Migration and Migrations: 
Non-EU Countries migratory flows towards Europe

Since half of the decade of the nineties of the last Century, the EU is trying to articulate a Common Immigration Policy. The need for a common external borders control is a consequence of the abolishment of the internal borders pursuing the completion of a Single Market.

The EU aims at becoming more than just a unified transnational economic area: one of its main aspirations is to become an Area of Freedom, Security and Justice which guarantees freedom of movement and residence to its more than 500 million citizens all across the internal borders of its 28 Member States.

The suppression of internal borders control is possible due to the Schengen Agreement, to which 26 European States are parties. 4 of the EU Member States do not have in the Council of the European Union’s view the security requirements in order to fully integrate the Schengen Area: they are Croatia, Cyprus, Bulgaria and Romania; however they are obliged to finally integrate this Area.
United Kingdom and Ireland, on their behalf, are excluded from the Schengen Area by means of an opt-out. On the contrary: States that do not belong to the EU in fact are within the Schengen Area, it is the case of Norway, Switzerland, Iceland and Liechtenstein, and also, de facto, some of the European Microstates (San Marino, Monaco and the Vatican, not Andorra).

Following to the popular uprisings in some South Mediterranean Arab Countries, the so-called “Arab Springs”, and specially to the events in Tunisia and above all Libya (with the massive affluence to Lampedusa of potential refugees escaping from the civil war), during 2011, some EU Member States pushed the European Commission to reintroduce internal border controls (Denmark or France). The economic and financial crisis has increased the level of hostility not only towards third country immigrants but also to some of the EU citizens (in United Kingdom public opinion has been conducted to oppose the arrival of new workers from Bulgaria and Romania, even if the UK is far less concerned than Spain or Italy are).

Xenophobic movements are emerging as feasible options for the next elections of the European Parliament in 2014, Geert Wilders in Netherlands or Marine Le Pen in France, are strong candidates in their respective countries, with a common alliance for the European Parliament elections\(^1\).

In spite of populist and opportunist political discourses the migratory pressure is not the same for all the EU Member States. The EU is strengthening regional dialogue and partnerships with the Southern Mediterranean and Sub-Saharan Africa, Latin America and Eurasia (Armenia, Azerbaijan, Georgia, Moldova, Ukraine and Belarus) with two, among others, main objectives: a) improving the organization

\(^1\)
of legal migration and facilitated mobility; b) preventing and reducing irregular migration in an efficient, yet humane way.

Migration statistics

“In 2011 there were 33.3 million foreign citizens resident in the EU-27, 6.6% of the total population. The majority, 20.5 million, were citizens of non-EU countries, while the remaining 12.8 million were citizens of other EU Member States”. The main countries of origin of the legal immigrants (third country nationals) in the EU 27 in 2011 were in this order: Turkey, Morocco, Albania and China.

Irregular immigration:

Irregular immigration has three main routes in Europe: a) Ceuta and Melilla fences (Spain), b) Lampedusa (Italy) and c) Greece (immigration from Central Asia, especially from Afghanistan). Permeability of the South borders of Morocco, Algeria, Libya or Tunisia to immigration coming from Sub-Saharan Africa and Sahel is both a challenge for security and human rights. Incentives for immigration of young people do not cease to increase due to the instability in Mali, Central African Republic, South Sudan...

However, it has been said that “most irregular migrants do not cross the borders illegally but rather arrive through legal channels with a tourism visa, a student visa, without a visa, with a fake passport or visa”. Finally, from the human rights

2 http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/immigration/index_en.htm
"There were 48.9 million foreign-born residents in the EU in 2011, 9.7% of the total population. Of these, 32.4 million were born outside the EU and 16.5 million were born in another EU Member State.
4 “…border controls attract the public eye but do not manage to tame the flows, especially given that once irregular migrants arrive in a country, they are often non-deportable because their identity cannot be established. Moreover, when the source or transit countries from which they come do not cooperate, returning these migrants to their countries of origin becomes virtually impossible, so that the only thing to do is set them free after a short period of police
protection point of view other serious matter is the fact that every year more than 10,000 unaccompanied minors arrive in the EU Member States (most from Afghanistan).\(^5\)

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detention. Following from the Return Directive, of course, EU Member States have to either forcibly expel irregular migrants or issue them with a temporary residence document … Detention periods have recently been extended in both Italy and Greece up to 18 months, however actual detention periods are a few days on average for the simple reason that the capacity of detention centres is very limited and detention as such is very costly in material and human resources (police officers, cost of managing the detention centres). See Anna Triandafyllidou and Maurizio Ambrosini, "Irregular Immigration Control in Italy and Greece: Strong Fencing and Weak Gate-keeping serving the Labour Market", European Journal of Migration and Law 13 (2011), p. 272, available in: http://cadmus.eui.eu/bitstream/handle/1814/24734/EMIL_013_03_251-74_TriandafyllidouAndAmbrosini2011.pdf?sequence=1