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Migration and Security:  
A European perspective

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## *Migration and Security: A European perspective*

### *Abstract:*

*Irregular migration, that is the one that takes place outside of legal channels, carries a series of risks that justify approaching it as a matter of security. These risks work on a double level; national security and human security. This essay examines the risks operating on the latter that is those affecting migrants, specifically in relation with the southern border of the EU. The existing model of irregular migration in this area is based on the extraction of profits by facilitators, most of whom belong to Organized Crime. Both the EU and its member countries have recognized the nature of the problem and have put in place measures aimed at increasing border control and pushing barriers further south. However, this has not reduced the demand for the services of facilitators or their turnover. This can be partly explained by the flawed approach of some measures which ignore that migration is a multidimensional phenomenon with a reduced sensibility to the policies of countries of destination. A better understanding of migration would help to come up with a more adequate response, aimed at managing migration rather than trying to stop it. This involves creating legal alternatives to irregular migration, redriving the focus of deterrence measures and providing real incentives so the countries of origin and transit become part of the solution, instead of part of the problem.*

### *Keywords:*

*Irregular migration, national security and human security, States of origin, transit and destination, facilitators, Organized Crime, push factors, channels, deterrence measures, border control, EU territory.*

**\*NOTE:** The ideas contained in the Opinion Documents are the responsibility of their authors, without necessarily reflecting the thinking or the IEEE or the Ministry of Defense

## Introduction

The migration phenomenon, defined as the movement of people between States, has been approached from cultural and socioeconomic perspectives and more recently, as a matter of security.<sup>1</sup> Although the “securitization”<sup>2</sup> of migration has been harshly criticized for stigmatizing migrants, it is self-evident that there are certain risks associated with migration that justify its examination as part of the so-called security studies. Specifically, in relation with irregular migration, that is the one that takes place outside of the legal channels of the States concerned.<sup>3</sup>

Some of these risks have to do with the nature of the social fabric. In historically homogeneous societies experiencing great influxes of migrants, there are sometimes risk perceptions around their integration, their stances regarding the public agenda, cultural erosion, etc.<sup>4</sup> These perceptions revolve around identity questions and are often unsubstantiated but are nonetheless capable of generating a great deal of controversy. Although they do appear in the European political discourse, these risks are not the target of public policies, which tend to focus on a different type of threats that are much more pressing and affect not only countries of destination but countries of origin, transit and migrants themselves.

From the State’s perspective the main risks associated with irregular migration are related with public order and health reasons. For instance, the lack of control over the inflow and outflow of individuals from countries with poor vaccination schemes can lead to the re-emergence of illness that were previously eradicated in countries of origin. In addition, there is a risk regarding the movement of dangerous individuals like those affiliated with Islamic extremism. However, these risks have a minor impact and most authors agree they tend to be overestimated.<sup>5</sup>

From the individual perspective, following the distinction between national security and

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<sup>1</sup> Wohlfeld, *Is Migration A Security Issue*, p. 62-67

<sup>2</sup> The process whose perceptions or risk are created around a certain issue. See Farny, *Implications Of The Securitisation Of Migration*.

<sup>3</sup> *Migration Key Terms*, International Migration Organization (IOM).

<sup>4</sup> Feist, *The Migration-Security Nexus: International Migration And Security Before And After 9/11*. p. 7- 9

<sup>5</sup> Wohlfeld, *Is Migration A Security Issue*, p. 69

human security,<sup>6</sup> there are some much more worrying risks which mainly affect migrants themselves. These immediate risks derive from the existing model of irregular migration, based on the extraction of profits by organized crime acting as a facilitator.

This essay aims to identify the risks faced by migrants when trying to reach EU territory irregularly. More specifically in relation with the southern border of the EU which comprises the Mediterranean basin, including the land border with Turkey and Spanish enclaves in Africa. Throughout this essay the different channels and arrangements for irregular migration will be examined. The goal is to assert the domain of organized crime in this sector and elaborate on the implication that this has for migrant's security. Considering these findings, the policies of the EU and its member states will be analysed to assess their efficiency, when possible, and suggest possible improvements.

## The reality of irregular migration

### ***Channels and methods***

There are three main ways of entering the EU and the Schengen zone irregularly: The first is clandestine access, which requires crossing the borders of the countries of destination without being detected. This is usually done via routes that are difficult to police either by sea (in small boats sailing across the Mediterranean Sea or the Atlantic Ocean) or by land (through Turkey or through the enclaves of Ceuta and Melilla). Although there are alternative routes through the eastern frontier of the EU the number of migrants using them is much lower.<sup>7</sup> Another method of entering takes place through official entry points such as airports or border checkpoints, either by using fake documents or some other type of fraud.<sup>8</sup> A third way consists on procuring oneself a tourist visa for a country in the EU or the Schengen space to stay there permanently. In

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<sup>6</sup> Catia Gregoratti, *Human Security | Political Science*, Encyclopaedia Britannica, 2016:

<https://www.britannica.com/topic/human-security>

<sup>7</sup> According to Frontex data, around 93% of irregular entrances between January and September 2018 took place in the eastern, central and western Mediterranean routes, including land borders. 'Migratory Map', Frontex. Europe. EU, 2018: <https://frontex.europa.eu/along-eu-borders/migratory-map/>.

<sup>8</sup> United Nations Office on Drugs and Crime, *Organized Crime And Irregular Migration From Africa To Europe*.

this case the entering takes place within legal channels and the migrant's situation does not become irregular until they overstay their visas or violate its terms for instance by joining the workforce.

Each option has a higher cost depending on the complexity and the likelihood of success. There are therefore limited options depending on the purchasing power of migrants and their place of origin. For instance, the ways of entry that require a temporary visa are out of reach for most migrants from sub-Saharan Africa for whom it is almost impossible to get such a document.<sup>9</sup> A common trait of all ways of entry is the requirement of cooperation of third parties with the means and the knowledge to overcome the barriers met by migrants. Amongst these barriers are the control measures of States of origin, linguistic barriers, geographical features like the Mediterranean Sea and the Sahara Desert, conflict zones, etc. These obstacles make it nearly impossible to get through autonomously. According to Europol more than 90% of migrants travelling to the EU irregularly purchase the services of facilitators.<sup>10</sup>

These facilitators belong mostly to organized crime. This term comprises everything from criminal networks operating internationally to 'locally-based opportunists' who offer their services independently and with a profit motive.<sup>11</sup> This last characteristic is essential when talking about the participation of organized crime in irregular migration for it distinguishes facilitators acting with humanitarian motives offering eventual or even systematic help to migrants. This includes private citizens, NGO's and else. However, facilitators with humanitarian motives have a minor presence within an area between illegality and legal vacuum so they can hardly offer alternative services to those of the organized crime.

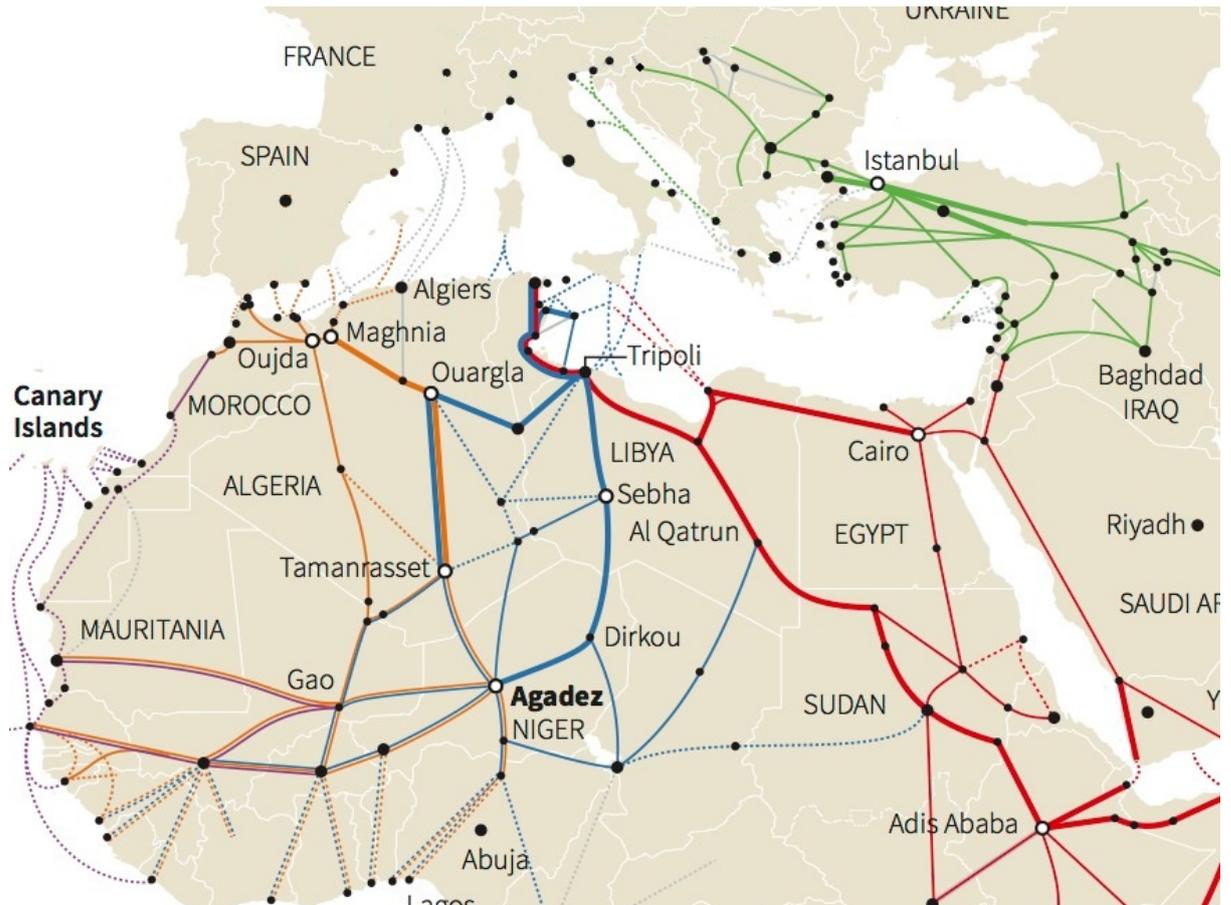
For most irregular migrants the travel takes place along a series of routes that take them from their countries of origin, through countries of transit to the border with the countries of destination where the crossings are attempted.

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<sup>9</sup> *Ibid.*

<sup>10</sup> Joint Europol-Interpol Report, *Migrant Smuggling Networks, Executive Summary*. p. 6.

<sup>11</sup> *Ibid.*



In green: Eastern Mediterranean route.

In blue: Central Mediterranean route.

In orange: Western Mediterranean route.

In red: Eastern Africa-Middle East route.

In purple: Western African route.

As shown in the map, these are established routes that cover long distances connecting countries of origin in Sub-Saharan Africa and the Middle East with the crossing points in Turkey and the North of Africa. Albeit some migrants join at the final stages of the routes, for most of them the travel begins thousands of miles away from crossing points. There are cases of migrants from South Asia, with countries of origin such as India, Bangladesh or Pakistan, who fly to transit countries to join the African routes. As the map shows the routes cross sparsely populated areas, like the Sahel or the Syrian-Arab desert, but converge on an urban nexus. This is due to logistical issues, which discourage the exploration of alternative routes given the difficult terrain and the absence of infrastructure.

The services offered by organized crime include clandestine transport between the different points of the route, along with protection and support during the journey, the forging of documents, border crossings and even facilitation services once in the country of destination (accommodation, employment, etc.).

These services can be purchased in different ways: For migrants in the higher end of the market, some groups offer the so called 'Full Packet Solutions', which include all the services required to reach the country of destination. For example, 12,000 dollars cover a full packet that includes flights and visas from Pakistan to North Africa, land transport to crossing points and up to three attempts to enter Europe by different ways. Some of these packs include documents, either fake or obtained via fraud, to settle in Europe. These solutions represent the highest degree of sophistication from organized crime and are offered by international networks, capable of producing documentation, with access to public servants and to international payment methods.

Another, more common, way of purchasing services requires joining one of the routes contracting with locally based facilitators along the way. This method is even more complex because it requires contacting different facilitators along the route as obstacles present themselves, often amid great uncertainty. These journeys tend to be much longer and many migrants spend long times in transit countries until they meet a facilitator and gather enough money to purchase his services. Sometimes migrants attempt to get past one stage on their own, like when they try to jump over the fence in Ceuta and Melilla. This lowers the overall price of the trip as they do without some of the services offered by facilitators, however there are lower chances of success.

### ***Risks***

All options entail a variety of risks particularly serious for migrants. The first is the risk of scam. As the services of facilitators are only available in the black market, there are little guarantees. Migrants take out these services from a position of helplessness given the scarcity of options and the absolute lack of legal certainty. It is quite common for facilitators to disappear after receiving the first payment or to deliver uncompleted services. Some migrants must pay several times before actually seeing the services materialize and when they do, they often do not meet the conditions agreed.

For facilitators there are no incentives to deliver other than the risk of dissuade future clients, so it is common practice to abandon migrants halfway or before the first eventuality. This risk is particularly serious considering that some services often cost more than the annual average income of the countries of origin. To pay for a single trip, migrants turn to their families, who take on debt and even sell their assets, so a single scam can jeopardize their subsistence.

Similarly, risks as theft and extortion are also very common. Since migrants normally carry cash with them to purchase the services of facilitators, they are also the victims of theft perpetrated by facilitators and third parties including the security forces of countries of transit. It is not uncommon for price to renegotiate in the middle of the journey, for example, in the middle of the desert, where migrants are not in a condition to refuse. Sometimes they are kidnapped and held captive until they manage to put together a rescue.

These are not the only abuses faced by migrants who are also vulnerable to exploitation during the journey or once they reach their destination. Besides forced labour, there are numerous cases of sexual violence, especially against women and children. Many of the groups of organized crime, who offer facilitating services, are also involved in human trafficking. These groups facilitate the trip for migrants with the intention of exploiting them in conditions that are close to slavery, in prostitution networks, begging and unpaid labour.

Another type of risks, linked to legal barriers, arises with the possibility to be intercepted by the authorities. According to Frontex, estimates only in 2017 there were 183,548 denials of entry (crossing attempts that were detected and stopped by the authorities prior to consummation) 204,719 illegal crossings (consummated but detected by the authorities) plus 435,786 people detected when living in Europe illegally. Considering that yearly arrival estimations fluctuate between 500,000 people and slightly more than 1,000,000 since 2015, it seems the chances to settle in Europe irregularly and remain undetected are very low. For migrants who do not qualify for asylum this implies being held, often in countries other than their country of destination, and sometimes, facing deportation. Nonetheless it is much more dangerous to be captured in transit countries outside of the EU, particularly in the North of Africa where human rights violations happen on a daily basis.

Additional risks affect those migrants who attempt border crossings at sea, which are most of them (in 2017 less than 10% of irregular entries to the EU happened by land). Both in the Atlantic Ocean and the Mediterranean Sea, it is very common for boats to be overcrowded and incapable of making the trip without enough fuel, or water and sometimes without even being able to sail in open waters. In the Mediterranean Sea there is a certified 2-4% death rate in crossings between 2016 and 2018; however the real numbers must be much higher given the difficulties to register the wreck of small boats and to retrieve and count bodies. Also, this does not include boats that are forced to turn around and return or those who land in different destinations after being stranded at sea. In the Atlantic Ocean only in the Mauritania-Canary Islands' route, an estimated 40% of vessels do not reach their destination.

The risks faced by migrants result mainly from the modus operandi of organized crime as a facilitator of irregular migration. The current model of irregular migration is based exclusively on the extraction of profit by facilitators. They act without any humanitarian consideration exploiting the helpless situation of migrants. Their role is not to 'channel' migration delivering a service on demand but making the highest profit possible from a tragedy that they actively contribute to, by advertising their services in the countries of origin. Their practices take place in a systematic and organized manner that generates more than 5,000 million dollars annually. In this business model migrants are victims, rather than clients, whose life is put in danger deliberately or because of idleness.

### **The policies of the EU and its member countries**

The EU, its member countries and their partners have taken measures to address irregular migration and interrupt the business model of organized crime. At the legislative level, all member States punish the facilitation of irregular migration, as defined in the 2002/90/EC directive. Also, the different judicial process involved have been harmonized and streamlined after the Decision 2002/946/JHA which has led to a relatively homogenous regime regarding the activities of organized crime as a facilitator.

At the strategic level both the European Security agenda adopted in April 2015 and the EU Action Plan against migrant smuggling (2015-2020) pinpoint a series of practices that are now being implemented by member States in cooperation with EU agencies and third countries. Namely, improving police response in border areas to identify and arrest

smugglers by increasing the number of border police, providing training and financial support. At the operational level, the cooperation between member countries and EU agencies such as Frontex has resulted in joint actions (Operations Triton, Poseidon and EUNAVFOR/Sophia) that have led to the fall of criminal networks either directly, with the arrest of 87 smugglers during EUNAVFOR, or indirectly thanks to the information obtained from rescued migrants. Another measure that has been put in place is the requisition and disposal of vessels used to facilitate irregular migration through the Mediterranean Sea and the identification and surveillance of vessels that might be used for such ends.

Albeit these actions have damaged the business model of facilitators, they have learned to adapt maintaining similar levels of activity. The destruction and surveillance of vessels has led to the proliferation of more precarious, non-registered, single-use rafts. Also, it is now common practice letting migrants commandeer the boat themselves reducing the exposure of facilitators. This has increased the level of risks faced by migrants. Part of the problem is that most facilitators are based in transit countries outside of the EU and often involved with local security forces, which seriously hinders actions against them. Similarly, albeit financial investigations are put in place to confiscate the profits of organized crime and prevent money laundering, their impact has been quite small so far. This is partly due to the existence of irregular payment systems and the lack of cooperation of transit countries in this domain.

In addition, a significant proportion of the measures taken by the EU and its member States have the goal of fighting irregular migration itself rather than its facilitation. These measures are aimed at reducing the porousness of the borders at countries of origin and affect mostly migrants, often without distinguishing between asylum seekers and others. Added to the police measures of member States and EU agencies there are also measures targeting transit countries. Turkey, Libya, Morocco and Tunisia have received funding and resources for border policing. Besides reinforcing their capacities, the EU has also announced the creation of processing centres in Morocco, Algeria, Tunisia, Libya, Egypt and Niger to deal with irregular migrants there, instead of Europe. Ultimately these are measures that push border control further south, outside of the EU.

Although these policies can contribute to a decrease in the number of migrants arriving to Europe irregularly, they do not solve the problem; they 'outsource' its management to

third countries, most of whom offer little guarantees when it comes to human rights. In this respect, albeit measures like this may reduce the risks for the countries of destination, they have a negative impact in migrant's security as they diminish protections. The underlying problem is that migrants continue to be a source of income both for organized crime and transit countries, which have no incentives to solve a situation that benefits them.

There is also a growing tendency to criminalize irregular migration. All EU member States, except Malta and Portugal have sanctions such as fines, or internment for people entering or residing irregularly. Plus deportations. One the points emphasized by the EU Action Plan against migrant smuggling is the need to expel those who have no legal right to stay in the EU and prevent them from coming back. The 2008/115/EC directive establishes action guidelines to speed up expulsions. Additionally, the 2009/52/EC directive forces sanctions upon people who employ irregular migrants, reducing their chances of livelihood.

The justification of these measures is based on their deterring character. It is believed that the best way to diminish the risks associated with irregular migration is preventing others from making the journey. In this respect the first information campaigns have been put in place, targeting the population of the countries of origin to warn them about the dangers of trying to reach Europe irregularly.

Albeit deterrence measures have the advantage of their preventive character, they have a flawed approach for they assume that the decision to emigrate is taken as a result of a cost-benefit analysis and therefore can be altered by a policy that changes the prospects of irregular migration. In fact, irregular migration is a multidimensional phenomenon that responds to different factors at the macro and micro level, beyond the policies of the countries of destination.

Many question the impact of these sorts of deterrence measures, which is very hard to measure. For instance in the case of Spain, the implantation of the Integrated Surveillance System (SIVE) between 2002 and 2008 significantly increased control over maritime borders. Simultaneously there was a decrease in the percentage of Moroccan migrants vis-à-vis their sub-Saharan counterparts. Certain authors saw a link between this decrease and the deterrence that came with the increasing chance of being detected and deported. However, nowadays the proportion of Moroccan migrants, most originating

from the Rif region, is rising again despite the similar levels of policing. This can be interpreted as a sign that irregular migration responds specially to the so called 'push factors' which motivate someone to leave their country of origin (insecurity, lack of opportunities, etc.) and are in some cases insensible to the policies of countries of origin. This is the case of migrants leaving conflict zones but could also apply to many of the so-called 'economic migrants' who actually have multiple complex motivations.

Up until now the efforts to alleviate migratory pressure have managed to divert it rather than reduce it, particularly towards developing countries that now endure the higher migration flows. This suggests the need of a change of approach. In this respect certain authors advocate for managing irregular migration rather than trying to stop it. In order to do that, they propose establishing legal channels with enough capacity to offer an alternative to irregular gateways. These channels already exist but are inaccessible for most migrants and the attempts of the EU to widen them have met with reluctance from many member States. A better understanding of the migration phenomenon may help to overcome such reluctance and provide solutions for those migrants who can hardly be deterred like those fleeing conflict zones.

This does not imply foregoing the legitimate concerns of the EU and its partners. That is, measures of border control and deterrence measures must not disappear but adapt to the reality of irregular migration to become more effective. The existence of legal channels would not only allow for a screening of profiles, diluting some of the risks for destination countries, but it would also legitimize coercive measures for those who turn to irregular migration despite there being alternative channels. In turn this would also speed up coercive measures like expulsion of those who arrived irregularly. This would decrease their cost and increase their deterring impact, focusing only on those migrants who are sensible to the policies of destination countries.

A better understanding of irregular migration should also change the relation with origin and transit countries, who lack incentives to make genuine efforts in this domain, which has become a source of income both from financial help from the EU and profits extracted from migrants. The efforts should be directed to the fight against corruption and against organized crime not so much through financial support but through training information sharing and development of local capacities. The existence of processing bodies in countries of origin and a coordinated expedite policy of returns would alleviate the

pressure in borders like the Mediterranean Sea, which are very difficult to police. The ultimate goal is to destroy the smuggling model of organized crime reducing the demand for its services and disrupting its business structure.

Although some of these measures have already been discussed or even put in place, they have not been implemented coherently and with enough reach. This reveals a lack of understanding around the phenomenon of irregular migration, which may result in inefficient or even counterproductive measures. For instance, the EU emergency trust fund for Africa allocates 3,430 million euros for development aid, as part of the efforts to reduce so called 'push factors'. However, many studies show that as a country develops, emigration increases because there are more people reaching the level of health and education required to emigrate. This is not an argument against foreign aid but it does discourage its use as a tool for reducing migration. A better understanding of the migration phenomenon may help to approach the program with more clarity, avoiding conceptual mistakes like this and formulating better policies.

## Conclusions

Migratory pressure, exceeding legal channels has created a non-regulated sector in which migrants travel clandestinely with the help of facilitators, most of whom are exclusively motivated by profit and have no consideration for migrant's security. The result is an extractive model, dominated by organized crime and tolerated by the authorities of transit countries, by virtue of which migrants are exploited and exposed to a high level of risks.

The EU, one of the main destinations of irregular migration has recognized this problem and taken action to address it. Albeit the EU has succeeded in increasing its control over the southern border through policing and cooperation with transit countries, the underlying problem is still unresolved. Despite deterrence efforts the demand for irregular channels remains high and with it the business model of facilitators, who have adapted to the measures taken against them, diverting their impact towards migrants.

The policy deficits of the EU and its member States derive from its approach which is based on series of assumptions regarding irregular migration that are not always right, for instance regarding the impact of deterrence policies. In fact, the evidence available

on irregular migration suggests it is a complex phenomenon, determined by multiple factors, and which can hardly be stopped through coercive measures.

A different approach, based on a better understanding of this phenomenon would result in measures oriented towards managing irregular migration, replacing the existing model. This involves creating and expanding legal channels, as an alternative to the irregular ones, to manage migration flows. For example, by speeding up asylum procedures and creating temporary work visa schemes based on the needs of the countries of destination. The existence of regular channels would legitimize the criminalization of irregular channels, increasing deterrence. In turn the reduction in the demand for facilitating services that would result from these measures would be complemented with an active persecution of the criminal groups involved through the cooperation with the countries of origin and transit. This would require changes in the relationships with these countries, which should receive incentives to make real progress on migration issues rather than use them as an income source and as an instrument for political pressure.

It is not, therefore, about bypassing national sovereignty by giving up border control, which is a legitimate interest of States, but about better understanding the realities of irregular migration to come up with an adequate response. The implementation of policies with a sounder approach would allow for the optimization of the resources allocated to this domain and the reduction of the risks for countries of origin, transit and destination as well as migrants.

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