

La carga de la inmigración en el Mediterráneo en el ámbito comunitario

The burden of immigration in the Mediterranean at EU level

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RESUMEN

Este documento se enfrenta a la cuestión de la inmigración, analizando cómo se aborda tanto desde la Unión Europea, como desde Italia. El documento se centra en el estudio sobre la inmigración en la zona sur del Mediterráneo. El trabajo se divide en dos puntos. En el primero de ellos, el estudio describe un panorama histórico de cómo la inmigración se trata en la UE. El segundo punto, va más allá con la inclusión de África y otros temas de actualidad.

Palabras Clave: Unión Europea, Inmigración

ABSTRACT

This paper faces the issue of the immigration, analyzing how it is tackled by the EU and Italy. Considering the size of the subject, the paper concentrates the study on immigration in the southern Mediterranean area. The work is divided into two points. In the first one, the study describes an historical overview of how immigration is faced by the EU. The second point goes further with the inclusion of Africa and other current issues.

Keywords: European Union, Immigration

Clasificación JEL: B15

1. INTRODUCTION

The idea of this work is due to the thousands of immigrant arrivals especially from Africa during the last months overall to the tiny Italian island of Lampedusa (the nearest geographical arrival point in the central Mediterranean for would-be migrants to enter the EU from North Africa), and the consequent laughing of many estimate persons I have met around Europe in the last years.

So, in this paper I face the issue of the immigration, analyzing how it is tackled by the EU and Italy. Considering the size of the subject, I shall concentrate on immigration in the southern Mediterranean area.

I have divided my work in two points. In the first one, I make an historical overview of how immigration is faced by the EU. In the second point, I move also to Africa and I treat the current issues.

2. THE PERMEABILITY OF BORDERS NEEDS COOPERATION

For the European Union, immigration becomes a matter around thirty years ago, when “the growth of migration in the late 1980s and throughout the 1990s has forced Western nation-states to reconfigure their policies”².

Tied together with the creation of the European common market, the borders between the member states gradually dissolved, and an immigration policy at European Union level began: “the goal of removing physical barriers to the movement of persons inside the single market forced the member states to address the issue of the movement of persons across the external borders of the EU”³.

So, in 1986, following the Single European Act, which was built with the aim of removing all physical barriers to the movement of services and labour as part of the single market, the member state governments for the first time set up a Working Group on Immigration: “this was an intergovernmental body of officials from interior ministries outside the EU institutional structure, and through this informal cooperation the governments agreed... on immigration policy”⁴.

In 1992, the Maastricht Treaty regularized this intergovernmental network into the fields of justice and home affairs (JHA), the third pillar of the EU: “The JHA pillar established... immigration policy and policy towards third-country nationals as areas of common interest to the member states”⁵.

However, this development was more an institutionalization of the existing intergovernmental provisions than a new supranational competence: “Decision-making remained by unanimity, the Commission still had no right of initiative, and there was no role for the EP or the ECJ”⁶.

Even if under the JHA provisions, justice and home affairs ministers began to meet on a more regular basis to adopt more common policies, “these policies tended to be non-binding resolutions and recommendations, rather than directly effective joint actions or decisions”⁷.

In 1997, the Treaty of Amsterdam transformed justice and home affairs “from a peripheral aspect, to a focal point of European integration”⁸. In fact, as Simon Hix writes: “The Amsterdam Treaty brought immigration and asylum issues into the European Community section of the European Union treaty”⁹.

In line with the Amsterdam Treaty goals, in October 1999 the Tampere European Council set out the basic elements of EU immigration policy, approving an action plan to bring about an area of freedom, security and justice. In fact it was said: “There should be a comprehensive approach to the management of migration”¹⁰.

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The Nice Treaty then “reinforced the supranational procedure”¹¹, but afterwards, in the years 2000, the Commission and the Council, even if proposed and adopted “a series of measures in the specific area of asylum... The member states still control most aspects of immigration policy”¹².

The reasons why, in regard to the management of immigration, especially labour migration, the governments have been unable to agree upon a common policy is so explained: “This is where the fear of losing the national capacity to act is most pronounced: for many governments, the decision on who should be allowed to immigrate, under what conditions, and for what reasons, continues to be a core aspect of national sovereignty and state governance”¹³.

But, on the other hand, other countries “want a pan-European migration policy so as to put pressure on countries outside the EU to take back more illegal entrants”¹⁴.

The Lisbon Treaty, if ratified, “states for the first time that member states will support any EU country faced with a sudden influx of refugees”¹⁵.

At present, the huge arrival of immigrants from Africa is continuing, and Italy is demanding to Europe to do something more about migration. In the next point of my essay I speak of this issue.

3. AFRICA, EUROPEAN UNION AND ITALY

Nowadays, Africa is the continent of most importance to EU policy-makers working on migration and “the member-states can do very little to manage the growing numbers of African migrants coming to Europe each year without help from African countries”¹⁶.

For managing the flow of people between Africa and Europe better, EU is working, from one side, with the “African countries to strengthen border controls, take back illegal immigrants, increase local employment opportunities and help protect refugees”¹⁷.

For this reason, a partnership between the European Union and the African Union has been created. Since the year 2000, EU and African ministers dealing with immigration have met in different times. It is worthy to recall the meeting in 2006 in Burkina Faso, where “EU and African governments arranged plans to improve job opportunities in the African regions with the highest going out migration. The EU has promised to fund education and training programmes focused on local needs”¹⁸.

But beyond marvellous declarations, serious actions have still to be taken. That’s why the European Union is still also working in itself to improve its immigration policy, that is not yet satisfying some member.

For example Italy is not happy with the EU, because it feels let alone, tackling the huge fluxes of entrants coming from North Africa. Recently, Italian Foreign Minister Franco Frattini said “He expected a *proportional criterion* from the EU to share the burden of the thousands of migrants who cross the Mediterranean each year”¹⁹. Frattini also said that: “All 27 EU members must take up the burden, today largely shouldered by Italy, Malta and Spain”²⁰.

Encouraging, the EU’s duty president, the Swedish Premier Minister Carl Bildt, “has promised that spreading the load would come up for discussion by EU ministers at the end of October”²¹.

In the meantime, since May, Italy has introduced a new “push-back” immigration policy. Acting like this, at the end of August seventy-five refugees were intercepted off the southern coast of Sicily and “the mainly Somali migrants were boarded onto an Italian patrol ship to be transported back to Libya”²².

As a result of this policy, “Italy has seen a sharp drop in arrivals”²³, as Italian Interior Minister Roberto Maroni said in September: “The policy had resulted in a 90% drop in migrant arrivals since it was launched in May – From May 1 to August 31 2008 more

than 15.000 migrants who set out from Libya landed in Italy. During the same period this year, we had 1,400 people, a 90% drop, - Maroni said”²⁴.

But this kind of policy has been criticized from the United Nations High Commissioner for Human Rights Navy Pillay. She blamed “the practice of forcibly escorting migrants at sea back to their point of departure”²⁵.

In fact, the problem is still the weakness of the joint EU patrols. Interior Italian Minister Roberto Maroni said: “EU border agency Frontex should be given a larger role to carry out repatriation flights and deal with the holding and identification of illegal immigrants via a European structure”²⁶.

Frontex is the EU’s young border agency responsible for co-ordinating border management across most of Europe.

Only a joint action to strengthen borders will probably mean an end to illegal immigrants.

4. CONCLUSIONS

We have seen that a lot has been made to create a European migration policy and the Lisbon Treaty (if ratified) “will switch all remaining EU decisions on asylum, immigration and integration to qualified majority voting after 2009”²⁷.

On one side, if works in the policy rooms are in progress, on the other side mass migrations are going on: “Coastal patrol services are overwhelmed and medical and social services are ill-prepared to deal with the resulting humanitarian emergency”²⁸.

In conclusion, I suggest that instead of to make fun of Italy which suffers continuing illegal immigration fluxes across the Mediterranean, it is better to consider how long Italy has called on the European Union to provide more assistance in stopping the flow and to consider how long the EU needs to coordinate its response.

As the Swedish president has promised, the end of October will be an important turning point, because, hopefully, a plan will be decided and drafted. Italy, still declaring its support for common action, expects cost-sharing as well as joint EU patrols and attracts attention to the fact “its location on the EU’s southernmost border means it has to cope with a disproportionate number of arrivals”²⁹.

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