

LIMEN

Journal of the Hungarian Migration Research Institute

6 (2022/2)



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MIGRATION RESEARCH INSTITUTE

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Migration Research Institute

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MIGRATION
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Limen is a semiannual International Journal
published by the Hungarian Migration Research Institute

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Frontispiece:

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ISSN: 2732-0200

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Gatekeeper countries – Key to stopping illegal immigration

Viktor Marsai

Abstract

Cooperation with “gatekeeper countries” – transit countries that can help mitigate the flow of irregular migrants – is a key instrument used by Europe¹ to protect its borders and should be used more consistently by the United States. Such collaboration could prevent millions of people from illegally entering destination countries. Without the assistance of those gatekeepers, Europe would have faced a much higher number of illegal immigrants. Therefore, this type of collaboration could be seen as a cornerstone of European migration policy. The United States, on the other hand, pays less attention to gatekeeper states, and focuses on the thin border line as the main protection strategy. Gatekeeper countries, of course, are only part of the solution, and the concept must be integrated into a much broader and complex immigration and border protection policy which includes physical barriers, human resources, deterrence factors, and a consistent application of existing rules (e.g., detention and deportation). But an effective border regime cannot exist without the cooperation of transit countries. This paper compares the role of gatekeeper countries in the European and the U.S. contexts. It analyzes the ways different actors are utilizing (or not) transit countries to reduce the number of illegal arrivals. It argues that different historic, economic, and social developments have shaped and altered policies and strategic thinking in the transatlantic region.

Keywords: gatekeeper, United States, European Union, illegal immigrants, strategic thinking

Introduction

Irregular mass immigration is an obvious challenge on both sides of the Atlantic Ocean. Nevertheless, the scope of the problem is very different in the United States and the European Union. In FY2022, the U.S. Border Patrol encountered 2,206,436 people who crossed the Southwest Border between ports of entry, a record number.² In addition, as estimated by various sources, there were 599,000

¹ The terms 'EU' and 'Europe' are used interchangeably here.

² SOUTHWEST LAND BORDER ENCOUNTERS 2023.

were “got-aways”³ that year – persons who were detected entering illegally but were not captured by Border Patrol. Another 172,508 aliens entered through official ports of entry without proper documentation.⁴

Calendar year 2022 witnessed also a record in Europe, with a 64 percent increase in the number of irregular border crossings (IBCs), totaling more than 330,000 IBCs, the highest figure since 2016.⁵ (During the huge irregular influx in 2015, 1,822,180 migrants crossed the external borders of the EU.)

Yet, the European numbers were still much lower than the American ones (EU: 511,050 IBCs in 2016, 204,720 in 2017, 150,100 in 2018, 141,850 in 2019, 126,420 in 2020 and 200,100 in 2021 comparing to US: 331,333 in FY2015; 408,870 in FY2016; 303,916 in FY2017; 396,579 in FY2018; 851,508 in FY 2019, 400,651 in FY 2020; and 1,659,206 in FY2021).⁶ Even under the Trump administration, the U.S. government was not able to reduce the annual number of IBCs below 300,000. Europe, on the other hand, with a significantly larger population of almost 450 million people, was successful in mitigating the flow, at least for now. Over a ten-year period of 2013-2022, Europe witnessed 3,876,720 IBCs, versus 7,452,267 in the United States. The difference between these two numbers is quite clear, despite the fact that we do not have statistics on got-aways in the EU.

Why such a significant difference? At first sight, Europe has to cope with irregular mass migration under much worse circumstances. The continent has vulnerable borders towards the South and the East, as seen by, for instance, the use of boats to cross the Mediterranean. Furthermore, dangerous but accessible sea borders make it almost impossible to stop migrants who try to reach the southern shores of the continent. The geostrategic setting also worsened a lot in the past decade: the so-called Arab Spring destabilized regimes from Libya to Syria; civil wars broke out from Ethiopia to Sudan; the financial and economic consequences of the COVID-19 pandemic and the Russian invasion of Ukraine have also jeopardized living conditions and prospects in the Middle East, North Africa, and Sub-Saharan Africa, encouraging people to leave for Europe.⁷ Jihadist insurgency in the Sahel also stoked tension and forced millions of people to flee.⁸

³ JORDAN – McCLINTOCK 2022.

⁴ SOUTHWEST LAND BORDER ENCOUNTERS 2023.

⁵ FRONTEX 2023.

⁶ UNITED STATES BORDER PATROL SOUTHWEST BORDER SECTORS 2019; SOUTHWEST BORDER MIGRATION FY 2019; SOUTHWEST LAND BORDER ENCOUNTERS 2023.

⁷ HERBERT 2022.

⁸ AFRICA CENTER FOR STRATEGIC STUDIES 2022.

In addition, consensus on immigration policy is lacking in Europe. The debate in the European Council on possible actions regarding border protection in March 2023 demonstrated that many member states wanted stronger measures, while others argued against a “fortress of Europe” approach – even if this meant more IBCs.⁹ The stalemate around the proposal of the European Commission on the new European pact on migration and asylum points even more to the division and disagreement between European capitals.¹⁰

Yet, despite these challenges and differences, the number of illegal arrivals is much lower in Europe than in the United States. How can this be explained? If it is not the internal migration policy of the EU nor an improving geopolitical environment there must be other instruments that are keeping these numbers down on the eastern side of the Atlantic.

One of them is the collaboration of the EU Commission and member states with “gatekeeper countries” around Europe, from Turkey and Egypt to Niger and Morocco. The cooperation with transit countries to mitigate the flow of irregular migrants is a key instrument in the hand of Europe to protect its borders.

On the other hand, the United States pays less attention to gatekeeper states, and looks at its porous border as the first line of protection. The different policy appraisals between the US and the EU were highlighted by Mark Krikorian, when he observed that “in the U.S. discussion of this we need to stop thinking of the Border Patrol agent as the first resort in stopping illegal immigration and rather think of him or her as the last resort.”¹¹

The concept of the gatekeeper country is more of a political and foreign policy practice than a matured theory. This paper will first offer a conceptual and theoretical framework to define the place of gatekeeper countries in the general framework of migration studies and the ongoing discussion in the field. Then, it will analyze practical considerations, namely how destination countries’ collaboration with gatekeeper countries can serve as a useful tool against irregular mass migration. Lastly, it will examine the implementation of the concept both in Europe and the United States.

This research is not exhaustive; further investigation is needed for better understanding why the United States seems sometimes reluctant to collaborate with transit countries to reduce illegal immigration, and to address more specifically the perspectives of gatekeeper countries in Central America.

⁹ MARSAI 2023a.

¹⁰ EUROPEAN COMMISSION 2020.

¹¹ CIS 2023.

Gatekeeper countries – a conceptual framework

Cooperation with gatekeeper countries to mitigate the flow of irregular migration is not a new phenomenon; EU governing bodies and certain member states have been collaborating with transit states for decades. Nevertheless, in academic literature the concept of gatekeeper countries is a poorly developed theory. Hence, there is a need to set up a theoretical framework up front.

To avoid any confusion, it is important to define what this gatekeeper concept is *not* about. It has nothing to do with the theory of gatekeeper states in Africa, developed by Frederick Cooper in the early 2000s.¹² In his book Cooper described African states as gatekeepers which are trying to balance unstable domestic politics against the influence of external factors, with varying success. Cooper's term does not relate to immigration and is used more as a concept for political science.

Another example of what this concept is *not* about is Operation Gatekeeper. That was a Clinton administration initiative launched by the Immigration and Naturalization Service in 1994 to reduce the number of illegal border crossings in the San Diego border sector.¹³ In this context, the U.S. Border Patrol's agents were themselves the gatekeepers, whereas the gatekeeper concept in this paper pertains always to transit countries serving as gatekeepers.

That is why a recent paper by Đana Luša is also not part of this gatekeeper theory.¹⁴ Although Luša is using the term “gatekeepers”, she refers to small *EU* member states – Greece, Croatia, Bulgaria, and Hungary – as gatekeepers, which is close to the concept of Operation Gatekeeper in the U.S. In addition, Luša also confuses the reader in the theoretical part of her paper by discussing the topic in the framework of externalization of EU policies.¹⁵ That is conceptually wrong, since as EU member states they are part of Europe, so they cannot be part of externalization.

To get closer to the definition of gatekeeper countries, we should distinguish between three approaches. The first is the geographic one. In general, migration studies and discourse separate three geographic areas: the countries of origin, transit countries, and destination countries. Gatekeeper countries are generally transit countries, even if – as I will examine below – they can work as countries of origin as well.

¹² COOPER 2002.

¹³ PALAFOX 2001, 3.

¹⁴ LUŠA 2021; JOENSEN – TAYLOR 2015, 241.

¹⁵ LUŠA 2021, 219.

The second is a thematic approach. The concept of gatekeeper countries is part of immigration critic/realist theory. It means that gatekeeper countries are part of the toolkit to stop illegal immigrants on their way to destination countries. It is true for all kinds of irregular migration: whether persons leave their home because of persecution and war or just because they seek greener pastures (economic migrants), gatekeeper states serve as an obstacle on their route towards destination countries, regardless of whether they were provided with shelter and proper asylum procedures.

Gatekeeper countries are part of the discussion on externalization of immigration and asylum procedures as well;¹⁶ therefore, the collaboration with them can be considered as outsourcing of the aforementioned processes. Furthermore, some authors argue that “the construction of the externalized European borders represents a new form of coloniality, classifying the population (migrant vs. EU citizen) and the countries (EU members vs. countries where control has been externalized to) according to the level of threat they represent for the EU”.¹⁷ So, in mainstream academic literature on immigration studies externalization is seen as a negative phenomenon, unless it is used not to *reduce* the number of arrivals but to *increase* it. For example, the expansion of geographic availability of asylum procedures in the developed world and the establishment of processing centers in third countries are considered positive moves.¹⁸

Another thematic approach has to do with the securitization of immigration. Some have accused policy makers of viewing immigration crises as security threats, jeopardizing the humanitarian aspect of the phenomenon and the access of immigrants to proper protection of their fundamental human rights. According to them, border protection, the concept of “fortress Europe”,¹⁹ and efforts to reduce the arrival numbers are against the fundamental rights of immigrants. In short, they view securitization as demonizing immigrants.²⁰

Away from these normative stands, the concept of gatekeepers brings in a practical aspect without falling into ethically “bad” or “good” positioning. It reinforces the fact that securitization and externalization are *already* part of immigration policy, if only because security challenges and threats are an unavoidable aspect of any immigration crisis. Therefore, they have a relevant space – among other issues – in academic discussions on immigration, as well as gatekeeper states.

¹⁶ LUŠA 2021, 221.

¹⁷ AFAILAL – FERNANDEZ 2018, 215.

¹⁸ DE OLIVEIRA – TAN 2023.

¹⁹ AFAILAL – FERNANDEZ 2018, 220.

²⁰ THOMAS 2018, 453.

The third point, linked to the one argument above, is that independently of the academic discourse, the practice of cooperation with gatekeeper countries has already been part of immigration policies in both sides of the Atlantic. The practices are there, and so researchers and experts have to understand the nature of collaboration with gatekeeper countries, analyze its complexity, and measure its effectiveness, while avoiding normative statements.

To summarize, gatekeeper countries are entities which:

1. are located on transit routes towards destination countries/regions;
2. are relatively close – geographically speaking – to destination countries/regions, though in some other cases – like EU collaboration with Niger – they are more distant;
3. have the capacity and intent to mitigate the flow of illegal mass immigration (e.g., they have functioning governing/ruling powers, which does not necessarily mean that they have strong central government, as Libya, for instance, does not).
4. can be also countries of origin - but this is less common, because the primary task of a gatekeeper is to help stop outsiders from crossing their territory on their way to destination countries.

Following this logic, for Europe, typical gatekeeper states are Turkey, Morocco, Niger, Libya or Serbia. In the case of the United States, the gatekeepers could be Mexico, Guatemala, El Salvador, Honduras, Costa Rica, Panama, and the Bahamas.

Practical considerations regarding gatekeeper states

To understand why the use of gatekeeper countries is considered an essential practice when it comes to Europe and, to a much lesser extent, the US, we have to analyze its strengths, advantages, and drawbacks.

First, European history teaches us that a single fence – even if it is a heavily fortified one like the Roman *Limes* – can hardly stop the flow of masses of people who want to cross to the other side. The 2015 migration crisis was a major example of that: although physical barriers were somewhat effective in slowing the flow of people, they could not stop millions of irregular migrants from

reaching their destination. In addition, most of the external borders of the EU Schengen Zone are at sea, where it is impossible to erect fences.

Furthermore, both the EU and the U.S. know from experience that voluntary repatriation, deportation, and other forms of expulsion of unlawful immigrants are extremely difficult. In the case of the EU, for instance, the return rate of migrants is just 21 percent.²¹ ICE in FY2022 deported only 72,177 persons from the United States²², which, when compared to the 2.2 million IBCs, is very limited. This is why it is easier to stop irregular migrants *before* they reach the territory of the EU and the U.S. and why, for instance, Europe has developed structural and complex lines of border protection – that do not start on its immediate borders.

That said, outsourcing asylum and migration process does not come without concerns, such as the above-mentioned human right issues and accusations of neo-colonization. Nevertheless, it also provides benefits: asylum procedures are much cheaper in a developing country than in a developed one, if only because the cost of living is much lower. Which means that with the same amount of money many more people can be taken care of. Two UK agreements, with Rwanda and France, respectively, are perfect examples of such practical considerations. Under the deal between London and Kigali, Rwanda would be ready to accept asylum seekers deported from the UK. In compensation, Rwanda would get £140 million (\$175 million). Knowing that the UK's asylum system costs £1.5 billion (\$1.88 billion) a year and Great Britain spends £7 million (\$8.75 million) *daily* for hotel accommodations for asylum seekers, UK's decision makes a lot of sense. But the implementation of this agreement has been suspended following the European Court of Human Rights' decision concerning the legality of such a deal.²³ Meanwhile, as it waits for a legal outcome, the UK made a deal with the French government that will allow for the readmission of illegal immigrants to France and the strengthening of border protection between the two countries. As compensation, the UK paid France £465 million (\$581 million).²⁴

Cooperation with gatekeeper countries can also enhance the power of deterrence. Persons who simply seek better economic circumstances would think twice about investing thousands of dollars – thus financing organized criminal networks – for a journey if there is a good chance that they would to be stopped at one of the transit countries. This is an important part of dissuading people from risking their lives in a perilous journey. At the same time, it would deter economic opportunists

²¹ EU MIGRATION AND HOME AFFAIRS 2023.

²² CBS NEWS 2022.

²³ BBC 2023.

²⁴ AL-JAZEERA 2023.

– who overburden the asylum and refugee systems – from making the move, while giving victims of forced displacement a better chance of being assisted.

Because of their geographic proximity to sending countries, gatekeeper states offer a better chance for the return of immigrants. For those not returned, gatekeepers often allow for easier integration of migrants because of familiar cultural, social, and historical characteristics. If we look at the case of Syrian refugees in Turkey, for instance, we note that more than the half (58.6 percent) do not want to move to a third country (meaning that they do not want to move on to Europe), and 30.3 percent are ready to return to Syria should a comprehensive peace agreement take place. The 2020 Syrian Barometer in Turkey shows that most Syrian refugees were satisfied in the country and integrated very well into society.²⁵

It is worth noting that migrants who have been integrated into a developed society like Europe or the U.S. and have thus already established their existence far from their home, have a limited chance and desire to return to their developing country, even when peace is attained. This integration deprives third-world countries of important human capital, and actually works as a brain-drain.

Another advantage of collaboration with gatekeeper countries is that it offers a wide toolkit. It takes place between states, which means that its implementation is smoother than it would be with different actors (NGOs, multinational companies, advocacy groups, etc.). Cooperating governments have many different instruments to settle and maintain any agreement. Even though some might view this type of collaboration as involving only elements of immigration policy (“immigrants for immigrants” deals), that is definitely not the case. Diplomacy, trade, development assistance, humanitarian aid, security and defense collaboration, etc., can also be part of any such deal. This is obvious in the EU-Turkey Statement of 2016, wherein Brussels offered not only assistance on asylum issues for Ankara, but also promised to “re-energize the accession process” of Turkey to the EU.²⁶ Similarly, the Trump administration threatened to suspend the trade agreement with Mexico if it did not help combat illegal immigration.²⁷

As with any other form of international cooperation, migration deals include numerous challenges. Mutual bargaining and blackmailing are always part of the game. To minimize these risks, two different approaches can be undertaken. One is a “carrot and stick” policy, whereas the other is the “win-win” approach. Both

²⁵ ERDOĞAN 2020, 176.

²⁶ CONSILIUM.EUROPA.EU 2016.

²⁷ BRICE 2019.

have advantages and disadvantages, it is, therefore, hard to choose and implement only one of them.

Carrot and Stick. Principally, the carrot-and-stick approach is used if the gatekeeper state does not want to cooperate and stop illegal immigration. Therefore, the destination country has to pressure the gatekeeper to convince it to collaborate. In most cases, there is also a “carrot” in the arrangement to provide some benefits for the gatekeeper. One typical example of a carrot-and-stick agreement is the Migration Protection Protocols (MPP, also known as Remain in Mexico), in which foreign individuals entering or seeking admission to the U.S. from Mexico – illegally or without proper documentation – could be returned to Mexico and wait there for the duration of their proceedings.²⁸

Another example is the EU pressure on Serbia. Numbers from the EU border agency, Frontex, show that 19,160 people were detected illegally travelling to the EU through the Western Balkans in September 2022 alone. Reacting to these numbers, Nancy Faeser, Germany’s Interior Minister, “Serbia has to adapt its visa practice to the EU if it wants to become an accession candidate.”²⁹ This led to Brussels demanding that Belgrade suspend visa-free arrangements (visa waivers) for travelers from certain countries (Tunisia, India, and Burundi) who otherwise could get direct access to a neighboring country of the Schengen zone.

Of course, the carrot-and-stick policy has its weaknesses. Because it is an enforced bargain, in most cases it only works when the conditions are favorable. For instance, after the election of Joe Biden, Mexico was less willing to cooperate with the United States as a gatekeeper. As Todd Bensman has highlighted, on November 11, 2020 – within eight days of Biden’s election – a law entitled “Various Articles of the Migration Law and the Law on Refugees are Reformed, Complementary Protection and Political Asylum in the Matter of Migrant Children” was signed by President Andrés Manuel López Obrador. The law prohibited federal detentions of migrant families with minor children in Mexican detention facilities. That meant that Mexico could start emptying its detention centers, and thousands of families with their young children could travel freely inside the country – and out, mainly towards the U.S.³⁰

Therefore, a carrot-and-stick policy can be fragile, and, of course, it is a tool not only in the hands of the destination country, but also in the hand of the gatekeeper as an instrument for bargaining and blackmailing. One example is when Morocco

²⁸ DHS 2019.

²⁹ JANUZI 2022.

³⁰ BENSMAN 2023.

let 6,000 illegal immigrants mainly from the Sub-Saharan Africa storm the border fence on the Spanish enclave Ceuta in 2021. This move came after Madrid allowed Sahrawi leader Brahim Ghali – who led the Polisario Front’s fighting for Western Saharan independence from Rabat – to be treated in a Spanish hospital.³¹

Win-win. There can be a win-win approach for both destination countries and gatekeepers as well, when cooperation offers equal benefits for all parties involved. For instance, in a trilateral agreement, Austria and Hungary offered assistance to Serbia to protect its southern border with North Macedonia. The aim of the cooperation was to prevent irregular migrants from entering Serbia and turning it into a “parking lot” for migrants trying to reach the EU, as Serbian President Aleksandar Vučić said.³² The U.S. launched similar efforts in the form of the Southern Border Plan aiming to construct a network of communications towers along Mexico’s southern border region in 2014–15 to help security and immigration officers there communicate despite gaps in radio coverage.³³

In spite of its advantages, the win-win approach has also its challenges. First, similarly to a carrot-and-stick deal, it can be fragile. Shifting trends can jeopardize it, even if to a lesser extent than in the case of a carrot-and-stick agreement, if only because the parties are much more interested in the success of the deal. Second, this framework cannot solve every problem. For instance, in the Serbian example, North Macedonia would become the “parking lot” instead of its northern neighbor, so the trilateral agreement did not solve the original problem, just moved it to another border line. Therefore, the possibility of a win-win solution is geographically limited.

Gatekeepers in practice – the European experience

As mentioned previously, the use of gatekeeper countries in the struggle against irregular mass migration to Europe is not a new instrument; it was part of various migration-related agreements in past decades. It can be seen as a long historical tradition in Europe: over the last twenty centuries, invasions and attacks regularly arrived from the peripheries of Europe (by Germans, Huns, Arabs, Vikings, Hungarians, Mongols, Ottomans, Russians, et al.). This meant that European power centers had to always pay attention to the world *beyond* the continent. Paradoxically, colonization – when

³¹ BBC 2021.

³² MARSAL 2023b.

³³ MEYER – ISACSON 2019.

Europe itself became the invader – just strengthened this notion. Europe could not, and cannot (despite the decolonization), ignore events happenings around the world because of political, security, and economic considerations. Therefore, cooperation with gatekeepers has become an integral part of strategic thinking in Europe, not only against irregular immigration, but also against other threats and challenges, like political instability, terrorism, or drug-trafficking. This was evident, for instance, in the form of the pre-Arab Spring collaboration with authoritarian regimes in North Africa, which served as a cordon sanitaire for the EU before 2011.³⁴

Establishing a legal framework for gatekeeper collaborations started in the early 1990s. For instance, in 1992, Morocco and Spain signed a readmission deal, in which they agreed to the following: “at the formal request of the border authorities of the requesting State, border authorities of the requested State shall readmit in its territory the third-country nationals who have illegally entered the territory of the requesting State from the requested State.”³⁵ Many other agreements followed the deal between Rabat and Madrid. In 2003, Mauritania and Spain signed a readmission agreement to allow the repatriation of those arriving at Spain’s Canary Islands illegally. Spain also entered a cooperation agreement with Mauritania, providing equipment and training to Mauritanian border control forces.³⁶ In 2006, Spain and Senegal agreed to jointly patrol Senegalese territorial waters to help mitigate the wave of illegal migration to the Canary Islands.³⁷ Italy and Libya signed an agreement in 2008 under which Italy promised to pay \$5 billion in compensation for colonial misdeeds and to gain certain economic and political benefits. As the part of the deal, Italy not only expected to win energy contracts but also wanted Tripoli to toughen security measures and stem the flow of illegal immigration.³⁸

The current migration crisis, which started with an increase in the number of crossings in the Central Mediterranean route towards Italy in 2013 and reached a peaked with the arrival of Syrians in 2015, gave new impetus to the process. The EU turned to certain neighboring countries to design gatekeeper agreements with them or strengthen existing ones. While the most famous was the EU-Turkey Statement, the EU and the member states made other gatekeeper deals with Egypt, Libya, Tunisia, Morocco, and with certain Western Balkan states.³⁹

³⁴ RICHEY 2013.

³⁵ AGREEMENT 1992.

³⁶ AMNESTY INTERNATIONAL 2006.

³⁷ THE NEW HUMANITARIAN 2006.

³⁸ REUTERS 2008.

³⁹ TINNI – ĐJUROVIC 2023.

The Success of EU Gatekeeper Deals. Although these types of agreement were criticized by a number of scholars and NGOs,⁴⁰ they were successful at reaching their primary goal, namely, to reduce the number of irregular border crossings. The figures are impressive. Turkey hosts at least 3.6 million registered Syrian refugees and some 320,000 refugees of other nationalities. Under the framework of the EU-Turkey Statement, Ankara is supposed to stop them from moving on to the EU.⁴¹

The deal is a success. While 885,386 migrants made it to the EU via the Eastern Mediterranean route – mostly through and from Turkey – in 2015 (17 times the number of 2014, which was itself a record year at the time), IBCs dropped to 182,227 in 2016 and 42,319 in 2017.⁴² Brussels mobilized €9.5 billion (\$10.3 billion) towards Turkey and the refugees it hosts since 2015. As large as it is, this monetary contribution is low compared to the potential cost of hosting hundreds of thousands of people in the EU.

Egypt is another important gatekeeper on the southern shore of the Mediterranean. It hosted 9 million migrants and refugees in 2022⁴³ – 3 million more than 2021.⁴⁴ This increase is due to the global food crisis and civil wars in Sudan and Ethiopia. Nevertheless, Cairo proved to be a committed partner in the EU-Egypt Political Dialogue on Migration against irregular migration.⁴⁵ Since 2016, when a boat carrying irregular migrants capsized along the Egyptian coast and hundreds of people died, Cairo has closed its shores to irregular departures; very few – if any – boats have left Egyptian coastlines since.⁴⁶

On a smaller scale, three other North African gatekeeper states – Libya, Tunisia, and Morocco – have also made significant efforts to stop illegal crossings. (Few migrants try to transit Algeria.) In the first nine months of 2022, Rabat prevented 40,000 IBCs heading to Europe by sea and 7,000 by land.⁴⁷ Between January and October 2021, the EU-trained and -equipped Libyan Coast Guard intercepted 30,000 people on their way towards Italy⁴⁸ – there were 680,000 immigrants in Libya in the mid of 2022.⁴⁹ Although not all of them want to leave North Africa, it is still a huge number that is well represented by the fact that 106,000 illegal

⁴⁰ AFAILAL – FERNANDEZ 2018.

⁴¹ UNHCR 2023.

⁴² FRONTEX 2023.

⁴³ EGYPT TODAY 2023.

⁴⁴ EGYPT TODAY 2021.

⁴⁵ EUNEIGHBOURS.EU

⁴⁶ EUAA 2022.

⁴⁷ MANCEBO 2022.

⁴⁸ AL-JAZEERA 2021.

⁴⁹ CONSILIUMEUROPA.EU 2023.

migrants reached Italy by sea from Libya and Tunisia in 2022.⁵⁰ Between 2020 and 2022, Tunisian authorities prevented more than 76,600 IBCs as well.⁵¹

It is also important to highlight here the role of Niger, which does not seem like a typical gatekeeper since it is located far from the EU. The country – which is one of the most important transit routes towards Libya – plays a decisive role as a partner for Europe. In December 2016, Brussels offered €610 million in support for Niger to reduce the number of irregular migrants crossing the Sahel.⁵² After the agreement, the number of people using Niger as a transit route towards the Mediterranean sharply declined; while it is estimated that more than 300,000 migrants crossed through the country in 2016, this number fell to 60,000 in the first seven months of 2017 – a 60 percent decrease.⁵³

To sum up, hundreds of thousands of irregular immigrants, at least, are being stopped by the Middle East and North African gatekeeper countries annually.

What about the US and its gatekeepers?

On the U.S. front, the Southern Border Plan and the MPP collaboration could be considered a gatekeeper strategy, so this is not a new practice. Nevertheless, cooperation with transit countries is still far from being an integral part of U.S. immigration policy, as it is for the EU.

This is true for different reasons. First, illegal immigration crisis in the United States is a relatively new phenomenon (starting in earnest in the early 1970s),⁵⁴ and there is no consensus among the various political, academic, and civic entities in the United States as to whether it is a problem or a solution. For instance, the current Biden administration is still avoiding to the word “crisis” when faced with the record number of encounters in the Southwest border.⁵⁵ In a way, for them, if there is no crisis, no solution is needed.

Second, the strategic thinking in the United States is quite different from Europe. Compared to Europe’s long experience of unwanted migration from beyond its borders, America’s geographical isolation means that an “Ocean Shield” mentality

⁵⁰ FOXNEWS 2023.

⁵¹ MEDDEB 2023.

⁵² REUTERS 2016.

⁵³ GUILBERT 2017.

⁵⁴ ISACSON 2018.

⁵⁵ STANTON 2021.

is still strong. In the past, the U.S. was not pressed to establish extended and complex collaboration with its close neighbors because their impact on America was limited, except for trade relations and the common fight against drug trafficking. This explains why Washington paid less attention to countries in Central and Southern America, than, for example, to those in the Middle East or East Asia.

The historically hegemonic position of the U.S. is also an obstacle for better understanding – and handling – of the immigration crisis. It is not evident that the biggest economic and military power of our globe is unable to defend its own borders and needs the support of much smaller states to do so. Nevertheless, in the age of mass illegal migration, border protection starts next door, and it is almost impossible to successfully protect a porous border line stretching for hundreds or thousands of miles.⁵⁶

In recent years, the U.S. finally acknowledged the need to collaborate with other countries on immigration. That said, policies and approaches varied from one administration to another. The Trump administration, for instance, undertook draconian measures to reduce the number of IBCs. On the other hand, the Biden administration has used a much softer approach, as shown in the Los Angeles Declaration on Migration and Protection⁵⁷; instead of stopping illegal flows it has sought to channel them through legal (or “legal”) pathways created for that purpose (e.g., temporary parole measures).⁵⁸ The confusing messages from different administrations convinced gatekeeper countries to soften their immigration policies and let more migrants towards the U.S. when the “stick” was not so active. Therefore, if the United States does not develop a long-standing and sustainable policy on illegal immigration which is independent of the occupant of the White House, it will be hard to convince potential gatekeepers to help stop the flow of people.

Conclusion

Collaboration with gatekeepers is not without risks, nor is it a silver bullet. Using countries as gatekeepers is only part of a comprehensive solution to mass illegal migration. The concept must be integrated into a much broader and complex immigration policy that includes physical barriers, human resources, deterrence factors, and the systematic application of the law (e.g., detention and expulsion).

⁵⁶ MARSAL 2023.

⁵⁷ USAID 2022.

⁵⁸ ARTHUR 2022.

But it is evident that effective border defense is hard to imagine without the cooperation of transit countries. EU countries' successful collaboration with gatekeepers underlines the potential of such measures. Gatekeeper countries can reduce the number of IBCs by hundreds of thousands annually, while hosting millions of potential migrants at a relatively modest cost. U.S. policymakers should consider this approach and recognize that border fences and patrols are not the first line of protection but should be the last.

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Further Externalization of EU Migration Policy: The Reinforced Gatekeeping Role of North African States

Sára Kmeckó

Abstract

The externalization of the migration policy of the European Union has been practiced for several decades. Moving the EU's migration border control outside the EU appears as a guiding principle in the draft of the New Pact on Migration and Asylum presented by the European Commission in the fall of 2020. One of the central elements of the pact is the promotion of migration partnerships with third countries bordering the EU. North African states are the primary focus of cooperation efforts. For non-EU states, collaboration in the field of migration may seem advantageous because they are country-specific and cover many other policy issues that are vital and favorable for them. However, by outsourcing external border security, the European Union puts a significant burden of responsibility on the shoulders of third countries, so it is worth asking whether and how they will be able to meet the tasks and expectations defined in the agreement.

Keywords: Migration Pact, third countries, gatekeeper states, North Africa, Tunisia

Introduction: the externalization of the EU's migration policy

The Treaty of Amsterdam, which entered into force in 1999, enabled the European Union to take the most important steps towards the establishment of a Common European Asylum System (CEAS). According to the terms of the treaty, migration policy was to form part of common EU policy from 2004, breaking with the exclusively intergovernmental arrangement defined in the Maastricht Treaty adopted in 1993. The “communization” provisions of the Treaty of Amsterdam made it possible to begin designating political guidelines for migration subjects. In the Treaty of Lisbon, which entered into force in 2009, the EU made a further effort to create a common system containing uniform legal status and procedures.

Today, migration policy is one of the EU's foreign relations policy areas, in which various cooperation agreements with countries of origin and transit countries play a prominent role. Partnership programs with third countries are tailored policy packages designed to reduce migration pressure on the EU by limiting the number of migrants. The willingness of partners to cooperate is increased by the fact that, in addition to issues concerning migration, the partnership also extends to policy areas beneficial to third countries, including economic and social reforms.¹

Moving EU migration border controls outside the Union is an exercise reflecting decades of failure in common migration policy. As part of its externalization policy, the EU involves the countries of origin and transit as third parties in strengthening the protection of its external borders, while partially transferring the implementation of migration policies to them. In this process, preventing migrants from reaching the territory of member states takes priority over the protection of human rights. This is closely related to the EU's effort to achieve all this by outsourcing responsibility for the management of migration.² Migration cooperation between the EU and third countries is characterized by asymmetry, as the migration agreements created a balance of power in which the EU is the only actor able to define the rules. However, migration agreements can endow individual third countries with opportunities for blackmail if they skillfully exploit their favourable geostrategic position.

The migration crisis of 2015 justified an intensification of the externalization policy. In the context of the uncontrolled migration wave triggered by the events of the "Arab Spring/Islamist Winter" that erupted at the end of 2010, the majority of those applying for asylum in Europe came via Turkey. This necessitated the widely criticized agreement signed between the EU and Turkey in 2016, aimed at outsourcing migration burdens. According to the non-binding declaration, Turkey assumed responsibility for the reception and integration of refugees,³ as well as for keeping the large numbers of migrants beyond the borders of the EU. In exchange for all this, the EU provided financial support and promised to speed up Turkey's EU integration. Former German Chancellor Angela Merkel, one of the main

¹ KILIC 2019, 11–15.

² The practice of outsourcing European border security raises the possibility of EU responsibility for possible human rights violations committed on the territory of third countries. Due to the human rights situation in Libya and migration cooperation with the country, the EU has received a significant amount of sharp criticism. SANTOS VARA – MATELLÁN 2021, 316–321.

³ The official Turkish approach to Syrian refugees staying and living in Turkey continues to be characterized by calls for "harmonious coexistence" instead of integration. The majority of Turkish society supports the return of Syrian refugees and opposes granting them Turkish citizenship. PÉNZVÁLTÓ 2021, 10.

supporters of the agreement, expressed her belief that the EU-Turkey declaration could serve as a model for future EU cooperation agreements to be concluded with North African states to curb migration pressure towards Europe.⁴

Since then, migration agreements with third countries have become even more central. The foreign policy approach based on the involvement of third countries, to mitigate migratory pressure, also plays a special role in the draft of the New Pact on Migration and Asylum presented by the European Commission in September 2020. The present analysis provides a brief overview of the major stages of the externalization of EU migration policy concerning the North African states and also presents the migration agreement concluded between the European Union and Tunisia in the summer of 2023. The importance of the latter is supported by the fact that many people see Tunisia as an experimental state for the cooperation mechanism. Our analysis also covers the expected effectiveness of similar collaboration efforts in the future, as well as the extent to which they can be considered a real or at least short-term solution.

Focus on migration cooperation with North African states

Although the agreement concluded between the EU and Turkey in March 2016 is considered an important milestone in curbing irregular migration,⁵ it did not bring a halt to migratory pressure on Europe. Since 2016, there has been a significant change mostly in the high influx of migrants on individual irregular migration routes: today, migrants generally try to reach Europe via the Central Mediterranean instead of the Eastern Mediterranean route. According to Frontex data, 93% of illegal border crossings registered at the external borders of the EU in the first nine months of 2017 took place on this route.⁶

Furthermore, North African countries are traditionally regarded as countries of origin, however, due to the political and economic instability resulting from the “Arab Spring/Islamist Winter” series of events that erupted at the end of 2010, as well as certain negative trends in the social sphere, they have since become significant migration transit countries. These changes have led European decision-makers to focus their attention on the central Mediterranean. After the migration agreements concluded with the countries of origin did not prove sufficient to deal

⁴ GOULARD 2016.

⁵ While 885,583 people reached Europe via the Eastern Mediterranean route in 2015, this number had dropped to 42,319 by the end of 2016. EUROPEAN COUNCIL 2023.

⁶ FRONTEX 2018.

with the problem, the European Union was forced to develop deep migration cooperation with the states located along the southern Mediterranean coast – especially Libya and its neighbors – because the vast majority of irregular migrants who reach the shores of Europe via the Central Mediterranean route start their journey by sea from Libya, which since 2011 has had an uncontrolled coastline of about 1700 km.



Figure 1 The central role of Libya in the Central Mediterranean migration route (UNHCR 2017, 1.)

The failure of the EU return system: the designation of North African states as safe third countries

Due to efficiency problems in the EU return system, the idea of settling irregular migrants returned from Europe in third countries that were considered safe, including North African states, came to prominence as early as the mid-2010s. This proposal was supported by Hungary, Austria, and Germany, among others. As a result, one of the constant but rarely applied elements of the readmission

agreements concluded by the European Union has acquired a new meaning. The so-called “Third-Country National” or TCN clause allows irregular migrants to be sent back to the third country through which they entered the territory of the European Union. The clause is usually opposed by the third states in question, given the political sensitivities involved, and is used only sporadically as a result of various legal concerns.

The clause also gained great importance because the countries of origin are reluctant to take back irregular migrants returning home from Europe. Although it is expected that individual states will readmit their citizens, based on customary international law, in most cases migrants are not readmitted. Since the 1990s, the EU has added a readmission clause to its agreements with third countries to strengthen the obligation upon countries of origin. (EU agreements are parallel to and take precedence over bilateral readmission agreements concluded by individual member states.) Nevertheless, due to the difficulties of cooperation with the countries of origin, the number of irregular migrants returning home from Europe voluntarily or through deportation remains low, at only around 20%.

This lack of political will can be traced back to the fact that individual states try to prevent the readmission process in different ways, especially if their citizens do not have an official travel document. In the examined period from 2014 to 2018, the largest number of non-returned irregular migrants, in terms of country of origin, came from Afghanistan, Morocco, Pakistan, Iraq, Algeria, Nigeria, and Tunisia. Regarding the effectiveness of readmission agreements, it can be said that the EU achieved only moderate success in the period between 2015 and 2020,⁷ and the failure⁸ of the EU’s return policy acts as an incentive for people considering irregular migration.

The European Commission therefore put forward a new proposal⁹ for the revision of the EU return directive in 2017. In this context, the EU assured North African countries of its support, realizing the need to develop a more effective migration policy, as part of which the deficiencies¹⁰ that have been evident in the North

⁷ EUROPEAN COURT OF AUDITORS 2021, 7–11, 17, 22–23.

⁸ Nevertheless, it is worth noting that the European Union has achieved significantly greater success in recent years with regard to readmission mechanisms that apply “soft law” and do not have legally binding force. In the case of mechanisms that apply a more practical approach, it is worth highlighting the rules established in the basic treaties and by the EU-Turkey declaration, by bypassing the Court of Justice of the European Union, and the migration agreement between the EU and Afghanistan that entered into force in 2016. SANTOS VARA 2019, 21–23, 28, 33.

⁹ EUROPEAN COMMISSION 2017.

¹⁰ HANLON – HERBERT 2015.

African border security architectures for many decades would be eliminated, and the cross-border exchange of information between Africa and Europe, as well as the North African states, will be increased. As part of this, the supply lines of human trafficking networks were also to be dismantled. The strengthening of capabilities related to protection and humanitarian assistance to asylum seekers was also formulated as an expectation. Efforts to quickly conclude negotiations on readmission agreements with Algeria, Morocco, and Tunisia were also an important element of the proposal. According to the proposal, the North African states must readmit not only their citizens staying illegally in the territory of the European Union but also asylum seekers of other nationalities whose applications have been rejected by the EU.

The outsourcing of the protection of the EU's external borders gave the North African countries an important role as gatekeepers. For the North African states, the EU provides the financial support to carry out the above-mentioned tasks, as well as introducing trade concessions and applying incentives related to the facilitation of visa application procedures. According to the cooperation – which the EU calls a “new result-oriented Migration Partnership Framework” – the European Union is striving to establish targeted cooperation frameworks with the countries in question, and placing special emphasis on cooperation with Libya, which is still on the brink of civil war. The proposal adopted at the Malta Summit and further migration plans based on the EU-Turkey agreement were already harshly criticized by various NGOs who pointed out that concerning Libya, which is considered a safe third country, there is a contradiction between respecting the human rights standards professed by the EU and the provisions set out in the proposal, which call these same values into question.¹¹ However, these collaborative efforts brought results, at least until 2020: in 2019, the number of migrants reaching Europe illegally fell to 14,003, representing a 13-fold reduction compared to the 2016 data.¹²

In addition, in 2018 the European Union also attempted to create regional disembarkation platforms.¹³ The most significant difference between these facilities and the system consisting of reception stations (hotspots), which is one of the key elements of European migration management, is that, unlike hotspots, the regional disembarkation platforms were not intended to be established within the territory

¹¹ ABDERRAHIM – KNOLL 2017.

¹² EUROPEAN COUNCIL 2023.

¹³ As early as 2016, Hungary was calling for the establishment of a similar facility in Libya. According to the proposal, all migrants trying to reach Europe would have had to wait for the assessment of their asylum application in this facility. At the time, the proposal was rejected by Libya's Government of National Unity and the European Commission. BBC, 2016.

of the member states, but beyond the borders of the EU. It was envisaged that both the UNHCR and IOM would have contributed to the operation of these facilities. According to the concept, the separation of those entitled to asylum from economic migrants would have taken place at centers established in North African countries. The former would have been distributed among the member states, while the latter would have been sent back to their countries of origin. By these means, the EU would have attempted to further pass on the responsibility for migratory pressure, but the proposal was immediately rejected by Morocco, Algeria, and Tunisia for reasons of security, domestic and foreign policy.¹⁴ There are several reasons for this lack of receptiveness among North African countries: since the host states would have been responsible for the long and complex process of returning ineligible asylum seekers to their countries of origin, they would have taken on unwanted problems. In addition, public opinion in these North African countries would not have supported the establishment of these facilities either.¹⁵

The tasks allocated to the North African states in the New Pact on Migration and Asylum

In September 2020, the European Commission presented the draft of the New Pact on Migration and Asylum, which generated heated debate. With the re-regulation¹⁶ of the asylum and migration provisions, substantial progress was made only in the summer of 2023. Sweden, which took over the presidency of the Council of the European Union from the Czech Republic, listed migration as one of the priorities of its presidential term. In the Council of the Interior and Justice of the EU, the ministers agreed on the new pact on June 8, and at the meeting of the Council on June 30, the member states voted for the package of regulations, though it was rejected by Hungary and Poland. The Commission intends to implement the package of regulations before next year's European Parliament elections, but this will also require ratification by the European Parliament. The continuation of legislation related to the pact on migration is also treated as a priority task by the current Spanish presidency. (It is worth noting that, depending on the outcome of the Spanish elections in July, changes in government policy are conceivable, which may have a significant impact on the realization of the goals set by the Spanish presidency.)

Political decision-makers in the EU have identified North Africa as a key element in the management of the migration crisis on several occasions over the past decade.

¹⁴ EUROPEAN INSIGHTS 2018.

¹⁵ ABDERRAHIM 2019.

¹⁶ DOBÓ – MARSAI 2023.

However, the migration agreements concluded in previous years only brought success in the short term. This is shown by the fact that since 2020, the number of people arriving in the EU via the Central Mediterranean route began to increase again. According to Frontex data, nearly 36,000 irregular migrants arrived via the Central Mediterranean route in 2020, two and a half times more than in the previous year. This process, contrary to the interests of the EU's security and defense policy, has intensified in the past two years: in 2021, nearly 68,000 irregular migrants reached the external borders of the EU via the Central Mediterranean route, and this figure rose to more than 105,000 in 2022. By May 2023, almost half as many people had arrived as in the whole of the previous year.¹⁷ Therefore, it can be assumed that the number of irregular migrants from North African states trying to reach Europe will continue to rise.

Year	Number of irregular migrants
2017	118 962
2018	23 485
2019	14 003
2020	35 628
2021	67 724
2022	105 561
2023 (until May)	50 318

Table 1 The number of irregular migrants entering the territory of the European Union via the Central Mediterranean route between 2017 and 2023¹⁸

Being keenly aware of these negative trends, the European Union realized that to curb irregular migration more effectively, it would have to cultivate closer cooperation with the North African states. Therefore, one of the key initiatives of the New Pact on Migration and Asylum is the further development of migration-related partnerships with North African states, which are both transit and origin countries. For the Commission to be able to reach an agreement with the North African states – and so that the processing of migrants heading Europe could be done outside the borders of the EU – in recent months, several high-ranking EU officials and member state leaders have visited the Arab countries along the southern coast of the Mediterranean. The European Union has so far concluded a migration agreement with Tunisia and plans to conclude similar agreements with Morocco and Egypt in the future.

¹⁷ EUROPEAN COUNCIL 2023.

¹⁸ Data source: EUROPEAN COUNCIL 2023.

Tunisia

Tunisia, like other North African states, is traditionally considered a country of origin when it comes to migration. The Tunisian state, considering its national economic interests, explicitly supported its own citizens' search for employment in Europe, because by these means they were able to reduce domestic unemployment. In terms of migration, however, a significant change took place in the 1990s. After the adoption of the Schengen Agreement, citizens of North African countries could only work in Europe with a visa. Since the desire of North Africans to work in Europe did not decrease, this contributed to the growth of irregular migration from North Africa to Europe. The first illegal routes were formed in Tunisia and Libya when the drug- and arms-smuggling networks active in economically deprived regions, which were informally tolerated by the state, diversified their activities and started to engage in human trafficking. Thanks to their successful activities, an increasing number of migrants from sub-Saharan countries also crossed these routes, and by the beginning of the 2000s, the region was considered an important transit area.¹⁹

Close migration cooperation between the EU and two third countries, Tunisia and Libya, as well as between these two states, began as early as the beginning of the millennium and achieved considerable success. The reason for this is that the leaders of the two North African states, yielding to European political and diplomatic pressure, were ready to cooperate with European member states to curb irregular migration to Europe and, at the same time, to protect the EU's external borders. However, this favorable cooperation, at least from the point of view of European security interest enforcement, ended in 2011, after the North African states were no longer able to fulfill their previous role as gatekeepers due to increasing political instability and an emerging power vacuum. As a result of deficiencies in the border security architecture, these North African states were no longer able to stop irregular migrants heading north from sub-Saharan countries, which significantly contributed to aggravating the European migration situation, which is still awaiting a solution.

After the departure of President Zin el-Abidine Ben Ali, who had ruled Tunisia since 1987, in early January 2011, the country's border control collapsed. Due to the confusion caused by the "Jasmine Revolution", the state was not able to devote sufficient attention to curbing irregular migration from the Tunisian coast to Europe. For this reason, in 2011, the number of illegal migration border crossings originating from Tunisia on the coast of Italy showed a 40-fold (4.192%) increase compared to the previous year (from 652 to 27,982). Thanks to the migration

¹⁹ TRIANDAFYLIDOU – MAROUKIS 2012, 33; HERBERT 2019, 5–7.

agreements between the European Union and Tunisia established after 2011, however, a significant decrease in irregular migration from Tunisia to Europe was observed until 2020.²⁰

The intensification of migration pressure, beginning in 2020, led to several closely related economic and social factors (previously inherited economic problems, COVID-19, a shrinking middle class, government failures, and the war in Ukraine). The severity of the situation is illustrated by the fact that in 2022 the Italian authorities arrested more irregular migrants traveling from Tunisia than in 2011. Compared to 2021, 15,000 more irregular migrants to Europe were arrested by the Tunisian authorities near the coast and in the Mediterranean. It is also worth mentioning changes in the composition of irregular migrants from Tunisia to Europe over the last three years. Among irregular migrants with Tunisian nationality, an increasing proportion are children, women, and family groups. In addition, last year the authorities arrested nearly four times as many irregular migrants from sub-Saharan Africa than during the preceding year.²¹



Figure 2 The main irregular migration routes starting from Tunisia (HERBERT 2022, 10.)

²⁰ In this regard, the year 2017 was an exception, as the Tunisian dinar lost 30% of its value against the euro. This led to a temporary increase in the number of irregular migrants with Tunisian citizenship. Italian authorities apprehended more than 11,000 illegal Tunisian migrants between 2017 and 2018. By comparison, in 2011, more than 28,000 irregular Tunisian migrants were registered on Italian shores. Another reason for the decrease is that a significant number of irregular Tunisian migrants left for the Middle East instead of Europe and joined various extremist organizations there (the “foreign fighter phenomenon”). HERBERT 2022, 6.

²¹ ABDERRAHIM 2023b, 13–17; 20–21.

In Tunisia's domestic politics, the migration situation, especially concerning foreign irregular migrants leaving Tunisia for Europe, had little prominence in political debates for many years. Irregular migration involving Tunisian citizens was in general only discussed during elections or in the case of shipwrecks with significant losses of life, and parliamentary parties did not otherwise seek to make it a public issue. However, even when it finally did become part of the domestic political discourse, this was framed almost exclusively in the context of individuals' destinies.²² Still, starting from the second half of 2022, the problem came to increasing prominence on the domestic political agenda. In his speech at the February 2023 meeting of the Tunisian National Security Council, President Kais Saied called on the government to take urgent action, both militarily and diplomatically, against the arrival of foreign citizens seeking to migrate through Tunisia. In his speech, he also expressed his conviction that the migration of sub-Saharan citizens to Tunisia posed a threat to the country's demography by leading to a change in the country's Arab identity.²³

For years, the Tunisian president has refused to accept the role of guardian of EU borders for Tunisia. However, a significant change took place in the summer of 2023 regarding the official Tunisian position, when months of negotiations resulted in the conclusion of a strategic agreement between Tunisia and the European Union on July 16. At the signing of the pact in Tunisia, Dutch Prime Minister Mark Rutte, who had in the meantime been voted out of office, and Italian Prime Minister Georgia Meloni were also present. The agreement covers the following five areas: macroeconomic stability, economy and trade, the green energy transition, people-to-people relations, and migration and mobility. Of these, the most prominent is the enhancement of migration-related efforts. In addition to guaranteeing border security, the main goal of the agreement is to curb irregular migration by intensifying the fight against people-trafficking networks. According to the agreement, the EU is to disburse a total of more than one billion euros of financial aid to Tunisia, which has become one of the main points of departure for migration to Europe. Of this, 105 million euros have been set aside for curbing irregular migration.²⁴

This support establishes the financial conditions for Tunisia to build an asylum system and a buffer zone capable of effectively protecting the EU's external borders. This places a huge burden and responsibility on the North African country. Through the construction and operation of an effective border protection system, European

²² HERBERT 2022, 31.

²³ ABDERRAHIM 2023b, 10–11.

²⁴ ZAWYA 2023.

states – in particular Italy – have an interest in designating Tunisia as a safe third country in the long term, to which irregular migrants from Tunisia and other African countries who are heading from Tunisia to the EU can be returned, and where – a plan which has been on the agenda since 2018 – removal centres could be developed to process the large numbers of people trying to reach Europe.

The EU made this financial support conditional on Tunisia coming to an agreement with the International Monetary Fund on the finalization of a loan program that has been under negotiation for two years. However, Tunisia, laboring under a severe economic crisis²⁵ and heavily indebted, is expected to remain ineligible for the IMF's nearly two-billion-dollar rescue package. Regarding the economic problems in Tunisia, Josep Borrell, the High Representative for Foreign Affairs and Security Policy, considered the situation of the North African country to be extremely worrying – according to his statement, Tunisia is on the brink of economic and social collapse. Tunisia's public debt to GDP ratio is currently at around 80%. The country applied for the IMF bailout package in 2021, but the president continues to reject its conditions, which include the privatization of state assets. In his opinion, fulfilling the conditions imposed by the IMF would entail selling the country and further worsening the standard-of-living crisis affecting the Tunisian people.²⁶

The long-term implementation of the migration goals laid down in the pact concluded between the European Union and Tunisia in July is highly questionable because several factors hamper cooperation between the two entities. The amount to be disbursed based on the agreement is not considered significant – it is dwarfed by the twenty-billion-dollar worth of financial support offered to Tunisia and Egypt by the G8 after the “Jasmine Revolution”. With Tunisia facing structurally deep economic and social problems, the amount offered this summer is unlikely to be enough to remedy the problems. Considering this, the extent to which Tunisia will be able to establish effective and well-functioning border protection is highly questionable.

²⁵ Over the last decade, the country's leadership has not developed an adequate solution to overcome its profound economic and social problems. For this reason, the number of people living below the poverty line currently amounts to around half of the country's population, nearly 6 million people. The inflation rate (10%) and the unemployment rate (15%) remain high. As a result of these severe economic difficulties, the degree of “brain drain” is also significant, meaning that a significant percentage of the most highly qualified workforce leaves the country every year. Since 2014, 2,500-3,000 engineers have left Tunisia every year, including 90% of recent graduates. A similar trend can be observed among doctors. ABDERRAHIM 2023b, 5–8.

²⁶ It may be easier to understand the position of the Tunisian president if we recall that as a result of the Structural Adjustment Programs (SAPs) imposed on the country by the IMF and the World Bank in the 1980s, which were meant to lead to economic liberalization, both food prices and the unemployment rate increased significantly. The resulting situation led to riots that claimed many lives. ELDIN – SALIH 2013, 187.

The agreement was also heavily criticized. Some of these criticisms relate to the fact that Tunisia does not differentiate between the status of migrants on its territory, even though the country has signed and ratified the 1951 Geneva Convention relating to the status of refugees. Refugees in Tunisia need a residence permit to live and work legally in the country. Asylum seekers' applications are processed by the UNHCR, but the Tunisian authorities do not recognize its judgments. Furthermore, the country still does not have a migration strategy. Tunisia began developing a national migration strategy after the "Jasmine Revolution", but ratification is still pending. In the absence of this, Tunisia does not have a legal framework for regulating the status of asylum seekers and refugees on its territory.²⁷ According to estimates, the number of sub-Saharan migrants in Tunisia is between 30,000 and 50,000. Several NGOs have highlighted the human rights violations committed by the Tunisian authorities, typically against sub-Saharan migrants, and the ruthless actions taken against them.²⁸ According to the Commissioner for Human Rights of the Council of Europe, Dunja Mijatovic, it is questionable whether the agreement is compatible with human rights standards, and therefore recommends the inclusion of human rights safeguards in the agreement.²⁹ Criticisms of the agreement also center on the methods by which the Tunisian president, who is considered an autocrat, wields power. As is well known, since 2021 Kais Saied has been governing Tunisia through presidential decrees, referring to Article 80 of the Tunisian Constitution. Following the dissolution of the government, the suspension of the parliament, and a referendum held in the summer of 2022, the powers of the president were further expanded. Given the developments of recent years and the political transformation since 2011, Tunisian democracy is considered by many to have been a failed experiment.³⁰

One can only hope that the financial instruments offered by the European Union will indeed give Tunisia a stake in the longer-term fight against irregular migration to Europe. The extent of Tunisia's willingness to cooperate may, however, be called into question. For Tunisia, which is in a favorable geostrategic position, the agreement contains the potential for extortion, which is why it is expected that it will be able to negotiate even greater financial support from the European Union in the future by taking advantage of its favorable bargaining position. Even as early as 2017, European decision-makers began to suspect that the Tunisian leadership

²⁷ ENSARI ET AL. 2023, 19.

²⁸ PARIKH 2023.

²⁹ COUNCIL OF EUROPE 2023.

³⁰ YERKES – ALHOMOU D 2022.

was deliberately not holding back irregular migrants heading to Europe to extract political and economic concessions.³¹

Morocco

Before the European Parliament elections in the summer of 2024, it is expected that, in addition to Tunisia, the European Union will conclude a strategic agreement with Morocco, which is located on the Western Mediterranean route, and with Egypt, to curb irregular migration to Europe. This is less likely when it comes to the other two states of the North African region (Libya and Algeria). Libya, which is still wracked by civil war, cannot be considered a safe third country for the time being. Algeria, meanwhile, has for some time chosen to regard migration policy mainly as an issue of state sovereignty, and so refrains from establishing closer cooperation with the European Union in this field.

Morocco plays a triple role in the migration system of the Euro-African region since it is an origin, transit, and destination country at the same time. Morocco lies on the West African and Western Mediterranean migration routes, so irregular migration from its territory is directed mainly to the Canary Islands, the European continent, and the territory of the Spanish enclaves in Africa (Ceuta and Melilla). Since 2020, traffic along the two routes has been continuously decreasing, thus Morocco contributes significantly to Europe's security. The effectiveness of the fight against irregular migration and human trafficking networks has been significantly facilitated by the country's migration policy, which shows significant differences compared to the strategy followed by Tunisia. Morocco has also ratified the 1951 Geneva Refugee Convention on the Status of Refugees, but unlike in Tunisia, people living in Morocco who do not have Moroccan citizenship have the same freedoms as Moroccan citizens, as per a 2011 amendment to the constitution. (Nevertheless, it is worth noting that Morocco only partially implements this law in practice.) Moreover, since 2014, Morocco has also introduced a national migration strategy with a humanitarian approach. Migration cooperation between Morocco and the European Union was further strengthened last year.³²

The last change in the field of migration cooperation took place in the spring of 2023, when Olivér Várhelyi, the Commissioner for Neighborhood and Enlargement of the European Commission, announced a program based on five

³¹ ABDERRAHIM 2019, CASSARINO 2023, 25–27.

³² TÁRIK – TÓTH 2023, 1–8.

pillars, worth more than 600 million euros. The migration part of the cooperative agreement seeks to strengthen Morocco's border management system, improve the effectiveness of the fight against human trafficking networks, and increase the number of migrants returning voluntarily.³³ Based on the results of the migration cooperation between the EU and Morocco to date, it can be assumed that after Tunisia, the European Union will also conclude a strategic agreement with Morocco, as the further strengthening of cooperation on migration will be an extremely important area.

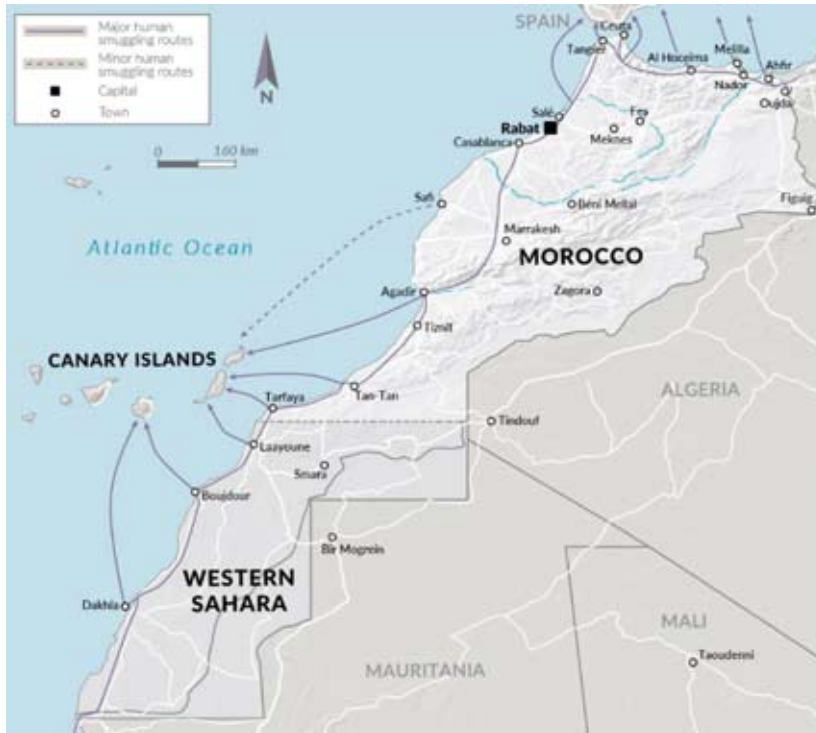


Figure 3 Routes operated by Moroccan human trafficking networks (December 2022)
(ABDERRAHIM 2023A, 8.)

Egypt

In addition to Morocco, the European Union will probably conclude a strategic agreement with Egypt, another country of origin, transit and destination, with the aim, among other things, of reducing irregular migration. Egypt can be a reliable partner of the European Union due to its stable statehood, strong economy and key

³³ EUROPEAN COMMISSION 2023.

role in the region. Due to the country's strict migration policy, irregular migrants heading towards Europe try to reach the territory of the EU from neighboring Libya. According to Frontex data, in 2022, among irregular migrants leaving Libya for Europe, Egyptian citizens were the most numerous.³⁴

In September 2016, Egypt adopted a ten-year national strategy to reduce irregular migration. The strategy imposes severe penalties (fines and imprisonment) for all forms of human trafficking. The rules were further tightened in 2022, and as a result, fines can now be between 20,000 and 500,000 Egyptian pounds. Since the adoption of this resolution, no ship has crossed the sea border between Egypt and the EU carrying migrants.³⁵

The last negotiation between the European Union and Egypt regarding migration issues took place in June 2023, when Josep Borrell, the High Representative of the European Union for Foreign Affairs and Security Policy, visited Cairo. Borrell's visit came after a ship which originally left Egypt empty and later docked in Libya to take on 750 irregular migrants, sank off the Greek coast. Only 104 people survived the tragedy. At the press conference following negotiations, Borrell announced that the EU would support the strengthening of Egypt's border security and the suppression of human trafficking networks through 80 million euros worth of aid. However, it is worth mentioning that such limited financial support will hardly be sufficient for Egypt to be able to detain and return foreign migrants staying on its territory in the long term. Even more so because more than 10% of Egypt's 110 million residents do not have Egyptian citizenship – most are Sudanese and South Sudanese migrants. Considering the possible consequences of the crisis in Sudan that erupted in April, the parties agreed that in the future, the pressure of irregular migration to Europe should be reduced by improving the conditions leading to instability in the region.³⁶

Summary

Attempts to outsource the EU's migration border control beyond the Union's borders have been ongoing for several decades, during which time the EU has involved third countries in the strengthening of its external borders while also transferring responsibility for migration management to them. These states are

³⁴ FRONTEX 2023.

³⁵ MORSY 2023.

³⁶ EL-BEY 2023.

often simultaneously origin, transit, and destination countries. The European migration crisis of 2015 made it necessary to extend and intensify this policy trend. The practice of externalization played a significant role in the management of the migration situation, which is still being resolved.

Thanks to the provisions of the EU-Turkey declaration adopted in 2016, traffic on the Eastern Mediterranean route has significantly decreased. Following changes in the center of gravity of traffic on migration routes, the Central Mediterranean route is currently the busiest. The migration pressure on this route has increased significantly since 2019. In terms of European security policy interests, extremely negative trends are expected to lead to another negative record in 2023. All of this has prompted the EU to establish closer migration cooperation with its southern neighbors. One important element of the New Pact on Migration and Asylum, presented by the European Commission in 2020, is the development of migration cooperation with safe third countries.

The European Union concluded the first agreement with Tunisia, which is located on the Central Mediterranean migration route and is struggling with a serious economic and financial crisis, in July 2023. An important part of this strategic agreement is the strengthening of Tunisia's border security architecture to ensure that as few irregular migrants as possible reach the southern borders of Europe. The pact imposes a significant burden on the Tunisian state, so it is far from certain that the country will be able to comply with the provisions of the agreement in the long term.

Before the European Parliament elections in 2024, the European Union is seeking to adopt a new agreement with two other North African states to likewise have an impact on migration numbers. The agreements to be concluded with Morocco and Egypt are expected to prove more successful, given the results of migration cooperation between the EU and the two countries to date. The probability of this is increased by the fact that compared to Tunisia, Egypt, and Morocco have stronger economies and more stable statehood. Despite all this, the agreement with Tunisia is of enormous importance, as there is an urgent need to reduce the migratory pressure on the southern states of Europe, if only temporarily or in the short term.

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Mandatory or Discretionary Admission? – The Relocation Agreements of The European Union

Árpád Párducz

Abstract

The irregular migration crisis that peaked in 2015 spurred the member states of the European Union to take joint action. Today, it can be stated that the cornerstones of collective action, in addition to the protection of external borders and cooperation with third countries, are the various relocation agreements. However, in contrast to the first two principles, the question of relocation has been the subject of intense political debates from the very outset. The purpose of this analysis is to present the relocation agreements adopted since 2015 and the problems that relate to them.

Keywords: European Union, quota, relocation, sovereignty, Greece

The quota system

The migration crisis, which gathered momentum as a result of political and economic crises in the Middle East, reached its peak in 2015. Even at the beginning of the crisis, there were significant differences between the migration policies applied and proposed by EU member states. However, the Dublin system – which imposes the tasks of conducting asylum procedures on the countries of entry – in addition to the exceptionally high number of arrivals, presented an insurmountable task for Mediterranean states such as Italy and Greece.¹ In the beginning, both reform of the Dublin system and relocation agreements based on independent commitments by member states were proposed as solutions, but these were not implemented due to the protests of the member states less affected by irregular migration.²

In response to this untenable situation, in September 2015 the Commission proposed the quota system, which was intended to manage the distribution of migrants reaching the territory of the European Union among member states. According to documents issued by the Commission, the numbers determined for

¹ SANTOS VARA 2022.

² Ibid.

each member state would be “based on objective, identifiable and quantifiable data” and were intended to match the reception and integration capabilities of the given member state.³ The applied formula paid special attention to the population and economic capabilities of member states.⁴ Accordingly, at a meeting of the Justice and Home Affairs Council on September 12, 2015, it was decided that 120,000 irregular migrants would be relocated, with 15,600 going to Italy, 50,400 to Greece, and 54,000 to Hungary.⁵ During the meeting, the ratios for some parts of the above-mentioned formula were also spelled out. According to this, a country’s population and GDP were to account for 40% each, while the remaining 20% was made up of the average number of previously filed asylum applications (10%) and the number of unemployed people (10%).⁶

According to Griffin Shiel, a researcher at Queen Mary University of London, the issue of the quota system sheds light on two important issues.⁷ In the view of the majority of member states, continuous cooperation and agreement are necessary for the development of a functioning migration policy at the European level. This opinion was also shared by leading EU officials.⁸ However, as a counterpoint to this, most Central European countries strongly rejected the quota system, seeing it as a violation of their sovereignty.⁹ In the words of the Polish Minister of the Interior, Teresa Piotrowska: “We are ready to accept migrants, but we reject the quota system”.¹⁰

The European Commission’s 2017 report highlights the failure of the quota system. Instead of the previously planned 160,000 relocations, a total of just over 19,000 had been realized, while at the time another almost 6,000 procedures were in progress.¹¹ Seeing the failure of the system and the sharp political debates it provoked, the Commission finally abandoned the quota system and began to support the creation of voluntary relocation agreements.¹²

With regard to the quota system, it is worth mentioning the lawsuit initiated by Hungary and Slovakia, which is a victory for the European Union. According to the judgment of the Court of Justice of the European Union, the EU can oblige

³ MARTIN 2017.

⁴ Ibid.

⁵ EUROPEAN COMMISSION 2015.

⁶ Ibid.

⁷ SHIEL 2022.

⁸ PEUTTER 2016.

⁹ SHIEL 2022.

¹⁰ BRIGAZZI – DE LA BAUME 2015.

¹¹ EUROPEAN COMMISSION 2017.

¹² SHIEL 2022.

member states to accept a certain number of asylum seekers, as this helps ease the strain on frontline countries. The verdict stated that if the two countries still do not accept asylum seekers, they can expect a fine, but due to the abandonment of the quota system, this was ultimately not imposed.¹³ The ECRE's 2018 analysis of states that comply with the quota system brings to light some interesting data. According to the analysis, the host countries rejected 1,311 of the planned 24,911 Greek relocations. In numerical terms, France rejected the most applications (510), while Estonia rejected the highest percentage (53.2%).¹⁴ No statistics are available regarding planned relocations from Italy, but Slovenia, Croatia and Romania also refused to fulfill several requests.¹⁵ The analysis also highlights that the majority of receiving countries conducted security checks on asylum seekers during the procedure with the involvement of national authorities.¹⁶

The Malta Agreement

The next issue related to relocation processes was the issue of irregular migrants and asylum seekers rescued from the sea. The latter became the focus of the Mediterranean countries' interest after the Central Mediterranean route increased in popularity in 2016.¹⁷ According to Reuters data, 181,000 irregular migrants arrived in Italy and Malta via this route in 2016,¹⁸ while 4,500 people died during the crossing. Hoping to resolve this problem, the interior ministers of Italy, France, Germany, and Malta, which held the rotating presidency of the Council of the European Union, organized an informal meeting on September 23, 2019, in Valletta. The purpose of the meeting was to adopt a joint declaration, which the other member states could comment on at the October meeting of the Interior Council.

Before describing the document adopted at the Malta meeting, it is important to clarify its what kind of document it is. The adopted "joint statement of intent" is not binding at the level of either EU or international law, though the parties signing the declaration undertake to jointly comply with its provisions. The document itself envisages significant departures from the currently operational Dublin system. The memorandum of understanding enables the transport of

¹³ DEUTSCHE WELLE 2017.

¹⁴ ECRE 2018.

¹⁵ Ibid.

¹⁶ Ibid.

¹⁷ KANTER 2017.

¹⁸ MACDONALD – BACZYNSKA 2017.

irregular migrants and asylum seekers rescued on the Central Mediterranean route to alternative countries.¹⁹ This would be a significant difference compared to the above-mentioned principle of the Dublin system, according to which migration procedures are the responsibility of the first European Union member state an applicant reaches. According to the statement, this option would come into effect if Italy or Malta faced a capacity shortage due to the large number of arrivals.²⁰ The document makes few specific statements on issues of relocation, and essentially leaves this to the discretion of the participating countries, primarily Germany and France. However, it is important to highlight that the document stipulates a maximum duration of the relocation procedure of one month.²¹ The most controversial aspect of the document is the role of the Libyan Coast Guard in search and rescue operations. The letter of intent envisages additional financial and capacity-building support for the Libyan authorities, and also encourages the UN High Commissioner for Refugees and the International Organization for Migration to provide support.²²

The assessment of the meeting also varies between member states of the European Union. The convention's disproportionate focus on the Central Mediterranean route received the most criticism. In a joint resolution, the Greek, Cypriot, and Bulgarian governments requested the extension of the convention.²³ In the end, the draft did not gather the necessary support at the meeting of the Interior Council in Luxembourg. According to German Interior Minister Horst Seehofer, 12 member states supported the convention, but based on Jean Asselborn's statement, only three other member states indicated their intention to join.²⁴

The 2020 action plan

The next relocation problem centered on Greece. The Greek government requested help from the European Union to cope with the overwhelming migration pressure. The Commission convened an extraordinary meeting of the Council of the Interior, and Ursula von der Leyen, accompanied by several leading politicians, inspected the Greek-Turkish and Turkish-Bulgarian border sections.

¹⁹ CARRERA – CORTINOVIS 2019.

²⁰ Ibid.

²¹ Ibid.

²² SANSONE 2017.

²³ CARRERA – CORTINOVIS 2019.

²⁴ NIELSEN 2019.

Margaritis Schinas, vice-president of the European Commission, while emphasizing protection of the external borders, called on member states to support Greece.²⁵ The aim of the action plan drawn up by the European Commission was to ease the migration pressure on Greece. As part of the action plan, in addition to expert and financial support, a relocation mechanism was introduced, which enabled the relocation from Greece of unaccompanied minors, persons granted international protection, and irregular migrants classified in other vulnerable categories. In the end, 16 countries, including 13 EU member states, joined the mechanism.²⁶ As part of the 35-million-euro support mechanism, 5,000 people were ultimately resettled from Greece.²⁷

The voluntary solidarity mechanism

The French presidency, seeking innovative solutions, formulated several proposals regarding the EU's migration and asylum policy. In matters of migration, the French strategy prioritized gradualism. According to this view, instead of a full-scale renegotiation of the Pact on Migration and Asylum, it was preferable to focus on smaller goals that would be achievable in the shorter term. It was along these lines that the Declaration of Solidarity was adopted, which set the goal of relocating 10,000 asylum seekers in one year.²⁸ However, it should be emphasized that the matter of this declaration was the subject of a lively political debate. In the end, 21 states (18 member states and three Schengen area members) supported it, but nine member states did not sign it. Six member states from the latter group – Austria, Hungary, Poland, Slovakia, Lithuania, and Denmark – rejected the idea entirely.²⁹

The Declaration of Solidarity, like the aforementioned Maltese Declaration, is a non-legally binding document that merely enumerates the stated intentions of the signatories. It designates as the subjects of relocation persons entitled to international protection, with particular regard to those who can be classified as belonging to vulnerable groups.³⁰ In addition, however, it provides for the possibility of financial or operational support for member states in lieu of relocation.³¹ In clarifying what it means by “operational support”, the document lists border

²⁵ EUROPEAN COMMISSION 2020.

²⁶ Plus Iceland, Norway, and Switzerland.

²⁷ EUROPEAN COMMISSION 2022.

²⁸ CARRERA – CORTINOVIS 2022.

²⁹ Ibid.

³⁰ Ibid.

³¹ Ibid.

protection, capacity-building, and support programs for voluntary return.³² The document also contains provisions for financial support to third countries, should problems regarding migration arise.³³ The participating countries agreed to a one-year test period, after which the Commission would examine and summarize the results and experiences. According to the available data, during the test period, France and Germany made the largest commitments, accepting 3,000 and 3,500 people respectively.³⁴

However, the Russian-Ukrainian war radically altered the situation. According to the data, a total of 435 asylum seekers were successfully relocated due to the large number of war refugees and the economic problems resulting from the conflict.³⁵ In addition, Ireland came under the spotlight after the Commission ordered it to pay €1.5 million in compensation for failing to provide adequate accommodation for 350 asylum seekers.³⁶

Summary

In summary, it can be stated that the European Union's relocation agreements applied to date have not brought the hoped-for success. Both the quota system and solutions based on voluntary solidarity have proved insufficient, unable to ensure the permanent relocation of a large and persistently elevated number of asylum seekers. The politicization of the issue of migration and asylum, as well as differing levels of exposure among member states, greatly influenced the possibilities and successes of the conventions. Nevertheless, it is important to highlight that both the migration crisis of 2015 and the ongoing Ukrainian refugee crisis necessitate the development of a functional, common European migration policy, though it is doubtful whether the new Migration and Asylum regulations represent a real, substantial solution, and to what extent they will remedy the problems found in previous drafts. One of the questionable elements of the previous proposals, support for third countries, also reappears among the new regulations. In order to reduce irregular migration, it is essential that the European Union engages with neighboring states, especially those to its south and southeast.

³² Ibid.

³³ Ibid.

³⁴ Ibid.

³⁵ EURONEWS 2023.

³⁶ ANADOLU AGENCY 2023.

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Europe's Bastion: The Role of Morocco in the Migration System of the Western Mediterranean region

Meszár Tárik – Klaudia Tóth

Abstract

The staff of the Migration Research Institute, Tárik Meszár and Klaudia Tóth, conducted field research in the Kingdom of Morocco in the spring of 2023, during which they examined the role of the North African country in the migration system of the Western Mediterranean region. Their findings indicate that Morocco plays a key role in the migration system of the Western Mediterranean region, since, in addition to being an issuing country, it is also a destination country for many sub-Saharan African migrants. Furthermore, we must not overlook the fact that over the last two decades Morocco has emerged as an important transit country, as from its territory it is possible to reach the territory of the European Union from several different points in a relatively short time. The purpose of this analysis is to present the migration routes from Morocco to Spain, as well as the challenges caused by illegal immigration. In addition, we also describe the migration framework and main immigration laws of Morocco and examine how they are implemented in practice.

Keywords: North Africa, Morocco, Western Mediterranean route, immigration law, European Union

The triple role of Morocco in the Euro-African migration system

Today, Morocco plays a triple role in the Euro-African migration system. Namely, it is simultaneously a country of origin, transit, and destination. The current political, economic, and social conditions in the Middle East and Sub-Saharan regions continue to motivate the flow of refugees and migrants to Morocco, which most of them consider to be one of the few safe and stable countries in the region. Behind these migratory waves are hidden reasons such as political uncertainty, armed conflicts in some West African countries, economic decline, the presence of ethnic violence, and the crisis in Libya, where many sub-Saharan immigrants

previously found work opportunities.¹ For migrants, the North African state is also attractive in that it offers more job opportunities and higher salaries, and borders Europe. In the case of immigrants who look to Morocco as a transit country, their ultimate destination is usually Spain, with the main motivations being the higher standard of living, better educational opportunities, and respect for human rights. Media reports mostly focus on migrants heading to Europe, but they tend to overlook the fact that these migrants are often stuck in Morocco.² It is also important to mention that the North African country is achieving success in the fight against illegal migration and is working hard to eradicate criminal human trafficking organizations. Since it stands in the way of the large numbers of immigrants coming from sub-Saharan Africa, we can say that it also functions as one of Europe's most important bastions.

In this analysis, we examine, among other things, Morocco's migration framework and its most important immigration laws, and highlight why it can be called a gatekeeper country. We analyze the routes most often used by irregular migrants, which lead from the Western Mediterranean and West African regions to Spain. We explain the methods and fees used by people smugglers to organize illegal crossings, as well as how the International Organization for Migration manages the voluntary repatriation program.

Morocco's migration framework and main immigration laws

The Moroccan migration framework has undergone significant changes in recent years. As already mentioned, the country has become an important transit point for immigrants wishing to enter Europe illegally. Morocco responded to this situation by developing a migration policy that aims to regulate the flow of migrants while also protecting their human rights. Morocco has previously ratified many international conventions and protocols related to human rights, but due to the significant challenges affecting the country, according to some civil society organizations,³ these rules are not always adhered to. The human rights organization *Association Marocaine Des Droits Humains* (AMDH) has repeatedly criticized the Moroccan authorities' handling of migration, especially in connection with the detention and deportation of migrants. The organization has drawn attention to cases in which migrants were held against their will in poor conditions, subjected

¹ TÁRIK 2021a; TÁRIK 2021b.

² TÁRIK 2021a; TÁRIK 2021b.

³ GADEM 2015; AMDH 2020.

to violence and abuse by the authorities, and forcibly transported to remote, rural areas without due process.⁴ AMDH and similar organizations advocate for the banning of these activities and respect for the rights of refugees and asylum seekers. All of this shows that migration management in the Kingdom of Morocco cannot always be considered consistent. The country's current migration strategy is also extremely complex, so to understand it, it is essential to review the main changes and milestones it has undergone:

Morocco ratified the 1951 Geneva Refugee Convention on the Status of Refugees in 1956,⁵ and its 1967 Protocol in 1968.

Regarding the right to asylum, Morocco adopted a royal decree on August 29, 1957, which addressed the means of implementing the 1951 Geneva Convention on Refugees. The decree established the Bureau of Refugees and Stateless Persons (*Bureau des Réfugiés et Apatrides*, hereinafter: BRA) and an asylum appeals department within the Ministry of Foreign Affairs. In addition, the decree stipulated that the BRA was responsible for recognizing the refugee status of persons under the mandate of the UNHCR or meeting the criteria of the 1951 Convention, and for issuing residence permits and other documents to applicants.⁶

In 2003, the country adopted Immigration Act No. 02-03. This sets out the conditions for granting a residence permit to asylum seekers or refugees (Article 17), the criteria for expulsion or a stay of deportation (Article 29), and the procedures for the treatment of asylum seekers in waiting areas.⁷

⁴ In recent years, the migration of people from sub-Saharan Africa to Morocco has frequently given rise to conflicts. These immigrants seek better economic opportunities, and many leave their own countries due to conflict and persecution. However, the influx of migrants had led to tensions in Moroccan society, which, according to AMDH, can partly be blamed on the actions of the government. It should be noted that the Moroccan authorities sometimes round up sub-Saharan migrants and transport them to the outskirts of cities or to the countryside. Here they often meet the poorer sections of Moroccan society, who also struggle with economic difficulties. The meeting of these two groups with different backgrounds and limited resources leads to tensions and occasional hostilities. Source: This information was given during a personal conversation between the staff of the Migration Research Institute and AMDH staff in Rabat on March 28, 2023.

⁵ The 1951 Geneva Convention on Refugees and the 1967 protocol are legal documents created under the auspices of the United Nations, which define the international legal concept of a refugee, establish the rights of refugees, and set out the legal obligations of states towards them. See: MIGRATION RESEARCH INSTITUTE (n.d.).

⁶ UNHCR (n.d.).

⁷ KHALIL 2022.

Morocco's Constitution,⁸ adopted in 2011, recognizes the primacy over national law of international conventions ratified by the country and states that non-citizens of Morocco enjoy the same fundamental freedoms as its citizens.⁹

In September 2013, King Mohammed VI of Morocco officially announced a plan for a “humanitarian approach” to migration and asylum. As part of this, the decision was made to develop a new, comprehensive, integrated, and humane immigration and asylum policy, in line with the country's international and regional human rights commitments, to address the complex and interrelated issues of irregular immigrants, refugees, and human trafficking, and to play a key role in promoting international and regional cooperation on migration. A fundamental goal was to align the country's refugee policy with international standards, especially the 1951 Convention on the Status of Refugees and the 1967 Protocol.¹⁰ In addition, on September 25, 2013, the Moroccan government reactivated the BRA (which had been inactive since 2003) and established a commission to legalize refugees registered with the UNHCR.¹¹

In 2014, Morocco adopted its first National Strategy on Immigration and Asylum (SNIA), which included important domestic legal reforms related to asylum and migration and facilitated recognition of the rights of foreigners in the country. However, it is important to note that many of the critical legal reforms proposed in the SNIA have to date not been ratified, and the implementation of the strategy can be seen as asymmetric across the country.¹²

In the summer of 2018, a crackdown on sub-Saharan migrants began, including police raids and human rights violations. The Moroccan government did not deny the raids. Government officials say the raids were aimed at people smugglers and illegal immigrants, but human rights groups such as the *Groupe Antiraciste d'Accompagnement et de Défense des Etrangers et Migrants* (Anti-Racist Group for the Support and Defense of Foreigners and Migrants) (GADEM) and AMDH argue that the raids amounted to arbitrary arrests, expulsions, and even the detention of minors. The country's leadership, on the other hand, claims that they have always respected all previously signed international agreements. To strengthen their position, in December 2018, Morocco also signed the UN Global Compact

⁸ Since Morocco won its independence in 1956, a total of six constitutions have been promulgated: in 1962, 1970, 1972, 1992, 1996, and 2011.

⁹ Morocco's Constitution of 2011.

¹⁰ JACOBS 2023.

¹¹ UNHCR (n.d.).

¹² MIXED MIGRATION CENTRE 2022.

for Safe, Orderly and Regular Migration, which aims to create a framework for international cooperation concerning migration.¹³

In 2022, the European Commission and Morocco renewed their partnership in the fight against irregular migration and human trafficking networks. They highlighted the achievements of their cooperation based on shared responsibility for migration issues and agreed to renew their alliance to work together on eradicating people-trafficking networks, especially following the emergence of new criminal organizations that use extremely violent methods. In addition, the parties expressed their regret for the tragedy in Melilla that occurred on June 24, 2022.¹⁴

Year	Events
1956	Morocco ratifies the 1951 Geneva Convention Relating to the Status of Refugees.
1957	Regarding the right to asylum, Morocco adopted a royal decree in which it addressed the methods of implementing the 1951 Geneva Convention on Refugees, and the Office of Refugees and Stateless Persons (BRA) was established.
1967	In 1968, Morocco ratified the 1967 Protocol to the 1951 Geneva Convention Relating to the Status of Refugees.
2003	In 2003, the country adopted Immigration Act No. 02-03. Among other things, this defines the conditions for granting a residence permit to asylum seekers, as well as the criteria for refusing expulsion or deportation.
2011	Morocco's constitution, adopted in 2011, recognizes the primacy of international conventions over national law.
2013	In September 2013, King Mohammed VI of Morocco officially announced a plan for a "humanitarian approach" to migration and asylum.
2014	In 2014, Morocco adopted its first National Strategy on Immigration and Asylum (SNIA), which included important domestic legal reforms related to asylum and migration.
2018	In December 2018, Morocco also signed the UN's Global Migration Pact on safe, orderly and regular migration, which aims to create a framework for international cooperation related to migration.
2022	In 2022, the European Commission and Morocco launched a renewed partnership in the fight against irregular migration and human smuggling networks.

Table 1 Milestones related to Moroccan migration policy (own composition)

¹³ AFRICA NEWS 2018, JACOBS 2023.

¹⁴ EUROPEAN COMMISSION 2022.

West African and Western Mediterranean migration routes

Morocco as gatekeeper

Because of its key geostrategic location, Morocco is often called the “Gatekeeper of Europe”.¹⁵ The North African country is located directly across the Straits of Gibraltar from Spain, making it a key transit point for migration routes from Africa to Europe. Those who use the name highlight its proximity to Europe, as well as its efforts to control and manage migration flows. The precedent for this is that the Arab country took steps to strengthen the security of its border and to increase cooperation with European countries. To help deal with illegal migration, it has implemented various border-protection measures, such as increased patrols, improved surveillance technologies, and border control operations.¹⁶

For the European Union, and within it, Spain, the value of cooperation with the Moroccan authorities has increased in recent years. As a result, the EU and Spain have sent more aid to Morocco, and the two sides have agreed to fight human trafficking, reduce arrivals, and help migrants return home.¹⁷ Despite this, Morocco occasionally raises its voice due to the scarcity of its resources, and the country’s officials have repeatedly stated that the country cannot be Europe’s “migration police”. They want their northern neighbors to provide more generous resources to deal with the migration crisis in their country. In this regard, leading Spanish politicians have already admitted several times that: “Morocco helps us”.¹⁸ Nevertheless, several serious diplomatic conflicts have broken out between the two parties in recent years. One source of dispute is that Brahim Ghali, the leader of the Polisario Front fighting for the independence of Western Sahara, was treated for his COVID-19 infection in a Spanish hospital. In response, Morocco allowed many immigrants into Spanish territory without inspection.¹⁹ This last event also demonstrates that Morocco’s role in dealing with illegal migration cannot be overlooked and ultimately contributes greatly to Europe’s security.

As can be seen from the above, Morocco is both an issuing, transit, and destination country for migrants, who are usually – but not exclusively – African. In the following, we will try to answer the questions that arise in connection

¹⁵ FERRER-GALLARDO – GABRIELLI 2022.

¹⁶ HILPERT 2022.

¹⁷ EL MASAITI 2019.

¹⁸ EL MASAITI 2019.

¹⁹ PARRA – ELSHAMY 2021.

with the irregular and illegal migration flows affecting Morocco. There are two main routes from Morocco to the land and sea borders of Spain. According to the methodological approach of the European Border and Coast Guard Agency (hereinafter: Frontex), those choosing the West African route tend to head by boat for Spain's southernmost autonomous region, the Canary Islands. Those traveling along the Western Mediterranean corridor either reach the Spanish coast by crossing the Western Basin of the Mediterranean Sea or enter the territory of the European Union while remaining on the African continent. In this regard, it is important to highlight the geostrategic importance of two areas in a unique situation: Melilla and Ceuta have been on the front pages of the international media several times in recent years due to attacks on the walls and fences surrounding them, as well as because of mass illegal crossings. The hope of getting into the Spanish exclaves along the North African coast is much more appealing to migrants because it means they do not have to make a desperate voyage over the open ocean for several days while traveling around the border defenses of the exclaves by sea or scaling the wall appears a much easier prospect. In addition, it is also a vital point that in the Mediterranean region, people traffickers typically demand exorbitant amounts of money to take people to Europe, while at the border walls of Ceuta and Melilla, it is possible to try to get in individually or in groups. Interviews conducted during field research in March 2023 revealed that many sub-Saharan citizens have run out of money by the time they reach Morocco, and so are no longer able to pay the smuggling fees, which often amount to several thousand euros.

Use of routes

Before reviewing smuggling fees and methods, it is worth highlighting the specific figures (see Figure 1). Based on national data collected by Frontex, but coming from the member states, it is clear how many people use each corridor each year. From the perspective of Morocco, three main routes are decisive: those to the Canary Islands, to the European mainland, and the exclaves, but Frontex combines illegal entry on the coast of continental Spain and at the borders of the exclaves in one category. Thus, anyone who commits a border violation by sailing to the Canary Islands is counted among those using the West African route, while anyone who sails across the Mediterranean and reaches the southern coastline of Spain or reaches the exclaves by land or water routes, is registered as using the Western Mediterranean corridor. Between 2009 and 2015, around 5,000 to 8,500 people arrived in Spain via the much shorter and less dangerous Western Mediterranean route. After that, between 2016 and 2018, the number of people using this corridor

increased significantly, and in 2018 reached a peak of 56,245 people. Since 2019, traffic on the Western Mediterranean route has shown a marked downward trend.²⁰ Figure 1 shows the number of illegal border crossings detected annually by the Spanish authorities on the West African and West Mediterranean corridors during the period between January 1, 2015, and April 30, 2023. The number of cases shown in the chart will always be higher than the number of actual arrivals, but the major migration trends for the region can also be discerned from the data. Due to the exceptionally high number of arrivals by the Western Mediterranean route in 2018, over 56,000, the EU launched several new initiatives with partner countries in West Africa, including strengthening the EU-Morocco partnership. Within the framework of cooperation with Morocco, an even stronger emphasis was placed on the issue of border management; promoting socio-economic integration; institutional support and capacity building; protecting migrants and respecting their rights.²¹



Figure 1 Number of illegal border crossings by people arriving via the West African and Western Mediterranean routes between January 1, 2015 and April 30, 2023 (FRONTEX 2016–2022.)

While the number of people using the Western Mediterranean route decreased significantly after 2018 – as a result of which illegal border violations also fell – an increasing number of people reached the Canary Islands: in 2020, for example, 23,271 people survived the sea crossing and reached the archipelago. Most arrived in the last quarter of 2020 (17,147 people). In the fall of 2020, when more and more people reached the Canary Islands illegally, measures were introduced in

²⁰ UNODC 2022, 2.

²¹ COUNCIL OF THE EU AND THE EUROPEAN COUNCIL 2023.

many European and North African countries to curb the spread of COVID-19. Figure 1 also shows that compared to 2018, many fewer illegal border crossings were registered on the Western Mediterranean route in later years, and in 2020 the dominance of this route ceased: since 2020, many more people have been using the West African than the Western Mediterranean route. One of the main reasons for the “shift” is that during 2019, the Moroccan authorities implemented much stricter water and land border control measures, including both interceptions at sea and search and rescue operations. In 2019, Moroccan authorities investigated more than 60 migrant smuggling groups and seized around 3,000 forged documents. In the same year, approximately 27,000 illegal immigrants were arrested. According to data from the Moroccan Ministry of the Interior, 10,316 people were caught and rescued on the country’s northern coast in 2020.²²

The lockdowns imposed in the wake of the pandemic have had an extremely negative impact on economic activities, trade, mobility, and energy prices. The consequences for small entrepreneurs and wage workers, especially those working in the informal sector, were particularly severe. According to data from April 2020, 57 percent of Moroccan businesses temporarily or permanently suspended their activities. The contraction also had a negative impact on the income-generating capacity of low-income segments of the population, including domestic and foreign residents.²³ The decrease in personal income, the lack of prospects, the armed conflicts raging in the Sahel region, and political instability increasingly stimulated the already existing migration processes.

Trafficking prices and methods

According to 2021 data, migrants paid an average of €1,300 to €1,500 to reach the Canary Islands if they departed from one of the many ports on the coast of Morocco and Moroccan-administered Western Sahara. Prices charged for travel to continental Europe ranged on average from €1,800 to €2,500 along the coast between Nador and Al Hoceima and between €400 and €1,400 in the zone between Tangier and Salé. Land crossings from Morocco to Algeria – usually involving Moroccan citizens – usually cost between 100 and 120 euros, while the price of traveling in the opposite direction was on average 350 euros.²⁴ In contrast, the 2022 data already showed a significant increase in tariffs: at the beginning of 2022, a sea crossing from southern Morocco and Western Sahara to the Canary

²² UNODC 2021, 19.

²³ UNODC 2022, 2–4.

²⁴ GLOBAL INITIATIVE AGAINST TRANSNATIONAL ORGANIZED CRIME 2022, 2.

Islands cost between €1,900 and €2,830 – with sub-Saharan and non-Moroccan nationals often paying even higher rates. Price fluctuations are believed to depend on various factors, including increased demand for the services of people smugglers, the location of the departure point, the type of vessels used, changes in climatic conditions – prices typically decrease in worse weather conditions – and the level of surveillance by Moroccan security services along the coast. Prices also fluctuate significantly depending on the season: higher prices are typically associated with the period between spring and early autumn when the crossing is usually easier due to calmer weather.²⁵

Information about the Western Mediterranean differs somewhat from that regarding the West African route: according to some sources, crossing the Western Mediterranean is the most expensive sea route, with fees averaging around \$2,800 per person. The Spanish authorities have also confirmed that migrants who are entrusted with the navigation or positioning of the ship during the crossing may receive a discount as compensation for their more active participation. In addition, the migrant's gender, nationality, age, and socio-economic background also play a role in determining the fee. Since Morocco has increased border surveillance since 2019, the cost of traveling to Spain has increased, and generally speaking, smuggling fees have increased in both West and North Africa since the start of the pandemic. It is reasonable to ask how those setting off from difficult circumstances can afford to pay such high smuggling fees, but the answer is either that the people involved save for up to ten years for the trip, or else they ask for help from family, friends, and the local community in the form of a loan, which is then paid off through remittances. The savings are mostly used to cover the initial costs of the trip, i.e. the first stages. If they cannot pay, people are forced to work along the route in the construction, domestic service, agricultural sectors, or as prostitutes.²⁶

Human traffickers rarely approach clients directly. Instead, those who intend on seeking asylum or otherwise traveling to Europe seek out their services. In West Africa, information on smuggling is best gathered in public spaces such as bus stations, taxi stands, coffee shops, and hair salons. Traffickers operating on land routes in North and West Africa typically have no connection to traffickers operating across open water. The smugglers active in West Africa typically do not coalesce into one large group but are organized into many small networks. Their membership often changes, with drivers, steersmen, and other intermediaries entering ad hoc collaborations to serve specific clients. Smugglers rarely have

²⁵ RUIZ – DE LUGO 2022, 13.

²⁶ UNODC 2021, 15–16.

transnational coverage or international connections, as most of them specialize in facilitating movement in a specific area or at a specific border crossing.

After contacting the trafficker, clients are instructed to travel independently to the point of departure for the sea crossing. Moroccans stay in cheap hotels in small towns along the southern Moroccan and Western Saharan coasts, often sharing rooms with other clients of the traffickers to keep costs down. Some spend up to a month in these hotels, waiting for the smugglers to gather enough clients, prepare the boat for the crossing, and find a period of good weather and low risk of capture at sea. The organizers of the trip typically do not travel aboard. Typically, one of the clients is “hired” as the ship’s helmsman and entrusted with making the sea crossing. Ad hoc agreements are made with shipmasters for free or discounted crossings in exchange for navigating the ship to the Canary Islands. The chosen captains are usually men with sailing or fishing experience. They usually take turns at the helm to keep the ship moving day and night. The risk in such arrangements is that law enforcement agencies consider behavior on board the ship as the main element of the charge, so people who steer during the sea crossing, provide food to passengers, use GPS, or give instructions to other passengers are often suspected of having committed human trafficking.²⁷

Refugees and migrants who land in the Canary Islands are held in administrative detention for 72 hours after their arrival, in detention centers in Gran Canaria and Tenerife, and in Lanzarote on a ship anchored offshore. Many migrants complain that administrative detention facilities frequently fail to meet minimum requirements, such as providing access to water, sanitation, and health care. Under bilateral agreements currently in force between Spain and North and West African countries, men handed deportation orders are then transported to repatriation centers. According to the bilateral agreement between Spain and Mauritania, all persons who depart from Mauritania and arrive in Spain illegally by sea can be returned to Mauritania, regardless of their nationality, unless they apply for asylum in the Canary Islands. Spanish law prohibits the deportation of children, while deporting women is logistically challenging, and so rarely happens.²⁸

Advantages and disadvantages of particular routes

If individuals decide to emigrate from their home country and help those who stay at home through remittances, they must carefully consider how they will reach

²⁷ UNODC 2022, 23–26.

²⁸ UNODC 2022, 25–26.

the desired destination country. After examining the figures, it is worth also looking at the characteristics of the routes themselves, since thousands of human destinies make their way along these trails. The starting points of the West African route are located along the North-West African coast, stretching from Gambia to Morocco (a distance of about 2,500 km). The length of the sea crossing to the Canary Islands is approximately 100 km from Morocco and Western Sahara, while it can be up to 1,700 km from the coasts of Senegal and Gambia. The duration of the crossing varies greatly: ships from southern Morocco and Western Sahara heading to Lanzarote or Fuerteventura make the journey in about 24 hours, while ships from Senegal to El Hierro can take more than ten days. The journey time depends on the weather, the quality of the vessel, and the number of passengers it carries. Most ships are equipped with a GPS and/or compass but typically do not have a phone with satellite access. Therefore, when they reach a coastal strip with mobile network coverage, either the Spanish authorities or relatives are notified to rescue them.

Often, non-governmental organizations organize information campaigns at the main points of departure along the coast of North-West Africa, where they give Spain's or their helpline numbers to migrants. This means that when an NGO receives a call about a capsizing ship or hears about a dangerous situation from a concerned relative, the organization immediately contacts the Spanish authorities and provides the GPS coordinates of the ship in distress. Many of those arriving via the West African route do not want to settle in the Canary Islands. There are few job opportunities for either foreign or domestic citizens on the archipelago. To avoid overcrowding, in 2021 the Spanish authorities transferred adult refugees and migrants arriving in the Canary Islands who did not apply for asylum there from emergency facilities to long-term reception centers on the Spanish mainland. Refugees and migrants with valid passports can move independently within the territory of Spain, so if they have enough money, they can also buy a plane or ferry ticket to the mainland.²⁹

After reviewing the characteristics of the West African route, it is worth turning our gaze a little to the east, or more precisely to the Strait of Gibraltar and the Alboran Sea, since here, at its narrowest, the distance between the two continents is only 13 km. In this region too, those who choose to make a seaborne crossing from Morocco to Spain are usually assisted by people traffickers – especially when the crossing requires greater organizational capacity, such as in the case of longer sea voyages or heavily guarded maritime areas. Between 2015 and 2019, an increasing number of people attempted to cross both the land and sea borders between Morocco and Ceuta and Melilla. The numbers decreased again in 2020–2021,

²⁹ UNODC 2022, 15–22.

largely due to the closure of border crossings (62,166 people arrived irregularly in 2019, while only 1,769 people arrived in 2020).

The port city of Tangier, located on the northern coast of Morocco, is one of the main starting points of the Western Mediterranean route. Migrant trafficking in this city is based on an uneasy alliance between the Moroccan taxi mafia, migrant and refugee communities, and shipping companies. The peculiarity of the Western Mediterranean corridor is that trafficking is not typically organized and carried out by large international criminal organizations, but mostly by individuals or smaller groups based on loose connections. They are usually only active at certain border crossings and simultaneously fulfil the roles of passenger transporter, accommodation provider, labor broker, and employer. The business activities of these traffickers and brokers are based on their social capital, which can be traced back to the connections formed by ethnic, linguistic, and cultural ties. It is interesting that a relatively higher proportion of women rely on the help of international cross-border groups. Many Cameroonian women, for example, find a transnational criminal organization in the states of northern Nigeria, which organizes their journey as far as northern Morocco. In their case, the biggest problem is that they often become victims of human trafficking for the purpose of sexual exploitation.

Based on the investigations carried out by the Spanish and Moroccan police, the international organized criminal groups involved in migrant trafficking from Morocco to Spain, based on loose connections, in many cases also “employ” Moroccan and Spanish citizens – they are mainly responsible for coordination, logistics, surveillance, information-gathering, and shipping. Both the land- and sea-based alternatives on the Western Mediterranean route carry many dangers. In the first half of 2021, an estimated 40 people died while trying to cross by land from Morocco to Ceuta and Melilla. These numbers are much higher than the one person reportedly killed in 2020 and the seven in 2019. Five of those who died in 2021 were identified as Moroccans who tried to swim to Ceuta.³⁰

Morocco is the only African country that shares a land border with the EU, thanks to these two Spanish exclaves. Melilla and Ceuta, wedged into the north Moroccan coast, are the number one destination for sub-Saharan migrants. To prevent illegal crossings, between 1993 and 1996, Spain built fences, installed surveillance cameras, and deployed armed police to protect facilities. Melilla’s land border is protected by a double border fence approximately 13 kilometers long, divided into three sectors. The height of the outer fence is 3,5 meters, while the

³⁰ UNODC 2021, 9–16.

inner fence can be as high as six meters in some places. Both fences are equipped with barbed wire to prevent illegal immigrants from climbing over. The installed surveillance system consists of 106 fixed cameras. There is a 7,8-kilometer-long double border fence around Ceuta, divided into three sectors. Except for the 37 mobile cameras installed along the fence, the technical equipment used for border control is the same as in Melilla.³¹

The issue of the two fences made headlines in the international media when, on June 24, 2022, nearly 2,000 migrants – mostly Sudanese and South Sudanese – stormed the fence and tried to cross into Spanish territory. Moroccan security forces tried to hold them back with tear gas and rubber batons. According to a government report, 23 migrants died during the incident. According to local human rights groups, the real number of victims could be as high as 37, and dozens more were injured. However, it is important to be aware that this was not the first such action: on April 17 and 18, 2021, an estimated 8,000 people, including 2,000 minors, tried to cross into Spain at Ceuta by swimming or climbing over the border fence. The Spanish soldiers and border guards tried to keep everyone back and the majority of those who crossed were rounded up and deported back to Morocco.

A bilateral agreement signed between the two countries in 1992 allows Spain to request the readmission of people who entered Morocco illegally. However, in April 2021, diplomatic tensions arose when Spain allowed Brahim Ghali – the leader of the Western Sahara independence movement – to enter the country and receive treatment for COVID-19. A month later, Morocco relaxed its border controls, allowing 8,000 migrants to cross into Ceuta, Spain.³² Relations between the two states were somewhat helped by the reopening of the land border between Morocco and the two exclaves - which had been closed since the beginning of the COVID-19 pandemic – on May 17, 2022.³³ The situation also eased when, in March 2022, Spanish Prime Minister Pedro Sanchez announced his support for the 2007 Moroccan plan according to which Western Sahara would receive autonomous status under Moroccan authority.³⁴

³¹ SADDIKI 2017.

³² SMITH 2022.

³³ AIDA 2023.

³⁴ MOHAMED 2022.

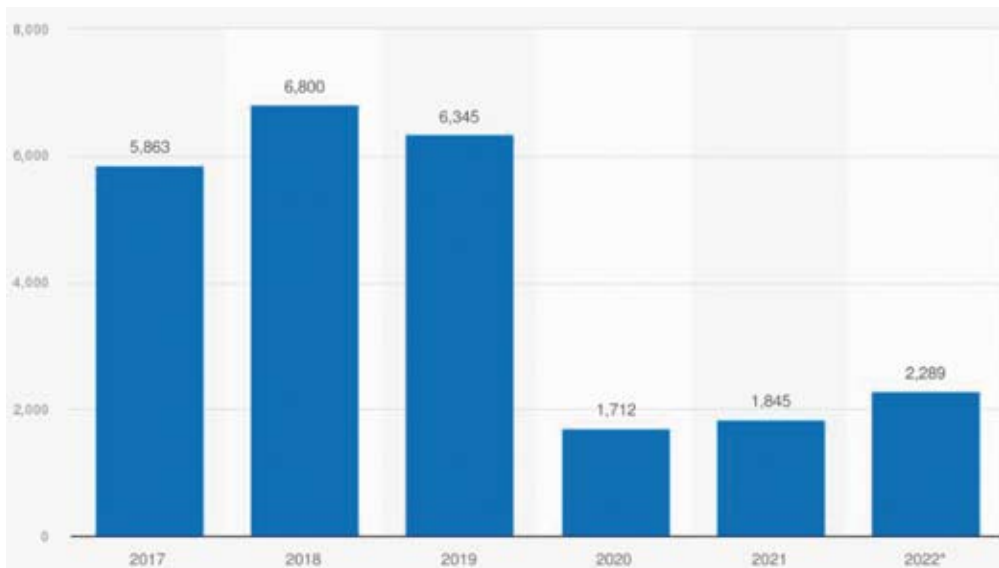


Figure 2 The number of foreigners entering Spanish territory via Ceuta and Melilla – by land and without a permit – between 2017 and 2022 (STATISTA 2023.)

Voluntary repatriation to and from Morocco

After examining the processes of irregular migration, it is worth also considering some examples of legal emigration and immigration. Many international organizations are present in Morocco, and they primarily focus on migrants and refugees. One of these groups is the International Organization for Migration (IOM), which, embedded in the UN system, plays an important role in settlement and repatriation operations. The IOM has been present in Morocco since 2001, and the scope of its activities can be divided into three parts. Firstly, it supports the government in understanding how migration affects individual government areas, and to what extent sectoral policies help or hinder the social role and integration of migrants. Secondly, it provides direct assistance to immigrants: the organization aims to protect vulnerable migrants and those in need, such as unaccompanied minors or victims of human trafficking. In this sense, it also provides health and humanitarian services and has a prominent role in the management of voluntary return and reintegration programs. Thirdly, through formal, non-formal, and informal education, capacity building, vocational training, sports, and community-based activities, the International Organization for Migration tries to reach and engage young, marginalized Moroccans. The local IOM mission works closely with

the Moroccan authorities, international government partners, UN agencies, civil society actors, and local associations to address these issues and develop effective and successful projects.

Among the tasks listed above, it is important to highlight the voluntary repatriation and reintegration program operated by the organization. The project provides humanitarian, administrative, logistical, and financial support to migrants in difficult situations so that they can return to their country of origin and helps Moroccans who would like to move back to Morocco to reintegrate. In 2022, 3,552 migrants (2,097 men, 916 women, 277 boys, and 262 girls) requested assistance for voluntary return home. IOM and its partners were able to organize a safe return home for 2,457 people (1,443 men, 616 women, 207 boys, and 191 girls) to 26 different countries of origin. Compared to 2020, the number of migrants participating in the program had tripled by 2021 and 2022 (see Figure 3). This increase is primarily due to the fact that in 2022 there was a significant increase in the financial resources earmarked for fulfilling requests so that the accumulated delays due to mobility restrictions introduced to curb the spread of the pandemic were able to be compensated during the last two years. 1% of migrants returned to South America, 2% to Asia, and 97% to African countries. Most of the beneficiaries were citizens of Cote d'Ivoire (657), Guinea (598), and Senegal (367).



Figure 3 Evolution of the number of migrants voluntarily returning from Morocco to their countries of origin between 2005 and 2022 (IOM 2023, 6.)

Regarding the other part of the program, it is worth mentioning that since the start of the reintegration program in 2005, the local IOM office and its partners

have assisted more than 2,100 Moroccan returnees. The beneficiaries came from more than 25 countries. In 2022, 639 Moroccans returned home voluntarily to the West African country. The number of returnees increased significantly in 2022 due to the socio-economic crisis caused by the COVID-19 pandemic, the war in Ukraine, and the lifting of pandemic-related mobility restrictions in Morocco.



Figure 4 Change of the number of Moroccans returning to Morocco between 2017 and 2022 (IOM 2023, 12.)

Conclusion

Morocco's migration policy is controversial, as it reflects both foreign policy priorities and the nature of Moroccan domestic politics. At the domestic level, it is a fundamental problem that political reforms in Morocco are often short-term, centralized, and dictated by the monarchy. Their primary goal is to alleviate criticism in the short term, not to make long-term and substantive changes in migration policy. The weakest point of the National Immigration and Asylum Strategy adopted in 2014 is the lack of implementation. Even the intensified debate about the treatment of migrants and refugees that subsequently developed

did not lead to the widespread application and acceptance of the strategy, which sometimes leaves migrants and refugees in a vulnerable situation. Concerning the latter, various human rights organizations often raise their voices and demand that the rights of refugees and asylum seekers be respected.

As for Morocco's role in the migration system of the Western Mediterranean region, several migration routes from the North African Arab country lead to Spain, which is why many see it as a transit country. Tangier, Tetouan, Nador or Al Hoceima should be highlighted as starting points because these settlements are located close to the Spanish mainland, so it is hardly surprising that this area sees larger-scale irregular migration movements. In addition to these cities, the role of the Straits of Gibraltar and the Alboran Sea is also worth mentioning, since in this area, at its narrowest, the distance between Europe and Africa is only 13 km, which makes it an important hub for both irregular migrants and people traffickers. In addition, the role of the two Spanish exclaves, Ceuta, and Melilla, is also central in the region's migration system, as in recent years they have become significant migration hotspots and transit points for migrants trying to reach European territory. These two cities are geographically located on the African continent but are part of the European Union, so migrants see these areas as potential gateways to Europe.

In addition to all of this, the role of human traffickers cannot be neglected, as criminal organizations often take advantage of migrants seeking better economic opportunities or fleeing conflicts and persecution. In addition to demanding large sums of money for their illegal activities, overcrowded ships, insufficient security measures, and dangerous sea conditions often put the lives of those intending to cross to Europe at risk. However, it is important to note that migration routes from Morocco to Spain have become increasingly intensively surveilled in recent years, as both Morocco and Spain have introduced stricter border control measures to curb illegal migration.

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“Beefing-Up” the border: Considering the ANC’s new vigour

Paul Maritz

Abstract

The announcement of a new Border Management Authority (BMA) for the Republic of South Africa has cast a spotlight on the South African Government’s approach to border control once again. A prime target for sub-Saharan illegal immigration, South Africa is also increasingly affected by the trafficking of drugs, weapons, and other contraband. This article casts an eye over how the ANC has run the South African borders since coming to power in 1994, and critically considers the success of the newly minted BMA.

Keywords: Africa, illegal immigration, South Africa, ANC, Zimbabwe

Introduction

On the 5th of October 2023 the Republic of South Africa launched its “Border Management Agency”, the country’s first “single, integrated and efficient authority to manage and secure the borders of the Republic” in the words of its head of state, President Cyril Ramaphosa.¹ The launching of this agency begs at least two questions:

1. If the African National Congress (ANC), of which Ramaphosa is the president, has been the majority party since April 1994 when former president Nelson Mandela famously lifted the veil on a South Africa after Apartheid, how has it managed its more than 4800km of land borders since coming to power nearly three decades ago?
2. Which factors caused President Ramaphosa’s government to finally take action with regards to border control?

This essay offers a historical perspective on how the Republic of South Africa has approached borders over the last fifty years, with particular attention given to management before 1994 changes attempted and undertaken when the system of Apartheid came to an end. After this perspective has been given, the reader is introduced to the effects of the current South African government’s approach to

¹ RAMAPHOSA 2023.

border control and the relationship between this approach and the phenomenon of xenophobia. Finally, the ANC's latest moves are introduced and critically considered.

Conceptualisation

As is the case in many countries, not least in central Europe, South Africa has suffered immense emigration of highly skilled labour over the last three decades. In the Canadian province of Alberta some 6,5% of all practicing medical doctors were trained in South Africa², and as early as 2004 a study found that 14% of all the physicians trained in South Africa were working either in Canada or the USA³. This brain drain and the policies that enhanced it or at the very least failed to stop it, could of course make for an interesting essay, but the focus here is the flow of migrants into the Republic of South Africa. A second and perhaps even more important qualification is of course the kind of migration being considered. With a comparatively successful and modernised economy, South Africa has become the home of a great many legal migrants, who have followed procedure and entered the country legally, and refugees, who have had legitimate applications reviewed and approved, and who are by no means illegal.

Before 1994: Border wars and military activity

The north-western border of South Africa was, until 21 March 1990, the border today known as the Namibia-Angola border. From 1920, when it officially came under South African control and crown rule, until the 21st of March 1990, what is now Namibia was governed by Pretoria. The implication is necessarily that an analysis of South African border control before 1990 has to consider practices between the borders of two different countries. From the 26th of March 1966 until 1990, this border was controlled through military operation known as the South African border wars. The South West African People's Organisation (SWAPO), who were engaged in the Border war with the South African government of the time counted Zambia and Mozambique among its allies, meaning that military control was expanded wider than just the North-West. The end of the Cold War, which brought with it a renewed vigour from the USA and UK to end the system

² FOURNIER 2023.

³ HAGOPIAN ET AL. 2004.

of Apartheid. With this shift came the end of the Border War, and a new era in South African border control.

After 1994: A low priority

As Steinberg rightly points out,⁴ a country in a state of peace will typically delegate the task of border control to its department of home affairs, but as South Africa had been at war with various of its neighbours for so long, no centralised authority border control was in place at the dawn of the ANC's reign. The initial solution to this was the formation of a National Interdepartmental Structure (NIDS), which aimed to bring all those different departments and agencies that worked with border control together⁵. NIDS, while not ineffective, focussed on modernising the points of entry and the establishing best practices for the transport of freight instead of proposing how land borders might be controlled or how porous borders might be secured. As an instrument in the hands of Customs and Immigration, NIDS might be seen to have been rather successful – but as a border control authority, it surely was, as Steinberg describes, a square peg in a round hole.⁶

The NIDS was followed up by the Border Control Operational Coordinating Committee (BCOCC), which struggled with the same inherent struggles that faced the NIDS – uncertainty with regards to what it essentially wanted to be.

A study by Segatti and Landau in 2010 shows how little was done in terms of policy development between 2000 and 2010.⁷ In fact, between 2004 and 2010 one amendment to the Immigration act was passed (2005) and one bill for the prevention of trafficking was introduced (2007)

2008 Zimbabwe Elections and the rise of Xenophobia

Xenophobia, from the Greek words Xenos and Phobos, means fear or hatred of strangers. In South Africa this term typically refers to attacks on foreign nationals, typically accompanied by the looting of their property. In many cases, as will be

⁴ STEINBERG 2005.

⁵ Ibid.

⁶ Ibid.

⁷ SEGATTI – LANDAU 2011.

discussed later, these attacks have caused fatalities. This section introduces the reader to various phenomena that led to the rise of xenophobia in South Africa.

Even though the first officially recorded xenophobic attacks occurred in 1994, there is a notable increase from 2008 onwards.⁸ The international economic recession might well have been a contributing factor, but for the most part these attacks were a reaction to the uncontrolled influx of Zimbabwean nationals after the bloody 2008 election in that country. Supporters of Robert Mugabe and his Zanu-PF party had, in the final days before the presidential run-off election in June 2008, killed at least 100 people, and driven fear into many more.⁹ Sanctions on the Zimbabwean economy by USA and the IMF had the Zimbabwean economy into hyperinflation, and the combination of violence and economic strife made South Africa the only viable option for a great many Zimbabweans.

Scheen¹⁰ reports that, at its height, up to 3000 Zimbabweans crossed into South Africa illegally per day and proposes that 1,5 million Zimbabweans entered into South Africa in this way from 2008 to 2009. The impact of these illegal immigrants was felt immediately, as they were willing to work for extremely low wages, thus taking many of the available agricultural jobs.¹¹

Polzer's words¹² summarise the reaction by the South African government best: "a rapid influx of hundreds of thousands of people would be treated by most countries as a serious crisis requiring immediate attention". The reaction by the South African Government to all of this was "a studied determination not to acknowledge that anything is out of the ordinary."¹³

The clear and obvious reason for this behaviour from the ANC was loyalty towards Mugabe, loyalty that shone through clearly in the efforts of then president Thabo Mbeki to prevent the publication of the damning Khampepe report on the 2002 elections in Zimbabwe, which finally concluded that these elections were both unfair and unfree.¹⁴ By recognising that millions were fleeing, the ANC would necessarily have had to publicly recognise errors of the Mugabe administration – a step it was clearly not willing to take. The first real efforts to address the Zimbabwean migration on the northern border was in 2010, when the government

⁸ SOUTH AFRICAN HISTORY ONLINE. 2015.

⁹ MCGREAL 2008.

¹⁰ SCHEEN 2011.

¹¹ Ibid.

¹² POLZER 2010, pp. 377–399.

¹³ Ibid.

¹⁴ LOUW-VAUDRAN 2014.

introduced its Zimbabwean Documentation Project, in an effort to “regularise” undocumented Zimbabwean immigrants.¹⁵

Census data from 2011, which proposes that 3.3% of the South African population, or about 1,5 million people, were non-citizens were ironically laughed off by the South African citizenry, as it has long been clear that the South African government has no idea how many people have entered the country illegally. So badly was the auditing of South African border control managed that a 2014 UK study commented:¹⁶ “At present, there is no publicly available financial information on South Africa’s expenditure on immigration enforcement and no estimates of the potential costs of increasing immigration control.” This situation seems not to have improved much after 2014. The corresponding census figures from 2021, which proposed that there were 2,4 million¹⁷ migrants in South Africa is not even considered accurate by the government itself, with Home Affairs minister Aaron Motsoaledi in 2022 citing research by Statistics South Africa that there are an estimated 3,95 million foreign nationals in South Africa.¹⁸ These figures, and above all the disparity between its high and low marks serve as a clear indication that the South African government is not in control of the issue. The difference between 2,4 million and 3,95 million currently comes to more than 2% of the South African population.

While South Africa, has a contractual obligation to help those that seek asylum status, in 2014 the South African Department of Home Affairs reported that 95% of asylum applications were “not genuine”, essentially confirming that many migrants had illegally entered South Africa for economic reasons, not reasons sprouting from the political situation in their countries of origin. Digressing slightly, the popularity of illegal immigrants as agricultural workers and the tension caused by this phenomenon ironically means that proper border control will clearly benefit those migrant workers who have entered the country legally, because it will remove the stigma surrounding immigrants as undercutting local labour.

Returning to 2008 and 2009, the porous land border between South Africa and Zimbabwe had caused, as has been discussed, not only a massive influx of people, but had the knock-on effect of putting pressure on the agricultural labour market and additionally leading to the well documented increase in xenophobic attacks.

¹⁵ SEGATTI – LANDAU 2011.

¹⁶ MTHEMBU-SALTER ET AL. 2014.

¹⁷ CHOTIA 2023.

¹⁸ MKHWANAZI 2022.

In September of 2023 Fredson Guilengue¹⁹ reported that the 1028 xenophobic attacks since 1994 have resulted in 659 deaths, and while this figure is gruesome in and of itself, it fails to capture the damage and destruction which accompanies many of these attacks. While the flow of human beings over borders is natural in a modern economy, the lack of control and seeming lack of plan projected by the ANC on this issue is the bigger problem.

Populism in both directions

Immigration of any kind has become an issue on both the left and right of the South African political narrative. Leader of the Economic Freedom Fighters (EFF) Julius Malema, internationally renowned for often singing “Kill the Boer” at public gatherings, identifies with the vision of the Pan-Africanist movement, and has expressed his and his party’s vision for a completely borderless Africa. On the 27th of July 2019 Malema, during a rally, said “we were divided by the colonists” and that, in the name of decolonialism, the borders of Africa should be collapsed.²⁰

Malema clearly proposes movement without visas, without passports, and sees an Africa without borders. Malema thus identified himself, at least in 2019, with the aspirations of former Libyan dictator Muammar Gadhafi, and called for “one government” and “one army”.²¹ Malema is not the first in South African politics to call for a borderless Africa, as he identifies with the vision of the Pan Africanist Congress (PAC) which broke away from the ANC in 1959 and had the unification of Africa on its agenda from the start.

Populism with regards to South Africa’s borders is, however, more obviously an issue to the political right than it is to the political left. While leaders such as Malema have called for the collapsing of borders, those proposing the strengthening of South Africa’s land borders have recently enjoyed more popularity. Herman Mashaba, leader of ActionSA, a new party on the South African political horizon, stated in 2019:²²

“Most people coming into our country are not criminals. They are good people, trying to find opportunity in South Africa because of difficult circumstances in their own countries. But, we are a country too that has its own challenges.”

¹⁹ GUILENGUE 2023.

²⁰ SABC 2019.

²¹ DU PLESSIS 2019.

²² MASHABA 2020.

We are unable to provide anywhere near adequately what is needed by our own South African citizens. With 39% unemployment, the highest levels of inequality, massive housing backlogs and an inability of government to meet the rising needs of healthcare and infrastructure, can we really afford to be helping so many people from other countries?”

After the 2021 municipal election, the first in which Mashaba’s ActionSA participated, the party boasted with a massive 16,05% of the votes in Johannesburg, and more than 8% in Pretoria, the country’s capital. While Mashaba’s manifesto is generally focused on good service delivery and fighting corruption, his stance on national borders is very clear, and has obviously served his party well.

A more radical anti-immigrant movement, Operation Dudula, was founded in 2021 – Dudula meaning “to force out” in the Zulu language. While mostly politically insignificant, Operation Dudula has become internationally renowned for their stance on immigration. This party has been referred to as Xenophobic in international media,²³ and have hosted marches that target businesses renowned for hiring illegal immigrants.

An interesting development in recent years has been the EFF’s often confusing comments on illegal immigration. While fiercely Pan-Africanist, as stated above, Malema and his party have obviously realised that a borderless Africa is not as popular with the electorate as it is with party ideologues, and in January of 2022 Malema himself started questioning the ratio of foreign nationals in the hospitality industry²⁴ – a move noted by many as an abandonment of his previous position, and an effort to score election points.

An election issue

Despite the historic ideological calls for “one Africa”, it seems clear that a stronger stance on immigration, and especially on illegal immigration, is where there is political potential at the moment. This fact has not been missed by the ANC.

²³ MYENI 2022.

²⁴ GUERANDI 2022.

What the ANC are planning to do

After its 2022 55th National Conference, the ANC published eleven different resolution documents. In the resolution document on peace and stability, among a whole host of other resolutions, the ANC noted:²⁵

9.1.1. Since 1994, the ANC branches have not had a focused opportunity to reflect and discuss migration policy framework to meet modern society challenges. The ANC need to develop a new policy framework to meet modern society challenges. The ANC must ensure that the movement develops a new policy framework on migration, which must combat all manifestations of xenophobia and respects a united Africa.

9.1.5. Demographic and migration trends in Southern Africa point to situations where there will be marked increases of migration into South Africa in the near future and the long term.

9.2.1. The latest crime statistics indicate that domestic and transnational crime are on an increase. Our uncontrolled migration and social change have also contributed to the proliferation of international criminal syndicates. The illicit mining activities is the case in point.

These conclusions, selected for relevance from a vast array, then lead to, among others, these resolutions:

9.1.15 Government should increase the Home Affairs Inspectorate officials in order to address issues of illegal migration across various parts of the country.

9.1.16 There is a need to invest in technology in order to ensure the effective implement border management responsibilities.

Upon reading these astute resolutions, one can be forgiven for being dumbfounded. For the same party that effectively sat and watched as millions crossed its borders to make such astute resolutions, the political winds must certainly blow hard. Even if it was accepted that the reaction, or at least the lack of a reaction, to the Zimbabwean influx in 2008 was not driven by ideology so much as it was driven by loyalty to Robert Mugabe, who is viewed to this day as a brother in arms by the ANC, this does not sufficiently explain the inherent schizophrenia in the ANC's current approach to border control. Accepting that there is a bona fide desire to fight crime in South Africa, it is still clear for all to see that border security only became such a great priority for the ANC after it was pushed by opposition parties.

²⁵ ANC 2023.

The new Border Management Authority

On the 5th of October 2023, the speech with which this essay opened was delivered by President Ramaphosa.²⁶ During this speech, he was blatantly honest about the mistakes that his own party had made, stating:

One of these challenges is the increase in the number of undocumented foreign nationals entering our country. This has exacerbated many of the country's social and economic problems. The movement of persons and goods at ports of entry has often not been as efficient as it should be, resulting in unnecessary delays and increased costs for individuals and companies. This in turn is harming our economy. Deficiencies in border management have also enabled corruption and organised and cross-border crime to thrive.

While it is laudable that Ramaphosa recognises the previous errors of his own party and his comrades, a thorough reading of his speech, might sound all too familiar to the trained ear.

At one point during his speech, Ramaphosa states:

The Border Management Authority will provide a sustainable solution to the structural challenges of border security, control and coordination. It will be a new model of integration of functions, roles and responsibilities in the broader law enforcement environment.

The use of the word “security” is misleading if one considers these words a mere paragraph later:

While the border guard will be conducting border law enforcement functions, including access control, the South African National Defence Force remains responsible for border protection and safeguarding. The border guard will interface with the nearest police station with regards to the occurrence of a crime at a port of entry.

No one will argue that trafficking of contraband and illegal immigrants often happens at official “ports of entry” all over the world, but the nature of illegal immigration into South Africa is by means of crossing the massive porous land border. A documentary film “Open Borders” made by the human rights organisation AfriForum in 2023²⁷ tracks how illegal immigrants from Zimbabwe

²⁶ RAMAPHOSA 2023.

²⁷ AFRIFORUM 2023.

not only know the routes into South Africa and often cross it daily, but get Zimbabwean law enforcement to help. A renewed focus on ports of entry might be laudable, but it amounts to treating a heart-condition with a leg brace.

Reflecting

That the ANC has failed to maintain the integrity of its national borders over the last three decades is not really up for debate. Anyone with access to YouTube can watch videos of illegal immigrants crossing in through South Africa's northern border without so much as a bump in the road. What is up for debate, however, is why, in the last couple of years, it suddenly decided to make border control as much of a priority as it has seemingly become.

One reason might be that the trafficking of contraband into South Africa has finally made them sit up and take notice. Another might be that the world record unemployment, often worsened by cheaper, hassle-free illegal labour, finally pushed them into action. The third, and most probable answer, is that the party's prioritising of borders does not stem from a grand vision for South Africa or the prosperity of the people, but from political ambition and fear of coming elections. On the 16th of November 2023 a leading South African media outlet published a story under the telling title "Is South Africa heading for an immigration election",²⁸ asking a question on the lips of many South Africans. Of course it is not advocated that refugees should be ignored, but in its blind loyalty to Robert Mugabe meant that the ANC did not intervene when it might have prevented the ruin of the Zimbabwean economy. Furthermore, it did not react to the influx of Zimbabwean nationals in a timely and intelligent manner.

Winston Churchill, after the Battle of Britain in 1940, famously said: "Never in the field of human conflict was so much owed by so many to so few". With regards to the bruised and bloodied ANC voters, I would posit an adaptation: "Never in the history of empty political promises were so many made so quickly by so few." The ANC voter, which at one point surpassed 70% of South Africa's electorate, was promised a job, a house, and above all, a safe environment in which he or she could prosper. The reality has been increased poverty, increased criminality and increased corruption, mixed into a dish of decreased public transport and even decreasing public access to medical services.

²⁸ MARRIAN 2023.

The ANC knows that border control is a key issue for many voters, and that the creation of the Border Management Authority, despite its shortcomings, might win them some points in the short term, and might keep them in government for a little while longer. Even if they should succeed in maintaining power, the neutral observer will most probably conclude that the ANC's current vigour for border control is little more than words and ceremonies. Cross-border crime syndicates have grown strong and have entrenched themselves in societies all across the country, and the trauma left by xenophobic attacks will leave a rift between societies that might take decades to be resolved.

Finally, the newly minted Border Management Authority is not the "single, integrated" authority that the President of the Republic had promised, as its powers remain limited, and as it remains dependent on the South African National Defence Force to guard the borders, thus never coming to power in the area where South Africa needs it most. In short, the new Border Management Authority might very well be too little too late.

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Book recommendation by Omar Sayfo

Jake Bittle: *The Great Displacement: Climate Change and the Next American Migration*. Simon & Schuster, 2023

The term “climate migration” seeks to elucidate the reasons behind individuals relocating from one place to another. It ascribes a primary motivation to movements that can be undertaken either willingly or unwillingly, temporarily, or permanently. Nevertheless, even when the primary reason for migration is clear, numerous additional elements affect the timing, destination, and manner in which an individual responds to a disaster by moving. Such complexity is mirrored in the concept of “displacement”: the migratory changes brought about by climate change are as turbulent and unpredictable as the weather events that instigate them.

Jake Bittle’s “*The Great Displacement: Climate Change and the Next American Migration*” is a bold and ambitious journalistic account that offers a comprehensive picture of the profound transformations climate change is causing in American society. Unlike academic volumes on migration forced by climate change, Bittle’s book provides a human-centered narrative with an American focus. Among many others, we accompany Patrick Garvey and Jen DeMaria as they gaze into the eye of a hurricane ravaging their Florida Keys community. Through their perspective, we witness the unimaginable devastation, with sailboats overturned, trees uprooted, and streets rendered unrecognizable. We join the Tran family in their car as they speed through the streets of their California neighborhood, fleeing an approaching wildfire. The following day, we scroll on Google Maps to locate the scorched, vacant lot that once held their home.

The title of the book is a reference to the Great Migration, a movement whereby approximately six million Black Americans left the South to evade Jim Crow laws and seek economic prospects in cities such as Chicago, Los Angeles, and New York from the early 20th century to the mid-20th century. However, the forthcoming displacement forecasted by the author for the 21st century is poised to surpass this historical migration, giving rise to what he characterizes as a “generation of domestic climate migrants”. Climate change is expected to force the relocation of a minimum of 20 million Americans by the end of this century. The book sensitively narrates the experiences of those who have already suffered such trauma, all the while illustrating the profound impact climate change is poised to have

on American lives. This impact includes the obliteration of longstanding towns and villages, the migration of people towards new regions, and the fundamental reshaping of the geographical landscape in the United States. What makes “The Great Displacement” outstanding is its ability to go beyond the overwhelming and ungraspable statistics, and this is largely attributed to Jake Bittle’s unwavering investigative work. Through the narratives he has gathered, we gain insight into human nature in its unfiltered and fundamental form. In-depth interviews were conducted with individuals, breathing life into the human dimensions of climate change, offering a vivid portrayal of the trials faced by those forced to abandon their homes. The book encompasses accounts of Americans displaced due to wildfires in California; drought in Arizona; rising sea levels in Norfolk, Virginia, and southern Louisiana; as well as storms such as Hurricane Harvey in Houston, Hurricane Irma in the Florida Keys, and Hurricanes Fran and Floyd in North Carolina. Regrettably, it is often the economically disadvantaged and marginalized who bear the brunt of these impacts, while the affluent and privileged tend to receive the most substantial support from the disaster relief system. Bittle advocates government intervention, arguing for the implementation of policies to tackle the scarcity of affordable housing, ensuring that housing accessibility is a reality for everyone both before and after disasters occur.

While the portraits may become somewhat overwhelming, there is a clear rationale behind this approach. Bittle’s strength as a journalist lies in his ability to construct human-centered profiles of his subjects by meticulously collecting and presenting intimate details within just a page or two. Additionally, he adeptly formulates compelling narratives about the catastrophes that have dramatically altered the lives of his sources.

“The Great Displacement” is a timely contribution shedding light on the climate-change-driven mass migration that is already in motion, and of its strong potential to bring societal upheaval. It serves as a reminder that Americans and non-Americans alike bear a direct responsibility to take action in order to mitigate the most dire consequences of this crisis. Bittle’s concluding recommendations encompass a call for the reduction of climate-altering emissions, an escalation in investment in post-disaster assistance and climate adaptation strategies, a reform of the National Flood Insurance Program and the private fire insurance sector, an expansion of opportunities for international climate migrants to enter the United States, and a resolution to the shortage of affordable housing by ensuring housing accessibility for everyone, both before and after disasters.

The book offers a riveting examination of the evolving landscape of America, highlighting the ongoing and forthcoming transformations as climate change inflicts upheaval on the nation and its residents. While Bittle concludes the book on an optimistic note, he remains mindful of the considerable impact that has already been inflicted: “When a community disappears, so does a map that orients us in the world.”

Book recommendation by Klaudia Tóth

Ingrid Boas: *Climate Migration and Security: Securitisation as a Strategy in Climate Change Politics*. Routledge, 2017

In a world grappling with the urgent challenges of climate change, the nexus between climate migration and security has become an increasingly pressing concern. In her thought-provoking book, “Climate Migration and Security: Securitisation as a Strategy in Climate Change Politics”, Ingrid Boas delves deep into the intricate relationship between climate-induced migration and the security discourse surrounding it. Boas’s work offers a comprehensive examination of how governments and international organizations frame climate migration as a security issue and explores the implications of such securitization for those affected by climate-induced displacement.

Boas, a respected scholar in the field of environmental migration and climate change politics, draws upon extensive research and empirical data to present a compelling argument. She skillfully navigates the complex terrain of climate migration, security studies, and political discourse, shedding light on the multifaceted dimensions of this critical issue.

One of the book’s standout features is its meticulous examination of the concept of securitization. Boas provides a clear and concise explanation of securitization theory and its relevance in understanding how climate migration is framed as a security issue. Through detailed case studies and analysis, she elucidates how climate migration is presented as a threat to national and international security and how this framing influences policy decisions and public perception.

Boas argues persuasively that the securitization of climate migration is not merely an academic exercise but has profound real-world implications. By portraying climate-induced migration as a security concern, governments and institutions may justify harsh measures such as border closures, restrictive immigration policies, and the militarization of borders. The consequences of these policies are far-reaching and often detrimental, particularly for vulnerable populations already displaced by climate change.

One of the strengths of Boas’s book is her global perspective. She explores a wide range of case studies from different regions, highlighting the various ways in which

climate migration is securitized. From the Pacific Island nations facing rising sea-levels to African countries grappling with desertification, Boas provides a nuanced understanding of the diverse challenges posed by climate-induced displacement. This global approach underscores the universality of the issue and its relevance to policymakers and scholars worldwide.

Furthermore, Boas delves into the role of international organizations in shaping the discourse on climate migration and security. She examines how organizations like the United Nations and the International Organization for Migration navigate the securitization debate and the implications of their actions. This analysis is particularly insightful for readers interested in the role of global governance in addressing climate-related challenges.

Boas does an exceptional job of balancing theory with real-world examples. Her case studies bring to life the abstract concepts of securitization and climate migration, making the book accessible to both experts and newcomers to the field. Readers will find themselves immersed in the stories of individuals and communities affected by climate change, which humanizes the issue and underscores its urgency.

One of the book's key contributions is its exploration of the ethical dimensions of securitization. Boas provocatively raises questions about the moral implications of framing climate migration as a security threat. She challenges readers to consider whether securitization is a responsible and just response to a humanitarian crisis. This ethical inquiry is a critical aspect of the climate migration debate and adds depth to the book's analysis.

Boas also addresses the role of climate-induced displacement in exacerbating existing conflicts. She examines cases where competition for resources, displacement, and security concerns intertwine, leading to complex and volatile situations. Her insights into these dynamics are crucial for policymakers and analysts seeking to understand the broader implications of climate migration in conflict-prone regions.

While "Climate Migration and Security" is a thorough and insightful book, it is not without its limitations. Some readers may find the theoretical discussions challenging, particularly if they are new to securitization theory or climate politics. However, Boas makes a commendable effort to explain complex concepts in a clear and accessible manner.

In terms of policy recommendations, the book primarily focuses on critiquing existing securitization practices rather than offering concrete solutions. While this is a valid approach, some readers may wish for more guidance on how to navigate the delicate balance between security concerns and humanitarian responses in the face of climate-induced migration.

In conclusion, Ingrid Boas's "Climate Migration and Security" is a timely and indispensable contribution to the literature on climate change, migration, and security. Her rigorous analysis, global perspective, and ethical inquiry make this book a valuable resource for scholars, policymakers, and anyone concerned about the profound implications of climate-induced displacement. Boas challenges us to critically examine the securitization of climate migration and encourages a more compassionate and ethical response to one of the defining challenges of our time. This book is a must-read for anyone seeking a deeper understanding of the intersection between climate change, migration, and security.

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