

- 1 -

Migration in the Mediterranean: Introductory Observations

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I. Introduction

Common objects in everyday use of clearly foreign origin found in many archaeological excavations¹ and the vagaries of linguistic and genetic connections spread over distant territories, help us trace migrations of peoples across continents² before history, so it is safe to presume that migration has been a constant recurring feature of our species' habitation of this planet. Indeed our global occupation of every habitable space thereon would not have been possible without man's constant urge to discover and master the unknown.

When human groups found places where the living was easier, their rise in numbers prompted moving into more living space, at the cost, at times of engaging those already there. Perhaps in our species' prehistory overpopulation meant moving into other spaces. This we can only imagine in prehistory but known and chronicled history furnishes us with many more examples. The history of the Jewish people migrating to Egypt and then out of the serfdom under the Pharaohs into the Land of milk and honey is exemplary and indeed archetypal in our civilisation. Other migrations within our geographical area in ancient and then

¹Antoniadou S., Pace A., ed. 2007. *Mediterranean Crossroads*. Athens: Pierides Foundation.

²Cavalli-Sforza L., transl. Seielstad M., 2000. *Genes, Peoples, and Languages*. New York: North Point Press.

mediaeval times have not only formed the political frontiers but have in fact led to what we see as the present day human situation in all of Europe and North Africa.

The Romans in the earlier part of their aggressive history, saw in the occupation of *terrae nullius* or abandoned land a good title of ownership, and although the doctrine of the right of conquest in International Law was elaborated many centuries later by Grotius, not only uninhibitedly appropriated themselves of the lands of others by force of arms but also secured it by colonizing it with their demobilized soldiers. They thus established an Empire whose achievement of security and development of civilized living attracted the envy and greed of the barbarians outside the *limes*. The invasion of the hordes from the East into Germany and the Balkans, of the North men into what is today Great Britain and Northern France displacing the former inhabitants and accomplishing the breakdown of the PAX ROMANA, is well known and noted. As the Vandals went through Spain and into North Africa they encountered another counter migration: that of the Arabs moving westwards and eastwards, spreading Islam. The Norsemen, turned Norman, invaded Britain and thirty years later threw the Muslim Arabs out of Sicily and our Islands. In turn, after 1492, the peoples of Europe sought pastures new in America, North and South, afterwards in Australia and in Africa, migrating and in many instances supplanting or exterminating the previous native inhabitants.

One may object that these comments are retrospective not perspective. They however tend to demonstrate that migration is not a modern day phenomenon: the pattern shows that though men and women may feel emotionally attached to the land of their birth and upbringing, there exist a number of reasons which impel them to seek to move, individually or collectively towards other lands. Migration is essentially a movement and forward looking, an exercise in hope. It can be an escape or be forcibly induced. It is also the occasion for a clash of human as well as civil and then political rights.

One must distinguish between the various types of migration: those of a tribe or group *en masse*, from those taken by single individuals or families; those organised and led, from those driven by diffuse spontaneous impulse; those motivated by greed from those urged on by need; those summoned by fear from those enticed by prospects of betterment. Again before considering the results, one has to distinguish between non aggressive from aggressive, and accepted, or tolerated from resisted immigration, and between managed and unmanaged emigration and immigration.

With the establishment in all continents of strong state authorities in nation states or their dependencies, it seemed for a long time that unmanaged but aggressive mass emigration would become a thing of the past. The nineteenth and early twentieth centuries saw immigration in considerable numbers to North and South America, mostly from Europe but also from the East. This transfer was regulated, at times too squeamishly, by the receiving countries. The security risks were minimal, and further minimised. The economic repercussions on the countries receiving the flow were monitored and in the end, turned out to be very beneficial.

For most of the recent four centuries, people in Europe and the Mediterranean were experiencing the need to migrate to new lands. At first those from the Iberian peninsula to the newly discovered lands of central and south America, then those from the British Isles, Holland and France to north America, later to be followed by Italians, Greeks and Maltese, still later by Lebanese and Syrians³. Swedes⁴ and Norwegians migrated to the northern

³ Remarkable are the Arab poets of the 'Al Mahjar al-Amriki', notably Amin al Raihani (1876-1940) and Khalil Gibran (1883-1931) in North America and Fawzi al Ma'luf (1889-1940) in South America. First generation Argentinean of Syrian descent Carlos Menem was elected President of this South American Republic in 1988 and 1995.

⁴ Swedish emigration to the United States in the 19th and early 20th centuries, numbered about 1.3 million settling mostly in the upper mid-western states.

states of the United States. In the nineteenth century people from France mostly, but also from other south Mediterranean countries, including Malta settled in the lands of the North African littoral. In Algeria and Tunisia this was quite substantial, but there were also significant colonies in Alexandria, Port Said, Benghazi and Tripoli. After the Second World War there was a second outflow mainly to Australia, not only from the British Isles but also from many Mediterranean countries, including again Malta, and also from the former Republics of Yugoslavia. This emigration was orderly, well managed and in the end had mostly beneficent effects on the countries of origin, which were relieved of the pressure of poverty and assistance, in the first instance and subsequently started receiving remittances helping those relatives who remained, and also on the countries receiving this new influx of eager industrious energies which further quickened the rhythm of development. Many studies have been conducted on the positive impact that European outward migration has made on the countries of the New World and Australia. Though integration might have been difficult at first, for the first generation, it became easier for the second and complete for the third and following generations.

Not all population movements were managed. Some produced dramatic human situations which had to be addressed internationally. The first instance of an international response to forced mass population movements was that of the initiative taken by the League of Nations in 1921 when approximately a million and a half people had fled from the turmoil of the Russian Revolution of 1917 and when a further half a million prisoners of war were waiting repatriation in many countries including Russia, mostly in intollerable conditions. The League established a Commission of Refugees with Fridtjof Nansen as the first High Commissioner. Nansen's work and his famous 'Nansen Passport' as a means of identification to facilitate the transfer of stateless persons, earned him the Nobel Prize in 1922.

Again in the immediate aftermath of the Second World War there were 'forced' migrations in Europe because of the movment

of frontiers as the sequel to invasions and occupations (with so many uprooted from the homes known in Germany as *Heimatvertriebene*) as well as the overthrow of newly reestablished but feeble democratic regimes in Eastern Europe. As early as 1944, before the final end of the War UNRRA (United Nations' Relief and Rehabilitation Administration) had been established to attend to some of the immediate needs of the millions of people displaced across Europe as a result of World War II. In 1947, the International Refugee Organization (IRO) was founded by the United Nations. The IRO was the first international agency to deal comprehensively with all aspects pertaining to refugees' lives.

The displacement of part of the Arab population from the lands where the the Republic of Israel was established, likewise produced a considerable migration of refugees fleeing towards the neighbouring Arab countries. The international community felt obliged to take a number of initiatives on the international plane, as the adoption on November 29, 1947 by the United Nations General Assembly of a resolution recommending the adoption and implementation of a plan of partition of Palestine, one of the earliest acts of the United Nations, was the immediate cause of this displacement. However, the emergency measures of assistance and succour were evidently not sufficient. Unfortunately some of the refugee camps and makeshift arrangements are still there more than sixty years later.

The United Nations' General Assembly passed Resolution 319 (IV) of the 3rd December 1949 which decided the establishment of a High Commissioner's Office for Refugees as from the 1st. January 1951. The Statute of the Office of the United Nations High Commissioner for Refugees was adopted by the General Assembly on 14 December 1950 as Annex to Resolution 428 (V). In this Resolution, the Assembly also called upon the Governments to cooperate with the High Commissioner in the performance of his or her functions concerning refugees falling under the competence of the Office. In accordance with the

Statute, the work of the High Commissioner was to be humanitarian and social and of an entirely non-political character.

A Convention relating to the Status of Refugees was adopted on 28 July 1951 by the United Nations Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons convened under General Assembly resolution 429 (V) of 14 December 1950. The Convention entered into force on the 22 April 1954, in accordance with article 43. The emergency of the first post-war years had passed and the Convention was meant to give a legal definition to duties, rights and responsibilities and place the whole matter also within the frame of International Law. In the preamble it was recognised that:

“the grant of asylum may place unduly heavy burdens on certain countries, and that a satisfactory solution of a problem of which the United Nations has recognized the international scope and nature, cannot therefore be achieved without international co-operation,”

whilst expressing the wish that all States:

“recognizing the social and humanitarian nature of the problem of refugees, will do everything within their power to prevent this problem from becoming a cause of tension between States.”

The practice of giving asylum to fugitive or persecuted foreigners has a long and noble history, internationally taken to be a debt of basic human solidarity. France made it a Constitutional right as far back as the 1793 Constitution, but it was widely accepted in Europe and Mediterranean countries even before. It was however seen as a singular entitlement which was then extended to larger numbers fleeing from religious or racial persecution. When the grant of asylum concerned these larger numbers, it was bound to carry political implications.

Shielding the High Commissioner for Refugees and his office from the complications, rivalries and conflicting interests of international politics, especially in the era of an incandescent, even if euphemistically dubbed 'cold' war, was necessary and proved useful, but of course it would be an illusion were one to consider the whole phenomenon as of a non political character. In fact one must admit that the International Community has been content with treating the symptom of displacements and their result in human suffering, without trying to tackle the roots of the malaise which caused them. This has been a recurrent failure. Time and again, in occasion after occasion, the United Nations Organisation has been more successful in providing for immediate assistance than for a solution of the problems which caused forced migration or displacement, than in addressing the fundamental problem. Indeed the return of refugees to their original homes has now come to be seen by some after the passage of decades, as a further complication rendering more than difficult the possible political or/and economic solutions.

The migrations we are witnessing in our region today are driven not only by circumstances and events at the point of origin of the emigrants but also by the attractive force of the prospective points of arrival. The marked, and to my mind scandalous and no longer tolerable imbalance in our globalised world, with millions living in dire poverty, disease, ignorance, political instability and continued internal strife, whilst the others, in the developed and developing world are achieving new levels of standards of living, was bound at some time to produce an exodus of migration. Prophets and some enlightened economic planners foretold it. Mostly in Africa the gap which should have narrowed by contacts with Europe has, disastrously been widened or delayed in its approximation by graft, corruption and crass exploitation. The statistics of the litanies of misery are indeed indicting. It is not difficult to understand why so many from a large crescent of suffering in central Africa should feel the urge to move north towards the Mediterranean and then Europe. From Somalia and Eritrea in the East to the Republics in the West, it is more than understandable that in desperation from civil, at times very

uncivilised, strife, religious persecution, hunger and tropical disease, indeed hopelessness, people should escape to the Northern shores, across large stretches of desert and sea nonchalant of all the dangers and unpredictables.

II. Human Rights

This is surely a matter of denial of very basic fundamental human rights. If one takes in hand the text of the Universal Declaration, one can see that article after article of the Declaration mentions rights that are being denied to most of these peoples. Their right to life, to security of person, to education, to health care, to proper process, to freedom of belief, to participation in their own government, are blatantly not safeguarded. First of all in their countries of origin. And furthermore one cannot just speak of breaches of rights; many of these peoples are living in a state of fact which is incompatible with human dignity. It is not a matter of providing remedies by recourse to some possible high Human Rights Court for redress. Whilst the International Criminal Court can and is prosecuting for the more horrible crimes and atrocities, the remedies for the breakdown of law and order as well as administrative structures, in failed or semi-failed states, are not to be found only in law. It is a searing blot on our civilisation at this stage of history that the world community in the United Nations, and its albeit very imperfect system of governance though the Security Council members, should not have felt the urge of solidarity towards these human situations.

Furthermore it is not only freedom which is indivisible: the basic fundamental human rights are universal also in the sense that their denial in one place has repercussions on the rest. Time and again in history what began in supposedly far away countries as a 'localised' threat to human rights developed into a major problem for countries near and far. Metastasis does not only occur in the anatomy of individuals, it is a process that can be seen in the whole body of mankind. So that piracy in the Horn of Africa is an excrescence of the failure of the State in Somalia and the flight

from East and West central Africa has posed great problems for the North African Arab States and for the Southern States of Europe, including our own country.

So again, it is really a matter of self interest besides an obligation of human solidarity. In avoiding taking up the burden of helping these states mostly in Africa, to master their tribal or religious/sectarian divisions, and so begin again to perform the essential civilising functions of the state machinery of government and collective provision, the world community is contumaciously closing its eyes to inevitable repercussions political, economic besides humanitarian.

III. Security Concerns

The fugitives from hunger, disease, insecurity and civil strife have not migrated with a feeling of aggression towards the lands where they sought refuge. In addition to the repellent forces which drove them out from their lands of birth, there was and is the attractive force of Europe, shown by the medias as well as by the letters and telephone call of relatives who arrived before them, as an oasis of law and order, of organised living of provision for the necessities, and of mercy and tolerance. Although the receiving countries of the European South had their own problems to deal with, some help and assistance by Government or by a variety of voluntary organisations has always been available for the refugee who trust himself or herself on their shores. One cannot say that these refugees have caused great problems of public order, be it because of the precautions, as well as the generally unaggressive attitude of most refugees. It is however true that there have been occasions of bursts of rebellious reaction to confinement and control.

The cost to the receiving countries of these wise and necessary precautions, which have, admittedly achieved success security-wise, has been bearable but heavy and imposed very unfairly. In the end the position might become unsustainable. These refugees

cannot be confined indefinitely. They are still hoping to reach the mirages of the richer countries of middle or north Europe, and are very restive in their present position of stall suspended between the sacrifices they have made in search of their quest for a bearable life and the tantalisingly difficult reach for their hoped for destination. Even this state of suspense, though taxing the resources and patience of the receiving countries, is demeaning of the migrants' personal dignity and of their fundamental rights of freedom of movement and of the pursuit of their chosen path for their life. There are obviously risks to the security of the country if the refugees' presence is not regulated, and there is also very obviously an occasion for the exploitation of a workforce on its knees in different sectors of the black economy.

IV. Economic / Development Perspectives

The phenomenon of migration has a bearing on the economic prospects of the countries of origin, transit and of the countries of arrival and final destination. For the countries of origin emigration may at first be seen to be a valve through which some of the pressures, demographic or other, may be eased, but in the longer run it is a loss of some of the more enterprising of its human resources. Remittances from those who successfully settle in the European or other economies do not completely compensate for this loss. For the countries of transience, and then for those of eventual arrival, this influx of available mostly unskilled labour can distort the labour market, create pressures on the infrastructures, as well as temptations of cheap exploitation in the more menial or dangerous jobs. It is more difficult to integrate somehow those who are intent on proceeding further. In the countries of final destination it is far more easy to plan for economic and in some measure for gradual cultural integration. When immigration is managed one could distinguish, as with the European Blue Card those who possessed the higher skills, from the others, but this again produces a brain drain with far greater harm for the proper development of the countries of origin.

Whilst it is of very little use to try to apportion blame for this quandary of desperate migration, it can be in part ascribed to what the former European Colonial powers did or did not do when they controlled those countries and in part to the side effects of the imbalances produced by nonregulated globalisation; it is on the other hand now important to look at possible actions urgently to be undertaken by the world community so as to remedy what has become a significant daily human tragedy.

V. Burden Sharing

Perhaps it is unfair to point to the ex-colonial European powers and their successors that today are part of the European Union and expect the union to provide, by itself, the remedy to this complex situation. It is still more unjust to expect the states of the Southern European littoral, some of whom, in their turn, have not only not been colonial powers but have been and suffered under colonial domination, such as Malta, Cyprus and Greece itself, to shoulder the burden of transient migration. Northern Europe at this moment is to a degree benefiting from the fact that, conforming to the rules of the Union, the southern states, such as Malta, have been plugging the waters of the dam with their aching fingers. The efforts at persuading the upper half of the Union to share this responsibility by effective resettlement, have been persistent and pressing and have achieved novel results in what was forbidden territory. Since 2008 different EU member states have assisted this country to resettle refugees. This has achieved positive results especially for these unfortunate persons but more efforts need be done to continue this program. The establishment of the European Asylum Support Office is a landmark in this process and remains a corner stone for further efforts and there is need for more creative thinking to provide better and stronger solutions.

Britain and France and other European countries have received migration from former colonies or from the former Communist countries in the East. That however was managed or partly managed and slowly ingested immigration. It must be noted

however that the migrations we are witnessing in the Mediterranean are of a very different sort: it is of a dramatically desperate sort - men of all ages, women some pregnant, some nearing to giving birth and children, moving on less than seaworthy barges and assorted boats, and then casting themselves on the shores of Malta, Sicily and its Islands, Spain and its enclaves, Greece and its islands. People are coming from the war torn lands of Syria, Eritrea, Somalia, Sudan. Let us not discount the guilt for some of the situations in the oil rich countries, that has to be debited to extra-European operators.

Europe, and first of all the Southern States of the Union, including our own country, have performed well in providing search and rescue, as well as first aid and succour. The Refugee Fund, the External Borders Fund and Frontex⁵ itself, are all European initiatives.

VI. A Global Problem and a Global Solution

It is not the European Union alone that has to be held bound to find solutions. The problems in the Middle East and on the continent of Africa, are world problems to which the Union alone cannot find proper solutions. It must be emphasised that resettlement of migrants is not the primary solution, though it can be and is a necessary if momentary palliative. The solution to the problem of forced uprooting of people from their home country has to be found exactly where this is happening. There has to be a masterplan of stabilisation and development of these countries, planned, funded, assisted and in part managed on a United Nations scale.

⁵ COUNCIL REGULATION (EC) No 2007/2004 of 26 October 2004 establishing a European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union.

First of all it is a matter of concern for all mankind: we are justly concerned by climate change, we should also be all concerned about a change in human ecology. The success of the Marshall Plan is often quoted. The problems of today may be and are very different. Africa is not Europe. There are however wise considerations to be made: the economic revival of Europe post Second World War, helped the restoration of the economy world wide, whilst the perhaps unintended but predictable economic crisis of Germany and others after the first World War contributed to the world economic crash of 1929, the disasters of Nazism, Fascism and the catastrophic Second World War. Africa can and should be helped to recover from the most recent breakdowns and divisions.

It has to be a more coordinated effort by the world community. A competition between the developed and developing nations involved in the smartest way of securing for themselves some of the mineral riches of Africa will produce as much havoc or at best ambivalent harm as the nineteenth century's scramble for Africa. In the year 2000, the Millennium Summit of the United Nations proposed the adoption of eight millennium goals to be achieved by 2015⁶. All the then member States committed themselves to these goals. We have only one year to go and we are still far from being near to be able to say that we have achieved these goals, though

⁶ The Millennium Development Goals (MDGs) are eight international development goals that were established following the Millennium Summit of the United Nations in 2000, following the adoption of the United Nations Millennium Declaration. All 189 United Nations member states at the time and at least 23 international organizations committed to help to achieve the Millennium Development Goals by 2015, The goals follow: To eradicate extreme poverty and hunger; To achieve universal primary education; To promote gender equality and empowering women; To reduce child mortality rates; To improve maternal health; To combat HIV/AIDS, malaria, and other diseases; To ensure environmental sustainability; To develop a global partnership for development.

some partial successes have been registered. One goal was not set: that of internal stability in all countries. It is vital. Then again the commitment to the goals agreed upon was perhaps too generic and a more defined plan with assignment of precise tasks and allotment of funds, is needed.

May we say that as this is a matter of grave concern for all and a matter of life, death and misery for many, this coordinated effort at planning development has become urgent. If the World Community at the United Nations shies away from this duty, it would be guilty of a breach of the declared human rights of a substantial part of mankind.