
Towards Mediterranean Migration Management 2008? Developing Discourse and Practices

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Theme: Ongoing EU negotiations with the African Union have identified a number of clear, achievable steps, which might bring more positive ideals of Mediterranean migration management a little closer.

Summary: Clandestine migrants to the EU face obvious risks and their safety has raised widespread concern. Nevertheless, they account for only a small fraction of total undocumented migration to Europe and receive a level of policy and media attention far out of proportion to their numerical significance. The European response is focused mainly on control –which further endangers migrants–, tackles the manifestation rather than the cause of the problem and is particularly expensive. Although the EU and Member State governments frequently voice the need to invest in longer-term solutions to improve conditions in the countries of origin, the priority and associated budgets devoted to these initiatives has until recently been relatively small. They have also suffered from overly vague notions of development which lack concrete proposals. The difficulty of making progress in this area is reflected in the intensity of intergovernmental discussions, with three distinct political processes in the EuroMed area. Recently, there are signs that the impasse in these discussions may be changing. Ongoing EU negotiations with the African Union have identified a number of clear, achievable steps, such as focusing on employment creation, which might bring more positive ideals of Mediterranean migration management a little closer.

Analysis:

Introduction

Migration in the EuroMed region continues to be dominated by the images and stories of the tiny minority of migrants who try to reach European territory without using the proper channels. The tragic situation of these individuals, and the unknown number of people who lose their lives at sea or on undocumented overland crossings, justifies sustained attention, but the response from the EU and Member States continues to be focused more on migration control to impede movement and less on more difficult longer-term solutions that might stop this movement at an earlier stage or allow it to occur through legal channels. In mid 2008, looking back over developments in the region over the last year or so, there are signs that this is beginning to change. The empirical basis on undocumented migration is slowly improving and the continued succession of high-level dialogues and political processes points to a gradual development of the necessary political will to address the more intractable aspects of the problem. A balanced, equitable approach to migration management across the Mediterranean is still a long way off, but it may be

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getting closer. This short paper considers first the changing empirical situation before turning to the nature of policy responses.

The Current Situation of Migration in the EuroMed Region

Data on undocumented migration inevitably remains extremely limited, but information on apprehensions is at least circulating more widely. Apprehensions data is the only large scale information source that is able to provide a picture of the flux in undocumented migration in the EuroMed region. The uncertain relationship between the numbers and profiles of individuals caught by border control officials, those who give up or die in the attempt and those who successfully evade these officials and enter Europe makes the data notoriously difficult to interpret. During the past few years, the numbers of migrants apprehended across the Mediterranean has been falling, balanced by a significant rise in apprehensions around the Canary islands, though apprehensions around the Canaries also fell in 2007 (Collyer, 2007a; APDHA, 2008). The significant rise in apprehensions around the Canary Islands in 2006 was heralded by FRONTEX as a sign that the border control operation which is coordinated in the area was a success. Somewhat paradoxically, the fall in apprehensions across the straits of Gibraltar was also interpreted by the Spanish Ministry of the Interior as a sign of the success. The variety of possible, inevitably political interpretations indicates that the data are not the most robust for scientific analysis, but are all that is available at this scale.

The availability of sources of large-scale data is increasingly complemented by the gradual accumulation of small scale survey and ethnographic data on undocumented populations in Europe and in surrounding countries. Although these data are also problematic, since they cannot provide a complete picture, they provide a contrasting, often complementary source of information to apprehensions data. Fieldwork with undocumented migrants is a particularly challenging focus of research especially in countries outside of Europe and researchers must overcome suspicion and hostility both from migrants themselves and from border control and law enforcement officials. Nevertheless, research in countries bordering Europe is becoming more widespread and provides useful information concerning three key points: the mix of social backgrounds and motivations amongst migrants, the predominantly small scale of undocumented border crossings and the complexity of destinations.

There is considerable agreement amongst research studies on the motivations for these overland and maritime migrations. Social disruption, often caused by war or civil disturbance, dissatisfaction with corrupt and mismanaged societies and various forms of deprivation all play significant roles in individuals' decision to leave (Lahlou, 2005). However, the profile of individual migrants is extremely mixed including many relatively wealthy and highly-educated people, even amongst the most desperate migrants, such as those taking the long sea journey from West Africa to the Canary Islands (Fall, 2007). Secondly, smuggling arrangements are typically much smaller scale and more locally organised than many media and policy descriptions might suggest. Individual migrants typically rely on other migrants or local communities for assistance and rarely pay a single price for their entire journey (Alioua, 2005). Finally, it does not appear to be the case that all migrants intend to reach Europe from the moment they leave their home countries. In some cases a linear logic is imposed on lengthy wanderings around the Sahel region so that they appear to be migrations to Europe, when in fact they are not (Collyer, 2007b). In other cases significant populations of labour migrants are reinterpreted as 'transit' migrants for political gain in countries such as Libya or Egypt (Al Sharmani, 2008).

Research in Europe presents fewer problems and a wider number of sources exist on which to base estimates of undocumented migrant populations. The key recent insight arises from surveys of routes to illegal residence in Europe. A small proportion of undocumented migrants in Europe arrived by clandestine means. The Spanish Police Union (*Sindicato Unificado de Policia*) reported that only 5% of undocumented migrants to Spain arrived by boat in 2006, compared with 80% who arrived at Madrid or Barcelona airports (*El Pais*, 4/1/2007). Similarly, according to Italian police data only 10% of undocumented migrants in Italy had entered the country by sea (cited in Cuttitta, 2005). This suggests that the policy and media attention devoted to these forms of migration is out of all proportion to their numerical significance. Nevertheless this attention has remained significant in recent years.

Ongoing Cooperation on Migration Issues in the EuroMed Region

For the moment, action remains focused on control operations. The high profile international operations of FRONTEX and the proposed EUROSUR as well as national systems such as the Spanish SIVE have major public profiles and command huge budgets, yet, as the surveys quoted above suggest, they are focused at a population numbered in the low thousands that appears to have decreased in recent years.

To consider FRONTEX alone, in 2007 the seven separate operations conducted by FRONTEX in the Mediterranean had a combined cost of €19,531,368 (FRONTEX 2008). These operations resulted in the interception of 17,087 migrants, or €1,143 per migrant intercepted. And this is before considering Member States' individual expenditure, such as the €120 million spent on the Spanish SIVE system in recent years, for which the cost per migrant intercepted is much more difficult to calculate, but certainly much higher. Estimates of total undocumented migration to Europe vary wildly but even conservative guesses put the figure in the hundreds of thousands a year, so the total number of migrants intercepted in the Mediterranean and Atlantic is a tiny proportion of those arriving by other routes. Studies such as those quoted above show that the large majority of undocumented migrants in Europe arrive through legitimate channels and overstay their visas, yet tremendous resources are focused on maritime routes.

There is obviously a dissuasive effect to these measures, so their cost should not only be set against the number of migrants intercepted. Many migrants choose not to migrate because of the money spent on border control across the region. But the dissuasive effect also has a cost, in terms of those who lose their lives attempting to avoid new controls, and on those who are unable to access European protection regimes. The legal implications of FRONTEX's maritime operations are beginning to be discussed in terms of their impact on Member States international obligations to protection (ECRE, 2007). Debates are slowly shifting and asylum issues are being discussed more openly in the region. It is also recognised that migration control is only a short term fix. In the longer term, other solutions will be required which improve the opportunities of potential migrants in their countries of origin. Although the EU and Member States repeatedly cite the need to concentrate on the underlying issues behind this movement, the financial support they provide is a small fraction of resources devoted to control. The intractability of these underlying issues goes a long way to explaining the intensity of ongoing diplomatic efforts directed at them.

Such efforts occur not only at the EU level but also bilaterally. The most important bilateral relations across the Mediterranean are between Spain and Morocco and Italy and Libya. The significant restrictions on the EU's capacity to negotiate do not hamper individual

states, which are able to discuss a much broader variety of topics, in conjunction with border control. Spain has particularly close diplomatic ties with Morocco, which became much friendlier following the 2004 Spanish elections. The successful ratification of the 2001 labour migration agreement in May 2005 is one positive result of this closer cooperation. There have also been efforts to reactivate the 1992 Spain-Morocco readmission agreement, which would allow the Guardia Civil to return non-Moroccan nationals to Morocco, though this has met with less success. Cooperation between Italy and Libya is far more uncertain and has focused more obviously on common approaches to migration control, particularly the controversial funding of detention centres in Libya.

Beyond the control operations it is much less clear what the EU is doing in the field. This is partly because effective initiatives in the field of development cooperation or economic investment tend to be smaller and attract less attention, but mainly because there is simply less money allocated to them. In May 2008 the Commissioner for External Relations and European Neighbourhood Policy launched the new Neighbourhood Investment Fund (NIF), as part of the 2007-13 budget programme (EC press release, 5/V/2008). This fund will concentrate particularly on projects relating to energy, transport and the environment, outlined in the ENP Action Plans. The planned budget is €700 million, which compares with the €1.82 billion expenditure foreseen for migration control under the External Borders Fund (EBF) for the same period (EC press release, 14/XII/2006).

There has been no let up in the intensity of intergovernmental negotiations on migration and there are now at least three distinct high-level processes ongoing in the EuroMed region. These are: (1) the 'Rabat process', initiated in the Euro-African Ministerial Conference on Migration and Development, held in Rabat on 10-11 July 2006 and reinforced at a meeting in Madrid on 21 June 2007, with a further ministerial meeting planned for Paris in the second half of 2008; (2) the 'Tripoli process' initiated at the first joint EU-AU meeting on migration and development in November 2006 and pursued in the context of the EU-AU summit in Lisbon in December 2007; and (3) the EuroMed or Barcelona process was reinvigorated by the Barcelona +10 conference in 2005 and developed further during the EuroMed Ministerial conference on Migration in the Algarve in November 2007.

It is hard to explain why the EU felt it necessary to support three ministerial level meetings on the topic of migration across and around the Mediterranean, in little over a year and is obviously prepared to go on discussing these issues through three separate processes. Each meeting had a slightly different involvement of non-EU countries but the overlap between each is very substantial and it is typically the same officials attending from each country. These meetings are only the public face of these various processes and much of the real work is conducted, typically behind closed doors, at more regular, often quarterly meetings amongst more junior officials and civil servants. The continued intensity of this diplomatic offensive can only be explained by the significance of the issue of migration for Europe and to a lesser extent for the various partner countries involved and perhaps most significantly by the substantial difficulties of reaching agreement between the parties.

The public declarations from these meetings highlight the importance of work in other directions and the need for responses other than control has always been part of the EU's public discourse around migration, emerging from international conferences and action plans, since at least Tampere in 1999. Indeed migration control is typically skimmed over quite rapidly in the texts of final communications and action plans. However, the reality

does not reflect this level of priority and the tremendous imbalance between the resources devoted to control and the support given to alternatives suggests that this has never been a particularly deeply held conviction. There are signs in the conclusions to the most recent round of ministerial discussions that this awareness of the need to develop activities beyond control is perhaps beginning to translate into the political will to expend financial and political capital pursuing them.

The theme of 'migration and development' (M&D) occurs as a core theme in all three recent conclusions and action plans (Euro-Africa Conference on Migration and Development, Madrid 2007; EuroMed Ministerial Conference on Migration, Algarve, 2007; and Lisbon Declaration 2007). The EuroMed process has three sections: M&D provides a convenient link between the first section on legal migration, covering methods of visa facilitation, and the third section on illegal migration. All three sections are given equal weight in the conclusions but it is notable that the projects considered under the M&D section involve holding a seminar and expanding the website whereas projects planned under 'illegal migration' comprise introducing biometric technologies to partner countries and holding training programmes for border control officials. It is obvious that the focus remains firmly on control. There is also no mention of asylum or refugees within EuroMed.

The Rabat Action Plan, which was further supported by the Madrid meeting in June 2007, is divided into exactly the same three sections, though in a different order, 'M&D' is the first section and has substantially more space devoted to it, 'illegal migration' comes third, though it is followed by a short section on 'police and judicial cooperation'. It is noticeable that the 'M&D' objectives are vague and aspirational, including 'making migration a factor for reducing poverty' with no more specifics, whereas the illegal migration objectives are concrete and achievable, focused on introducing readmission agreements, for example. The conclusions to the Madrid meeting do not highlight any particular direction that this process is moving in, but do introduce the possibility that the EU may start to engage with smaller groupings of the partner countries, such as ECOWAS (Economic Community of West African States).

The Tripoli process appears to develop ideas beyond control much more substantially than either of the other two processes, and this impression is reinforced by discussions at the Lisbon summit in December 2007. The Tripoli declaration had nine sections, starting with M&D and continuing through migration management challenges, peace and security, human resources and brain drain, concern for human rights and the well being of the individual, sharing best practices, regular migration opportunities, illegal or irregular migration, and finally the protection of refugees. The Tripoli process and migration in general was one of the most significant themes at the Lisbon summit but the resulting Africa-EU strategic partnership appears much more imaginative than recent results from the other two processes. Migration is the subject of one of eight thematic partnerships that conclude the document and set objectives and priorities for the future. It is framed under the title 'migration, mobility and employment'. The introduction of 'employment' automatically advances the objectives beyond what one suspects have been intentionally vague notions of 'development' in previous discussions and the public commitment to the conclusions of the AU's 2004 Ouagadougou conference on poverty and employment, in addition to the Tripoli declaration, highlights a positive way forward.

Conclusions: It is perhaps not surprising that the EuroMed process, in which the EU is confronted with the smallest number of partner countries has developed what is apparently the most control focused series of objectives, with a clear Eurocentric bias. As

the number of partners involved in the debates increases, the more migration is seen in its social and economic context, emphasising human rights of migrants with less focus on European security and the Eurocentric bias including notions such as ‘transit migration’ recedes. The enthusiasm of the EU to engage in discussions with smaller groupings, such as ECOWAS, may therefore be less likely to develop policy in realistic directions. The public commitment of the EU at the Lisbon summit to the objectives of the 2004 Ouagadougou conference on poverty and employment marks a refreshing, pragmatic step in ongoing discussions around migration and development. It is too early to properly evaluate the results of this commitment but it is one to which both the EU and AU should be held.

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