

ADDIS ABABA UNIVERSITY
COLLEGE OF SOCIAL SCIENCES
DEPARTMENT OF POLITICAL SCIENCE AND INTERNATIONAL
RELATIONS

THE EUROPEAN UNION AND THE AFRICAN MIGRANTS: DILEMMA OF
BALANCING SECURITY AND HUMAN RIGHTS

BY

ISRAEL SHAMEL

ADDIS ABABA, ETHIOPIA

JUNE 2016

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SECURITY AND HUMAN RIGHTS

BY

ISRAEL SHAMEL

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ADVISOR:

DR. ABDIWASA ABDILAHY BADE

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Acronyms

AU.....	African Union
CAR.....	Central African Republic
DRC.....	Democratic Republic of Congo
EU.....	European Union
EURODA.....	European Dactyloscopy fingerprint database
EUNAVFOR MED.....	European Union military operation in the Southern Central Mediterranean
FRONTEX.....	European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union
GAM.....	Global Approach to Migration
GAMM.....	Global Approach to Migration and Mobility
ICCPR.....	International Covenant on Civil and Political Rights
ICESCR.....	International Covenant on Economic, Social and Cultural Rights
IHR.....	International Human Rights
NUSC.....	United Nations Security Council
TUE.....	Treaty on European Union
UN.....	United Nations
UNDHR.....	United Nations Declaration of Human Rights
UNDOC.....	United Nations Office on Drugs and Crime
UNDP.....	United Nations Development Program

Abstract

With objective of examines the response of the EU toward the rising number of African migrants in the light of human rights principles, this study assess whether the policy as well as practical measures of the EU is parallel with the international obligation under human rights law in the protection of African migrants. The paper also assesses how the economic, social and political condition in Africa has forced Africans to be immigrants. Also examines the EU's migration-security concern and how it has increasingly connected with the African migrants. To study these issues, the study has used qualitative research methodology. Data have been collected both from primary and secondary sources. Available literatures were highly reviewed to study the recent intertwined themes of migration, security and human rights trends in Europe with the particular emphasis of the African migrants. Furthermore, key informant interviews were conducted with various scholars and officials in the Ethiopian Ministry of Foreign Affairs, African Union and with various personnel in the institutions such as Institute for Peace and Security Studies, Centre for Human Rights Studies and Institute for Security Studies.

Due to quite number of reasons, Africans have been migrating to Europe. Their reasons range from economic impasse in their countries to political persecutions, human rights abuses and intra and interstate conflicts. Recently the issue of migration in Europe is progressively viewed more from 'a security-based approach' and EU governments increasingly have chosen a "more restrictive approach" in policy and practice towards third country nationals. The actual challenge and dilemma that the EU faces currently is the politics of migration with relation to the protection of the migrants' human rights. Finding from this study show the responses of the EU towards the African migrants is contradict with internationally accepted human rights standards. EU's border control patrols respond in denying the migrants to enter the Union without any inspection of migrants' case and the treatment during transfer to 'third states' and condition of the detention centers all appears in contradiction with the fundamental international norms vis-a-vis migrants' human rights. Also the policy of externalization and the approach of FRONTEX often contradict with "movement-related rights" according to article 13 (1) of the UDHR and article 12(2) of the ICCPR.

Key Words: Migration, Human Rights, Security, EU and African Migrants

Declaration

I, hereby declare that this research paper is my own original work and has never been presented in any other institution. To the best of my knowledge and belief, I also declare that any information used has been duly acknowledged.

ISRAEL SHAMEL SHRIF

June 2016

This thesis is submitted for examination with my approval as an advisor of the candidate.

ABDIWASA ABDILAHY BADE (PhD)

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Chapter One

Introduction

1.1 Background of the Study

Migration has been part of human from antiquity to the present days. It is logical to accept that when our earliest ancestors became fully human they were already migratory, “moving about in pursuit of big game”. The velocity with which hunting groups occupied the entire continents, “(except Antarctica) in about 50,000 years attests this propensity”.¹

Migration has constantly been a part of human history, but never did it play a prominent role as it did in the last half-century, when more humans decide or were forced to migrate than before.² Currently we live in the age of “unprecedented human mobility” within the boundaries of countries and beyond that. This large scale human mobility seems to be continuing and to be a ‘megatrend’ in the twenty-first century.³

Due to different reasons, the geography of migration has been changing. For example, Europe altered from a land of emigrants to a land of immigrants. Between 1500 and the mid-twentieth century Europeans were major emigrant populations and millions of them immigrated to of the America, Australia, New Zealand, and part of Africa. Conversely, in the late twentieth century, this steadily flow nearly stopped and Europe has turned into a destination for migrants from the Middle East, the Caribbean, Africa and Asia. Several factors are attributed to these changes such as growing economic inequalities between the rich and poor nations; demographic patterns like slow-growing, aging populations in developed states and younger, fast-growing populations in Africa, Latin American, and South Asia; ethnic hostility and political unrests in many parts of the world; cheaper and faster means of transportation; new technologies that make possible to instant communication between immigrants and family and friends at home and other factors has reshaped the societies.⁴

¹William H. McNeill (1984). Human Migration in Historical Perspective, Population and Development Review, Vol. 10, No. 1 (Mar., 1984), p.1

² Alfred Andrea and James Overfield (2015). The Human Record: Sources of Global History, eighth edition, volume II: Since 1500, Cengage Learning, Boston, USA. p.497

³ Frank Laczko and Lars Johan Lönnback (edi) (2013). Migration and the United Nations Post-2015 Development Agenda. p.5

⁴ Supra note 2 p.497

Approximately 1 billion people out of the world's 7 billion people are migrants. Some 214 million are international migrants and 740 million are internal migrants. North-to-South migration is a growing phenomenon.⁵ Such movement has increased recently globally. For example, according to UN report, globally, the number of international migrants, legal and illegal, was 54.2 million in 1990, 117.45 million in 2000, 220.7 million in 2010, and 231.5 million in 2013. In 2013 somewhat more than three in every one hundred human beings were international migrants. The share of African migrants worldwide reached 18.6 million in 2013 from 17.1 million in the year 2010.⁶ In addition, according to the United Nations High Commission on Human Rights, since the beginning of 2015, more than 35,000 African refugees and migrants have crossed the Mediterranean Sea to Europe.⁷

Due to quite number of reasons, Africans have been migrating to Europe, America and Arab counties. Their reason ranges from economic impasse in their countries to political persecutions and intra and interstate conflicts. Such movements have been at the center of international discussions and particularly attracted and became a security concern for western countries.

The rising numbers of African migrants and asylum seekers escaping the political, economic and other difficulties in their homeland poses challenges for European policy makers who are these days struggling with weak economic growth and “fractured national politics”.⁸

Europe strengthens the control of its external borders with the help of the European border control agency and the vulnerability of migrants is worsening by the security-based policies aimed at strengthening controls on migrants coming from Africa. Such pushing of the African migrants, increasingly forced them to cross dangerous routes through the Mediterranean Sea, which is transformed into a ‘gigantic cemetery’. European countries put the liability for controlling migration on countries of departure and transit, using economic incentives to push southern Mediterranean countries to sign “mobility partnerships”. Such agreements provide the possibility of controls on migration and readmission of migrants expelled from the EU. Recently,

⁵Frank Laczko and Lars Johan Lönnback (edi) (2013). Migration and the United Nations Post-2015 Development Agenda. p.5

⁶ United Nations Department of Economic and Social Affairs/Population Division International Migration Report 2013.

⁷<http://edition.cnn.com/2015/04/20/africa/italy-migrant-boat-capsizes/>

⁸ Francesco Malavolta (2014). Global Migration Trends: an Overview, International Organization For Migration, IOM-Migration Research Division, December 2014. p.5

the European Union's (EU) response to its rising migrant crisis has been “ad hoc and, critics charge, more focused on securing the bloc's borders than on protecting the rights of migrants and refugees”. The rise of nationalist parties in many EU states and worries about fundamentalism and terrorism “looming large across the continent, it remains unclear if political headwinds will facilitate a new climate of immigration reform”.⁹

The number and magnitude of the African migration to Europe are rising due to several reasons. The Arab Spring has, particularly, resulted in the immigration of thousands from Africa and Middle East to Europe. Also the number of “illegal border-crossing” in the EU pours, as thousand of Africans started to arrive at the Italian island of Lampedusa, following the Arab Spring.¹⁰

The factor that induced high migration flow from Africa is numerous and varies across the continent. Deteriorating security, human rights abuses and economic challenges cited often. These problems have observed in most of the African countries, but the problem is more deepen in Libya, Central African Republic, and South Sudan to mention some. The current political stalemate in Chad, Mali, Nigeria, and Sudan are adding up to the surge of immigrants to Europe.¹¹

African migrants are using various means and routes to reach European countries such as air, land and sea transports. However, recently crossing through Mediterranean Sea has expanded. This route has various directions and depends on where migrants started their journey it has become a major passageway. The most trafficked route along Europe's Southern perimeter is the Central Mediterranean passage which is from Libya to Italy. The route is serving as the key entry point to Europe and currently the most regular migrants and asylum seekers from Middle East Countries and African such as Ethiopia, Eritrea, Egypt, and Somalia use this passage.

The Mediterranean route from Libya to Italy has received the weight of the recent wave of irregular migration. According to the EU border agency Frontex¹², there were roughly one

⁹ Jeanne Park (2015). Europe's Migration Crisis, Council on Foreign Relations. p.1

¹⁰ Ibid. p.2-3

¹¹ See FRONTEX (2015). Annual Risk Analysis 2015, Warsaw, Poland.

¹² The term FRONTEX derived from French *frontière extérieure*, it is the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union was established in October 2004 through Council regulation 2007/2004. It promotes, coordinates and develops European border

hundred seventy thousand border crossing along the route in 2014 and the majority of them are African nationals.¹³ This passageway is also considered as one of the most dangerous and the IOM estimates that 3,224 Mediterranean migrant deaths in 2014 occurred along this route; migrants who lost their lives are mainly from Africa and the Middle East: 27% from sub-Saharan Africa, 19% from the Middle East and North Africa, 13% from the Horn of Africa.¹⁴ Several unpleasant incidents were happening like capsized boats, including one in April 2015 that killed more than 800 people have grasped the world's attention and elicited calls from human rights advocates and policymakers for an integrated European response to the migrant crisis.¹⁵ According to a 2014 report of the IOM, Europe is currently the most dangerous destination for irregular migration in the world, and the Mediterranean Sea becomes the “deadliest route worldwide” and the most dangerous border crossing area.

With the growing number of African migrants to Europe the human rights issue becomes the most challenging task for the EU to balance, in the one hand, to protect the rights of African migrants, in the other, to maintain the security concern of the Union. However, with the context of recent migration influx keep balancing these two agendas become challenging and EU now progressively criticized with its response to handle the challenges in accordance with the principle of human rights. One of the manifestation of the this human rights inconsistency is observed in migrant detention centers along Europe's southern margin—in Italy, Malta, Spain and Greece—and the condition of detention centers in the third states (which are established through agreement among EU and countries where migrants uses as a transit) have all provoked alleges of abuse of human rights. With these contexts different human rights groups have accused EU as violator of international human rights norms which protect the rights of migrants.¹⁶

In Europe today, migration from developing regions of the world is usually categorized under the frame of threat, this revealing a deep feeling of insecurity in Europe. And since EU states has

management in line with the EU fundamental rights charter applying the concept of Integrated Border Management (FRONTEX 2014).

¹³ FRONTEX (2015). Annual Risk Analysis 2015, Warsaw, Poland. p.16

¹⁴ Francesco Malavolta (2014). Global Migration Trends: an Overview, International Organization for Migration, IOM-Migration Research Division, December 2014. p.6

¹⁵ <http://www.bbc.com/news/world-europe-32387224>, 22 April 2015.

¹⁶ See Human Rights Watch (2014). Abused and Expelled III-Treatment of Sub-Saharan African Migrants in Morocco, printed in the United States of America.

increasingly perceived the issue of migration more in the security perspective, the protection of human rights of migrants becomes challenging. Therefore the very objective of this study is to examine to what extent the European human rights regime includes African migrants within its realm of protection and to study the response of the EU whether contradicts with international obligations. It also assesses the Europe's migration-security concern and the economic, social and political condition in Africa and how such environment forces African migrants.

1.2 Statement of the problem

The migratory issue in Europe is progressively perceived more from 'a security-based approach'.¹⁷ The dilemma in the European Union has constantly been how to guarantee that the external borders are well confined against "unwanted migration and mass refugee flows" and, while, how to preserve an efficient system on internal borders that does not weaken the concept of free movement of member states' citizens within the Union. On the one hand, EU members have agreed to have the free area of movement for goods and service and of capital and persons among themselves. So, they have been progressively eradicating "internal restrictions on the freedom of movement of persons" in the course of a sympathetic set of Community laws, such as the "Single European Act of 1986, and intergovernmental agreements, such as the Schengen Agreement¹⁸ of 1985 and the Schengen Convention of 1990".

On the other hand, the EU governments increasingly have chosen a "more restrictive approach in law and policies towards third country nationals". European gives different meaning for the concept of "freedom of movement of people". Freedom of movement for EU nationals has meant the eradicating of internal borders restrictions, abolition of controls and the facilitation of travelling. On the contrary, freedom of movement for non-EU members' nationals has been linked with more immigration controls; serious identity checks and tightens up external border controls.¹⁹

¹⁷ Harlan Koff (2014). The EU Migration-Security Nexus: The Reinforcement and Externalization of Borders from the Center, Policy paper series, Autumn/Winter 2014. p.1-5

¹⁸ The Schengen Accords (1985 and 1990), which give European citizens and legal residents in the signatory states the right to free movement across borders (Harlan Koff, 2014:1).

¹⁹ See Marat Kengerlinsky (2007). Restrictions in EU Immigration and Asylum Policies in the light of International Human Rights Standards, Essex Human Rights Review Vol. 4 No. 2 September 2007. pp. 1-3

From the last two decades onwards immigration and asylum policies have become expansive in order to accomplish the idea of a ‘fortress Europe’.²⁰ The territorial extension of the EU has been inextricable with the need for suppressive measures to defend the external borders of the European Union from “unwanted threats of migration”, while the security concerns which have always been at the apex of the Union agenda.²¹ Particularly, after the terrorist attacks on the US cities on 11 September 2001, on Madrid 2004 and London 2005, managing borders has been viewed as the overall fight against terrorism and the complexity of maintaining internal security in the “enlarged EU”.²²

The actual challenge that the Union faces currently is the politics of migration in relation to the protection of the African migrants’ human rights. In fact, when it comes to international values on human rights the condition becomes problematical, as the EU Member States are trapped between the conflicting goals of keeping the values of human rights and the demand to make tighter up immigration and external border controls. The fact that migration creates a dilemma when human rights issues are involved in it might be seen, on the one hand, as an international humanitarian or human rights issue, and, on the other hand, as an immigration affair which could place ‘a strain on the labor market and social facilities, such as housing, education, and medical facilities’.²³ That leads to, and is reflected in, the ongoing tension between international human rights law to protect the African migrants’ rights and national laws where the prime concern is to protect and promote the rights and welfare of the citizens. Unfortunately, if not purposely

²⁰ The original meaning of the term dates back to World War II when it referred to the plan of Nazi Germany to build system of defenses along the Atlantic coast of Continental Europe (the ‘Atlantic Wall’) to defend against the anticipated Allied invasion from the British Isles. It was a military propaganda term used by both sides. The term survived after the end of the war and experienced a renaissance in the 1990s with the construction of the Schengen Area. “Currently, the term refers to both the system of border patrols against illegal immigration and the attitudes towards immigration in general”. Fortress Europe was officially created in June, 1994 when the EU formally blocked its doors to immigrants as the Council of Ministers of the Interior and Justice permitted a resolution strictly limiting the entry of outsiders to EU states. Harlan Koff (2008). *Fortress Europe Or a Europe of Fortresses?: The Integration of Migrants in Western Europe*. p.22

²¹ J. Occhipinti (2004). ‘Police and Judicial Co-operation’ in M. Cowles and D. Dinan (eds.) (2004). *Developments in the European Union*, Palgrave Macmillan, London. pp.194-196

²² H. Grabbe (2005). ‘The Politics of Freedom, Security and Justice in Enlarging Europe’ in K. Henderson (ed.) (2005). *The Area of Freedom, Security and Justice in the Enlarged Europe*, Palgrave Macmillan, London. pp.150-154

²³ G. Brinkmann (2004). ‘The Immigration and Asylum Agenda’, *10 European Law Journal* 2, 182 at 184

protected under national law and practice, migrants, as aliens, exposed to risks relative to the nationals of the State.²⁴

One can therefore logically question to what extent the European human rights regime includes African migrants within its realm of protection which is protected under international human right laws. Thus, this study will critically examine whether the European Union migration approach towards the African migrants in term of policy as well as practice contradicts with international obligations under international law in general and with the principles of the international human rights law in particular. It also assesses the Europe's migration-security concern and the economic, social and political condition in Africa and how such environment forces African migrants.

1.3 Objective of the Study

1.3.1 General Objective

The general objective of this study is to critically examine the European immigration approach and practice towards the African migrants whether contradicts with international obligations under international law in general and with the principles of the international human rights law in particular. It also assesses the Europe's security concern and the economic, social and political condition in Africa and how such environment forces African migrants to migrate into Europe. Therefore, the general objective of the research is to investigate the above issues.

1.3.2 Specific Objectives

The specific objectives of this study can be summarized as:

- To study the policy approaches that the European Union have vis-à-vis international migration
- To analyze the major factors behind the augmentation of African migrants to Europe
- To study European Union responses towards the African Migrants
- To analyze why the European Union interprets immigration as a security threat

²⁴ B. Ghosh, (2003). Elusive Protection, Uncertain Lands: Migrants' Access to Human Rights, Geneva: Office of the High Commissioner for Human Rights. p.4

- To investigate the European Union approach towards the African Migrants whether contradicts with human rights principles

1.4 Research Questions

This study attempts to answer the following research questions:

1. What a policy approaches do the European Union have vis-à-vis international migration?
2. What are the major causes behind the augmentation of African migration to Europe?
3. How has the European Union approached and responded to the African Migrants?
4. Why do the Europeans countries interpret migration as a security threat? Are the African migrants posing security threats for Europe?
5. Is the European Union responds inline and in accordance with international human rights? Do the responses of the Union infringe the rights of African immigrants?

1.5 Significance of the Study

Although there are a number of works on migration with a combination of human rights and security, as far as the European approach towards the African migrants and its implication for the African migrants' human rights is not studied comprehensively and it is a fragmented one. Also, since various developments have been taking place from the last four or five years onward vis-à-vis the African migrants to Europe, it is appropriate to study the area fully. Therefore, it has its own contribution to further study or to other researchers who are interested to study in similar area. Also it is contributing in some in filling the knowledge gap stated in the above.

1.6 Methodology and Method of Data Collection

1.6.1 Methodology of the Study

Methodologically, due to the nature of the study, this research is used qualitative approach, which is a more descriptive approach. Qualitative research is aimed at investigating behaviors, attitudes, and experiences of the people and most often employed to answer the why and how of human behavior. It is “an umbrella for an array of attitudes towards and strategies for conducting inquiry that aimed at discovering how being understand, experience, interpret, and produce the

social world” or social contexts of particular populations.²⁵ Accordingly, to study the European Union’s immigration approach towards the African migrants from the perspective of international obligations under international human rights law and how European securitize migration, the views, observations and argument of experts familiar with the issue at hand regarded as the main input for this study.

1.6.2 Method of Data Collection

To carry out this study, the researcher employed both primary and secondary sources of data. The study has used secondary sources as the major source and it has primarily relied on it as a data collection method. Accordingly, books (e-books), scholarly articles, archival materials, journals, published reports, conference proceedings, and released newsletters were utilized.

This study also employs primary data such as analyzing official documents (particularly European Union’s Immigration Policy and communiqués), both International Migration Law and International Human Right Law documents, agreements and communiqués etc. were used. Also for a limited purpose, the researcher gathered primary data through interviews. The type of interview that the researcher employed was Semi-Structural interview. Because unlike formal interviews, which follow an inflexible format of a set of questions, semi-structured interviews focus on particular subjects but cover them in a conversational style.²⁶ “They are often the best way for learning about the motivations behind people’s choices and behavior, their attitudes and beliefs, and the impacts on their lives of specific policies or events.”²⁷ Also, since it permits flexibility and easy for amendment on the nature of questions depending on the circumstances in which the interview conducted, semi-structured interview helpful.²⁸ Accordingly, the researcher conducted key informant interview with semi-structured questions with people in different institutions such as with the African Union concerned body, the Federal Democratic Republic of Ethiopia Ministry of Foreign Affairs and with various scholars in the areas of security and human rights.

²⁵ Sandelowski, M. (2004). ‘Qualitative Research’. p.893

²⁶ See Kate Raworth et al (2012). Conducting Semi-Structured Interview, Oxfam GB, Oxford, UK.

²⁷ See Ibid

²⁸ Natasha Mack et al (2005). Qualitative Research Methods: A Data Collector’s Field Guide. p.4

1.6 Scope of the Study

Despite the fact that the issue of migration in Europe is broad and many migrants across the world engage in, this study is delimited in examining the European Union stand on the African migrants only. It also focuses on the policy as well practical action of the European Union toward African migrants and its implications on the African migrants' human rights from the human rights perspective.

1.8 Limitation of the Study

To conduct this study, the researcher has faced some challenges. The first constraint for the study was gathering primary data through interviews from different personnel in the intergovernmental organizations, such as the African Union and the European Union Delegation to the African Union and various embassies in Addis Ababa such as Germany, Italian and Greek embassies.

1.9 Organization of the Study

The study has seven chapters:

Chapter one introduces the general features of the study and also underscores what the study is all about and how it is done. Among others, this chapter holds the following: background of the study, statement of the problem and methodology of the study. Chapter two holds conceptual and theoretical framework and literature review on the issue of migration, security and human rights. The conceptual part is discussed about migration, human rights and human security concepts. The theoretical framework part is discusses the theory of securitization of migration, and how it progressively accepted in examining EU stand toward international migration. Chapter three is deals with the European approach for the international migration, security and human rights. Chapter four is dealt with the major causes behind the augmentation of African migration to Europe in details. Chapter five is dealing with the current migration flow and crisis in Europe in relation to the African migrants and the European response Chapter six deals is with the securitization of migration in the European Union and its implication for the African migrants in terms of their human rights protection and examining European responses towards the African migrants in the lights of international human rights principles. The final chapter, Chapter seven is a conclusion based on the findings of the research.

Chapter Two

Conceptual and Theoretical Frameworks

Several studies²⁹, from various conceptual and theoretical frameworks, have dealt with the concept migration and its causes, consequences, and implications for migrants. The concept migration recently has been raised often due to the changing international political system and seen as a new security paradigm and threat among states. For example, Huysmans and Spencer connect the immigration agenda as part of states policy in combating of terrorism³⁰, international crime, and border control.³¹ As will be seen in detail below, migration recently considered as a ‘security threat’ with serious implications for the socio-political, cultural and economic stability of the both national and regional states.³²

Before embarking on the debate surrounding the nexus between security and migration, let us first look into some important definitions of terms and concepts which are relevant in this study.

2.1 Conceptual Framework

2.1.1 Migration

Migration is a very complex concept and while there is no a single and unanimously agreed definition for the term migration which is recognized as standard criteria applicable at all spatial units (such as local, regional, national and international). And it is hard to find a comprehensive definition that can be free of weakness. As Clarke (1965) noted ‘there is no unanimity over the meaning of migration though many consider it as movement involving a change of residence of substantial duration’.³³

However, there have been attempts by scholars to define the term. Ross (1982) defined migration as ‘a geographic mobility that involves a change of the usual residence between defined political

²⁹ See Huysmans (2000). The European Union and the Securitization of Migration and Spencer (2008). Linking Immigrants and Terrorists: The Use of Immigration as an Anti-Terror Policy.

³⁰ Spencer (2008). Linking Immigrants and Terrorists: The Use of Immigration as an Anti-Terror Policy. pp.1-2

³¹ Huysmans (2000). The European Union and the Securitization of Migration. pp.756-757

³² Simon Dalby (2000). “Geopolitical Change and Contemporary Security Studies: Contextualizing the Human Security Agenda,” pp.2-5

³³ Clarke, J.I (1965). Population Geography. p. 123

areas'. The meaning of "change in residence" at this point denote relatively permanent change in residence and "defined political areas" mean for certain areas that surrounded by a specific geographic or political boundary.³⁴ Likewise Week, J.R (1989) defined migration as the process of changing residence of people from one place in the world to another for the purpose of taking up permanent or semi-permanent residence, usually across the political boundary.³⁵

Sinha (2005) approaches the concept in broad and comprehensive way after he attempted to sort out the limitations of the previous scholarly works. According to Sinha migration is,

"ubiquitous process of movement of individual or group of people from one spatial unit or place of residence (known as original place) to another (called as destination place) defined by any kind of commonly agreed geographical or political or administrative boundary in space and time. The movement between the defined original and destination place in termed as spatial or territorial movement. Through such spatial or territorial movement a mover finds change in his or her residence, which may be either permanent or semi-permanent or temporary. Such movers are usually found residing in a house (no matter it is owned or hired), and engaged in some sort of source (economic activities) of their livelihood...and sharing or consuming the resources of the area they entered...at particular point of time of enumeration".³⁶

Migration happens at a range of scales that are, intercontinental (between continents), intra-continental (between countries on a given continent), and interregional (within countries). In general migration has commonly raises the questions about national identities and social membership. And the spatial nature of migration is scarcely irrelevant (means no matter how the distance is between the origin and destination place of the migrants), but international migration is understood more generally as a social phenomenon that ties with the wide range of life domains such as politics, economics, culture, identities, etc.³⁷

Regarding to the classification of migration depends on the length of time it can be classified as short-term and long-term migration as well as temporary or permanent migration. In addition based on decision-making migration can be voluntary migration (usually small in number and it caused by objective based self decision such as higher aspirations), forced migration (when the

³⁴ Ross, J.A (1982). International Encyclopedia of Population. pp. 448-449

³⁵ Week, J.R (1989). An Introduction to Population: Concepts and Issues. p.86

³⁶ Sinha, B.R.K (2005). Human Migration: Concepts and Approaches. p.407

³⁷ David Bartram et al (2014). Key Concept in Migration, p.4

migrants have no choice in whether they go or stay and it occurs due to political cause such as war, displacement decision and physical cause such as flood, drought, earth quake etc).³⁸

Migration is usually categorized depending upon the type of the political or administrative boundaries they crossed such as state's line and international boundaries. When migrants cross international boundary it becomes international migration and such migrants are known as immigrants and emigrants too. International migrants are further classified as legal immigrants, illegal immigrants, and refugees. Legal immigrants are those who moved with the legal permission of the receiver's nation, illegal immigrants are those who moved without legal permission, and refugees are those crossed an international boundary to escape from various persecutions (especially the political persecution or chaos).³⁹

Beside that contemporarily the term like 'irregular migration' becomes familiar, although not universally accepted definition, and not very precise (it encompasses a variety of types of migrants: economic migrants, asylum seekers, refugees). It is primarily used by organizations such as the International Organization for Migration and the European Union.⁴⁰ IOM labels irregular migration as migration that takes place outside the regulatory norms of the sending, transit and receiving countries. Consequently, 'from the perspective of destination countries it is entry, stay or work in a country without the necessary authorization or documents required under immigration regulations. From the perspective of the sending country, the irregularity is for example seen in cases in which a person crosses an international boundary without a valid passport or travel document or does not fulfill the administrative requirements for leaving the country.'⁴¹

About the time frame there is no internationally accepted or standard of time scale to recognize someone as migrant or not. It depends on states' policy- in some cases the period to consider someone as migrant may be quite shorter and in other case may longer. Regarding international migration, it is, the duration of stay in or away from the country is more matters. Somebody will be taken as an international emigrant for a particular country if he/she leaves the country and

³⁸ Clarke, J.I (1965). Population Geography. p. 124

³⁹ Sinha, B.R.K (2005). Human Migration: Concepts and Approaches. p.409

⁴⁰ Monika Wohlfeld (2014). 'Is Migration a Security Issue?' in Omar Grech and Monika Wohlfeld (eds) (2014). Migration in the Mediterranean: Human Rights, Security and Development Perspectives, MEDAC: Malta. p. 66

⁴¹ See IOM (2014). Key Migration Terms.

transfers his/her customary dwelling outside the country for more than a minimal duration⁴² of time. In similar somebody will be regarded as an international immigrant for a specific country if he/she enters the country to settle his/her dwelling for more than the minimal time duration.⁴³

When we talk about migration it is important to discuss the issue of policies that manage the movements across certain space. In this regard states have possessed broad authority to regulate the movement of migrants across their respective margins;⁴⁴ nevertheless, their authority is not an absolute. Because the power of states to regulate migrants across their jurisdiction in some ways is limited by certain rights which grants to foreign nationals in international law.

States are competent to exercise their sovereign power to determine who will be admitted and for what period in their jurisdiction. In support of these authorities, states may enact 'internal law and regulations on such matters as passports, admissions, exclusion and expulsion of aliens and frontier control'.⁴⁵ In terms of laws and regulations or policies states adopt in the management of immigration varies. In this regard some states may be more restrictive than others, however "all states adopt rules that govern entry into and exit from their territories".⁴⁶

Despite states allowing and respecting the rights of certain migrants to remain in their territory, concerns about security often "trump any exercise of migrant rights". Thus states may accept to respect the rights of migrant based on the universal morality they agree on or to avoid the normative accountability from the international community. Often over the concern of national security, states are reluctant to check whether they are in line with international law in respecting the rights of migrants or not. To illustrate this fact Susan Martin (2005) express exactly by arguing that

Security exception may take explicit form, for example, in the form of limitation clauses, or 'claw backs' and derogation clauses. Claw backs appear immediately after a phrase guaranteeing a right, typically allowing exception to the right as long as the restrictions

⁴² The United Nations defines long and short-term international migration depends on the duration of immigrants staying outside of their customary dwellings. According to the UN, long-term migration exists when the period of stay is at least of one year and short-term when the duration of stay in the country, or away from the country, lies between three months and one year (UN Statistical Commission, 2001, p.3).

⁴³ Michel Poulain and Nicolas Perrin (2001). Is the Measurement of International Migration Flows Improving In Europe? p.2

⁴⁴ See Aleinikoff (2003). Migration and International Legal Norms. pp. 31-45

⁴⁵ Louis B. Sohn and Thomas Buergenthal (1992). The Movement of Persons Across Borders. p. 3

⁴⁶ Susan Martin (2005). The Legal and Normative Framework of International Migration. p.6

are “provided by law, are necessary to protect national security, public order, public health or morals or the rights and freedoms of others, and are consistent with the other rights recognized” in the applicable treaty⁴⁷ Generally, States have broad authority to exclude foreign nationals from entering their territory and expel or deport persons already in their countries...grounds for exclusion and deportation may be similar: public health, criminal convictions or activities, earlier violations of immigration law, economic reasons, for example, in addition to the national security grounds.⁴⁸

In spite of disagreement over the concept of migration, in number of scholarly works there is some common ground or elements in defining the concept such as in issue of residential change (manly the permanent aspect of migration is accepted), distance travelled and kind of boundary they crossed, intention of stay and length of time they spent in the new place.⁴⁹

In general the concept of migration is complex in terms of its definition and it holds multiple but interrelated issues. For the purpose this study, migration and/or international migration is primarily adopted from the comprehensive work of Sinha (2005). For this reason migration is the movement of people who are crossing the international boundaries in search of settlement, to get the status of refugee or asylum seekers but the legal status of the migrants is not the concern of this paper, they can be legal migrants, illegal migrants or refugees (including irregular migrants) who reached in the borders of nations via different channels.

2.1.2 Security

The security study is one of the core areas in the International Relations. Security as a term can be found in so many settings (such as on individual level, national level and international level of security) and with so many different meanings. It encompasses various aspects of the human values to mention some in culture, politics, economics, social, identity etc.

The term security in its Latin noun ‘securitas’ referred, to a condition of individuals, of a mostly ‘inner sort’. It signifies “composure, tranquility of spirit, freedom from care”, the condition called the ‘object of supreme desire,’ or ‘the absence of anxiety upon which the happy life depends.’ Adam Smith too, in the Wealth of Nations, talks about security but is less of an inner condition, yet it is still a condition of individuals. Adam Smith certainly recognizes ‘the liberty

⁴⁷ Aleinikoff (2003). Migration and International Legal Norms. pp 97-99

⁴⁸ See David Martin ().“The Authority and Responsibility of States” in Susan Martin (2005). The Legal and Normative Framework of International Migration.

⁴⁹ See Sinha, B.R.K (2005). Human Migration: Concepts and Approaches. pp. 403-417.

and security of individuals' as the core prerequisites for the expansion of public wealth. Accordingly security comprehended, here, as "freedom from the prospect of a sudden or violent attack on one's person or property.... It is in this sense the object of expenditure on justice, and of civil government itself."⁵⁰

In the discipline of international relations the term security mostly signifies "national security" or the shielding of the state from external threats. This particular connotation emerges from the practices of international politics following the First World War. For this reason, the language of security in its political sense, "may add the adjective, national, to clarify the context". The idea of national security, according to Hideaki Shinoda (2000), is based on a correspondence between a human being and a nation, which is a result of the 'anthropomorphism⁵¹ of nations.' He further noted that "it is nationalism in the modern era that made it possible to conceive of a nation as a living entity, thereby making it an object of protection".⁵² Further, the term security conveys more general meanings including safety of individuals from violence, "religious peace of mind", and financial dealings to maintain a superior standard of living.⁵³

Security has also a distinctive characteristic to consider it as international concern. As Wæver (1995b) argues international security issue it can be conceptualized in the customary military-political understanding of security. In this regard, security is all about state survival and it is easily observed when an issue, according to Wæver

...is presented as posing an existential threat to a designated referent object (traditionally, but not necessarily, the state, incooperating government, territory, and society). The special nature of security threat justifies the use of extraordinary measures to handle them. The invocation of security has been the key to legitimize the use of force, but more generally it has opened the way for the state to mobilize, to take special powers, to handle existential threats. Traditionally by saying "security," a state representative declares an emergency condition, thus claiming a right to use whatever means necessary to block a threatening development.⁵⁴

⁵⁰ Emma Rothschild (1995). *What Is Security?* pp.61-62

⁵¹ Anthropomorphism means "the showing or treating of animals, gods and objects as if they are human in appearance, character or behavior" (Cambridge Advanced Learner's Dictionary (2003)).

⁵² Hideaki Shinoda (2000). *Re-examining Sovereignty: From Classical Theory to the Global Age*. p. 53

⁵³ *Ibid.* p.6

⁵⁴ Wæver (1995b). "Securitization and Desecuritization" in Barry Buzan et al (1998). *Security: A New Framework for Analysis*. p. 21

Following the Second World War security studies have become a synonym for strategic studies with a distinct focus on the military sector. Yet, with the growing intricacy of the international relations' agenda, to mention some the rise of economic and environmental defies, emergence of the new security challenges, risks and threats, emergence of new global actors, the traditional view on concept of security, that is, its fundamental nature has become too narrow.⁵⁵

The issue, therefore, is whether there is a generally accepted definition of the meaning of security, whether it should be considered as an “essentially contested concept”⁵⁶ or it is more appropriate to say that the concept itself is inadequately explained. For that reason scholars come up with ‘new’ broad definition of security unlike the traditional definition (broad in a sense that it encompasses many setting of social life). In this regard Barry Buzan along with his colleagues (particularly known as the Copenhagen School) are well known examples.

Barry Buzan describes the concept, “security is taken to be about the pursuit of freedom from threat and the ability of states and societies to maintain their independent identity and their functional integrity against forces of change, which they see as hostile”. The foundation of security is survival, but it also reasonably embraces a considerable range of concerns about the conditions of existence which identifies threats as important enough to necessitate emergency action and ‘exceptional measures’ as well as the use of force.⁵⁷ Barry Buzan is not against the concept of state and state centered definition of security but believes in boarder scope of security which means, consideration of non-military aspect in finding solutions to the societal problem such as the issue of environmental degradation, economic insecurity etc.

For details of the conceptualization and changing nature of the concept (broad versus narrow definition) see this in the sub section human security and securitization theory. And further discussion on security would be taken up further in the discussion of the nexus between migration and security.

For the purpose of this study the definition of security is more taken from concepts (particularly the definition of Barry Buzan mentioned in the above) in which the recent trends defining it in relation to migration.

⁵⁵ Vladimir Sulović (2010). Meaning of Security and Theory of Securitization. p.1-5

⁵⁶ Baldwin, D., (1997). “The Concept of Security”, in Review of International Studies, No.23, pp.10-12

⁵⁷ Barry Buzan (1991). New Patterns of Global Security in the Twenty-first Century. pp. 432-433

2.1.3 International Human Rights (IHR)

The concept of human rights is one of controversial concept in the discipline of international law and international relations. The debate surrounding the concept of international human rights is multifold- it is contested, over its nature or origin and its character or the universality.

With regard to its nature, scholars questions the origin of human rights by stating that: is human rights grounded on nature, that means on something ‘unalterable and absolute,’ or are they the very product of human history and the social life? Scholars of human rights respond these questions quite differently. For example R. Machan (1982) maintains that human rights signify the moral rights that "human beings have in virtue of being human".⁵⁸ On the contrary, J. Donnelly (1985), argued human rights are ‘the choice of a particular moral vision of human potentiality and the institutions for realizing that vision’⁵⁹ or ‘a proposal concerning the morally appropriate way of treating men and organizing society’.⁶⁰

The other debate surrounding international human rights is over the issue of its universality (whether it has character of universality or peculiar only for certain group). Jack Donnelly presents international human rights as universal rights, but, critics on the universality of human rights argue this stand and he pointed out that these debates are regular and extensive.

The debate is mainly among thinkers of human rights Universalists and Relativists. In the one hand, relativism sees culture, history, economics and other social fabrics as the source of all values. According to relativism there are no human rights, rights that all human being have, independent of society and thus irrespective of their particular culture, history and other attributes of their belongingness. However, as Donnelly argued, such a position in effect denies the very idea of human rights, because it implies that there are no rights that everyone is entitled to equally, merely as a human being. In the other hand universalism, perceived that, all values including human rights, are wholly universal, in no way subject to modification in the light of

⁵⁸ Tibor R. Machan (1982). A Reconsideration of Natural Rights Theory. p. 61

⁵⁹ Jack Donnelly (1985). The Concept of Human Rights. p. 31

⁶⁰ See E. Kamenka (1978). The Anatomy of an Idea in Barbara de Mori (2000). What moral Theory for Human Rights? Naturalization vs. Denaturalization. p.1

cultural and historical differences. In this regard human rights would set of rights that apply at all times and in all places.⁶¹

Donnelly (2007) (who once was advocate of universality of human rights) tries to compromise these two extremely divergent positions, by picking attributes from each thoughts and argue that there should be “considerable space for cultural, regional, national and other variations in implementing ‘universal’ human rights”, what he called the “relative universality” of internationally recognized human rights.⁶²

According to Thomas Pogge the concept of a human right has certain fundamental elements that any understanding of human rights should embrace. First, human rights convey definitive moral concerns. It means those rights entails us that “persons have a moral duty to respect human rights, a duty that does not derive from...national or international legal instruments”. Second, all human beings have equal status, that means they have “exactly the same human rights, and the moral importance of these rights...not vary with whose human rights are at stake”. Lastly, human rights are also unrestricted, in a sense that, they have to be respected by all “human agents irrespective of their particular epoch, culture, religion, moral tradition or philosophy”.⁶³

Adamantia and Peter cited in Donnelly (2007) argued that “all societies have human rights notion and the concept of human rights can be traced to the origin of the human race itself.”⁶⁴ Thus there are discussions on the universality or relativity of the concept human rights. Even though the debate surrounding the concept human rights is going on there is consensus among states and citizens of the world that human being needs them irrespective of race, sex color, sex, language, religion etc.

⁶¹ Jack Donnelly (2007). International Human Rights (3rd edition). p.37

⁶² See Jack Donnelly (2007). International Human Rights (3rd edition). pp. 36-57

⁶³ Thomas Pogge (2000). The International Significance of Human Rights. p. 46

⁶⁴ Adamantia Pollis and Peter Schwab (1982) (edi). Toward a Human Rights Framework in Jack Donnelly (2007). International Human Rights (3rd edition). pp. 39-40

As Donnelly put Human rights are inalienable rights which exists universally regardless of any distinction, since

...being or not being a human being is an inalterable fact of nature, not something that can be earned or lost. Human rights are thus universal in the sense that they are held universally by all human being. Human rights are often held to be universal in sense that all or most societies and culture have practiced human rights throughout all or most of their history.⁶⁵

Internationally recognized human rights can be protected by law on the domestic level or through agreements in the international level. International human rights law has different layers including the global system, in which the United Nations is the key player and which is prospectively applicable in one form or another to every human being in the world. And the other layer is regional systems which are now mostly covers three regions of the world; those are the European, the African and the Americas system. This system indicates that “if one’s human rights are not protected on the domestic level, the international system comes into play, and protection can be provided by the global or the regional system”.⁶⁶ States from a particular region often have a common interest in the protection of international human rights in that particular region and the advantage of proximity play its role in terms of influencing each state’s behavior in that region and “ensuring compliance with common standards which the universal layer (system) does not have”.⁶⁷

Almost all states of the world accept the Universal Declaration of Human Rights (UDHR) as a reliable testimonial of the international human rights norms and dozens of them recognized International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) as the foundation of legal international human rights instruments.⁶⁸ According to those existing international conventions and treaties such as the UDHR of 1948, ICCPR of 1966, and ICESCR of 1966, human rights include cultural, economic, and political rights, such as right to life, liberty, education and equality before law, and right of association, belief, free speech, information, religion, movement, seeking asylum

⁶⁵ Jack Donnelly (2007). International Human Rights (3rd edition). pp. 39-42

⁶⁶ Christof Heyns et al (2006). A Schematic Comparison of Regional Human Rights Systems: an Update. p. 163

⁶⁷ Ibid. p. 163

⁶⁸ See Susan Martin (2005). The legal and normative framework of international migration. pp.1-41

and nationality.⁶⁹ They serve as a standard for people's rights and form the basis of many modern national constitutions.⁷⁰

In relation human rights and migration concerned important principles are found in ICCPR. Accordingly, all persons regardless of time and space could enjoy all of the “unalienable rights” as this international law notes. The ICCPR defines such basic rights of all persons as the right to life, liberty and security; the right not to be subjected to torture or to cruel, inhuman or degrading treatment or punishment; and the right not to be subjected to arbitrary arrest, detention or exile are some. The ICCPR (article 2) states that such rights are provided without distinction of any kind, to mention some race, color, sex, language, religion and other ground.⁷¹

Moreover number of treaties⁷² deal with migration including refugees more specifically related to movements of people across international borders.

International Human Rights mean rights of every member of a human family that is endowed by virtue of nature. It is inherent and inalienable rights of every person exercise it without any distinctions over time and space. The preamble of the UDHR recognizes ‘...the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of International Human Rights’. While there is widespread acceptance of the importance of human rights, there is still considerable debate and discussions as to their precise nature and definition of human rights.⁷³

Therefore the concept of International Human Rights in this research means rights that internationally accepted norms and applicable all over the world without any distinction (at least in principle via various conventions, agreements and treaties) and it adopts definition of Jack Donnelly whose stand basically lies in middle of the two argument and maintains that human

⁶⁹ See Universal Declaration of Human Rights, adopted 10 December 1948, GA Res. 217A (III), International Covenant on Civil and Political Rights, adopted 16 December 1966, 999 UNTS 171, entered into force 23 March 1976 and International Covenant on Economic, Social and Cultural Rights, Adopted by General Assembly resolution 2200A (XXI) of 16 December 1966, entry into force 3 January 1976.

⁷⁰ <http://www.businessdictionary.com/definition/human-rights.html#ixzz3dnVhrJVk>

⁷¹ Adamantia Pollis and Peter Schwab (1982) (edi). *Toward a Human Rights Framework in Jack Donnelly* (2007). *International Human Rights* (3rd edition). pp. 39-40

⁷² Convention Regarding the Status of Refugees, the Convention against Torture, the Convention on the Rights of All Migrant Workers and Members of their Families, and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.

⁷³ Malcolm N. Shaw (2008). *International Law* (6th edition), Cambridge University Press. p.265

rights are both universal and relative in its true sense and are mutually inclusive than being mutually exclusive.

2.1.4 Conception of ‘Human Security’

As we discussed in the sub-section 2.1.2, there are new security paradigms in the international relations and one of the newly developed approaches in the international arena is human security. In 1994 United Nations Development Programme (UNDP) came up with Human security approach and later well explained in the Commission on Human Security Report of 2003 as a post-Cold War discourse. Its rationale was to deal with threats that had been unnoticed by conventional State-centered conceptions of national, military and territorial security. It sought to tackle risks faced by individuals and communities such as environmental hazards, poverty, global infectious diseases, violent conflicts within States and transnational organized crime. Human security is an individual-centered approach to tackle and answer to threats, danger and vulnerabilities posed to individuals.⁷⁴

Human security as a concept identifies the security of human lives as a core objective of national and international security policy. Grew out of growing dissatisfaction with the state-centered concept of security, human security emerged as favorable conceptual framework for comprehending human vulnerabilities in the contemporary world and it denying that only pursuing military interventions as response for threats is inadequate to reduce human vulnerabilities.⁷⁵

The concept of human security enlarges the scope of analysis and policy in multiple directions. Rothschild (1995) argued,

‘it extends downwards to the security of groups and individuals; upward, to the security of international systems; horizontally, from military security to political, economic, social, environmental security’. And in all directions “upwards to international institutions, downwards to regional or local government, sideways to nongovernmental organizations, to public opinion and the press, and to the abstract forces of nature or of the market’.⁷⁶

⁷⁴ Lincoln C. Chen et al (2004). Human Insecurity in a Global World. pp.6–10

⁷⁵ See Bajpay, Kanti (2003). ‘The Idea of Human Security’, International Studies, Vol 40:3 pp. 195-228.

⁷⁶ Emma Rothschild (1995). What Is Security? Daedalus, Vol. 124, No. 3. pp. 55-57.

While no single consensus definition of human security, which in itself is a source of criticism of the concept as lacking an agreed definition and thus ambiguous.⁷⁷ The concept has been increasingly used since 1994. Whilst initially used largely with reference to state policies and to search for new global security and development agendas after the end of the Cold War, it is progressively more being used in policy advocacy by civil society “on a broader range of contemporary issues from civil war to migration to climate change”.⁷⁸

As Mary Kaldor (2007) noted in her book regarding human security, human vulnerability is persistent, exposed by ‘new wars’ where actors are no longer only states. These new wars are entangled with other international threats including natural disasters, disease, poverty and homelessness. ‘Yet our security conceptions, drawn from the dominant experience of the Second World War, do not reduce that insecurity; rather they make it worse.’⁷⁹ Likewise, Mahbub ul Haq suggests that human security as ‘a new paradigm of security the world is entering a new era in which the very concept of security will change-and change dramatically’ and security will be understood in an unconventional way. Thus this change gives the opportunity to look at the issues of security from other dimensions and security will be interpreted differently unlike the conventional knowledge.

‘security will be interpreted as security of people, not just territory. Security of individuals, not just nations. Security through development, not through arms. Security of all the people everywhere - in their homes, in their jobs, in their streets, in their communities, in their environment.’⁸⁰

In spite of the disagreement, human security is a key concept not to be ignored as a major discourse in contemporary debates about the world order. It gives worth to the security field via it gives emphasis to human beings and incorporates non-military mechanisms as means to security.

Human security is also related more to social justice, human rights and human development. Scholars consider human security to be an idea that is component of the capability approach. Nussbaum (2011) explains capabilities as an important human entitlement, inherent in the idea of

⁷⁷ See King, G. and Murray, C. J. L (2001). Rethinking Human Security, *Political Science Quarterly*. pp. 585-610

⁷⁸ O’Brien et al (2010). Climate Change, Ethics and Human Security, in Graham K. Brown, Arnim Langer (2012) eds. *Civil War and Fragile States*. p. 21-27.

⁷⁹ Kaldor, Mary (2007) *Human security: reflections on globalization and intervention*. p.9.

⁸⁰ Haq, Mahbub ul (1995). *Reflections on Human Development*. p.115

basic social justice, and can be viewed as one species of a human rights approach.⁸¹ For that reason, human security is closely related to human development and to human rights.

The concept include all aspects of human rights including the need for meeting basic needs and the demands of political and social freedom – both ‘freedom from fear’ and ‘freedom from want’. People’s interests or the interests of humanity, as a collective, is the focus of this approach. Thus, human security becomes an all-encompassing condition in which individual citizens live in freedom, peace and safety that considered seriously.⁸²

As far as the international migration concerned, the human security approach gives emphasis to the multiple factors that cause and give rise to migration flows, including economic deprivation, political persecution, and ethnic conflict. Accordingly human security approach, thus, addresses the question why have they left their country and why have their governments failed to tackle such turbulences before they people to migrate?⁸³

From the human security thinking, the traditional distinction of “voluntary” migration and “forced” or “involuntary” migration holds complexities to comprehend causes of migration. In the common understanding forced migrants are driven from their residences by war, violent conflicts and human rights abuses, and in the other extreme, voluntary migrants are assumed to have migrated through free choice rather than force.⁸⁴ Conditions of involuntary and voluntary migration seem have a clear cut distinction. Nevertheless the distinction between the two blurs in cases involving “migration of the very poor from the developing to the developed world”.⁸⁵

Economic, social and political insecurity may forces people to move from one place to another, though they do not facing serious persecution that is generally understood drives of ‘involuntary migration’.⁸⁶ Even if a specific migratory act in all measures seem to be “voluntary,” in “reality

⁸¹ Martha C. Nussbaum (2011). *Capabilities, Entitlements, Rights: Supplementation and Critique*. pp.23-30.

⁸² See Thakur, Ramesh (1997). ‘From National to Human Security’ *Asia Pacific Security: The Economics-Politics Nexus*.

⁸³ Thakur Ramesh (2003). *Globalization, Migration and Human Security: Challenges in Northern Asia*. p.5

⁸⁴ Fisher, Peter et al (1997). “Should I Stay or Should I Go?” In *International Migration, Immobility and Development: Multidisciplinary Perspectives*. p.50

⁸⁵ Francesca Vietti (2013). *Human Insecurity: Understanding International Migration from a Human Security Perspective*. p. 23

⁸⁶ The Geneva Convention Relating to the Status of Refugees, article 1(2) has identified these clear forms of persecution that include well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion.

the decision to move is made within a context where the individual of group is faced with no alternatives since staying in situ is not a realistic option”.⁸⁷ From the both alternatives, that is forced migration as result of human rights abuses and results from extreme poverty, lack in political and social opportunities, is not effectively eradicate, it diminishes the ability of persons to “migrate out of choice rather than necessity.”⁸⁸ This signifies that prevalent poverty together with the absence of social opportunities and the space for political participation may swift migration as the only alternative to escape from such unfavorable conditions.

Unlike the traditional security models which trying to deal about migration on “the back-end” (means more looking into the end result of migration after it happens), the human security approach more seek to identify and alleviate threats that lead to migration (particularly for forced and irregular migration). To support that the 2002 UN report called the international community to “take a more comprehensive look at the various dimensions of the migration issue, which...affects countries of origin, transit and destination [and] to understand...their complex interrelationship with development”.⁸⁹

According to Francesca Vietti (2013) probably the main development needs are economic since disparities in wealth between the poorest and the richest countries have expanded rapidly. According to the World Bank (2012) report, approximately 1.3 billion people in the developing nations live in the extreme poverty (or less than 1.25 USD per day), 780 million people lack access to clean water, and approximately 2.5 billion people do not have access to safe hygiene facilities.⁹⁰ Thus it is obvious that poverty in such magnitude sets the conditions for the outbreak of serious conflicts and violence while it boosts the likelihood of forced migration or migration in search of a better life.⁹¹

The approach of human security vis-a-vis migration asks for the protection of migrants’ human rights. It stress that the human rights of migrants need to be honored wherever in sending, transit and receiving states. In attempts to comprehend the fundamental reasons to migration, it is

⁸⁷ Kothari, Uma (2002). “Migration and Chronic Poverty”. p. 20

⁸⁸ Francesca Vietti (2013). Human Insecurity: Understanding International Migration from a Human Security Perspective. p.24

⁸⁹ See Report of the United Nations Secretary General (2002)

⁹⁰The World Bank (2012). “World Bank Sees Progress Against Extreme Poverty, But Flags Vulnerabilities.”, press-release/2012/02/29/

⁹¹ Supra note 88. pp.24-26

important to take into account the fact that “the absence of peace and security, human rights violations and the varying degrees of development of judicial and democratic institutions are all factors affecting international migration”.⁹² In general human security perceived nexus between migration and security as two sides of one coin. And lack security in economic, political and social is highly influence the likelihood that people will “choose” to migrate.

2.2 Theoretical Framework

Recently states began to consider migration as a potential security threat with serious implications for their socio-economic, political, and cultural (identity) stability.⁹³

Migration has largely been approached from two main theoretical frameworks, the classical or traditional school of thought, and critical theories that developed after post cold war era such as the Copenhagen school or Securitization theory and human security approach.

Before embark on the securitization theory which is a post cold war discourse, it is important to look into theory of Realism in dealing security in relation to migration.

2.2.1 Theory of Realism on Security

In the history of Western political thought from early times to the present days realism is one of the dominate theory in the international relations and in security studies as well. Among the realist thinkers, Thucydides, Niccolo Machiavelli and Thomas Hobbes are usually considered earliest realists and emblematic twentieth-century figures include Hans Morgenthau, Reinhold Niebuhr, Kenneth Waltz and E. H. Carr.⁹⁴

Realists give emphasis to the constraints on international politics imposed by human selfishness or “egoism” and the absence of global government or “anarchy”, which necessitate ‘the primacy in all political life searches for power and security’. For realism, the principal actors in the international system are not individuals ‘per se but states’, whose prime motive is to protect their sovereignty. Because states are worried about the prospect of going to war so security is a

⁹² The United Nations International Conference on Population and Development, 1994, par. 10.1

⁹³ Simon Dalby (2000). Geopolitical Change and Contemporary Security Studies: Contextualizing the Human Security Agenda. pp.2-5

⁹⁴ Scott Burchill et al (2005). Theories of International Relations (3rd edition). p. 30

primary concern. Rationality and state-centrism are often branded as the core of realist premises.⁹⁵

The 'security dilemma' is also another premise to deal with in the explanation of security. The security dilemma signifies that the effort of one state to retain its overall security is perceived by other states as a threat. It creates uncertainty about the intentions of security measures taken by one state since it is perceived by others as a potential threat. To counter such measures the other states also engage themselves in the realm of security; thus, these steps are then interpreted by the first actor as a confirmation that the others are dangerous.⁹⁶

Realism expresses the global order as a system of contending self-interested state actors under anarchy.⁹⁷ This understanding of the world order has directly affected the definition of security as a feature of that 'anarchy'. But the idea of an anarchic state system remains largely unchallenged, even by opponents of realism. Realists particularly for thinkers of neo-realists such as Kenneth Waltz, 'a state will use force to attain its goals' under anarchy⁹⁸, nevertheless 'the ultimate concern for states is not for power but for security'⁹⁹. Thus security has been defined by the language of state interests and force. Realists remark that, in this self-help system (or in absence of supra-national body of rule), states are the only provider of security for the lives and property of their citizens.

Henry Kissinger, well known realist scholar and the former US Secretary of State argued that 'how realistically we perceive our national interests' is a core of our security concern.¹⁰⁰ This argument centers the studies of security on the state as "guarantor of security, the state system as determinant of state behavior and security equated with interest". Realists further argued that, 'no state will sacrifice its interests to serve the larger community'.¹⁰¹ As a result states should rely on their capabilities to escape from insecurity in the "self-help system" of the world order. In this system, states have aspirations to control what they rely on, protect their independence

⁹⁵ Gilpin, R. G. (1986) 'The Richness of the Tradition of Political Realism'. p.305

⁹⁶ Glaser, C. L. (1997) 'The Security Dilemma Revisited'. p.50

⁹⁷ See Morgenthau, Hans J. (1978). *Politics Among Nations: The Struggle for Power and Peace* (5th edition), Alfred A. Knopf publishing, New York.

⁹⁸ Waltz, Kenneth (1959). *Man, the State and War: a Theoretical Analysis*. p. 160

⁹⁹ Waltz, Kenneth (1988). *The Origins of War in Neorealist Theory*. p. 616

¹⁰⁰ Kissinger, Henry (1976). 'Documentation: Foreign Policy and National Security' *International Security*. p.182

¹⁰¹ Emily Tripp (2012). *Realism: The Domination of Security Studies*. p.2

and sovereignty, and not rely on the “goodwill and amity” of other actors for their security. Though states may co-operate progressively more on wide and complex issues, the nature of those issues and the degree of co-operation that surrounded them are both limited by the condition of anarchy and aspiration by each state to protect its security, autonomy, and control.¹⁰²

The classical concept of security with the state as its core referent has been up for extensive debate. In this manner the realists view of security where it is observed as a “derivative of power” reduces the complex concept of security to a mere “synonym for power”. This view could be considered relevant during the period of the World Wars, where states seemed to be in a constant struggle for power. However, in the post-cold war era, the concept of security has become much more multifaceted and complex.¹⁰³ However this does not imply the realist assumption of security is no longer important. Even the security concerns which emerged out of ‘new’ trends have been included within the realist paradigm by those who argue that the new security issues such as economic, environmental and immigration related threats strengthen the state system, rather than weaken it.¹⁰⁴ It means realists assumed that of course there is a changing environments in security sectors in which the actors engagement will expand, however the state will remain the dominate actor. Besides this new security threats is more consolidate state’s supremacy to act swiftly in order to curb the threat.

For neorealist there are two basics assumptions behind security threat: on the one hand security threat is basically “come only from outside of state borders”, and in the other, that threat will be a military threat. As Waltz (1979) argues, “in anarchy, security is the highest end. Only if survival is assured can states seek such other goals as harmony, profit, and power. The goal of the system encourages them to seek is security”.¹⁰⁵ Consequently, the national security interests of states consider other concerns of minor importance such as intra and interstate migratory flows. It denotes that for neorealist migration is considered as a “low-politic” issue and they diminished it as a domestic matter.

¹⁰² Martin Griffiths (1992). *Realism, Idealism and International Politics A Reinterpretation*. p.83

¹⁰³ Marianne Stone (2009). *Security According to Buzan: A Comprehensive Security Analysis*. p.2

¹⁰⁴ Mearsheimer, John (1990). ‘Back to the future: Instability in Europe after the Cold War’. p. 45

¹⁰⁵ Waltz, Kenneth (1978). *Theory of International Politics*. p.126 write full reference

For them, security can be defined as “the study of the threat, use and control of military force”, and it “explore the conditions that make the use of force more likely [...] and the specific policies that states adopt in order to prepare for, prevent, or engage in war”¹⁰⁶. Thus this notion of neorealist security does not provide strong approach in order to understand the linkage between migration and security, since the movement of people (whatever its form and size) remains a domestic matter and not a matter of international security. Consequently, the neorealist explanation of security does not significantly tell us about the linkage between security and migration that we are currently observing in world politics.

But currently the scope of security has extended drastically. The extension security signifies that security unlike its traditional notion (which give more emphasis to the collective security) does not hold the security of states only, rather it encompass the overall security of the human being and nature. Threats to security today are not only threaten to states but on other non-state actors such as individuals, groups, organizations etc. Therefore we can argue that the issue of security goes beyond territorial conflicts and inter-state hostility. In this regard security studies now steadily shifts its attention into new dimensions of multifold security related issues.

Thus, we need to turn to a more encompassing theoretical framework such as securitization theory. Below we will discuss one of the critical theory and their stand on the nexus between security and migration.

2.2.2 Securitization Theory

As we try to look in the above, unlike, the foundation of the classical approaches on nexus between migration and security which is based on a “materialist ontology”¹⁰⁷, by examining diverse objective features of the issue, critical theories have questioned the materialist explanation of the classical analysis. Ontological position of traditional understanding of security critics is that “social relations and security threats are actually the result of an inter-subjective

¹⁰⁶ Stephen Walt (1991). *The Renaissance of Security Studies*. p 212

¹⁰⁷ The materialistic approach is basically based on a clear ontological point of view that the social truth is mainly a product of material factors` influence. In other words, “the social relations as well as security threats are result of material factors and that they exist “objectively” (Ejdus 2007 in Vladimir Šulović (2010). *Meaning of Security and Theory of Securitization*. p 2

ideational social construction and that they do not exist objectively, independently”.¹⁰⁸ For Critical theories, such as constructivism, migration is explained as an issue which has been securitized by different actors in order to serve the interest of the “elite’s class”. Meaning the labeling of security threat is fundamentally the product of the powerful people (particularly those who hold a decision making position) in order to secure their political support from the general public.

In the international relations it appears as an academic reflection of the Copenhagen school¹⁰⁹ and its analytical framework is based on the constructivist worldview. Securitization as a concept initially had been presented by Ole Waever in 1995, in order to redefine the spectrum of security, by questioning and criticizing all earlier, ontologically materialistic theoretical approaches to security.¹¹⁰

The basis of the constructivist ontological¹¹¹ analysis of securitization approaches completely has different character. According to constructivism, the traditional notion of security is unable to broadly reflect reality, due to the complete materialistic way the term is approached. For classical theorists approach to security is based on the interactions between “objective” materialistic factors, such as military might, economic capability and political influence at the international stage. As a replacement for securitization, the notion of security is constructed by the comparative and subjective norms, and depends on the political intentions of each actor in each case. In other words, “the word security is the act”, a security which is firm by a sequence of “speech act”.¹¹² Speech act signify that ‘It is by labeling something a security issue that it become one’.¹¹³

In particular, securitization is the process during which certain political issues is changed by the speech act, and construct it as a new security threats. It means affecting an issue from the area of

¹⁰⁸ Ejduš (2007). “Savremene teorije bezbednosti” in Vladimir Šulović (2010). Meaning of Security and Theory of Securitization. p 2

¹⁰⁹ *After the location of the now defunct Copenhagen Peace Research Institute (COPRI), where this research programme was initially developed* (note adopted from Sarah Léonard (2011).

¹¹⁰ Ole Waever (1993). Securitization and Desecuritisation, Centre for Peace and Conflict Research. p.3

¹¹¹ The basic assumption of constructivism ontology is complete and perfect knowledge does not exist. The truth about reality is a socially constructed phenomenon and the interpretation of it as well.

¹¹² Andreas Themistocleous (2013). Securitizing Migration: Aspects and Critiques. p.2-3

¹¹³ Waever, Ole (2004). ‘Aberystwyth Paris, Copenhagen: New Schools in Security Theory and the Origin between Core and Periphery’. p.13

normal political discourse to the realm of exception (for example the US migration policy after 9/11), so as to construct environments for ‘legitimate or/and non-legitimate’ action, avoiding this way the bureaucratic rules that normally apply.¹¹⁴ As Waever noted that, this process entails three basic phases, the securitization of the actor, referring to the object, and its acceptance by the audience.¹¹⁵ The process of securitization starts with an oral statement or pointing a reference to a specific actor as a potential threat. To present an issue as an existential threat is to say that ‘if we do not tackle this problem, everything else will be irrelevant (because we will not be here or will not be free to deal with it in our own way’¹¹⁶ Consequently, the potential threat is pointing out as a real threat that necessitated to instant countermeasures, and “finally the successful cultivated of fear and /or acceptance by the audience, in both the existence of the threat and the need to respond”.¹¹⁷

In practice, the actors in securitization can be an individual, a group, or different political, social, and economic elites, including but not limited to political parties, governments, or religious figures. On the other side of securitization, the subject can be different political, social and socio-economic issues, such as terrorism, immigration, or a threat of war.¹¹⁸ The securitization of a subject can be portrayed as successful or unsuccessful depending on the level of loyalty of the audience. The argument based on the idea that the security threats, is socially constructed. It means that, it is not viable to ever fully evaluate whether “threats are real’ or not”. Thus, what security scholars can and should assess is the process through which an issue becomes socially constructed and acknowledged as a security threat. According to Waever and his colleagues, the issues of security approached via “a discursive process that dramatizes and prioritizes them”. Besides, according the Copenhagen School, the issues of securitization permits the successful securitizing actors to declare that the matter ‘requires emergency measures and justifies actions outside the normal bounds of political procedure’.¹¹⁹ Therefore, for this School, there are no

¹¹⁴ Sarah Leonard (2011) FRONTEX and the Securitization of Migrants Through Practices. p.8-12

¹¹⁵ Waever (1993). “Securitization and Desecuritisation,” pp.39-44

¹¹⁶ Barry Buzan et al (1998). Security: A New Framework for Analysis. p.24

¹¹⁷ See Leonard (2007). The ‘Securitization’ of Asylum and Migration in the European Union: Beyond the Copenhagen School’s Framework. p.13-17

¹¹⁸ Thierry Balzacq (2005). “The Three Faces of Securitization: Political Agency, Audience and Context,” 191-193.

¹¹⁹ Supra note Barry Buzan et al (1998). Security: A New Framework for Analysis. p.25

security issues in themselves, yet only issues that have been ‘securitized’, which means constructed as such by means of securitizing speech acts.¹²⁰

The securitization work of the Copenhagen School has generated intense debate in security studies in recent years, as various researchers have put further propositions for further up warding and cleansing the original version of framework of securitization. While some scholars such as Vuori¹²¹ Atland and Ven Bruusgaard¹²² have maintained the weight on the role of discourses in securitization processes, other scholars led by Didier Bigo have developed different framing to the study of securitization processes, which underline the significance of practices than discourses in the processes. According to Bigo, it is feasible to securitize “certain problems without speech or discourse and the military and the police have known that for a long time. The practical work, discipline and expertise are as important as all forms of discourse.”¹²³ It entails us that, the bureaucratic structures or the acts of networks linked to security practices and the particular technologies that they employ might play a dynamic role in the processes of securitization than speech acts.¹²⁴

Bigo has made this point exactly with indication to the issue of migration, as he asserted that

[t]he securitization of immigration (...) emerges from the correlation between some successful speech acts of political leaders, the mobilization they create for and against some groups of people, and the specific field of security professionals (...). It comes also from a range of administrative practices such as population profiling, risk assessment, statistical calculation, category creation, proactive preparation, and what may be termed a specific habitus of the “security professional” with its ethos of secrecy and concern for the management of fear or unease.¹²⁵

Similarly Jef Huysmans (2006) makes his argument regarding the institutionalization of migration as a security threat particularly in the European context. Such potentially long term

¹²⁰ The Copenhagen School often summarizes the securitization framework as having one distinguishing feature, which is a specific rhetorical structure (survival, priority of action...) (Buzan et al, 1998. p.26).

¹²¹ Vuori (2008). Illocutionary Logic and Strands of Securitization: Applying the Theory of Securitization to the Study of Non-Democratic Political Orders. p.65-80

¹²²Atland, K. and Ven Bruusgaard, K. 2009. When Security Speech Acts Misfire: Russia And The Elektron Incident, Security Dialogue, 40 (3). pp.333-354

¹²³ Bigo, D. (2000). When Two Become One: Internal and External Securitizations in Europe. p.194

¹²⁴ Huysmans (2004). A Foucaultian View on Spill-Over: Freedom and Security in the EU. p.296-310

¹²⁵ Bigo, D. (2002). Security and immigration: Toward a critique of the governmentality of unease in Sarah Léonard (2011). FRONTEX and the Securitization of Migrants through Practices. p.9

processes and practices fit fearfully in the realm of securitization framework with its focus on 'moments' of intervention and suspension of normal politics.¹²⁶

In the theory of securitization Waever (1993) mentioned about the concept of 'societal security' which is primarily deals with the issue of collective identity. As he explained what denote societal security is 'concerns the ability of a society to persist in its essential character under changing conditions and possible or actual threats'.¹²⁷ As he make further point with regards to migration, societal security refers the ways in which members of a certain community perceive their cultural, linguistic, religious, or national identity to be threatened by immigrants. From this perception, the societal value of the receiving country is the referent object under threat.¹²⁸ The underlying assumption is, "as long as migrants pose a challenge to the identity of the receiving state through their different language, culture, or religion", it constitute a security threat.¹²⁹

According to Weiner, the hypothetical danger pose by migration to the societal security is "not an objective and universal threat, but rather a subjective threat, dependent on the ways in which the receiving state defines itself". For instance, whereas some states might perceive multiculturalism as adverse thing, other may pride on their cultural diversity.¹³⁰

According to Huysmans (2000), the securitization of migration as a threat to the survival of the national identity is problematic, as it labels the foreign migrant as the "other," ultimately excluding them from society. He further argued discourse that frames immigration as a threat to societal security "reproduces the political myth that a homogeneous national community or western civilization existed in the past and can be re-established today through the exclusion of those migrants who are identified as cultural aliens". The act of securitizing of migration is more threatening than migration itself, as it repeatedly consequences in racism and xenophobia, which finally tending to social disintegration.¹³¹

As Huysmans (2000) argued, there is a widespread belief that immigrants "take jobs away from native citizens" and social benefits too that is a threat to the receiving state's social security and

¹²⁶ Jef Huysmans (2006). *The Politics of Insecurity: Fear, Migration and Asylum in the EU*, London: Routledge.

¹²⁷ Ole Waever (1993). *Societal Security: The Concept*. p. 23

¹²⁸ Weiner (1992-1993). 'Security, Stability, and International Migration'. p. 110

¹²⁹ See Julia T. (2013). *Is Immigration a Threat to Security?*, E-International Publishing, University of Edinburgh.

¹³⁰ *Supra* note 128

¹³¹ Jef Huysmans (2000). *The European Union and the Securitization of Migration*. p. 758

welfare system.¹³² The using of such “metaphors” referring to ‘floods’ or ‘invasions’ of refugees and asylum seekers in general create the view that migrants are threat to the host community’s economic security .¹³³

Therefore looking such approaches is very important in order to examine how migration progressively perceived as a security threat throughout the world (and in the European Union in particular). And in the framing of this research in precise manner all the above conceptual and theoretical frameworks are crucial.

Although many theories deal with the issue of migration, few engage in its implication for individuals, states or states in relation to its nexus with security. Therefore, since, the intention of this research is to show and to examine how the European Union perceived migration from Africa as one security concern, the paper would employ the combination of the above theoretical and conceptual frameworks which directly links both migration and security with combination of international human rights. In addition when we talk about migration it is directly interconnected with individuals who represent the group called “migrants”, in this regard the study would highly employ the conceptual framework of Human Security.

In general, it is not the intention of this study either to justify the above theories and concepts in explaining the scenario which will disusing hereinafter are correct (or to arguing they precisely encompass all issues of nexuses in security and migration) or to develop a new framework in search of looking the issue. Rather the very intention of this research is, while, to pick and integrate relevant concept and ideas from human security, realism and securitization theory, by avoiding or at least minimizing the drawbacks they holds in examining the issue.

¹³² Jef Huysmans (2006). *The Politics of Insecurity: Fear, Migration and Asylum in the EU*. pp. 78-79

¹³³ Jef Huysmans (2000). *The European Union and the Securitization of Migration*. p. 769

Chapter Three

The EU Approach to International Migration and Security, and Human Rights

3.1 The European Union Approach to International Migration and Security

Like every other country, the 28 nations of the European Union (EU) have their own rulings in managing immigration and asylum, which is for a long periods considered as “a fundamental right of sovereign states”. Nevertheless, with recognition of the common challenges faced across Europe in relation to immigration, EU Member have collaborated on migration and asylum matters since signing of the Maastricht Treaty in 1992.¹³⁴

Since 1999, the EU has laid out the foundation for developing common immigration and asylum-related policies in the form of five-year programs that focus more broadly on justice, security, and freedom. This five years program is

a broad grouping of policies including fundamental rights, citizenship, security and counterterrorism policies, criminal and civil law and police cooperation, as well as immigration, asylum, border management, and visa policy. In recent years, it has become one of the most prolific policy areas in terms of both cooperation and legislative output [among European countries].¹³⁵

Each of the five-year programs¹³⁶ includes ‘political priorities, proposals, and deadlines, making it a roadmap rather than a strict policy document’. The European Council, which consists of the heads of every EU Member State, has to make a decision on what the priorities of the programs and shows their consent to that before the programs pass for implementation. The European Commission, the EU’s “executive branch and driver of policy”, is then in charge for making an

¹³⁴ See Elizabeth Collett (2010). The European Union's Stockholm Program: Less Ambition on Immigration and Asylum, But More Detailed Plans, Online Journal of Migration Policy Institute.

¹³⁵ See Ibid

¹³⁶ See **Treaty of Amsterdam (1998)**. The Treaty of Amsterdam: Challenges of Flexibility and Legitimacy, European Law Journal, Vol.4, No.1, Blackwell Publishers Ltd: Oxford, UK. pp 63-86., **European Council (1999)**, **Tampere European Council**, 15-16 October 1999, Presidency Conclusions, SN 200/99, Brussels, **The Hague Programme (2005/C 53/01)**: Strengthening Freedom, Security and Justice in the European Union, Official Journal of the European Union. pp. 1-14, and Council of the European Union (2009). **The Stockholm Programme – An open and secure Europe serving and protecting the citizens**, Brussels, 2 December 2009.

action plan that delineate how each point of the program will be transformed into EU policy, and publishing full proposals that will execute the program over the successive five years.¹³⁷

Although the EU have number of programs, policies and agreements vis-a-vis migration/asylum, security and human rights, here in the paper would only present selected policies or treaties which are directly linked with the areas of immigration, asylum, refugee, security and human rights. Further, while there are wide ranges of issues directly associated with security in Europe, it is not the intention and the focus of this paper to deal with all security concerns within the EU. Rather the emphasis simply with relation to Migration.

3.2.1 The Schengen Agreement

The foundation of the Schengen Agreement was not an immediate achievement that most European countries involved rather it was developed from an agreement among the States of the Benelux Economic Union (Belgium, Luxembourg and the Netherlands) and other two European states Germany and French. The agreement was signed on 14 June 1985. Under this agreement they agreed to commit themselves to the gradual abolition of borders between them, accompanied by more efficient surveillance of their external borders.¹³⁸

The Schengen agreement¹³⁹ was later integrated into the treaties governing the EU. As an intergovernmental initiative the two Schengen agreements (Schengen Agreement of 1985 on the gradual abolition of checks at common borders and the 1990 Convention which supplements the 1985 agreement), are arrangements that safeguards the implementation of freedom of movement and it necessitated for tangible political and legal links within the EU.¹⁴⁰

The Schengen agreement guarantees free movement within a territory of 28 countries home to more than 400 million citizens, including 25 EU states and three non-EU members (Iceland,

¹³⁷ Supra note 134

¹³⁸ See The Schengen acquis - Convention implementing the Schengen Agreement of 14 June 1985 between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of checks at their common borders.

¹³⁹ The Schengen Agreement was named after a small village in Luxembourg located on the point where its borders meet those of France and Germany.

¹⁴⁰ European Commission (2008). The Schengen Area. p.6

Norway, and Switzerland).¹⁴¹ All are subject to the Schengen rules, and 24 have executed them so far. The Schengen area covers 42,673 km of sea and 7721 km of land borders (which is a total area of 4,268,633 km²). Other than the gradual abolition of borders among the contracting party, the agreements include provisions on common policy on the temporary entry of persons (including the Schengen Visa), the harmonization of external border controls, and cross-border police and judicial co-operation. Border posts and checks have been removed between the states which form the Schengen area and the common Schengen visa allows citizens of EU and non-EU nationals to access to the area easily.^{142,143}

The Convention implementing the Schengen Agreement, signed on 19 June 1990, set out how the removal of internal border control would be functional, as well as a series of essential associated measures. It designed to reinforce external border checks, define procedures for implementing uniform visas, and establish a Schengen Information System (SIS) and take necessary action against drug trafficking.¹⁴⁴

It established, on the one hand, a short-term measures that simplifying internal border checks and coordinating the fight against drug trafficking¹⁴⁵ and crime¹⁴⁶; and other the long-term measures such as the harmonization of laws and rules on drug and arms trafficking, police cooperation and visa policies.¹⁴⁷ As a result, both EU citizens and non-EU nationals may freely travel within the Schengen area and are checked only when crossing the external border. Parties to the Schengen agreement share a common external border for which, in the absence of internal border controls, they are in charge jointly in order to ensure security within the Schengen area. Nevertheless the external borders remain open for those coming for work legally or seeking refuge from war or persecutions with the appropriate procedures.¹⁴⁸

¹⁴¹ Other than these non-EU members, the Republic of Ireland and the United Kingdom did not sign up to the original Schengen Convention of 1990 and have thus not ended border controls with other EU Member States. However, they do take part in certain measures relating to police and judicial co-operation.

¹⁴² European Commission (2008). The Schengen Area. p.5

¹⁴³ See Schengen Convention (1990), article 9

¹⁴⁴ The Schengen Acquis, integrated into the European Union, Title IV Chapter 1 article 92-102

¹⁴⁵ Schengen Convention (1990), article 71 (4)

¹⁴⁶ Schengen Convention (1990), article 46 (1) and 46 (2) (a)

¹⁴⁷ See Europe without borders: the Schengen area, European Commission, Migration and Home Affairs. p.8

¹⁴⁸ Europe without borders: the Schengen area, European Commission, Migration and Home Affairs. p.8

The external borders against non-Schengen states are kept vigilantly and anyone who needs crossing these external borders must hold an accepted means of identification, such as a passport or other important travel document.¹⁴⁹ All persons who are third country nationals ought to be checked against the Schengen Information System. It is a system of database which contains information about unwanted or hunted people, stolen passports, and other crime related matters which border officials look for.¹⁵⁰

The border controls are placed at roads crossing a border, at airports, at seaports, and onboard trains. Along the southern coast of the Schengen area, coast guards are making a considerable effort to prevent private boats from entering the area without authorization.¹⁵¹

The Schengen Convention orders that all transporters of passengers across the Schengen external border must check before boarding in order to be certain whether the passengers have required travel document and visa for entry.¹⁵² Thus, this prevents asylum seekers from applying at the passport control points. Since it is hard to extradite persons who already have boarded, the Schengen states want to keep away third country nationals who do not have the required documents for entry into the area, even keeping them out from getting a passport control point on their territory.

The Schengen Agreement was originally shaped independently of the European Union and later on through the incorporation of the Treaty of Amsterdam it obtains the legal as well as institutional framework in much of the EU. Consequently it effectively makes the accord part of the EU and its modes of legislature.

3.2.2 The Dublin System and Dublin Regulation

For a long period of time the EU has tried to build the Common European Asylum System, which is intended to make sure that the rights of refugees under international law are protected within its jurisdiction. The system sets out minimum standards and procedures for assessing and

¹⁴⁹ Article 5 (1) of the Directive 2004/38/EC

¹⁵⁰ Article 7(2) (3) of the Regulation (EC) No 562/2006 of the European Parliament and of the Council

¹⁵¹ Annex VI to the Regulation (EC) No 562/2006 of the European Parliament and of the Council

¹⁵² The Schengen Acquis, integrated into the European Union, Chapter 6 Article 26 (b)

processing asylum claims, and for the treatment of both asylum seekers and those who are granted refugee status.

The Dublin system was initially established by the Dublin Convention, which was signed in Dublin, the capital of Ireland on 15 June 1990. However it came into force on 1 September 1997. The Dublin Convention had two core aims: in the one hand, to establish a common framework for determining which country in the EU decides an asylum seekers application and on the other, to ensure that only one member state should process each asylum application.¹⁵³

In this manner Article 3 (2) of the Convention puts clearly that “application shall be examined by a single Member State, which shall be determined in accordance with... this Convention” and further article 3(3) stated “application shall be examined by that State in accordance with its national laws and its international obligations”.¹⁵⁴

Before the Dublin Convention came into force, the EU system in deal with the asylums’ application and procedure of member states in determining the asylums claim was largely based on the Schengen Agreement. This agreement was a ground “to decide whether or not they would accept and examine someone’s asylum application”.¹⁵⁵

After the first Dublin Convention, European Commission issued a paper entitled “Revisiting the Convention” on 21 March 2000 and then after four months in July 2001, the Commission adopted a proposal for a council regulation on the matter (which is known as “Dublin II”) to replace the Dublin Convention I.¹⁵⁶

Then, Dublin II Regulation adopted in 2003 and substitutes the previous convention in the whole of EU with the exception of Denmark, which has an opt-out from executing regulations in the ‘area of freedom, security and justice’. Like the Dublin Convention, the Dublin Regulation gives priority for the ruling of single state processing of the asylum claim. The Regulation affirmed that “only one Member State is responsible for examining an asylum application”. The objective

¹⁵³ See Convention: Determining the State Responsible For Examining Applications for Asylum Lodged in One of the Member States of the European Communities.

¹⁵⁴ See Article 3(2) and article 3(3) of the Dublin Convention.

¹⁵⁵ See Refugee Council (2002). The Dublin Convention on asylum applications: What it means and how it’s supposed to work.

¹⁵⁶ See Revisiting the Dublin Convention: developing Community legislation for determining which member state is responsible for considering an application for asylum submitted in one of the member states(SEC(2000) 522.

is “to avoid asylum seekers from being sent from one country to another, and also to prevent abuse of the system by the submission of several applications for asylum by one person” and “to identify as quickly as possible the Member State responsible for examining an asylum application, and to prevent abuse of asylum procedures”.¹⁵⁷

In general the Dublin Regulations and the previous Dublin Convention is an EU’s law that determines the EU member states responsible to examine an application for asylum seekers who are seeking international protection under their Regulation as well as based on the Geneva Convention. One of the prime purposes of the Dublin System is to avert a claimant from submitting applications in multiple Member States and to diminish the number of "orbiting" asylum seekers, who are shuttled from member state to member state. Thus, the state that the asylum seeker first submits an application for asylum is accountable for either accepting or rejecting asylum, and the seeker could not restart the process in another jurisdiction.

Where an asylum seeker travels through several EU countries, the Common European Asylum System (which is based on the so called ‘Dublin system’) allows one EU country to send that person to the first EU country reached by the asylum seeker, so long as that country upholds the rights of asylum seekers.¹⁵⁸

The Dublin rules are strongly connected to a system known as ‘Eurodac’, which is operational since 2003, which EU’s member states government would use, among other things, a Europe-wide fingerprinting database for unauthorized entrants to the EU and compare the fingerprints of asylum-seekers.¹⁵⁹ The recording of migrants’ fingerprints within the EURODAC system makes it possible to trace them within the EU and helps Member States in their fight against “Asylum shopping”.¹⁶⁰

¹⁵⁷ See *COUNCIL REGULATION (EC) No. 343/2003 of 18 February 2003*

¹⁵⁸ Magyar(2015). *Understanding Migration and Asylum in the European Union*, Open Society Initiative

¹⁵⁹ See Steve Peers (2012). *The Revised ‘Dublin’ Rules on Responsibility for Asylum-Seekers: The Council’s Failure to Fix a Broken System*, Statewatch Analysis, April 2012.

¹⁶⁰ Corinne Balleix (2004). *From Lampedusa to the Post-Stockholm Programme: Difficult European solidarity in the field of migration*, European Policy Brief, No. 24 March 2014. P.3

3.2.3 The Global Approach to Migration and Mobility

With the growing phenomenon of international migration, and the impact that migration flows have on the population, identity and economy of both receiving and sending countries, it is easy to comprehend why the management of migration policies is an extreme priority in the EU policy agenda.¹⁶¹ Since 2005, the EU's external migration and asylum policy is framed under the Global Approach to Migration (GAM).¹⁶²

The aim of GAM was to present a comprehensive strategy to deal with irregular migration and human trafficking, and while to manage migration and asylum through cooperation with third countries (origin and transit).¹⁶³ To do that the Commission set out strategies which focusing on dialogue and cooperation with a variety of existing mechanisms such as the European Neighborhood Policy, Euromed, the EU-Africa strategy, and the creation of migration-support teams for sending countries..¹⁶⁴

Based on the GAM approach, EU set up a migration information and management centre in Mali, mobility partnerships in Cape Verde and Moldova, capacity building in national employment and migration agencies such as the one in Morocco, and a migration researcher's network across the Mediterranean are some of important steps.¹⁶⁵ In addition Readmission agreements signed and apply to third country nationals and stateless people who have transited through or derive from these countries.¹⁶⁶

Initially the activities of GAM primarily focused on Africa and the Mediterranean regions, which were labeled as the major source of migrants into Europe. By relating migration management

¹⁶¹ Marco Scipioni and Eleonora Mura (2012).The Global Approach to Migration: The External Dimension of the EU Migration Policies.

¹⁶²http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/international-affairs/global-approach-to-migration/index_en.htm accessed January 29, 2016 8:20pm.

¹⁶³See Council of the EU, Global Approach to Migration: Priority Actions focusing on Africa and the Mediterranean, Council Conclusions, 17 December 2005, 15914/05

¹⁶⁴ See Elizabeth Collett (2007). 'The 'Global Approach to Migration': rhetoric or reality?', European Policy Center, Policy Brief November (24).

¹⁶⁵ See Commission of the European Communities COM (2008) 611 final. Strengthening the Global Approach to Migration: Increasing Coordination, Coherence and Synergies, Brussels, 8.10.2008.

¹⁶⁶ Council of the EU, Global Approach to Migration: Priority Actions focusing on Africa and the Mediterranean, Council Conclusions, 17 December 2005, 15914/05

and development policies, the GAM attempted to tackle “push factors” and ease migration pressure from these regions.¹⁶⁷

In 2011, the Commission adopted the Global Approach to Migration and Mobility (GAMM), which succeeds the ‘Global Approach to Migration’ of 2005 and now constitutes the overarching framework of the EU external migration and asylum policy. The GAMM was endorsed by the Council as the framework for dialogue and cooperation with third countries in its Conclusions of 29 May 2012. It identifies four wide-ranging strategic priorities for which the EU should engage in its external action and policy: (i) organizing and facilitating legal migration and mobility, (ii) preventing and reducing irregular migration and trafficking in human beings, (iii) promoting international protection and enhancing the external dimension of asylum policy, and (iv) maximizing the development impact of migration and mobility. The policy framework elevates respect of human rights of migrants as a cross-cutting dimension of all four pillars ‘in source, transit and destination countries alike.’¹⁶⁸ Here GAMM gives special attention in protecting and empowering vulnerable migrants, such as unaccompanied minors, asylum-seekers, stateless persons and victims of trafficking.

GAMM also gives emphasis to migration and development.¹⁶⁹ However, the protection of refugee and the external dimension of asylum were given more emphasis than the earlier GAM. For this reason, the European Asylum Support Office plays a major role in this development, for instance in “the development of international protection mechanisms in third countries such as regional protection programs and for the coordination of resettlement from third countries to Europe”.¹⁷⁰

Because of the Arab spring and the growing number of migrants in the Southern Mediterranean after 2011, migration is decisively continue at the top of the EU agenda which is further remind them to adopt a coherent and comprehensive migration policy. Thus the EU has taken urgent action by launching dialogues on migration, mobility and security with Tunisia and Morocco

¹⁶⁷ Council of the EU, Global Approach to Migration: Priority Actions focusing on Africa and the Mediterranean, Council Conclusions, 17 December 2005, 15914/05

¹⁶⁸ European Union (2015). Migrants in the Mediterranean: Protecting human rights. p.48

¹⁶⁹ European Commission, Communication on Migration, 4 May 2011 in Marie Martin (2012). The Global Approach to Migration and Mobility: the state of play. pp. 1-2.

¹⁷⁰ Marie Martin (2012). The Global Approach to Migration and Mobility: the state of play. pp. 2-3

early and later on with Egypt. Similar dialogues followed with other countries in the Southern Mediterranean region, notably with Libya.¹⁷¹

Recently as a result of frequent incident of migrants' death in the Mediterranean Sea and growing number of irregular migration, the EU accepts "addressing the root causes of irregular migration flows is an essential part of EU migration policy together with the prevention and tackling of irregular migration".¹⁷²

Generally the above approaches of migration in the EU notify how the Union is looking the issues of immigration seriously and how EU is swiftly changes its policies based on the atmosphere that shapes the circumstances.

Most of the EU policies and programs in relation to migration and security are drafted and implemented for a specific period and at the same time revised frequently. Also the way they admitted the issue of migration is divergent. Most of them are engage with more or less similar issues but with diverse mechanisms and the areas of emphasis too. Generally the policies and programmes revolved around common European policy on migration and asylum, management of external borders, common visa policy and procedures, partnership and mobility agreement with third countries, promoting legal migration while combating the illegal migration and external dimension of the EU's policy are mostly discussed.

3.3 The European Union Approach to Human Rights

According to European Council, the EU is founded on shared values "to promote peace and stability and to build a world founded on respect for human rights, democracy and the rule of law".¹⁷³ The Union broadly accepts human rights as universal norms which is applicable for all human being regardless of where they come from.¹⁷⁴

¹⁷¹ See European Commission COM(2011) 743 final. The Global Approach to Migration and Mobility, {SEC(2011) 1353 final}, Brussels, 18.11.2011.

¹⁷² The European Council Conclusions EUCO 79/14, CO EUR 4, CONCL 2, June 2014, Brussels.

¹⁷³ See Council of the European Union (11855/12). EU Strategic Framework and Action Plan on Human Rights and Democracy, Luxembourg, 25 June 2012.

¹⁷⁴ Council of the European Union (11855/12). EU Strategic Framework and Action Plan on Human Rights and Democracy, Luxembourg, 25 June 2012. P.1

The EU as intergovernmental institution is subject to a range of human rights obligations emanated from the Charter of the United Nations and the ‘core’ human rights treaties elaborated under the aegis of the UN which member states should execute persistently. These tools grant a sort of “inalienable rights on all those within the jurisdiction of the EU”.¹⁷⁵

While the EU has its own human rights protection mechanism (such as Charter of Fundamental Rights of the European Union), at the same time member states are bound by obligations under UN human rights treaties and they cannot discharge themselves from these obligations merely by delegating their powers vital to their implementation to the EU. EU is responsible to human rights commitments in so far as they are contained in customary international law and any treaties in which the EU is party. Nevertheless, the range of rights recognized under EU policy is narrower than that assured under the UN treaties.¹⁷⁶

Most member states of the EU are party to the major human rights treaties such as the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.¹⁷⁷

According to the founding principles of the Union, the EU is believed committed for the protection of human rights, together with others principles such as liberty, democracy, respect for fundamental freedoms and the rule of law.¹⁷⁸ Article 2 of the Treaty on European Union (TEU) is the EU’s legal basis for the protections of human rights. According to this Treaty, the EU’s founding values are “human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities”.¹⁷⁹ Equally, Article 21 of the TEU is important principles in the Union’s external action. These principles are “democracy, the rule of law, the universality and indivisibility of human rights and fundamental

¹⁷⁵ United Nations Human Rights Office of the High Commissioner (2008). *The European Union and International Human Rights Law*. p. 6

¹⁷⁶ United Nations Human Rights Office of the High Commissioner (2008). *The European Union and International Human Rights Law*. p. 10

¹⁷⁷ See United Nations Human Rights Office of the High Commissioner (2008). *The European Union and International Human Rights Law*, OHCHR Regional Office for Europe.

¹⁷⁸ Anete Bandone (2016). *The European Parliament: Fact Sheets on the European Union - 2016*

¹⁷⁹ See European Communities No. 13 (2007). *The Treaty of Lisbon, amending the Treaty Establishing the European Union and the Treaty Establishing the European Community (article 1a)*.

freedoms, respect for human dignity, equality and solidarity, respect for the principles of the United Nations Charter of 1945 and international law”.¹⁸⁰

Whereas it is difficult to conclude whether the EU is protecting and promoting human rights, dozens of official documents of the Union pronounce that the EU is continuously ensure human rights and promote freedom, fight discrimination and advocating for the rights of persons belonging to minorities, refugees, and migrants and strongly against torture and cruel, inhuman and degrading treatment of anybody.¹⁸¹

According to the European Commission EU respect all human rights and fundamental freedoms as the core value of the EU. In addition, according to the Commission, the protection and promotion of human rights is a “silver thread running through all EU action both at home and abroad” and “promotes human rights inside and outside its borders on the basis that human rights are indispensable both for individual dignity and social justice and for the promotion of international peace, prosperity and stability”.¹⁸²

Under the EU’s Global Approach to Migration and Mobility, respect for human rights and the human rights of migrants in source, transit and destination countries is also a fundamental concern, which defines the EU’s external migration policy. In the line with the external dimension of migration policy of the Union, special consideration is given in protecting and empowering vulnerable migrants, such as asylum seekers, unaccompanied minors, stateless persons and victims of human trafficking.¹⁸³ The EU gives priorities trafficking in human beings in its external action from a human rights perspective, since human trafficking is “a very serious crime involving violations of human rights and human dignity that the EU cannot condone”. This

¹⁸⁰ See European Communities No. 13 (2007). The Treaty of Lisbon, amending the Treaty Establishing the European Union and the Treaty Establishing the European Community (article 10 A).

¹⁸¹ Council of the European Union (11855/12). EU Strategic Framework and Action Plan on Human Rights and Democracy, Luxembourg, 25 June 2012.

¹⁸² European Commission COM (2011) 886 final. Human Rights and Democracy at the Heart of EU External Action—Towards a More Effective Approach, Brussels, 12.12.2011. pp. 4-6

¹⁸³ European Commission COM (2011) 886 final. Human Rights and Democracy at the Heart of EU External Action—Towards a More Effective Approach, Brussels, 12.12.2011. pp. 7

prioritization reflects on funding, training and information exchange activities and go beyond the external dimension of Freedom, Security and Justice.¹⁸⁴

Recently the European Commission has set out the draft table of the New Action Plan on Human Rights and Democracy (2015-2019). And under the heading of Fostering Better Coherence and Consistency in Migration/trafficking in human beings /smuggling of migrants/asylum policies states that the main priority of the Action Plan will enhancing Human Rights safeguards in all migration and mobility dialogues and cooperation frameworks with third countries through the analysis of human rights impacts; ensure the introduction of human rights training elements in capacity building projects with immigration and border agencies. Also “identify countries of origin where human rights violations act as a key push factor, and better target political dialogue and other dialogues and programmes so as to address these violations”.¹⁸⁵

Generally speaking, the issues of migration, security and human rights are interconnected each other within the framework of the approach of the EU towards in their external relations globally or regionally vis-a-vis migration. Various policies and programs of the Union in one or another way linked these issues together tightly.

From the early stage to the present period, the EU based policies and programs with relation to immigration, have linked directly with the security concern and at the same time the issue of human rights. Such incident have observed as we discussed in various policy documents of the EU in the above.

¹⁸⁴ Council of the European Union (2009). The Stockholm Programme – An open and secure Europe serving and protecting the citizens, Brussels, 2 December 2009. p. 31

¹⁸⁵ European Commission JOIN (2015) 16 final. Action Plan on Human Rights and Democracy (2015-2019) "Keeping human rights at the heart of the EU agenda" Brussels, 28.4.2015. pp. 16-17

Chapter Four

The causes of migration in Africa

4.1 Migration from Africa

The issue of migration is not a new phenomenon but the recent migration from Africa to Europe has created debate among scholars, politicians and the like. There has been historical trend of migration going to Europe and other places. Although there is nothing new with migration flows, but the concern associated with migration has changing.¹⁸⁶

Migration has become an international concern, i.e., it has been taken up by the Medias, diplomatic corridors, and international meeting. Peoples have been moving for centuries wherever and whenever they want but with emergence of modern state system and the creation of boundaries, the dynamics of migration has changed.¹⁸⁷

Approximately one billion people out of the world's seven billion people are migrants. Some 214 million are international migrants and 740 million are internal migrants. North-to-South migration is also a growing phenomenon.¹⁸⁸ Such movement has increased recently globally. For example, according to UN report, globally, the number of international migrants, legal and illegal, was 54.2 million in 1990, 117.45 million in 2000, 220.7 million in 2010, and 231.5 million in 2013.¹⁸⁹

From above statics more than three in every one hundred human beings were international migrants. Contemporarily, the share of African migrants worldwide reached 18.6 million in 2013 from 17.1 million in the year 2010.¹⁹⁰ In addition, according to the United Nations High

¹⁸⁶ Interview with Asst. Professor Sunday Angoma Okello, Africa Peace and Security Program, at African Union and Institute for Peace and Security Studies, Addis Ababa University, Addis Ababa, Ethiopia. Date: 01/04/2016, Time: 2: 30- 3: 20 P.M.

¹⁸⁷ Hanns V. Amersfoort and Doornik (1998). International Migration: Processes and Interventions. p.26-27

¹⁸⁸ Frank Laczko and Lars Johan Lönnback (edi) (2013). Migration and the United Nations Post-2015 Development Agenda. p.5

¹⁸⁹ United Nations Department of Economic and Social Affairs/Population Division International Migration Report 2013.

¹⁹⁰ United Nations Department of Economic and Social Affairs/Population Division International Migration Report 2013.

Commission on Human Rights, since the beginning of 2015, more than 35,000 African refugees and migrants have crossed the Mediterranean Sea to Europe.¹⁹¹

In recent period the number and magnitude of migrants' flows from the continent of Africa to Europe has increased considerably. Recently the issue of migration is not only about the number but the risks in attempting to reach the destined place emerged as an international concern which needs a special consideration particularly on the discussion of African migrants.

4.2.1 Historical Trends of Migration in Africa

Africa, throughout its history, has passed through various but important migratory movements, which are basically, have a character of both voluntary and involuntary mobility and it has considerably contributed for the current 'demographic landscape' of the continent.¹⁹²

The phenomenon of migration in Africa can be better understood within the context of the political and historical development of the African societies. The end product of colonialization and decolonialization in the economy and ultimately on migration are most visible when explained in the context of the pre-colonial, the colonial and the post-colonial eras.¹⁹³

In pre-colonial times, migration was part of customary life style in many parts of Africa. This included permanent movements to open up new lands or to flee wars and subjugation, as well as seasonal or circular migration concerned with hunting, trade, and agriculture. For example pastoral nomads moved across countries in response to seasonal ecological change in East Africa (between Somalia and Ethiopia, between Kenya and Tanzania) and between northern Nigeria and Cameroon in West African region.¹⁹⁴ Such factors have influenced the composition, direction and characteristics of movement across the continent.

This pre-colonial migration in... Africa was basically oriented toward trade, labor, and religion (for pilgrimages) and occurred without legal restraints and barriers. The absence of strict legal restrictions made it possible for nomads, farm workers, seamen, traders,

¹⁹¹<http://edition.cnn.com/2015/04/20/africa/italy-migrant-boat-capsizes/>

¹⁹² See Executive Council, EX.CL/276 (IX) (2006). The Migration Policy Framework for Africa.

¹⁹³ Jonathan Baker and Tade Akin Aina (edi.) (1995). The Migration Experience in Africa, Nordiska Afrika Institutet, GOTAB publishing, Sweden. p. 89

¹⁹⁴ Makinwa-Adebusoye, Paulina. 2006. "Geographic Labor Mobility in Sub-Saharan Africa. IDRC Working Papers on Globalization, Growth and Poverty."

and preachers to migrate freely and frequently across international borders, even during the colonial era.¹⁹⁵

For long period, there has been wide-range population mobility in the continent, principally throughout the period of the trans-Saharan trade. This mobility was in one or another way has contributed for attaching the North and sub-Sahara Africa region with various socio-economic interactions both in the pre and post-colonial population history of Africa. To make a division among these two extensive lands (North and sub-Sahara regions) of the African continent, geographical feature has played a major role.

The pre-colonial population history of Africa has been characterized by continually shifting patterns of human settlement. Nomadic or semi-nomadic groups travelled large distances with their herds between summer and winter pastures. Besides age old patterns of circular migration, conquest and conflicts between tribal groups over natural resources and the control over trade routes were associated with the regular movement and resettlement of people.¹⁹⁶

For different reason there was migration within Africa in the past. However with the commencement of colonialism, “which drew boundaries where there had been none and created modern states, that [lead to the collapse]...mobility and trade”. Nevertheless, after the end of colonialization the mobility which where before continue and gradually lay down the foundations for the current trans-Saharan migration system.¹⁹⁷

Colonialism in Africa paved the way for comparative peace and political stability, because the majority of the population mobility were linked with the economic strategies of the colonial masters, the development of export sector, emphasis on the urban sector and exploitation of the rural sector. This period was thus set for a new framework for migration, driving from labor requirement for plantations and later the administrative apparatus.¹⁹⁸

These lay the roots of temporary, target migration pattern, which involves international migration, in the Africa context: workers circulate between home and costal trade (in North

¹⁹⁵ Adedokun, Olaide A. (2003). *The Rights of Migrant Workers and Members of their Families: Nigeria*. p. 10

¹⁹⁶ Bakewell, Oliver and Hein de Haas (2007). *African Migrations: continuities, discontinuities and recent transformations*. pp. 2-3

¹⁹⁷ Hein de Haas (2008) *Irregular Migration from West Africa to the Maghreb and the European Union: An Overview of Recent Trends*. p.15

¹⁹⁸ Amin, S. (edit.) (1974). *Modern Migration in Western Africa* in Jonathan Baker and Tade Akin Aina (edi.) (1995). *The Migration Experience in Africa*. p. 90

Africa), the plantations (in East Africa), mines (South and West Africa) and costal forest zones (in West Africa).¹⁹⁹

While population movement in Africa date back several centuries and evidently predated colonial rule, their pattern, volume, intensity and direction have been substantially altered by colonialism. By accelerating some pre-existing migration patterns, colonial rule exerted a notable impact on the motivation for migration.²⁰⁰

However different African regions were not identical in their colonial experience. For example, in North, East, and South African regions unlike West Africa there were large concentration of European settlers. These factors explain differential impact of colonial rule on African migration.²⁰¹

The establishment of currencies system, the development of transportation and communication encouraged migration. Also the development of tracks, roads, and railways to link the hinterland to the capitals and ports further contributed to the process during and after colonial rule.²⁰²

The post-colonial migration movement in Africa is mostly an extension of the mobility pattern of the colonial time but it is different. The post independent period exaggerate the development pattern inherited from the colonial rule. The urban based development approaches, the introduction of free primary education and high population growth rates more intensified the volume, intensity and determinants of migration. And the selective development of resource rich areas (mine, mineral, plantations) and in urban areas the line-of-rail region in capital cities such as in Lagos, Nairobi, Addis Ababa etc which serve as the political, commercial and educational centers greatly attracted migrants.²⁰³

¹⁹⁹ Jonathan Baker and Tade Akin Aina (edi.) (1995). The Migration Experience in Africa. p. 91

²⁰⁰ Oucho, J and W. Gould (1993). Internal Migration, Urbanization and Population Distribution in Jonathan Baker and Tade Akin Aina (edi.) (1995). The Migration Experience in Africa. p. 91

²⁰¹See Adepoju, A. (1988 a). International Migration in Africa South of the Sahara in Jonathan Baker and Tade Akin Aina (edi.) (1995). The Migration Experience in Africa. pp. 89-93

²⁰² See Jonathan Baker and Tade Akin Aina (edi.) (1995). The Migration Experience in Africa.

²⁰³ Adepoju, A. (1990). State of the Art Review on Migration in Africa in Jonathan Baker and Tade Akin Aina (edi.) (1995). The Migration Experience in Africa. pp. 91-92

4.2.2 Migration Trend from Africa to Europe

Migration from Africa to EU countries begins with the post-colonial immigration from Morocco to France, which was followed by labor migration from Morocco to a number of Western European “destinations up until the oil crisis in 1973 that led to a recruitment stop in European countries”.²⁰⁴ Rapid economic growth in northwest Europe in the post-war period and growing unskilled labor shortages and labor recruitment by France, Germany, Belgium and the Netherlands prompted large-scale emigration of “guest workers” from Morocco and Tunisia.

Since the 1960s, the greater majority of African migrants moving to Europe have originated mainly from the Maghreb region (from Morocco, Algeria, and Tunisia).²⁰⁵ During 1970’s EU members particularly countries in the southern edge were introduced visa requirement for Maghreb migrants to limit the flows and to intensify border control. However the intensification policy which introduced after the 1973 Oil Crisis did not curtail migration rather encouraged permanent settlement and family migration from the Maghreb region to the traditional destination countries (such as Belgium, France, the Netherlands, and Germany). In the late 1980s, Maghreb migrants have moved more to Italy and Spain, because the demand for low skilled labor in southern European countries had increased.²⁰⁶

In addition the introduction of visa requirement for Maghrebis, encouraged hundreds of thousands of immigrants to stabbed to cross the Mediterranean illegitimately in pateras (small fishing boats), motor boat, hidden in vans and trucks, or carrying forged papers. The number has increased steadily and at the end of the 20th century, at least 2.6 million Moroccans, 1.2 Algerians and 700,000 Tunisians were supposed to live in Europe.²⁰⁷

In the early 1990s, the majority migrants from Sub-Saharan region approached from Libya’s neighbors Sudan, Chad and Niger, which later developed into transit countries for immigrants

²⁰⁴ Michael Bommes, Heinz Fassmann and Wiebke Sievers (edi) (2014). Migration from the Middle East and North Africa to Europe: Past Developments, Current Status and Future Potentials. p. 20

²⁰⁵ See H De Haas, 'Morocco's Migration Experience: A Transitional Perspective', *International Migration*, 45(4), 2007, pp 39-70.

²⁰⁶ Hein de Haas (2008). The Inconvenient Realities of African Migration to Europe. p.3

²⁰⁷ See De Haas (2007). 'Morocco's Migration Experience: A Transitional Perspective', *International Migration*, 45(4), 2007, pp 39-70.

from a much wider array of sub-Saharan countries.²⁰⁸ During this period, civil wars, violence and economic shrink affected a number of Africa countries such as in the West Africa (Sierra Leone, Liberia, Côte d'Ivoire and Nigeria), in Central Africa (Democratic Republic of Congo), and in East Africa (Sudan, Somalia, Eritrea). These circumstances have contributed to increasing trans-Saharan migration.²⁰⁹

On the other hand migrants from the sub-Sahara Africa region have gradually joined Maghrebis to cross the Mediterranean since 2000. This phenomenon set the period of growing trans-Saharan migration. The foundations of contemporary trans-Saharan migration were laid down 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”, but it is intensified in the late 1990’s and after 2000.²¹⁰

During 1990’s because of a fundamental change in Libya’s foreign policy towards the sub-Sahara Africa have contributed for a major surge in trans-Saharan migration to Libya. Primarily with the imposition of UN embargo on Libya (between 1992-2000), driven Libya to strengthen its relationships with the sub-Saharan countries. As element of these changed “pan-African” policies, Libya begins to welcome sub-Saharan Africans to work in Libya.²¹¹

Around 2000, another fundamental change happened on migration pattern when the sub-Saharan migrants begin to join migrants from the Maghreb countries in their “attempts to enter the Spanish enclaves of Ceuta and Melilla illegally or to cross the Strait of Gibraltar to Spain or from Tunisia to Italy (Lampedusa, Pantalleria, or Sicily) by pateras (fisher boats)”.²¹² Gradually, the trend of migration has changed and increased from the time when the sub-Saharan Africans have taken over North Africans as the largest group. Beside, Libya once a major destination for sub-

²⁰⁸ See Bredeloup, S. and O. Pliez (2005). Editorial: Migrations entre les deux rives du Sahara in Patrick Chabal, Ulf Engel and Leo de Haan (eds.) African Alternatives. Leiden: Brill: 95-118.

²⁰⁹ De Haas (2006a). Trans-Saharan Migration to North Africa and the EU: Historical Roots and Current Trends. p.5

²¹⁰ Hein de Haas (2008). The Inconvenient Realities of African Migration to Europe. p.3

²¹¹ See Hamood, S. (2006). African Transit Migration through Libya to Europe: The Human Cost, FMRS, AUC, Cairo.

²¹² Boubakri, H. (2004). “Transit migration between Tunisia, Libya and Sub-Saharan Africa: Study based on Greater Tunis”

Saharan immigrants, change into a destination as well as transit state for those who have frequently tried to cross to Europe directly from the Libyan coast.²¹³

Another drastic change has occurred after 2011, when most of the North African states experienced popular uprising. This situation intensify, in the one hand, the rising number of migrants from that particular region and beyond that, in the other, gives opportunity for human traffickers and smugglers to use the areas freely to transport migrants into EU countries.

4.3 Migration Routes from Africa to Europe

African immigrants use various land, sea, and air routes to arrive at their targeted destinations in Europe. Because of EU's restrictive migration policies and intensified immigration controls have led to an increasing reliance on land routes. However, if immigrants are able to afford plane ticket they could make part of the journey to transit countries by jet.

The journey is usually made in several stages, and could take between one month and several years.²¹⁴ Depending on where immigrants come from or starting their journey from, there are several ways to get across the Mediterranean from Africa to Europe. There are many routes to reach Europe, among these routes the major two routes are stretched out from Africa to EU.²¹⁵ The first route is the East African route; and the second is, the Central and Western African Route.²¹⁶

I) Eastern Africa Route

One of the routes which African migrants use is the eastern Africa route. Immigrants start their expedition from countries in the horn of Africa particularly who departs from South Sudan, Somalia, Eritrea and Ethiopia. And they typically pass through Sudan, Egypt and Libya before

²¹³ Hein de Haas (2008) Irregular Migration from West Africa to the Maghreb and the European Union: An Overview of Recent Trends. p.16

²¹⁴ Collyer, M. (2005). "When do social networks fail to explain migration? Accounting for the movement of Algerian asylum-seekers to the UK", in **Hein de Haas (2008)**. Irregular Migration from West Africa to the Maghreb and the European Union: An Overview of Recent Trends. p.17

²¹⁵ Despite the Southern Africa region has a limited number of immigrants community that join other African migrants in their journey to EU countries, this region has a different character in terms of number and migrants' destination. Therefore, since this thesis is gives emphasis for African migration to Europe may not present much about African migrants form this region.

²¹⁶ Katie Kuschminder et al (2015). Irregular Migration Routes to Europe and Factors Influencing Migrants' Destination Choices. p. 27

getting into the seashores of the Mediterranean.²¹⁷ There are numerous important meeting points for migrants along this route. Somalians and Somalilanders make their journey to the Ethiopian capital Addis Ababa, where they join Ethiopian immigrants. From this meeting point, the migrants then move to Khartoum before continuing their journey to Libya.²¹⁸ For Eritrean immigrants who move from the Eritrean cities of Asmara and Massawa go to the towns of Kassala and El-Kadarif which is the most important meeting hubs in Sudan.²¹⁹ In these cities migrants are make their first contact with Sudanese smugglers. Along this route Khartoum is a major transit for all migrants travelling through Sudan, and it is the place where migrants usually organize their trips through the Sahara to reach Libya.²²⁰

Migrants after they finished their journey from the Horn or other Eastern Africa region to the transit states in North Africa, they prepared themselves to cross the Mediterranean Sea through Libya and Tunisia to the Pelagies. These near passages are actually used by all African migrants but it is manly dominated by either North African or migrants from the Horn region.

For those who passing from the land of Libya and Tunisia, the Italian Pelagies especially Lampedusa, Linosa and Lampione and Pantelleria Island (Sicily) are very close. Yet the crossing to these islands needs at least 2 to 3 days sailing.²²¹

Before 2002, the flow of migrants to the islands of Italy were high and mostly comprised Northern Africa immigrants, however there has been a growing ascend in the number of immigrants from the Eastern Africa specifically from the Horn region. After that while the number of migrants from the sub-Saharan Africa staidly increased, the number of North Africans decreased considerably. Security measures taken at Ceuta and Melilla in late 2005 further

²¹⁷ See RMMS. (2014). *Going West: Contemporary Mixed Migration Trends from the Horn of Africa to Libya and Europe*. Nairobi: RMMS.

²¹⁸ Altai Consulting/UNHCR (2013). *Mixed Migration: Libya at the Crossroads, Mapping of Migration Routes and Drivers of Migration in Post-revolution Libya* in Katie Kuschminder et al (2015). *Irregular Migration Routes to Europe and Factors Influencing Migrants' Destination Choices*. p. 29

²¹⁹ See Van Reizen, et al (2014). 'Human Trafficking in the Sinai: Between Life and Death'

²²⁰ Lutterbeck, D. (2013). *Across the Desert, Across the Sea: Migrant Smuggling into and from Libya* in Seeberg, P. and Eyadat, Z. (edis) (2013). *Migration, Security, and Citizenship in the Middle East*, Palgrave Macmillan. pp. 137-165.

²²¹ UNDOC (2006). *Organized Crime and Irregular Migration from Africa to Europe*. p.8

strengthen the attractiveness of this substitute passage. Also in this routing observed the resurgence of the numbers of migrants from the North Africans countries again.²²²

Significant numbers of migrants also came from countries such as Eritrea, Ethiopia, Somalia and both Sudan. This passage has had a great impact on the tiny nation of Malta along with Cyprus. Perhaps migrants choose this small nation as a destination since gaining EU membership.²²³

Ports in the east coast of Tunisia are important starting point for a Mediterranean crossing. “Those headed for southern Sicily depart the ports north and south of Tunis, those headed for Pantelleria depart from Cap Bon, and those destined for Lampedusa and Linosa depart from the areas south of Monastir”.²²⁴

Sub-Saharan emigrants repeatedly enter Libya through the cities of Shebha or Al Jalwf. The major departure points in Libya include Zuwarah (56 km from the Tunisian border), Zilten and Misratah, as well as the area around Tripoli itself. For migrants originating in Eastern Africa particularly of the Horn of Africa, the key nexus point located in the Al-Kufrah area, 950 km south of Benghazi, along the route from Sudan to Libya.²²⁵

II) Western and Central Africa Route

These two routes either begin in Mali or Niger goes through Algeria and end up in Libya before they plan for the last destination- Europe. Migrants from west and central Africa begin their journey by take different routes that guide them transversely either Mali or Niger. From this point they go on directly to Libya or they pass through Algeria to reach Libya.²²⁶

Western African route: This route is often used by immigrants from Mali, Côte d’Ivoire, Guinea, Ghana, Togo, Benin, Burkina Faso, Senegal, Niger, Liberia, Sierra Leone, and Gambia.²²⁷ Migrants that use this route their first hub is Ouagadougou in Burkina Faso. From

²²² P. Monzini (2004), “Migrant Smuggling via Maritime Routes”, Centro Studi di Politica Internazionale (CeSPI).

²²³ Bilefsky, D. (2006). ‘Malta fears sinking under migrants’. International Herald Tribune, 6 June 2006.

²²⁴ Boubakri, H (2004). ‘Transit migration between Tunisia, Libya, and sub-Saharan Africa: Study based on Greater Tunis. pp 10-116

²²⁵ See International Centre for Migration Policy Development, ‘The Mediterranean Transit Migration Dialogue’. ICMPD Newsletter, June 2005.

²²⁶ Altai Consulting/UNHCR (2013). Mixed Migration: Libya at the Crossroads, Mapping of Migration Routes

²²⁷ See Global Initiative against Transnational Organized Crime (2014). Smuggled Futures: The dangerous path of the migrant from Africa to Europe.

this hub, they either go to Gao in Mali or to Agadez. After Agadez, migrants basically pass through the Nigerian town of Dirkou and Madama to Libya's Al Wigh, and Murzuk before entering the Libyan city of Sabha.²²⁸

Central African Route: The Central African route is used by migrants from Niger, Nigeria, Cameroon, and Chad. Most of these migrants head to the city of Agadez in Niger and then continue their journey to Libya.²²⁹

The route from the major transit cities of Agadez to Sabha is one of the key routes for Western and Central African migrants who travel through Niger to reach Libya. This passage, however, is one of the most dangerous parts of their journey as it involves crossing the desert.²³⁰

All along these routes there are more than a few important places where the immigrants take a break and traffickers consolidate their activities. For example, those departing from Bamako (Mali) usually hold the journey in the city of Gao (Mali). Then they continue to “Kidal and Tessalit (Mali) across the Algerian border to Tamanrasset, where they are transfer to vehicles with Algerian license plates”. From here the way heads to Northern Algeria (Maghnia) and from there to Morocco. Tamanrasset is also accessed from Niger, from the city of Agadès, and then on to Libya.²³¹

Migrants from the West and Central Africa regions use Northern African countries as both a transit and destination in the past, however due to the outbreak of the Arab Spring in 2011 they used mainly as a transit. Other than these countries there is other passage which migrants from West and Central Africa use among these the Canary Islands are the most important passages.

²²⁸ Altai Consulting/UNHCR (2013). *Mixed Migration: Libya at the Crossroads, Mapping of Migration Routes*

²²⁹ See UNODC (2010). *Smuggling of Migrants into, through and from North Africa A Thematic Review* in Katie Kuschminder et al (2015). *Irregular Migration Routes to Europe and Factors Influencing Migrants' Destination Choices*.

²³⁰ See Lutterbeck, D. (2013). *Across the Desert, Across the Sea: Migrant Smuggling into and from Libya* in Seeberg, P. and Eyadat, Z. (eds) (2013). *Migration, Security, and Citizenship in the Middle East*, Palgrave Macmillan. pp. 137-165.

²³¹ See Interpol General Secretariat at the Interpol Specialized Meeting on Irregular migration from Africa towards Europe, 20 – 23 May 2006, Casablanca, Morocco.

The Canary Islands for an elongated period had been a target of migrants especially migrants from Western and Central Africa regions. However after the crackdown in Morocco²³² in late 2005, the number of immigrants seized during attempting this passage has increased. There are different points of departure which include coastal cities all the way through Senegal, Mauritania and the Western Sahara areas. Some vessels come far distant from Cameroon or Nigeria that travelled along the West African Coast up to St. Louis in Senegal, Nouadhibou in Mauritania and point in the Western Sahara.²³³

For those economically able immigrants who preferring this direction, there is an opportunity to taking a bigger vessel to close the proximity of the Canary Islands. But for those financially unable, smaller craft (it is a wooden fishing boats known as ‘pirogues’) are the only choice. The larger boats repeatedly landed where inadequately controlled ports on the route or anchor off seashore. Then “migrants completing the final leg by one of two possible means: the migrants leave the vessel unaccompanied in small canoes or small boats operating from the Canary Islands are dispatched to receive the passengers”.²³⁴

All of the Africa migrants commonly use the enclaves of Ceuta and Melilla, and the Canary Islands as nearest possible entry point to reach EU countries. In Northern Africa, there are two small pockets of Europe’s land, which specifically the territory of Spain-the enclaves of Ceuta and Melilla. Despite the fact that there is tighter security, these two enclaves have been the key destinations of immigrants in the past but currently there are only few migrants’ use the passages. Because these border cities like Melilla (border between Morocco and Spain) is protected by 10.5 km of double fencing, the outer fence is being 3.5 meters tall and the inner fence up to six meters topped with razor wire and constantly observed by 106 fixed cameras. On the other Ceuta has 7.8 km of border fence with 37 movable cameras. On both enclaves, there are approximately 1,000 policemen and Spanish Guardia Civil officers are stationed.²³⁵

Migrants’ trying to cross these borders cities through concealed in vehicles, by swimming or boating around the fence, or by scaling up the fence directly. In 2005 there was a clash between

²³² In 2005 there was a clash between African migrants and border guards due to migrants’ attempt to scale up the fence around the borders of Morocco and Spain in mass.

²³³ UNDOC (2006). Organized Crime and Irregular Migration from Africa to Europe. p.10

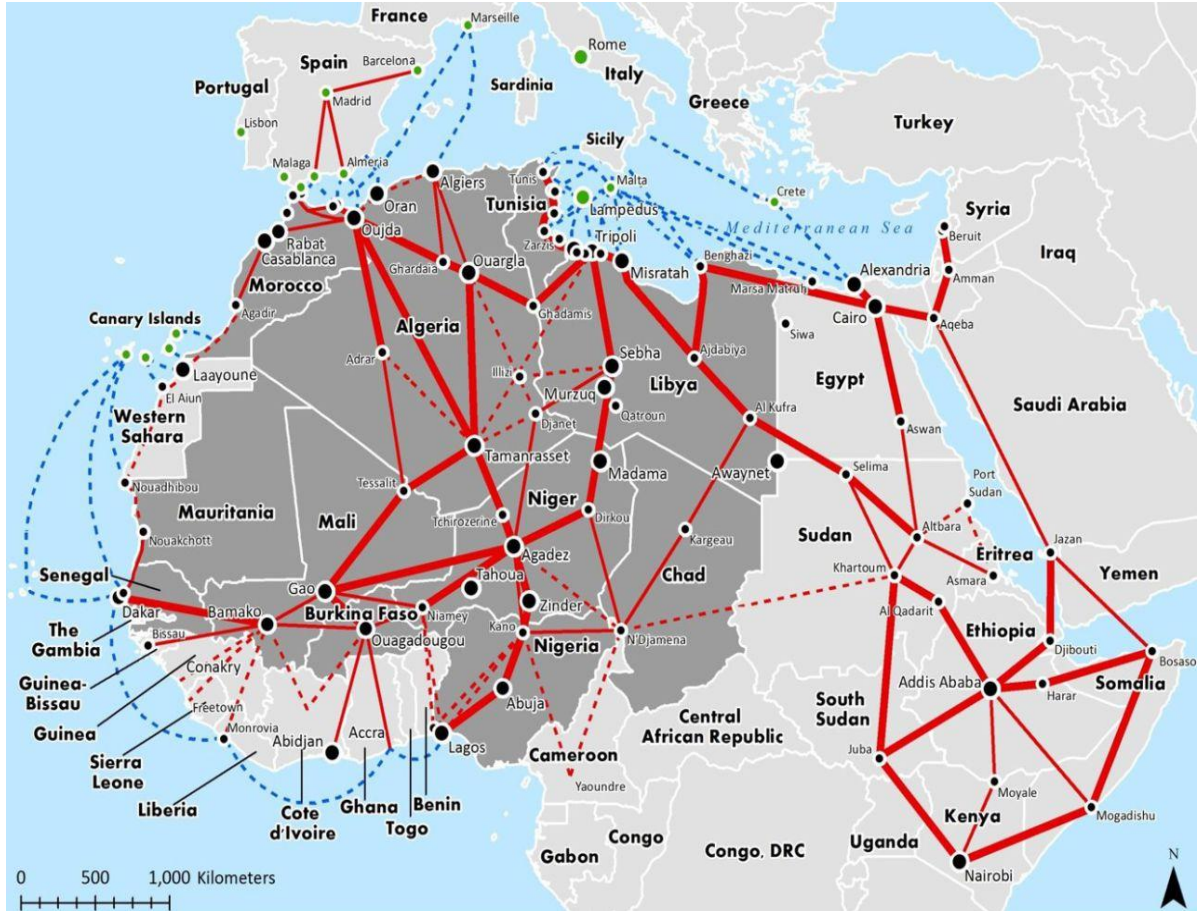
²³⁴ Ibid. p.10

²³⁵ Ibid. p.8

African migrants and border guards due to large groups of migrants, “who are encamped in forests nearby the enclaves, have taken to storming the fence in mass”. During this occasion, the media attention around the world was remained to the enclaves as a result of these ‘attacks’. The reaction of the Spanish and Moroccan border guards left a number of immigrants critically wounded and some dead.²³⁶

Due to its proximity to the mainland of Europe, Morocco has been the preferential point of departure for long periods for those choosing to cross the Mediterranean by boat. However as a result of security measures by the authorities of Spain and Morocco the flows significantly diminished and “the attractiveness of this routing” is declined.²³⁷

Major Migration Routes in Africa

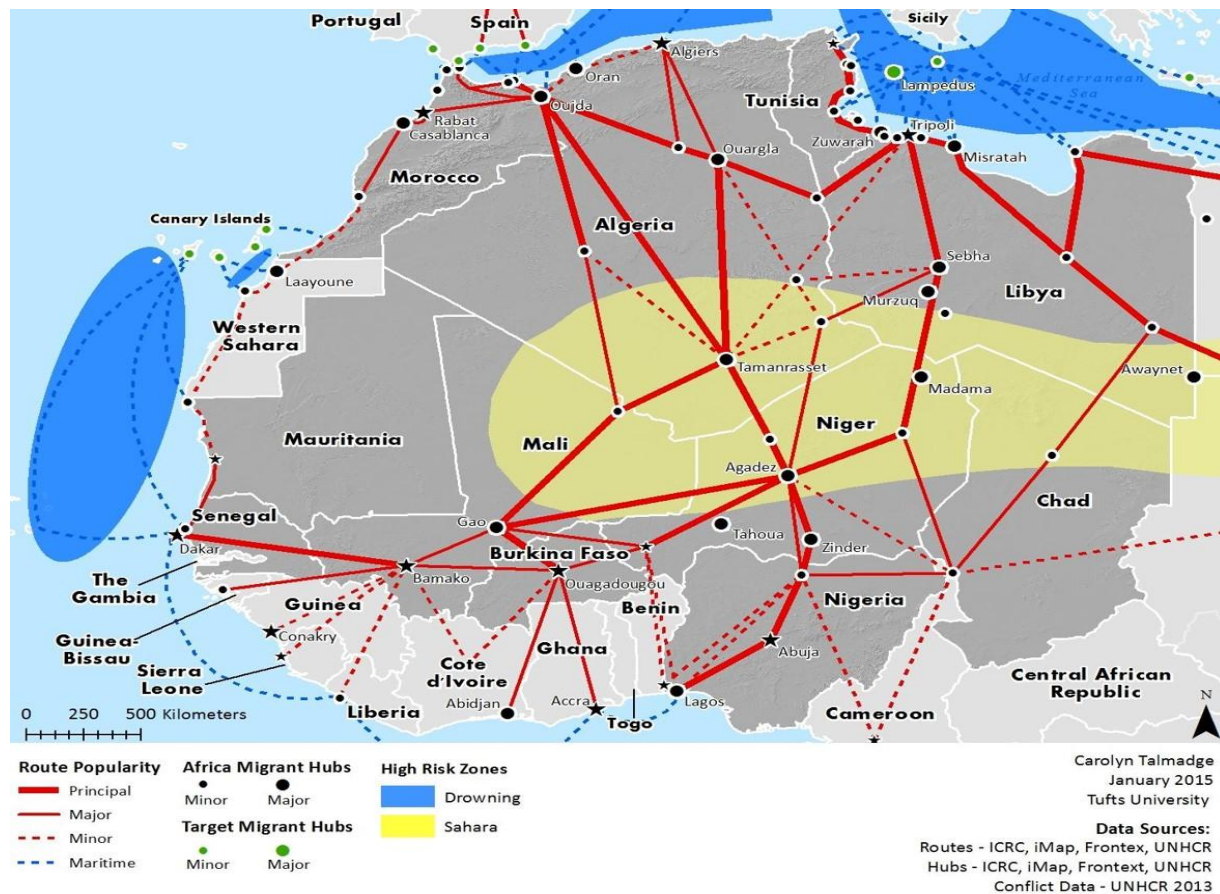


Source: <http://hereandnow.wbur.org/2015/09/10/migration-perils-africa>

²³⁶ UNDOC (2006). Organized Crime and Irregular Migration from Africa to Europe. p.8

²³⁷ See Sergio Carrera, et al (2016). EU-Morocco Cooperation on Readmission, Borders and Protection: A model to follow?

Near Passages to reach Europe from Africa



Secondary source: <http://hereandnow.wbur.org/2015/09/10/migration-perils-africa>

4.4.1 The causes of Migration in Africa

The root causes of migration are numerous and complex. Both the pull and push factors have contributed decisively for human migration from Africa to Europe. Poor socio-economic conditions, such as high unemployment rate, low income, underdevelopment, poverty and lack of equal opportunity fuel out-migration, in Africa. These factors are typically brought about by “a mismatch between the rapid population growth and the available resources, low level of requisite technology to exploit the available natural resources and capacity to create employment and jobs at the countries of origin”.²³⁸ In addition to the, poor socio-economic conditions, political and dreadful environmental conditions are also causes to the massive migration from Africa to Europe.

²³⁸ See African Union: African Common Position On Migration And Development, Executive Council Ninth Ordinary Session EX.CL/277 (IX), 25 – 29 June, 2006 Banjul, Gambia.

While the causes are varied, the political and economic factors are dominant and major causes. Beside these environmental degradations and the climate change has mentioned recently as another factor. Various factors has contributing in explaining African migration, but by taking account of recent influx, the socio-economic as well as the political environment has significantly explain the recent trends of the African migration to Europe. As stated above, the major causes of migration are diverging and vary from one region to regions, but these causes are common to all African states.

4.4.2 Economic Factors

Economic factors have a decisive impact on peoples' decision whether to stay at home or to move somewhere to look for better opportunity.²³⁹ Usually peoples where experienced comfortable economic conditions are not intended to move other places unless they have other purposes to move like to visit or for recreation. Nevertheless, this does not mean they always stay where they are forever. However in developing countries especially in Africa, the reality is different in terms of the force behind people's decision to move. Poverty is the common denominator of economic insecurity in Africa. Over two-thirds of the least developed countries in the world are in Africa.²⁴⁰ Every year hundreds of thousands people moving from their home countries to other places inside Africa and beyond that particularly to European countries in the search of better living conditions. Also since it is becoming more difficult for Africans to legally arrive and work in Europe, every year tens of thousands of Africans attempt to "circumvent border controls and enter illegally as irregular migrants".²⁴¹

While there are numerous causes associated with the economy that induce migration in Africa the following would the major and common throughout the continent.

²³⁹ Abdoulaye Kane and Todd H. Leedy (edi.) (2013). African Migrations: Patterns and Perspectives, Indiana University Press, USA. pp. 20-22

²⁴⁰ Mentan, Tatak (2014). Africa: Facing Human Security Challenges in the 21st Century, Langaa Research & Publishing, Bamenda, Cameroon. p.53

²⁴¹ Global Initiative against Transnational Organized Crime (2014). Smuggled Futures: The dangerous path of the migrant from Africa to Europe. p.2

I) Weak Economy

Africa for long period is known by its backwardness and fragile economic structure and vulnerable to domestic and external shocks.²⁴² Many African countries yet highly depend on primary economic system that often put the continent in the inferior position in the global political economy.²⁴³ Among this primary economic structure, the agriculture sector is still stand as the backbone of the African countries economic activity and large numbers of the Africa population have engaged in this sector.²⁴⁴

It is not fault, holding the agriculture as major structure of once nation's economic, however, with the context of the current global economic, the sector is highly marginalized and the ability to generate substantial amount of foreign currency has diminished steadily and this unfortunate environment bring "a dramatic rise in food insecurity, a severe decline in public sector services and infrastructure, such as health, education, water" etc.²⁴⁵ Many African countries are reliant upon exports whose value on the international market is declining and highly volatile, and on processed imports whose price are protected and stable.²⁴⁶

Why the agriculture sector in Africa is declines and marginalized in the international market? Because numbers of developed countries have subsidized their own farmers in order to supply the agricultural products in the market with cheaper price. In this context the African farmers or exporters cannot compete with developed countries farmers in the international market. Also as result of different integration and cooperation schemes in the developed world, they progressively preferred the products of their own farmers or farmers which found in the same regional scheme.²⁴⁷ This makes the African products marginalized in the market or forces them to export with cheaper prices. As a result the economy of Africa which is extremely depending on agriculture has declined gradually. In this environment the continent is affected highly by low

²⁴² See Monika O. Thiboutot (2006). Cures to Stalled Development: Causes and Solutions to Economic Crisis In Sub-Saharan Africa, M.A thesis , University of Central Florida.

²⁴³ Ernest Aryeetey (edi.) (2012). The Oxford Companion to the Economics of Africa, Oxford University Press, Oxford, UK. pp.163-164

²⁴⁴ African Business IC Magazines (2003), Issues 283-293. p.31

²⁴⁵ Kjell Havnevik et al (edi.) (2015). Framing African Development: Challenging Concepts, BRILL Publications, Boston, USA. p. 128

²⁴⁶ Mentan, Tatak (2014). Africa: Facing Human Security Challenges in the 21st Century, Langaa Research & Publishing, Bamenda, Cameroon. p.64

²⁴⁷ See Alex Thomson (3rd Edition) (2010). An Introduction to African Politics, Routledge: Taylor & Francise Group, New York, USA.

foreign currency reserves and trade deficit that directly induces migration. Beside that the effect of climate change is directly affected the sector and the Africa economy is now highly vulnerable to hold and absorb the rising number of young African job seekers.²⁴⁸

Besides that, while, Africa is blessed with abundant natural resources, the continent remains poor.

From the oil fields of the Niger Delta in Nigeria, to the diamond and copper fields of Sierra Leone, Angola, Liberia, to the rich mineral deposits of the Great Lake region, to the mountain ranges, plains and tourist havens of the Eastern Africa countries, the continent of Africa is undoubtedly blessed. Despite being rich in natural resources and arable land, Africa is the most aid-dependent region in the world, with 51 percent of the population living on less than US\$ 1.25 a day.²⁴⁹

In addition, throughout the continent, the level of industrialization is very low and African states' economic largely rely on primary economy. Nevertheless, in the modern era more industrialized economies have more advantageous position unlike other economies in terms of creating jobs and in technological advancement. Despite the level of industrialization in Africa varies countries to countries and regions to regions, most commonly the sector is immature. As a result even those educated have no access to work in industries in Africa so they are attracted in the EU countries in search of better jobs and to incur more income.²⁵⁰

II) Income Inequality

Most African migrations are driven by economic events, in particular by real wage and living standard gaps between citizens. Migration is a function of inequality, since the fastest way for a poor person to get rich is to move from a poor country to a rich country. Usually people migrate abroad in search for better economic opportunities for migrants and their families offered by foreign countries compared with the economic opportunities found at home.²⁵¹ People in Africa migrate to EU countries mainly in response to better employment and income opportunity.²⁵²

²⁴⁸ See Michael Fleshman (2007). Climate change: Africa gets ready, Planning how to deal with higher temperatures, shifting weather, From Africa Renewal: July 2007. See online at: <http://www.un.org/africarenewal/magazine/july-2007/climate-change-africa-gets-ready#sthash.7hpehLX.dpuf>

²⁴⁹ Mentan, Tatak (2014). Africa: Facing Human Security Challenges in the 21st Century, Langaa Research & Publishing, Bamenda, Cameroon. p.49

²⁵⁰ Interview with Kassa G/Yohannes G/Michael, Director General for European Affairs, the Federal Democratic Republic of Ethiopia Ministry of Foreign Affairs. Date: 19-03-2016, Time: 1: 50- 2: 20 P.M.

²⁵¹ Belachew Gebrewold (edi) (2016). Africa and Fortress Europe: Threat and Opportunities. p.113

²⁵² See Kempe R. Hope (1997). African Political Economy: Contemporary Issues in Development, M.S Sharpe Publisher, London, England.

The growing phenomenon of income inequalities in Africa plays an important role in rising number of migration.

In all African countries, the richest capture the largest share of income. When measured by the share of income that goes to the poorest, inequalities are striking, and accompanied by geographic disparities between urban and rural areas where the poor are concentrated.²⁵³

For example in Mozambique, the mean share of the lowest 20% of the population is 5.2% of total income while the top 20% has a share of 51.5%. A larger percentage of the population is poor in rural areas (56.9%), compared to urban areas (49.6%). It appears that income distribution in Africa is characterized by significant differences within the rich and poor income groups.²⁵⁴

In countries where a high income gap observes, the possibility of migration outflows is also high. Countries like Nigeria²⁵⁵ and Ethiopia²⁵⁶ often mentioned in this respect. Despite there is relative economic growth in these countries even higher than the average other African states, there is a growing income gap among the citizens. So this directly or indirectly encourages migration. Also it believed that most migrants from Africa including the above two states in Europe are economic migrants.²⁵⁷

It is not only the above three nations are represent the income inequality problem in Africa. Many countries have similar problem and their economy indirectly encourage the likelihood of income inequality. Income gap makes division within the society while few get become rich and richer; the majority remains poor and stagnant on same income. This scenario crates high

²⁵³ African Development Bank Group (2012). Briefing Note 5: Income Inequality in Africa, Briefing Notes for AfDB's Long-Term Strategy. p.2

²⁵⁴ African Development Bank Group (2012). Briefing Note 5: Income Inequality in Africa, Briefing Notes for AfDB's Long-Term Strategy. pp.2-3

²⁵⁵ Tanimu Nuruddeen and Saifullahi Sani Ibrahim (2014). An Empirical study on the relationship between Poverty, Inequality and Economic Growth in Nigeria, Journal of Economics and Sustainable Development, Vol.5, No.26, 2014. pp.20-24

²⁵⁶ See Alemayehu Geda et al (2008). Growth, Poverty and Inequality in Ethiopia: Which Way For Pro-Poor Growth?, Journal of International Development, John Wiley & Sons, Ltd, 21, 947–970 (2009). pp. 948-968

²⁵⁷ News release at The Irish Times, Peter Cluskey (Jan 26, 2016). Most fleeing to Europe are 'not refugees', EU official says. Available online at <http://www.irishtimes.com/news/world/europe/most-fleeing-to-europe-are-not-refugees-eu-official-says-1.2511133>

migration flow from Africa to Europe. And that is way many EU countries perceiving African migrants often as economic migrants.²⁵⁸

III) Disparity between Population Growth and Economic Growth

Population growth in Africa is comparatively higher than other regions of the world. Many countries in Africa have experienced over 2.4 per cent annual population growth rates. Also According to UN Population Division the total fertility rate of Africa is 88 per cent higher than the world standard (2.5 children per woman globally, 4.7 children per woman in Africa).²⁵⁹ This demographic event mattered in Africa particularly on economy. There are reasons for this. First, population growth puts pressure on land and other resources, lowering the marginal product of labour and living standards at home. Second, it encouraging wage inequality between home and abroad.²⁶⁰

Since there is higher population growth in Africa, the accessibility of jobs steadily diminished from time to time. Other than weak economic structure of the African countries which is weak in creating new jobs, the population growth has playing its role by making the possibility of high unemployment rate. In Africa there is disparity between the population growth and economic growth. While several countries have experienced high population growth, there economy is however whether it is stagnant or not equally growing with the economy.²⁶¹

Also the majority of the African population is young which represent the majority of the working class. With more than 60 per cent aged under 24 years and it is also estimated that about 40 per cent of the total population are younger than 15.²⁶² As Hiroyuki Hino and Gustav Ranis (2014) stated “young people now constitute the majority of African population... [they] account for the

²⁵⁸ See Lizzie Dearden (2015). Refugee crisis: 'Economic migrants' and asylum seekers are coming to Europe for the same reasons, Saturday 19 December 2015. Available Online at <http://www.independent.co.uk/news/world/europe/refugee-crisis-economic-migrants-and-refugees-are-coming-to-europe-for-the-same-reasons-report-says-a6779616.html>

²⁵⁹ United Nations Population Division (2015). World Population Prospects: The 2015 Revision. p.4

²⁶⁰ Belachew Gebrewold (edi) (2016). Africa and Fortress Europe: Threat and Opportunities. p.113

²⁶¹ United Nations (1988). Consequences of Rapid Population Growth in Developing Countries. p.119

²⁶² Hiroyuki Hino and Gustav Ranis (2014). Youth and Employment in Sub-Saharan Africa: Working But Poor, Routledge, New York, USA. p.2

vast majority and this group is projected expand at an alarming pace”.²⁶³ Whereas there should have accessibility of jobs easily, the reality in Africa is different. Most young Africans are not gainfully employed and they are reliant on their families and this “chronic and pervasive unemployment causes social tension and even conflict.”²⁶⁴ While they need jobs to afford all or at least their basic needs, the present situation in Africa seems unattainable. Therefore in one or another way they choose migration as an alternative and only way to escape poverty. Also often empirical facts show that where low level of job opportunity is observed, the possibility and trend of migration particularly among the young is high.²⁶⁵ That is why most African migrants are young as well as categorized under economic migrants in Europe.

Therefore the disparity between population and economic growth has produced a big problem especially for the young population. The new labour forces which enter the labour market each year and the power of the economy to absorb the newcomers or to create more jobs is unmatched in Africa. But this problem is not the problem of the young generation only; others are affected too even among educated people. Even though the young Africans (which represent the majority of African migrants to Europe) are aware of that, the routes are extremely dangerous and they should pass through hostile environments such as the Sahara desert, yet choose migrating to Europe.²⁶⁶ Also this disparity gives opportunity for extreme poverty.

All the above economic factors are decisive in explaining the growing numbers of the African migration to EU countries as results of economic insecurity in the continent.

4.4.3 Political Factors

In the above we have discussed the economic factors that cause migration from Africa to Europe in detail. Now we have to look at the political factor which is another major factor that affects the migration flows from Africa. Other than economic factors, unstable political situation plays its

²⁶³ Hiroyuki Hino and Gustav Ranis (2014). *Youth and Employment in Sub-Saharan Africa: Working But Poor*, Routledge, New York, USA. p. 2

²⁶⁴ Hiroyuki Hino and Gustav Ranis (2014). *Youth and Employment in Sub-Saharan Africa: Working But Poor*, Routledge, New York, USA. p. 2

²⁶⁵ UN Focal Point on Youth (2011). What Are the Important Positive And Negative Employment Trends among Youth that you Have Observed in your Community/Country?, available at (Post 29 December 2011) http://unworldyouthreport.org/index.php?option=com_k2&view=item&id=30&Itemid=126

²⁶⁶ Interview with Kassa G/Yohannes G/Michael, Director General for European Affairs, the Federal Democratic Republic of Ethiopia Ministry of Foreign Affairs. Date: 19-03-2016, Time: 1: 50- 2: 20 P.M.

role in escalating the problem of migration outflows. The political environment in Africa is often mentioned as major cause on the dilemma of immigration within and outside of Africa.

Political issues embraced multiple scenarios in explain the causes of the African migration as a results of uncomfortable political environment such as the bad governance, corruption, lack of democratic culture and institutions etc.

Although there is several socio-political reasons for the Africans to leave their homes and flee other places including Europe, the major political factors which is associated with the African migrants' flow are includes the prevalence of violent conflicts and insecurity, and human rights abuses. Hereinafter we will discuss these factors in brief.

I) Conflict and Insecurity

Conflict and insecurity in much of Africa has become a single, complex and interrelated problem that is an intrinsic part of the debate about the nature and capability of the African state. Africa has become associated with “conflict, insecurity and human rights atrocities [and] in the popular imagination and the media, overpopulation, environmental degradation and ethnic hatred dominate account of African violence”.²⁶⁷

Security is a precondition for every good thing. State without security and security without state is unimaginable. However in Africa the actualization of security is difficult due to a number of reasons. The reason behind such unfortunate environment is diverse but one cause often fuels the other. One of the roots causes of this insecurity and conflicts is emanating from the European colonialization of the continent and its aftermath effects.

European colonization of Africa has had a long-lasting impact on the political and economic dynamics of the continent.... European powers partition of the continent along artificial boundaries, the legacy of which continues to contribute to the instability of many African states today. These borders, drawn with no consideration for established ethnic boundaries, threw together diverse cultural groups whose divisions were exploited in hierarchical system of power.²⁶⁸

²⁶⁷ Mentan, Tatah (2014). Africa: Facing Human Security Challenges in the 21st Century, Langaa Research & Publishing, Bamenda, Cameroon. p.185

²⁶⁸ Mentan, Tatah (2014). Africa: Facing Human Security Challenges in the 21st Century, Langaa Research & Publishing, Bamenda, Cameroon. pp.53-54

Colonialization directly or indirectly has brought problems on Africa's later days of conflict and insecurity and these conflict and insecure conditions often occurred in terms of intra and inter-state conflicts. Intra and inter-state conflicts have been Africa's most common source of insecurity and loss of lives for several decades.

The pattern of intra-state boundaries, ethno linguistic difference, religious intolerance and a winner-take-all political culture are responsible for various conflicts in the region.²⁶⁹ At present, there are varying degrees of disturbances in Africa such as in Libya, Somalia, South Sudan, Sudan, Central African Republic, Mali and Nigeria is some examples of the contemporary volatile areas in the Continent. Though their intensity is regarded as low, still conflicts exist throughout the Continent. These conflicts have led to death, wanton destruction of property, displacement of entire population and mass migration.

From the early periods of independence up to today various conflicts are consumed the lives of millions of Africans. To mention some, in Liberia some 250,000 people have died in war related circumstances since 1989, it is about 10 percent the entire population. In the DRC, an estimated three million people have died as a result of conflict. Civil wars in Rwanda, Burundi, Uganda, Somalia, and in Sudan have claimed the lives of millions people and caused the greatest displacement of people in Africa.²⁷⁰ And the recent violent conflicts in the Northern Africa countries especially in Libya as a result of the Arab Spring have claimed thousands of lives and brought mass refugee influx to Europe.²⁷¹ The effects of these conflicts still persist and dormant awhile but no one is certain whether they broke out again.

Political instability in Africa owe much of its cause to internal factors, however the interpenetration of internal and external factors especially geo-political and economic interests of the international community also play a significant role in the intensification of conflict. The combination factors such as unequal development, poverty, violence and the manipulative tendencies of the local elite, political and economic instability constantly bring insecurity

²⁶⁹ Alhaji Ahmadu Ibrahim and Lawan Cheri (2013). Democracy, Political Instability and the African Crisis of Underdevelopment, *Journal of Power, Politics & Governance*, Vol. 1 No. 1, December 2013. p.65

²⁷⁰ Jakkie Cilliers (2004). Human Security in Africa A conceptual framework for review, African Human Security Initiative. pp.21-22

²⁷¹ Annysa Bellal (edi)(2016). *The War Report: Armed Conflict in 2014*, Oxford University Press. p.425

throughout the continent.²⁷² This phenomenon frequently forces mass of the population whether to be displaced internally or flee to neighboring countries then outside of the continent, particularly to Europe.

In Africa state's apparatus usually exploited as personal instrument by leaders and the institution of states often considers as the private property of the governors. This attribute also intensify, in the one hand, violent conflict, in the other, fear or insecurity among the civilians.²⁷³ For that reason civilian people mainly flee conflict or insecure environments in order to get safe havens especially in the European countries.

In spite of the "existence of institutional frameworks that are supposed to guide processes and delivery on fundamental services", the continual dwindling of these institutions, through political mechanization and greedy nature of African elites also makes further undermine the stability of Africa. These tendencies exacerbate resources wars, ethnic rivalry, and more recently, the emergence of electoral violence as a characteristic of multi-party era elections in African.²⁷⁴ For example countries like Ethiopia, Kenya, Zimbabwe, Central Africa Republic and recently Burundi have experienced similar pre and post-election related violence.

The market outcome of the distribution of resources in Africa is often undesirable; they cause massive deprivation and inequality, marginalization and it causes inter ethnic conflicts, as various groups struggle for scarce resources.²⁷⁵ In this regard the conflict which is still unresolved in Democratic Republic of Congo and Nigeria is mentioned often.

Conflicts and insecurity are major causes or drivers of forced migration in Africa. In Africa in general and in countries like the Democratic Republic of Congo, Libya, Mali, Somalia, South Sudan, the Central African Republic, Nigeria and Eritrea in particular, protracted conflicts and insecurity threaten the lives of millions of civilians, forced many to leave their home in search of safety and security in Europe and elsewhere.

²⁷² Antony Otieno Ong'ayo (2008). Political instability in Africa: Where the problem lies and alternative perspectives, The African Diaspora Policy Centre, Amsterdam. p.2

²⁷³ See Leonardo R. Arriola (2009). Patronage and Political Stability in Africa, University of California, Berkeley, 2009 SAGE Publications, Comparative Political Studies Volume XX Number X.

²⁷⁴ Antony Otieno Ong'ayo (2008). Political instability in Africa: Where the problem lies and alternative perspectives, The African Diaspora Policy Centre, Amsterdam. p.3

²⁷⁵ See George Klay Kieh (2009). The State and Political Instability in Africa, SAGE Publications, Vol 25(1): 1–25.

II) Human Rights Abuses

Human rights abuse in Africa is another cause of migrants to leave their countries to other place whether as asylum seekers or refugees. The human rights situation on the African continent is decidedly dejected.

For long periods the human rights concern in Africa is gets lesser consideration by the leaders of the continent and this situation often causes the fleeing of Africans towards European countries in search protection.

Various reports on the African human rights record shows that the ever increasing number of human rights abuses particularly during civil war or armed conflict. For example in Sierra Leone, Guinea Bissau, Angola, Congo, the Democratic Republic of Congo, Somalia, Rwanda and Burundi, Ethiopia and Eritrea in late 1990's and Sudan, South Sudan, Eritrea etc recently.

The human rights abused particularly targeted women and children for example according Coalition to Stop the Use of Child Soldiers estimated that more than 120,000 children from ages seven to seventeen were being exploited as soldiers across Africa. Some of these children voluntarily joined government or revolutionary armed forces, but tens of thousands of them were forced to become soldiers at gunpoint.

International human rights groups often criticized the Africa sates over their violation of human rights of their own citizens. Human rights groups such as Amnesty International and Human Rights Watches often reported higher violation of human rights throughout the continent. For example the recent Amnesty International report of 2016 indicated that most African states violate the human rights. According to the report

...throughout 2015, serious violations and abuses of international humanitarian and human rights law in the context of conflicts remained a major challenge. Protracted conflicts in the Central African Republic, Democratic Republic of Congo, Sudan, South Sudan and Somalia caused thousands of civilian deaths and left millions living in fear and insecurity. Burundi faced a political crisis and escalating violence. In west, central and east Africa – including in Cameroon, Chad, Kenya, Mali, Nigeria, Niger and Somalia – armed groups such as al-Shabaab and Boko Haram perpetrated constant violence, with tens of thousands of civilians killed, thousands abducted and millions forced to live in fear and insecurity, both within and outside conflicts. Many governments responded to these security threats with disregard for international humanitarian law and human rights. Military and security operations in Nigeria and Cameroon were marked by mass arbitrary arrests, incommunicado detentions, extrajudicial executions, and torture and other ill-

treatment. Similar patterns of human rights violations were observed in Niger and Chad. Impunity remained a key cause and driver of conflicts and instability. Despite some progress, there was little or no accountability for crimes under international law committed by security forces and armed groups in countries as disparate as Cameroon, CAR, DRC, Nigeria, Somalia, South Sudan and Sudan.²⁷⁶

Also the recent Human Rights Watches' report criticized the majority of Africa states as violators of people's rights and stated that much part of Africa still not respect for human rights is in the critical condition.²⁷⁷

In Africa, the types of human rights abuse vary from the fairly common occurrences such as torture, rape, murder, child labor to genocide, ethnic cleansing and the use of refugees as human shield.²⁷⁸

Particularly women and children are suffering most during periods of conflict and war. The abuse of these fundamental human rights is due both to those who decide to leave their countries and those who decide to stay. Currently in Africa the number of asylum seekers in Europe their major claim is mainly associated with human rights abuses and political persecution in their home countries. For example migrants or refugees from the Horn countries particularly from Sudan, Eritrea and including Ethiopia the asylum seekers' reason to escape is the human rights abuse or violations. In this respect particularly the Eritrean case is serious and often raised as major human rights violation. The most migrant African community in Europe now are Eritreans and many of the European nations acknowledge the human rights abuse their and often willing to grants international protection.

The situation in Northern and Central African countries is similar. To mention some in the North, Libya and Egypt become place of grave human rights violation. Especially the dismantle of the central government in Libya accelerate the abuses of human rights and thousands of people affected by the situation and the abuse of their fundamental rights intensified. Thus many Libyans together with other African national (who formerly settled in Libya as migrants) are now

²⁷⁶ Amnesty International (2016). Amnesty International Report 2015/16: The State Of The World's Human Rights, London, United Kingdom. p.19

²⁷⁷ See Human Rights Watch Report (2015). The Mediterranean Migration Crisis: Why People Flee, What the EU Should Do, Washington DC, USA.

²⁷⁸ Paul J. Magnarella (2000). Achieving Human Rights in Africa: The Challenge for the New Millennium, African Studies Quarterly, Volume 4, Issue 2, summer 2000, Published by the Center for African Studies, University of Florida.

fleeing to the EU countries in the search of protection. Also in Central Africa, the protracted social conflicts (such as in DRC, CAR and Uganda) together with the inhumane action of the war lords increase the abuses of the human rights of the people extremely. As a result every day number of people runs away to the neighbor states or beyond that to Europe.

Other than the above two major political factors than induce migration from Africa, there are other reasons that caused migration from Africa. For example corruption and environmental degradation sited as addition factors.

The magnitude of corruption in most African countries, to say the least is alarming, terrific and disheartening. Corruption by political leaders has been identified as one of the major causes of poverty, and the failure in the development of developing countries, particularly in Africa. The incidence of corruption remains one of the greatest challenges of democracy in the continent as virtually all democratic experiments are associated with reports of hyper-corrupt practices... The embezzlement of public funds by unscrupulous and ineffective leaders of most African countries leads to poverty, high debts and other socio-economic associated problems in these countries.²⁷⁹

Although corruption could not directly cause migration outflows in Africa, it is believed that its long run effect has decisive impact on the wellbeing of the society and latter forced to move other places. Since resources are diverted to the pockets of the few individuals the provision of services for majority will hinders. Also corruption encourages the economic inequality among the citizen and gradually it leads to grievances. Besides it creates lack in the expansions of infrastructure, education and health care. Campbell (2004) observes that “Billions of pounds, enough to pay for the entire primary health and education needs of the world’s developing countries are being siphoned off through offshore companies and tax havens”.²⁸⁰ All these in one or another ways increase the possibility of migration.

Moreover, many of the continent’s states are criticized for being undemocratic and lack open democratic culture. Although recently the culture of democracy is growing gradually, still there is undemocratic behavior which the leaders of this continent practiced. In such environment many Africans are forced to choose migration as means of escaping the dictatorial rule of governments. To mention some, the Eritrean regime is often criticized with its undemocratic

²⁷⁹ Brian-Vincent Ikejiaku (2009). The Relationship between Poverty, Conflict and Development, Journal of Sustainable development, Vol. 2, No. 1, March 2009. p.19

²⁸⁰ Campbell, D (2004), ‘Havens that have become a tax on the world’s poor’ in Brian-Vincent Ikejiaku (2009). The Relationship between Poverty, Conflict and Development. p19

system of rule, and the government forced the younger population to be part of the national armed force and serve the government unwillingly. As a result the young population mostly chooses migration as a way-out of authoritarian rule. Moreover, according to FRONTEX, Eritrean is the main source of immigrants from Africa to Europe and in terms of number they are the most migrants next to Syrian in EU.²⁸¹

Overall, the causes and consequences of migration are multifaceted and have political, security, economic, social and environmental dimensions. Human rights violations, economic deprivation, lack of governance and climate change can also induce migration, either directly or indirectly in situations of high inequalities and exclusion.

4.4.4 Human insecurity: as explanatory factor for Migration from Africa

As far as the international migration concerned, the human security approach gives emphasis to the multiple factors that cause and give rise to migration flows, including economic deprivation, political persecution, and ethnic conflict. Accordingly human security approach, thus, addresses the question why have they left their country and why have their governments failed to tackle such turbulences before they people to migrate?²⁸²

As we have discussed in chapter two, the human security perspective is very significant and it is a new alternative or dimension in explaining the causes of migration. The factors which stated in the human security perspective have directly linked with the causes of the recent Africans migration to Europe. Although this approach argued the distinction between the push and pull factors of migration is blurs, still such distinctions are important. As of this approach migrants are driven from their residences by war, violent conflicts and human rights abuses, and in the other extreme, migrants are assumed to have migrated through free choice or in search of better opportunity.²⁸³ Both conditions of migration is exemplify the Africa case.

Throughout Africa in one or another ways people choose to migrate in EU countries as a result of war, instability, conflict, political persecution and human rights abuse.

²⁸¹ Interview with Kassa G/Yohannes G/Michael, Director General for European Affairs, the Federal Democratic Republic of Ethiopia Ministry of Foreign Affairs. Date: 19-03-2016, Time: 1: 50- 2: 20 P.M.

²⁸² Thakur Ramesh (2003). Globalization, Migration and Human Security: Challenges in Northern Asia. p.5

²⁸³ Fisher, Peter et al (1997). "Should I Stay or Should I Go?" In International Migration, Immobility and Development: Multidisciplinary Perspectives. p.50

Human security in Africa is in a precarious situation. The challenges of attaining security of Africans are manifold and include poor relation between the military and civilian authorities, the prevalence of a politics of exclusion, the weakness of civil societies, and the failure of states.... Ethnic and political conflicts remain a problem both within and between national borders....There is room for hope-but only when it is recognized that any successful security project must stress, above all, the safety of people in their secure communities.²⁸⁴

Despite the level and the magnitude of conflict and instability vary across the regions, Africa, from the North to South and from West to East there are manifold conflicts which induced migration to Europe.

It is important to look each regions of Africa in order to show the level and magnitude of conflict that forced people to be migrants because of insecurity clearly.

I) Northern Africa

In reality North Africa is caught up in an interlocking pattern of crises that began after the Arab Spring in 2011. The Arab Spring of 2011 that swept through the Middle East and North Africa ‘radically reshaped the region’s political and security environment.’²⁸⁵ Although there have been changes in terms of the degree of conflict in the region, the effect of the Arab Spring is still persists in the region and it gives a new dimension of conflict.

The ongoing conflicts in Northern Africa such as in Libya, conflict in lesser existent in Egypt’s Sinai desert and uncertain over the Tunisian stability and ongoing elements of terrorism as well as poor economic performance all these have contributed for the rising number of migrants from this region to Europe and other countries.

Due to these conflict and human rights abuse throughout the region, peoples are daily forced to go somewhere safe for their life. The region is characterized by lack of democracy, high government repression and lack of opportunities for young population. The growing incidences of the act of terrorism and the widespread presence of extremist engagement such as ISIS, Al-

²⁸⁴ Mentan, Tatak (2014). Africa: Facing Human Security Challenges in the 21st Century, Langaa Research & Publishing, Bamenda, Cameroon. p.47

²⁸⁵ Daveed Gartenstein-Ross et al (2016). The Crisis in North Africa Implications for Europe and Options for EU Policymakers, Clingendael Report, Netherlands Institute of International Relations. p. 7

Quida and other seem the region get into an endless crisis.²⁸⁶ Also the daily release of the media reports from the region is very shocking. There is high level of crime which orchestrated by such as armed groups, human traffickers or smugglers and insecurity becomes the concern of all people. It is easy to say that the region, particularly, Libya is now turning into a place of individuals' misery. Therefore it is not surprising when people are decide for crossing the sea in the search of better protection and opportunity in EU countries.

Especially the devastating instability in Libya has a spillover effect for the entire continent. Since Libya is an easy passage for those hoping to cross Mediterranean, the conflict has facilitates for both smugglers and migrants to use the coastal parts of Libya without any restriction.

Thus economic, social and political insecurity in Northern Africa is also forcing people to move to EU countries and other Middle East countries. And feeling of insecurity to stay where they are forces them even to choose migration via dangerous sea journey.

II) West Africa

Before some years ago Western Africa had a relative stability. However from the last five years onwards, the region has experienced a string of explosive developments. Northern and central Nigeria became the targets of a rising tide of attacks claimed by Boko Haram and its acolyte, Ansaru.²⁸⁷ The group does not limited only in Nigeria rather its ideology and attacks spread to other neighboring countries such as Cameron, Chad and other. In Nigeria alone over twenty thousand people have been killed since the beginning of the group's attack and kidnap over thousands of people including women and children.

Over million people from Nigeria, Cameroon and Chad have displaced because of the frequent attack of the group. As a result of this security threat, many people become the part and parcel of African immigrant community and join the route which stretched from West to North Africa to reach Europe.

²⁸⁶ See Anthony H. Cordesman and A. Burke (2016). Risks and Instability in the Middle East and North Africa in 2016, Centre for Strategic and International Studies, January 14, 2016.

²⁸⁷ Canada Security Intelligence Service (2014). Political Stability and Security in West and North Africa, Canada, published April 2014. pp. 3-7

The situation in Mali and Senegal is not also different. Northern Mali fell into the hands of separatist and jihadist forces and, for the first time, the insurgency threatened the stability of neighboring states.²⁸⁸ Touareg fighters constantly pose threat for the entire community in the region. That way numbers of Malian are integrating into the African migration network that passes throughout the country and region.

The situation in Ivory Coast and Liberia, Burkina Faso often uncertain and sometimes political upheaval just broke²⁸⁹ out particularly during election period. Such unrest often caused thousands of people to be displaced and because of fear to back their home they irregularly migrating to the neighboring states and then joining other migrants in the routes towards North Africa to reach EU countries.

The Shale region with its volatile environment become more uncomfortable place to live and the desertification is expanded time to time. Thus the region produces number of migrants from Mali, Senegal, Niger, and Chad among other countries because of the dreadful environmental conditions. Beside that the recent epidemic Ebola disease in the region is highly affected their economy.²⁹⁰

As human security argued, even if a specific migratory act in all measures seem to be “voluntary or involuntary,” in “reality the decision to move is made within a context where the individual of group is faced with no alternatives since staying in situ is not a realistic option”.²⁹¹ From the both alternatives, migration could happen as result of human rights abuses and extreme poverty, lack in political and social opportunities. So individuals “migrate out of choice rather than necessity.”²⁹² In this context when we come to the West Africa case, other than conflict and frequent extremist attacks which induced high migration flows from there, the Western African region now experiencing higher gap between the rich and poor people. In countries like Nigeria and Ghana the situation even expanding more time to time. Such trends have intensifying the

²⁸⁸ Canada Security Intelligence Service (2014). Political Stability and Security in West and North Africa, Canada, published April 2014. pp. 3-7

²⁸⁹ See “The Growing Challenges of Peace and Security in Africa: A West African Perspective”, A speech delivered on the occasion of the 2015 Kofi Annan/Dag Hammarskjöld Annual Lecture.

²⁹⁰ See “The Growing Challenges of Peace and Security in Africa: A West African Perspective”, A speech delivered on the occasion of the 2015 Kofi Annan/Dag Hammarskjöld Annual Lecture.

²⁹¹ Kothari, Uma (2002). “Migration and Chronic Poverty”. p. 20

²⁹² Francesca Vietti (2013). Human Insecurity: Understanding International Migration from a Human Security Perspective. p.24

growing number of migration flows from the region to the transit countries of North Africa in order reach Europe. Lack of job opportunity even for those highly skilled people and the mismatch between the countries' economic growth and population growth are all induced the rising number of economic migrants from the region to Europe and other continents.

Such economic and security challenges together with transnational crime such as arms, drug and human trafficking and terrorism, the challenges faced throughout the West African region are complex and diverse. Therefore individuals or groups of peoples constantly moving this region in the search of real security protection while better opportunity.

As we have discussed in the above, the human security perspective explain clearly why people choose migration instead of staying in places where they live before. The situation that we observed in western Africa easily informs that there is insecurity not only for individual but pose threat for states too. From the last two years number of migrant originated from this region and those who seeking refugee and asylum in Europe is growing more. Since the level of 'insecurity' is expanding more, the numbers of people who move to other 'secure' places become the reality.

III) Eastern and Central Africa

The economic, social and the political situation of the Eastern and Central parts of Africa is not different from the rest Africa, however this region is widely known by its protracted conflict and weak states economy even in the Africa level.

This complex conflict and instability trends in East and central Africa make the region one of the most unstable regions in the world. Significant portions of the region remain unable to break free of the deadly conflicts, violent crime, extremism, communal violence, political instability, and state failure that have plagued the region for decades.²⁹³

Conflicts in South Sudan, Somalia, Darfur, and eastern Democratic Republic of the Congo and recently in Burundi combined with communal clashes in some other parts of the region make the entire region volatile and generating sizable number of immigrants. While the region experiencing relative stability recently, significant portions of East and Central Africa remain unable to break free of a prolonged conflicts, violent crime, extremism, communal violence,

²⁹³ United States Agency for International Development (2012). East Africa Regional Conflict and Instability Assessment, Final Report March 2012. p. 21

political instability, displacement, human rights abuses, and state failure. The inability of central governments to protect their citizens from this violence has eroded communities' trust in the state and many people displaced and migrating to other places.

The failed state situation in Somalia together with the terrorist acts constantly be raised the region as complexity. Group like Al-Qaida affiliated Al-Shaba emerged as a regional security threat. Because of Al-Shaba's attacks across Somalia and Kenya hundreds of people have killed and displaced internally. The recent South Sudanese conflict is also worsening the region security which is already lacking for long periods. Human security in this region critically deteriorated.

While poverty and unemployment are high across the region, there is higher population growth rates which exceeding 3% per year²⁹⁴. This facilitates to produce mass migrants due to problems of access to basic provisions and jobs. Most countries in the region are small economies manly depends on subsistence agriculture. Widespread corruption and intensification of inequality between rich and poor induces the rising number of immigrants and the region also regards as one of the source of economic migrants who flows to Europe. According to the human security perspective disparities in wealth between the poorest and the richest have a direct implication for growing of migration from one part of the world to other. In this context disparity exist not only among people within this region but it persists between European nations and Africa countries and it has contributed for the growing flow of migration. Thus it is obvious that poverty in such magnitude sets the conditions for the likelihood of migration in search of a better life.²⁹⁵

As we have discussed in chapter two, the human security approach gives emphasis for human rights protection and culture of democracy since “the absence of peace and security, human rights violations and [lack of] democratic institutions are all factors affecting international migration”.²⁹⁶ Most of the countries in this region have low record of human rights protection. Often the western media and human rights groups blame governments of Eretria, Ethiopia, Sudan, Kenya and Uganda over abuses of human rights. Due to such human right violations,

²⁹⁴ United States Agency for International Development (2012). East Africa Regional Conflict and Instability Assessment, Final Report March 2012. p. 7

²⁹⁵ Francesca Vietti (2013). Human Insecurity: Understanding International Migration from a Human Security Perspective. pp.24-26

²⁹⁶ The United Nations International Conference on Population and Development (1994). par. 10.1 in Francesca Vietti (2013). Human Insecurity: Understanding International Migration from a Human Security Perspective. pp.25

considerable number of people is migrating into Europe and other parts of the world. Even the Africa's most migrating community to EU countries is also originating from this region due to human right abuse and lack of democracy. In recently data Eritreans are the most immigrants/refugee community in EU next of Syrians. Numbers of young Eritrean flee their country because of the massive human rights violation, arbitrary arrest, torture, forced military service and in general authoritarian rule of the system.²⁹⁷ With the context of such insecurity hundreds of thousands of Eritrean forced to leave their countries into neighboring countries in search of security, then to Europe for better opportunity. While most of EU countries are reluctant to accept the refugees and asylum claims of many African migrants, they acknowledged the Eritrean refugees as real immigrants from Africa and provide them with protection. This proves us how Eritrean living in extreme insecurity.²⁹⁸

Generally the human security approach is help us to analysis the situation in Africa and clearly explain why people choosing migration and how war, violent conflicts and human rights abuses, insecurity due to terrorism etc forces people to leave their homes. Also how the economic condition of countries could contribute whether to attract people to come or drive them to leave. In general human security perceived nexus between migration and security as two sides of one coin. And lack security in economic, political and social is highly influence the likelihood that people will “choose” to migrate.

²⁹⁷ Human Rights Watch Report (2015). The Mediterranean Migration Crisis: Why People Flee, What the EU Should Do, Washington DC, USA. p. 3

²⁹⁸ Interview with **Anonymous**, African Union, Peace Support Operation Division under Peace and Security Department, Addis Ababa, Ethiopia. Date: May 16, 2016, Time: 1:15-1:42 P.M.

Chapter Five

5.1 The Current African Migration to Europe: Perception, Flows and ‘Crisis’

In recent years, migration from Africa to Europe is getting the attention of both Media reportage and political discourse. Africa is frequently perceived as a continent of mass migration caused by poverty and endless conflict. Such rhetoric influenced by Medias which depicted the African migrants as ‘desperate’ and their mobility as ‘massive flows’. In addition to that, pessimistic ‘speech act’ of EU’s politicians signifying as if an approaching ‘migrant invasion’. The portrayal of Africa as a ‘continent on the move’ is linked to stereotypical ideas of Africa as a continent of poverty and conflict. Theses representations of severe poverty, hunger, conflict and dreadful environmental conditions integrate into an “image of African misery”. Irregular migration taking place from all parts of Africa and the Maghreb to Europe has also progressively defined as a security problem which related with crime, human trafficking and terrorism.²⁹⁹

While North Africa constitutes the largest share of ‘extra-continental emigration’, the share of other, mostly from the West and East Africa region is raising. The predomination of North and West Africans migration to Europe seems emanating from the relative proximity to the EU and the historical role of labor recruitment in Francophone countries in the Maghreb region as well as in Senegal and Mali.³⁰⁰

In 2013 Europe hosted nearly one thirds of all international migrants worldwide, account over 72 million international migrants in Europe. Among these migrants, the majority originated from Africa and the Middle Eastern countries.³⁰¹ Also there is an increasing rate of the number of asylum applications within the EU-28 members. In 2013 the number of asylum seekers rose to 431 thousand, 627 thousand in 2014 and close to 1.3 million in 2015. There was also

²⁹⁹ Stephen Castles et al (2014). The Age of Migration: International Population Movements in the Modern World in Marie-Laurence Flahaux and Hein de Haas (2014). African Migration: Exploring the role of Development and States. p.4

³⁰⁰ Marie-Laurence Flahaux and Hein de Haas (2014). African Migration: Exploring the role of Development and States. P. 17

³⁰¹ See United Nations Department of Economic and Social Affairs/Population Division International Migration Report 2013.

considerable growth in relative terms in the number of applicants from two other Middle Eastern countries (Syria and Iran), from Afghanistan and Pakistan in Asia, Ethiopia in Africa.³⁰²

More than a million migrants and refugees crossed into Europe in 2015 from Africa and the Middle East countries, compared with just 280,000 the year 2014. The level of the crisis persists, with more than 135,000 people arriving in the first two months of 2016. Poverty, human rights abuses and deteriorating security are also prompting people to set out from African countries such as Eritrea, Nigeria, Libya, South Sudan, Central African Republic, Ethiopia, and Somalia in the hope of a new life in somewhere like Germany, Sweden or the United Kingdom.³⁰³

Often the sea routes from the coastal area of Africa to Europe become a place of horrific boat accident that consumed lives of thousands of young Africans. In 2015 more than 3,770 people drowned or went missing crossing the Mediterranean to Greece or Italy in unsafe fishing boats. Also in 2014, there was a tragic accident in the Mediterranean when the fishing boat crowded with refugees manly from Africa sank with around 800 people trapped inside.³⁰⁴

Even recently over 500 of immigrants have drowned in the Mediterranean Sea³⁰⁵ during unsafe sea crossing by boats. All of migrants were fleeing to Italy from the Horn of African countries (Somalia, Ethiopia, Egypt and Eritrea). These days the Mediterranean becomes a ‘mass grave’ for emigrants especially for those from African. However the flows remain. And almost 6,000 immigrants transported through boats from cost of Libya to Italy on the first two weeks of April 2016 alone.³⁰⁶

³⁰² http://ec.europa.eu/eurostat/statics-explained.php/Asylum_statistics, Data extracted on 2 March 2016, accessed April 27, 2016 at 4: 36 pm.

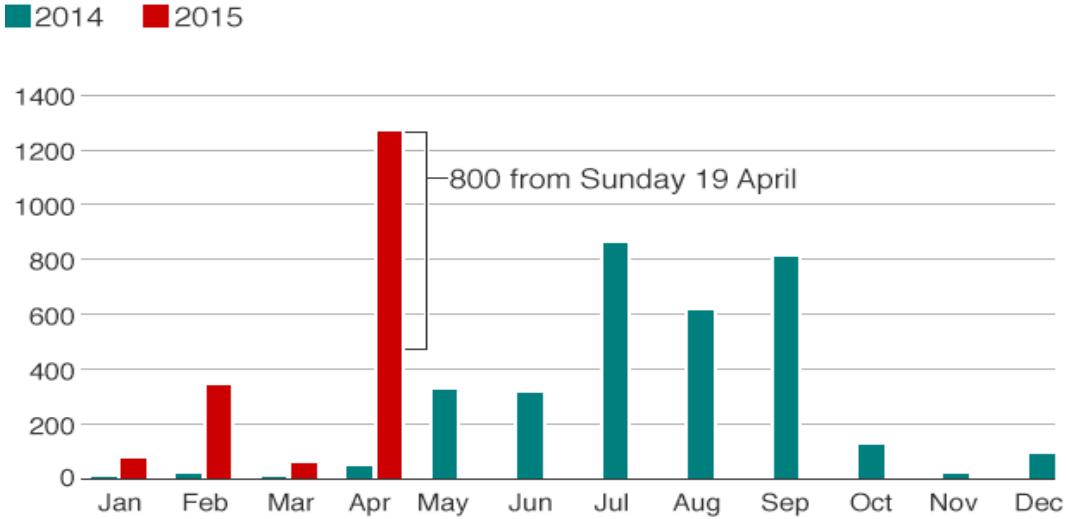
³⁰³ BBC (3 March 2016). Why is EU struggling with migrants and asylum? Accessed April 12, 2016, at 2: 23 p.m <http://www.bbc.com/news/world-europe-24583286>

³⁰⁴ BBC (3 March 2016). Why is EU struggling with migrants and asylum? Accessed April 12, 2016, at 2: 23 p.m <http://www.bbc.com/news/world-europe-24583286>

³⁰⁵ Elizabeth McLaughlin (Apr 20, 2016). 500 Feared Dead After Migrant Boat Sinks in Mediterranean Sea. <http://abcnews.go.com/International/500-feared-dead-migrant-boat-sinks-mediterranean-sea/story?id=38538112>, accessed April 27, 2016 at 4: 52 pm.

³⁰⁶ Samuel Osborne (18 April 2016). Fears 400 refugees have drowned in Mediterranean after boats capsize, <http://www.independent.co.uk/news/world/europe/more-than-400-refugees-drown-in-mediterranean-after-boats-capsize-crossing-from-egypt-to-italy-a6989046.html>, accessed April 20, 2016 at 3: 15 PM.

Migrant deaths in the Mediterranean by month



Source: IOM



Secondary source BBC

5.2 EU Responses towards the Current African Migration

In the wake of the recent migration influx from the Southern and Eastern Mediterranean regions where most migrants from Africa and the Middle East originated, the response of the EU was swift. And this response in terms of policy as well as action by and large is driven by security concern, both internally and in cooperation with third countries.

In this context, in May 2015, the Commission adopted the so called European Migration Agenda. This Agenda guide as a political document outlining priorities in migration, asylum and borders policies and it aimed on managing migration efficiently in all its aspects. The first part of the Agenda defines immediate measures to prevent human tragedies and to deal with emergencies. The second part of the Agenda defines a new strategic approach to manage migration in better manner in the medium as well as long term.³⁰⁷

The first implementation package includes as proposed by Council Decision to trigger **an emergency relocation of 40 000 persons in clear need of international protection from Italy**

³⁰⁷ See COM(2015) 240 final. A European Agenda on Migration, Brussels, 13.5.2015.

and Greece based on Article 78(3) of the Treaty on the Functioning of the European Union³⁰⁸ and **an EU-wide resettlement scheme to offer 20,000 places** to people in clear need of international protection outside of the EU.³⁰⁹

In the context of the increasingly pressing as a result of growing arrival of asylum seekers, the Agenda identified six ‘immediate (short-term) EU policy actions’ or proposals:

- 1) A temporary and emergency driven relocation mechanism for asylum seekers within the EU for those member states confronting higher influx, based on a new redistribution criteria for determining responsibility for assessing asylum applications; and the presentation of a legislative initiative for a permanent system before the end of 2015.
- 2) A relocation mechanism for 20,000 refugees from outside the EU, and an extra €50 million budget 2015-16 to support this scheme.
- 3) Tripling the capacities and budget of the EU External Border Agency (Frontex) joint border control and surveillance operations in the Mediterranean.
- 4) Increasing emergency funding to frontline EU member states by €60 million, and setting up a new ‘hotspot approach’ in which EU home affairs agencies like Frontex, Europol and the European Asylum Support Office (EASO) would work on the ground to support ‘frontline’ member states in identifying, registering and fingerprinting migrants
- 5) Strengthening Europol’s joint maritime information operation in the Mediterranean to deal with migrants’ smuggling via CEPOL (European Policy College)
- 6) Establishing a Common Security and Defense Policy (CSDP) Operation in the Mediterranean to dismantle traffickers’ networks and the ‘business model’ of smugglers, so as to identify, capture and destroy vessels used by smugglers.³¹⁰

Other than these ‘immediate’ actions, which is understood as more ‘medium-term’ in nature, the Agenda outlined the following four key ‘pillars’ or ‘levels of action’:

- 1) Reducing the incentives for irregular migration; the motive behind this decision is to discourage irregular migrants to come Europe from South and Eastern Mediterranean in order to “crack down smugglers and traffickers, and to provide clarity and predictability in return policies.”³¹¹

³⁰⁸ Article 78(3) stated that “In the event of one or more Member States being confronted by an emergency situation characterised by a sudden inflow of nationals of third countries, the Council, on a proposal from the Commission, may adopt provisional measures for the benefit of the Member State(s) concerned. It shall act after consulting the European Parliament.”

³⁰⁹ See European Commission - Fact Sheet (2015). First measures under the European Agenda on Migration: Questions and Answers, Brussels, 27 May 2015

³¹⁰ Sergio Carrera, et al (2015). The EU’s Response to the Refugee Crisis Taking Stock and Setting Policy Priorities. p.4

³¹¹ COM(2015) 240 final. A European Agenda on Migration, Brussels, 13.5.2015. p.7

2) Border management – saving lives and securing external borders. It is intended to address the situation in the Mediterranean Sea which is developed today as ‘emergency measures in response to a specific crisis’.³¹²

3) Europe's duty to protect: a strong common asylum policy. This pillar is calling EU Members to address the asylum applications effectively and grant protection to those who qualify. Also it is intended to advance a “coherent implementation of the Common European Asylum System”³¹³ and 4) A new policy on legal migration. This pillar different from the above three since it is about how Europe will competing with other economies by attracting skilled migrants worker with the context of the economic and demographic challenges EU will face because of high population ageing.³¹⁴

Based on the above policy oriented strategy of the EU, the following response has been adopted:

i) The temporary relocation system

This temporary system introduces a new ‘distribution’ model of allocating responsibility between member states of the EU based on some criteria, which include GDP, population, unemployment, etc. In May 2015, the Commission proposed to relocate people in need of international protection, from Member States which are getting extreme pressure due to rising flows to EU Member States. After four months in September 2015, the Council adopted two legally binding decisions³¹⁵ which established a temporary and exceptional relocation instrument for 160,000 applicants in clear need of international protection from Greece and Italy.³¹⁶

While, with the perspective of addressing migratory crisis comprehensively and working with cooperation third countries which similarly affected by recent crisis, the Commission recommended an EU resettlement plan for 20,000 people in need of international protection. In July 2015, Member States, decided to resettle within two years 22, 504 people in need of

³¹² COM(2015) 240 final. A European Agenda on Migration, Brussels, 13.5.2015. p.10

³¹³ COM(2015) 240 final. A European Agenda on Migration, Brussels, 13.5.2015. p.12

³¹⁴ COM(2015) 240 final. A European Agenda on Migration, Brussels, 13.5.2015. p. 14

³¹⁵ Council Decision (EU) 2015/1523 of 14 September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and of Greece and Council Decision (EU) 2015/1601 of 22 September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and Greece.

³¹⁶ See COM(2016) 165 final. First report on relocation and resettlement, Brussels, 16.3.2016

international protection from the Middle East and Africa. However, in 2016 only 937 people have been relocated from Italy and Greece, and only 4,555 have been relocated. This is due to variety of factors, including the lack of political will of EU countries to obligate their legal obligations of relocation.³¹⁷

The first relocation flight took place from Italy on October 9th, transporting 19 Eritrean asylum seekers to Sweden. Twelve days later, on October 21st, another 19 Eritrean and Syrian asylum seekers were relocated to Sweden and 48 to Finland.³¹⁸

ii) The hotspots approach

The other associated measure in the relocation system called ‘hotspot approach’. The hotspots involve setting up a joint operational headquarters called the European Union Regional Task Force (EURTF). This operational task force in particular set up in Italy and Greece. This approach involves the deployment of operational support by Frontex, Europol and EASO specialists which involved in the ‘screening’ of third country nationals that includes identification, fingerprinting and registration, exchange of information and support to applicants of international protection and the removal of irregular immigrants.³¹⁹

In Italy, six **hotspot areas** have been identified by the Italian authorities in Lampedusa, Pozzallo, Porto Empedocle/Villa Sikanina, Trapani, Augusta and Taranto. The hotspot in Lampedusa is the only operational site so far. A first Migration Management Support Team is up and running in Lampedusa, which builds upon the EURTF in Catania, Sicily. And in Greece five **hotspot areas** have been identified by the government in Lesbos, Leros, Kos, Chios and Samos. So far, only the hotspot in Lesbos is operational. The EURTF is based in Piraeus and the first Migration Management Support Team has been based in Lesbos.³²⁰

³¹⁷ See COM(2016) 165 final. First report on relocation and resettlement, Brussels, 16.3.2016.

³¹⁸ European Commission - Press release (2015). Commissioner Avramopoulos and Minister Asselborn in Italy: First Relocation Flight and Hotspot visit, Brussels, 8 October 2015.

³¹⁹ Sergio Carrera et al (2015). The EU’s Response to the Refugee Crisis Taking Stock and Setting Policy Priorities. p.7

³²⁰ European Commission- Press Release (2015). Implementing the European Agenda on Migration: Progress Reports on Greece, Italy and the Western Balkans, Strasbourg, 15 December 2015.

iii) Curbing irregular migration and fighting human trafficking and smuggling

Among the most visible responses by the EU have been the adoption of an EU Action Plan against Migrants' Smuggling COM (2015) 285, EU Action Plan on Return COM(2015) 453 of 9 September 2015, and a Recommendation on Common Return Handbook.³²¹

The focus of these measures is on the return of irregular entering and staying of non-nationals, and cooperation with third countries on readmission. As we have mentioned it in the above, the EU policy in fight against human traffickers has involved the launch of a CSDP operation called EUNAVFOR MED. This operation mean re-baptized 'Operation Sophia' on the high seas of the southern Mediterranean.³²² It is part of the EU's comprehensive approach to migration and it constitutes the common security and defense policy (CSDP) military response to human smuggling and trafficking in the Southern Central Mediterranean. The Operation is accordingly designed to deal with human smuggling and trafficking organized in Libya.³²³

According to Council Decision (CFSP) 2015/778 of 18 May 2015 on a European Union military operation in the Southern Central Mediterranean (EUNAVFOR MED), the Operation is mandated to identify, capture and dispose of vessels and assets used or suspected of being used by smugglers or traffickers.³²⁴

It is done in three successive phases, and on each phases the Political and Security Committee (PSC) has the power to make a decision on the move between these phases, based on the assessment of the Council. In a first phase,

Sophia shall support the detection and monitoring of migration networks by gathering information and patrolling on the high seas. Phase two consists of two different parts. Sophia shall conduct boarding, search, seizure and diversion, on the high seas, of vessels suspected of being used for human smuggling or trafficking. The Operation shall, moreover, conduct the activities of phase two also in the territorial and internal waters of the coastal State, subject to the conditions set out in any applicable United Nations Security Council (UNSC) resolution or in the consent of the coastal State. Finally, in a

³²¹ Sergio Carrera et al (2015). The EU's Response to the Refugee Crisis Taking Stock and Setting Policy Priorities. p.9

³²² Council Decision (CFSP) 2015/778 of 18 May 2015 on a European Union military operation in the Southern Central Mediterranean (EUNAVFOR MED).

³²³ Mireia Estrada-Cañamares (2016). Operation Sophia Before and After UN Security Council Resolution No 2240 (2015). p. 185

³²⁴ See Council Decision (CFSP) 2015/778 of 18 May 2015 on a European Union military operation in the Southern Central Mediterranean (EUNAVFOR MED).

third phase, Operation Sophia shall take all necessary measures against vessels and related assets, including through disposing of them or rendering them inoperable in the territory of the coastal State. This is, again, subject to the consent of the State concerned or any applicable UNSC resolution.³²⁵

Since its launch, Sophia is supposed to have rescued more than 8 000 migrants, destroyed more than 60 boats and contributed to the detention of more than 40 suspected human smugglers/traffickers.³²⁶

Throughout the Operation, actions were taken on traffickers and smuggles at sea and even on their vessels and related assets, including through disposing of them inoperable in the territory of the coastal State. However, the coming of UNSC resolution No 2240 of 9 October 2015, forbid Sophia to move costal territories and it provides only operations on the high seas.³²⁷

Other than fighting traffickers, these operations aimed to strengthen the EU's presence at sea. For that reason the Council agreed to triple the resources available to Triton³²⁸, and to enhance its operational capability with the supply of additional vessels, aircraft and experts by member states. Other agreed measures comprise increased teamwork against smuggling networks with the help of Europol and the deployment of migration officers to third countries.³²⁹

v) Funding

The nature of this approach is predominantly financial; it called Trust Funds for the Syrian crisis and Funds for Africa. In Africa it designed as an Emergency Trust Fund for stability and addressing root causes of irregular migration in Africa (Trust Fund for Africa) of €1.8 billion.

Financial solidarity has also taken the form of additional emergency assistance in 2015 under the Asylum, Migration and Immigration Fund and the Internal Security Fund-Borders, totaling €100 million. This has come along with additional funding reallocated from the European Neighbourhood Instrument of about €300 million. For the year 2015,

³²⁵ Mireia Estrada-Cañamares (2016). Operation Sophia Before and After UN Security Council Resolution No 2240 (2015). p. 186

³²⁶ See Operation Commander Op Sophia (EEAS), EUNAVFOR MED - Operation SOPHIA – Six Monthly Report: 22 June-31 December 2015, of 29 January 2016, released by Wikileaks on 17 February 2016.

³²⁷ Mireia Estrada-Cañamares (2016). Operation Sophia Before and After UN Security Council Resolution No 2240 (2015). p. 187

³²⁸ The Frontex Operation in the central Mediterranean and the EU's support to the countries of origin and transit (Sergio Carrera et al 2015:3)

³²⁹ Sergio Carrera, et al (2015). The EU's Response to the Refugee Crisis Taking Stock and Setting Policy Priorities. p.10

Greece has received +/- €41.8 million (including €8.7 million in emergency funding), and Italy +/- €58.3million (including €19 million in emergency funding).³³⁰

Funding program of EU as an additional approach has consolidated recently with the conclusion of agreement between EU and African countries in the Valletta Summit on Migration.

The Valletta Summit on Migration was a summit held in Valletta, Malta on 11–12 November 2015, in which European and African leaders discussed the migrants' crisis. In this summit the European and African leaders signed an agreement to set up an Emergency Trust Fund to help development in African countries as well as to encourage those countries to take back migrants who arrived in Europe. The fund pledged 1.8 billion euro in aid, with other development assistance of 20 billion euro every year. The leaders also pledged action to improve the situation in the Africa, to reduce the flow of refugees. The EU promised to promote regular migration channels and implement policies for integrating migrants into society.³³¹

The Summit resulted in an action plan and a new trust fund. The Action Plan includes 16 priorities to be launched by the end of 2016 under five overarching headings related to the root causes of migration, legal migration, protection and asylum, smuggling and human trafficking as well as return and readmission.³³²

In the agreement, the Trust Fund designed to help addressing the root causes of destabilization, forced displacement and irregular migration, by promoting economic and equal opportunities, strengthening resilience of vulnerable people, security and development.

However with the context of growing 'boat' migrants flows and asylum seekers from Africa and the Middle East in the Mediterranean Sea, the EU employ further mechanism to limit migration flows other than the above approaches. In this context, EU asks the UNSC consent to deploy military force in the Mediterranean to impede smugglers. During the UNSC meeting at New York, EU foreign policy chief Federica Mogherini ask the Security Council that the "unprecedented flow of migrants seeking to reach Europe by crossing the Mediterranean has

³³⁰ Sergio Carrera, et al (2015). The EU's Response to the Refugee Crisis Taking Stock and Setting Policy Priorities. p.10

³³¹ See Valletta Summit, 11-12 November 2015 Action Plan.

³³² European Commission - Press release (2015). President Juncker launches the EU Emergency Trust Fund to tackle root causes of irregular migration in Africa Valletta, 12 November 2015.

necessitated “an exceptional response.” And the call was intended “to save lives and dismantle criminal organizations that are exploiting people’s desperation”. The proposals requests to deploy military force to seize and destroy smugglers’ ships before they take on their human cargo.³³³

However the proposal was simultaneously opposed by Russia and human rights groups. Russia “arguing that the owners in many cases do not know the purpose for which the vessels are being used” and on the other human rights groups arguing the” focus on military action will not solve the crisis, and may make it worse.³³⁴ For instance Amnesty International released report concluded that military efforts would “effectively contribute to migrants and refugees being trapped in Libya and expose them to a risk of serious human rights abuses.”³³⁵

Nevertheless approximately after five months, on October 09, 2015 UNSC adopting resolution and authorizes member states or EU to intercept vessels off Libyan coast suspected of migrant smuggling under the UNSC Resolution 2240.

During the implementation of both the European Agenda on Migration and the UNSC Resolution 2240 the issue to abide by international law was the concern and the European Commission calls for the protection of migrants human rights.

Attention was given to compliance with international law and EU principles, related to member states’ actions inside the EU and abroad or in cooperation with third countries. A first case in point is the CSDP ‘Operation Sophia’. This operation has been considered as particularly complicated and sensitive. This is due to its ambitious but potentially damaging objectives and risks due to its legal vagueness and blurred strategy, as well as the potentially damaging consequences in Libya. Moreover “Partly as a result of, civil society organizations and some international partners (Ban Ki-Moon spoke at the European Parliament on May 27th) have

³³³ See News release by [Griff Witte](#) May 11, 2015. E.U. seeks U.N. authority for military action against migrant smugglers. Available online https://www.washingtonpost.com/world/europe/eu-pushes-for-un-authorization-for-military-action-against-migrant-smugglers/2015/05/11/0062ad00-f7ee-11e4-a47c-e56f4db884ed_story.html

³³⁴ See News release by [Griff Witte](#) May 11, 2015. E.U. seeks U.N. authority for military action against migrant smugglers https://www.washingtonpost.com/world/europe/eu-pushes-for-un-authorization-for-military-action-against-migrant-smugglers/2015/05/11/0062ad00-f7ee-11e4-a47c-e56f4db884ed_story.html

³³⁵ Amnesty International (May 2015). ‘Libya Is Full of Cruelty’ Stories of Abduction, Sexual Violence and Abuse from Migrants and Refugees. p. 6

reacted negatively to an operation that appears to heighten humanitarian risk by putting migrants in the cross-fire”³³⁶.

Operation Sophia which is started on June 22nd 2015³³⁷ was only granted an international legal permission by the UNSC Resolution 2240 on October 9th. The Resolution authorizes states and regional organizations to intercept, inspect, seize and dispose (means destroy) vessels on the high seas off the coast of Libya for a period of one year. However the action proposed to take is only viable when EU or member states “reasonable grounds to believe” that these vessels, inflatable boats, rafts and dinghies are being used for smuggling and human trafficking from Libya.³³⁸

In fact, the UNSC Resolution circumscribes the kind, level and reach of the intervention within strict rule of law parameters. For instance, the Resolution puts special emphasis on the need for states and regional organizations to display “good faith efforts to obtain the consent of the flag state” before the inspection of the vessels. Any subsequent seizure or disposal of such vessels must happen in accordance with applicable international law “with due consideration of the interests of any third parties who have acted in good faith”³³⁹.

Adopted under Chapter VII of the UN Charter, the Resolution accordingly well details the environment under which the use of force may be used, all in observance with the protection of migrants’ rights, international human rights obligations, and international refugee law.

³³⁶ Faleg, G. and S. Blockmans (2015). “EU Naval Force EUNAVFOR MED sets sail in troubled waters”, CEPS Commentary, CEPS, Brussels. p. 3

³³⁷ Council Decision (CFSP) 2015/778 of 18 May 2015 on a European Union military operation in the Southern Central Mediterranean (EUNAVFOR MED). The Decision is done following the death of 800 migrants after the boat in which they travelled sank off the Libyan coast.

³³⁸ See UNSC Resolution Paragraph 7 and 8

³³⁹ Sergio Carrera, et al (2015). The EU’s Response to the Refugee Crisis Taking Stock and Setting Policy Priorities. p.17

Chapter Six

6.1 European Union: Dilemma of Balancing Security and Human Rights

The ‘unprecedented African refugee influx’ has engulfed the borders and territories of Europe. It is only during the Second World War and the Balkan conflicts that Europe had to face a refugee influx of such magnitude.³⁴⁰

The last decade has been manifested by increasing discussions on the issues of security and migration in the EU.³⁴¹ These discussions have been fuelled by many developments such as the increasing flow of migrants to EU territory since the beginning of 21st Century due to the end of Cold War, the 9/11 attacks on US cities which has played a paramount role in relating terrorism with migration flows. In addition the enlargement of EU in 2004 with the membership of eight Central and Eastern European countries³⁴² has led to the increasing concern over the issues of security and migration. The Arab Spring in 2011 and its aftermath crisis and the recent terrorist attacks across the EU cities combined together with the above developments fuelled discussions on the nexus between security versus migration extremely.

Migration has gained special implication both in the discourses and the practices of the EU that have tended to frame the issue in terms of security. Within this context, asylum seekers and migrants especially the ‘illegal’ migration have been considered as insecure elements that need to be restricted at the external borders. This process has led to a move from a “preventive approach to a repressive approach”, that means from an approach dealing with the causes of migration to one that aims to curb ‘illegal’ migrants on the external borders.³⁴³ In this context in Europe, “illegal migrants and refugees appear to trigger deep-seated fears by both governments

³⁴⁰ See Ian Oliver (2005). War and Peace in Balkans: The Diplomacy of Conflict in Former Yugoslavia, I.B.Tauris & Co Ltd, New York, USA.

³⁴¹ Interview with **Anonymous**, African Union, Peace Support Operation Division under Peace and Security Department, Addis Ababa, Ethiopia. Date: May 16, 2016, Time: 1:15-1:42 P.M.

³⁴² See Esra Dilek (2014). Security versus the Human Rights Dilemma in European Union Migration Policy: The Greek Evros Anti-Immigrant Fence.

³⁴³ See Esra Dilek (2014). Security versus the Human Rights Dilemma in European Union Migration Policy: The Greek Evros Anti-Immigrant Fence.

and citizens, sometimes bandied about by politicians to inflame debate about more restrictive immigration laws”³⁴⁴.

Amplified by the immediate exposure to the distinctive needs and practices of these newcomers, the EU citizenry may feel both scarcity and divisiveness within their society and a loss of control over preservation of its traditional distinctive features. As a result, migrants are typically held responsible for any problems that emerge within countries they enter. In this context unemployment, low wages, deteriorating public services, overcrowded highways and prisons, official language erosion etc directly or indirectly linked with these newcomers.³⁴⁵

In this regard one of the most widely discussed manifestations of this approach has been the external dimension of migration and EU’s manifestation of the protection of its border with extensive fences across EU’s external borders at entry points. External dimension of migration has become an increasingly central component of EU action and is “indicative of the global approach to internal security issues and, thus, to the blurring of the distinction between internal and external security”³⁴⁶.

The other restrictive approach is observed over the expansive project of EU to erect fences at the external borders. Among these, the blocking fence in the southern edge of EU on the Spanish enclaves of Ceuta and Melilla (which is the border between Spain and Morocco), is intended to curb the increasing flows of migration from Africa towards EU countries; this indicates the concern with the security aspects of the issue.³⁴⁷ Those fences also have marked the borders between migrant sending and migrant receiving countries and have brought to the forefront security concerns as main priority.

6.2.1 Securitization of Migration in Europe

The theoretical link between securitization of migration and border control in the EU has been discussed in chapter two and chapter three. As discussed in chapter two, the end of the Cold War led to a shift in the perception of security with the move from the military understanding of security (such as arms control and nuclear deterrence) to a wider understanding of security in

³⁴⁴ Robert Mandel (2011). *Dark Logic: Transnational Criminal Tactics and Global Security*, Stanford University Press. p.123

³⁴⁵ Robert Mandel (2011). *Dark Logic: Transnational Criminal Tactics and Global Security*, Stanford University Press. p.123

³⁴⁶ Christina Boswell and Andrew Geddes (2010). *Migration and Mobility in the European Union*, Palgrave Macmillan. p.133

³⁴⁷ See Zapata R. and De Witte (2007). “The Spanish Governance of EU Borders: Normative Questions”. pp. 85-90

terms of soft security threats including migration and refugee flows.³⁴⁸ These changes have led to a reconsideration of how security and migration are integrated in a new understanding which is generally referred to as the ‘securitization of migration’.

The issue of immigration also connected with the act of terrorism in many EU countries. For example in Spain, the government as well as the public accepted that migration has a direct implication for the internal security of the country. The growing trend or perception which associated migration and security in Spain expanded after the Madrid bombing in 2004. However this perception has lacked empirical justification. As Saux (2007) argued that the connection between immigration specifically the illegal migration and the act of terrorism is ‘a constructed rather than objective reality’.³⁴⁹

Saux continues by arguing that the supposed security threat like terrorism caused people to make guilt a certain group of people and ‘designating them as the enemy’ and constructing a division between ‘us and them’ in Europe. In the wake of this growing perception among the EU states and the public at large framing immigrants as risk, is directly affecting the African migrants in terms of the protection of their human rights and to access the social goods equally. In this respect similar to other migrants, the fate of the African migrants in EU countries will be categorized under the ‘frame of threat’ or ‘labeled as the enemy’ whether they pose the supposed real threat or not.³⁵⁰

As the political discourse and the media have depicted migrants as a threat for the societal and economic security, hostile approaches toward them and the apparent linkage among migration and security threats are widespread in politics as well as the media. In the periods after September 11 and the bombings of different cities of Europe, the European media emphasized a relation amid migration and criminal behavior, influencing political action and public opinion.³⁵¹

³⁴⁸ Huysmans, Jef. (2006). *The Politics of Insecurity: Fear, Migration, and Asylum in the EU*. p. 15

³⁴⁹ Saux, M. (2007). “Immigration and Terrorism: A Constructed Connection”, *European Journal of Criminal Policy and Research* 13(1-2). p. 63

³⁵⁰ Saux, M. (2007). “Immigration and Terrorism: A Constructed Connection”, *European Journal of Criminal Policy and Research* 13(1-2). p. 63

³⁵¹ Saux, M. (2007). “Immigration and Terrorism: A Constructed Connection”, *European Journal of Criminal Policy and Research* 13(1-2). p. 62

As Daniel Griswold (2001) argued, immigration and border control are two separate issues: security threats by foreigners are not a result of open access to immigrants, but are caused by the failure of keeping out the small number of foreigners that do pose a threat to internal security.³⁵² The concern of immigration, in general, as a threat to internal security disregards the fact that those who enter a state to permanently settle and it is problematic as it has led to the alienation or exclusion.³⁵³

It has also immigration been connected with increased criminality which resulting in the perception that migration is a threat to public security. The issue whether migration actually results in amplified crime rates is, again, an issue of assumption than reality. Although the public has become increasingly anxious about high crime rates deepen by migration flows and the threat that immigrants pose to public order, these concerns lacks empirical validity.³⁵⁴

One element of the securitization of migration as a discourse and practice has displayed in EU is what has become known as the “externalization of migration control”. Which means the control of migration is done through the EU external borders and the transfer of the responsibility of the control of irregular or ‘illegal’ migration to the transit states and/or countries of origin.³⁵⁵ The externalization of migration control involves two components: the exportation of migration control instruments such as border control and measures to combat illegal migration to sending or transit countries, and the establishment of provisions for facilitating the return of asylum seekers and illegal migrants to third countries.³⁵⁶

The border management model that the EU has been developing gives emphasis on the external dimension that “contains, confine, and dissuade unwanted and ‘risky’ elements”.³⁵⁷ These risky elements mainly refer to the illegal/irregular migrants and asylum seekers who are considered as

³⁵² See Daniel Griswold (2001). “Don’t Blame Immigrants for Terrorism.” Cato Institute. Available online at <http://www.cato.org/publications/commentary/dont-blame-immigrants-terrorism/>

³⁵³ See Spencer, A. (2008). Linking Immigrants and Terrorists: The Use of Immigration as an Anti-Terror Policy, the Online Journal of Peace and Conflict Resolution 8(1), pp.1-24. Stable URL: <http://www.jstor.org/stable/20027310>

³⁵⁴ Wang, Xia (2012). Undocumented Immigrants as Perceived Criminal Threat: A Test of the Minority Threat Perspective”, Wiley Online Library, Criminology Vol. 50 Issue (3). p.734

³⁵⁵ Benam, Cigdem (2011). “Emergence of a ‘Big Brother’ in Europe: Border Control and Securitization of Migration”. Insight Turkey 13(3): 191-207.

³⁵⁶ See Boswell, Christina (2003). “The External Dimension of EU Immigration and Asylum Policy”, International Affairs 79(3): 619-638.

³⁵⁷ Benam, Cigdem (2011). “Emergence of a ‘Big Brother’ in Europe: Border Control and Securitization of Migration”. Insight Turkey 13(3). p.194

a potential security threat to the internal order of the EU and need to be managed on the external borders. This is the indication of securitization of migration as the main process that leads to the externalization of migration control through external border management.

The externalization of border control is closely associated with the internal deepening of the securitization process. The main assumption is that the control of the external borders is essential for the protection from external security threats in the internal border free area which known as “Shengen Zone”.

Increasing restrictions on visa issuing, family reunification rights, mixed marriages, and naturalization law confirm that in EU immigration remain to some extent ‘unwelcome’ phenomenon. The suspicion and in some extent the involvement of migrants in crime and terror attacks further shows that descendents of immigrants remain not so far full member of the European community. Demographic threat which is in particular is denied in media discourse, while it actually keeps on fuelling expansion of suspicion to all foreigners and large group of nationals. In EU immigrants and asylum seekers continue to be associated with an array of security related problems. The image of poverty-stricken newcomers cooperating with other migrants in criminal activities becomes overwhelming, leading to widespread belief that foreigners are responsible for a rise in crime at European soil.³⁵⁸

Although there is strong proof that security threats are not only external but also extremely rooted in domestic issues,

European governments, nonetheless, still emphasis the external dimension of security by using border controls and restrictive asylum policies as a way to improve their internal security. Meanwhile, most of the measures adopted to improve internal security have proved detrimental to immigrants and their descendants because they limit opportunities to integrate successfully.³⁵⁹

³⁵⁸ Gabriella Lazaridis (2012). Security, Insecurity and Migration in Europe. pp. 188-193

³⁵⁹ Ariane Chebel d'Appollonia and Simon Reich (2008). Immigration, Integration, and Security: America and Europe in Comparative Perspective, University of Pittsburgh Press. p.228

This restrictive approach resulted in increasing restrictions over migration, independent from the background of the migrants and their causes of migration. This approach also moved the interest from protection of migrants that are in humanitarian need to their regulation.³⁶⁰

In addition, since it is difficult to protect the human rights of migrants when security issues has involved, securitization of migration and the construction of the fences in EU is signifying the inherent contradiction between keeping security and protecting the rights of the immigrants.

6.2.2 Securitization of African Migration: are the African migrants posing threat to EU's security?

In Europe today, migration from developing regions of the world is usually categorized under the frame of threat, this revealing a deep feeling of insecurity, which translated into a wide variety of political consequences.³⁶¹

We hear often of the way in which migration can have a negative impact on the security of Europe, how it can introduce economic competition and undermine job security for nationals, how it can be associated with particular health risks, how it can have implications for security, and how it can be associated with the rise of xenophobia and discrimination.³⁶²

Since EU states increasingly seeing the issue of migration more in the security perspective, it is obvious that migration from Africa also perceived in the similar way. There is an intense debate over whether African migrants pose threat to the EU security among scholars. Some academicians³⁶³ accepted the assumption that the African migrants pose threats for the Union security could have some ground to consider it as valid assumption; others³⁶⁴ considered it as more of metaphor than realistic.

³⁶⁰ See Esra Dilek (2014). Security versus the Human Rights Dilemma in European Union Migration Policy: The Greek Evros Anti-Immigrant Fence, Draft Paper- To be presented at the 5th ECPR Graduate Student Conference.

³⁶¹ J. Peter Burgess and Serge Gutwirth (2011). A Threat Against Europe?: Security, Migration and Integration, Vrije Universiteit Brussel, Institute for European Studies, Asp/Vubpress/Upa publisher. p.14

³⁶² J. Peter Burgess and Serge Gutwirth (2011). A Threat Against Europe?: Security, Migration and Integration, Vrije Universiteit Brussel, Institute for European Studies, Asp/Vubpress/Upa publisher. p.14

³⁶³ See Marcel Canoy et al (2006). Migration and public perception, Bureau of European Policy Advisers. Also available on http://ec.europa.eu/dgs/policy_advisers/publications/index_en.htm. Also Interview with **Besfat Gashaw**, Second Secretary: International Legal Affairs Directory General, the Federal Democratic Republic of Ethiopia Ministry of Foreign Affairs. Date: 16/03/2016, Time: 11: 25- 12:05 A.M.

³⁶⁴ See J. Peter Burgess and Serge Gutwirth (2011). A Threat Against Europe?: Security, Migration and Integration, Vrije Universiteit Brussel, Institute for European Studies, Asp/Vubpress/Upa publisher. And Most of respondents

Following the earlier attacks on various parts of Europe such as the Madrid and London, and Charlie Hebdo (Paris) and Brussels' attacks recently, it was guessable that the European establishments in general and the right wing/neo-Nazi movements in particular would force their governments to see refugees and migrants as sources of insecurity. Even if the attacks did not happen, it was highly likely that the right wing/neo-Nazi movements would see refugees as menaces to the social and political cohesion of Europe.³⁶⁵ Following the fashion of Samuel P. Huntington's doom saying, many have foretold the 'clash of civilization' in Europe's capitals. Sadly, the attack on Belgium and France has apparently vindicated the right wing. Hence, it is true that migration is increasingly linked to threats of security in Europe, and the future seems bleak for refugees migrating to Europe. This is particularly the case if one considers the likelihood of right wing/neo-Nazi resurgence across Europe.³⁶⁶

Even though Europe often accepts that there is security threat emanating from the African migrants, Scholars like Stephan Keukeleire and Tom Delreux (2014) argued, the recent security threat in EU which is associated with migration flows from Africa is a result of foreign policy "miscalculation" of EU towards the Middle East and Africa³⁶⁷ and lack of precise "integration policy"³⁶⁸ to integrate the Africa migrants community with the rest of the European society.³⁶⁹

The growing number of discontented and disenchanted community in Europe, like blacks (from sub-Saharan region) and Arabs (from Middle East and Northern African) who are mostly Europeans through naturalization process, sometimes become a security threat for EU. This

during interview particularly **Sunday Angoma Okello**, firmly reflect the assumption that, security threat which originated from the African migrants is not realistic and lacks empirical evidence (Interview with **Asst. Professor Sunday Angoma Okello**, Africa Peace and Security Program, at African Union and Institute for Peace and Security Studies, Addis Ababa University, Addis Ababa, Ethiopia. Date: 01/04/2016, Time: 2: 30- 3: 20 P.M.)

³⁶⁵ See J. Peter Burgess and Serge Gutwirth (2011). A Threat Against Europe?: Security, Migration and Integration, Vrije Universiteit Brussel, Institute for European Studies, Asp/Vubpress/Upa publisher.

³⁶⁶ See Joao Carvalho (2013). Impact of Extreme Right Parties on Immigration Policy: Comparing Britain, France and Italy, Publisher: Routledge. And Interview with **Dr. Yonas Tariku Metaferia**, Lecturer and PhD Programme Coordinator, Institute for Peace and Security Studies, Addis Ababa University, Addis Ababa, Ethiopia. Date April 20, 2016, Time: 2: 20- 2: 40 PM.

³⁶⁷ Stephan Keukeleire and Tom Delreux (2nd edit.)(2014).The Foreign Policy of the European Union, Palgrave Macmillan, UK. pp.262-264.

³⁶⁸ See Stefan Borg (2015). European Integration and the Problem of the State: A Critique of the Bordering of Europe, Palgrave Macmillan Publishers Limited, New York, USA.

³⁶⁹ **Anna Knoll, Raphaëlle Faure, Mikaela Gavas** (03 February 2016). Challenges to a comprehensive and integrated EU migration and asylum policy. Full text available online at <http://www.thebrokeronline.eu/Blogs/Inclusive-Economy-Europe/Challenges-to-a-comprehensive-and-integrated-EU-migration-and-asylum-policy>

means, potential security threat for EU is exist among them not coming from the outside of the world particularly from Africa in relation to the current migration flows.³⁷⁰

Countries like French has large number of Black as well as Arab community from the Middle East and Africa, Germany has significant number of Turks community and other European nations too.³⁷¹ Thus when these communities fills that they are marginalized³⁷² in Europe through various means, they begin whether involving in crime related activity within Europe or joining extremists groups like ISIS to revenge Europe.³⁷³ There is substantial evidence that most of leaders and coordinator of recent attacks conducted in European soil are naturalized Europeans and thousands of them are believed joined extremist as a result of marginalization in Europe and lack of equal opportunity there.³⁷⁴ Even some of them have linked with extremists groups which involved outside of Europe and they are not only joined such groups, they also return back. This phenomenon informs us migration from Africa is not a real security threat for EU as of the naturalized European themselves pose that threat.³⁷⁵

This situation makes the issue more sensitive; when the EU accepts that some of the terrorists are entre into EU together with other common migrants from Africa and the Middle East. In the political atmosphere of Europe there is an increasing feeling that potential security threats particularly terrorists are infiltrating the Europe under the cover of migration or refugee.³⁷⁶ It creates a dilemma for the Union to distinguish real migrants from rest who are believed pose a

³⁷⁰ See Congressional Research Service Report (2015). European Fighters in Syria and Iraq: Assessments, Responses, and Issues for the United States, Congressional Research Service Report. (see pages 26-28). For example, according to this report, the “U.S. intelligence suggests that more than 20,000 foreign fighters have traveled to the Syria-Iraq region, including at least 3,400 Westerners, since 2011”. Also Interview with Meressa Kahsu Dessu, Researcher and Training Coordinator: Conflict Management and Peacebuilding, Institute for Security Studies, Addis Ababa, Ethiopia. Date: 22/03/2016, Time: 1: 05- 1: 35 P.M.

³⁷¹ James Patrick Lynch and Rita James Simon (2003). Immigration the World Over: Statutes, Policies, and Practices, Rowman & Littlefield Publishers Inc, Oxford. pp. 243-244

³⁷² Francesca Fauri (edi.) (2015). The History of Migration in Europe: Perspectives from Economics, Politics and Sociology, Routledge Publications, New York. p.243

³⁷³ Lisa Curtis (edi.) (2016). Combatting the ISIS Foreign Fighter Pipeline: A Global Approach, Davis Institute For Foreign Policyspecial Report, No. 180 January 6, 2016. pp. 6-11

³⁷⁴ See Simon Cottee (Jun 9, 2015). What Motivates Terrorists? Online resource Available at <http://www.theatlantic.com/international/archive/2015/06/terrorism-isis-motive/395351/> accessed at Monday 23, 2014, 2:10 PM.

³⁷⁵ Interview with Hallelujah Lulie, Conflict Prevention and Risk Analyst, Institute for Security Studies, Addis Ababa, Ethiopia. Date: 22/03/2016, Time: 1: 20- 2: 10 P.M.

³⁷⁶ Belachew Gebrewold (edi) (2016). Africa and Fortress Europe: Threat and Opportunities, Routledge Publications Ltd, New York, USA. p. 10

serious security threat for EU. This dilemma of course is not only threatening the Union security, it threatens the “viability of the Schengen borderless zone which is seen as one of the great unification project as it allows freedom of movement within the EU”.³⁷⁷

However with the context of such dilemma, the move of Europe countries accepting the majority of migrant community as bearer of vulnerability for EU security is problematic. Immigrants in “the heated securitization atmosphere become the bearers of all things bad and dangerous”.³⁷⁸ In Europe among the large migrants community, only few people were suspected and arrested with potential threat for the EU’s security.³⁷⁹ It means the overwhelming majority of the immigrant community particularly from Africa is moving to Europe in search of better security and better life standard, not to generate a serious security threat. Of course there are certain individuals may pose a serious security threat³⁸⁰ however it is difficult to generalize the all immigrant community as if posing security threat. Indefinite conclusion would lead misconception towards migrants and migration.³⁸¹

Actually there is no precise data how many of the African migrants are posed a security threats for EU but the same argument that African migrants are threat for EU is still persist. Some of the Africa migrants may become security threat in EU, when they fail to realizing the opportunity that they think would be there and in the state of marginalization.

European nations are experiencing slow rates of economic growth, high unemployment, increasing demand on public services, and low fertility in combination with high rates of population aging and immigration from developing countries. Many cultural subgroups of the European immigrants experiencing social marginalization, cultural clash, loss of

³⁷⁷ Shannon L. Blanton, and Charles W. Kegley (2016). World Politics: Trend and Transformation, 2016- 2017 Edition, Publisher: Cengage Learning, Boston, USA. p.164. And Interview with Anonymous, African Union, Peace Support Operation Division under Peace and Security Department, Addis Ababa, Ethiopia. Date: May 16, 2016, Time: 1:15-1:42 P.M.

³⁷⁸ Ronaldo Munck (2008). Globalization, Governance and Migration: An Introduction, Third World Quarterly, Vol. 29, No. 7, Globalization and Migration: New Issues, New Politics? (2008), pp. 1227-1246, published by: Taylor & Francis, Ltd. Stable URL: <http://www.jstor.org/stable/20455107>. Accessed: 30-05-2016. p.1232

³⁷⁹ According to the Reuters (2015) the "risk that groups like Islamic State could smuggle militants into Europe under cover of a huge wave of migrants is much smaller than some politicians suggest, according to security specialists with close ties to governments and intelligence agencies". See full statement at <http://www.reuters.com/article/us-europe-migrants-security-idUSKCN0QX18L20150828>

³⁸⁰ New York Times News releases by Alison Smale (FEB. 5, 2016). Terrorism Suspects Are Posing as Refugees, Germany Says. Available online at http://www.nytimes.com/2016/02/06/world/europe/germany-refugees-isis.html?_r=0

³⁸¹ Interview with Hallelujah Lulie, Conflict Prevention and Risk Analyst, Institute for Security Studies, Addis Ababa, Ethiopia. Date: 22/03/2016, Time: 1: 20- 2: 10 P.M.

identity, decreased sense of belonging, and feeling of perceived injustice and deep unhappiness.³⁸²

In most cases immigrants treated as a second citizen and they do not have opportunities even if they educated well to get jobs and to establish their own families. These factors may generate riots, violent protest and other forms of aggressive behaviors. Perceived injustice generates feeling of humiliation and develops the thought of being degraded, put down, subjected, and oppressed.³⁸³ In this circumstance some migrants turned to drug traffickers, drug users and drop out of school, joined gangs and some of them get brain washed by fundamentalists' thinking. This is very common with Northern Africans immigrants particularly and also from North Eastern Africans (Horn of Africa) immigrants.³⁸⁴

But accepting African migrants as security threat is not per se. European has been giving the issue also as an economy threat that migrants from Africa are brought to EU. Because most EU countries believed African migrants do not have jobs at home, thus coming to EU for economic reason.³⁸⁵ That is why even the most migrants welcoming countries like Sweden and Norway are trying to forcefully repatriate African migrants.³⁸⁶ In this context most of migrants from Africa perceived as economic immigrants which most of them are not qualify for general convention on refugees. Thus many of them are even deported from the EU land.

Even if significant numbers of African migrants are lived in Europe, most of the security threat is not emanating from Africans. Most of the time Africans does not pose any terrorism or other kinds of security threat to EU, nevertheless few migrants may be pose security threat. Even this rare threat may happen because those few are recruited or they may already come from some background of fundamentalism and have linked with fundamentalists like Al-shabab or Boko

³⁸² Giovanni Maria Ruggiero (2011). Perspectives on Immigration and Terrorism. p. 3

³⁸³ See Linder, Evelin G. (2001c). Humiliation and Social Condition: Mapping a Minefield, Human Rights Review 2, no.2, 46-63.

³⁸⁴ See Scott H. Decker, Frank van Gemert and David C. Pyrooz (2009). Gangs, Migration, and Crime: The Changing Landscape in Europe and the USA, International Migration and Integration Springer (2009) 10:393–408. pp.400-402

³⁸⁵ The Independent News by Will Worley (Wednesday 27 January 2016). Six out of 10 migrants to Europe come for 'economic reasons' and are not refugees, EU Vice President Frans Timmermans says. News Available at <http://www.independent.co.uk/news/world/europe/six-out-of-10-migrants-to-europe-come-for-economic-reasons-and-are-not-refugees-eu-vice-president-a6836306.html>

³⁸⁶ Interview with **Dr. Yonas Tariku Metaferia**, Lecturer and PhD Programme Coordinator, Institute for Peace and Security Studies, Addis Ababa University, Addis Ababa, Ethiopia. Date April 20, 2016, Time: 2: 20- 2: 40 PM.

Haram.³⁸⁷ However security threats like terrorist act outside of Africa is very rare. We “do not see any trend that African migrants with their numbers now can cause very serious security threat for EU”. Of course some of African based fundamentalist groups like Al-Shaba and Boko-Haram may link together with other groups such as with ISIS or Al-Quida, but this kind of security threat is not only designed for Europe, it is also for Africa.³⁸⁸

The current migration flows to Europe is not an African problem, it is a global problem it is only 12% of African migrants cross and as refugee or ask an asylum in Europe recently. So Africans are contributing very small number of immigrants. The largest number of African migrants or about 78% of migrants/refugee from Africa are asking protection and seeking asylum in the neighbor countries inside Africa.³⁸⁹ Also several studies have revealed that the majority of African migrations are not heading towards Europe, but towards other African countries.³⁹⁰ Thus Africa is absorbing its own refugees.

In the other extreme, there could be a security threat which emanating from the African migrants but often it blow out of proportions mostly because of the fact that right wing nationalist parties are gaining strong momentum in Europe and as a result of recent attacks on various European cities such as Paris and Brussels which believed some immigrants have involved directly or indirectly. Also there are groups which argued the current refugee and migrants’ influx to Europe has threatening the very identity and the core culture (value) of the European society.³⁹¹

In general, coupled with the perceived and real security threats, Europe’s reaction, so far, seems ambivalent. It lacks a common refugee policy and action. Some countries are welcoming, while

³⁸⁷ See Nivedita Ray (2016). Growing Threat of Terrorism in Africa: The Case of Boko Haram, Indian Council of World Affairs, Issue Brief.

³⁸⁸ Interview with **Asst. Professor Sunday Angoma Okello**, Africa Peace and Security Program, at African Union and Institute for Peace and Security Studies, Addis Ababa University, Addis Ababa, Ethiopia. Date: 01/04/2016, Time: 2: 30- 3: 20 P.M.

³⁸⁹ Interview with **Asst. Professor Sunday Angoma Okello**, Africa Peace and Security Program, at African Union and Institute for Peace and Security Studies, Addis Ababa University, Addis Ababa, Ethiopia. Date: 01/04/2016, Time: 2: 30- 3: 20 P.M.

³⁹⁰ Schoumaker, et al (2015). Changing patterns of African Migration: A Comparative Analysis in Marie-Laurence Flahaux and Hein De Haas (2016). African migration: trends, patterns, drivers, Springer Open Journal, Comparative Migration Studies (2016) 4:1. p.2 and See Bakewell, O. and De Haas, H. (2007). African Migrations: continuities, discontinuities and recent transformations in Marie-Laurence Flahaux and Hein De Haas (2016). African migration: trends, patterns, drivers, Springer Open Journal, Comparative Migration Studies (2016) 4:1.

³⁹¹ Interview with **Hallelujah Lulie**, Conflict Prevention and Risk Analyst, Institute for Security Studies, Addis Ababa, Ethiopia. Date: 22/03/2016, Time: 1: 20- 2: 10 P.M.

others' actions are bordering xenophobic stance and racist determination. Although most of the migrants are from Middle East and Afghanistan, Africans do constitute a large flock. Unlike those from the Middle East and Afghanistan, Africans are viewed as economic migrants who are 'trying to reap' benefits from Europe.³⁹² And when we talk about migration to Europe, there is a stigma their on African migrants. In France and UK, for example, asylum seekers and refugees have been widely portrayed by the media as a threat and described as the "enemy within". The event of terrorist acts in different European cities, of course, brought migrants vulnerability to xenophobia and gives more new force to hostilities directed toward them.³⁹³

6.3.1 Securitization of African Migration: Security versus Human Rights

Another important element of securitization of migration in EU could be explained through the establishments of various agencies³⁹⁴ which are actively watching and regulating the activity of migrants across the EU external borders. In this regard activity of the EU's border guard which known as FRONTEX is the best example.

After the establishment in 2004³⁹⁵, the main responsibility of the managing EU's external borders is given to FRONTEX. As one component of the "securitization of immigration", the major objective of the agency becomes to tackle the issue of immigration as a security threat in Europe through focusing on combating illegal immigration that threatens the EU internal security. However, the role of the agency mainly limited on sea operations especially in the southern frontier of Europe, where most of African migrants are passes through.³⁹⁶ But recently the agency's operation expanded to territorial borders across the Easter part of Europe.

³⁹² Interview with **Dr. Yonas Tariku Metaferia**, Lecturer and PhD Programme Coordinator, Institute for Peace and Security Studies, Addis Ababa University, Addis Ababa, Ethiopia. Date April 20, 2016, Time: 2: 20- 2: 40 PM.

³⁹³ Ariane Chebel d'Appollonia and Simon Reich (2008). *Immigration, Integration, and Security: America and Europe in Comparative Perspective*, University of Pittsburgh Press. p.228

³⁹⁴ Among these agencies the following are important, the European Agency for the Management of Operational Cooperation at the External Borders of the Member States (FRONTEX), the European Police Office (EUROPOL) that handles European criminal intelligence and the European Dactyloscopy fingerprint database (Eurodac)-established for identifying asylum seekers and irregular migrants.

³⁹⁵ Based on the European Council Regulation 2007/2004, FRONTEX has established under the aim of increasing cooperation amongst EU member states in the management of the external borders.

³⁹⁶ See Marin, Luisa (2011). "Policing the EU's External Borders: A Challenge for the Rule of Law and Fundamental Rights in the Area of Freedom, Security, and Justice? An Analysis of the FRONTEX Joint Operations at the Southern Maritime Border". pp. 468-487.

Although the agency established with certain tasks, there was no mechanisms to scrutinizing its activity in terms of protecting the rights of migrants. Integration of human rights under the agency's activities only becomes apparent recently. In doing that, the first step was the signing of a regulation agreement between FRONTEX and the European Union Fundamental Rights Agency in 2010. After the signing of this agreement, there is adoption of an amended regulation in 2011. In this context the establishment several reports on the agency's activities regarding human rights concerns seems imply the move toward a more rights based approach.³⁹⁷

Despite these regulations indicates³⁹⁸ the move to a more human rights based approach, the activity of the agency on the ground often fall under criticism. The agency is mainly focused on its responsible for the regulation of the illegal immigrants, rather than their protection of human rights. Although the agency integrates the human rights concern on its action, the actual implementation of the human rights principles in dealing with asylum seekers and irregular migrants is problematic. Frequently irregular migrants and asylum seekers may find themselves in serious of human rights abuse even after they reaches in the EU soil. Such cases repeatedly raised by international human rights advocates.³⁹⁹ Particularly when we consider the ongoing situation in the southern Mediterranean Sea where the majority of the African immigrants' used, the problem observed more.

6.3.2 The EU approach towards the African Migrants: the human rights Issues

The EU is more sensitive towards security and human rights.⁴⁰⁰ It is believed that EU is more advanced in the protection and promotion of human rights than other regions of the world. In Europe there are advanced institutional framework that follows the human rights concern in the

³⁹⁷ See FRONTEX Fundamental Rights Strategy Endorsed by the FRONTEX Management Board on 31 March 2011

³⁹⁸ For example, the 2011 regulation declares that "The mandate of the Agency should therefore be revised in order to strengthen in particular its operational capabilities while ensuring that all measures taken are proportionate to the objectives pursued, are effective and fully respect fundamental rights and the rights of refugees and asylum seekers, including in particular the prohibition of refoulement." (Amended Regulation 304/1, 9).

³⁹⁹ See Human Rights Watch (2011). "The EU's Dirty Hands: Frontex Involvement in Ill-Treatment of Migrant Detainees in Greece", New York. and Human Rights Watch (2016). European 'Politics of Fear' has led to rollback of rights, New York.

⁴⁰⁰ Joakim Kreutz (2014). Why the EU's commitment to preventing human rights abuses abroad is more than just rhetoric, London School of Economics. Available online at <http://blogs.lse.ac.uk/europpblog/2014/11/10/why-the-eus-commitment-to-preventing-human-rights-abuses-abroad-is-more-than-just-rhetoric/>

continent which embrace protection for both the citizens and migrants community.⁴⁰¹ Even, if one particular state is trying to do such human rights violations, there is a supra-national institution such as the European Union Courts of Justice which make states accountable for their violation. In this context one member state could bring the human rights violation case against another member state before this court.⁴⁰²

EU often maintain common standard of human rights. Despite there are different cases that EU members have been violating the African migrants rights, the EU problem is more related with lack of preparedness and lack of proper policy to respond and handle migration related challenges properly. Otherwise they treat migrants is in humane ways. Although the European has an advanced human rights promotion and protection mechanisms, it is not viable to conclude that the Union is always goes in accordance with all human rights principles.

In recent times the commitment of EU in promotion and protection of human rights fall under question and critics.⁴⁰³ The intensification of erecting extended blocking walls and wired fences across the EU's borders from time to time violates the international law vis-à-vis political immigrants or refugees to easily access EU's protection from insecure places. It is an international obligation of all states to accept people from such places unconditionally.⁴⁰⁴

Migrant detention centers across the continent, including in France, Greece and Italy have all invited charges of abuse and neglect over the years.⁴⁰⁵ **Many rights groups** contend that a number of these detention centers violate the international as well as European principles which prohibits inhuman or degrading treatment.⁴⁰⁶

Of course when we examine the action and a response of the EU towards the African migrants it should based on what the international laws puts a responsibility on the states unilaterally or

⁴⁰¹ See Andrew Moravcsik (1995). Explaining International Human Rights Regimes: Liberal Theory and Western Europe, *European Journal of International Relations* SAGE, London Vol. I (2): 157-189.

⁴⁰² Debra L. DeLaet (2014). *The Global Struggle for Human Rights*, Cengage Learning publisher, Boston, USA. p.143

⁴⁰³ Interview with **Anonymous**, African Union, Peace Support Operation Division under Peace and Security Department, Addis Ababa, Ethiopia. Date: May 16, 2016, Time: 1:15-1:42 P.M.

⁴⁰⁴ UNHCR (2001). *Refugee Protection: A Guide to International Refugee Law*, Published by the Inter-Parliamentary Union. p. 6

⁴⁰⁵ See Jeanne Park (2015). *Europe's Migration Crisis*, Council on Foreign Relations. PDF available at <http://www.cfr.org/refugees-and-the-displaced/europes-migration-crisis/p32874>

⁴⁰⁶ According to the European Convention on Human Rights on Article three stated that, "No one shall be subjected to torture or to inhuman or degrading treatment or punishment".

collectively. Most of the EU member states are parties to various well known international human rights laws. Based on this, we can say often the EU is goes in line with international norms and most scholars agreed on that and it is believed EU is more or less respects human rights however it does not mean they always goes faultlessly.⁴⁰⁷

While international treaties such as the 1951 refugee convention gave a duty for states to accept refugees who have well founded fear of persecution in their country, states often give more weights for domestic law than international law. International law is primarily respected through the goodwill of states. “The duties which the law nation imposes are enforced by moral sanction because international law lacks a supreme legislation”.⁴⁰⁸ Since there is no supra-national authority over the states which enforce international laws persistently, it is more depends on the states willingness to execute the international principles. Thus the EU member states could not excessively concern about other international law than enforcing their own domestic and regional laws.⁴⁰⁹ It means their main priority is to follow their own citizens’ wellbeing than others. However when we come to internationally recognized human rights norms, there is an obligation to respect rights of all humanity without distinction and jurisdiction.⁴¹⁰

Despite European for long periods are admired with their commitment in the promotion and protection of migrants’ human rights, due to the recent magnitude of migration flows and unmanageable numbers of asylum seekers in the land of Europe, the possibility of human right violation and application of some laws which are basically contradict with the international norms have observed recently in EU countries.

The European Union’s approach to migration from the Africa region has focused excessively on external border controls and intensification of surveillance mechanisms and technologies. Not only has this particular method proven to be unsuccessful in restricting migration flow, but it also carries serious ethical implications for the EU and its commitment to values of human rights. This approach to the African migration is the result of the manner in which it has been framed as

⁴⁰⁷ Interview with **Fasil Mulat (PhD Candidate)**, Lecturer, Centre for Human Right Studies, Addis Ababa University, Addis Ababa, Ethiopia. Date: 24/03/2016, Time: 11: 10 A.M- 12: 05 P.M.

⁴⁰⁸ David J. Bederman (2006). *The Spirit of International Law*, University of Georgia Press. p.2

⁴⁰⁹ Interview with **Besfat Gashaw**, Second Secretary: International Legal Affairs Directory General, the Federal Democratic Republic of Ethiopia Ministry of Foreign Affairs. Date: 16/03/2016, Time: 11: 25- 12:05 A.M.

⁴¹⁰ Interview with **Fasil Mulat (PhD Candidate)**, Lecturer, Centre for Human Right Studies, Addis Ababa University, Addis Ababa, Ethiopia. Date: 22/03/2016, Time: 11: 10 A.M- 12: 05 P.M.

a “security issue within the EU”, and its logic pass through the institutional interactions and agreements between the EU and third African nations.

6.4.1 Externalization of Migration: implication for the African Migrants’ Human Rights

Since the adoption of the Tampere Programme in 1999, the Union has practice and pursued the aim of moving the control of migration flows from its territory to third countries. As we have mentioned it earlier in this chapter the process is known as “externalization of migration”. The process of this externalization consists of moving migration control from the EU to third states and these states includes countries of origins of immigrants and transit countries have involved in the management of both legal and illegal migration. This process includes a wide range of actions, such as the formation of detention camps, and the repatriation of migrants in third countries.⁴¹¹

According to scholars⁴¹² externalization policies of the EU which seek to push border control questions outside of the Union is sincerely problematic. FRONTEX border control patrols which send African migrants back without probing individual asylum claims is directly goes contrary with the international norms. According to the Amnesty International report push backing of asylum seekers by “border authorities without access to asylum procedures or a chance to appeal their return is in direct breach of international law. Push-backs are often accompanied by violence and put people’s lives in danger”.⁴¹³

The EU adopted a wide range of measures with the purposes of preventing unwanted African ‘economic’ migrants from reaching Europe and shifting the responsibility for refugee protection against third countries. However, since most of these third countries which involved in the process are almost do not comply with international human rights standards, the process is

⁴¹¹Aubarell, G., Zapata-Barrero, R., Aragall, X. (2009). ‘Directions of National Immigration Policies: The Development of the External Dimension and Its Relationship with the Euromediterranean Process’. P.12

⁴¹² See Baldaccini, A. (2007). ‘The External Dimension of the EU’s Asylum and Immigration Policies: Old Concerns and New Approaches’, in Baldaccini, A., Guil, E. and H. Toner (Eds.) *Whose Freedom, Security and Justice? EU Immigration and Asylum Law and Policy*, Oxford: Hart Publishing, 276-298. And **Spijkerboer, T. (2007)**. ‘The Human Cost of Border Control’, *European Journal of Migration and Law*, 9, 127-139.

⁴¹³ See report of the **Amnesty International (2015)**. *Fear and Fences: Europe’s approach to keeping refugees at bay*, 17 November 2015, Index number: EUR 03/2544/2015. Full document available at <https://www.amnesty.org/en/documents/eur03/2544/2015/en/>

creating concern over the violation of African migrants' rights⁴¹⁴ and this goes in contrary with article 33(1) of the Refugees Convention. In this process, although, the EU is not directly encourage the violation of the rights of the African migrants, avoidance of its responsibility vis-a-vis migrants to the third parties which are not comply with the international norm, indirectly is a failure to the EU itself for admiration with the international human rights law. The above analysis shows that the current process of externalization of migration in relation to the African or other migrants control is "at odds with the international human rights norms and EU's human rights obligations itself", which are part of its founding principles. The inconsistency is obvious while the Union pretends to be grounded on the respect for human rights, but it pursues to apply the policies that violate human rights.⁴¹⁵

Beside that EU's readmission agreements with 'safe third countries' which have unfortunately poor human rights records have a decisive implication as failure for the continent of Europe itself which portray themselves as 'champions of human rights' and for the African migrants as well.

When we examine this particular policy from the international human rights law perspective, the policy of externalization seems to be in violation of those "movement-related rights" that is fundamental principle in the international migration context according to article 13 (1) of the UDHR and article 12(2) of the ICCPR. The contradictions exist not only between the policy of EU and the international human rights laws while the Union's fundamental principle on human rights too. Regardless of whether States accept migrants, they have an obligation to respect fundamental human rights in accordance with international and regional instruments.

Although in the EU human rights charter fundamentally talks about the right to movement, protection for asylum seekers and respect for human rights as far as the migrants' rights concerned, the existing applicable strategy of the EU and particularly its application to some extent goes contrary with that of the international human rights norms. Even though the international migration law such as the Geneva Convention and other human rights treaties such as both the UDHR and ICCPR highly prohibit any circumstance that threatens migrants' human rights, the practice that the Union adopted sometimes violates the rights of the African migrants.

⁴¹⁴ MIGREUROP (2011). 'Frontex Agency: Which Guarantees for Human Rights', Migreurop Report, Greens/EFA in European Parliament.

⁴¹⁵ MIGREUROP (2011). 'Frontex Agency: Which Guarantees for Human Rights', Migreurop Report, Greens/EFA in European Parliament.

Whilst States have the authority to protect their borders, to determine whether to admit non-nationals, to detain migrants, and to remove non-citizens, they are obligated to do so in accordance with their obligations under international human rights law in order to “guarantee, ensure and protect the human rights of all persons within their jurisdiction, regardless of nationality.”⁴¹⁶ In this context EU’s action arbitrarily blocking their borders without examining migrants’ cases and frequent reports of human rights violation at the migrants’ detention centers is goes contrary with international law in general and human rights law in particular. In addition we can mention as a criticism the EU’s policy of externalization on asylum seekers and the readmission agreement with third countries which may not safe for migrants in terms of proper treatment and protection of human rights.⁴¹⁷

6.4.2 Externalization of Migration: as an obstacle to exercise the Right to Seek Asylum

The hundreds of thousands of African migrants are trying to reach Europe each year in order to exercise their right to ask asylum. At the same time, EU external border control has become increasingly successful in impeding the so-called “illegal immigration” to the European Union. Increased patrolling, “razor-blade, barbed-wire fences and night-vision surveillance cameras”⁴¹⁸ have been put in at the most trafficked external borders along the Mediterranean coasts which is most of the African migrants transported. In so doing, the EU has managed to limit the flow of asylum seekers to its member states.

The present EU asylum policy in the large extent has created by the Dublin Regulation, which determines the sharing of responsibility between EU member states. As we have discussed in chapter three, the basic principle of this regulation, the first country of entry is the one which is responsible for receiving and assessing the asylum application. But this regulation makes the overcrowded refugee centers in the Mediterranean border States such as in Italy and Greece and leading to systematic deportations of asylum seekers to countries with severe social and legal deficits. The Dublin III Regulation which is currently in force is based on the assumption that the

⁴¹⁶ Interview with **Fasil Mulat (PhD Candidate)**, Lecturer, Centre for Human Right Studies, Addis Ababa University, Addis Ababa, Ethiopia. Date: 24/03/2016, Time: 11: 10 A.M- 12: 05 P.M.

⁴¹⁷ Interview with **Fasil Mulat (PhD Candidate)**, Lecturer, Centre for Human Right Studies, Addis Ababa University, Addis Ababa, Ethiopia. Date: 24/03/2016, Time: 11: 10 A.M- 12: 05 P.M.

⁴¹⁸ International Federation for Human Rights (2014). “Frontex between Greece and Turkey: The border of denial – The Deployment of Frontex is impairing the right of asylum” in Franziska Telschow (Edi) (2014). *A New Approach to Migration in the Light of Africa-EU Relations*, the European Network of Political Foundations, November 2014. p. 9

EU member offer to some extent equivalent conditions for asylum seekers, or that they at least support acceptable minimum standards in the managing of asylum cases and treatment of applicants, in accordance with the EU Asylum Procedures and Reception Directives.⁴¹⁹

In accordance with the international human rights law⁴²⁰, all EU Member States are legally obliged to offer protection to the asylum seeker whether they accept the applications of the asylum seekers or not. In addition this responsibility was further confirmed through the incorporation of the EU-Charter of Fundamental Rights in the Treaty of Lisbon⁴²¹ in 2009. However, nowadays virtually all those who would be legally entitled for protection from the EU Members are “de facto denied” the opportunity even to apply.⁴²²

As a general rule, asylum seekers must be physically present in the country in which they wish to apply. Meanwhile, alternative ways of legal entry such as visas for visits, studies or work are again and again denied to anyone that could fall under the suspicion of “defecting into seeking asylum” in the lead reaching European territory. This virtually disqualifies most people who are escaping for legitimate asylum purposes from being approved legal entry to the union. In this regard the African refugees particularly asylum seekers from conflicts in the Maghreb region, Democratic Republic of Congo and Somalia or persecution in Eritrea are practically denied to exercise this right.⁴²³ It means this action is violates article 14(1) of the UDHR. In this manner the EU members puts the practice of creating de facto obstacles to exercise the legal right to seek asylum and making deviation with the standards of the existing international legal protection framework particularly with the international human rights.

The EU’s action which is reflected by FRONTEX has frequently condemned for actions that could constitute “push-backs” of refugees along European boundaries, in fact it impeding the

⁴¹⁹ Franziska Telschow (Edi) (2014). A New Approach to Migration in the Light of Africa-EU Relations, the European Network of Political Foundations, November 2014. pp. 9-10

⁴²⁰ See the Geneva Convention on the status of refugees and its Protocol

⁴²¹ Article 18, Charter of Fundamental Rights of the European Union, December 18th 2000, (Page consulted September 30th 2014), http://www.europarl.europa.eu/charter/pdf/text_en.pdf

⁴²² See Franziska Telschow (Edi) (2014). A New Approach to Migration in the Light of Africa-EU Relations, the European Network of Political Foundations, November 2014. p.

⁴²³ Franziska Telschow (Edi) (2014). A New Approach to Migration in the Light of Africa-EU Relations, the European Network of Political Foundations, November 2014. p. 9

African migrants to seek asylum at EU border control offices.⁴²⁴ The action of the FRONTEX includes preventing vessels from reaching European shoreline and keeping migrants or asylum seekers away from EU borders. During such occasion, according to human rights observers, the possibility of boat sinking is often likely happens and as a result of this push back numbers of African migrants have lost their lives at the middle of the Mediterranean Sea.⁴²⁵ This action is contradicts with article 33(1) of Convention Relating to the Status of Refugees.

As Telschow (2014) argued, “the inability of [EU states] to adequately safeguard the most fundamental human rights in their application of the regulation must be considered a serious failure of the common migration policy”. Several thousand asylum applicants were involuntarily and often compulsorily transferred to one member states (example recently to Greece) or to third countries based on the bilateral agreement between EU and other state (such as the bilateral agreement between Italy and Libya and EU with Senegal etc). Evidence shows, these forcefully transferred migrants would face severely inhumane conditions in the receiving country including the risk of torture.⁴²⁶

Other than the above policy based assessment of EU’s action towards the African migrants, there is other practice of the Union which often mentioned as a contradiction with human rights standard.

The 2015 report of the Amnesty International, Fear and Fences: Europe’s approach to keeping refugees at bay, reveals how moves to

...fence off land borders and enlist neighbouring countries, such as Turkey and Morocco, as gatekeepers, have denied refugees access to asylum, exposed refugees and migrants to ill-treatment and pushed people towards life-threatening sea journeys....The expanding fences along Europe’s borders have only entrenched rights violations and exacerbating the challenges of managing refugee flows in a humane and orderly manner... Instead of stopping people from coming, these fences have only redirected refugee flows to other land routes or more dangerous sea routes....Where there are fences, there are human rights abuses....Illegal push-backs of asylum-seekers have become an intrinsic feature of any EU external border located on major migration routes and no one is doing much to

⁴²⁴ Franziska Telschow (Edi) (2014). A New Approach to Migration in the Light of Africa-EU Relations, the European Network of Political Foundations, November 2014. p. 11

⁴²⁵ See report of the **Amnesty International (2015)**. Fear and Fences: Europe's approach to keeping refugees at bay, 17 November 2015, Index number: EUR 03/2544/2015.

Full document at <https://www.amnesty.org/en/documents/eur03/2544/2015/en/>

⁴²⁶ Franziska Telschow (Edi) (2014). A New Approach to Migration in the Light of Africa-EU Relations, the European Network of Political Foundations, November 2014. p. 10

stop them,....Regulating entry to the EU is one thing. Denying it to refugees altogether quite another. The first is sensible and legitimate, the second is inhuman and illegal,⁴²⁷

According to the report, in March 2015, Spain adopted “legislation to legalize the push-backs of migrants and refugees that Spanish civil guards have been carrying out from Ceuta and Melilla, the two Spanish enclaves in North Africa bordering Morocco”. It means the move to legalize some ‘illegal action’ which is basically contradicted with the international law in general and with the human rights law in particular.

6.5 Security versus Human Rights: Conflicting Agendas in EU to Strike Balance

EU stands between two conflicting agendas. On the one hand the core narrative of the EU to promote and respect the human rights of immigrants. On the other the growing project of securitization of migration and sophisticated border protection.

To strike the right balance between these two opposing agendas confirms to be a devastating task. Europe has placed human rights at the core of its agenda. The commitment to human rights is not only the ideal to be pursued inside the EU, but it is a key component of EU policy towards the external world or third countries.⁴²⁸

All agreements concluded with third countries reiterate the importance of and a need to observe human rights.... A number of documents, not least the Charter of Fundamental Rights bear witness to human rights commitment. While observing the principles of international human rights conventions the EU went even further, setting more progressive, higher standards, leading by example and encouraging the others to follow suit. A case in point is the Directive on minimum standards for the qualification of third country nationals as refugees. Whereas the Geneva 1951 Convention stipulates the right to asylum for those fleeing prosecution based on race, religious belief, nationality, political affiliation or membership of a particular social group, the EU Directive extends and complements protection to persons facing a real risk of suffering serious harm, a threat to civilian life or indiscriminate violence in situations of international internal armed conflict (Art.15.c). These provisions grant protection to all those fleeing wars, civil strife or internal conflict in their countries. Refusing asylum to a person coming from such a country would amount to “refoulement” violating the cornerstone principle of international protection. What the authors of this EU legislation could not expect is a

⁴²⁷ See report of the **Amnesty International (2015)**. Fear and Fences: Europe's approach to keeping refugees at bay, 17 November 2015, Index number: EUR 03/2544/2015. Full document available at <https://www.amnesty.org/en/documents/eur03/2544/2015/en/>

⁴²⁸ see Jelena von Helldorff (2015). The EU Migration Dilemma, Heinrich Boll Stiftung, Germany.

growing number of conflicts, a number of failed or utterly dysfunctional states plagued by civil strife and the number of displaced persons as a consequence.⁴²⁹

When the UN Refugee Convention was signed in 1951 there give the impression to be a common appreciation amongst European nations that people “fleeing persecution required international protection and that states had the responsibility of providing them with a safe haven”.⁴³⁰ However these days, this understanding appears to have been missing. Even those fleeing from atrocious suppression are no longer welcome when arriving at European borders.

To decrease the number of possible asylum seekers the EU member states have implemented the concept of ‘safe third countries’, where citizens hypothetically do not face the threat of political prosecution or inhuman treatment. Based on this, therefore, migrants could be sent back automatically and their applications should examine in an accelerated procedure. With the recent magnitude and flow of refugees, EU states are annoying to broaden the list of the safe countries in Africa and other regions. The concept has been condemned by human rights organizations since it has a blurred definition of what is considered to be a safe country.⁴³¹

The growing patterns of mixed migration (political and economic migrants as well as the infiltrations of terrorists together with common migrants) have contributing in hindering the effort of the EU to strike the balance between human rights and security. Not all migrants are refugees and genuine asylum applicants.

Prior to 2013 and before that, migrants were often fleeing economic hardship and poverty manly from Africa. Seeking asylum for economic reasons is in principle not recognized as a valid ground for protection so the applicants are either obliged to leave (or are deported by force) or they chose illegality from the outset. The trouble is that many people flee for a combination of political, economic and social reasons. All these reasons make it very difficult to decide upon the eligibility for admission or refusal.⁴³²

In defending the EU margins through the concept of integrated border management and assisting the third countries to boost their capability to control the outflow of migrants the EU has reinforced the image of a ‘fortress Europe’ where borders and security matters most. The

⁴²⁹ Jelena von Helldorff (2015). The EU Migration Dilemma, Heinrich Boll Stiftung, Germany. p.5

⁴³⁰ Speeches by **Thomas Hammarberg**, Commissioner for Human Rights (2011). Seminar on the human rights dimensions of migration in Europe (Istanbul, 17-18 February 2011).

⁴³¹ See Jelena von Helldorff (2015). The EU Migration Dilemma, Heinrich Boll Stiftung, Germany.

⁴³² Jelena von Helldorff (2015). The EU Migration Dilemma, Heinrich Boll Stiftung, Germany. p.6

growing divergence between border control and human rights commitments has emerged likely weaken the foundation of the EU project.⁴³³

Although the ‘right to seek and to enjoy asylum from persecution’ is a key provision in the UDHR⁴³⁴, this fundamental principle is not fully protected in Europe today. In recent years European states have adopted a series of policies aimed at dissuading migrants from entering into their boundaries, disregarding the fact that some of them may be refugees, and thus entitled to protection under international law. The responsibility to protect migrants from refoulement is not respected sincerely.⁴³⁵

Restrictive state policies in the migration field have brought along a rise in xenophobic and racist rhetoric in Europe. In recent years extremist political parties in various European countries have advanced and maintained their popular support thanks to their anti-migrant rhetoric. Xenophobic speech by public figures further fosters prejudices against migrants, thus creating a vicious circle.⁴³⁶

Also with the context of widespread articulation of immigration as a threat to security, significant attacks against African migrants were observed in EU⁴³⁷, for example in 2008, “a café owner bludgeoned to death Abdoul Guiebre, an Italian of Burkina Faso origin, on the street in Milan in September 2008 after a petty theft. Two men in a square in Naples assaulted Marco Beyene, an Italian of Eritrean origin”.⁴³⁸ The rise of extreme Right Wing parties also intensifies the widespread depiction of immigrants including Africans as potential threat to the overall Europe.⁴³⁹

⁴³³ See Otwin Marenin (2010). Challenges for Integrated Border Management in the European Union, the Geneva Centre for the Democratic Control of Armed Forces (Dcaf): Occasional Paper No.17.

⁴³⁴ Article 14 of the UDHR states that "everyone has the right to seek and to enjoy in other countries asylum from persecution.

⁴³⁵ Speeches by **Thomas Hammarberg**, Commissioner for Human Rights (2011). Seminar on the human rights dimensions of migration in Europe (Istanbul, 17-18 February 2011).

⁴³⁶ Speeches by **Thomas Hammarberg**, Commissioner for Human Rights (2011). Seminar on the human rights dimensions of migration in Europe (Istanbul, 17-18 February 2011).

⁴³⁷ Joao Carvalho (2013). Impact of Extreme Right Parties on Immigration Policy: Comparing Britain, France and Italy, Publisher: Routledge. p. 164

⁴³⁸ See Human Rights Watches (March 21, 2011). Everyday Intolerance: Racist and Xenophobic Violence in Italy available at <https://www.hrw.org/report/2011/03/21/everyday-intolerance/racist-and-xenophobic-violence-italy>

⁴³⁹ See Joao Carvalho (2013). Impact of Extreme Right Parties on Immigration Policy: Comparing Britain, France and Italy, Publisher: Routledge. pp. 162-164

Chapter Seven

Summary and Concluding Remarks

Despite the African migrants flows is higher and their life has always been at risk for a long period, it is only recently getting the attention of the media and politicians. This implies the life of the African migrants for long been neglected and it is only as a result of the current magnitude becomes one of the international concerns.

The dynamics of African migration have changed after the Arab spring. Particularly the dismantle of the Libyan government gave a way for the increasing number or mass migration of the African migrants, which sometimes described as 'exodus of the African migrants'. Before that it was difficult even to reach Libya through crossing the Sahara desert. However the downfall of the Gaddafi regime transformed Libya into a stronghold of factional groups and become an easy passage for human traffickers and smugglers to transport mass of African migrants into Europe through the Mediterranean Sea. And most of the fishing boats immediately changed their tasks in transporting people. Due to the growing number of the African migrants from the region as well the emergence of North African states as a security threat, the issue becomes the security agenda of the EU.

What makes the current migration flow to EU different from the previous is the simultaneous growing of economic as well as political migrant from and across Africa and higher refugees from the Middle East. After the eruption of the Arab Spring various groups have involved so the EU is highly concerned with the issue and linked the migration influx with security threat. Also, if we look at the entire Africa, despite there is some economic success registered in the continent, states never been able to provide jobs, and equal opportunities for millions. With such limited resources, migration would be the alternative.

Recently, members of the EU have been creating a dichotomy between the African migrants and migrants from worn torn regions such as from Syria, Afghanistan and Iraq. While EU member states swiftly willing to grant asylum and refugee status for those coming from the war torn region, they are reluctant to grant for the African migrants and asylum seekers with the exception of Eritreans and for limited Africans asylum seekers from the continent since they accept migration from Africa is driven by economic factors.

Although there are number of factors has contributed for the growing number of African migration to Europe, I can argue these causes are deeply rooted from the legacy of colonialism. Colonialism has its own factor for African migration to Europe.

Currently there is a European perception toward the African migrants categorizing all as if economic migrants and pose a threat to the EU's security. From the international law perspective it is not viable to generalize all migrants as economic migrants without examining their cause of migration and without justifying their cases through various mechanisms. Currently, members of the EU are highly concerned with their political as well as economic security and they associated the problem with the migrants' flows particularly from the Africa region.

Although migration provides security for those escaping from political persecution, human rights abuses, chaos and dreadful economic conditions, the recently the trend to perceive the issue has changed. Currently the issue of migration is presented before the public eyes often with its adverse effects, especially in the European countries and they are trying to frame the issue only with its negative effects.

Also, there is a growing tendency to frame migration as a security threat. In this sense the securitization theory correctly reflect the scenario in EU countries. As has been said, this theoretical perspective describes a process whereby urgent 'security threats' are identified or 'constructed' in order to mobilize the public opinion and construct legitimacy for the means of dealing with the 'threat'.

African migrants, particularly North Africans in EU are being accused of increased in fundamentalism and terrorist activities after attacks on Madrid and London earlier and in Paris and Brussels recently. Such attacks have become an urgent security concern for EU, forcing the EU to make migration a security concern.

Labeling immigration as a security threat has significant implications in term of laws, norms, policies and procedures. Labeling the issue has been used to justify harsh and restrictive policies and the act of securitizing immigration is more threatening than immigration itself, as it frequently consequences in racism, marginalization and xenophobia, eventually leading to social disintegration.

Restrictive European immigration policies have a direct impact on migrants' rights and emerged as an obstacle for asylum seekers to access safe countries, contribute for smuggling and trafficking humans easily, forced migrant to search unsafe passages and contributing to a growing anti-migrants tendencies.

The instruments that the EU has carried out to tackle the migration influx is now directly associated with security concerns and focused on a military-based approach. In this sense, the militarization of border controls and putting barriers across the vast part of EU boundaries has increasingly manifested.

Throughout this research, I do observe that, whether the African migrants are pose security threat for the EU's is very contesting issue. However by taking consideration what most scholars agreed on the issue, it is easy to deduce that there is no significant security threat for EU which is basically originated from the African migrants. Yet, as we have discussed in the above, it is logical to admit that, although it is a rare case, African migrants possibly pose security threats for EU especially with the recent magnitude.

As Europe is facing a serious refugee influx and as the Middle East continues to be tumultuous, the fate of African migrants will worsen. They will not be treated, even by UNHCR and other NGOs, as priorities. This would hasten the vulnerability of African refugees to predators of the Sahara desert and the Mediterranean Sea.

To conclude Europe is, by and large, the only continent that has so far been able to strike a balance of sorts between human rights and security exigencies. However, this is rapidly dwindling due to the rising number of migrants and the ceaseless refugee influx. Hence, in the foreseeable future Europe's main concern may not be the rights of migrants, but the security threats they may pose. And the effort to strike between these two conflicting agendas seems to be unattainable unless the number of migrants is not back to the normal condition or decreased.

Although internationally accepted standards and the charter of EU itself recognized the prohibition of degrading and inhuman treatment of human beings (article 4 of EU human rights charter), the approach of the EU's border control patrols respond in denying the African migrants to enter the Union without any inspection of migrants' case and the treatment during transfer to 'third states' or the condition of the detention centers all appears contradict with the fundamental international human rights norms vis-a-vis migrants' human rights. Beside the policy of externalization and the approach of FRONTEX is inconsistent with "movement-related rights" that is fundamental principle in the international migration context as it is stated in article 13(1) of the UDHR and article 12(2) of the ICCPR.

Bibliography

A. Books, Articles and Journals

[Abdoulaye Kane](#) and **Todd H. Leedy (edi.) (2013)**. African Migrations: Patterns and Perspectives, Indiana University Press, USA. pp. 20-22

Adamantia Pollis and Peter Schwab (1982) (edi). Toward a Human Rights Framework in **Jack Donnelly (2007)**. International Human Rights (3rd edition), Westview Press, University of Denver. pp.36-57.

Adedokun, Olaide A. (2003). The Rights of Migrant Workers and Members of their Families: Nigeria. UNESCO, SHS/2003/MC/7, International Migration and Multicultural Policies Section.

Adepoju, A. (1988 a). International Migration in Africa South of the Sahara in **Jonathan Baker and Tade Akin Aina (edi.) (1995)**. The Migration Experience in Africa. pp. 89-93

Adepoju, A. (1990). State of the Art Review on Migration in Africa in **Jonathan Baker and Tade Akin Aina (edi.) (1995)**. The Migration Experience in Africa. pp. 91-92

Aleinikoff (2003). Migration and International Legal Norms in **Susan Martin (2005)**. The Legal and Normative Framework of International Migration, A paper prepared for the Policy Analysis and Research Programme of the Global Commission on International Migration, Institute for the Study of International Migration, Georgetown University.p.6

Alemayehu Geda, Abebe Shimeles and John Weeks (2008). Growth, Poverty and Inequality in Ethiopia: Which Way For Pro-Poor Growth?, Journal of International Development, John Wiley & Sons, Ltd, 21, 947–970 (2009).

[Alex Thomson](#) (3rd edit.) (2010). An Introduction to African Politics, Routledge: Taylor & Francise Group, New York, USA.

Alfred Andrea and James Overfield (2015). The Human Record: Sources of Global History, eighth edition, volume II: Since 1500, Cengage Learning, Boston, USA. p.497.

Alhaji Ahmadu Ibrahim and Lawan Cheri (2013). Democracy, Political Instability and the African Crisis of Underdevelopment, Journal of Power, Politics & Governance, Vol. 1 No. 1, December 2013. p.65

Amin, S. (edit.) (1974). Modern Migration in Western Africa in **Jonathan Baker and Tade Akin Aina (edi.) (1995)**. The Migration Experience in Africa. p. 90

Andreas Themistocleous (2013). Securitizing Migration: Aspects and Critiques, the GW Post Research Paper, pp. 2-3.

Andrew Moravcsik (1995). Explaining International Human Rights Regimes: Liberal Theory and Western Europe, European, Journal of International Relations SAGE, London Vol. 1 (2): 157-189.

Anna Knoll, Raphaelle Faure and Mikaela Gavas (03 February 2016). Challenges to a comprehensive and integrated EU migration and asylum policy. Full text available online at <http://www.thebrokeronline.eu/Blogs/Inclusive-Economy-Europe/Challenges-to-a-comprehensive-and-integrated-EU-migration-and-asylum-policy>

Annyssa Bellal (edi)(2016). *The War Report: Armed Conflict in 2014*, Oxford University Press. p.425

Anthony H. Cordesman and Arleigh A. Burke (2016). Risks and Instability in the Middle East and North Africa in 2016, Centre for Strategic and International Studies, Washington, DC, January 14, 2016.

Antony Otieno Ong'ayo (2008). Political instability in Africa: Where the problem lies and alternative perspectives, The African Diaspora Policy Centre, Amsterdam. p.2

Ariane Chebel d'Appollonia and Simon Reich (2008). Immigration, Integration, and Security: America and Europe in Comparative Perspective, University of Pittsburgh Press.

Atland, K. and Ven Bruusgaard, K (2009). When security speech acts misfire: Russia and the Elektron incident, *Security Dialogue*, 40 (3), pp. 333-354.

Aubarell, G., Zapata-Barrero, R., Aragall, X. (2009). 'Directions of National Immigration Policies: The Development of the External Dimension and its Relationship with the EuroMediterranean Process', *Euromesco Paper*, 79.

B. Ghosh (2003). *Elusive Protection, Uncertain Lands: Migrants' Access to Human Rights*, Geneva: Office of the High Commissioner for Human Rights.

Bajpay, Kanti (2003). 'The Idea of Human Security', *International Studies* volume 40:3 pp. 195-228.

Bakewell, O. and De Haas, H. (2007). African Migrations: continuities, discontinuities and recent transformations in **Marie-Laurence Flahaux and Hein De Haas (2016).** African migration: trends, patterns, drivers, *Springer Open Journal, Comparative Migration Studies* (2016) 4:1.

Baldaccini, A. (2007). 'The External Dimension of the EU's Asylum and Immigration Policies: Old Concerns and New Approaches', in Baldaccini, A., Guil, E. and H. Toner (Eds.) *Whose Freedom, Security and Justice? EU Immigration and Asylum Law and Policy*, Oxford: Hart Publishing, 276-298.

Baldwin, David (1997). The Concept of Security, in *Review of International Studies*, British International Studies Association No.23, pp. 5-26.

Barry Buzan (1991). New Patterns of Global Security in the Twenty-first Century, *International Affairs*, 67.3, pp. 432-433.

Belachew Gebrewold (edi) (2016). Africa and Fortress Europe: Threat and Opportunities, Routledge Publications Ltd, New York, USA.

Benam, Cigdem (2011). “Emergence of a ‘Big Brother’ in Europe: Border Control and Securitization of Migration”. *Insight Turkey* 13(3): 191-207.

Bigo, D. (2000). When Two become One: Internal and External Securitizations in Europe in **M. Kelstrup and M. C. Williams**, eds. *International Relations Theory and the Politics of European Integration: Power, Security and Community*, Routledge, London. p.194.

Bigo, D. (2002). Security and immigration: Toward a Critique of the Governmentality of Unease in **Sarah Léonard (2011).** *FRONTEX and the Securitization of Migrants Through Practices*, paper presented at the Migration Working Group Seminar, European University Institute, Florence, 9 February 2011. p.9.

Boswell, Christina (2003). “The External Dimension of EU Immigration and Asylum Policy”, *International Affairs* 79(3): 619-638.

Bredeloup, S. and O. Pliez (2005). Editorial: Migrations entre les deux rives du Sahara in **Patrick Chabal, Ulf Engel and Leo de Haan (eds.)** *African Alternatives*. Leiden: Brill: 95-118.

Brian-Vincent Ikejiaku (2009). The Relationship between Poverty, Conflict and Development, *Journal of Sustainable development*, Vol. 2, No. 1, March 2009.

Campbell, D (2004), ‘Havens that have become a tax on the world’s poor’ in Brian-Vincent Ikejiaku (2009). The Relationship between Poverty, Conflict and Development, *Journal of Sustainable Development*, Vol.2, No.1, March 2009. p19

Christina Boswell and Andrew Geddes (2010). *Migration and Mobility in the European Union*, Palgrave Macmillan.

Christof Heyns, David Padilla and Leo Zwaak (2006). A Schematic Comparison of Regional Human Rights Systems: An Update, *Sur International Journal on Human Rights*, Number 4.

Clarke, J.I (1965). *Population Geography*, Pergamon Press, Oxford in **Sinha, B.R.K (2005).** Human Migration: Concepts and Approaches, *Foldrajzi Ertesito Journal*, Volume 3-4, Visva-Bharati University, India. pp. 403-417.

Collyer, M. (2005). “When do social networks fail to explain migration? Accounting for the movement of Algerian asylum-seekers to the UK”, *Journal of Ethnic and Migration Studies* 31: 699-718 in **Hein de Haas (2008).** *Irregular Migration from West Africa to the Maghreb and the European Union: An Overview of Recent Trends*, Prepared for IOM by International Organization for Migration, Geneva.

Corinne Balleix (2004). From Lampedusa to the Post-Stockholm Programme: Difficult European solidarity in the field of migration, *European Policy Brief*, No. 24 March 2014. P.3

Daniel Griswold (2001). “Don’t Blame Immigrants for Terrorism.” Cato Institute. Available online at <http://www.cato.org/publications/commentary/dont-blame-immigrants-terrorism//>

Daveed Gartenstein-Ross, Nathaniel Barr, George Willcoxon and Norhan Basuni (2015). The Crisis in North Africa Implications for Europe and Options for EU Policymakers, Netherlands Institute of International Relations, Clingendael Report, April 2015.

David Bartram, Maritsa V. Poros and Pierre Monforte (2014). Key Concepts in Migration, SAGE Publications Ltd, London, UK. p.4.

David J. Bederman (2006). The Spirit of International Law, University of Georgia Press. p.2

De Haas, H. (2006a). Trans-Saharan Migration to North Africa and the EU: Historical Roots and Current Trends. Online source available at Migration Information Source <http://www.migrationpolicy.org/article/trans-saharan-migration-north-africa-and-eu-historical-roots-and-current-trends>

Debra L. DeLaet (2014). The Global Struggle for Human Rights, Cengage Learning publisher, Boston, USA.

Dirk Ehlers, Ulrich Becker (2007). European Fundamental Rights and Freedoms, Publisher: Walter de Gruyter.

Dorothy Estrada Tanck (2013). Human Security and the Human Rights of Undocumented Migrants: Systemic Vulnerabilities and Obligations of Protection, European Journal of Social Security, Volume 15 (2013), No. 2. p.152

E. Kamenka (1978). The Anatomy of an Idea in Barbara de Mori (2000). What moral Theory for Human Rights? Naturalization vs. Denaturalization, University of Padova. p.1

Ejdus, F. (2007). "Savremene teorije bezbednosti" in **Vladimir Šulović (2010).** Meaning of Security and Theory of Securitization, Belgrade Centre for Security Policy. p 2.

Elizabeth Collett (2007). 'The 'Global Approach to Migration': rhetoric or reality?', European Policy Center, Policy Brief November 2007, Brussels, Belgium.

Elizabeth Collett (2010). The European Union's Stockholm Program: Less Ambition on Immigration and Asylum, But More Detailed Plans, Online Journal of Migration Policy Institute.

Emma Rothschild (1995). What Is Security? Daedalus, Vol. 124, No. 3, the Quest for World Order (Summer, 1995), Published by: The MIT Press on behalf of American Academy of Arts and Sciences, pp. 53-98. Cited pages pp. 55-57 and pp.61-62.

Ernest Aryeetey (edi.) (2012). The Oxford Companion to the Economics of Africa, Oxford University Press, Oxford, UK. pp.163-164

Esra Dilek (2014). Security versus the Human Rights Dilemma in European Union Migration Policy: The Greek Evros Anti-Immigrant Fence, Draft Paper- To be presented at the 5th ECPR Graduate Student Conference.

Fisher, P. A., Martin, R. and Straubhaar, T. (1997). ‘Should I Stay or Should I Go?’, *in T. Hammer, G. Brochmann, K. Tamas, and T. Faist (eds)* International Migration, Immobility and Development. Multidisciplinary Perspectives, Oxford and New York: Berg, pp. 49–90. *Cited page 50*

Francesca Fauri (edi.) (2015). The History of Migration in Europe: Perspectives from Economics, Politics and Sociology, Routledge Publications, New York. p.243

Francesco Malavolta (2014). Global Migration Trends: an Overview, International Organization For Migration, IOM-Migration Research Division, December 2014. p.5

Frank Laczko and Lars Johan Lönnback (edi) (2013). Migration and the United Nations Post-2015 Development Agenda, publisher International Organization for Migration, Geneva, Switzerland. p.5

Franziska Telschow (Edi) (2014). A New Approach to Migration in the Light of Africa-EU Relations, the European Network of Political Foundations, November 2014.

G. Brinkmann (2004). ‘The Immigration and Asylum Agenda’, 10 European Law Journal 2, 182.

Gabriella Lazaridis (2012). Security, Insecurity and Migration in Europe, Research in Migration and Ethnic Relations Series, Ashgate Publication Ltd.

George Klay Kieh (2009). The State and Political Instability in Africa, SAGE Publications, Vol. 25(1): 1–25.

Gilpin, R. G. (1986). ‘The Richness of the Tradition of Political Realism’ in R. O. Keohane (ed.) (1986). Neo-Realism and Its Critics, Columbia University Press. p.305.

Giovanni Maria Ruggiero (2011). Perspectives on Immigration and Terrorism, IOS Press, Amsterdam, Netherland.

Glaser, C. L. (1997). ‘The Security Dilemma Revisited,’ World Politics *in Scott Burchill, Andrew Linklater, Richard Devetak, Jack Donnelly, Matthew Paterson, Christian Reus-Smit and Jacqui True (2005).* Theories of International Relations (3rdedit.), Palgrave Macmillan publications, New York, USA. p.34

H. Grabbe (2005). ‘The Politics of Freedom, Security and Justice in Enlarging Europe’ *in K. Henderson (edit.) (2005).* The Area of Freedom, Security and Justice in the Enlarged Europe, London: Palgrave Macmillan. pp.150-154.

Hamood, S. (2006). African Transit Migration through Libya to Europe: The Human Cost, FMRS, AUC, Cairo.

Hanns Van Amersfoort and Jeroen Doomernik (1998). International Migration: Processes and Interventions, Het Spinnhuis Publishers, Amsterdam, The Netherlands.

Haq, Mahbub ul (1995). Reflections on Human Development, Oxford University Press, New York *in Sakiko Fukuda-Parr and Carol Messineo (2012).* Human Security: A Critical Review

of the Literature, Centre for Research on Peace and Development (CRPD), Working Paper No. 11, Leuven, Belgium. p.1-6.

Harlan Koff (2014). The EU Migration-Security Nexus: The Reinforcement and Externalization of Borders from the Center, Policy paper series, Autumn/Winter 2014. p.1-5.

Hein De Haas (2007). 'Morocco's Migration Experience: A Transitional Perspective', *International Migration*, 45(4), 2007, pp 39-70 **in The Myth of Invasion Hein de Haas (2008).** The Inconvenient Realities of African Migration to Europe, International Migration Institute, University of Oxford, the *Third World Quarterly* 2008 29(7): 1305-1322.

Hein de Haas (2008). Irregular Migration from West Africa to the Maghreb and the European Union: An Overview of Recent Trends, Prepared for IOM by International Organization for Migration, Geneva.

Hideaki Shinoda (2000). Re-examining Sovereignty: From Classical Theory to the Global Age, London: Macmillan. p. 53

Hideaki Shinoda (2004). The Concept of Human Security: Historical and Theoretical Implications, *Conflict and Human Security: A Search for New Approaches of Peace-building*, IPSHU English Research Report Series No.19.

Hiroyuki Hino and Gustav Ranis (2014). Youth and Employment in Sub-Saharan Africa: Working But Poor, Routledge, New York, USA.

Ian Oliver (2005). War and Peace in Balkans: The Diplomacy of Conflict in Former Yugoslavia, I.B.Tauris & Co Ltd, New York, USA.

J. Occhipinti (2004). 'Police and Judicial Co-operation' **in M. Cowles and D. Dinan (eds.) (2004).** *Developments in the European Union*, London: Palgrave Macmillan. pp.194-196

J. Peter Burgess and Serge Gutwirth (2011). A Threat Against Europe?: Security, Migration and Integration, Vrije Universiteit Brussel, Institute for European Studies, Asp/Vubpress/Upa publisher.

Jack Donnelly (1985). The Concept of Human Rights, Croom Helm, London, p. 31.

Jack Donnelly (2007). *International Human Rights (3rd edition)*, Westview Press, University of Denver. pp.36-57.

Jakkie Cilliers (2004). Human Security in Africa A conceptual framework for review, African Human Security Initiative. pp.21-22

James Patrick Lynch and Rita James Simon (2003). *Immigration the World Over: Statutes, Policies, and Practices*, Rowman & Littlefield Publishers Inc, Oxford. pp. 243-244

Jean-François Renucci (2005). Introduction to the European Convention on Human Rights: The Rights Guaranteed and the Protection Mechanism, Volume 88, Council of Europe.

Jeanne Park (2015). Europe's Migration Crisis, Council on Foreign Relations. PDF available at <http://www.cfr.org/refugees-and-the-displaced/europes-migration-crisis/p32874>

Jef Huysmans (2000). The European Union and the Securitization of Migration, Journal of Common Market Studies 39(5). pp. 751-777.

Jef Huysmans (2004). A Foucaultian view on spill-over: Freedom and security in the EU, Journal of International Relations and Development, 7 (3), pp.296-310.

Jef Huysmans (2006). The Politics of Insecurity: Fear, Migration and Asylum in the EU, London: Routledge.

Jelena von Helldorff (2015). The EU Migration Dilemma, Heinrich Boll Stiftung, Germany.

Joao Carvalho (2013). Impact of Extreme Right Parties on Immigration Policy: Comparing Britain, France and Italy, Publisher: Routledge.

Jonathan Baker and Tade Akin Aina (edi.) (1995). The Migration Experience in Africa, Nordiska Afrika Institutet, GOTAB Publishing, Sweden.

Julia Tallmeister (2013). Is Immigration a Threat to Security?, E-International Publishing, University of Edinburgh.

Kaldor, Mary (2007). Human security: reflections on globalization and intervention, Polity Press, Cambridge. p.9.

Kate Raworth, Caroline Sweetman, Swati Narayan, Jo Rowlands, and Adrienne Hopkins (2012). Conducting Semi-Structured Interview, Published by Oxfam GB, Oxford, UK. p.(n.a) www.oxfam.org.uk/policyandpractice.

Katie Kuschminder, Julia de Bresser and Melissa Siegel (2015). Irregular Migration Routes to Europe and Factors Influencing Migrants' Destination Choices, Maastricht University, Maastricht Graduate School of Governance.

Kempe R. Hope (1997). African Political Economy: Contemporary Issues in Development, M.S Sharpe Publisher, London, England.

King, Gary and Christopher J.L Murray (2001). Rethinking Human Security, Political Science Quarterly, Volume 116 (issue 4), winter 2001. pp. 585-610

Kissinger, Henry (1976). 'Documentation: Foreign Policy and National Security', International Security Studies, Volume 1/1. p.182

Kjell Havnevik, Terje Oestigaard, Eva Tobisson, and Tea Virtanen (edi.) (2015). Framing African Development: Challenging Concepts, BRILL Publications, Boston, USA. p. 128

Kothari, Uma (2002). “Migration and Chronic Poverty”, Working Paper No. 16. Institute for Development, Policy and Management, University of Manchester in **Francesca Vietti (2013).** Human Insecurity: Understanding International Migration from a Human Security Perspective, Center for Migration Studies of New York, vol 1 no1. p.24

Leonardo R. Arriola (2009). Patronage and Political Stability in Africa, University of California, Berkeley, 2009 SAGE Publications, Comparative Political Studies Volume XX Number X.

Lincoln C. Chen, Sakiko Fukuda-Parr and Ellen Seidensticker (2004) (eds). Human Insecurity in a Global World, Harvard University Press. pp.6–10.

Louis B. Sohn and Thomas Buergenthal (1992).The Movement of Persons Across Borders, in **Susan Martin (2005).** The Legal and Normative Framework of International Migration, A paper prepared for the Policy Analysis and Research Programme of the Global Commission on International Migration, Institute for the Study of International Migration, Georgetown University. p.6

Lutterbeck, D. (2013). Across the Desert, Across the Sea: Migrant Smuggling into and from Libya in **Seeberg, P. and Eyadat, Z. (edis) (2013).** Migration, Security, and Citizenship in the Middle East, Palgrave Macmillan. pp. 137-165.

Makumi Mwangiri (edi) (2008). Human Security Setting the Agenda for the Horn of Africa, Published by Africa Peace Forum, Nairobi, Kenya. pp.16-18.

Marcel Canoy, Ricklef Beutin, Anna Horvath, Agnes Hubert, Frédéric Lerais, Peter Smith, Myriam Sochacki (2006). Migration and public perception, Bureau of European Policy Advisers . Available at http://ec.europa.eu/dgs/policy_advisers/publications/index_en.htm.

Marco Scipioni and Eleonora Mura (2012?).The Global Approach to Migration: The External Dimension of the EU Migration Policies, Birkbeck, University of London and Luiss University Rome.

Marianne Stone (2009). Security According to Buzan: A Comprehensive Security Analysis, Security Discussion Papers Series 1, Columbia University, School of International and Public Affairs – New York, USA. p.2

Marie Martin (2012). The Global Approach to Migration and Mobility: the state of play, Statewatch journal volume 22 no 2/3, October 2012.

Marie-Laurence Flahaux and Hein de Haas (2014). African Migration: Exploring the role of Development and States, Oxford University: the International Migration Institute (IMI), IMI Working Papers Series 2014, No. 105.

Marin, Luisa (2011). “Policing the EU’s External Borders: A Challenge for the Rule of Law and Fundamental Rights in the Area of Freedom, Security, and Justice? An Analysis of the FRONTEX Joint Operations at the Southern Maritime Border”, Journal of Contemporary European Research 7(4): 468-487.

Martha C. Nussbaum (2011). Capabilities, Entitlements, Rights: Supplementation and Critique, United Nations Development Programme, Routledge: Taylor and Francis Group, Journal of Human Development and Capabilities Vol. 12, No. 1, February 2011. p.23-30.

Martin Griffiths (1992). Realism, Idealism and International Politics A Reinterpretation, published by Routledge, London. pp.1-83.

Martyn Hammersley (2013). What is Qualitative Research? Bloomsbury Publishing PLC, New York, USA.

Mearsheimer, John (1990). Back to the future: Instability in Europe after the Cold War *in Emily Tripp (2012).* Realism: The Domination of Security Studies, University of Nottingham. p. 45.

Mentan, Tatah (2014). Africa: Facing Human Security Challenges in the 21st Century, Langaa Research & Publishing, Bamenda, Cameroon.

Michael Bommes, Heinz Fassmann and Wiebke Sievers (edi) (2014). Migration from the Middle East and North Africa to Europe: Past Developments, Current Status and Future Potentials, IMISCOE Research, Amsterdam University Press.

Michel Poulain and Nicolas Perrin (2001). Is the Measurement of International Migration Flows Improving In Europe? UN Statistical Commission and Statistical Office of the UN Economic Commission for Europe, Working Paper No.12, 16 May 2001.

MIGREUROPE (2011). ‘Frontex Agency: Which Guarantees for Human Rights’, Migreurop Report, Greens/EFA in European Parliament.

Mireia Estrada-Cañamares (2016). Operation Sophia Before and After UN Security Council Resolution No 2240 (2015), European Papers, Vol. 1, 2016, No 1, pp. 185-191 (European Forum, 16 April 2016).

Monika O. Thiboutot (2006). Cures to Stalled Development: Causes and Solutions to Economic Crisis In Sub-Saharan Africa, M.A thesis , University of Central Florida.

Monika Wohlfeld (2014). ‘Is Migration a Security Issue?’ **in Omar Grech and Monika Wohlfeld (eds) (2014).** Migration in the Mediterranean: Human Rights, Security and Development Perspectives, MEDAC: Malta. pp. 68-73.

Morgenthau, Hans J. (1978). Politics Among Nations: The Struggle for Power and Peace (5th edition), Alfred A. Knopf publishing, New York.

Natasha Mack and et al (2005). Qualitative Research Methods: A Data Collector’s Field Guide, Family Health International. p.4

Nivedita Ray (2016). Growing Threat of Terrorism in Africa: The Case of Boko Haram, Indian Council of World Affairs, Issue Brief.

O'Brien, Karen, Asuncion Lera St. Clair, and Berit Kristofferson, (eds.) (2010). Climate Change, Ethics and Human Security, Cambridge, Cambridge University Press **in** Graham K. Brown, Arnim Langer (2012) eds. Civil War and Fragile States, Elgar Handbook, Edward Elgar Publishing Limited, Massachusetts, USA. p. 21-27.

Ole Waever (1993). Securitization and Desecuritisation, Working papers, Centre for Peace and Conflict Research. p.3

Ole Waever (1993). Societal Security: The Concept **in** Julia Tallmeister (2013). Is Immigration a Threat to Security?, E-International Publishing, University of Edinburgh.

Otwin Marenin (2010). Challenges for Integrated Border Management in the European Union, the Geneva Centre for the Democratic Control of Armed Forces (Dcaf): Occasional Paper No.17.

Oucho, J and W. Gould (1993). Internal Migration, Urbanization and Population Distribution in Jonathan Baker and Tade Akin Aina (edi.) (1995). The Migration Experience in Africa. p. 91

P. Monzini (2004). "Migrant Smuggling via Maritime Routes", Centro Studi di Politica Internazionale (CeSPI).

Paul J. Magnarella (2000). Achieving Human Rights in Africa: The Challenge for the New Millennium, African Studies Quarterly, Volume 4, Issue 2, summer 2000, Published by the Center for African Studies, University of Florida.

Robert Mandel (2011). Dark Logic: Transnational Criminal Tactics and Global Security, Stanford University Press.

Ronaldo Munck (2008). Globalisation, Governance and Migration: An Introduction, Third World Quarterly, Vol. 29, No. 7, Globalisation and Migration: New Issues, New Politics? (2008), pp. 1227-1246, published by: Taylor & Francis, Ltd.

Ross, J.A (1982). International Encyclopedia of Population, the Free Press, a Division of Macmillan Publishing Co., Inc, New York.

Sandelowski, M. (2004). 'Qualitative Research'. p.893 in Martyn Hammersley (2013). What is Qualitative Research? Bloomsbury Publishing PLC, New York, USA. p.1-4.

Sarah Leonard (2007). The 'Securitization' of Asylum and Migration in the European Union: Beyond the Copenhagen School's Framework, paper presented at the SGIR Sixth Pan-European International Relations Conference, 12-15 September 2007, Turin, Italy. pp. 13-17.

Sarah Leonard (2011). FRONTEX and the Securitization of Migrants through Practices, paper presented at the Migration Working Group Seminar, European University Institute, Florence, 9 February 2011. pp. 8-12.

Saux, M. (2007). "Immigration and Terrorism: A Constructed Connection", European Journal of Criminal Policy and Research 13(1-2), pp.57-72.

Schoumaker, B., Flahaux, ML., Schans, D., Beauchemin, C., Mazzucato, V. and Sakho, P. (2015). Changing patterns of African Migration: A Comparative Analysis in **Marie-Laurence Flahaux and Hein De Haas (2016).** African migration: trends, patterns, drivers, Springer Open Journal, Comparative Migration Studies (2016) 4:1.

Scott Burchill, Andrew Linklater, Richard Devetak, Jack Donnelly, Matthew Paterson, Christian Reus-Smit and Jacqui True (2005). Theories of International Relations (3rd edition), Palgrave Macmillan publications, New York, USA. pp. 30-57.

Sergio Carrera, Jean-Pierre Cassarino, Nora El Qadim, Mehdi Lahlou and Leonhard den Hertog (2016). EU-Morocco Cooperation on Readmission, Borders and Protection: A model to follow?, Centre for European Policy Studies: paper in Liberty and Security in Europe, No. 87/ January 2016, CEPS, Brussels.

Sergio Carrera, Steven Blockmans, Daniel Gros and Elspeth Guild (2015). The EU's Response to the Refugee Crisis Taking Stock and Setting Policy Priorities, Centre for European Policy Studies, Brussels, No. 20 / 16 December 2015.

Sieglinde Gstöhl and Erwan Lannon (2016). The Neighbours of the European Union's Neighbours: Diplomatic and Geopolitical Dimensions Beyond the European Neighbourhood Policy, Publisher: Routledge.

Simon Dalby (2000). Geopolitical Change and Contemporary Security Studies: Contextualizing the Human Security Agenda, Working Paper 30, Institute of International Relations, University of British Columbia, pp. 2-5.

Sinha, B.R.K (2005). Human Migration: Concepts and Approaches, Foldrajzi Ertesito Journal, Volume 3-4, Visva-Bharati University, India. pp. 403-417.

Scott Burchill, Andrew Linklater, Richard Devetak, Jack Donnelly, Matthew Paterson, Christian Reus-Smit and Jacqui True (2005). Theories of International Relations (3rd edition), Palgrave Macmillan publications, New York, USA. p. 38

Spencer, A (2008). Linking Immigrants and Terrorists: The Use of Immigration as an Anti-Terror Policy, the Online Journal of Peace and Conflict Resolution 8(1), pp.1-24. Stable URL: <http://www.jstor.org/stable/20027310>

Spijkerboer, T. (2007). 'The Human Cost of Border Control', European Journal of Migration and Law, 9, 127-139.

Stefan Borg (2015). European Integration and the Problem of the State: A Critique of the Bordering of Europe, Palgrave Macmillan Publishers Limited, New York, USA.

Stephan Keukeleire and Tom Delreux (2nd edit.)(2014). The Foreign Policy of the European Union, Palgrave Macmillan, UK. pp.262-264

Stephen Castles, Hein de Haas and Mark J. Mille (2014). The Age of Migration: International Population Movements in the Modern World in **Marie-Laurence Flahaux and Hein de Haas (2014).** African Migration: Exploring the role of Development and States, Oxford University: the International Migration Institute (IMI), IMI Working Papers Series 2014, No. 105. p.4

Stephen Walt (1991). The Renaissance of Security Studies, *International Studies Quarterly* 35, No.2, pp. 211-239.

Steve Peers (2012). The Revised 'Dublin' Rules on Responsibility for Asylum-Seekers: The Council's Failure to Fix a Broken System, *Statewatch Analysis*, April 2012.

Susan Martin (2005). The Legal and Normative Framework of International Migration, A paper prepared for the Policy Analysis and Research Programme of the Global Commission on International Migration, Institute for the Study of International Migration, Georgetown University. pp. 1-41.

Tanimu Nuruddeen and Saifullahi Sani Ibrahim (2014). An Empirical study on the relationship between Poverty, Inequality and Economic Growth in Nigeria, *Journal of Economics and Sustainable Development*, Vol.5, No.26, 2014. pp.20-24

Thakur Ramesh (2003). Globalization, Migration and Human Security: Challenges in Northern Asia, Tokyo Japan: United Nations University. p.5 <http://www.docstoc.com/docs/22654220/Globalization-Migration-and-Human-Security-Challenges-in---PDF>

Thakur, Ramesh (1997). 'From National to Human Security' *Asia Pacific Security: The Economics-Politics Nexus*. Eds. Stuart Harris, and Andrew Mack. Sydney: Allen & Unwin.

Thierry Balzacq (2005). The Three Faces of Securitization: Political Agency, Audience and Context, *European Journal of International Relations*, 11 (2005) pp. 191-193.

Thomas Pogge (2000). The International Significance of Human Rights, *the Journal of Ethics*, Vol. 4, No. 1/2, Rights, Equality, and Liberty Universidad, Published by: Springer, pp. 45-69. Stable URL: <http://www.jstor.org/stable/25115635>.

Tibor R. Machan (1982). A Reconsideration of Natural Rights Theory, *American philosophical quarterly*, volume 19. p. 61

Van Reisen, M., Estefanos, M., and Rijken, C. (2014). 'Human Trafficking in the Sinai: Between Life and Death.' Nijmegen, Wolf Publishing.

Vladimir Sulović (2010). Meaning of Security and Theory of Securitization, *Belgrade Centre for Security Policy*. p.1-5.

Vuori, J. A. (2008). Illocutionary logic and strands of securitization: Applying the theory of securitization to the study of non-democratic political orders. *European Journal of International Relations*, 14 (1), pp. 65-80.

Wæver, Ole (1995b). “Securitization and Desecuritization” in **Barry Buzan, Ole Wæver, and Jaap De Wilde (1998).** *Security: A New Framework for Analysis*, Lynne Rienner Publishers, Colorado, USA, pp. 23-29, p.21.

Wæver, Ole (2004). ‘Aberystwyth Paris, Copenhagen: New Schools in Security Theory and the Origin between Core and Periphery’ in **Taureck, Rita (2006).** *Securitization Theory and Securitization Studies*, *Journal of International Relations and Development*, (9). pp. 53-61

Waltz, Kenneth (1959). *Man, the State and War: a Theoretical Analysis*, Columbia University Press, New York.

Waltz, Kenneth (1988). ‘The Origins of War in Neorealist Theory’, *the Journal of Interdisciplinary History* 18/ 4. p.616.

Wang, Xia (2012). *Undocumented Immigrants as Perceived Criminal Threat: A Test of the Minority Threat Perspective*”, *Wiley Online Library, Criminology* Vol. 50 Issue (3), pp.743-776.

Week, J.R (1989). *An Introduction to Population: Concepts and Issues*, Words Worth Publishing Company, California, USA.

Weiner (1992-1993). ‘Security, Stability, and International Migration, in **Julia Tallmeister (2013).** *Is Immigration a Threat to Security?*, E-International Publishing, University of Edinburgh.

William H. McNeill (1984). *Human Migration in Historical Perspective*, *Population and Development Review*, Vol. 10, No. 1 (Mar., 1984), pp. 1-18 Published by: Population Council
Stable URL: <http://www.istor.org/stable/1973159>

Xymena Kurowska and Patryk Pawlak (edi.) (2014). *The Politics of European Security Policies*, Routledge, Publisher Taylor & Francis.

Zapata-Barrero, Ricard and Nynke De Witte (2007). “The Spanish Governance of EU Borders: Normative Questions”, *Mediterranean Politics* 12(1): 85-90.

B. Official Documents and Reports

African Development Bank Group (2012). *Briefing Note 5: Income Inequality in Africa*, *Briefing Notes for AfDB’s Long-Term Strategy*.

Altai Consulting/UNHCR (2013). *Mixed Migration: Libya at the Crossroads*, *Mapping of Migration Routes and Drivers of Migration in Post-revolution Libya*, Tripoli: Altai Consulting/UNHCR in **Katie Kuschminder, Julia de Bresser and Melissa Siegel (2015).** *Irregular Migration Routes to Europe and Factors Influencing Migrants’ Destination Choices*, Maastricht University, Maastricht Graduate School of Governance.

Amnesty International (2015). Fear and Fences: Europe's approach to keeping refugees at bay, 17 November 2015, Index number: EUR 03/2544/2015.

Amnesty International (2016). Amnesty International Report 2015/16: The State Of The World's Human Rights, London, United Kingdom.

Amnesty International Report (May 2015). 'Libya Is Full of Cruelty' Stories of Abduction, Sexual Violence and Abuse from Migrants and Refugees.

COM(2015) 240 final. A European Agenda on Migration, Brussels, 13.5.2015.

COM(2016) 165 final. First report on relocation and resettlement, Brussels, 16.3.2016

Commission of the European Communities COM (2008) 611 final. Strengthening the Global Approach to Migration: Increasing Coordination, Coherence and Synergies, Brussels, 8.10.2008.

Convention Relating to the Status of Refugees, Adopted on 28 July 1951 by the U N Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons convened under General Assembly resolution 429(V) of 14 December 1950, entry into force 22 April, 1954.

Convention: Determining the State Responsible For Examining Applications for Asylum Lodged in One of the Member States of the European Communities, No C 254/ 1 Official Journal of the European Communities, 19. 08. 1997.

Council Decision (CFSP) 2015/778 of 18 May 2015 on a European Union military operation in the Southern Central Mediterranean (EUNAVFOR MED).

Council Directive 2004/114/EC of 13 December 2004 on the conditions of admission of third country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service, OJ L 375, 23.12.2004.

Council Directive 2004/83/EC (29 April 2004). On Minimum Standards for the Qualification and Status of Third Country Nationals or Stateless Persons as Refugees or as Persons Who Otherwise Need International Protection and the Content of the Protection Granted, Official Journal of the European Union L 304/12.

Council of the EU, Global Approach to Migration: Priority Actions focusing on Africa and the Mediterranean, Council Conclusions, 17 December 2005, 15914/05 **in Marie Martin (2012).** The Global Approach to Migration and Mobility: the state of play, Statewatch journal volume 22 no 2/3, October 2012. pp. 1-2.

Council of the European Union (11855/12). EU Strategic Framework and Action Plan on Human Rights and Democracy, Luxembourg, 25 June 2012.

Council of the European Union (2009). The Stockholm Programme – An open and secure Europe serving and protecting the citizens, Brussels, 2 December 2009.

Council Regulation (EC) No. 343/2003 of 18 February 2003

Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States (English)(2004-04-40).

European Commission COM (2011) 886 final. Human Rights and Democracy at the Heart of EU External Action–Towards a More Effective Approach, Brussels, 12.12.2011.

European Commission COM(2011) 743 final. The Global Approach to Migration and Mobility, {SEC(2011) 1353 final}, Brussels, 18.11.2011.

European Commission JOIN (2015) 16 final. Action Plan on Human Rights and Democracy (2015-2019) "Keeping human rights at the heart of the EU agenda" Brussels, 28.4.2015.

European Commission, Communication on Migration, 4 May 2011, in Marie Martin (2012). The Global Approach to Migration and Mobility: the state of play, Statewatch journal volume 22 no 2/3, October 2012. pp. 1-2.

European Communities No. 13 (2007). The Treaty of Lisbon, Amending the Treaty Establishing the European Union and the Treaty Establishing the European Community, including the Protocols and Annexes, and Final Act with Declarations, Lisbon, 13 December 2007.

European Convention on Human Rights (entry into force on 1 June 2010), amended by Protocols Nos. 11 and 14, supplemented by Protocols Nos. 1, 4,6, 7, 12 and 13, European Court of Human Rights Council of Europe, Strasbourg.

Executive Council, EX.CL/276 (IX) (2006). The Migration Policy Framework for Africa, Ninth Ordinary Session, 25 – 29 June 2006, Banjul, Gambia.

FRONTEX Fundamental Rights Strategy Endorsed by the FRONTEX Management Board on 31 March (2011). Available at <http://www.frontex.europa.eu/about/legal-basis>

Human Rights Watch (2011). “The EU’s Dirty Hands: Frontex Involvement in Ill-Treatment of Migrant Detainees in Greece”, New York.

Human Rights Watch (2014). Abused and Expelled Ill-Treatment of Sub-Saharan African Migrants in Morocco, printed in the United States of America.

Human Rights Watch (2016). European ‘Politics of Fear’ has led to rollback of rights, New York.

Human Rights Watch Report (2015). The Mediterranean Migration Crisis: Why People Flee, What the EU Should Do, Washington DC, USA. Full Report Available at <https://www.hrw.org/report/2015/06/19/mediterranean-migration-crisis/why-people-flee-what-eu-should-do>

Official Journal of the **European Union Regulation (EU) no 1168/2011** of the European Parliament and of the Council of 25 October 2011 Amending Council Regulation (EC) No 2007/2004 Establishing a European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union.

Regulation (EC) No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code) (English)(2006-04-13). Retrieved on 2007-11-25.

[Regulation \(EU\) NO. 604/2013 of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person \(recast\), Official Journal of the European Union L \(180/31\), 2013-06-29.](#)

Report of the United Nations Secretary General (Kofi Annan from his report on strengthening the organization, 09/11/2002) **found in** Information Kit on the UN Convention on Migrants Rights.

Revisiting the Dublin Convention: developing Community legislation for determining which member state is responsible for considering an application for asylum submitted in one of the member states(SEC(2000) 522 **in Refugee Council (2002)**. The Dublin Convention on asylum applications: What it means and how it's supposed to work, August 2002, Refugee Council, London.

The European Council Conclusions EUCO 79/14, CO EUR 4, CONCL 2, June 2014, Brussels.

The Schengen Acquis - Convention implementing the Schengen Agreement of 14 June 1985, Official Journal L 239 , 22/09/2000 P. 0019 – 0062.

UNDP (1994). Human Development Report: New Dimensions of Human Security, New York: United Nations.

United Nations Department of Economic and Social Affairs/Population Division (2015). World Population Prospects: The 2015 Revision, Key Findings and Advance Tables, New York. Source available online at <http://esa.un.org/unpd/wpp/Download/Standard/Population/>

United Nations Department of Economic and Social Affairs/Population Division International Migration Report 2013.

United Nations Human Rights Office of the High Commissioner (2008). The European Union and International Human Rights Law, OHCHR Regional Office for Europe.

United States Agency for International Development (2012). East Africa Regional Conflict and Instability Assessment, Final Report March 2012.

UNSC Resolution 2240 (2015). SC/12072, 9 October 2015.

Valletta Summit, 11-12 November 2015 Action Plan.

C. Released News, Internet Sources and other Resources

African Business **IC Magazines (2003)**, Issues 283-293. p.31

Anete Bandone (2016). The European Parliament: Fact Sheets on the European Union – 2016.

Available at <https://wcd.coe.int/ViewDoc.jsp?p=&id=1775377&direct=true>

BBC (2015). <http://www.bbc.com/news/world-europe-32387224>, 22 April 2015. Accessed on August 20, 2015.

BBC (3 March 2016). Why is EU struggling with migrants and asylum? Accessed April 12, 2016, at 2: 23 p.m <http://www.bbc.com/news/world-europe-24583286>

Bilefsky, D. (2006). ‘Malta Fears Sinking Under Migrants’, International Herald Tribune, 6 June 2006 in United Nations Office on Drugs and Crime (2006). Organized Crime and Irregular Migration from Africa to Europe.

Boubakri, H (2004). ‘Transit migration between Tunisia, Libya, and sub-Saharan Africa: Study based on Greater Tunis, Paper presented at the Regional Conference on Migrants in Transit Countries: Sharing Responsibility for Management and Protection. Istanbul, 30 September – 1 October 2004. Strasbourg: Council of Europe, 2004, pp 10-11.

Cambridge Advanced Learner’s Dictionary (2003), **Kate Woodford and Guy Jackson** (Editors), Cambridge University Press.

Canada Security Intelligence Service (2014). Political Stability and Security in West and North Africa, Canada, published April 2014.

CNN (2015). <http://edition.cnn.com/2015/04/20/africa/italy-migrant-boat-capsizes/>. Accessed on August 20, 2015.

Elizabeth McLaughlin (Apr 20, 2016). 500 Feared Dead After Migrant Boat Sinks in Mediterranean Sea. <http://abcnews.go.com/International/500-feared-dead-migrant-boat-sinks-mediterranean-sea/story?id=38538112> , accessed April 27, 2016 at 4: 52 pm.

Europe without borders: the Schengen area, European Commission, Migration and Home Affairs. p.8

European Commission - Fact Sheet (2015). First measures under the European Agenda on Migration: Questions and Answers, Brussels, 27 May 2015

European Commission - Press release (2015). Commissioner Avramopoulos and Minister Asselborn in Italy: First Relocation Flight and Hotspot visit, Brussels, 8 October 2015.

European Commission - Press release (2015). President Juncker launches the EU Emergency Trust Fund to tackle root causes of irregular migration in Africa Valletta, 12 November 2015.

European Commission- Press Release (2015). Implementing the European Agenda on Migration: Progress Reports on Greece, Italy and the Western Balkans, Strasbourg, 15 December 2015. PDF Available at http://europa.eu/rapid/press-release_IP-15-6324_en.htm

European Union (2015). Migrants in the Mediterranean: Protecting human rights, Policy Department, Directorate-General for External Policies, Belgium, October, 2015.

EUROPOL/Interpol, “Assessment on People Smuggling in the Eastern Mediterranean”.

Faleg, G. and S. Blockmans (2015). “EU Naval Force EUNAVFOR MED sets sail in troubled waters”, CEPS Commentary, Centre for European Policy Studies, Brussels.

FRONTEX (2015). Annual Risk Analysis 2015, Warsaw, Poland.

Global Initiative against Transnational Organized Crime (2014). Smuggled Futures: The dangerous path of the migrant from Africa to Europe, Global Initiative against Transnational Organized Crime series on Human Trafficking, A Research Report May 2014.

http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/international-affairs/global-approach-to-migration/index_en.htm accessed January 29, 2016, 8:20 pm.

http://ec.europa.eu/eurostat/statics-explained.php/Asylum_statistics, Data extracted on 2 March 2016, accessed April 27, 2016 at 4: 36 pm.

http://www.investorwords.com/1769/European_Community.html

<https://www.amnesty.org/en/documents/eur03/2544/2015/en/>

Human Rights Watches (March 21, 2011). Everyday Intolerance: Racist and Xenophobic Violence in Italy <https://www.hrw.org/report/2011/03/21/everyday-intolerance/racist-and-xenophobic-violence-italy>

International Centre for Migration Policy Development (2005). ‘The Mediterranean Transit Migration Dialogue’, ICMPD Newsletter, June 2005.

International Federation for Human Rights (2014). “Frontex between Greece and Turkey: The border of denial – The Deployment of Frontex is impairing the right of asylum” in **Franziska Telschow (Edi) (2014).** A New Approach to Migration in the Light of Africa-EU Relations, the European Network of Political Foundations, November 2014.

Interpol General Secretariat at the Interpol Specialized Meeting on Irregular migration from Africa towards Europe, 20 – 23 May 2006, Casablanca, Morocco.

IOM (2005). ”Migration”, IOM’s quarterly publication, December edition, October 2005.

IOM (2014). Key Migration Terms. <<http://www.iom.int/cms/en/sites/iom/home/about-migration/key-migration-terms-1.html#Irregular-migration>> [Accessed: 20 Nov. 2015]

Joakim Kreutz (2014). Why the EU’s commitment to preventing human rights abuses abroad is more than just rhetoric, London School of Economics. Available online at <http://blogs.lse.ac.uk/europpblog/2014/11/10/why-the-eus-commitment-to-preventing-human-rights-abuses-abroad-is-more-than-just-rhetoric/>

Lizzie Dearden (2015). Refugee crisis: 'Economic migrants' and asylum seekers are coming to Europe for the same reasons, Saturday 19 December 2015. Available Online at <http://www.independent.co.uk/news/world/europe/refugee-crisis-economic-migrants-and-refugees-are-coming-to-europe-for-the-same-reasons-report-says-a6779616.html>

Magyar (2015). Understanding Migration and Asylum in the European Union, [Open Society Initiative for Europe](https://www.opensocietyfoundations.org/explainers/understanding-migration-and-asylum-european-union), <https://www.opensocietyfoundations.org/explainers/understanding-migration-and-asylum-european-union>, accessed February 23, 2016 at 10:20 PM

Makinwa-Adebusoye, Paulina. (2006). “Geographic Labor Mobility in Sub-Saharan Africa. IDRC Working Papers on Globalization, Growth and Poverty.”

Michael Fleshman (2007). Climate change: Africa gets ready, Planning how to deal with higher temperatures, shifting weather, From Africa Renewal: July 2007. See more at: <http://www.un.org/africarenewal/magazine/july-2007/climate-change-africa-gets-ready#sthash.7hpehbLX.dpuf>

New York Times News releases by **Alison Smale (FEB. 5, 2016).** Terrorism Suspects Are Posing as Refugees, Germany Says. Available online at http://www.nytimes.com/2016/02/06/world/europe/germany-refugees-isis.html?_r=0

News release at The Irish Times, Peter Cluskey (Jan 26, 2016). Most fleeing to Europe are ‘not refugees’, EU official says. Available online at <http://www.irishtimes.com/news/world/europe/most-fleeing-to-europe-are-not-refugees-eu-official-says-1.2511133>

News release by **Griff Witte** May 11, 2015. E.U. seeks U.N. authority for military action against migrant smugglers available at https://www.washingtonpost.com/world/europe/eu-pushes-for-un-authorization-for-military-action-against-migrant-smugglers/2015/05/11/0062ad00-f7ee-11e4-a47c-e56f4db884ed_story.html Accessed May 14, 2016 at 4:05 pm.

Operation Commander Op Sophia (EEAS), EUNAVFOR MED - Operation SOPHIA – Six Monthly Report: 22 June-31 December 2015, of 29 January 2016, released by Wikileaks on 17 February 2016.

Refugee Council (2002). The Dublin Convention on asylum applications: What it means and how it’s supposed to work, August 2002, Refugee Council, London.

RMMS (2014). Going West: Contemporary Mixed Migration Trends from the Horn of Africa to Libya and Europe. Nairobi: RMMS (Regional Mixed Migration Secretariat).

Samuel Osborne (18 April 2016). Fears 400 refugees have drowned in Mediterranean after boats capsize, news available at <http://www.independent.co.uk/news/world/europe/more-than-400-refugees-drown-in-mediterranean-after-boats-capsize-crossing-from-egypt-to-italy-a6989046.html>, accessed April 20, 2016 at 3: 15 PM.

Simon Cottee (Jun 9, 2015). What Motivates Terrorists? Online resource Available at <http://www.theatlantic.com/international/archive/2015/06/terrorism-isis-motive/395351/>

Speeches by **Thomas Hammarberg**, Commissioner for Human Rights (2011). Seminar on the human rights dimensions of migration in Europe (Istanbul, 17-18 February 2011), Organized by the Office of the Commissioner for Human Rights and the Turkish Chairmanship of the Council of Europe Committee of Ministers.

“The Growing Challenges of Peace and Security in Africa: A West African Perspective”, A speech delivered on the occasion of **the 2015 Kofi Annan/Dag Hammarskjöld Annual Lecture**, by Dr Mohamed Ibn Chambas, Special Representative of the Secretary-General, United Nations Office for West Africa (UNOWA).

The Independent News by Will Worley (Wednesday 27 January 2016). Six out of 10 migrants to Europe come for 'economic reasons' and are not refugees, EU Vice President Frans Timmermans says. News Available at <http://www.independent.co.uk/news/world/europe/six-out-of-10-migrants-to-europe-come-for-economic-reasons-and-are-not-refugees-eu-vice-president-a6836306.html>

The United Nations International Conference on Population and Development (1994), par. 10.1 in **Francesca Vietti (2013)**. Human Insecurity: Understanding International Migration from a Human Security Perspective. pp.25

The World Bank (2012). “World Bank Sees Progress Against Extreme Poverty, But Flags Vulnerabilities.”, Washington, February 29, 2012 news. Available Online at <http://www.worldbank.org/en/news/press-release/2012/02/29/world-bank-sees-progress-against-extreme-poverty-butflags-vulnerabilities>

UN Focal Point on Youth (2011). What Are the Important Positive And Negative Employment Trends among Youth that you Have Observed in your Community/Country?, available at http://unworldyouthreport.org/index.php?option=com_k2&view=item&id=30&Itemid=126

UNESCO (2008). Human Security Approaches and Challenges (Paris: UNESCO)

UNHCR (2001). Refugee Protection: A Guide to International Refugee Law, Published by the Inter-Parliamentary Union.

United Nations (1988). Consequences of Rapid Population Growth in Developing Countries: Proceedings of the United Nations/Institut National D'études Démographiques Expert Group Meeting, New York, 23-26 August 1988, First Published by Routledge: Taylor & Francis Group, London 1991. p.119

United Nations International Conference on Population and Development (2013). “Cairo Conference Program of Action” in **Francesca Vietti (2013)**. Human Insecurity: Understanding International Migration from a Human Security Perspective, Center for Migration Studies of New York, vol 1 no1. p. 25.

United Nations Office on Drugs and Crime (2006). Organized Crime and Irregular Migration from Africa to Europe, Regional Office of West and Central Africa and the Research and Analysis Section of the United Nations Office on Drugs and Crime p10.

UNODC (2010). Smuggling of Migrants into, through and from North Africa A Thematic Review and Annotated Bibliography of recent publications. Wen United Nations Office on Drugs and Crime (UNODC).

Annex I, Interview Guide

1. How do you see the current migration flows and crisis in Europe?
2. Form the recent periods onwards, the issue of migration in Europe is progressively perceived from the security perspective and it is directly linked with security threat. So how do you observe such trend of the Union?
3. Is there any significant linkage between immigrants' flows and security threat in EU? With particular reference from the Africa migrants?
4. EU is being blamed or criticized in its treatment of migrants from Africa or anywhere, especially with regard to the EU's inability to respect the human rights of the migrants (for example in the detention centers...). How do you explain this phenomenon? Do you think the EU members are handling the migrant crises in line with international law?
5. It is assumed that many of the Africa migrants are believed economic migrants, does this affects their rights unlike the other migrants from war torn regions?
6. Various scholars and Medias mention some of the EU migration policies as the Union failure in the promotion of human rights value which is the fundamental principle of the EU itself. How do you observe this? Do the responses of the EU infringe the rights of African immigrants?
7. Do the Europeans strike balance between human rights of the migrants and their security needs/threats?
8. What are the major factors behind the rising number of African migration to Europe? And how the economic, social and political conditions in Africa forces Africans to be immigrant, especially to Europe?
9. As the continent's key intergovernmental institution, what measures are taken and will take by AU in order to curb the recent migration related crisis from Africa to Europe?
10. To what extent is the EU-AU work cooperatively with the issue of migration?
11. I would appreciate if you would like to share me any other pertinent issues related with the issue at hand.

Annex II, List of Key Informants

No	Informant's Name	Institutions	Position	Date and Place of Interview
1	Anonymous	African Union	Peace Support Operation Division under Peace and Security Department	May 16, 2016, at African Union, Addis Ababa, Ethiopia
2	Besfat Gashaw	The Federal Democratic Republic of Ethiopia Ministry of Foreign Affairs.	Second Secretary: International Legal Affairs Directory General	March 16, 2016, at Ethiopia Ministry of Foreign Affairs.
3	Dr. Yonas Tariku	Institute for Peace and Security Studies at AAU	Lecturer and PhD Programme Coordinator	April 20, 2016 at Institute for Peace and Security Studies at Addis Ababa University
4	Fasil Mulat (PhD Candidate)	Centre for Human Right Studies, at AAU	Lecturer	March 24, 2016, Centre for Human Right Studies at Addis Ababa University
5	Hallelujah Lulie	Institute for Security Studies	Researcher: Conflict Prevention and Risk Analyst	March 22, 2016 at Institute for Security Studies, Addis Ababa Office
6	Kassa G/Yohannes G/Michael	The EFDR Ministry of Foreign Affairs	Director General for European Affairs	March 19, 2016 at Ethiopia Ministry of Foreign Affairs
7	Meressa Kahsu Dessu	Institute for Security Studies	Researcher and Training Coordinator: Conflict Management and Peacebuilding	March 22, 2016 at Institute for Security Studies, Addis Ababa Office
8	Assistant Professor Sunday Angoma Okello	Africa Peace and Security Program, at African Union and Institute for Peace and Security Studies at AAU	Lecturer and Africa Peace and Security Program	April 1, 2016 at Institute for Peace and Security Studies at Addis Ababa University