Illegal immigration between the principle of political conditionality of the European Union and the internal requirements of the Arab Maghreb countries

الهجرة غير الشرعية بين مبدأ المشروطية السياسية للاتحاد الأوروبي والمتطلبات الداخلية لدول المغرب العربي

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Abstract:

This study, entitled Illegal Immigration between the Principle of Political Conditionality of the European Union and the Internal Requirements of the Arab Maghreb Countries, touched on the problem of security in the Mediterranean as a fact that imposed itself since the end of the Cold War and the consequences of globalization, and its path touched all fields (political, economic, social, cultural, financial and environmental And the military), and as a result the globalization of risks and threats, causing the European Union to set policies - the principle of conditionality - to confront it, but the nature of the transformation and the extent of its impact on regional security arrangements imposed a new reality considering that no country can It guarantees its security on its own in light of a global environment that has multiple actors and varies in many areas of its interaction, and there may be multiple options available to each bank separately to establish security in the Mediterranean region. In the conviction of those in charge of the European Union and the Maghreb Union that there are fundamental risks threatening the countries of the Union and they are coming from the southern side of the Mediterranean basin, which is led by illegal immigration.

key words: The principle of conditionality- illegal immigration - the European Union

الملخص:

تطرقت هذه الدراسة الى اشكالية الأمن في المتوسط كحقيقة فرضت نفسها منذ نهاية الحرب الباردة وما أعقبها من افرازات للعولمة فمسارها مس كل المجالات (السياسية والاقتصادية و الاجتماعية والثقافية ،المالية والبيئية والعسكرية)، ونتج عن ذلك عولمة المخاطر والتهديدات، ماجعل الأتحاد الأوربي يضع سياسات − مبدأ المشروطية− لمواجها ، لكن طبيعة التحول ومدى تاثيره على الترتيبات الأمنية الاقليمية فرض واقعا جديدا بأعتبار انه لايمكن لأي دولة ان تضمن امنها لوحدها في ضل بيئة عالمية تتعدد فواعلها وتتنوع بتعدد مجالات تفاعلها، كما قد تتعددالخيارات المتاحة لكل ضفة على حدا لاستئباب الأمن في الاقليم المتوسطي . وفي قناعة القائمين على الاتحاد الاوروبي والأتحاد المغاربي أن هناك مخاطر جوهرية تهدد دول الاتحاد وهي وافدةُ من الجانب الجنوبي لحوض المتوسط والتي على رأسها الهجرةُ غيرالشرعية.

الكلمات المفتاحية: مبدأ المشروطية − الهجرةُ غيرالشرعية − الاتحاد الأوروبي.

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Introduction:

The European Union practices in its relations with the Maghreb countries the principle of "conditionality" which refers to the idea of subjecting a right or an advantage (such as development aid) to compliance with a certain number of standards, rights or practices, and often the political character of conditionality's is used to confirm the political nature of the requirements that have been imposed and which contain in Its content: Respect for democracy, the rule of law, human rights, and public freedoms. But it can also be broader and include other criteria such as respect for minorities, the performance in good faith of obligations relating to peace treaties, and the suspension of military operations.

The conditionality of the European Union was supposed to have strong causal effects in directing political and institutional change in the Arab Maghreb countries. Therefore, the stability or instability of the Arab Maghreb region constitutes a security and strategic dimension for the European Union through the increase in the volume of new security threats, especially illegal immigration, which grabs the greatest attention in all the agreements concluded with the countries of the region collectively and individually at other times.

Through this study, we will try to approach the broader understanding of conditionality as a political tool for the European Union to promote its foreign policy goals and the interests of its members from the major countries, especially the major ones. Especially regarding security and strategic interests in general, and combating illegal immigration in particular, and how this affects stability in the region.

And the inspector of modern immigration laws in the countries of the European Union finds it based on strict restriction in the field of legal immigration, by requiring obtaining a visa to enter and then obtaining a permit to reside and work according to certain conditions. These incapacitating conditions, coupled with the poor conditions in the countries of the Maghreb, have led to the exacerbation of the phenomenon of illegal immigration through new methods and methods that have claimed huge numbers of lives in the "Mediterranean Tomb". This is why the problematic of our study will be centered on the manifestations of the principle of conditionality as a tool of combating illegal immigration. We are asking the following question: **What are the effects and manifestations of the principle of conditionality in dealing with the phenomenon of illegal immigration between the European Union and the countries of the Arab Maghreb?**

In order to answer the problematic, the study was divided into three axes. We deal in the first axis with the concept of illegal immigration and the principles of conditionality, while the second axis will address the causes of youth migration from the Arab Maghreb to the European Union, so that the third axis is devoted to the measures taken by the European Union to confront illegal immigration.

1- The Definition of illegal immigrationand the principle of conditionality:

Secret, illegal, or irregular migration is a global phenomenon that has overtaken the United States and the European Union. The Gulf countries in Asia suffer from this phenomenon, in addition to some countries in Latin America such as Argentina and Venezuela, and the countries of the Maghreb have also become a transit and stability region for illegal immigrants coming from sub-Saharan Africa.[1]

What is meant by illegal immigration is to cross borders without the consent of the country of origin as well as the receiving state, the right to move is not absolute and the right to enter any country is restricted by a set of legal procedures necessary for migration to make the movement and travel process legal, and in the absence of that immigration becomes illegal whatever means or methods used In this, whether by forging documents or infiltrating by sea, air, or land away from customs control centers.[2]

Illegal immigrants resort to many methods of arriving in developed countries such as contracting with smuggling and infiltration companies through borders and temporary or formal marriage in order to obtain residency according to the immigration laws used in some countries, as well as tourists who do not return to their home countries after the expiration of a period Their specific residence and in this case their stay becomes illegal.[3]

We point out that the International Labor Organization defined illegal immigration as the situation in which migrants violate the conditions imposed by conventions and legislation, such as people who cross the borders in a confidential manner, violating work permits for foreign workers, persons who are authorized to reside after exceeding the specified period are considered illegal immigrants.[4]

The development of modern means of transportation, the escalation of security and terrorist threats, and the turmoil in some countries have made illegal immigration a profitable trade, generating huge amounts of money for professionals in human trafficking, so most countries have resorted to adopting

defensive and deterrent measures for illegal immigration, not taking into account the nature of migrants, especially children and women, and the reasons that prompted them to emigrate, which led to a rise in voices to humanize strategies to reduce illegal immigration.

Legitimate migration is alienation or exit from land to another in pursuit of livelihood and in search of a better social, economic or political situation. As for irregular migration, it is the movement of an individual or group from one place to another in secret ways that violate the immigration law as is internationally recognized.[5]

We can differentiate between legal immigration and illegal immigration on the basis that the former is regulated by laws and governed by entry visas and residence cards granted by the competent authorities for immigration and passports, while illegal immigration takes place illegally without immigrants obtaining entry visas, residence cards, etc.[6]

After defining the illegal immigration we must define The principle of conditionality as a system based on good governance with its four components: (integrating economic policies into the market economy system and its rules and mechanisms, good management of public affairs, installing a democratically elected government, then respecting the state of law and human rights). This means that international and bilateral cooperation has become subject to the extent to which states respect these principles and include them in their public policies, which is expressly expressed by former French President Francois Mitterrand by saying: "France will link all its efforts to steps aimed at enhancing freedoms... but it will be less stimulating. With countries whose systems act in an authoritarian way. "Then in the same year, Britain and the United States Agency for International Development adopted the principle of conditionality, and considered it a major determinant of its international aid for development.[7]

2 -The causes of
Immigrations in the Arab Maghreb countries:

The reasons that motivate young people in the Arab Maghreb countries to think about immigration are numerous and mainly manifested in economic, social and political conditions.

2 – 1 - Economic and social causes:

Many researchers go on to limit the causes of migration to the economic and social factors that some call classical causes because they are the original factor in the emergence of migration.

On top of these factors is the economic situation of the North African countries, especially those related to high unemployment rates and a significant proportion of those who live below the poverty line. Available data show that during the decades after independence, the countries of North Africa suffered from an inability to absorb the increase in supply in the local labor market. This resulted in an increase in unemployment rates, especially in the 1980s and 1990s. In 1992, the unemployment rate was estimated at 14% in Algeria, 13% in Morocco and 16% in Tunisia. It is worth noting that most of the unemployed were young. And unemployment rates are still high in these countries. Although there may not necessarily be a relationship between unemployment and immigration rates, since not all unemployed people tend to emigrate and not all workers are reluctant to emigrate, but surplus labor rates in the internal labor market is one of the potential sources of migration.

Analysts point out that the economic motive for immigration is characterized by its great ability to influence the decision of immigration, and according to statistics in 2005 there are about 190 million immigrants distributed in different proportions on the continents of the world, 34% of them in the continent of Europe, this number clearly reflects the echo of the economic motive for migration with its influence and urgency, about 60% of immigrants settled in the most advanced and wealthy societies, to confirm more and more the relative weight of the economic factor as a driver of migration.[8]

It is noted that the Maghreb society is characterized by a high percentage of the group eligible for work between (15-64 years), where their rate is about 54.6%, and it has a surplus in young energy, unlike the receiving European countries that suffer from chronic aging, where the group whose age exceeds 65 is 60% of the population in a year, and in this context a study by the United Nations in March 2000 indicated that Europe will need 47 million immigrants to stop the population decline, and 77 million in order to maintain the active group[9]. And that by 2050, Europe will need 700 million immigrants to maintain the balance between the proportion of the population and the working class, and the same study indicates that the continuation of this situation will lead to a decline in the population of England by 4%, Germany by 11% and Italy by 28% in 2050.[10]

One of the repercussions of the phenomenon of unemployment is the increase in the size of poverty, as the percentage of the population living below the poverty line in Algeria, for example, reached about 10%, and the difference in wages is a catalyst for migration, as the distributional process of the national wealth has been linked to many problems, especially among the university youth

and young people who hold on certificates of specialized training, society's inability to absorb this huge number of young people (approximately 230,000 students graduate annually from Algerian universities) and achieve their minimum aspirations leads to an increase in individual frustration and collective discontent, and then the individual becomes more willing to engage In marginal culture, clandestine immigration is a manifestation of this culture.[11]

If economic factors constitute a strong motivation behind migration, this does not mean it is the only reason, which means that the decision to migrate is pushed by other factors that are reflected in social conditions and the reasons differ for different migrants, but they all combine to indicate the existence of two environments: the first is repulsive and the second is attractive, which is represented in a picture of the social success that the migrant shows upon returning to his country to spend the vacation, where he is dedicated to highlighting the aspects of wealth: a car - gifts - an investment in real estate... all aspects that are fueled by the visual media.[12]

2 – 2 - Political and security reasons:

Political and security reasons are among the most important factors that led to the acceleration of illegal immigration, as large numbers of young people risk their lives and leave their homes in search of better living conditions they believe exist in the promised European dream land. Although political reasons are one of the most driving factors of migration, they are not only related to the conditions in which exporting countries live, but also transcend them to the policies of receiving countries that have led, directly or indirectly, to encouraging migration to them.[13]

Among the coercive political reasons that drive immigration are oppression, external military intervention from any country that leads to external migration, in addition to the political pressure that motivates migration, in most developing countries where democracy does not exist, dictatorial regimes prevail and people are driven to prisons and detention centers without Reason or trial, as well as the large number of internal revolutions, military coups and local wars leading to emigration abroad, and some emergency conditions, such as the imposition of international sanctions on a society, are among the factors that cause migration.[14]

Illegal immigration is in fact an expression of discontent with the situation experienced by young people in their countries. The countries that drive migrants are mostly characterized by political deprivation, loss of freedom of expression, popular democracy, absence of human rights principles and respect for public

freedoms, so that individuals feel a state of psychological and social instability and the search for a safe haven for them to achieve human dignity, freedom of opinion, self-expression and democracy, this phenomenon appears especially in the most authoritarian and oppressive countries in the countries of the third world where the number of immigrant persons increases by any illegal way out of the country.[15] In this context, former Spanish Prime Minister Philip Gonzalez said: "If I were a young man from the Maghreb, I would have tried to emigrate, and if they caught me I would have tried again." This statement justifies the Europeans' knowledge of the conditions in which young people live in the Arab Maghreb countries, which prevail in the nature of suppressing freedoms, lack of democracy, freedom of expression, and closing the political sphere, and therefore they always find themselves marginalized and not concerned with the policy of their countries that are directed towards serving a specific class. Maghreb countries.[16]

With regard to European policies that have been a factor in encouraging illegal immigration, there are two main procedures:

First: The policy of blocking the borders that it applied from 1974 on, and which made migration to Europe confined to three forms: family gathering, asylum, and clandestine immigration. In 1993 it also amended its asylum laws, which led to the appearance of people without documents "Les Sans Papiers" who are also considered illegal immigrants.[17]

• Second: regularization of the status of undocumented migrants, which is the measure used by countries receiving migrants as an exceptional measure to reduce the number of people in an irregular situation and also to conduct an accurate census of their numbers.[18]

Looking at Algeria, the worsening security situation, the emergence of terrorist barbarism in the black decade, and the widespread phenomenon of mass killing and massacres... prompted young people to migrate illegally to escape terrorism and in search of security and stability, in addition to the political instability of the country, where Algeria knew succession Multiple governments in a short period of time (more than ten in the black decade). The declaration of the state of emergency gave the impression of security as a catalyst for further emigration.

3 - European measures
to reduce illegal immigration:

European countries face many difficulties, especially with regard to the issue of illegal immigration. In addition to the influx of immigrants, they suffer other problems that have a direct link to migration, such as increased black market activity for labor, tax evasion, security and many complex problems, and accordingly and for the sake of reducing Immigration the European Commission has adopted several measures to support cooperation between member states In the areas of border management and combating illegal immigration, the plan relies on three main axes:

First: Adopting a unified database and system in dealing with the problem of granting visas to enter foreign nationals.

Second: Sending a team of security men and specialists consisting of three hundred people who can be deployed when necessary in emergency situations on the European external border points to tighten security guarding on the European borders through several measures, the most important of which are:[19]

1- The Spanish project funded by the European Union to build a border wall up to six meters high, which is a wall equipped with a radar for long distances and infrared, at the same time Spain has established electronic monitoring centers equipped with means of night notification and radars, in addition to a project to launch a satellite called the "Sea Horse Network", to monitor the secret migration operations of Gibraltar between Africa and Europe, at an estimated cost of more than 3.5 million euros.

2- In October 2004, the European Council adopted a resolution to form an agency to coordinate the efforts of its member states in strengthening the external borders of the European Union. Known as "Frontex", it started work in October 2005, and has expanded repeatedly since that date and is mainly authorized to guard the borders, especially along the Mediterranean coast as it works actively to stop illegal boat people migrated from Africa to the European Union, by coordinating joint operations of its member states. Third: Implementing a strict export policy for clandestine immigration and trafficking in unauthorized foreign labor.

Third: Implementing a strict policy in the field of export, clandestine immigration and illegal foreign labor trafficking

In addition to the previous three axes, European countries have proposed several methods to counter this phenomenon, as follows:[20]

1- Establishing reception centers outside the borders of the countries of the Union, which is the proposal that has the support of Britain, Germany and Italy, which faces a large influx of immigrants, while France maintains this proposal.

2- The expulsion and mass and forced deportation of illegal immigrants, which is the proposal adopted by extreme right groups in the European Union.

3- Adoption of the Galileo system of marine surveillance with satellites as of the beginning of 2004 in the context of seeking to tighten border controls.

4- Calling for the use of deterrent punitive means against illegal immigration.

5- Concluding security agreements: The countries of the European Union adopted a policy of joint cooperation with the countries of North Africa, by concluding bilateral and other collective agreements in order to combat illegal immigration. An example of this is the security agreement concluded between Libya and Italy in Tripoli in 2007. Under this agreement, Libya and Italy are organizing maritime patrols with six maritime vessels, temporarily seconded from Italy, with joint teams from both countries carrying out monitoring and search and rescue operations at the starting and transit sites for the transport of illegal immigrants boats, whether in the Libyan or international territorial waters.

In the same way, an agreement was concluded between Italy and Tunisia, which also requires Italy to provide the Tunisian authorities with equipment, devices and speed boats, and to hold annual training sessions for police personnel specializing in combating illegal immigration, with a system for exchanging information on everything related to illegal immigration between the two countries.

Likewise, other security agreements have also been concluded between the rest of the other North African countries, such as Algeria, Egypt and Morocco, with the European Union countries, especially France, Italy, Germany and Spain.

6- Seek to limit the benefits of illegal immigration by combating the phenomenon of illegal employment of migrants, and imposing penalties on employers that limit the competitive advantages that they enjoy as a result of operating cheap labor.

7- France issued what is known as a "Dupre" law to limit immigration to it, despite the existence of real opposition upon approval by the Senate and the National Assembly. It includes restrictions on nationality and identity verification so that marriage to a foreigner from a French citizen no longer gives a right to

citizenship within 6 months, but rather calls for More than two years to verify the common life of the couple in order to fight the so-called "white marriage", and on the other hand, the foreigner born in France no longer has the right to obtain citizenship after the age of 18, so he must request it between 16 and 21 years, and on the third hand not to grant citizenship The French resident illegally, in addition to the article that sparked outrage for Algerians, a cancellation of the right to nationality related to children born in France of a mother or father born in Algeria before independence.[21]

Thus it is clear that the policy of France and many European countries that have begun to follow its example is based on taking strict measures to stop illegal immigration from the Arab Maghreb countries, and over the past few years many European countries have not hesitated to take restrictive measures, either with regard to opening their borders to Maghreb migrants or to reduce Chances of permanent residence there, and restrictions on asylum seekers or political opponents in general.

In conclusion, it can be said that the issue of immigration has always been a focal point in the dispute between political and party organizations in Europe in general, and it has clearly influenced the identification of the policy adopted regarding migration from a lenient policy with immigrants to another more strict according to the affiliation of the current in power and according to the trends of public opinion In European countries, this is how two positions emerged from the immigration issue, the first being opposition and the second being supportive, while the opposition current was based on the argument that migrants constitute a cultural and security threat to Europe, from a cultural perspective, the right-wing movement in Europe affirms that African migrants Especially the Maghreb and Muslims in general, threatening the unity of European culture and identity, especially when it is impossible to integrate them into European culture. The solution is to return migrants to their homelands, this current focuses on the cultural factor to cover its racist orientation against immigrants and foreigners in general, and with regard to the security perspective it cannot be separated from The general perception of the sources of threat to security in the West, which aims to make the source of dangers come from the south, especially from the Islamic world, where it has reached the point of criminalizing immigration. Since the beginning of the nineties of the last century, immigration in Europe has become a crime such as drug smuggling and International terrorism. Illegal immigrants are more vulnerable to this hostility, so we note the rise in arrests of migrants,

especially in southern Europe, in European countries such as Italy, Spain and Greece, which are border areas for European space.

That the pro-immigration trend indicates the demographic need and economic importance of migrants and believes that racism against migrants would lead to extreme reactions by immigrants who suffer from discrimination and racism for no reason other than unrealistic cultural arguments.

In general, there are four views of European Union countries on migration:[22]

A- Germany, Austria and the Netherlands give priority to controlling external borders and are interested in their policy of expanding towards Eastern Europe.

B- France, Britain and Ireland focus on encouraging the movement of migrants from their ancient colonies and the necessity of intensifying cooperation in the field of immigration with the countries of origin.

C- Scandinavian countries focus in immigration policy on the need to respect the rights of foreigners, especially with regard to providing the necessary protection to refugees.

D- Italy, Greece, Spain and Portugal see immigration as a means to confront the demographic deficit in Europe and focus on the necessity of European cooperation to stop illegal immigration and to adopt a selective policy.

Certainly, the solution to the problem of illegal immigration is not carried out with a magic wand, but rather is the result of long-term international policy and coordination that takes into account the development of strategic security, legal and media plans to address this phenomenon; this plan takes into account the following factors:[23]

1- The concerned ministries and agencies undertake to prepare studies and databases for national employment.

2 - International organizations provide support to governments, research institutions, and experts in using available tools and data to forecast migration trends and drivers, with a view to providing evidence-based support to lay the proper foundations for addressing this phenomenon.

3- Establishing networks to exchange researchers and scholars in the field of migration between the countries of origin and destination, and the involvement of international organizations and NGOs in them.

4 - Knowing the requirements of the destination countries from the necessary expertise to fill the shortage of competencies and sectors for which employment is required.

Conclusion:

In our attempt to study the impact of the European Union's activation of the principle of conditionality in all its forms on stability in the Maghreb region and linking it mainly with the threat of illegal immigration as a mediating variable between the two main variables of the study "conditionality and stability" we reached the following results:

1- The political conditionality of the European Union is diverse and varies according to its partners. It takes four forms:

2- Prior political conditionality that takes into account the conditions for membership of the candidate countries to join the Union (Copenhagen Standards) and the conditions for opening negotiations with a third country for some political and / or economic changes in it.

3- Pending political conditionality of member states (Article 7, Treaty of the European Union).

4- Appropriate political conditionality that takes the form of a "human rights clause" in its relations with African, Caribbean and Pacific countries and third countries (but also the "social clause" stipulated in the Community system. "This type is relevant to our study"

Incentives, which are measures, intended to encourage or reward the progress made by a third country in implementing political, social and economic reforms. Unlike the conditions, the incentives are not binding.

Border management has become part of a strategy of negotiating the Mediterranean Partners to engage with the Federation. Countries such as Morocco have used border management to influence the immigration policy of the European Union and pressure the development of other policies, in their interest, with the European Union, as these countries exploit the European Union's ability to manage their transit through the exploitation of their security concerns.

The gradual decline in European thinking about emigration and the Maghreb, the great American, can be distinguished in the recent development of the Mediterranean policy. The Barcelona Declaration on Immigration is the third pillar of social, cultural and humanitarian affairs, and after a brief recognition of the importance of migration, focuses on illegal immigration as a subject matter of concern. Regular ministerial meetings maintained this focus. Migration is much more important than partnership agreements, and is the bilateral instrument for implementing the Barcelona Declaration, compared to previous cooperation agreements that it replaces. Tunisia signed the agreements in 1995, Morocco in

1996, and Algeria in 2002. The Tunisian and Moroccan agreements are identical in all 96 articles. As for the agreement with Algeria, it contains many similar articles, but they differ considerably and contain 14 additional articles.

With a quick examination of the content of the Euro-Maghreb partnership projects, we note that they respond to the "goals of peace, security and stability in the Mediterranean" instead of the official aims of democratization. To some extent the common security of the Union, namely: immigration, energy, organized crime, youth employment, economic development, all serving the fulfillment of European security interests.

The main result that we draw is that the European Union activates the principle of conditionality as a means of pressure only on political systems in the southern Mediterranean countries in general and the Maghreb countries in particular, in order to respond to its demands to achieve security and strategic interests in particular in the face of illegal immigration away from its borders and territorial waters. Stability in the region, it supports stability that guarantees its interests even if it contradicts its values and standards, which it restricted with political and value conditionality. On the contrary, it may often support non-democratic regimes as long as they guarantee its interests.

5 - Strengthening technical, security, judicial and legislative cooperation mechanisms between source and destination countries and within the framework of full respect for migrants' rights.

6 - Enhancing the possibilities of controlling land and sea borders to confront irregular migration groups at the borders.

7 - Joint cooperation between the relevant ministries to implement a media campaigns project to educate young people about the dangers of irregular migration, with the aim of reducing them, reducing their risks and positively impacting youth choices for immigration opportunities and achieving a better understanding of migration facts.

8 - The necessity for the government, in addition to the private sector, to provide job opportunities, which are the main objective behind the emigration of its citizens abroad.

9 - Cooperation between all Arab countries as complementary partners, in order to deal effectively with irregular migration, by strengthening mechanisms to combat gangs and migrant smuggling networks with joint security efforts between the countries concerned.

Bibliography:

1 – بحري دلال، أبعاد ظاهرة الهجرة غير الشرعية، الملتقى الوطني الرابع، "الهجرة غير الشرعية إشكالية جديدة للقانون" المنعقد أيام 19و20 افريل 2009 بجامعة أم البواقي، ص 16.

2 – فايزة بركان، آليات التصدي للهجرة غير الشرعية، مذكرة ماجستير، علم الإجرام والعقاب، جامعة باتنة، 2012، ص ص 15- 16.

3 – خميسي زهير، إشكالية علاقة الهجرة غير الشرعية بالتنمية وتأثيرها على حقوق المهاجرين غير الشرعيين، الملتقى الوطني الرابع" الهجرة غير الشرعية إشكالية جديدة للقانون"، المنعقد أيام 19و20 افريل 2009 بجامعة أم البواقي، ص 90.

4 – ساعد رشيد، واقع الهجرة غير الشرعية من منظور الأمن الإنساني، مذكرة ماجستير في العلوم السياسية، تخصص دراسات مغاربية، جامعة بسكرة، 2011–2012، ص 15.

5 – ناجي عبد النور، "الأبعاد غير العسكرية في المتوسط: ظاهرة الهجرة غير القانونية في المغرب العربي"، مداخلة ألقيت في الملتقى الدولي بعنوان، الجزائر والأمن في المتوسط: واقع وآفاق، جامعة قسنطينة، الجزائر، 2008، ص 07.

6 – على الحوات، الهجرة غير الشرعية إلى أوربا عبر بلدان المغرب العربي، (ليبيا: منشورات الجامعة المغربية، 2007)، ص 52.

7 – أحمد مالكي، "مبدأ المشروطية : هل يساعد في إنعاش الديمقراطية؟" أطلع عليه بتاريخ: 2011/09/29 على موقع: *http://www.awan.com/pages/oped/208051*.

8 – سمير رضوان، هجرة العمالة في القرن الحادي والعشرين، مجلة السياسة الدولية، العدد 165، يوليو 2006، ص 45.

9 - *Boutaleb Kouider. **L'impact de L'élargissement de UE aux PECO sur les mouvements migratoires maghrébins. Actes du Colloque International sur '' L'impact de L'élargissement de L'Union Européenne sur le projet Euro-Méditerranéen ''** Université Badji Mokhtar Annaba. 06-07/12/2003. pp 50-51.*

10 - *Wihtol de Wenden Cathrine. **Pour un droit a la mobilité et une démocration des frontières***. *Revue Panoramique. N°55. Paris. 2001. p 12.*

11 – محمد رمضان. الهجرة السرّية في المجتمع الجزائري : أبعادها وعلاقتها بالاغتراب الاجتماعي، دراسة ميدانية.الجزائر: كلية الآداب والعلوم الإنسانية والعلوم الاجتماعية. جامعة تلمسان، ص 35.

12 - *www.afkaronline.org/arabic/archives/nov-dec2003/ammouss.html.*

13 – رياض عواد، هجرة العقول، سوريا، دار الملتقى للطباعة والنشر، 1995، ص 70.

14 – محمد رشيد الفيل، الهجرة وهجرة الكفاءات العلمية العربية والخبرات الفنية أو النقل المعاكس للتكنولوجيا. عمان، دار مجدلاوي للنشر والتوزيع، 2000، ص ص 41–42.

15 – مفيد الزيدي، أزمة إنسان أزمة أمة: هجرة العرب نحو الغرب، لندن: مجلة العرب الأسبوعية، المجتمع، عدد: 6–2– 2010، ص ص 28- 29.

16 – السكتاوي الزويري، الهجرةُ السرّية بالمغرب لا يمكن عزلها عن الحركات الاحتجاجية، اليمن : جريدةُ الصحوةُ، عدد 5-3-2005.

17 - *Wihtol De Wenden Cathrine. **Pour un droit a la mobilité et une democratization des fron**tieres –op.cit. pp 8-9.*

18 - *Moulier Boutang Yann & Garson Jean Pierre & Silberman Roxane. **Economie politique des migrations clandistines de main-d'œuvre. Edition publisud**. Paris. Sans Année d'édition. pp 40-44.*

19 – نادية ليتيم و فتحية ليتيم، "البعد الأمني في مكافحة الهجرةُ غير الشرعية إلي أوروبا" مجلة السياسة الدولية، من الموقع الالكتروني: *http://digital.ahram.org.eg/Motnw3a.aspx?Serial=409039&archi*

20 - *ibid.*

21 – هاني خلاف وأحمد نافع، نحن... وأوروبا : شواغل الحاضر وآفاق المستقبل، القاهرةُ، مركز الدراسات السياسية والاستراتيجية، 1998، ص 342.

22 – عياد محمد سمير، الهجرةُ في المجال الأورومتوسطي: العوامل والسياسات، مداخلة ألقيت في الملتقى الدولي، بعنوان: الجزائر والأمن في المتوسط: واقع وآفاق، الجزائر، 2008.

23 – تقرير القاضي بيار فرنسيس بيروت في 4 و5 تموز 2011.متحصل عليه من الموقع: *doc/www.carjj.org/sites/default/files.*