

Conference on Irregular Migration

Legal and Policy Perspectives

Sponsored by

The **Center for Migration Studies (CMS)**

in cooperation with
the **International Organization for Migration (IOM)**

Thursday, January 21 – Friday, January 22, 2010

Millennium UN Plaza Hotel, New York City, NY

Panel 1: The Scope of Irregular Migration

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I will focus my remarks on the countries covered by the Regional Bureau for Arab States of UNDP. And as the name of the panel is “the scope of irregular migration” I will frame my comments around that specific issue.

In the Arab countries we can definitely see that people’s movement is an important factor of the way people live and the way communities and countries develop. And indeed a great deal of the migration **into**, **through**, and **out of** the Arab Countries can be considered as irregular – at least in the way we are currently using the term.

I will look at each of these three dynamics in turn.

1. First, migration **into** the Arab countries.

In line with the region’s general diversity, the Arab States region encompasses countries of immigration, countries of emigration and countries of transit. In 2010, the total number of international migrants in the world is expected to reach 214 million, representing 3 per cent of the world population. It is anticipated that Arab countries will host nearly 26 million migrants or 12 per cent of the world’s migrants. Thus in 2010, the Arab Region is hosting one in every ten international migrants in the world and nearly one in every three migrants in the less developed regions. In the Arab Region, international migrants represent 7.2 per cent of the total population.

A dominant feature of migration flows in the Arab Region has been the large and growing volume of labour migration, especially to the Member States of the Gulf Cooperation Council (GCC), namely, Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates. Of the world’s 20 countries or areas with the highest proportion of international migrants in 2010, nine are found in the Arab Region. These countries or areas are Qatar (87 per cent), United Arab Emirates (70 per cent), Kuwait (69 per cent), Jordan (46 per cent), the Occupied Palestinian Territory (44 per cent), Bahrain (39 per cent), Oman and Saudi Arabia (28 per cent each) and Lebanon (18 per cent).

A significant change in migration to the GCC countries is the diminishing number of migrants from the Arab Region, and growing numbers of workers from Asia. While in the past, two-thirds of migrants were from Arab countries, it is now only one-third. The other notable feature of labour migration to the GCC is the pattern of female migration. In 2005, half of all migrants in the world were females, while among the Member States of the GCC, females constituted less than one-third (29 per cent) of the migrant stock.

Countries in the Arab Region have also witnessed some of the largest gains in the number of international migrants between 1990 and 2010. In four countries of the Arab Region, the number of migrants increased by one million or more; Saudi Arabia had the largest increase at 2.5 million, followed by the United Arab Emirates with 2.0 million, Jordan with 1.8 million and Syria with 1.5 million. In contrast, the number of migrants declined in Algeria, Djibouti, Iraq, Morocco, Somalia, Sudan and Tunisia.

The impact of net migration on population growth has been significant among the major migrant receiving countries of the Arab Region. During 2000-2005, net migration accounted for over a quarter of total population growth in the GCC countries as a whole. Furthermore, in Kuwait, Qatar and the United Arab Emirates, population growth was higher from net migration than from natural increase. Because of high natural increase combined with high net migration, some of the GCC countries experienced some of the fastest rates of population growth in the world.

Refugees constitute an important share of the total number of international migrants residing in the Arab Region. In 2010, the global refugee stock is estimated to reach an estimated 16.3 million persons. The Arab Region is believed to host 9.1 million refugees, or 56 per cent of the global number of refugees. The major destinations in the Arab Region for refugees are Jordan, the Occupied Palestinian Territory and Syria. UNRWA reports that there are 4.5 million Palestinian refugees in the Arab Region.

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 gone through Egypt before being resettled, or still reside there. More 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 region. Iraqi refugees are currently hosted by Syria, Jordan, Egypt and Lebanon.

But displacement in the region has a much longer history. 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. This refugee population, well into its fourth generation now, stands as the largest and most protracted case of displacement in the world. Host countries have taken different approaches to accommodate the large Palestinian refugee population present on their territories, and the study of irregular migration in the region needs to pay very close attention to these policies. For not only do these policies affect the Palestinians that have been there for generations, but they also point to possible policy trajectories considering more recent migrants such as Iraqis, as well as any future migrants that would come along with any deepening or spread of conflict in the region. Moreover, perhaps it is misleading to refer to the migration itself as irregular, because the lack of regularity comes first and foremost from political and conflict dynamics and decisions that are beyond the agency of these individuals.

2) Second, migration through the Arab countries, or transit migration

Because of its unique position at the crossroads of Europe and Africa, irregular migrants from Africa and Asia are using an increasing number of countries in the Arab Region as stepping stones in their attempts to breach the borders of Southern Europe.

Major transit countries in the Arab Region include Algeria, Mauritania, Morocco, Libya and Yemen. Data concerning irregular transit migration are fragmentary. For example, almost 50,000 migrants, refugees and asylum seekers have crossed from Somalia to Yemen since the beginning of 2009. As a consequence of this influx, the Government of Yemen requested international assistance in 2009 to blunt the economic burden posed by the absorption of so many people. Algeria is both a transit country and source of irregular migrants. In 2008, some 2,000 irregular Algerian migrants arrived in Italy. In total, some 14,000 irregular migrants reached the shores of southern Italy in 2008.

In recent years, Mauritania has become a transit country for irregular migration to Spain's Canary Islands, which last year saw the arrival of more than 30,000 irregular migrants from West Africa. In Mauritania, the Ministry of Interior reported 11,367 deportations of arrested migrants in 2006 and 6,624 in 2007. This situation has highlighted the inadequacies of existing Mauritanian legislation on migration, which does not define human smuggling as a crime. Mauritania, along with Senegal, Gambia and other Western Africa countries, has seen an increase in irregular transit migration across its borders following the closure of traditional routes for irregular migration through Morocco to Spain. Experts believe that several thousand migrants did not survive the more than 1,000-kilometre journey in fishing boats across the Atlantic Ocean in 2006.

Although most migrants consider Morocco a country of transit, an increasing number of migrants who fail to enter Europe prefer to settle in Morocco on a long-term basis rather than return to their more unstable and substantially poorer home countries. Probably several tens of thousands have settled on a semi-permanent basis in Tangiers, Casablanca, and Rabat, where they sometimes find jobs in the informal service sector, trade, and construction. Others try to pursue studies in Morocco. Morocco has released a few statistics on arrested irregular migrants that reveal that they overwhelmingly originate in sub-Saharan Africa, in particular from Mali and Senegal. Another of the Region's countries, Egypt, has in recent years seen a growing number of irregular migrants from Africa transiting through Egypt on their way to other countries.

3) And third, migration **out of** the Arab countries, or **labor migration**

The Arab Region is not only the destination for millions of international migrants, but it is also the source of millions of migrants. After declining in the 1990s, emigration from the Arab Region increased during the following decade. Data on the foreign-born population in OECD countries around 2000 show that there were about 4.5 million migrants in OECD Member States whose place of birth was a country in the Arab Region. The largest numbers of these migrants were born in Morocco (1.4 million) and Algeria (1.3 million). Estimates indicate that some 3.2 million Moroccans, 1.1 million Algerians and 934,000 Tunisians were living abroad. The major recipient countries for these migrants included France, Italy and Spain. In Spain, the number of

Arab nationals quintupled between 1998 and 2006. And while I do not have the figures for irregular labor migrants from the Arab region in particular, a recent research project funded by the European Commission estimated that in 2005 irregular migrants accounted for 6-15% of the total stock of migrants, or about 1% of the total population of the European Union. Moreover, the literature I have reviewed seems to point to a consensus that, the more restrictive immigration policy becomes in the EU, the higher the proportion of irregularity becomes. But let's keep in mind that some of these have entered European territories illegally, while others have become irregular simply by overstaying. So there are several different paths to "irregularity," meaning that an effective policy response needs to be comprehensive and multi-faceted.

According to official statistics, 3.9 million Egyptian nationals live abroad, representing approximately five percent of the country's total population. Saudi Arabia, Jordan and Libya are the top three destinations for Egyptian migrants. Other major countries of emigration are Iraq with 2.3 million nationals abroad and Yemen, with one million citizens living abroad. The majority of emigrants from these two countries live in other countries of the Arab Region.

These profiles of movement, particularly the patterns of irregular migration, present the Arab states – like other states – with vexing political and legal challenges. I will leave the consideration of these options to the migration experts that are assembled today.

But first let me share a few reflections from the generalist perspective.

Irregular migration poses very real dilemmas for states, as well as exposing migrants themselves to insecurity and vulnerability. Most states have, nevertheless, failed to manage or control irregular migration effectively or efficiently. So new and more effective approaches are needed, approaches that recognise both the concerns of states in this respect and the need to protect the rights of irregular migrants.

At the same time, it is important to be realistic about expectations. Irregular migration will continue for the foreseeable future, although it may be possible to reduce its scale. Among the challenges a facing policymakers in the region are:

- **Political will.** Though it is hard to substantiate, there is a widespread perception that political will is scarce or at best uneven when it comes to dealing with irregular migration. This can be true in sending countries as well as receiving countries, and can be attributed in part to the difficulty of developing and implementing a sound policy response, and also to the fact that there may be constituencies in each country that find the status quo suitable. The state is not the only actor involved in shaping the dynamics of irregular migration, but in the Arab region the state is by far the strongest actor.
- **Demographic profile and the labour market.** The population of the Arab countries has nearly tripled since 1970, climbing from 128 million to 359 million. The Arab Region is expected to have 598 million inhabitants by 2050, increasing by two-thirds or 239 million more people than in 2010. Today official unemployment is at 14.4%, the highest of any region in the world. The number of children and youth is expected to climb to 217 million by 2050. This will pose challenges to Governments, many of which are straining to provide education and employment to large cohorts of children and youth. Because of this youth bulge, high unemployment among young people is proving to be particularly resilient to change and is expected to persist into the future. Meanwhile, the European Union is expected to experience a loss of 66 million workers, a decline of almost one-third, by 2050.
- **Environmental Stress and Climate Change.** The Arab countries are located in an extremely arid part of the world. Rainfall is low and its distribution is quite variable. Drought is frequent, and the available water per capita in several Arab countries is already below the severe poverty level. News reports and anecdotes of wells run dry, of desiccated fields, and of groups of rural dwellers cast off of their land by these desperate conditions are growing more and more common. And according to the IPCC, climate change will only accelerate the process, exacerbating the deep environmental problems of desertification, land degradation, and water scarcity, magnifying human vulnerability,

and insecurity and leaving entire communities with no choice but to leave. Thus far most of this migration has been internal and therefore not subject to labeling as irregular; but the possibility that such trends will culminate in cross-border environmental refugees is real and growing. Add to this the threat of flooding of river basins and Sea Level Rise, and environmental stress and climate change will very likely be driving factors of irregularly migration in the not-too-distant future.

- **Conflict and occupation.** We remain optimistic that the root causes as well as the surface impacts of conflict and occupation will be resolved. But the present trend offers plenty of evidence to the contrary. And even in the absence of new or deepening conflicts, the sheer number of current refugees in the region points to serious policy challenges.

I will leave these general comments at this point, and look forward to hearing from and discussing with the policy experts on this issue.