



New transformations of Euro-Mediterranean migration

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Abstract: This study examines the fundamental transformations in migration patterns across the Mediterranean region, particularly following political and security changes in the eastern and southern Mediterranean. These shifts have significantly altered migration routes, with some transit countries, such as Egypt and Algeria, as destinations for migrants, whereas countries like Libya, Yemen, and Syria, have turned into major hubs for irregular migration, human smuggling, and trafficking due to its weak institutions.

In Europe, extreme-right political movements have exploited migration issue as a core element of their political discourse, leading to the adoption of strict security policies and restrictive legislation against migrants, complicating furthermore the situation.

The study proposes new mechanisms for managing migration through a comprehensive approach that strengthens economic development in origin and transit countries. It advocates for a more balanced cooperation between the northern and southern Mediterranean, emphasizing solidarity and humanitarian principles to achieve a fair balance between security concerns and migrants' rights.

Keywords: Migration, human rights, comprehensive approach, cooperation, extreme- right, democratic transformation.

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introduction

The European Community gives a great importance to migration issues and practical measures to address, manage, and control them. This importance is highlighted by the place migration plays in the objectives of the European Union's Common Foreign and Security Policy, which enshrines the concepts of internal and external borders.

his new vision comes in light of the significant migration flows from the southern and eastern Mediterranean countries to the European Union, which have gradually increased over recent years. Estimated at around 12.2 million¹, this flow is due to numerous and diverse reasons, primarily related to economic, political, social, and even cultural and civilizational conditions.

The European Union has adopted a set of policies that have focused mostly on finding appropriate measures to combat, limit, or attract the phenomenon in many countries, such as Portugal, in the short and medium term without examining the true causes and dimensions of migration within a comprehensive framework to establish appropriate governance mechanisms to manage it in the long term within a multilateral framework that includes the countries of the southern and eastern Mediterranean. This is because the bilateral framework has not yet achieved the appropriate effects, despite the passage of more than twenty years of various partnership agreements between the European Union countries and most countries of the southern Mediterranean.

Migration, in its characteristics and dimensions, was affected by the events that took place in the countries of the southern and eastern Mediterranean, starting with the events in Tunisia, Libya, Egypt and Syria starting in 2011. The countries of the eastern and southern Mediterranean were transformed from transit countries to return countries, which constituted an additional burden on the budgets of the countries. Egypt witnessed the return of more than 1.5 million Egyptians, as well as more than 120 thousand

Tunisians to their countries ²of origin, as a result of the fall of the Libyan system and the deterioration of the political and social conditions.

This transformation in migration patterns of migration of all kinds prompts us to raise the question of the effectiveness of common European policies for managing Mediterranean migration in the medium and long term, given the democratic transformations in the eastern and southern Mediterranean and the comprehensive challenges facing European countries, particularly in the midst of the Russian-Ukrainian war and its repercussions.

Based on the above, this article will attempt to address the question of the most important aspects of the new migration transformations in the Mediterranean basin and the European approaches to managing them.

To discuss this problem, we propose the following methodological plan:

Section One: Aspects of Transformation in Mediterranean Migration

First requirement: Developments in Mediterranean Migration

Second Requirement: Countries of the Southern and Eastern Mediterranean as Transit and Destination Countries

Third requirement: Democratic Transformations and Their Relationship to Migration in the Euro-Mediterranean Region

Section Two: The European Approach to face the New Transformations in Mediterranean Migration

First requirement:extreme- right Legislative Reforms to Confront Mediterranean Migration

Second requirement: Prioritizing the Security Approach over the Humanitarian Aspect in the New European Migration Policy

Third requirement: Implications of the European Approach to Migration Management for the Euro-Mediterranean Region

Conclusion

section One: Aspects of Migration Transformation in the Euro-Mediterranean Region ³:

.Mediterranean migration to Europe has taken many forms and has undergone numerous transformations in its characteristics and features, depending on its causes and the ways in which it has been addressed by various stakeholders

In this section, we will attempt to address the features and development of Mediterranean migration in the first requirement. We will then attempt to highlight the transformation witnessed by the countries of the Mediterranean basin, particularly through the transition from transit countries to migration-receiving countries in the second requirement. We will conclude this requirement by addressing the impact of democratic transformations in the eastern and southern Mediterranean on migration phenomena in the third requirement.

First requirement: Developments in Mediterranean Migration

Research and studies distinguish between regular migration, which essentially represents the natural movement of individuals according to pre-established legal procedures by host countries and subject to prior oversight by their competent authorities for a specific period of time. However, this type of migration often turns into irregular migration within the host country for several objective reasons, primarily due to restrictions imposed by European countries on the movement of individuals and discrimination in accepting integration based on selective migration. Other reasons may stem from personal reasons related to the search for new opportunities to achieve economic goals or obtain political asylum due to deteriorating conditions (economic, political, security, ethnic, or religious).

Irregular migration is the most widespread and complex in the Mediterranean basin, as it involves multiple nationalities, with the countries of the Eastern and Southern Mediterranean serving as both transit and source countries for irregular migration. It is also fully integrated into broader global challenges such as human trafficking, drugs, and terrorism. This type of migration poses a barrier and challenge to all countries in the Mediterranean basin, and requires consensus to manage irregular migration according to a comprehensive and integrated approach over the long term, within the framework of balanced development programs in the Mediterranean basin. In developing its common policy to combat irregular migration, the European Union divides irregular migration into three basic categories:

1- Irregular migrant workers: This category represents a group of individuals present in Europe in -an illegal situation, who do not fit the official demand for labor and do not fit the legal conditions for residence and work. It is worth noting that this approach is consistent with the definition established by the International Labor Organization at its 143rd session held in 1975, which defined irregular migration as "that in which migrants find themselves, during their journey to arrival, residence, or work outside their country, in conditions that conflict with national laws and bilateral or multilateral agreements."

2. Refugees: European countries' views and positions on refugee flows and how to deal with them differ. The distinction between them is primarily based on their source, relationships, and interests. We have observed a European agreement regarding the treatment of Ukrainian refugees by facilitating their entry into the European Union and the Schengen Area. However, positions differ regarding the treatment of Syrian and Iraqi refugees. Germany received more than two million people between 2016 and 2019, while some European countries, such as Hungary, Italy, and Poland, took an opposing position.

The differences in the positions of European countries did not prevent them from adopting a unified definition of a refugee, as adopted by the 1951 Refugee Convention. This definition defines a refugee as "every person who, owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside the country of his nationality and is unable, or, owing to such fear, is unwilling, to avail himself of the protection of that country."⁴

3. Irregular migrants in transit: This category represents any person who is present in another country illegally due to the lack of travel documents, such as passports and visas⁵. They are located in transit centers or outside of them, awaiting return to their country of origin or attempting to travel to other countries illegally. In this context, the Sahel countries, Bangladesh, and Pakistan are the most important source of this type of migration, while it poses a challenge to all countries of the Mediterranean basin. The countries of the eastern and southern Mediterranean represent a transit area for these migrants, while the countries of the northern shore of the Mediterranean represent their final destination.

The East and Southern Africa region has historically been linked to Europe, which has influenced migration trends and flows towards Europe and its preference. Data indicates that the total number of Algerians abroad has increased from 1,764,000 in 2013 ⁶to more than 7 million in 2023, a rate exceeding 1 million. France is considered the primary and preferred destination for Algerian migrants, with more than 2.2 million residing in France, representing more than 80% of Algerians. Algeria is also home to more than 270,000 foreign migrants from the Sahel countries, Morocco, and Syria. ⁷

In the same context, the number of migrants from Morocco to Europe reached more than 6.5 million in 2023⁸. France, Spain, Belgium, the Netherlands, and Italy are the most important countries receiving Moroccan migration, representing more than 88% of the total Moroccan migration, while Moroccan migration represents less than 2% of the total Moroccan population abroad. ⁹ Statistics also show that the number of Tunisian migrants increased from 488,000 in 2000 to 658,000 in 2013, an increase of approximately 170,000 migrants. Tunisians in France represent 60% of the total Tunisian population abroad¹⁰, and those in Italy represent 5.17%, while the percentage of Tunisians in Arab countries represents only 8.3% of the total Tunisian population abroad. In Libya, the number of migrants rose from 559,000 in 2000 to 756,000 in 2013, an increase of 197,000 migrants. ¹¹However, Libya has transformed

from a transit area into a settlement hub, given the large numbers of African and Egyptian migrants who enter Libya illegally, whether to work in Libya or travel to Europe, despite the deteriorating political, social, and security conditions in Libya

The Second Requirement: The Transformation of Southern and Eastern Mediterranean Countries into Transit and Destination Countries

The countries of the Eastern and Southern Mediterranean are among the most important transit areas for irregular migrants due to their geographical proximity to Europe, favorable security conditions, the diversity of means and routes, and the presence of criminal organizations involved in illegal migration. However, this region has been observed to have transformed into a reception and settlement center for migrants from the Sahel and Asia, with a total of 5.6 million migrants, of whom more than 3.6 million are irregular migrants¹².

This shift in migration patterns is due to several factors, such as political stability, the availability of job opportunities, and the region's good purchasing power, in addition to religious and ethnic affinity. Another aspect of this transformation is migrants' efforts to settle temporarily in the Eastern and Southern Mediterranean countries to improve their situation and seek a safe passage to the European Union¹³.

The financial aspect is an important determinant of the appropriate migration model and its impact on the economic and social aspects of migrants. This change is clearly evident in the significant increase in the value of migrant remittances worldwide, estimated at more than \$857 billion, compared to \$843 billion in 2022. The Eastern and Southern Mediterranean region recorded a value of remittances of more than \$55 billion in 2023. Some countries in the region recorded a decline in remittances, such as Egypt, where the Central Bank of Egypt recorded a transfer of approximately \$19.5 billion to Egypt in 2023, a decrease of more than 30% compared to 2022. Other countries, such as Algeria, Lebanon, and Morocco, recorded an increase in the value of remittances, with Algeria recording a transfer of \$1.8 billion in 2023.

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At the labor market level, economic conditions in Europe have led to a rise in unemployment rates, negatively impacting job applications for both regular and non-regular migrants, especially unskilled migrants. Or seasonal migrants, who have become an additional burden on public budgets and increased social transfers, which contributed to the rise of anti-immigration and anti-integration movements alike, paving the way for the emergence of extremist right-wing parties hostile to immigration and migrants, coinciding with the signs of political transformation in the eastern and southern Mediterranean in 2011¹⁵.

This new political and economic situation in the Mediterranean basin coincided with the tightening of immigration policies by the European Union and the adoption of more stringent approaches within the framework of ongoing pressure on transit countries to contribute more to reducing migration by concluding bilateral agreements between the countries on both shores and granting privileges, financial aid, and technical support to encourage them to combat migration and secure their maritime borders.

Transit countries also seek to benefit from immigration benefits in various economic, social, and even cultural fields. This includes leveraging migrant labor in certain economic activities that suffer from severe labor shortages, such as construction, public works, and agriculture, by granting temporary work and residence permits. They also benefit from aid provided by other countries within the framework of various development programs aimed at strengthening the economic structure, integrating migrants, and retaining them in countries of origin and transit.

Transit countries also use migration flows and migrants to improve and promote their image in the areas of human rights. Many countries have sought to adopt relevant international agreements and have taken the initiative to re-adapt and align their legislation with international instruments. These countries also exploit the migration issue to pressure receiving countries to obtain certain privileges or support on international issues, such as what Turkey and Morocco have done with the European Union, or to pressure countries of origin to obtain diplomatic support in regional and international institutions.

The third requirement: Democratic transitions and their relationship to migration in the Euro-Mediterranean region.

The political and social events that began in Tunisia in late 2010 and spread to many countries in the southern and eastern Mediterranean during 2011, resulting in a shift in political regimes such as Egypt, Tunisia, and Libya, or a change in the style of government such as Morocco, have had many consequences, some of which have had positive effects on democratic and institutional processes.¹⁶

However, in many countries, such as Syria and Libya, this transformation has led to political instability and armed conflict, which has created situations of violence, human rights violations, and social conditions, such as the continuous and increasing displacement and population shifts, and the increase in asylum seekers. According to the United Nations High Commissioner for Refugees, the severe humanitarian crisis in Libya, Tunisia, and Egypt has resulted in the displacement of approximately half a million people from conflict zones, leading to economic deterioration amid a global economic and financial crisis. This situation has contributed to increased pressure on migration flows from the southern and eastern Mediterranean region toward European Union countries, with mass arrivals resulting in a humanitarian crisis due to state weakness, insecurity, the increasing number of migrants from African countries, and the proliferation of illegal migration organizations, human smuggling, and trafficking, such as what occurred in Morocco in 2021. This created an unprecedented humanitarian crisis and required the intervention of other countries, particularly the European Union.¹⁷

A study and analysis of the consequences of this shift at all levels in the short term reveals that most governments responded by taking economic and social measures to mitigate social unrest, particularly unemployment, and control food prices, while preserving political gains as an opportunity to strengthen democracy and accelerate a smooth democratic transition.¹⁸

This new situation has led to a focus and emphasis on issues of security and migration control, particularly from a European perspective. This is despite ongoing partnership agreements and cooperation between the two shores to combat migration and promote and protect the shared rights and values of migrants¹⁹. This is especially true in light of the economic boom of some southern Mediterranean countries during the democratic transition. Economic data during this period have shown that the countries in the aforementioned region have witnessed a significant increase in their gross domestic product.²⁰

Based on this, it is imperative to insist on the need to address migration in the Euro-Mediterranean region according to an integrated, structural, and broad approach that achieves a balance between policies controlling and managing migration flows, on the one hand, and cooperation policies and the development of countries in the region, on the other. For this reason, the framework of the Barcelona Process and the Union for the Mediterranean, their progress, implementation, results, the degree to which their objectives are met, and the extent to which their cooperation programs are adopted, must be taken into account²¹. In the long term, the European Union seeks to revitalize the principles of the Barcelona Process and express them more strongly within the Union for the Mediterranean, emphasizing that shared economic prosperity should be a fundamental principle of relations between the two shores.²²

Section Two: The European Approach to Confronting New Transformations in Mediterranean Migration

In this section, we will attempt to highlight the influence of extreme- right on European migration legislation (the first section). In the second section, we will address the adoption of a security approach at the expense of the humanitarian dimension of migrants, and finally, we will evaluate the impact of this shift on cooperative relations in the Mediterranean (the third section).

First requirement: Extreme- right Legislative Reforms to Confront Mediterranean Migration

The European Union has witnessed radical shifts in the political process, resulting in the near-total dominance of the extreme right in the European political arena, particularly in the countries most

attractive to Mediterranean migration, such as France, Germany, Poland, and Hungary. This new reality prompted the European Union to initiate a package of new legislation related to asylum and migration in 2024, which will enter into force in 2026. These texts represent the first amendments in more than ten years. These new laws aim to address the issue of asylum and migration from across borders, according to a European solidarity approach, by establishing special mechanisms to examine conditions and compliance with standards, exercising the right to accept or reject migration and asylum applications, and distributing them among member states according to a quota system.

The influence of the extreme-right on migration policy was evident in European politics before this movement's success in the 2024 European Parliament elections, when the European People's Party adopted extreme-right positions on mechanisms to combat migration, which were included in the final text of the European Council's conclusions in 2023²³. The extreme-right parties, such as the National Front, the Freedom Party, and the Alternative for Germany, have based their anti-immigration stances on ethnic substitution and a particular fear of Muslim immigrants.²⁴ Their policies also cite the high economic costs associated with asylum seekers and the impact of immigration on the labor market. This, according to the right-wing movement, calls for a review of European legislation to regulate immigration and asylum policies. This requires taking decisive measures, such as a more stringent review of laws related to border management, a naval blockade, the transfer of asylum procedures to countries outside the European Union, and the return and deportation of irregular asylum seekers to their countries of origin.

The new approach to migration is primarily based on granting national states greater freedom to address migration issues, as they fall within the core of their sovereignty and internal affairs. This new movement also calls for new reforms to relevant international conventions, particularly the 1951 UN Refugee Convention and the 2018²⁵ Global Compact for Migration. It also calls for the adoption of a new Pact on Migration and Asylum in May 2024, which embodies the far-right position calling for enhanced border control measures within the European Union. The European Pact on Migration and Asylum, adopted by the Council of the European Union in May 2024, is a comprehensive reform of European migration legislation, representing the most profound amendment to EU migration policy in more than ten years. This amendment came in response to the massive influx of irregular migrants into Europe, particularly from Syria.

These reforms aim to tighten and regulate entry procedures into the European Union and oblige all member states to share responsibility for monitoring, integrating, and protecting migrants. These reforms include ten (10) pieces of legislation supported by most EU countries, with a 55% majority of member states representing 65% of the EU population. However, Hungary and Poland voted against the entire plan, while countries such as Austria and Slovenia opposed some provisions of these laws. The legislation will enter into force in 2026, after the Commission has finalized the mechanisms for implementing the procedures, particularly the quota system.

Member states will establish border facilities. The new legislation includes precise and complex measures aimed at examining asylum applications at the EU's external borders, after registering all applications in an expanded EU biometric database, called Eurodac. Applications are processed within a maximum of seven days at centers set up in Greece, Italy, Malta, Spain, Croatia, and Cyprus, with a capacity of approximately 30,000 people. The new legislation also emphasizes the importance of mandatory solidarity among EU member states, requiring countries that do not accept this new measure — particularly those that refuse to accept refugees and/or are unwilling to accept them — to pay at least compensation or send equipment and personnel to the countries receiving migrants. A compensation of €20,000 for each migrant not accepted has been proposed, but this compensation system has not been legally defined and must be negotiated between member states based on the nature of each asylum case. Likewise, if a transit country is unable to cope with the influx of refugees and migrants, it can relax many of its rules and request more assistance in concert with all EU countries.²⁶

In addition to these new reforms, the EU has taken a series of measures within the framework of bilateral agreements with transit and origin countries, aimed at reducing asylum seekers. These

agreements, such as those with Turkey, Egypt, Tunisia, and Mauritania, aim to deport people more quickly in the future to countries designated as safe, in exchange for economic aid from the EU. However, most of these countries limit their cooperation with the EU to their own nationals and refuse to accept migrants from African or Asian countries.

The second requirement: Prioritizing the security approach over the humanitarian aspect in the new European migration policy.

The continuous increase in migration flows to Europe in recent years, as a phenomenon with social and economic dimensions, with the number of irregular migrants in Europe exceeding 1.8 million in 2015²⁷, and more than 33,000 migrants drowning between 2000 and 2017²⁸, has prompted the European Union to take the necessary measures to confront this phenomenon and address its underlying causes, based on a comprehensive approach that takes into account the economic, social, and cultural aspects of the phenomenon, within a multilateral or bilateral framework between the European Union countries and the countries of the Eastern and Southern Mediterranean.

Initially, European approaches to addressing migration focused on economic and development solutions at the level of transit and migration-exporting countries through a series of initiatives, such as the Barcelona Process in 2015, and the conclusion of bilateral partnership agreements with some southern and eastern Mediterranean countries, such as Morocco in 1999 and Algeria in 2002. These initiatives also included development programs such as MEDA 1 and MEDA 2. However, after the rise of extreme right in Europe and its adoption of anti-immigration and anti-migrant policies, this approach relied on a purely security-based approach to migration management, which considers this phenomenon a cross-border threat linked to other crimes such as terrorism and human trafficking. All material, financial, and human resources were mobilized to combat it. The European Union allocated more than 7 billion euros between 2014 and 2020, including 3.9 billion euros for border control.²⁹

European security policy aims to address migration on two main levels. The first involves taking unilateral measures to tighten border controls and protection, enhance coordination and cooperation among member states, and promote security and control of irregular migration flows. This is achieved by establishing joint European security bodies and institutions to address issues related to combating irregular migration. These include the European Police Organization (Europol), established in 1999; Euroforce, established in 1996; the European Border and Coast Guard Agency (EUBEA), established in 2004 and operational in 2005; and the European Border and Coast Guard Agency (EUBEA) in 2016. The second level involves individual European countries seeking to conclude bilateral agreements with countries of origin or transit of migrants, using the carrot and stick approach. This approach aims to encourage the concerned countries to take stricter measures to tighten maritime border controls. Italy and Libya concluded agreements in this regard between 2003 and 2007, and the Memorandum of Understanding between Spain and Morocco in 2003 related to curbing irregular migration.

The European Union relies on a security approach as a strategic solution to address the migration phenomenon, while neglecting the humanitarian aspects regulated by relevant international conventions and treaties, particularly the 1990 United Nations Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, effective since 2003. This Convention represents the primary reference for protecting the rights of migrants and their family members while abroad under all circumstances, regardless of their legal status. UN and non-governmental organizations have noted the failure of most EU countries to adhere to its content or even ratify it. The General Assembly called on countries that have not signed this convention to ratify it, and the UN Secretary-General, in Resolution No. 71/237 of December 21, 2016, on international migration, called for an extensive effort to strengthen the agreement and urge European countries to accede to it. The UN Special Rapporteur on Migration at the Human Rights Council, Mr. François Crépeau, also noted in his 2015 report that EU countries refuse to ratify this convention³⁰.

In the same context, the United Nations Committee on Economic, Social and Cultural Rights issued a 2016 report regarding the reception and living conditions of asylum seekers in France. In a report

published in April 2006, the European Committee for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CPT) noted serious cases of failure to follow administrative and judicial procedures related to the deportation of migrants, resulting in mass expulsions without respect for the fundamental rights of deportees, particularly from Italy to Libya.

For its part, the NGO Doctors Without Borders (MSF) stated in its 2015 report, "A Difficult Road to Europe," that the European security approach to migration has failed to address and control the phenomenon. This policy is primarily aimed at serving vital European interests and does not respect humanitarian standards. This reinforces the role and contribution of the European Union in the migration crisis, not its management. In response to these international observations and criticisms, the European Union initiated the creation of a Fundamental Rights Commissioner on September 14, 2021. This Commissioner is responsible for examining, following up, and investigating complaints related to the respect for fundamental rights by all border guard and surveillance agencies, primarily Frontex. This Commissioner does not have the actual powers to hold any agencies in violation of the law or the actions of their employees³¹, as his powers are limited to submitting observations or issuing administrative decisions. He also lacks the financial resources to compensate migrants affected by inhumane violations and abuses.

Third Requirement: Implications of the New European Approach to Migration for the Euro-Mediterranean Region

The new European policy, based on the vision of extreme right who rejects both migration and integration, represents a radical shift in the common European approach to migration management. This approach was based on the Barcelona Process and the Schengen Agreement as the primary references for dealing with the phenomenon and set the boundaries of interaction between countries of origin and transit and European Union countries. Once implemented, this policy is expected to have a range of impacts and repercussions of varying dimensions, primarily on the European Union and its member states, and secondarily on surrounding countries and countries involved in refugee and migrant issues.

First: Its Implications for the European Community:

European migration policies place an additional burden on the labor market, employment, and social integration, in terms of normative effectiveness and characterization, particularly with regard to dealing with countries affected by the phenomenon. This is because the European Union prefers a security-based, solidarity-based approach, based on interests, without giving special attention to the humanitarian dimension of migrants, equality, and ensuring integration into European society.

This position is evident in the criteria adopted for granting and processing immigration and asylum applications, resulting from the imposition of exceptional measures and a focus on three categories of countries of origin: safe countries of origin, countries of first resort, and safe third countries. This further contributes to the violation of the fundamental rights of migrants and their failure to benefit from the rights stipulated in relevant international agreements.

This new approach confirms that the European approach, which violates humanitarian standards initiated by European countries in 2008, relates to the common procedures for the return of third-country nationals residing illegally on the basis of human rights protection, by increasing the period of pre-deportation detention from two to six months and legislating a prison sentence of up to three years for irregular migrants. In 2017, a new regulation for the Entry and Exit Information Registration System was adopted as an additional obstacle to migrants, under which third-country nationals crossing the external borders of the Schengen Area were denied entry. It is clear that these new laws are at the heart of the capitalist vision, which seeks to focus solely on highly skilled labor at low wages. This is due to the significant labor shortage in EU countries, both in quantity and quality, and in a range of specializations. To avoid any potential structural and demographic shifts, some EU countries, particularly France, have been forced to export their national industries instead of exporting jobs, especially after the effects of the coronavirus pandemic and the war in Ukraine.³²

The new procedures adopted for dealing with migrants upon their entry into the EU, as well as the living conditions in refugee and migrant camps, and the complex arrangements for their integration into society, have been among the most significant criticisms directed at the EU by international governmental and non-governmental organizations. These measures have forced migrants to move during and after their return to their countries of origin, especially in light of the rise to power of the far right in Europe and the adoption of the Migration Pact, which primarily aims to reduce the scope of international law, particularly with regard to the human rights of migrants, and to delegate mechanisms for processing and combating migration to third countries in order to evade their obligations under international law.

Second: Its repercussions and impact on the countries of the Southern and Eastern Mediterranean

It is noteworthy that the European Union's new approach to migration issues has not taken into account the geopolitical dimension of its various policies, particularly with regard to migration management. This is because the approach included in the European Migration Pact considers the Southern and Eastern Mediterranean region an actor in these unequal policies in protecting the Union's external borders.

Migration management and its mechanisms represent the most important issue on the Euro-Mediterranean relations agenda. The European Union's new approach adopts a solidarity-based approach among its members and a collaborative relationship with the countries of the Southern and Eastern Mediterranean, as the new pact considers them a key player in border control, within a stricter legal framework in exchange for development benefits. This vision is part of the European Union's efforts since 2011 to formulate a new set of cooperation initiatives in line with the new realities in various countries of the region, to overcome the risks and obstacles that prevent the possibility of establishing more sustainable and effective relations in the Mediterranean basin.

The implementation of this approach has significantly contributed to the worsening humanitarian crisis facing migrants due to the increasing number of irregular migrants. The European Border and Coast Guard Agency announced that the number of irregular migrants who arrived in the European Union between January and April 2023 reached more than 42,200. This prompted the European Union to demand greater cooperation from countries of origin and transit in combating migration by encouraging them to conclude repatriation agreements, which serve as a mechanism to combat irregular migration.

The European Union has incorporated repatriation agreements within the framework of ongoing cooperation and coordination with Eastern and Southern Mediterranean countries, in accordance with the Joint Migration and Mobility Program. This program aims to provide development assistance and facilitate entry procedures into the Schengen Area, in exchange for these countries' commitment to prevent irregular migration activities and accept their deported nationals after determining their nationality. In response to the migration flows coming from the Eastern Mediterranean, particularly after the events in Syria in 2011, the European Union concluded a bilateral agreement with Turkey in December 2013, which entered into force on March 18, 2016. Under this agreement, Turkey is committed to returning and accepting all irregular migrants who have transited through its territory and entered the European Union, regardless of their nationality³³, without taking into account the circumstances and real reasons for migration, especially since most migrants come from areas of war, tension, and conflict. This form of cooperation constitutes a violation of the human rights of migrants, as it does not distinguish between different migrant statuses and leaves no possibility for migrants to prove their status or obtain appropriate protection. It also constitutes a clear violation of the principle of non-refoulement, as stipulated in Article 33 of the 1951 UN Refugee Convention.

Conclusion:

Migration is considered one of the most important and complex social phenomena in terms of its causes, dimensions, and repercussions. It has attracted particular attention from all international actors at all levels and is included in all international discussions and meetings, due to its close relationship with other comprehensive challenges such as terrorism, money laundering, human trafficking, and climate change.

Issues related to migration represent one of the most important axes of the Euro-Mediterranean cooperation agenda at both the bilateral and multilateral levels, particularly in terms of research and developing joint mechanisms to manage it, maximize its positive impacts, and address its negative repercussions. This is particularly true in light of the new democratic transformations taking place in the Mediterranean basin, the security instability in some countries, the wars on Gaza and Lebanon, and the Russian-Ukrainian war.

The democratic transformations that took place in the countries of the Eastern and Southern Mediterranean after 2011, which led to changes in the political situation and ruling regimes in countries such as Egypt and Tunisia, and the fall of regimes and collapse of state institutions in other countries such as Syria, Libya, and Yemen, contributed to changes in the manifestations and fundamental characteristics of migration. This was particularly true in the transformation of some countries from transit countries to countries of settlement for migrants from the Sahel and Asia, such as Algeria, and the return of migrants to their countries of origin due to improved socioeconomic conditions, political openness, and the strengthening of democracy.

The weakness and instability of the regimes in some countries led to the expansion of irregular migration networks and related cross-border crimes, particularly from Libya, Syria, and Yemen. This increased migration flows towards Europe via the Mediterranean Sea, amid harsh humanitarian conditions that resulted in significant deaths and flagrant human rights violations, amid a European security approach that lacks effectiveness and humanity.

Faced with this shift in migration patterns in the eastern and southern Mediterranean, European extreme right has exploited the migration issue as one of the most important themes in its electoral platform. This platform relies on a policy of intimidation and fear regarding the repercussions of migration and integration on European societies, particularly on the labor market, demographic growth, religion, and European ethnicity. As soon as extreme right came to power in Europe, most European countries, such as Germany, France, Poland, and Hungary, began to initiate policies and legislation hostile to migration and migrants, leading to the adoption of a European approach to migration and asylum in 2024. This approach relied on a more comprehensive, purely security-based policy focused on the forced return of migrants, the prior processing of asylum applications, and selective migration according to a European solidarity approach that neglected the human dimension at all stages and aspects.

The European approach to migration management has not achieved its objectives and has demonstrated its inability to confront the new transformations of Mediterranean migration. This calls for reconsideration and updating of the approach in accordance with the recommendations of the Tripoli Conference held in Libya on July 17, 2024. The conference concluded with the need to address the phenomenon in all its dimensions and adopt joint policies based on a humane approach within an integrated framework aimed at promoting development and improving living standards, democracy, and governance in countries of origin, while establishing balanced cooperation between European countries and transit countries by supporting their economic and security capabilities, encouraging direct investment, and facilitating the movement of individuals, goods, and financial transfers. This will enable transit countries to receive and integrate returning migrants and contribute effectively to combating illegal migrant smuggling networks.

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