

IRREGULAR CROSS BORDER MIGRATION, EMIGRANT'S ISSUES AND STATE SECURITY

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Abstract: *Irregular cross border migration is not a new phenomenon. Several factors are contributing in shaping irregular migration which is not in state's direct control e.g. globalization, disputes and growing economic disparities among several countries of the world. It has attained key importance in the International Security agenda. This paper attempts to identify the reasons involved in initiating irregular migration and hurdles involved in shaping comprehensive strategies to confront it. It describes multiple types of policies in a country and instruments to tackle irregular cross border migration. It also highlights immigrants' problems and role of civil society, NGOs and other institutions to minimize the problems of irregular migration. This paper demonstrates that irregular cross border migration is not only harmful for the host states but also for immigrants themselves. It concludes with suggestions and ways to decrease the irregular migration with some policy substitutes and fundamental rules for making a policy on irregular cross border.*

Keywords: *Emigrant, Eradication, Implementation, Infrastructure, Irregular Cross Border Migration.*

Introduction

Irregular Cross border migration is not a new phenomenon. This is a complicated and problematical situation for states and it constitute perplexity, trouble and uncertainty for host countries and it is also exposing migrants to danger and helplessness. Most of the countries including developed (U.S.A, U.K, and EU etc.) and developing countries (Pakistan, India, Iran etc.) have remained unproductive to manage or control irregular cross border migration. Therefore, they need to have new, more efficient, organized and rational techniques to tackle the issue of

irregular cross border migration, which perceive the concerns of territory and also rights of Irregular emigrant (Pickering & Weber, 2006). It is very important to be rational about assumptions. Although, irregular migration will continue in the foreseen future, yet it may be possible to scale down its proportion. Its basic reason is that the powerful arms which regulate the ratio of global migration are very strong (e.g. increasing inequalities in the standards of prosperousness and human security among separate societies) while the capability to improve them is very confined. Countries have the responsibility to manage or supervise their boundaries under the United Nation's resolutions, conventions and Protocols In different parts of the world, strategy about irregular migration is controlled by the perception (even if it is true or not) which is a risky situation. As most of the irregular emigrants are not criminal, even those who enter in any country illegally or if their claims are not yet accepted, this is also stated by United Nation's report on the rights of immigrants. Only few immigrants are involved in criminal activities, therefore it's not correct to call all of them criminals. Therefore, exiting control measures launched by territories are not sufficient (Bhagwati, 2003). States are also realizing that the ongoing policies or strategic techniques have only little triumph. Therefore, they want some more effective and efficient policy substitutes. Additionally, incompatibility exists between participants in their interests and policies now-a-days and it will also be seen in future. However, it may be possible to reduce the gap between them. The most apparent incompatibility lies between the interests of emigrants and states which are trying to regulate their entry (Hing, Lun, & Phann, 2011). There are also various contradictions among governments, its institutions, NGOs, civil society, transit and host country (Hollifield, 2000).

This paper has six segments. Its first segment defines irregular cross border migration and the reasons of its occurrence. Second segment is about the major lacunas which are involved in making of polices on irregular cross border migration. Third segment tells about the threats of Irregular cross border migration to a state and immigrants. Fourth segment describes strategies of a state. Fifth segment illustrate the role of multinational approaches, civil society and NGOs to resolve the problems of Irregular immigrants. Final segment highlights all the possible measures with some strategy substitutes and fundamental rules for making a policy which can help to minimize Irregular cross border migration.

Reasons of Occurrence of Irregular Cross Border Migration

Irregular cross border migration is the entry of an individual or a group of people through a state's border, in a mode that breaks the immigration laws of the destination state, with the objective to stay in the state (Pécoud, & De Guchteneire, 2006). According to International Organization for Migration (IOM) the movement of a person or a group of persons either across an International border or within the state it is a population movement encompassing any kind of movement of people whatever its length composition and causes it includes Migration of refugees displaced persons economic migrants and persons moving for other purposes including family reunification. Hence it occurs due to the lack of equalities on social, environmental and political scale which make the mind several citizens to migrate from their native countries to other countries. The International Organization for Migration Hence, there are three basic reasons. The International Organization for Migration (IOM) defines migration as 'The movement of a person or a group of persons, either across an international border, or within a State. It is a population movement, encompassing any kind of movement of people, whatever its length, composition and causes; it

includes migration of refugees, displaced persons, economic migrants, and persons moving for other purposes, including family reunification (Skeldon, 2006).

Socio-Economic Inequalities

Migration is a powerful symbol of global socio economic inequalities in terms of wages, labour market opportunities and lifestyles. Millions of people along with their families are migrating to reduce the gap what they see between their own position and that of citizens of developed countries. So, socio economic inequalities on is the basic reason of migration from one country to another. Most of the migration occurs due to this reason which influence many people to move some place or country where they can have a good quality of life (Black, 2005). Movement of people for the reason to be closer to their families (family reunification) or friends also comes in the category of social migration (Castles, 2010).

Wars and Political Maltreatment

Wars and political maltreatment is the second biggest reason of irregular cross border migration. Therefore, many people move to other countries to get out of the troubling situation for the sake of peace or to get rid of political ill-treatment (Castles, 2012).

Natural Catastrophe

Natural catastrophe (calamity) is a third reason of migration. People also migrate to have an escape from natural disasters such as drought, earth quacks and flooding (Paul, 2005). Therefore, poverty, over-population, family reunification and unemployment are the basic reasons due to which citizens of any country take decisions to migrate to other countries. In a rough estimate irregular migration is 50% of the migration which occurs around the globe and about 10% of irregular emigrants is living in European Union (EU) (Castles, Cubas, Kim & Ozkul, 2012).

Fundamental Obstacles in Policy Making

As mentioned above, most countries have failed to minimize the irregular cross border migration. Categorization of strategies of a country and analysis of the failure to attain desire result is illustrated in fourth segment. The basic reason of this segment is to summarize the fundamental obstacles which are creating troubles in the formation of new approaches. However, it is essential for the countries which are facing these problems that they should not withdraw from their responsibilities to resist these hurdles. Due to several reasons which are mentioned in this paper, a country has no choice to avoid irregular cross border migration because of its tough challenges. Besides tackling these hurdles, a country should also give respect to the basic rights of the emigrants (Feldman, 2011).

Government's will

Although, it is a tough and delicate issue, yet governmental will play a key role in confronting irregular cross border migration. However, some countries lack this governmental desire or thrust to speak about it. Irregular cross border migration is beneficial for some countries because it can

reduce excessiveness of workers by providing sources for foreign investment and sources of money transfer. Irregular migration cannot be control completely by a host or destination country alone. It requires coordination between countries of emergence (countries whose citizen migrate irregularly), transit (countries of temporary stay) and host countries (targeted countries who receive irregular migrants) (Feldman, 2011).

Need of workers in the market

Most of the receiving countries have strong governmental wish to act e.g. industrialized countries like Australia, Canada, United Kingdom and United State etc. are spending significant amount of money to control irregular migration but they have not got complete success (Lowell, 2001). In economical point of view irregular migration is quite functional in some host countries, due to de regulation and flexibility, there is a demand of semi-skilled and unskilled workers that are willing to work under risky conditions. It's a cheap source because irregular emigrants offer to work at fewer prices than legal workers and they are also willing to work in such conditions where legal emigrants or nationals refuse to do. Therefore, industrialized countries cannot overcome this issue of irregular migration without considering its economic perspective (Wickramasekara, 2008).

Country's Security and Emigrant's Rights

Whether irregular cross border migration is a threat to security of any country or not is a debatable point but it is also not deniable that the sovereignty of a state is the responsibility of a state to manage its boundaries by stopping the entry of criminals to the country. It is one of the basic hurdles for the formation of strategy in the field of irregular migration that sometimes it is very difficult to settle these two issues. This situation applies especially to asylum claimants and refugees. It is a challenge for any country to restraint their entry to its land without considering the right to claim and get protection (Todor, Repez & Postolache, 2014). I have described its threats to country's security and immigrant's problems in detail in below segment.

Statistical Problems

It is very difficult and almost impossible to quantify or get the exact figures of irregular emigrants as this kind of immigration occurs in secrete ways or without proper documents and there is no record of them as illustrated above. We are only able to get figures of irregular emigrants who are arrested by law enforcement agencies globally which are not accurate figures and it is only an assumption. However, different international and regional organizations are trying to get estimated figures of irregular migrants (De Beer, Raymer, Van & Van Wissen, 2010). According to Eurostat statistics in 2011, 45360 irregular immigrants of Afghanistan were apprehended by EU and in 2015, these figures reached at 2136055. In the same year 2011, 11260 Bangladeshis, 15125 Indians, 11065 Iranians, 32490 Pakistanis and 5380 Syrians, 10385 irregular Turkish immigrants were apprehended. While, in 2015, 21460 Bangladeshis, 17290 Indians, 44185 Iranians, 81465 Pakistanis, 857740 Syrians, 9560 irregular immigrants were apprehended by EU. The most affected member states of EU in 2015 with over 50,000 irregularly present immigrants apprehended were Greece (911470), Hungary (424055), Germany (376435), France (109720) and Austria (86220). According to IOM in 2015 total entries were approximately 1,005,504 to Europe in which only 3% is coming by land (IOM, 2015).

According to IOM in 2015, 3692 migrants/refugees were died in Eastern Mediterranean over 400 more than in 2014. IOM Greece is monitoring the casualties in the Greek islands, where a large number of victims were young children in 2015. In 2014, The Migration Policy Institute estimated that approximately 11 million unauthorized immigrants were residing in the United State. More than half of it which is 54% were living in four states: California (27%), Texas (13%), New York (8%) and Florida (6%).

According to the estimates of the Office for National Statistics the net irregular movement to the U.K. for the year 2015- 2016 were 650,000. The office for National Statistics does not gather estimations on the number of illegal immigrants in UK, declared in response to a FOI request in 2016. Due to its very nature, it is impossible to calculate the number of irregular emigrants in the country the Office for National Statistics can conduct an Annual Population Survey or the Census which would leave large holes taking into account the hidden population of irregular immigrants there are five million irregular emigrants in Pakistan which include two and half million Afghanis, two million Bangladeshis and half of the million are other nationals which are Africans, Iranians, Iraqis and Myanmar's, are currently living in Islamabad, Lahore, Peshawar, Quetta, Rawalpindi and other cities. The United Nations High Commissioner for Refugees UNHCR estimation, there are about 1.5 million undocumented migrants in Iran, later on, according to a Census in 2001, it decreased to 1 million (UNCHR, 2016). In the report of UNHCR, there were more than 200,000 refugees in India. Hence India was hosting to 198,665 refugees as of June 2014 which includes 4,718 pending cases of asylum seekers and sum of them is 203,383. The Other countries with enormous numbers of refugee were Lebanon (1.1 million), Iran (982,000), Turkey (824,000), Jordan (737,000), Ethiopia (588,000), Kenya (537,000) and Chad (455,000) (India home to 200,000 refugees in first half of 2014: UNHCR, 2015).

Threats of Irregular Cross Border Migration to a State and Immigrants

State Challenges

Irregular migration is considered a constant threat to security of a country. Irregular emigrants can affect a state socially, economically and legally e.g. Pakistan which is largely affected by Afghan refugees. In social perspective, they can harm a society by transferring different type of infectious diseases like HIV-AIDS, hepatitis and many other diseases to the natives of the host country. Thus, they can worsen the health conditions for the nationals of the destination country (Watts, Siddiqi, Shukrullah, Karim & Serag, 2007). Irregular emigrants also create economic problems for them by taking their jobs because illegal immigrants are willing to work in low salaries than nationals, hence create unemployment for them and threaten economic stability by rising job competition. Irregular immigrants can also create social disability by creating racism and it can also create hatred for specific religious group and culture. It can affect a state legally because some irregular immigrants can be connected to criminal networks and do crimes on the behalf of migrant smugglers or traffickers and they might also be involving in survival crimes (Gallagher, 2001).

It is also very essential to differentiate between moves and accumulation because it can create troubling situation due to the reaction of a policy or strategy of any state. Irregular moves constitute problems of administration and control for any state. Although, almost all governments globally are concentrating on the sources of their management or return yet it needs to consider

the various ways for their regulation. As irregular migration takes place without permission by secrete means, using fake papers, overstaying, fake marriages, human trafficking and human smuggling. It impacts on the countries emphasize the need to regulate the channels of legal migration to avoid the troubling situation created by irregular means (Kyle, David & Rey Koslowski, 2011).

Hence, development in the field of communication technology has created ease for the irregular immigrants to contact with smugglers. Now they are able to communicate instantly using messages, call and social media services to decide the payments and possible routes for their successful arrival to their destination. If they feel any threat or suspicion, it makes very easy for them to take instant decisions about the change of routes according to the situation. This is very challenging condition for any state to cope, unluckily; most of the states have failed to confront these issues (Dekker & Engbersen, 2014).

Developed countries have overcome this problem to some extent because of their advance mechanism for the prevention of irregular migration, while developing countries have failed to confront irregular migration because of the lack of advance mechanism of border management. Because developing countries already face lots of problems which are economic, social and legal etc. while irregular immigrants put more burden on their economy and they can worsen the economic situation of the country for example, Pakistan was hosting approximately 5 million irregular immigrants of different countries who created troubles for the host country in many ways, they give rise to poverty, unemployment and also worsen the health and law & order situation ("Five million illegal immigrants residing in Pakistan," 2012). Similar is the case of Iran where irregular migrants spread diseases like Hepatitis, HIV-AIDS, Tuberculosis (TB), Malaria, cholera and leishmaniosis (Pourhossein, Irani & Mostafavi, 2015).

Immigrants' Problems

Irregular immigrant's stay in the host countries is associated with lots of troubles and hazards because irregular immigrants don't possess required documents and permits which makes hard for them to find jobs, get residence, enrolling in the education institutions and get health care facilities. Irregular immigrants cannot get decent apartments; those who are willing to offer accommodations which are unsatisfactory and they are also living in dangerous areas having no safety (Simich, Wu & Nerad, 2007). Most of the irregular immigration occurs by two means that is human trafficking and human smuggling (illegal transportation of people across the border).

Irregular migrants make agreements with smugglers and pay them money as result of which smugglers transfer immigrants across the border of the destination. In some cases, the relationship between smugglers and irregular immigrants ends after crossing the border; however, because of the illegal status in the host countries, these immigrants become dependent on those criminal gangs who have smuggled them. Those human smugglers get advantage of their situation and force immigrants to work without payments and they also get the re-payment from irregular immigrants violently (David, 2000).

Human trafficking is a slavery of nowadays, which occurs by fraud, using force, threat and other means of violence (Davidson, 2010). Victims of human trafficking have restricted

independence; they cannot move freely according to their own choice. They are treated like slaves and tortured both physically and psychologically. Those criminal gangs use women and children for sex industry or prostitution and forced labor in different sectors for example agriculture, construction and household. There are different international criminal networks that are running it; due to the tough immigration policies and improved border monitoring technologies in developed countries, a huge number of immigrants become victims of those criminal groups (Dembour, Marie-Bénédicte & Tobias, 2011).

Role of Civil Society, NGOs and Other Institutions

Civil society groups have some advantages above governmental institutions in addressing problems which relates to migration especially in the case of irregular immigrants. Because of their nongovernmental nature give them better access and ability to win the trust of irregular immigrants who are afraid of arrest and deportation if governmental organizations provide services. Some civil society groups are made by migrants themselves or formed through cooperation between migrants and local citizens who want to assist them. They are also connected with some other channels that have same objectives or missions in the same country. NGOs also play an important role to minimize the problems of irregular migration only few NGOs are specifically concerned with irregular migration, whereas only fewer are concerned with the specific aspect of the irregular migration which includes human smuggling, trafficking, asylum claimants and refugees. NGOs are less interested in governance related problems and work for the safety and promotion of rights of irregular immigrants e.g. Asylum seekers and refugees and victims of trafficking. Governments do not consider their suggestions in policy making because it has its own interests or objectives. Some time, this fact is completely ignored by the institution of management and control that irregular emigrants are also humans and have basic human rights without considering their status. NGOs give more importance to the human rights and rights of immigrants while government emphasizes to make such strategies to tackle irregular immigrants, hence contradiction arise in their opinion. However, NGOs can play an important role in eliminating social problems related to irregular migration by promoting collaboration and discussion between countries of origin and destination and to eliminate the elements that contribute to forced migration. IOM also encourage the NGO participation in migration policy discussions but most of the collaboration occurs at field level. Different organizations at regional and international level are working for the migration related issues (Hollifield, Martin & Orrenius, 2014).

In Europe, there are three major regional organizations with the capability to work for migration issues. The council of Europe in collaboration with European committee on migration has given a lot of principal guidelines for migration related issues and irregular migration. The International Center for Migration Policy Development (ICMPD) serve as secretariat for Budapest process and the Organization for Security and Cooperation in Europe (OSCE) which provides training for border management, policy making and also organize activities among various government institutions. The United Nations High Commissioner for Refugees (UNHCR), The International Labour Organization (ILO), The Global Commission on International Migration (GCIM), International Organization for Migration (IOM) & Platform for European Red Cross cooperation (PERCO) acts for awareness raising, health care and provide the legal services for the victims of smuggling and human trafficking. The African Union (AU) which deals with refugees'

related issues and MIDWA & MIDSA deal with human trafficking problems. The Association of Southeast Asian Nation (ASEAN) provides framework for collaboration on international migration. The South Asian Association for Regional Cooperation (SAARC) it works on the trafficking issues and children. In United States, The Organization of American States (OAS) works for governments in education, justice, safety and also migration issues.

Global Strategies

Policy making on irregular migration started about the mid of 90's and they were overwhelmingly control-oriented. After the 9/11 they were tighten up globally especially in U.S.A, U.K and EU (Boswell, 2007). It has gained key importance and become a center of discussion nowadays; therefore, almost all states of the world including developed and developing countries are paying extra attention to this sector and trying to make some layouts to solve the issues which are related to irregular migration as existing policies have not succeeded to overcome the irregularity in migration. They are trying to make some new strategies which include pro border measures, approaches related to border management and post entry approaches to control migration related problems especially irregular migration. Return is the integral part of their strategy to control irregular stocks e.g. Australia, Pakistan, E.U., U.S.A and U.K.

Australia's Strategies

Australia is a country that has gain success to overcome emigration related issues, this success is due to its unique geographical existence and tightening of the immigration policies especially about asylum seekers and irregular immigrants to control irregular flow. NGOs and liberals are criticizing the policies which are adopted for asylum seekers.

- Lawmaking about, asylum seekers and refugees, slavery, sexual enslavement and dishonest employing; human smuggling; domestic violence and organized crime
- Encountering illegal work
- Implementation of law that includes intelligence gathering, training programs, international liaison officers and coastal observations
- International coordination, involvement in local procedures and hiring of appropriate international tools
- Financial aid for countries of origin or emergence
- Investigation and data assortment
- Measures for the prevention of smuggling and protection for the victims of human trafficking
- Advanced passenger processing (APP)
- Investment in Education sector and in development programs in the countries of origin (Ryan, 2010)

Pakistan's Strategies

- Deportation Reparation programs
- Border strengthening
- Enhanced detention and detection programs

- Production of documents advanced security measures.
- Research and data collection
- Facilitating Programs for the prevention and protection of victims of trafficking and smuggling
- Black-listing of traffickers and installation of Human Trafficking Information System (HUTIS) (Irregular Migration and Associated Crime in Pakistan: A Review of Federal Investigation Agency's (FIA) Training Programmes, 2011).

Pakistan is a developing country that has faced economic, social and legal issues due the presence of millions of irregular immigrants who lived for more than two decades inside the country. Therefore, Pakistani government has adopted such measures for the irregular immigrants to send them back to their native countries.

There are lots of reasons of the failure of the policies to achieve their targets which are not indirect control of any state which include globalization and socio-economic inequalities among different states (Castles, 2004). Irregular migration has also become an establish business industry for travel agents, lawyers, migrants smugglers and human traffickers, so it makes very difficult to decrease the momentum of irregular migration. Most of the policies on migration issues are focusing on control but the protection of refugees and asylum seekers is neglected (Wheaton, Schauer & Galli, 2010).

Repatriation

Repatriation or return is an integral part of the policies of most countries to remove irregular immigrants either by deportation or volunteer return. Return is the only way to decrease the stock or accumulation of the immigrants. Pakistan and Iran started a program to deport undocumented Afghan refugees as a result of these repatriations over one million Afghans have returned to Afghanistan, 390,000 returned voluntarily under a UN repatriation initiative while one fifth of them were deported (Rostami-Povey, 2007). Many countries especially EU countries are trying to regulate the channels of volunteer return for the immigrants who want to go back their native countries, it is a good strategy for both immigrants and state, because deportation puts heavy socio-economic burden on destination countries asylum and social welfare systems and it can also create tough situation for emigrants (Des Places & Deffains, 2003). "Volunteer return" is a low-cost approach than deportation because expenses of deportation are ten times higher than volunteer return and return in this way might not be sustainable (Black & Gent, 2006).

Therefore, EU countries provide a dignified way to those emigrants who want to go back to their homeland as provision of rehabilitation assistance to emigrants in their native countries is an essential step to ensure the sustainability of return. They provide socio-economic support in countries of origin to promote self-sufficiency of migrants and contribution to their local community. However, the return packages provided by the governments or other organizations are not sufficient for the returnees due to the problems in their native countries which are unemployment, poverty, bad facilities of health and insecurity. Because the human nature tends towards good, so, the return will not be a sustainable return and will not control irregular migration in future as immigrants will contact other smugglers again to reach another destination. Therefore, successful return needs the collaboration and contribution among the immigrants, civil society and

the governments in both host countries and countries of origin. Hence, sustainable return depends upon the factors of assistance and integration, education and training programs in the countries of origin which can be helpful to make effective strategies and policies on irregular migration (Baldaccini, 2009).

Substitute Strategies

Due to the presence of loopholes in the existing policies some developed countries like USA, UK, Australia and EU have adopted new approaches to cope with the irregular migration. Controlling is still the important part of their new strategies. Some policies are to prevent the entrance or stay which includes financial assistance for the countries of origin like Pakistan, India, Bangladesh etc. in education, health and other projects of development because these are the reasons which give rise to irregular migration. Some strategies are related to protection in countries of origin, transit and destination. European countries are also trying to make strategies of regional protection for the rejected asylum seekers who cannot be deported immediately by transferring them to areas which are close to their native countries. They are also debating to make such policies for the asylum seekers to transfer them to third country, only genuine asylum seekers or refugees will be permitted to stay inside the EU while rejected asylum seekers will have to go back their native countries and temporary status will be given to those who cannot be return immediately. Effective approaches to decide about the status of the asylum claimants are information about country of emergence, training of asylum adjudicators, speedy and simple verification mechanism. These strategies are not only to stop accumulation but they will also remove loopholes in the existing policies which attracts irregular migrants to select specific countries. EU is trying to decrease the gap of labor market by regulating its channels but management strategies are not included in it (Martin, 2006). Regulation of the channels of regular migration will help to control irregular migration to some extent (Castles, Cubas, Kim & Ozkul, 2012).

Conclusion

As it is described in this paper that irregular migration is a complicated and diverse phenomenon. Irregular migration occurs mainly due to the socio-economic disparities between developed and developing countries. Therefore, several individuals alone or along with their families migrate to developed countries in search of jobs or maintain a good life style either by regular or irregular channels. To reduce this flow, developed countries must assist developing countries to reform their education system and to promote technical education to decrease unemployment in the developing countries. Because increased employment opportunities will decrease the flow towards developed countries which is now-a-days regarded as a strategic trouble for developed and developing countries indicating that it can affect their security and stability. So, it is the root cause of all other evils which ultimately affects the peace and order globally. The basic reason behind most of the wars is socio economic disparities between several countries. The above mentioned suggestion will increase the employment opportunities and will decrease socio economic disparities and thus decrease moves towards other countries. In case of Irregular migrants who migrate to other countries due to natural disasters must be repatriated to their native countries after rehabilitation process start in that area to avoid economic burden on host countries. Therefore, their administration is adopting new strategies which are control oriented but no effort has been made to regulate the channels of regular migration or the rights of refugees and Asylum seekers .Because

of diversity of irregular migration a single strategy cannot confirm the issues related to irregular cross border migration various policies will be suitable in different conditions at different times. Developed countries' concludes with some fundamental rules for the formation of a strategy and also gives necessary elements for combined strategic measures.

Basic rules for the making of strategy are:

- Long term measures which consider the reasons and effects of irregular migration
- Such measures should be taken which consider both, the sovereignty of state and rights of irregular emigrants.
- Set of measures which can establish coordination and cooperation among governments, its institutions, NGOs, civil society, transit and host countries.
- Policy should be based on these basic elements:
 - Control approaches and implementation of law
 - Regularization of migration channels
 - Approaches to confront human smuggling and human trafficking
 - Protection of refugees
 - Repatriation

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