

THE EU AND THE MANAGEMENT OF IRREGULAR MIGRATORY FLOWS IN THE MEDITERRANEAN



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A pessimistic vision prevails where the link between population and safety is concerned and there is a tendency to secure some of its vectors, namely migrations. The requirements for legal migration and the political and ideological use of such a phenomenon explain how, under an irregular situation, an immigrant might be considered a threat. However, this irregularity mainly risks his personal security.

In fact, from migrations' viewpoint, an SH implicates that migrants be included in the design and application of migratory politics, but also that their own safety is taken into account when developing those policies.

In the Mediterranean border, presently the most lethal in the world, thousands of people daily risk their lives and 80% of the crossings are assisted by smuggling and criminal networks,

that ensure transport, fake documents and other procedures, which explains why they are looked upon as a threat against EU's internal security. Since a quick scenario change is not predictable, the pressure will remain and it requests intertwined responses, in a context of lack of political cohesion and some loss. **But the Mediterranean crisis is essentially a humanitarian drama, which questions the EU's basic values,** as far as respect and the safeguard of human rights is concerned, as well as principles of international protection and freedom of circulation within the Schengen space.

The response to deal with the current migratory crisis has focused on the border management dimension. Crossing the Mediterranean is a dangerous and sometimes fatal trip. Adopting a package of urgent measures by the EU has turned into a route alteration, but it has not reduced the flows.

The European Migration Agenda, approved in 2015, combines internal and external policies and aims at developing a shared responsibility among Member-States, countries of origin and host nations.

The most controversial measure has consisted in adopting a quota system which calls for a shared responsibility of Member-States regarding migrants seeking international protection.

INTERNAL DIVERGENCES HAVE BEEN POSING AN OBSTACLE TO THE ADOPTION OF MOST OF THESE MEASURES, UNDERMINING THEIR SUCCESS. IN TERMS OF MEDIUM RANGE ACTION, A GLOBAL STRATEGY IS ATTEMPTED TO MANAGE MIGRATIONS, BASED ON COOPERATION WITH THIRD PARTY COUNTRIES, IN BORDER MANAGEMENT AND PREVENTION OF ABUSE BY THE LEGAL MIGRATION CHANNELS.

But, in what way can the human rights of migrants be safeguarded or their right to request international protection within a context of border control reinforcement and the externalization of the European border? Simultaneously, many of the adopted measures of border control and border management deals with third party countries raise legal questions which require some reflection, namely concerning the safeguard of migrants' human rights.

There is no final solution to stop the irregular flows, but solutions must be found that allow to decrease the impact of their management, which starts with finding a balance on the binomials human rights-safety. The measures adopted to manage the irregular flows confirm an increasing securisation of the border south of the EU. Can this be the way?

Between 2015 and 2016 the number of entrances via the sea has decreased in 62%, but the number of deaths has increased by 76%.

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