

Institutional and organizational adaptation through emergency. Lessons from irregular maritime African migration to the Canary Islands

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Índice

Context: irregular maritime migration to the Canary Islands	5
Borders as social institutions	7
The political response: reducing permeability at the Southern Spanish border	10
Changes in border management: improvements and shortcomings	14
Conclusions	18
References	19
ABOUT THE AUTHOR	20

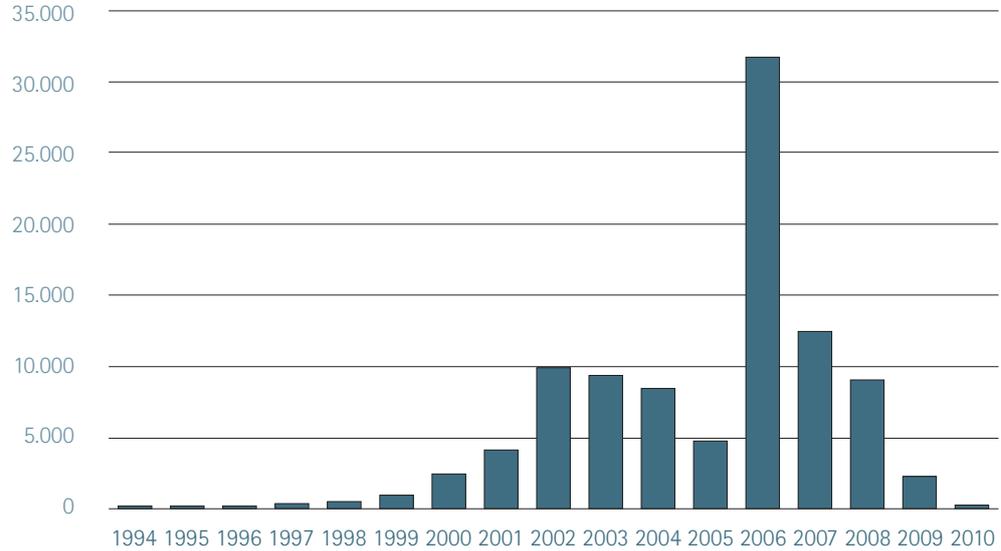
During 2006 the Canary Islands received more than 30,000 boat people from the West African coasts. The so-called "cayuco crisis" resulted in institutional and organizational improvement in the management of irregular migration flows through the Canaries Regional Coordination Centre, established in 2006. The centre coordinates the interception, retention and repatriation provisions and integrates several institutional actors like Frontex, the Ministry of the Interior, the Ministry of Foreign Affairs and NGOs. The paper describes this new institutional structure, its functions, actions and organization. Several years have passed since 2006 and arrivals have dropped to low levels. There are lessons to be drawn from the organizational innovation experience in the Canary Islands. The paper identifies improvements and shortcomings in managing irregular migration flows.

Context: irregular maritime migration to the Canary Islands

Irregular maritime migration from the Western African coasts to the Canary Islands started in the 1990s, with small wooden boats (“pateras”) coming over from Morocco. On board there were basically young Maghrebian men. Little public attention was paid to these sporadic arrivals on the coasts of Lanzarote and Fuerteventura. At the beginning of the 21st century a new pattern evolved, characterized by the intensification of migration flows and a southward shift from the Moroccan departure points to others like Nouadhibou, Saint Louis, Dakar, Conakry and Freetown. For these longer journeys a different type of boat was used, the “cayuco”, with a larger number of passengers (some of them with more than 200 occupants), nearly all of sub-Saharan origin. From 1994 to 2010, 96,239 people entered or tried to gain access to the Canaries via illegal entry points, using to this end 2,899 vessels. Maximum intensity was reached in 2006 (known as the “cayuco crisis”), with more than 30,000 boat people arriving at the shores and ports of the Canary Islands. After 2006 the numbers dropped rapidly, as the surveillance system became increasingly efficient (including joint coast patrolling in origin and transit countries), bilateral agreements for readmission were signed with West African countries and traffickers (boat captains) were systematically arrested and put into jail. All these measures stepped up border enforcement and reduced the permeability of this Atlantic part of the Spanish border. At present, most irregular maritime arrivals are once again occurring on the Mediterranean shores and the Canary Islands have lost, for now, their importance as a node in African-European migration routes. Concerning the prospects for future arrivals, two different opinions are being voiced in public discourse in the Canaries; those who think the drop in irregular maritime migration is basically due to border control and therefore will last over time if border controls do, while others point out that the new situation is mainly the result of the economic crisis and arrivals will go up again once employment opportunities recover.

FIGURE 1
Immigrants arriving in
the Canaries through
illegal entry points
between 1994 and
2010.

Source: Government Office
in the Canaries



Although the Canary Islands are quite near the West African coast (the shortest distance is about 95 kilometres) and about 100,000 irregular migrants reached the islands during the last 15 years, the resident population of African origin is only about 30,000 (10% of total foreign population) and mostly from Morocco. Most of these African residents did not use irregular maritime migration as a means for coming to the Canaries. This apparent contradiction indicates that the Canary Islands are not the final destination for these migration flows, for two reasons. First, because a high share of migrants were intercepted on the high seas or on shore and only few became part of the stock of resident irregular migrants. Second, a very high percentage of the intercepted migrants were taken back to Africa or, when it was impossible to repatriate them, were released on the Spanish mainland with an expulsion order difficult to enforce. Those released on the mainland did not come back to the Canaries.

In this sense, the islands served as a stepping stone to the European continent and most of the irregular maritime migrants wanted to reach Europe through the Canary Islands. But this transit function is not simply due to geographic position or the relative ease of crossing the border undetected. It is bound to institutional membership: the Canary Islands are part of Spain and the European Union. And migrants know that, although they are going to be intercepted, and even if they were not it would be difficult to leave the islands undetected by plane, they will be able to continue their journey if the authorities are unable to expel or return them. The Canary Islands have not been used as a mechanism for blocking migrants from reaching the European continent through denying transport to the mainland. The Spanish state even financed their transport to the continent if migrants could not be returned to Africa. As a consequence, the geostrategic value or positionality of islands (King 2009) should take into account their institutional membership and it is useful to interpret borders as social constructions and not simply as geographical lines or areas.

Borders as social institutions

The importance of islands in international irregular migration routes is related to their geostrategic position as part of the external border of continental states or supranational entities. Why do those who organize human trafficking include islands as points-of-entry? According to Carling (2007, p. 324), controlling a maritime border is fundamentally different to, and more difficult than, a land border because it requires surveillance of an area (the sea) rather than just a line. This may be questioned. First, because the argument that maritime borders are areas and land borders are lines is conceptually wrong, as you can draw control lines on both shores and, even, at sea. Migrants always have to pass over a line and terrestrial contexts are also areas. Maritime areas are flat and relatively easy to monitor if compared to a mountainous jungle. Second, travelling on the high seas necessitates movement in groups: you can't walk alone. Groups of migrants (vessels) are easier to detect than isolated individuals. Third, control costs vary according to many factors, not only the length or extension of the border in itself. For example, remote control in origin countries can be relatively cheap. Detection probability depends on available technology (radars, satellites) and these technologies may have other parallel uses (e.g. drug trafficking). Fourth, maritime borders can be too dangerous during part of the year and this natural impermeability lowers control efforts and costs. We may also add that the smallness of islands increases the probability of detection after arrival (rat-hole effect) while continents offer more diversified possibilities of getting away from the border. Islands are only attractive if transport to the continent is guaranteed and financed after interception.

So if we do not accept the explanation of the function of islands in migration routes as a result of the nature of maritime borders (areas more difficult to control), what is the alternative? I propose an institutional analysis of borders (Godenau, 2009). The argument goes as follows: borders are social institutions; their permeability is socially constructed and politically managed by states; to establish a border is an act of power; borders institutionalize territoriality; border permeability is multidimensional and multilateral; borders do not only restrict mobility, they also promote it; borders are selective, also in migration; permeability is constructed not only by the state, other actors also matter; irregular border transit is not always unwanted

and a sign of incapacity to control; borders adapt to new situations through institutional learning.

Social institutions are compounds of rules established by societies or organizations which channel and promote the creation of relatively stable expectations actors may maintain in their interaction with others (North 199, 2005). Markets, private property, and the family are examples of behaviour-guiding social institutions. Borders may be added to the list, as they are socially constructed and enforced rules. Their function is to condition trans-border mobility of ingoing and outgoing flows. The emergence of borders is linked to power. To establish a border is always an act of power (Paasi, 2001, p. 23) and asymmetry in power between territorial units tends to provoke asymmetry in bilateral border conditioning. These differences are clearly visible in how borders treat international migration (e.g. Fortress Europe). Borders, states and societies reinforce each other mutually, because borders are a constitutional element of territorial entities. In this sense, states and societies are contained in their territorial borders. As an identity-forging device, border permeability tends to be a politically sensitive issue: migration is once again an example of when the purity of the centre is presented as threatened by immigrated otherness (Anderson and O'Dowd, 1999, p. 596). For island migration studies this close link between borders and states also implies that island states have to develop their own border and control efforts, while other islands are part of continental states and migration policies.

Borders are multidimensional and multilateral. They regulate flows of goods through trade agreements, tariffs, quotas and product specifications; capital flows through restriction or promotion of foreign investment; and they determine who is allowed to cross the border freely or under what kind of conditions (tourists, residence or work permits , etc.). These dimensions are not independent of each other, as capital flows may induce migration, trade negotiations may influence possibilities of migrant readmission agreements, etc. Borders are not one-faced walls designed only for restricting entrance, because they are part and manifestation of general political, social and cultural relationships between states. In this sense they are multilateral devices and have to be looked at from at least two sides. In terms of migration policy analysis, flows are not only the result of immigration policies; they are also affected by conditions imposed on out- and transit migration.

Borders have their history (path dependency) and are inserted in a political, economic and social setting (embeddedness). In temporal terms, past migration flows and networks may be part of the explanation of present selective migration policies, as is the case in Spain with Latin American countries (double nationality, etc.). Another example is decolonization; the Canary Islands are close to the former Spanish territories in South Morocco/ Western Sahara and decolonization provoked outmigration towards the Canaries in the 1970s. These links still influence current migration patterns and perceptions. Borders are designed to be selective (Massey et al., 1998,

pp. 13-14). They re-strict and promote flows as a result of classification and resource assignments (López-Sala and Esteban-Sánchez, 2010, p. 86) and through controlling accessibility into and out of certain areas (Anderson and O'Dowd, 1999, p. 598). The embeddedness into a specific geopolitical context, like being part of the Southern EU border, also has implications for border control efforts. Joint border patrolling through FRONTEX is an example.

Although nation states are the main actors in conditioning border permeability, others also matter. In the same way that there is a migrant transnationalism from below (Smith and Guarnizo, 1998), and a debate about whether it is significant or not (Waldinger and Fitzgerald, 2004), in the case of creating and maintaining border permeability other non-state actors also play an active role. Migrant networks, NGOs, traffickers, and firms are also acting in the context of opportunity structures created by border regulations. As happens with black markets, a sharp contrast between restrictive regulations, on the one hand, and existing demand on both sides of the border, on the other, makes maintaining permeability tempting and lucrative. Reducing the intricate interplay of various types of actors on both sides of the border to an explanation of irregular migration as being completely due to organized groups (mafias) is an oversimplification.

Frequently, irregular migration is presented as a sign of political and organizational incapacity, as ineffective and inefficient border control. It seems the optimum of irregular migration should be zero. But the significant difference between formal impermeability and informal de facto permeability may have other determinants. Maybe the economic optimum of irregular migration is above zero for the receiving society and maintaining a gap between formal and informal permeability can be used for lowering labour costs through irregular migration. If this is the case, we can expect more efficient border controls during economic crises and relative inefficiency during economic booms.

As social institutions, borders learn, because they (are) adapt(ed) to new circumstances and can develop new organizational structures and control measures. Technology tends to play a central part in the institutional learning process. Episodes of intensive irregular migration are supposed to accelerate these adaptations and the Canary Islands is one of these cases where these changes can be observed.

The political response: reducing permeability at the Southern Spanish border

Due to the economic boom 1994-2007, Spain experienced intensive labour immigration. During the years following their arrival a substantial share of Third Country Nationals went through situations of residential irregularity, but most of them had crossed the Spanish border regularly with documents, particularly tourist visas, and overstayed these visas afterwards. The stock of irregular migrant population in Spain was fuelled basically by regular border crossings through the airports and not through irregular maritime border crossings. Several extraordinary regularization programmes turned part of the irregular migrant population into regular residents and workers, but without stopping new arrivals, partly because vacancy chains created in the informal economy by regularizing workers are clearly linked to migration networks. A good example for these induced migration effects are informal domestic services. The selective border management, keeping de facto permeability high for Latin American migrants and low for African migrants, reveals Spain had at the same time hard and soft borders during the 1990s. In this sense the “soft underbelly” of Southern Europe has been a lot harder for African migrants, even in times of a booming Spanish labour market, and this means there might be a difference between unwanted and irregular immigration.

As López-Sala and Esteban-Sánchez (2010, p. 86) point out, the intensification of irregular maritime migration to the Canary Islands marked a new era in Spanish immigration policy in general, and particularly in border management. The new policies reinforce border impermeability through tighter deterrence measures, before migrants reach the border (joint control in origin and transit countries), at the border (intensification of control) and after having crossed

the border (repatriation, return, expulsion). These changes were implemented gradually, starting in the late 1990s with the implementation of the integrated external border surveillance system (SIVE) on the Mediterranean border, which was extended afterwards to the Southern Atlantic border (Canary Islands). This permeability gap between different parts of the Spanish border is one of the mayor determinants in the temporal shift of migration routes from the Mediterranean to the Atlantic.

From 2002 onwards, reinforced border surveillance, in particular, and deterrence, in general, were complemented step by step through bilateral cooperation agreements with Morocco, Algeria, Guinea Bissau, Mauritania, Gambia, Guinea Conakry, Cape Verde, Mali, Niger and Senegal. This increased cooperation with governments of West African states included not only readmission agreements, it also meant stepping up direct police cooperation in border patrolling in origin and transit states, plus reinforcement of Spanish intelligence in West African countries (“Plan Africa”). The most important program is the Seahorse Network, financed by the Spanish state and managed by the Civil Guard, with the participation of Spain, Portugal, Cape Verde, Mauritania, Morocco, Senegal, Gambia and Guinea Bissau.

In 2006, more than 30,000 irregular immigrants reached the Canary Islands and this influx created an organizational overload in the interception, retention and return provisions. This mass influx created the need for organizational innovation, in order to foster coordination among actors participating during the different stages of the process. The Spanish response was the creation of the Canaries Regional Coordination Centre (CRCC) in 2006. The CRCC is headed by a Civil Guard General reporting directly to the Directorate General of the Police and Civil Guard. The CRCC is tasked with integrating, coordinating and centralizing the operations and actions of the State and of local administrations in terms of border surveillance and control, particularly that pertaining to irregular maritime immigration, and considering that the term “seal the maritime border” can only be understood as preventing the unannounced arrival of undocumented immigrants. CRCC hosts the joint operations with FRONTEX in the West African area.

All these changes can be summed up as a shift in border control towards (López-Sala and Esteban-Sánchez, 2010, p. 91): a) more coercive deterrence through controlling transit and stay after arrival, b) more repressive deterrence through stricter return policies and less transfers to the mainland, c) tighter surveillance of maritime areas and stricter identification protocols, d) deterrence through information campaigns about the risks of irregular maritime migration. The new profile of maritime irregular migration control is characterized by higher detection probabilities in origin, transit and destination; higher return probabilities; and higher risks for intermediaries of being accused of human trafficking and imprisoned.

TABLE 1
 The new political
 architecture of
 migration control.

Source: López-Sala and
 Esteban-Sánchez, 2010, p.84

BEFORE THE BORDER Expansion and external implementation of control	AT THE BORDER Intensification of control	BEYOND THE BORDER Internal expansion of control. New forms of interior control
Origin and transit countries	Maritime, aerial and terrestrial borders	Destination countries
<ul style="list-style-type: none"> - Exportation and subcontracting of control: readmission and devolution - Exportation of surveillance, identification and detention - Bi-laterality and multi-laterality - Remote control and selective visa policies - Security centred conception of control and use of military technology - Mismatch between territory and sovereignty: "deterritorialization" of control 	<ul style="list-style-type: none"> - Implementation of more complex and sophisticated measures: technology for identification - Surveillance technology - Detection technology for arrivals at maritime borders - Technology for detecting fake documentation - Data base technology - Information and intelligence systems - Digital borders 	<ul style="list-style-type: none"> - Policy of repatriation, return and expulsion - Detention and retention policy - Policy of transfer containment - Police controls and identification (police raids and identity checks) - Data bases with biometric information - Investigating mixed marriages

The sharp reduction of irregular maritime arrivals in the Canary Islands since 2007 is due to several reasons. First, the economic crisis drastically reduced employment opportunities in Spain, with lower numbers of arrivals at all parts of the border. Second, equalizing relative permeability on the different parts of the Spanish maritime border lessened the attractiveness of the Canary Islands as a transit area, contributing thereby to a shift back to the Mediterranean route. Third, the new political situation in the North of Africa reduced the efficiency of Mediterranean border control in some origin and transit countries. As a result, Mediterranean routes once again dominate maritime irregular migration to Spain. This should be labelled as "back to normal", the extraordinary growth of the Atlantic route being the exception. Under conditions of similar permeability levels, the Atlantic route is less attractive: more risky, more expensive and without the advantages of territorial continuity in continents.

The example of the Canary Islands shows how changes in political priorities alter the way maritime borders are controlled and how these new practices have to be analysed in the wider context of migration policy. The extension of control efforts to other countries, with the Spanish (European) police patrolling West African coasts, is an example of how the control efforts may shift from a focus on maritime areas to a control of lines drawn on the shores of origin countries. On the one hand, this shift saves lives of migrants under risk at sea; on the other hand, this control in origin countries may limit the fundamental right of free movement, which includes the freedom to leave a country.

The Canary Islands are also an example of how permeability is conditioned by border practice and is not only due to natural border attributes. When

islands are mentioned as being something special in migration analysis, we should be aware of the dangers of exceptionalism (King, 2009, pp. 55-56) in island studies. Of course there are some geographical considerations to be taken into account: you only get to islands by boat or plane; islands frequently are “outposts” of continental states, so they may be at a shorter distance if you want to enter the country. Anyway, geographical considerations should not be overvalued; it is precisely the combination of institutional membership (the island is part of the country you want to go to) and geographical position (periphery) that transforms some islands into what López-Sala and Esteban-Sánchez (2010, p. 78) call “interstitial spaces” where migrants arrive and peripheral border control takes place.

It is not the spatial configuration in itself that explains high migration intensities on some European islands. The case of the Canary Islands shows how the same geographic position and characteristics may change their strategic value as a part of migration routes over time. They became more attractive because of asymmetrical border enforcement; once symmetry is re-established, the cost-benefit analysis of migrants and intermediaries adjusts their relative attractiveness as a node of transit.

Islands, as with other geographical entities, can be used for blocking transit. This can be done in several ways: through detention without transfer and by not admitting undocumented persons on transport services which link islands to the continent. In these cases you get in, but you will not get out again, unless you are returned to your origin or transit country. If the quantitative relation between immigration flows and island size implies strong impact and visibility, the local population may develop negative reactions towards migrants and particularly their being kept on the island after detention. During the years of high arrival intensity in the Canary Islands, both returns and transfers to the continent were used to avoid further accumulation of irregular migrant populations in the detention centres. Those who were not returned or taken to the Spanish mainland faced the problem of how to use air transport without documentation if they wanted to leave the islands. Occasionally local governments, in order to get these people out of public parks (visibility), contributed to air transport of irregular migrants to Madrid or Barcelona (note that this is not transfer from one detention centre to another). All in all, the case of the Canary Islands does not confirm the hypothesis of islands being used as a deterrence mechanism through geographic confinement. After 2006, with rapidly dropping arrivals and higher proportions of returns, this transfer policy might have changed gradually towards lower levels of territorial redistribution from the border areas to other Spanish regions (López-Sala and Esteban-Sánchez, 2010, p. 91), but in the present context in the Canary Islands this does not imply a build-up of pressure in or outside the detention centres¹.

¹ The situation seems to be different in other parts of the Spanish territory, particularly in Ceuta, where low redistribution intensities create permanent stress on detention capacities. In this sense, Ceuta might be described as a European island within the African continent where the confinement strategy is applied, while in the Canaries a different cost/benefit balance is in place, because specialization in international tourism makes them very sensitive to the impact of a “prison for Africans” image.

Changes in border management: improvements and shortcomings

Becoming part of the African-European irregular migration routes implied a learning process for the Canary Islands and a growing awareness of being part of the Southern European border. Particularly for local actors this learning process can be characterized as learning-by-doing and not as the result of previous training and planning. Although irregular maritime arrivals started in the mid-1990s, their increasing frequency seems to have taken border management by surprise. It took several years to expand the SIVE surveillance system to the rest of the islands, after having implemented it initially in Fuerteventura and Lanzarote in 2003. Retention capacity turned out to be completely insufficient in 2006, when outdoor camps had to be established by the military. Some of the detention facilities used during the first years of higher arrival frequencies have been criticized as inadequate for their purpose (an out of use airport was converted into a retention centre in Fuerteventura). The administrative and legal procedures came under stress due to work overload and during 2006 authorities struggled to keep the process of identification, detention and return within the time-constraints established by law. As migrants might arrive on shores or in ports where the administrative infrastructure is not necessarily strong, the overload manifested itself in certain islands/places. For example, in the South of Tenerife, where many migrant embarkations were received after their interception on the high seas, the local court had to be expanded temporarily after being unable to attend to this new demand.

All these stress symptoms, due to an unexpected (not necessarily unpredictable) peak in irregular immigration, led to improvements in the management of this part of the Spanish border from 2006 onwards. Resources were upgraded, with additional rescue boats, some of them more suitable for rescuing this type of fragile boat, reducing the risk of capsizing and drowning of migrants. Helicopters and planes improved detection and evacuation capacities. Joint patrols in origin countries reduced the number of vessels leaving the African continent in precarious conditions. Available personnel also increased, received more specific training

and specialized in these tasks. This included not only personnel from the public authorities (National Guard, National Police, Maritime Rescue, courts, etc.), it also meant that other actors, like the Red Cross, other NGOs, or media, were improving their contribution to the management of incoming migrant flows. This learning-by-doing helped to adapt protocols to local conditions and these improved protocols have been useful when incorporating new actors.

The Canaries Regional Coordination Centre (CRCC), created in 2006, is a central element in the collective learning process that took place during the years of frequent arrivals (Arteaga, 2007). Its creation recognized the necessity of a more centralized coordination effort by the actors involved. During the different stages of the process (deterrence in origin, detection, identification, detention, return) many different actors are involved. The CRCC is staffed by representatives from 10 organizations (see table), which supply the human and telecommunications resources required to ensure the coordination of the CRCC with the institutions it represents while at the same time establishing the coordination and action protocols necessary for the effective completion of its assigned duties.

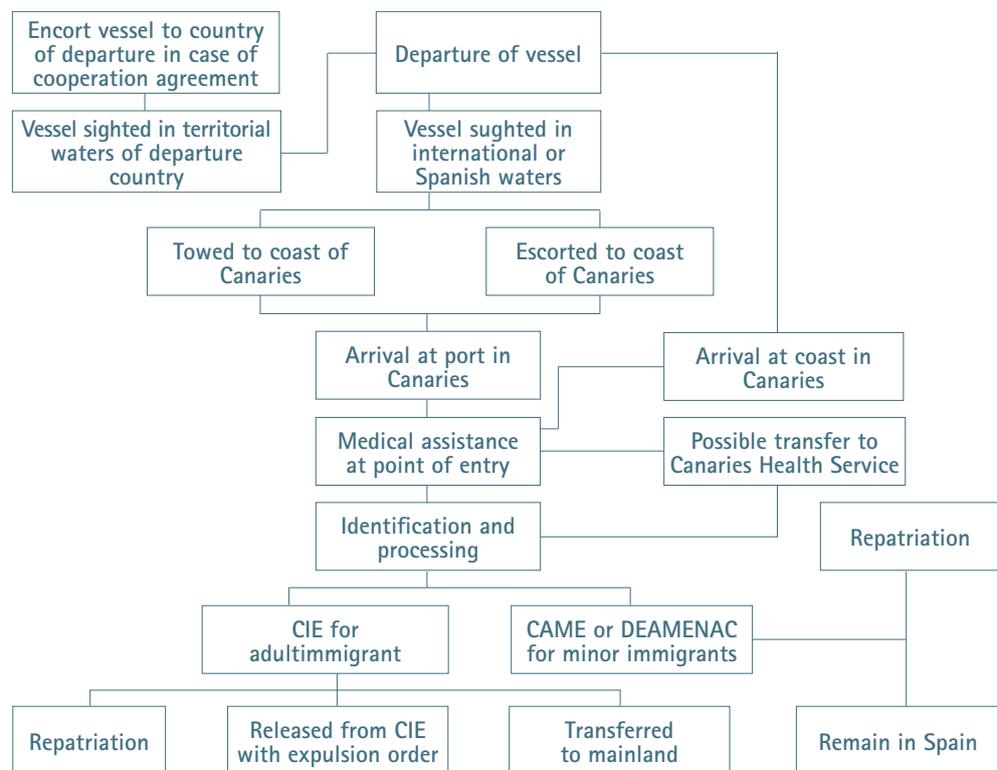
Table 2
Organizations and operations in the Canaries Regional Coordination Centre

ADMINISTRATION TYPE	NAME OF ORGANIZATION	SPECIFIC OPERATION OR MISSION
European Union	FRONTEX (FCCC)	HERA
International bilateral relationship: Mauritania and Senegal	Gendarmerie-Civil Guard Patrol	GAREÉ and CABO BLANCO
Ministry of Foreign Affairs and CNI [National Intelligence Centre]	CNI Network of Liaison Officers	SEA HORSE
Ministry of the Interior	Fuerzas y Cuerpos de Seguridad del Estado (FCSE) [State Security Forces]	SIVE
Ministry of Interior and Defense	Armed Forces	NOBLE CENTINELA (maritime surveillance) and ALFA-INDIA (reception centre)
Ministry of Economy and Revenue	Departamento Adjunto de Vigilancia Aduanera (DAVA) [Joint Border Surveillance Department]	Surveillance and monitoring of vessels carrying undocumented immigrants
Ministry of Development	Sociedad Estatal de Salvamento y Seguridad Marítima (SASEMAR) [State Agency for Maritime Rescue and Safety]	Locating, aiding and assisting vessels
Autonomous Community of the Canaries	Centro Coordinador de Emergencias y Seguridad (CECOES) [Emergency and Safety Coordination Center]	Relaying reports on sightings, interceptions and/or unannounced arrivals at ports or beaches*
Autonomous Community of the Canaries	Grupo de Intervención de Emergencias (GIE) [Emergency Intervention Group]	Locating, aiding and assisting vessels and rescuing occupants, if applicable*
NGO	Red Cross	Health and humanitarian aid during reception of immigrants at the beach or port

* The actions of local governments are regulated by a collaborative agreement between the central government and the Autonomous Community of the Canaries (BOC, 16 March 2007).

Once the vessels intercepted on the high seas arrive at the port determined by Maritime Rescue², the persons travelling onboard are met by ERIE³ Red Cross personnel. Any individuals in need of more serious medical care are sent to the Canary Health Service, though this arm of the Government of the Canary Islands can also lend its services on the high seas if required. It is also the responsibility of the Canary Health Services to perform the relevant bone tests on the immigrants while in police custody to establish their age so as to detect the presence of any minors. Once their health needs are addressed, they are interviewed by the police for the purposes of identifying them, determining their nationality and gathering intelligence information involving the organization of irregular migration. The necessary procedures are initiated to authorize the detention of the adults in preparation for their repatriation to their countries of origin. The adult immigrants are then taken by the national police to an Alien Detention Centre (CIE in Spanish). These are run by the national police. During their stay at the CIE, immigrants have access to free legal assistance. The maximum stay at these centres is currently set at 60 days. If returning immigrants to their country of origin is not feasible, they are, in some cases, transferred to the mainland, where they are released under an expulsion order, meaning they should leave Spanish territory of their own accord.

FIGURE 2
 Intercepting irregular maritime immigration in the Canaries



² The choice of port to which the vessels are taken depends on the circumstances. In some cases, the decision is made by the captain of the rescue vessel, especially when they are near the coast of the Canaries; if the distance is greater, the Maritime Captain is consulted. In either case, the priority is almost always to take the intercepted vessel and/or the individuals rescued to the nearest port.

³ Equipos de Respuesta Inmediata de Emergencia [Emergency Immediate Response Teams], consisting of volunteers and professionals hired specifically as needed.

Despite the improvements achieved through political and organizational change, border management in the Canary Islands still faces several serious shortcomings. Once overcrowding is no longer the problem, the present, more relaxed, situation should help to overcome these problems and achieve a fine-tuning which should shift from quantitative to more qualitative considerations. Using the stages of the process, some of the remaining issues are the following:

Concerning interception and rescue operations, the most important issue is the technological difficulty of detecting small vessels in the context of rough sea, because under these circumstances radars are not able to distinguish between high waves and small boats. This happens precisely when the voyage is very risky for the migrants' lives. Observation from above, using satellites or planes, is much more expensive. Another problem is reducing the risk of capsizing vessels and drowning of migrants during the rescue operations. These risks have been reduced by acquiring experience and more adequate resources, but are still substantial.

During disembarkation, screening and referral, the main problems relate to the identification of the migrants' nationalities, age and personal risks they may face in the case of being returned. As the political objective is to maximize returns and the possibilities of return are linked to the existence of bilateral agreements, migrants tend to hide their nationality in case they are repatriated. The identification process, in a context plagued by language barriers and lack of documentation, should decide against return when there is no perfect proof of the migrant's nationality, but there is evidence from migrant interviews that this is not always the case. Concerning age, minor migrants face a lower return probability and frequently can stay in Spain until they become adults, but the bone tests used for establishing their age after arrival are not exact. Other, more secure methods are available, but much more expensive. The third aspect, risks migrants might face if repatriated, is related to asylum policy. After interception migrants should be informed, in a way they can understand, about the possibility of applying for asylum. In many cases (ACNUR 2009), effective access to this right is not achieved, although formally migrants are informed at the court.

Once adult migrants enter the detention centres for a maximum of 60 days, their living conditions are similar to imprisonment. The aspects which might improve their situation are the possibility of communicating more frequently with their families and friends, granting more freedom to move around in the centre, investing in a minimum of facilities for leisure activities, and guaranteeing effective access to legal advice. In the case of minor migrants, their stay in specific centres is normally longer and should be accompanied by educational activities and a guided process towards obtaining legal residence and access to the labour market once they reach the age of 18.

Conclusions

Changes in Spanish immigration policies reduced the permeability of maritime borders step by step, extending border control to the Atlantic, and through a mix of deterrence measures. Among these, the most important are the completion of border surveillance, joint patrols in origin and transit countries, increasing repatriation probability and imprisonment of boat captains for human trafficking.

The case of the Canary Islands demonstrates that the effective control of maritime borders is feasible once political goals prioritize it. The tendency of de-territorializing border enforcement through bilateral agreements, more diplomatic activities in origin countries and information campaigns contributes clearly to these goals of sealing maritime borders, but limits the fundamental right of free movement as it hampers the possibility of leaving certain countries.

Although the geographic status as islands forming part of the European border regions influences the probability of receiving irregular maritime migration, the institutional determinants of border permeability are more far reaching. The case of the Canary Islands shows how the social construction of borders can evolve when political priorities change. The geographic status is the same, but the role these islands play in international migration routes has changed (and may change again in the future).

Although all islands receiving unwanted migration could be used for enclosure and blocking migrants in their transit, the case of the Canaries seems to indicate this has not been the case during the years of massive arrivals. The deterrence effects which reduced the migration flows are not linked to their geographic status as islands; Ceuta shows more insularity attributes in terms of not letting people leave once intercepted. In this sense, low frequencies in transfers from the Canaries to the Spanish mainland are due to free capacity in detention centres and do not correspond with the aim of “increasing the pressure”.

The learning process during the years of irregular maritime migration to the Canary Islands has permitted enhanced detection and rescue operations, but there are still some practices in place during the subsequent stages of the process that constitute a grey area where deterrence seems to be the implicit objective when deciding how to use the operative margin between the legally and the morally correct.

References

ACNUR (2009) "Protección de los refugiados y migración internacional: revisión del papel del ACNUR en las Islas Canarias, España", informe del Servicio de Evaluación y Elaboración de Políticas (PDES), PDES/2009/01, Abril de 2009, Ginebra.

Anderson, J. y O'Dowd, L. (1999), "Borders, Border Regions and Territoriality: Contradictory Meanings, Changing Significance", *Regional Studies*, vol. 33.7, pp. 593-604.

Arteaga, F. (2007), "Las operaciones de última generación: el Centro de Coordinación Regional de Canarias", ARI N° 54/2007, Real Instituto Elcano.

Carling, J. (2007) "Migration Control and Migrant Fatalities at the Spanish-African Borders", *International Migration Review*, Vol. 41, No. 2, pp. 316-343.

Godenau, D. (2009), "Las migraciones internacionales. Un enfoque institucional", en J.A. Galván Tudela (coord.), *Migraciones e integración cultural*, Academia Canaria de la Historia, Las Palmas de Gran Canaria, pp. 65-94.

King, R. (2009), "Geography, Islands and Migration in an Era of Global Mobility", *Island Studies Journal*, Vol. 4, No. 1, 2009, pp. 53-84.

López-Sala, A. y Esteban-Sánchez, V. (2010), "La nueva arquitectura política del control migratorio en la frontera marítima del Suroeste de Europa: los casos de España y Malta", en Anguiano, M.E. y López Sala, A.M. (eds.), *Migraciones y fronteras. Nuevos contornos para la movilidad internacional*, Icaria Antrazyt CIDOB, Barcelona, pp. 75-102.

Massey, D.S.; Arango, J.; Hugo, G.; Kouaouci, A.; Pellegrino, A.; Taylor, J.E. (eds.) (1998), *Worlds in motion. Understanding International Migration at the End of the Millennium*, Clarendon Press, Oxford.

North, D.C. (1990), *Institutions, institutional change and economic performance*, Cambridge University Press, Cambridge.

North, D.C. (2005), *Understanding the Process of Economic Change*, Princeton University Press, Princeton.

Paasi, A. (2001), "Europe as a Social Process and Discourse. Considerations of Place, Boundaries and Identity", *European Urban and Regional Studies*, vol. 8, n. 1, pp. 7-28.

Smith, M.P., Guarnizo, L.E. (1998) (eds.), *Transnationalism from below*, New Brunswick, Transaction Publishers.

Waldinger, R. y Fitzgerald, D. (2004), "Transnationalism in Question", *AJS*, vol. 109, n. 5, pp. 1177-1195.

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