### BABEŞ-BOLYAI UNIVERSITY CLUJ-NAPOCA FACULTY OF HISTORY AND PHILOSOPHY

# The Maritime Dimension of Irregular Migration. From Crisis to Solutions

## **Summary**

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#### Introduction

Argumentation and introduction into the topic of the thesis - the phenomenon of irregular maritime migration and the current trends in the international migration;

The research objectives and the motivation for choosing the theme;

The purpose and the hypothesis of the research, the current situation and desiderata;

The research limits;

The methodology of the thesis;

The structure of the thesis;

- -The migration-security binomial in the international relations and the securitization theory;
- The push and pull factors of the migration by sea;
- The smuggling networks factors leading to the sea migration;
- The maritime dimension of the irregular migration;
- Managing the migration in the Mediterranean Sea;
- The Frontex role in managing the irregular migration. The creation of the European Border Coast Agency;
- The EU and UNHCR response to the crisis;
- The solution proposed by Auriol and Mesnard economists;

Conclusions and the usefulness of the research.

#### **Cuprins**

 1
 Introduction
 Error! Bookmark not defined.

 1.1
 Irregular migration phenomenon
 Error! Bookmark not defined.

<u>1.2</u>	Current trends in international migration		. Error! Bookmark not defined.		
<u>1.3</u>	<u>The</u>	maritime dimension of irregular migration	. Error! Bookmark not defined.		
<u>1.4</u>	<u>The</u>	e international maritime legislation	. Error! Bookmark not defined.		
<u>1.5</u>	Res	earch assumptions	. Error! Bookmark not defined.		
<u>1.6</u>	Me	thodology of research	. Error! Bookmark not defined.		
<u>2</u> <u>The</u>	e link	between migration and security	. Error! Bookmark not defined.		
<u>2.1</u>	The	e migration-security binomialin international rela	tionships Error! Bookmark not		
defin	ed.				
<u>2.1</u>	<u>.1</u>	Migration studies	. Error! Bookmark not defined.		
<u>2.1</u>	<u>.2</u>	Reconceptualization of security	. Error! Bookmark not defined.		
<u>2.1</u>	.3	Critical approaches regarding security	. Error! Bookmark not defined.		
2.1	<u>.4</u>	Human security – an approach of security centr	red on individualError! Bookmark		
not defined.					
<u>2.2</u>	Sec	uritization theory	. Error! Bookmark not defined.		
2.2 2.3		uritization theory			
	Mi		. Error! Bookmark not defined.		
2.3	<u>Mi</u>	gration as a security issue	Error! Bookmark not defined. Error! Bookmark not defined.		
2.3 2.3 2.3	Mi;	gration as a security issue  Migration securitization	Error! Bookmark not defined. Error! Bookmark not defined. Error! Bookmark not defined.		
2.3 2.3 2.3 2 Pus	<u>Mi</u> .1 .2 sh and	Migration security issue  Migration securitization  Irregular migration and human security	Error! Bookmark not defined. Error! Bookmark not defined. Error! Bookmark not defined. Error! Bookmark not defined.		
2.3 2.3 2.3 3 Pus	Mig .1 .2 sh and	Migration as a security issue  Migration securitization  Irregular migration and human security  d pull factors of sea migration  ing networks-contributing factor to irregular mar	Error! Bookmark not defined. Error! Bookmark not defined. Error! Bookmark not defined. Error! Bookmark not defined.		
2.3  2.3  2.3  2.3  3 Pus  4 Sm  not defi	Mig	Migration as a security issue  Migration securitization  Irregular migration and human security  d pull factors of sea migration  ing networks-contributing factor to irregular mar	Error! Bookmark not defined. Error! Bookmark not defined. Error! Bookmark not defined. Error! Bookmark not defined.		
2.3  2.3  2.3  2.3  3 Pus  4 Sm  not defi	Minus	Migration security issue  Migration securitization  Irregular migration and human security  d pull factors of sea migration  ing networks-contributing factor to irregular mar	Error! Bookmark not defined. Error! Bookmark not defined. Error! Bookmark not defined. Error! Bookmark not defined. itime migrationError! Bookmark Error! Bookmark not defined.		
2.3  2.3  2.3  2.3  3 Pus  4 Sm  not defi  5 The	Minugglined. The	Migration security issue  Migration securitization  Irregular migration and human security  d pull factors of sea migration  ing networks-contributing factor to irregular mar	Error! Bookmark not defined. Error! Bookmark not defined. Error! Bookmark not defined. Error! Bookmark not defined. itime migrationError! Bookmark Error! Bookmark not defined. Error! Bookmark not defined.		
2.3  2.3  2.3  3 Pus  4 Sm  not defi  5 The  5.1	Minus	Migration security issue  Migration securitization  Irregular migration and human security  d pull factors of sea migration  ing networks-contributing factor to irregular mare  itime dimension of migration  Mediterranean Sea	Error! Bookmark not defined. Error! Bookmark not defined. Error! Bookmark not defined. Error! Bookmark not defined. itime migrationError! Bookmark Error! Bookmark not defined. Error! Bookmark not defined.		
2.3  2.3  2.3  2.3  3 Pus  4 Sm  not defi  5 The  5.1  5.2	Minus	Migration security issue  Migration securitization  Irregular migration and human security  d pull factors of sea migration  ing networks-contributing factor to irregular man  itime dimension of migration  Mediterranean Sea  acterizarea Mediteranei	Error! Bookmark not defined. Error! Bookmark not defined. Error! Bookmark not defined. Error! Bookmark not defined. itime migrationError! Bookmark Error! Bookmark not defined. Error! Bookmark not defined. Error! Bookmark not defined. Error! Bookmark not defined.		

	<u>5.2.3</u>	Migratory system and spaces in the Mediterranean Sea Error! Bookmark not			
defined.					
	<u>5.2.4</u>	Intracontinental migratory spaces	Error! Bookmark not defined.		
<u> </u>	5.3	Migratory flows in the Mediterranean Sea	Error! Bookmark not defined.		
	<u>5.3.1</u>	South-South migration	Error! Bookmark not defined.		
	<u>5.3.2</u>	South-North migration	Error! Bookmark not defined.		
	<u>5.3.3</u>	Migratory routes for mixed irregular migration.	.Error! Bookmark not defined.		
<u>6</u>	Migratio	on management in the Mediterranean Sea	. Error! Bookmark not defined.		
<u>(</u>	<u>5.1 The</u>	e International Cooperation in the Mediterranean	SeaError! Bookmark not defined.		
<u>(</u>	<u>5.2</u> <u>Em</u>	ergency actions	.Error! Bookmark not defined.		
<u>7</u>	The role	e of Frontex.Lights and shadows	.Error! Bookmark not defined.		
2	7.1 <u>EU</u>	's reaction to the crisis	.Error! Bookmark not defined.		
	<u>7.1.1</u>	The external dimension of the reaction-The EU	-Turkey Statement Error!		
	Bookma	ark not defined.			
	<u>7.1.2</u>	The internal and external dimension of the crisi	s-safe countries of origin. Error!		
Bookmark not defined.					
	<u>7.1.3</u>	The external dimension of the answer-the trust	funds Error! Bookmark not		
defined.					
_	7.2 <u>UN</u>	NHCR's answer to sea migration	Error! Bookmark not defined.		
_	7.3 <u>Sol</u>	ution proposed by the economists Auriol and Me	snard Error! Bookmark not		
defined.					
<u>8</u>	Conclus	ions	.Error! Bookmark not defined.		
9	BIBLIOGRAPHY Error! Bookmark not defined.				

#### **SUMMARY**

Keywords: the irregular migration, the maritime dimension, the securitization of migration, the School of Aberystwyth, the Copenhagen School, Paris School, push and pull factors of the maritime migration, migratory flows, Mediterranean Sea, the migration's management, the role of Frontex and of the European Agency for the Border Police and the Coast Guard, the response of the EU and UNHCR to the crisis, solutions to the irregular maritime migration crisis.

Throughout history, the migratory movements have had a positive influence upon the development of the society, contributing to the economic growth, enabling hundreds of millions of people, to follow their life path and to grow and be protected against persecutions. There is still a phenomenon of critical concern, regarding these migratory flows, which included the European Union, in the last period of time. We are in a time when we are under pressure to respond to the irregular migration phenomenon, in terms of human, financial, diplomatic, technological, operational point of view etc.

In order to achieve that, it is important for us to analyze the irregular migration flows, in a broader context, of other transnational phenomena, and of other global forces, which are the actors that change and increase the migratory flows. Understanding better the irregular migration process, we can anticipate the consequences of certain policies and draw up efficient multidimensional responses, which can improve the situation of migrants, of the borders' management and we will be able to assist the countries which host a large number of migrants, which need protection and we can provide opportunities, in key locations.

<sup>1</sup>The first chapter highlights the current trends in the international migration. Thus, in 2018, almost every country in the world has been affected by the migration phenomenon, either as a country of origin, transit or destination. Castles and Miller in their book *The Age of Migration*, revised in 2014, together with De Haas, identified a set of international trends, regarding the international migration. Based on this study and taking into account the latest

<sup>&</sup>lt;sup>1</sup> S.Castles; H. De Haas; M.J. Miller, The Age of Migration. International Population Movements in the Modern World (the fifth edition), New York, Palgrave Macmillan, 2014, p.6

results of the United Nations' Report upon the Migration (2016), we followed the most important trends, in today's international migration, as follows:

- 1. The migration's globalization- a larger number of countries are increasingly affected, by different migratory flows, at the same time;
- 2. The migration's acceleration –in the last decades, there has been a rapid growth in the international migration;
- 3. The increased importance of the South-South migrations the South-South migrations' increment is evident, these being now as ordinary as the South-North flows;
- 4. The concentration of the migrants in some countries- 67% of the overall international migrants who live in only 20 countries, although many countries are affected by migration, in one way or another;
- 5. The differentiation of the migration- many countries have more than one type of migration, at the same time- the workforce migration, refugees or others;
- 6. The increasing number of refugees, particularly prevalent in the ongoing development areas- in 2014, the refugees represented 8% of the total number of migrants in the world, estimated at 19.5 million;
- 7. The increased politicization of the migration- more and more national policies, national security and the bilateral and regional relations, are affected by the international migration<sup>1</sup>.

De Haas argued that the relationship between development, economic growth and migration, is a fundamental non-linear one, so that, for example, the absence of certain rights and freedoms, is fueling the migrants' aspirations, the same lack of rights and freedoms, might simultaneously decrease the ability of persons to migrate<sup>2</sup>.

The factor that makes today the migratory flows have another dynamic is, among other factors, the explosion of media which makes the potential migrants, refugees or asylum seekers, to have precise information, upon the place they want to be, upon the means of transport, intermediaries, but at the same time, it makes easier the task of smugglers, who might benefit by instant advertising, via the social networks (Facebook, Twitter etc).

Concerning the maritime dimension of the irregular migration, we note the fact that Europe is characterized by an unique maritime geography, having many islands and peninsulas,

<sup>&</sup>lt;sup>2</sup> H. De Haas, "The determinants of International migration: conceptualising policy, origin and destination effects," Working Paper, Oxford, International Migration Institute, 2011, p.19 https://www.imi.ox.ac.uk/publications/wp-32-11, accessed at 18.09.2017

surrounded by several seas. Out of 28 European Union member states, 23 are coastal states and over 200 million people live near the coast, starting from the North-East Atlantic, up to the Baltic Sea, Mediterranean Sea and Black Sea.

These European coastal states are responsible for one coast of more than 90 000 km. in length, the border of two oceans and four seas. The European economy relies heavily on the freight and passengers' maritime flow, the power of the European Union being deeply related to the sea.

The maritime security is therefore one of the most important dimensions of the world's security. The protection of the maritime routes of the world and of the lines of communication is an essential dimension of the EU security.

Compared with the air and land domain, the maritime field has relatively few barriers of access, being exposed to a wide range of threats. We see that all forms of irregular migration involve considerable challenges and difficulties, the land border's crossing involves a lower level of organization and logistical support, compared with the maritime migration. First of all, the maritime migration usually involves groups of people, rather than individuals, and therefore it requires at least a minimum level of organization. Secondly, there is necessary an infrastructure - as a vessel- involving logistics and costs. The land border's crossing, on the other hand, can be done by individuals and it does not require the same level of infrastructure and organizational support.

It is possible that due to the fact that the air migration is more controlled, this would have an impact upon the land and the maritime migration. Undoubtedly, the land and the maritime migration continues to be seen as a viable alternative for migrants, agents and smugglers. Also, as we have shown above, it is possible, since it is necessary a certain level of organization in order to support the maritime migration, it can act as a constrictive factor too, but it may also encourage the expansion of some actors (for example, organizers, traffickers and corrupted officials).

We also note the fact that the maritime borders have certain characteristics- there is not a clear dividing line, they represent a diffuse, vague and difficult area to be managed.

The irregular maritime migration involves a wide scale of international norms and conventions, regarding the human rights, the laws of the seas and oceans, the search and rescue operations and the criminality associated with the migrants smuggling. Given the visibility and

attention granted to the irregular maritime migration, the need to demonstrate the state's control over the maritime boundaries is extremely sensitive. The confusion and the lack of certain agreements, regarding the maritime territorial boundaries and the responsibility of the state, towards the search and rescue operations, are difficult to solve, and this leads to the prevention of the international cooperation, in order to protect the life by sea, from fundamentally humanitarian considerations. The transnational nature of the maritime irregular migration requires the government-government cooperation, multilateral forums, as well as, consultative regional processes- ways to understand and collaborate through the points of convergence and divergence, supporting the bilateral cooperation.

Concerning the objectives and hypotheses of the research, the thesis aims to discover which are the solutions, regarding the maritime dimension of the irregular migration. To this end, we will see which the link between migration and security is, which are the push and pull factors of the sea migration, the way in which this phenomenon is seen, from the illegal business' perspective, which is the institutional response to the sea migration crisis, in order to reach the required solutions.

The used methodology is that of data collection and their analysis and interpretation. The paperwork aims to analyze the theories of the migration, documents regarding the European Union policy, as a response to the irregular maritime migration, documents of the United Nations and of some NGOs, but also relevant media articles. As the number of relevant materials is enormous, I tried to focus on the latest and most relevant documents. These include the documents published by Frontex, research papers regarding the irregular maritime migration, its push and pull factors and NGO's reports, concerning the migrants and their rights.

Since this is a review of the specialty literature, the methodological approach of this thesis is qualitative and interpretative.

The selection of the specialized literature was done systematically, using the following keywords: irregular maritime migration, networks of traffickers and migrants and networks of human traffickers, Frontex, the reaction of the European Union against the irregular migration on the online search channels- Google and Google Scholar and in the library of the European College in Bruges, Belgium.

I have also studied interviews conducted by different authors with various Frontex officials or of other organizations, aiming to learn from the officials of various international organizations the position of the respective organization, in terms of migration by sea, their opinion regarding the legal instruments that apply in certain situations caused by the irregular maritime migration and the measures taken to overcome this crisis. The responses to interviews give us the perspective of different organizations, dealing with migration, providing an overview upon what the migration is and how it functions.

The information regarding the irregular migration in the European Union, either on land, by sea or by air, were collected by Frontex.

Regarding the limits of the research, throughout this paperwork, the very term of immigrant, collocates serious difficulties. Firstly, the concept of immigration differs from country to country, with some frequency, the concept being identified with the contrary image of the "good citizen". From this image, built by the *managers of unease*, the idea of the immigrant as a threat is born.

Trying to define the concept of immigrant, we find out that the national definitions of the immigrant differ from the international definition proposed by the United Nations, which we will adopt, throughout this paperwork: "international migrant (...) as any person who changes his or her country of usual residence (...). Temporary travel abroad for purposes of recreation, holiday, business, medical treatment or religious pilgrimage, does not entail a change in the country of usual residence."

This concept involves a transnational movement, in which there is recorded the passage of an international border.

The term "irregular" although conceptually problematic, is preferable to the commonly used term (which is used in the European legislation and in its political documents) - "illegal". The main criticisms brought to the illegal term are (a) the concept itself, which has a negative connotation, by the association with criminality, as an irregular immigrant, is not necessarily a criminal (b), someone's definition as "illegal", might deny the humanity of the person itself (c), the inclusion of the asylum seekers and of the refugees in this category, may put at risk its process of asylum or refuge.

It is also important for us to distinguish between refugees and asylum seekers, who are covered by the 1951 Geneva Convention. The respective Protocol, which defines the conditions

to be considered for a refugee. In this case, we adopt the general concept of the ILO, regarding refugees and asylum seekers: "Persons seeking to be admitted into a country as refugees and awaiting decision on their application for refugee status, under relevant international and national instruments. In case of negative decision, they must leave the country and may be expelled, as may any alien in irregular situation, unless permission to stay is provided on humanitarian or other related grounds."

The data provided by Frontex consider the immigrants detected illegally crossing a border, which may mean one or more attempts of entry of the same person. On the other hand, those who have not been detected, but who have entered, have not been counted. The official statistics record the success in detection and control. Therefore, the entries' detections reflect the intensity of the migration control operations at the border, and the management strategies' efficiency of the border. Even if it is a problematic indicator, it is the only one, which provides us the assessment in a certain measure of the flows' intensity, as well as, the efficiency of the means, adopted for the border management.

Another limitation of this study would be the fact that I analyzed in this case, the years 2010-2017, the latest data, not being yet available, on the date of the thesis' submission.

The second chapter analyzes mainly the connection between migration and security. Into a post-homogenous world, the focus is on the transnational threats, such as terrorism, drugs' and migrants' trafficking and people's trafficking, among others. The greater the number of vulnerabilities is, the greater is the feeling of insecurity. Therefore, the security has become an imperative, today.

The reconsideration of the security requires the recognition of the presence of foreigners, of others as part of the modern societies and the migration involves various challenges, such as those related to the integration of the migrants' communities.

Concerning the migration-security binomial in the international relations, Papademetriou shows that "the international migration system unifies the countries of origin, destination and transit, by a set of more and more complex connections"<sup>3</sup>. Therefore, the international migration is a rather complex phenomenon, involving an individual and a group, countries of origin, transit and destination, in a complexity of interactions, as different dimensions of analysis (economic, political, social and cultural, inter alia).

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<sup>&</sup>lt;sup>3</sup> Ibidem p xvii

Thus, the studies on migration include two research areas: "(...) the first one of the determinants, processes and patterns of migration and the second one, of the research upon the ways in which the migrants are incorporated into receiving counties".<sup>4</sup>

According to Castles and Miller, the essence of the migration systems' approach is "that any migration movement must be seen as the result of the macro- and micro-structures' interaction. The macro-structures refer to large-scale institutional factors, while the micro-structures include the networks, the practices and the beliefs of the migrants themselves".<sup>5</sup>

Zolberg<sup>6</sup> and Weiner<sup>7</sup>have emphasized the interaction between the migratory movements and the international relations. The analysis of the international migration, in terms of international relations, provides a new focus on the political, international and transnational dimension of this phenomenon. Brandao shows which are the two approaches in the migration studies, in the international relations: a state-centered approach (the state's impact upon the migration phenomenon) and a transnational approach (the impact of the transnational movements, into a constellation organized by the states).<sup>8</sup>

The definition of security in the international relations is a controversial issue.

Walt argues that the security studies, and by extension, the security itself, represents "the study of threat, use and control of the military forces". Barry Buzan supports the idea that "in case of security, the discussion is about seeking freedom against threat. When this discussion takes place in the context of the international system, the security is connected to the ability of the states and societies to maintain their independent identity and functional integrity." <sup>10</sup>

Thus, the security is seen as being the ability of the states and societies to preserve their own independence and integrity.

Charillon believes that the Europeans reinvented the concept of security and that it was extended to inter-regional partners, including diverse dimensions, such as migration's control, the military, cultural and trade cooperation, among others. However, there is a variety of theories

<sup>6</sup> A.R.Zolberg, "The Next Waves: Migration Theory for a Changing World", International Migration Review, 23,1989, p. 429

<sup>&</sup>lt;sup>4</sup> S.Castles; M.J.Miller, op.cit, p. 20

<sup>&</sup>lt;sup>5</sup> Ibidem, p 28

<sup>&</sup>lt;sup>7</sup> M.Weiner," Security, stability, and International Migration"in International Security,17, 1992, p. 125

<sup>&</sup>lt;sup>8</sup> A.P.Brandao, op cit, p.135

<sup>&</sup>lt;sup>9</sup> S.M. Walt,"The Renaissance of Security Studies" în International Studies Quaterly , 35, 1991, p. 213-214

<sup>&</sup>lt;sup>10</sup> B.Buzan, People, states and fear: An agenda for international security studies in the post-cold war era (the second edition), New York, London, Harvester Wheatsheaf, 2011, p.18-19.

and definitions, with different priorities and sensitivities, which can be translated into divergent agendas.<sup>11</sup>

Rodrigues says: "the safety concept includes spaces, actors and institutions, with varying levels of autonomy and power. They maintain relations, which are not always easy to maintain, with the state, despite recognizing the jurisdiction of the security forces to ensure the civil society's needs and to protect it from internal and external crime and disorder ".<sup>12</sup> Ayoob challenges this statement, what they call " non-discriminatory expansion", which "makes the concept so elastic, that it becomes a useless tool of analysis."<sup>13</sup>

Despite the lack of consensus, regarding the definition of security, within this reconceptualization of the security, we can conceive the migration as a (potential) threat against security. Moving from the state-centered approach of the security, we have new units of analysis of the society or even of the individual.

In the center of the security issues, there is the freedom-security dialectic. Jeff Huysmans believes that "too much freedom leads to increased insecurity, while too much security reduces the freedom". 14

In order to maintain the peace and freedom, the security measures should be strengthened. Concepts such as security, freedom and justice are more and more thought, focusing on the citizen, within a frame of advanced security.<sup>15</sup>

The critical approaches regarding security and security studies, emerged in the late 1980s and were developed after the Cold War. In Europe, these approaches are associated with three schools: The School of Aberystwyth, The Copenhagen School and the School of Paris.

The first two appeared first of all and they have deep roots in the political theory, as well as, in the debates in the international relations and their repositioning in relation to the researches on peace and strategic studies.

<sup>12</sup> T. Rodrigues, Dinamicas migratorias e riscos de seguranca em Portugal Lisboa: Instituto de Defesa Nacional, P119-120, <a href="http://www.idn.gov.pt/publicacoes/cadernos/idncaderno-2.pdf">http://www.idn.gov.pt/publicacoes/cadernos/idncaderno-2.pdf</a>

 $<sup>^{11}</sup>$  F. Charillon , "O Significado da Seguranca na Europa: A UE da PESC ao Colapso da Politica Externa", in Nacao e Defesa the second series, 2001, p.105,

http://comum.rcaap.pt/bitstream/123456789/1427/1/NeD099\_FredericCharillon.pdf

<sup>&</sup>lt;sup>13</sup> M. Ayoob."Defining Security: A Subaltern Realist Perspective" în K.Krause; M.C. Williams(editori) Critcal Security Studies: Concepts and Cases, London, UCL Press Limited, 1997, p. 121

<sup>&</sup>lt;sup>14</sup> 14 J. Huysmans, The Politics of insecurity: Fear, migration and asylum in the EU. The New International Relations Series, Oxon, New York, Routledge, 2006, p.17

<sup>&</sup>lt;sup>15</sup> T. Rodrigues, Dinamicas migratorias e riscos de seguranca: A velha Europa.Relacoes Internacionais, p.114 http://scielo.oces.metes.pt/pdf/ri/n26/n26a10.pdf

The School of Paris has a different tradition, because it is rooted not in the international relations, but in the political theory and the sociology of migration in Europe.

These distinctions are perceived in the way of focusing of each school. In this sense, both Aberystwyth and Copenhagen focus on the international security and the School of Paris on the internal one. Although we will focus on these research groups, particularly on the School in Copenhagen and Paris, the research studies of the European security cannot be reduced to these three research groups. Alternative schools, with different approaches, with different focus (such as the feminism and the radical post-modernism) have emerged.

Each issue which is treated at a high level, often at a state level, is considered politicization. When that topic is regarded as urgent, it leads to securitization. The securitization, more than an extreme version of the politicization, goes more deeply than this one, once a special treatment is given to the topic. Thus, we can talk about securitization only when there is an existential, justified threat, which recognizes the violation of the rules, in order to perform emergency actions. 16

Thus, according to Weaver, the main elements of securitization are:

- the reference object- the thing that is threatened;
- the securitized actor: the one who argues that the reference object is threatened;
- the public- who must be convinced about the securitization movement;
- functional actors- actors which influence the dynamics of the sector. <sup>17</sup>

When is the migration a threat in regard to the security and stability? Bearing in mind the difference between the real and existential threats, we summarized the category of the situations in which the migrants (including the refugees), can be perceived as a threat:

- (1) As a threat to the relationship between the country of origin and of destination (particularly when they oppose to the regime in the country of origin;
  - (2) As a political threat or security risk of the destination country;
  - (3) As a threat to culture / dominant identity;
  - (4) As a social and economic problem for the host country;
  - (5) As tools of threat against the country of origin;
  - (6) As a threat to human security.

Buzan, B.et al., op.cit., p.24-25
 O.Weaver, "Securitisation: Taking stock of a research programme" in Security Studies, 2003, p.11-12

Nichiporuk believes that the migrants could burden the national infrastructures of the host state and the significant inflows of refugees or migrants could quickly change the ethnic composition of the affected area.<sup>18</sup>

Weinar and Russel see the migrants as opponents of the regime in the country of origin, as potential risk for the host country, as a threat to the cultural identity, as a social and economic burden.<sup>19</sup>

Guild sees the migration as a threat to the social cohesion and to the right of the communities to determine the membership, the forced migration as a threat to human security, the illegal migration perceived as a threat to the security of the host country, the economic migrants as a threat to the labor market and to the systems of welfare, the illegal and forced migration, as a threat to the human security of the migrants.<sup>20</sup>

Kicinger states that the social stability could be in a risky situation, when the influx of migrants is combined with the increment of xenophobia and the lack of integration. The international migration can affect the population safety (high rates of migration can deepen the process of decrease and ageing of the population, especially in the countries of the Central and Eastern Europe), the international migration can be a risk to the cultural identity, the international migration can be a threat to the social security system and to the social welfare systems' philosophy, the international migration can be a threat to the internal security.<sup>21</sup>

Regarding the irregular migration and the human security, the way Duvell highlights "(...) the irregular migration is not a social independent phenomenon, but it exists, in relation to the state policies and it is a social, political and legal construction. In this regard, there are two ways toward irregularity: by the illegal and clandestine entry or by the legal entry and the subsequent overpass of the period of residence".<sup>22</sup>

The irregular migrations are often associated with human trafficking. We must distinguish between human trafficking and smuggling, two similar concepts, often used indiscriminately, but representing different realities. The United Nations Protocol for the

<sup>&</sup>lt;sup>18</sup> B.Nichiporuk, The security Dinamics of Demographic Factors, Washington, DCRand, 2004

<sup>&</sup>lt;sup>19</sup> M. Weiner,S. Russell, Demography and national security, New York, Oxford, Berghahn Books, 2001

<sup>&</sup>lt;sup>20</sup> E.Guild, Security and Migration in the 21st Century, Cambridge and Malden, Polity Press, 2009

<sup>&</sup>lt;sup>21</sup> A.Kicinger, "International Migration as a non-traditional Security Threat and the EU Responses to this Phenomenon", CEFMR Working Papers, 2004, http://cefmr.pan.pl/docs/cefmr\_wp\_2004-02.pdf, accessed on 12/092017

<sup>&</sup>lt;sup>22</sup> F.Duvell, "Paths into Irregularity: The Legal and Political Construction of Irregular Migration" European Journal of Migration and Law, 13, 2011, p. 276

prevention, prohibition and punishment of the human trafficking (The United Nations, 2000, art. 30) defines the migrants smuggling as "the mediation in order to obtain direct or indirect financial benefits, from the illegal entry of a person in the state, of which the person is not part as nationality, nor as permanent resident."<sup>23</sup>

The irregular migrants often fall into the hands of trafficking networks, due to their vulnerability. Their desire to survive and to reach safe places may lead them to use traffic, thus engaging in "crimes of survival" and endangering their own human security. The trafficking victims are often the women and children, who are often exploited (for example, domestic works and the sex industry). They are contemporary slaves of our society. The trafficking exposes migrants to some political, economic and social vulnerabilities. Thus, the irregular migration threatens the migrants' human security, by depriving them of the human rights.<sup>24</sup>

As Koser shows, an immigrant can enter a regular country and can get into a situation of irregularity or vice versa; and the migrants' smuggling can lead to human trafficking.

The third chapter, the push and pull factors of the migration by sea, examines the motivations of the migrants and the conditions of the countries of origin, the means to which they resort to for crossing.

The question we ask ourselves at the beginning of this chapter, is that if these sea crossings are so expensive and dangerous and the possibility of being exploited is so high, why so many migrants take the risk? And what are the other factors that facilitate their movement? The push factors, which determine the refugees and the migrants in the countries of origin toward the Mediterranean routes, include the armed conflicts and the situations of generalized violence, the fear of political or religious persecution, the political instability, human rights violations, chronic poverty, the lack of economic opportunities and the natural disasters or the disasters caused by man. Also, the conditions in the countries where they first applied for asylum, including the lack of legal protection, the lack of economic opportunities and the violence, contribute to the movement of migrants and refugees to Europe.

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<sup>&</sup>lt;sup>23</sup> The United Nations, 2000, art.30a

<sup>&</sup>lt;sup>24</sup> K.Koser," Irregular migration, state security and human security"(RPRT) Policy Analysis and Research Programme of the Global Commission on International Migration, 2005, p.12

The pull factors, besides the fact that they are pushed to leave their countries of origin, the migrants and the refugees are drawn to Europe, due to the increased opportunities to find long-term jobs, opportunities for family reunion or access to education. The refugees who flee from violence, persecution and instability, follow the same routes as the migrants, who seek opportunities of a better life. The opportunity to migrate through trafficking networks have influenced the relationship of the push-pull factors.

The prospects of a better life have attracted many refugees in Europe. The Syrian refugees, for example, varied in number, but they have great expectations for the life in Europe, including the access to language classes, opportunities for employment, medical services, education and training and accommodation, provided by the government. They expect also for governments to protect the human rights and the dignity.

The refugees and the migrants receive most information about Europe, from family and friends, who have already made the trip. The presence of the already existing social networks, can contribute to moving forward, many refugees and migrants, arriving in Europe, in search of family members. The European Union Directive regarding the family reunification for the nationals of the third countries, encourages the migration flows.

The fourth chapter analyzes the networks of smugglers as a favoring factor of the irregular maritime migration. We note the fact that the organization of this crossing, is done by the networks of migrants' traffickers, given that 9 out of 10 refugees who are now in Europe, reached the continent, through these networks. The cost associated to the travel per each refugee varies from two to six thousand Euro, which means a huge profit for terrorist networks. The payment of these initial sums does not guarantee safety in crossing and it is not constituted as a final value, too. The international organizations report that the smugglers require auxiliary payments along the way which, if not performed, lead to violence and abuse upon the migrants, as torture or rape. In addition to this, there were recorded cases in which the migrants were kidnapped or sold as slaves, during crossing.<sup>25</sup>

According to the data provided by Europol, over 40 000 individuals are suspected of being involved in migrants' smuggling<sup>26</sup>, which represents a fulminant figure.

<sup>&</sup>lt;sup>25</sup> A. Drwiega, "Tragedy in the Mediterranean", Armada International, 39(5), 2015, p. 8

The migrants' smuggling occurs when a person facilitates the transportation or the illegal entry of a person in another country, in order to make profit. It's different from human trafficking, but in practice, the two types of traffic are interrelated. Contrary to the human trafficking, the migrants' smuggling does not involve the migrant's coercion, it occurs with the consent of the trafficked person. Once the two sides have concluded their business, their paths diverge.

The migrants' smuggling does not imply a new relationship or the continuation of the relationship, once they reached the destination.

Differently from the migrants' smuggling, the human trafficking is not necessarily transnational and a central element to the definition of the human trafficking is that these acts are committed by fraud, deception and coercion, with the purpose of exploitation. Once they reached the destination, the trafficking involves a new relationship or its continuation. It violates the human rights of the trafficked persons, the right not to be held in slavery or servitude, the right to liberty and the security of person, the right of not being subjected to inhumane and cruel treatment etc.

Sometimes it happens that what began as migrants smuggling, turned into human trafficking. For example, a fee to enter illegally in a country- can once the border was crossed, be turned into a fee which the migrant cannot pay. In order to pay this increased charge and under the threat that he/she will be reported to the authorities, the migrant can get into the situation of forced labor or sexual exploitation, becoming the victim of human trafficking.

Although the migrants' smuggling does not always turn into human trafficking, the underlying factors and which are also favoring factors, intersect themselves, so that the measures to reduce smuggling may be applied to the human trafficking too and vice versa.

We will also examine in this chapter the decisions' making process of the migrant, the perception of the risk and the access to information, the operation method of the smuggling networks and their organizational structure.

The organized crime groups are able to move faster than the law and governments, starting with the simple advantage that they do not need to wait for new policies, legislative changes and budget allocation. The traffickers have adapted their routes and methods, as a response to the European Union border control, a thing which caused longer and potentially more dangerous trips for migrants. In addition to this, the diversification of the routes has led to

an unintentional increase of the area that the EU countries must monitor.<sup>27</sup> The increment of the geographical covered area, attracts more individuals, involved in the trafficking industry.

There are two forms of migrants' smuggling services - the whole package and you pay as you go (full-package and pay-as-you-go).<sup>28</sup>

A better identification of the traffickers can be achieved not only by a more appropriate borders' control and by the international police cooperation, but also by involving the smuggled migrants. In some states, special visas to undocumented migrants, who participate in identifying their smugglers, are granted. Many countries make available temporary permits to those who cooperate in investigations or legal processes. However, those who benefited from the services of a smuggler and have successfully reached the country of destination are not willing to participate in this process.

The fifth chapter refers to the maritime dimension of the migration. The Mediterranean is one of the most dangerous migration corridors in the world's migration system. As pointed out by many authors, the Mediterranean Sea represents an area of division and confluence with a unique geostrategic importance in the international system. The international community pays special attention to the Mediterranean, especially since the outbreak of the Arab Spring, in early 2011, and most recently, with the revival of the Islamic activism, with the creation of the terrorist organization of the self-proclaimed Islamic State, known as Daesh, in Iraq and Syria. The MENA region (The Middle East and the North Africa) has always been characterized by the political instability and insecurity. These events have drawn the attention of the international community in the region and brought a new light to the geopolitical importance of the Mediterranean.

In mid-2018, the Mediterranean is the scene of the political and social convulsions, that destabilize the region and the international order. The security threats in the region are arising from the combination of old and new factors and several diffuse and interdependent risk factors.

Salem identifies four dynamic processes that shape the current strategic landscape in the region:

<sup>&</sup>lt;sup>27</sup> F. Duvell, B. Vollmer- Irregular Migration in and from the Neighborhood of the EU: Facts, laws and policy options, http://www.hwwi.org/typo3\_upload/groups/31/4.Background\_Information/4.6.Link\_library\_InternalDocuments/T ransit\_report\_COMPAS\_Sept09.pdf accessed on 01.12.2017

<sup>&</sup>lt;sup>28</sup> "Can we put an end to human smuggling? "Migration Policy Debates, no. 9, December 2015, p. 6 https://www.oecd.org/migration/Can%20we%20put%20an%20end%20to%20human%20smuggling.pdf accessed 22.12.2017

- 1. The regression of the state's omnipresence, due to a combination of factors, including the failed governance, the popular demands for change and the growing role of the non-state actors
- 2. The competition between the chaos and order factors, both at the internal and regional level, as the people, the ideas and the threats, go across the borders.
- 3. The changes in the regional order, related to the participation in a system, the hierarchy of the power, the role of the external actors, inter alia.
- 4. Deep systemic forces, including the population growth, the urbanization, the education and media penetration.<sup>29</sup>

The Arab uprisings have led to the elimination of certain regimes (such as in Tunisia, Egypt and Libya) and to constitutional changes in other countries (Morocco and Jordan, for example). However, with the possible exception of Tunisia, they have not led to a democratic transition in the region, but rather to a weakening of the state, in some cases.

The Mediterranean migration flows are becoming more and more complex and dynamic.

Thus, in this region, we can identify five routes for the irregular and mixed migration: The West African Route, The Western Mediterranean Route, The Central Mediterranean Route, the East African Route, The Eastern Mediterranean Route.

Further, the chapter reviews the irregular migration's values, by land and by sea, between 2010-2017 years.

In 2017 year, the Member States reported a decrease in the detections of illegal border's crossings, along the external borders of the European Union, with 204.719 detections, recorded this year. This represents a decrease by 60%, compared with the 511.047 detections in 2016 (a decrease of 89%, compared to 1.8 million detections, at the top of the migratory crisis in 2015).

This decrease was particularly associated with a significant decrease of the detections, in the Eastern Mediterranean (and subsequently, on the Western Balkans' route) and on the Central Mediterranean route. The high growth of detections on the Western Mediterranean route, the displacement effects on other routes and the total number of detections, which exceeds any record of the recent history before 2014, all together, indicate the fact that the pressure at the external borders of the European Union, remains high.

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<sup>&</sup>lt;sup>29</sup> A. Salem, "Strategic Shifts in the Mediterranean after the Arab Spring: Drivers and Scenarios for the Region" in IEMed(ed) IEMed Mediterranean Yearbook, Barcelona, 2015, p. 63

The regular passengers' flows, across the external border, will increase significantly in the coming years, due to the increment of the global mobility. The border control authorities will have more responsibilities, as a result of the process of the visas' and local traffic agreements' liberalization, at the border. The borders' management will still be based on risk, in order to ensure the fact that the interventions are focused upon the movements of the individuals, who present a high risk, while the movements of the bona fide passengers are facilitated.

Given the growing level of the modern travel documents' security features, and of the more stringent migration policies, throughout the Member States, the fraudulent use of certain genuine travel documents (which include impersonation and the fraudulently obtained documents), are likely to become the most widely used methods.

Finally, there is a threat of the terrorism, at the basis of some travels and it is possible that the foreign terrorists will use irregular migration routes or facilitating networks.<sup>30</sup>

The sixth chapter, entitled the Migration management in the Mediterranean Sea, notes the fact that the European Union enlargement in 2004 and 2007, and the subsequent reconfiguration of the external borders of the European Union, have led to the creation of a new pillar of the strategy of cooperation, which led to the creation of a new frame, The European Union Neighborhood Policy, launched in 2004, comprising both eastern and southern neighborhoods. One of the strong points of the European Union Neighborhood Policy, is the focus on the harmonization or at least the convergence of the rules and measures of the European Union. It is important to note that, if the European Union policies, regarding the Central and Eastern Europe were focusing on the promotion of the political and economic liberalization, concerning the southern neighbors, it followed the focus put in the Barcelona Process, on the economic reform. However, it did not emphasize the political change of the authoritarian regimes, as it did with the former communist regimes.<sup>31</sup>

Yet, the Arab Spring has created a unique political opportunity, regarding the Mediterranean region and the Euro-Mediterranean relations, because the European Union and most of its states have focused their attention on the development of the region. In March 2011, the European Commission released a communication entitled "A partnership for democracy and

<sup>&</sup>lt;sup>30</sup> Risk Analysis for 2018,

 $https://frontex.europa.eu/assets/Publications/Risk\_Analysis/Risk\_Analysis/Risk\_Analysis_for\_2018.pdf$ 

<sup>&</sup>lt;sup>31</sup> M. Emerson; G. Noutcheva "From Barcelona Process to Neighbourhood Policy", Annuario del Mediterraneo, 2005,p. 93-94

prosperity with the Southern Mediterranean" <sup>32</sup>, which requires a new approach of the region, based on greater differentiation. This led to a review of the European Neighborhood Policy, in the same year, in order to meet the challenges of the political changing landscape in the Mediterranean. With "A new response to a changing neighborhood, a review of the European Neighborhood Policy"<sup>33</sup>, the European Union had as a purpose, the strengthening of the partnerships, with "neighboring countries and societies: the creation and the strengthening of the healthy democracies, the sustainable economic growth and the management of the cross-border links", thus establishing the link between the construction of the democracy and migration. The expectations were that at the same time with us, stable and democratic countries, the migration would be better managed and would decrease". <sup>34</sup> However, the stability in the region, continued to deteriorate, leading to uncontrolled migration flows in the European Union and highlighting the European Union's inability to cope with the migration crisis.

In December 2012, the European Commission published "The support of a closer cooperation and of a regional integration in the Maghreb, Algeria, Libya, Mauritania, Morocco and Tunisia"<sup>35</sup>, having as a purpose, the cooperation between the Maghreb and European Union's countries. It referred to various issues, which could support this cooperation, such as migration and mobility. Considering that the "migration and mobility play a key role in the European Union's relations with the countries of the Maghreb"<sup>36</sup>, the document set out a number of proposals, in order to approach the migration's management in the Mediterranean, such as (1) the support of the legal migration schemes, with the Maghreb countries (2) the promotion of the regional cooperation, in the border's control field, of the surveillance and the fight against the irregular immigration (3), the promotion of the readmission cooperation with the countries of

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<sup>&</sup>lt;sup>32</sup> European Commission, "Joint Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. A Partnership for Democracy and Shared Prosperity with the Southern Mediterranean", Bruxel, 8 March COM, 2011, https://eur-lex.europa.eu/legal-content/en/ALL/?uri=CELEX:52011DC0303 accessed on 12.02.2017

accessed on 12.02.2017

33 European Commission, "Joint Communication by High Representative of the Union for Foreign Affairs and Security Policy and the European Commission. A New Response to a Changing Neighbourhood. A review of European Neighbourhood Policy, 25 May 2011, https://eur-lex.europa.eu/legal-content/en/TXT/?uri=celex:52011DC0303 accessed on 16.03.2017

<sup>&</sup>lt;sup>34</sup> P. Fargues; C.Fandrich "Migration after the Arab Spring "MPC Research Report, 2012, p. 5

<sup>&</sup>lt;sup>35</sup> European Commission, "Joint Communication to the European Parliament, the Council, The European Economic and Social Committee and the Committee of the Regions. Supporting closer cooperation and regional integration in the Maghreb: Algeria, Libya, Mauritania, Morocco and Tunisia, Brussels, 17 December 2012, https://eur-lex.europa.eu/legal-content/ga/TXT/?uri=CELEX:52012JC0036, accessed on 2.05.2017

<sup>36</sup> Ibidem

origin and (4) the assistance of the countries of origin, in matters concerning the asylum and the international protection.

In May 2015, the European Commission has published the European Agenda regarding the Migration, which represents the framework for the EU's response, concerning the crisis. This Agenda was the first concrete action taken at the EU level, in order to address the migratory crisis. This was proposing six immediate actions, in order to assist the concerned states, regarding the migrants' arrival.

- 1. The increment of financing and of the capacities of the sea rescue operations
- 2. The improvement of the collection and distribution of information, upon the criminal networks of migrants' trafficking
- 3. The adoption of an emergency scheme, of resettlement for the refugees and asylum seekers, who were already found in Europe
  - 4. The development of a common approach, regarding the protection and relocation
  - 5. The cooperation with the third countries, in addressing the migration wave
  - 6. The support of the frontline states, in the implementation of a new hotspot approach Besides these, the agenda has also long-term goals, such as:
  - 1. The reduction of motivations for the irregular migration
  - 2. The reform of the policies and border's management systems
  - 3. The adoption of a common asylum policy
  - 4. The implementation of a new policy, regarding the legal migration

The seventh chapter, the Frontex Role. Lights and shadows, highlights the role of Frontex and of the newly created Agency EBCG, in the management of the maritime dimension of the irregular migration.

Frontex is one of the 30 European agencies, specialized in different fields. These agencies have the bases in almost all the European Union states. Frontex was established in 2004, the year in which Poland joined the European Union, as one of the 10 new members. On that date, Poland was not hosting any European agency. Because the Frontex role is that of coordination, the location of its general district is irrelevant, because all its operations take place on the external borders- land, sea and many international airports in Spain, Italy, Greece etc., just to mention a few of them. We also mention that the operations are not the only area of activity of the Agency; it also performs research and development, risk analysis, developing the curriculum

for the border guards, along the EU, and distributing information about the situation at the external borders, between the border authorities in Europe.

The main task of Frontex and of the European Agency, for the Border Police and the Coast Guard, is to support the member states and the Schengen associated states, in the management of the external borders of the European Union and in the fight against the cross-border criminality.

The Agency is a center of excellence for the border control activities, distributing processed information and expertise to all the EU member states, as well as, to the non-EU neighboring states, affected by the migratory tendencies and the cross-border criminality.

Among its many tasks, the agency is coordinating the deployment of the border guards and of the coast guards, together with the ships, aircrafts, patrol cars and other equipment, in the European Union countries, which are facing an exceptional pressure, at the external borders.

Another role of the Agency is to bring to an end those assessments, regarding the capacity and the readiness of each member state and Schengen associated state, to meet the challenges of the external borders, including the migratory pressure.

In practice, these annual assessments allow the agency to create an overview on the European Union, of the means and capabilities of the border control, and thus, to identify potential weaknesses in the countries' ability to cope in the event of increased migratory pressure, at their borders.

The vulnerability assessment is an important part of the mission of the Agency, to manage the migration more effectively, to improve the European Union's internal security and to protect the principle of the freedom of movement of the persons, within the Schengen area.

Frontex has a rapid intervention team, consisting of at least 1500 border guards and other relevant members of the member states, made available to the agency, which will be able to divide them, upon the Border's Rapid Interventions demand, and within the support teams for the migration's management.

Another role of the Agency is to support the cooperation between the authorities, to observe the law, the EU agencies and the customs of the maritime borders. The boats and the aircrafts used in its operations collect and distribute relevant information, for the fisheries' control, the detection of the pollution and the compliance with the maritime legislation.

In the multi-purpose operations, the vessels and the aircrafts, used by EBCG, cooperate with the European Maritime Safety Agency (EMSA), in order to identify the maritime polluted areas and other possible violations of the maritime conventions.

At the same time, the Agency has the role to process the personal data of the persons suspected of involvement in criminal activities, such as migrants' trafficking, terrorism and human trafficking. The officers sent to the field by the agency, can collect and process the personal data of the persons who are irregularly crossing the external border, can record the motor numbers, the identification numbers of the vehicles, the telephone numbers and the identification numbers of the boats, needed to analyze the routes and the methods used for the cross-border criminality.

The main Frontex operations at sea were the Operation Hera I, II and III, the Nautilus Operation, the Poseidon Operation, the Triton Operation, the EUNAVFOR MED Operation, renamed the Sophia operation, the Hermes and Themis operation.

The chapter covers also the creation of the European Agency for the Border Police and the Coast Guard- European Border Coast Agency. Frontex was created in 2004. The Agency's mandate was expanded in 2016, when Frontex became the European Agency for the Border Police and the Coast Guard. This new agency was built on the Frontex foundations, which had coordinated the operational cooperation of the EU member states, for more than a decade. The concept of the European Agency for the Border Police and the Coast Guard comprises the European Agency for the Border Police and the Coast Guard and the national authorities, responsible for the border's management.

What is new at the European Agency for the Border Police and the Coast Guard, is the fact that it will perform the analysis of the vulnerability, it will have a rapid intervention team, a greater role in return. Another novelty is sending liaison officers in the member states - the Agency will send liaison officers, among the member states, which will support the collection of information and will monitor the measures taken by the member states, on its external borders. The liaison officers' report will be a part of the vulnerability assessment.

The Coast Guard function- the Agency supports the cooperation of the authorities for the compliance with the law, of the EU agencies and of the customs at the maritime borders. The vessels and the aircrafts, sent in its operations, gather and distribute relevant information for the fisheries' control, the pollution's detection and the compliance of the maritime regulations.

The operations with a multiple purpose- the Agency will collaborate with the European Agency for the Fisheries' Control and the European Agency for the Maritime Safety, in order to implement the multi-purpose operations. In these operations, there will be sent equipment, for the surveillance of the borders, which can be also used for the monitorization of the fisheries and of the surrounding environment. The Agencies will make available to its services, information, equipment, training.

Operations in non-EU countries- the Agency will have the opportunity to bring to an end operations on the territory of the non-EU states, which are adjacent to at least one participating member state, in case of a migratory pressure at a non-EU border state.

The distribution of processed information, regarding the criminal activities – the Agency distributes processed information, collected at the border, about the persons suspected of involvement in criminal activities, such as migrants 'smuggling, terrorism or human trafficking, national authorities and European agencies.

Security checks (access to the databases) –the border guards and other relevant members of the staff, deployed in the Frontex operations, may be authorized by the country hosting the operation, to consult the European national databases. The access to the Schengen Information System (SIS) and Visa Information System (VIS), as to the database, lost and stolen Documents, will allow them to verify information on the spot and to provide appropriate security checks.

The implementation of the EU framework programs for research and innovation - the Agency will assist the member states and the European Commission, in identifying the key technologies for the border security. It will draw and implement the EU framework programs, for research and innovation activities, in the field of the border security.

The risk analysis regarding the movements of the migrants within the European Union – the Agency prepares general and specific risk analysis, which now will cover the border control, the returns and the irregular secondary movements of the nationals of the third countries, in the European Union.

The training regarding the coast guard's function and the vulnerability assessments- the Agency will provide training, concerning the integrated management of the borders and the coastguard function of the border guards, along the European Union. It will involve experts, who will carry out vulnerability assessments.

The complaints' submission mechanism - any person who has been directly affected by the actions of the staff, involved in an activity of the agency, will have the right to send a written complaint, concerning the possible violation of his/her fundamental rights.

The chapter also examines the EU's and the UNHCR response to the crisis, the measures which were taken in response to the arrival of asylum seekers, at the external borders of the European Union (the introduction of the hotspots), distribution measures of their responsibility (by relocation and resettlement), outsourcing policies (EU-Turkey Agreement), the redefinition of those who need and are entitled to asylum (by introducing new safe countries of origin), the prevention of irregular migration (through border control and measures against migrants' smuggling and human trafficking) and the departure stop of the refugees, in the countries of origin and transit (through the introduction of trust funds).

A special place is destined in this chapter, for the solution, proposed by the economists Auriol and Mesnard. Because the repressive policies are ineffective, in order to remove the traffickers, a natural idea for economists, is to take into account some basic economic factors, such as, the sale of visas, in order to provide the candidates the option of paying a fee, in order to cross the border legally. The idea of visas' sale, in order to regulate the migratory flows, has generated much debate in the press (Becker 2002, 2005, Freeman 2006, Orrenius and Zavodny 2010, Saint Paul 2009 and Simon 1989) and was extensively criticized by economists, such as, Banerjee or Mullainhatan (The Economist, 2010). <sup>37</sup> The opponents of this legalization, argued the fact that the visas' sale could generate a new type of labor relationship, between the indebted migrants and their employers and that the market would not allocate resources efficiently. Those who are pro-legalization of the visas, argues that instead of fueling the mafia by restricting the migration, the governments could raise money by selling the visas. Indeed, a business can be controlled and taxed, only if it is legal. In this way, the government makes a double benefit. First of all, it collects new taxes; secondly, it spends less, because the trafficking networks are weakened by legalizing their business.

Auriol and Mesnard propose the legalization, in order to weaken the migrants' smuggling and the negative effects associated to it. However, the authors show that the sale of visas at the same price or at a higher price than the prices of the traffickers is not enough, in order to

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<sup>&</sup>lt;sup>37</sup> E. Auriol; A Mesnard, "Sale of Visas: A Smuggler"s Final Song?", in VOX,CEPR Policy Portal, 4 June 2012 https://voxeu.org/article/sale-visas-smuggler-s-final-song, accessed on 26.04.2018

eliminate the traffickers, because the traffickers will respond by diminishing the prices they charge, and so, they will achieve a profit. Therefore, the governments could sell the visas at a sufficiently low price, so that the traffickers won't be able to enter the competition.

The conclusions of this thesis show that at the basis of any migration's management strategy, there must be two dimensions: an economic one and a humanitarian one. In this sense, these policies must take into account the number of migrants, a country needs and their profile, as well as, the number of migrants a country can provide shelter for, in case of a humanitarian crisis, based on the risk analysis. In fact, rather than just having a size of halting, these policies should have as purpose, the management of the migratory flows depending on different circumstances. Therefore, those policies should be flexible and should surpass a mathematical approach of the market and the illusion of being able to control the migration, by pure economic need, or even to completely stop the migration. Therefore, we must find a balance between these two dimensions, in order to maintain the welfare of the nationals and of the country's residents, as well as, of the new comers. In this sense, the states should define their main strategic lines that can be adapted to the constant changes of the migratory flows.

The following issues should be considered: the international migratory context, the geopolitical Mediterranean context, the geostrategic national priorities, the framework for the international protection – The asylum is a fundamental right and an international obligation, the creation of a common list of the safe countries of origin will help the member states to process the asylum applications, more quickly and more consistently, as well as, the implementation of some offices, in the countries of origin and transit, within which, the persons concerned, may be able to apply for asylum and / or receive information, related to the migration process.

The demographic challenges- the two reverse demographic trends, between the South and North Mediterranean, highlight the complementarity of the two shores. The demographic high dynamics, as a result of some decades of rapid population growth, oppose to an aging population in Europe, with a high rate of the life length at birth. Therefore, the migration flows, will contribute in the short and medium term, to the population growth in the EU.

In order to promote this future demographic balance, it is necessary to regulate the labor market and to create migratory profiles, in compliance with the market needs and to review the quotas' system.

The EU visa policy- the definition of some common policies of visas facilitates the legal enter in the EU, reinforcing the internal security. In this framework, the EU established reciprocity, regarding the visas, with a set of non-EU countries, excepting its nationals from the visa's mandatory requirement.

An important role is the surveillance of the external borders of the European Union, respectively, of the member countries, that are found in the first line - given their role as protector of the internal security of the European Union. The first-line member states must develop a set of strategies and systems, in order to face the illicit flows and the migratory pressure. In this respect, it is also important to establish and maintain strategic cooperative relations with third countries.

In order to conclude, these seven dimensions, should guide any approach of the migration's management, in the Mediterranean area and beyond.

Further, concerning the irregular migration, two key elements, should be considered. On one hand, the reduction of the motivations for the irregular migration, which can be achieved by adopting and implementing a coherent cooperation framework with the third countries.

This approach must go beyond the economic reasons and must include a joint collaboration, in order to find a balance between saving the lives at sea and securing the external borders of the European Union. A balance hich is difficult to achieve and which requires cooperation and greater solidarity between the member states.

However, a successful management of the migratory flows requires a more effective coordination between the countries, at an international level. In this regard, the international community should strive to give a coordinated response to the humanitarian crisis. The creation of an international regime, which will govern the migration, proposed by many authors, is a utopian one, at least, in the near future. At the UN level, in coordination with UNHCR and IOM, the states must find a common framework, in order to approach the humanitarian crisis, involving all countries. These emergency plans must take into account the different means that each country can offer, in order to develop a plan that can be implemented in such cases. Such a structure should be based on a joint effort, within which, each country would participate, with its own possibilities. Moreover, there must be adopted proactive approaches, in order to identify the threat in the early stages, by developing some early warning mechanisms, thus, avoiding the escalation of the crisis and providing a timely response.

Until now, most of the adopted measures, both at the national level and at the European level, have led to a constant reorientation of the routes. The causes, responsible for these flows, are likely to persist in the near future, so that, the EU must find answers, in order to reduce the number of arrivals of the refugees and migrants, having also in view, the human security of the migrants. In a utopian world, the mobility must be a prerogative of all and there should be no barriers. However, this thing is impossible in the near future. Therefore, the countries need to find a balance, between the economic needs and necessities, security and humanitarian dimension

We conclude that a strategy for preventing the migration showed its inefficiency. On one hand, this strategy had the effect of leading the migrants to approach longer and more dangerous routes. On the other hand, it led to the creation of some buffer states, which later had to manage for themselves, with these unwanted flows of migrants. As we have seen before, the human mobility in the Mediterranean occurred early and it is therefore, an intrinsic characteristic of this region. Considering this thing and given the challenges (political, social, demographic etc.) which this area presents, the European Union and the member states, should recognize this reality and change the focus of their policies. In this respect, the future strategies of the migration's management, must find a balance between stopping the migration, the legal migration and development.

A common strategy at the European level will allow the control of migration, taking into account the needs of different countries, addressing the migratory pressure, on the southern shore. At the same time, we must focus on some development strategies, in order to minimize the effects of migration in the countries of origin and transit and to respond to the root causes. Finally, this thing needs a joint effort, not only from the EU and the member states' behalf, but also from behalf of the countries of origin and transit. In order to conclude, only by different levels of cooperation and by a common approach, the EU and the member states can improve the management of the migrations in the Mediterranean region and can respond to the challenges they put.

The member states cannot manage the migrations alone, therefore, the national interests should be understood as part of a comprehensive European approach, leaving aside the differences between the partners of the Union in the region, in order to find a common and coherent response. And the challenge is of finding a balance between the external border control,

in order to maintain the internal security and the international obligations, towards migrants and refugees. A coordinated management of the migratory flows is of particular interest for each member state, while it reinforces a consistent management of Union's interests.

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