

**POLICY PAPER**

**#01 JUNE 2019**

**WRITTEN BY:**  
Gabriele Restelli

**SUGGESTED CITATION:**  
Restelli, G. (2019). *The policy tap fallacy. Lessons from the Central Mediterranean Route on how increasing restrictions fail to reduce irregular migration flows.* Policy Paper 01/19, Mixed Migration Centre. Available at: <http://www.mixedmigration.org/>



# The policy tap fallacy

## Lessons from the Central Mediterranean Route on how increasing restrictions fail to reduce irregular migration flows

This policy paper provides a critical analysis of the use of restrictive entry and asylum regulation as a migration management tool, using Italy as a case study. It proposes that such restrictions, rather than deterring irregular migration, tend to push more people into irregularity. While the outsourcing, or “externalization” of border controls, coupled with cooperation with third countries such as Libya, may have contributed to the recent drop in sea arrivals, migration literature and evidence from the Central Mediterranean Route suggest that reducing access to legal pathways will likely have no significant effect on the number of migrants that reach Italian shores. Italy and European governments must acknowledge that this is not an effective way to combat migrant smuggling or to reduce irregular migration.

## Introduction

In December 2018, Italy adopted new legislation that restricts access to protection for refugees and migrants and hardens border security with the aim of deterring irregular immigration.<sup>1</sup> The so called “Salvini Decree” follows similar measures taken by the Trump administration in the United States to restrict access to humanitarian protection as a way to advance an anti-migration agenda.<sup>2</sup>

The legislative measure by the Italian government can be located within a broader EU preoccupation with a so-called “refugee crisis” and with immigration in general. With the launch of the European Agenda on Migration in May 2015 and the subsequent Valletta Summit, stricter entry regulations have been advocated<sup>3</sup> as a tool to stem inflows of migrants and asylum seekers, while financial resources have been increasingly allocated to border control activities.<sup>4</sup>

A key provision of the new Italian Security and Immigration Decree is the abolition of one of three layers of protection previously available to asylum seekers: residence permits granted on a discretionary basis for humanitarian reasons not covered by the 1951 Refugee Convention or by EU

legislation.<sup>5</sup> The law also introduces new restrictions on access to other types of residence permits and to related rights.<sup>6</sup> While its main purported goal is to “tackle illegal immigration more effectively,” (emphasis added) it has been seen as a move primarily designed to reduce the overall number of immigrants and asylum seekers in Italy – and to deter new arrivals – through increased restrictions.<sup>7</sup> It has been argued that the decree’s effectiveness will be severely hindered by practical limitations in enforcing returns.<sup>8</sup> Critics have also highlighted its potentially hampering effect on integration by pushing even more people into vulnerability.<sup>9</sup>

This policy paper provides a critical analysis of the use of restrictive entry and asylum regulation as a migration management tool, using Italy as a case study. It starts by providing an overview of the relevant policy background. Following sections review relevant literature on the impact of immigration policies and available empirical evidence on the effects of restrictive entry measures. It continues by analysing data of irregular migration flows on the Central Mediterranean Route and a policy restrictiveness index for Italy. The last section concludes with some implications for policy making.

1 For an analysis of the legislation, see: Brenner Y. and Forin R. (2019) [Italy's New Asylum Legislation: toward a better migration management?](#) Mixed Migration Centre. See also: Wallis, E. (2019) [The 'Salvini decree': Your questions answered](#) InfoMigrants

2 Caldwell A. & Campo-Flores A. (2017) [Trump Administration Ends Humanitarian Protections for Haitians](#) The Wall Street Journal

3 Cassarino J. & Giuffrè M. (2017) [Finding Its Place in Africa: Why has the EU opted for flexible arrangements on readmission?](#) University of Nottingham Human Rights Law Centre;

4 Kervyn E. & Shilhav R. (2017) [An emergency for whom? The EU Emergency Trust Fund for Africa – migratory routes and development aid in Africa](#) Oxfam

5 Presidenza del Consiglio dei Ministri (2018) [Decreto Sicurezza e Immigrazione - Comunicato stampa del Consiglio dei Ministri n.20](#)

6 Portale Immigrazione (2019) [Decreto Salvini sui migrant: il pacchetto sicurezza e immigrazione](#)

7 Kirchgaessner S. (2018) [Italy vows to 'send home' undocumented immigrants](#) The Guardian

8 Villa M. (2018) [The New Irregulars in Italy](#) Italian Institute for International Political Studies

9 Poulet M. (2018) [Italy's new 'Salvini decree' forces migrants from reception centres into the streets](#) InfoMigrants

## Policy background

This is not the first time politicians, sections of the media and academics have argued we are witnessing a “global migration crisis”.<sup>10</sup> In a session on involuntary migration held at the Salzburg Seminar in July 1995, migration practitioners and scholars debated “whether the so-called crisis of migration is unprecedented and due to the increase in the volume of population flows or simply the product of perception – the manifestation of Western anxieties over Third World invasion”.<sup>11</sup> It is not surprising that policy responses have followed a similar circular trend.

### Externalising border control

The issue of transit migration from Libya to Europe has been vividly debated at least since 2001. About a decade ago, Gaddafi’s government, which had previously supported an “open door” policy towards its African allies, began to work more closely with European states to tackle irregular migration across the Mediterranean. In 2008 it signed a “friendship, partnership and cooperation” treaty with Italy that included provisions on joint maritime patrols, the delivery to Libya of naval units and allowing the pushback to Libya of irregular migrants intercepted in international waters. This bilateral legal framework is considered to be a typical example of the “externalization” of the EU border.<sup>12</sup> Although impact on the ground has been questioned<sup>13</sup> this and similar measures were considered a political success by 2010 as departures from Libya dropped.

The removal of Gaddafi in 2011, and the turmoil that followed, hindered the application of these international agreements.<sup>14</sup> In 2012, the European Court of Human Rights ruled that Italy’s practice of returning intercepted migrants to Libya was illegal.<sup>15</sup> Thus, in February 2017, Italy and the new ruling authority in Libya signed a new Memorandum of Understanding (MoU) in the field of cooperation and the fight against irregular migration that stresses the need to strengthen the capacity of Libyan institutions to directly prevent irregular migration.<sup>16</sup> Under the MoU, Italy provided support to the Libyan border police and coast guard and helped establish so-called “temporary camps” under the management of the Interior Ministry’s Department for Combating Illegal Migration (DCIM). Echoing events in 2010, the resulting drop in sea arrivals by the end of 2018 led the European Commission to declare an end to the latest “migration crisis”.<sup>17</sup>

This new bilateral MoU was part of a broader framework that concerns both the EU and the international community. To address irregular migration, the EU adopted a multifaceted response loosely organised under the 2015 European Agenda on Migration.<sup>18</sup> The Agenda’s four pillars include “reducing the incentives for irregular migration” and “improving border control”. Through its EUNAVFOR MED operation (“Operation Sophia”) the EU had already begun training Libyan Coast Guard personnel in autumn 2016.<sup>19</sup> The MoU received full

10 Weiner M. (1995). [The global migration crisis: challenges to states and to human rights](#). HarperCollins College Publishers, New York

11 Shain, Y. (1995). [The Global Migration Crisis: Challenges to States and Human Rights](#). Political Science Quarterly 4, p110

12 Klepp, S. (2010) [Italy and its Libyan Cooperation Program: Pioneer of the European Union's Refugee Policy?](#) Middle East Institute; see also:

Gaibazzi P., Bellagamba A., & Dünwald S. (2017) Introduction: An Afro-Europeanist Perspective on EurAfrican Borders published in: Gaibazzi P., Dünwald S., Bellagamba A. (eds) *EurAfrican Borders and Migration Management* Palgrave Series in African Borderlands Studies. Palgrave Macmillan, New York.

13 Paoletti E. (2014) [The Arab Spring and the Italian Response to Migration in 2011](#) Comparative Migration Studies 2(2) pp127-150

14 The 2008 treaty was suspended in 2011 amid the uprising against Gaddafi and reactivated in 2018. See: AFP (2018) [Italy and Libya agree to reactivate friendship treaty to quell migration](#)

15 Vogt A. (2018) [Italy violated human rights by returning migrants to Libya, court rules](#) The Guardian

16 Uselli, S. (2017) [Italy-Libya agreement: the Memorandum text](#) Associazione per gli studi giuridici sull'immigrazione.

17 European Commission (2019) [The European Agenda on Migration: EU needs to sustain progress made over the past 4 years](#)

18 European Commission (2015) [A European Agenda on Migration](#)

19 Heller C. and Pezzani L. (2018) [Mare Clausum. Italy and the EU's undeclared operation to stem migration across the Mediterranean](#) Forensic Oceanography

EU Council support as Italy and the EU entrusted the Libyan Coast Guard with the task of intercepting and pulling migrants and refugees back to Libya.<sup>20</sup>

## Restricting regular pathways

The International Migration Policy And Law Analysis (IMPALA) Database of immigration policies in 20 OECD states shows substantial variation between countries in their levels of restrictiveness and between the treatment of different categories of migrant.<sup>21</sup> For instance, entry for higher-skilled workers is often easier than for lower-skilled workers, while family reunification may be facilitated more frequently for children than for partners.

Italy has long considered immigration to be “a problem or even an emergency”.<sup>22</sup> Large-scale international migration to Italy is however a relatively new phenomenon which only became a major characteristic of demographic trends towards the end of the twentieth century.<sup>23</sup> The first significant normative response only emerged in 1990 with the *Legge Martelli*, which introduced annual quotas for migrant workers, while regularizing around 200,000 irregular migrants already present on Italian territory.

The *Sanatoria Dini* in 1995 and the *Legge Turco-Napolitano* in 1998 were further legal

measures that regularized irregular migrants, and were thus typical of Italy’s response to irregular migration.<sup>24</sup> The *Legge Bossi-Fini* in 2002, despite its purported goal of stemming “clandestine flows” in fact constituted the biggest regularization of irregular migrants ever approved in Europe as it benefitted almost all irregular migrants residing in Italy at the time.<sup>25</sup> But it also restricted access to new legal permits, for example by suspending a sponsorship mechanism introduced in 1998 and by reducing the situations that allow for family reunification.

In 2008, Italy adopted a further set of legislative measures known as the “security package”, which, among other changes, provided for the criminalisation of irregular migration, extended detention periods for irregular migrants, and (in a later amendment) authorized so-called “citizens patrols” to help with “territorial defence activities”.<sup>26</sup> Thus both in public discourse and in normative frameworks, (irregular) immigration became increasingly linked to national security. This is evident in the *Minniti-Orlando Decree* jointly put forward by the Ministry of Interior and the Ministry of Justice and adopted in April 2017. This law restricts access to asylum, barring rejected applicants from a second appeal and paves the way for an increase in the number of detention centres to enforce repatriation processes.<sup>27</sup>

20 European Council (2017) [Malta Declaration by the members of the European Council on the external aspects of migration: addressing the Central Mediterranean route](#)

21 [Impala Database website](#)

22 Caneva, E. (2014) [The integration of migrants in Italy: an overview of policy instruments and actors](#) European University Institute/Migration Policy Centre p9

23 Di Muzio, G. (2012) [Migration Policies 1980s and early 1990s](#) Bundeszentrale für politische Bildung; see also: Pugliese, E. (2002) *L'Italia tra migrazioni internazionali e migrazioni interne* Bologna: Mulino.

24 Maciotti, M. I., & Pugliese, E. (2010) [L'esperienza migratoria: immigrati e rifugiati in Italia](#) Editori Laterza, Bari

25 Kotic, A., & Triandafyllidou, A. (2016) [Major developments in Italy's immigration policy](#) Published in: *European Immigration: A Sourcebook* (p185 ff) Routledge, London

26 Merlino, M. (2009) [The Italian \(In\)Security Package Security vs. Rule of Law and Fundamental Rights in the EU](#) CEPS Challenge Programme; see also: Colucci, M. (2018) *Per una storia del governo dell'immigrazione straniera in Italia: dagli anni sessanta alla crisi delle politiche Meridiana* pp9-36.

27 Gargiulo, E. (2018) [Una filosofia della sicurezza e dell'ordine. Il governo dell'immigrazione secondo Marco Minniti](#) *Meridiana* (91) pp151-173.

## Policy impact

Two beliefs have been particularly influential in migration policy formulation.<sup>28</sup> First, the economic doctrine of market behaviour based on neoclassical cost-benefit calculations, which holds that people move if it maximizes their individual utility, usually measured through higher income. The second is the belief that regulations designed to categorize migrants and to differently regulate their admission and residence effectively shape aggregate behaviour. Together, these two tenets add up to the idea that “migration can be turned on and off like a tap by appropriate policy settings”.<sup>29</sup> Under this idea, immigration policies ought to have an impact on both the total number of inflows and the type of new immigrants. Stricter policies should make it harder for new migrants to obtain entry permits, thus increasing their related costs and decreasing utility. As a result, fewer immigrants should be expected when entry policies get tougher. This is where the public discourse seems to focus. At the same time, selective entry policies could be expected to affect the composition of immigration flows, but not necessarily their total volume. For instance, in recent decades Western countries have tended to gradually liberalise policies towards high-skilled workers, students, and migrant families while increasing restrictions towards asylum seekers and low-skilled workers.<sup>30</sup>

In this context, it should be acknowledged that, immigration being a sensitive political topic, policy-making is often more nuanced than politicians’

discourse might suggest. This can lead to three identifiable migration “policy gaps”.<sup>31</sup> First, there is a discursive gap between what policy makers say in public discourse and what they include in policies. (Consequently, when “tougher” discourse is used as a yardstick, the perception of policy “failures” is often heightened.) Second, there is an implementation gap between norms on paper and their actual implementation. Third, there is an efficacy gap between the intended and the actual impact of implemented policies.

### Empirical evidence on the effects of entry policies

The extent to which restrictive policies succeed in reducing aggregate inflows, overcoming the effect of various push factors, has been long debated.<sup>32</sup> Social dynamics (chain migration), globalization, and transnationalism have been shown to undermine the deterrent intent of some migration policies: the gap between goals and outcomes is wide and growing wider in all major industrialised democracies.<sup>33</sup> Nonetheless, studies that attempt to quantify the relative effect of migration determinants tend to find that some immigration policies do reduce the volume of migration flows.<sup>34</sup> In other words, the stricter the entry policies, the smaller the migrant inflows.<sup>35</sup>

Quantitative evidence consistently suggests that both general and bilateral immigration policies have a significant effect in reducing inflows to

28 Castles, S. (2004) [The factors that make and unmake migration policies](#) International migration review, 38(3) pp852-884

29 Ibid

30 Bonjour, S. (2011) [The power and morals of policy makers: Reassessing the control gap debate](#) International Migration Review, 45(1) pp89-122

31 Czaika, M., & De Haas, H. (2013) [The effectiveness of immigration policies](#) Population and Development Review 39(3) pp487-508

32 Castles, S. (2004) [The factors that make and unmake migration policies](#) International migration review, 38(3) pp852-884

33 Hollifield, J., Martin, P. L., & Orrenius, P. (Eds.) (2014). [Controlling immigration: A global perspective](#) Stanford University Press

34 Mayda, A. M. (2010) [International migration: A panel data analysis of the determinants of bilateral flows](#) Journal of Population Economics 23(4) pp1249-1274

35 The EU enlargement process offers a somewhat extreme demonstration of an opposite correlation. In 2004, 10 states acceded to the political union and their citizens thereby gained freedom of movement within the bloc. A key consequence was the migration of around a million Poles to the UK, Ireland and Germany by 2007 (see: Castles, S., De Haas, H., & Miller, M. J. (2013) [The age of migration: International population movements in the modern world](#) Macmillan International Higher Education.) Similarly, when Bulgaria and Romania joined the EU in 2007, their citizens’ new freedom of movement led to a historical peak of migrant inflows to Italy (see Figure 1 and Italian Ministry of Interior (2014) [Dati Statistici Sull’immigrazione In Italia](#)) – despite some initial limitations in granting work permits (see: [DEMIG Policy Data](#)).

OECD countries.<sup>36</sup> However, because of limited data availability, as well as comparability and measurement challenges, the strand of literature that focuses on the effect of immigration policies is far from having reached definitive conclusions.<sup>37</sup> This area of research is still hampered by the paucity of valid, reliable, and cross-nationally comparative data on immigration laws and policies. And while recent studies have brought methodological improvements to the measurement of policy restrictiveness, all quantitative studies that find a significant deterrent effect in restrictive policies on immigrant flows focus on regular migration. For instance, two widely cited papers measure immigration through the number of residence and/or work permits issued in any given year.<sup>38</sup> So it is not surprising that restrictive policies are found to have a significant reducing effect. This is the definition of a “restrictive entry policy”: the criteria to obtain an entry permit are made stricter and, therefore, a lower number of immigrants succeed in obtaining those permits.

But since regular pathways account for only a part of total inflows most research to date, by not taking into account irregular migrants, fails to provide a detailed picture of the overall numerical effect of restrictive immigration policies.

### Deflection towards irregularity

Partly filling this gap, one recent study of 29 European destination states covering the period between 2008 and 2011 found that, in the presence of relevant push and pull factors (such as conflict, unemployment and persistent demand for labour), restricting access to international protection and to visas, rather than reducing the number of new arrivals, led more migrants and asylum seekers being deflected into irregularity.<sup>39</sup> These findings echo extensive qualitative literature that suggests restrictive immigration policies have failed to stem inflows in the presence of labour demand.<sup>40</sup> Instead, they just turned newcomers into irregular migrants.

## Lessons from the Central Mediterranean Route

Italy offers an interesting case study. The Mediterranean country has often been portrayed as a prime example of an EU member state experiencing the consequences of an “unprecedented migration crisis”. It is a key entry port to Europe and the temporary destination of migrants and refugees travelling on the Central Mediterranean Route. Unlike Greece, arrival numbers have been more

consistent in recent years and less skewed by the Syrian crisis.

Figure 1 shows data on immigration flows from non-DAC countries from 1998 to 2016.<sup>41</sup> Looking at trends over time there is no sign of an increase in aggregate inflows to Italy that points to a “migration crisis”. On the contrary, after peaking

36 Ortega, F., & Peri, G. (2013) [The effect of income and immigration policies on international migration](#) Migration Studies, 1(1) pp47-74.

37 Beine, M., et al. (2016) [Comparing immigration policies: An overview from the IMPALA database](#) International Migration Review 50(4) pp827-863.

38 [Mayda, A. \(2010\)](#); [Ortega, F., & Peri, G. \(2013\)](#).

39 Czaika, M., & Hobolth, M. (2016) [Do restrictive asylum and visa policies increase irregular migration into Europe?](#) European Union Politics, 17(3) pp345-365

40 Castles, S., Cubas, M. A., Kim, C., & Ozkul, D. (2012) [Irregular migration: causes, patterns, and strategies](#) Published in: Global perspectives on migration and development (pp. 117-151) Springer, Dordrecht.

41 The Development Assistance Committee (DAC) of the OECD is the forum including most aid donors. A list of the 30 members can be found [here](#).

**Figure 1: Migrant inflows to Italy from non-DAC countries 1998-2016**

Sources: International Migration Database (OECD) for regular flows; ISMU and FRONTEX for irregular flows

in 2008, total entries steadily decreased until 2013 and then stabilized between 2014 and 2016. Ironically, in 2015, the peak year of the so-called “migration crisis”, net migration in Italy hit the lowest level since 2000<sup>42</sup> and, for the first time since 1993, it failed to compensate for the net birth rate, which reached a record low at 162,000.<sup>43</sup>

However, regular and irregular entries show divergent patterns, with the former steadily declining since 2007 and stabilizing in 2014, and the latter rising steeply between 2012 and 2016, marking a record high in 2016 with more than 180,000 sea arrivals. The main nationalities have been Nigeria, Gambia and Eritrea. In 2017 these reduced to 119,000, following the implementation of measures included in the above-mentioned bilateral MoU between Italy and Libya. Additional externalisation measures by the EU and Italy, such as the de facto endorsement of the Libyan Search

and Rescue (SAR) zone (unilaterally declared in August 2017 by Tripoli authorities)<sup>44</sup>, contributed to a sharper fall to 23,000 sea arrivals in 2018.

### Policy trends

Figure 2 is based on data of migration policy changes compiled by the International Migration Institute (DEMIG POLICY) at the University of Oxford.<sup>45</sup> DEMIG researchers have coded each policy change according to its impact on the existing legal system, with “+1” denoting “more restrictiveness”, “-1” denoting “less restrictiveness” and “0” indicating no change. Using 1996 as a baseline, the graph shows cumulative annual totals of these coding scores (and others generated by the author for the years 2014-2016) for three types of policy change in Italy: bilateral ones only affecting citizens of specific non-DAC countries; those targeting irregular migrants; and those only affecting refugees and asylum seekers.

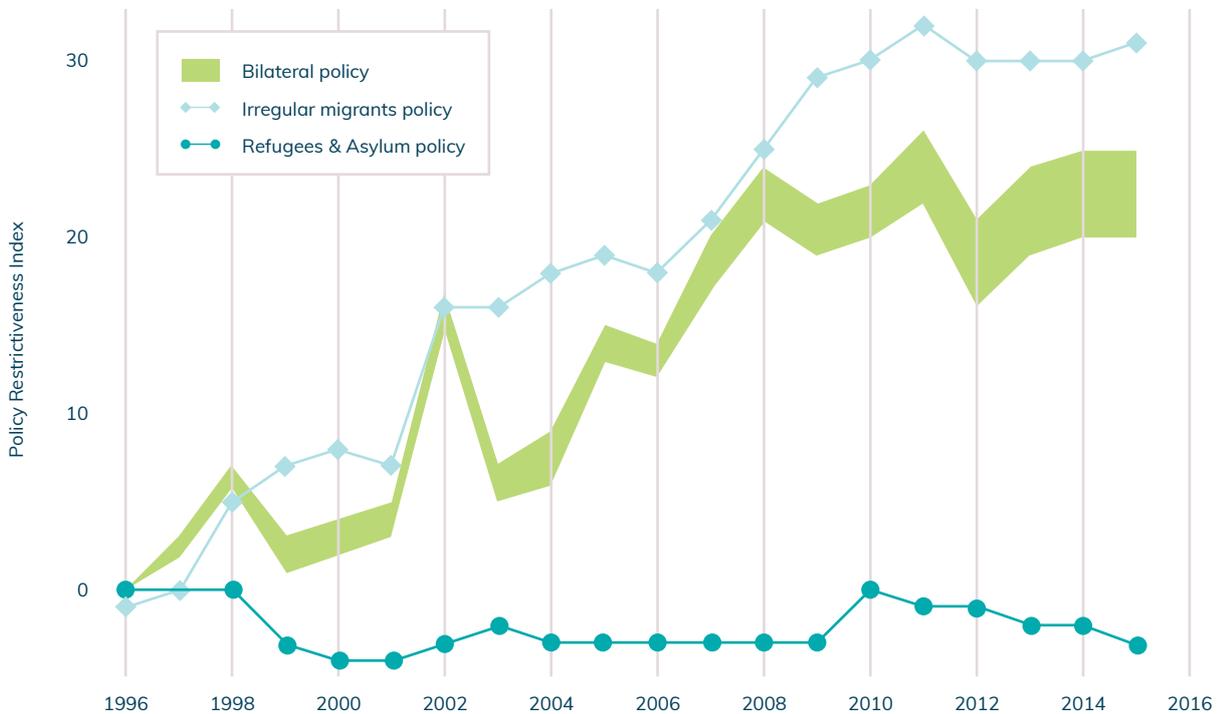
42 ISTAT (2016) [Migrazioni internazionali e interne della popolazione residente](#)

43 OECD (2016) [International Migration Outlook 2016](#) Organisation for Economic Co-operation and Development

44 Heller C. and Pezzani L. (2018) [Mare Clausum. Italy and the EU's undeclared operation to stem migration across the Mediterranean](#) Forensic Oceanography

45 For details, see: [DEMIG Policy data](#); additional data comes from [OECD International Migration Outlook](#)

**Figure 2: Immigration restrictiveness in Italy 1996-2015**  
Cumulative effect of policy changes



Note: Each policy change has been coded +1, -1, or 0 depending on its restrictiveness effect.  
Sources: author's elaboration based on DEMIG coding and OECD data.

Recent measures targeting irregular migrants in Italy include facilitating expulsions by reaching readmission agreements with countries of origin. Resettlement programs and temporary entry permits granted in 2011 in response to the Arab Spring are examples of policies affecting refugees and asylum seekers.

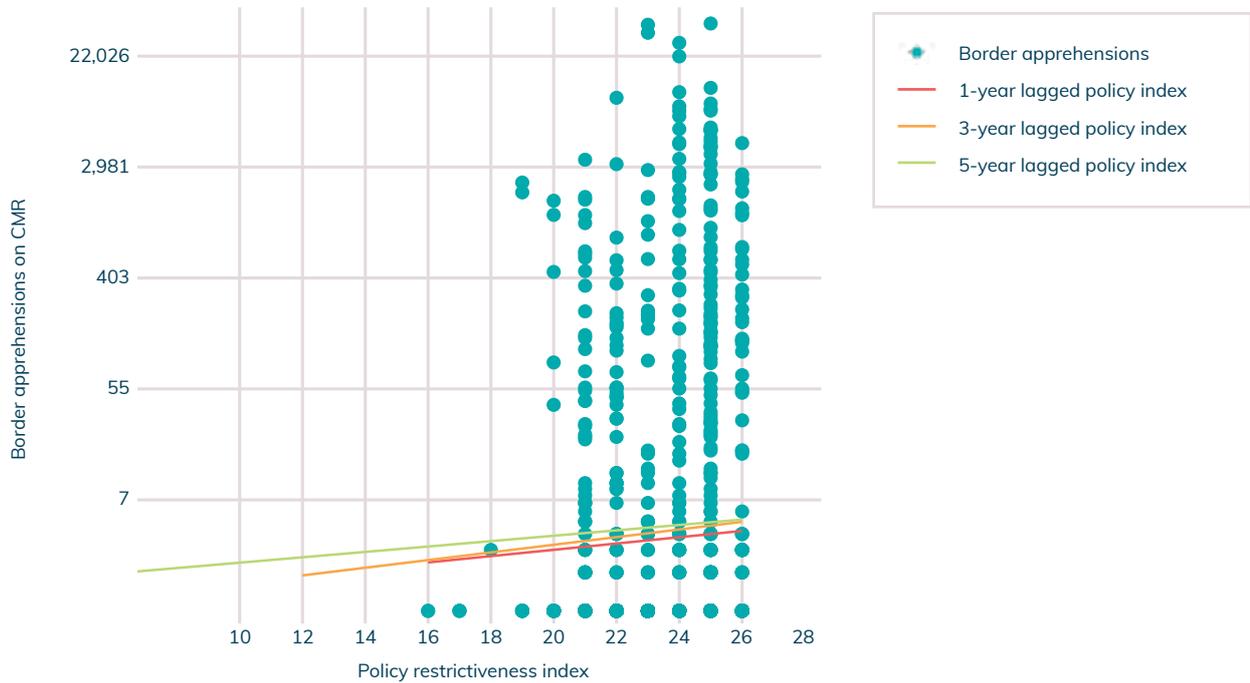
What is immediately apparent from the graph is that restrictiveness rose significantly between 1996 and 2015. Clear jumps can be seen in 1998, 2002 and 2008, coinciding, respectively, with the adoptions of the *Legge Turco-Napolitano*, the *Legge Bossi-Fini* and the Security Package described

above. Also visible is a broadening of the spectrum of restrictiveness resulting from bilateral policies, which is due to Italy taking increasingly different stances to different states and being ever stricter towards irregular migrants and their countries of origin.<sup>46</sup> At the same time, policy changes regarding refugees and asylum seekers had a largely neutral restrictiveness effect.

It has already been shown that increasing entry restrictions has not contributed to reducing aggregate flows of migrants in recent years. And while a conclusive causal link cannot be made between restrictive entry policies and deflection

<sup>46</sup> For instance, a readmission agreement with Tunisia was signed in 2011 targeting irregular migrants. In the same year, decree 181/2011 (converted into law 129/2011) extended the maximum duration of detention of undocumented foreigners awaiting deportation from 6 months to 18 months.

**Figure 3: Restrictiveness index and CMR border apprehensions in Italy**  
 A simple linear regression



Sources: Frontex data for irregular entries; author's elaboration based on DEMIG and OECD (International Migration Outlook) data for policy index.

into irregular pathways, neither can a credible case be made for tougher immigration policies as a way to reduce irregular migration in the years to come. Taken together, Figures 1 and 2 show that increasing policy restrictiveness did not prevent the spike in irregular arrivals over recent years via the Central Mediterranean Route.

Further, Figure 3 plots a linear regression between the number of irregular entries and the bilateral policy restrictiveness index. A positive association is retrieved when one-year, three-year and five-year lags are employed to account for potential delays in policy response. In other words, a more restrictive bilateral entry policy is associated with an increased number of future irregular migrants from a given origin country one, three and five years later.

In-depth multivariate analysis would be required to account for every other determinant of migration

and investigate the *ceteris paribus* (all other things being equal) effect of restrictive policies. This is beyond the scope of this policy paper. Would even more irregular migrants have reached Italian shores in the absence of stricter entry policies? Possibly. It does not change the fact that Italy's tougher entry policies have not succeeded in reducing irregular or even aggregate migrant flows. Most likely, this is because the causes that move people out of their country of origin are not affected by anti-immigration policies.

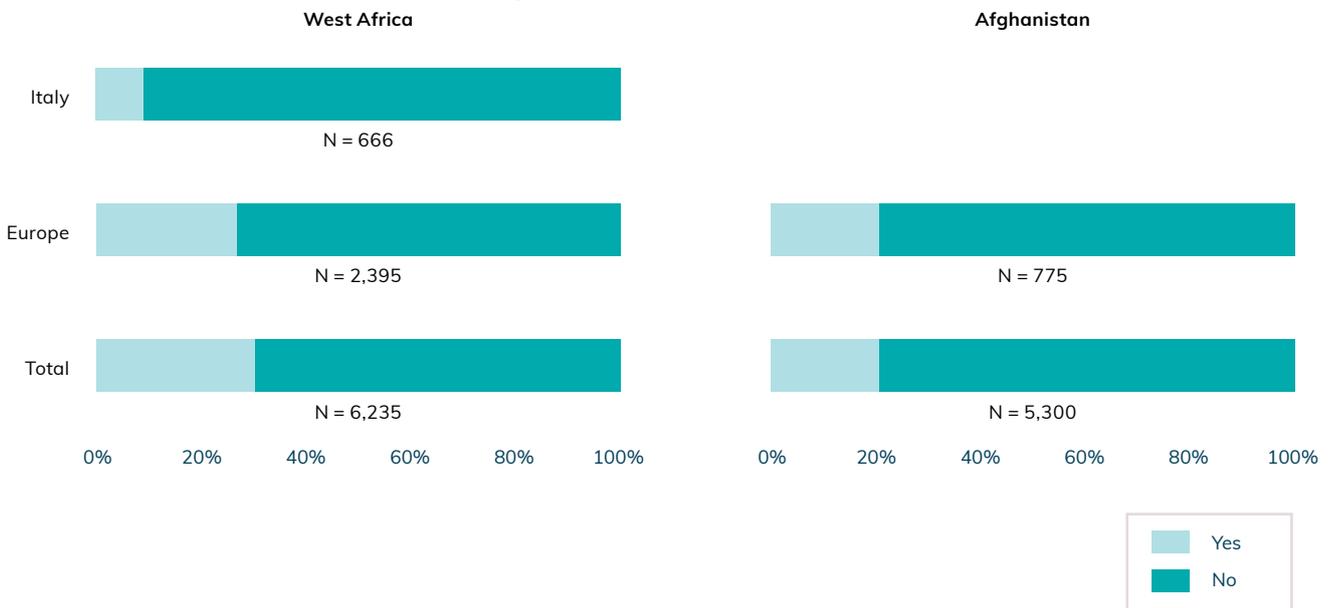
This is shown clearly by survey data collected by the Mixed Migration Monitoring Mechanism Initiative (4Mi). Some 6,235 interviews with refugees and migrants from West Africa were conducted in Burkina Faso, Mali and Niger between September 2017 and January 2019. As shown in Figure 4, a large majority of respondents (69.7 percent) did not select "anti-migration legislation"

as one of the factors that could deter them from migrating. Only a minority (3.3 percent) mentioned it as the sole reason for potentially suspending their journey. By contrast 57.3 percent reported “lack of funds” as a factor that would stop them.

Only 9.1 percent of those intending to cross to Italy via the Central Mediterranean Route cited anti-migration legislation as a potential deterrent

factor – a much lower incidence compared to the total sample. Furthermore, only 1.9 percent of them reported restrictive legislation as the only reason that could lead to the interruption of their journey. A very similar share (58.3 percent) of migrants and refugees travelling to Italy said budget constraints played a key role in deciding whether to continue the journey.

**Figure 4: Impact of legislation on refugees’ and migrants’ motivation**  
 Would anti-immigration laws stop you migrating?<sup>47</sup>



Source: 4Mi Migrant Survey conducted in West Africa and Afghanistan between September 2017 and January 2019

Results from West Africa are echoed by those from Afghanistan. Of 5,300 refugees and migrants surveyed there, almost 80 percent did not mention anti-migration legislation as a variable that could affect their decision to continue in their migration

journey. When limiting the sample to the 773 interviewees that indicated intending to travel to a European destination, a very similar minority (20.8 percent) reported restrictive legislation as a potential factor inducing them to stop.

<sup>47</sup> Percentage of 4Mi respondents who included “anti-migration legislation” as an answer to the multiple choice question: “What can/could stop you from migrating?”

## Conclusion and policy implications

Contemporary immigration should be viewed within a broader understanding of migration as a social process influenced by a wide range of conditions in countries of both origin and destination. A simplistic approach to migration management cannot lead to effective policies. Border externalization measures may lead to short-term temporary reductions in sea arrivals, **but there is no evidence that restrictive entry regulations contribute to reducing overall migration inflows. On the contrary, there are indications that tougher entry regulations may contribute to increasing the proportion of refugees and migrants who travel on irregular paths.** Policy responses to migration management need to account for the complex and nuanced nature of migratory processes rather than assuming that shrinking access to legal paths will deter people from moving.

Much of contemporary migration can be understood as an integral aspect of North-South relations in the current phase of globalization. Policy in this area needs to address the causes of labour and forced migration within current patterns of global inequality. **Policy makers must consider immigration policy in coherence with other policies, such as trade and agriculture, that might yield opposite effects.** Evidence<sup>48</sup> shows that migration is also driven by the demand for cheap labour in European “segmented labour markets”.<sup>49</sup> It has also been shown that higher trade integration of countries of origin might be associated with higher mobility.<sup>50</sup> Therefore, the persisting demand

for low-paid labour coupled with enhanced bilateral trade could completely offset the potential deterrent impact of restrictive entry policies.

Migration is a complex process and there is no easy solution to its effective management. Efforts prioritizing mere deterrence will have limited success, but have proven detrimental effects on fundamental rights, including deaths at the border.<sup>51</sup> **Policy makers should focus their efforts on how to maximize potential benefits of immigration rather than regarding it as a problem to be solved.**<sup>52</sup> Efforts should focus on regulating movement in ways that maximize the gains for destination and origin countries as well as for the migrants themselves.

**It needs to be acknowledged that there is no “migration crisis”. Too often an anti-migration agenda is used for short-term political gains determined by the duration of electoral terms of office.** As shown in this policy paper, there is no evidence of increased aggregate flows to Italy. Further, global migration data show no evidence of discontinuity in overall international migration stocks<sup>53</sup> or flows.<sup>54</sup> Moreover, the vast majority (78 percent) of the world’s displaced population tends to find refuge within their own country as internally displaced persons or in neighbouring states as refugees.<sup>55</sup> Only three percent of all displaced people across the entire world travel to European shores. Emergency-driven policies cannot lead to effective migration management in the longer term.

48 Reyneri, E. (2003) [Immigration and the underground economy in new receiving South European countries: manifold negative effects, manifold deep-rooted causes](#) International Review of Sociology 13(1) pp117-143

49 Michael, P. (1979) [Birds of passage: Migrant labor and industrial societies](#) Cambridge University Press, Cambridge

50 Menard, A., & Gary, A. (2018) [Aid, trade and migration: How do bilateral flows interact?](#) The World Economy 41(2) pp431-456

51 Human Rights Watch (2019) [No escape from hell: EU policies contribute to abuse of migrants in Libya](#); Amnesty International (2017) [Libya's dark web of collusion: Abuses against Europe-bound refugees and migrants](#)

52 See, for instance: POLITICO (2018) [How Europe can stop African migration](#)

53 Özden, Ç., Parsons, C., Schiff, M., & Walmsley, T. (2011) [Where on earth is everybody? The evolution of global bilateral migration 1960–2000](#) The World Bank Economic Review 25(1) pp12–56

54 Abel, G. J., & Sander, N. (2014) [Quantifying global international migration flows](#) Science, 343(6178) pp1520-1522

55 UNHCR (2017) [Global trends: Forced displacement in 2016](#)

The MMC is a global network consisting of six regional hubs and a central unit in Geneva engaged in data collection, research, analysis and policy development on mixed migration. The MMC is a leading source for independent and high-quality data, research, analysis and expertise on mixed migration. The MMC aims to increase understanding of mixed migration, to positively impact global and regional migration policies, to inform evidence-based protection responses for people on the move and to stimulate forward thinking in public and policy debates on mixed migration. The MMC's overarching focus is on human rights and protection for all people on the move.

The MMC is part of and governed by the Danish Refugee Council (DRC) and global and regional MMC teams are hosted by the DRC offices in Amman, Copenhagen, Dakar, Geneva, Nairobi, Tunis and Yangon. The Mixed Migration Centre in North Africa focuses on Libya, Tunisia, Sudan, Egypt, Morocco and Algeria.

For more information visit:  
[mixedmigration.org](https://mixedmigration.org) and follow us at [@Mixed\\_Migration](https://twitter.com/Mixed_Migration)



Co-funded by  
the European Union