

## **FRONTEX MISSIONS AND BURDEN SHARING**

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The illegal immigration phenomenon is affecting all EU Mediterranean countries though the impact varies from country to country. Last March, Malta announced that it will not host any FRONTEX (EU border agency) missions to patrol the central Mediterranean with the aim of discouraging illegal immigration. The decision was taken following a not so attention-pulling vote on the new FRONTEX guidelines in the European Parliament on 25 March, which rejected the rules by 336 to 253 with 30 abstentions. However, an absolute majority of all EP Members, 369 votes, was required in order to block the new guidelines.

The new rules require, that if it is not possible to return migrants picked up by FRONTEX vessels to the country they left from, they must be sent to the country hosting the FRONTEX mission. Malta insists that if migrants cannot be sent to their point of departure, they should be sent to the nearest harbour.

To understand the Maltese perspective one needs first of all to contextualize it within the Maltese realities. The islands of Malta, strategically situated in the middle of the Mediterranean have a land area of 315 km<sup>2</sup> and a population of around 413,609 which make their population density a staggering 1,309 persons per km<sup>2</sup>, the highest in the EU and one of the highest in the world. Malta is struggling to accommodate the irregular immigrants that have arrived on its shores.

The international media has often criticized Malta when the Maltese authorities declined to take on migrants rescued at sea or to take responsibility for migrants rescued by non-Maltese registered vessels or to rescue migrants who were in manifest danger within Malta's Search and Rescue Area which is roughly the size of Britain. Pictures of illegal immigrants clinging to tuna cages in the middle of the Mediterranean waiting for someone to rescue them are not only tragic but make more eye-catching headlines than the more destructive, silent arms trade with developing countries and economic exploitation that force these poor human beings to risk life and limb to reach Europe. At the centre of this lucrative 'business' are the big states of Europe, while at the centre of the immigration drama being played out in the Mediterranean sea we find a couple of small EU states notably Malta, Cyprus and Greece. That explains the media's double standards.

In the run up to the 2009 European elections Italy and Malta frequently exchanged criticism on who should take responsibility for migrants rescued at sea and relations between these two long-term allies were strained. But Italy in its present right-wing phase is more interested in getting its hands on Malta's search and rescue area. Organized crime networks control the illicit migration trade and the Maltese have neither constructed these networks nor have they the full means to combat them.

The insecurity that illegal human flows causes to a small population the size of Malta's, the fears – whether realistic or not – of being swamped, have hardly been addressed. This sense of insecurity has been strengthened by the failure of the “pilot project” launched by the Commission in 2009 for voluntary “burden sharing”.

Malta does not want to become the security outpost, a kind of “white man's' Fort Apache” of the empire and shoulder the full burden alone while paying the economic price and the social dislocation that uncontrolled immigration brings to all societies particularly the smallest of them.

Immigration is also playing havoc with internal politics. Not only has it become a political football to be kicked around by all the parties in their constant search for advantage over their rivals, but it is causing politics to swerve to the extreme right. Such extremist policies are not known to promote the fine distinctions that need to be made in such situations so that a just solution could be found. Those of us old enough to recall the open arms with which the Maltese greeted and accommodated a few hundreds of the estimated 70,000 Asian citizens kicked out of Uganda by the dictator Idi Amin in the 1970s can compare that situation with the present public mood.

In the 2009 European elections, extreme right, anti-immigrant parties doubled their votes though this was insufficient for them to win a parliamentary seat. Other political forces in an effort to stop voters from shifting to these parties have been trying to steal their clothes by promising tough measures on immigration.

Malta does not want to shift responsibility on to the rest of the EU member states for this problem, but it clearly does not wish to take on more than it can chew or assume responsibilities that can rock the foundations of its small society, possibly also threaten its identity. Hence Malta has been appealing for solidarity from other member states and for burden-sharing.

In June 2009, the European Council called for the coordination of voluntary measures for internal reallocation of beneficiaries of international protection present in the Member States exposed to specific and disproportionate pressures and highly vulnerable persons. It welcomed the start of a pilot project for Malta and urged the rapid establishment of the European Asylum Support Office, which has since been established in Malta – though it is not fully-functioning yet.

The European Council also underlined the need for strengthened border control operations coordinated by FRONTEX, clear rules of engagement for joint patrolling and the disembarkation of rescued persons as well as the increased use of joint return flights. It also called for strong action to fight effectively against organised crime and criminal networks involved in trafficking human beings.

## **Is Malta Exaggerating?**

Recently the European Parliament published a report entitled "What System of Burden-sharing between member states for the reception of asylum seekers?" The study co-authored by Dr Eiko Thielemann, Richard Williams and Dr Christina Boswell (available at [www.europarl.europa.eu/studies](http://www.europarl.europa.eu/studies)) found among other things, that when the current burdens in the member states are compared to the national capacity to receive asylum seekers, using wealth, population and population density as criteria to measure these, Malta is carrying by far a disproportionate burden. In terms of costs, Malta's burden is one thousand times greater than Portugal's. Other countries that were found to be shouldering a burden, albeit lower than Malta's, include Cyprus and Greece. On the other hand, many other EU member states were found to be carrying much below their capacity.