

# **The Myth of Invasion**

## **The inconvenient realities of African migration to Europe**

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### **Abstract**

African migration to Europe is commonly seen as a tidal wave of desperate people fleeing poverty and warfare at home trying to enter the elusive European El Dorado. Typical “solutions” proposed by politicians include increasing border controls or boosting African “stay-at-home” development. However, such apocalyptic views are based on fundamentally flawed assumptions on the (limited) magnitude, historicity, nature and causes of this migration. Dominant discourses obscure that African migration to Europe and Libya is fuelled by a structural demand for cheap migrant labour in informal sectors. This explains why restrictive immigration policies have invariably failed to stop migration and have had various perverse effects. Also African development is unlikely to curb migration as it will enable and inspire more people to migrate. Despite lip service being paid to “combating illegal migration” for political and diplomatic reasons, neither European nor African states have much genuine interest in stopping migration.

## Introduction

In recent years, irregular migration from Africa to Europe has received extensive attention. Sensational media reportage and popular discourses give rise to an apocalyptic image of a wave or “exodus” of “desperate” Africans fleeing poverty at home in search of the European ‘El Dorado’ crammed in long-worn ships barely staying afloat.<sup>1</sup> Millions of sub-Saharan Africans are commonly believed to be waiting in North Africa to cross to Europe, which fuels the fear of an invasion.

The conventional wisdom underlying such argumentations is that *war* and *poverty* are the root causes of *mass* migration across and from Africa. Popular images of extreme poverty, starvation, tribal warfare and environmental degradation amalgamate into a stereotypical image of “African misery” as the assumed causes of a swelling tide of northbound African migrants.

Politicians and the media on both sides of the Mediterranean commonly employ terms like “massive invasion” and “plague” to describe this phenomenon.<sup>2</sup> In July 2006 French President Jacques Chirac warned that Africans “will flood the world” unless more is done to develop the continent’s economy. Also in North Africa, migration-related xenophobia towards sub-Saharan migrants is gaining ground. Not only media and politicians, but also scholars frequently resort to doomsdays scenarios to make their case. For instance, Norman Myers recently stated that the current flow of environmental refugees from Africa to Europe “will surely come to be regarded as a trickle when compared with the floods that will ensue in decades ahead.”<sup>3</sup>

Irregular migration occurring from sub-Saharan Africa and the Maghreb to Europe has increasingly been defined as a security problem associated with international crime and, particularly since the attacks of 11 March 2004 in Madrid and 7 July 2005 in London, terrorism.<sup>4</sup> The migrants themselves are commonly depicted as “desperate” and (supposedly passive) victims of “merciless”, “ruthless” and “unscrupulous” traffickers and criminal-run smuggling gangs. Or, as the United Nations Office on Drugs and Crime (UNODC) recently stated, “The system of migrant smuggling ... has become nothing more than a mechanism for robbing and murdering some of the poorest people of the world”.<sup>5</sup>

Hence, the perceived “solutions” to this phenomenon – which invariably boil down to curbing migration – focus on “fighting” and “combating” illegal migration through the crack down on trafficking and smuggling networks in combination with the intensification of border controls. In a perceived effort to “externalise” border controls, EU states have exerted pressure on Maghreb states to clamp down on irregular migration occurring over their territory through increasing border controls, toughening migration law, re-admitting irregular sub-Saharan migrants from Europe and deporting them from their own national territories.<sup>6</sup>

A second policy “solution”, advocated mainly by African states and humanitarian NGOs, is to spur development through aid and trade, which is believed to remove the need to migrate.<sup>7</sup> In the aftermath of the migration crises in the Spanish enclaves of Ceuta and Melilla in northern Morocco, Spain joined Morocco in calling for a “Marshall Plan” for Africa in the hope that it will stem the flow of migrants to Europe.<sup>8</sup> A third “solution” advocated by governments in Europe and Africa is the launch of information campaigns aiming to discourage migration through raising awareness among would-be migrants on the perils of the journey and the difficult life in Europe or to encourage migrants to return (see for instance Diatta & Mbow 1999).<sup>9</sup>

This paper will argue that these above views are based on fundamentally flawed assumptions on the actual magnitude, nature and causes of African migration to Europe, which is not so massive, so new or so driven by “African misery” as is commonly assumed. After describing how African migration to Europe evolved over the past half-century, this paper will scrutinize policy approaches towards irregular migration as well as their effects. Based on this analysis, the paper questions the idea that European states have (successfully) externalized border controls to the Maghreb and that European and African states, or the particular interest groups they comprise, are genuinely able and willing to stop migration.

## **Trends in African-European migration**

Since the 1960s, the overwhelming majority of African migrants moving to Europe have originated from Morocco, Algeria, and Tunisia. At the turn of the 21<sup>st</sup> century, at least 2.6 million Moroccans, 1.2 Algerians and 700,000 Tunisians (including second generation) were believed to live in Europe.<sup>10</sup> Increasing immigration restrictions in Europe introduced since the 1973 Oil Crisis did not curb migration, but rather encouraged permanent settlement and family migration from the Maghreb to the traditional destination countries: France, the Netherlands, Belgium and Germany. Since the late 1980s, Maghrebi migrants have increasingly moved to Italy and Spain in response to the growing demand for low skilled labour in southern Europe.

Europe has long been familiar with irregular migration from the Maghreb. Since Spain and Italy introduced visa requirements for Maghrebi immigrants in the early 1990s, hundreds of thousands of Maghrebis have attempted to cross the Mediterranean illegally in *pateras* (small fishing boats chartered by smugglers), speedboats, hidden in vans and trucks, or carrying false papers. However, as the migration crises in Morocco's Spanish enclaves in 2005 and Spain's Canary Islands in 2006 exemplified, sub-Saharan Africans have increasingly joined Maghrebis in their attempts to cross the Mediterranean since 2000. This was preceded by a period of increasing trans-Saharan migration. While having ancient historical roots in the trans-Saharan trade, the foundations of contemporary trans-Saharan migration were laid in the 1970s and 1980s when (former) nomads and traders started migrating to work at construction sites and the oil fields of southern Algeria and Libya. Such

immigration was often openly or tacitly welcomed, because migrants filled local labour shortages and fitted into policies to revitalize underpopulated desert regions.

The air and arms embargo imposed on Libya by the UN Security Council between 1992 and 2000 played an unintended, but probably decisive, role in an unprecedented increase in trans-Saharan migration. Disappointed by the perceived lack of support from fellow Arab leaders during the embargo, Libyan leader Muammar al-Qadhafi embarked upon a radical reorientation of Libyan foreign policy towards a pan-African approach, in which he positioned himself as an African leader. In the spirit of pan-African solidarity, al-Qadhafi started to welcome sub-Saharan Africans to work in Libya. Traditionally a destination for migrants from North African countries, Libya rapidly evolved into a major destination for migrants from a wide array of countries in West Africa and the Horn of Africa.<sup>11</sup>

Attitudes towards immigrants hardened after Libya experienced a major anti-immigrant backlash after clashes between Libyans and African workers in 2000 led to the deaths of dozens or perhaps hundreds of sub-Saharan migrants. Consequently, Libyan authorities, responding to strong popular resentment against sub-Saharan immigrants, introduced more restrictive immigration regulations. This went along with lengthy and arbitrary detention of immigrants in poor conditions in prisons and camps, physical abuse, and the forced repatriation of tens of thousands of sub-Saharan immigrants.<sup>12</sup>

Besides the increasingly irregular character of migration into Libya, this backlash resulted in a partial westward shift of trans-Saharan migration routes towards Algeria, Morocco, and Tunisia. From there, increasing numbers have joined Maghrebis in their attempts to cross the Mediterranean. In addition, sub-Saharan migrants in Libya have increasingly tried to cross to Europe from the Libyan coast. Trans-Saharan migrants have come from an increasingly diverse array of countries in West Africa, Central Africa and the Horn of Africa. Even migrants from China, India, Pakistan, and Bangladesh have recently migrated to the Maghreb and Europe after having flown to West African capitals such as Accra or Bamako.<sup>13</sup>

Although commonly portrayed as destitute or desperate, migrants are often relatively well educated and from reasonably well-off backgrounds, not in the least because of the relatively high costs of the journey. Although migrants are commonly depicted as victims of unscrupulous traffickers and smugglers, empirical evidence has indicated that the vast majority migrate on their own initiative.<sup>14</sup> Migrants typically pay for one difficult leg of the journey, usually involving a border crossing, at a time.<sup>15</sup> Oftentimes, smugglers are not part of international organized crime but tend to be former nomads and immigrants who operate relatively small networks.<sup>16</sup>

Between 65,000 and 120,000 sub-Saharan Africans are estimated to enter the Maghreb yearly, of which 70 to 80 percent are believed to migrate through Libya and 20 to 30 percent through Algeria and Morocco.<sup>17</sup> Several tens of thousands try to cross the Mediterranean each year, and not hundreds of thousands or millions, as media coverage might suggest. This counters common views that reduce North Africa to a

transit zone, waiting room or springboard to Europe. The common term transit migrant is potentially misleading because many migrants consider North Africa (particularly Libya) as their primary destination, and a considerable proportion of migrants failing or not venturing to enter Europe prefer to stay in North Africa as a second-best option rather than returning to their more unstable, unsafe, and substantially poorer origin countries.<sup>18</sup>

At least 100,000 sub-Saharan migrants now live in both Mauritania and Algeria and at least 1 to 1.5 million in Libya. Tunisia and Morocco house smaller but growing sub-Saharan immigrant communities of several tens of thousands.<sup>19</sup> While mostly lacking legal status and vulnerable to exploitation, sub-Saharan migrants living in North Africa do find jobs in specific niches of the informal service sector (such as cleaning and domestic work), construction, agriculture, petty trade and fishery. Others try to pursue studies, sometimes also as a means to gain residency status.<sup>20</sup> Trans-Saharan migration has also caused trade to flourish and has helped revitalize desert towns.

Although the media focus on “boat migrants”, most sub-Saharan and, in particular, North African migrants use other, less risky, methods to enter Europe – tourist visas, false documents, hiding in (containers or vehicles on) vessels, scaling or swimming around the fences surrounding the Spanish enclaves of Ceuta and Melilla.<sup>21</sup> In fact, the majority of irregular African migrants *enter* Europe legally and subsequently overstay their visas.<sup>22</sup>

## **Policy approaches towards irregular migration**

Since the 1990s, European states have mainly responded to public fears about mass irregular immigration by further restricting immigration policies and intensifying border controls. This has involved the deployment of semi-military forces and hardware in the prevention of migration by sea.<sup>23</sup> The Spanish government erected fences at Ceuta and Melilla and has attempted to seal off its maritime borders by installing an early-warning radar system (SIVE or Integrated System of External Vigilance) at the Strait of Gibraltar and the Canary Islands.<sup>24</sup>

EU countries have attempted to “externalize” border controls towards the Maghreb countries by pressuring North African countries to clamp down on irregular migration and to readmit irregular migrants in exchange for development aid, financial support for border controls, military equipment, and limited numbers of temporary work permits for immigrants.<sup>25</sup>

Since 2003, Spain and Morocco, as well as Italy and Libya, have started to collaborate in joint naval patrols and readmission agreements in return for aid. In 2006, Spain received limited support from Frontex, the new EU external border control agency, to patrol the sea routes between West Africa and the Canary Islands. Frontex also intends to coordinate patrols involving Italy, Greece, and Malta to monitor the area between Malta, the Italian island of Lampedusa, and the Tunisian and Libyan coast.

Faced by recent changes in migration patterns, Italy and Spain have recently concluded agreements with sub-Saharan countries on re-admission and border controls.

In 2003-2004, Morocco and Tunisia passed new immigration laws that institute severe punishments for irregular immigration and human smuggling. According to critics, these new laws show that Morocco and Tunisia are bowing to pressure from the EU to play the role of Europe's "policemen".<sup>26</sup> Although the new Moroccan law makes reference to relevant international conventions, and seems to be a nominal improvement, migrants' and refugees' rights are often ignored in practice.<sup>27</sup> Both Morocco and Tunisia have regularly brought irregular migrants to their borders where they are left to their fate.<sup>28</sup>

To reduce immigration, the EU is also seeking to boost cooperation on migration issues in the context of the European Mediterranean Association Agreements (EMAA). All North African countries except Libya have signed such agreements with the EU, which should lead to the establishment of free trade areas in the next decade. The EU support for the economic transition of North African countries is mainly implemented through the MEDA (*Mesures d'Accompagnement*) program. Significant funds from the MEDA program target the stated goal of immigration reduction through boosting (rural) development in origin countries.<sup>29</sup>

The EU has prioritised collaboration with Maghreb states on border control and readmission. In March 2004, following the communication issued by the European Commission in 2002 on "Integrating migration issues into the EU's external relations", the EU adopted a regulation establishing a programme for financial and technical assistance to third countries in the area of migration and asylum (AENEAS). Its programme for 2004-2008 has an overall expenditure of 250 million euros. Among its aims are "to address the root causes of migratory movements", to forge "a partnership on migration stemming", and "specific and concrete initiatives to help these countries to increase their capacity in the area of migration management".<sup>30</sup>

Although Libya has not signed an association agreement with the EU, Libya has collaborated more closely on migration issues with EU countries, and Italy in particular.<sup>31</sup> This policy shift should be seen in the broader context of Al-Qadhafi's (rather successful) efforts to regain international respectability, to lift the embargo, and to attract foreign direct investments.

A cooperation treaty was signed in December 2000 between Libya and Italy related to combating drugs, terrorism, organised crime and undocumented migration. In 2004, Italian Prime Minister Silvio Berlusconi and the Libyan leader Al-Qadhafi made a pact to stop irregular migration to Italy, with Libya allegedly agreeing to deport unauthorized sub-Saharan migrants over Libyan territory to their origin countries and to seal off its southern frontiers. In October 2004, only a few days later, Libya accepted for the first time to readmit illegal migrants from Italy.<sup>32</sup> Two months after the Libyan-Italian agreement, the EU agreed to lift its 18-year arms embargo on

Libya, which allowed Libya to import (semi) military equipment officially destined for improving border controls. Italy financed training programmes for Libyan police officers and the construction of three detention camps for undocumented immigrants in Libya. Libya has also been collaborating closely with Italy in concerted expulsions of thousands of undocumented migrants from Italy via Libya to their alleged origin countries.<sup>33</sup>

## **The limited and perverse effects of border controls**

The collaboration of some Maghreb countries in migration controls and internal policing has recently been described as 'effective'.<sup>34</sup> Although this might be true in a strictly technical or diplomatic sense – for instance through signing re-admission agreements, joint declarations on combating illegal migration and collaboration in joint border patrolling – efforts to prevent migrants from entering Europe have not stopped most of them from doing so. In addition, they have had a series of unintended, often counterproductive, effects.

First, increasing border controls have led to a diversification of trans-Saharan migration routes and trans-Mediterranean crossing points since the late 1990s.<sup>35</sup> This has led to an unintended increase in the area that EU countries have to monitor to “combat” irregular migration. In reaction to intensified border patrolling in the Strait of Gibraltar, Maghrebi and sub-Saharan migrants started to cross the sea from more eastern places on the Moroccan coast to mainland Spain; from the Tunisian coast to the Italian islands; from Libya to Italy and Malta; from Algeria to Spain. Since 1999, migrants in Morocco have increasingly moved southward to the Western Sahara in order to get to the Canary Islands, a Spanish territory in the Atlantic Ocean.

On the western edge of the continent, since 2005 more and more West Africans started to circumvent the central Saharan migration routes by sailing directly from Mauritania, Senegal, and other West African countries to the Canary Islands. Migration to the Canary Islands surged to unprecedented levels of about 31,000 recorded (apprehended) arrivals in 2006. While recorded arrivals in the Canary Islands declined in 2007 and 2008, they went up in Sardinia (Italy) and Crete (Greece).

Second, increasing surveillance in the Strait of Gibraltar and elsewhere has led to the professionalisation of smuggling methods, with smugglers using larger and faster custom-made boats and zodiacs instead of fishing boats.<sup>36</sup> There has also been an increase in the number of minors and pregnant women attempting to cross, who are generally more difficult to expel. The capacity to prevent migrants travelling across the Sahara over the Mediterranean and the Atlantic is fundamentally limited. The huge length of land and maritime borders and widespread corruption among border guards and other officials make it virtually impossible to prevent people from crossing.

Although EU countries have signed re-admission agreements with a growing number of African countries, expulsions are notoriously difficult and costly to enforce. Governments of sub-Saharan countries in particular are often reluctant to readmit large numbers of irregular migrants. Many migrants destroy their papers to avoid expulsion, while asylum seekers, minors, and pregnant women often have the right to (at least temporary) residence on humanitarian grounds. Because of these practical difficulties, many apprehended migrants are eventually released, after the maximum detention period, with a formal expulsion order. This order is generally ignored, after which they either move to other EU countries or go underground in Spain and Italy, where migrants tend to find jobs in the informal agricultural, construction, and service sectors.

## **Human rights issues and the refugee dimension**

In response to increased domestic xenophobia and presumably also European pressure to clamp down on irregular migration, Maghreb states have also reinforced internal policing on irregular migrants. Consequently, after years of relative tolerance, there has been a notable increase in institutionalised racism and the violation of the rights of sub-Saharan immigrants.<sup>37</sup> North African states regularly conduct migrant raids in immigrant neighbourhoods, which are often followed by the immigrants' detention or deportation to land borders. Immigrants, including asylum applicants, risk being arbitrarily arrested, detained, deported or stripped of their assets. In Libya in particular, xenophobia is expressed in blanket accusations of criminality, verbal and physical attacks, harassment, extortion, arbitrary detention, forced return and possibly torture.<sup>38</sup>

When hundreds of Africans attempted to enter Ceuta and Melilla in October 2005, at least 13 sub-Saharan Africans died, some of them allegedly killed by border guards. After these events, the Moroccan authorities turned to nationwide raids and arrests of immigrants in cities and makeshift camps in the forests around Ceuta and Melilla. The Moroccan authorities subsequently attempted to remove perhaps as many as 2,000 migrants to a remote desert border with Algeria.<sup>39</sup>

Each year, significant numbers die or get seriously injured while trying to enter Europe. It has been claimed that at least 368 people died while crossing to Spain in 2005.<sup>40</sup> Human rights organizations estimate that 3,285 dead bodies were found on the shores of the Straits of Gibraltar alone between 1997 and 2001.<sup>41</sup> The actual number of drownings is likely to be significantly higher because an unknown percentage of corpses are never found.

An unknown but significant proportion of sub-Saharan migrants have escaped persecution or life-threatening circumstances.<sup>42</sup> According to a recent empirical study by Collyer (2006), the percentage of migrants in Morocco that would require humanitarian protection would vary between 10-20 percent under the strict application of the 1951 refugee Convention definition, to 70-80 percent under more



generous humanitarian measures – although this sample was not designed to be representative and may therefore be biased towards refugees and asylum seekers.

Human rights organisations have argued that Spain and Italy risk seriously compromising the principle of *non-refoulement* by swiftly deporting African migrants and asylum seekers to Morocco and Libya, where their protection is not guaranteed.<sup>43</sup> The Libyan government has randomly deported migrants expelled from Italy to their alleged origin countries, which include Sudan and Eritrea, regardless of whether they fear torture or persecution.<sup>44</sup>

Until recently, the United Nations High Commissioner for Refugees (UNHCR) kept a low profile in the Maghreb states.<sup>45</sup> UNHCR is currently seeking to expand its operations in the Maghreb. However, state authorities often do not cooperate, continue to deport asylum seekers, and generally refuse to grant residency and other rights to refugees recognized by UNHCR.<sup>46</sup> Nonetheless, in 2007 the Moroccan government signed an *accord de siège* with UNHCR giving them full-fledged representation in Morocco.

## **Double agendas and conflicting interests**

Irregular immigration from sub-Saharan Africa has created considerable tensions between the EU, North African, and sub-Saharan African states. On the surface, North African leaders and governments seem to have largely conceded to European pressure and were also quick to adopt dominant European public discourses on ‘combating illegal migration’. Yet North African states do tacitly or openly oppose several elements of these policies, partly because they are seen as reinforcing their position as destinations. For instance, with the exception of Libya, Maghreb states are reluctant to readmit large numbers of irregular migrants from third (sub-Saharan) countries. When such agreements exist on a bilateral level, sending and transit states often obstruct or delay implementation in direct or indirect ways.<sup>47</sup>

African states have also tended to object against proposals by some EU Member States to establish offshore ‘processing centres’ for immigrants and asylum claimants in North Africa, or to send naval ships to patrol African coasts. This is not only because they are seen as a possible breach of national sovereignty, but also because such centres (like UNHCR offices) are often seen as attraction points, which would encourage immigration and settlement on the territory of Maghreb states. At the same time, there remains a certain reluctance to deport large numbers of sub-Saharan immigrants. Apart from the high costs of such expulsions, they can potentially harm the international reputation of states. Recent migrant raids and collective expulsions have caused major international embarrassment for Morocco. These events, which are at odds with Morocco’s attempts to improve its own human rights record, have also faced vocal protests from Moroccan human rights organisations and migrants’ own organisations.

Another factor explaining a certain reluctance to fully comply with EU policies is the strategic geopolitical and economic interests of North African states to maintain good relations with sub-Saharan states. Not only “pan-African” Libya, but also other Maghreb states have pursued their African policies aiming at extending their southern geopolitical sphere of influence in the continent through diplomacy, aid, investments and exchange of students.<sup>48</sup> For instance, over the past three decades, Morocco and Algeria have been competing over the support of sub-Saharan states in their opposed positions on the issue of the Western Sahara. Both countries have invested heavily in their relations with sub-Saharan countries. Such relations can be severely harmed by mass expulsions, the maltreatment of immigrants, or the EU-pressured introduction of visa requirements for citizens of sub-Saharan states.

Recent pressure by EU states on West African countries like Senegal, the Gambia, and Guinea to crack down on (irregular) migration is also partly at odds with the freedom of movement enshrined in the 1971 protocol of the Economic Community of West African States (ECOWAS) on the Free Movement of Persons, the Right of Residence and Establishment. Citizens of ECOWAS states at least nominally have the right to settle, work, and do business in other ECOWAS states. Although the implementation of the protocol on free movement leaves much to be desired,<sup>49</sup> West African states have few legal means to “combat illegal migration” as long as migrants’ presence on their territories is basically legal. Also on a practical level, it seems virtually impossible to impede people from moving due to widespread corruption and the lack of enforcement capacity – if Europeans are unable to seal off borders, how can African states be expected to do so?

Considering the difficulty of reconciling conflicting interests and the practical inability to stop migrants from crossing borders, there is a clear sense of deadlock around the issue. Recent African-European migration summits, such as in July 2006 (Rabat) November 2006 (Tripoli), have not moved beyond declarations of good intent and general agreements of increasing Euro-African cooperation.

While there is a limited degree of collaboration on border controls, merely lip service is being paid to the second solution “addressing the root causes of migration ... through better targeted development policies”.<sup>50</sup> The whole concept of a Marshall plan for Africa suffers from a lack of credibility considering the lack of follow up to such promises in the form of concrete support. However, apart from growing skepticism debate about the effectiveness of development aid, it is doubtful that development will actually decrease migration. Empirical and theoretical evidence strongly suggests that economic and human development increases people’s capabilities and aspirations and therefore tends to coincide with an increase rather than a decrease in emigration, at least in the short to medium run. Any take-off development in sub-Sahara Africa is therefore likely to generate take-off emigration.<sup>51</sup>

More generally, the popular image of a misery-driven African migration is based on fundamentally flawed assumptions of the (complex) relation between development and migration<sup>52</sup> For instance, there is evidence that most components of rural development either have no effect on migration or rather tend to encourage internal

migration, casting fundamental doubt on the assumption that migrants can be kept “down on the farm” by development projects. More generally, development tends to be associated with increased levels of overall mobility.<sup>53</sup>

The issue of irregular immigration from African countries has also created considerable tensions within the European Union. In 2006, Spain, Italy, and Malta complained about the limited support for border patrolling from less directly concerned northern countries. Some northern European governments (such as France, Austria, and the Netherlands) responded by blaming Spain and Italy for their recent mass regularizations, which they believe pulls in even more irregular migrants.<sup>54</sup> Such tensions and a general unwillingness to give up national sovereignty in migration policies explain why most issues are still dealt with on the bilateral level.

In November 2006, EU Justice Commissioner Franco Frattini called for new job centres in Africa to help match supply with demand in an attempt to “fight illegal immigration and trafficking”.<sup>55</sup> These centres would inform people about (temporary) job and education opportunities in Europe and about the risks of irregular migration. This echoes earlier (failed) proposals by Italy in 2002 to transpose the Italian system of legal immigration agreements in exchange for readmission agreements at the EU level.<sup>56</sup>

Again, the success of such proposals depends on the willingness of EU member states to give up part of their national sovereignty in migration issues by allocating immigration quota to such centres, and the willingness of African states to readmit irregular migrants. The latter is a condition for establishing job centres, which might fuel suspicions that these plans camouflage a hidden agenda of returning irregular immigrants. It is also entirely unclear how the intended temporariness of migration will be implemented, as return migration is notoriously difficult to enforce.

## **Vested interests in migration**

What remains largely unspoken behind official discourses proclaiming to “combat illegal immigration” is that European and African states, or at least some powerful interest groups within them, have *little genuine interest* in stopping migration, because the economies of receiving and sending countries have become increasingly dependent on migrant labour and remittances, respectively.

First, there is a fundamental discrepancy between the official aim to curb immigration and the sustained demand for cheap (often irregular) migrant labour. The large informal and formal labour markets for agricultural labour, construction, and other service jobs in (southern) Europe and Libya have become increasingly dependent on irregular migration labour.<sup>57</sup> In contrast to the usual, but one-sided, focus on “human misery” allegedly pushing migrants out of Africa, irregular migration seems to be predominantly driven by labour market demand.<sup>58</sup>

Particularly in southern Europe, female migrants working as domestic or care workers gradually replace the low-paid or unpaid caretaking activities of native women. The informal economy feeds on both the strong demand for domestic and care services and a wealth of small businesses, where irregular migrants can easily find work.<sup>59</sup>

In a context of extraordinarily low fertility, labour market segmentation and high economic growth in sectors such as agriculture and construction, migration is a fundamental resource for economic development.<sup>60</sup> In Spain, for instance, there is a tacit alliance between trade unions and employers in favour of moderately open immigration policies.<sup>61</sup> Also in northern Europe there is a persistent and probably growing demand for irregular migrant labour.<sup>62</sup>

However, because of increasing migration controls and the institutional exclusion of irregular migrants, migrants have become more vulnerable to severe exploitation in the labour market in Europe and North Africa.<sup>63</sup> Libya faces the specific dilemma of maintaining the image of full compliance with policies to 'combat illegal migration' by regularly deporting sub-Saharan immigrants, while its economy is in fact heavily dependent on immigrant workers, which represent at least 25 to 30 percent of its total population.<sup>64</sup> Therefore, occasional expulsions seem to primarily serve to create the *impression* of compliance to policies to combat irregular migration.

The European and Libyan governments are under pressure from employers to allow more legal immigration or to tacitly allow irregular migration.<sup>65</sup> There is a discrepancy between a general public rhetoric hostile to (regular and irregular) immigration in attempted responses to public xenophobia, and public action, which has largely tolerated irregular immigration and has introduced mass regularisations.<sup>66</sup> Although new immigration and labour laws have increased penalties for employers who hire irregular workers, this is still often tolerated in practice.

Both Spain and Italy have quota systems that are formally based on labour-market needs. The fact that the yearly quotas never match real demand<sup>67</sup> partly explains the persistence of large-scale irregular migration. However, because many employers prefer migrants who already reside (illegally) in Europe or have migrated spontaneously,<sup>68</sup> it is unlikely that increased quotas will lead to a standstill of irregular migration.

To prevent the presence of large groups of irregular migrants, Spain, Italy and other southern European countries have regularly reverted to mass regularisations. Allasino *et al.* (2004) argued that the frequency of regularisations may contribute to the perception that unauthorized entry by the back door is more effective than via the front door of programmed flows and quotas.<sup>69</sup> Regularisations are generally sold to the public with the argument that they will stem further irregular migration, and are often accompanied by a concomitant tightening of immigration policies and a vow that no more regularisations will follow.<sup>70</sup> However, as long as demand for

migrant labour persists, occasional regularisation programmes will not prevent further irregular arrivals.

Also Maghreb and sub-Saharan states have little genuine interest in curbing migration, because for them migration serves vital political and economic interests and constitutes a potential development resource. Emigration relieves pressure on internal labour markets and generates a substantial and rapidly growing flow of remittances. While having a fundamental interest in continuing emigration of their own nationals, governments of Maghreb countries have also little genuine interest in stopping migrants from transiting to Europe.

In this context, many African states seem to adopt a strategy of paying lip service to Europe's "fight against illegal immigration" to varying degrees, while using the migration issue as a bargaining chip in negotiating aid, economic relations, immigrant quota, or, in the case of Libya, the rehabilitation of its international reputation.<sup>71</sup>

For governments of African countries, the recent increase sub-Saharan migration to the Maghreb and Europe is probably not as unwelcome as it seems at first sight. While shrewdly positioning themselves as "victims" of illegal immigration, Maghreb states and, recently Mauritania, Senegal and the Gambia, have successfully capitalised on their new status as transit countries, which has increased their geopolitical leverage to negotiate migration agreements with European countries in exchange for financial aid and other forms of support.

As El Qadim (2007) observed for Morocco, conditions are not unilaterally imposed by European countries and Morocco has not been "forced" to comply to externalisation. In fact, Morocco has largely benefited from the increase in irregular migration over its territory. By consciously positioning itself as Europe's leading partner in the "fight against illegal migration", Morocco has considerably strengthened its position in negotiations with the EU and its member states for support and collaboration.<sup>72</sup> At the same time, the focus on sub-Saharan migrants diverts the attention away from the fact that Morocco is still the most important source country of (irregular and regular) African migrants in Europe.

## **Conclusion**

Although there has been an incontestable increase in regular and irregular migration from sub-Sahara Africa and the Maghreb to Europe, apocalyptic representations of a massive exodus of desperate Africans pushed out of the continent by poverty, war and drought are fundamentally flawed. Concurrently, the popular perception that irregular migration from Africa is growing at an alarming rate is deceptive. Since the introduction of visa requirements for Maghreb countries by Italy and Spain in the early 1990s, illegal crossings of the Mediterranean Sea have been a persistent phenomenon. Rather than an increase *per se*, the major change has been that, after

2000, sub-Saharan Africans started to join illegal Mediterranean crossings and have now overtaken North Africans as the largest category of irregular boat migrants.

However, the magnitude of African immigration remains limited. Of the estimated 65,000 to 120,000 sub-Saharan Africans entering the Maghreb yearly, several tens of thousands (not hundreds of thousands, as media coverage might suggest) try to cross the Mediterranean each year. Therefore, common views that reduce North Africa to a transit zone or springboard to Europe are inaccurate. Libya and, to a lesser extent, other Maghreb countries are destinations in their own right.

Several factors explain why it is likely that African Saharan migration to Europe will continue and why Maghreb countries may further consolidate their position as transit *and* immigration countries. First, there are substantial differentials in economic development and political stability not only between Maghreb and EU countries, but also between most sub-Saharan and Maghreb countries. Therefore, migrants failing and unwilling to enter Europe often prefer to stay than to return.

Second, trans-Saharan migration is less unwanted than it might seem. Irregular migration has generally been beneficial for economies in transit and destination countries because of the cheap labour it generates and the migration-related trade and business activities of smugglers, entrepreneurs and state officials. The demand for cheap (unauthorized) immigrant labour in Europe, Libya, and also other Maghreb countries is likely to persist. Segmentation of labour markets may increase the future scope for immigration. Migrants in Europe and the Maghreb tend to do work that natives shun, even if the latter are unemployed.

Third, it seems practically impossible to seal off the long Saharan borders and Mediterranean coastlines. The firm establishment of migration routes and migrant networks, as well as the improvements in communication infrastructure and trans-Saharan transportation infrastructure,<sup>73</sup> is likely to facilitate onward chain migration. In the same way, increasing trade between North African countries and Europe partly boosted by free trade agreements and the growth of the North African tourism industry are likely to further increase cross border traffic. This is also likely to enhance opportunities for migrants to cross borders legally or illegally.

Dominant media and political discourses tend to identify extreme poverty, war and environmental degradation amalgamated into a stereotypical image of “African misery” as the root causes of this migration. This typically goes along with the portrayal of African migrants as passive victims of poverty and war, as *desperate* people who are driven off their native lands into the hand of ruthless smugglers and merciless traffickers. However, such representations not only rule out migrants’ agency but are also fundamentally at odds with empirical evidence that the vast majority of migrants are not among the poorest, move on their own initiative and that trafficking plays a relatively unimportant role. While pleas for a “Marshall Plan for Africa” lack any credibility, any development of sub-Saharan countries is likely to lead to increasing rather than decreasing emigration, because somewhat higher

incomes and improved education and access to media and information will give more people the capabilities and aspirations to migrate.

For all these reasons, it is unlikely that African-European migration can be significantly curbed. This leads us to a much more fundamental question: are governments genuinely willing to do so? Probably not. Dominant policy discourses and media coverage systematically ignore – or obscure – that African migration to Europe, Libya and, increasingly, other Maghreb countries is fuelled by a structural demand for cheap (irregular) migrant labour. However, the demand side of irregular migration is systematically obscured behind a series of discursive strategies politicians and states use – for instance by portraying irregular migrants as victims of smugglers and traffickers – which seems to justify the *de facto* exclusion and marginalisation of irregular migrants through restrictive immigration law and border control.<sup>74</sup>

What remains largely unspoken behind discourses on “combating illegal immigration” is that neither European nor African states have much genuine interest in stopping migration, because the economies of receiving and sending countries have become increasingly dependent on migrant labour and remittances, respectively. In order to understand this gap between rhetoric and practice, it is important to realise that states are no monolithic entities but harbour diverse, often conflicting political and economic interests – particularly between employers and more general economic interests favouring immigration and politicians keen on maintaining a tough public profile on immigration issues in order to get elected or to stay in power.

This corroborates the idea that “elected leaders and bureaucrats increasingly have turned to *symbolic* policy instruments to create an *appearance* of control”.<sup>75</sup> Immigration not always as “unwanted” as politicians officially proclaim, as employers might benefit from cheap, undocumented workers lacking rights, and governments tacitly permit such movements.<sup>76</sup>

So, a distinction should be made between political rhetoric and policy implementation. This also applies for international cooperation on the issue. Although collaboration between European and African states might be partly successful in a strictly technical sense – for instance through carrying out joint border patrols – they have failed to significantly curb migration. This is not only related to the inability to control all borders, and the high costs of expelling migrants, but also to the reluctance by leaders of sending states to take back large numbers of immigrants and the resistance and (international) protest such large-scale expulsions are likely to engender.

Despite lip service being paid to “combating illegal migration” for electoral and diplomatic reasons, European and African states are neither able nor willing to stop migration. Yet “harsh” political discourse on immigration accompanying such policies can be a catalyst for and might therefore reinforce the same xenophobia and the concomitant apocalyptic representations of a “massive” influx of migrants to

which they seem a political-electoral response. Policy making on this issue seems therefore to be caught in a vicious circle of more restrictions – more illegality – more restriction.<sup>77</sup>

There is a growing discrepancy between restrictive migration policies and the real demand for cheap migrant labour in Libya and Europe. This explains why restrictive immigration policies and border controls have invariably failed to stop migration, and have rather provoked a diversification of trans-Saharan migration routes and trans-Mediterranean crossing points. They have also increased the risks and costs of migration and the suffering and labour market exploitation of the migrants involved. There is a fundamental mismatch between labour needs and formal immigration policy. As long as no more legal channels for immigration are created to match the real demand for labour, and as long as large informal economies in the Maghreb and Europe will exist, it is likely that a substantial proportion of this migration will remain irregular. In brief, policies to “fight illegal migration” are bound to fail because they are among the very causes of the phenomenon they pretend to combat.



## Notes

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- <sup>3</sup> N Myers, *Environmental refugees: An emergent security issue*, Organisation for Security and Cooperation in Europe, 2005, p 4.
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- <sup>12</sup> S Hamood, 'African transit migration through Libya to Europe'; L Schuster, 'The Realities of a New Asylum Paradigm', *Working Paper No. 20*, Oxford: Centre on Migration, Policy and Society, University of Oxford., 2005.
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