Protecting Europe and Protecting Migrants? Strategies for Managing Unauthorised Migration from Africa

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This article addresses the management of unauthorised migration from Africa to Europe. We review eight policy measures and explore how they relate to prominent policy narratives, centred on security, co-operation and protection of migrants. We also examine the specific mechanisms through which the policy measures function: direct control, deterrence and dissuasion. Analysis of policy narratives helps explain the ascendance of externalised migration control, such as pre-border patrolling. Furthermore, our analysis shows how the narrative of protection can be aligned with direct control measures and constitute a double-edged sword for migrants. The text focuses on maritime migration from West Africa to Spain’s Canary Islands. We draw in part on ethnographic data from fieldwork in Senegal in order to assess the impact of specific measures on the target population of prospective migrants.

Keywords: boat migrants; border control; unauthorised migration; migration management

Introduction

Since the turn of the millennium, more than 300,000 boat migrants, primarily Africans, have arrived on the shores of Spain and Italy. The management of these flows represents a complex policy field, intersecting with national security, European integration, development co-operation, diplomatic relations and domestic politics.

Strategies for managing unauthorised migration from Africa are formulated and implemented in a field of tension between several policy narratives. This tension is heightened by two factors that contribute to a sense of urgency: first, the dangers of boat migration have made it a pressing humanitarian issue, a protracted crisis with large-scale loss of life; second, the persistence of boat migration from Africa—after almost two decades of various policy interventions—lies at the heart of anxiety about states’ perceived inability to control migration. Policy narratives relating to unauthorised boat migration are not only fuelled by this sense of urgency, but also by competing knowledge claims in each of the three components of such narratives: the nature of the problem, the causal mechanisms at work and the effects of policy interventions (cf. Boswell et al. 2011).

This article reviews a series of policy measures aimed at controlling unauthorised immigration, all of which are currently employed in relation to boat migration from
Africa. The analysis seeks to relate these measures to dominant policy narratives, and to identify the precise mechanisms through which they work. The discussion underscores the need to address how migrants relate to control mechanisms, and to examine the potential conflicts between controlling migration and safeguarding migrants’ safety and rights.

Our analysis is focused on a specific form of unauthorised migration: the flow of small boats from West Africa to the Canary Islands. This represents the first large-scale connection directly from sub-Saharan Africa to Europe, circumventing transit countries that have previously played an important role in European migration control efforts. While the direct route represented a qualitative change, the numbers involved also constituted a quantitative leap. A surge in migration from Senegal and Mauritania in 2006 brought the number of boat migrant arrivals on the Canary Islands to nearly 32,000, up from less than 5,000 in the previous year. European responses to the flow have represented new steps in terms of intra-European co-operation, engagement of third countries and extraterritorial control activities.

The migrants travel in West African pirogues, small wooden boats traditionally used for fishing. Points of departure range from Mauritania in the north to Guinea-Bissau in the south, but the destination is always the Canary Islands. Each boat can carry up to a hundred migrants in cramped conditions, and the journey can last for up to 10 days, even under normal conditions. Fatalities primarily occur when boats capsize or experience technical problems and start drifting until migrants die from starvation. Documented deaths are in the hundreds every year. Since many boats disappear, the real number is presumably much higher.

This migration is ‘unauthorised’ in the sense that migrants enter European territory without permission (Carling 2007b). It is not ‘illegal’ if migrants do so with a well-founded need for protection from persecution. Although this only applies to a small minority of West African boat migrants, ‘illegal immigration’ would therefore be inappropriate as a general label for the flow.

Narratives of Security, Co-operation and Protection

The magnitude and urgency of the boat migration issue call for effective policy measures. Unauthorised arrivals in the thousands have created severe logistical challenges, spiralling financial costs and mounting security concerns. Effectively keeping migrants out, however, has not only proven difficult, but also runs the risk of undermining migrants’ rights or exposing them to greater dangers. The tension between ‘protecting Europe’ and ‘protecting migrants’ is compounded by tensions in the relationships with countries of departure. On the one hand, these countries are blamed for not doing enough to fight unauthorised migration; on the other hand, their close co-operation is needed for effective migration management. This section reviews security, co-operation and protection as underlying narrative themes in the management of unauthorised migration from Africa.

Security

The dominant European approach to irregular migration is broadly framed in terms of security and addressed through security measures. Emphasis is placed on pro-
tecting Europe through controlling external borders (Lohrmann 2000; Ceyhan and Tsoukala 2002; Collyer 2006; Huysmans 2006; Van Munster and Sterkx 2006). Since the Single European Act of 1986, and increasingly after the events of 11 September 2001, successive EU documents have jointly addressed irregular migration and cross-border crime. This association is partly rooted in the concern that terrorists and criminals are smuggled into Europe (Koslowski 2001). Furthermore, human smuggling is seen as a potential source of income for criminal and terrorist networks.

The security-focused policy narrative is upheld by a range of factors. First, it is closely linked to the anxiety about states’ perceived inability to control migration. It has the appeal of representing firm action in the face of potential danger. Second, security concerns are stimulated by knowledge gaps. In particular, the fact that most unauthorised migrants arrive without identification papers is often pointed to as a source of insecurity. Third, the security-oriented policy narrative thrives because it is amenable to institutional and operational implementation, especially when supranational decision-making is required. ‘Security’ appears to be the most viable common ground for consensus at the Council of Ministers, which votes under unanimity rule (Chou 2006).

European states have a sovereign right to control population flows across their borders. Still, the predominance of border control as a tool of migration management has fostered harsh criticism among those who accuse EU migration policies of promoting the fortification of the EU–Africa borderland while neglecting the fundamental problems of sending countries (Huysmans 2000; Sandell 2005; Baldwin-Edwards 2006; Lutterbeck 2006). Security measures also have the problematic effect of criminalising irregular migration (UNHRC 2008).

**Co-operation**

The past decade has seen a shift towards more positive assessments of the benefits of migration. ‘When it works properly’, a recent book argues, ‘migration can be a “win-win-win” for countries of origin, countries of destination, and the migrants themselves’ (Martin et al. 2006, 2). Such thinking has also influenced European policy approaches to migration.

The EU migration policy approach designed at the European Council in Tampere in 1999 aims at a so-called ‘comprehensive’ perspective. This refers to the integration of migration management into external relations and development co-operation with third countries. Commitments expected of third countries include readmission of unauthorised migrants and co-operation in border control (European Commission 2007). Despite the emphasis on synergies between migration and development, EU expenditure remains overwhelmingly focused on control measures (SIDINT 2006).

The creation of the European border agency Frontex in 2005 is the most significant institutional development in common migration management. Frontex co-ordinates control measures between member states, as well as co-operation with third countries. Since 2006 operations have engaged third-country authorities in
joint patrolling beyond European territory, and in identifying migrants for the purpose of readmission. Extraterritorial patrols are part of the ongoing ‘outsourcing’, ‘externalising’ or ‘extraterritorialising’ of European migration control (Boswell 2003; De Haas 2008; Gammeltoft-Hansen and Gammeltoft-Hansen 2008).

The co-operation-oriented policy narrative does not necessarily meet the conditions of consistency, coherence and plausibility that characterise appealing policy narratives. The main reason for this is the elusive character of third countries: on the one hand, there is a presumption of common interests in the management of migration; on the other hand, ‘co-operation’ on migration is linked with pressure or concessions in other policy fields, such as development aid. Furthermore, there is a dual distrust in less developed third countries as partners. First, corruption, weak institutions and scarce resources could hamper effective implementation of agreed measures. Second, authoritarian rule and poor human rights standards could make effective implementation ethically problematic.

Protection of Migrants

The large-scale loss of life and the hardships of unauthorised migration have created calls for measures to protect migrants. European authorities have sought to combine security concerns with protection of migrants’ lives. Measures to contain boat migration are typically presented as serving to prevent both illegal immigration and the loss of migrants’ lives during perilous journeys. The life-saving objective is sought in two ways: by preventing migrants from embarking on dangerous journeys, and by using surveillance capacity to rescue migrants in distress.

In terms of narratives, protection of migrants is not only a policy objective, but also a rhetorical tool for justifying control measures. By emphasising the dangers of migration, policies that prevent migrants from departing can be framed as benevolent and protective. Similarly, accounts of cynicism, greed and cruelty among smugglers are used to justify aggressive operations against human smuggling. In Spain, for instance, the human smugglers implicated in boat migration from Africa are consistently referred to as ‘mafias’. Despite these portrayals, human smuggling is highly heterogeneous: many operations are small-scale rather than part of criminal networks, and migrants often get the service they pay for without being exploited. Furthermore, the distinction between smugglers and clients can be blurred in ad hoc arrangements of the type that are typical of West African boat migration. Measures against human smuggling often have indiscriminate effects on migrants, since professional smuggling services are a necessity for the vast majority of those who seek asylum in Europe, regardless of the merits of their claim.

Images of destitute and vulnerable migrants—which can seem at odds with the narrowly security-oriented narrative—underpin the policy narrative of protection. Because ostensibly protective intervention is often compatible with control measures, the narrative of protection achieves a sense of closure.

Options for Managing Unauthorised Migration

The themes of security, co-operation and protection define a field of tensions in which specific policy measures are formulated. In this section we review eight
policy interventions that address unauthorised migration from different angles. All are already being employed, albeit at disparate scales.

(1) Detection and apprehension of migrants
(2) Post-arrival processing
(3) Repatriation
(4) Pre-border surveillance and control
(5) Awareness campaigns in countries of origin
(6) Prevention of illegal employment in Europe
(7) Employment creation in countries of origin
(8) Programmes for legal migration

The first three represent the core of a traditional control-oriented approach, and the fourth relates to its externalisation. Points 5–8 represent alternative approaches, with an emphasis on incentives and decision-making as opposed to control. Each of the eight areas will be discussed in turn, with reference primarily to boat migration from West Africa to Spain. In addition to using documentary sources, we base the analysis on fieldwork data from Senegal, including semi-structured interviews with prospective migrants.

Detection and Apprehension of Migrants

Spain’s approach to managing unauthorised migration from Africa has focused on early detection and apprehension of arriving migrants. The cornerstone of this strategy is the external surveillance system SIVE (Sistema Integrado de Vigilancia Exterior), established in 1999 and operated by the Guardia Civil. SIVE is a technologically sophisticated system in which fixed and mobile devices detect suspicious vessels and send the information to a central command unit that co-ordinates interception (Carling 2007a).

Detecting and apprehending migrants is a prerequisite for managing migration in accordance with democratically founded laws and regulations. It is the first step in a chain of events that proceeds with administrative processing and, for those who are deemed inadmissible, removal from European territory.

The possibility of being apprehended can be a deterrent to unauthorised migration. However, this depends entirely on the probable consequences. The likelihood of apprehension is often irrelevant for those who apply for asylum. For others, apprehension is only a serious risk if it is likely to be followed by an expulsion order and effective repatriation. For many years, this outcome was the exception rather than the rule for sub-Saharan Africans arriving in Spain.

Measures to detect and apprehend migrants must be evaluated in terms of their effectiveness in reducing (a) the proportion of migrants who enter without being apprehended, and (b) the number of future entry attempts. It is difficult to use statistics on apprehensions as an indicator of success. First, because the number of undetected entries remains unknown, the number of apprehensions says nothing about the proportion of migrants who are apprehended. Second, undetected entries and fatalities en route also obscure the number of departures, and hence complicate the assessment of deterrence.
A falling number of apprehensions could thus have radically different explanations: a larger proportion of migrants could be entering unnoticed; potential migrants could be deciding against departing; or a greater proportion of migrants could be dying along the way. More likely than any of these, however, is that migration is simply taking different routes (Lutterbeck 2006; Collyer 2007; Cornelius and Salehyan 2007; Pécoud and de Guchteneire 2007; Spijkerboer 2007).

**Post-arrival Processing**

The case-by-case processing of apprehended migrants is a crucial element in migration control, linking physical persons to laws and regulations. Migrants’ identity and nationality must be established, and claims for asylum must be evaluated. In Spain, migrants can only be detained for a period of 40 days, though this is likely to be extended to 60 days upon the approval of the planned reform to the Spanish Aliens law (MTIN 2008). At the EU level, a directive has recently been approved establishing a common maximum detention period of six months. This period may be extended to 18 months in special circumstances (European Union 2008).

Post-arrival processing is decisive not only for European security objectives, but also for migrants’ rights. European authorities have an interest in closing the case before the detention period ends, and the time pressure can jeopardise the quality of the process. Migrants often withhold information or produce false evidence to delay identification (Broeders and Engbersen 2007). Longer detention periods may facilitate the enforcement of migration laws, but infringe on migrants’ personal freedom.

**Repatriation**

The aim of repatriation is to prevent migrants from remaining in destination countries without authorisation. In addition, effective repatriation constitutes a powerful signal to communities of origin that unauthorised migration is futile. It can therefore have a strong deterrent impact on future departures. Conversely, when large numbers of unauthorised migrants avoid repatriation and remain in Europe, this sends the message that papers are not so important after all.

Effective repatriation depends on co-operation with countries of origin and transit. This has long been a challenge in migration control. Thousands of unauthorised immigrants in Europe have been issued with expulsion orders that have been impossible to effectuate, and are left to reside in EU territory illegally. Re-admission agreements have therefore become a pivotal element in European co-operation with third countries. From a European perspective, it is desirable that third countries agree to re-admit both their own citizens and other migrants who have transited through their territory.

When unauthorised boat migration from West Africa to the Canary Islands peaked in 2006, Spain could repatriate Moroccan and Mauritanian migrants, but lacked re-admission agreements with most of the sub-Saharan African countries of origin. Co-operation with Senegal, the main sending country, facilitated the repatriation of
more than 6,000 migrants from the Canary Islands by the end of 2006 (Frontex 2007, 19; MIR 2008). Spain now has bilateral agreements, signed or in preparation, with most West African countries.

Our Senegalese fieldwork data attest to the effects of repatriation. The majority of our informants saw the pirogue journey as less worthwhile as a result of the Spanish–Senegalese co-operation on repatriation. Being repatriated after making the journey to Spain was often described as profoundly humiliating. The Senegalese government was accused of betraying its youth by agreeing to repatriate them; some of the first deportees from the Canary Islands staged protests to express their frustration.

Pre-border Surveillance and Control

European authorities increasingly seek to obstruct unauthorised migrants before they reach European territory. In the case of maritime migration, such a strategy centres on patrolling in the territorial waters of third countries, their exclusive economic zone (EEZ) or the high seas. Joint patrolling along the West African coast has been co-ordinated by Frontex as a series of operations with participation from a dozen European countries. The first operation, Hera II, was launched in 2006 and encompasses surveillance by sea and air in the waters of Mauritania, Senegal and Cape Verde. Subsequent agreements with Gambia, Guinea-Bissau and Guinea also allow joint patrolling of the EEZ of these countries.

Patrols beyond European borders have two distinct effects on boat migrant arrivals: interception and return of boats that have already departed (a direct effect), and discouragement of new departures (an indirect effect). Over the first two years of such patrolling, migrant arrivals on the Canary Islands dropped by more than three quarters. The direct effect of patrolling has been significant; an estimated four out of 10 migration attempts were thwarted by patrols in 2008, compared to one out of 10 in 2006.\(^2\) Most of the reduction in arrivals, however, was due to a sharp decline in the number of departures. There is no way of knowing what role patrols played in discouraging migrants from setting off.

Our qualitative interviews in Senegal provide mixed evidence on the deterrent effect of the Frontex-co-ordinated patrols. On the one hand, it was widely known that there was more patrolling, making interception and return more likely. On the other hand, prospective migrants pointed to the fact that the small wooden boats are often not detected by radars, and that patrols cannot possibly cover the entire coast. The prospect of being deflected by patrols was consequently seen as a question of luck, much like encountering bad weather or technical challenges. Besides, migrants are not easily discouraged by a first diversion, and are often willing to try again. In some cases, organisers may provide a second attempt without charging additional fees, or reimburse part of the original payment.

The fact that many prospective migrants did not appear discouraged by the patrols seems at odds with the evident reduction of pirogue departures. A possible interpretation of our findings is that patrols have a weak effect in deterring migrants themselves, but are more effective at deterring organisers. At the risk of imprisonment, fewer may be willing to arrange journeys.
Just as efforts to detect and apprehend migrants at the border have led to shifts in smuggling routes, patrolling in African waters has been followed by a relocation of departure points. After Frontex-co-ordinated patrols began their activities in Mauritanian and Senegalese waters in 2006, departures shifted south from northern Mauritanian to Senegal and even to Gambia, Guinea-Bissau and Guinea. Patrols off West Africa have apparently also contributed to a more radical shift in smuggling routes, with more West Africans now travelling across the Sahara, through Libya to Malta and Italy (Lutterbeck 2009).

Many of our informants were convinced that patrols would eventually leave and that pirogue departures would rebound. Given the need for co-operation with third countries, it will, indeed, be a challenge to sustain patrols on a permanent basis. The issue of migration control is contentious, and African governments may come under pressure from domestic politics and reconsider their stance.

Awareness Campaigns in Countries of Origin

Information campaigns about the risks of unauthorised migration or the difficulties of undocumented life in Europe have the aim of discouraging departures. In Senegal, messages about the dangers of migration by pirogue have appeared on radio, TV, newspapers, billboards and T-shirts, sponsored by the Senegalese and Spanish governments, the European Union and the International Organization for Migration (IOM). Such campaigns can play a humanitarian role if they provide new information to prospective migrants. The effects on behaviour are uncertain, however, because such information tends to be filtered by previously held opinions (Nieuwenhuys and Pécoud 2007).

There are three reasons for the limited effect of awareness campaigns on discouraging migration. First, potential migrants may consider themselves better informed about the risks than those producing the campaigns. For instance, many prospective boat migrants are fishermen who are familiar with life at sea. Second, when potential migrants perceive that information campaigns are driven by vested interests, they are likely to dismiss them as biased propaganda. In Senegal, there is widespread awareness of European desires to persuade Africans to stay at home, and the campaigns are interpreted in this light. Many people also saw the Senegalese government as campaigning to preserve its own image; large-scale undocumented migration can be seen as an embarrassment that undermines the government. Third, awareness campaigns may be irrelevant to prospective migrants who consider the attempt at changing their life to justify the risks involved.

Awareness campaigns are harmless interventions in the sense that migrants’ safety or integrity is not directly affected. However, as the UN Special Rapporteur on the human rights of migrants has pointed out, these awareness efforts do not inform migrants of the rights to which they are entitled (UNHRC 2008). In other words, information campaigns ostensibly seek to protect migrants by warning against the dangers of migration, but are primarily geared to shielding Europe from migrant arrivals.
Prevention of Illegal Employment in Europe

The flow of unauthorised boat migrants to Europe has been sustained in part by the opportunities for illegal employment in Europe. The work opportunities available to undocumented migrants in Europe undermine the message that migration must be undertaken through legal channels. This has been acknowledged at the EU level, and in early 2009 the European Parliament adopted the so-called ‘sanctions directive’ which lays down standard penalties for employers of illegal immigrants. Penalties include prison terms in serious cases, and extend to employers whose subcontractors use illegal immigrants.

The prevention of illegal employment in Europe has been hampered not only by the practicalities of enforcement, but also by conflicting domestic interests. Certain sectors of the economy benefit from the cheap, flexible labour power of illegal residents. Furthermore, if irregular migrants are already present, preventing them from working would clearly endanger their livelihoods. At the same time, effective prevention of illegal employment could contribute significantly to reducing migration pressure without jeopardising the rights of migrants in need of protection.

Employment Creation in Countries of Origin

There has been a growing tendency since the late 1990s towards ‘preventive’ migration control, seeking to tackle the root causes of migration in order to influence the decisions of prospective migrants (Boswell 2003). This preventive logic is, in a sense, the softer side of the ‘comprehensive’ approach to migration. Following the strategy laid down at the European level, Spain’s Africa Plan 2006–08 targeted the ‘integrated field of migration and development’ in a larger framework of co-operation efforts (MAEC 2007, 72). In Senegal the Plan REVA (Retour Vers l’Agriculture), which seeks to create employment through a ‘return to agriculture’, receives financial support from Spain. Employment creation in agriculture and fishery is expected to deter young people from attempting unauthorised migration (Senghor 2006).

Promoting development in areas of origin is desirable in its own right, but effects on stemming migration should not be overestimated. Improvement of economic capacity across the population at large is, in the short to medium term, more likely to increase migration aspirations than to diminish them (Bakewell 2008; De Haas 2006).

Our Senegalese fieldwork data indicate that prospective migrants show little interest in government initiatives to promote employment and development. Plans such as REVA are often dismissed as unlikely to succeed or irrelevant to individual ambitions. Lack of faith in this scheme was justified by reference to similar, failed plans, and to low expectations of the government more generally. Other observers agree that large sections of Senegalese youth do not perceive a ‘return to agriculture’ as a realistic alternative to emigration (Ba 2007).

Migration aspirations are affected by people’s material ambitions, and their assessment of possible strategies for realising these ambitions (Carling 2002).
local communities in Africa, migration stands out as a unique opportunity for social mobility. While employment creation in the short term may have marginal effects on migration flows, establishing local avenues for social mobility is essential in the longer term. A labour market based on meritocracy and rewards for education and training are pivotal in this respect. These are structural changes that may require a replacement of generations as well as long periods of economic growth and sound policies.

Programmes for Legal Migration

The final approach to managing unauthorised migration follows a different logic: instead of stemming migration altogether, this approach seeks to redirect migration from unauthorised to legal channels. A number of projects with this aim already exist in sending regions (European Commission 2007). The Spanish government established an employment bureau (Consejería de Trabajo y Asuntos Sociales) in Senegal in December 2006. The aim of this office is to facilitate regular migration from Senegal to Spain, including a system known as ‘hiring at the origin’. Through yearly quotas, this system regulates short-term hiring of foreign workers in their home country. Our Senegalese informants were very positive about this initiative. Many attributed the decrease in pirogue departures to the expectations created by the programme, saying it would no longer make sense to risk one’s life if there are opportunities for migrating safely and legally.

Still, there are factors that challenge the effectiveness of this scheme. Spanish authorities have left the allocation of contracts to Senegalese authorities, partly in order to facilitate similar contributions from other European countries. In Senegal, there were widespread allegations and press reports that contracts had been allocated on the basis of nepotism or political interest, or even sold (Kandji 2008). Regardless of the veracity of these allegations, perceived mismanagement harms the credibility of promoting legal migration. This perception could even exacerbate prospective migrants’ conviction that Senegalese society is dominated by nepotism and that their only chance for upward mobility is through unauthorised migration.

All temporary migration schemes are faced with the challenge of ensuring that workers return when their contracts end. As a measure for reducing unauthorised migration, such programmes are limited in three additional ways. First, as long-term measures, they are constrained by their sensitivity to economic cycles. After the onset of recession in Spain in 2008, ‘hiring at the origin’ was reduced drastically.

Second, the introduction of programmes for legal first-time immigration can be hampered by domestic politics. If there is already a population of unemployed, undocumented immigrants, why should they not be given contracts first—before bringing in new ones? This question can easily be countered within the logic of migration management: facilitating legal migration and repatriating illegal residents both serve the purpose of reducing unauthorised migration; rewarding illegal residents with contracts and residence permits could have the opposite effect. In the sphere of politics, however, this approach could, for different reasons, be unacceptable to both the left and the right. In Spain and Italy, quota systems for legal
immigration have, in fact, been used to regularise migrants who were already in those countries (Cuttitta 2007; Moreno Fuentes 2008).

Third, the overall effect of temporary migration programmes on migration pressure is unclear. For the foreseeable future, the demand for legal migration opportunities will vastly exceed the number of such opportunities that European states are willing to supply. As a result, programmes for temporary migration will only have a marginal direct effect on migration pressure. What matters is whether the success of a lucky few inspires others to wait and hope for their turn or if it encourages them to join the migrants’ ranks by unauthorised means.

Narratives and Mechanisms of Migration Management

Our review of eight measures for managing unauthorised migration illustrates how policy in this area can work through fundamentally different mechanisms. Three basic mechanisms can be distinguished. Direct control is achieved when migrants are obstructed from reaching Europe, or from entering or remaining in breach of European regulations. Deterrence is a possible secondary effect of such measures, occurring when prospective migrants observe the failure of others and decide against migration. Dissuasion also works preventively and targets prospective migrants, but through other means than the demonstrative impact of effective control. The identification of mechanisms completes a framework consisting of three dimensions of analysis:

- policy narratives;
- policy measures; and
- policy mechanisms.

The three policy narratives discussed at the beginning of the article focus on security, co-operation and protection. These are protruding features in a landscape of narratives that could also have been analysed in other ways. The eight policy measures reviewed in the preceding section, by contrast, represent a comprehensive empirical summary: these are the principal ways in which unauthorised boat migration is being addressed. Finally, the three mechanisms—direct control, deterrence and dissuasion—break down the workings of policy measures into logically distinct categories.

Table 1 shows how the eight policy measures reviewed in this article are related to the specific policy mechanisms and the three broad policy narratives. The first three measures are, as noted earlier, connected in a chain of events where the weakest link is decisive, hence the dashed lines in the table. These measures function through direct control and are closely linked to the security-oriented narrative. The construction of unauthorised migration as a security threat implies a call for protection of Europe. When this is the focus, direct control is fundamentally different from deterrence and dissuasion. The latter two can be more or less effective, but will never pass as firm protection. Despite the obvious limitations of direct control in practical terms, it embodies a theoretical possibility of watertight management.

Pre-border surveillance and deflection of migrants represents an ‘upstream’ extension of direct control. This extension is both geographical and jurisdictional. The
basic approach of direct control, however, remains the same. Pre-border patrolling stands out as a measure that appeals to a range of narratives: in security terms, there is attraction in keeping the problem at arm’s length and thereby minimising European liabilities. Because pre-border activities usually require participation of countries of origin or transit, they are also central to the co-operation narrative. Joint patrolling, for instance, is consistent with the idea that sending and receiving countries have a common interest in effective migration management, and that this can best be achieved through partnership. Finally, pre-border surveillance has, as we have seen, been justified in terms of protecting migrants from the dangers of boat migration. The analysis of policy narratives thus contributes to explaining the externalisation of European migration control: ‘external’ measures such as pre-border patrolling suit several different narratives.

Policy measures aimed at curtailing illegal employment in Europe represent direct control in the sense that migrants may lose their livelihood and be repatriated. Since such measures usually target employers, however, their primary role is to shrink the black economy and thereby deter prospective unauthorised migrants from departing. Interventions against illegal employment are often couched in terms of protecting migrants from abuse.

When policy measures are effective in exercising direct control of migration, deterrence is a possible secondary mechanism. This will be addressed in a later section. Dissuasion, in contrast to deterrence, is not directly dependent on the efficacy of direct control measures. Among the eight policy measures reviewed, three rely on dissuasion: awareness campaigns in countries of origin, employment creation in countries of origin and programmes for legal migration. The latter two can be seen as counterparts of awareness campaigns: they seek to create alternatives to the behaviour that campaigns warn against. Dissuasive measures are closely linked to the narrative of co-operation; they are founded on a notion of shared interests in

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controlling migration, and are largely incompatible with an image of sending countries as hostile or repressive.

**Policy and Migrant Vulnerability**

Analysing the narrative foundations of policy measures has yielded two insights of particular relevance to migrant vulnerability. First, externalised migration control, for instance in the form of pre-border patrolling, is a politically robust approach because it can align with several alternative policy narratives. Second, there are significant overlaps between direct control mechanisms and the narrative of protection. This section will address the implications of these two findings for migrant vulnerability. In conclusion we will consider the role of deterrence in light of long-term strategic and normative priorities.

**Externalisation and Its Consequences**

The firmly established security-oriented policy narrative upholds the emphasis on direct control of migration. Direct control measures can produce a vicious cycle when more effective control leads to new smuggling strategies rather than a reduction in migration. New smuggling strategies, in turn, produce new control measures. This cycle can take the form of geographical relocation, organisational changes or technological innovation on the part of smugglers (Sandell 2005; Lutterbeck 2006; Carling 2007a; Cornelius and Salehyan 2007; Spijkerboer 2007). If post-arrival processing and repatriation become more effective, while opportunities for illegal employment persist, migrants will have much greater incentives to avoid apprehension at the border. This could easily entail even greater costs and risks.

This potential vicious cycle is a source for concern. From a normative perspective, it is nevertheless relevant to note the following: if apprehension at the border, post-arrival processing and repatriation are carried out effectively and in accordance with European laws, migrants primarily stand to lose if they seek to circumvent those laws. Externalised migration control, by contrast, produces another layer of vulnerabilities.

First, obstructing migrants beyond European borders can deprive them of the right of every person to leave any country, including their own, established in Article 13 (2) of the Universal Declaration of Human Rights. This also means denial of the rights obtained at the borders of Europe: the possibility to seek asylum and to appeal refusal of entry.

Second, externalisation involves expanded roles for transit country governments, and concomitant vulnerabilities to migrants. Transit countries are under pressure to obstruct migrants headed for Europe as well as to re-admit migrants who have reached Europe. Authorities in key transit countries, including Libya, Mauritania and Morocco, have been accused of arbitrary arrest and detention of migrants, mistreatment of detainees and collective expulsions in inhumane conditions.

Third, migrants’ rights are potentially undermined by unresolved legal aspects of extraterritorial control measures. In particular, it is unclear which jurisdiction
regulates the joint patrols off the African coast. If interceptions are carried out under local jurisdiction, migrants are excluded from the legal provisions that apply at the Schengen border. In its brief public description of operation Hera 2008, Frontex (2008) states that ‘a Mauritanian or Senegalese law enforcement officer is always present on board of deployed Member States’ assets and is always responsible for the diversion’. Thomas Gammeltoft-Hansen (2008, 15) has argued that this attribution of jurisdiction to local authorities amounts to a ‘sovereignty game’ played by states to avoid certain legal obligations.

The Double-Edged Sword of Protection

Security-oriented control measures are limited not only by practical and financial considerations, but by the ‘liberal constraint’ under which European democracies operate (Boswell 2007). The narrative of protection has, in some ways, unlocked this constraint. This is because, as noted earlier, the hardships migrants face can be turned around to label control measures protective and benevolent. If we are keeping migrants out of the hands of unscrupulous smugglers and exploitative employers, and preventing them from risking their lives at sea, are we not doing them a favour? This implicit argument is an increasingly common element of control measures. The official descriptions of Eurosur, SIVE and Frontex’s Hera operations all emphasise the humanitarian role of border control.

The logic of the control-cum-protection argument falters when alternatives for migrants are considered. For instance, Frontex (2007, 12) claims that deflecting migrant vessels off West Africa has been ‘contributing to the reduction of human lives lost at sea during the dangerous long journey’. The purported life-saving effect is based on the questionable assumption that migrants are spared the dangers of the journey and remain in safety in Africa. If however, they make additional attempts, or set off on another route, the diverted migrants could be exposed to a greater total of migration-related risk. Similarly, cracking down on human smuggling does not help migrants if they depend on smugglers to escape persecution, or if the interventions make smuggling more dangerous and expensive.

Control measures can have a genuinely protective effect if they are coupled with search and rescue capacity and serve to assist migrants in immediate distress. There could also be an indirect element of protection if the number of future departures is reduced through deterrence. The claim to life-saving is unjustified as long as these effects are overshadowed by redirection to other routes or repeated migration attempts.

The Potential of Deterrence

Direct control measures should, as implied above, be developed with a view to minimising migrants’ exposure to risk. In addition, we would argue, they should be designed to strengthen the deterrent effect. Only in this way will such measures contribute to the long-term management of unauthorised migration. The human costs will be reduced if fewer migrants set off on journeys that will end in involuntary return.
Several studies on the US–Mexican border have concluded that border enforcement has little deterrent effect, at least in the long term (Espenshade 1994; Cornelius 2001; Dávila et al. 2002; Reyes et al. 2002; Cornelius and Salehyan 2007; Fan 2008). This is partly because migrants maintain their determination to cross the border despite the greater risks and costs. Furthermore, since control measures have been concentrated on specific border segments, the result has tended to be diversion to other routes rather than deterrence.

Despite the findings from the US–Mexican border, deterrence should not be discredited as an element in migration management. What matters is the likely outcome of the individual’s overall migration project, not simply the probability of being obstructed on the way. If migrants who make it to Europe are efficiently processed and—unless in need of protection—swiftly repatriated, there is reason to believe that many others will be deterred from making a similar attempt. As long as prospective migrants see the outcome of their migration attempt as a question of luck, however, returning individual migrants has limited effect on future migration pressure.

Awareness campaigns may point to the efficacy of control measures, and thereby strengthen their deterrent effect. As noted above, however, such campaigns are constrained by the perceived vested interest of the source. The deterrent effect of deportees disembarking from a plane can thus be considerably higher than the dissuasive effect of an information campaign.

Our analysis suggests that repatriation after arrival has a greater deterrent effect than return by patrols in African waters. This provides a case for investing in effective post-arrival processing and repatriation, rather than in pre-border patrolling. The jurisdictional issues of interception in African waters further support this suggestion.

This article has sought to connect migration policy measures with underlying policy narratives, and to identify the specific mechanisms through which the policy measures function. Doing so helps to explain the prominence of certain approaches. Furthermore, it can expound the implications of policy choices. This matters because unauthorised migration will remain a challenging policy area that warrants open debate of strategic and normative priorities.

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Notes

1. Being apprehended can be a liability to asylum seekers who have passed through countries to which they risk being returned.
2. Calculated on the basis of statistics from the Spanish Ministry of Interior and Frontex. The estimate disregards migrants who arrived undetected or died en route.

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