

# Migration policies – between securitization and human rights

Shifting the paradigm?

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# Framing questions:

- What is migration?
- What is forced migration?
  - The meaning of choice?
  - Reconceptualization of borders?
- How do we approach migration as a human right?
  - Political implications
  - Socio-economic implications
  - Policy implications
- How do we create safe spaces in the migration policies?
  - Socio-economic benefits
  - Political benefits
  - Policy implications

# Opening stories

Indiana closes its "doors" – Syrian Refugee family (parents and their 5-year old son) diverted to Connecticut

- November 2015: Following the Paris terrorist act, Governor Pence stops refugees from coming to his state.
- CT Governor and resettlement organization offers to resettle them in CT
- **"It broke our hearts",** said Fatema, **"If you are in a group and one person did a bad thing, it doesn't mean the whole group is bad."**

And while CT opened its doors... there is a sense of threat, a permanent sense of danger:

- **"But there are other people. We hear them and we feel unsafe. I feel bad for my child. Is something bad going to happen to us? We don't know."** (Fatema)

# OPENING STORIES

- Meet the Rapid Response Teams
  - Faith-based organizations/leaders in CA coming together to house and shelter immigrants wanted by ICE.
    - Mainly aiming to keep families together
    - Cross-denominational/cross-religion response
    - Creating **SANCTUARIES**
- Reactions to the RRT:
  - **"They're committing a felony. Harboring is a felony. [...] Regular folks hiding people in a basement face jail time because it is ultimately a smuggling conspiracy."** (Mark Krikorian, Center for Immigration Studies)



# OPENING STORIES

- Border monitoring and humanitarian smuggling
  - Italian and Austrian volunteers working to monitor treatment of asylum seekers in border areas
  - Cross-border transports aimed to protect migrants and honor their desire (often based on efforts to reunite with their families) to continue their journey into Germany and beyond.
  - April 2017 – Italy acquits French activist who helped a Darfur family to cross into France.
- UNHCR Protocols:

*Border monitoring is therefore an organized and systematic activity aimed at observing and documenting the procedures with foreigners and potential asylum seekers at the borders and in all other facilities that are related with the border (police stations, detention centres for aliens, etc.).*

# What is migration?

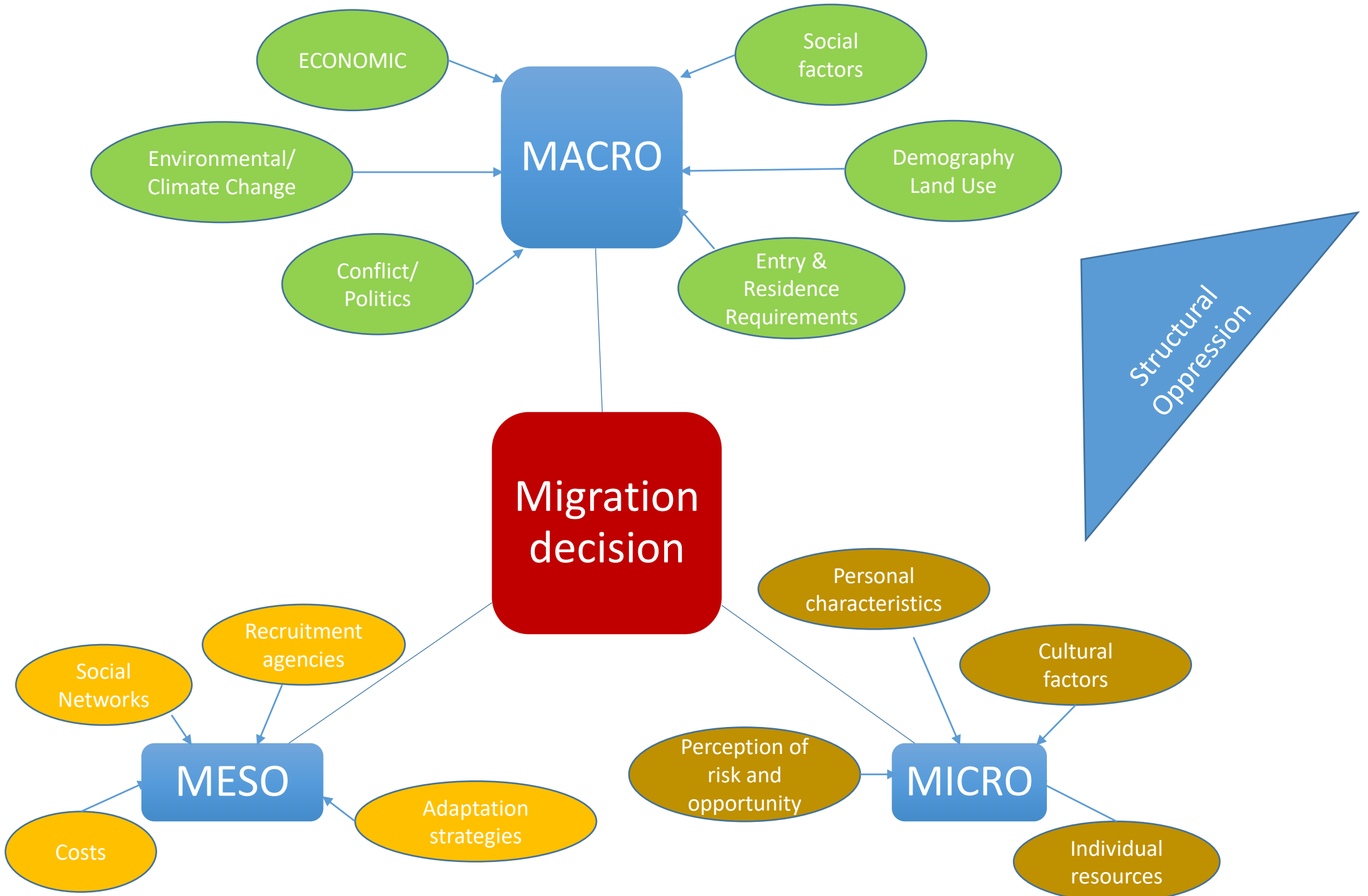
NOT NEW

NOT A "CRISIS"

NOT A THREAT

MIGRATION IS A  
HUMAN RIGHT





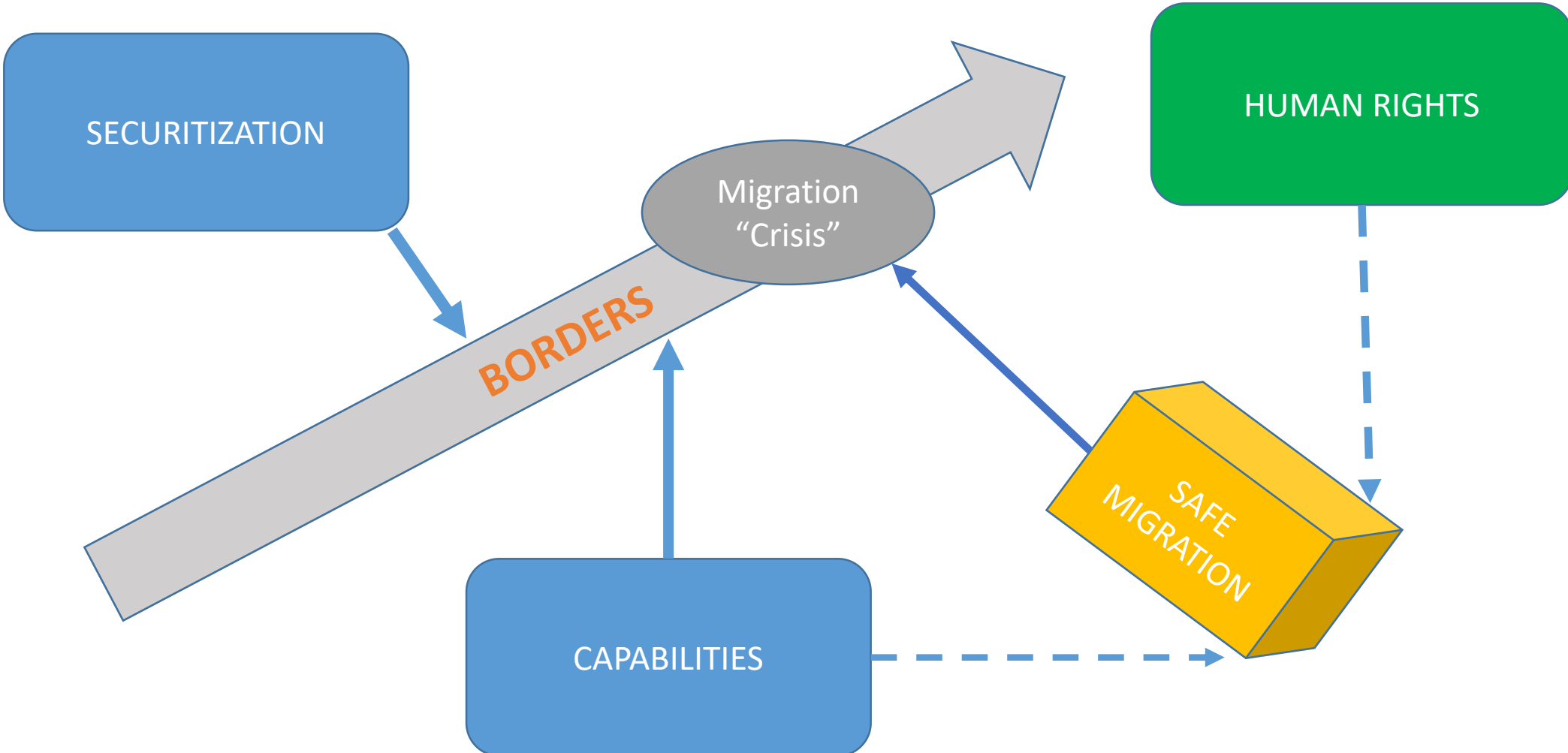
# FORCED MIGRATION

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- Migration situations where
  - a significant ***force*** – political, economic or social – is exerted on people to leave their habitual place of residence,
  - in circumstances of ***extreme stress***,
  - resulting in departure for a comparatively ***unknown destination***,
  - under conditions of travel and entry that frequently offer little if any ***security*** to those migrating.



# Theoretical Framework



MAMA, HOW DO WE  
KNOW WHEN WE'VE  
CROSSED FROM  
ONE OCEAN TO  
ANOTHER?

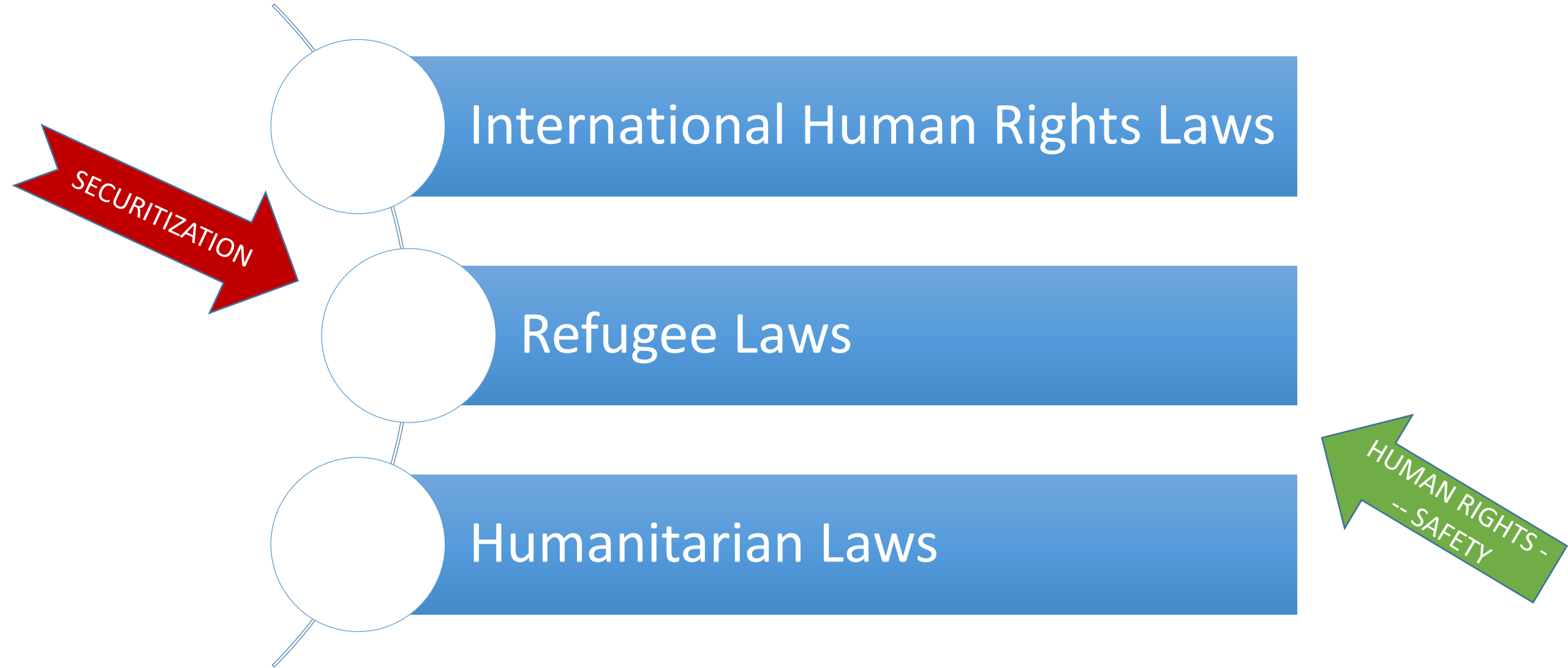


WE DON'T. BORDERS  
ARE SOCIALLY  
CONSTRUCTED AND  
YOU SHOULD BE  
WARY OF ANYONE  
WHO TAKES THEM  
TOO SERIOUSLY.



@DRAWINGSof DOGS

# Migration Policy: Global Context



# Current frameworks: Neoliberalism

- Privatization
- Commodification of nature
- Free market economy
- Carbon based economy

## Structural EXCLUSION

- Citizenship
- National identity --- *Otherization*
  - *Patterns of discrimination*
  - *Racial and religious profiling*
- Elitist economy
- Unequal/unsustainable development

# Current framework: Securitization

the States need to *strategically manage resource and power conflicts*, as well as the manifold displacements, caused by neoliberalism itself.

- Trends in current policies:
  - Restrictive protection mechanisms
    - Different/discretionary migration status
    - Contradictory international agreements
      - Turkey-EU (March, 2016)
      - EU-Afghanistan (October, 2016)
    - Assisted *voluntary* returns – new “safe spaces” [who defines?]
  - Fragmentation of decision-making
    - Increasing processing times
    - De-professionalization of migration
  - Externalization of borders
    - The Australian Experiment
  - Border control emphasis
    - Border monitoring/new “SHENGEN”
    - “Build a wall” – the US stand on border control

Austerity/Debt

Globalization/  
Global Markets

Neo-colonialism

## Re-framing questions:

How do current migration policies – through their implementation – contribute to **safe migration**?

What are some elements of **safe migration** [“safe spaces”] in the current policies/practice?

# Securitization vs human rights

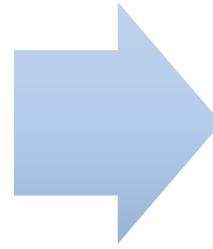
## ***Securitization theories***

- Establishing security [protection] based on *membership, social/political identity, migration status.*
- *Protection mechanisms:*
  - *Border control*
  - *Migration/legal status*
    - *Confinement*
    - *Benefits*

## ***Human rights framework***

- *Universality and indivisibility of rights:*
  - *The right to free movement (Art. 13)*
  - *The right to seek asylum (Art. 14) and the right to a nationality (Art. 15)*
  - *Civil/political rights (Art. 3-9)*
  - *Social/economic/Cultural rights – specifically related to inclusion (Art. 23, 25, 26)*
- *Safe migration – mechanisms*
  - *Asylum rights/benefits*
  - *Integration/inclusion mechanisms*

SECURITY



SAFE  
MIGRATION

Border control

Reception  
and  
asylum  
processes

Housing

Education/Higher  
Education Policies

Employment policies



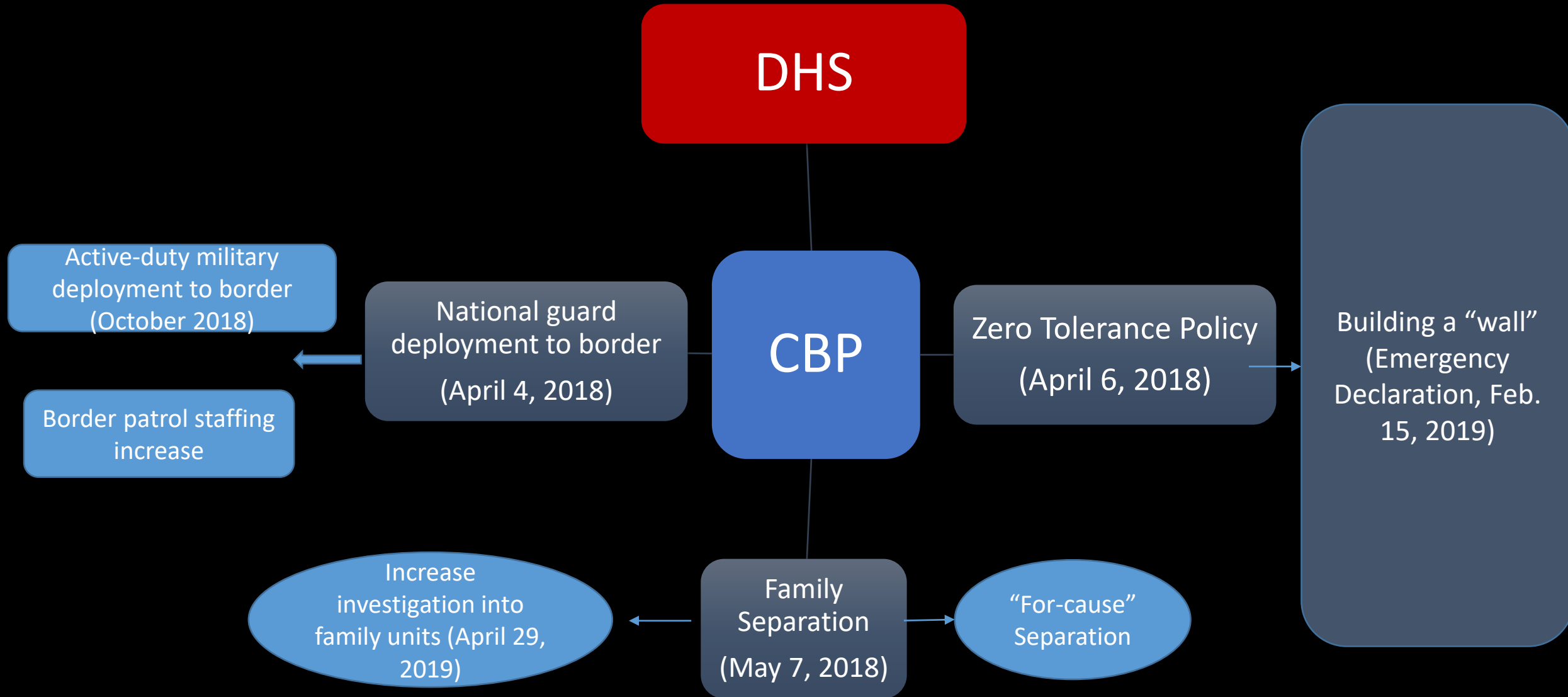


# Borders and Border Control

- Migration policies
  - European Union**
    - TR-EU Agreement (March 18, 2016)
    - Dublin III ---- *principle of non-refoulement*
    - EU-Afghanistan agreement (October 5, 2016)
    - Italy-Libya agreement
  - United States**
    - **US Immigration Policy**
      - Refugee Act of 1980
      - Immigration Act of 1986
      - Executive orders (under previous and current administration)



# US Border Control









Shifting from  
securitization  
to safety?

## Externalization of borders vs inclusive communities

- Nogales, Sonora – *the role of the Comedor as another border*
- Vienna, Austria – *Magda hotel*
- Augsburg, Germany – *Cosmopolis Grand Hotel*

## Criminalization of migration vs. prevalence of universal rights for migrants

- The U.S. example – mass hearings/illegal crossings/context of definitions