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# IRREGULAR MIGRATION IN THE SOUTH EASTERN MEDITERRANEAN: SOCIO-POLITICAL PERSPECTIVES

*Shahira Samy*

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**CARIM Analytic and Synthetic Notes 2008/69**

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**Irregular Migration Series**

*Socio-Political Module*

Cooperation project on the social integration  
of immigrants, migration, and the movement  
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**CARIM**  
**Euro-Mediterranean Consortium**  
**for Applied Research on International Migration**

**Analytic and Synthetic Notes – Irregular Migration Series**  
**Socio-Political Module**

**CARIM-AS 2008/69**

**Irregular Migration in the South Eastern Mediterranean:**  
**Socio-Political Perspectives**

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This publication is part of a series of papers on the theme of Irregular Migration written in the framework of the CARIM project and presented at a meeting organised by CARIM in Florence: "Irregular Migration into and through Southern and Eastern Mediterranean Countries" (6 - 8 July 2008).

These papers will also be discussed in another meeting between Policy Makers and Experts on the same topic (25 - 27 January 2009). The results of these discussions will be published separately. The entire set of papers on Irregular Migration are available at the following address: <http://www.carim.org/ql/IrregularMigration>.

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## **CARIM**

The Euro-Mediterranean Consortium for Applied Research on International Migration (CARIM) was created in February 2004 and has been financed by the European Commission. Until January 2007, it referred to part C - “*cooperation related to the social integration of immigrants issue, migration and free circulation of persons*” of the MEDA programme, i.e. the main financial instrument of the European Union to establish the Euro-Mediterranean Partnership. Since February 2007, CARIM has been funded as part of the AENEAS programme for technical and financial assistance to third countries in the areas of migration and asylum. The latter programme establishes a link between the external objectives of the European Union’s migration policy and its development policy. AENEAS aims at providing third countries with the assistance necessary to achieve, at different levels, a better management of migrant flows.

Within this framework, CARIM aims, in an academic perspective, to observe, analyse, and predict migration in the North African and the Eastern Mediterranean Region (hereafter Region).

CARIM is composed of a coordinating unit established at the Robert Schuman Centre for Advanced Studies (RSCAS) of the European University Institute (EUI, Florence), and a network of scientific correspondents based in the 12 countries observed by CARIM: Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, Palestine, Syria, Tunisia, Turkey and, since February 2007, also Libya and Mauritania. All are studied as origin, transit and immigration countries. External experts from the European Union and countries of the Region also contribute to CARIM activities.

The CARIM carries out the following activities:

- Mediterranean migration database;
- Research and publications;
- Meetings of academics;
- Meetings between experts and policy makers;
- Early warning system.

The activities of CARIM cover three aspects of international migration in the Region: economic and demographic, legal, and socio-political.

Results of the above activities are made available for public consultation through the website of the project: [www.carim.org](http://www.carim.org)

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## **Abstract**

This paper highlights major socio-political dynamics characterizing irregular migration (IM) into and through Southern and Eastern Mediterranean (SEM) countries. The coverage and analysis provided have departed from the contents of the 10 national individual reports submitted to CARIM in the early summer and subsequently discussed during the workshop held in Florence on 7-8<sup>th</sup> July 2008. Reports were to act as analytical notes describing various situational aspects related to IM in each country respectively. The present paper takes a larger regional perspective, offering a conceptual framework for identifying and understanding the socio-political dynamics at stake in the region. The conclusion highlights major recommendations that need to be taken into consideration to come to grips with the controversies of irregular migration in the region.

## **Résumé**

Le rapport met en exergue les dynamiques sociopolitiques majeures caractérisant la migration irrégulière dans la région du sud et de l'est de la Méditerranée.

L'analyse se base sur le contenu et les conclusions de 10 rapports nationaux écrits dans le cadre du projet CARIM, présentés et discutés au cours de la session thématique (7-8 juillet 2008, Florence). Notons que ces rapports nationaux avaient pour objectif d'extraire les dynamiques et facettes saillantes et particulières de la migration irrégulière dans les pays du sud et de l'est de la méditerranée.

Dans une perspective régionale comparative, le rapport présent propose un ensemble d'instruments conceptuels afin d'identifier les facteurs sociopolitiques qui façonnent les enjeux de la migration irrégulière dans la région. La conclusion met en relief quelques recommandations essentielles à prendre en considération afin d'aborder les facettes controversées de la migration irrégulière dans le sud et l'est de la méditerranée.

## Introduction

This paper covers socio-political aspects associated with irregular migration (IM) into and through Southern and Eastern Mediterranean (SEM) countries. The coverage and analysis provided have departed from the contents of the 10 national individual reports submitted to CARIM in the early summer and subsequently discussed during the workshop held in Florence on 7-8<sup>th</sup> July 2008. Reports were to act as analytical notes describing various situational aspects related to IM in each country respectively. The present paper takes a larger regional perspective, offering a conceptual framework for identifying and understanding the socio-political dynamics at stake in the region.

In that context, the following SEM countries are included in this regional analysis: Algeria, Egypt, Israel, Jordan, Lebanon, Mauritania, the Occupied Palestinian Territories (OPT), Syria, Tunisia and Turkey.<sup>1</sup>

A first reading of the national reports pins down two overarching common observations which directly reflect the nature of IM in the SEM region. A marked rise, both in the de facto presence of IM in each country in question, as well as public awareness of the inflated phenomenon, are ubiquitous across the region. The second compelling observation to take notice of is the wide diversity of what constitutes IM in each country. In fact, this very diversity in approaching and probing IM, as apparent from the plethora of overviews presented in the national reports, makes it difficult to believe the national narratives have set out to explore one common phenomenon.

An overview of contents of each national report sheds light on this diversity. While the Algeria report analyses the discourse of policy-makers primarily in relation to problems of IM originating from the country into the European Union (EU), the Egyptian perspective approaches IM and its impact on its youth by tracing some aspects of its recent increase. Covering a different set of problems, the Israeli report attempts to illustrate how the Israeli government is baffled by the very new phenomena of African refugees and migrant workers entering its territories. Jordan, on the other hand, seems to be devising a set of policies based on maneuvering IM to maximize government domestic control. A unique macro political perspective discussing how border issues, put in the context of political conflict, affect the formulation of a notion of IM, is the approach adopted by the Lebanese analysis. Back to problems of IM pouring across state boundaries, the report from Mauritania invokes the country's struggle with transit migration. On the opposite side of the Mediterranean, coverage of IM in the Occupied Palestinian Territories (Opt) discusses at length categorization of Palestinian refugees, in addition to problems associated with the West Bank Palestinian migrant workers crossing into Israel. Syria, on its part, presents some aspects of the impact of the massive influx of Iraqi refugees flooding its territories over the last few years. Tunisia on the other hand takes a wider take on IM through the country with an attempt to highlight problems of youth in their entry to the EU and the restricted interest of civil society. Finally the Turkish report encompasses different aspects related to IM in Turkey placing particular emphasis on problems of transit migrating through its territories, in addition to the EU dimension in the formulation of Turkish policies.

This wide scope of contents and interpretations discerned in the reports is in itself indicative of some major characteristic of IM in the region: the fuzziness of the notion as well as the need for coining rigorous definitions in line with acknowledging the diversity of the phenomenon. In fact, this variation in the national reports denotes the authors' attempts to come to grips with questions such as: what exactly is IM? Who are the irregular migrants? Why are they irregular? What has caused this phenomenon? And how are state policies dealing with the problem.

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<sup>1</sup> It is worth noting that both Morocco and Libya are absent from the analysis as no national reports covering those two countries were submitted.

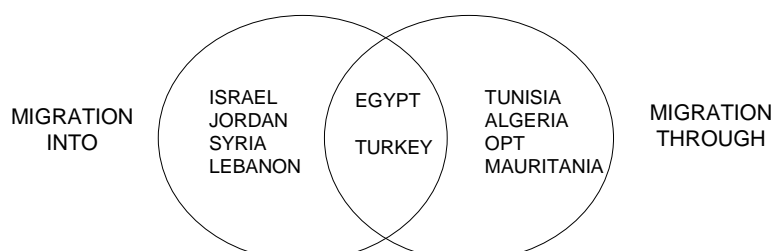
Addressing such pertinent questions differently has in turn created a range of patterns related to the phenomenon of IM in the SEM Region. Such patterns enclose an array of dynamics interacting together. Outlining those patterns and dynamics is, indeed, the objective the present paper has set out to probe.

In essence, the paper focuses on conceptualizing the socio-political dynamics of IM at stake in the region. By identifying the major patterns and socio-political dynamics affecting IM in the various countries, major characteristics identified shed light on key aspects in SEM Irregular migration and related policy-making responses.

The paper is divided into five sections. The first section covers the general patterns of IM in the SEM region. Categorization of the various types of IM, as perceptible in the national reports, is outlined in section two. This is followed by an outline of the major causes of IM occurring in the SEM region. Section four tackles the socio-political dynamics of IM in the region. Based on the nature and analysis of those socio-political dynamics, some conclusions and observations are drawn about the regional aspects of IM and appear in the concluding section of the paper.

## I. Patterns of IM in the SEM:

**Figure 1: Patterns of IM in the SEM**



Two general patterns of IM in the SEM region can be detected from the national reports: *Migration into* (a state), represented by the left circle in the chart, is the movement of migrants into the territories of a specific state creating some aspects of irregularity, such as in the cases of Israel, Jordan, Syria and Lebanon.

On the other hand, the right circle represents the second pattern of IM in the SEM which is *Migration through* (a state). This is a movement of migrants across the borders of the country in question, constituting irregular entry into another country. Except for the OPT where *migration through* is associated with the state of Israel; Tunisia, Algeria and Mauritania's IM is normally related to illegal entry into the EU. The reader will notice that Egypt and Turkey fall at the intersection of

both patterns of flow of IM as both states channel flows of irregularity into, as well as through, their territories.<sup>2</sup>

It is worth mentioning that this outline of patterns serves as an indication and not as a rigorous division. The relevance of such a distinction relates to the fact that some of the socio-political dynamics may differ between the two patterns. This matter is further highlighted in section four.

## **II. Types (categories) of IM in the SEM**

One major observation to deduce from the national reports is how the lens with which to view IM is very much dependent on the dominant type of irregular migrants present in each country. Consequently, much like the importance attributed to identifying the two patterns of IM as in the previous section, an attempt to classify the main types of IM is another relevant distinction to make when considering the socio-political dynamics of IM in the region. Closely contemplated, attempting to identify the various types of irregular migrants is about answering the question: who are the irregular migrants and how do we define them?

In the present categorization of irregular migrants, this paper has added one additional type of IM to the three devised by the CARIM concept paper. The latter has identified three types of IM: irregular labour migrants, refugees and transit migrants.<sup>3</sup>

Adopting the conventional definition of refugees without much ado, the concept paper moves on to present its own definition of the two remainder types. Accordingly, irregular labor migrants are those migrants not responding to a formal demand for labor and who do not fulfill all the legal conditions of entry, stay and employment; and therefore may be considered undesirable by the government of the country in question. On the other hand, transit migrants are defined as people initially heading for regions further away but who remain blocked at their gate because they do not meet visa conditions. They respond to pull factors operating in a different region from that where they find themselves stranded and are therefore perceived and treated as unwanted.

A fourth type of IM present in the region was identified by the OPT national report. Israeli settlers, whose irregularity of presence is by virtue of living in illegal settlements on occupied Palestinian territory in violation of principles of International law, add to the three other types proposed by the concept paper. It may also be noted in this regard that this condition of irregularity associated with illegal settlements also concerns Syria insofar as the Israeli settlements in the Golan Heights are concerned.

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<sup>2</sup> The report on Egypt has only covered one aspect of the flow of migration through the country (Egyptian youth seeking illegal entry to the EU). As Egypt hosts a significant community of irregular migrants entering its territories (Migration into), I have taken this factor into consideration in the illustration of the chart.

<sup>3</sup> Thematic Session: Irregular Migration into and through Southern and Eastern Mediterranean Countries, available at: <http://www.carim.org/index.php?areaid=15&contentid=222>.



The four main types of irregular migrants in the SEM countries feature in the table below:

**Table 1: Types of IM in the SEM**

	Refugees	Migrant Workers	Transit Migrants	Settlers
Algeria		X		
Egypt	X	X	X	
Israel	X	X		
Jordan	X	X		
Lebanon	X	X		
Mauritania			X	
OPT	X	X		X
Syria	X			
Tunisia		X		
Turkey	X		X	

Refugees, numerically the most massive type of flow, are the main phenomena of IM facing Syria. Mauritania, on the other hand, suffers primarily from problems of transit migrants. Migrant workers crossing illegally into the EU is the main type of IM experienced by Algeria and Tunisia. Turkey encompasses both refugees and transit migrants. Israel, Jordan, Lebanon and the OPT share problems of refugees and migrant workers. Egypt is the only country with problems concerning the three types of IM.

It should be noted that this is a rough categorisation and represents the predominant category present in the countries under study according to the national reports. A general trend among all the reports is a focus on the most recent and most pressing aspect of IM. It should not be forgotten though that many of those countries host a variety of no less important categories of IM. The problem of the Sahrawi refugees for example does not feature in the analysis on Algeria. Likewise, the paper on Egypt has only analysed the problem of IM through Egypt and has left aside refugees in the country. Israel has not dwelled on its share of Palestinian refugees present on its territories nor in the territories it occupies.

It is worth noting that the debates during the July 2008 Thematic Session on Irregular Migration in Florence have expressed a lot of scepticism about the accuracy of the overall categorization offered by the concept paper. Reality on the ground in the various countries challenged the scope, the boundaries and even the usefulness of these categories in terms of understanding the nature of IM. For example, how do we differentiate between an asylum seeker who hasn't registered for refugee status and a migrant worker? Does a closed-file turn into a migrant worker? Why should a notion of irregularity be attributed to North African youth seeking to enter the EU as far as the home countries are concerned?

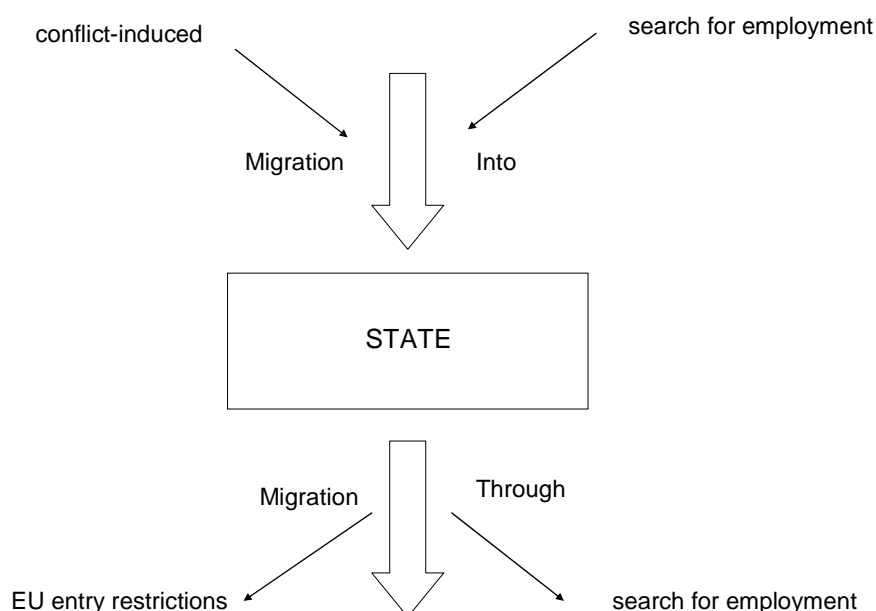
This paper has nevertheless kept the categorization illustrated above as the basis for classifying types of IM. One reason for that relates to the fact that apart from the fourth category proposed by the OPT report, no alternative categorisation has been proposed. Moreover, as further explained in section four, in the case of *migration into*, aspects of irregularity on the territory of a state are to a great extent

similar between various categories of irregular migrants. Additionally, the loose definition of types of IM is part of the nature of the phenomenon itself and the necessity to grapple with a more precise understanding of what it covers. It is clear that state policies are confused about how to perceive and deal with the ongoing increase in IM into and through their territories.

The analysis has so far identified two patterns of IM in the SEM as well as three main types, in addition to the fourth (settlers) unique to the OPT case. It is important at this stage, before moving to the socio-political dynamics at stake, to understand the reasons behind the occurrence of these flows of IM. This matter is addressed in the following section.

### III. Causes of IM flows into and through the SEM

**Figure 2: causes of IM flows into and through the SEM**



The phenomenon of IM, whether into or through SEM countries, is due to a number of reasons. The box at the centre of the chart above stands for the state. Penetrating into and out of the box (the state) are two arrows representing respectively *migration into* and *migration through* a particular state.

The chart also illustrates that the flow of IM into the region is largely due to two main factors: conflict induced IM, as well as economic reasons symbolized by a search for employment opportunities.

Conflict-induced IM relates to the flows of refugees seeking safety in another country than their own. Conflict-induced refugees are an important feature of the region with considerable rapid and recent developments. Main refugee flows have emanated over the course of the past two decades from the south of Sudan, Darfur, Somalia and Eritrea. Many of those have either gone through Egypt before being resettled, or still reside there. Most recently, the flood of over two million refugees from Iraq into the neighboring countries has been a considerable feature of the displacement map of the SEM.

Iraqi refugees are currently hosted by Syria, Jordan, Egypt and Lebanon. A far smaller number is also making its way to Turkey.

Much as the Iraqi and Sudanese recent displacement crisis come to mind as representing massive flows of conflict-induced displacement affecting the SEM, displacement has plagued the region for much longer. The events leading to the first Arab-Israeli war in 1948 resulted in over two thirds of the Palestinian people fleeing the land of historical Palestine and settling in the surrounding countries of Jordan, Syria, Lebanon and Egypt. With one out of every three refugees in the world Palestinian, this refugee population, well into its fourth generation now, stands as the largest and most protracted case of displacement in the world.<sup>4</sup> Nevertheless, the challenges created by this displacement problem are not in the sheer magnitude of the refugee population living in the host countries, but primarily as aspects of livelihood and irregularity differ from one country to the other. Stated differently, host states have each devised a different set of policies to accommodate the large Palestinian refugee population present on its territories. Consequently, studying and understanding IM in countries like Syria, Jordan, Lebanon and also Egypt cannot be complete without taking into consideration the situation of the Palestinian refugee community in each country.

This is not the sole reason why taking the history of the Palestinian displacement into consideration is important to factor into the study of IM on a regional level. In addition to the above, recent research unpacking state policies towards the more recent refugee crises of Iraqis, and to a certain extent Sudanese, points out to the impact of the host states' experience with the Palestinian issue. Therefore, it is difficult to separate a new phenomenon, as devastating as the Iraqi case, from an older one such as the Palestinian for the perceptible influence the latter has on formulation of state policy and legislation related to refugees in a particular country.<sup>5</sup>

The second major cause of IM is economic. The search for employment and higher standards of living engenders a flow of IM into many of the SEM countries such as Egypt, Jordan, Lebanon, Turkey and Israel.

Moving to the causes for IM through a country, two factors are noticeable in this regard. Much as economic conditions, the search for employment and enhanced standards of living cause a flow of IM into the region, these are all factors also causing the youth of many SEM countries to migrate outside the region. This is perhaps most noticed in the cases of Egypt, Tunisia and Algeria. However, as highlighted by the reports on Algeria and Tunisia, an increase in the phenomenon of IM through these countries is attributed to the escalating entry increased restrictions imposed by the EU and the reduction of channels of regular migration emanating from the SEM towards Europe. The more difficult it is becoming to enter the EU, the higher the number of irregular migrants crossing illegally into European territories.

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<sup>4</sup> According to the United Nations Relief and works agency for Palestine Refugees (UNRWA), Palestinian refugees stand at 4,618,141 as of June 2008. [www.unrwa.org](http://www.unrwa.org)

<sup>5</sup> For more information on the status of Palestinian refugees in the various host countries in the SEM, as well as a discussion of the impact of the Palestinian displacement on state policy-making in relation to newer waves of refugees, see Leila Hilal and Shahira Samy 'Migration and Asylum in the Mashrek', Euro-Mediterranean Human Rights Network (forthcoming).

## **IV. Socio-Political dynamics of IM in the SEM**

### *Context and Actors*

With the palpable increase in the phenomenon of IM in the region at large, identifying the socio-political dynamics at play unravels some of the characteristics of the phenomenon. The first step in this direction would consist of outlining the context in which the dynamics of IM operate, in addition to the main actors influencing the interactions occurring between the dynamics.

The bulk of the analysis presented in the individual national reports point out to the importance of borders, as various aspects of irregularity either relate to crossing the border or being present within borders of a particular state. Such an emphasis placed on the state with its boundaries set it to be the context for the socio-political dynamics affecting IM within a country.

The role of the state is not limited to its geographical context and legal boundaries though, but extends to its function as a governing and policy-making entity. However, the state apparatus is not the only actor involved in shaping the dynamics of IM. Within the boundaries of a state, three main actors affecting the socio-political dynamics of IM can be identified: the state apparatus, civil society in addition to the irregular migrants. These actors interact together in relation to IM creating the socio-political dynamics characterizing each state individually and the region on the whole.

It is worth noting in this context that the national reports have placed more emphasis on the role of the state, the implementation of policies and formulation of those policies. Much less attention is directed to discussing the role of civil society and irregular migrants in their influence vis-à-vis IM dynamics. In fact, irregular migrants, as active actors are totally absent from the analysis provided by the national reports. This absence is rather indicative of the overwhelming impact exercised by the state apparatus on the socio-political dynamics of IM.

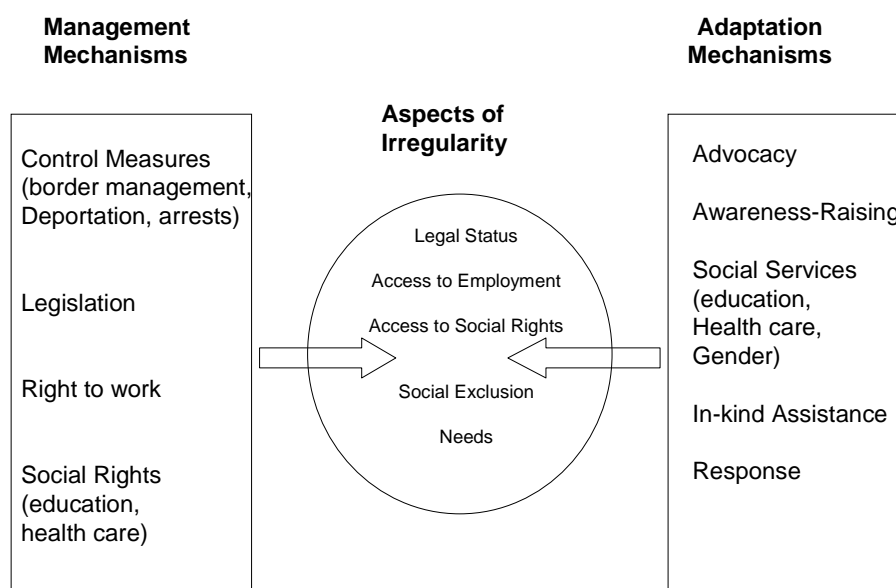
### *Dynamics*

In an attempt to conceptualize the socio-political dynamics at play regarding IM, this paper presents them under the following three sets of dynamics: Aspects of Irregularity, Management Mechanisms and Adaptation Mechanisms.

Once these dynamics are identified and examined in their interaction, a better appreciation of the main characteristics of IM emerges. For example, do state mechanisms deal with all aspects of irregularity? Do adaptation mechanisms focus on some rather than the other? What are the aspects of irregularity that remain untouched and, consequently, where are policy-making efforts most needed?

As shall appear from the overview presented below, details differ from one country to the other, and so does the order of priority. This sheds more light on the differences between the various countries and what is at play in each one. They also differ from one pattern to the other and illustrate one of the reasons why it is important to differentiate between the patterns of IM we can detect in the SEM region.

The following chart illustrates the three sets of socio-political dynamics associated with IM in the SEM region:

**Figure 3: Socio-Political dynamics of IM in the SEM**

The centre of the chart represents the various aspects of irregularity of migrants. These aspects trigger a variety of management mechanisms (to the left of the chart) practiced by the state, in reaction to IM. Likewise, Adaptation mechanisms (to the right) practiced by civil society and irregular migrants depart from the existence of the various aspects of irregularity, and, in turn, target them. Such traffic of interactions between the three sets of dynamics is represented by the arrows connecting the three sets. Another interactive channel exists between management and adaptation mechanisms albeit at various levels of intensity between the three actors influencing the dynamics of IM. Further explanation is provided below.

### a) Aspects of Irregularity

The first set of dynamics to explore are the *aspects of irregularity* associated with IM in a particular state. Represented by the box at the centre of the chart, *aspects of irregularity* relates to the variety of indicators which make the presence of the irregular migrants in a particular state, irregular. As we understand from the reports, irregularity differs from one country to the other. The entirety of those aspects may feature in one state but only a few would be associated with the conditions of IM in another state. Entry to the country may be illegal for example. In other cases, the presence of irregular migrants may be regular while other aspects of livelihood are not.

More specifically, *aspects of irregularity* are composed of the following indicators: legal status, access to employment, access to social rights such as education and health, social exclusion and basic needs.

A closer look underscores how legal status is a crucial component of discussing IM. Irregularity of status occurs at different stages though, ranging from the point of entry to overstaying a visa, or exit with the purpose of illegally entering another country. In Algeria and Tunisia for example, irregularity of status is discussed in the framework of nationals of those two countries illegally entering the EU. In

the case of IM of Egyptians to the EU, the pattern has changed over time from overstaying valid Schengen visas to an illegal practice of crossing frontiers. Likewise, in Lebanon and Jordan, a segment of illegal status of migrant workers occurs by overstaying a valid visa. From another perspective, for refugees entering Jordan, Syria, Lebanon and Egypt for example, failure to register with UNHCR - such is the case with a vast number of Iraqi refugees currently present in those four countries- or having an asylum claim denied by the agency, makes their presence on the territories of the state in question irregular, even if the reasons substantiating their well-founded fear of persecution still persist.

Access to employment is another aspect of irregularity conspicuously present throughout the countries hosting a pattern of *migration into*, as most irregular migrants are not allowed to work, or need a work permit obtained with great difficulty. This lack of the ability to access the formal job market is a stark feature of the presence of irregular migrants in the region. Such problems are particularly highlighted in the reports covering Jordan, Turkey and Syria. Refugees may have a legal residence, yet suffer from the ability to seek employment on the job market for instance.

Access to social rights varies from country to the other. Jordan for example has recently shifted its policy and allowed children of Iraqi refugees to enroll in public schools. In Egypt access to education is much dependent on the ability to pay. On the other hand, Syria has always made its schools and health care system available for non-Syrians present on its territories.

Social integration, or rather social exclusion, is another aspect of irregularity detected in the dynamics of IM. This relates to the extent to which irregular migrants are able to integrate in the larger community. We learn from the national report covering Syria that unrest in the country is foreseen as pressure on the local population increases and is attributed to the massive presence of Iraqi refugees. Some migrant communities in Egypt, particularly Sudanese, are often intimidated by racial behavior targeting them. With the increased numbers of refugees and the causal problems and conflicts creating this flow of migration with no solution in the foreseeable future, social exclusion as an aspect of irregularity is a matter likely to prove of increasing concern.

The final aspect of irregularity appearing in the list is Needs. A lack of basic needs of irregular migrants is an aspect of irregularity prevailing across the countries concerned as irregular migrants are vulnerable groups with large numbers suffering from poverty and poor access to basic needs exacerbated by the inaccessible labor market.

## **b) Management Mechanisms**

The second set of socio-political dynamics to be examined is *the management mechanisms* practiced by the state apparatus. These are illustrated in the box to the left of the chart and comprise the major tools used by the state confronting an IM problem. In other words, *management mechanisms* are the manifestation of state policies towards IM with its various aspects of irregularity. They are divided into control measures (management of borders, deportation and arrests), Legislation, right to work and access to social rights (education and health care).

Control or containment measures are important tools practiced by a state vis-à-vis IM. Such measures mainly comprise the following: control of borders, deportation policies and arrests of irregular migrants. For example, control of borders is an important mechanism exercised by the countries from which a flow of migrants goes through. After an agreement in 2005 between Algeria and the EU, more technical cooperation is taking place regarding control of borders, the establishment of detention centers and readmission agreements. Mauritania and Tunisia are adopting similar measures with assistance provided by the EU. Turkey has also embarked on a large-scale policy of signing readmission agreements with many of illegal-migrant-exporting countries.

The situation may vary though regarding facility of crossing borders insofar as the flow of IM into a country is concerned. It is relatively easy to cross Egyptian borders into the country for instance. On the other hand, Israel is reportedly exerting effort on Egypt in order to minimize illegal crossing of its borders by African migrants and asylum seekers. A ‘smart fence’ is being proposed as a border control option. Entry of Iraqi refugees is now becoming considerably restricted in Syria, which hitherto applied a policy of open borders to Arab nationals. Egypt and Jordan have put a halt to the Iraqi entry. In fact, the flow of Iraqi refugees has resorted to Egypt in reaction to restricted border control by Jordan and Syria.

In its newly devised policies to face asylum problems in recent years, Israel has also added a policy of deportation of irregular migrants in addition to restricting the crossing of its borders. After several years during which the state had no clear or official policy regarding irregular migrant workers, the Israeli government created in 2002 an Immigration Authority with a deportation police force of 500. The establishment of this new organ was accompanied by a government announcement declaring its intention to deport 50,000 foreign workers. This deportation went in parallel with an intensive media propaganda against employing unregistered migrants. This policy has in turn affected Egyptian policies responding to this concern by deporting Eritrean refugees in order to put a halt to new migration routes through the Sinai. Deportation was hitherto a policy not exercised by the Egyptian government in relation to irregular migrants entering its territories. On their part, although hosting large numbers of irregular migrants, Syria and Jordan are not known to exercise deportation while the latter is a policy often practiced by Lebanon despite the smaller numbers of irregular migrants it hosts.

Legislation is another tool exercised by the state. This indicator relates to the extent to which a state is responding to IM issues from a law formulation perspective. Tunisian and Turkish recent legislative efforts, for example, have aimed at criminalizing human trafficking in the hope of containing this illegal migration flow. Algeria is facing increased IM with more vigorous legislative policies passed in May 2008 in relation to entry and residence of foreigners. It is worth noting in this context that many of the legislative efforts reported in the national papers mainly relate to entry and sojourn regulations.

The following management mechanisms from a state policy perspective concern granting irregular migrants the right to work as well as public access to social rights such as education and health care. The reader is kindly reminded that this matter has been referred to within point (a).

### **c) Adaptation Mechanisms**

*Adaptation mechanisms* are those measures practiced by the other two actors active in the dynamics of IM within a state: civil society and the irregular migrants themselves. They are represented in the box to the right of the chart and include Advocacy, Awareness-raising, Social services (education, health care, shelters, etc...), in-kind assistance and Response. In their total, *adaptation mechanisms* represent civil society and irregular migrants’ reactions both to inadequate state policies (management mechanisms) and the various aspects of irregularity. Valid related questions would be whether they exert any pressure towards the management mechanisms, whether they are able to affect the aspects of irregularity and cause change and the extent to which the *adaptation mechanisms* are shakers and movers within the system of factors influencing IM.

The first *adaptation mechanism* is Advocacy. This varies to a great extent from one country to the other depending on the political climate of the country under focus and also on the level of awareness and expertise existing. Legal advocacy is in fact hardly present in any of the countries in the context of exercising influence on the state. It may exist though in the context of offering legal aid and awareness-raising among the irregular migrants themselves, which may affect some aspects of irregularity such as emphasizing the importance of registering with UNHCR for example, and hence

access to better education and health care. Tunisian NGOs apparently have a small, but nevertheless existing role, in raising attention to the human rights of the *harraga* in Tunisia. Civil society organizations in Israel are campaigning for the basic needs of the irregular migrants present in the country. Turkish civil society organizations are playing a role, albeit weak, in raising awareness of relevant human rights issues of refugees and transit migrants present on Turkish territories.

It is worth mentioning that the main bulk of efforts on behalf of civil society is concentrated on the third adaptation mechanism which is provision of social services such as education, health care, gender-related activities and in-kind assistance. Further study is necessary to shed light on these aspects. Overall, the role of civil society has received little attention in the national reports.

The last of the adaptation mechanisms consists of ‘response’ and concerns the irregular migrants themselves. This adaptation mechanism covers the irregular migrants reactions and counter-reaction to the various aspects of irregularity through violence in addition to inadequacies of state policies vis-à-vis IM. When viewed from the migrants perspective, long-term prevailing aspects of irregularity, touch on the main dimensions of their livelihood. The Syria report tells us that unrest caused by the massive presence of Iraqi refugees is being manifested in Syria. The well-known Sudanese sit-in in Cairo is a stark example of such unrest and counter-reactions.

## V. Conclusion and Recommendations

This paper has attempted to outline the nature of the phenomenon of IM in the SEM by sketching out its major patterns, its various types, the main causes of the phenomenon, in addition to the relevant socio-political dynamics in operation in the region. Put together, those patterns, forces and interactions shed light on some of the main characteristics associated with the current trends of IM in the SEM region.

The multi-faceted dimensions and aspects of IM across the national experiences call attention to the diversity of the phenomenon. Therefore, IM does not manifest itself the same way throughout the various countries. Section one and two have attested to this diversity by delineating the two major patterns of *migration into* and *migration through* a state, in addition to the four types of IM consisting of refugees, migrant workers, transit migrants and settlers.

A main implication of this diversity relates to associated problems of conceptualization, enumeration and definition of what IM is and who the irregular migrants are. The fuzzy boundaries between the different types, as well as the emergence of patterns, spell out the necessity of tightening the definition of the phenomenon and population in question, as the analysis has clearly shown the different dynamic interactions at play.

Some of the overriding social and political reasons that fuel IM and prevent its containment both at regional and national levels were also unraveled. Irregular migrants enter an SEM state either in search for employment and higher standards of living, or forcibly displaced as a result of conflict. These push factors either emanate from the region itself creating inter-regional flows of irregularity, such as the case of Palestinian and Iraqi refugees or Egyptian migrant workers in Jordan as an example. In other cases, push factors lie outside the regional sphere but have resulted in IM in one or more of the SEM countries such as the flow of refugees resulting from the conflicts in the south of Sudan, Darfur, Eritrea and Somalia. As for *migration through*, the exogenous pull factors symbolized by employment perspectives and restrictive entry measures to the EU, exacerbated the numbers of irregular migrants exiting the SEM through to Europe.

When approaching IM in each national context, the ten reports covering the region pinned down a variety of relevant socio-political dynamics affecting their individual countries. Enlarging the



spectrum to a regional level, the previous section has portrayed those dynamics under three sets consisting of: *aspects of irregularity*, *management mechanisms* and *adaptation mechanisms*.

The major observation out of this analysis is that the growth of the phenomenon of IM in the region is matched by inadequate – or insufficient - measures or policies aiming at tackling it. But neither has the phenomenon disappeared or subsided, nor have the various aspects of irregularity been ‘regularized’. Notwithstanding, the interactions of the various sets of dynamics may help in two directions: firstly, to identify the various dynamics and secondly to better elucidate where gaps are in relation to what aspects of irregularity are being addressed by management and adaptation mechanisms and hence, the gaps that remain in need of attention.

As illustrated throughout the previous pages, aspects of irregularity differ from one country to the other. The most acute and commonly present in the totality of cases are the legal status, residency and entry measures of irregular migrants. More specifically, within *migration through*, this is the main aspect of irregularity associated with such a pattern of IM. All other aspects of irregularity (right to work, social rights, social exclusion and needs) come about with various degrees of priority when a pattern of *migration into* occurs in a state.

Aspects of irregularity have informed both management mechanisms practiced by the state as well as the adaptation mechanisms employed by the two other main actors: civil society and irregular migrants. In this context, adaptation mechanisms were found to focus on some rather than the other of aspects of irregularity, mainly in relation to access to social rights such as education and health care in addition to a short term alleviation of basic needs. A much more limited role aiming at raising awareness of IM and associated human rights issues is sometimes flagged by a modest number of NGOs in some of the countries under study. From another perspective, responses of the irregular migrants to the aspects of irregularity associated with their presence in a particular country have occasionally led to proactive reactions in retaliation, such as the Sudanese sit-in in Cairo in 2005. A conclusion to draw in this respect relates to the level of debate between state and non-state actors. With the dominance of the state apparatus, less space is left for the other two actors to have an impact on the formulation of state policies in relation to aspects of irregularity.

In sum, management mechanisms practiced by the state apparatus prove to be of major significance in the impact they leave on the aspects of irregularity within a particular state. In the case of facing problems of *migration through*, the most commonly practiced mechanisms were found to be border management and related measures in an attempt to contain the flow of irregular migrants exiting the country. The national reports have shown that security was the primary concern of the state and how IM in such a context was treated as a security measure. The other management mechanisms were present at much less and variant degrees.

In this respect, evidence of strategy-building policies on behalf of the state is yet at weak levels. The SEM region on the whole is characterized by being right-less as far as IM is concerned, as it lacks protection frameworks addressing refugees and labor migrants. Therefore, policies in practice the various reports have alluded to are largely piecemeal and ad hoc policies aiming at patching aspects of irregularity rather than being remedial, all-inclusive, thoughtfully crafted to deal with the phenomenon on a comprehensive long term basis. It is also clear through the analysis that state policies are not developmental insofar as tackling root causes of unemployment and conflict. Hence efforts directed at the irregular aspects of migration stop at the phase of dealing or managing irregularity and addressing pressing security needs of the state rather than dealing with the causes of the migratory flows. IM in the SEM, as well as the often-neglected irregular migrants are in need of comprehensive long-term policies addressing their ailments.

## **Recommendations**

1. The need to recognize the specificities of the various patterns of IM in the SEM;
2. The need to refine definitions and boundaries between various types of IM;
3. Development and application of rigorous methods of enumeration of the targeted population;
4. The need to develop long-term state policies that target developmental root causes of IM;
5. The necessity of factoring in resolution of conflicts engendering instability and massive flows of refugees;
6. The importance of conducting awareness-raising campaigns of problems of IM and the various dimensions to the phenomenon as related to each state, both within the public and specialist spheres;
7. Developing a better understanding of the more pressing aspects of irregularity and parallel methods of regularization;
8. The importance of formulating policies addressing aspects of irregularity in a comprehensive manner;
9. The need to evaluate the impact of longer term repercussions of persistence of aspects of irregularity;
10. The need for a policy-making focus incorporating balance between rights and security concerns;
11. The need to develop capacity-building training within state institutions dealing with IM;
12. The need to further strengthen civil society capacity building in relation to IM in order to create more space for a more effective role in relation to problems of IM;
13. The need to develop protection frameworks dealing with labor migrants and refugees in the various countries under focus;
14. Enhance channels of legal migration outside the region in order to diminish illegal migration through the SEM region.