

Clandestine Migration in the Mediterranean in 2006

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The energy, resources and attention devoted to the relatively small number of individuals who attempt to cross the Mediterranean without the correct documentation reached new levels of intensity in 2006. A total of three international conferences on issues of migration and development took place at ministerial level around the Mediterranean and all three devoted very significant attention to clandestine movement (indeed, that was arguably their principle concern). Within the European Union, the Commission had identified Africa-Europe migrations as a priority for the year, which was reflected in regular communications, the Council, under the Austrian and Finnish presidencies, gave very significant weight to issues of migration control in the Mediterranean in conclusions to the major summits and 2006 was the first full year of operation of the European Agency

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for the Management of Operational Cooperation at the External Borders (FRONTEX), which carried out a number of high-profile coordination operations in the Mediterranean and Atlantic. At the national level, Spain completed the largest amnesty for undocumented migrants around the Mediterranean in recent years, regularising almost 600,000 individuals, and France and Italy both announced more modest amnesty programmes. New national immigration legislation was passed in France (and further from the Mediterranean, in the UK) and proposed in Italy.

The very limited empirical evidence that exists on clandestine migration does suggest that the total number of migrants attempting to avoid border control operations in and around the Mediterranean was greater during 2006 than 2005, although the very significant increase in migration to the Canary Islands masked a more widespread fall in apprehensions around the Mediterranean. There was also an apparent fall in clandestine migration across the Mediterranean in 2005, compared to previous years, so, with the exception of the Canary Islands, the image of ever-growing numbers of “illegal migrants” is highly questionable. In contrast to this unprecedented political heat focused on clandestine migration in a very general sense, there was considerably less light shed on individual migration events in 2006 than has been the case in previous years. For example, the removal of hundreds of migrants to the remote desert border between Morocco and Algeria at the end of December did not provoke the degree of international outrage that greeted identical events in 2005.

Considerations of ‘clandestine migration’ refer only to the practice of deliberate avoidance of migration controls. This is typically labelled “illegal migration” in policy and media discussions but illegal migration is a much broader term that also applies to the use of forged documents or overstaying of visas, where individuals pass through legal migration channels. Clandestine migration is distinguished by the avoidance of those channels and it is precisely the need to avoid official migration control that makes clandestine migration such a hazardous activity and increases the vulnerability of clandestine migrants to exploitation and victimisation. This vulnerability has been exacerbated as the methods of migration control across the Mediterranean have extended the reach of control from the traditional points of migration control at ports and airports to the extensive control along entire borders, exemplified by Spain’s *Sistema Integrado de*

Vigilancia Exterior (SIVE) and more recently to large areas beyond European borders, such as those coordinated by FRONTEX. For purposes of migration control the Mediterranean now begins across the Sahel region and control operations are now targeting clandestine migrants in North Africa (Collyer 2006) pushing them back to West Africa, the new site of departures for the Canary Islands during the year. This review begins with a consideration of the significant migration events of 2006 and goes on to examine policy developments and consider the trajectories of international debates during the year. Despite growing evidence of the limited significance of clandestine migration, established policy debates seem likely to lead to the even greater significance being lent to migration in the Mediterranean through 2007.

Clandestine Migration in 2006

The growth of arrivals in the Canary Islands was the main focus of attention during 2006 and reports of boats carrying as many as several hundred individuals from as far south as Senegal and later Gambia appeared regularly, particularly during the summer months. Any figure of the overall number of individuals to have arrived is inevitably extremely politically charged and carries a great deal of uncertainty. Information on the number of people apprehended is the only reliable basis on which to base such estimates. Available data for the four most significant points of arrival in the EU reveals that overall the number of individuals apprehended increased very considerably in 2006. However, the enormous rise in apprehensions in the Canary Islands was sufficient to mask a gradual fall in apprehensions on the Mediterranean routes since 2004 (Table 36; it should be noted that 2006 figures for Malta and Italy cover only the period up to August). These figures offer at least a partial explanation for the continued rise in the political importance of clandestine migration during the year. However, the ways in which these figures have been interpreted is at least as significant as the figures themselves in influencing the political response.

There is no direct relationship between the number of people caught and the number who successfully avoid controls, so the meaning that should be attached to these data is notoriously uncertain. In 2005 the Spanish Ministry of the Interior interpreted the fall in the number of migrants apprehended as an indication of the success of their migration control policies, the

logic presumably being based on the assumption that the efficiency of border control had not declined, so fewer people caught meant that there were fewer people migrating. FRONTEX use a slightly different logic and greet the dramatic rise in the number of apprehensions in 2006 as an indication that their work has been successfully carried out and is vitally important. A substantial increase in the resources devoted to migration control, such as the HERA operations coordinated by FRONTEX around the Canary Islands will likely lead to an increase in apprehensions, even in the absence of an increase in the number of migrants. Given the tremendous increase in resources in 2006, the dramatic rise in apprehensions obviously does not imply a corresponding rise in the number of migrants, though it is frequently suggested that this is the case in policy documents, such as the Commission document COM (2006) 733 final: *Reinforcing the Management of the European Union's Southern Maritime Borders* where these statistics are referred to as “undocumented arrivals” rather than “apprehensions”. Even so, given the relatively small size of the Canary Islands, it is reasonable to assume that the number of people who evade controls and then disappear into the local community is relatively small and apprehensions provide a reasonably good indication of the total migrant population.

TABLE 36 Apprehensions of clandestine migrants at four significant EU arrival points

	2004	2005	2006
Canary Islands	8,426	4,715	33,126
Straits of Gibraltar	7,249	7,066	6,976
Malta	1,680	1,822	1,508
Italy (Sicily/Lampedusa)		22,939	14,567
Total	17,355	36,542	56,177

Sources: Spain APDHA (2007); Malta (Foreign Office); Italy (European Commission 2006). 2006 data for Malta and Italy refer only to the first 8 months.

The increase in migration has been accompanied by a sharp increase in the number of reported fatalities of migrants. The Moroccan *Association des Amis et Familles des Victimes de l'Immigration Clandestine* (AFVIC) estimates that clandestine crossings of the Mediterranean from Morocco have resulted in the deaths of as many as 5,000 individuals from 1995 to 2005 (no similar statistic is available for the other regions of the Mediterranean). The longer open sea crossing to the Canary Islands is far more hazardous than the shorter Mediterranean crossing and rather than the small, wooden pateras, containing 10 to 15

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people, as in the Mediterranean, the crossing is made on large specially constructed boats that may carry several hundred people. In these circumstances, when accidents occur the loss of life is very much greater. The *Asociación Pro Derechos Humanos de Andalucía* (APDHA) has documented the deaths of 1,049 people on the crossing to the Canary Islands alone during 2006 and a further 118 migrants at various other crossing points or along the route to the Spanish coasts. However, they estimate that the true number of fatalities may be as high as 7,000 for the year. Elsewhere in the Mediterranean, information is less systematic. PICUM documented 84 fatalities of clandestine migrants in the seas around Greece and ten in the region of Lampedusa, although fatalities in both areas are likely to be much higher.

As in previous years, the vast majority of these fatalities have been due to drowning, although perhaps the most worrying are the small number that resulted more directly from the activities of border control agents. On 3rd July, two more migrants were killed at the fence surrounding Melilla, in circumstances very similar to the deaths of 14 migrants in October 2005. However, coming so soon after the Euro-African Summit in Rabat, the international response was particularly muted. Even at the end of the year no publicly available information had emerged from the enquiry into the deaths in 2005 and the climate of impunity will only have been reinforced by these later fatalities (Amnesty International 2006). Mass removals occurred from Morocco in August, when a reported 53 individuals were removed across the Western Sahara border to Mauritania and at the end of December when several hundred individuals were once again removed to the remote areas of the Algeria-Morocco border (Valluy 2007; APDHA 2007). Although criticism remained fierce, removals also continued to and from Libya, but detailed information on the number, origins or locations of individuals is particularly hard to obtain (Hamood 2006).

Despite the clear increase in the number of individuals attempting to migrate to the Canary Islands, the overall number of migrants selecting clandestine routes to cross the Mediterranean remains relatively small. The Spanish Police Union (*Sindicato Unificado de*

Policia) reported that only five percent of undocumented migrants to Spain arrived by boat in 2006, compared to 80 percent who arrived at Madrid or Barcelona airports (*El País* 4/1/2007). Similarly, an unsourced study cited by the *Financial Times* found that only 10 percent of undocumented migrants in Italy had entered the country by sea (*Financial Times* 7/9/2006). The total number of apprehensions for the year also appears less significant when compared to the number of undocumented migrants resident in Europe who have been given status during the year, or in programmes that finished during the year (Table 37). This perspective has been largely absent from policy discussions of clandestine migration, which have tended to view it as an isolated 'problem' distinct from the context within the broader movement of people.

TABLE 37 Undocumented migrants who applied for and were granted legal status in operations finished during 2006

	Granted	Applied
France	6,924	33,538
Italy	170,000	450,000
Spain	573,275	

Policy Trajectories: 'A Year of Agenda Setting with Africa'?

Mediterranean migration in 2006 cannot be understood without reference to the 14 migrants who lost their lives at the borders of Ceuta and Melilla at the end of September and beginning of October 2005. Although they were neither the first nor sadly the last migrants to have been killed by border control officials these events had an unprecedented impact on thinking about migration. A wide range of Moroccan and European NGOs issued press releases and reports related to the events, the European Commission and European Parliament both despatched expert teams to the area to investigate and the Justice and Home Affairs Council of the EU, meeting in London a few weeks later, called on the Commission to make Africa-Europe migration a priority for 2006. As a result, these events were used as the justification for a whole variety of policy dialogues throughout 2006. The "Global Approach to Migration: Priority Actions Focusing on Africa and the Mediterranean" was passed at the final European Council of 2005, on 16th December and will continue to influence the trajectory of EU policy for some time to come.

At the end of 2006, the Commission released an assessment of the developments in this “Global Approach” agenda over its first year (COM 2006 735 final). This review referred to 2006 as “a year of agenda setting with Africa” and the policy dialogues and conferences that took place receive most emphasis. The Euro-African conference on migration and development in Rabat held in July certainly received the most significant coverage at the time, but the subsequent meeting held in Tripoli in November was in many ways more significant. In April, Algeria hosted an expert meeting of the African Union on migration and development and the lack of representation from Algeria at the Rabat conference was therefore an even more obvious gap than it would otherwise have been. Algeria, along with Southern African countries also absent from Rabat, was represented in Tripoli, making the November conference the first truly Euro-African meeting on migration and development. Issues discussed were very similar at both and countering

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illegal migration in general and clandestine migration in particular were common themes. There was some discussion of opening up legal channels for labour migration, but these appear very limited. Though it was never explicitly stated, making development assistance conditional on cooperation in migration control emerged as a favourite theme with regular references to article 13 of the EU-ACP Cotonou Agreement (2000) and to the conclusions of the Seville European Council (2002).

The coordinated control of migration was also cited in the Commission’s review as one of the successes of the year. Several operations were coordinated by individual member states and funded under the ANEAS programme; for example the Spanish government established “Seahorse” and “Atlantis” for joint control operations with a variety of West African states. 2006 was also the first full year of operation of FRONTEX, set up to organise pan-EU coordination and solidarity in response to particular ‘migration crises’. A wide range of operations were established around the Mediterranean. These were most often short pilot activities lasting only a few weeks, such as ‘Poseidon’ in the Eastern

Mediterranean in June-July and NAUTILUS, south of Lampedusa, in October, but the patrolling operation HERA II around the Canary Islands was established in August and is still going on in February 2007. In a very short space of time, the agency appears to have succeeded in making its mark at the political level and despite some difficulties it has established a solid organisational reputation. These political successes, combined with the degree of institutional inertia that comes from the establishment of its Warsaw offices, its presence in a range of international contexts and its not inconsiderable budget mean that FRONTEX is likely to be a significant force in setting the agenda of migration control around the Mediterranean for the foreseeable future. Given the agency’s particular expertise it appears set to shape the international agenda in very particular ways, leading to and justifying more rather than less control.

In contrast, 2006 also provided a clearer reminder than ever before that “agenda setting” can never be an exclusively top-down process and the year was full of successful dialogues which dissented from the official state-based arguments. These included the bold initiative of the counter summit to the Rabat conference, organised by a wide range of migrant and community-focused groups, and the World Social Forum on migration in Madrid. These large and extremely well attended transnational events illustrate how dissenting collectives are now able to mobilise transnational networks as speedily and effectively as state-based institutions in order to raise the profile of unrepresented voices. They are matched by the locally focused protests in which many of the participants are also involved, such as regular protests at detention centres around the Mediterranean. The impact of these events on the official “agenda setting” is already clear in the way in which the more unpalatable suggestions to emerge from the ministerial conferences are carefully couched in agreeable language, and the deliberate emphasis on the balance between control and possibilities of greater free movement, however small these might be. The pace of international dialogue and discussion is set to continue in 2007 with a Euromed meeting focused on migration in Lisbon and the first meeting of the Global Forum for International Migration in Brussels. The various protest movements have a range of agendas with regard to these meetings (including disrupting them entirely) but the success of these new initiatives will be measured significantly by the extent to which the official agendas that emerge take

EURO-AFRICAN MINISTERIAL CONFERENCE ON MIGRATION AND DEVELOPMENT

On 10th and 11th July 2006, the *Euro-African Ministerial Conference on Migration and Development* was held in Rabat, Morocco. It brought together the countries of the European Union with 27 African countries (Algeria absent) and fifteen international organizations to address the management of migration flows between the two continents. A joint Spanish-Moroccan initiative, the conference was prompted by the dramatic events surrounding recent sub-Saharan migrations and the incidents in Ceuta and Melilla in 2005, which called for urgent measures. It should be seen as part of global efforts to manage migration flows through immigration policy, bilateral and multilateral border control agreements, sectoral trade agreements that allow the movement of persons, security and information measures, and agreements on immigrants' rights.

Topics addressed at the Euro-African summit include fundamental aspects of development (economic and demographic issues, conflicts, sustainability and human rights) and cooperation in managing legal migration flows and combating irregular immigration, with a focus on the sub-Saharan migratory routes toward Europe via the countries of the North African Mediterranean coast.

These concerns were laid out in the *Action Plan* prepared by Spain, Morocco and France and presented for debate at the summit. The concluding document, the *Rabat Declaration*, recognizes the need for joint action by the countries of origin, transit and destination of migration flows, in the conviction that the management of migration between Africa and Europe must be situated within the framework of the fight against poverty and the promotion of sustainable development. It also stresses the need to optimize migration management through the sharing of responsibility among the countries of origin, transit and destination.

The summit was held against the background of a clash of priorities within the EU as regards migration management in general and border management in particular. Areas adjacent to the EU's land and sea borders share the problems of irregular inflows of immigrants and so try

to draw attention to their predicament and attract the necessary resources. This summit may therefore be interpreted as an attempt to turn the management of Spanish borders into a European issue. The significant increase in the number of immigrants from Senegal and Mauritania arriving in the Canary Islands aboard *cayucos* suggests that these migratory routes, too, should be included in the European agenda, with all their complexity.

The conference may also be understood as an attempt to influence the agenda of the *EU-Africa Joint Strategy*, developed by the European Union and the African Union. In the *Joint Africa-EU Declaration on Migration and Development*, issued following the ministerial summit in Tripoli in November 2006, this Joint Strategy is established as the framework for cooperation between the EU and the whole of the African continent. In its overall strategy it incorporates the Rabat agenda, together with other important initiatives and processes currently under way, such as the Barcelona Process, the ministerial conference on migration to be held in 2007 within the framework of the EU strategy known as *The Global Approach to Migration: Priority Actions Focusing on Africa and the Mediterranean* [Conclusions of the European Council, December 2005 and COM(2006) 735 final], the *EU Strategy for Africa* [COM(2005) 489 final] and the results of the United Nations High-Level Dialogue on International Migration and Development.

More information:

Rabat Declaration and Action Plan: Ministerial Euro-African Conference on Migration and Development: www.maec.gov.ma/migration/En/
EU Strategy for Africa: Towards a Euro-African Pact to Accelerate Africa's Development:

<http://europa.eu/scadplus/leg/es/lvb/r12540.htm>

United Nations High-level Dialogue on International Migration and Development www.un.org/esa/population/hldmigration/

account of the concerns of migrant and community focused organisations.

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