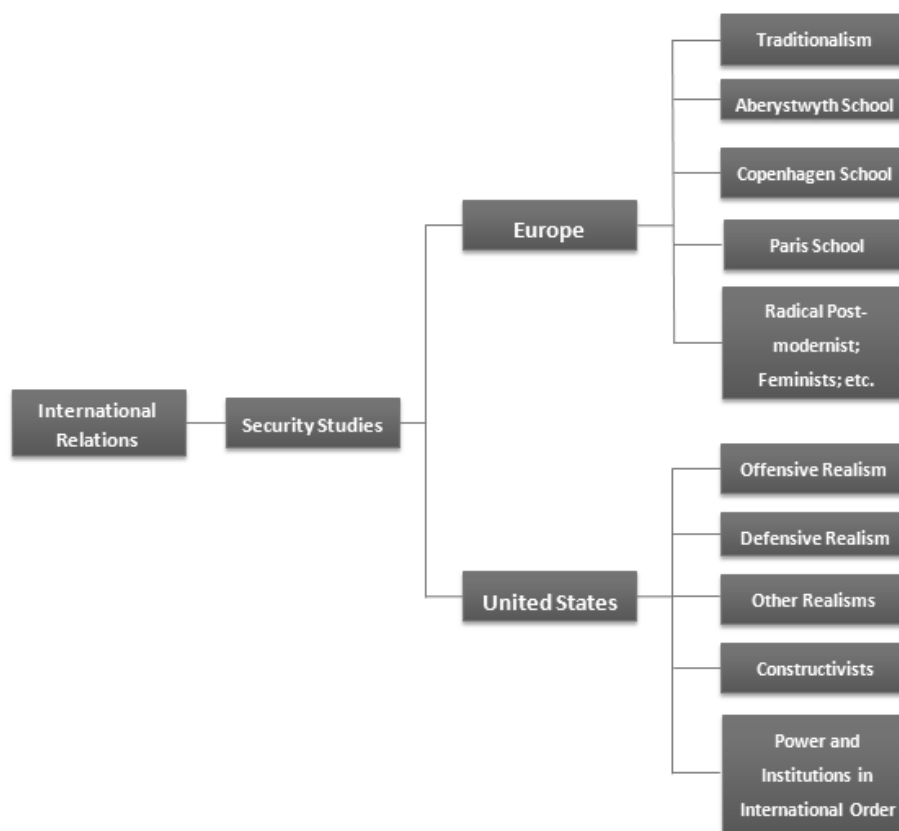
<sup>23</sup> In the original: “O conceito de segurança compreende espaços, actores e instituições com graus variáveis de autonomia e poder, que mantêm relações nem sempre fáceis com o Estado embora se reconheça às forças de segurança a competência para zelar pelas necessidades da sociedade civil, protegendo-a do crime e da desordem interna e externa” (Rodrigues, 2010a, pp. 119–120).

<sup>24</sup> Take the example of the European Union that was created with the goal to promote peace through the creation of an area of freedom, security and justice.

<sup>25</sup> The debate on security studies has mainly been developed in a European and North American (US) perspective. For further reading see Waever (2004).

perceived in the focus of each school. In this sense, both Aberystwyth and Copenhagen focus on international security and Paris School on the internal one. Despite the fact that we will mainly focus in these research groups (particularly the Copenhagen and Paris Schools), European Security Studies cannot be reduced to these three research groups (C.A.S.E. Collective, 2006, p. 446). Alternative schools of thought have emerged, suggesting new approaches with different focuses (such as the Feminists and the Radical Post-modernists).

**Figure 1.2. Security Studies in Europe and the US**



Source: Author's elaboration

Aberystwyth<sup>26</sup> is often associated with the development of 'Critical Security Studies' (CSS), by Ken Booth, Richard Wyn Jones, Keith Krause and Michael Williams. According to these academics, "the axis of security studies should be the

<sup>26</sup> The Aberystwyth School, also known as the Welsh School, owes its name to Aberystwyth University in Wales, and is used to refer to the work done by academics from this University and those who followed their line of work.



emancipation of individuals” (C.A.S.E. Collective, 2006, p. 448). As for the Copenhagen School<sup>27</sup>, it introduces three main ideas in terms of security studies: the securitisation theory; security sectors; and regional security complexes. This School “emphasized the development of new concepts in order to understand security dynamics at work in Europe during that period” (C.A.S.E. Collective, 2006, p. 448). Lastly, researchers from the Paris School<sup>28</sup> “introduced an agenda focusing on security professionals, the governmental rationality of security, and the political structuring effects of security technology and knowledge” (C.A.S.E. Collective, 2006, p. 449).

More recently, in 2006, a group of scholars and researchers from the different schools gathered to discuss a “common European research agenda on critical security issues” and created a network, referred to as the *c.a.s.e. collective* (C.A.S.E. Collective, 2006, p. 451). We adopt this broader perspective offered by the *c.a.s.e. collective* that tries to integrate different concepts, as it provides us a comprehensive approach to the immigration-security dialectic.

The shift of focus of insecurity from the state to society, with Waever and Buzan’s concept of societal security, offered an original approach within security studies. Waever (1993, p. 23) conceives societal security as follows:

(...) in the contemporary international system, societal security concerns the ability of society to persist in its essential character under changing conditions and possible or actual threats. More specifically, it is about the sustainability, within acceptable conditions for evolution, or traditional patterns of language, culture, association, and religious and national identity and custom.

The author aims to go beyond the sectorial approach proposed by Buzan<sup>29</sup> (1991), which he considered “were all ultimately sectors of state security” (Waever, 1993). Thus, Waever proposes a:

(...) reconceptualization of the field of security. Instead of talking about five parallel sectors all held together by state security, we shall work with a duality of state security and societal security, the former having sovereignty as its ultimate criterion, and the latter being held together by concerns about identity.

This distinction between state security and societal security is based on the non-coincidence between state borders and societal borders (Brandão, 2007, p. 129). Societal security is defined by identity, here conceived as a “feeling of common

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<sup>27</sup> The Copenhagen School refers to a research group from the Copenhagen Peace Research Institute (COPRI), namely Barry Buzan and Ole Waever.

<sup>28</sup> The Paris School was named after Didier Bigo and those who worked with him at the Science-Po (Paris) and the journal *Cultures et Conflits*.

<sup>29</sup> Buzan, Waever and De Wilde (1998) identify five sectors: political, military, societal, economic and environmental.

identity” (Waever, 1993, p. 21). As Buzan, Waever and De Wilde (1998, p. 119) stress “societal security exists when communities of whatever kind define a development or potentiality as a threat to their survival as a community”. Thus, the main threats to societal security are international migrations and vertical and horizontal competition (Brandão, 2007, p. 129).

However, this is a contested approach to security studies. Academics pinpoint three main critics (Brandão, 2007, pp. 130–131): (1) a simplistic conceptualisation of society, which is not conceived as a dynamic subject; (2) the risk of securitisation associated with the potential reification of the concept; and (3) the transformation of national societies into multicultural ones.

Nevertheless, as we shall see, the link between immigration and security goes beyond the securitisation of identity suggested by these authors. This is just one dimension among many others on world politics. The securitisation theory is one of the main and most innovative contributions of the Copenhagen School to security studies, which is central to our research work. Therefore, we will devote an entire sub-section<sup>30</sup> in this chapter to this subject.

This reconceptualization of security to encompass the rise of new security risks requires a cooperative approach to deal with these contemporary threats and prevent unwanted outcomes. Therefore, regional cooperation processes emerged in the international system over the last quarter of century in order to address the distinct security dynamics that take place in a certain region, through coordinated responses. Thus, international security functions in a relational logic.

The theory of the Regional Security Complexes (RSC)<sup>31</sup> allows us to analyse securitising patterns according to regional dynamics, within which we can conceive the European Union as a RSC. Security complexes are defined by patterns of interaction and geographical interdependence, namely the growing *securitarian* interdependence of States (Buzan & Waever, 2003). Regions are at the core of security processes, where interactions are fostered to create common dynamics (Pimentel, 2007, pp. 36–37). It is clear that the process of European integration has led to the creation of a regional security complex. Thus, we have a set of States that relate with each other at various

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<sup>30</sup> See 1.4.4. Securitisation Theory.

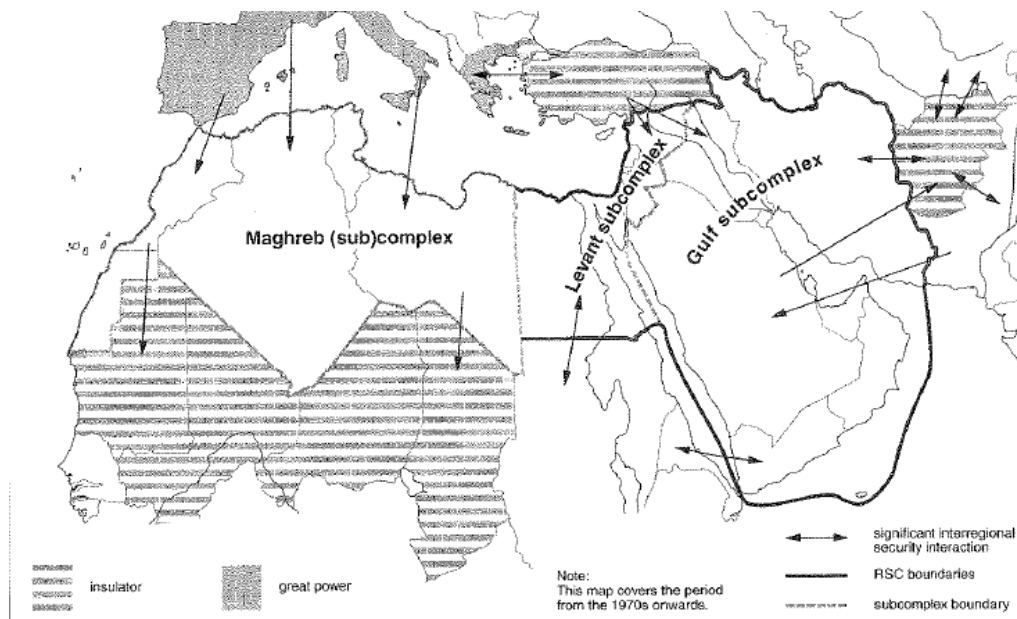
<sup>31</sup> The Regional Security Complexes Theory was developed by the Copenhagen School, mainly by Buzan and Waever (for more see Buzan & Waever, 2003).

levels. Their perceptions of security are so interconnected that led to the creation of common responses and mechanisms, such as the CFSP (Common Foreign and Security Policy) and, in particular, the Common Immigration Policy.

According to Buzan and Waever (2003, p. 189) the Mediterranean region comprises two major RSCs, the EU on the northern shore and the Middle Eastern RSC on the southern shore. The Middle Eastern RSC is divided into three subcomplexes: the Maghreb, the Levant and the Gulf<sup>32</sup> (Figure 1.3). The Maghreb has drifted away from the core of the RSC, “becoming more like an independent RSC in its own right” (Buzan & Waever, 2003, p. 213). This subcomplex has come under the ‘influence’ of the EU. As Buzan and Waever (2003, p. 213) highlight:

The Maghreb countries became more preoccupied with their own domestic security affairs, and more concerned about their economic relations with an EU whose deepening and widening moves threatened their trade ties.

**Figure 1.3. The Middle Eastern RSC**



Source: Buzan & Waever, 2003, p. 189

Thus, there are not only security dynamics within each region, but interregional dynamics, between one or more regions. As we will see in Chapter 3, the interactions

<sup>32</sup> Buzan and Waever (2003, p. 188) even consider the possibility of a fourth subcomplex, the Horn of Africa.

between these two RSC, or more specifically between the EU and the Maghreb, mainly take place under the Euro-Mediterranean dialogue and a plethora of cooperation *fora*.

For the Paris School, the field of security is often the result of the creation of a network of professionals of (in)security, the *managers of unease*<sup>33</sup>. According to Didier Bigo (2006) the field of insecurity professionals is characterised as: (a) a *field of force*, or a *magnetic field*, “the dynamic of which creates homogeneity of interests not of identity”; (b) a *field of struggles*; (c) a *field of domination*, struggles between actors/players to dominate a certain field; and (d) a *transversal field*, the shifting of borders in social universes.

The Paris School, specifically Bigo, demonstrates the merging between internal and external security “as agencies compete for gradually de-territorialised tasks of traditional police, military and customs” (Waever, 2004, p. 11). The distinction between the roles of the police and the military delineates the sphere of external security from the sphere of internal security, but at times, the differentiation between these two fields has been ambiguous, and since the 1970s it has progressively been eroded. One example is the increasing participation of internal law enforcement agencies in the fight against terrorism or organised crime at the international level, a field that used to be mainly military (Balzacq et al., 2010, pp. 6–7).

This widening of the field of security from the inside to the outside and from the public sphere to the private one might have led to the privatisation of security. This privatisation entails the risk of ‘marketising’ security, as “supply creates its own demand” (C.A.S.E. Collective, 2006, p. 464). Thus, we might fall in the security trap: “the maximal security option might validate itself *a posteriori* by fostering a feeling of security” (C.A.S.E. Collective, 2006, p. 464).

According to this School, security agencies now play an important role in the security field, through practices of violence, and the use of technologies of identification and prevention. They alone have the capacity to create “a new threat image by constantly connecting immigration, organised crime and terror” (Waever, 2004, p. 11). These professionals produce knowledge or expertise, through the compilation and analysis of data, targeting specific populations, and thus legitimising their own power.

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<sup>33</sup> These include politicians, police agencies, intelligence services, private corporations and journalists.

### 1.4.3. Human security: a people-centre approach to security

The centrality of the individual in the international order of the 21<sup>st</sup> century privileges a *people-centred* approach to security. The increasing porosity of the security concept and the multiplicity of actors in the international system, led to a transition in the security paradigm, from state security to the security of individuals and communities. Nevertheless, a comprehensive approach to the new transnational threats requires the interconnection between both frameworks – state and human security (Xavier, 2013, p. 59).

This new security nexus privileges the security of the individual – *human security*<sup>34</sup>. Thus, the international community is responsible for the individuals' security, along the lines of a wider approach focused on the *freedom from want* to a stricter approach, the *freedom from fear* (Xavier, 2013, p. 60).

Despite all the controversy around this concept<sup>35</sup> among academics and critics to this framework<sup>36</sup>, human security concerns:

(...) all threats to which individuals are constrained, humanitarian responsibilities of States and the importance of looking to both states and individuals as complementary actors in the production and assurance of security (Rodrigues & Xavier, 2013, pp. 55–56)<sup>37</sup>.

Alkire (2003) identifies four dimensions of human security: (a) the centrality of the human being; (b) universal and integrative concept, since threats to security are universal, transnational and diverse; (c) interdependence and indivisibility of human security components; and (c) the adoption of a cooperative action and early prevention to reach human security.

Sustainable development is essential to individuals' daily security. In this sense, threats to human security range from deprivation of human rights, terrorism, drugs, pollution, among others. Its consequences have repercussions not only on the individual but beyond borders. Therefore, the challenge that arises is the ability to maximise the

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<sup>34</sup> This concept was firstly coined in the UNDP's *Human Development Report*, of 1994.

<sup>35</sup> See Badie, 2000 for the main criticisms on this concept.

<sup>36</sup> Many academics refuse to accept human security as a theory and some claim it is a concept to cover the hooded responsibility to protect or an excuse to securitize development and human rights issues (Xavier, 2013, p. 60).

<sup>37</sup> In the original: “todas as ameaças a que os indivíduos estão constrangidos, às responsabilidades humanitárias dos Estados e à importância de se olhar para os Estados e os indivíduos como actores complementares de produção e garantia de segurança” (Rodrigues & Xavier, 2013, pp. 55–56).

skills and competences of individuals, so that they can ensure the present and build their own future (UNDP, 1994, pp. 1–4).

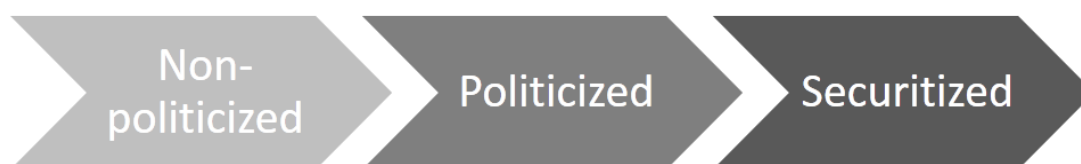
States should guarantee the protection of the rights of all individuals residing in their territory, protecting them from violations of their personal dignity and security. Human security emphasises the protection of individuals from violence and respect for individual rights (Aiken, 2009, p. 12). Paradoxically, migrants who seek in another country (the country of destination) their own security can be perceived as a risk or threat to that country. Thus, migrants' vulnerable condition compromises their human security (Brandão, 2007, p. 132).

Migration policies that impose limitations and difficulties to migrants, favouring state's interests, might violate human rights. Hence, the human security of migrations implies that migrants themselves are subjectively considered in the formulation and implementation of migration policies.

#### 1.4.4. Securitisation theory

Any matter dealt with at a higher level, often the State, is considered as politicisation. When that subject is regarded as urgent it leads to securitisation. Securitisation, more than an extreme version of politicisation, goes beyond it, since a special treatment is given to the subject (Figure 1.4). Thus, there is securitisation only when there is a legitimate existential threat that legitimises the breaking of rules to perform emergency actions (Buzan et al., 1998, pp. 24–25).

Figure 1.4. Security Spectrum



Source: Author's elaboration.

In this sense, the securitisation of a matter is a subjective act, which does not derive from its importance as an objective threat (because, in most cases, threats are

ambiguous), rather from the rhetoric that leads to its securitisation. The very notion of threat, which varies from state to state, is not a consensually defined and objective notion<sup>38</sup>.

For the Copenhagen School, the speech that presents an object as an existential threat does not create securitisation on its own; it is rather a *securitising move*. Acceptance by the *audience* is necessary so that the issue in question is dealt with as a securitised object. Hence, rather than the 'securitiser' itself, it is the audience of the security discourse that decides on the securitisation of an issue, although, actually, no one formally detains the power of securitisation (Buzan et al., 1998). Nevertheless, the use of the term security in a speech does not necessarily lead to the securitisation of an issue, as the word security is not always used in this sense.

In most cases, the securitisation of a certain issue has consequences in the actions of an actor. Furthermore, the way an actor sees the securitisation process influences the dynamics of security in the international system, because securitisation is socially and inter-relationally constructed. The actor has the power to define a particular subject as an existential threat or not. Securitising or not is therefore a political choice.

Securitising actors are not so easy to identify. Buzan et al. (1998, p. 40) define: "[a] securitizing actor is someone, or a group, who performs the security speech act". These actors are normally people and groups involved in political life (from political leaders to pressure groups). The securitising actor is frequently identified with the person who utters the securitising speech and most commonly has a position of authority (but not necessarily an official position of power). Thus, the *status* of the actor leads to the legitimisation of the speech by the audience. Nevertheless, the success of the speech depends on its content, its social context and the group that recognises the speech as securitising. Indeed, the securitising process is only complete when there is an acceptance by the audience. However, it is up to the analyst to assess whether the decision of securitisation was correct. Its external position allows him to analyse, with some distance, the process, the existential threat and the securitisation mechanisms.

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<sup>38</sup> The definition of threat is neither simple nor one-dimensional. Rather, it is a complex act that is beyond the definition of political and social insecurities. Thus, a subject may have a security dimension and not necessarily constitute a threat. The threat is a broad concept that must be defined according to its environment in various political and social processes (Huysmans, 2006, pp. 3–5).

Thus, the main elements of securitisation are, according to Waever (2003, pp. 11–12):

- Referent object: what is being threatened;
- Securitising actor: the one that claims that the referent object is being threatened;
- Audience: those who need to be convinced of a securitising move;
- Functional Actors: actors who influence the dynamics of the sector.

As previously referred, securitisation is beyond politicisation or it is an “abnormal politicisation” (C.A.S.E. Collective, 2006, p. 455). But it is also its opposite. In securitisation policy rules are broken by the urgent character given to a certain issue. Thus, securitisation may be conceived as an abnormality in politics. In the end, the main goal is *desecuritisation*, which can be seen “as an attempt at retrieving the normality of politics” (C.A.S.E. Collective, 2006, p. 455). Desecuritisation is to move from a state of emergency to ordinary politics.

According to the Copenhagen School, in securitisation “[s]omething becomes a security problem through discursive politics” (Balzacq, 2011b, p. 1). According to the Copenhagen School, “[t]he process of securitisation is a *speech act*. (...) It is by labelling something a security issue that it becomes one (...)” (Buzan & Waever, 2003, pp. 10–11). Others, namely academics with a social theory influence, focus mainly on “practices, context and power relations that characterize the construction of threat images” (Balzacq, 2011, p. 1). According to the Paris School, the processes of securitisation are connected to “a field of security constituted by groups and institutions that authorize themselves and that are authorized to state what security is” (Bigo, 2000, p. 195). Thus, rather than focusing on speech acts, the focus is on the establishment of networks of professionals of (in)security.

On his book “Securitization Theory: How security problems emerge and dissolve”, Balzacq (2011b) proposes a new framework for analysis in securitisation theory. The author defines securitisation as (Balzacq, 2011b, p. 3):



(...) an articulated assemblage of practices whereby heuristic artefacts (metaphors, policy tools, image repertoire, analogies, stereotypes, emotions, etc) are contextually mobilized by a securitizing actor, who works to prompt an audience to build a coherent network of implications (feelings, sensations, thoughts, and intuitions), about the critical vulnerability of a referent object, that concurs with the securitizing actor's reasons for choices and actions, by investing the referent subject with such an aura of unprecedented threatening complexion that a customized policy must be undertaken immediately to block its development.

This new framework is developed around three core assumptions: (1) to restore the distinctive role of audience, context and *dispositif* in the construction of threat images; (2) to go beyond the textualist model of speech act in discourse analysis; and (3) to develop a “practice-oriented *complement* which emphasizes the structuring force of the *dispositif* for understanding both the designed and the evolutionary character of securitization” (Balzacq, 2011b, pp. 26–27). Balzacq highlights the weakness of the emphasis on the speech act by the Copenhagen School and understands securitisation as a practice, “which can be either discursive or non-discursive” (Balzacq, 2011b, p. 22).

For the purposes of this research we will adopt Balzacq's framework, in order to assess the process of securitisation of migrations in the EU. By focusing on the EU's practices, tools and policies on migration and border management, we aim to analyse if they generate securitisation.

## 1.5. MIGRATIONS AS A SECURITY PROBLEM

The first approaches to the phenomenon of migrations were mainly economic, since the economy was determinant in shaping immigration policies. However, this perspective is too restrictive as it does not consider the fact that migrations are driven or even restrained by governments themselves, as well as the fact that governments have the power to decide who is given permission to enter their territories. International migrations affect States' internal security and international stability and thus require a security framework (Stivachtis, 2008).

The link between migrations and security issues arises from the creation of a *nexus* of threats, where different actors share their fears in the creation of a ‘dangerous society’<sup>39</sup> (Bigo, 2002). The managers of unease claim that the link between immigration and security emerges as a response to new threats. Among these new

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<sup>39</sup> This ‘dangerous society’ that the author refers to is the result of a vision which uses a prism of security in the analysis of society by those responsible for law and order (Bigo, 2002).

threats we may find terrorism, organised crime and human trafficking. Thus, the State is no longer the sole focus of insecurity, societies and individuals are also threatened.

But why this articulation of immigration with security? Why this relation of immigration to terrorism and violent and organised crime? Immigration is often conceived by politicians, and other managers of unease, as a threat to state sovereignty and to the freedom of society, hence its subsequent securitisation. In the end, international migrations arise two levels of security threats: in terms of *border controls* and *internal impacts* (economic, political and cultural) (Brancante & Reis, 2009, p. 76).

### **1.5.1. The securitisation of migrations: state of the art**

Immigration has positive effects on both the economy and demography of host countries, not to mention cultural enrichment. However, fears of uncontrolled and large-scale immigration translate into the association of immigration with threat and insecurity (Waever et al., 1993, p. 153).

In this context, this security framework of migration seeks to respond to the challenges that international migrations bring to international relations. When is immigration a threat to security and stability? Having in mind the difference between real and existential threats, we have summarised the categorisation of situations in which migrants (also including refugees) may be perceived as threats (Table 1): (1) as a threat to the relationship between the country of origin and the country of destination (especially when opposed to the country of origin regime); (2) as a political threat or risk to the safety of the destination country; (3) as a threat to the dominant culture/identity; (4) as a social and economic problem for the host country; (5) as instruments of threat against the country of origin; and (6) as a threat to human security. This categorisation allows a better understanding of the binomial security-immigration and of the fears resulting therefrom.

**Table 1.1. Migrants and refugees as a security threat**

Authors	Migrations, and migrants as a security threat
Nichiporuk, 2000	<ol style="list-style-type: none"><li>1. Migrants will overburden the national infrastructures of the host state;</li><li>2. Significant refugee or migrant inflows could rapidly change the ethnic composition of the affected area.</li></ol>
Weiner & Russell, 2001	<ol style="list-style-type: none"><li>1. Migrants as opponents of their home regime;</li><li>2. Migrants as a political risk to the host country;</li><li>3. Migrants perceived as a threat to cultural identity;</li><li>4. Migrants perceived as a social or economic burden;</li><li>5. Migrants as hostages.</li></ol>
Guild, 2009	<ol style="list-style-type: none"><li>1. Migration as a threat to social cohesion and the right of communities to determine their membership;</li><li>2. Forced migration as a threat to human security;</li><li>3. Illegal migrations perceived as a threat to the host country security;</li><li>4. Economic migrants perceived as a threat to labor market and to the welfare state;</li><li>5. Illegal and forced migrations as a threat to migrants' human security.</li></ol>
Kicinger, 2004	<ol style="list-style-type: none"><li>1. Social stability may be at risk when the inflow of immigrants is combined with the rise of xenophobia, lack of integration;</li><li>2. International migration can influence the demographic security (high rates of emigration might deepen the process of declining and aging of population, especially in Central and Eastern European countries);</li><li>3. International migration can pose a risk to cultural identity;</li><li>4. International migration can pose a threat to social security system and welfare state philosophy;</li><li>5. International migration might be a risk to internal security.</li></ol>

Source: Author's elaboration

Over the last two decades the academic debate on the securitisation of immigration has been a very rich one. This link between international migrations and security has mainly a constructivist<sup>40</sup> matrix at its basis. Given the wide proliferation of works in this subject we will follow Brancante and Reis' (2009) systematisation, which offers us a map of the debate divided in four quadrants (Table 1.2). Rather than enlist all scholars and perspectives, the goal is to address the core of the question and assess the main ideas on the securitisation of migrations.

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<sup>40</sup> Constructivism is a social theory which assumes that knowledge is not something acquired, but rather a result of the interaction of the individual with the environment around him and its actions. One of its main theorists is Piaget (Becker, 2009, p.2).

**Table 1.2. Different perspectives on the securitisation of immigration**

Securitising immigration? Societal Security?	YES		NO	
	Principles	Authors	Principles	Authors
YES	a) Advocate societal identity; b) Raise the debate in the political agenda;	Copenhagen School (Buzan, Waever, Lemaitre, Kelstrup)	f) Preserve the homogeneity for the functioning of democracy	Taylor, Huntington
	c) Reinforce the European supranational identity.	Huysmans, Bunzl		
NO	d) Fight terrorism and organised crime; e) Increase social control over immigrants at borders	Adamson, Bigo	g) Defend the post-national citizenship and political identity;	Habermas, Soysal
			h) Sustain the realist concept of international security.	Neorealist School of International Relations

Source: Brancante & Reis, 2009, p. 79

When analysing the immigration-security link we are not only focusing on state security, but on the security of society as a whole and even the security of the various groups that compose it (such as ethnic minorities, although these groups are not the object of study in this research). Immigration can be perceived as a threat to state's sovereignty, but also as a threat to the freedom of society. In the first case, we are dealing with the immigration problem as a threat to political security, whereas in the second, we are under societal security.

Within the framework of societal security, immigration threatens societal identity. Thus, the securitisation of immigration takes place through the securitisation of identity, i.e., "the European supranational identity is defended against a cultural (or demographic) invasion of other identities" (Brancante & Reis, 2009, p. 82).

Jeff Huysmans sustains that the securitisation of immigration in Europe is intertwined with the regional integration process (Brancante & Reis, 2009, p. 83). On the one side, this securitisation of immigration is triggered by *welfare chauvinism*,

which, according to the author, is “a strategy of introducing cultural identity criteria in an area in which belonging is determined on the basis of social policy criteria, such as health, age, disability and employment” (Huysmans, 2000b, p. 768). It translates into an economic fear that immigrants might overload the welfare system and jeopardise the internal market. On the other side, immigration may also be perceived as a menace to cultural homogeneity. Within the logic of societal security of the Copenhagen School, Huysmans sustains that an identity is created in opposition to the identities that surround it, which may lead to the creation of a supranational European identity. Hence,

[s]uch a negative rendering of migration at the European level further bolsters domestic political spectacles in which migration is often easily connected to security-related problems such as crime and riots in cities, domestic instability, transnational crime and welfare fraud (Huysmans, 2000b, p. 770).

In this line of thought, Huysmans (2000b, p. 770) claims that the EU has securitised immigration by integrating its policy within an internal security framework.

Critics of the societal security concept, Bigo (2002) and Adamson (2006) sustain the securitisation of immigration to fight transnational crime, such as terrorism and organised crime, within the realm of national security. Bigo (2002, p. 63) claims that this security prism to analyse immigration “is the result of the creation of a continuum of threats and general unease in which many different actors exchange their fears and beliefs in the process of making a risk and dangerous society”.

Bigo’s sociological approach focuses on the role of security agencies, what he calls professional managers of unease, in the securitisation of immigration, by their own practices. These professionals not only have to face the threat, but they have the power to determine what is or what is not a threat (Bigo, 2002, p. 74). Thus,

(...) the transformation of security and the consequent focus on immigrants is directly related to their own immediate interests (competition for budgets and missions) and to the transformation of technologies they use (computerized databanks, profiling and morphing, electronic phone tapping) (Bigo, 2002, p. 64).

Furthermore, Adamson (2006) and Bigo (2002) agree on the importance of cooperation between states to face transnational threats. In this sense, a common approach to migrations and asylum at the European level, allows a better and more efficient answer to the challenges presented by international migrations.

Despite having distinct backgrounds and ideals, both Charles Taylor (1998) and Samuel Huntington (1996) sustain the need “of a cultural homogeneity for the survival of a certain political model. (...) The problem is not so much identity, it is governability” (Brancante & Reis, 2009, p. 88). Taylor (1998, p. 146) believes that

international migrations, the entrance of foreigners with different cultures, jeopardises democracy in host societies. For Huntington, culture is the defining element in world politics. Thus, the author claims that international migration, namely from the East to the West, is a threat to the Western world:

(...) a continued substantial immigration will probably produce countries divided into Christian and Muslim communities. That can be avoided to the extent that the governments and peoples of Europe are willing to bear the costs of restricting such immigration, which includes direct budgetary costs of anti-immigrant measures, the social costs of further alienate the current immigrant communities and the potential economic costs, in the long-run, the shortage of labour and the lower growth rates (Huntington, 1996, pp. 255-256).

As Brancante and Reis (2009, p. 91) summarise, both authors consider immigration as a political issue, which does not have to be specifically securitised. In fact, not all anti-immigrant discourses are pro-securitisation. Nevertheless, they both agree with a societal security framework, warrant of the West's survival.

Another significant group of academics does not establish a direct link between immigration and security. Habermas (2007) does not advocate cultural homogeneity as a pre-condition to democracy. According to this academic's perspective, international migrations do not question the host's society integrity.

Nevertheless, the rise of terrorism in the security agenda led to the increasing relation between terrorism and immigration and the adoption of a human rights-centred perspective. Bhabha (2005) claims that anti-immigrant policies do not work in practice. Thus, states should rethink their policies and protect their borders while safeguarding immigrants' human rights.

### **1.5.2. Irregular migrations and the human security nexus**

Irregular migrations are often conceived as an element of insecurity, as migrants' illicit entrance might present a direct or immediate challenge to state security (Requena, 2015, p. 61). Nevertheless, the requirements for legal immigration are defined by national migration policies. So the political power is the one entitled to declare the entrance of others as regular or irregular. Thus, in a situation of irregularity the immigrant becomes the enemy of the politician (Bigo, 2002, p. 6), and is therefore considered a threat. Moreover, irregular migrations bring along a series of threats to immigrants' human security as we shall see.

As highlighted by Düvell (2011, p. 276) “(...) irregular migration is not an independent social phenomenon but exists in relation to state policies and is a social, political and legal construction”. In this sense, there are two paths into irregularity: through illegal or clandestine entrance or through a legal entrance and subsequent overstaying (Düvell, 2011, p. 288).

The debate on irregular migrations has also been focused on its conceptualisation. The term ‘illegal immigration’ often associates migration with criminal activities. In that sense, researchers advocate the use of the concept ‘irregular migrations’, which we have adopted throughout this work, as it “(...) embraces all types of violation of the law, whether minor or major, related to migration and includes both issues of border crossing, non-authorised stay or violation of the visa conditions” (Düvell, Triandafyllidou, & Vollmer, 2008, p. 3). Two other concepts are also used by researchers to refer to these migrants: ‘undocumented’ and ‘unauthorised’. The first one refers to someone who is not in the possession of the required and appropriate documents to enter or reside in a certain territory; and the second one, to people who enter or reside in a territory without legal authorisation, a concept which is mostly used in North American scientific literature (Düvell et al., 2008, p. 3).

Irregular migrations are often associated with trafficking of human beings. A distinction must be made between *trafficking of human beings* and *smuggling of migrants*, two somewhat similar concepts, and often used indiscriminately, but that represent different realities. The UN Protocol to Prevent, Suppress and Punish Trafficking in Persons (United Nations, 2000, art. 3o a)) defines *smuggling of migrants* as: “[t]he procurement, in order to obtain, directly or indirectly a financial or material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident”.

Irregular immigrants often fall in the clutches of trafficking networks, due to their vulnerability. Their eagerness to survive and reach a safer harbour may also lead them to resort to smuggling, thus engaging in ‘survival crimes’ and jeopardising their own human security. The victims of trafficking are usually women and children, who are often exploited (i.e.: domestic labour and sex industry). Those are the contemporary slaves of our societies. Smuggling also exposes migrants to political, economic and social vulnerabilities (Koser, 2005, p. 12). Thus, irregular migration threatens migrants’ human security by depriving them from their human rights.

Irregular migrations are a very complex reality, as Koser (2005, p. 7) points out: an immigrant can enter a country regularly and fall in a situation of irregularity or the other way round; and smuggling of migrants may lead to trafficking of human beings. Moreover, migrants' irregular *status* similarly has negative consequences for migrants themselves. When arriving at the host country, they easily engage in precarious jobs and are every so often victims of exploitation, are excluded from health and education systems and most of the welfare provisions. Given their irregular situation these immigrants fear national authorities and are unwilling to engage with them and report situations of exploitation (Koser, 2005, p. 12).

We should underline that despite their irregular condition, all individuals are entitled to their basic rights, enshrined in international conventions, such as the Convention against Torture, and Other Cruel, Inhuman or Degrading Treatment or Punishment. Thus, there are a number of non-derogable rights that countries must preserve (Koser, 2005, p. 13).

Media and political discourses usually portray irregular migrations as a threat to states' sovereignty. States' control over national borders and the crossing of borders is imperilled by irregular flows of immigrants. Thus, in extreme discourses, irregular migrations are frequently perceived as a threat to states' security. However, this idea is often a misconception. First, this perception of 'invasion' can be deconstructed by real data and numbers, as in fact it is usually an insignificant percentage of the total immigration. Second, they are frequently associated with illegal activities and/or organised crime and with the spread of infectious diseases, especially HIV/AIDS. These assumptions are generalisations. Some immigrants might be criminals, but the majority are not. Although, some immigrants might carry infectious diseases, most do not (Koser, 2005, pp. 10–11). In both cases, we cannot take the part for the whole and consequently criminalise all irregular immigrants.

Moreover, irregular migrations affect regular migratory channels and governments' capacity to regulate and expand them. If governments are not able to control irregular migrations, then citizens may question their ability to control migrations at all (Koser, 2005, pp. 11–12).

However, as Koser (2005, p. 13) points out, "(...) in attempting to reconcile state security and human security, states have often prioritised the former above the latter". In this sense, it is important to encourage states to ratify the pertinent conventions and to



ensure their proper application. In managing irregular migrations, the dilemma is how far can a State go to protect its sovereignty without jeopardising human rights and individuals' non-derogable rights.

### **1.5.3. Surveillance and immigration**

Immigration challenges states' autonomy in terms of border controls and national identity (Adamson, 2006, p. 176). The maintenance of border control is essential to maintain internal security (economic and social). Thus, the creation of a 'Europe without borders', with free circulation of people, goods and services, seems to suggest that Europe is internally more vulnerable to threats. However, the elimination of internal borders with the Schengen Agreement, in 1985, led to a reinforcement of external borders<sup>41</sup>. Modern technologies have emerged to fill the gap in terms of surveillance and border and human mobility control. Systems that allow the identification of citizens and grant access to their records in various countries improve the control of cross-border movements.

Does the securitisation of immigration derive from the development of surveillance and control technologies? Bigo believes so and claims it is connected with "computerization, risk profiling, visa policy, the remote control of borders, the creation of international or non-territorial zones in airports, and so on" (Bigo, 2002, pp. 8–9). The author considers that securitisation results from a continuous process of security and not the adoption of exceptional measures as advocated by the Copenhagen School (see Buzan et al., 1998). In the equation of the securitisation of immigration we cannot only take into account the political discourse, we should also consider the role of the *managers of unease*. Those are professionals, experts in surveillance, which have the knowledge in the different fields (regulation of immigration, fight against terrorism, environmental protection) and the technology required to face situations of threat. These professionals of security see in the immigrant a danger and a possibility to use and try out the technologies available as a way of protection. Furthermore, given the global

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<sup>41</sup> According to the Schengen Borders Code, an "external border' means the Member States' land borders, including river and lake borders, sea borders and their airports, river ports, sea ports and lake ports, provided that they are not internal borders"; while "'internal border' means: (a) the common land borders, including river and lake borders, of the Member States; (b) the airports of the Member States for internal flights; (c) sea, river and lake ports of the Member States for regular ferry connections" (Official Journal of the European Union, 2006, art. 2).

character of the current trends, the practices of managers of unease also have a transnational nature.

The concept of ban-opticon “allows us to understand how a network of heterogeneous and transversal practices functions and makes sense as a form of (in)security at the transnational level” (Balzacq et al., 2010, p. 10). The surveillance of minorities functions in opposition to the surveillance of the entire population. Balzacq et al. (2010, p. 10) identify three dimensions of the ban-opticon that illustrate this: (a) the exceptionalism of power (the tendency to make emergent rules as permanent); (b) the exclusion of certain groups through profiling; and (c) the normalisation of the non-excluded through the production of normative imperatives.

The reactions to the terrorist attacks of September 11<sup>th</sup> 2001 and the bombing attacks in Madrid 2004 and London 2005 made the ‘state of exception’ a rule and the resort to state-of-the-art surveillance technologies as something trivial (Bigo, 2006, p. 49). Nevertheless, a strategy that identifies specific groups, categorising, profiling and stereotyping them, through the resource to biometric data reading technologies, surveillance cameras and the constant exchange of information between police forces and intelligence services, cannot be the solution to fight the unknown. Through this strategy the ‘other’, the foreigner, the different, becomes a suspect. Thus, we believe that the anticipation of behaviours, through profiles based in generalisations, cannot be considered as sufficient for acting.

The securitisation of immigration through the establishment of more restrictive entrance restrictions and tighter border controls and through new technologies, in order to reinforce internal security, leads to an ‘insecure governance’, based in misunderstandings. In this sense, the securitisation of immigration can thus be also the result of modern surveillance technologies.

## **1.6. MIGRATION MANAGEMENT**

### **1.6.1. From migration control to migration management**

Over the past few decades, policy discussion on international migrations has emerged at the international level. Nevertheless, there is still a low level of institutionalized global cooperation on these issues (Kalm, 2010, p. 23).

Given its transnational character, which involves both countries of origin, transit and destination, migrations are a complex inter-state phenomenon, therefore “(...) it is beyond the power of any one state acting unilaterally to either control or ‘manage’ the phenomenon” (Taylor, 2005, p. 572). Thus, a ‘global governance’ of international migrations has emerged, including a complex variety of actors and action levels, which sometimes overlap each other (Kalm, 2010, p. 21). In this sense, ‘global governance’:

(...) aims to answer those new challenges by overcoming the judicial formal notion of government restricted to a territory over which it has authority. This may be achieved by a collective management procedure for these global conflicts using a system of collectively agreed practices and rules that do not come from a formally constituted authority (García Pérez, 2015, p. 17).

In this regard, states have only recently recognised that they cannot address these issues on their own and the academic debate has been focused on the creation of new forms of collaboration and coordination at the international level (Betts, 2016; Ghosh, 1995, 2000; Overbeek, 2000; Straubhaar, 2000).

The notion of ‘migration management’ was first developed by Bimal Ghosh, in 1993, in a paper on “Movements of People: The Search for a New International Regime”, where he proposes a new international regime to regulate human mobility. This regime takes into account the mixed character of flows, in order to “(...) making the movement more orderly, manageable, at productive at both ends of the flow” (Ghosh, 1995, p. 408).

The new discourse on migration management seems to move beyond the emphasis on control, which had for long been the guiding line of public policies on immigration. As Geiger and Pécod (2010, p. 15) pinpoint, it pretends “(...) to move beyond the narrow security-oriented policies of border control to envisage and promote proactive policies organizing (rather than restricting) the mobility of people”, which had a reactive and restrictive character (Ghosh, 2000, p. 12). In this sense, migration management seems to point towards a more liberal, softer and realistic approach to

migration, as it is concerned with securing the needs and benefits for both areas of origin and destination (Kalm, 2010, p. 22).

However, this does not mean that migration does not need to be regulated, nor that there should be complete free movement, which would be a rather extreme version of liberalisation; rather, that migration should be guided and ‘controlled’, in order to steer it and not simply stop it (Geiger & Pécoud, 2010, p. 16; Kalm, 2010, p. 36). In this sense, within migration management, ‘control’ strategies aim to go beyond the security measures adopted to deter irregular migrations, which were based on a ‘law and order’ perspective (Geiger & Pécoud, 2010, pp. 17–18). Hence, as Geiger and Pécoud (Geiger & Pécoud, 2010, p. 15) highlight, migration management “points to the complex interrelationships between management, freedom and control”.

Given the complexity and non-predictability of these flows, migration management is increasingly more necessary, but also progressively more difficult to manage. Therefore, migratory governance considers the different dimensions of migration, namely the mixed character of flows, while connecting different issues, such as migration, security and development. Although border control measures might convey the fear of governing ‘too much’ (Kalm, 2010, p. 37), migration management strategies should include a mix of incentives and control in order to deal with the constant changing configuration and intensity of migration movements. Thus, balancing control with complementary and proactive measures to address the root causes of migration (Ghosh, 2000, p. 14).

When talking about migration management we must consider the concepts of ‘embeddedness’ and ‘trans-regionalism’. The first concept highlights the existence of a limited explicit governance in this area, although it is regulated by institutions that were created with another purpose. In this sense, there is a pre-existent structure, which emerged after the Second World War, around which the debate on international migration takes place (Betts, 2016, pp. 13–14). Moreover, according to Betts (2016, p. 17), trans-regionalism is “[t]he most important aspect of the emerging global migration governance”. The author claims that trans-regional governance is the means by which destination countries control migration from and among origin and transit areas, through a complex set of bilateral, regional and inter-regional mechanisms. In this sense, “[t]rans-regional governance can be defined as sets of formal and informal institutions that cut across and connect different geographical regions, constituting or constraining

the behaviour of states and non-state actors in a given policy field” (Betts, 2016, p. 17). Thus, global migration governance takes place at different levels: regional, inter-regional, bilateral, and even unilateral, and their own interaction. Furthermore, trans-regional governance resorts to different mechanisms of influence: “persuasion, which relates to changing the beliefs of another actor; bargaining, which relates to inducing or coercing another actor through use of ‘carrots and sticks’; and emulation, which relates to setting out a desirable model to pursue” (Betts, 2016, pp. 29–30). As we shall see during our analysis, all these mechanisms are incorporated in the EU’s migration governance in the Mediterranean.

Nevertheless, research on migration management is still scarce and mostly focuses on the development of a framework for migratory governance and its main guidelines. As Geiger and Pécoud (2010, p. 1) stress “(...) there have been almost no attempts to understand what ‘migration management’ actually refers to”. The authors consider that migration management refers to at least three different trends (Geiger & Pécoud, 2010, pp. 1–2): a) a notion developed by the different actors to conceptualise and justify their involvement in migration issues; b) the deployment of a range of practices that have become part of migration policies; and, c) a set of discourses and narratives on how to address migrations. In fact, most studies on migration management aim to go beyond a theoretical approach and offer a new framework for analysis by proposing an international migratory regime, as we shall see in the next section.

### **1.6.2. Historical background and academic proposals**

Until recently, contrarily to other international relations issues, States have dodged to debate international migrations in global forums. The only exception has been the refugee regime, where there has been a long-standing international responsiveness and cooperation since the signing of the Geneva Convention in 1951, in collaboration with the UNHCR (United Nations High Commissioner for Refugees). Nevertheless, there is a set of international organisations, which in one way or another are concerned with the international mobility of people, such as the IOM (International Organisation for Migration), the ILO (International Labour Organisation) and even the UNHCR (Overbeek, 2002, p. 8).

At the international level, efforts made by those international organisations, during the seventies and eighties, to achieve a regime similar to that of refugees for international migrations were fruitless. Yet, in the post-Cold War system, new opportunities arose, and with it unique challenges to migration governance (Martin, Martin, & Weil, 2006, p. 60). In this sense, those organisations have “(...) been attempting to encourage multilateral approaches to migration management through a range of separate and joint initiatives directed at inter-state dialogue and policy formation” (Taylor, 2005, p. 576). However, most of this cooperation takes the form of consultation.

Within academia, scholars have realised the inadequacies of the migratory system and the asymmetries felt between different regions and both sending and receiving areas, advocating the need to develop an institutional framework to govern international migrations.

Following the request of the UN Commission on Global Governance and the government of Sweden, Bimal Ghosh elaborated a proposal on an international regime to govern the movements of people, based on three pillars (Ghosh, 1995, p. 408):

1. To bring together and harmonise the policies and interests of all nations regarding migrations;
2. The creation of a framework agreement on international mobility and migration;
3. A unified institutional arrangement to ensure coherence and comprehensiveness in international action.

This contribution has inspired academic research on the development of a migration management framework, however it was not until the first years of the 21<sup>st</sup> century that different models were proposed.

Advocating the liberalisation of people’s movement based on economic interests, Straubhaar (2000) develops a GAMP (General Agreement on Movements of People). This model expands “(...) the idea of open markets to include the issue of free movement of workers. It should also deal with all international externalities and market failures of cross-border movements of people” (Straubhaar, 2000, p. 130).

Overbeek (2002) goes beyond this limited economic model and envisages the creation of a comprehensive *International Migration Framework Convention*, which

comprises three dimensions: the institutional framework, the asylum and refugee framework, and a framework for voluntary migration. This proposal takes into account two dimensions of migrations, voluntary and forced migrations, but it does not assess its mixed character, nor does it focus on irregular migrations.

Nevertheless, in the international arena, states and international organisations have not been able to create and implement a global framework. Migration governance is spread through different organisations, at different levels. According to Betts (2016, p. 12), currently there are three ‘broad’ global mobility regimes: the refugee, international travel, and labour migration regimes. The author considers that “(...) each of these regimes does provide a layer of multilateral global migration governance, primarily based on the legacy of cooperation in the inter-war years” (Betts, 2016, p. 12).

States are still the main actors within global migration governance, yet during the first decade of the 21<sup>st</sup> century various agencies and forums have emerged in the field (Kalm, 2010, p. 25). During the 1990s, Regional Consultative Processes (RCPs) were established around the globe. These are consultation forums that bring together states, international organisations and, sometimes, non-governmental organisations, to promote dialogue and the exchange of best practices on migration issues. However, given the informal character of these forums, migrations were still absent from the global policy agenda. In this regard, in 2003, the UN established the Independent Global Commission on International Migration (GCIM), in order to place migrations on the international agenda and also to offer recommendations to improve the governance of migrations (Kalm, 2010, pp. 23–24). Later on, following the UN General Assembly’s recommendation to devote high-level dialogue to international migrations, the Global Forum on Migration & Development was established in 2007. This is an informal, non-binding forum, established outside the UN system, which aims “(...) to advance understanding and cooperation on the mutually reinforcing relationship between migration and development and to foster practical and action-oriented outcomes” (Global Forum on Migration & Development, 2015).

To sum up, there is no binding institutional framework to manage international migrations. Nevertheless, there is an emerging global governance of migrations which comprises a “(...) complex pattern of agents and forums that operate at and between the national, regional, and global levels, with sometimes overlapping goals and mandates” (Kalm, 2010, p. 21).

### **1.6.3. Mechanisms of trans-regional governance**

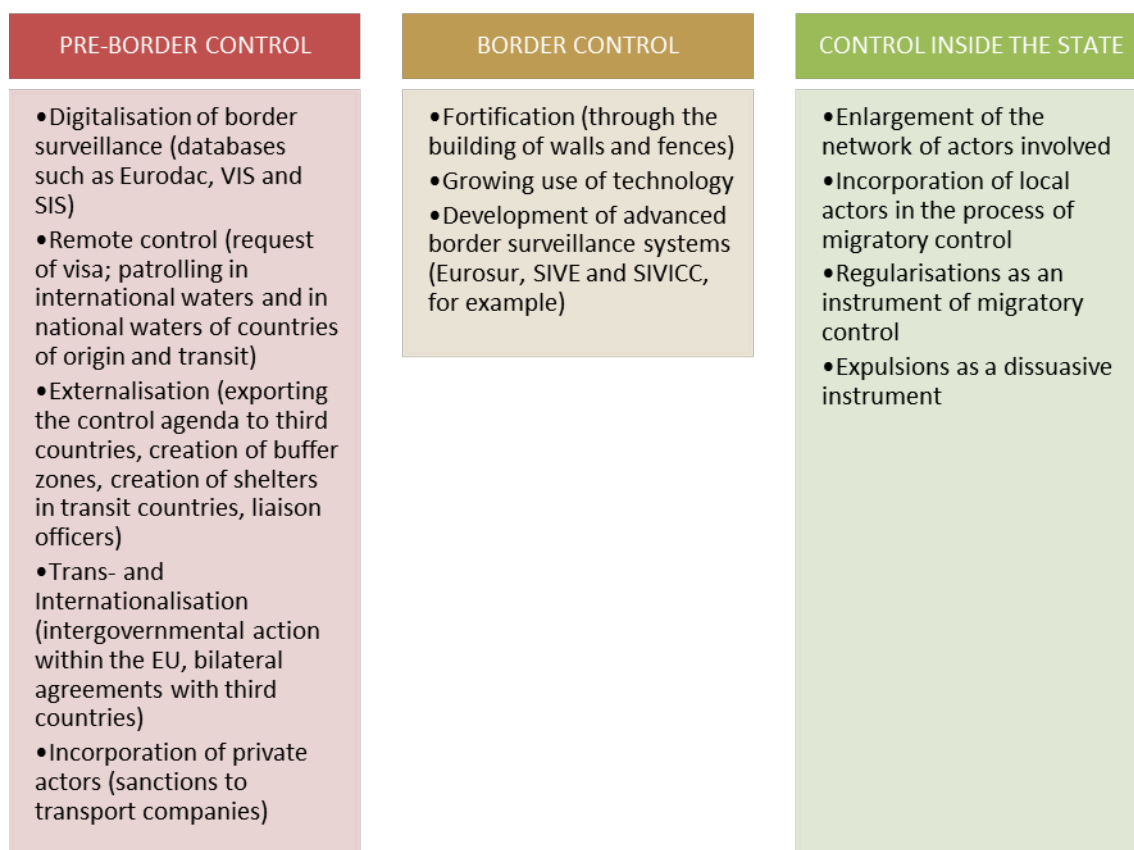
States growing concern with controlling irregular migrations, while managing regular migrations, has led to the need to influence migration policies and practices beyond their own territories. As Betts (2016, p. 36) highlights “[t]he combination of different forms of trans-regional governance used simultaneously – regional, inter-regional, informal, and bilateral – is a significant part of what makes trans-regional authority an effective means to regulate transnational flows extra-territorially”. Hence, this is increasingly the governance model used by the EU to manage migrations in the Mediterranean region.

We build up our research around this hypothesis: trans-regional governance is the central element of the EU’s migration management strategy in the Mediterranean. Thus, we conceive ‘migration management’ as a strategy that aims to regulate migrations, combining inclusive and exclusive methods, through control (in the sense of ‘steering’) and incentives to migration, while addressing its root causes.

In line with Pérez Caramés (2012, pp. 150–153) approach, we claim that the EU’s migration management regime mainly focuses on ‘migration control’, through border management. The author proposes a model of migration governance, which summarises the main trends and strategies in, what the author calls, the EU’s ‘migration control policies’ (Figure 1.5). We will apply this model to our case study, the EU and its Southern Member States – Spain, Italy and Portugal – in order to assess if the focus is still mainly on the dimension of control.



**Figure 1.5. Main strategies and instruments of migration control policies in the EU**



Source: Author's elaboration from Pérez Caramés, 2012, p. 152

# 2

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## The geography of migrations in the Mediterranean

### 2.1. OVERVIEW

The Mediterranean is an area of division and confluence with a unique geostrategic importance in the international system. While rich in cultural, linguistic and political diversity, it has been characterised by deep political, cultural and civilizational divisions throughout history.

This region surrounding the Mediterranean Sea unites three continents – Europe, Africa and Asia – and is also one of the main and deadliest migratory corridors of the world’s migration system. The *Mare Nostrum*<sup>42</sup> is a maritime extension that goes from the Strait of Gibraltar, converging with the Red Sea through the Suez Canal and with the Black Sea through the Bosphorus Strait (Figure 2.1). As Braudel (1976a, p. 365) put it:

Water is certainly everything that has been said it is: union, transport, exchange and outreach; but on the condition that man agrees with it, and further provided that he is willing to pay its costs. The sea is also, what has long been a separation, an obstacle, a barrier that has been necessary to cross<sup>43</sup>.

This is a region with exclusive geostrategic features: the importance of the Suez Canal and the Strait of Gibraltar in the maritime and commercial international routes; the dispute between Spain and the United Kingdom for the control over Gibraltar, door to the Mediterranean; or even the North/South cleavage in terms of wealth and demography (Boniface, 2009). Therefore, it is an area of strategic importance to

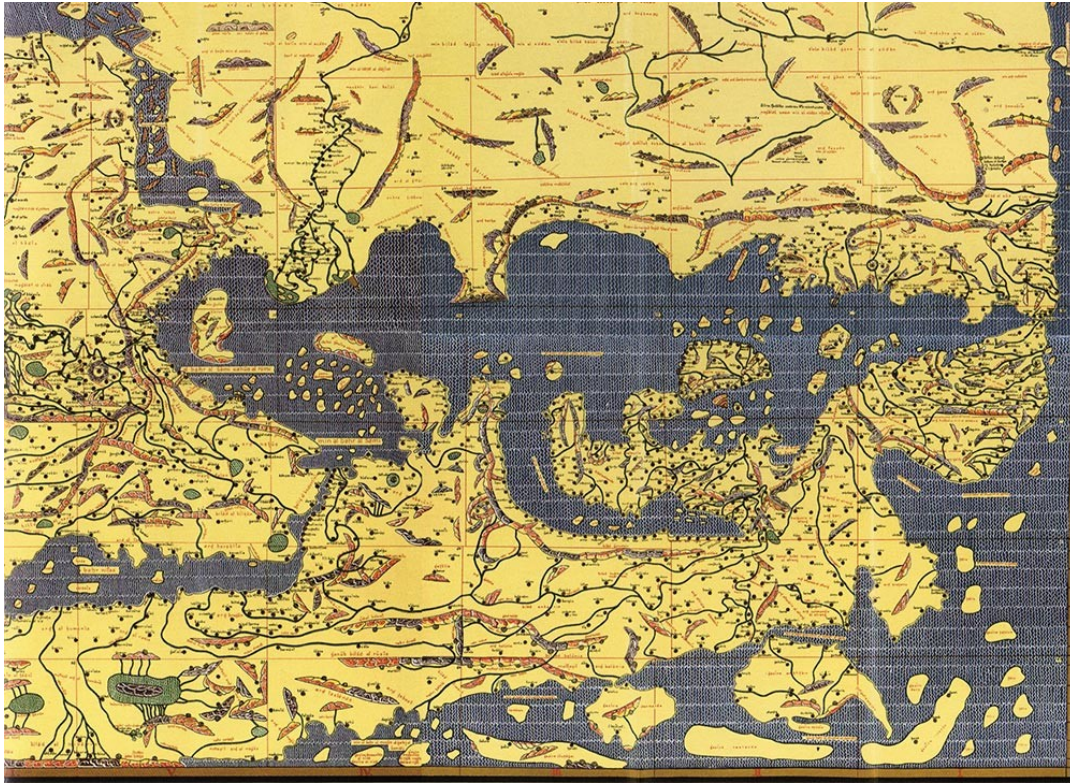
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<sup>42</sup> *Mare Nostrum* (from the Latin “Our Sea”) was the name given by the Romans to the Mediterranean Sea.

<sup>43</sup> In the original: “El agua es, sin duda, todo lo que se ha dicho que es: unión, transporte, intercambio y acercamiento; pero a condición de que el hombre consienta en ello, y más aún, a condición de que esté dispuesto a pagar lo que cuesta. El mar también es, y lo que ha sido durante largo tiempo, una separación, un obstáculo, barrera que ha sido menester franquear”.

international actors (such as China and the US – United States), who intend to strengthen their presence in the area.

**Figure 2.1. The Mediterranean Sea Basin<sup>44</sup>**



Source: *Tabula Rogeriana* del siglo XII. Author: geographer Muhammad al-Idrisi, for the King of Sicily Roger II

The Mediterranean Sea basin comprises 21 coastal states, eleven of those are European (Albania, Bosnia and Herzegovina, Croatia, France, Greece, Italy, Malta, Monaco, Montenegro, Slovenia and Spain), four are Asian (Cyprus, Israel, Lebanon and Syria), another four are African (Algeria, Libya, Morocco and Tunisia) and two are transcontinental (Egypt and Turkey) (Rodrigues, 2009, p. 6). We also include Portugal within the European Mediterranean group, which may seem a paradox as the country has no Mediterranean shore and has for long had an Atlantic vocation. Nevertheless, Portugal is a door to the Mediterranean Sea and has always suffered Mediterranean influence and also had an important geopolitical role in this region.

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<sup>44</sup> This projection of the Mediterranean shows the relativity of North-South perspective on maps' representation.

We can group the Mediterranean States into different geopolitical sets, with specific characteristics: the Maghreb<sup>45</sup>, the Mashreq<sup>46</sup>, the Balkans<sup>47</sup>, the Middle East<sup>48</sup>, the EU<sup>49</sup>, etc. These sub-regions place unique geopolitical challenges and opportunities, as well as risks to the security of the region. As Rodrigues stated (2009, p. 4):

[i]n this ecosystem rich in development inequalities and demographic asymmetries, there are other factors of intra and international instability, in terms of religion and identity, along with the inability to control migration flow, taken as a security risk factor<sup>50</sup>.

Without wanting to fall in the pernicious North-South model<sup>51</sup>, the truth is that it is particularly in the Mediterranean region that this division can be best demonstrated, given the clear contrast between the two shores. Social and political structures are completely different between the North and the South, as well as demographic dynamics and development levels, as we shall see. This gap between the North and the South accentuates the migration pressure.

The Mediterranean has always been a region of exchanges. Merchants and travellers have crossed its routes, linking distant regions and promoting trade and cultural exchanges between different peoples. Nowadays, human mobility within the Middle Sea<sup>52</sup> is one of the main challenges to the future of the region. In this sense, in this chapter we will focus on the geography of migrations in this region by focusing on the Mediterranean as part of the international migratory system. Therefore, we will characterise the main migration routes and flows in the Mediterranean region and their

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<sup>45</sup> The Maghreb is the Northwest region of the African continent and can be divided into ‘Little Maghreb’ or ‘Central Maghreb’, which encompasses Morocco, West Sahara, Algeria and Tunisia, and the ‘Greater Maghreb’ that also includes Mauritania and Libya.

<sup>46</sup> The Mashreq is a region located between the East of Egypt and the North of the Arabic Peninsula, composed by a group of Arab States: Iraq, Palestine, Jordan, Kuwait, Lebanon and Syria.

<sup>47</sup> The Balkans is a European region located in Southeast Europe, which encompasses the following States: Albania, Bosnia and Herzegovina, Bulgaria, Greece, Macedonia, Montenegro, Serbia, Kosovo (regarding Kosovo we need to highlight that the international community is still divided in what concerns its international recognition) and the European part of Turkey.

<sup>48</sup> The Middle East is located in the junction of Eurasia, Africa, the Mediterranean Sea and the Indic Ocean. Known as one of the most conflictive regions in the world, it includes the following States: Afghanistan, Saudi Arabia, Bahrein, Qatar, Egypt, United Arab Emirates, Yemen, Israel, Iran, Iraq, Jordan, Kuwait, Lebanon, Oman, Palestine, Syria and Turkey.

<sup>49</sup> The EU is an economic and political partnership between 28 Member States (Austria, Belgium, Cyprus, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherland, Poland, Portugal, Romania, Slovakia, Spain, Sweden, and United Kingdom), which encompasses most of the European continent.

<sup>50</sup> In the original: “A este ecossistema rico em desigualdades de desenvolvimento e assimetrias demográficas, juntam-se factores de instabilidade intra e internacional, de ordem religiosa e identitária, acrescido pela incapacidade de se controlarem os fluxos migratórios, tidos como um factor de risco de segurança”.

<sup>51</sup> For more details on this model see Lacoste (2006, pp. 54-64).

<sup>52</sup> In Modern Arabic the Mediterranean Sea has been known as al-Baḥr [al-Abyaḍ] al-Mutawassiṭ (البحر [المتوسط الأبيض]), ‘the [White] Middle Sea’.

evolution, in order to assess the impact of the international migration crisis on the irregular flows to Europe.

## **2.2. THE INTERNATIONAL MIGRATION SYSTEM**

### **2.2.1. The globalisation of migrations**

The mobility of people, services and capital, of ideas and information, is central to this new ‘world on the move’, in which the notions of time and space are easily manipulated. The increasing complexity and diversity of migratory flows is changing societies and IR as a whole. As Castles and Miller (2009, p. 7) put it: “[i]nternational migration is part of a transnational revolution that is reshaping societies and politics around the globe. The old dichotomy between migrant-sending and migrant-receiving states is being eroded”.

However, the contemporary international order is characterised by asymmetries and similarities in different areas. The different rates of economic growth, the inequalities in human development levels, disparities in regional development, as well as the uneven demographic trends challenge the geopolitical balance and motivate human mobility. Despite the growing economic interdependence and the uncontrolled expansion of markets and finances that led to the current economic and financial crisis, they also contributed to the improvement in living standards in many countries. However, economic development accentuated the gap between rich and poor countries. According to Moses (2006, p. 19) this is one of the paradoxes of globalisation: “(...) *as the world draws closer together in the wake of remarkable technical, market and political developments, it is being pulled apart by growing inequalities*”<sup>53</sup>.

These growing disparities, together with the demographic imbalances potentiate migrations. As Newland (2013, p. 3) stated “[e]ntwined demographic and economic trends will change the geography of migration in the 21<sup>st</sup> century in ways that will have a profound influence on development”. Thus, there will be a change in trends in the near future. Countries with medium and low incomes will benefit from a higher economic growth in the coming decades, while countries that currently have high yields will experience a slower growth than that experienced in recent years (Newland, 2013, p. 3).

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<sup>53</sup> Italic in the original.

These economic trends and the demographic disparities among countries and regions will shape mobility in this 21<sup>st</sup> century.

The development of telecommunications and means of transport driven by globalisation, and the political, social and cultural changes that we have witnessed in recent decades, have eased human mobility. Therefore, as highlighted by Castles and Miller (2009, p. 3), “[i]nternational migration, in turn, is a central dynamic within globalization”.

In developed regions, migrations play an increasingly important role in the maintenance of population growth. Thus, migrations contribute to delaying the ageing process in certain regions. However, they cannot solve this problem in the long run on their own, they just help to slowdown the process (United Nations, 2001, pp. 8–9).

Economic, political and environmental factors influence human population dynamics and are in the genesis of two demographic asymmetries. On the one hand, we have countries where the demographic transition<sup>54</sup> processes have finished and have witnessed a stagnation of population growth. With very low fertility levels or near null, these countries – such as European countries, particularly Spain and Italy, with rates below 1.5 (Eurostat, 2016b) – depend on migration to ensure generational change. On the other hand, we have those which have just began their demographic transition, that is, that still sustain high fertility levels. This demographic imbalance increases internal and international migrations.

The growing economic and demographic disparities are predictors of future in relation to international migrations. But, how are today’s international migrations distributed? What are the main trends? We will now focus on these questions.

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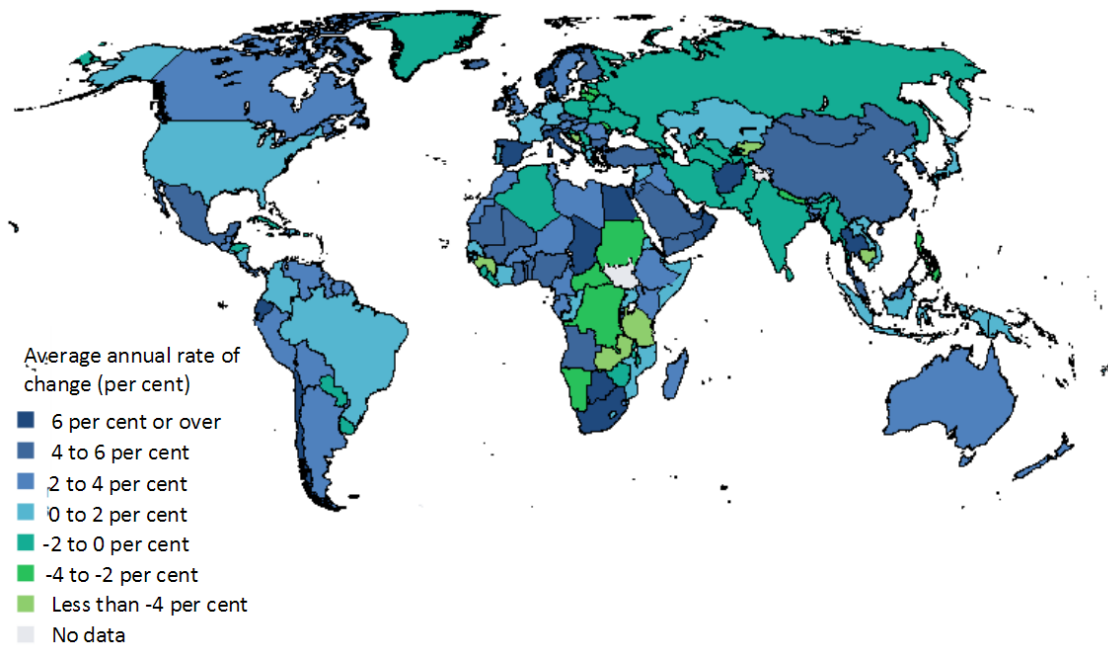
<sup>54</sup> The Demographic Transition Model (explanatory theory of population dynamics) is divided into “four major phases (which may vary according to the country): 1<sup>st</sup> phase / pre-transition, high levels of fertility and mortality are registered; 2<sup>nd</sup> phase, the birth rate does not vary much and mortality starts a process of decline; 3<sup>rd</sup> phase, mortality continues to decline and there is a downward trend in the birth rate; 4<sup>th</sup> phase / post-transition, birth and death rates continue to decline thanks to major social change, reaching quite low values. Phases two and three thus correspond to the phenomenon of transition characterised by strong growth” (Sanches, 2013, p. 20).

### 2.2.2. The geography of international migrations

In an increasingly interconnected world, where technologies allow the breaking of many physical barriers and where states celebrate agreements on free movement, many are the restrictions imposed to human mobility. Contrary to common sense, restrictions to human mobility are a relatively recent phenomenon. For centuries, people moved freely between different territories without needing a visa. Nowadays, the perception of migrations as a threat to the sovereignty of states led to the adoption of increasingly restrictive measures to manage migratory flows.

The UN estimates that in 2015 the number of international migrants reached 244 million. Although the figures are representative and show an increase of 41 per cent from 2000, they still represent a minor proportion of the population, 3.3 per cent (Secretary General, 2016, pp. 5–6). Furthermore, in 2013, 78 per cent of the migrants living in the North originated from the South (Population Division of the Department of Economic and Social Affairs of the United Nations Secretariat, 2013). Therefore, migratory flows are increasingly more diverse (Figure 2.2).

**Figure 2.2 Average annual rate of change in the number of international migrants by country or area of destination (2000-2015)**



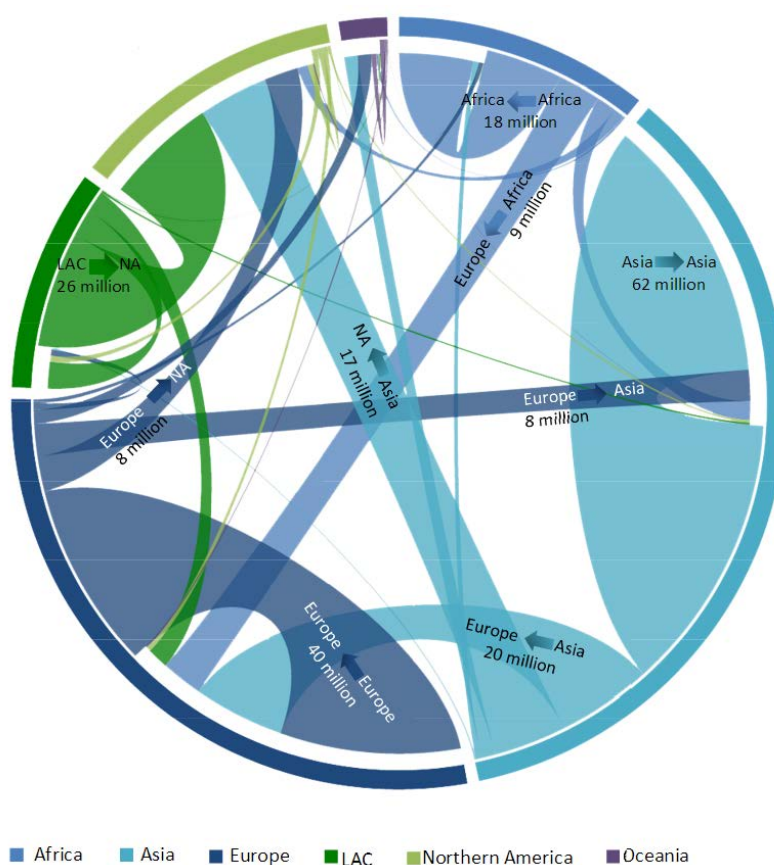
Source: United Nations, 2016, p. 16

Countries such as the US, Canada, Australia, New Zealand and Argentina are considered 'classic' immigration countries, since their current population is the result of a historical large-scale immigration. In turn, Europe has always been a stage of migrations, although its flows were mainly of exit. This trend has been reversed and, since the last decades of the 21<sup>st</sup> century, Europe is experiencing a rise in migration flows and it has become a preferred destination. As the host region of nearly 76 million international migrants, Europe is now the most attractive continent in the world, followed closely by Asia with 75 million (United Nations, 2016, p. 1), although this does not preclude the existence of a wide variety of internal situations within such a wide territory. Thus, in the European context, the European Union has the best attraction indicators, even though we can identify contrasting national stories, different levels of human development and some particularities regarding the reception and integration of foreigners within the different countries. The current map of European migration is characterised by distinctive migratory motivations and patterns which explains the existence of contrasting migration profiles (Figure 2.3).

Demographic transition, economic growth and the financial crisis are changing the geography of migrations. The economic and financial crisis that started in 2007-2008 has had a strong impact on migrations, causing some countries to lose attractiveness while others became more attractive. Asia has become one of the main receivers of international migrants, accounting 75 million in 2015. Thus, Asia is expected to replace Europe as the region with the highest number of international migrants in the very near future (United Nations, 2016, p. 1).



**Figure 2.3. Global migratory flows, by major area of destination (2015)**



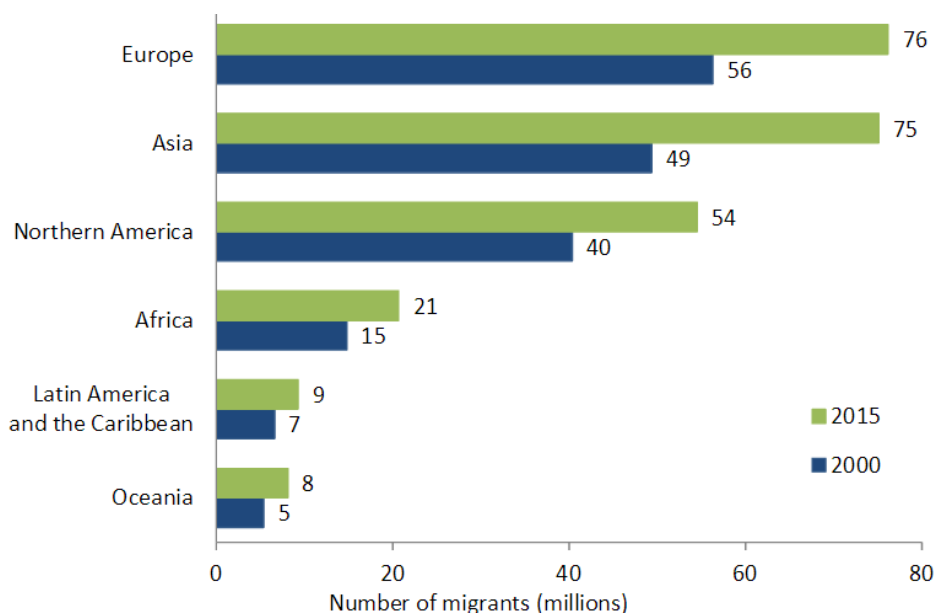
Source: United Nations, 2016, p. 16

In the first decade of the 21<sup>st</sup> century, the world stock of migrants increased by approximately two per cent per year, with a period of greater acceleration between 2005 and 2010. During this period, Asia suffered the largest increase in the number of international migrants (1.7 million per year), followed by Europe (1.3 million/year) and North America (0.9 million/year), while the African continent registering a growth of 0.4 million per year (Figure 2.4). The largest migratory flows between developing countries take place in the Asian continent, especially among the countries of the South and Southeast Asia and the countries of the GCC (Gulf Cooperation Countries) (United Nations, 2016, pp. 6–7).

These changing dynamic patterns allow us to realise that the current geography of international migrations will undergo major changes in the coming decades. The economic and demographic asymmetries and political and social stability (or instability) significantly contribute to determine migrations in this 21<sup>st</sup> century. According to Münz

(2013, p. 1), “[p]eople will continue to move from youthful to aging societies, and from poorer peripheries to richer urban agglomerations. The current geography of migration will, however, change”.

**Figure 2.4. Number of international migrants by major area of destination (2000-2015)**



Source: United Nations, 2016, p. 6

The same author (Münz, 2013, pp. 5–7) identifies four reasons behind the changes in the current chessboard of migration, which are: a) increased competition for skilled-labour, countries increasingly more seek skills and talent; b) changes in the economic growth patterns, there is a higher economic growth in countries with medium and low incomes that will result in changes in the migratory flows, as the countries of origin will increasingly become countries of destination; c) more national and regional alternatives to migration abroad, the improvement of the economic situation in capitals and urban areas creates national alternatives to international migrations; and d) the impact of migration on welfare and development, mobility allows migrants to improve their incomes, eases the access to education and personal safety.

Future policies should take into account this changing scenario in migratory flows and the new emerging challenges. As the United Nations (2016, p. 2) highlights “[a]ccurate, consistent and timely data on international migration are essential for assessing current and future needs and for setting policy priorities to promote inclusive

and equitable development for all”. Therefore, it is important to understand the main trends in international migrations to better assess this phenomenon.

### **2.2.3. Current trends in international migrations**

In 2016 almost every country in the world is affected by the phenomenon of migration, either as a country of origin or transit or as a host country. Thus, the future of societies should be always thought of in view of human mobility, the challenges it presents and the opportunities that arise.

Castles and Miller, in their book *The Age of Migration*, reviewed in 2014 with De Haas (2014, p. 16), have identified a set of international trends regarding international migrations. Based on this study and taking into account the UN’s main findings on its latest Migration Report (2016), we have summarised the main trends regarding today’s international migration, as follows:

1. The globalisation of migrations – a greater number of countries are increasingly affected by different migratory flows at the same time;
2. Accelerating migrations – over the past few decades there has been a rapid growth in international migrations;
3. The growing importance of South-South migrations – the growth of South-South migratory flows is evident, which are now as common as South-North flows;
4. Concentration of migrants in a few number of countries – 67 per cent of all international migrants live in just twenty countries, although most countries are affected by migrations in one way or another;
5. The differentiation of migrations – most countries have more than one type of migration at the same time, such as labour migration, refugees and others;
6. Increasing number of refugees worldwide, spread mainly through developing regions – in 2014 refugees represented 8 per cent of all international migrants in the world, estimated at 19.5 million;

7. The growing politicisation of migrations – more and more national policies, national security and bilateral and regional relations are affected by international migrations; and,

We should also consider migrations forced by political crises or environmental issues, which acquire a greater relevance in today's international scene, imposing important challenges to international security. Climate change (and the consequent rise in sea water level and threat to food security) and natural disasters can cause massive displacements of people, creating the so-called 'environmental refugees', as well as IDP's – Internally Displaced People. Forced migrations often endanger individuals' human security, by depriving them from their property or possessions.

Furthermore, irregular migrations pose one of the greatest challenges to the current international system. In fact, as the United Nations (2013, p. 2) recognises, there are "[t]oo few channels exist for legal migration. The human rights of migrants, therefore are compromised. Millions travel, live and work outside the protection of laws". States consider these flows as 'unwanted' and so they are "(...) often seen as being at the root of public fears of mass influxes. It is therefore a catalyst for racism and is at the centre of extreme-right agitation" (Castles & Miller, 2009, p. 309).

## **2.3. CHARACTERISING THE MEDITERRANEAN**

### **2.3.1. Geopolitics of the Mediterranean**

The Middle Sea is the birthplace of different civilizations and religions, a crossroads and bridge between three continents. Thus, as Xenakis and Chrysochoou (2001, p. 17) highlight:

[b]eing a space where several civilizations and religions have influenced and enriched each other, as well as a crossroads for multiple cultural, human and economic exchanges, the Mediterranean combines a wide range and often conflicting interests which, taken together, prevent its peoples from laying down the foundations of a communal journey.

More than an 'entity' or a 'unity' in itself, with shared values, as claimed by Braudel (1976a, 1976b), the Mediterranean is a heterogeneous complex, characterised by inequalities. This set of states share a common history of exchanges and interrelations, as well as conflicts. As a consequence, "the Mediterranean area is real in its geographic existence and its socio-economic challenges, and it is virtual in the sense

of a reinvention of images, traditions, cultural practices, identities and values or shared cultural belongings” (Schäffer, 2014, p. 64).

We talk about a unique geopolitical complex, composed by states with different dimensions, with a plurality of political regimes and unequal economic and demographic dynamics. This patchwork of states turns the *Mare Nostrum* into an antagonistic region. These differences are what Lacoste (2006, p. 22) called “the North and South of its territorial boundaries”<sup>55</sup>. Thus, it is a regional complex shaped by permanent conflictive relationships.

By adopting a regionalist approach to the Mediterranean we can partly explain the heterogeneous and complex character of this region. According to Schäffer (2014, p. 64), “regionalism is understood in the sense of the construction of a relatively autonomous political, economic and cultural space, by underlining its particularities or specificities, and by following a certain regional institutionalism”. Nevertheless, this approach is not sufficient to understand the complexity of the Mediterranean system. Therefore, the Mediterranean area should be analysed within a matrix that explores the different regional dimensions: political, economic, social, demographic and cultural. Only by doing so can we have a global understanding of the Mediterranean area as a whole, and the interconnectedness between its regions and sub-regions (Schäffer, 2014, pp. 71-72).

In the Mediterranean complex we may clearly distinguish the North from the South. The North-South division is particularly visible in a European North and an Arab South, although the debate has mainly focused on the West-East/Islam conflict. According to Huntington’s (1996) ‘clash of civilizations’ theory, these two civilizations are opposite to each other. It is the confrontation between the Muslim and the Christian world. If it is true that conflicts are a constant in the region, these ideological conflicts are peripheral, as a segmental part of these worlds. Moreover, they take place when in contact with other civilizations, not only within these two.

The Mediterranean is a region of geopolitical confrontation. As Lacoste (2006, p. 10) put it, “in all states located around the Mediterranean, there are internal geopolitical problems more or less located. These are mainly due to both religious and

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<sup>55</sup> In the original: “o Norte e o Sul dos seus limites terrestres”.

linguistic rivalries, as well as regional economic inequalities, which amount to claims of autonomy or independence”<sup>56</sup>.

Given its strategic geographic position, the Mediterranean is of crucial geopolitical prominence as bridge and gap between Southern Europe, Western Asia and Northern Africa. This region is one of the best examples of power fragmentation, with growing indissoluble security concerns (Xenakis & Chrysochoou, 2001, p. 17).

The complex structure of this geopolitical system, divided into different sub-systems, according to Buzan and Waevers’ (2003) regional security systems, is prone to the disruption of local and regional conflicts. Throughout history, the Middle Sea has witnessed several wars and conquests. Constant oscillations in the socio-political dynamics, which often led to armed conflicts, turned the Mediterranean into a “zone of political, economic, social and religious tension” (Xenakis & Chrysochoou, 2001, p. 17). Nowadays, besides the local and regional conflicts, the region is also victim of disputes over regional hegemony, not only by local actors but also, and mainly, by international actors, such as the United States and Russia, who aim to play an important role in this vital region.

The international community pays special attention to the Mediterranean, particularly since the outbreak of the Arab Spring in the beginning of 2011, and more recently with the revival of Islamic activism with the creation of the terrorist organisation of the self-proclaimed Islamic State (IS), also known as *Daesh*, in Iraq and Syria. The MENA (Middle East and North Africa) region has always been characterized by its political instability and insecurity. These events have focused the international community’s attention in this region and brought new light to the geopolitical importance of the Mediterranean.

The dualistic character of the *Mare Nostrum*, clearly opposes the North to the South, namely in terms of political regimes and demographic dynamics and development, as we shall see. Nevertheless, elements of convergence and divergence give this area a unique geopolitical position.

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<sup>56</sup> In the original: “em todos os Estados situados em redor do Mediterrâneo, existem problemas de geopolítica interna mais ou menos localizados, que se devem tanto a rivalidades religiosas e linguísticas como a desigualdades económicas regionais que se traduzem por reivindicações de autonomia ou de independência”.

### **2.3.2. Economic, political and environmental specificities**

By mid-2016 the Mediterranean is the stage of political and social convulsions, which are destabilizing the region and the international order. Security threats in the region arise from a combination of older and new factors, and a number of diffuse and interdependent factors of risk.

Salem (2015, p. 63) identifies four dynamic processes that shape the current strategic landscape in the region:

1. The regression of state omnipresence due to a combination of factors, including failed governance, popular demands for change and the rising role of non-state actors.
2. The competition between forces of chaos and order, both at an internal and regional level as people, ideas and threats flow across borders.
3. Changes in the regional order connected to system membership, the hierarchy of power, role of outside actors, among others.
4. Deeper systemic forces, including population increase, urbanization, education and media penetration.

The Arab uprisings led to the overthrow of certain regimes (such as in Tunisia, Egypt, and Libya) and also to constitutional changes in other countries (take Morocco and Jordan for example). Yet, with the possible exception of Tunisia, it has not led to a democratic transition in the region, rather to a weakening of the state in some cases.

The convulsions in the southern shore of the Mediterranean brought forward the existence of several weak and failed states (such as Syria, Lebanon, Yemen and Sudan) in the MENA region, which affect regional stability. Structural or institutional weaknesses in certain countries compromise their capacity and makes them more vulnerable, which translates into a weak governance and political turbulence. Moreover, non-state actors, such as the terrorist group of the Islamic State, have taken advantage of this turmoil to spread their influence in the region.

The fall of the Gaddafi regime in Libya has led to the destabilization of the country, which affects the entire region. Furthermore, it highlighted the porosity of borders in the area, which, along with the weakness of certain states in the region, allows the development of illegal activities, such as contraband and transnational crimes (Mohsen-Finan, 2015, p. 81). In this sense, Libya has become the ‘Somalia’ of the

MENA region. Moreover, the spread of terrorism throughout the region is one of the greatest challenges the region faces, with an increasing presence of both the Al-Qaeda in the Islamic Maghreb (AQIM) and the terrorist organisation of the Islamic State.

Five years after the beginning of the Syrian civil war, the increasing political and social violence in the country have triggered “one of the most serious political and humanitarian crises in modern memory” (Tan, 2015, p. 307), with around 250,000 deaths, millions of displaced people and a protracted refugee crisis. The humanitarian crisis along with the sectarian fighting threaten regional and international security. Neighbouring countries (such as Jordan, Lebanon and Turkey) are overwhelmed by the number of refugees they are hosting, stretching their own (already fragile) political, social and economic structures.

Additionally, the political instability has also had a negative impact on the economies of the region, as many economic sectors have disintegrated. The region, which already had high unemployment rates, now faces a huge unemployment challenge in terms of job creation, vulnerable employment and low salaries. The economic model of the Southern Mediterranean countries is the result of a model designed by international organizations, based on structural adjustment programs, internal and external liberalization of their economies and privatization (Láuzara, 2012, p. 17). However, its implementation has not had very positive outcomes, as it has not created new jobs, namely for the youth of these countries (Table 2.1).

This has created an economic gap between both shores of the Mediterranean. The economic differences between countries have been widening and are significant. A closer analysis of Table 2.1 demonstrates this fact. If we take into account the GDP (gross domestic product) per capita of the three highest-income Southern European countries, with an income between \$35,4 (France) and \$40,3 (Italy) per person, it contrasts with the Northern Africa shore, with an income between \$7,6 (Morocco) and \$15,7 (Libya) per person. So, there is a difference of \$32,7 per person between the highest-income country in the Northern shore of the Mediterranean and the lowest-income country in the Southern shore.



Table 2.1. Mediterranean countries economic profile 2015

Countries	ECONOMY												
	GDP & Debt					FDI		Migrant remittances		Labour market			
	GDP (millions \$)	GDP per capita (\$)	GDP growth	Public Debt (in % GDP)	Public Deficit (in % GDP)	External Debt (millions \$)	Inflows (millions \$)	Outflows (millions \$)	Receipts (millions \$)	Receipts (in % GDP)	Labour participation rate, female (%)	Unemployment rate (%)	Youth unemployment rate (%)
EUROPE													
Albania	13,262	11,376	1.9	72.6	-5.6	7,776	1,255	40	779	6.2	44.9	16.0	28.7
Bosnia and Herzegovina	17,977	9,833	1.2	44.9	-3.1	11,078	332	-13	1,896	10.4	34.1	28.4	60.4
Croatia	57,159	20,889	-0.4	80.9	-4.9	..	580	-187	1,499	2.6	44.7	17.7	51.5
France	2,846,890	40,374	0.2	95.1	-4.2	..	4,875	-2,555	22,863	0.8	50.7	10.4	23.7
Greece	238,023	25,859	0.8	177.2	-2.7	..	2,567	-627	830	0.3	44.2	27.3	58.4
Italy	2,147,950	35,486	-0.4	132.1	-3.0	..	16,508	31,663	7,536	0.4	39.6	12.2	39.7
Malta	10,582	32,216	2.9	68.1	-2.2	..	-2,100	-7	35	0.4	37.9	6.5	14.1
Monaco	4,462	14,996	1.5	58.4	-0.8	2,956	447	17	357	8.3	43.0	19.8	41.3
Montenegro	4,462	14,996	1.5	58.4	-0.8	2,956	447	17	357	8.3	43.0	18.8	41.3
Portugal	230,012	26,975	0.9	130.2	-4.5	..	8,916	1,915	4,288	2.0	54.9	16.5	37.8
Serbia	43,866	13,329	-1.8	72.4	-6.3	36,397	650	75	4,359	10.9	44.5	22.2	48.9
Slovenia	49,506	29,658	2.6	82.9	-5.8	..	-679	58	700	1.5	52.3	10.2	22.8
Spain	1,406,860	37,711	1.4	97.7	-5.8	..	39,167	26,035	10,133	0.7	52.5	26.6	57.3
FYROM	11,342	13,349	3.8	38.0	-4.2	6,934	334	-2	409	4.0	43.1	29.0	52.2
Turkey	806,108	19,610	2.9	33.5	-1.5	388,243	12,866	3,114	1,046	0.1	29.4	10.0	20.4
ASIA													
Cyprus	23,269	30,769	-2.3	107.1	-1.0	..	533	308	121	0.6	56.0	15.8	36.9
Israel	303,771	32,691	2.8	68.8	-3.6	..	11,804	4,932	765	0.3	57.9	6.3	10.7
Jordan	35,765	11,927	3.1	89.3	-10.0	23,970	1,798	16	3,680	11.0	15.6	12.6	33.7
Lebanon	49,919	17,986	2.0	134.4	-7.1	30,947	2,833	690	7,200	16.1	23.3	6.5	20.6
Palestinian Territories	..	..	-1.5	..	..	..	177	-9	2,199	19.6	15.4	23.4	38.3
Syria	..	..	..	..	..	4,753	..	..	1,677	5.2	13.5	10.8	29.8
AFRICA													
Algeria	214,080	14,258	4.1	8.7	-6.2	5,231	1,691	-268	2,000	1.0	15.2	9.8	24.0
Egypt	286,435	10,877	2.2	90.5	-13.6	44,430	5,553	301	17,469	7.0	23.7	12.7	39.9
Libya	41,148	15,706	-24.0	39.3	-37.7	..	702	180	..	..	30.0	19.6	51.2
Morocco	109,201	7,606	2.6	63.9	-4.9	39,261	3,358	331	6,619	6.4	26.5	9.2	18.5
Tunisia	78,553	11,300	2.5	47.5	-3.5	25,827	1,096	22	2,300	4.9	25.1	13.3	31.2

Source: Author's elaboration from IEMed, 2016

Furthermore, one of the most serious challenges in terms of development is the need for a sustainable management model of the environmental resources. Water scarcity is a huge problem in the area and climate change has a severe impact with episodes of drought, which jeopardize agriculture and food production. The Southern Mediterranean is one of the most vulnerable regions to climate change. The intensification of environmental phenomena, such as scarcity of natural resources, soil erosion and desertification (among others), has “severe effects on key sectors of the economy (e.g. agriculture, tourism, food prices)” (European Commission, 2012) and raises environmental security challenges.

Some authors, such as Mohsen-Finan (2015, pp. 83-84), consider that “(...) the Maghreb’s great weakness resides in its division”, which translates into the inability to create a regional response to face some of the region’s current greatest challenges, such as the terrorist organisation of the Islamic State or terrorism in general. This division is particularly present in the tensions between Algeria and Morocco, Maghreb’s two major countries, due to border disputes. Furthermore, other older and chronic conflicts, such as the Israeli-Palestinian conflict, place greater tensions to this turmoil.

Demographic pressure intensifies these economic problems, as Southern countries’ economies cannot keep up with the youth bulge and the fast population growth.

### **2.3.3. Demographic dynamics**

The demographic factor assumes geopolitical importance in the current balances of the 21 states bordering the Mediterranean. We must emphasise its relevance as a predictor of the future of each one of them, particularly in terms of adjustment, regarding the expected changes in growth dynamics in the coming decades, and the impact it will have in the development of these future societies (Table 2.2).

Table 2.2. Mediterranean countries society profile 2015

SOCIETY	Countries	Education					Water			Security		Development	
		Adult literacy Men/Women	Net enrollment rate (primary)	Gross enrollment rate (secondary)	Gross enrollment rate (tertiary)	Mean years of schooling	Water resources (km <sup>3</sup> )	Water withdrawal (m <sup>3</sup> per capita)	Desalinated water production (millions m <sup>3</sup> )	Total armed forces (000)	Military expenditure (% GDP)	Human Development Index (value)	Human Development Index (position in ranking)
		EUROPE											
	Albania	98.4/96.9	..	82	59	9.3	30.2	414	0	15	1.3	0.716	95
	Bosnia and Herzegovina	99.6/97.5	..	..	..	8.3	37.5	86	0	11	0.9	0.731	86
	Croatia	99.7/98.9	89	97	62	11.0	105.5	146	0	20	1.6	0.812	47
	France	..	98	108	60	11.1	211.0	508	12	326	2.2	0.884	20
	Greece	98.5/96.9	100	110	117	10.2	68.4	858	10	147	2.4	0.853	29
	Italy	99.4/99.0	96	100	62	10.1	191.3	790	97	360	1.6	0.872	26
	Malta	93.1/95.8	95	85	41	9.9	0.1	132	19	2	0.6	0.829	39
	Montenegro	99.5/98.0	98	91	56	10.5	..	254	..	12	1.5	0.789	51
	Portugal	97.1/94.4	99	123	66	8.2	77.4	514	2	90	2.2	0.822	41
	Serbia	99.1/97.2	94	93	56	9.5	..	431	0	28	2.2	0.745	77
	Slovenia	99.7/99.7	98	110	54	11.9	31.9	456	0	14	1.2	0.874	25
	Spain	98.8/97.5	100	130	86	9.6	111.5	694	100	216	0.9	0.869	27
	FYROM	98.8/96.8	87	83	38	8.2	6.4	490	0	8	1.2	0.732	84
	Turkey	98.4/98.0	94	104	79	7.6	211.6	577	1	613	2.3	0.759	69
		ASIA											
	Cyprus	99.5/98.7	98	94	46	11.6	0.8	163	34	13	2.1	0.845	32
	Israel	98.7/96.8	97	101	67	12.5	1.8	282	140	185	5.6	0.888	19
	Jordan	97.7/92.9	97	87	47	9.9	1.0	166	10	116	3.5	0.745	77
	Lebanon	96.0/91.9	93	75	48	7.9	4.5	316	47	80	4.4	0.765	65
	Palestinian Territories	97.9/92.6	91	79	46	8.9	0.8	112	0	56	..	0.686	107
	Syria	91.7/81.0	62	48	31	6.6	16.8	857	0	178	..	0.658	118
		AFRICA											
	Algeria	87.2/73.1	97	96	33	7.6	11.7	176	17	317	4.8	0.717	93
	Egypt	82.8/65.4	95	90	33	6.4	58.3	1,000	100	836	1.7	0.682	110
	Libya	96.7/85.6	..	..	..	7.5	0.7	810	18	7	3.3	0.784	55
	Morocco	78.6/58.8	98	74	16	4.4	29.0	321	7	246	3.8	0.617	129
	Tunisia	89.6/74.2	99	89	34	6.5	4.6	303	19	48	2.0	0.721	90

Source: Author's elaboration from IEMed, 2016

The current global population growth is the result of two inverse demographic trends. On the one hand, there are countries where the demographic transition<sup>57</sup> processes are completed and witness a stagnation of population growth. With very low or almost null fertility levels, these countries (such as the European countries, including Spain and Italy with rates below 1.5) depend on migration to ensure generational renewal. On the other hand, there are those countries where this process has already started (although they are at different stages), which mainly maintain high fertility levels.

This demographic imbalance is present in the Mediterranean area. Accordingly, “the Mediterranean separates the two most opposite demographic regimes on the planet. Thus, demographics is as an important differentiating factor between the two shores”<sup>58</sup> (Sanches, 2013, p. 19). On the north bank, Europe has witnessed a reduction in infant mortality and fertility rates, as well as an increase in the average life expectancy at birth. We have a largely ageing population, which poses challenges to the demographic evolution of these countries, their economic development, as well as the maintenance of populations’ quality of life. As for Southern countries, they have a much higher dynamic than the north bank, despite the slowdown in average growth rates. These countries suffer from ‘youth bulges’ (Mastny & Cincotta, 2005, p. 27), in which more than 40 per cent of the adults are young people between the ages of 15 and 29. These are countries with an extremely young population, as the result of decades of rapid population growth. However, the economic opportunities in these countries are scarce and migration emerges as an opportunity for these young people. We are therefore facing two very different realities in terms of population dynamics.

Projections estimate that by the year 2020 the total population of the Mediterranean will reach 600 million. Most of the population growth will occur in the Southern and Eastern Mediterranean countries (Population Division of the Department of Economic and Social Affairs of the United Nations, 2013). In the Northern

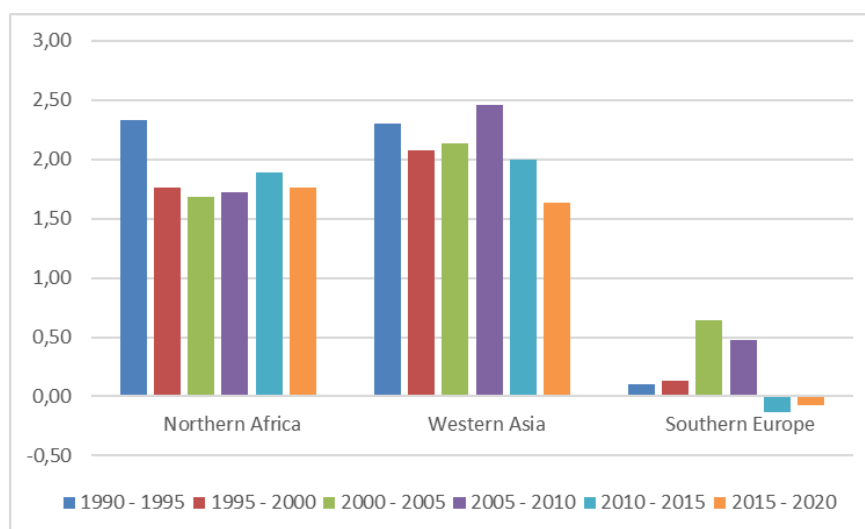
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<sup>57</sup> The Demographic Transition Model (explanatory theory of population dynamics) is divided into four major stages (which may vary according to countries): 1<sup>st</sup> stage / pre-transition, high levels of birth and death rates are recorded; in 2<sup>nd</sup> stage, birth rates do not vary much and mortality begins to decline; 3<sup>rd</sup> stage, mortality continues to decline and there is a downward trend in birth rates; 4<sup>th</sup> stage / post-transition, birth and death rates continue to decline, thanks to important social changes, reaching values already quite low. Stages 2 and 3 correspond well to the phenomenon of transition characterized by strong growth” (Sanches, 2013, p. 20).

<sup>58</sup> In the original: “o Mediterrâneo separa os dois regimes demográficos mais opostos do planeta, conseguindo a demografia ser considerada como um importante fator de diferenciação entre as duas [margens]”.

Mediterranean, population growth will be dependent on migration due to a sharp decline in fertility (Figure 2.5).

**Figure 2.5. Medium population growth rate in the Mediterranean (1990-2020)**



Source: Author's elaboration from Population Division of the Department of Economic and Social Affairs of the United Nations Secretariat, 2015

A closer analysis of Figure 2.9 shows us that the high increase registered in population growth in Southern Europe in the period between 2000 and 2010 has been mainly due to immigration. As we shall see in section 2.6, the first decade of the 21<sup>st</sup> century was one of great immigration to the EU, which had a huge impact on its population growth. However, from 2010 on there has been a reversal in trends which has already had a negative impact on Southern Europe's population growth.

Nevertheless, since 2010 we witness a reversal in demographic trends in the Mediterranean and a convergence trend. Between 1950 and 2010 the European countries were more populous as opposed to other countries of the Mediterranean. From 2010 on and in the time horizon of 2020, significant population increases are anticipated in all the Mediterranean Southern and Eastern countries, thus registering a situation of transposition (Table 2.3). As for a large number of European countries, those will experience a decrease in the total population number (Sanches, 2013, pp. 50-51).

**Table 2.3. Mediterranean – Population in thousands (1950-2030)**

Population in thousands (1950-2040)							
Countries	1950	1970	1990	2000	2010	2020	2030
<b>EUROPE</b>							
Albania	1,263	2,151	3,281	3,122	2,902	2,935	2,954
Bosnia and Herzegovina	2,661	3,746	4,527	3,793	3,835	3,758	3,584
Croatia	3,850	4,423	4,776	4,428	4,316	4,162	3,977
France	41,880	50,844	56,943	59,387	62,961	65,720	68,007
Greece	7,566	8,779	10,132	10,954	11,178	10,825	10,480
Italy	46,599	53,523	57,008	57,147	59,588	59,741	59,100
Macedonia	1,254	1,721	1,996	2,012	2,062	2,088	2,078
Malta	312	304	356	387	412	423	428
Monaco	14	21	29	33	36	39	41
Montenegro	395	520	615	614	622	626	618
Portugal	8,417	8,670	9,890	10,279	10,585	10,161	9,845
Slovenia	1,473	1,670	2,007	1,989	2,052	2,075	2,054
Spain	28,070	33,923	39,192	40,750	46,601	46,194	45,920
<b>ASIA</b>							
Cyprus	494	614	767	943	1,104	1,218	1,300
Israel	1,258	2,850	4,499	6,014	7,420	8,718	9,998
Lebanon	1,335	2,297	2,703	3,235	4,337	5,891	5,292
Syria	3,413	6,379	12,452	16,354	20,721	20,994	28,647
Turkey	21,238	34,772	53,995	63,240	72,310	82,256	87,717
<b>AFRICA</b>							
Algeria	8,872	14,550	25,912	31,184	36,036	43,008	48,274
Egypt	20,897	34,809	56,397	68,335	82,041	100,518	117,102
Libya	1,113	2,114	4,398	5,337	6,266	6,700	7,418
Morocco	8,986	16,040	24,950	28,951	32,108	36,444	39,787
Tunisia	3,605	5,060	8,233	9,699	10,639	11,835	12,686

Source: Author's elaboration from Population Division of the Department of Economic and Social Affairs of the United Nations Secretariat, 2015

Thus, there is a trend of convergence between the two shores of the Mediterranean (Courbage, 2011, p. 287). There is a growing increase in the average life expectancy at birth for the countries of the whole South and East Mediterranean, as a result of the improvements in public health and policies adopted, which led, therefore, to the reduction in mortality (particularly infant mortality). In addition, Southern countries already experience a slight decrease in fertility levels, which will be accentuated in the coming decade. Moreover, there will also be a slight increase in

fertility rates in the northern bank, as a result of the adoption of public policies to encourage birth and fertility (Sanches, 2013, p. 56).

After all, the different levels of development between the North and the South, and the economic, political, social and cultural asymmetries, promote the gap between the two sides and accentuate the migratory pressure. Rising unemployment, precarious employment, low wages and lack of resources in the Southern shore enhance political and social instability and are at the genesis of South-North migrations. The demographic differential also makes migratory pressure inevitable (Figure 2.6).

Indeed, migrations appear as a key to population growth of all the Mediterranean countries. It is important to take into account the concept of ‘replacement migrations’, adopted by the United Nations in 2000, which is the “international migration that would be needed to offset declines in the size of population, the declines in the population of working age, as well as to offset the overall ageing of a population” (United Nations, 2001, p. 1). Thus, international migrations contribute not only for the direct growth of the population but also indirectly to an increase in fertility rates<sup>59</sup>).

The migration phenomena are not only social processes, but also demographic ones, that have an impact on population growth dynamics. Mediterranean migration dynamics have greatly contributed to positive trends in the north, leading to an increase in fertility levels and in the working age population; as well as a decrease in the population pressure in Southern Mediterranean.

#### **2.4. MIGRATION SYSTEMS AND SPACES IN THE MEDITERRANEAN**

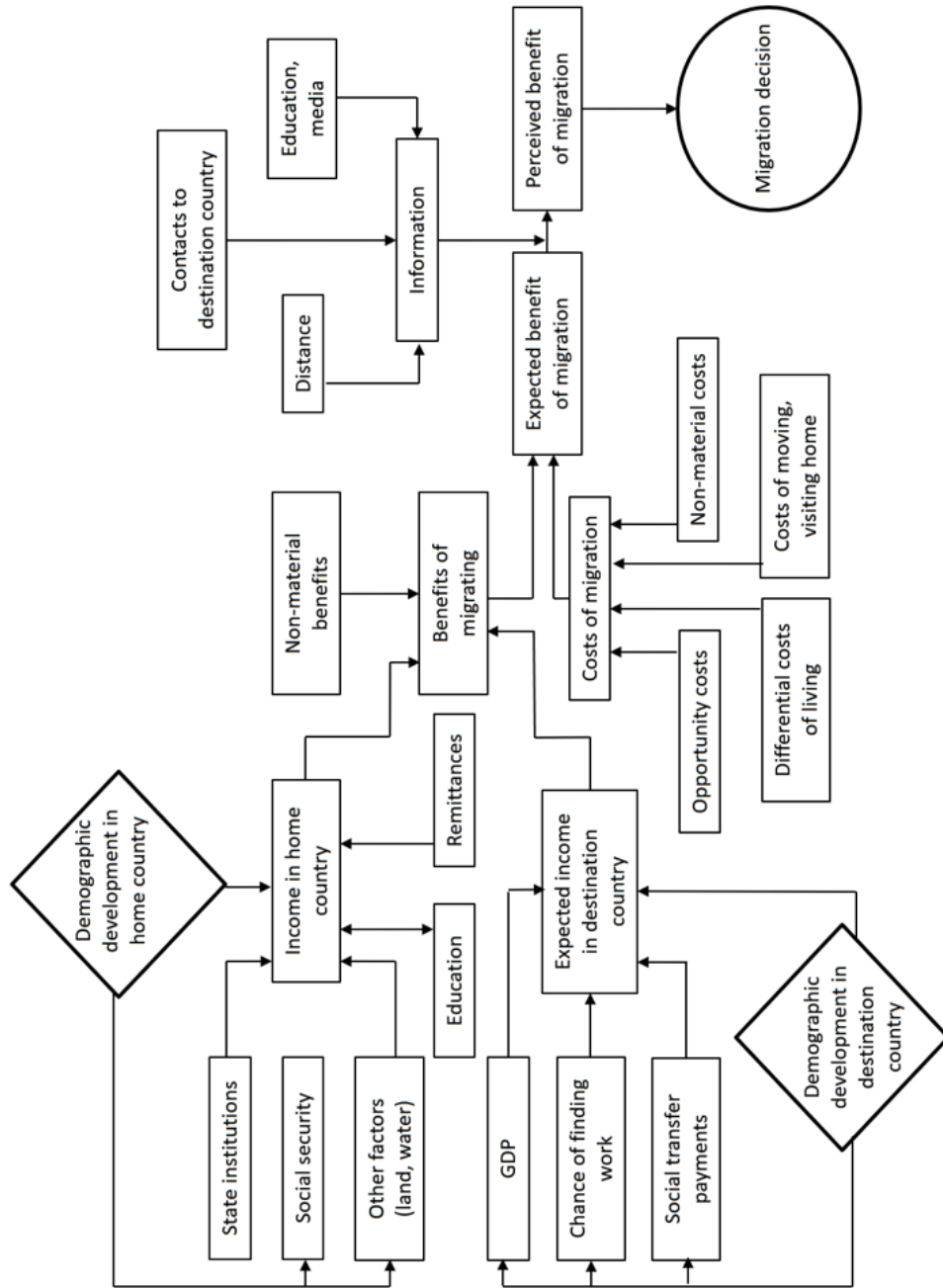
The Mediterranean is one of the main ‘corridors’ in the international migration system, uniting three continents. As Braudel pointed out, “[i]f the Mediterranean has unity, it is thanks to the mobility of men, the relationships involved, which are woven around it, and the routes that cross it”<sup>60</sup> (Braudel, 1976a, p. 365).

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<sup>59</sup> Migrations from less developed countries are those that more directly contribute to the increase in fertility levels, as those immigrants come from countries with high fertility levels. However, over the integration process in the host country, immigrant women’s reproduction patterns tend to converge with those of women in the host society, thus reducing their contribution (Léon Salas, 2005, p. 130).

<sup>60</sup> In the original: “Si el Mediterráneo tiene unidad, es gracias a los movimientos de los hombres, a las relaciones que implica, que en torno a él se tejen, a las rutas que lo surcan”.

Figure 2.6. Demographic factors in the decision to migrate



Source: Ulrich, 2014, p. 227



The specificity of this geostrategic area explains the diversity and complexity of migratory flows: South-North mobility (Maghreb-Europe), South-South mobility (from Libya to Tunisia and Egypt and from the Maghreb to the Persian Gulf) and East-West mobility (from the Balkans and Turkey to Western Europe); intra- and intercontinental movements, as well as regular and irregular migrations.

In this sense, North African migrations have to be framed within a set of migratory systems that interact with each other. De Haas (2007) defines international migration systems as:

(...) countries – or rather places within different countries – that exchange relatively large numbers of migrants, and are also characterized by feedback mechanisms that connect the movement of people between particular countries, areas, and even cities to the concomitant flows of goods, capital (remittances), ideas, ideals, representations and information (De Haas, 2007, pp. 5-6).

Thus, migration dynamics link different countries, creating an entire area within which migratory processes take place.

In the Mediterranean we have a complex set of three migration systems that interact with each other, with blurring boundaries that overlap each other at different levels (Figure 2.7) (De Haas, 2006, p. 86). Although we can distinguish between countries of emigration and immigration, the reality goes far beyond these simple distinctions. More and more, territories ensure the three functions simultaneously: emigration<sup>61</sup>, immigration<sup>62</sup>, and transit. At a general level, we can distinguish between the major countries of the Maghreb (Morocco, Algeria and Tunisia), which are integrated in the Euro(EU)-Mediterranean system; and Egypt, which is primarily connected with the immigration system of the GCC and other Arab countries such as Libya, Jordan and Lebanon. Nevertheless, in the last decade, Egyptian migration to Europe has increased (De Haas, 2006, p. 86).

However, we cannot forget that North Africa, Turkey and the Balkans have turned into a transit area for international migrations (particularly from sub-Saharan Africa and Southeast Asia). Therefore, we have to consider the sub-Saharan system,

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<sup>61</sup> Emigration is considered to be “[t]he act of departing of exiting from one State with a view to settle in another. International human rights norms provide that all persons should be free to leave any country, including their own, and that only in very limited circumstances may States impose restrictions on the individual’s right to leave its territory” (IOM, 2004, p. 21).

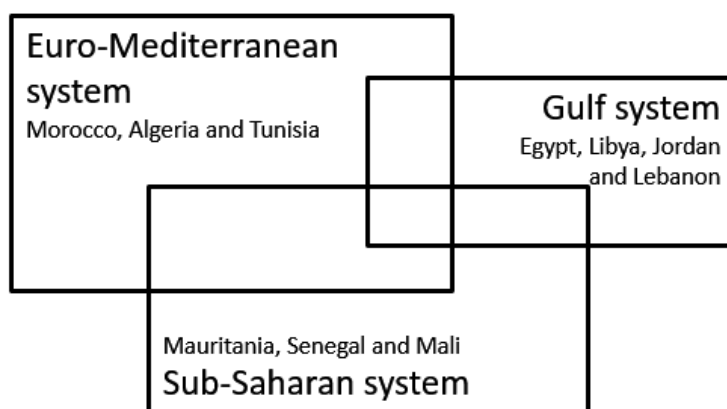
<sup>62</sup> Immigration is “[a] process by which non-nationals move into a country for the purpose of settlement” (IOM, 2004, p. 31).

which has become central in North African migrations, especially after Libya's pan-African policies in the 1990s.

Moreover, as underlined by De Haas (2007, pp. 34-35):

[t]he transformations that have taken place in these north-African migration systems cannot be understood without taking into account broader changes in the political and economic context. The analysis has indicated that general migration trends are largely determined by major shocks such as (colonial, civil and inter-state) wars and general political-economic change.

**Figure 2.7. North African migration systems**



Source: Author's elaboration

Hence, there are different migratory dynamics and spaces within the Mediterranean. These vary in intensity, origin and destination according to the diverse socio-political circumstances.

#### **2.4.1. Intracontinental migration spaces**

Despite the difficulty in classifying each of the Mediterranean countries, it is possible to distinguish three spaces with somewhat different dynamics and proximate causes: the African, Asian and European spaces.

- A. In the **African Mediterranean**, flows obey essentially to economic motivations. Traditionally, there were four emigration countries (Morocco, Algeria, Tunisia and Egypt) and one of immigration (Libya). Until 2012, Libya was the final destination of refugees from Sudan and other countries, especially of economic migrants from sub-Saharan Africa and Egypt, given the importance of its natural

resources (such as oil and natural gas). However, the situation in this country, which had deteriorated in the second half of the 80s, has completely fallen apart with the current political crisis.

- B. In the **Asian Mediterranean**, migrations are connected to political events, such as the conflict in the Middle East (with an estimated 5.2 million Palestinian refugees) or the Turkish question. The civil war in Lebanon, between 1974-1991, followed by political tensions in the country, has generated large migratory flows towards Cyprus and the Palestinian Territory, which hosts nearly 50 per cent of the immigrant population.
- C. In the **European Mediterranean**, there are economic migrations combined with political ones. Besides France, a country with a long tradition in Mediterranean migration (particularly from its former colonies), there has been an increase in migrations towards Spain, Portugal, Greece and Romania, which have become attractive in the 1990s.

The countries on the Mediterranean shores are also areas of transit and destination for immigrants from sub-Saharan Africa, the Middle East or from more distant Asian countries, such as India and Pakistan. The geographic extent of each route does not imply that those who cross it, do cross it entirely. In fact, countries of origin may differ, destination countries can be found *en route* and many individuals can remain for long periods in transit countries, due to lack of opportunities to cross a border.

The status of countries evolves according to the predominant flows and varies between countries of origin, transit and destination or the various possible combinations of the three. Take the example of Spain, a country of emigration of skilled professionals to other European countries, and country of transit and immigration for citizens from Morocco, Algeria and other countries. Or Morocco, which is a country of emigration (to Spain, France, Italy, Belgium and the Netherlands) and a transit and immigration country for citizens from sub-Saharan Africa. Furthermore, Albania and Bosnia & Herzegovina are transit countries, in particular for groups that promote irregular immigration from Eastern Europe or Asia to countries of the European Union.

#### **2.4.2. Intercontinental migration spaces**

The intercontinental flows have three main directions of exchange: Africa-Asia, Africa-Europe and Asia-Europe.

Among the African and Asian continents mobility is essentially between Arab peoples, particularly Palestinian and Syrian hand labour to Libya. In terms of volume, mobility between Africa and Europe is less meaningful. Emigration from the Maghreb (Morocco, Algeria and Tunisia) has Southern European countries as its main destination. Moreover, it has increased in recent years, mostly due to limited development results in Algeria and in many Moroccan regions. Since the 1950s, Tunisia has had a great wave of emigration due to its independence. Emigration from the Maghreb to Southern European countries has favoured almost exclusively the former metropolis, France, for cultural and linguistic affinities. However, in recent years, other European Mediterranean countries, particularly Spain and Italy, have become countries of destination for those immigrants, mainly for its proximity. We will further assess these flows on section 2.6 on the evolution of South-North migrations.

In contrast to this trend, there are countries, such as Egypt, where the volume of migrants is weak. Egypt has a recent migration tradition and favours the Arab oil-producing countries, such as Libya. However, the political and social tensions lived in both countries shook their economies and altered the logics of emigration.

#### **2.5. MIGRATION FLOWS IN THE MEDITERRANEAN BASIN**

Migration determinants are usually analysed within ‘push-pull’ frameworks<sup>63</sup>. This is a rather simplistic model that “assumes that migrants move from the poorest to the wealthiest societies” (De Haas, 2014, p. 31). Moreover, these models often embrace the idea that development slows emigration. Nevertheless, as outlined by De Haas, these assumptions contradict empirical evidence that demonstrate that “the relationship between relative levels of social and economic development and propensities to emigrate is anything but linear or inversely proportional” (De Haas, 2014, pp. 31-32). Thus, migration patterns should be understood within a more comprehensive logic that combines migratory systems and migration transitions, as suggested by De Haas (2014).

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<sup>63</sup> For more information on this subject see Zimmermann (1996).

Migration systems are dynamic and multi-layered within themselves and interact with each other, as we have seen. Furthermore, geographical, political and social factors imprint different specificities to migratory flows. Therefore, within the Mediterranean we have two transcontinental migration systems and an intra-regional one.

One can easily fall in the fallacy that economic inequalities and poverty are migration's main drivers. However, migration implies relatively high costs and risks. It also requires willingness and resilience. Therefore, migrations do not tend to occur within the poorest societies and countries<sup>64</sup>. Thus, the concept of migration transition contradicts the migration-development model:

[m]igration transition is the notion that societies and countries, in parallel with economic restructuring and the concomitant social change and demographic transitions, tend to go through a sequence of initially increasing emigration, via the coexistence of significant but diminishing emigration and increasing immigration, to eventually become net immigration countries (De Haas, 2014, p. 34).

This explains why most migratory flows take place with upper-lower- and lower-middle-income countries, such as North African countries. Political and economic factors play a major role in shaping migration patterns. Thus, social and economic differentials between countries or regions promote migratory movements between these areas. However, when these differences decrease, emigration is also likely to decline (De Haas, 2014, p. 47). A recent study from Flahaux and De Haas (2016) on “African migration: trends, patterns and drivers” confirms this relation between migrations and socio-economic development and their impact on the volume and geographic orientation of the flows. Hence, on the one side, “[m]ore marginal, poorer and landlocked countries tend to have lower absolute and relative levels of extra-continental migration, and their migration is primarily directed towards other African countries” (Flahaux & de Haas, 2016, p. 17). On the other side, “(...) the countries with relatively high extra-continental migration are also the countries that are located on the coast, that are more urbanised, have a higher GDP per capita, and are more advanced in the demographic transition as indicated by lower mortality and fertility levels” (Flahaux & de Haas, 2016, p. 17).

Thus, migratory systems and migration transition shape current migration dynamics within the Mediterranean region.

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<sup>64</sup> Of course we cannot forget forced migrations, due to political, social or environmental reasons, which may displace large populations or a large number of people.

### 2.5.1. South-South migrations

The MENA region has always been characterised by human mobility, with nomadic and semi-nomadic groups that travelled long distances across the region. The construction of the Suez Canal in Egypt in the end of the 19<sup>th</sup> century (1869) intensified internal migration patterns within the region, and Egypt attracted labour migrants.

Since the Second World War, economic and political circumstances have shaped migratory flows in the region. The 1973 Oil Crisis reshaped the North African migration landscape, with the beginning of an intense period of labour recruitment towards the Gulf countries, generating migrations from countries such as Egypt, and to a lesser extent, Morocco and Tunisia (De Haas, 2007, pp. 10-12).

Libya became an important pole of attraction, not only for refugees from Sudan and other countries, but mainly for economic migrants from sub-Saharan Africa and Egypt, given the importance of its natural resources, namely oil and gas. Resources that supported several industries, particularly steel mill and building. Therefore, when the crisis broke in Libya, migrants, which comprised a significant part of society, were mostly affected.

Foreign workers, skilled and low-skilled, became more and more substantial within North African countries. Moreover, these countries have been important transit and destination countries for sub-Saharan migrants and, to a lesser extent, for migrants from other regions, who aim to reach Europe or decide to stay in these countries (Taran, 2011, p. 3).

However, the social and political upheavals that have been convulsing the MENA region since 2011, have shaken migration dynamics within the Mediterranean Sea basin and changed the direction, characteristics and dimension of the flows. Destination countries became countries of exit, and exit countries became, in many cases, destination countries. That is particularly so, with the refugee crisis in Libya that has placed a huge migratory pressure in its neighbours. Thus, South-South mobility has increased as people fled their countries to find shelter in neighbouring countries. According to the UN, the Syrian conflict has generated already more than 4.8<sup>65</sup> million

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<sup>65</sup> Data from the 1<sup>st</sup> of August 2016 (UNHCR, 2016b).

refugees (UNHCR, 2016b). Turkey alone has hosted, since the beginning of the civil war in Syria (2011), 2.7 million and Lebanon over one million refugees (UNHCR, 2016c), which has left host countries, that already had serious internal problems, saturated and unable to respond to new requests.

### **2.5.2. South-North migrations**

Economic migration from the Maghreb to Europe had its first moments during the two World Wars, with the recruitment of Maghrebi workers and soldiers (De Haas, 2007, p. 7). In the post-war and post-colonial period, France was the main destination of North African migrants, namely from Algeria and Morocco.

The period before 1973 was characterised by guest-worker migration from Morocco and Turkey to Western European countries. Thus, the Maghreb countries became fully integrated in the Euro-Mediterranean migration system (De Haas, 2007, p. 9). With the Oil Crisis, recruitment in European countries stopped, but family and asylum migration kept taking place.

The Turkish and Moroccan communities have gained preponderance within European migration over the last decades, particularly in countries such as Germany and France, and, more recently, in Spain and Italy. In fact, Moroccans traditionally went to France, and Germany had the largest Turkish community in Europe. As highlighted by De Haas (2014, p. 29), “over the past 50 years, the Southern and Eastern Mediterranean regions have evolved into the main providers of labour migrants to the European Union”. Nevertheless, after 1980 there was a declining trend of migrations from Turkey to Central Europe, whereas migrations from Morocco and Egypt have increased from the early 1990s on (De Haas, 2014, p. 55).

These movements, particularly from Turkey and Morocco, were potentiated by the geographical proximity and the social-economic gap between the two shores. Furthermore, Europe’s economic growth and political and social stability has generated a demand for low- and high-skilled labour, thus attracting labour migrants. Despite the economic crisis Europe faces, which led to a slight decrease in migrations, Europe is still attractive given its stability and the conditions it offers in comparison to other countries or regions.

Nevertheless, the political and social instability lived in the MENA region since 2011 has increased South-South migrations, as well as South-North migrations, as increasingly more asylum seekers tried to reach the northern shore searching for new opportunities, while economic migrants took advantage of the region's instability and the permeability of some countries' borders to reach the EU.

### **2.5.3. Irregular and mixed migration routes**

Disparities in terms of development and internal inequalities, as well as the demographic differential between the two shores are at the origin of South-North migrations. This gap between the Northern and the Southern shores of the Mediterranean, along with the geographical proximity of Europe (only the sea separates the two banks) further encourages this desire to migrate, which often results in irregular immigration.

The Mediterranean migratory flows are increasingly more complex and dynamic. Thus, in this region we may identify five main routes for irregular and mixed migrations<sup>66</sup> (Figure 2.8):

- a) *Western African Route*, originates in West Africa. Crosses Mauritania, Morocco and Senegal, and goes to the Canary Islands;
- b) *Western Mediterranean Route*, originates in West Africa. It goes north, towards the Maghreb and from there to Spain;
- c) *Central Mediterranean Route*, originates in West Africa. Crosses Mali and/or Niger towards Libya and across the Mediterranean to Italy or Malta;
- d) *Eastern African Route*, originating in the Horn of Africa and with two main branches: the first, through the Gulf of Aden to Yemen and heading northeast towards the Gulf and the Middle East; the second heads northwards through Sudan, and it may converge (i) to the east, towards Egypt and Israel, as an alternative to Jordan, through the Eastern Mediterranean route, or (ii) to the west, towards Libya, through the Central Mediterranean Route;

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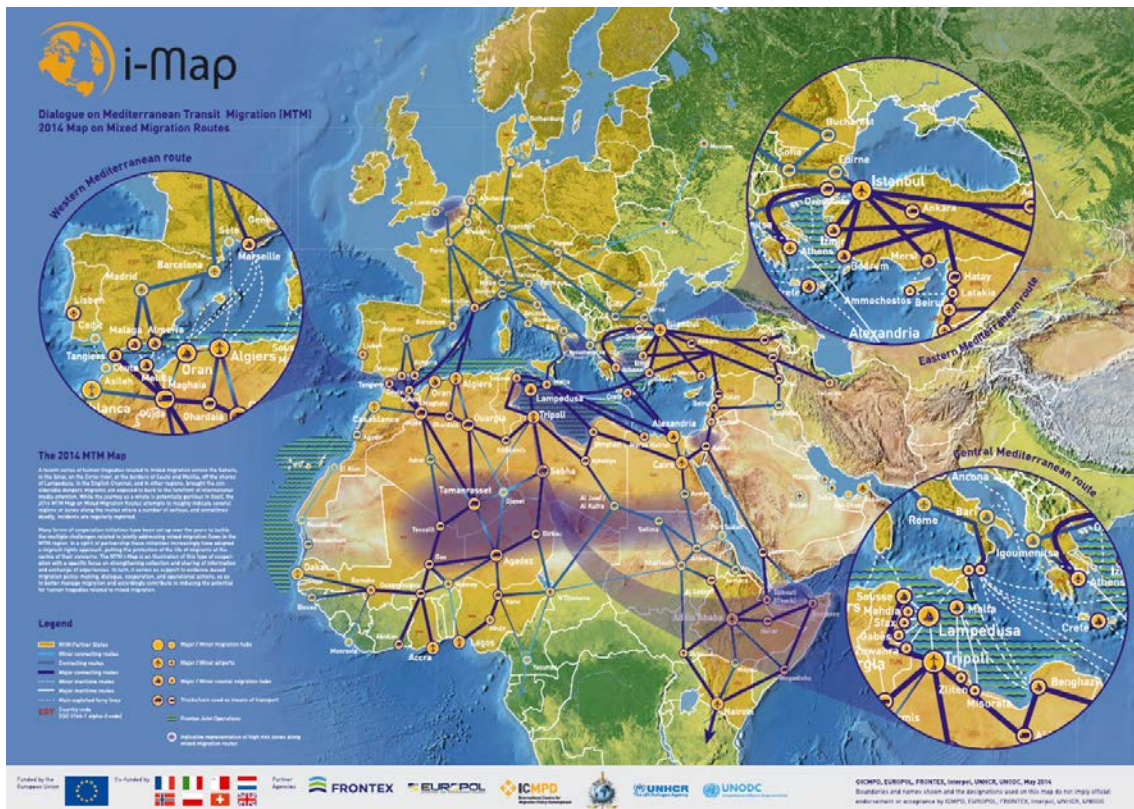
<sup>66</sup> We consider mixed migrations as “(...) flows consisting of various categories of migrants with different motivations and different protection needs who travel together along the same migration routes, using the same means of transport and relying on the same smuggling networks” (Roman, 2015, p. 313).



e) *Eastern Mediterranean Route*, across the Middle East towards the Mediterranean (i) through Syria or Lebanon towards Cyprus, or (ii) through Turkey to Cyprus, Greece and Bulgaria.

These routes have more or less relevance according to different circumstances and in different periods in time. As stressed out by Last and Spijkerboer (2010, p. 87), “routes fade in and out of use over time, as strategies are developed by border agencies in response to irregular entry, by migrants and facilitation networks to circumvent obstructions, leading to new responses, and so on”. Thus, increases in border controls and migration policies lead to a diversification of routes and crossing points.

**Figure 2.8. Irregular and mixed migratory routes in the Mediterranean**



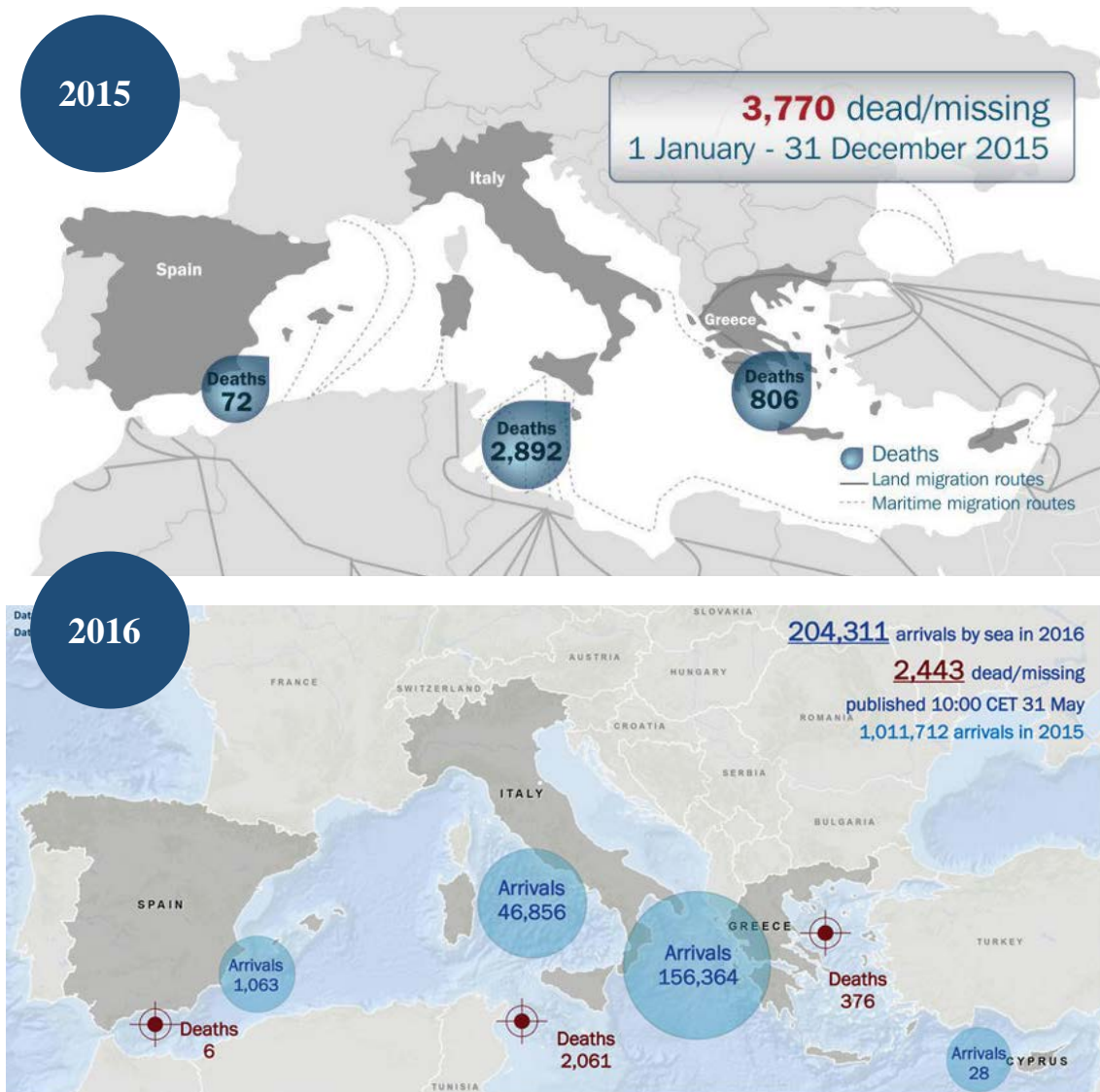
Source: I-Map, 2014

It is important to stress that these routes are not independent from each other, so a change in one can alter the direction of existing flows. The movements along the routes can be by land, sea or air, or a combination of several of them and through facilitation or organised crime gangs.

Nevertheless, irregular migrations are a small percentage of global migrations to Europe (it does not reach five per cent). Of these, only a small part corresponds to the crossings by sea. The truth is that most of irregular migrations in Europe is the result of legal entries (on tourist visas or temporary stay) and the consequent expiration of the visa, known as 'overstayers'. However, these movements are often conceived as an element of insecurity, easily associated with organised crime, namely trafficking networks and terrorism.

Many migrants risk their lives crossing the Mediterranean Sea. Tragically since 2013 there have been several major boat accidents, resulting in massive deaths at sea. In April 2015 more than 700 people drowned when a boat carrying migrants capsized near the coast of Italy (Kingsley & Kirchgaessner, 2015), one of the deadliest migrant shipwrecks so far. In fact, 2015 was the deadliest year at sea, according to UNHCR (2016a) there were around 3,151 deaths or missing people, while IOM (2016b, p. 21) accounts for (at least) 3,770 people who drowned or disappeared when crossing the Mediterranean Sea. Nevertheless, worryingly, these numbers seem to be increasing in 2016, as the IOM registered 2,443 dead or missing migrants just during the first semester (Figure 2.9).

Figure 2.9. Fatalities and missing migrants in the Mediterranean Sea (2015- first semester 2016)

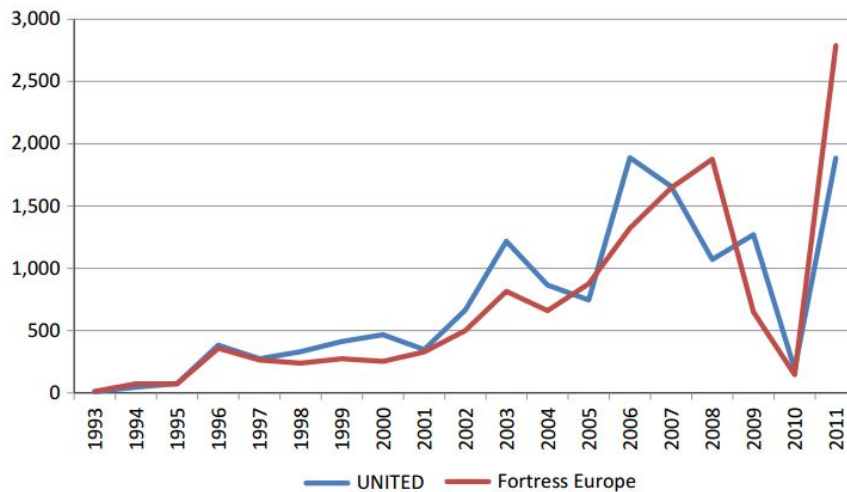


Source: IOM, 2016a, 2016c, p. 21

It is very difficult to have accurate figures on irregular migrations and particularly on migrant deaths at sea given the complexity of the phenomenon and the different sources of information available. These numbers are only estimates based on the recorded fatalities, although real numbers might be definitely higher. According to the Danish NGO (Non-Governmental Association) UNITED, around 14,600 people have died in the attempt to cross Europe’s southern external border, between 1993 and 2012. Another source, Fortress Europe, reports a total of 19,812 migrants who died or disappeared on their way to Europe, between 1988 and the Summer of 2014 (Last & Spijkerboer, 2010, pp. 92-93). Despite discrepancies in data gathering and slight

differences in numbers, the figures show us the increasing danger that these routes present to migrants<sup>67</sup> and how the Mediterranean became the deadliest migration corridor over the last years (Figure 2.10).

**Figure 2.10. Comparison of border deaths in the Mediterranean, according to different sources (1993-2011)**



Source: Last & Spijkerboer, 2010, p. 93

Nevertheless, despite these relevant figures (we cannot forget we are talking about human lives), ‘boat migration’ is not the most common mode of irregular migration to Europe. It actually represents a small percentage, since irregular migrants usually travel by car, bus or train, by air and also in cargo and passenger ships, or often through a combination of all these means (Last & Spijkerboer, 2010, p. 87).

During the 1990s, migrants who crossed the Western and Eastern Mediterranean routes mainly originated from Morocco and Algeria, and Turkey and the Middle East, respectively (Last & Spijkerboer, 2010, p. 89). Throughout time routes have diversified and there is an increasingly higher number of sub-Saharan Africans using those routes, as well as migrants from the Middle East and South Asia. Nowadays, there is an extraordinary migratory pressure in the Central and Eastern Mediterranean routes, with migrants fleeing conflict zones, such as Syria, Afghanistan, Iraq, Eritrea and Somalia. Given a set of political, social and demographic factors, as we have previously seen,

<sup>67</sup> Migrants often resort to people smugglers who will help them (in exchange for large amounts of money) cross the Mediterranean Sea on board of overcrowded inadequate vessels.

these flows increasingly more have a mixed character, comprising both economic migrants and potential asylum seekers.

In this sense, asylum seekers have become a relevant part of Mediterranean migratory flows and almost half of the arrivals in the EU are comprised by “(...) Syrian and Eritrean people, who are broadly recognised as people in need of protection (the former fleeing a longstanding conflict, the latter escaping a militarised dictatorial regime” (Roman, 2015, p. 313).

## **2.6. EVOLUTION OF SOUTH-NORTH MIGRATIONS**

### **2.6.1. The attractiveness of Southern Europe**

Throughout the 20<sup>th</sup> century, European countries have changed their migratory status, from emigration to immigration countries. This transition has had different times; therefore, we can identify three groups of countries on the migratory cycle<sup>68</sup>: old countries of immigration, such as Germany, France and Austria; new countries, which is the case of Spain, Italy, Portugal and Greece; and, future countries, such as the Czech Republic, Hungary and Poland (Okólski, 2012, p. 23). Thus, Spain, Italy and Portugal, our object of study, belong to this second group, the one of new immigration countries.

Several studies have been devoted to the analysis of the migratory experiences of the Southern European countries (see, among others, Arango et al., 2009; Peixoto et al., 2012; Requena, 2011; Rodrigues, Ferreira, & García Perez, 2015), which allow us to analyse and compare their migratory paths and common trends.

From the 1990s, Southern Europe became one of the most attractive regions of the European continent. In fact, these countries experienced major changes, in particular from the end of the 1980s. The political regime changes and the integration in the European project of the Iberian countries brought social, economic and demographic changes, along with the consequent social modernisation of these societies. The economic and political integration in the then EEC (European Economic Community), and the resulting economic growth, increased the attractive potential of the region. Furthermore, the economic development that took place between 1986 and 2000

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<sup>68</sup> According to Okólski (2012, p. 23) the migratory cycle is divided into three distinct phases: the first takes place with the exit of residents of a given country, while the number of foreigners in relation to the total population is marginal; the second, is the migration transition; and, in the third, there is a significant increase of the foreign population in the total population.

contributed to both improved consumption patterns and the well-being of families (Rodrigues & Moreira, 2011, p. 30), as well as to the growing education levels of the population. Thus, the modernisation and progress of the economy and societies of Southern Europe were the main attractive for the thousands of foreigners that made their way to these countries in the 1990s.

The beginning of the new century marks a change in migratory flows in Southern European countries. Spain registers a ‘spectacular growth’, playing a prominent role in the international migration system, which made it one of the most attractive countries worldwide. Between 2000 and 2011, the percentage of resident foreign population in the total population increased from three to eleven per cent (INE, 2015), which turned Spain into the European country with the largest number of foreigners, and the one that suffered the most significant growth in such a short time. Italy also witnessed a rapid and significant increase in its foreign population, which only in the first decade of the 21<sup>st</sup> century represented a growth of 92 per cent. Also Portugal, on a different scale, saw a substantial increase in the number of foreign residents, recording in the same period a growth of about 70 per cent (INE, 2012).

Hence, in this way the volume of foreign population improved considerably in the last decades in Southern Europe. These flows directly affect the demographic structure of the host countries, renewing and rejuvenating them – in Spain, Italy and Portugal most immigrants are within the working age group, between 20 and 39 years. Over the last 25 years, migration to this region has mainly been for economic or family reasons, which contributed to the increase of the available hand labour. However, although these countries are directly affected by irregular migrations, they are also an gateway to the EU, since they receive a very small number of asylum and refugee applications (Arango et al., 2009, p. 13).

Migration to Southern Europe has very different origins, regarding not only the geographical position of each country, but also its history and colonial past, as well as its culture and language (Arango et al., 2009, p. 17). In the Spanish case, migration flows have various backgrounds and a more skewed distribution in the territory, contrary to what happened in the recent past. In the early 1990s, about half of the foreigners proceeded from other developed countries, particularly within the EU and North America. Today, although the population from those areas still has a significant

weight, it was replaced by other collectives from Latin America and North Africa (Reher & Requena, 2009, p. 14).

In the beginning of the 1980s, Italy became a country of immigration, the first of the Southern European countries to begin the migratory transition process, as the political transformations in Eastern Europe accelerated migratory flows to this country. In the last twenty years, migration to Italy was mainly characterised by a growing number of population with African origin, from North Africa and sub-Saharan Africa, which went from 10 per cent in the mid-1980s to 30 per cent by the end of the nineties, and today represents around 25 per cent. The Asian community increased from 18 per cent in the 1980s to 22 per cent in 2013. However, immigration from Latin America has decreased in recent years, from 20 per cent in the mid-1980s to 11 per cent in the middle of the first decade of the new century. Currently, the largest group of immigrants corresponds to EU citizens, representing 31 per cent of the total. So, as Triandafyllidou (2007, p. 78) highlights, at first immigration to Italy was characterised by linguistic and cultural affinities, and was replaced by economic and migration networks motivations, such as the Asian and African migrations.

In 1993, Portugal registered the first of a long series of years of positive net migration which was discontinued in 2010. By the early 1990s, the most significant entries were explained by historical, political and linguistic ties, and were mainly composed by male migrants at working age, unskilled and of African origin. This group was followed by another one that comprised individuals from 'richer Europe' (Pires, 2010). By the time the country became an attractive destination in the early 1990s, foreigners with no historical relations with Portugal started arriving to the country. As a combined effect of these new lines of immigration, over the last decade the relative importance of citizens from the African Countries of Portuguese Official Language (PALOP in the Portuguese acronym) was reduced. In 2001, this community accounted for 44 per cent of all immigrants who officially resided in the country (INE, 2012); however, today they do not exceed the 10 per cent (SEF, 2015).

Among the main determinants of economic migration to Southern European countries, the economic ones have a higher preponderance. Arango et al. (2009, p. 28) and Arango (2012, p. 28) have identified the main motivations: periods of rapid economic expansion; a native workforce; decreasing unemployment; the incorporation of women in the labour market; strengthening of certain occupational sectors, such as

construction, domestic work and agriculture; and, the importance of the informal economy. Social factors, such as the growing level of education, the emancipation of women and the search for their professional achievement, as well as demographic factors, such as low fertility rates and high life expectancy, are also at the genesis of these significant flows.

The increase in the number of foreigners and the speed with which this phenomenon emerged, had a profound impact on host societies. At the same time, the submerged economy expanded, which also became an ingredient of attraction to these countries. Furthermore, González Enríquez (2005, p. 105) stresses, among these factors, the difficulties to control the maritime borders and the weaknesses in the control of transnational border movements, within the scope of the Schengen area, which facilitated irregular entries, particularly in Spain and Italy.

Irregular migrations are regarded as a ‘chronic disease’ of the Southern European migration regimes, since those countries have been affected in a particular way by these flows; not only for their geographical location but also due to their submerged economies and the difficulties in establishing an efficient regulatory system (Arango et al., 2009, pp. 28-29). However, a phenomenon as complex as irregular migrations cannot be explained only with cause-effect relations. As Arango et al. (2009, p. 28) highlighted:

(...) irregular migration is the product of several factors, according to what could be summarized as an ‘equation of irregularity’ based on the intensity of the flows, restrictive regulations, the attractiveness of the informal economy, geographic proximity, as well as the quality of controls and the activities of the smuggling industry.

Thus, although in the last decade these countries have experienced a strong increment in migration, which coincided with a growing need for hand labour, the countries of Southern Europe had difficulties in efficiently regulating these flows (Arango et al., 2009, p. 28). Therefore, the measures adopted had a more reactive character, than one of prevention and planning.

The establishment of immigrant groups in destination countries raises a set of social needs and demand the adoption of public policies to cover these deficiencies and readjust the existing welfare mechanisms. None of the Southern European countries was prepared for a phenomenon of this kind on such a large scale. Although migration processes produce significant social and demographic change, which have an impact on the public policies of hosting States, these countries have demonstrated an exceptional



ability to integrate immigrant communities. Thus, the responses of States were “(...) of an eminently reactive nature, improvised and oriented to meet the most visible and urgent needs”<sup>69</sup> (Fuentes & Callejo, 2011, p. 14).

The future of migration becomes complex with regard to its evolution in a moment marked by a social, economic, and even political, crisis that affects Southern European countries and has a direct impact on migration’s volume and strategies. It is clear that “the prodigious decade is over” and that “the formidable crisis that began in the Summer of 2007 implies a turning point”<sup>70</sup> (Arango Vila-Belda, 2012, pp. 24-25) in the history of Spain, Italy and Portugal, as immigration countries. Nevertheless, immigration to Southern Europe is a present and future reality, given the worsening or maintenance of the instability in the EU’s Southern neighbourhood, along with the EU’s demographic challenges, although it might not have the same scale and character of the last decades.

### **2.6.2. From the World Wars to the Gulf Wars**

The history of North Africa is characterised by the constant mobility of different groups, in search of pasture or natural resources or because of tribal conflicts. With the modernisation of the region and its colonisation in the nineteenth century, we witnessed an increasing urbanisation. However, international mobility in this period was only associated with the French Maghreb countries (de Haas, 2006, p. 68).

During the First and Second World Wars, the shortage of hand labour led to the hiring of nationals from the Maghreb countries to meet the labour needs of the European countries in the military, industry and mines. In the post-war years – between the 1950s and the oil crisis of 1973 – North African countries tried to orientate or prevent migrations, imposing restrictions to these flows. Nevertheless, migrations from the Maghreb to France remained during this period, with colonial migratory patterns. In the 1970s, took place the first great migratory flow from the Maghreb to Europe, which had its peak in 1972, the year in which the Moroccan communities living in Europe reached 300,000 residents (in 1965 there were only 30,000) (de Haas, 2007, p. 46).

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<sup>69</sup> In the original: “de natureza eminentemente reativa, improvisada e orientada sobretudo para responder às necessidades mais visíveis por perentórias” (Fuentes & Callejo, 2011, p. 14).

<sup>70</sup> In the original: “a formidável crise que teve início no verão de 2007 supõe uma divisão de águas, um ponto de inflexão” (Arango Vila-Belda, 2012, pp. 24-25).

Thus, by this time, the Maghreb became permanently integrated in the Euro-Mediterranean migratory system. At the origin of these movements are the economic recovery of Europe after the War, which triggered the emigration of workers from the Southern Mediterranean area. Recruitment agreements were signed for workers from Morocco and Tunisia with France, Germany, Belgium and the Netherlands, and the French government established a quota for Algerian workers, set at 35,000 workers per year and, later on, at 25,000 (de Haas, 2006, pp. 69-70).

The oil crisis of 1973 had a great impact on the reorganisation of the migratory flows from North Africa. It set the beginning of a period of massive recruitment from the oil-producing Arab countries, while European States adopted restrictive migration policies. The crisis was particularly felt in Egypt, which reached record numbers, with 3.3 million registered emigrants in 1983. The Egyptian government had adopted incentives for temporary migration, in order to ease migration pressure and promote its economy (de Haas, 2006, p. 71).

By this time, Saudi Arabia became a favourite destination for Egyptian migrants, who were also seeking other countries of the GCC (Bahrain, Kuwait, Qatar and Oman). Significant flows of workers from Morocco and Tunisia to these countries also took place. However, for geographical and political reasons, they preferably sought Libya (de Haas, 2006, p. 72).

In Europe, the oil crisis had led to a period of stagnation that affected migrants in a particular way. Contrary to expectations, despite incentives to return by European countries and countries of origin (particularly Algeria and Tunisia), most North African migrants chose to stay in Europe. The lack of opportunities in the countries of origin, which had suffered a lot from the 1973 crisis, with rising unemployment and political uncertainty (the coups in Morocco had left the country in a moment of instability) motivated the definitive settlement of many immigrants from the Maghreb in Europe. In addition, restrictive immigration policies had the opposite effect than the expected, the settlement of migrants in host countries, enhancing family reunification (de Haas, 2006, p. 73).

To sum up, by the end of the eighties, migrations in the Mediterranean basin were characterised by labour migrations to Egypt and from North African countries to the Gulf and Libya, and by family migrations (family reunion) from the Maghreb to France and countries of North-eastern Europe (de Haas, 2006, p. 74).

### **2.6.3. From the late 20<sup>th</sup> century to the first decade of the 21<sup>st</sup> century**

The 1990s began with a set of policy changes that would have a strong impact on migratory flows. In Europe, the fall of the Berlin Wall (1989) allowed the country's reunification and the opening of East Germany to the West. In 1991, after the dissolution of the USSR (Union of the Soviet Socialist Republics), and the fall of the communist regimes, there was an immigration wave from the East to the West. At the international level, the Gulf War of 1991, the civil war in Algeria (1991-2002) and the United Nations embargo on Libya (1992), had a significant impact on migratory flows in the Mediterranean, creating new migration dynamics. Therefore, North Africa assumed a central position in the Euro-Mediterranean migratory system as a point of origin and transit (de Haas, 2006, p. 74).

As highlighted by De Haas (2006, pp. 74-75), the Gulf War led to the forced repatriation of many migrants in Iraq, Jordan and Kuwait, which reinforced the dependence of the Gulf countries of Asian immigrants. The civil war in Algeria also created an influx of refugees and economic migrants to European countries. Until then, Algerian migrations had privileged France as their main destination. Moreover, the embargo on Libya resulted in the opening of the country to sub-Saharan workers, with the adoption of pan-African policies. Thus, Libya became a host and transit country for sub-Saharan migrants. So, the political reorientation of Libya towards Africa and the restructuring of North African markets attracted flows from sub-Saharan Africa in the last decade of the twentieth century.

With the implementation of the European project, in the 1990s European countries reinforced controls on their external borders. However, there were still family migrations from North Africa to Europe, particularly to Germany, Belgium, France and the Netherlands. From 1995 on, there was an increase in economic migrations from the Maghreb and Egypt to Southern European countries. In addition to the geographical proximity, the economic and social development that took place in Southern European countries attracted unskilled labour, for the sectors of construction, agriculture and tourism. Hence, Spain and Italy, in particular, became main destination countries for emigrants from Morocco, Tunisia and Algeria (de Haas, 2006, p. 76).

Also from 1995 on, mixed flows of economic migrants and asylum seekers from sub-Saharan Africa or the Middle East began to cross the Mediterranean, so the Maghreb became a transit area for sub-Saharan migrants. These migrants with diverse origins – Nigeria, Senegal, Gambia, Mali, Ghana, Burkina Faso, Niger, Central African Republic and Cameroon, and from Southeast Asian countries such as India, Pakistan and Bangladesh – crossed the Sahara Desert to reach Libya and Morocco, through Algeria. However, the countries of the Southern shore also became host countries to many of these migrants who did not manage to cross the sea or preferred not to try (de Haas, 2006, p. 77).

Since 2000 there has been an increase in the number of migrants from North Africa to Europe. Morocco has been the largest contributor, especially to Spain, where between 2000 and 2013 there has been an increase of Moroccans from 154,280 to 643,240 (INE, 2015). Still, the largest migrant group from the Mediterranean in Europe had for long been the Turkish community.

The last systematised data available regarding Euromed (from the Euro-Mediterranean region) migrants in the EU, is presented on Table 2.4. By 2013, the last year for which there is data available for all EU countries regarding this analysis, there were 8,045,234 migrants from Southern and Eastern Mediterranean countries in the EU, this represents almost a fourth of the total third countries nationals residing in the EU. In this period, the Moroccan community surpassed the Turkish one, the first one with a total of 2,587,235 and the latter with 2,477,461. The Turkish community is still more representative in Germany (with over 1,5 million) and the Moroccan is more representative in France (927,737 individuals) and Spain (740,097 individuals). The Moroccan and Turkish communities are followed by the Algerian one, with 1,611,672 individuals, that are highly concentrated in France (with 1,455,780 immigrants).

**Table 2.4. Number of foreigners from EU-Mediterranean Partner Countries in the EU by nationality**

	Algeria	Morocco	Tunisia	Egypt	Syria	Jordan	Lebanon	Palestine	Israel	Turkey	Libya	Total Euromed immigrants	Total non EU-27 immigrants
Belgium (2013) <sup>a</sup>	25,719	201,921	13,309	4,020	7,341	974	6,272	597	3,572	99,011	578	363,314	927,553
Bulgaria (2013) <sup>a</sup>	351	81	90	153	1,298	183	637	6	413	6,227	196	9,635	59,555
Czech Republic (2013) <sup>a</sup>	659	273	689	602	658	160	324	113	437	1,114	145	5,174	241,346
Denmark (2013) <sup>a</sup>	890	5,253	863	1,591	4,031	1,135	12,183	0	1,595	32,066	229	59,836	368,338
Germany (2013) <sup>b</sup>	13,406	93,844	26,813	14,437	44,344	10,312	67,031	0	20,625	1,543,787	3,056	1,837,655	6,565,927
Estonia (2013) <sup>a</sup>	14	15	8	49	5	7	12	1	56	120	4	291	185,173
Ireland (2013) <sup>a</sup>	1,696	897	314	1,765	375	390	356	184	578	1,588	970	9,113	251,660
Greece (2013) <sup>b</sup>	453	1,086	1,358	11,026	7,500	290	2,748	299	408	6,487	245	31,900	920,899
Spain (2013) <sup>a</sup>	57,961	740,097	2,724	4,120	5,406	2,196	3,231	0	2,819	3,947	866	823,367	4,075,650
France(2013) <sup>b</sup>	1,455,780	927,737	394,748	30,413	17,069	1,322	47,249	1,024	9,204	262,864	2,180	3,149,590	5,433,875
Italy (2013) <sup>a</sup>	23,305	409,641	110,706	105,481	5,776	3,276	7,113	369	4,501	20,557	35,928	726,653	3,881,729
Cyprus (2013) <sup>a</sup>	42	75	42	6,105	3,835	520	3,242	427	450	720	269	15,727	86,994
Latvia (2013) <sup>a</sup>	14	12	1	28	11	5	26	3	70	102	4	276	251,546
Lithuania (2008) <sup>a</sup>	11	3	6	19	13	5	115	1	124	106	1	404	124,379
Luxembourg (2006)	107	260	142	27	1	3	37	1	45	212	0	835	54,100
Hungary (2013) <sup>a</sup>	637	182	211	794	1,165	304	332	59	1,646	2,023	315	7,668	139,143
Malta (2008) <sup>a</sup>	53	206	395	627	251	32	75	32	21	195	1,061	2,948	19,306
Netherlands (2013) <sup>a</sup>	3,902	168,236	4,425	12,335	7,673	893	3,357	0	5,164	196,536	878	403,399	1,437,685
Austria (2013) <sup>a</sup>	1,191	1,860	3,437	12,891	4,050	623	1,569	311	2,097	159,386	467	187,882	788,957
Poland (2013) <sup>a</sup>	657	364	484	554	661	155	433	130	395	1,014	266	5,113	411,940
Portugal (2010) <sup>a</sup>	240	2,033	142	434	27	29	76	23	351	308	30	3,693	660,017
Romania (2013) <sup>a</sup>	81	38	1,034	29	2,295	28	118	20	1,665	5,057	3	10,368	109,782
Slovenia (2013) <sup>a</sup>	24	21	51	92	39	61	24	1	37	90	37	477	211,477
Slovakia (2013) <sup>a</sup>	68	32	85	128	174	48	64	24	132	182	41	978	25,459
Finland (2013) <sup>a</sup>	747	1,814	603	931	623	247	511	35	730	5,736	170	12,147	178,151
Sweden(2013) <sup>a</sup>	2,775	8,174	4,512	4,962	27,510	3,280	24,743	4,228	2,433	45,085	1,756	129,458	976,550
United Kingdom (2005) <sup>a</sup>	20,889	23,080	9,032	30,289	10,035	7,311	17,755	5,146	20,786	82,941	20,069	247,333	5,150,676
<b>Total</b>	<b>1,611,672</b>	<b>2,587,235</b>	<b>576,224</b>	<b>243,902</b>	<b>152,166</b>	<b>33,789</b>	<b>199,633</b>	<b>13,034</b>	<b>80,354</b>	<b>2,477,461</b>	<b>69,764</b>	<b>8,045,234</b>	<b>33,537,867</b>

Source: IEMed, 2015, p. 426

Thus, up until the first decade of the 21<sup>st</sup> century, migrations in the Mediterranean Sea basin were mainly characterised by regular flows between the Southern and Northern shore. However, by the end of the last decade of the 20<sup>th</sup> century, there has been a boost in irregular migrations, due to the set of internal and external factors presented above, and also as an answer to the increasingly restrictive policies adopted by the EU and its Member States.

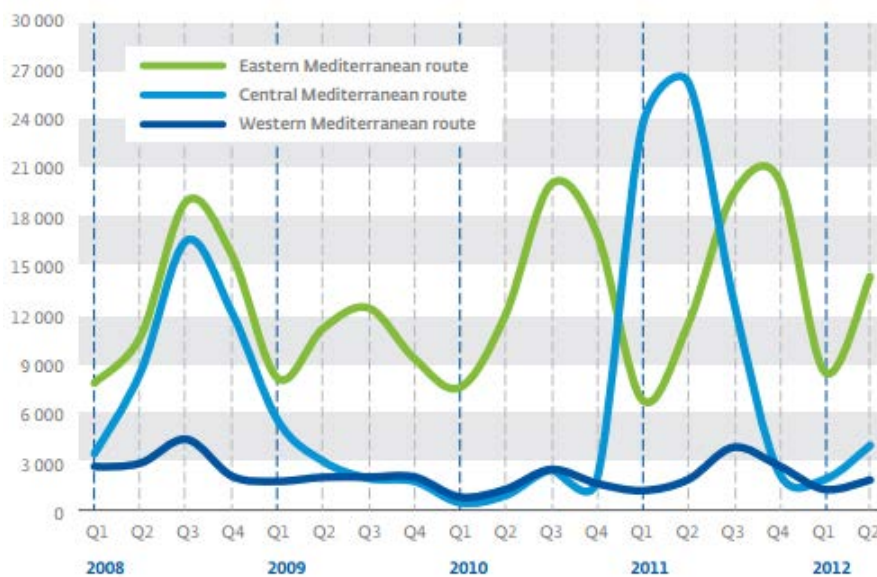
#### 2.6.4. From the Arab Spring to the migration crisis

The geography of irregular migrations in the Mediterranean has undergone significant changes over the past decades, as we have seen in the previous sections. The political and social unrest in Tunisia and Libya were responsible for fluctuations in the

size and composition of migration movements in the central Mediterranean route in 2011 (Figure 2.11). From 2010 to 2011 there was a rise in detections of irregular border-crossing at the EU’s external borders of 35 per cent, from 104,000 to 141,000. This increase was mainly felt in the Central Mediterranean area (from 5,000 detections in 2010 to 64,000 in 2011) (FRONTEX, 2012b).

According to Frontex’s (2012a, p. 4) data, most immigrants detected irregularly crossing EU’s borders were Tunisians (20 per cent), Afghans (16 per cent) and Pakistanis (11 per cent). Nevertheless, it should be stressed that “[t]he flow of Tunisian migrants who crossed the border illegally appeared to be mostly economically-driven, with most migrants heading to France as their final destination” (FRONTEX, 2012a, p. 16). Thus, the departures of most Tunisians were not to flee the increasing instability lived in the country, rather to cease “an opportunity to realise pre-existing ambitions” (Perrin, 2011, p. 284).

**Figure 2.11. Detections of irregular border crossing by main irregular routes, 2008-2012**



Source: FRONTEX, 2012b, p. 17

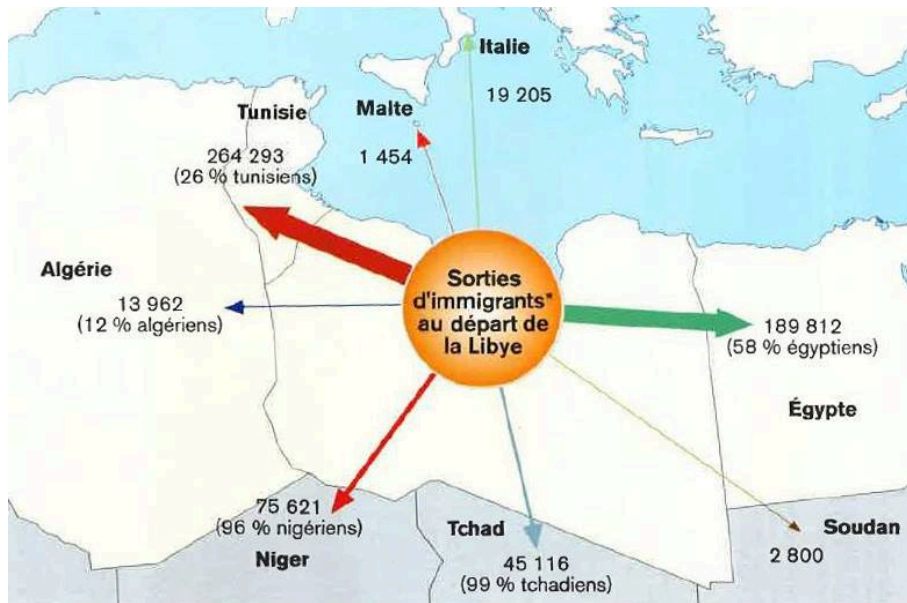
Moreover, most sub-Saharan immigrants detected in the islands of Lampedusa, Sicily and Malta had been expelled by Gaddafi's regime in Libya (FRONTEX, 2012a, p. 15). Nevertheless, it should be noted that this high increase of irregular detections in the Central Mediterranean route was mostly due to a window of opportunity created by the regional instability, which allowed other migrants (Afghans, Algerians and other sub-Saharan Africans) to easily use the same routes. In fact, in 2004 both Tunisia and Libya had revised their legislation on migrations and signed "agreements with European countries such as Italy to control maritime borders and readmit nationals departing their coasts" (Perrin, 2011, p. 283), reinforcing their borders. Thus, with the outbreak of the conflicts there was a relaxation in border controls creating the opportunity for hundreds to leave the country and others to use this migratory channel. As Perrin (2011, p. 284) points out, "these departures confirm that the policy of containment fosters the development of criminality related to the organisation of irregular migration and increases migration movement focussing on opportune places at specific point in time".

In 2011, the flows that originated in the MENA region towards the EU were mainly from Tunisia and Libya. As the IOM (2011, p. 50) highlights, "[n]o significant outflows were reported from other countries in the region, including Egypt", taking into account other countries where the revolts took place.

In this same period, the Libyan crisis placed a great pressure to its neighbours' borders (Figure 2.12). Also according to the IOM (2011, p. 50), as of June 2011, "[m]ajor cross-border movements were recorded at the border with Tunisia and Egypt, with 256,000 and 184,000 arrivals, respectively". Most of these movements were of Libyan nationals, who sought shelter in neighbouring countries:

With the outbreak of war, the vast majority of people fleeing Libya has taken the land route into Tunisia or Egypt in the hope of returning to their countries. The collective departures reveal the extreme diversity of the migrant population in Libya, as well as the complexity and great heterogeneity of the 'Africans' present (Perrin, 2011, p. 285).

**Figure 2.12. Departures from Libya in 2011 (IOM data from end of June 2011)**



Source: IEMed, 2011, p. 388

Besides this South-South mobility from citizens escaping the conflicts of the Arab Spring, there was a return movement from migrant workers back to their countries of origin (in Asia and Africa). As reported by the IOM (2011, p. 50), “[n]eighbouring Chad and Niger, for instance, saw 70,000 and 80,000 nationals, respectively, return home from Egypt and Tunisia, on their own or with the support of IOM, within the first three months of the Libyan crisis”.

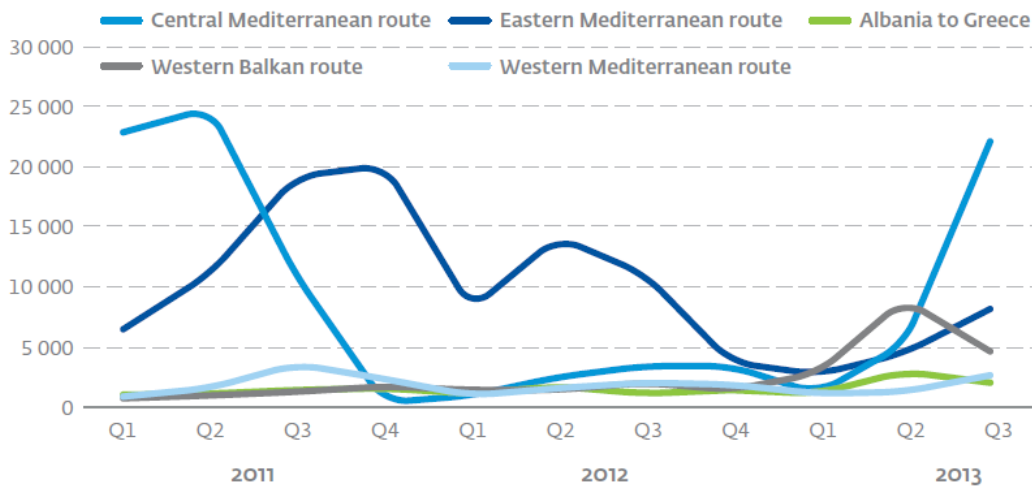
In 2012, Frontex registered a decrease in irregular border-crossings, to almost half the number reported in 2011 (73,000 detections). Most migrants irregularly staying in the EU, by that time, were from Afghanistan and Morocco (FRONTEX, 2013, p. 6). The agency highlights that “[d]espite a short-term increase of 10% between 2011 and 2012, the overall trend of detections of facilitators of irregular migration has been falling since 2008, totalling about 7 700 in 2012” (FRONTEX, 2013, p. 6). Nevertheless, the volatility of the region was still assessed as of high risk in terms of irregular border-crossings, especially in the Central Mediterranean route, due to the political instability felt in the region.

Thus, in 2013 there was another sharp increase in detections of irregular border-crossing, from approximately 73,000 detections in 2012 to 107,000 in 2013, although it still did not reach the figures of 2011 (Figure 2.13). Frontex points two main causes to



this increase in 2013: a large increase in irregular border-crossings by Syrians, applying for asylum; and a steady flow of migrants departing from North Africa (Libya and Egypt) (FRONTEX, 2014, p. 7).

**Figure 2.13. Detections of illegal border-crossing by main migration route (2011-2013)**



Source: FRONTEX, 2014, p. 15

In that period, migrants crossing European borders irregularly came mainly from Syria, Eritrea, Afghanistan and Albania. These four nationalities accounted for 52 per cent of the detections (55,400), and Syrians alone represented 25 per cent of the total (25,500 detections) (FRONTEX, 2014, p. 7). These numbers totally reflect the instability felt in Syria.

To sum up, with the Arab Spring in 2011, there was a strong pressure on the Central Mediterranean route, because of the vulnerability of countries like Tunisia, which became points of exit and transit for international migrants (Ferreira, 2014a, p. 88). During 2012 there was a reduction in irregular flows in general, but from 2013 on begins a period of rapid increase in flows, which has its peak in 2015, with more than 1.82 million detections of irregular entries in the EU (FRONTEX, 2016b, p. 6). The conflict in Syria that started in March 2011, led to an exodus of refugees and the Mediterranean migratory routes have since then suffered great oscillations.

The year 2015 was characterised by an unprecedented number of arrivals to the EU and drastic shipwrecks that killed more than 3,770 people (IOM, 2016b). Given the

huge rise in numbers, this has been called the ‘European migratory crisis’. Although we will resort to this expression, ‘migratory crisis’, to refer to the high increase in migration flows from the MENA region to the EU over the last couple of years, given the impact it had on the EU’s policy-making and the size and dimensions it acquired, some methodological and conceptual warnings must be made. As Martin, Weerasinghe and Taylor have highlighted “[c]ategorizing movements related to humanitarian crises presents many dilemmas for scholars and policy makers alike” (2014, p. 8). In all humanitarian crisis, regardless of its intensity and durability, the element of choice is always present, as some decide to stay and others to leave. In this sense, the ‘forced’ and ‘voluntary’ dichotomy cannot be understood as hermetic concepts, rather as a continuum. The intersection of different categories that might take place within this continuum, where migrants simultaneously fit two or more categories, is called ‘mixed migration’. We might also have ‘mixed flows’, as we have previously seen, which are flows comprised of migrants with different motivations. Thus, as the same authors emphasise:

The crisis migration umbrella, which provides the analytical framework (...), is a deliberately broad lens. Rather than organize categories around the specific causes of movement, the commonalities and differences in *all* movements across various crisis situations and the associated protection needs of those who move (and those who remain trapped and in need of relocation) in times of humanitarian crisis are considered (Martin et al., 2014, p. 11).

Table 2.5 allows us to analyse the oscillations in the migratory routes of the Mediterranean over the last years. Between 2013 and 2014, the main entry route into the EU was the Central Mediterranean, through Italy. In 2015, with the strengthening of Frontex’s operations in this maritime area and the adoption of the military mission EUNAVFOR Med – Operation Sophia<sup>71</sup> to stop smuggling boats in Libya, there was a change in routes. Immigrants started going East, using the routes of the Eastern Mediterranean and Western Balkans. However, the agreement between the EU and Turkey (signed in March 2016) and the closure of borders in the Balkans route seemed to lead to a new twist. The rescue of around a thousand migrants, mostly Syrians, by the Italian coast guard in mid-May 2016, indicates that migratory flows are to resume the dangerous Central Mediterranean route (UNHCR, 2016a).

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<sup>71</sup> We will further refer to this military operation in Chapter 3, regarding the EU’s measures adopted to deal with the migratory crisis.

Table 2.5. Detections of illegal border crossing between 2009-2015

ROUTES and nationalities	2009	2010	2011	2012	2013	2014	2015
<b>Eastern Mediterranean</b>	<b>39 975</b>	<b>55 688</b>	<b>57 025</b>	<b>37 224</b>	<b>24 799</b>	<b>50 834</b>	<b>885 386</b>
<b>Sea</b>	<b>28 848</b>	<b>6 175</b>	<b>1 467</b>	<b>4 370</b>	<b>11.831</b>	<b>44 057</b>	<b>873 179</b>
<i>Syria</i>	--	--	76	906	5 361	27 025	489 011
<i>Afghanistan</i>	11 758	--	310	1 593	4 080	11 582	212 286
<i>Iraq</i>	--	--	76	47	57	382	90 130
<i>Other</i>	--	--	1 005	1 824	2 333	5 068	81 752
<b>Land</b>	<b>11 127</b>	<b>49 513</b>	<b>55 558</b>	<b>32 854</b>	<b>12 968</b>	<b>6 777</b>	<b>12 207</b>
<i>Syria</i>	--	--	1 216	6 216	7 366	4 648	7 329
<i>Iraq</i>	2 674	--	1 054	987	372	483	2 591
<i>Afghanistan</i>	--	21 389	19 308	7 973	2 049	893	1 349
<i>Other</i>	--	--	33 980	17 678	3 181	753	938
<b>Western Balkans</b>	<b>3 089</b>	<b>2 371</b>	<b>4 658</b>	<b>6 391</b>	<b>19 951</b>	<b>43 357</b>	<b>764 038</b>
<i>Not specified</i>	--	--	75	39	38	153	556 258
<i>Syria</i>	--	--	34	178	1 171	7 320	90 065
<i>Afghanistan</i>	700	469	983	1 665	2 174	8 342	53 237
<i>Other</i>	--	--	3 566	4 509	16 568	27 542	64 478
<b>Central Mediterranean</b>	<b>11 043</b>	<b>4 448</b>	<b>64 261</b>	<b>15 151</b>	<b>45 298</b>	<b>170 664</b>	<b>153 946</b>
<i>Eritrea</i>	1 084	--	659	1 889	10 398	33 559	38 791
<i>Nigeria</i>	1 655	--	6 078	449	2 824	8 233	21 914
<i>Somalia</i>	3 143	--	1 416	3 403	4 506	5 785	12 430
<i>Other</i>	--	--	56 108	9 410	27 570	123 087	80 811
<b>Western Mediterranean</b>	<b>6 642</b>	<b>5 003</b>	<b>8 448</b>	<b>6 397</b>	<b>6 838</b>	<b>7 272</b>	<b>7 164</b>
<i>Guinea</i>	--	--	392	261	142	769	1 991
<i>Algeria</i>	--	--	1 772	2 015	1 436	734	1 052
<i>Morocco</i>	--	--	775	508	282	476	828
<i>Other</i>	--	--	5 509	3 613	4 978	5 293	3 293
<b>Western Africa</b>	<b>2 244</b>	<b>196</b>	<b>340</b>	<b>174</b>	<b>283</b>	<b>276</b>	<b>874</b>
<i>Guinea</i>	304	--	4	2	12	50	365
<i>Côte d'Ivoire</i>	275	--	0	0	5	16	136
<i>Gambia</i>	--	--	2	39	3	22	85
<i>Other</i>	--	--	334	133	263	188	288

Source: Adapted from FRONTEX, 2011, p. 15; 2016c, p. 17

Italy and Greece are the main countries of arrival of the Central and Eastern Mediterranean, respectively. The above mentioned fluctuation of the routes is reflected in the number of arrivals by sea to each country (Table 2.6). From our analysis we may conclude that these routes are composed by different groups of migrants. In the Greek case, migrants who arrived in the early months of 2016 came mainly from Syria, Afghanistan, Iraq, Pakistan and Iran (IOM, 2016c). So this flow is mainly composed by migrants from countries in conflict in the Middle East and Southeast Asia. In the case of Italy, main countries of origin are Nigeria, Gambia, Senegal, Guinea, Ivory Coast, Somalia, Mali and Morocco. This flow mainly comprises individuals from sub-Saharan

Africa, which are potential economic migrants<sup>72</sup> or people fleeing conflict or persecution and seeking international protection. Thus, in this case, we are dealing with mixed flows and with very different characteristics. It is interesting to notice that migrants from the Maghreb have taken advantage of the vulnerability of the Eastern Mediterranean route. Thus, a growing number of North African migrants has been detected along this route.

**Table 2.6. Arrivals to Greece and Italy by sea, between 2014 and 2016**

Country	2014	2015	2016 * IOM (1 Jan-17 April)	2016 * UNHCR (1 Jan-13 May)
Greece	34,442	853,650	153,624	155,765
Italy	170,100	153,842	24,581	31,252

Source: Author's elaboration from IOM, 2016c; UNHCR, 2016b

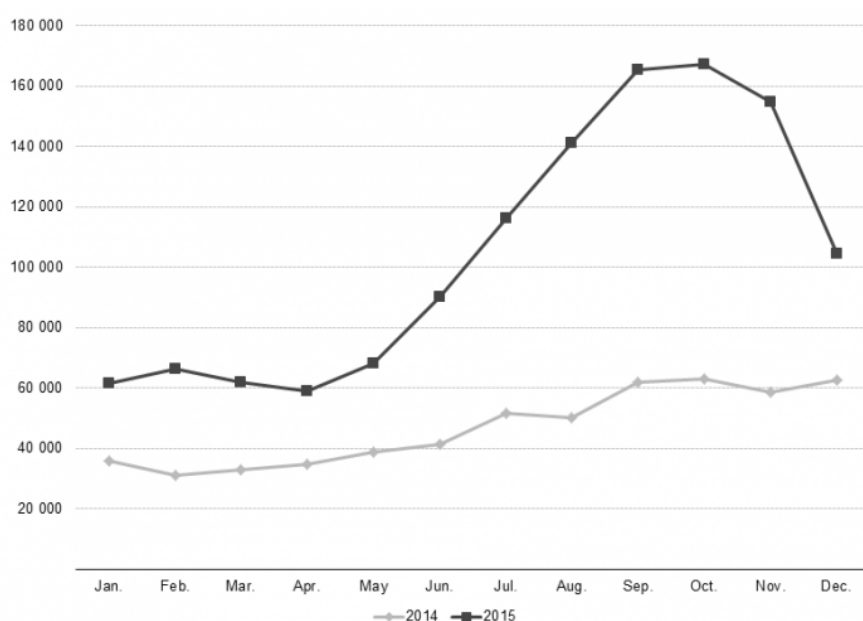
The main countries of destination for these migrants are Germany, Italy, France and Sweden, countries that registered the largest number of asylum applications over the last year (2015). In 2015, Member States received a total of near 1.3 million asylum applications, a record number compared to previous years (Figure 2.14) (Eurostat, 2016a).

The Western Mediterranean route has not suffered drastic changes with the migratory crisis, despite a slight increase registered between 2012 and 2014, following the peak reached in 2011 (Table 2.5). Cooperation between Spain and Morocco has been the key to maintain stability in this route. Furthermore, also due to close cooperation with third countries of origin and transit (such as Mauritania), the Western African route is almost closed now, only registering small incidents every now and then (FRONTEX, 2015, p. 6).

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<sup>72</sup> There is a new trend, mainly within civil society organisations, that advocates for the inclusion of the concept 'economic refugee' as a "(...) a person who economic prospects have been devastated and seeks to escape oppressive poverty (...)" (Project Economic Refugee, 2009). Nevertheless, this is a very controversial question since it trivialises the concept of 'refugee' and it might end up considering all migrants as refugees.

**Figure 2.14. New asylum applications within the UE-28 (2014-2015)**



Source: Eurostat, 2016a

The sheer volume and complexity of these flows presents enormous challenges to the EU and its Member States and its management raises security, sovereignty and integration issues.

Thus, many migrants risk their lives crossing the Mediterranean by boat and tragically 2013 was a period with several major boat accidents, resulting in massive deaths at sea (Figure 2.11.). The wide media coverage of these human tragedies attracted political and public attention to the question of irregular migrations in the Mediterranean (FRONTEX, 2014, p. 32-33).

The geography of Mediterranean migrations is very dynamic and in constant change. The Mediterranean routes are very fluctuant in terms of flows, mainly conditioned by political and social stability. Despite all efforts in controlling and contending South-North mobility, the Mediterranean will continue to be a crossing point for migration (both regular and irregular). The persistent instability of the region and the ongoing conflict in Syria, will continue to promote “departures of sub-Saharan migrants from Libya across the Central Mediterranean route to reach Italy and arrivals of Syrians crossing the border illegally to apply for asylum in the EU” (FRONTEX, 2014, p. 63). Moreover, Frontex points out the importance of Turkey as a gate to Europe (via air border). The airport of Istanbul is an important point “for irregular migrants

travelling by air route to several Member States, with continuous increase in passenger flows for the past few years and airline carriers' expansion towards Africa and the Middle East" (FRONTEX, 2014, p. 64). Nevertheless, as we have demonstrated in an article on "Mediterranean immigration in the post-Arab Spring: (de)constructing myths of large-mass migrations" (Ferreira, 2014a), these flows should be read within the wider frame of European migrations and not as isolated movements and within a certain time framework. Furthermore, as we have previously seen, irregular migrations, despite being difficult to account for, represent a small percentage of all migrations to the Union. Nevertheless, given the challenges it currently presents to the EU's stability these flows have to be properly addressed.

To sum up, we may conclude that the Arab protests that started in 2011 triggered a new period of uncertainty and volatility in the region that has had a huge impact on migratory flows in the Mediterranean basin. The political instability and civil wars lived in certain countries, along with a series of internal and external factors (previously described) potentiate and condition migration dynamics. However, as we shall see in the following chapters, the measures adopted by the EU and its Member States also shape the dynamics in the different routes.



# 3

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## The EU's reaction to migratory challenges: towards securitisation?

### 3.1. OVERVIEW

Migrations in the Mediterranean place more and more challenges to European countries and to the EU itself. In this sense, the regulation of flows, through border management, has become a crucial dimension of a comprehensive approach to migration policies. Nevertheless, political and legislative advances on these issues are slow and erratic as Member States are reluctant to cooperate in such sensitive matters that are perceived to be at the core of their national sovereignty.

Over the last decade, the Mediterranean has become a *choke point*<sup>73</sup> in terms of migratory pressure, particularly regarding irregular migrations. The geographic proximity between both shores potentiates these flows and the Mediterranean is now one of the main migratory corridors, as we have seen on Chapter 2. The instability felt in the MENA region instigates these flows, while placing many security concerns to the EU, which – along with other factors – has led to a gradual connection between migration and security issues in the political agenda.

In this sense, many studies have focused on the security logics of the EU immigration and asylum policies, emphasizing its growing securitisation (See D'Appollonia, 2012; Guild, 2003; Huysmans, 2000, among others). Many argue that this securitisation is the result of "(...) the blurring of this distinction between internal and external security. Criminal threats, including terrorism and illegal immigration, were constructed as security issues with both internal and external dimensions"

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<sup>73</sup> This concept is usually used in military strategy or in transport geography to refer to a strategic point or a geographical feature that limits the capacity of circulation and cannot be smoothly bypassed.



(D'Appollonia, 2012, p. 56), as those issues become security problems. Others, however, claim that, contrary to the American case,

(...) [i]nitial attempts to construct a causal linkage between irregular entry, illegal migration, and terrorism proved impossible to sustain. A combination of cognitive constraints and conflicting political interests in the area of migration served to impede initial attempts at securitization, at least in the case of migration control policies (Boswell, 2009, p. 105).

Within the Mediterranean context, discourses emphasise the dialectic between irregular migrations and the safeguarding of migrants' human rights. On the one hand, irregular migrations are often conceived by stakeholders as a threat to European stability and security, which leads to the adoption of deterrence strategies. On the other hand, civil society organisations and governments, to some extent, centre their concerns on the preservation of migrants' human rights and on guaranteeing their safety, within the concept of human security. Therefore, as highlighted by Lutterbeck (2006, p. 64) "(...) the main imperative is not to curb migration by all possible means but rather to prevent the loss of life in the Mediterranean, protect the migrants against the human smugglers and ensure the rights of genuine refugees". However, the EU has struggled to find a balance between these two dimensions.

To face the increasing migratory pressure in the Mediterranean the EU has increased its efforts at policing the Mediterranean border. Thus, border management has become a priority strategy in terms of migration management. The current migratory crisis has revealed the EU's weaknesses regarding the management of migration flows and the deficiencies of its legal framework on migration, borders and asylum. Furthermore, the EU's actions have been criticised by many (namely civil society organisations and academics) for its focus on security measures, specifically in terms of border management, claiming that the securitisation of migrations is not the answer to the crisis. In this sense, given the current reality, it is of great importance to assess if there has been really a securitisation of migrations, particularly in the Mediterranean region.

It is possible to discern three different moments that could have posed an existential threat and triggered the securitisation of migrations in the EU. The first would be the September 11<sup>th</sup>, 2001, and the association of Muslim migrants with terrorists; the second momentum takes place in 2011 with the Arab Spring, with a feeling of insecurity regarding migratory movements spreading through frontline Member States; and the third moment, is the current migratory crisis (which we place

between the end of 2013 and present day), when the increase of deaths in the Mediterranean shores and an unprecedented number of irregular migrants (mostly refugees) reaching the EU's territory, prompted the adoption of an emergency action. In the end, we claim that the first two moments represent small moves towards securitisation, however there has only been a securitisation of migrations in the EU with the current migratory crisis.

This chapter examines the EU's political practices, regarding migration management in the Mediterranean, as well as the narratives used, to assess if there has been a securitisation of migrations over the last decade<sup>74</sup>. Furthermore, this analysis allows us to conclude that the EU does not have a coherent and solid framework to manage migrations, rather a set of instruments spread across different policy areas, based on minimum denominators. Furthermore, although freedom of movement has become one of the EU's fundamental pillars, consequently increasing the importance of external borders, the EU lacks a coherent border policy, which jeopardises the safeguarding of the Schengen area.

### **3.2. IMMIGRATION AS A SECURITY THREAT TO THE EU**

The perception of migrations as a threat to security articulated by politicians and stakeholders, security agencies and the media, involves a symbolic process and the production of a corpus of rhetorical arguments, which Ceyhan and Tsoukala (2002, pp. 23-24) have divided into four main axes:

1. A socioeconomic axis, which associates migrations with unemployment, the rise of the informal economy, the crisis of the welfare state and ghetto problems.
2. A security axis, which connects migrations with a control narrative that associates the issues of sovereignty, borders, and both internal and external security.
3. An identity axis, where migrants are considered to be a threat to the host societies' national identity and demographic equilibrium. And,

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<sup>74</sup> It is important to highlight that the focus will be placed on the actions rather than on the narratives or discourses on migrations, following the methodology defined on the introduction and on Chapter 1. Nevertheless, we will also briefly address the narratives used, in order to assess if there has been any significant change in the political discourse.

4. A political axis, which resorts to anti-immigrant, racist, and xenophobic discourses expecting to facilitate the obtaining of political benefits.

The definition of security priorities is essential for policy design. Thus, an analysis of the EU's main strategic documents allows us to understand the connection between security and migrations in the EU's lexicon, which translates into its policy making.

In this sense, since the beginning of the 21<sup>st</sup> century, the EU has adopted different security strategies in order to adapt to the new realities, taking into account the threats arising at that moment in time. Hence, the analysis of these documents is critical to understand the EU's priorities in the different moments.

In 2003 the Union adopted the *European Security Strategy*, which identifies five key threats to European security: terrorism, proliferation of weapons of mass destruction, regional conflicts, state failure and organised crime (European Council, 2003b). Under the threat of organised crime, it briefly addresses irregular migrations, along with drugs and arms trafficking, as part of the external dimension of organised crime. Furthermore, it focuses on the Mediterranean region as a neighbouring unstable area, which requires the Union's continued engagement, "(...) through more effective economic, security and cultural cooperation in the framework of the Barcelona process", in order to "(...) promote a ring of well governed countries to the East of the European Union and on the borders of the Mediterranean (...)" (European Council, 2003a, p. 8).

This document reflects the post-September 11<sup>th</sup> thinking, focusing on the threat of terrorism and cross-border organised crime. Yet, it already reflects the Union's concern over irregular migrations and stability in the Mediterranean area.

In 2008, the European Council issued a *Report on the Implementation of the European Security Strategy*, where it, once again, stresses the importance of the Mediterranean region:

The Mediterranean, an area of major importance and opportunity for Europe, still poses complex challenges, such as insufficient political reform and illegal migration. The EU and several Mediterranean partners, notably Israel and Morocco, are working towards deepening their bilateral relations (European Council, 2008, p. 7).

Given the changes the EU suffered in the first decade of the 21<sup>st</sup> century – such as the 2004 enlargement and the beginning of the economic crisis in 2007 –, as well as

the international system, and within the framework of the Stockholm programme, the European Council adopted in 2010 an *Internal Security Strategy* for the EU, which aimed to respond to “(...) both to the needs of citizens, and to the challenges of the dynamic and global twenty-first century” (Council of the European Union, 2010). The strategy defines a contemporary set of common threats to internal security, which are: terrorism, organised crime, cyber-crime, cross-border crime, violence itself and natural and man-made disasters. Some of these threats had already been outlined by the 2003 European Security Strategy – terrorism and organised crime – yet, new ones emerge as part of the new international order. Furthermore, the Union places a fresh focus on integrated border management, connecting it with the management of irregular migrations:

As well as tackling illegal immigration, integrated border management plays an important role in maintaining security. The integrated border-management mechanism must be reinforced in order, *inter alia*, to spread best practice among border guards. The feasibility of the creation of a European system of border guards must be explored on the basis of a prior analysis. Special emphasis will have to be given to the continued development of the European Border Surveillance System (EUROSUR) (Council of the European Union, 2010).

Nevertheless, as the European Commission highlights in the Memo (European Commission, 2010) released regarding the adoption of the *Internal Security Strategy*, the EU aims to apply the concept of integrated border management beyond the migration management strategy and adapt it to organised crime in general, as well as to reinforce Frontex’s contribution to internal security, through the implementation of EUROSUR. Despite this claim, although border management activities have an increasingly significant role in disrupting organised crime, this is still evidently a migration management tool.

Later on in 2010, the European Commission adopted the document *The EU Internal Security Strategy in Action*, which outlines a series of actions to bring the strategy into life. Under Objective 4, on strengthening security through border management, the Commission defined four main actions: exploiting the full potential of EUROSUR; enhancing the contribution of Frontex at the external borders; common risk management for movement of goods across external borders; and, improving interagency cooperation at national level. Once again, the Commission stresses the double purpose of integrated border management: “[i]n relation to movement of persons, the EU can treat migration management and the fight against crime as twin objectives” (European Commission, 2010, p. 11).

Finally, in 2015, the Union adopted the *European Agenda on Security*. This new agenda aims to be a ‘shared agenda’ between the Union and its Member States in the creation of an area of internal security. The EU outlines three common threats to its internal security: terrorism, organised crime and cybercrime. Furthermore, the link between border management, migrations and security is evident when stating that:

Common high standards of border management, in full respect of the rule of law and of fundamental rights, are essential to preventing cross-border crime and terrorism. The European Agenda on Migration will further address border management. The revised proposal on Smart Borders which the Commission intends to present by the beginning of 2016 will help increase efficiency and effectiveness (European Commission, 2015e, p. 6).

These three documents – the *European Security Strategy*, the *Internal Security Strategy*, and the *European Agenda on Security* – define the EU’s key priorities in terms of internal security, always taking into account the specific moment in which they are inserted. Still, it is clear the connection between security and migrations, depicting irregular migrations as a threat to security and emphasising the role of border management in the governance of migrations.

In this sense, the EU mainly focuses on irregular migrations as a threat to its internal security, despite the fact that, as we have seen in the previous chapter, it only represents a small part of the total migrations to the European territory. Furthermore, the repeated use of the word ‘illegal’ in the Union’s jargon to refer to these flows emphasises this representation of a threat.

Moreover, the September 11<sup>th</sup> emphasised, for the first time, the relationship between migrations, security and terrorism. The profile of the terrorist was quickly generalised by decision-makers. Although the perpetrators of the terrorist attacks in New York originated from the Middle East and the Gulf regions and belonged to a fundamentalist minority, there was no distinction between those and other economic migrants from North Africa, or other Muslim migrants living in Europe (Joffé, 2007, p. 159). Still, this generalisation of the migrants’ profile and association with that of an outsider, the ‘other’ who does not belong to the group, portrays migrations as a threat to societal security.

Furthermore, the current migratory crisis reiterated the connection with terrorism. Fears that jihadist terrorists could enter the EU’s territory using migration routes were confirmed after the Paris attacks on November 2015: “[t]wo of the terrorists

involved had previously irregularly entered via Leros and had been registered by the Greek authorities, presenting fraudulent Syrian documents in order to speed up their registration process” (FRONTEX, 2016b, p. 12).

To sum up, within the EU, migrations are mainly conceived as a threat to societal and internal security, particularly irregular migrations. Thus, this approach translates into the policy design in the field of migrations.

### **3.3. THE POLITICAL AND LEGAL FRAMEWORK**

#### **3.3.1. On the construction of migration policies**

Migratory policies establish a framework to regulate migrations within a certain territory. As Czaika and de Haas (2013, p. 489) put it: “(...) international migration policies are rules (i.e. laws, regulations, and measures) that national states define and implement with the (often only implicitly stated) objective of affecting the volume, origin, direction, and internal composition of immigration flows”.

Nevertheless, migrations are also influenced by many policies that are not specifically considered to be migratory policies, but have somehow a direct or indirect impact on these (such as asylum, economics, health and so on). Hence, migration policies comprise a set of migration and non-migration policies (Czaika & de Haas, 2013, p. 489). This is very clear in the EU’s case. The EU’s immigration policy involves a range of policies and norms, as we shall see in this chapter, from the Common Immigration and Asylum policy, to Border Policy or even the CFSP (Common Foreign and Security Policy). This requires a comprehensive approach, as often called by the EU, in order to give coherence to such a wide policy area.

Since it is difficult to draw a clear line between what is and what is not migration policy, “(...) the only practical yardstick to define immigration policy is by the mostly implicitly stated objectives of policies on paper” (Czaika & de Haas, 2013, p. 489). Nonetheless, it is important to highlight that the real aim(s) of a certain policy might not always be truly reflected on paper, often for political reasons.

The field of migration studies has matured over the last decades and a new line of studies emerged with the development of a common immigration policy within the European context. In this sense, scholarship on the EU’s migratory policy focuses on

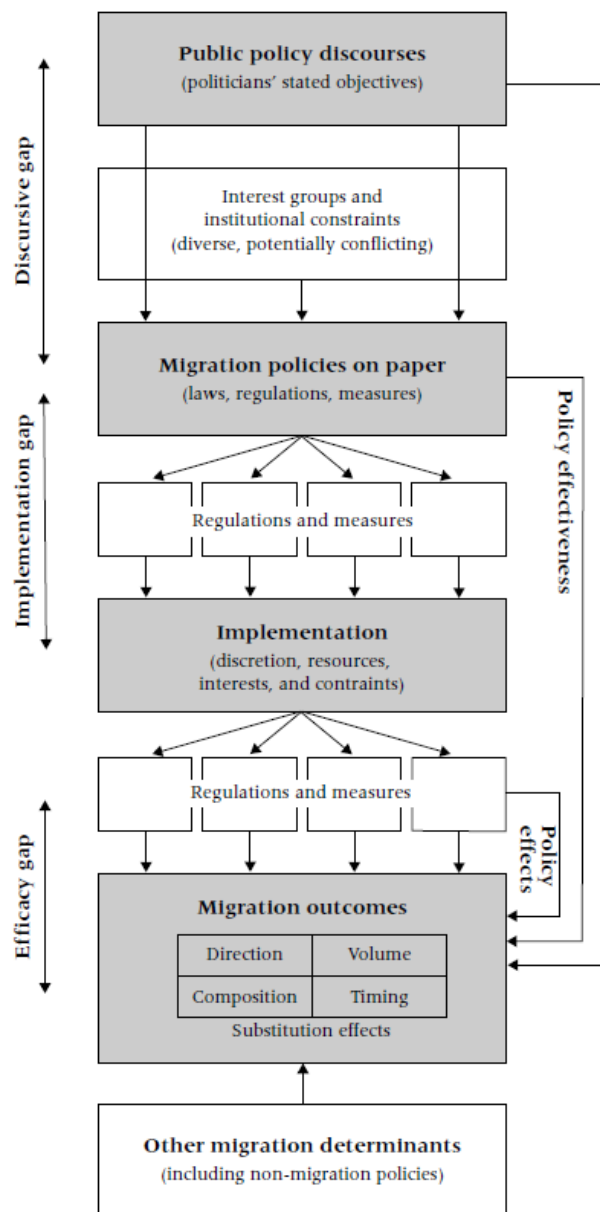
“the analysis of its dynamics, its impact on policy, on migration patterns and migrant incorporation” (Lahav & Guiraudon, 2007, p. 2), based on a broad approach to both national models and the construction of an European one.

Nevertheless, over the last decade, the theoretical debate has focused on the States’ capacity to ‘control’ international migrations. Hence, the ‘effectiveness’ of migration policies has been broadly contested by scholars, who argue that these policies have often failed to achieve its goals (Czaika & de Haas, 2013, p. 487). This gap between migratory policies and their outcomes is called the ‘gap hypothesis’ (Lahav & Guiraudon, 2007, p. 3).

As highlighted by Lahav and Guiraudon (2007, p. 4), several contributions have addressed the relationship between policy outputs and policy outcomes, examining policy implementation and other external determinants in the migration process. However, a recent study from Czaika and de Haas (2013, p. 488) identifies a set of different gaps within the ‘gap hypothesis’ (Figure 3.1): the *discursive gap*, which are the differences between public discourses and policies on paper; the *implementation gap*, the discrepancies between policies on paper and their implementation; and the *efficacy gap*, how implemented policies affect migrations.

These gaps, together or on their own, influence the policy outcomes. Furthermore, the study also highlights the role that external migration determinants play in migration outcomes. Thus, factors such as education, economics or political conflicts also shape the migration process, highly influencing the outcomes of migration policies (Czaika & de Haas, 2013, p. 505). We should take this into account when analysing the EU’s answer to the current migratory crisis.

**Figure 3.1. Conceptual Framework of migration policy effects and effectiveness**



Fonte: Czaika & de Haas, 2013, p. 495

### 3.3.2. The guiding principles

The constant struggle between national and supranational forces in the European integration process spills over to the designing of border and immigration policies. The development of European policies on mobility, has been slow and complex, marked by improvements and retreats and by intergovernmental and supranational (communitarian) dynamics.



The notions of responsibility and solidarity are fundamental to the development of a comprehensive management of migrations and asylum. Nevertheless, the EU has struggled to find a balance regarding the sharing of responsibilities in dealing with these issues. The emphasis so far has been placed on the concept of ‘burden-sharing’, which is criticised by many for emphasising the ‘burden’ refugees and asylum seekers place to host societies: “[t]he term ‘burden-sharing’ is often used to reflect the way the debate about the perceived and real inequalities in the distribution of costs that accrue when dealing with displaced persons and refugees has been conducted” (Directorate General for Internal Policies, 2010, p. 26). Thus, Member States focus the debate on ‘burdens’ rather than on the principles of human rights and solidarity which should be the driving forces of migration and asylum issues. In this sense, many authors consider the term ‘responsibility-sharing’ to be more effective than ‘burden-sharing’ (Directorate General for Internal Policies, 2010, p. 26).

Since the 1990s, the European debates have focused on the burden-sharing of refugees, which was codified in the Treaty of Amsterdam under article 73k, 2 d): “(...) promoting a balance of effort between Member States in receiving and bearing the consequences of receiving refugees and displaced persons” (Treaty of Amsterdam amending the Treaty on European Union, the Treaties Establishing the European Communities and Certain Related Acts, 1997 [hereinafter Treaty of Amsterdam]). Thus, this sharing of responsibilities in managing asylum flows should be more than a commitment of solidarity. It should also encompass the European guiding principles and values, as well as the respect for human rights. Within the European context, burden-sharing encompasses two dimensions. On the one side, there is the cost/benefit analysis developed by stakeholders, within a rational-choice perspective; on the other, the principles of ‘equity’ or ‘safeguard of the norm’ lead actors to share the norm, from a normative perspective (Wolff, 2008, p. 130).

However, the European solidarity has been driven by conflicting preferences between Member States. Hence, the management of migrations, particularly regarding the management of the EU’s external borders, faces a constant struggle between Member States’ different interests. In this sense, Southern and Eastern EU Member States which are confronted with irregular flows, insist upon the concepts of ‘burden-sharing’ and ‘solidarity’ when addressing migration management, while Northern Member States, which are often the final destination of refugees or asylum seekers, are

reluctant to provide financial resources or accept a higher number of refugees. Thus, Member States differ regarding the strategies to manage migrations, which directly translates into the development of borders, migration and asylum policies.

### **3.3.3. The communitarisation of migration issues**

Over the last decades, the EU has struggled to construct a common policy on migrations and asylum. In legislative terms we may identify three different moments which have strongly influenced the policy-making process in these fields, which are: (1) the Maastricht Treaty, in 1992; (2) the Amsterdam Treaty, in 1997-1999; and (3) the Lisbon Treaty, in 2009.

Until the end of the 1970s, European activity on immigration was very limited, since the priority was the process of economic integration (Lahav, 2004, p. 39). However, between the end of the seventies and the beginning of the nineties there was a flourishing *ad-hoc* cooperation regarding these issues, which translated into a growing politicisation of immigration and asylum. These subjects were then discussed within European intergovernmental fora – such as the Trevi Group or the Schengen Group. Such intergovernmental meetings already reflected Member States' attempts to control immigration through coordinated measures.

A first crucial moment is the Single European Act of 1986 which establishes, for the first time, the idea of free movement (of people, goods, services and capital). This document reinforces the economic goals of the Union and the free circulation of people emerges as its consequence, as a spill-over effect. Furthermore, with the establishment of the concept of 'European citizenship', European citizens who move within the Union's territory are no longer considered as immigrants; from now on, within the EU's terminology, the concept 'immigrant' refers to nationals of third countries.

In the early 1990s, the collapse of communism and the fall of the Berlin Wall led to the exodus of citizens from Eastern to Western Europe, many of whom resorted to asylum for the purpose of immigration (Lahav, 2004, p. 43). Hence, as a result of the needs felt by the Ministers responsible for the issue of immigration, the Dublin Convention was signed in June 1990, which sought to regulate the issues relating to refugee status.

The Maastricht Treaty, in 1992, aimed to harmonise matters of asylum and immigration and its external dimension, by integrating them for the first time in the European *acquis*. Nevertheless, by placing them under the third pillar, on JHA (Justice and Home Affairs), these issues were subject to an intergovernmental dynamic, as Member States were the ones responsible for decision-making and not the European Commission. Thus, given the sensitivity of these questions, decisions had to be taken unanimously by the Council (Treaty on the European Union (Maastricht text), 1992 [hereinafter Maastricht TEU]).

The last decade of the twentieth century was one of great migratory impetus, particularly to Southern European countries, as we have previously seen (see Chapter 2). However, the EU's approach to these subjects was still limited, based on a defensive attitude towards immigration issues. In this sense, the Treaty of Amsterdam aimed to give a new impulse to the Asylum and Immigration Policy by transferring part of these matters to the first pillar, in the period of five years. The Treaty instilled a supranational character to those policies and foresaw their communitarisation in the period of five years (Treaty of Amsterdam, 1997). However, even though they were considered common policies, these matters were still subject to the principle of unanimity – unlike all the other common policies –, and were not under the co-decision process, which gave them a hybrid character, since they were now considered common matters but were not subject to a truly communitarian process. Still, the increasing communitarisation of migration gave momentum to the security logic, leading to the institutionalisation of the security paradigm (Karyotis, 2007, p. 6).

The first decade of the 21<sup>st</sup> century was characterised by a deepening of the European integration process, which led to the signing of the Lisbon Treaty. The Treaty aimed to modernise and reform the Union, and brought improvements to the decision-making process. In this sense, the issues of borders, asylum and immigration are now under the 'shared competences' of the EU. Furthermore, these matters are now subject to the co-decision procedure and qualified majority voting (QMV), thus facilitating somehow cooperation on these matters (Consolidated Version of the Treaty on European Union, 2010 [hereinafter TEU post-Lisbon]).

To sum up, these different legislative dynamics – of harmonisation, attempt of communitarisation and shared competences –, along with internal and external factors, have conditioned the development of a legal framework on immigration, asylum and

border management. Thus, migration management in the Mediterranean reflects this constant struggle between a sovereign field of action and a gradually more supranational issue.

This tension between sovereignty and communitarisation is increasingly felt in the design of a border management policy, and also impacts on migration management in the Mediterranean, since Member States consider control over their borders as a sovereign prerogative. Nevertheless, with the creation of an AFSJ (Area of Freedom, Security and Justice), the management of external borders has shifted into a common interest shared by all Member States.

The Lisbon Treaty (TEU post-Lisbon, 2010) highlights the importance of the creation of the AFSJ, establishing on its article 3 (2) that:

The Union shall offer its citizens an area of freedom, security and justice without internal frontiers, in which the free movement of persons is ensured in conjunction with appropriate measures with respect to external border controls, asylum, immigration and the prevention and combating of crime.

In this sense, the AFSJ perpetuates the dilemma between emphasising the preservation of internal security while respecting and advocating human rights. As we shall see, there is a constant conflict in the EU's decision-making process between these two concepts: security and human rights. Therefore, the efficient management of borders is a priority issue in the political agenda of the European countries, as the maintenance of border controls is essential to preserve the EU's internal security.

### *3.3.3.1. Legal migrations*

Tampere is a milestone within JHA issues, namely regarding the Common Migration and Asylum policy, as it gave a new impulse to the improvement of these policies at the European level. After its integration within an intergovernmental basis with the Maastricht Treaty, the Treaty of Amsterdam had given it a new framework, under the first pillar. However, up until 1999, migrations still had a fragile policy framework in the European context. During the first decade of the 21<sup>st</sup> century, there was an acceleration of the process, at both the policy and institutional level. One of the reasons for this rapid expansion in migrations policy-making was the 2004 and 2013 enlargements, as thirteen new Member States entered the Union, which raised questions regarding, among others, border security capacity (Geddes, 2015, p. 76), as the Union's eastern border expanded and got closer to Asia.

The EU's immigration policy aims to establish a common framework to regulate legal migratory flows and migrants' integration in host societies (European Commission, 2015k). Various initiatives were adopted in the 2000s and a first significant step towards a common immigration policy was the presentation of a communication from the Commission on a "Community immigration policy" (European Commission, 2000), in 2000. This initiative suggested a common approach to migration management, taking into account the reception capacity of each Member State, the situation in the countries of origin and the need to develop specific immigration policies. At the Laeken Council, in 2001, in the aftermath of September 11<sup>th</sup>, Member States highlighted the need to develop a true immigration policy. In this sense, the Council's conclusions pinpointed the necessity to integrate the policy on migratory flows under the EU's foreign policy, thus considering the external dimension of JHA as an imperative to the development of a coherent immigration policy (European Council, 2001).

Given the fact that the core dilemmas of migration policy are still constructed in state-centred terms, the EU's action in terms of migration has been somewhat limited in scope and content, and has placed a greater emphasis on the regulation of the 'unwanted' flows, such as irregular migrations, as we shall see. As Geddes (2015, p. 75) highlights,

[t]he EU's approach has been largely driven by efforts to stem 'unwanted' forms of migration such as asylum-seeking and irregular migration. This focus has been developed in a political climate shaped by enlargement and associated fears of large-scale migration.

Thus, regarding legal migrations the EU has focused on giving a framework to economic migrations and on the management of certain categories of migrations, which are:

- (a) Family – the 2003 Directive on the right of family reunification (European Council, 2003b) regulates the conditions for the granting of family reunification of third country nationals. Following a report on the discretion of Member States when setting certain requirements, the Commission adopted in 2014 a Communication to guide the application of the 2003 Directive (European Commission, 2003).
- (b) Long-term residents – the status of long-term residents is granted to those third-country nationals who have lived in a EU Member State for an

interrupted period of five years, dependent upon a set of requirements, as defined by the 2003 Directive (Council of the European Union, 2003).

- (c) Students and Researchers – the EU regulates the conditions of admission for the purposes of study, students exchange, voluntary service and non-remunerated training, through the Directive adopted in 2004 (Council of the European Union, 2004a).
- (d) Workers – the Single Permit Directive (European Parliament, 2011a) adopted in 2011 grants migrant workers a set of rights; the Blue Card (Council of the European Union, 2009), adopted in 2009, aims to attract highly qualified migrants to EU Member States, facilitating their access to the labour market, through the establishment of common criteria; and, the Directive on seasonal workers (European Parliament, 2014) sets the condition of entry and stay of third-country nationals for the purpose of employment as seasonal workers.

Through a selectivity process, the EU aims to attract highly skilled migrations, rendering more competitiveness to Europe. Furthermore, it has also emphasised new forms of mobility, such as the temporary and circular migrations (Geddes, 2015, p. 75).

One of the keys to an effective and comprehensive migration policy is cooperation with countries of origin and transit. Thus, the GAMM (Global Approach to Migration and Mobility), adopted in 2005 and revised in 2011, is the “overarching framework of the EU external migration and asylum policy” (European Commission, 2015d), giving these policies an external dimension. The GAMM is based on the principle of solidarity and respect for human rights and has four priority axes: (1) organising and facilitating legal migration and mobility; (2) preventing and reducing irregular migration and trafficking in human beings; (3) promoting international protection and enhancing the external dimension of asylum policy; (4) maximising the development impact of migration and mobility (European Commission, 2011b). Thus, this approach provides an umbrella of dialogue and cooperation with third countries (non-EU countries) on migrations.

The European immigration policy also emphasises the dimension of integration in host societies. Integration is a crucial element of immigration, as a dynamic process of adaptation and interaction between the immigrant and host societies. In 2004, the EU defined the Common Basic Principles for immigrant integration (Council of the

European Union, 2004b), which provides a framework for policy-making on integration, based on a holistic approach. In 2005, the Commission adopted a Common Agenda for Integration (European Commission, 2005), which proposes action both at a national and local level. Later on, in 2011, the Commission reviewed and updated the Agenda, in line with the Stockholm Programme, focusing on the potential of migrations to build a competitive and sustainable economy and thus promoting an “effective integration of legal migrants, underpinned by the respect and promotion of human rights” (European Commission, 2011a).

### 3.3.3.2. *Asylum system*

Along with a common immigration framework, the EU has been committed to develop a Common European Asylum System (CEAS), establishing uniform standards and procedures and promoting refugees and asylum seekers’ rights.

Within the Schengen cooperation framework, “(...) asylum was considered part of the ‘compensatory measures’ necessary to safeguard internal security alongside the abolition of internal border controls” (Servent & Trauner, 2015, p. 36). The need for these compensatory measures is based in two axioms: on the one hand, the freedom of movement for asylum-seekers within the Schengen area; on the other hand, the adoption of more restrictive measures in one country could lead to a burden in countries with a more liberal regime (Servent & Trauner, 2015, p. 36). Thus, the EU aims to develop a joint approach to asylum in order to guarantee high standards of protection for refugees and asylum-seekers.

The Dublin System is the basis of the EU’s international protection system. It includes the Dublin Regulation (which has already suffered three revisions), which establishes common standards for asylum applications, and the Eurodac, a system for the exchange of information on asylum seekers. This system ensures that only one Member State (the country the person is first registered in) is responsible for the examination of an asylum process. Still, the extent of the current migratory crisis has led to the suspension of the application of this rule to Syrian refugees by countries such as Germany and Hungary, in an attempt to deal with the growing number of asylum seekers arriving to these countries. This has in part alleviated pressures on frontline

Member States such as Italy and Greece, as migrants were not being returned there for processing.

A second-generation of asylum laws was studied and negotiated beginning 2005, in order to move beyond the common minimum standards and achieve a fully harmonised asylum system. However, negotiations were long and the CEAS only came into reality by 2013 with the revision of:

- a) the Asylum Procedures Directive, of June 2013 (EU, 2013a), applicable since the 21<sup>st</sup> July 2015 – it sets clearer rules on asylum applications, so that procedures will be both faster and more efficient.
- b) the Reception Procedures Directive, of June 2013 (EU, 2013b), applicable since the 21<sup>st</sup> July 2015 – its aims to ensure better and more harmonised standards of reception conditions.
- c) the Qualification Directive, of December 2011 (EU, 2011), applicable since 21<sup>st</sup> December 2013 – it aims to improve the quality of the decision-making process, by clarifying the grounds for granting international protection, and ensures that beneficiaries of international protection are treated fairly and in a uniform way.
- d) the Dublin Regulation, of June 2013 (European Parliament, 2013), applicable since 1<sup>st</sup> January 2014 – in order to address situations of particular pressure in Member State's reception capacities and asylum systems. Dublin III aims to improve the efficiency of the system through a series of sound procedures for the protection of applicants.
- e) the Eurodac Regulation, of June 2013 (EU, 2013d), applicable since 20<sup>th</sup> July 2015 – it improves the functioning of Eurodac, established in December 2000 (European Council, 2000b), by ensuring full compatibility with the latest asylum legislation and opening it beyond asylum purposes, under controlled circumstances.

Furthermore, the European Refugee Fund is an important instrument of this policy, as it aims to increase solidarity between Member States and support countries which face larger flows of refugees.

The development of a comprehensive asylum policy should balance responsibility and solidarity, in order to create a true area of protection. Nevertheless, since the migratory crisis of 2015, the EU has struggled to find an equilibrium between



responsibility and solidarity while preserving its internal security. In fact, so far the EU, and its Member States, have struggled with over one million people – among refugees, asylum seekers, displaced persons and other migrants – that had reached the EU until the end of 2015 (European Commission, 2015i).

Nonetheless, with the European Agenda on Migration (we will focus more in depth on this Agenda later on) adopted in 2015, the EU has implemented different instruments in order to put solidarity into practice: funding through the Asylum Migration and Integration Fund and the Internal Security Fund; relocation<sup>75</sup>, distribution of asylum seekers and refugees that had already reached the EU between Member States; a resettlement<sup>76</sup> scheme for 20,000 displaced persons in need of international protection from the Middle East, North Africa and the Horn of Africa to the EU; and, the hotspot teams that aim to manage exceptional migratory flows, through the identification, registration and fingerprinting of incoming immigrants on countries of origin or transit, and the implementation of relocation schemes (European Commission, 2015g).

Furthermore, the EU has adopted and put into practice a set of instruments in order to help not only countries of origin, but also transit countries. In this sense, it has provided humanitarian funding to transit countries such as Turkey, Libya, and also Eastern European countries; it has also provided humanitarian aid to countries of origin, including Syria, Iraq, Afghanistan, Pakistan, the Horn of Africa and the Sahel; and, it put the EU Civil Protection Mechanism at the disposal of Member States and neighbouring countries to coordinate the delivery of immediate support material (European Commission, 2015i).

### *3.3.3.3. Irregular migrations*

A crucial dimension of migratory management in the EU is to deal with irregular migrations and trafficking of human beings. It is important to highlight the wording used by the EU when approaching these questions. The EU applies the concept of

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<sup>75</sup> Within an European approach “[r]elocation is the transfer of persons who are in need of or already benefit from a form of international protection in one EU Member State to another EU Member State where they would be granted similar protection” (European Commission, 2015j).

<sup>76</sup> Within an European approach “[r]esettlement is the transfer of non-EU national or stateless persons who have been identified as in need of international protection to an EU state where they are admitted either on humanitarian grounds or with the status of refugee” (European Commission, 2015j).

‘illegal immigration’ to refer to irregular immigrants, a concept that, as we have seen in Chapter 1, enshrines a negative connotation. Interesting enough this lexicon changes with the EU-Turkey Agreement, signed in March 2016, where the Union uses the concept of ‘irregular migrants’ for the first time. Furthermore, it uses expressions such as ‘combat’ and ‘fight’ ‘illegal immigration’, rather than ‘tackle’ or ‘deal with’, which emphasise the sense that irregular immigration is a threat to the EU. Furthermore, the wording used in the EU’s main documents persistently echo the link between immigrants, refugees, asylum seekers and terrorists.

This connection between human mobility and terrorism is very clear in the first documents adopted after September 11<sup>th</sup>. In this line, the Laeken Declaration clearly states that a “[b]etter management of the Union’s external border controls will help fight against terrorism, illegal immigration networks and the traffic in human beings” (European Council, 2001). The perception of a common threat to the States’ internal security increased the EU’s response capacity regarding JHA (Justice and Home Affairs) issues. Thus, the need to reinforce the Union’s answer in terms of counter-terrorism led to the adoption of several measures, some of them which had been previously foreseen but that the States were reluctant to adopt, namely in terms of judicial and police cooperation and enforcement of border controls.

Nevertheless, it would be wrong to consider that there was a securitisation of the immigration policy after September 11<sup>th</sup>. Instead these attacks created momentum to adopt measures that increasingly related immigration and security, but that were already on the negotiations table, as we have argued in “The European Immigration Policy: An Instrument Against Terrorism?” (Ferreira, 2010).

In June 2002, the EU adopted a *Proposal for a comprehensive plan to combat illegal immigration and trafficking of human beings* (European Commission, 2002b), thus placing the governance of irregular migrations under a legal framework. Relations with third countries, a pre-frontier approach and readmission and return policy are some of the main dimensions of the phenomenon, which require EU’s action. Nevertheless, this should be done in balance with “the decision whether or not to allow third-country nationals into the EU and the obligation to protect those genuinely in need of international protection (...)” (European Commission, 2002b).

The increase of irregular flows from 2004 onwards and the growing violations of migrants’ human rights, as they are more exposed to life-threatening risks, requires a

stronger answer from the EU in this field. This has been done on different but complementary areas, such as the improvement of external border controls, the consolidation of a more humane and effective return and readmission policy, the sanctioning of workers who hire irregular labour workers, and also the adoption of an action plan against migrant smuggling.

The EU considers that “[a] key pull factor for illegal immigration into the EU is the possibility of obtaining work in the EU without the required legal status” (European Parliament, 2009). Furthermore, this also enables the exploitation of migrants. Thus, the Union has focused on the sanctioning of employers who hire irregular labour workers, through the adoption of the Employer Sanctions Directive (European Parliament, 2009), which establishes preventive measures and stricter rules, in order to protect workers while establishing penalties to employers who hire irregular migrants.

The development of a “humane and effective return policy”, as the European Commission calls it, which respects the EU Charter of Fundamental Rights and the principle of voluntary return, aims to harmonise national efforts on return and readmission, through the adoption of common standards and procedures. The so-called Return Directive (European Parliament, 2008) establishes common rules for the return of irregular migrants, while guaranteeing the protection of migrants’ human rights and fundamental freedoms. Nevertheless, it has been much criticized by academics, NGOs and other stakeholders, since it “(...) falls short of a principled policy on the return of migrants, which fully respects their dignity and human rights. Measures, such as prolonged pre-removal detention and a ban on re-entering the EU have attracted the strongest criticism” (Baldaccini, 2009, p. 114).

Cooperation with third countries, particularly with migrants’ countries of origin, is essential to develop an effective return strategy, not only to readmit their nationals but also to identify them. In this sense, the EU already has 17 readmission agreements in force and several others under negotiation. Of particular interest to the Mediterranean region are the agreements signed with Morocco in 2000, Turkey and Algeria in 2002, and Tunisia in 2014 (European Commission, 2015h). These agreements aim to increase the low level of cooperation of some third countries when it comes to identifying and admitting their own nationals.

The improvement of external border controls is an essential dimension to the management of irregular migrations, which we will develop in depth later on this

chapter. Still, we need to pinpoint some core ideas. Although the images of sinking boats and dead people at sea symbolise a human tragedy and increasingly more people have taken these routes in the last couple of years, however (as we have seen in Chapter 2), most irregular migrants enter the EU's territory on a legal status and later on fall in situations of irregularity, the so-called overstayers. In this sense, the Union has focused its efforts not only on reinforcing border controls as a means of deterrence, but also on developing an IBM (integrated border management), strategy to have a more effective management strategy of its borders, in terms of identification and control.

To sum up, the EU's action to deal with irregular flows focuses on two main dimensions: deterrence (through tougher border controls and sanctioning of employers) and return and readmission policy.

#### **3.3.4. Border management: the creation of 'Fortress Europe'?**

The removal of internal borders and the freedom of movement in the EU has led to an increasing cooperation regarding border issues, to ensure a higher level of security within the internal area. Thus, Member States share responsibility on the management of the common external borders.

The EU's border policy has been trapped between different agendas that have dictated its development. In the seventies, changes in patterns of immigration and contentions between Member States over these issues highlighted the need to reaffirm borders as classic structures of power. However, at the same time, with the increasingly interlinked economies of the European Community, borders were seen as an obstacle to trade and exchange. These clashing perspectives were appeased with the removal of internal border checks for EU citizens, which helped the construction of a border-free Europe. In the late eighties and nineties, border cooperation became a means to complement ongoing border controls rather than to replace them, in line with a policy orientation towards policing and irregular migrations. Thus, as highlighted by Parkes (2015, p. 55), "[f]rom early on in the Schengen cooperation, therefore, the rationale to maintain a high level of border control even within a supposedly European border-free zone has been powerful". In the late nineties, tensions between a restrictive versus a liberal approach to JHA issues translated into the restrictiveness of external border

policies, with the creation of the Schengen area, supporting the image of a ‘fortress Europe’ (Parkes, 2015, pp. 54-55).

Furthermore, struggles between Member States’ perspectives have also had a huge impact in the policy making of the EU border policy, as:

Northern European states are keen to create a framework that gives them greater oversight of southern Europeans’ border standards, and thus support a supranationalisation in the control of external borders and an improvement in standards. Meanwhile, southern member states are keen to use the EU to secure support and solidarity from northerners when they are facing an influx of immigrants. They thus are wary of the discretion still available to northerners simply to reintroduce national border controls and shut themselves off from problems in the Mediterranean (Parkes, 2015, p. 56).

Regarding the functional dimension of the EU’s border policy, it combines hard (such as the Schengen border code) and soft mechanisms (for example, the EU Schengen Catalogue of Best Practices and Recommendations). Likewise, at the operational level, it ranges from hard (cooperation between Frontex and other agencies) to soft or *ad hoc* systems of collaboration (discretion of authorities to call for support) (Parkes, 2015, p. 60).

The development of a common border policy is an essential component of the AFSJ, given the importance of border management on protecting and guaranteeing internal security. Thus, the EU considers that “[b]order control should help to combat illegal immigration and trafficking in human beings and to prevent any threat to the Member States’ internal security, public policy, public health and international relations” (European Parliament, 2006, (6)).

The first step taken towards a common external border management policy, was given with the signing of the Schengen Agreement<sup>77</sup> in 1985 (Convention implementing the Schengen Agreement, 1985), and the consequent elimination of internal borders. Nevertheless, this was a slow process that only came into reality in 1995.

The Schengen area, also known as ‘Schengenland’, currently comprises 26 European countries, which includes most EU Member States and third countries (Iceland, Norway, Switzerland and Liechtenstein). However, there are some exceptions in what concerns the abolition of the internal border controls, namely the United Kingdom (UK) and Ireland’s opt in clause in JHA issues and Denmark’s opt out clause. Thus, the UK and Ireland may choose if they want to adopt and apply measures under Title V, with regard to JHA matters. Although both countries have signed the Schengen

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<sup>77</sup> The Agreement was first signed by five of the then ten Member States: Belgium, France, West Germany, Luxembourg and the Netherlands.

Agreement, they may take part in some or all the provisions of the Schengen *acquis*. In this sense, they do not participate in border controls matters. As for Denmark, the “Protocol on the position of Denmark” (Treaty of Amsterdam, 1997), establishes that Denmark does not take part in the adoption of measures under Title IIIa of the TFEU, and with regard to the Schengen *acquis* it can decide whether or not to implement it. These clauses condition the decision-making process in matters of border and migration management, thus jeopardising the policy development and creating policies with different speeds, as some Member States only take part in some steps of the process.

Cooperation between the signatory states within the Schengen area and the EU to control and manage external and internal borders requires a common framework that establishes common criteria, regulations and instruments. Hence, the Schengen Borders Code (European Parliament, 2006), adopted in 2006, governs the crossing of borders and checking of persons. This common corpus of legislation that regulates the crossing of external borders and conditions of entry, border checks, border surveillance and the crossing of internal borders, is one of the main features of a common policy on the management of external borders.

#### *3.3.4.1. Integrated Border Management*

The Schengen Borders Code includes a clause that allows signatory states to reinstate temporary border checks on internal borders (European Parliament, 2006, Chapter II). This safeguard clause can only be implemented when “(...) there is a serious threat to public policy or internal security (...)” (Art. 23, No. 1). Despite the reintroduction of border controls on particular moments, such as sports events or international summits, Member States have adopted this clause to face crisis situations. In this sense, in 2011, the reintroduction of internal border controls on the border between France and Italy, as France feared the arrival of hundreds of irregular migrants from Tunisia that had reached Italian shores, led to diplomatic tensions between Paris and Rome. Later on, in 2015, in the middle of the migratory crisis, Germany, the main destination country for migrants seeking international protection in the EU, also restored its internal border controls as a way of protesting against the management of these flows. The provisional reestablishment of internal borders to face a migration crisis, such as the ones in 2011 and 2015, has led to the questioning by many (Heads of

State and governments, stakeholders, or academics) of the EU's capacity to manage its external borders.

In this line, the Commission adopted a communication entitled *Towards integrated management of the external borders of the Member States of the European Union* (European Commission, 2002a), in order to develop a common policy on the management of external borders, which should include short- and medium-term measures, thus taking the first steps towards an integrated border management. The Plan contains the five main components that guide a common integrated border management approach: 1) a common corpus of legislation; 2) a common coordination and operational cooperation mechanism; 3) common integrated risk analysis; 4) staff and interoperational equipment; and 5) burden-sharing between Member States.

Furthermore, a series of measures at the operational and legislative levels have been adopted to create this IBM system, namely: the establishment of the Frontex Agency (2004), the Schengen Borders Code (in 2006 and reviewed in 2013 and 2014), as well as the creation of an External Borders Fund (in 2007).

IBM encourages cooperation between Member States' agencies responsible for border management and control. Although Member States maintain control over their own borders, this framework enhances cooperation and harmonization of practices and exchange of information between the different agencies. Thus, IBM is a "second layer of integration added to the basic practices of border management by states" (Marenin, 2010, p. 23).

One of IBM's main challenges concerns the integration of information systems. This has recently become true with the development of EUROSUR – a platform designed to share real-time border related data. This IT (Information Technology) system allows a permanent and in real time surveillance of the EU's external border. The following step might be the harmonisation of the national systems of border control and surveillance, so that they may all be integrated.

In 2008, the initiative *Next steps in border management in the EU* led to the proposal of a 'Smart Borders' package in 2013. According to the Commission "[i]t aims to improve the management of the external borders of the Schengen Member States, fight against irregular immigration and provide information on overstayers, as well as facilitate border crossings for pre-vetted frequent third country national travellers"

(European Commission, 2014c). The testing phase has taken place in 2015 in twelve countries and during 2016 the Commission intends to revise a legislative proposal for Smart Borders. This project reflects the EU's commitment to move towards more modern and efficient border controls through the use of state-of-the-art technology.

The EU's visa policy, which regulates the entrance of legal visitors in the EU, including entrance requirements, visa reciprocity and visa facilitation agreements (European Commission, 2015h), promotes the efficient working of the Schengen area. Thus, the EU has defined a common list of countries whose nationals must have a visa when crossing the external borders and a list of countries exempt from that requirement, thus smoothing the crossing of external borders.

Cooperation with EU's neighbouring countries in terms of intelligence gathering and operational capacities is an important dimension of the management of external borders. In this sense, pre-frontier intelligence gathering aims to "(...) provide the national coordination centres with effective, accurate and timely information and analysis on the pre-frontier area" (EU, 2013c, Art.11). Operational cooperation between Member States and third countries takes place at both bilateral and multilateral levels, through joint operations, often coordinated by Frontex. This cooperation with third countries has led to the externalisation of the external borders, as non-EU countries have an increasingly important role in the management of flows and border controls, within their own territories to assist the EU.

The costs of border management are very high, particularly for those who experience more migratory pressure at their borders. Thus, the EU has created the External Borders Fund and the Internal Security Fund to support the management of external borders and the improvement of the operational and human capacity. Another source of sustenance is the EU's security research programme, which encourages research on border security, with a long-term perspective.

#### *3.3.4.2. The institutionalisation of border management*

The creation of the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union – Frontex – in 2004 represents the institutionalisation of the European border management policy. The Agency was created to coordinate the national efforts of



Member States regarding border management, as established under number (4) of the Council Regulation establishing Frontex (Council of the European Union, 2004c):

The responsibility for the control and surveillance of external borders lies with the Member States. The Agency should facilitate the application of existing and future Community measures relating to the management of external borders by ensuring the coordination of Member States' actions in the implementation of those measures.

Still, Member States retain some safeguards and control mechanisms in terms of border controls, as border issues are closely linked to States' sovereign prerogatives. Nevertheless, since membership of Frontex is voluntary, and not mandatory, given the opt-in and opt-out clauses, the UK, Ireland and Denmark do not have to participate. Interesting enough, the UK has been very active in terms of participation in Joint Operations (see Frontex missions in the Mediterranean – Annex III).

However, an important element in the management of the external borders is the principle of burden-sharing, as Member States try to push forward their own interests in the development of a common strategy. Hence, given the reduced budget (which has increased over the years) and staff, as well as the deployment of assets by Member States, the Agency has to prioritise in terms of actions.

Thus, Frontex is the institutional figure that manages the free movement of persons within the EU's AFSJ, while it ensures the integrated management of borders, through the establishment of common rules and procedures. Between its main tasks Frontex has to: (a) coordinate operational cooperation between Member States regarding the management of external borders; (b) assist Member States on training of national border guards; (c) carry out risk analyses; and, (d) participate in the development of research relevant for its mission (Council of the European Union, 2004b, Art. 2). Furthermore, its Regulation was revised in 2007 to include Rapid Intervention Teams to "(...) assist Member States in circumstances requiring increased technical and operational assistance at the external borders, especially those Member States facing specific and disproportionate pressures" (European Parliament, 2007), and it was last amended in 2011 with Regulation (EU) No. 1168/2011 (European Parliament, 2011b).

Frontex should develop its missions and activities in compliance with the Charter of Fundamental Rights of the European Union, respecting fundamental rights, as established under number (22) (Council of the European Union, 2004a). The respect for fundamental rights was endorsed by its Fundamental Rights Strategy, adopted in

2011, which stresses that “Frontex considers that respect and promotion of fundamental rights are unconditional and integral components of effective integrated border management” (FRONTEX, 2011b). This strategy defines the principles that shall guide the operations and activities developed by the Agency and that are implemented through the adoption of an Action Plan, as foreseen by the Strategy. When defining the operationalisation of these principles in the deployment of Joint Operations it stresses that

[a]ny Frontex JO is based on risk analysis of the situation at the EU external borders. (...) specifically **take into consideration the particular situation of persons seeking international protection**, and the particular circumstances of **vulnerable individuals or groups** in need of protection or special care (...) (FRONTEX, 2011b, No 14).

Frontex incorporates the idea of IBM as defined in the Laeken Summit (European Council, 2001), as part of its comprehensive approach to border management. Thus, the Agency has established a set of common working principles (such as the Code of Conduct for Return Operations) and offers a variety of training resources to the security forces involved, in order to enhance cooperation among the different agencies and Member States.

In order to secure the external borders and assess the different threats to its borders, Frontex has developed a set of operations, based on its own risk analysis. These operations range from Joint Operations (which can be of three types – sea, land and air), to return or even rapid intervention operations. Furthermore, it is important to stress that the missions and activities developed by the Agency complement national border management strategies, but do not replace them, as Member States have the primary responsibility on border controls. In this sense, it has its own budget and staff, but not its own operative personnel nor equipment (for example, vessels or helicopters) to carry out its border control operations, which requires the contribution and collaboration of Member States.

One of the main challenges Frontex currently faces is the management of irregular migrations, mainly on how to deal with irregular flows in different fronts and with different characteristics. Another challenge, which is of great concern to us, is the respect for human rights obligations and to guarantee humanitarian support while maintaining border security. Hence, critics to the Agency focus on issues of human

rights' protection, push-backs and compliance with the principle of *non-refoulement*<sup>78</sup>, cooperation with third countries with non-democratic regimes (such as Libya, or even Morocco), as well as the development of operations that do not align with European values (Katsiaficas, 2014, pp- 12-16). In this sense, the 2011 amendments to the regulation aimed to revise some of these critics, namely in terms of fundamental rights and the right of *non-refoulement*.

Another criticism is its focus on deterrence and prevention of irregular migrations, as opposed to rescuing migrants in distress at sea. A clear example of this was the shipwreck of a vessel with over 700 people in April 2015, which operation Triton could not avoid, as well as the increasing number of reported deaths at sea in the period after the end of operation *Mare Nostrum* and when operation Triton was already in action.

It is interesting to stress that Frontex is the result of a low common denominator agreement to manage the EU's external borders, without having to adopt a more integrationist solution such as a European Border Guard, as firstly proposed by the Commission (Wolff, 2012, pp. 127-128). However, when approaching security forces responsible for border management and control, they consider the creation of such a body as an asset to a more effective border management policy<sup>79</sup>.

The increasing migratory pressure in 2015 led the European Commission to once again bring to the table the proposal of a European Border and Coast Guard, in order "(...) to ensure a strong and shared management of the external borders" (European Commission, 2015b). The establishment of this security body is part of the measures proposed under the European Agenda on Migration and, in the aftermath of the Paris attacks of November 2015, "(...) responds to the need to reinforce security controls at the EU's external borders (...)" (European Commission, 2015b). This body would have a rapid reserve pool of border guards and technical equipment, have a monitoring and supervisory role and the right to intervene.

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<sup>78</sup> The principle of *non-refoulement* is central to the international refugee and asylum law and is based on the impediment to return an individual to a territory where his/her life or freedom would be in distress (UNHCR, 1997).

<sup>79</sup> This was one of the conclusions we reached when interviewing officers from both Spanish and Portuguese authorities responsible for border management, as well as staff from Frontex, who have required anonymous status.

The question that now arises is if this project will also be abandoned or ignored, as the previous one, due to Member States political (un)willingness, and against security forces requests.

#### *3.3.4.3. Border surveillance and exchange of information*

Issues of identity control play an increasingly central role in tackling irregular migrations. The EU's border, asylum and immigration policies have developed a set of technological tools of control and surveillance, which are extremely useful to detect and identify citizens (Broeders, 2007, p. 87), mainly to deal with irregular border-cross movements. Nevertheless, we should take into account that an unregulated use of these systems might turn them into instruments of exclusion.

The image of the 'European Fortress' aims to describe a policy that seeks to limit entrances into the European area, through the strengthening of external border controls. Although the databases developed within the framework of migration and mobility aim to facilitate the control and surveillance of citizens, its inordinate use may create the image of a 'Panopticon Europe', that is, a Europe that controls its migrants in order to exclude them from its own territory.

With the terrorist attacks of September 11<sup>th</sup>, surveillance came up as a priority in the international agenda, as it allowed the identification and control of certain groups. The resource to new technologies, such as biometric data, became central to the creation of the AFSJ, in order to manage migratory movements (Aus, 2003, p. 4). With September 11<sup>th</sup>, the use of control and surveillance systems within border, asylum and immigration policies gained momentum. Given the constant technological developments, the use of new technologies of surveillance and control allows the drawing of profiles that exclude certain groups.

At the Laeken Summit, in December 2001, the leaders of the EU Member States advocated that "[b]etter management of the Union's external border controls will help in the fight against terrorism, illegal immigration and the traffic in human beings" (European Council, 2001). In line with the Laeken Conclusions of 2001, which called Member States to better manage the Union's external borders, taking into consideration transnational crime, terrorism, irregular migrations and human trafficking, the Council adopted in June 2002 a *Plan for the management of the external borders of the Member*

*States of the European Union* (Council of the European Union, 2002). This Plan focuses on the importance of border surveillance to better manage migratory flows:

The control and surveillance of borders contribute to managing flows of persons entering and leaving that area and help protect our citizens from threats to their security. Besides, they constitute a fundamental element in the fight against illegal immigration.

The EU has developed a set of information sharing and surveillance instruments that support and improve cooperation between Member States on border management. These surveillance systems use state-of-the-art technologies to create large-scale IT instruments, such as the SIS (Schengen Information System), the VIS (Visa Information System), and EUROSUR (European Border Surveillance System). These IT tools allow “(...) European authorities throughout the Schengen Area to efficiently share and use data necessary for the execution of their tasks” (European Commission, 2015c).

EUROSUR was established in 2013 in order to strengthen the exchange of information and the operational cooperation between national authorities and agencies and Frontex. This IT framework was designed to improve the management of EU’s external borders “(...) for the purpose of detecting, preventing and combating illegal immigration and cross-border crime and contributing to ensuring the protection and saving the lives of migrants” (EU, 2013c, (1)). Through EUROSUR, Member States have access to real time information, at a local and national level, on what is happening at the EU’s external borders, including illegal border crossings and criminal activity. Furthermore, the regulation foresees cooperation with neighbouring third countries, in particular in the Mediterranean region, at a bilateral or multilateral level, in compliance with the international law on fundamental rights, in order to improve information exchange, namely regarding pre-frontier intelligence (Art. 20). As for Denmark, the United Kingdom and Ireland, they do not take part in the dispositions of the regulation that regulate EUROSUR.

These databases and surveillance systems are crucial border control instruments in combating cross-border crime and tackling irregular migrations, as well as in the prevention of loss of lives at sea.

### **3.4. MANAGING MIGRATIONS IN THE MEDITERRANEAN**

#### **3.4.1. International and cooperation policies in the Mediterranean**

Over the last five decades the EU has focused its attention on and off its Southern neighbourhood, always conditioned by developments on its Eastern border. As we have seen in Chapter 2, this region presents great challenges to regional security, which particularly affect the EU. The Arab revolts of 2011 were a turning point regarding the relations of the EU and Southern Mediterranean Countries (SMCs), in a time of stagnation for the Euro-Mediterranean relations, to an increasing attention to the political and social stability of the region.

Cooperation between the two shores has taken place both at a regional and at a bilateral level, complementing or overlapping each other (take for instance the bilateral agreements between Spain and Morocco or between Italy and Libya). The Euro-Mediterranean relationship has gone through different phases since the seventies, marked by vicissitudes, due to internal and external factors that have conditioned the relations between Mediterranean countries, given the priority divergences between both shores of the Mediterranean. In this sense, while southern countries focus on issues of development and common dialogue, the northern ones focus on the control of migratory flows and management of irregular migrations. Thus, migrations and security have always been at the top of the EU's Mediterranean agenda.

In the nineties, geopolitical reconfigurations in the Mediterranean region – namely the creation of new States and the Gulf War –, called for the design of a new framework for Euro-Mediterranean cooperation<sup>80</sup>. Thus, the Euro-Mediterranean Partnership, also known as the Barcelona Process, was launched in 1995, aiming to form the basis of the Euro-Mediterranean Partnership, grounded on three main 'baskets': (a) political and security partnership; (b) economic and financial partnership; and (c) social, cultural and human partnership. Under this last dimension it emphasised for the first time irregular immigration, terrorism, drug trafficking, international crime and corruption (Final Declaration of the Barcelona Euro-Mediterranean Ministerial Conference of 27 and 28 November 1995 and its work programme, 1995 [hereinafter Barcelona Declaration]). Its strength lies on the 'global approach' adopted towards the

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<sup>80</sup> In 1972, the Global Mediterranean Policy (GMP) had been adopted, for the period 1972-1990, emphasising economic, social and financial cooperation; and the Renovated Mediterranean Policy (RMP) was adopted in 1990, including environmental protection and respect for human rights (Sánchez Monjo, 2006, p. 75).

region, “that binds together economic reform with development, cultural exchange with political dialogue, human rights with security, and in the conceptualisation of ‘comprehensive’ security that underpins the EMP” (Balfour, 2004, p. 3).

This was later endorsed by the adoption of the EU Common Strategy for the Mediterranean (European Council, 2000a) which aimed to revamp the Barcelona Process, by outlining its weaknesses and drawing recommendations, at a time of inertia due to the growing instability in the Middle East and the Second Intifada. Yet, it is only since 1999, with the adoption of the Tampere Program, that the Euro-Mediterranean framework acquires a JHA dimension, which enhances the ‘cooperative security discourse’ and gives JHA issues an external dimension (Wolff, 2012, p. 73). However, by 2002, at the time of the Spanish presidency, the process seemed on the verge of stagnation<sup>81</sup>.

Nevertheless, the EU’s enlargements in 2004 and 2007 and the consequent reconfiguration of the Union’s external borders called for a new tier on the cooperation strategy, which led to the creation of a new framework, the European Neighbourhood Policy (ENP), launched in 2004, that comprises both the eastern and southern neighbourhoods. One of the main strengths of the ENP is its focus on the harmonisation, or at least convergence, of EU’s rules and measures. Furthermore, it also includes a very strong JHA component. However, it is important to stress that while EU’s policies towards central and eastern Europe focus on the promotion of political and economic liberalisation, vis-à-vis the Southern neighbours it followed the Barcelona Process emphasis on the economic reform. However, it did not emphasise political change of the authoritarian regimes, as it did regarding former communist regimes (Emerson & Noutcheva, 2005, pp. 93-94).

The Arab Spring, however, created a unique political opportunity to the Mediterranean region and to Euro-Mediterranean relations, as the EU and most of its Member States focused their attention in the development of the region. In March 2011, the European Commission launched a communication entitled *A Partnership for Democracy and Shared Prosperity with the Southern Mediterranean* (European Commission, 2011d), which called for a new approach to the region, based on more differentiation (a more-for-more strategy). This led a review of the European Neighbourhood Policy, in that same year, in order to face the challenges of the changing

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<sup>81</sup> See Balfour (2004) for a critical assessment of the Barcelona Process.

political landscape in the Mediterranean. With *A New Response to a Changing Neighbourhood: Review of the European Neighbourhood Policy* (European Commission, 2011c), the EU aimed to strengthen the partnership with “(...) countries and societies of the neighbourhood: to build and consolidate healthy democracies, pursue sustainable economic growth and manage cross-border links”. Thus establishing the link between democracy-building and migration. The expectation was that with new stable democratic countries, migrations would be better managed and would decrease (Fargues & Fandrich, 2012, p. 5). However, the stability in the region kept on deteriorating, leading to uncontrolled migratory flows to the EU and highlighting the EU’s inability to deal with the migratory crisis.

In 2015, given the geostrategic changes in the Mediterranean region – with rising conflict, extremism and terrorism and a major refugee crisis, both at the southern and eastern borders – the Commission called for a new review of the ENP. This new revision aims to endorse more effective partnerships, through differentiation and a greater flexibility. Thus, “[t]he new ENP will seek to deploy the available instruments and resources in a more coherent and flexible manner”, while seeking “(...) a deeper involvement of EU Member States in re-energising work with our neighbours” (European Commission, 2015o).

The last step of this cooperation process was the creation of the Union for the Mediterranean (UfM), in 2008, under the French presidency. This intergovernmental organisation aimed to increase the role of public and private partnerships, however, it disclosed a fragile structure.

Moreover, there are several international *fora*, also involving the EU or some of its Member States, such as the Five Plus Five Dialogue, other from international organisations such as NATO (North Atlantic Treaty Organisation) or from international conferences, such as the Rabat Process and the Tripoli Process, both in 2006. They all focus on the Mediterranean and on the promotion of dialogue in matters of security and stability, regional integration and cooperation, economic, social and human solidarity.

But the Euro-Mediterranean partnership goes beyond these spheres of dialogue and has also acquired a dimension of convergence and integration between both shores. Migrations have become increasingly more complex and challenging over the last decades, not only for destination countries but also for countries of origin and transit, which has led to a growing process of convergence and unification of public migratory



policies from both sides of the Mediterranean. In this sense, SMCs have since 2005 started to progressively integrate European policy parameters under their own domestic migratory policies, particularly Morocco, Algeria and Tunisia (Wolff, 2012, pp. 74-75).

The 2000 *Common Strategy for the Mediterranean* (European Council, 2000a) is regarded as a strategic document for the Euro-Mediterranean strategy as “(...) it attempts to clarify the common interests of the EU Member states towards their Mediterranean partners” (Wolff, 2012, p. 77). It attempts to grant a JHA dimension to the Euro-Mediterranean relations regarding cooperation with third countries, providing a tool for collective action, and comprising the Euro-Mediterranean Association Agreements<sup>82</sup>. Following the Marseille Euro-Mediterranean meeting that aimed to reinvigorate the Barcelona Process in 2000, and taking into account the challenges placed by September 11<sup>th</sup> and the future enlargement of 2004, Member States agreed to launch a new phase of the Barcelona Process: “(...) to demand a renewed mutual commitment which will contribute to regional stability and peace and give a greater depth to the Euro-Mediterranean partnership” (European Council, 2002), at the 5<sup>th</sup> Euro-Mediterranean Conference of Foreign Ministers in Valencia, in 2002. The Action Plan adopted in Valencia included for the first time a JHA dimension, under the topic of “Political and Security Partnership”, which later became a separate ‘basket’ of the Barcelona Process, what some consider to be its ‘fourth pillar’ (Wolff, 2012, p. 79).

In 2005, in the wake of the terrorist attacks of Madrid and London, the MEDA Regional Indicative Programme 2005-2006 acknowledged the need to continue cooperation in terms of priority JHA external issues across the Mediterranean region, particularly regarding “(...) border controls, management of migratory flows, fights against terrorism, money laundering and promotion of an independent judiciary” (MEDA, 2005). Later on, in 2007, at December European Council, Member States called for a greater cooperation with third countries, as a vital element for well-managed migratory flows and the fight against irregular migrations. The Conference emphasised the role of border controls in a fluent and coherent management of migrations:

[t]he proper management of migration flows also requires work to be taken forward on the further strengthening of the integrated management of the external borders including addressing particular pressures faced by the Member States, while fully respecting all international obligations (Council of the European Union, 2007).

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<sup>82</sup> Association Agreements are international arrangements that the EU concludes with third countries, at a bilateral level.

The ENP ‘holistic security’ approach materialises JHA’s external dimension. In this sense, “[u]nder the ENP framework, security issues appear as issues of collective cooperation for the EU and its Member states” (Wolff, 2012, p. 81). Thus, JHA issues, namely terrorism, organised crime, legal and irregular migrations, are one of the core priorities of ENP action plans. By the end of 2015, the EU had signed action plans with 16 countries: Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Moldova, Morocco, Palestine, Syria, Tunisia, and Ukraine. These strategies are based on the differentiation principle, thus they are negotiated by country, reflecting each countries specificities.

Taking the example of Tunisia and Egypt, these are somewhat similar action plans that focus on priorities such as: political dialogue, reform and cooperation; protection of human rights; facilitating trade; cooperation in scientific research; and effective management of migration flows. However, while Egypt’s action plan focuses on the promotion of “(...) cooperation against organised crime, including trafficking in human beings, fight against drugs, fight against money laundering, and police and judicial cooperation” (European Union Council, 2007), Tunisia’s plan makes no reference to transnational crimes (Council of the European Union, 2005). Morocco is an exceptional case in terms of cooperation, as the country was granted a special status<sup>83</sup>, following the country’s demands for a deeper relationship with the EU. The ‘advanced status’ granted to Morocco is based on a mutual commitment to promote good governance, the rule of law and the respect for human rights. Morocco’s Association Agreement with the EU entered into force in 2000 and with the ENP action this SMC gradually became the largest recipient of European funds under this programme (European Commission, 2015e). Besides the fact that, as some authors’ have highlighted (Wolff, 2012, pp. 89-90), this ‘advanced status’ gives Morocco an opportunity to be differentiated from other Mediterranean countries, in the end it does not grant the country any strategic advantage in comparison to other ENP countries. Furthermore, this status has been granted despite Morocco’s constant human rights’ violations, which questions the EU’s interests on when or how to grant it.

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<sup>83</sup> In 2012, following Tunisia’s request, the EU and Tunisia came to an agreement to promote their relations to an advanced status, as the country was working towards creating more freedom and democracy (Wikileaks, 2013). However, the continuing instability in the country has led to the freezing of negotiations.

In December 2012 the European Commission released a Joint Communication entitled *Supporting closer cooperation and regional integration in the Maghreb: Algeria, Libya, Mauritania, Morocco and Tunisia* (European Commission, 2012), aiming to enhance cooperation between the countries of the Maghreb and the EU. It addressed different issues that may support this cooperation, including migrations and mobility. Considering that “[m]igration and mobility play a key role in the EU’s relations with the countries of the Maghreb” (European Commission, 2012), the document enunciated a number of proposals to address migratory management in the Mediterranean, such as (1) support legal migration schemes with the Maghreb countries; (2) promote regional cooperation in the field of border control and surveillance and fight against irregular immigration; (3) promote readmission cooperation with countries of origin; and, (4) assist the countries of origin in matters of asylum and international protection.

Despite a wide array of spheres of dialogue, or maybe because of it, Euro-Mediterranean relations constitute a blur between regional and bilateral, sometimes *ad-hoc*, cooperation. Rather than promoting political reform and the safeguard of human rights, the main focus has been in securing EU’s southern border, in containing migration and combating terrorism, often while cooperating with autocratic regimes. This highlights the paradox of EU’s Mediterranean policies, in order to avoid the spill-over effects of instability in the MENA region the EU has often supported the regimes that created that same insecurity (Balfour, 2004, p. 31).

So far, Euro-Mediterranean relations were mainly marked by stagnation due to internal and external factors that conditioned the relations between Mediterranean countries, as well as to priority discrepancies. As a result, the Euro-Mediterranean agenda has given priority to border management to contain irregular migrations and to combating terrorism, while political reforms and human rights were often put aside (Ayadi & Sessa, 2013, p. 1).

### **3.4.2. Critical moments require emergency actions**

The management of migrations in the Mediterranean is one of the main challenges that the EU currently faces. The intense migratory flows registered since the end of 2013 and that peaked in 2015 have put to test the mechanisms of the Union’s

immigration, border and asylum policies and its capacity to deal with a humanitarian crisis (see Annex I).

In recent decades, the Mediterranean Sea has become a graveyard for many who seek a safe haven in the EU, or who just seek a better life in this world of inequalities. The crossing of the Mediterranean Sea has become an increasingly perilous journey, particularly through the Central Mediterranean route, often with fatal consequences. This situation has registered a twist in 2013 and peaked in 2015, with instability in the MENA region fostering increased human mobility, often through new migratory channels operated by human smugglers and traffickers, leading to a growth in the number of people seeking international protection trying to reach the EU's shores.

The Arab Spring created a new feeling of insecurity in the EU, particularly among frontline Member States such as Italy, regarding a dramatic increase in migratory flows from the MENA region, especially from Tunisia and Libya. The exacerbated projections of massive arrivals to Southern European countries, augmented the feelings of insecurity among Europeans. Although at the time most of the projections were unfunded, they were a first sign of alert to the coming migratory crisis. In this sense, the Arab Spring presented a first test for the EU to find its voice in times of crisis (Ferreira, 2014a, p. 94).

The Arab Spring seemed to create a unique political opportunity to the Mediterranean region and to Euro-Mediterranean relations. At the time, the EU focused in a stronger cooperation between the two shores of the Mediterranean sanctioning the link between democracy-building and development with third countries (mainly through the adoption of a revised European Neighbourhood Policy), while focusing on the link between migrations and development (Ferreira, 2014b).

Furthermore, despite not coming up with a new approach to the management of migrations in the Mediterranean, most of the measures adopted emphasised the dimension of border controls and surveillance. In this sense, Frontex's budget was increased in order to implement new joint operations and reinforce risk analysis and intelligence gathering, and the last development and testing phases of EUROSUR were carried out, in order to implement the system by the end of 2013. Furthermore, the EU pressured transit and origin countries to sign readmission agreements, thus consolidating the movement of European border southwards. In terms of regular migrations, Mobility Partnerships were launched with partner countries (Tunisia,

Morocco, Jordan and Egypt) and the EU committed to support mobility of students and researchers through university scholarships and Erasmus Mundus (European Commission, 2011d, p. 7).

The Arab Spring exacerbated the feeling of insecurity among Europeans. The increased volatility of the region accentuated the migratory pressure and triggered two massive refugee crises in the Southern Mediterranean, Libya and Syria. Furthermore, the political and social tensions of the Arab Spring have shaken these States' economies, changing migratory patterns and challenging regional security.

The sinking of a vessel in Lampedusa in October 2013 (see Annex I) led to the implementation of a Task Force for the Mediterranean, which should propose guidelines and measures to better address migratory flows in this area and prevent deaths at sea (Council of the European Union, 2013). The Task Force identified five main areas of action, that should be assessed in the following months: strengthening cooperation with third countries; regional protection, resettlement and reinforced legal avenues to Europe; fight against trafficking, smuggling and organized crime; reinforcing border surveillance in order to enhance maritime situational picture and the protection and saving of lives of migrants in the Mediterranean; and, assistance and solidarity with Member States dealing with high migratory pressure. In terms of border surveillance, the goal was “(...) to have a comprehensive and coordinated approach to border surveillance operations led by Frontex in the Mediterranean (from Cyprus to Spain), focusing on the main migratory routes (...)” (European Commission, 2013). However, despite the Commission's commitment to implement the actions proposed, the ones taken were not enough to prevent the worsening of the crisis and the increasing loss of lives at sea.

The increasing migratory pressure lived in the Mediterranean since the end of 2013 became a pressing issue in the European agenda in April 2015, when a boat sank near the shores of Lampedusa (Italy) killing most of the 700 migrants on board. This humanitarian tragedy left the EU in a crisis mode. The following day, on the 20<sup>th</sup> April, the European Commission presented a ten-point action plan on migration, which defined immediate actions to be taken in response to the humanitarian crisis lived in the Mediterranean (European Commission, 2015f). Among the measures established, the most controversial one at the time was the proposal of a military action, inspired on the Atalanta operation, to tackle smuggling in the Central Mediterranean. Finally, in May

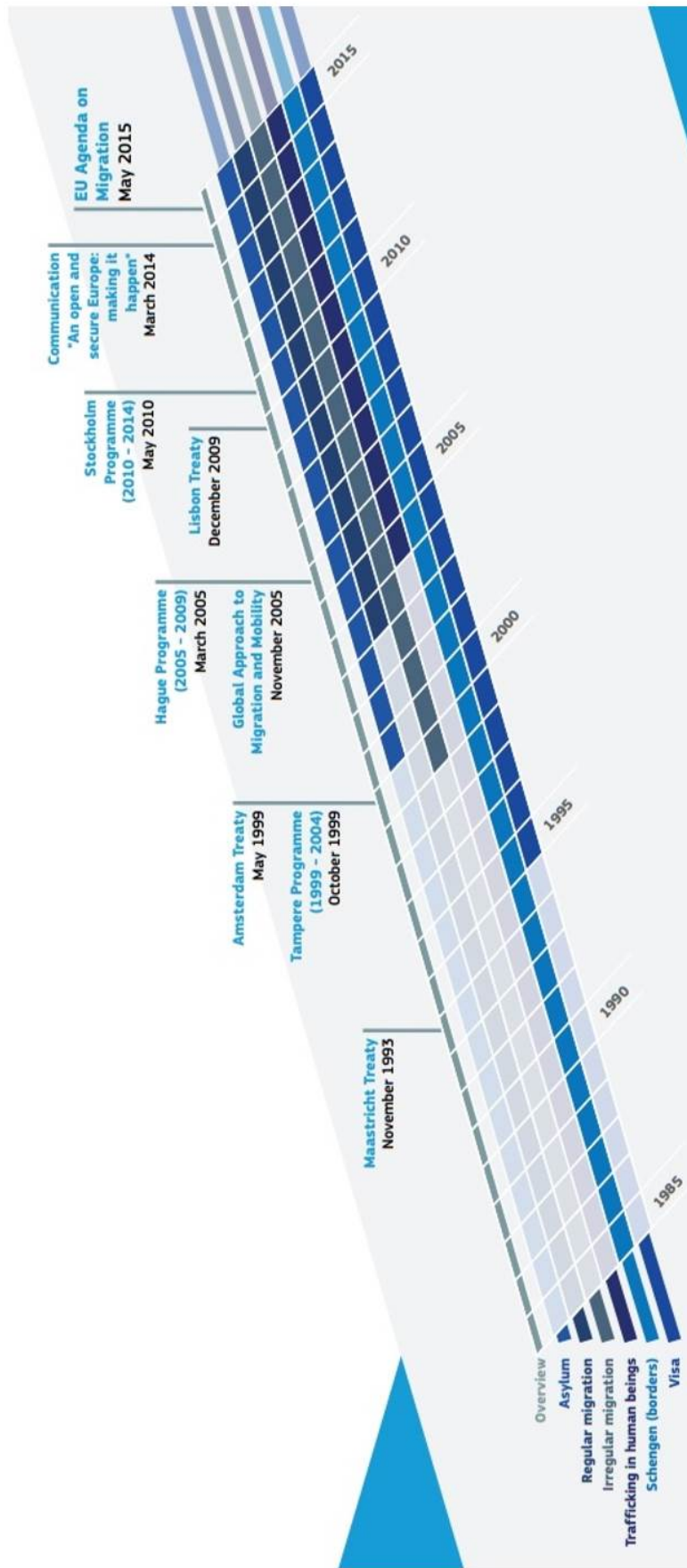
2015 the European Commission presented its European Agenda on Migration, setting concrete and immediate actions to tackle the crisis and looking forward through the adoption of a strategy to better manage migrations.

The European Agenda on Migration aims to give a comprehensive framework to the management of migrations in the EU, combining both internal (immigration, asylum and borders) and external policies (Common Security and Defence Policy), and taking into account the shared responsibility between EU Member States, as well as countries of transit and origin (see Annex II).

The Agenda adopts a holistic approach to migrations, focusing on asylum, regular and irregular migrations, trafficking in human beings, Schengen (Borders) and Visa issues, in order not only to face the current migratory crisis, but also to put forward a common strategy to manage migrations. In this sense, it “(...) brings together the different steps the European Union should take now, and in the coming years, to build up a coherent and comprehensive approach to reap the benefits and address the challenges deriving from migration” (European Commission, 2015). Thus, the Agenda sums up the different dimensions of human mobility, taking into account the different steps taken before and aiming to give a new impetus to migration, asylum and border policies through a holistic approach.

Among the urgent actions, a very controversial issue has been the adoption of a relocation and resettlement schemes, as home affairs and interior ministers could not reach an agreement on the quota of refugees to be relocated and resettled across the EU, given the divergences and controversies between frontline Member States and central and northern Member States. Member States finally reached a consensus in September 2015, to relocate a total of 160,000 people. However, the relocation process has been very slow and thus has fallen very far behind the numbers agreed.

Figure 3.2. The Path to a European Agenda on Migration



Source: European Commission, 2015a

Furthermore, the plan proposes, among other urgent measures: a funding package for Frontex's missions Triton and Poseidon; the implementation of a CSDP mission on smuggling migrants; a pilot multi-purpose centre established in Niger by the end of 2015; and a 'hotspot' approach to work on the ground with frontline Member States to identify and register incoming migrants. However, so far the EU has not been able to deliver the results necessary.

Thus, by the beginning of 2016 the situation seemed to be out of control, particularly given the migratory pressure that Greece was being subject to. The closing of borders along the Balkan route by Member States put a great pressure on the Hellenic country, as all of a sudden migrants were trapped inside the country and could not take any alternative route. Interesting enough, at the same time the European Commission accused Greece of not being able to control its own borders, neglecting its obligation as a frontline country, and warning of the possibility of being sealed off from the Schengen zone. These accusations seem to reflect the chaos lived within the EU and its difficulties in dealing with the crisis.

In March 2016, the EU created a fund of 700 million euros until 2018 to face the humanitarian crisis lived in the EU's territory, particularly in Greece, caused by the massive arrival of refugees. For the first time, the Union had to adopt a mechanism to deal with a humanitarian crisis within its own territory, similarly to what it already does in identical situations in third countries (such as Haiti or Syria).

Finally, the EU-Turkey Agreement, signed in March 2016, seems to be a step further in the externalisation of the EU's borders, making Turkey partly responsible for the management of the EU's Eastern border, while creating a new 'buffer State'. The agreement aims to address the overflowing arrival of migrants from Turkey to Greece, through the return of any new irregular migrant that arrives in Greece to Turkey. Nevertheless, the agreement raises several questions regarding its legality and even its operationalisation, as it violates EU laws regarding detention and the right to international protection. It also shows the EU's connivance with dictatorial regimes, such as the Turkish or Moroccan one, in order to achieve its goals. Furthermore, it highlights how these regimes profit from the EU's connivance, using the migratory crisis as a bargain to achieve its own goals.

To sum up, the EU has struggled over the last couple of years to find a consensus to a crisis that seems to be fracturing the somehow fragile pillars of this



Union. The management of this crisis is a litmus test for the EU and could have been a collective triumph in Europe through the adoption of a joint effort. However, so far, it is quite the opposite. It is a story of dissensions among Member States, lack of European solidarity and the EU's inability to find a coherent response to the management of migratory flows.

### **3.4.3. Member states (in)action in a time of crisis**

European states have adopted very different responses to the current migratory crisis, ranging from Germany's *Willkommenspolitik* to a closed-door policy, by building walls along its borders, in Hungary and other Eastern European countries. These answers also reflect the growing success of the extreme-right across Europe (and the other way round, as these parties take advantage of migrations to justify their actions), which, has on the migration crisis its latest leverage. It is therefore important to address some of the main policies and measures adopted by Member States regarding the migratory crisis. In this sense, we will briefly approach five of the most paradigmatic cases, which were Germany, Austria, Sweden, Hungary and Greece.

Germany, in the figure of its Chancellor Angela Merkel, has been the leading advocate of an open-door policy regarding refugees, known as the *Willkommenspolitik*. In the Summer of 2015, given the increasing number of migrants arriving daily to the country, Germany unilaterally suspended the application of the Dublin Protocol, allowing applications for asylum in the German country, although in most cases this was not the first country of entry. Aware of the gravity and magnitude of the refugee flow, this measure was qualified as an 'act of European solidarity' (Müller, 2015). However, with this policy Chancellor Merkel saw herself isolated within her party and her country.

Overflowed by a non-stop and growing flow of migrants, in September 2015, Germany closed the railway line that communicates with Austria to detain migration. That had an immediate effect on neighbouring countries, and Czech Republic took the opportunity to tighten border controls, followed by Hungary, Austria and Slovakia.

The hundreds of thousands of refugees that Germany received only last year translated into a splitter element for the conservative coalition led by the Chancellor. Furthermore, criticism to her asylum policy, even within her own party, left the

Chancellor completely isolated. By the time Merkel tried to settle the EU agreement with Turkey her party suffered a major defeat, as the anti-immigrant party Alternative for Germany (AfD) received a significant voting (Caetano, 2016). The German population of certain federal states (particularly from Baden-Württemberg and Rhineland-Palatinate) thus showed their disapproval to the country's refugee welcoming policy. The result was a setback for Merkel, who is trying to assert her position in the EU, advocating the revision of the EU's asylum policy, while struggling with internal opposition within her own party.

In a first moment of the migratory crisis, Austria followed the example of neighbouring Germany and adopted a policy of open doors to refugees. During the Summer of 2015, the country opened its borders to allow the entry of thousands of citizens who went to the neighbouring country seeking international protection. According to the Austrian Ministry of Interior, in 2015 the country received around 90,000 asylum applications (BMI, 2016). However, pressed by the extreme-right party FPÖ (Freedom Party), the Austrian Government, formed by a coalition of social democrats and conservatives, hardened its immigration policy in the recent months, adopting a policy to contain flows along with the Balkan countries, which they had previously criticised (Pardo Torregosa, 2016).

So, last April, the Austrian government adopted a set of restrictive measures to manage the migratory flows that tried to reach this country. In this sense, its border perimeter with Slovenia was reinforced, a key step to close the Balkan route. They also approved a law that restricts the right to asylum, setting an annual, and rather reduced, limit number for asylum applications. Furthermore, it also foresees the possibility to declare a 'state of emergency' in order to reject and prevent the entrance of potential applicants of international protection (Huggler, 2016). This solution is not solidary at all with other Member States that seek a common solution.

On the opposite side, the Nordic countries have been a major destination for refugees. Sweden is a country that has always prided itself of its generosity to foreigners and in 2015 alone the country received 160,000 (Migrationsverket, 2016), the double of what it had ever received.

Traditionally, Sweden has always adopted a more liberal view on asylum policy (Traub, 2016), but the issue of refugees has been quite damaging to the Swedish society. The growing support to the party Sweden Democrats (in Swedish *Sverigedemokraterna*,

SD), with a nationalist and conservative base, scared the Social Democrats and moderates who forged an alliance in order to keep them away from power. Some SD members even held a campaign among refugees in Lesbos (Greece) to demystify the idea that Sweden is awaiting them with open arms (EFE, 2016b). According to a poll of November 2015, an increasing number of Swedish consider that the country receives too many refugees and 41 per cent argue that Sweden should give a smaller number of residence permits to refugees (EURACTIV, 2015).

The Swedish government has made several concessions and began a series of modest adjustments to its refugee policy, introducing (temporal) changes to its asylum law, in late 2015. Among those measures are non-allocation of permanent asylum and the creation of a temporary residence permit for refugees, in addition to the introduction of limits on the figure of family reunification. Later, it imposed the need to present a valid identity card to apply for asylum (Government Offices of Sweden, 2016b). In November 2015, the Swedish government temporarily introduced internal border controls in order to control the nearly two thousand people arriving daily to the country (Government Offices of Sweden, 2015), extending them until June 2016, since it believed that the conditions previously invoked still persisted (Government Offices of Sweden, 2016a).

With its asylum system almost collapsing, in the limit of its absorption capacity, the Swedish foreign minister called for European solidarity for the resolution of the crisis: “(...) if the rest of Europe continued to turn its back on the migrants, ‘in the long run our system will collapse’” (Traub, 2016). The new measures adopted at national level and by the EU allowed somehow to stem the flow of refugees coming into the country, as the current trend shows.

In turn, the Balkans armoured themselves before the mass arrival of refugees, managing to drastically reduce the number of entries in the Balkan route. The governments of Slovenia, Croatia, Serbia and Hungary adopted a set of emergency measures to address and deter these migratory flows. The president of Hungary, Viktor Orbán, was the main promoter of this closed-door policy, to prevent the crossing of migrants (Pardo Torregosa, 2016).

The conservative and nationalist government of Viktor Orbán has adopted, since the beginning of the crisis, a restrictive management model of its internal borders, based on containment. A model that the government of Budapest calls as the ‘Hungarian

model' (Ministry of Interior, 2015). The Hungarian Parliament voted in November 2015 a number of measures against immigration, which counteract the EU's requirements of respect for the dignity and humanity of migrants. Among these is the possibility to use the army to protect national borders, with lethal weapons against the thousands of migrants attempting to enter the country.

The country carried out the building of walls and border fences with Serbia and Romania, to deter the intense migratory flows. According to the Hungarian Ministry of Interior, between January and November 2015, the country received 177,000 asylum applications (Ministry of Interior, 2016c). The declaration of state of emergency in March 2016 by the Hungarian government, due to the mass inflow of migrants, led the country to send its military to protect the border with Romania (Ministry of Interior, 2016b). The government also wants to impose more stringent measures to protect its borders, by contemplating the possibility of amending its asylum, border and immigration laws (Ministry of Interior, 2016a).

In Southern European countries, with a strong emigration tradition, it is difficult to build a strong anti-immigration discourse, despite the fact that the countries directly suffer with the migratory crisis as frontline countries (Spain, Italy and Greece, although in different proportions and depending on changes in the routes). However, in Italy and Greece the extreme-right is gradually gaining ground.

The migration crisis coupled with the economic and social crisis has left Greece near breakdown. In early 2016, after the economic crisis of the previous Summer, Greece found itself on the verge of being expelled from the Schengen club (for its inability to control the external borders), a fact that by itself showed "(...) the fragility of Greece's hold on its European credentials" (Herzfeld, 2016).

The Greek government has increasing difficulties in receiving migrants arriving to the country and its refugee reception system has already collapsed. Given this situation, it is no wonder the growing support for extreme-right in the country, to the neofacist party Golden Dawn, with an ideology of hatred and exclusion, which may present a threat to the Hellenic country.

In short, the answers of Member States have focused on the adoption of increasingly restrictive policies, even by those who initially had an open-door policy, which includes the closure and reinforcement of borders to curb migration and the

revision of national asylum policies. The reintroduction, albeit temporary, of border controls by some Member States, as well as the adoption of increasingly restrictive national asylum policies and the strengthening of internal border perimeters by certain Member States (through the building of walls and fences) has opened several divisions within the EU.

#### **3.4.4. The operationalisation of migration management in the Mediterranean**

Within the European context, the management of migrations in the Mediterranean is conceived within a comprehensive framework, which involves not only policies on border management, asylum and immigration, but also an external dimension which comprises EU's relations with Southern Mediterranean countries. Therefore, we have to take into account all these different dimensions when assessing its development.

The development of a 'global approach to migration' has prioritized the improvement of border management, paying particular attention to irregular migrations from Africa. As pointed out by Carrera (2007, p. 2):

(...) the strategy that the EU seems to be pursuing consists of a reinforcement of the security rationale at common EU external territorial borders – through the development of a discursive nexus between an integrated approach on borders (IBM) – and a global approach on migration.

Thus, EU's Southern maritime borders are of strategic importance in border management, as the Mediterranean Sea and its southern coastal countries are frequently conceived as a source of threats.

The abolition of internal borders places a greater emphasis on the control and safeguard of the external ones. How can the EU balance fortification with the need to soften internal border controls? And how to balance the need for mobility with the need for control? Both questions arise when analysing the development of the Union's approach to migration management in the Mediterranean.

The increasing migratory pressure faced by southern Member States in the first decade of the 21<sup>st</sup> century, led to the adoption of the 2006 communication from the Commission on *Reinforcing the Management of the EU's Southern Maritime Borders* (European Commission, 2006). This communication proposes a set of measures to combat irregular migrations in Europe's southern shore and assesses the need to strengthen dialogue and cooperation with third countries.

The EU has progressively reinforced surveillance and control in its Mediterranean border. As identified by Carrera (2007, p. 6), the control of the maritime border has two dimensions: 1) operational measures and the strengthening of maritime control and surveillance to cope with irregular migration; and 2) an external dimension which focuses on cooperation with neighbouring countries. As we can see, border management in EU's Mediterranean border is closely linked to migrations, particularly irregular migrations.

Security concerns regarding the EU's external border and internal security led to the establishment of partnerships with its Mediterranean neighbours, including them in the control of sea borders (and also the land borders, in the cases of Ceuta and Melilla). Thus, as highlighted by Wolff (2008, p. 261), "cooperation with third countries has become one of the key components of BM".

Through cooperation with third countries, the "management of the border expands into the maritime territory of third countries in Africa" (Carrera, 2007, p. 25). In this sense, the EU has signed a set of agreements with its African partners, focusing on matters of migration management and border control. The conclusion of Euro-Mediterranean Association Agreements with Southern Mediterranean partners provides a suitable structure for North-South political dialogue, while setting out the conditions for cooperation. Within this framework the EU invites its partners to design their legislation following the example of the EU.

Border management has been central to the Euro-Mediterranean relationship since the beginning of the 21<sup>st</sup> century, when the increase in South-North migratory movements fostered a closer cooperation between the EU and its Mediterranean neighbours. Nevertheless, successful cooperation with third countries mostly takes place at a bilateral level, such as the cooperation between Spain and Morocco (which we will address in the following chapter).

However, at the same time, border management has become part of Mediterranean partners bargaining strategy to deal with the EU. Countries such as Morocco have used border management to influence EU migratory policy and place pressure on negotiating other policies, of their own interest, with the EU. As Wolff (2008, p. 263) stressed out, these countries take advantage of the EU's incapacity to manage its border on its own, exploiting its security concerns.

Apart from the bilateral agreements there are other multilateral surveillance projects, such as the *Seahorse Mediterranean* and the *Seahorse Atlantic*. These maritime surveillance programmes aim to curb irregular migrations and are developed in collaboration with countries such as Spain, Italy, France, Portugal, Cyprus, Greece, Libya, Algeria, Tunisia, Egypt and Morocco. The aim of these projects is to establish a satellite communication network among the countries involved, in order to diminish migratory pressure from Africa to Europe.

The EU has provided its neighbours with the necessary technology tools for border control and surveillance. However, the increasing development of surveillance and border technologies in Southern Mediterranean countries might be considered problematic given that there are countries where the standards for personal data protection are questionable. Nevertheless, these countries have increasingly adapted their legislations to get closer to EU's canons (for example Morocco and Algeria have updated their immigration legislation over the last decade). These reforms aim to increase convergence of legislation between the two shores. Still, this is a challenge in countries such as Libya where there is no rule of law nor the authorities with competence to enforce it.

However, as pointed out by Carrera (2007, p. 27), moving the border or the bordering process outside the EU poses two dilemmas. On the one hand, in a preventive action the immigrant is immediately qualified as an 'irregular immigrant' even before crossing the border. This ignores that some immigrants might be asylum seekers or refugees, questioning human rights protection. On the other hand, pre-border surveillance averts the application of European protection provided by the border, as those countries that exert the control are not covered by the Schengen Borders Code or by EU legislation. Therefore, this external dimension of pre-border surveillance, not only questions human rights' guarantees, namely the prosecution of the Geneva Convention, but also leaves border management in a legal limbo as it no longer falls in the Union's legal framework in the field of borders.

While we are witnessing a constant reinforcement of border controls at the Union's external borders, as well as an externalisation of the European border, in what way can we safeguard migrants' human rights and their right to apply for international protection? In addition, many of the measures adopted by the EU and its Member States to manage the migratory crisis, in particular border control and border management

agreements with third countries, raise a number of legal issues, which require some reflection.

The development of border management missions in the sea by Member States, or within the framework of Frontex, at the external borders (often in cooperation with transit countries), raises questions regarding the legality of the interception of immigrants in international waters and their forced return (when it takes place). Nevertheless, these missions give a short-term answer to the human tragedies in the Mediterranean and contribute to address the situation. Although Frontex operations are not search-and-rescue (SAR) missions but border control ones, search-and-rescue becomes a priority when human life is at risk. Therefore, these missions must meet two basic principles of international law: the assistance to people in distress at sea and the principle of *non-refoulement*. In this sense, the States in charge of the operation have a duty to assist migrants, identify possible cases of international protection and prepare the return process, ensuring that those individuals receive humane treatment when returning to their countries of origin or transit, based on the principle of *non-refoulement*.

The first Frontex operation in the Mediterranean was launched in 2006 (see Annex III), and ever since new operations have been deployed, improving their own capacities and with different goals, depending on the pressures felt at the moment. In 2014, ENP Triton was deployed to replace the Italian mission *Mare Nostrum*, a major SAR operation, which was coming to an end. Joint operation Triton merges operations Hermes and Aeneas, which had since 2007 and 2011 (correspondingly) provided assistance to Italy, focusing on irregular migratory flows in the Central Mediterranean. The operation aimed to support the Italian efforts in the Central Mediterranean, in order to control irregular migratory flows at the external sea borders. However, contrary to the *Mare Nostrum* mission, Triton does not have a SAR character *per se*. As the European Commission highlights “[a]lthough Frontex is neither a search and rescue body nor does it take the functions of a Rescue Coordination Centre, it assists Member States to fulfil their obligation under international maritime law to render assistance to persons in distress” (European Commission, 2014a). Nevertheless, this somewhat hybrid character of the mission was much criticised, as it did not prevent the loss of human lives at sea, culminating with the death of over 700 people in 19<sup>th</sup> April 2015.

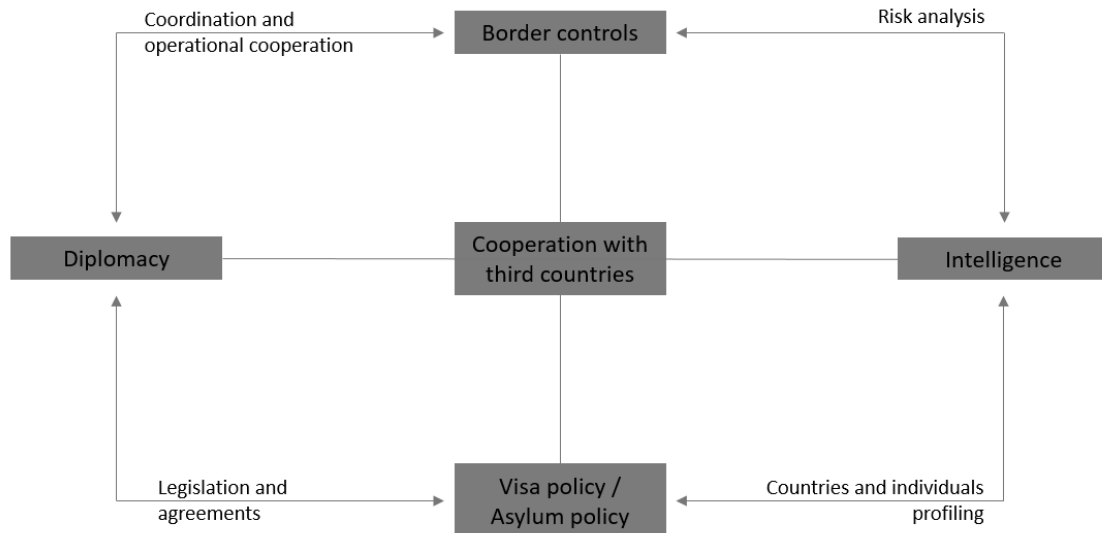


Following the humanitarian tragedies in the Mediterranean in the first semester of 2015, the European Commission adopted, as a short-term immediate action to face the crisis, a military mission against people smugglers in Libya – EUNAVFOR MED, Operation Sophia. Through the identification of smugglers' networks and patrol of international waters, the mission aimed to search and seize suspected ships at sea and, only with the backing of the United Nations, in Libyan territorial waters.

Critics to this mission have focused on the possible collateral damage. By destroying these vessels, those migrants who are boarding or are already on board may be affected. In addition, it destroys the only opportunity some migrants have to reach Europe, because even though it is a dangerous route, there is still some possibility of success. Thus, the Southern shore of the Mediterranean becomes a dead end, where the rise of instability can be a trap, which endangers the physical integrity and personal safety of migrants. As a consequence, some authors have already argued the existence of a securitisation scenario (de Castro García, 2015) mainly by the use of a military approach as part of a CSDP mission. However, the main question arises when we argue that the central aim of EUNAVFOR MED is to create another layer of border management to enlarge the capacities the EU has to keep threats outside the Union in the post-Schengen situation. That is part of a general pattern of escalation in strengthening border controls and security in the EU.

Thus, we can identify five different dimensions in terms of migration management in the Mediterranean, which are linked among each other (Figure 3.3). A central dimension to the other four is cooperation with third countries, in which we might include both countries of origin and transit and that can be both multilateral and/or bilateral (for example, EU-Turkey or Spain-Morocco). This cooperation is essential to develop risk analysis to gather intelligence on the routes and criminal networks, which will also facilitate the profiling of countries and individuals for the visa and asylum policy. Through diplomacy, the EU and Member States legislate and sign agreements on those policies, as well as improve coordination and operational cooperation for an effective border management.

**Figure 3.3. Migration management in the Mediterranean**



Source: Author's elaboration

To sum up, migration management in the Mediterranean region is very complex and only through a truly comprehensive approach can the EU assess all these different dimensions.

### 3.5. NARRATIVES ON MIGRATION: FROM WORDS TO PERCEPTIONS

The act of speaking and writing security is central to the securitisation process. The Copenhagen School considers the speech act as an imperative to the securitarian process (Buzan, Wæver & De Wilde, 1998, p. 25). However, in recent years, this approach has been contested by authors such as Balzacq (2005; 2011), who claim that the securitisation goes beyond the speech act and “(...) is better understood as a strategic (pragmatic) practice that occurs within, and as a part of, a configuration of circumstances including the context, the psycho-cultural disposition of the audience, and the power that both speaker and listener bring to the interaction” (Balzacq, 2005, p. 172).

In this sense, speech acts are central to this process, but they are one element of the securitisation process, along with security practices. Taking this into account, security narratives, through official documents and reports, political leaders' discourses

and media reports and portrayals, play an important role in the construction of the securitisation process.

The production of a discourse of fear and threats is based on a constructivist strategic action, through the use of various discourse artefacts, such as metaphors and stereotypes, to reach target-audiences. Thus, in the public sphere, the portrayal of the immigrant as the ‘other’ plays a substantial role in the audiences’ perceptions.

In this sense, the use of words to depict the events shapes the understanding of the phenomena. The media often resort to metaphors of natural disasters and catastrophes to describe the arrival of increasing numbers of migrants, and also, often, distorts the numbers themselves or leaves them out of scope to create the image of a security threat (Järvinen, 2015, pp. 14-15). Thus, regardless of the axis adopted, within these different dimensions, migrants are portrayed as a threat to societies.

The European Commission’s report on *Research on Migration: Facing Realities and Maximising Opportunities. A Policy Review* highlights the increasing presence of migration topics in the news, which reinforce the perception that “(...) Europe is facing a migration crisis” (European Commission, 2016a, p. 10). The mediatisation and politicisation of the realities of migration leads to the construction of different realities and perceptions. As Järvinen (2015, pp. 58-59) points out, “[w]hile migrants and refugees were not represented as existential threats, they were strongly situated in a security framing”, thus placing a stronger emphasis on the security concern, rather than on the humanitarian one.

By framing migrations within a security perspective, the media, policy-makers and security agencies shape people’s perceptions and reactions to this phenomenon. In this sense, the securitarian narratives of migration represent a social construction with multiple side effects, such as unease among host societies. Nonetheless, they somehow reflect the “(...) proper image of the societies that produce them” (Ceyhan & Tsoukala, 2002, p. 36).

### **3.5.1. Official and non-official documents**

The European Commission has issued a set of reports which place a special emphasis on migrations and security, and deserve a special attention, such as: the

*Security in 2020: Meeting the Challenge, and the Research on Migration: Facing Realities and Maximising Opportunities.*

There is a clear politicisation of the discourse on the topic of irregular migrations and results have not always been the desired ones. A clear example of this are the economic migrants from MENA or sub-Saharan countries that still try to reach the EU, despite the various policies on development supported by the EU in host countries. In fact, some of these policies have promoted a growing urbanisation leading to an increase in emigration. This politicisation also enshrines the struggle between the protection of human rights and the management of irregular migrations. Thus, while the need for safeguarding and respect of human rights has increasingly gained importance within the EU, particularly within the civil society, the Union has struggled to find a balance between these issues and the management of irregular migrations in particular.

The European Commissions' 2014 report on *Security in 2020: Meeting the Challenge* emphasises the endurance of societal security within the EU. Thereof, the Juncker's Commission outlined among its top priorities: "(...) job creation and growth, energy security, stronger borders for Europe and a strengthening of the EU's international position and influence (...)" (European Commission, 2014b, p. 5). In the report, under the topic of "Using Security Research to improve the control of Europe's borders", the Commission differentiates between different layers of security in border management:

There is no way that border personnel and traditional paper documentation can stay ahead of these threats to the integrity of Europe's external frontiers without new effects-based capabilities. These include advanced ICT systems, interoperable exchanges of data and alerts between border authorities in different EU Member States. They also rely on information from integrated surveillance-and-communications systems that link satellites, vessels and ground relay stations, and equipment and devices to guarantee end-to-end security for Europe's supply chains against theft, tampering and vandalism, for example (European Commission, 2014b, p. 16).

In this sense, the report stresses the need of several border security layers – intelligence, surveillance systems, and border guards, among others – to better handle these challenges. Thus, border management is increasingly perceived as a critic tool in safeguarding the Union's internal security, namely regarding migratory management.

In the beginning of 2016, the European Commission released a report on *Research on Migration: Facing Realities and Maximising Opportunities* (European Commission, 2016b). This document addresses research on migration in a time of migratory crisis, focusing on how these challenges can be turned into opportunities for

the EU itself. In this regard, one of the greatest challenges are the divisions and tensions between Member States on the management of migrations:

This common migration policy is still some way off, not least because there are few issues as divisive within Europe, and within individual countries, as migration. 'Frontline' states like Italy, Malta, Greece and, most recently, Hungary repeatedly petition the EU for more resources to help them to cope with the sudden influxes of migrants fleeing the war-stricken and human-rights-abuse trouble-spots of Africa and the Middle East (European Commission, 2016b, p. 13).

In the end, the analysis of the European Commission's reports stresses the importance of border security and control in the management of migrations, particularly irregular migrations.

Opinion articles from prominent political figures and academics also have a great impact in shaping public opinions. During the migratory crisis of 2015, various political figures publicly expressed their opinions on the EU's procedure/paralysis in addressing the crisis. We would like to highlight Joschka Fischer's (former German Foreign Minister and Vice Chancellor from 1998-2005) opinion article on *Europe's Migration Paralysis*, from the 24<sup>th</sup> August 2015. In this article, Fisher addresses the European instability created by the arrival of immigrants and refugees. As the author underlines "(...) many Europeans feel threatened once again (...)", and it was this feeling of a common threat that gave rise to an increase in xenophobia, racism and nationalist feeling. Meanwhile, the EU was "politically, morally, and administratively" overwhelmed by this large-scale migration, which led to a paralysis. The former German Vice-Chancellor called the Europeans to "(...) stop treating migrants as a threat and start viewing them as an opportunity" in order to better address this crisis (Fischer, 2015).

Another interesting opinion article is the one of Jacques Delors (former President of the European Commission between 1985 and 1995), António Vitorino (former European Commissioner for Justice and Home Affairs between 1999 and 2004), and Yves Bertoncini (Director of the Jacques Delors Institute) on *Schengen is Dead? Long Live Schengen!*, of 23<sup>rd</sup> November 2015 (Delors, Vitorino, & Bertoncini, 2015). This statement of the heads of the Jacques Delors Institute, came at a time when the EU and its citizens were discussing the viability of Schengen. The declaration calls for the heads of state and government to address terrorism and migratory crisis with political vision, to develop a more active diplomacy in its neighbourhood and also to "(...) strengthen the monitoring of our borders, in particular by stepping up the struggle against terrorists, human traffickers and organised crime, and thus also by optimising

the exchange of information at the police and intelligence services level” (Delors et al., 2015). The authors claim that the increasing focus on the rationale of border management is a ‘move towards Europeanisation’, while stressing that “‘Schengen’ means at one and the same time more freedom and more security, two areas of progress which need to be consolidated in parallel” (Delors et al., 2015), and this is the challenge the EU faces.

The use of the expression ‘threat’ in the first article in order to refer to ‘large-scale migrations’ is particularly relevant as it leads to an immediate association between immigration and security threats. In the second case, the wording used is more prudent as it places the word ‘freedom’ before ‘security’, thus relegating security issues to a second plan.

The academic world has also visibly expressed its concerns with the EU’s response (or lack of it) to the migratory crisis. In May 2015 a group of academics published an article on Open Democracy entitled *Twisting the ‘lessons of history’ to authorise unjustifiable violence: the Mediterranean crisis* (Open Democracy, 2015). This letter, later on subscribed by a significant number of academics, condemned the EU’s military operation to tackle human smugglers in the Mediterranean, criticizing the dangers of using an analogy such as the one of ‘modern slave trade’ to justify the EU’s actions. Furthermore, in Portugal a group of social scientists also published a manifesto on the political debate on migrations, in November 2015, entitled *Tomada de posição de um grupo de cientistas sociais da área das migrações* (Abreu et al., 2015). In this open letter the academics emphasised the ‘increasing militarisation’ of the EU’s external borders, while considering that there is a “(…) trend towards the securitisation of human mobility”<sup>84</sup>. The signatory scholars demanded a greater transparency in the political debate surrounding migrations and a deeper reflexion on the consequences of the militarisation of borders and securitisation of migrations, while refusing to pact with these discourses.

It is interesting to analyse the semantics used in the two articles, as they both criticise the increasing militarisation of the EU’s border management. On the one hand, in the first article, the scholars clearly condemn a specific action taken by the EU and the rationalisations given to justify its set in motion; on the other hand, in the second

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<sup>84</sup> In the original: “(…) tendencia para a securitização da mobilidade humana”.

one, academics make a call towards change, clearly stating that the EU is moving towards a militarisation of borders and securitisation of migrations.

### **3.5.2. European leaders' speech acts**

Discourses on immigration create different perceptions within the general public, often supported by the media coverage of these issues. The agent who pronounces the speech plays a very important role in this conception. Sometimes it is more important the person who presents the discourse, than the speech itself. As Balzacq (2005, p. 172) put it, the discursive techniques used by agents allow "(...) the securitising actor to induce or increase the [public] mind's adherence to the thesis presented to its assent". Various studies have focused on the different construction of discourses on immigration issues in Europe (see Buonfino, 2004; Triandafyllidou, 2000), therefore, we do not aim to do a thorough analysis of European leaders' political discourses on immigration and security, rather to deconstruct the main ideas portrayed by these speeches in some specific moments in time.

Research has showed that there are two main opposite axes on discourses on migrations. On the one hand, there is a humanitarian and solidarity approach. In these discourses the emphasis is placed on equal treatment for immigrants and their contribution to host societies. On the other hand, there are the discriminatory discourses, which emphasise a nationalistic rationale, often linking migrations with criminality, terrorism or prostitution (Triandafyllidou, 2012, p. 389).

Negative political discourses on immigration often resort to different linguistic expressions to describe this phenomenon, particularly with regard to irregular migrations. In this sense, political leaders frequently use metaphors related to natural catastrophes to describe the arrival of a large number of migrants. Take for example Italy's former Prime Minister Berlusconi speech resorting to the wording 'human tsunami' to refer to the growing number of migrants arriving in Italy in 2011 (Corriere Della Sera, 2011). Thus, expressions such as 'waves' and 'flood' serve as a securitarian element in the speech, as they imply that the 'mass arrival of irregular immigrants' poses a threat to security.

In this line, during the current migratory crisis politicians have used expressions such as 'leaks', 'plague', or 'threat' to depict the refugees reaching European shores.

Hence, British Prime Minister, David Cameron used the expression ‘plague’ to address the ‘Calais crisis’, while former French President, Nicolás Sarkozy, resorted to a metaphor of a ‘leak in the kitchen’ to ridicule the Commission’s proposal to relocate refugees, later used by the Spanish Interior Minister, Fernández Díaz (Sánchez, 2015). These negative statements by political leaders potentiate racist and xenophobic feelings among local populations, which have been criticised by many NGOs, and even by the UNHCR.

Furthermore, since September 11<sup>th</sup> there has been a growing association between immigration and terrorism. The speeches portraying immigrants as terrorists have gained momentum during the current migratory crisis, given the presence of the terrorist organisation of the Islamic State in Syria. Thus, several political leaders have expressed their fear that jihadist terrorists might be among those seeking international protection in Europe. An example of this, is the concern expressed by the Spanish Interior Minister that a group of jihadist terrorists might enter Spain along with the refugees relocated by the country (Casqueiro, 2015). In the end, these negative discourses and statements portray migrations as a threat to European Member States, generating fear and rejection among host societies, which may lead to racist and xenophobic attitudes.

Nevertheless, the humanitarian and solidarity approach is also present in many of the speeches, particularly the ones from European institution’s leaders. European leaders, such as the President of the European Commission, Jean-Claude Juncker, or the High Representative of the European Union for Foreign Affairs and Security Policy, Federica Mogherini, have called for collective action, solidarity and courage to face the migratory crisis. In a statement issued by Jean-Claude Juncker, the President openly showed his concern about the “(...) resentment, the rejection, the fear directed against these people by some parts of the population” (Juncker, 2015).

In this line, the Italian Prime Minister Matteo Renzi, threatened to ‘hurt’ Europe if it remained paralysed in face of the migratory crisis (Agence France-Presse, 2015). Another interesting political statement belongs to the French Interior Minister, Bernard Cazeneuve, who criticised the French far-right party *Front National* proposal to reinstate border checks, calling it a ‘stupid’ idea (Boudet, 2015). Other political leaders have called for action and solidarity from the EU and its Member States, while sometimes being reluctant to adopt some of the measures on the table. That was the case of the Spanish Prime Minister, Mariano Rajoy, who after the 19<sup>th</sup> April 2015 tragedy in



the Mediterranean claimed that “Words are now worthless, we need to act” (Eldiario.es, 2015), and later rejected the scheme proposed for the relocation of refugees.

Another relevant leader worth mentioning is Pope Francis, whose messages reach beyond the Catholic world. When visiting Lampedusa in 2013, remembering the many hundreds of migrants who had died in their attempt to reach European shores, the Pope talked about the ‘globalisation of indifference’ regarding our current world, calling for international solidarity towards these tragedies (Staff Reporter, 2015).

The securitising actor, in our case European leaders, is the one who speaks security. Although the wording used in the speeches may speak for itself and have a great impact in public opinion, the figure of the leader is a crucial element in the acceptance of the audience. In this sense, if it is a well-respected leader speaking security it will have a greater acceptance among a wider public.

### **3.5.3. Public perceptions and opinions**

Narratives and practices on immigration and security shape citizens’ perspectives about immigration. Thus, citizens’ attitudes towards immigration are constructed based on a more or less informed debate on the subject, where politicians and journalists play an important role in creating or appeasing opposition to immigration. Furthermore, research has showed that “(...) political attitudes toward immigration are shaped by ‘situational triggers’ as well as predisposing factors” (Brader, Valentino, & Suhay, 2008, p. 960).

In the EU, public opinion about immigration and racist attitudes have suffered slight changes over the last decades, as well as the perception of threats to internal security. An analysis of the Eurobarometer surveys on racism and xenophobia and on internal security from the eighties until nowadays allows us to conclude that despite the different critical moments regarding migrations, there has been no significant impact in terms of the public opinion’s perceptions. However, in 2015, there was a high increase from the 2011 survey, from 13 per cent to 19 per cent, on the Europeans perception of migrations as a security challenge (European Commission, 2015g, pp. 6–9). In general, European citizens consider the EU as a critical element in the development of policies and strategies to face the different threats to European security. Moreover, we may acknowledge that Europeans believe that internal security is linked to external events,

thus supporting a common answer to those threats. Moreover, European citizens in general advocate common immigration and asylum policies, while requesting stricter controls of the external borders.

Furthermore, we should also mention the increasing importance that nationalist/populist parties have in European policies. These parties focus on the national identity axis, where the ‘other’ is not part of the society, thus leading to racist and extremist discourses. Thus, the discourse used is very rhetorical, where “[r]epititions, rhetorical questions, hyperboles and instances of irony occur frequently” (van der Valk, 2003, p. 340).

The break of the migratory crisis and the terrorist attacks in Paris in 2015 have paved the way for a growing Euroscepticism and an increasing support to these populist parties. They have established and reinforced their presence in Austria, Denmark, Finland, France, Germany, Greece, Hungary, Italy, the Netherlands, and Sweden. In some of these countries, such as in Finland, far-right parties have even become the second largest political force or have gained significant political visibility and power (Gutteridge, 2015).

It is interesting to observe that the countries where the rise of the far-right has had a greater impact on both frontline Member States, as well as host countries, which shows not only European citizens’ discontentment over the national and European policies adopted, as well as the growing nationalist feeling among Europeans. Although it might seem somehow contradictory with the results of the Eurobarometer surveys, these results are in line with the slight growth registered in the perception of irregular migrations as a security threat to the EU and its Member States and demonstrate the acceptance of the anti-immigrant, racist and nationalist discourses of these parties’ leaders. In this sense, although it is not our place to do it here, it would be interesting to analyse discourses of a group of far-right parties around the EU and its impact in the different societies.

### **3.6. AN OVERFLOWING PROBLEM WITHOUT AN OPERATIVE ANSWER?**

The process of European integration is slowing down, having been compared by Martin Schulz to a “bicycle without air in the tires” (Guerreiro, 2016). And this is the great challenge the EU faces today, finding breath to move forward. That requires a greater spirit of unity and community among Member States and that the common interest prevails over national interests.

The advance of populism throughout Europe, with the emergence of new far-right parties, which feed from the effects of the economic crisis and from the migratory crisis, the growing discontentment felt among the population and anti-immigration sentiments, represents a danger for the EU and also for its future generations. The strength of these populist movements, many of them with an anti-European character, leads to an increasing deterioration of the European project. The promise of easy solutions to complex problems is reflected in the adoption of increasingly restrictive measures on immigration and migrants’ integration.

The European project is born from the ideal of a united Europe and in peace, so that solidarity is at the core of the EU’s principles. However, disagreements and divisions among Member States in the search for an answer to the migration crisis jeopardise this principle. The EU must find consensus to overcome this crisis, as well as the limitations of its policies. Among the main shortcomings there is the inefficiency of the asylum quota system, whose agreement was so difficult to reach and the outcomes are far from those agreed. So, it is now under discussion the proposal of a revision of the Dublin system, which is not sustainable in its current format.

In fact, appealing to the solidarity of Member States should not mean that all countries have to be host countries for refugees rather that they all have to be involved in the response to this crisis. Hence, those countries which are not able to do so, should contribute in another way, providing the means at their disposal (whether financial or including infrastructures). More than equal sharing of responsibility in managing the crisis, Member States should refer to the principle of equity, in which each country will contribute with the means available. Thus, the sense of proportionality should override the unification of criteria.

So far, the Union’s efforts to manage irregular migrations have resulted in changes in the migratory routes, which are increasingly dangerous and risky. As we can

see from Table 4.1 some of the measures adopted have had the opposite effect. In this sense, on the one hand, albeit the fact that the naval operation EUNAVFOR MED – Operation Sophia (implemented in June 2015) translated into a reduction of nine per cent in the Central Mediterranean route, it led to a change in routes with an increase of 83 per cent in the Eastern Mediterranean route, according to a classified report released by Wikileaks (Council of the European Union, 2016). On the other hand, the implementation of the EU-Turkey Agreement in March 2016 led to a new diversification of routes, with more migrants resorting once again to the more dangerous Central Mediterranean route (Council of the European Union, 2016). Furthermore, the relocation and resettlement process has been very slow, despite the positive trend registered in 2016. According to the European Commission, so far 3,056 people have been relocated from Italy and Greece and 8,268 people have been resettled. Nevertheless, these numbers fall behind the 22,504 agreed in July 2015 (European Commission, 2016c) and Member States need to step up and take action.

As we have seen in the past, trying to close a route leads to the opening of new irregular channels. The causes that are at the origin of these flows are likely to persist in the near future, so the EU must find answers that reduce the number of refugee and migrant arrivals, while safeguarding the human security of migrants. In this sense, the EU could accept many more refugees under different conditions, by implementing an effective resettlement system (which is currently under discussion) from the country of origin of transit (similar to what happens in the US). This mechanism allows the protection of migrants, preventing these dangerous journeys that endanger their lives, since they often have to resort to networks of smuggling or trafficking.

**Table 4.1. European Agenda on Migration short-term priorities: from policy goals to policy outcomes**

Overall goal	Policy goal	Policy measure	Desired outcome	Other external determinants	Direct outcome	Indirect outcome	
Swift and determined action in response to the human tragedy in the Mediterranean	Saving lives at sea	Triple Frontex's budget for joint-operations Triton and Poseidon	Step up search and rescue efforts and expand the capability and geographical scope of these operations	- Ongoing conflicts; - Violent terrorism; - Poor governance; - Escalating poverty and inequality	- Extension of the operational areas concerned, more flexibility in the deployment of assets and experts; - Quicker register of a larger number of migrants.	By the end of 2015, Poseidon Rapid Intervention (PRI) replaced EPN Poseidon Sea 2015 to handle with unprecedented number of arrivals in Greece.	
	Tackle human smuggling and trafficking	CSDP operation – EUNAVFOR Med Operation Sophia	Disrupt human smuggling networks in Southern Central Mediterranean	- Improved security situation in Egypt, make it more difficult for people from the Middle East and southeast Asia to cross into Libya.	- Reduction of 9% in the migrant flow (compared to previous year); - Arrest of 46 suspected smugglers and disposal of 67 boats (in 2015).	- An increase of 83% of migrants using the eastern Mediterranean route, compared to previous year; - Migrants' increasingly resort to smugglers to reach the EU through other channels.	
	Responding to high-volumes of arrivals within the EU	Emergency relocation schemes	- Temporary distribution scheme to ensure a fair and balanced participation of all Member States (precursor step for a permanent system); - Relocating 6,000 people per month.		Over 3,000 total number of relocations from Greece and Italy*.		
	Granting protection to displaced persons in need of protection	Resettlement scheme	- Contribute in helping displaced persons in clear need of international protection; - EU-wide resettlement scheme for 22,504 refugees. Prevent hazardous journeys		- Resettlement of a total of 8,268 people*;	- Proposal of a permanent EU Resettlement Framework	
	Working in partnership with third countries	- Regional Development and Protection Programmes; - Establishment of a pilot multi-purpose centre in Niger	Help Member States to process asylum cases as quickly as possible				
	Help frontline Member States	Hotspot approach	- End the irregular migration from Turkey and create legal channels of resettlement of refugees to the EU; - Resettlement of 160,000 Syrians from Turkey to the EU.		- Continued attacks to Syrian cities increases the number of refugees; - In January 2016, Turkey reaches the limit of its capacities in terms of budget and infrastructures with a total of over 2,7 million refugees.	Contribute to the gathering and sharing information useful to launch investigations against migrant smugglers. Seasonal arrivals have started in Italy.	
	Manage migrations from Turkey by creating legal channels	EU-Turkey resettlement agreement			Establishment of 6 Hotspots: 1 in Greece (Lesbos) and 5 in Italy (Lampedusa, Trapani, Pozzallo, Mineo and Messina) - Resettlement of a total of 802 Syrian refugees*; - Arrivals in Greece remain low.		

Source: Author's elaboration

The management of these flows should, in turn, enable the protection of migrants' human rights. Nonetheless, many of the measures taken with regard to border management raise legal issues regarding its safekeeping. Such is the case of the EU-Turkey Agreement, with which Turkey becomes a key element in the management of the European migration crisis, by pledging to take steps to prevent the opening of new irregular immigration routes. In return, the EU is committed to resume negotiations for accession to the EU and exempt the visa requirements for Turkish citizens who want to travel to the Union. This agreement raises great concerns regarding the respect for human rights and freedom of expression in Turkey (as we have recently seen with the failed *coup d'Etat*), as well as regarding conditions on the ground for asylum seekers and refugees, or even if Turkey can be considered a 'safe country'<sup>85</sup>. However, this agreement only shifts the problem away to a neighbouring country, through the externalisation of the European border. Thus, by leaving the problem in the hands of Turkey (to which the EU allocates a substantial amount of money to help manage the problem), Turkey becomes a new 'buffer State' (similarly to Morocco).

Nonetheless, the EU needs to move beyond the emergency/crisis mode in order to be able to assess the current migration crisis and adopt a medium- to long-term approach to manage migratory flows in the Mediterranean. This approach should not only focus on irregular flows, but also address its root causes, and create legal migration channels.

Another challenge is to find effective answers to economic migrants who take advantage of the instability of some exit and transit countries to enter the EU. Thus, new legal channels should be opened and created, so that economic migrants will not have to resort to irregular migrations in order to reach the EU's territory.

Although migrations and security issues have always been interlinked in the European Union's agenda, as JHA issues, from the analysis done we realise that there were some specific moments in time in which this connection was even stronger. However, was there really a securitisation of these issues?

During the first moment (the period after September 11<sup>th</sup>, between 2001 and 2003) there was an intense activity in migratory issues. The link between immigration and terrorism was emphasised, which translated into an increase in the use of IT

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<sup>85</sup> According to the principle of *non-refoulement* an individual cannot be returned to a territory where his life or liberty might be in danger.

databases for purposes of surveillance. At the same time, a common border policy began to take shape, in order to strengthen external border controls to improve internal security. Nevertheless, there was not a securitisation of immigration issues in this period, rather an instrumentalisation of the surveillance systems.

A second moment is the post-Arab Spring period, between 2011 and the end of 2013. The Arab Spring exacerbated the feeling of insecurity among Europeans. The increased volatility of the MENA region accentuated the migratory pressure and triggered two massive refugee crises in the southern Mediterranean: Libya and Syria. The EU stepped up to face the challenges posed by the Arab Spring by adopting a series of instruments. Although it may be considered that no significant steps forward were taken and that the measures adopted may be seen as 'more of the same', the new approach adopted aimed to overcome the existing divergences. However, in the medium- and long-term they proved to be somehow ineffective, as they were not able to prevent the current migratory crisis. We cannot speak about securitisation in this period neither, although we might already speak of a move towards securitisation, or a first attempt of securitisation.

The third moment corresponds to the current migratory crisis, which we would place in the period between October 2013 and which is still ongoing at the time of writing. The EU is struggling with the thousands of irregular migrants that are entering the territory or dying in its borders. Thus, the EU has entered a crisis mode to address this situation and has adopted a set of immediate actions that place a particular focus on border management. Furthermore, the measures approved so far point towards a close connection between the issues of immigration and security and the perception of irregular migrations as a threat to European security. In fact, the military mission EUNAVFOR MED also seems to suggest a growing militarisation of the EU's borders.

From the analysis we conclude that there have been movements towards securitisation, particularly in these three moments we have just outlined. In order to assess this possible securitisation we need to take into account the three steps needed towards securitisation: the identification of an existential threat, the emergency action adopted, and the effects of inter-unit relations by breaking free of rules. Regarding the EU's emergency actions, we have determined that in the two critical periods of 2011 and 2015 the EU identified an existential threat and took emergency actions to address it. Nevertheless, the emergency measures adopted in 2015 are the ones that can be truly

considered within a ‘crisis’ mode, with the adoption of the European Agenda on Migration and its emergency dimension. These actions strongly emphasise an approach that is increasingly framed within a border management dimension, thus highlighting the growing importance of control of the EU’s external borders. Furthermore, it is in this period of time that we see a rise in anti-immigration political discourses, as well as a mounting support to nationalist and far-right ideologies. Thus, we may conclude that, if until now there hadn’t been in fact a securitisation of migrations within the EU, with the migratory crisis of 2015 we truly see a securitisation of migrations.

Thus, there has been a move towards securitisation over the last years, particularly since the Arab Spring. However, the securitisation of border management and migrations in the EU only came into a reality with the current migratory crisis, through the adoption of exceptional measures that go beyond the sphere of normal politics, and the adoption of what might be considered some legally questionable measures (such as the EU-Turkey Agreement). Nevertheless, the adoption of these measures so far has not helped to solve the crisis, rather to circumvent it or even to displace it (to other regions). Therefore, to sustain the AFSJ, the EU needs to leave its crisis mode and adopt a coherent approach to migration management, which ensures the security and stability of external borders while preserving the freedom of movement.

To sum up, we may claim that migration management in the Mediterranean has a fragmented framework, divided across different policy areas (which have their own fractures and inconsistencies), which require a joint comprehensive approach from Member States. The European Agenda on Migration is a first attempt to create a common framework, but the question is whether it does succeed. So far, the outcomes of the short-term measures have fallen behind. Furthermore, the Agenda puts an emphasis on matters of border control, thus highlighting the EU’s focus on this dimension, as one of the main answers to *better* manage migrations in the Mediterranean region.





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## The national responses of Spain, Italy and Portugal

### 4.1. OVERVIEW

In today's world, although borders are in a constant process of evolution and transformation, they seem to be confined to the dialectic of openness and blockade, of inclusion and exclusion, as they are the gatekeepers of a country's internal security. Thus, border policies aim to manage the good flow of legal goods, people and services, while impeding unwanted movements (such as the trafficking of drugs and weapons, or even irregular migrations).

The increase and diversification of threats to border security over the last decades has led to significant transformations in border policies. Along with terrorism, or even competing with it, irregular migrations are the most visible threat to borders, as they comprise different types of security threats, from smuggling and trafficking to possible terrorists and criminals (Hansel & Papademetriou, 2013, p. 9).

The evolution of the border, its expansion outwards and inwards, has its corollary in the creation of the Schengen area, with the removal of internal borders within the territory of the Schengen States, as we have seen in the previous chapter. Thus, the external borders of frontline States have become the guardians of European security. In this sense, border management is increasingly more a priority to the EU and its Member States, particularly regarding its Southern and Eastern borders.

Border management strategies have become a fundamental part of migration management. They have to be flexible and dynamic in order to adapt to the constant changes in migratory flows. In the end, it becomes a mouse and cat game, as migrants react to border reinforcements, by readjusting and adopting new plans of action or even changing their routes, which frustrates the border regime and may require new

reinforcements elsewhere (Heck, 2011, p.84). In this sense, the reinforcement of border controls has not stopped irregular migrations, rather it has curtailed it at some moments in time and in some areas, while in other cases it has led to changes in routes, sometimes through the adoption of more dangerous ones. This has also led to a greater dependence of migrants upon smugglers (EFE, 2016a).

Sealing borders through the edification of walls and the construction of fences is one of the measures adopted by many countries in recent years to face the growing number of irregular migrants trying to cross their borders. Contradictory as it may seem, more than two decades after the Iron Curtain coming down, new walls have been erected all around the world, from the US-Mexico border to the Spanish-Morocco one. These physical barriers are the portrait of a world of inequalities and asymmetries. However, although it is not an absolutely effective measure, it has a somewhat dissuasive effect.

Pérez Caramés (2012, p. 152) has summarised the main strategies and trends in migratory control, which go from the inside-out. Thus, we have three different but complementary tiers: pre-border control, border control, and control inside the State, as we have seen in Chapter 1 (see Figure 1.5). Nevertheless, nowadays the focus is more and more to place the controls away or outside the border.

The migratory crisis in which the EU is submerged in has brought to the agenda the debate on whether the EU is able to control the migratory flows reaching its territory. As we have seen in the previous chapter, the measures and instruments adopted have placed a strong emphasis on border management, leading to the reinforcement of external borders. Southern European countries have for long been the ones most affected by irregular migrations, thus they offer a good example to illustrate the different strategies adopted at both a national and European level to face these flows.

Therefore, we will analyse the Spanish model of border management, which has often been considered an example to other States. Through a comparative look to the Italian case, we aim to assess the strengths and weaknesses of both models. Lastly, the analysis of the Portuguese case offers us a counterpoint to the Mediterranean reality. Furthermore, we also aim to offer an innovative analysis, since there is no academic study that analysis in depth the Portuguese border policy.

## **4.2. IRREGULAR FLOWS AS A THREAT TO SECURITY IN SOUTHERN MEDITERRANEAN**

Irregular flows in Europe's Southern border are a main concern to European governments, particularly to frontline Mediterranean States, which have become a gateway to the Union. As we have highlighted in Chapter 2, irregular migrations are a 'chronic disease' of the Southern European migratory regimes, and 'boat migrants' embody its most visible and mediatic face, although they represent a small percentage of the total irregular migrations.

Over the last decade, Southern European Member States have placed a greater emphasis on border management strategies, through border controls and cooperation with third countries, to address the increasing migratory pressure. Thus, the policies adopted have mostly been restrictive and reactive ones, focusing on control and deterrence strategies.

But how and in what terms do irregular migrations represent a threat to Southern European Member States? An analysis of the irregular flows to Spain, Italy and Portugal and of each country's own security strategies, allows us to identify the different security concerns, which highly influence the drawing of public policies and strategies. The Italian case is a paradigmatic one, since the country has no security strategy *per se* and its White Book on security only identifies, in broad lines, Italy's main security concerns. Nevertheless, the country has a very restrictive approach to migrations, and to irregular migrations in particular, highlighted by its political leaders' negative speeches on migrations.

### **4.2.1. Spain**

Spain's geographic location is both complex and privileged. Its specificities – the Mediterranean as a natural frontier in the Southern and Eastern border and the proximity to the African continent, besides the peculiarities of the Autonomous Cities of Ceuta and Melilla – have a high impact on its border regime. Therefore, Spain's maritime external borders represent a major concern, while its land borders present minor challenges, apart from the cases of Ceuta and Melilla.

Given the geographic proximity to the African continent and the location of Ceuta and Melilla, the country is particularly vulnerable to irregular migratory flows. In this sense, the management of irregular flows in the Mediterranean is a high priority in the political agenda. Furthermore, as highlighted by Morales Villanueva (2015, p. 28), given the extension of the maritime borders, an important threat to be taken into account is the vulnerability of the maritime space. According to the Guardia Civil<sup>86</sup>, the main points of migratory pressure are: the Strait of Gibraltar, the borders of Ceuta and Melilla, the area of Almeria-Murcia, the shores of Granada and the Canary Islands. Thus, given the short distance between African shores and Spain, migrants often try to cross the Mediterranean in small boats, with no conditions, as stressed by a Spanish Guardia Civil<sup>87</sup>:

Immigration to Spain by sea is carried out mainly in small, fragile boats, overloaded with immigrants without vests. Most of them cannot swim, and they have no security elements on-board, and no technical navigation knowledge, etc. Therefore, the authorities always consider them as people in distress at sea, so they are subject to search and rescue [operations]. Furthermore, it [such operations] must be preceded by what is provided for in national, European and international legislation for such cases<sup>88</sup>.

The 2013 Spanish National Security Strategy (*Estrategia de Seguridad Nacional*) identifies the main threats to national security. The document considers the EU and the Mediterranean as the country's main strategic priorities. In this sense, it highlights the interest of the Maghreb for Spain and the need to find common answers, particularly regarding the regulation and control of migratory flows, as well as the fight against terrorism, drug trafficking and other illicit traffics (Presidencia del Gobierno, 2013, p. 14). The Strategy also identifies the main risks and threats to national security. From a set of twelve threats, irregular migratory flows show up in eighth place. Nevertheless, the focus is placed on migrations as a threat to societal security, that is the menaces that migrations may present to the host society, in the event of inadaptability, social conflict or even urban ghettos (Presidencia del Gobierno, 2013, pp. 32–33).

Furthermore, these flows are often associated with transnational crimes and terrorism. Most Spanish security officers interviewed considered irregular migrations as

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<sup>86</sup> Information collected from interviews with members of the Guardia Civil.

<sup>87</sup> Interview conducted with officers of the Guardia Civil on February 2014.

<sup>88</sup> Transcription of the original: “La inmigración que llega a España por mar se realiza mayoritariamente en embarcaciones pequeñas, frágiles, sobrecargadas, con los inmigrantes sin chalecos, sin saber nadar la mayoría, sin elementos de seguridad, sin conocimientos técnicos de navegación, etc. Por ello siempre se les considera personas en peligro en el mar por lo que siempre se considera un salvamiento y rescate. Por ello, se debe anteponer lo que está previsto en la legislación nacional, europea e internacional para estos casos (Convenios SAR, SOLAS, Derecho Marítimo, etc)”.

a threat to Spain's internal security, relating it with terrorism, human smuggling and others. This association between migrations and terrorism, particularly jihadist terrorism, also emphasises concerns about societal security, regarding migrants' integration in the host society. Moreover, Spanish academics, such as González Enríquez<sup>89</sup>, consider that:

The main problem of irregular immigration is that if it is not stopped it is highly probable that it will increase. That is, the security problem is not so much the people who manage to enter irregularly, which are relatively few, the figure is small, the problem is the potential<sup>90</sup>.

Thus, highlighting that a major concern is the possibility of the arrival of a growing number of irregular migrants to the Spanish shores.

However, all in all, the number of irregulars crossing the Mediterranean by boat or jumping the fences in Ceuta and Melilla is irrelevant when compared to the total number of immigrants registered in the country or even with the number of immigrants who enter posing as tourists. Still, the first – irregular immigrants arriving by boat or jumping off the fences – has more impact both for the public opinion and, consequently, for political leaders, as they have what González Enríquez (2009) calls 'politically relevant characteristics'. These crossings put migrants' human security at a greater risk, and migrants often lose their lives in the attempt to reach the other shore, emphasising States' incapacity to address this humanitarian challenge.

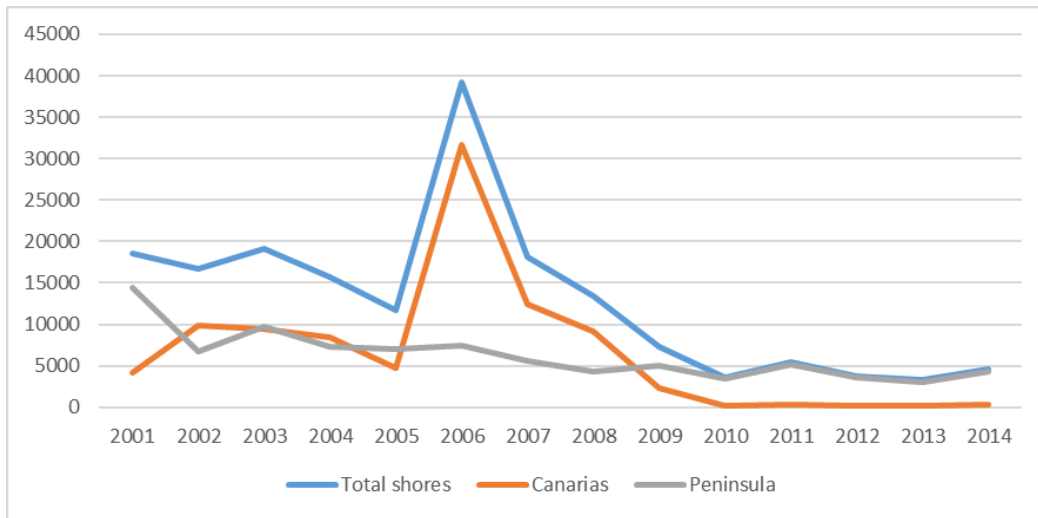
The Western African and the Western Mediterranean routes both come from Africa to Spain. The first one is the route between Senegal, Mauritania and Morocco and the Spanish Canary Islands. In 2006 this was the busiest irregular entry point in Europe, peaking at 32,000 detections in that same year (Ministerio del Interior, 2008) (Figure 4.1). The route from Morocco to Spain – the Western Mediterranean route – has been subject to a high pressure for over a decade, both on its maritime and land borders (Figure 4.2).

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<sup>89</sup> Interview conducted with Professor Carmen González Enríquez on the 3<sup>rd</sup> February 2014.

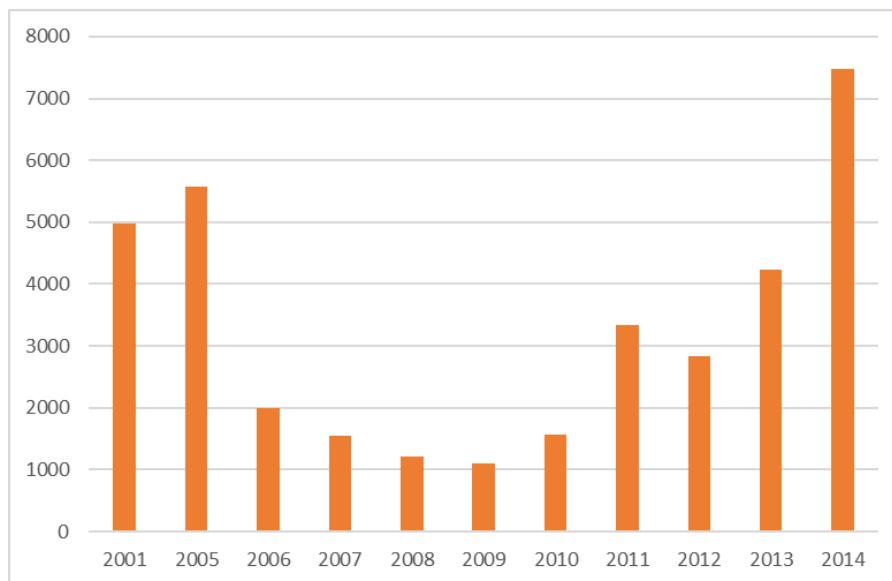
<sup>90</sup> Transcription of the original: "El principal problema de la inmigración irregular es que si no se frena el potencial para que aumente es muchísimo. Es decir, el problema de seguridad no son tanto las personas que consiguen entrar de forma irregular, que son relativamente pocas, la cifra es pequeña, el problema es el potencial".

**Figure 4.1. Irregular immigrants detected at Spanish coasts (2001-2014)**



Source: Author's elaboration from the reports of the Ministerio del Interior (2002, 2004, 2006, 2008, 2009, 2010, 2011, 2013, 2014, 2015)

**Figure 4.2. Irregular immigrants arriving to Ceuta and Melilla (2001-2014)**

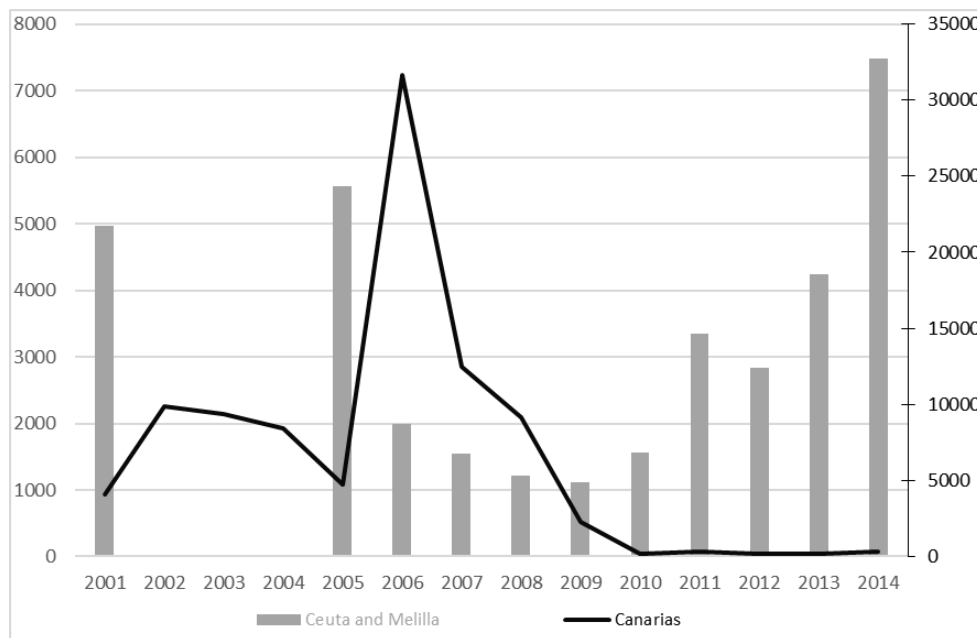


Source: Author's elaboration from the reports of the Ministerio del Interior (2002, 2004, 2006, 2008, 2009, 2010, 2011, 2013, 2014, 2015)

Irregular migratory routes are very unstable and erratic, and changes in one route have direct impacts in another one. A clear example is how the increase in border controls in the cities of Ceuta and Melilla in 2005 led to a redirection of the route from the Western Mediterranean route to the Western African one. Thus, in 2006 over 32,000

migrants reached the Canary Islands, in what became known as the ‘*cayucos* crisis’ (see the peak on Figure 5.2). Due to the adoption of stricter controls and a closer cooperation with origin and transit countries, the Spanish government was able to almost stop these arrivals, reaching 196 detections in 2010, only to register a small increase in 2011 (340 detections), with the Arab Spring, and reducing again in 2014 to 296 arrivals. Nevertheless, those numbers are insignificant when compared to the ones reached in 2006 (Ministerio del Interior, 2008). By overlapping both graphics (Figure 4.3) the correlation between the two routes is clear. As we register a decrease in the arrivals at the Canary Islands, we see an increase in the arrivals in the Autonomous cities of Ceuta and Melilla. Furthermore, it is important to stress that only between 2013 and 2014 there was an increase of 77 per cent in the irregular arrivals to those cities. As the *Ministerio del Interior* stresses, this high increase in the detections was due to the arrival of over 3,300 Syrians in 2014 (Ministerio del Interior, 2015), consequence of the international refugee crisis.

**Figure 4.3. Comparison between the arrivals in Ceuta and Melilla and the detections at the Spanish coasts**



Source: Author’s elaboration from the reports of the Ministerio del Interior (2002, 2004, 2006, 2008, 2009, 2010, 2011, 2013, 2014, 2015)



Those figures highlight the great effort made by Spain in the development of a coherent and effective border management policy in order to control migratory flows. The Spanish Ministry of the Interior (Ministerio del Interior, 2009, p. 1) recognises that:

The management of the external borders (control of persons at border crossing points and surveillance between these crossings) should contribute to the fight against illegal immigration and trafficking in human beings and to prevent any threat to the internal security, public order, public health and international relations between Member States<sup>91</sup>.

Thus, the country developed a border management strategy based on a four-pillars model: cooperation with third countries, liaison officers' network, reinforcement of the borders' surveillance systems and national actions. This model has different layers: a national level (national actions), an international level (cooperation with third countries and liaison officer's network), and another one regarding surveillance and technologies. Furthermore, it incorporates the European framework of IBM, which emphasises the connection between the different layers and tiers and the close cooperation at the European level.

The model developed has had many positive results so far, mainly with regard to the striking decrease in the number of illegal crossings. In that sense, it is often used by other European Member States as a model to be adopted in terms of border management. One of its main goals is to deter or bring to a halt illegal crossings. This deterrence effect was achieved through the building of fences in the cities of Ceuta and Melilla<sup>92</sup> and the implementation of an IT surveillance system through the whole coast, or even the deployment of patrolling missions. In this sense, some authors, such as Izquierdo and Cornelius (2012, p. 14), even talk about a 'impermeabilisation' of the border. Despite what we call it, as the figures show, those measures have had a dissuasive effect.

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<sup>91</sup> In the original: "La gestión de las fronteras exteriores (control de personas en los pasos fronterizos y vigilancia entre esos pasos) debe contribuir a la lucha contra la inmigración clandestina y la trata de seres humanos, así como a la prevención de cualquier amenaza a la seguridad interior, al orden público, a la salud pública y a las relaciones internacionales de los Estados miembros".

<sup>92</sup> During the current migratory crisis, other Member States, such as Hungary and Macedonia have taken the fences of Ceuta and Melilla as an example to halt irregular crossings.

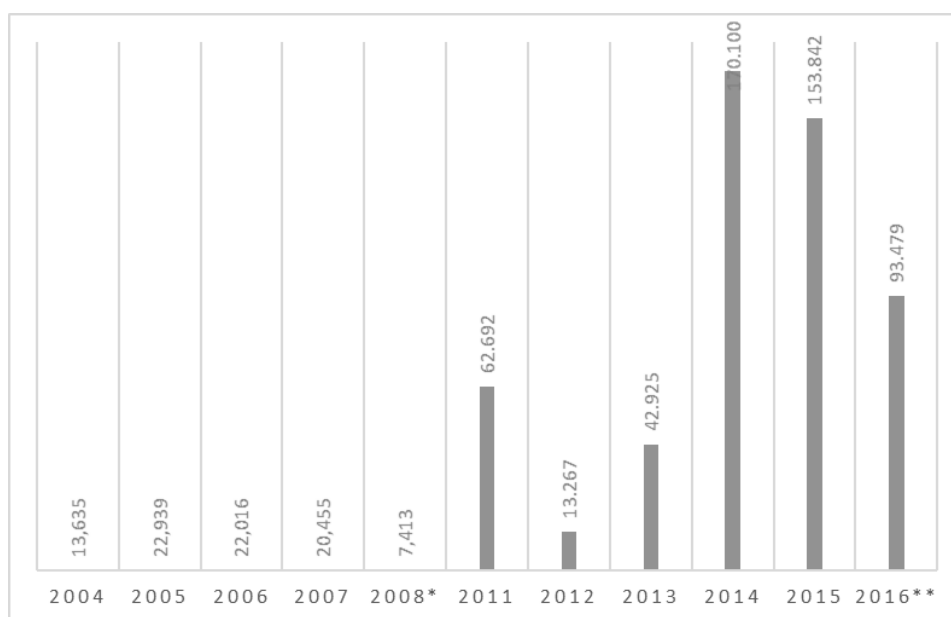
### 4.2.2. Italy

Italy has a central role and position in the Euro-Mediterranean migration system, particularly in the Central Mediterranean route. Its extensive maritime border – which amounts to 5.225 km (Ministero dell’Interno, 2007, p. 4) – and its islands in the Mediterranean (Sicily, Sardinia, Lampedusa, Lampione and Pantelleria) attract migrants trying to reach the EU’s territory irregularly from North Africa or Southeast Asia. These flows originate in North Africa, particularly in Tunisia, Libya and Egypt. However, despite the great development at the management and control of borders and the increasingly sophisticated equipment used, it is still impossible to intercept all arrivals to Italian shores, as well as to other frontline Member States (Triandafyllidou, 2007, p. 83).

According to data from the Italian Ministry of Interior, there has been a high decline in the number of migrants arriving to its shores between 2011 and 2012 (following the first uprisings of the Arab Spring). However, with the sharpening of the refugee crisis in Syria, in 2014 there was exponential growth, reaching more than 170,000 arrivals in that same year. The measures adopted both at a European and national level (in which we will focus in the following sections), to face these intense flows, led to a decrease in the arrivals in 2015 and 2016 (Figure 4.4).

This data from the Interior Ministry is confirmed by Frontex in its annual risk analysis report (FRONTEX, 2016c). The information compiled by Frontex, which cover a more elongated period (from 2009 to 2015) consider both Italy and Malta in the central Mediterranean route (see Table 2.5 in Chapter 2). When compared to the data from the Ministry of Interior, we conclude that only a small part of migrants using this route headed for the coast of Malta (near 564 arrivals).

**Figure 4.4. Irregular migrants arriving to the shores of Italy (2004-2016)**



\* Data from the 1<sup>st</sup> of January until the 1<sup>st</sup> of May 2008.

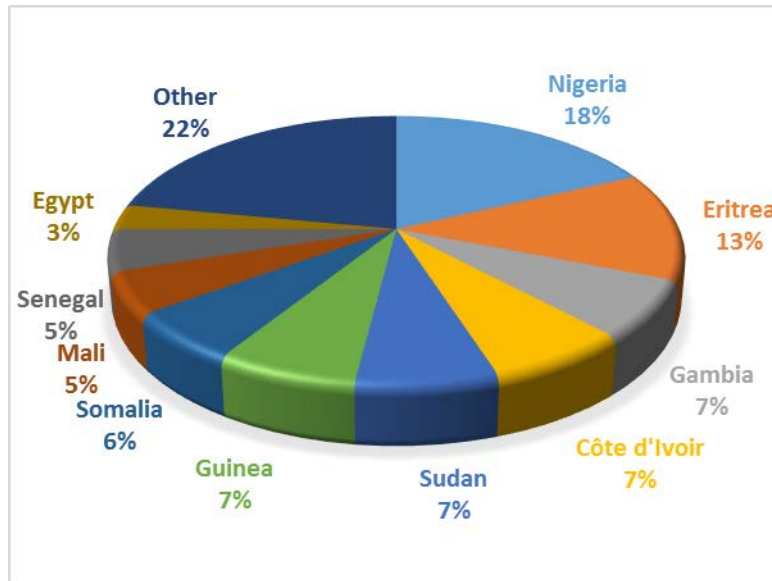
\*\* Data from the 1<sup>st</sup> of January until the 31<sup>st</sup> July 2016.

Note: There is no available data for the period between 2009-2010.

Source: Adapted from Ministero dell'Interno, 2007, p. 5; 2016

In fact, those are essentially mixed flows, composed by migrants seeking international protection as well as economic migrants. According to recent data from the Italian Ministry of Interior, the majority of migrants arriving to Italian shores since the beginning of 2016 are mainly from North and sub-Saharan African countries (Figure 4.5). The relative low presence of Syrian migrants in the Central Mediterranean route, emphasises the importance of the Eastern Mediterranean route for those migrants, highlighting the pressure Turkey and Greece are currently suffering with Syrian refugees.

Figure 4.5. Main nationalities declared when rescued (between January and June 2016)



Source: Ministero dell'Interno, 2016, p. 9

In a broader context the phenomenon of irregular migrations by boat to Italy, despite representing the most visible and dramatic face of human mobility, represents a really small part of the whole phenomenon, maybe around 10 per cent. Actually, “[m]ost part of illegal immigrants (70%) includes the so-called overstayers, i.e. foreign nationals who enter Italy legally (i.e., in possession of a valid visa and/or stay permit) and remain there illegally after the expiration of said permits” (Ministero dell’Interno, 2007, p. 6).

Given the migratory pressure that Italy has suffered over the last decade, as a frontline Member State and the main gateway in the Central Mediterranean route, migrations are increasingly perceived as a threat to societal security. Hence, according to the *Programma Operativo nell’ambito dell’obiettivo ‘investimenti in favour della crescita e dell’occupazione* (Ministero dell’Interno, 2014, p. 5):

[t]he data described above demonstrates the relevance of the migratory phenomenon on income and the continuous increment of the flows that **seriously threat the ability of the reception system to ensure – in a territory already highly problematic – social inclusion and the employment of regular migrants**<sup>93,94</sup>.

<sup>93</sup> Bold in the original.

<sup>94</sup> In the original: “I dato sopra descritti dimostrano la rilevanza del fenomeno migratorio in ingresso e il continuo increment dei flussi che **menaccia seriamente la capacità del sistema di accoglienza di garantire – in territory già fortemente problematici – l’inclusione sociale e lavorativa dei migrant regolari**”.

Italy does not have a security strategy *per se*, in this sense its approach to security threats is based on the *EU Internal Security Strategy* and the *Libro Bianco per la sicurezza e la difesa* (Ministerio della Difesa, 2015). The White Paper identifies Italy's main strategic frameworks, stressing the importance of security in the Euro-Mediterranean region. Therefore, it highlights the importance of the military in preserving security in the region, through the adoption of an integrated approach to address the threats arising in the area (Ministerio della Difesa, 2015, p. 28). Nevertheless, the lack of a security strategy translates the absence of a plan of action and a definition of priorities regarding threats to internal security (Jean, 2014, pp. 163–164).

Despite the inexistence of a political document that identifies the threats to Italy's internal security, over the last years the speeches of Italian political leaders have increasingly portrayed irregular migrations as a menace and threat to security. In this sense, in 2004 the Italian interior minister Giuseppe Pisanu spoke of an 'assault' to the Italian shores (BBC News, 2004) and, in 2011, president Silvio Berlusconi, spoke of a 'human tsunami', to refer to the flows reaching Italy in the aftermath of the Arab Spring (Corriere Della Sera, 2011). Despite the increasing numbers in irregular migratory flows, those metaphors that magnify the phenomenon create an "imaginary of invasion", while assuming that "(...) entries via the southern border constitute the majority of Italy's undocumented migrants (...)" (Andrijasevic, 2006, p. 15).

Those misconceptions are also at the basis of Italy's migratory policies, which has translated into the criminalization of irregular migrations by the different governments. Hence, over the last decade, Italian immigration law emphasizes a securitarian approach to these flows and its conception as a threat.

In this sense, since 2009, *irregular immigration and stay in the national territory* (*ingresso e soggiorno irregolare nel territorio dello Stato*) is considered to be a crime (Law 94/2009, that reformed the Legislative Decree n. 286/1998, adding article 10 bis). According to this law, this is a minor offence, punishable with a fee from 5.000 to 10.000 euros, or the alternative penalty of expulsion/deportation<sup>95</sup>. Later on,

[i]n 2011, after a judgment of the EU Court of Justice on the compliance (better: non-compliance) of this article with Directive 2008/115/EC, the Italian Parliament was obliged to modify the penalty,

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<sup>95</sup> Interview conducted in September 2016 with Chiara Pigato, lawyer expert in Italy's immigration and refugee law.

introducing a fee from 10.000 to 20.000 euros in certain cases, and from 6.000 to 15.000 on other cases, instead of imprisonment<sup>96</sup>.

Furthermore, noncompliance with the order of the Police Chief to leave the national territory, as a consequence of a deportation order (art. 14 co.5 ter of Legislative Decree 286/1998 – *Inottemperanza all’ordine del Questore*), is also a crime punishable by one to four years in prison. According to Chiara Pigato<sup>97</sup>, since 2009 there is a double criminalization of irregular migration. Like in Spain or in Portugal, up until that date, irregular migration was considered to be an administrative offence, punishable with an administrative expulsion. However, the 2009 reform led to the coexistence of an ‘administrative way’ with a ‘criminal way’. Furthermore,

This article of the law has been used also against people who come to Italy as asylum seekers, because when they touch the Italian ground, and until they submit the official asylum request, they are considered as irregular migrants. But this doesn’t always happen, and for sure not in every part of Italy. Anyway, after the submission of an asylum request, the criminal process is suspended until the decision of the Asylum Territorial Commission, and in case of a positive response, it is extinguished<sup>98</sup>.

This criminalisation of irregular migration in Italy highlights the danger of falling into a securitarian approach, which translates into a clear violation of migrants’ human rights.

### **4.2.3. Portugal**

Portugal’s unique geographic position, in the confluence of the Mediterranean Sea and the Atlantic Ocean, stresses the country’s importance for the Mediterranean region. Despite not having a Mediterranean shore, given its geographic and political characteristics as a Southern European country, Portugal is integrated into the whole of the Mediterranean countries.

Notwithstanding its closeness to African shores, Portugal does not attract irregular flows from the Mediterranean or Western Africa routes. In fact, the Portuguese Atlantic coast is almost inaccessible for migrants. Nevertheless, in 2007, 23 irregular migrants were detected and rescued near the shores of the Algarve, coming from Morocco (Lusa, 2007). This isolated event rose fears regarding the possibility of

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<sup>96</sup> Interview conducted in September 2016 with Chiara Pigato, lawyer expert in Italy’s immigration and refugee law.

<sup>97</sup> Interview conducted in September 2016 with Chiara Pigato, lawyer expert in Italy’s immigration and refugee law.

<sup>98</sup> Interview conducted in September 2016 with Chiara Pigato, lawyer expert in Italy’s immigration and refugee law.

Portugal becoming a preferred destination for boat migrants, following the strengthening of border controls in the Spanish coast. Still, this was a secluded event, since due to climacteric conditions the vessel was deviated from its final destination (the Spanish coast). To ease the situation, the (then) director of the SEF – *Serviço de Estrangeiros e Fronteiras* (Foreigners and Borders Police) – stressed that: “there is no indication that there are organised networks dedicated to the transference of people from North Africa directly to Portugal”<sup>99</sup> (Lusa, 2007). The truth is that the Portuguese Atlantic shores are not so attractive due to the Atlantic Ocean’s currents.

According to Portuguese Ministry of Home Affairs (Ministério da Administração Interna, 2007, p. 9), over the last years there has been a slight increase in the number of clandestine people on board of commercial vessels. This has led to a strengthening of the control and security strategies, and to the adoption of preventive measures, as we shall see in the following sections. As consequence of these measures, as highlighted by some of the Portuguese authorities interviewed<sup>100</sup>, in 2015, the Portuguese authorities have only detected 5 clandestine people on board of commercial vessels (SEF, 2016, p. 36).

Portugal is not particularly affected by the Syrian refugee crisis. Despite an increase in the requests for international protection, the majority of applications were presented by nationals from Ukraine (given the importance of the Ukrainian community in Portugal, the third most representative one), and only 2 per cent were Syrian nationals (Sistema de Segurança Interna, 2016, p. 54).

Nevertheless, according to the Portuguese Ministry of Home Affairs (Ministério da Administração Interna, 2007, p. 3), over the last decade Portugal has become a platform of transit for several destinations within the Schengen area, for migrants from the African and South American continents. Although this phenomenon has not acquired the proportions of the Italian or Spanish one, this is a new trend which is cause for concern and requires a close attention by the Portuguese authorities. In this sense,

(...) citizens of nationalities considered of migratory risk have been detected travelling without documents or with fraudulent documentation and seeking international protection, sometimes with the

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<sup>99</sup> In the original: “não há indícios de existência de redes organizadas que façam a transferência de pessoas do Norte de África directamente para Portugal”.

<sup>100</sup> Interviews conducted with members of the GNR (Guarda Nacional Republicana) in March 2016.

help of networks that support illegal immigration and human trafficking”<sup>101</sup> (Sistema de Segurança Interna, 2015, p. 65).

This phenomenon highlights the increasing connection between irregular migrations and organised crime (fraudulent documentation, human smuggling and human trafficking). As highlighted by the Portuguese Ministry of Home Affairs, the country’s geographic position makes it of extreme importance to “(...) ensure the monitoring, surveillance, control and security in this extensive maritime border, while being a national and European imperative, in order to prevent any threat to the European Union’s internal security”<sup>102</sup> (Ministério da Administração Interna, 2007, p. 3).

Portugal does not have a security strategic document similar to the European or the Spanish ones, only a defence strategic document, which assess threats to internal security. Taking this into account, the *Conceito Estratégico de Defesa Nacional* does not consider immigration as a threat *per se*. There is only a light indirect reference regarding the answer to threats and risks, stating that “(...) special attention should be paid to the surveillance and control of the maritime, air and land accesses to national territory” (Governo de Portugal, 2013, p. 33). The document also highlights the strategic importance of the MENA region for the country and the EU, in general, emphasising the need to develop a stronger cooperation between the two shores to guarantee social, political and economic stability (Governo de Portugal, 2013, p. 13).

In fact, irregular migration in Portugal is mostly due to overstaying: foreign citizens who have entered the country with a valid visa but have overstayed the expiry date or who have received a notification to abandon the territory and have not left within the foreseen period; and, there are also foreign citizens who have entered the country undocumented or with fake documentation (Malheiros & Baganha, 2001, p. 2). In this sense, and due to the growing number of irregulars, the Portuguese policy has placed a particular focus on regularisation processes in order to address this phenomenon, as we shall see in the following section. Furthermore, the country has developed an active strategy regarding migrants’ integration, which has become a fundamental pillar of the Portuguese immigration policy.

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<sup>101</sup> In the original: “(...) têm sido detetados cidadãos de nacionalidades consideradas de risco migratório que viajam indocumentados ou com documentação fraudulenta e que solicitam proteção internacional, por vezes com associação de redes de auxílio à imigração ilegal e tráfico de pessoas”.

<sup>102</sup> In the original: “(...) garantir a vigilância, a fiscalização, o controlo e a segurança nesta extensa fronteira marítima, sendo simultaneamente um imperativo nacional e europeu, por quanto visa a prevenção de qualquer ameaça contra a segurança interna da União Europeia”.



### 4.3. IS THERE A SOUTHERN MEDITERRANEAN MIGRATORY MODEL?

Southern Member States have become the gatekeepers of the EU's external border with the construction of the 'Schengenland'. Nevertheless, these countries have often been criticised, mainly by Northern Member States (traditional immigration countries), for their inefficiency to control irregular flows. Actually, according to Finotelli (2007, p. 1), "(...) Spain and Italy have been considered an example of weak migratory regimes, characterised by an extended tolerance towards irregular immigration and a growing trend to make regularisations with negative effects on the rational management of flows"<sup>103</sup>. Interesting enough, Finotelli's assessment in 2007 is still a reality nowadays.

Despite the low numeric importance of boat migrations, given their social and political impact, those have highly influenced the design of policies and strategies to regulate migratory flows in Southern Europe over the last decades. In this sense, Southern European countries have placed a greater focus on the dimension of 'control', through the development, establishment and improvement of border controls.

Nevertheless, this restrictive character is at the same time the cause and consequence of irregular flows. On the one hand, the EU's common immigration, asylum and borders policies offer the main guidelines to national policies. This has translated into an improvement of external controls, as well as on the focus on the defensive dimension of immigration policies. On the other hand, the adoption of inadequate and reactive policies has contributed to increase the submerged economy (Finotelli, 2007, p. 4).

As we have previously seen, the changes in the routes and the dynamics of irregular flows highlight some of the successes and failures of the strategies adopted. Nonetheless, we cannot claim that these policies have been a total failure as some Member States do. They have not been able to completely deter irregular migrations (which is very unlikely to happen in the near future), but they have had a dissuasive effect and have deterred some flows while steering others. However, as we shall see in the following section, the success of these policies depends on a change of perspective,

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<sup>103</sup> In the original: "(...) Italia y España, fueron considerados un ejemplo de regímenes migratorios débiles, caracterizados por una extendida tolerancia hacia la inmigración irregular y una destacada tendencia a realizar regularizaciones con efectos negativos sobre la gestión racional de los flujos".

moving beyond a restrictive approach, towards a more flexible one. As highlighted by Finotelli (2007, pp. 7–8):

The danger of a complete failure in the management of flows to Europe lies not only in both the resilience of illegal immigration and mafias to external control systems, increasingly more refined, but also in the persistence of a restrictive orthodoxy. This prevents the design of a more flexible immigration policy at the European level, while contributing to a perception of immigration, by large segments of European societies, as unwanted, as though it was produced apart from the will and control of society<sup>104</sup>.

Southern European migratory regimes have to take into account both the EU's demands and national interests. In this sense, the migratory models of Spain, Italy and Portugal (our cases of study) share some distinct characteristics, which make them unique. Hence, we have identified the main levels of migration management in these countries, and divided them as follows: national actions, through regularisation processes and deportations; strengthening of border controls, in cooperation with Frontex, and through the development of IT technologies; and, bilateral relations with third countries.

#### 4.3.1. National actions

Spain, Italy and Portugal have developed a strategy of migration control within the State<sup>105</sup> (Pérez Caramés, 2012, p. 175), through the development of a set of internal mechanisms, within which we may find the extraordinary regularisation processes, the annual quotas for foreign workers, and also the processes of expulsion. Those actions of internal migratory control aim to regulate irregular flows and tackle irregular migrations. Nevertheless, rather than being an instrument of integration and legalisation, they have become a mechanism to control migratory flows. As highlighted by Pérez Caramés (2012, p. 174):

Not only is immigration control increasingly a delegated and privatised control, it is also performed through mechanisms that disfigure its initial objectives of integration and legalisation of the immigrant population to become a powerful instrument to control migratory flows<sup>106</sup>.

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<sup>104</sup> In the original: “El peligro de un rotundo fracaso en la gestión de los flujos hacia Europa reside tanto en la capacidad de adaptación de la inmigración clandestina y de las mafias a sistemas de control exterior, siempre más refinados, sino a la persistencia de la ortodoxia restrictiva, que impide la concepción de una política de inmigración más flexible a nivel europeo y contribuye a que la inmigración sea vista, por parte de amplios segmentos de las sociedades europeas, como *no querida* (*unwanted*), como producida al margen de la voluntad y el control de la sociedad”.

<sup>105</sup> Pérez Caramés (2012) calls it ‘migratory control’.

<sup>106</sup> In the original: “No sólo el control migratorio es cada vez más un control delegado y privatizado, sino que también se ejerce a través de mecanismos que desfiguran sus objetivos iniciales de integración y legalización de la población inmigrada para convertirse en un instrumento poderoso del control de flujos”.

Since the late eighties, Southern European countries have struggled with high numbers of irregular immigrants, and those flows were “(...) *de facto* accepted as a common way of entry” (González Enríquez, 2009, p. 140). In this sense, Spain, Italy and Portugal (as well as Greece) have adopted special regularisations as a tool to manage migratory flows and reducing the number of irregular immigrants. Hence, the extraordinary regularisations became an important instrument of migration management.

The regularisation processes adopted in the three countries show many similarities regarding their adoption, periodicity, implementation and results. Spain implemented six extraordinary regularisations (1985-86, 1991, 1996, 2000, 2001 and 2005), in which more than one million people were legalised. Italy adopted four processes (1987-88, 1990, 1996, 1998 and 2002) legalising near 1.5 million people. As for Portugal, in the four extraordinary processes implemented (1992-93, 1996, 2001 and 2003) over 300 thousand people were legalised. Table 4.1 shows us that the processes took place more or less in the same dates in the three countries under study, which are in line with the beginning and high increase of the immigration period in Southern Europe. This trend is particularly evident in the Spanish and Italian cases, where over one million irregular migrants were extraordinarily legalised in a time-frame of twenty years.

Authors such as Solanes Corella (2003, p. 1) claim that these extraordinary processes are the result of the deficiencies of national and European migratory policies. The necessity to resort to such special programmes stresses the inadequacy and inefficiency of migratory policies, which were not able to deal with such flows. On the one side, those special amnesties are the result of the failure of the immigration policies developed until that moment, which had not been able to address the increasing migratory flows that arrived to the country. On the other side, as Kreienbrink (2011, p. 54) pointed out, the regularisations themselves had as a perverse effect what we may call a ‘calling effect’ (*‘efeito chamada’*), as more immigrants arrived to apply to the legalisation process and “after the regularisation, the number of irregular migrants continued to increase”. Nevertheless, they have become an important instrument to reactively regulate migratory flows in Southern Europe. Thus, nowadays, although the EU’s legislation does not allow the adoption of such mechanisms of group amnesty,

national immigration laws include the possibility to address it through a case by case process. As we have seen, one of the main problems of Southern European societies is the submerged economy which attracts and maintains a high level of irregular migrants. In this sense, European and national policies have placed a greater focus on prosecuting employers who take advantage of those migrants.

**Table 4.1. Regularisation programmes in Spain, Italy and Portugal and main nationalities (in thousands).**

SPAIN											
1985-1986		1991		1996		2000		2001		2005	
Morocco	7.9	Morocco	49.2	Morocco	7.0	Morocco	45.2	Ecuador	52.3	Ecuador	139.7
Portugal	3.8	Argentina	7.5	Peru	1.9	Ecuador	20.2	Colombia	40.8	Romania	118.3
Senegal	3.6	Peru	5.7	China	1.4	Colombia	12.5	Morocco	31.7	Morocco	86.0
Argentina	2.9	Dominican	5.5	Argentina	1.3	China	8.8	Romania	20.4	Colombia	56.7
United Kingdom	2.6	Republic		Poland	1.1	Pakistan	7.3	Other	89.4	Bolivia	47.2
Philippines	1.9	China	4.2	Dominican	0.8	Romania	6.9			Bulgaria	25.5
Other	21.1	Poland	3.3	Republic		Other	63.1			Other	217.3
Total	43.8	Other	34.7	Other	7.8	Total	163.9	Total	234.6	Total	690.7
Total	43.8	Total	110.1	Total	21.3	Total	163.9	Total	234.6	Total	690.7
ITALY											
1987-1988		1990		1996		1998		2002			
Morocco	21.7	Morocco	49.9	Morocco	34.3	Albania	39.0				
Sri Lanka	10.7	Tunisia	25.5	Albania	29.7	Romania	24.1				
Philippines	10.7	Senegal	17.0	Philippines	21.4	Morocco	23.9				
Tunisia	10.0	Yugoslavia	11.3	China	14.4	China	16.8				
Senegal	8.4	Philippines	8.7	Peru	12.8	Senegal	10.7				
Yugoslavia	7.1	China	8.3	Romania	11.1	Egypt	9.5				
Other	50.1	Other	97.1	Other	120.8	Other	93.2				
Total	118.7	Total	217.7	Total	244.5	Total	217.1	Total	634.7		
Total	118.7	Total	217.7	Total	489	Total	217.1	Total	634.7		
PORTUGAL											
		1992-1993		1996		2001		2003			
		Angola	12.5	Angola	6.9	Ukraine	63.5				
		Guinea	6.9	Cape Verde	5.0	Brazil	36.6				
		Bissau	6.8	Verde		Moldova	12.3				
		Cape Verde	5.3	Guinea	4.0	Romania	10.7				
		Brazil	1.4	Bissau		Cape Verde	8.3				
		San Tome & Principe		San Tome & Principe	1.2	Verde					
		Senegal	1.4	Brazil	2.0	Angola	8.1				
		Other	4.8	Other	3.7	Other	39.8				
		Total	39.2	Total	21.8	Total	179.2	Total	80		
		Total	39.2	Total	44.6	Total	179.2	Total	80		

Source: Author's own elaboration adapted from Kostova Karaboytcheva, 2006, p. 6

In an attempt to orderly regulate migrations, Spain, Italy and Portugal have also established a system of annual quotas for foreign workers. Ferrero Turrión and López Sala (2009, pp. 124-125) consider this to be a 'reactive system of regularisation'. The annual quotas of workers aimed to fulfil the needs of the labour market in a specific year. In this sense, the identification of sectors with a deficit of workforce, contributes

therefore to the growth of the country's economy, with immigrants' workforce. Nevertheless, administrative difficulties, lack of flexibility and coordination between institutions have been some of the obstacles identified in the effective implementation of this system.

This measure, which aimed to regulate migratory flows from the country of origin, has also led to a perversion of the system. In this sense, on the one hand, those who applied to the programme often only knew about the process after working in the host country without the right permission and would try to regulate their situation afterwards, through those programmes. On the other hand, since the quotas were hardly ever fulfilled, national authorities would use them to the legalisation of irregular migrants living and working in the host country, through the case-by-case processes.

Furthermore, Spain and Italy (and Portugal in a lower level) have signed bilateral work agreements with third countries in order to face the migratory pressure. Those agreements aimed to regulate the migratory flows between the third country and the EU Member State, through the establishment of quotas for labour migration. An example of such an agreement, is the one signed between Italy and Albania in 1997, which led to a reduction and reorientation of the flow (Finotelli, 2007, p. 2).

Another important strategy has been the implementation of expulsion processes, which have become a 'highly symbolic instrument of dissuasive power' (Pérez Caramés, 2012, p. 175). Those agreements, which may be bilateral, intergovernmental or communitarian, aim to implement the readmission of the signatory States' nationals, including third country nationals who have crossed that country in transit, detected in an irregular situation in the EU's territory. Southern European countries have signed a set of bilateral readmission agreements in order to regulate migratory flows. In this sense, Spain signed readmission agreements with third countries, such as Morocco (1992), Algeria (2002) and Guinea-Bissau and Mauritania (2003), among others (Secretaría General de Inmigración y Emigración, 2016). Italy has also signed a set of readmission agreements with countries such as Tunisia (1998) and Algeria (2006) (Ministerio del Lavoro e delle Politiche Sociali, 2015). As for Portugal, the country has only signed a few bilateral readmission agreements with its old African colonies, namely with Guinea Bissau (1981) and Cape Verde (1976) (Ministério da Administração Interna, 2010).

The implementation of those agreements is usually framed within a securitarian approach to migrations. Furthermore, they often violate migrants' human rights, since,

as highlighted by Migreurop (2012, p. 2), “(...) those agreements do not guarantee that the forwarding of people in an irregular situation to the requested States is made in full compliance with the international laws and the protection of fundamental rights”<sup>107</sup>. Hence, many claim that these agreements have become an ‘irregular’ tool to deal with irregular migrations (Migreurop, 2012).

To sum up, those mechanisms of internal regulation play an important part in the management of irregular migrations, although they might have an unwanted effect, as we have seen. Nevertheless, the implementation of such instruments allows national governments to address the handicaps and deficiencies of immigration policies (as well as economic policies), which often led to a growing number of irregular migrants within the territory.

#### **4.3.2. Surveillance and border control**

New technologies have allowed the development of high-tech surveillance tools, which are a powerful instruments of migration management strategies. Thus, since the beginning of the nineties (particularly after the implementation of the Schengen Agreement), Southern European countries, the new ‘guardians’ of the EU’s borders, have improved and increased the surveillance and control of their porous frontiers, through the development and deployment of mechanisms and actions of surveillance and control. We should take into account that “[a] border is globally as vulnerable as the weakest of its spots and surveillance and control is essential to guarantee the security and freedom of all European citizens<sup>108</sup>” (Rojo Esteban, 2008, p. 11). Hence, surveillance is a main axis of border and migration management.

Since the beginning of the nineties, Spain has made an enormous investment in the surveillance and control of its external borders, in order to halt irregular migrations, through the implementation of patrols and direct observation missions, while installing optronic and radar systems (Morales Villanueva, 2015, p. 8). As stressed by officers of the Guardia Civil, “technology is fundamental nowadays to improve the efficiency and

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<sup>107</sup> In the original: “(...) estos acuerdos no garantizan que los reenvíos de personas en situación irregular hacia los Estados requeridos se realicen respetando plenamente las normas internacionales y de protección de derechos fundamentales”.

<sup>108</sup> In the original: “Una frontera que será globalmente tan vulnerable como lo sea el más débil de sus puntos y cuya vigilancia y control resulta esencial para poder garantizar la seguridad y la libertad del conjunto de los ciudadanos europeos”.

decrease the human resources necessary”<sup>109</sup>. Besides the fortification of the border area in the cities of Ceuta and Melilla, which we will address later on in a separate section, the country has created a high-tech surveillance dispositive which has become the spine of the Spanish surveillance system.

In the late nineties, the Spanish *Guardia Civil* started developing a surveillance system that combines optronics (thermal cameras and night vision equipment) and radars, called SIVE (*Sistema Integrado de Vigilancia Exterior*). This system now covers the whole Spanish Mediterranean border, the Strait of Gibraltar and South Atlantic, including the Canary Islands, and allows the detection of all kinds of irregular movements at sea. The system is composed by three different subsystems: the detection subsystem, which comprises the sensorial stations (includes cameras and radar sensors); the communications subsystem, which allows a real-time communication, by transmitting images, voice and data; and a command and control subsystem, which is responsible for centralising data and issuing orders, as well as controlling all the operative activities involved<sup>110</sup>.

This national system is complementary with the European surveillance system Eurosur, which allows a real-time exchange of information on what is happening at the EU’s (maritime) external borders. As security officers recognise<sup>111</sup>:

This system is fundamental as it improves the exchange of information, experiences and knowledge of the situation. Furthermore, it contributes to saving lives at sea, as there is a centralisation of efforts and, thanks to the common surveillance tools, it allows the deployment of new capacities<sup>112</sup>.

Besides the development of technological surveillance instruments, in close cooperation with Frontex and partner countries, given the geographic position of the country, every year Spain deploys naval operation missions on its shores. At first these missions had a unilateral or bilateral dimension, but since the creation of Frontex, they are organised within the framework of Frontex (see Annex III). Since 2007, Spain hosts three different missions, which are Operations Indalo<sup>113</sup>, Minerva<sup>114</sup> and Hera<sup>115</sup>. Those

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<sup>109</sup> Interview conducted with officers of the Guardia Civil on February 2014.

<sup>110</sup> Interview conducted with officers of the Guardia Civil on February 2014.

<sup>111</sup> Interview conducted with officers of the Guardia Civil on February 2014.

<sup>112</sup> Transcription of the original: “Es fundamental ya que mejora en el intercambio de información, experiencias, conocimiento de la situación y contribuirá a salvar vidas humanas en el mar ya que se centralizan esfuerzos y, gracias a las herramientas comunes de vigilancia, se podrán emplear capacidades que hasta ahora no se disponía”.

<sup>113</sup> Operation Indalo aims to tackle maritime irregular immigration, at the Spanish coast of Levante.

<sup>114</sup> Operation Minerva aims to tackle irregular migration flows from the African coast towards the south of Spain, focusing particularly in the seaports of Algeciras and Almeria.

missions are established in cooperation with other Member States and it is important to stress that “these are not search and rescue missions but border control missions, however search and rescue becomes a priority when human life is at risk”<sup>116</sup>. Furthermore, Spain also takes an active part in the other Frontex missions disposed along the EU’s external borders, according to the needs and means available.

In line with the principle of integrated border management, Italy has developed a complex operational system in cooperation with third countries (countries of origin and transit) and involving the different national authorities (Navy, Guardia di Finanza and the Italian Coast Guard) (Ministero dell’Interno, 2007, p. 13).

Italy’s main focus regarding the control of irregular migrations at the maritime border has been placed on the development and improvement of a maritime surveillance model. This system involves all the national entities responsible for surveillance activities, in coordination with Frontex and, in some cases, with third countries. The enhancement and updating of technical equipment and vehicles, as well as the upgrading of the satellite communication capacity improved the country’s capability and potential to search, check and identify irregular migrants at sea.

The implementation of IT surveillance and control technologies facilitate the checking and identification of migrants. In this sense, over the last decade, and with the support of the External Borders Fund (see Annex IV), Italy has improved and enhanced its operational effectiveness in external borders control and surveillance. An important element has been the enhancement and extension of the Anti-Immigration Information System (SIA) and VISA procedure. The implementation of a telecommunication’s system, with optical fibre network, that covered the entire coast and connected Border Police offices, Questure and Police stations, aimed to guarantee “(...) the uniformity of the procedure for the acquisition of immigration data and subsequent homogeneity of relevant information contents” (Ministero dell’Interno, 2012, p. 25). Thus, this model allows the collection, processing and dissemination of data on irregular migrations by sea, as well as the exchange of a considerable information flow (data, images, videos and voice) among the different authorities (Ministero dell’Interno, 2007, p. 18). However, it does not allow a real-time monitoring of the whole Italian coast and the

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<sup>115</sup> Operation Hera involves air and naval surveillance to tackle illegal flows from west African countries to the Canary Islands.

<sup>116</sup> Interview conducted with officials of the Guardia Civil, the Portuguese Navy and Frontex involved in Operation Indalo, on the 24<sup>th</sup> August 2015.



detection of suspicious vessels or movements, as a system such as the Spanish SIVE or the Portuguese SIVICC (*Sistema Integrado de Vigilância, Comando e Controlo*) do. Thus, the Italian main IT system is limited to the exchange of information between the different authorities, based on the data compiled after the rescue of migrants. It is not a system of exhaustive monitoring and surveillance, such as the ones developed by the Iberian authorities.

Those instruments facilitate the deployment of maritime surveillance and search-and-rescue operations. One of the most important SAR missions developed by Italian authorities has been operation ‘*Mare Nostrum*’, launched by the Italian government on the 18<sup>th</sup> of October 2013 following two shipwrecks near island of Lampedusa, that killed over 600 people (Llewellyn, 2015, p. 6). The operation had a twofold aim: on the one side, to save human lives; on the other side, to identify and screen migrants, capture smugglers, and prevent the entrance of boats with irregular migrants from leaving North African waters (Cuttitta, 2015, p. 131). The adoption of a mission with a more humane character, seemed to suggest a twist in the Italian approach to irregular migrations in Italy. Nevertheless, despite saving more than 150,000 lives at sea, this operation was not exempt from criticism:

(...) because of its failures (3 343 people died during its implementation according to UNHCR, the collection of personal data on board ships taking part in it, the circumvention of the principles of non-refoulement (not turning away) and the prohibition of collective expulsion (...)) (Llewellyn, 2015, p. 7).

Italy required the EU’s intervention to deal with the growing number of boat migrants trying to reach its coasts since 2011. Hence, in 2014, Frontex adopted mission EPN Triton (see Annex III), which replaced operation ‘*Mare Nostrum*’, in order to “[c]ontrol irregular migration flows towards the territory of the Member States of the European Union and to tackle cross border-crime, at the external sea borders of the Central Mediterranean region” (FRONTEX, 2016c).

Despite not suffering a migratory pressure at its borders as Spain and Italy do, Portugal is also exposed to a set of threats to internal security (such as drug trafficking, criminal networks and irregular flows of goods and people, among others). In this sense, since the beginning of the nineties, the country has developed a highly complex system of surveillance and control, through the establishment of surveillance points along the coast, that resort to modern IT systems. Besides the technological innovation of the

SIVICC<sup>117</sup> – *Sistema Integrado de Vigilância Comando e Controlo* -, based on the Spanish SIVE, the great asset of this system is the<sup>118</sup>:

(...) concentration in one room of all the surveillance capacity, something that did not happen with LAOS. In fact, LAOS<sup>119</sup> had all the information, but then the operation was local. This is the major improvement of this system, since everything is concentrated in one room, where you have an overall control<sup>120</sup>.

Through the interaction of different subsystems (detection, identification, communications, and a gestational application), the system creates a final image, which gives the agents a situational picture of what is happening in the external border. In this sense<sup>121</sup>: “[t]his technology works as an early warning system and one of situational awareness, so that we can understand what we are seeing and then prepare a good analysis”<sup>122</sup>.

This modern surveillance tool allows for a faster, more efficient and more coordinated answer to threats to the external border. Nevertheless, according to the interviews conducted, we have sensed a lack of coordination between the different authorities (the GNR and the Navy) with responsibilities on the management of the maritime external border, a matter that is currently under internal discussion<sup>123</sup>.

Furthermore, Portugal has taken part in the different surveillance operations coordinated by Frontex, contributing with equipment, vehicles and officers from the different security agencies and the Armed Forces. Moreover, there is a close cooperation with neighbouring Spain, a strategic partner in terms of border management. In this sense, there is a project to develop the interoperability of both systems (SIVE and SIVICC), which would promote the natural sharing of information between both countries, or even the deployment of joint patrol missions<sup>124</sup>.

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<sup>117</sup> The SIVICC was officially implemented in 2013. Its predecessor, LAOS, was established in 1990, but it became obsolete with time and could not guarantee a full coverage of the Portuguese coast.

<sup>118</sup> Interview conducted with an officer of the GNR on the 22<sup>nd</sup> March 2016.

<sup>119</sup> LAOS (Long Arm Operational System) is the predecessor of SIVICC.

<sup>120</sup> Transcription of the original: “Foi a concentração numa sala de tudo aquilo que é a vigilância, o que não acontecia no LAOS. O LAOS tinha de facto toda a informação, mas depois a operação era local. Essa é no fundo a grande evolução aqui deste sistema, é que tudo se concentra numa mesma sala, onde se tem um controlo geral”.

<sup>121</sup> Interview conducted with an officer of the GNR on the 22<sup>nd</sup> March 2016.

<sup>122</sup> Transcription of the original: “Esta tecnologia funciona como um sistema de *early warning* e de conhecimento situacional, para percebermos o que estamos a ver, depois fazer uma boa análise”.

<sup>123</sup> Interviews conducted with officers of the GNR and the Navy on March 2016.

<sup>124</sup> Interview conducted with officers of the Guardia Civil on February 2014 and officers of the GNR on March 2016.

Spain, Italy and Portugal (through their security agencies and Armed Forces) have also taken part in the development of several technological projects of research, development and innovation (R&D&I) in these fields, such as the CLOSEYE<sup>125</sup> project. The development of projects that promote a growing cooperation between public authorities (particularly with security agencies) and the industry of defence, allows the updating of new technological capacities that improve the current surveillance and control systems (for instance in terms of networking, and communications).

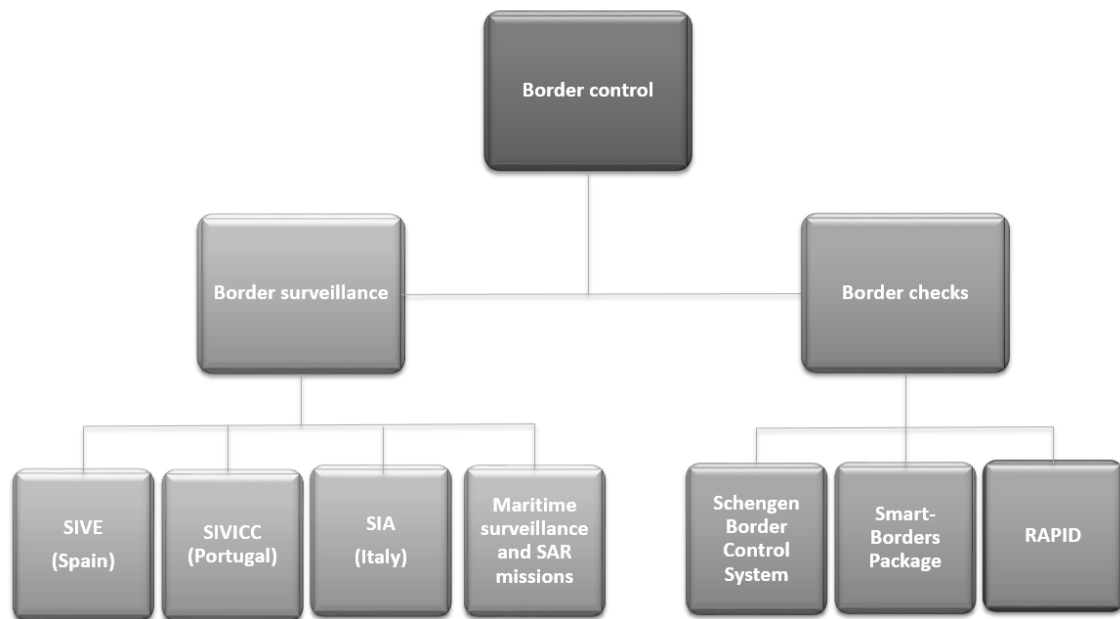
Within ‘border control’ we have two different but complementary dimensions: ‘border surveillance’ and ‘border checks’ (Figure 4.6). Article 2 of the Schengen Borders Code (Official Journal of the European Union, 2006) defines ‘border surveillance’ as the “(...) surveillance of borders between border crossing points and the surveillance of border crossing points outside the fixed hours, in order to prevent persons from circumventing border checks”. But we also have to take into account ‘border checks’, which are “(...) the checks carried out at border crossing points, to ensure that persons, including their means of transport and the objects in their possession, may be authorised to enter the territory of the Member States or authorised to leave it”. In this sense, the development of ‘border surveillance’ instruments aim to detect and supervise people who avoid crossing through control points<sup>126</sup>. Therefore, all these systems previously described are ‘border surveillance’ systems.

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<sup>125</sup> CLOSEYE (Collaborative evaluation Of border Surveillance technologies in maritime Environment bY pre-operational validation of innovative solutions) is a project funded by the European Commission’s FP7 on the themes of security, led by Spain, Portugal and Italy’s public authorities (Guardia Civil, Guardia Nacional Republicana and Marina Militare). The project aims to provide an operational and technical framework to improve the EU’s capacities of surveillance of the external border.

<sup>126</sup> Interview conducted with officials of the GNR on the 22<sup>nd</sup> March 2016.

**Figure 4.6. Dimensions of border control**



Source: Author's elaboration

In this sense, Southern European countries have also developed a set of instruments to control the regular transit and entrance of people, through the modernisation and harmonisation of equipment, particularly within the Schengen Border Control System. In order to “improve the management of the external borders of the Schengen Member States, fight against irregular immigration and provide information on overstayers, as well as facilitate border crossings for pre-vetted frequent third country national (TCN) travellers” (European Commission, 2014, p. 5), the EU adopted the ‘Smart Borders Package’. The package comprised three proposals: (a) a Regulation for an Entry/Exit System (EES) that records information on the time and place of entry and exit of third country nationals entering the Schengen area; (b) a Regulation for a Registered Traveller Programme (RTP), to allow pre-vetted third country nationals to benefit from facilitation of border checks at the external borders; and, (c) a Regulation amending the Schengen Borders Code to include both EES and RTP (European Commission, 2016b). Furthermore, at a national level, Portugal has been a pioneer in the development of an ‘Automated Border Crossing’ egate (ABC egate), which is an electronic border, based on the facial recognition of passengers with an electronic passport. In this sense, Portugal created an automatic registration system for passengers – RAPID –, which allows a faster control of passengers, at the external

borders (SEF, 2006). Furthermore, the Portuguese country was the first to implement the pilot-test of the ‘Smart Borders Package’. Hence, the deployment of modern border checks systems aims to improve and facilitate the mobility of passengers and promote a bigger fluidity of international mobility.

This reinforcement of surveillance and control of the external borders in Southern Europe is visible in the multiannual programmes of the External Borders Fund, for the period 2007-2013 (see Annex IX). In this sense, we see that the country that has made a stronger effort to reinforce its border controls and surveillance has been Spain, with a total budget of 659 million euros for this period. According to the Spanish Multiannual Programme, an 80 per cent of the budget is dedicated to the deployment and improvement of SIVE and to the acquisition of high-reach surveillance means, under Priority 2. The Italian budget is still significant, although it represents less than one third of the Spanish one, with over 211 million euros. Furthermore, the focus is also placed on Priority 2, on the development and implementation of the national components of a European Surveillance System for the external border and of a permanent European Patrol Network at the Southern maritime borders of the EU Member States. At a different scale, but not less important, Portugal had a budget of 34 million euros for the same time frame, mainly distributed between Priority 1 and 2, focusing on the gradual establishment of the common integrated border management system and on the development and implementation of the national components of a European Surveillance System for the external borders.

To sum up, those figures highlight the engagement and commitment of the Spanish government in bolstering controls and surveillance on its external borders. Those efforts, along with other mechanisms, particularly regarding cooperation with third countries, have had a great impact in controlling and deterring flows in the Western Africa and Mediterranean routes. Both Spain and Portugal have developed two important national surveillance systems – SIVE and SIVICC – which are one of the main instruments in terms of border control and surveillance. Those tools allow for a better, faster and more coordinated answer in real-time to maritime threats. Furthermore, they facilitate the exchange of information with EUROSUR. Nevertheless, the lack of such a model in Italy seems to be a gap in its own border policy, which would improve the effectiveness of the maritime surveillance. The Italian government has even recognised that “[s]aid structure becomes an extremely necessary prevention

tool in order to guarantee surveillance of sea borders in conformity with EU guidelines” (Ministero dell’Interno, 2007, p. 26).

### **4.3.3. Cooperation with third countries and externalisation**

The borders of the EU are stretching far beyond its own territory, through cooperation practices with third countries, which often lead to a process of externalisation. The EU’s neighbours play an increasingly more important role on securing the external border and managing migratory flows, through a strategy of ‘governance at a distance’.

As we have highlighted in Chapter 3, cooperation with countries of origin and transit is at the core of migration management in the Mediterranean. Therefore, at a bilateral level, Member States suffering from a higher migratory pressure have placed a strong emphasis on cooperation with third countries. In this sense, regarding our case study, cooperation between Spain and Morocco, as well as between Italy and Libya, clearly illustrate this inter-state collaboration, its main characteristics and idiosyncrasies. Therefore, we will separately address those two cooperation processes.

The issue of border management is at the heart of the Spanish cooperation agreement with its southern partners, particularly with Morocco, Mauritania and Senegal. This bilateral cooperation takes place alongside the EU’s relationship with its Mediterranean countries and is, at times, more effective, as there are only the interests of two States at stake. Furthermore, it is operationalised through the “establishment of liaison officers, deployment of joint patrols, support in training activities, reinforcement of competences and capabilities, among others<sup>127,128</sup>”.

In 2006, Spain signed agreements with Mauritania and Senegal, focusing on border management through the deployment of joint patrols, in order to face the ‘*cayucos* crisis’. This intense cooperation aimed to give an integral answer to the crisis, through the strengthening of the diplomatic deployment in both countries of origin and transit, the increase of logistic, human and economic means of cooperation, the creation of an intelligence network, as well as the establishment of agreements to deploy joint

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<sup>127</sup> Transcription of the original: “La cooperación con los terceros estados debe ser integral, desde el establecimiento de oficiales de enlace, realización de patrullas mixtas, apoyo en labores de formación, refuerzo de sus capacidades, etc”.

<sup>128</sup> Interview conducted with officers of the Guardia Civil on February 2014.

border patrols. An integrated model which has had many positive results (Guardia Civil, 2015). However, not much information is available on this cooperation and its operationalisation.

European programmes and funding have also helped improve cooperation in West Africa, namely with these countries. One of the best examples is the Seahorse project, promoted by the Spanish Guardia Civil in cooperation with Portugal, Morocco, Mauritania, Senegal and Cape Verde, which aims to create a liaison officers network. Its operationalisation takes place through the deployment of joint border patrols, training and education on maritime security, exchange of liaison officers and exchanges of experiences and practices.

Thus, Africa became a political and strategic priority for Spain. The Spanish external policy towards Africa, namely sub-Saharan countries, was consecrated through the adoption of the '*Plan África*' (2006-2008 and 2009-2012), which aims to contribute to the promotion of democracy and respect for human rights, fight against poverty and promote social development, as well as to tackle migratory flows and fight human trafficking (Ministerio de Asuntos Exteriores y de Cooperación, 2006). Nevertheless, despite the different goals included, it became obvious that the main focus was on the nexus between cooperation for development and migration control (Kreienbrink, 2011, p. 50). In this line, Spain signed a set of agreements on cooperation in migratory issues with Gambia and Guinea (2006) and Cape Verde (2007), and some minor ones with Ghana (2005) and Mali (2007).

Italy has also been carrying out cooperation processes with strategic third countries, since 1996. The signing and implementation of agreements regarding cooperation on immigration and border control, collaboration between police forces and readmission of irregular migrants in countries of origin and transit, aimed to tackle irregular migrations and reinforce surveillance and control of the external borders. Furthermore, they also envisaged the improvement of legislation and the country's capacity in the field of asylum and protection (Cuttitta, 2008, p. 50). Therefore, Italy signed readmission agreements with Tunisia (1998) and Algeria (2006)<sup>129</sup> (Ministerio del Lavoro e delle Politiche Sociali, 2015).

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<sup>129</sup> According to the Italian Ministry of the Interior, despite not having been signed to date, the agreement with Morocco and Egypt is also in force, as well as the ones with Nigeria, Georgia and Bosnia and Herzegovina (Ministerio del Lavoro e delle Politiche Sociali, 2015).

Tunisia has been a strategic partner over the last decades. Contrary to Libya, the country's stability has allowed the development and improvement of strategies to deter migratory flows. In this sense, Tunisia has played an active role in managing the migratory pressure in the Central Mediterranean.

In exchange for their cooperation, Italy offered incentives, which ranged from legal immigration opportunities for nationals of cooperating countries, to technical assistance and support. In this sense, Italy has provided technical equipment to Tunisian, Libyan and Egyptian authorities, while implementing training programmes with their officers (Cuttitta, 2008, pp. 53–54).

As highlighted by Cuttitta (2008, p. 55), this cooperation should be framed within a more general political approach of political and economic collaboration. Italy is a strategic partner of North African states, particularly of Libya and Egypt. Nevertheless, through the formal signing of such agreements, Italy, as well as the EU, have given their political support to the undemocratic regimes of the MENA region.

As for Portugal, although migrations are not at the core of the Portuguese cooperation strategy, there is a traditional relation between cooperation and migrations. This cooperation has two dimensions: one regarding the management of migratory flows, and the other the promotion of a development strategy for countries of origin (Góis & Marques, 2016, p. 9).

Portugal has developed a close cooperation strategy with the main countries of origin of Portuguese immigrants, particularly with the PALOP – *Países Africanos de Língua Oficial Portuguesa* (African Countries of Official Portuguese Language). The establishment of Liaison Officers in Angola, Brazil, Guinea-Bissau, Senegal and Russia, aims to develop a closer collaboration between the different authorities, while improving the relations between the signing countries (SEF, 2016).

Regarding the Mediterranean region, Portugal has signed a cooperation agreement on border control and migratory flows with Morocco (1999), and 'Friendship, Good Neighbourhood and Cooperation Agreements' with Tunisia (1991) and Algeria (2006) (Ministério da Administração Interna, 2010). Those agreements of 'Good Neighbourhood' only dedicate one article to cooperation on migration issues. In this sense, both parties commit to "(...) prevent and fight together all forms of migratory pressure – including illegal immigration -, which are conflicting with the



principles of good neighbourhood, mutual respect and joint development”<sup>130</sup> (República Portuguesa, 2006). However, it does not define the tools nor the means to do so. Thus, the emphasis is placed on political, cultural, economic and financial matters, rather than on migration issues.

To sum up, cooperation with third countries has been fundamental to tackle irregular migrations, particularly in Spain and Italy’s southern borders. However, it raises many questions, mainly regarding cooperation with authoritarian regimes that constantly violate human rights and which European countries seem to ignore.

#### *4.3.3.1. Spain-Morocco Cooperation*

Morocco is Spain’s main partner in border management, as both countries share a land (Ceuta and Melilla) and sea border (the Mediterranean Sea), which places many concerns regarding illegal flows, namely concerning irregular migrations. Thus, bilateral actions between the two countries have focused on tackling irregular migratory flows, along with fighting drug trafficking and police cooperation on terrorism and transnational crime. Therefore, as highlighted by an officer of the Guardia Civil, Morocco holds a key role in an integrated border management strategy with Spain<sup>131</sup>.

During the nineties, bilateral cooperation between the two countries was still very incipient, due to tensions and disagreements between both countries, mainly regarding the questions of the sovereignty of Ceuta and Melilla and the Western Sahara. As López Sala recognises (2012, p. 5), the EU became a stabilising element in this conflictive dialogue, promoting a softer dialogue between both parts. In 1992, Spain and Morocco signed a readmission agreement, nevertheless it did not come into force until the beginning of the new century. Furthermore, from 1995 on, there has been an increase in controls in the border perimeter of Ceuta and Melilla. Albeit these first steps, it is only from 2004 on that there is an effective cooperation and Morocco becomes a determinant actor in the Spanish border management strategy (López Sala, 2012, p. 4).

The cooperation strategy developed between Spain and Morocco regarding border management has a dissuasive character, which López Sala (2012, p. 4) has

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<sup>130</sup> In the original: “(...) prevenir e em lutar conjuntamente contra todas as formas de pressão migratória – incluindo a imigração clandestina – que seja incompatíveis com os princípios de boa vizinhança, respeito mútuo e desenvolvimento conjunto”.

<sup>131</sup> Interview conducted with officers of the Guardia Civil on February 2014.

divided into two different dimensions: informative dissuasion and coercive dissuasion. On the one hand, informative dissuasion takes place through the development of awareness-campaigns that target communities of origin and the implementation of development cooperation programmes, funded through EU-programmes. Furthermore, the application of the readmission agreement by the Moroccan government since the beginning of the 21<sup>st</sup> century also has a dissuasive character. On the other hand, cooperation in the dimension of coercive dissuasion has been very intense. Since 2004, Morocco has deployed a growing number of agents for border and maritime patrolling, and both countries have deployed joint border patrols.

Cooperation with Morocco has been crucial to the improvement of migratory control in the Spain's, and the EU in general, external borders. Albeit being origin country of thousands of immigrants, Morocco has become an important transit country for the Mediterranean migratory routes. In this sense, Morocco has tried to adapt and update its immigration policy over the last years (the last major changes were adopted in January 2014). As Wolff (2012, p. 140) underlines:

[s]uch reforms, although not expressly required by the EU, were the result, to a certain extent, of the realization by the Mediterranean partners that they needed to share responsibility for migration movements, and also the 'approximation of laws' clause included in the Euro-Mediterranean Association Agreement.

Furthermore, Morocco has also invested in technologies to improve its border policy, implementing new surveillance and security systems. In this sense, Morocco has become a key actor in the externalisation of the European external border, through a tighter bilateral cooperation with Spain. Thus, Morocco became a 'buffer state' in terms of migration control, as a first filter for irregular flows. This close cooperation has translated into economic benefits for Morocco, which is the main beneficiary of Spain's development aid. At the same time, Morocco has taken advantage of the EU's incapacity to manage its borders alone, capitalising the EU's security fears (Wolff, 2012, p. 141) and using irregular migratory flows as a bargain coin to its advantage. A clear example of that is the impact that a small diplomatic incident, such as the one occurred in the Summer of 2014 when the boat of the King of Morocco was stopped by Spanish authorities in the waters of Ceuta, and only five days later over 900 migrants reached the shores of Andalusia, according to the press (Cembrero, 2014). Thus, the strategic partnership with Morocco in the governance of migrations in the Mediterranean is based on a delicate equilibrium between the interests of both countries.

#### 4.3.3.2. Italy-Libya cooperation

In the attempt to control migratory flows from Libya, the Italian government developed a set of strategies beyond its borders in close cooperation with this Southern Mediterranean country. Hence, Libya was an important ally in managing irregular migrations in the Central Mediterranean until the fall of the Gaddafi regime in 2011.

Cooperation on immigration between the two countries began in 2000, through the signing of a first agreement to fight terrorism, organised crime and irregular immigration. This cooperation was extended in 2003 and 2004 with the establishment of joint measures to combat irregular migrations from Libya, through readmission procedures and the establishment of police cooperation (Governo della Repubblica Italiana, 2003). The first concerns regarding the legality of Italy's readmission processes arose at this moment. Nevertheless, this remained a preferred instrument to manage migrations in the Central Mediterranean route.

The year 2008 marked a new stage in the cooperation process between Italy and Libya, with the signing of the Treaty of Friendship, Partnership and Co-Operation. First and foremost, this Treaty aimed to reconcile both countries from their historical past, "(...) to find a satisfactory solution to the historical disputes and to define a new and balanced partnership"<sup>132</sup> (Camera dei Deputati, 2008). Furthermore, it led to the adoption of a new 'push-back' policy that seriously compromised Italy's obligations regarding international protection, although almost halting irregular flows between Libya and Sicily and Lampedusa at the time (Triandafyllidou, 2012, p. 59).

In this sense, Libya was a crucial player in the development of the so-called 'push-back' policy (Bialasiewicz, 2012, p. 854). This policy was implemented by the *Guardia di Finanza* and the Italian Navy, in close cooperation with Libyan authorities, through the direct deportation to Libya of migrants intercepted in international waters by the Italian coast guard. The deployment of these 'special' procedures violated the international legal principle of *non-refoulement*, which censures the return of people to places where their security might be at risk, and without giving them the chance to apply for international protection (Human Rights Watch, 2009). Hence, those

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<sup>132</sup> In the original: "(...) per trovare una soluzione soddisfacente ai contenziosi storici e per definire un nuovo e bilanciato partenariato".

procedures were formally condemned by the European Court of Human Rights in 2012, in the case *Hirsi Jamaa and Others v. Italy*. Thus, “[t]he Court found that Italy violated the European Convention of Human Rights by exposing the migrants to the risk of being subjected to ill-treatment in Libya and being repatriated to Somalia and Eritrea” (Amnesty International, 2012).

Furthermore, cooperation between the two countries also took place through the establishment of joint patrols to close down the routes, and the provision of training and equipment to assist in surveillance and border management (D’Appollonia, 2012, p. 127). However, with the fall of the Gaddafi regime in 2011, the situation for irregular migrants in Libya worsened considerably. Despite the institutional chaos of this period, cooperation continued afterwards and it even led to the signing of a verbal agreement with the National Transitional Council of Libya for “cooperation in the fight against illegal immigration, including the return of irregular migrants” (Locchi, 2014, p. 16), which never came into action.

The Libyan case brings to the fore the obscurity of this cooperation with a country and a regime known to constantly violate people’s human rights. The repatriations by the Italian authorities to Libya’s detention centres where migrants were held indefinitely, in poor conditions and are ill-treated, were denounced over and over again (Human Rights Watch, 2009). Thus, practices of arbitrary detentions and unsafe repatriations, which violated migrants’ human rights were part of this ‘off-shoring’ strategy to manage the migratory pressure.

To sum up, cooperation with countries of origin and transit is essential to manage migrations, particularly irregular flows. In this sense, and given the geographic proximity and historical ties, Libya is and should always be a privileged ally of Italy in this effort to tackle the migratory pressure in the Central Mediterranean route. However, this cooperation should not be done at any cost, jeopardising migrants’ human rights.

#### **4.4. THE SPECIFICITIES OF THE MIGRATORY MODEL**

The permeability of the EU’s Southern borders translates the different *sui generis* situations and processes. The governance of migrations in the Mediterranean is not a ‘black and white’ process, given the specific particularities of this region, from the Spanish cities of Ceuta in African territory to the island of Lampedusa near the shores

of Tunisia and Libya. Therefore, it is of utmost interest to do a case by case analysis to consider the specificities of each country.

#### **4.4.1. SPAIN: THE TRAP OF CEUTA AND MELILLA**

The deep economic, social and political asymmetries between Spain and Morocco are particularly intense in the cities of Ceuta and Melilla, due to the geographic singularity of these cities. Witness of these contrasts is the crossing of 30 to 40 thousand people a day to both cities<sup>133</sup>. The regular flows of people and goods has given rise to a transnational market where the smuggling of goods by Moroccans has become a vital component for the economy of these cities and also of Morocco's Northern region (Figure 4.5).

**Figure 4.5. The smuggling of goods at the border checkpoint of Beni Enzar (Melilla)**



Source: Photo taken by the author on March 2014.

The cities of Ceuta and Melilla are an exception to the EU's migration and border management model given the special agreements that regulate the region and also the tacit border agreements between Spain and Morocco on the border zone (López

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<sup>133</sup> Interview conducted with officers of the National Policy on March 2014.

Sala, 2012, p. 5). In this sense, the provisions of the Schengen Borders Code do not apply to these two cities (Official Journal of the European Union, 2006, art. 36), which means that they are not part of the Schengen area and are, thus, subject to controls and checks on sea, air and land connections. Hence, despite entering European ground when reaching the cities of Ceuta and Melilla, immigrants are ‘trapped’ inside those cities. López Sala (2012, p. 5) highlights that “[t]he inclusion of these two cities in the common area would have weakened its economic and strategic weight in the area”<sup>134</sup>.

Still regarding border management, there is what López Sala (2012, p. 6) calls a ‘double border intervention’. On the one side, there is the need to manage the regular flow of people and goods between those territories and the mainland. On the other side, there is the regulation of the everyday flow of Moroccans who work in those autonomic cities and have permission to stay until midnight.

Given the unique geographic position of these two territories, during the nineties they became the host region for the hundreds of sub-Saharan migrants who wanted to reach Europe. What was at first a transit migration soon became a large-scale phenomenon, given the particular characteristics of these cities. To face this situation, by the mid-nineties Spain constructed fences around its autonomous territories<sup>135</sup> and implemented a new surveillance model in the border areas of the cities of Ceuta and Melilla (Figure 4.6), which transformed the character of these two cities, as pinpointed by López Sala (2012):

In short, the autonomous cities suffer a transformation becoming, at the same time, a waiting area and a retaining wall, where the game of the political and police forces has implications that affect the model of mobility and management of the Union’s external borders<sup>136</sup>.

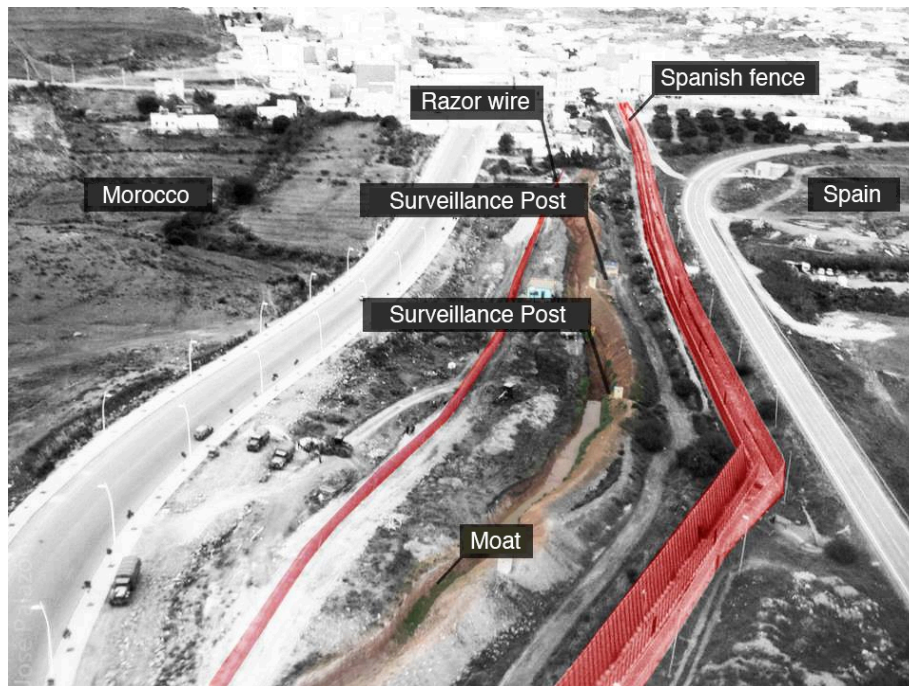
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<sup>134</sup> In the original: “La incorporación de las dos ciudades al espacio común habría debilitado su peso económico y estratégico en la zona”.

<sup>135</sup> The fence of Ceuta was built in 1993 and the one of Melilla in 1996. Ever since they have suffered constant changes and adaptations.

<sup>136</sup> In the original: “En definitiva, las ciudades autónomas se transforman, a la par, en zona de espera y en muro de contención donde el juego de las fuerzas políticas y policiales tiene implicaciones que afectan al modelo de movilidad y de gestión de las fronteras exteriores de la Unión”.

**Figure 4.6. The border between Melilla and Nador seen from the Mount Gourougou**



Source: Photo taken by the author on January 2015 and adapted.

A first significant flow of irregular migrants to the Autonomous cities was composed by migrants escaping the Second War of Congo. From then on there were increasingly more entrances and the surveillance of the border was strengthened, through the improvement of the fence and the increment of patrols<sup>137</sup>.

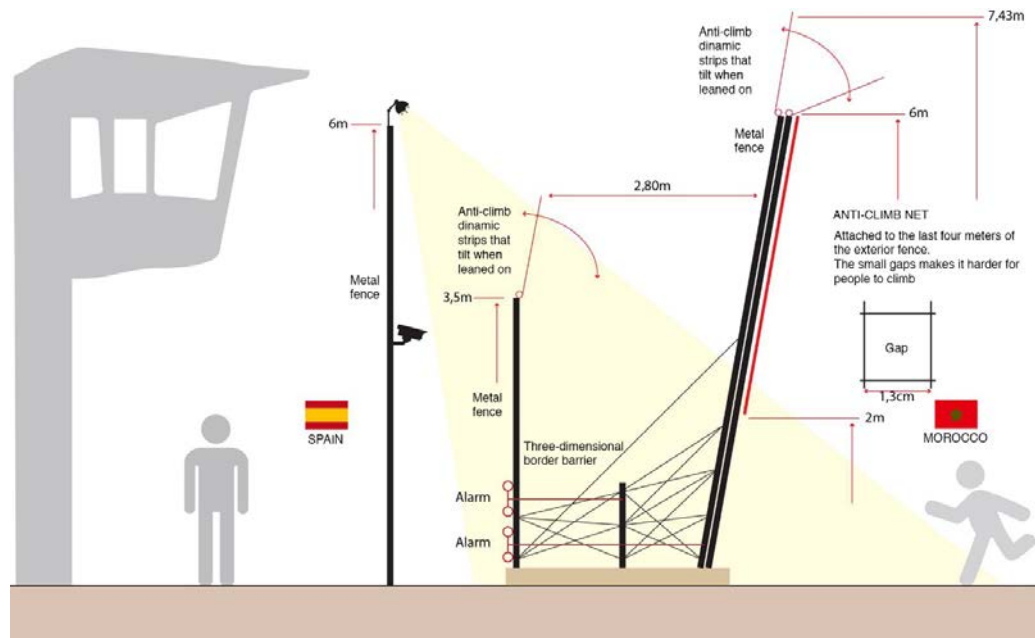
Over the years the fence has been upgraded to include different dissuasive elements (from anti-climb mesh to small blades, and the construction of a triple fence) (Figure 4.7). Furthermore, the fence has been complemented with the implementation of surveillance towers and border patrols, as well as through the employment of new technologies of control, such as infrared cameras and movement detectors. Nevertheless, immigrants try to overcome these obstacles using all kinds of different techniques:

They are able to jump because they often bring a ladder. They cut down trees, they put the steps, and with them they can jump over the first fence. Then, they throw blankets and cover the next one. The first ones jumping crush part of the fence making it easier for the next ones to climb and jump. Some

<sup>137</sup> Interview conducted with the Chief of Defence of Melilla on the 17<sup>th</sup> March 2014. Transcript of the interview in the original: “La alhambra se ha construido después de la entrada masiva derivada del conflicto del Congo. También se ha creado el CETI en ese momento. Desde entonces se han registrado muchas más entradas y se ha reforzado también la propia valla y los patrullamientos”.

get cut in the way, that's why they bring several layers of clothing, so that if they get stuck they can get rid of it. Everything is organised<sup>138</sup>.

**Figure 4.7. Diagram of the fence in Ceuta and Melilla**



Source: Author's elaboration based on diagrams from Eldiario.es and Elpais.es.

The implementation of SIVE (the Spanish integrated surveillance system) and the closer cooperation between Spanish and Moroccan authorities had an important impact in changing the direction of the migratory route, in 2005, which turned West to the Canary Islands – leading to the ‘*cayucos* crisis’. Still, the implementation of this system and the improvement of border surveillance instruments led to a better management and control of these territories (Ferrer Gallardo, 2008, p. 141; López Sala, 2012, pp. 6-7).

The constant rejections on the Spanish border have led to the emergence of improved campings in the surrounding areas of those cities (with inhuman conditions), where migrants stay until they find an opportunity to finally reach the other side of the

<sup>138</sup> Interview conducted with a Riot Officer (*Agente Antidisturbios*) from the Spanish Guardia Civil on the 21<sup>st</sup> March 2014. Transcript of the interview in the original: “Saltan porque traen algunas veces escaleras. Cortan los árboles, ponen los peldaños y saltan la primera concertina. Luego los echan mantas y cubren la otra. Entonces, la primera concertina, escalera, mantas, saltan para allá, vale. Saltan unos cuantos, pasan la escalera, vuelven a la otra e igual. Cuando ya pasan unos cuantos, se queda todo aplastado y ya es trepar y saltar. Algunos se cortan todavía porque queda ahí. Traen mucha ropa por eso, para echarla. Traen mantas los primeros. Está todo organizado”.



fence. One of the best examples of these illegal campings was in the Mount Gurugú, the highest point near Melilla from where migrants could control the border area, which were subject to constant raids by the Moroccan gendarmerie. Those camps were destroyed by the Moroccan police in February 2015, in order to take the migrants further away from these cities.

Morocco has also had an important role in the border management strategy of the cities of Ceuta and Melilla. It has created barriers on its side of the border, such as a small fence with barbed wire (Figure 4.8) and constructed a moat between the two fences, as well as surveillance towers. Nevertheless, given the poor conditions of the Moroccan Gendarmerie, they have been known to be accessory in many of the massive assaults to the fence. Furthermore, after being rejected at the border, migrants are often arrested by Moroccan authorities, which usually resorts to violence and some groups are deported to the outskirts of Southern cities and others are left to perish in the desert.

**Figure 4.8. The construction of the fence on Morocco's side (Melilla)**



Source: Photo taken by the author in 2015

Trying to halt the continuous assaults to the fences, Spanish border guards have often resorted to 'summary deportations' (*'deportaciones en caliente'*). Although, the

Spanish fence was built in Spanish territory, the Ministry of Interior considers that immigrants have to overcome the three fences to be subject to Spanish legislation. According to an officer of the Guardia Civil the ordinary process of repelling takes place in the international area (the area between the Moroccan and Spanish fences):

When they arrive, they [the superiors] command us to move to the international area. As the Moroccans do not have the material, we go in and we repeal, if we can... And if not, we wait for them to get through and do the legal deportation. We are exposed to aggression. That is why they brought us [Riot officers], because of course we are better prepared for extended fights and aggression. If we can repeal them that is good. If not, then they get through and will be caught on the other side and all the regulatory procedure will be put in place. But we try to dissuade them. There is no other solution. Always without using harmful means and that's it<sup>139</sup>.

In this sense, if migrants are caught by border guards before crossing the three fences they can be sent back to Morocco because they are still not 'legally' in Spain. These summary deportations have taken place over the last decades in a discretionary way, and often taking place after the immigrants had crossed the three fences. In 2015, the *Ley Orgánica 4/2015 de Protección de la Seguridad Ciudadana* (Organic Law on the Protection of Citizen's Security), also known as the *Ley Mordaza*, was adopted, legalising the summary deportations in Ceuta and Melilla, through an additional amendment to the law. According to the first final disposition, "the foreigners who are detected in the border line between the territories of Ceuta or Melilla while trying to overcome the elements of border contention to irregularly cross the border may be rejected in order to halt their illegal entrance in Spain<sup>140</sup>". Thus, legislation creates a new legal form called 'rejection at the border' (*rechazo en la frontera*), which allows the expulsion of immigrants without going through the legal procedures to which they were entitled. Although the legal document emphasises that "[i]n any case, the rejection will be done respecting international norms of human rights and international protection of which Spain is a signatory State<sup>141</sup>", it has been much criticised by NGOs, the

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<sup>139</sup> Interview conducted with a Riot Officer (*Agente Antidisturbios*) from the Spanish Guardia Civil on the 21<sup>st</sup> March 2014. Transcript of the interview in the original: "Cuando llegan, nos ordenan que pasemos para la zona internacional. Como los marroquíes no tienen material, entramos nosotros, repelemos, si podemos... Y si no, a esperar a que pasen, y ya se hace la devolución legalmente. Nos exponemos a la agresión. Por eso nos han traído, porque claro, estamos un poco más preparados para el cuerpo a cuerpo y para la agresión. Si podemos repelerlos bien. Si no, bueno pasarán y luego ya se recogerán al otro lado y ya se hace todo con el conducto reglamentario. Pero intentaremos disuadirlos. No hay otra solución. Siempre sin utilizar medios que hagan daño y ya está".

<sup>140</sup> In the original: "Los extranjeros que sean detectados en la línea fronteriza de la demarcación territorial de Ceuta o Melilla mientras intentan superar los elementos de contención fronterizos para cruzar ilegalmente la frontera podrán ser rechazados a fin de impedir su entrada ilegal en España".

<sup>141</sup> In the original: "En todo caso, el rechazo se realizará respetando la normativa internacional de derechos humanos y de protección internacional de la que España es parte".

European Commission and Associations of Lawyers, because it violates immigrants' basic rights, namely the possibility to request international protection.

In order to overcome these critics, the Spanish Interior Ministry created new asylum rooms at border checkpoints, so that immigrants could apply for international protection. However, only the immigrants who crossed the normal border checks had access to those rooms and not the ones who tried to enter by jumping the fences, swimming or by boat. Thus, this measure only covers potential asylum seekers but is not a solution for the hundreds of sub-Saharan migrants (mostly economic migrants) that try to enter Ceuta or Melilla.

As highlighted by Ferrer Gallardo (2008, p. 131) the border management strategies of Ceuta and Melilla combine softness and fortification. On the one hand, this softness has led to a 'debordering' process of the commercial and economic levels, due to the economic unbalance between Spain and Morocco, which is portrayed by the regular flows of migrants smuggling goods from these cities to Morocco, which the Spanish authorities even help to manage. On the other hand, this fortification of the two territories, in an attempt to make the two cities hermetic, has led to a constant strengthening of border controls in Ceuta and Melilla. Thus, the borders of Ceuta and Melilla are increasingly permeable to the regular flow of goods and capital, while, at the same time, they are increasingly hermetic to illegal flows (Ferrer Gallardo, 2008, p. 144).

To sum up, in the cases of Ceuta and Melilla, the border is the core element of those cities, around which the different bordering processes take place.

#### **4.4.2. Italy: From the Lampedusa crisis to the hotspot approach**

The strategic geographic location of the island of Lampedusa, between the north of the Libyan shore, Tunisia, and south of Sicily, makes this island very attractive for migrants using the Central Mediterranean route trying to reach the EU's territory. Some of the deadliest shipwrecks of migrants have occurred near Lampedusa's shores and the expulsions and detentions that take place in the island, have called the attention of the European and international societies. That is one of the most dangerous migratory routes in the Mediterranean. Hence, while Sicily became a "hub for Mediterranean

migrants” (World Health Organization, 2012, p. 1), Lampedusa has become a symbol of the Italian migration governance.

Since the beginning of the 21<sup>st</sup> century, the Channel of Sicily gained an increasing importance, particularly the island of Lampedusa, given its closeness to African shores. This small island, with a population of about 6.000 people has struggled over the last years with a high number of migrant arrivals to the island. The situation reached its peak in 2011, as a result of the convulsions in northern Africa, with the arrival of approximately 23.000 people just in the period between January and March of that same year (World Health Organization, 2012, p. 2).

This unexpected increase of irregular migrants arriving to the island disrupted the system of reception that Italy had in place. The downsizing of the reception capacity created a situation of distress (World Health Organization, 2012, p. 2). To face this humanitarian crisis, the Italian government immediately activated its emergency powers. In a first moment, it tried to confine the situation to the Sicilian territory and, when the situation became unbearable, the government adopted a plan to redistribute migrants around the whole territory. Nevertheless, as Campesi (2011, p. 4) highlighted, “[t]he spaces and places of detention created under the umbrella of the emergency powers were ruled under a situation of complete uncertainty to the legal status of proper asylum seeker, or according to the legal status of illegal immigrants”. In this sense, infrastructures installed displayed many breaches, mainly regarding its organisation and the application of legal procedures.

In order to address the situation, the Italian government signed an agreement with Tunisia focusing on police cooperation to control the external border, as well as the readmission of illegally staying migrants. Nevertheless, the return procedure adopted was highly disputable from a legal point of view. In this sense, there was an abuse of the so- called *delayed refusal of entry* (ruled by the art. 10 of Italian Immigration Law), according to which a migrant can only be refused entrance when intercepted in the ‘frontier zone’, right after crossing (Campesi, 2011, p. 6). This is similar to the Spanish processes of ‘rejection on the border’, in which the host government claims that the migrant has never reached its legal border.

With the adoption of the European Agenda on Migration, the EU implemented a hotspot approach to address the migratory pressure in frontline Member States. The hotspots are infrastructures implemented to support Member States dealing with intense

migratory flows. This scheme aims to bring together officials from the different European agencies and bodies, in order to give an integrative and comprehensive answer to the crisis. Thus, it gathers Frontex officers with the EU Police Cooperation Agency (Europol), the EU Juridical Cooperation Agency (Eurojust), and the European Asylum Support Office (EASO).

Since the end of 2015, four hotspots have been opened in Italy, namely in: Lampedusa, Pozzallo, Taranto and Trapani (Table 4.7). These structures provide support on “(...) registration, identification, fingerprinting and debriefing of asylum seekers, as well as return operations” (European Commission, 2015n). Regarding those migrants who do not fulfil the requirements for international protection, “Frontex will help Member States by coordinating the return of irregular migrants” (European Commission, 2015n). Nevertheless, these centres only have the capacity to accommodate a total of 1.600 people, which seems a rather small number considering the inflow of the Central Mediterranean route, despite the decrease registered over the last couple of years.

**Table 4.7. Hotspots in Italy – State of Play (September 2016)**

	Lampedusa	Pozzallo	Taranto	Trapani
Total Reception Capacity	500	300	400	400
EU Presence	Frontex: 23 experts	Frontex: 24 experts	Frontex: 23 experts	Frontex: 24 experts
	EASO: 2 Member States Expert	EASO: 2 Member States Expert	EASO: 2 Member States Expert	EASO: 2 Member States Expert
	EASO: 3 cultural mediators (Arabic, Tigrinya)	EASO: 2 cultural mediators (Arabic, Tigrinya)	EASO: 2 cultural mediators (Arabic, Tigrinya)	EASO: 2 cultural mediators (Arabic, Tigrinya)

Source: European Commission, 2016a

However, according to Garello and Tazziolo (2016), hotspots might be “enhanced mechanisms of intra-governmental surveillance, aimed at ensuring that frontline member states fulfil” their obligations. In this sense, hotspots have become a ‘preemptive border’, which, through a first selection, aim to block migrants at Europe’s Southern border, while preventing the highest number of asylum claims.

The Lampedusa crisis stresses the deficiencies of the Italian immigration and border policies and the need for a coordination at the European level. The country was not able to face the migratory pressure in the Central Mediterranean route, which led to a growing number of deaths at sea, on its own, and the EU's intervention was crucial to address the situation and bring some stability to the region.

#### **4.4.3. Portugal: the Mediterranean 'wanna-be'**

Some of the most important and busy international maritime routes converge in Portugal. However, with them come a whole set of illicit trafficking, particularly drug trafficking. Given the topography of the Portuguese shore and its numerous beaches, the Portuguese coast is attractive for the trafficking of narcotics. Nonetheless, because of its Atlantic coast and the intensity of the tides, they are not so tempting for irregular migratory flows.

The Portuguese case is somewhat paradigmatic. The country has not suffered a migratory pressure as Spain and Italy and is not directly affected by the Mediterranean migratory routes. Nevertheless, given its geographic position, the possibility of this threat is always present in the Portuguese imaginary.

The vastness of the Portuguese coast and the numerous challenges to national and European security stress the need for an integrated management of the coastal areas, as well as a close cooperation in the building of a common external border. The direct and open access to the sea highlights the importance of the Portuguese maritime border. Thus, "the task and responsibility is fundamental to ensure the surveillance, monitoring, control and security in this extensive maritime border, as both a national and European imperative, with regard to the prevention of any threat against the EU's internal security"<sup>142</sup> (Ministério da Administração Interna, 2007, p. 3). In this sense, Portugal has developed a border policy which aims to strengthen control on the Portuguese border, as an external border, through an integrated border management strategy.

Legal competences regarding border management are hierarchically dependent of the Portuguese Foreign Affairs Ministry and are distributed between the SEF and the GNR. On the one hand, the SEF is responsible for the integral control of the aerial

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<sup>142</sup> (...) fundamental a tarefa e responsabilidade de garantir a vigilância, a fiscalização, o controlo e a segurança nesta extensa fronteira marítima, sendo simultaneamente um imperativo nacional e europeu, por quanto visa a prevenção de qualquer ameaça contra a segurança interna da União Europeia".

borders (Lisbon, Oporto, Faro, Funchal, Porto Santo, Lajes – Terceira, Santa Maria and San Miguel), as well as of the 21 maritime borders. According to SEF's organic law, among its functions, the institution is responsible for the monitoring and surveillance of border points, as well as the entrance and permanence of foreigners in national territory (Ministério da Administração Interna, 2000). On the other hand, the GNR (a security force with a military character) has attributions regarding the control of entrance and exit of people and goods, as well as regarding land and maritime surveillance, monitoring and interception along the coast and territorial sea (Assembleia da República, 2007). This action is complemented in cooperation with the Portuguese Navy, particularly, the *Autoridade Marítima*, and other authorities with transversal competences to those issues (such as the Judicial Police – *Policia Judiciária*).

The existence of a great number of entities with responsibilities on the management of the external maritime border requires a coordinated approach. Therefore, in order to give a comprehensive framework to the management of the external borders, and given the growing intervention of the Portuguese Navy, the Ministry of Defence created the SAM - *Sistema de Autoridade Marítima* (Maritime Authority System). This new system aimed to guarantee the control, surveillance and security of the maritime area, while safeguarding human lives at sea and preventing and repressing irregular migrations (Ministério da Defesa Nacional, 2002). Despite being active since 2002, this organism has never been actually activated, which does not mean that it does not work in practice. Nevertheless, this entity is composed by several ministries or directive organs directly implicated in the SAM. Hence, according to Navy officers<sup>143</sup>:

It actually does not work but ends up running either way, or by direct bilateral relations with the bodies dependent on the different subjects. There should also be a more executive board to allow the operationalisation of the relations within the Sistema de Autoridade Marítima, rather than a room full of ministers. Maybe that is one of the reasons why there are no evident results<sup>144</sup>.

This stresses the need for an intermediate body at the executive level in order to give a more coordinated answer and promote a better articulation between the different authorities. According to the officers interviewed, proposals are already on the negotiations table.

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<sup>143</sup> Interview conducted with Navy officers in May 2016.

<sup>144</sup> Original transcript: “Não funciona mas acaba por funcionar de outro modo, ou por relações bilaterais diretas com os organismos consoante os assuntos. Devia haver um concelho mais executivo que permita operacionalizar o relacionamento do Sistema da Autoridade Marítima, e não tanto uma sala cheia de ministros. Talvez essa seja uma das razões pela qual nunca deu resultados evidentes”.

Nevertheless, despite a clear division of competences on paper, there seems to be some disputes regarding the functions of each entity. From the interviews conducted with officers of the GNR and Navy, it was clear that there should be a greater cooperation between the different agencies.

As we have previously seen, over the last decades Portugal has improved its IT surveillance and control systems and developed a set of instruments in order to strengthen and update the monitoring of its external borders. Another important dimension is cooperation with other Member States, particularly Spain, through Frontex, as well as with countries of origin and destination.

Cooperation with Frontex plays an increasingly important role so as to enhance the surveillance and control of the EU's external borders. In this sense, the different authorities have deployed means and assets to take part in external missions. Despite the fact that Portugal is not directly affected by the irregular flows that are currently pressing the EU's external borders, the participation in such missions also gives the Portuguese authorities the operative know-how to address the situation. As stressed by an officer of the Portuguese Navy:

If eventually in the future we realise that this circuit will be used more often, then of course we not only have the capacity to intervene but also the experience that we have capitalised over the years. That is, from a prospective point of view, maybe to tell you that the experience accumulated in the context of Frontex missions, and others, allows us to think that if there eventually is a change in the migratory flows, regarding illegal immigration, or in the context of refugees, we will be able to give an adequate response to the challenges that will emerge. Also assuming that it will never have the scale that it currently has in the Turkey-Greece corridor<sup>145</sup>.

To sum up, challenges to border management in Portugal concern not only the different kinds of threats it faces, namely regarding drug trafficking and organised crime, but also the need for a better coordination between the different authorities involved, which is necessary to provide a more harmonised approach to those threats.

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<sup>145</sup> Transcript of the original: “Mas se eventualmente no future se vier a constatar que este circuito passará a ser usado com muito mais frequência, aí evidentemente nós temos não só uma capacidade de intervenção como também temos já uma experiência que temos vindo a capitalizar ao longo dos anos. Ou seja, do ponto de vista prospetivo, talvez dizer-lhe que a experiência que nós temos vindo a acumular no âmbito das missões Frontex, e não só, faz-nos pensar que se houver eventualmente uma alteração dos fluxos migratórios, ao nível da imigração ilegal, ou neste contexto de refugiados, nós estaremos em condições para dar a resposta adequada aos desafios que entretanto vierem a surgir. Partindo do pressuposto que também nunca terá a dimensão que atualmente tem a ligação Turquia-Grécia”.



#### **4.5. THE PARADOXES OF BORDER MANAGEMENT: BETWEEN SECURITY AND HUMAN RIGHTS**

Over the last decades, border regimes have been adapting themselves to incorporate new migration control strategies. Therefore, border management has become a central dimension in the regulation of migratory flows in the Mediterranean area. Two main challenges arise from the management of the external borders in Europe's Southern border: to curb irregular flows in the Mediterranean Sea, while reducing the death-toll of migrants who try to reach the EU's shores.

The analysis conducted allows us to identify three main reasons for the effectiveness of the Spanish border management model: the development of a surveillance system that covers all the Spanish coast, and allows the early detection of suspicious vessels; the growing collaboration with Morocco, a strategic partner in securing Spanish borders; and a close cooperation between the different security forces involved. As for Italy, on the contrary, the lack of an integrative surveillance system (such as SIVE) and the absence of a strategic cooperation with Libya, at the moment, due to the current political and social situation of the country, has resulted in growing fluctuations in migratory flows along the Central Mediterranean route over the last years. Given the pressure felt in Italy's southern border, particularly in the region of Sicily and Lampedusa, the EU reinforced its Frontex's mission in Central Mediterranean, deployed a military mission to dismantle smuggling networks in Libya, and implemented its hotspot approach in the country. Despite the fact that cooperation with Libya has always been involved under a suspicious veil, the lack of a strategic interlocutor in the Southern shore makes it more difficult to manage the migratory pressure in the Central Mediterranean route. As for Portugal, although the country does not suffer a migratory pressure such as Spain and Italy, given the high number of illicit traffics that it is subject to, the country has placed a special focus on border management. In this sense, Portugal has been at the vanguard of IT systems, regarding the development of new technologies of border checks and border surveillance. Nevertheless, the still deficient coordination among the different agencies involved does not allow for a full maximisation of the instruments deployed.

The processes developed by the Southern European Member States under study to address migratory pressure allow us to identify the different levels of the strategies implemented, which have a common denominator: IT systems (Figure 4.9).

Technologies are transversal to the deployment of border management strategies, given their application in different fields. The increasing use of new technologies has allowed the development of IT tools to detect, identify and control threats to the border. This ‘digitalisation of border surveillance’ (Pérez Caramés, 2012, p. 150) is an important instrument in the supervision of large coastlines and land borders, which are very difficult to control, as well as in the detection and management of irregular migrations.

**Figure 4.9. Layers of border management in the Mediterranean**



Source: Author's elaboration

At the core of those border processes is what we may call the ‘ordinary border management’, the one that takes place at specific and defined border points (such as airports, ports or land borders), in order to ensure the good flow and mobility of goods, people and services. Those daily processes are done based on risk profiling. In this sense, new technologies developed to read electronic passports facilitate the crossing of information and improve the fluidness at border points.

At a second level, we may find the border patrol missions implemented by Member States and Frontex. Despite the fact that the main goal of those operations is to monitor and control the external borders, they also, in compliance with maritime laws, have a search-and-rescue capacity. The Armed Forces, particularly the Navy and the Air Force, play an increasingly more important role at this level, given their resources and knowledge. Furthermore, the development and implementation of missions with a more military character, such as EUNAVFOR MED – Operation Sophia, or the deployment of military or semi-military forces along the border, highlight the increasingly ‘militarisation’ of the Mediterranean borders. Nevertheless, so far, this growing

militarisation does not seem to have a negative impact on border management strategies.

Lastly, there is a pre-border dimension through 'remote' control processes in cooperation with countries of origin and transit, that is the deployment of instruments and measures far beyond the border itself, through the externalisation of policies and controls. Several mechanisms are used to externalise migration controls, such as: cross-border police cooperation, the establishment of liaison officers in transit and origin countries, the creation of shelters or information centres for migrants in transit countries, or even through the request of a visa at the embassies or consulates in origin or transit countries. The implementation of immigration controls away from European borders prevents migrants from accessing European jurisdiction. Thus, transit and origin countries, such as Morocco, become buffer zones for those migrants who do not manage to reach the territory of a EU Member State (Pérez Caramés, 2012, p. 151). By 'displacing' the problem, those countries have become the 'guardians' of the EU's borders and are responsible for deterring migrations to the Union. In this sense, through the signing of bilateral agreements (Spain-Morocco Agreement) or communitarian ones (EU-Turkey Agreement), the EU and its Member States have delegated and given those countries the competences to manage its own borders, while encouraging them with economic incentives.

However, those agreements come at a cost, mainly regarding the safeguarding of migrants' human rights. On the one side, we are talking about cooperation with undemocratic regimes, known to violate basic human rights (such as in Turkey, Libya and Morocco). Nevertheless, given the EU's and Member States incapacity to deal with these threats on their own, such a collaboration is seen as a lesser evil. On the other side, through the delegation of competences to third countries, the EU has created 'buffer states', denying migrants the possibility to reach its own territory. Furthermore, the displacement of the problem to a neighbour country does not solve the problem *per se*. In fact, it might even worsen it.

Despite this externalisation of the border, there has also been a movement inwards. This has taken place through the adoption of extraordinary regularisation processes, which were crucial instruments of internal migratory control, or the application of detentions and deportations, as well as through the extension of the network of actors involved in the border and migration management process. Hence,

“(…) we can talk about an extension of the migratory control within the territory and an extension of the surveillance beyond the moment of the immigrant’s entrance in the territory”<sup>146</sup> (Pérez Caramés, 2012, p. 153). To sum up, migration management strategies encompass both internal and external elements, through the strengthening of external border controls and the extension of internal controls.

The deployment and improvement of border controls and surveillance, while securing the EU’s borders, have raised various legal inconsistencies and impasses, particularly regarding the application of the principle of *non-refoulement*. The Italian deportations of 2009, later sanctioned by the European Court of Human Rights in 2012, represent a clear example of those violations. According to international rules and regulations, the competent authorities have to assist people in distress at sea, regardless of their nationality or circumstances, and transfer them to a safe place. In this sense, the Italian ‘push-back policy’ jeopardised migrants’ human rights, not only because it did not give them a chance to apply to international protection, but also because migrants were transferred to Libya, a country known for persecuting and mistreating people. Furthermore, the legalisation of Spanish ‘summary deportations’ at the borders of Ceuta and Melilla goes in the same line, since it also denies migrants’ the right to ask for international protection, while sending them back to Morocco, which would later detain them or take them to Morocco’s southern border.

So far, the strategies developed at both national and European level have had consequences on the dynamics of the flows. As highlighted by López Sala (2012, p. 7), the increase of border controls on a certain border point has led to changes in the migratory routes, which, consequently, translate into the strengthening of security and surveillance measures. This led to what D’Appollonia (2012, pp. 67–70) called a ‘border escalation’. To overcome this escalation of control, migrants need to take new routes and new migratory channels, adopting new strategies, which may leave them more vulnerable to abuses.

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<sup>146</sup> In the original: “(…) podemos hablar de una extensión del control migratorio hacia dentro del territorio y una extensión de la vigilancia más allá del momento de la entrada del inmigrante en el territorio”.

#### **4.6. AN APPROACH TO MIGRATION MANAGEMENT IN SOUTHERN EUROPE: A PROPOSAL**

The current international and European migration crisis calls for a reconceptualization of migration and asylum policies, and emphasises the need to adopt a coherent and effective common framework at the European level. In this sense, the European Agenda on Migration adopted in 2015 seems to be a valuable blueprint for the development of national processes.

Regarding border management, our case studies have highlighted the deficiencies and successes of the different models adopted in Southern Europe. Since Spain and Italy have both suffered a great migratory pressure on its southern border over the last decades, the border management models adopted by those countries portray the different visions and approaches to this problem. The increasing reduction of migratory flows in the Western Mediterranean and Western African route reflect the emphasis placed by Spain on the monitoring and surveillance of the coast, through the deployment of an integrated IT system. On the contrary, in Italy, the lack of coordination between the different authorities does not allow an upgrading of its border management strategy to face the different migration challenges.

At a national level, Southern European Member States have developed a set of strategies in order to regulate migratory flows, which have had their successes and failures. On the one hand, the increase of surveillance and control in certain border points and the growing cooperation with countries of origin and transit have led to a decrease in the arrivals in certain routes. Nevertheless, it did not bring them to a halt, rather, it has often led to a redirection of routes. On the other hand, cooperation with third countries has had a positive impact in the regulation of flows, since many migrants did not manage to reach European shores. However, those externalisation processes jeopardise migrants' rights, as they deny them the opportunity to reach the EU's shores and apply for international protection. Furthermore, they also highlight the contradiction of advocating for human rights while supporting authoritarian regimes.

Hence, looking at the different examples analysed in this chapter, we argue for a model of border management based on the Spanish one. So, there should be a security force that integrates all competences regarding border surveillance and control. Cooperation with other national and international agencies is essential but should be limited to very specific and defined cases. Moreover, this model should integrate IT systems of border checks and surveillance in order to improve the monitoring,

surveillance and detection of potential threats. The closest model is the Spanish one, where the Guardia Civil is the authority with competences on border checks and border surveillance, and cooperates with the Navy and other security forces to address special and particular situations. Furthermore, the adoption of an integrative high-reach surveillance system facilitates the early detection of potential threats. Over the last years the Portuguese model has progressed in this regard, although there is still need for a clearer definition of responsibilities between the different agencies involved. Nonetheless, Portugal has upgraded its IT systems regarding border checks and surveillance, which has improved the country's capacity to monitor and control its sea, land and aerial borders. However, the Italian model is the more inadequate one, requiring an urgent thorough renovation to meet the challenges it faces. The lack of an IT surveillance system of high-reach, in a country with such porous borders, is one of the main weaknesses of the Italian case. Furthermore, the absence of a central authority responsible for border checks and surveillance, jeopardises coordination between the different authorities and the adoption of an integrative response. In this sense, cooperation in the EU's framework would be smoother with the approval of a European Border Guard, which could provide a more coordinated response to both the common and unique challenges. Similarly, to the European Gendarmerie force, this body would provide a combined effort to the challenges in Western and Central Mediterranean.

At the basis of any migration management strategy should be two dimensions: an economic one and humanitarian concerns. In this sense, those policies should take into account the number of migrants the country needs and their profile, as well as the number of migrants the country can offer shelter to in case of a humanitarian crisis, based on a risk analysis. In fact, rather than having only a 'deterrence' dimension, those policies should aim to manage and steer migratory flows, according to the different circumstances. Therefore, those policies have to be flexible and move beyond a mathematical approach to the market (which often fall in very bureaucratic processes) and the illusion of being able to control migrations through pure economic needs, or even to completely stop irregular migrations. Hence, an equilibrium has to be found between those two dimensions in order to maintain the well-being of the country's nationals and residents, as well as that of the newcomers.

In that sense, the country has to define main strategic lines that can be easily adapted to the constant changes of migratory flows. Based on Baganha's (2005)

assessment for the creation of a migratory management policy, we have identified the main contingencies that should be taken into account in any migratory management strategy for Southern European countries:

1. The international migratory context – the characteristics of the international migratory system identified in Chapter 2 (globalisation of migrations, accelerating migrations, growing importance of South-South migrations, concentration of migrants in a few number of countries, differentiation of migrations, increasing number of refugees worldwide and growing politicisation of migrations) portray the main trends in international migrations, as we have tried to do throughout this research, at a regional level.
2. The Mediterranean geopolitical context – the volatility of this region has a huge impact on migratory flows. It should be taken into account that migrations in this area are subject to a set of internal (political and social conflicts, economic instability, or asymmetries in the education level) and external (conflicts in near-by countries, or even economic asymmetries in the African continent) factors, which have a huge impact on their dynamics and geography. Furthermore, given the instability of the region, migratory flows can suffer sudden and substantial changes in a short period of time. In this sense, a constant monitoring of the geopolitical situation of the region is crucial.
3. National geostrategic priorities – every country has to take into account its strategic partnerships, according to its main areas of influence. In this sense, it is important to define a set of tactical areas, considering different dimensions: political, social, cultural and economic. Those areas might overlap with the ones defined within national security strategies. They should be defined between different countries, with different interests, but shared threats.
4. Framework for international protection – Asylum is a fundamental right and an international obligation. The 1951 Geneva Convention and the Common European Asylum system regulate the asylum system at the European level. In this sense, the improvement of European and international regulations on international protection is essential to guarantee high standards of protection

and to harmonise common minimum standards. Furthermore, the creation of a future common list of safe countries of origin (to be approved in the second semester of 2016) will help Member States to process asylum applications faster and more consistently, as well as the implementation of offices in countries of origin and transit, where people can apply for asylum and/or have information of the migratory process.

5. Demographic challenges – the two inverse demographic trends between South and North Mediterranean highlight the complementarity between the two shores. High demographic dynamics, as the result of decades of rapid population growth, in Southern Mediterranean, contrast with an ageing Europe, with increasing average life expectancy at birth. Therefore, migratory flows between the two shores will contribute, in the short- to medium-term, to population growth in the EU and the reduction of the ‘youth bulges’ in Southern Mediterranean. In order to promote this future demographic equilibrium, it is necessary to regulate the labour market and create migratory profiles according to the market’s need and revising or re-inventing the quota’s system.
6. EU’s Visa Policy – the definition of a common visa policy facilitates legal entrances in the EU, while reinforcing internal security. Within this framework, the EU established a visa reciprocity with a set of non-EU countries, exempting their nationals from visa requirements.
7. Important role in safeguarding EU’s external borders as frontline Member States – given their role as gatekeepers of the EU’s internal security, frontline Member States need to develop a set of strategies and systems in order to face illicit flows and migratory pressure. In this sense, it is also important to establish and maintain strategic cooperation relations with third countries, pushing forward policy proposals such as the European Borders Guard, in close cooperation with national border agencies.

To sum up, those seven dimensions should guide any approach to migration management in the Mediterranean region.

Furthermore, regarding irregular migrations, two key elements should be taken into account. On the one hand, the reduction of incentives to irregular migrations, which can only be achieved through the adoption and implementation of a coherent



cooperation framework with third countries. This approach should go beyond economic incentives for development and should include a joint collaboration to address root causes and to find common solutions. On the other hand, it is crucial to find a balance between saving lives at sea while securing the EU's external borders. A balance difficult to achieve and which requires a greater solidarity and cooperation between Member States.

However, a successful management of migratory flows requires a more effective coordination among countries at the international level. In this sense, the international community has to commit itself to give a coordinated answer to humanitarian crisis. The creation of an international regime to govern migrations, as proposed by many authors (Ghosh, 1995; Overbeek, 2002; Straubhaar, 2000), is an utopic one, at least in the near future. However, the EU's migratory crisis has showed us the difficulties to reach an agreement on such sensitive topics, and how complicated it is to find a common approach, given States' different sensibilities. In this sense, the creation of a common framework to regulate international mobility might be too ambitious.

Nonetheless, at the UN level, in coordination with UNHCR and IOM, States need to find a common framework to address humanitarian emergencies, involving all countries. Such an emergency plan should take into account the different assets that each country can offer, in order to develop a scheme to be deployed in such cases. Such a structure should be based on a joint effort, where each country participates within their own possibilities. Furthermore, the adoption of proactive approaches to identify the threat at early stages, through the development of early warning mechanisms, would help avoid an escalation of the crisis and give a timely response.

All in all, the time has come to reframe and redefine rules and regulations on human mobility, including irregular migrants and asylum seekers.

# Conclusions

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Our main arguments have been exposed throughout this work and in each chapter we have introduced a set of considerations and proposals according to the issues developed. In this sense, we now present the general conclusions of this research, by trying to confirm our hypothesis and answering the research questions posed in the introduction.

The governance of migrations in Europe's Southern borders is one of the greatest challenges the EU and its Member States currently face. The changing dynamics of these flows over the last decades have tested the development of the Union's common immigration and asylum policies, as well as its capacity to face a humanitarian crisis. Furthermore, the increasing migratory pressure in the external borders stresses the constraints that frontline Member States are subject to.

The EU is going through a critical and decisive moment for its future, characterised by what the president of the European Parliament, Martin Schulz, called a 'poly-crises' (Guerreiro, 2016). Only a strong Union, and one without internal divisions, could meet the various challenges it currently faces: the migratory crisis, as well as the fight against international terrorism, the process of departure of the UK from the EU (*Brexit*), the persistence of the economic stagnation, or even the sovereign debt of Greece, and also the growing disinterest of the US in the area, and Russia's new geostrategic ambitions. However, disagreements and divisions among Member States jeopardise the adoption of a joint approach to these challenges. The Union must find consensus to overcome this critical moment, as well as the limitations of its policies.

The notions of responsibility and solidarity are fundamental to the development of a comprehensive management of migrations and asylum. We argue that appealing to the solidarity of Member States should go beyond an equal sharing of responsibility in managing migrations. Thus, Member States should refer to the *principle of equity*, in which each country is involved and contributes with the means available. Thus, the sense of *proportionality* should override the unification of criteria.

Irregular flows in Southern Europe pose a tremendous challenge to these countries, particularly to frontline Mediterranean states. Nevertheless, Southern European Member States' approach to the management of migratory flows in the Mediterranean has been mainly reactive and had a restrictive character. As we have seen, it has placed a pronounced focus on border management, emphasising the dimension of *deterrence*. Furthermore, at the national level, frontline Member States have felt isolated at times. In this sense, difficulties in managing maritime and land borders in the Spanish cities of Ceuta and Melilla or the maritime borders of the Italian island of Lampedusa, created tensions between Member States of Southern Europe and other EU Member States<sup>147</sup>. Therefore, the crossing of the Mediterranean and the jumping of the fences in Ceuta and Melilla question the ability of these countries, and the EU, to manage migration flows in the Mediterranean region, often endangering the human security of migrants.

Taking into account the analysis conducted throughout this research we consider that our hypothesis holds true. Thus, given its inability to adopt and implement a common policy to effectively manage migratory flows on its Southern border uses a deterrence strategy based on minimum common denominators.

Given the fact that the governance of migrations is part of States' sovereignty prerogatives, Member States are reluctant to accept common principles and measures to guide their national policies. Therefore, they emphasise the dimension of dissuasion, in order to safeguard national security, and the measures adopted are the result of a hard negotiation process where minimum common denominators are achieved.

Furthermore, most of the measures adopted so far at both national and European level had led to a constant re-orientation of the routes. The causes that are at the origin of these flows are likely to persist in the near future, so the EU must find answers that reduce the number of refugee and migrant arrivals, while safeguarding the human security of migrants. In an utopic world mobility should be a prerogative of all and there should be no barriers to it. However, that is impossible to happen in the near future. Hence, countries need to regulate migrations finding a balance between economic needs and demand, security, as well as the humanitarian dimension.

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<sup>147</sup> As stressed by Arango et al. (2009, p. 29), Portugal is the only country in Southern Europe where the geographic position is less relevant, since its shores facing the Atlantic are more inaccessible to immigrants.

In this sense, this research has contributed to set forward an innovative approach to migration management in the EU's Southern border, through a new and original analysis of three Southern European countries – Spain, Italy and Portugal. Migrations should be guided and controlled in order to steer them and not simply to stop them. Therefore, migration management strategies should go beyond a security approach to deter migrations, and stress the interrelationship between management, freedom and control, through a mix of incentives and selective limitations in order to deal with the constant changing configuration and intensity of migratory movements. We conclude that trans-regional governance is an important dimension of this approach by which host countries monitor migrations from and among origin and transit areas, through a complex set of bilateral, regional and inter-regional mechanisms. Hence, we realised that the success of the migration governance model in the Mediterranean depends on the complementarity between different levels of action (bilateral, multilateral and regional) and distinct actors. Furthermore, currently prevails a deterrence dimension through the management of external borders and cooperation with third countries, including the externalisation of the border. Moreover, the analysis of our cases study – Spain, Italy and Portugal – has stressed the importance of border management to secure the EU's external borders and as an important dimension of migration management strategies. In this sense, we set forward a proposal of a border management model based on the Spanish one, stressing the need of a European Borders Guard for a better governance of migrations in Western and Central Mediterranean.

The research conducted aimed to answer the main research question presented in the introduction, which we now resume.

**Should a deterrence strategy be the main dimension of a migration management model in the EU's Southern border?** We conclude that the deterrence strategy so far has shown its inefficiency in completely deterring the migratory flows. In fact, it is impossible to do so. Nevertheless, it has had some secondary effects. On the one hand, this strategy has rather a dissuasive effect on some migrants, making the attempt to cross more difficult, challenging and dangerous and steering the routes in a different direction. On the other hand, it has created buffer states, which later will have to deal on their own with these 'unwanted' flows of migrants.

According to Max Weber's (1967, 1974) rationalisation theory, where the means should be adjusted to the proposed ends, a rationalisation of migrations in the

Mediterranean is only possible through the adoption of a strategy that aims to guide migrations rather than just deter or stop them, since that is impossible to achieve. As we have seen, human mobility in the Mediterranean has taken place since early times and is, therefore, an intrinsic characteristic to this region. Taking this into account and given the challenges (political, social, demographic, etc.) this area presents, the EU and its Member States should acknowledge this reality and change the focus of their policies. In this sense, future migration management strategies need to find an equilibrium between deterrence, legal migrations and development. A focus on development alone is also not the answer, since development leads to growing urbanisation and increasing education levels, which in the end may also translate in a new desire to move. While deterrence is the norm, and development the solution advocated by many academics and policy makers, there should be a fair balance between these three strategies in order to steer migrations, focusing on the introduction and improvement of a system for legal migrations.

As we have also seen, besides giving a humanitarian answer to a serious refugee crisis, the EU depends on migrations to keep its demographic growth. Henceforth, a common strategy at the European level will allow the steering of migrations, taking into account the needs of the different Member States, while giving an answer to the migratory pressure from the Southern shore. At the same time, it should focus on some development strategies to help minimize the effects of migrations at origin and transit countries as well as addressing some of its root causes. In the end, this requires a common effort not only from the EU and its Member States, but in close cooperation with origin and transit countries. To sum up, only through different levels of cooperation and through a joint approach to these subjects can the EU and its Member States improve the management of migrations in the Mediterranean region and face the challenges they pose.

We now present the main conclusions regarding the secondary questions we had formulated.

*1. What challenges do migratory flows in the Mediterranean pose to EU's security?*

We have concluded that irregular migrations pose a threat to the EU's capacity to manage its external borders, questioning its internal security. The millions of people that tried to reach the EU during the current migratory crisis, putting a strong

pressure on the EU's external borders, have showed the Union's problems in coordinating the responses of the different agencies and Member States, in charge of securing the external borders and dealing with the migratory pressure. In this sense, the EU conceives irregular migrations as a threat to its internal security. Furthermore, since September 11<sup>th</sup> the relationship between migrations, security and terrorism was emphasised, through the generalisation of migrants' profile and its association with a specific group, which portrays migrations as a threat to societal security. In this sense, there is also an increasing fear that terrorists might use migratory routes to reach the EU's territory.

*2. Have migration management policies in the EU led to a securitisation of migrations?*

We argue that there has been a securitisation of migrations in the EU during the current migratory crisis. In this sense, we have identified three critical moments during the 21<sup>st</sup> century in which the link between immigration and security has been stronger. Those moments were the period after September 11<sup>th</sup> (between 2001 and 2003), the post-Arab Spring period (between 2011 and 2013) and the current migratory crisis (between the end of 2013 and nowadays). Nevertheless, the emergency measures adopted in 2015 are the ones that can be framed within a 'crisis' mode, with the adoption of 'immediate actions' within the European Agenda on Migration. Furthermore, the rise in anti-immigration political discourses, as well as the mounting support to nationalist and far-right ideologies highlight the growing perception of migrations as a threat to security by European citizens and, therefore, stress the acceptance by a significant part of the audience. Thus, we may conclude that, in the post-Arab Spring period there was a first move towards securitisation, which became a reality with the current migratory crisis.

*3. In what way are border control and surveillance an effective instrument to manage migrations?*

We claim that border control and surveillance are effective instruments of early detection and monitoring of irregular movements, and also in the dissuasion of other irregular flows. In this sense, those instruments discourage the use of such routes by the potential migrants, while contributing to the work of security agents in the detection and management of the migratory phenomenon at the border (or pre-border). A good example is the decrease in the figures of detected and rescued

migrants in the area of the Strait of Gibraltar and the Canary Islands, in the Spanish case. For this reason, we advocate for the adoption of a border management model similar to the Spanish one – reviewing the legal inconsistencies of this model, taking into account the international norms and advices, regarding the ‘summary deportations’ in the Autonomous cities –, which has been very successful in deterring and curbing the flows in the Western Mediterranean and African routes. Nevertheless, as we have stated before, the goal is not only to deter migrations, but rather to curb and steer irregular flows, while reducing the death-toll of migrants who try to reach the EU’s shores. Furthermore, we consider that this should be done within an approach that takes into account the different dimensions of migrations and a set of main contingencies in the development of a common strategy.

The research conducted has highlighted some gaps in terms of academic research in this area, as well as some aspects that need to be further explored. First of all, it would be interesting to theorise about Member States’ responses to the current migratory crisis, by applying a model based on the game theory and the theory of moves (TOM) developed by Zeager (2002), when analysing the Indochinese crisis of 1978-1979. This approach would not only allow us to clarify the roles of the different players involved, but also their impact in the European policy-making process (influenced by Member States private interests), particularly in times of crisis. In this sense, it would also be interesting to do a case analysis regarding Member States’ approach to the current migratory crisis, approaching Member States’ open- versus closed-door policies and the consequences at both a national and a regional level. Another important and understudied subject is the role of buffer states. Therefore, it would be of great interest to analyse the role of Morocco and Turkey as buffer states and its impact on these countries themselves and at a regional level.

To sum up, the measures adopted by the EU highlight the desire of the organisation to build a coherent common immigration and asylum policy. However, so far, the divisions among Member States have not allowed to go any further, so that the EU’s response fell short of expectations. Moreover, the increasing adoption of restrictive measures by Member States to contain flows and limiting access affects the EU’s crisis management strategy.

The current migratory crisis questions the idea of a Europe without borders, undermining the Schengen Agreement and calling into question one of the fundamental values of the EU, the protection of human rights. Member States' responses at a national and communitarian level demonstrate the emergence of a logic increasingly exclusivist within the Union, in which the most affected States close their internal borders and build walls or fences in their border perimeters to deter the flow of migrants.

Member States cannot manage migrations alone, therefore national interests should be understood as part of the European global approach, setting aside the differences between the Union's partners and counterparts in the region, to find a common and coherent response. And the challenge is to find a balance between external border control for the maintenance of internal security and the international obligation towards migrants and refugees. A consensual and coordinated management of migratory flows is of particular interest to each Member State, while it reinforces a consistent management of the Union's interests. To this end, Member States should manage their national pride and limit prejudices to jointly face future challenges.





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# ANNEX I



## MIGRATION CRISIS TIMELINE – From Lampedusa 2013 until the Summer of 2016

2013	
3 <sup>rd</sup> October	A vessel with around 500 migrants sank near the island of Lampedusa, over 330 people died and around 150 survivors were rescued.
7-8 <sup>th</sup> October	At the JHA Council ministers agreed to convene a task-force (Task Force Mediterranean), as proposed by Italy, in order to identify the tools and determine the actions to be taken to prevent future deaths in the Mediterranean.
12 <sup>th</sup> October	A vessel with around 250 migrants capsizes in the Strait of Sicily, over 30 people died and the others were rescued by Italian and Maltese authorities.
18 <sup>th</sup> October	Italy deploys operation Mare Nostrum to tackle irregular flows in Central Mediterranean, with a search and rescue component. The operation was partly funded by the European Commission, through the External Borders Fund.
23 <sup>rd</sup> October	The European Parliament adopted a resolution on migratory flows in the Mediterranean, expressing its sadness and regrets for the tragic loss of lives in Lampedusa and calling the EU and MSs to act on the prevention of further loss of lives at sea.
18-19 <sup>th</sup> November	At the Foreign Affairs Council ministers debated migration issues in the Mediterranean and discussed ways to strengthen political dialogue and cooperation with third countries.
4 <sup>th</sup> December	The Commission issues a Communication on the work of the Task Force Mediterranean identifying five main areas of action to be taken within an integrated approach for the whole Mediterranean region.
5-6 <sup>th</sup> December	The JHA Council discussed the work of the Task Force Mediterranean as well as the Schengen enlargement to Bulgaria and Romania.
17 <sup>th</sup> December	The Italian Navy rescues 110 immigrants near the island of Lampedusa, within the Mare Nostrum operation.
19-20 <sup>th</sup> December	The European Council reiterated its determination to reduce the risk of further tragedies in the sea, while calling for the mobilisation of all efforts to implement the actions proposed by the Mediterranean Task Force, and also called for the reinforcement of FRONTEX border surveillance operations.
2014	
22 <sup>nd</sup> January	Bulgaria begins the construction of a wall to contain migrants
6 <sup>th</sup> February	Over 1.000 sub-Saharan migrants are rescued near Lampedusa
31 <sup>st</sup> March	Over 330 migrants are rescued in the Aegen Sea
2 <sup>nd</sup> -3 <sup>rd</sup> April	At the EU-Africa Summit, Heads of State and Government highlighted the importance of migration and mobility issues, focusing on tackling the impact of irregular migrations in a comprehensive way.
8 <sup>th</sup> April	The Italian Navy rescues over 1.000 migrants from the sea.
12 <sup>th</sup> May	The Italian authorities rescue over 200 migrants from the sea and recovers 14 dead bodies, 100 miles south of Italy
15 <sup>th</sup> May	Adoption of a Regulation (EU No 656/2014) establishing rules for the surveillance of the external sea borders in the context of operational cooperation coordinated by the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union.
27 <sup>th</sup> August	The European Commission acknowledges the work of Italy with Operation Mare Nostrum and discusses the future of this operation. It proposes a new FRONTEX operation, 'Frontex Plus' to complement the Italian work.
15 <sup>th</sup> September	Hundreds of migrants are reported missing after several shipwrecks in the Mediterranean.
17 <sup>th</sup> September	Around one hundred kids die in the shipwreck of a vessel with over 500



	people, near the shores of Malta.
31 <sup>st</sup> October	After operating for one year, operation Mare Nostrum comes to an end and, on the same day, FRONTEX launches Joint Operation Triton.
<b>2015</b>	
7 <sup>th</sup> January	A shooting at the weekly newspaper Charlie Hebdo in Paris killed 11 people, perpetrated by the Islamist terrorist group of Al-Qaeda's branch in Yemen.
22 <sup>nd</sup> January	The Council of the EU establishes the activity "AMBERLIGHT 2015", intensifying border checks in participating MSs in order to identify third-country nationals who try to leave the EU through another MSs after exceeding the duration of residence or use false travel documents.
11 <sup>th</sup> February	The European Parliament adopts a resolution on anti-terrorism measures calls on the strengthening of external border controls and travel checks to improve EU's internal security.
	On that same day, the European newspapers notify that over 300 migrants had died over the last days in the Strait of Sicily.
19 <sup>th</sup> February	The European Commission steps up its assistance to Italy, not only by extending the duration of Joint Operation Triton, but also by awarding more funds through the Asylum, Migration and Integration Fund to the country.
27 <sup>th</sup> February	The Council of the European Union addresses the migratory pressures in the Mediterranean and analysis the immediate actions that can be taken to respond to the most pressing issues, identifying a set of measures that include the reinforcement of border management and cooperation with third countries.
4 <sup>th</sup> March	The European Commission launches its work on a comprehensive European Agenda on Migration, reaffirming its commitment towards the development of a truly comprehensive approach.
	On that same day, The Guardian informs that the Italian authorities have rescued 1.000 migrants from the Mediterranean in the period of two days.
9 <sup>th</sup> March	Euronews reports the rescuing of over 50 Syrian migrants from a sinking boat near Turkey, while at the same time hundreds of unaccompanied children reached Italy's shores.
13 <sup>th</sup> April	400 migrants disappear in a shipwreck near the shores of Libya, while Italian authorities rescued more than 5.600 migrants in the last three days.
14 <sup>th</sup> April	European newspapers inform of people smugglers' new modus operandi, as they fire at a rescue vessel to take back the migrants' boat.
19 <sup>th</sup> April	A vessel with over 700 people sinks, 120 miles from the island of Lampedusa.
20 <sup>th</sup> April	The European Commission presents a ten-point action plan on migration of immediate actions to be taken in response to the humanitarian crisis situation in the Mediterranean.
23 <sup>rd</sup> April	At a special meeting of the European Council, MSs address the Mediterranean tragedy, committing to: strengthen the EU's presence at sea; fight traffickers in accordance with international law, preventing illegal migration flows, and reinforcing internal solidarity and responsibility.
29 <sup>th</sup> April	The European Parliament calls for urgent measures to address the migratory crisis and save the lives of migrants, while calling for a clear mandate for operation Triton and a true solidarity and responsibility-sharing among MSs.
13 <sup>th</sup> May	The European Commission presented a European Agenda on Migration, outlining immediate actions to be taken to address the crisis in the Mediterranean and including medium- to long-term measures for a better management of migrations.
19 <sup>th</sup> May	The Council of the EU approves a European Union military operation in the Southern Central Mediterranean (EUNAVFOR MED), which aims to contribute to the disruption of human smuggler and trafficking networks in the Southern Central Mediterranean.
31 <sup>st</sup> May	Over 4.000 migrants were rescued in the last 24 hours in the Mediterranean Sea

10 <sup>th</sup> June	Aljazeera notifies that hundreds of boat migrants are rescued by Tunisia.
17 <sup>th</sup> June	Hungary announces the building of a fence in the border with Serbia.
25-26 <sup>th</sup> June	The European Council addresses the issues of migration. It addressed three key dimensions: relocation/resettlement, return/readmission/reintegration and cooperation with third countries of origin and transit.
2 <sup>nd</sup> July	Euronews reports a change in migratory flows that are now reaching Greece's shores.
7 <sup>th</sup> July	Morocco announces the extension of its fence at the border with Algeria, the same day that 17 people disappear in a shipwreck near Greece.
8 <sup>th</sup> July	The Hungarian Parliament approves the construction of a fence to stop migrants.
20 <sup>th</sup> July	The JHA Council discusses relocation, resettlement, safe countries of origin, as well as the creation of 'hotspots' in Italy and Greece, reaching new tangible results.
22 <sup>nd</sup> July	Resolution of the Representatives of the Governments of the Member States meeting with the Council on relocating from Greece and Italy 40.000 persons in clear need of international protection.
July-August	Calais migratory crisis
9 <sup>th</sup> August	Italy rescues over 300 migrants from the Mediterranean waters.
10 <sup>th</sup> August	The European Commission approves a funding under the Asylum, Migration and Integration Fund and the Internal Security Fund, to help frontline MSs such as Greece and Italy and to other MSs dealing with migratory pressure.
	On the same day, Eldiario.es confirms the rescue of over 1.500 people in one single day in the Mediterranean.
11 <sup>th</sup> August	El Pais notifies that Greece is overwhelmed with immigration.
12 <sup>th</sup> August	66 people disappeared and 54 were rescued in the last shipwreck in the Mediterranean.
15 <sup>th</sup> August	The Italian Navy finds a boat with near 50 dead migrants, while in Greece, over 200 migrants were rescued in the island of Kos.
17 <sup>th</sup> August	Over 5.000 refugees reach Hungary, right before the building of the fence is over.
20 <sup>th</sup> August	Macedonia declares 'state of emergency' due to the great flow of migrants entering the country.
23 <sup>rd</sup> August	Over 6.000 refugees cross the border between Macedonia and Serbia in one day, while Italy rescues 4.700 people in 24 hours in the Mediterranean.
24 <sup>th</sup> August	Germany and France join forces and ask for a true common asylum policy.
25 <sup>th</sup> August	Over 2.000 refugees cross the border between Serbia and Hungary, while Germany eases the entrance of Syrian refugees to its territory.
26 <sup>th</sup> August	Hungary announces its plan to use the army in its southern border, while in the Mediterranean 50 dead bodies are found in the basement of a vessel that capsized near the Libyan shore.
31 <sup>st</sup> August	The European Commission announced financial aid to support France to help address the situation in Calais. Furthermore, growing migratory pressure in Eastern Europe, particularly in Hungary, leads to clashing interests between MSs in the response to the migrant crisis.
2 <sup>nd</sup> September	A photo of a child dead in shores of Europe, becomes a symbol of the migratory crisis in the EU.
3 <sup>rd</sup> September	The Council of the European Union establishes provisional measures in the area of international protection for the benefit of Italy and of Greece.
4 <sup>th</sup> September	France and Germany join the European Commission in the establishment of an asylum quota.
7 <sup>th</sup> September	Over 20 people disappear in the Strait of Sicily.
9 <sup>th</sup> September	The European Commission puts forward a comprehensive package of proposals which will help address the refugee crisis.
13 <sup>th</sup> September	Germany reintroduces temporary controls at the borders with other MSs, particularly at the German-Austrian border.

14 <sup>th</sup> September	The Council of the European Union addresses the migratory crisis, stressing that effective border control is imperative for the management of migration flows and after the July decision to relocate 40.000 people, some MSs committed to complete their pledge by the end of November.
15 <sup>th</sup> September	Hungary closes its borders and criminalises the entrance of irregular migrants (including refugees)
	At least 22 people drown trying to reach the shores of Greece.
16 <sup>th</sup> September	Austria reintroduces border controls in its border with Hungary, as the migration flows turn towards Croatia due to the Hungary's repression.
18 <sup>th</sup> September	Croatia reintroduces controls in its internal borders.
22 <sup>nd</sup> September	The Extraordinary JHA Council reaches a decision to relocate 120,000 refugees.
23 <sup>rd</sup> September	Informal meeting of heads of state and government on migration decides on a number of immediate priorities and discusses in-depth on how to achieve long-term sustainable solutions.
24 <sup>th</sup> September	Strong increase in the arrival of refugees in Greece and Croatia.
7 <sup>th</sup> October	The EU and Turkey draft an action plan to further help Turkey to support on refugees and migration management.
14 <sup>th</sup> October	The European Commission reports in the implementation of the priority actions taken under the European Agenda on Migration
16 <sup>th</sup> October	European Council conclusions on migration, focusing on cooperation with third countries to stem the flows; strengthening the protection of the EU's external borders (building on the Schengen acquis); and, responding to the influx of refugees in Europe and ensuring returns.
1 <sup>st</sup> November	FRONTEX reports that almost 400 refugees lost their lives crossing the Mediterranean in October
11-12 <sup>th</sup> November	At the Valletta Summit on Migration, MSs show their concern on the sharp increase in refugee flows and agree that the first priority is to save lives, by responding decisively and together in the management of migration flows, while respecting international obligations and human rights, through the adoption of an action plan.
12 <sup>th</sup> November	Sweden reintroduces internal border controls
13 <sup>th</sup> November	The Austrian government announces the construction of a fence in its border with Slovenia.
	Terrorist attacks in Paris.
28 <sup>th</sup> November	Macedonia builds a fence of 4 Km in its border with Greece.
29 <sup>th</sup> November	Meeting of the heads of state or government with Turkey to discuss the potential of EU-Turkey relations, deciding on the activation of a Joint Action Plan to cooperate supporting Syrians under temporary protection and migration management to address the crisis.
9 <sup>th</sup> December	The Eldiario.es announces that Morocco's pressure led to the reopening of the migratory route towards the Canary Islands.
10 <sup>th</sup> December	The European Parliament discusses the creation of a European Border Guard and Coast Guard System.
15 <sup>th</sup> December	The European Commission adopts a set of measures to manage the EU's external borders and protect the Schengen area, with the adoption of a Borders Package.
17-18 <sup>th</sup> December	The European Council discusses migrations, stating that it will take stock at the implementation of its previous decisions and stressed the importance of ensuring returns, adhering to readmission agreements, and managing external borders, among others.
<b>2016</b>	
7 <sup>th</sup> January	<i>Médicins Sans Frontières</i> end their rescue mission in the Central Mediterranean
22 <sup>th</sup> January	Over 40 people drawn in two shipwrecks in the Aegean Sea
	Hungary announces the reinforcement of its borders with Greece
26 <sup>th</sup> January	Draft conclusions of the Council of the EU on migrant smuggling, inviting MSs

	to cooperate in the collection and sharing of reliable and updated crime statistics, making use of the information systems available.
27 <sup>th</sup> January	The European Commission discusses draft Schengen Evaluation report on Greece. It accuses Greece of neglecting its obligations under the Schengen code and warns Greece about the possibility of being sealed off from the Schengen zone.
8 <sup>th</sup> February	42 people are rescued in the Western African route, near Gran Canaria. Over 20 people die in a shipwreck near Turkey.
	The EU asks for NATO's help to contain the migration crisis.
10 <sup>th</sup> February	Turkey raises a wall in its border with Syria.
11 <sup>th</sup> February	NATO takes an active part in the migration crisis, by sending military vessels to the Aegean Sea.
24 <sup>th</sup> February	Meeting of the Austrian and Balkan countries to put forward an offensive to detain the migration flow.
25 <sup>th</sup> February	EU's meeting to address the unilateral measures adopted by Austria and the Balkans, the previous day.
1 <sup>st</sup> March	Closing of the border of Macedonia with Greece, leaves over 30,000 people trapped in Greece.
	Creation of a humanitarian fund to help the EU overcome its first humanitarian crisis.
6 <sup>th</sup> March	18 people die in a shipwreck in Turkish waters.
7 <sup>th</sup> March	EU-Turkey Summit to prepare a final agreement to deal with the migration flows.
9 <sup>th</sup> March	Macedonia officially closes its border with Greece, leading to the closing of the Balkan route.
18 <sup>th</sup> March	EU-Turkey Agreement.
20 <sup>th</sup> March	EU-Turkey Agreement comes into force.
29 <sup>th</sup> March	Over 3,000 migrants rescued in the Strait of Sicily in just three days.
4 <sup>th</sup> April	First deportations of refugees under the EU-Turkey Agreement.
10 <sup>th</sup> April	Desperate attempts to cross the border between Greece and Macedonia leave over 200 migrants injured.
28 <sup>th</sup> April	Austria adopts a very restrictive asylum law
3 <sup>rd</sup> May	European Commission's proposal to apply sanctions to Member States who refuse to accept refugees and to refugees who violate the rules.
13 <sup>th</sup> May	Italian Navy rescues over 800 people.
7 <sup>th</sup> June	European Commission proposes a plan of positive and negative incentives to deter the migration flows.
20 <sup>th</sup> June	<i>EU Annual Report on Human Rights and Democracy in the World in 2015</i> addresses the EU's human rights approach to conflicts and crisis.
22 <sup>th</sup> June	The European Council confirms agreement with the Parliament on the European Border and Coast Guard
23 <sup>rd</sup> June	Brexit referendum, votes NO the continued membership of the UK in the EU.
28 <sup>th</sup> June	European Council conclusions on migration proposes a framework based on effective incentive and adequate conditionality, following the Commission's proposal.
July 2016	NATO transitions Operation Active Endeavour in the Mediterranean to a maritime security operation – Operation Sea Guardian, that will perform a broader range of tasks.

Source: Author's elaboration



## ANNEX II



## The path towards a European Agenda on Migration (timeline)

Year	Asylum	Regular Migration and Visa	Irregular Migration	Schengen and Borders	Trafficking in human beings	Human Rights
1985				Schengen Agreement (June 1985)		
1990	Dublin Convention (June 1990)			Schengen Convention (June 1990)		
1995		Regulation on a uniform format for visas (May 1995)				
1999	Tampere Programme (1999-2004) (October 1999)					
			Creation of Europol (July 1999)			
2000	1st generation Common European Asylum System (CEAS) (2000-2005) Eurodac Regulation (December 2000)					EU Charter of Fundamental Rights (adopted in 2000 and binding to EU countries since 2009)
2001	Temporary Protection Directive (July 2001)	Regulation listing the countries whose nationals are/are not exempt from the visa requirement (March 2001)	Directive on expulsion decisions (May 2001)	SIS I (March 2001)		
2002			Facilitators Package (November 2002)	Regulation on a uniform format for residence permits (June 2002)		
2003	Reception Conditions Directive (January 2003) Dublin II Regulation (February 2003)	Family Reunification Directive (September 2003) Long-term Residents Directive (November 2003)				
2004	Hague Programme (2005-2009) (December 2004)					
	Qualification Directive (April 2004)	Common Basic Principles for Integration (November 2004) Students Directive (December 2004) Establishment of VIS (June 2004)	Regulation on immigration liaison officers network (February 2004) Decision on joint flights for removals (April 2004)	Creation of Frontex (October 2004)	Trafficking Victims Resident Permit Directive (April 2004)	
2005	Global Approach to migration: Priority actions focusing on Africa and the Mediterranean (December 2005)					
	EU Regional Protection Programmes (September 2005) Asylum Procedures Directive (December 2005)	Researchers Directive (October 2005)	Decision on ICONet (April 2005)			
2006				Local Border Traffic Regime (December 2006)		
2007	European Refugee Fund (2008-2013) (May 2007)	European Integration Fund (2007-2013) (June 2007)	European Return Fund (2008-2013) (May 2007)	External Borders Fund (2007-2013) (May 2007)		Establishment of the European



		2007) External Borders Fund (2007-2013)		Regulation on Rapid Border Intervention Teams (July 2007)		Union Agency for Fundamental Rights (FRA) (February 2007)
<b>2008</b>		European Migration Network (May 2008)	Return Directive (December 2008)			
<b>2009</b>	Stockholm Programme (2010-2014) (October 2009)					
		EU Blue Card Directive (May 2009) Visa Code (July 2009)	Employer Sanctions Directive (June 2009) EU Readmission Agreements (December 2009)			
<b>2010</b>		Handbook on Integration (April 2010)				
<b>2011</b>	Global Approach to Migration and Mobility (November 2011)					
	EASO (February 2011)	Single Permit Directive (December 2011) Expansion of VIS (October 2011)		Reinforced Frontex (November 2011)	Trafficking in Human Beings Directive (April 2011) Child Sexual Abuse Directive (December 2011)	
<b>2012</b>				eu-LISA* (December 2012) * EU agency for the operational management of large-IT systems in the AFSJ, which currently operates the SIS II, VIS and Eurodac	EU Strategy towards the Eradication of Trafficking in Human Beings (2012-2016) (June 2012) Victims of Crime Directive (October 2012)	Human Rights and Democracy: EU Strategic Framework and EU Action Plan (June 2012)
<b>2013</b>	Dublin III Regulation (June 2013) Revised Asylum Procedures Directive (June 2013) Revised Eurodac Regulation (June 2013)	Visa waiver suspension and reciprocity mechanisms (December 2013)		Schengen Information System II (April 2013) Task Force Mediterranean (October 2013) Schengen evaluation and monitoring mechanism (October 2013) EUROSUR (December 2013)		
<b>2014</b>	Asylum, Migration and Integration Fund (2014-2020) (April 2014)					
		Internal Security Fund – Borders and Visa (2014-2020) (April 2014) Seasonal Workers Directive (February 2014) Intra-corporate Transferees Directive (May 2014)		Internal Security Fund – Borders and Visa (2014- 2020) (April 2014)		
<b>2015</b>	European Agenda on Migration (May 2015)					

Source: Author's own elaboration from European Commission, 2015a

## ANNEX III



### Frontex operations in the Mediterranean (2006-2016)

Year	Route	Operation name	Host country	Type	Aim
2006	Western Mediterranean & Western African	Hera I	Spain	Sea	Control illegal arrivals to the Canary Islands and assist Spain to detect criminal networks of human trafficking.
		Hera II			Surveillance of the Atlantic maritime borders to prevent the loss of migrants' lives at sea in the area of the Canary Islands and fight organised crime on illegal migrations.
		Agios		Land	Border control operations on ferry passengers traveling to Spain from North Africa.
		Gate of Africa		Land, sea & air	Search operations in vessels travelling to Spain from North Africa to detect human trafficking and border control on ferries arriving to Spain.
	Central Mediterranean	Nautilus	Italy, Malta	Sea	Surveillance of southern maritime borders to combat illegal immigration flows to Malta and Lampedusa.
	Central & Eastern Mediterranean	Poseidon	Greece, Italy	Land	Combating illegal immigration across the maritime borders of EU Member States.
2007	Western Mediterranean & Western African	Indalo	Spain	Sea	Control the maritime external borders on the Mediterranean Sea and measure the illegal immigration towards the Mediterranean Sea.
		Minerva			Strengthen the control of EU's external borders to combat illegal migration flows from the African coast towards the South of Spain.
		Hera			Management of the external borders through joint patrols, to tackle illegal migration flows from Senegal and Mauritania disembarking in the Canary Islands.
		Hera III			Management of the external borders through joint patrols to combat illegal migration from West African countries to the Canary Islands.
	Western & Central Mediterranean	Hermes	Italy, Spain	Sea	Management of external borders through joint patrols to tackle illegal immigration

					from North Africa to Italy and Spain
	Central Mediterranean	Nautilus	Italy, Malta	Sea	Surveillance of southern maritime borders to combat illegal immigration flows to Malta and Lampedusa.
	Central & Eastern Mediterranean	Poseidon	Bulgaria, Greece, Italy	Land, sea & air	Implemented at the main border crossing points between Greece and Turkey (land and sea borders), Greece and Albania (land border), Bulgaria and Turkey land border) and at the seaports of Greece and Italy, to tackle illegal immigration via EU Southeastern Sea/Land borders.
2008	Western Mediterranean	Minerva	Spain	Sea & land	Management of the external borders through border checks and border controls at specific border points.
		Hera		Sea	Aero-maritime surveillance in waters close to Mauritania and Senegal to reinforce the early detection of immigrants at sea.
	Central Mediterranean	Nautilus	Italy, Malta	Sea	Risk analysis cooperation in the field of management of external borders to enable the detection and interception of targets and identification of facilitators of illegal immigration via sea.
	Eastern Mediterranean	Poseidon	Bulgaria, Greece	Land, sea & air	Cooperation between Member States, based on risk analysis, on the management of external borders.
	2009	Western Mediterranean & Western African	Hera	Spain	Sea
Minerva			Increasing the capacity of border checks for people trying to illegally enter the Schengen area via ferry connections with Morocco.		
Indalo			Combating and monitoring illegal migration flows along the Mediterranean coast from North Africa.		
Central Mediterranean		Nautilus	Malta	Sea	Increasing the capacity for border surveillance of people trying to illegally enter the Schengen area via boats from Libya.
		Hermes	Italy	Sea	Increasing the capacity of

					border control of people illegally trying to enter the Schengen area via boats from Algeria, Tunisia and Libya.
	Eastern Mediterranean	Poseidon	Greece	Land, sea & air	Prevent unauthorised crossings and take measures against people who have crossed the border illegally, through the enhancement of border surveillance and checks.
2010	Western Mediterranean & Western African	Hera	Spain	Sea	Reducing the number of non-identified illegal migrants arriving to the Canary Islands from African countries.
		Minerva			Increasing the capacity of border checks for people trying to illegally enter the Schengen area via ferry connections with Morocco.
		Indalo			Combating and monitoring illegal migration flows along the Mediterranean coast from North Africa and sub-Saharan countries.
	Central Mediterranean	Hermes	Italy	Sea	Increase the capacity of border control on people illegally trying to enter the Schengen area via boats from Algeria.
	Eastern Mediterranean	Poseidon	Greece	Sea	Enhance border control efficiency along the Greek-Turkish sea border to combat cross-border crime and illegal immigration.
Poseidon		Bulgaria, Greece	Land	Combating illegal immigration flows in the Southeastern external borders.	
2011	Western Mediterranean & Western African	Indalo	Spain	Sea	Combating and monitoring illegal migration flows along the Mediterranean coast from North Africa and sub-Saharan countries.
		Minerva			Strengthen border control during the Summer season (increased traffic) in the southern coast of Spain.
		Hera			Reducing the number of non-identified migrants arriving to the Canary Islands from African countries.
	Central Mediterranean	Hermes	Italy	Sea	Coordinated sea border activities to control illegal migration flows from Tunisia towards the south of Italy

2012	Eastern Mediterranean				(mainly Lampedusa and Sardinia).
		Aenas			Combating illegal migration from the Ionian Sea towards Italy (Apulia, Calabria) from Turkey, Egypt.
		Poseidon	Greece	Sea	Combating illegal migration flows from Turkey and North Africa towards Greece.
	Neptune	Greece, Slovenia	Combatting illegal immigration via the Western Balkan route.		
		Poseidon	Bulgaria, Greece	Land	Tackling illegal immigration towards Greece.
	Western Mediterranean & Western African	Minerva	Spain	Sea	Strengthen border control during the summer season (increased traffic) at the southern coast of Spain.
		Hera			Improving cooperation with Senegalese and Mauritanian authorities in order to combat irregular immigration from North Africa to the Canary Islands.
		Indalo			Combating illegal immigration from North Africa and sub-Saharan, resulting from a cyclical seasonal increase as well as protracted crisis in Mali.
	Central Mediterranean	Aenas	Italy	Sea	Combating illegal migration from the Ionian Sea towards Italy (Apulia, Calabria) from Turkey, Egypt.
		Hermes			Combating illegal migration flows from Tunisia, Libya, and Algeria towards the Italian islands of Lampedusa, Sardinia and Sicily.
	Eastern Mediterranean	Mobile Operational Units	Greece	Sea	Combating and preventing cross-border crime by supporting national authorities in the identification of human traffickers and victims.
		Poseidon Sea			Monitor EU's external borders and control irregular migratory flows from the Western Turkish coast and Egypt towards Italy and Greece.
		Poseidon Land	Bulgaria, Greece	Land	Coordinated border security at southern-eastern EU external borders by ensuring continuity of RABIT Operation 2010 and Joint

					Operation Poseidon Land 2011.
2013	Western Mediterranean & Western African	EPN Hera	Spain	Sea	Control irregular migration flows and other cross-border crime from West African countries towards the Canary Islands.
		EPN Indalo			Control irregular migration flows and other cross-border crime from North African and sub-Saharan countries towards the Southern Spanish coast.
		EPN Minerva			Control illegal migration flows and other cross-border crime originating from Morocco to the southern coast of Spain.
	Central Mediterranean	EPN Hermes	Italy	Sea	Control irregular migration flows and other cross-border crime from Tunisia, Algeria, Libya and Egypt towards the Pelagic Islands, Sicily and Sardinia.
		EPN Aeneas			Control irregular migration flows and cross-border crime from Turkey, Albania and Egypt towards southeast coasts of Italy, especially Puglia and Calabria.
	Eastern Mediterranean	Poseidon Sea	Greece	Sea	Operational response to control irregular migration flows and cross-border crime from the Western Turkish coast and Egypt towards Greece and Italy.
		Poseidon Land	Bulgaria, Greece	Land	Ensure continuation of Joint Operation Poseidon Land 2012 in the management of the external EU borders.
Western & Eastern Mediterranean	Focal Points Sea	Bulgaria, Lithuania, Portugal, Romania, Slovenia, Spain	Sea	Control irregular migration flows and other cross-border crime at specific border crossing points or selected border areas, not covered by joint operations, or complementing regular joint operations.	
2013	Western Mediterranean & Western African	EPN Hera	Spain	Sea	Control irregular migration flows and other cross-border crime from West African countries towards the Canary Islands.
		EPN Indalo			Control irregular migration flows and other cross-border crime from North African and



					sub-Saharan countries towards the Southern Spanish coast.	
		EPN Minerva			Implementing activities at border crossing points on the southern coast of Spain in order to control irregular migration flows and other cross-border crime originating from Morocco.	
	Central Mediterranean	EPN Hermes	Italy	Sea	Control irregular migration flows and other cross-border crime from Tunisia, Algeria, Libya and Egypt towards the Pelagic Islands, Sicily and Sardinia.	
		EPN Aeneas			Control irregular migration flows and cross-border crime from Turkey, Albania and Egypt towards south east coasts of Italy, especially Puglia and Calabria.	
	Eastern Mediterranean	Poseidon Sea	Greece	Sea	Operational response in tackling irregular migration flows and cross-border crime from the Western Turkish coast and Egypt towards Greece and Italy.	
		Poseidon Land	Bulgaria, Greece	Land	Control irregular migration flows and other cross-border crime at specific border crossing points or selected border areas, not covered by joint operations, or complementing regular joint operations.	
	Western & Eastern Mediterranean	Focal Points Sea	Bulgaria, Lithuania, Portugal, Romania, Slovenia, Spain	Sea	Ensure continuation of Joint Operation Poseidon Land 2012 in the management of the external EU borders.	
	2014	Western Mediterranean & Western African	EPN Hera	Spain	Sea	Control irregular migration flows towards the territory of the Member States of the European Union and to tackle cross-border crime, at and beyond the external sea borders of the Atlantic Ocean region.
			EPN Indalo			Control irregular migration flows towards the territory of the Member States of the European Union and to tackle cross-border crime, at the external sea borders of the Western Mediterranean region.
			EPN Minerva			

	Central Mediterranean	EPN Triton	Italy	Sea	Control irregular migration flows towards the territory of the Member States of the European Union and to tackle cross border-crime, at the external sea borders of the Central Mediterranean region
		EPN Hermes			
	Eastern Mediterranean	Poseidon Sea	Greece	Sea	Control irregular migration flows towards the territory of the Member States of the EU and to tackle cross-border crime, at the external sea borders of the Eastern Mediterranean region.
		Poseidon Land	Bulgaria, Greece	Land	
	Western & Eastern Mediterranean	Focal Points Sea	Bulgaria, Croatia, Estonia, Finland, Portugal, Romania, Slovenia, Spain	Sea	control irregular migration flows towards the territory of the Member States of the European Union and to tackle cross-border crime, at the external sea borders.
	Western Mediterranean & Western African	Joint Operation EPN Minerva	Spain	Sea	Control irregular migration flows towards the territory of the Member States of the European Union and to tackle cross-border crime, at the external sea borders of the Western Mediterranean region.
		Joint Operation EPN Indalo			
		Joint Operation EPN Hera			
	Central Mediterranean	Joint Operation EPN Triton 2014 extension	Italy	Sea	Control irregular migration flows towards the territory of the Member States of the European Union and to tackle cross-border crime, at the external sea borders of the Central Mediterranean region.
Joint Operation EPN Triton					
Eastern Mediterranean	JO EPN Poseidon Sea (as of 28.12.2015 - Poseidon Rapid Intervention)	Greece	Sea	control irregular migration flows towards the territory of the Member States of EU and to tackle cross-border crime, at the external sea borders of the Eastern Mediterranean Region.	
	Joint Operation Poseidon Sea 2014 extension				
	Joint Operation Flexible Operational Activities (including	Bulgaria, Croatia, Greece, Hungary	Land	Control irregular migration flows towards the territory of the Member States of the European Union at the European Union external land borders in order to	
2015					

		extension 9.12.2015- 3.02.2016)			tackle cross-border crime.
		Joint Border Check Teams	Bulgaria, Croatia, Hungary		Test the Joint Border Control Teams deployment and re- deployment system, to develop an effective concept of the Joint Border Control Teams deployments following risk assessment and real operational needs.
		Rapid Intervention Exercise	Greece		Rapid Intervention Exercise implemented at Greek- Turkish land borders in close cooperation with ongoing Joint Operation Flexible Operational Activities 2015 Land and Joint Operation Focal Points 2015 Land (Greek operational area) in order to provide additional operational support to particular operational area.
		Joint Operation Coordination Points	Albania, Bosnia and Herzegovina, the Former Yugoslav Republic of Macedonia, Moldova, Ukraine		Establish a system for the exchange of information related to early detection of recent, actual and future irregular migration trends towards the European Union through the territory of the third country.
		Joint Operation Focal Points	Bulgaria, Croatia, Estonia, Finland, Greece, Hungary, Latvia, Lithuania, Norway, Poland, Romania, Slovakia		Facilitate the implementation of Integrated Border Management (IBM) concept at the European Union external borders by establishing Focal Points at hot spots at external land borders and using them as platforms for joint operations and information gathering.
		Joint Operation Focal Points 2014 extension	Bulgaria, Croatia, Norway, Estonia, Finland, Greece, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia		
	Western & Eastern Mediterranean	Joint Operation Focal Points Sea	Bulgaria, Croatia, Estonia, Finland, France, Germany, Lithuania, Portugal, Romania, Slovenia, Spain	Sea	Control irregular migration flows towards the territory of the Member States of the European Union and to tackle cross-border crime, at the external sea borders, which are not covered by regular joint operations or complementing them.

Source: Author's elaboration from FRONTEX, 2016a

## ANNEX IV



Table 4.2. Spain – Multiannual Programme External Border Funds 2007-2013 (in Euros)

Priority	Goals	2007	2008	2009	2010	2011	2012	2013	TOTAL	%
1	Reinforcement of surveillance and control of the external borders: means at border crossings and borders' fiscal patrols	5,500,000.00	7,204,000.00	18,837,240.00	7,062,484.00	3,600,000.00	10,000,000.00	15,000,000.00	67,203,724.00	10,19%
2	Deployment and improvement of SVE	26,975,132.00	23,869,000.00	24,000,213.80	23,696,244.58	29,500,000.00	50,000,000.00	90,000,000.00	268,040,590.38	40,63%
	Acquisition of high-reach surveillance means	60,875,300.00	12,064,800.00	36,945,000.00	29,000,000.00	31,500,000.00	50,000,000.00	50,000,000.00	270,385,100.00	40,98%
	Integration of the surveillance systems with senior management	0.00	0.00	7,000,000.00	7,000,000.00	6,000,000.00	0.00	0.00	20,000,000.00	3,03%
3	Creation of specific spaces in each consulate to allow the capture of biometric data to visa demanders	0.00	298,754.00	250,000.00	250,000.00	250,000.00	250,000.00	250,000.00	1,548,754.00	0,23%
	Ensure the security of employees, visitors and facilities of the consulates	0.00	450,000.00	250,000.00	250,000.00	250,000.00	250,000.00	250,000.00	1,700,000.00	0,26%
4	Development of a system for a more efficient management of people's flows in border crossings	2,511,236.00	4,480,000.00	0.00	0.00	780,000.00	2,000,000.00	2,000,000.00	11,771,236.00	1,78%
	Development of a system for a more efficient management of people's flows at consulates	0.00	1,373,480.00	2,400,000.00	2,400,000.00	2,400,000.00	2,400,000.00	2,400,000.00	13,373,480.00	2,03%
5	Training activities for border control staff	232,582.00	462,582.00	350,000.00	350,000.00	350,000.00	350,000.00	350,000.00	2,445,164.00	0,37%
	Training activities for consulate staff	0.00	50,000.00	100,000.00	100,000.00	100,000.00	100,000.00	100,000.00	550,000.00	0,08%
Technical assistance		307,196.00	356,231.00	420,000.00	420,000.00	420,000.00	420,000.00	420,000.00	2,763,427.00	0,42%
TOTAL		96,401,446.00	50,608,847.00	90,552,453.80	70,528,728.58	75,150,000.00	115,770,000.00	160,770,000.00	659,781,475.38	

Source: Adapted from Ministerio del Interior 2008, p. 44

**Table 4.3. Italy – Multiannual Programme External Border Funds 2007-2013 (Draft financial plan – in Euros)**

Priority	Goals	2007	2008	2009	2010	2011	2012	2013	TOTAL
1	Gradual establishment of the common integrated border management system, regarding the checks of persons at the surveillance of the external borders	2,306,000	1,050,000	900,000	1,200,000	2,590,000	4,845,000	6,316,000	19,207,000
2	Development and implementation of the national components of a European Surveillance System for the external borders and of a permanent European Patrol Network at the southern maritime borders of the EU Member States	19,268,000	13,467,000	12,894	14,200,000	18,812,000	27,349,000	39,702,000	144,826,000
3	Issuing of visas and the tackling of illegal immigration, including the detection of false or falsified documents by enhancing the activities organised by the consular and other services of the Member States in third countries	0	0	621,000	367,000	367,000	367,000	367,000	2,089,000
4	Establishment of IT systems required for implementation of the Community legal instruments in the field of external borders and visas	1,460,000	1,285,000	4,344,000	4,425,000	3,450,000	3,500,000	4,275,000	22,739,000
5	Effective and efficient application of relevant Community legal instruments in the field of external borders and visas, in particular the Schengen Borders Code and the European Code on Visas	190,000	190,000	1,545,000	1,593,000	1,840,000	2,524,000	3,665,000,000	12,413,000
Technical assistance		1,686,000	1,161,000	1,528,000	908,000	1,127,000	1,608,000	2,264,000	10,282,000
TOTAL		24,910,000	17,153,000	21,832,000	22,693,000	28,186,000	40,193,000	56,589,000	211,556,000

Source: Adapted from Ministero dell'Interno, 2007

**Table 4.4. Italy – Multiannual Programme Overall Financing (in Euros)**

Contributors	2007	2008	2009	2010	2011	2012	2013	TOTAL
Community contribution	24,910,000	17,153,000	21,832,000	22,693,000	28,186,000	40,193,000	56,589,000	211,556,000
Public cofinancing	22,119,000	15,197,000	21,832,000	22,693,000	28,186,000	35,193,000	49,589,000	194,809,000
Private cofinancing	0	0	0	0	0	0	0	0
TOTAL	47,029,000	32,350,000	43,664,000	45,386,000	56,372,000	75,386,000	106,178,000	406,365,000
% Community contribution	53%	53%	50%	50%	50%	53%	53%	

Source: Ministero dell'Interno, 2007, p. 53

**Table 4.5. Portugal – Multiannual Programme External Border Funds 2007-2013 (Draft financial plan – in Euros)**

Priority	Goals	2007	2008	2009	2010	2011	2012	2013	TOTAL
1	Gradual establishment of the common integrated border management system, regarding the checks of persons at the surveillance of the external borders	1,111,530	1,079,820	1,360,310	1,412,020	1,813,540	2,591,520	3,653,280	13,022,010
2	Development and implementation of the national components of a European Surveillance System for the external borders and of a permanent European Patrol Network at the southern maritime borders of the EU Member States	1,250,470	1,214,800	1,530,350	1,588,520	2,040,230	2,915,460	4,109,940	14,649,760
3	Issuing of visas and the tackling of illegal immigration, including the detection of false or falsified documents by enhancing the activities organised by the consular and other services of the Member States in third countries	416,820	404,930	510,120	529,510	680,080	971,820	1,369,980	4,883,250
4	Establishment of IT systems required for implementation of the Community legal instruments in the field of external borders and visas	*	*	*	*	*	*	*	1,125,425,60
Technical assistance		241,420	235,450	288,230	297,960	220,160	301,200	411,800	1,996,220
TOTAL		3,020,250	2,935,000	3,689,000	3,828,000	4,754,000	6,780,000	9,545,000	34,551,250

\* The draft financial plan does not present detailed information on yearly allocation for this priority.

Source: Adapted from Ministério da Administração Interna, 2007

**Table 4.6. Portugal – Multiannual Programme Overall Financing (in Euros)**

Contributors	2007	2008	2009	2010	2011	2012	2013	TOTAL
Community contribution	3,020,250	2,935,000	3,689,000	3,828,000	4,754,000	6,780,000	9,545,000	34,551,250
Public cofinancing	1,006,750	978,330	1,229,670	1,276,000	1,584,670	2,260,000	3,181,670	11,517,080
Private cofinancing	0	0	0	0	0	0	0	0
TOTAL	4,026,990	3,913,330	4,918,670	5,104,000	6,338,670	9,040,000	12,726,670	46,068,330
% Community contribution								

Source: Ministério da Administração Interna, 2007, p. 39