



# Co-responsibility between countries of origin, transit and destination: Lessons from Spain's experience with migration

European View  
2018, Vol. 17(1) 66–73  
© The Author(s) 2018  
DOI: 10.1177/1781685818762061  
[journals.sagepub.com/home/euv](http://journals.sagepub.com/home/euv)



**Katharina Senge**

## Abstract

This article gives an overview of Spain's experience of regular and irregular migration in the past and of the subsequent development of the EU's framework for external migration policies. It argues for a realistic rather than ideological approach that involves co-responsibility between countries of origin, transit and destination, in compliance with human rights standards. Co-responsibility means a system in which migrants' countries of origin, transit and destination share the burden of dealing with both regular and irregular migration whenever possible. Such a system is sometimes characterised by long and difficult discussions and negotiations to define common goals and balance interests in the spirit of a partnership of equals. This article first tackles immigration in Spain, with an emphasis on the 2006 Spanish refugee crisis or the 'Cayucos crisis'. It then looks at EU migration policy, before recommending ways of improving it.

## Keywords

Migration, Externalisation, Co-responsibility, Border control, Refugees, Spain

## Introduction

When the so-called refugee crisis hit the EU in 2015, the need for immediate action and quick responses caused heated debates about the best strategy to tackle it. The two main bones of contention were the question of closing borders within the border-control-free Schengen area and solidarity between EU member states over the allocation of refugees

---

### Corresponding author:

Katharina Senge, Friedrich-Alexander-Universität Erlangen-Nürnberg, 3520, 91023 Erlangen, Germany.  
Email: [katharina.ks.senge@fau.de](mailto:katharina.ks.senge@fau.de)



(Senge 2015). These debates with regard to the internal dimension of the EU's migration policy, however, could not cover up the fact that Europe was dealing with the side effects of political crises and instability in another region of the world. In parallel with the internal debate, the refugee crisis provoked discussions about the strategies and instruments needed to prepare the EU for similar incidents in the future or even to prevent them from happening again. This external dimension of migration<sup>1</sup> policy depends on cooperation with the countries of origin and transit.

While Greece was at the forefront of events in 2015–16, Italy had made headlines in the context of the Lampedusa incident in October 2013, when about 360 people drowned off the Italian island. Italy was also in second place after Germany in terms of the number of asylum applications received in 2016 (European Asylum Support Office 2017). Another EU member state in the Mediterranean region was much less in the spotlight: Spain. Out of 1,000,000 sea arrivals to the EU in 2015 only 4,400 arrived on the Spanish coast. In 2016, just 7,500 out of 360,000 people reached Spain (UNHCR 2016). The reason for this was twofold. First, major conflict regions, such as those in Syria and Libya, are geographically closer to Italy and Greece. Second, by this point Spain had already developed a long-term migration policy and had enhanced border-control cooperation with a number of African states. According to Riedel (2011, 11, 14), Spain linked migration management to development assistance and the promotion of democracy earlier than its EU partners. In addition, bilateral agreements on labour migration, as well as cooperation on readmission and border protection, appeared on the political agenda much earlier. While being praised for this approach by some, others criticised the strategy for its delegation of the protection of the EU's external borders and for being the role model for 'fortress Europe'.

This article argues that the overall strategic framework and rationale of the EU's external migration policy is based on member states' bilateral preparatory work and experiences. This rationale includes fostering regular migration and fighting irregular migration; balancing the interests of the countries of origin, transit and destination in the sense of a partnership; and combining offers and demands addressed to third countries in a more or less explicit mode of conditionality. It also argues that the recent mix of standardised and experimental instruments presents a chance to learn from new experiences and to manage migration better than ever before.

The notion of co-responsibility that underlies this approach, however, requires a critical evaluation of the impacts of the EU's policies on migration developments in its neighbourhood and whether the actions being taken measure up to the EU's economic capacity and human rights obligations. It means that countries of origin and transit need to assume responsibility, too, where possible, which sometimes leads to long and difficult dialogues and negotiations in order to define common goals and balance interests. This article first discusses immigration in Spain, with an emphasis on the 2006 Cayucos crisis. It then looks at EU migration policy from the perspective of Spain's migration policy, before recommending ways of improving it.

## Spain and migration

Spain experienced an exceptional increase in immigration between the end of the 1990s and the beginning of the economic crisis in 2008. According to Arango (2013, 2), the ‘foreign-born population more than quadrupled’ in the country in 2000–9. He notes that ‘[t]he average annual net inflow of foreign-born individuals during this time was close to 500,000 people’, making Spain the second-largest recipient of immigrants in absolute terms among members of the OECD after the US (Arango 2013, 2). The reason for this exceptional development was Spain’s economic growth since the mid-1990s in combination with its ageing population, which had created labour shortages, mostly in low- or medium-skilled jobs, in key areas of the growing economy.

Since 1993 Spain’s labour migration has been channelled and managed through quotas. As irregular migrants already staying in the country could apply to fulfil these quotas, in the early years admission quotas became channels for regularisation instead of demand-driven migration management (Eigmüller 2007, 117). Spanish immigration policies during this period have been described as rather egalitarian: quite liberal admission policies, low requirements for settlement and access to social services, even for irregular migrants. Access to education and public health care for irregular migrants was introduced in 2001, although the latter was repealed by the People’s Party (Partido Popular, PP) government in 2012. The PP also enforced a new regulation that visas for worker admissions were only to be distributed to potential migrants abroad (Duque and Hierro 2016, 28f; Arango 2013, 5, 7). Irregular migration was a large part of the Spanish experience for all of these years, with a large proportion of the irregular migrants being regular migrants that had overstayed. After regularisation campaigns in 1986, 1991, 1996, 2000 and 2001, in 2005, the largest campaign so far led to the regularisation of 570,000 irregular migrants (Arango 2013, 4). Northern EU member states and the oppositional PP criticised this practice, pointing out the potential pull effect<sup>2</sup> and the resulting uncontrolled internal migration within the Schengen area (Switzerland, Bundesamt für Migration 2005). Ultimately, these regularisations did not prevent irregular immigration, as demonstrated by the high number of applications in 2005 (700,000), only four years after the previous campaign.

## The Cayucos crisis

In addition to the increasing number of labour migrants, in 2006 there was a major influx of individuals of sub-Saharan origin who reached the Canary Islands via boat. This led to what could be called the Spanish refugee crisis or the ‘Cayucos crisis’ (named after the African wooden fishing boats used) and, in consequence, to the further intensification of migration policies. The number of irregular arrivals in 2006 rose to 32,000 from 4,700 in 2005, vastly overloading the reception facilities and the administrative and political capacities of the small islands. An estimated 6,000 people died on this route in 2006. Kemp (2016, 2f) lists as the ‘pull factors’ for this crisis Spain’s surging economy, the regularisation campaign of 2005, and the tightened security around Ceuta and Melilla in 2005. As ‘push factors’ he mentions the political instability in several African states, as

well as the low economic development of these countries, corruption and the demographic bulge, which had resulted in large numbers of unemployed people—especially in Senegal where overfishing had left many fishermen jobless and angry. He also mentions their fleet of unused boats as an ‘enabling factor’, as well as the enhanced availability of Global Positioning System navigation, the large and poorly controlled maritime borders between Africa and the Canary Islands, and an increase in criminal activity in the region (especially the trafficking of drugs and weapons).

After 2006 the number of boat crossings subsided significantly. The reason for this was that Spain adopted a coordinated approach in order to save lives at sea, accommodate the arriving migrants, return those without the right to protection and prevent more people from setting off (Kemp 2016). Having started negotiations on readmission with African countries<sup>3</sup> and cooperation on border control<sup>4</sup> in the 1990s, and having stepped up its own border protection system by radar (Riedel 2011, 13), Spain applied policy instruments which aimed to prevent irregular migration at its roots and eliminate the push factors in the countries of origin and transit. The ‘Africa Plan 2006–2008’ of the Spanish government explicitly named cooperation with African countries in order to regulate migratory flows as one of seven central aims of Spanish development cooperation (Spain, MAEC 2006, 154). Strengthening border controls and combating human trafficking were major goals of the Africa Plan. Instruments that had already been applied with North African countries, such as joint patrols with Morocco and Mauritania, were extended to West African countries. The core element of this new ‘migration diplomacy’ was a series of bilateral agreements concluded with The Gambia and Guinea in 2006, Cape Verde and Mali in 2007, and Niger and Guinea-Bissau in 2008. Compared to other EU member states’ migration policies, these agreements were unique in the way that they combined legal immigration, return and readmission procedures, development assistance and border protection.

## **Standardisation and flexibility**

Partly in parallel and influenced by Spain’s national migration agenda, in the past decade regional platforms for dialogue, consultation and cooperation,<sup>5</sup> as well as the EU’s external migration strategy, have developed significantly. These processes have shaped the concepts and understanding of international migration policy, as well as the toolkit of policy instruments. In 2006 the need to involve countries of origin, transit and destination in response to the increasing numbers of migrants crossing the Straits of Gibraltar and also reaching the Canary Islands led to the Euro-African Dialogue on Migration and Development (Rabat Process) at the initiative of France, Senegal, Spain and Morocco. Furthermore, Spain was one initiator of the EU’s Global Approach to Migration in 2005 (see Frankenhaeuser et al. 2013, 145). The Global Approach to Migration and its successor, the Global Approach to Migration and Mobility, explicitly aim to integrate EU migration policies with foreign and development cooperation (European Commission 2011). The idea of bilateral agreements with countries of origin and transit on various issues related to migration and mobility has become part of the EU’s Mobility Partnerships, which are supposed to be based on visa facilitation and readmission

agreements negotiated in the spirit of conditionality (more for more). Even though this trend towards cooperation, dialogue and comprehensive, as well as standardised, agreements on regular and irregular migration can be seen in national and regional politics, there is a complementary trend towards more flexible and less standardised arrangements and instruments being applied by EU member states (e. g. the exchange of letters or implementation of practical cooperation structures between national authorities), as well as by the EU itself (Cassarino and Giuffrè 2017). The EU–Turkey statement from March 2016 serves as an example. The rationale, implementation and effects of these less formal and also, to some extent, less transparent instruments, need further study.

## Recommendations

Based on the above analysis, migration policies should follow a long-term vision; integrate security, trade, development and employment issues; and be based on the following four principles: (1) reduction of incentives for irregular migration, (2) fostering and management of regular migration, (3) cooperation and conditionality, and (4) visible and vigorous engagement to support human rights at the EU's borders and beyond. First, as illegal employment is a strong pull factor for irregular migration, consistent implementation of rules and stringent controls are just as important as enabling the recruitment and employment of foreign workers on a legal basis. A regular status for migrants should be a requirement for further integration measures and access to certain social services. The existence of preconditions for regularisation and its specific character, however, are crucial to impeding further pull effects. The current rationale and criteria for access to protection for refugees are not fair and set inconsistent and even cynical incentives. Thus, the fight against irregular migration and human trafficking in cooperation with neighbouring countries must go hand in hand with safe access to protection in the EU via resettlement for more people than in the past and support for refugees hosted in third countries.

Second, legal and safe access to the EU for migrants and refugees should take place in different and clearly separated channels. In the context of bilateral agreements with third countries, immigration channels for specific migrant groups should be tailored to fit with cooperation regarding development, employment and training. Only if the migrants' skills fit with the demands of the hosting country's labour market will migration have a positive impact for the migrant and the country of destination. Vocational training programmes that prepare participants for the European labour market and simultaneously enhance employment opportunities in the countries of origin are, so far, only at the experimental stage.

Third, managing migration in a regular way and improving protection and safety for refugees and migrants are responsibilities that should be shared between the countries of origin, transit and destination. Cooperation with countries of origin and transit is indispensable. Knaus (2017, 11) underlines the 'clear correlation between the number of people getting into a boat and the number of those drowning in the Mediterranean'. He calls for a solution to the dilemma of choosing between proposals (mainly by non-governmental organisations) that would result in more or less open borders (and are therefore

politically unrealistic, and also dangerous for migrants) on the one hand, and ‘cynical agreements’ with transit countries on the other (Knaus 2017, author’s translation).

Fourth, a solution to the dilemma will only be found when the above-mentioned determination to reduce irregular migration and law enforcement goes hand in hand with intransigence with regard to European values and human rights. Returns of asylum seekers to their countries of origin must take place with proper adherence to the asylum-seeking procedure and an examination of the right to protection on an individual basis. Some Spanish practices at the Moroccan–Spanish border in Melilla, for example, have recently been condemned as not being in line with international and European law by the European Court of Human Rights. Such intransigence must apply to informal instruments of cooperation even more.

## Conclusion

Spain has developed a series of policy instruments that have been adopted by other EU member states as well as by the EU itself. The cross-sectional framing of migration, trade, development and security policies, and the political strategy of creating cooperation agreements with third countries are reflected in the EU’s external migration policy and the regional dialogues. The notion of co-responsibility that underlies this approach requires a critical evaluation of the impacts of the EU’s policies on migration pressures. It also means that countries of origin and transit play an important role, too, which leads to sometimes long and difficult dialogues and negotiations in order to define common goals and balance interests. The parallel trends of setting up standard agreements and procedures, which shows a slowly developing common international understanding of migration management, and of informal cooperation patterns that allow for quick and effective responses, are not contradictory. However, the latter must be subject to democratic controls and correlate with the legal and ethical standards of the EU.

## Notes

1. In its broader meaning, the term *migration* refers to any cross-border mobility resulting in a long-term stay. A narrower understanding distinguishes *migrants* (labour migrants, international students, family members etc.) from *refugees* who are fleeing persecution and war and, in most cases, who enter the destination country without a visa. In the EU, refugee status must then be granted by an asylum procedure. *Irregular migration* describes the act of entering a country without permission, regardless of motivation (economic or political) or possible refugee status.
2. Insofar as national policies, administrative practices, and social and economic circumstances contribute to increasing immigration to a country, they bear a *pull effect*. While *push factors* influence a potential migrant’s decision to leave his country of origin in the first place (‘Should I go or not?’) and depend on the migrant’s personality, personal environment, and/or the political and economic situation in the country of origin, *pull factors* affect his choice of destination country (‘Where should I go to?’).
3. For example, a readmission agreement with Morocco that also covered third-country nationals had been signed in 1992, but only came into force in 2012; the implementation of readmission agreements is a separate, strongly political question.

4. In 2012, an agreement on police cooperation between Spain and Morocco stipulated the building of centres for police cooperation in both countries to organise the exchange of personnel and information, and to facilitate cooperation and training.
5. For example the Rabat Process, launched in 2006, and the Khartoum Process, launched in 2014.

## References

- Arango, J. (2013). *Exceptional in Europe? Spain's experience with immigration and integration*. Migration Policy Institute, Report. Washington, DC. <https://www.migrationpolicy.org/research/exceptional-europe-spains-experience-immigration-and-integration>. Accessed 4 December 2017.
- Cassarino, J.-P., & Giuffrè, M. (2017). *Finding its place in Africa: Why has the EU opted for flexible arrangements on readmission?* FMU Policy Brief no. 01/2017. University of Nottingham. <http://www.nottingham.ac.uk/hrlc/documents/pb-1-finding-its-place-in-africa.pdf>. Accessed 5 January 2018.
- Duque, J. C., & Hierro, M. (2016). Shocks and spatial regime fades in Spain's international migration distribution. *International Migration*, 54(6), 26–42.
- Eigmüller, M. (2007). *Grenzsicherungspolitik: Funktion und Wirkung der europäischen Außengrenze* [Border security policy: The function and impact of the European external border]. Wiesbaden: VS Verlag für Sozialwissenschaften.
- European Asylum Support Office. (2017). *Annual report on the situation of asylum in the European Union 2016*. Brussels. <https://www.easo.europa.eu/sites/default/files/Annual-Report-2016.pdf>. Accessed 5 December 2017.
- European Commission. (2011). *The global approach to migration and mobility*. Communication, COM (2011) 743 final, 18 November. <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0743:FIN:EN:PDF>. Accessed 26 January 2018.
- Frankenhaeuser, M., Noack, M., Bacchi, A., Keijzer, N., Klavert, H., & Knoll, A. (2013). *Migration and development policies and practices: A mapping study of eleven European countries and the European Commission*. International Centre for Migration Policy Development and European Centre for Development Policy Management. Vienna. <http://ecdpm.org/wp-content/uploads/2013/11/Migration-Development-mapping-study-eleven-European-countries-European-Commission.pdf>. Accessed 5 December 2017.
- Kemp, W. (2016). *Learning from the Canaries: Lessons from the 'Cayucos' crisis*. International Peace Institute, Desperate Migration Series no. 1. New York, May. [https://www.ipinst.org/wp-content/uploads/2016/05/1605\\_Learning-from-the-Canaries.pdf](https://www.ipinst.org/wp-content/uploads/2016/05/1605_Learning-from-the-Canaries.pdf). Accessed 5 December 2017.
- Knaus, G. (2017). Sichere Wege statt tödliches Meer: Eine prinzipientreue europäische Asylpolitik ist möglich und mehrheitsfähig [Safe ways instead of a deadly sea: A principled European asylum policy is possible and capable of winning a majority]. DGAP. *Internationale Politik*, 5, 8–15.
- Riedel, S. (2011). *Illegale Migration im Mittelmeerraum: Antworten der südlichen EU-Mitgliedstaaten auf nationale und europapolitische Herausforderungen* [Illegal migration in the Mediterranean: Responses by southern EU member states to national and European challenges]. Stiftung Wissenschaft und Politik, SWP-Studie no. S 10. Berlin. [https://www.swp-berlin.org/fileadmin/contents/products/studien/2011\\_S10\\_rds\\_ks.pdf](https://www.swp-berlin.org/fileadmin/contents/products/studien/2011_S10_rds_ks.pdf). Accessed 5 December 2017.
- Senge, K. (2015). *Who bears responsibility? Models and perspectives of European refugee policy*. Konrad-Adenauer-Stiftung, KAS International Report 2–3. [http://www.kas.de/wf/doc/kas\\_40710-544-2-30.pdf?150319093837](http://www.kas.de/wf/doc/kas_40710-544-2-30.pdf?150319093837). Accessed 5 December 2017.

- Spain, MAEC (Ministerio de Asuntos Exteriores y de Cooperación). (2006). *Plan África 2006–2008* [Africa plan 2006–2008]. Madrid. <http://www.crea-africa.org/mediareources/files/Documentos/LIBROPLANAFRICA.pdf>. Accessed 17 January 2018.
- Switzerland, Bundesamt für Migration, Schweizerische Eidgenossenschaft. (2005). *Spanien, Die Regularisierungsaktion 2005* [Spain, the regularisation campaign 2005]. <https://www.sem.admin.ch/dam/data/sem/internationales/transit-ziellaender/ESP-regularisierung-d.pdf>. Accessed 17 January 2018.
- UNHCR. (2016). Refugees and migrants sea arrivals in Europe. <https://data2.unhcr.org/ar/documents/download/53447>. Accessed 18 January 2018.

### Author biography



**Katharina Senge** works at the Konrad-Adenauer-Stiftung in Berlin as an adviser on immigration and integration policies and conducts research at Friedrich-Alexander-Universität Erlangen-Nürnberg.