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***Combating illegal immigration after the Corona pandemic:
Euro-Maghreb efforts to achieve security and development in
Africa are a model***

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Abstract

The study deals with the reality of the joint Euro-Maghreb efforts in combating illegal immigration after the 2019 Corona pandemic and its role in achieving security and development in Africa. This phenomenon had negative effects, whether on transit or receiving countries, and even source countries. Transit centers for illegal immigrants from Africa to southern Europe. This reality imposed the need for coordination between European countries with Maghreb countries, by finding ways and mechanisms to return immigrants to their countries or to the countries from which they emigrated. The joint thinking of the north-south also contributed to finding a strategy that contributes to Reducing the phenomenon and discussing solutions to reduce it. Perhaps the most important of these initiatives is the Five + Five Agreement (5 + 5), the Barcelona Agreement of 1995, the European Neighborhood Policy, the Euro-Mediterranean Parliamentary Forum, the Union for the Mediterranean.

✓ **Keywords:** Immigration, security, Africa, securitization, humanization

1. INTRODUCTION

Illegal immigration became after the pandemic covid 19, forms a real trouble in the geographic and political dynamic and public international relations. which has negative consequences on the countries' security and their economics, especially in the Mediterranean basin, The Maghreb Arab countries bordering the Mediterranean in general and African continent are considered in particular a starting and crossing point for illegal immigration convoys to the northern bank for several political, economic and social reasons

In line with this reality, this intractable phenomenon has cast its shadow on the international community in general, and on Euro-Maghreb relations in particular, given its great importance in achieving security and stability for partners in the Mediterranean region. The issue of illegal immigration on the African continent is considered among the most important reasons that stand as a barrier to the advancement of these relations and prevent the completion of the path of the partnership that began at the end of the last century between the European Union and the Maghreb countries, and thus it has become an actual bet and challenge from the European perspective on strategic interests, by virtue of its various repercussions and dimensions, in addition to its connections to new threats in the Mediterranean space. .

If the issue of illegal immigration is of great importance, especially at the level of countries' policies internally and externally, and in recent decades it has been of utmost importance within various academic meetings and studies. The phenomenon has constituted a real dilemma on the African continent and has affected relations between the countries of the northern and southern Mediterranean basin, and its repercussions have ranged. Between the "exporting" and "receiving" countries on the one hand, as well as the connection of this dilemma with security and development issues in terms of its impact on the level of economic growth and its consequences on the political and social levels.

In the last two decades, the phenomenon of illegal immigration between the two shores of the Mediterranean has witnessed a rapid and dangerous deterioration that threatened the stability of the Euro-Maghreb countries and affected their vital interests. The impact increased further with the repercussions of the Corona pandemic and its health, social, economic and even political outcomes, if and in the midst of these challenges and in light of rapid spread of the Corona virus and the global epidemic Covid-19. The Euro-Maghreb countries are facing a dangerous security and health situation in light of the increasing rise in the number of infections and deaths, which has forced governments to take exceptional and unprecedented measures, including closing borders and suspending flights, and considering the countries of the Mediterranean Basin among the countries that are suffering from the repercussions of this phenomenon, it had to be fully aware of the requirements imposed on it by its three-dimensional geographical location as a country of transit, export and reception of immigration, a situation that forced it to formulate a comprehensive and integrated policy to regulate the category of foreign immigrants on its territory and protect their rights in a way that responds and The constitutional requirements in the field of human rights, in addition to the international agreements and treaties that these countries have ratified. More clearly, the problem of the study is to answer the following main question:

To what extent have Euro-Maghreb efforts and initiatives contributed to combating the phenomenon of illegal immigration coming from the African continent after the 2019 Corona pandemic? What mechanisms have been put in place within the framework of achieving security and development in Africa?

In order to elaborate on the research and based on this problem, the following questions are branched out:

- *What are the most important mechanisms of economic and security diplomacy to limit the aggravation of the phenomenon of illegal immigration in Africa?*

- *What will happen to Euro-Maghreb cooperation in light of the policies adopted to make the African continent a zone of security, stability and real cooperation?*
- *To answer the previous questions, the following hypothesis can be put forward:*
- *The European security logic contributed at the expense of the development logic in Africa after the pandemic. Corona has exacerbated illegal immigration and its escalation towards European countries.*
- *Economic diplomacy in neighboring Maghreb countries has helped limit the aggravation of the phenomenon of illegal immigration in Africa.*

To study this topic, a research plan was built, beginning with an introduction and conclusions for the study, passing through a methodological framework in which the various suggestions, approaches, and concepts that were adopted within the framework of analyzing the topic were identified. Historical and comparative approaches were also employed to analyze and discuss this topic. The study was divided into two main axes. The first axis dealt with common Euro-Maghreb approaches to reducing illegal immigration in Africa. The second axis highlighted the most important diplomatic, economic, and economic mechanisms, Security and legal legislation to combat the phenomenon of illegal immigration in Africa.

2- The common approaches of Euro-Maghreb to reducing illegal immigration in Africa

Mediterranean relations were created through the complex historical path, overlapping civilizations, and close geography. Throughout history there are constant channels of communication and transit, between the Mediterranean space and the world, but the issue of illegal immigration constitutes a real test facing Mediterranean actors from both shores, and tests the extent of their ability to invest in the region's cultural assets. And a rich historical record, and exploiting geographical factors to consolidate

those relations towards horizons that allow the optimal exploitation of the region's capabilities, rational exploitation of its resources and their rational sustainability, to rebuild the Mediterranean space of prosperity and prosperity, and restore the global Mediterranean presence, The issue could also be a gateway to the bankruptcy of cooperative approaches, and the inhibition of partnership efforts and cultural understandings.

In order to delve deeper into the study of the most important Euro-Maghreb efforts in combating and reducing migration, it was necessary to briefly address the chronology of the partnership as well as the measures to support cooperation between member states in the fields of border management and combating illegal immigration. And perhaps the most important of these initiatives is the Five+Five (5+5) agreement which included the five Maghreb countries on the one hand and the northern Mediterranean countries on the other hand, It focused on three axes, including the security aspect, the economic aspect, in addition to the social and cultural aspect also this agreement was also followed by holding a group of meetings in the same framework, the most important of which was the Tunis summit in 2002, the Rabat meeting in 2003, and the Algiers meeting in 2004, which collectively concluded with the necessity of building effective dialogue and cooperation in the field of regulating the movement of people between the States Parties and Secret entry warriors. (Moolah, 2015, p. 43)

1.2. Euro-Mediterranean Partnership Agreement 1995

The efforts made by the European Union to protect the European House did not achieve what the 5+5 agreement was aiming for, because it is limited to countries and not others that are important and effective in mobility, This prompted European countries to find a more stringent approach that involves all countries through the Euro-Mediterranean Partnership, so accordingly, the European Union worked to provide financial aid to countries that export immigration in order to achieve development in them, Increased investment of capital in developing countries, In this context, the European Union

sought to hold bilateral meetings and agreements between itself and each of the Maghreb countries, among which we mention: the agreement between it and Algeria, which addressed many points, the most important of which was what Article 84 addressed in the field of prevention and combating illegal immigration by focusing on exchanging information about immigration and returning migrants and facilitating procedures for this, in addition to the agreement concluded between the European Union and Morocco, which addressed the issue of illegal immigration in the section on social and cultural partnership in the article 63, paragraph 03 (a-b-c) The first paragraph of Article 71, which urged the need for cooperation in order to reduce the hordes of immigrants coming from Morocco towards the European Union countries (Taiba, 2016, page 13), so the Barcelona Declaration represents the main reference for Euro-Maghreb cooperation in the field of combating illegal immigration, as it stipulates in The social and cultural aspect stresses the need to establish special cooperation in order to reduce illegal immigration with partners from the Mediterranean countries, who are committed, through bilateral agreements or arrangements, to adopting means to reintegrate their nationals who are in an illegal situation (Sabiha, 2015, p. 53).

2.2. The European Neighborhood Policy

The European Neighborhood Policy was embodied in the **Tampere** of 15-16 October 1999 which called for the development of a European program to coordinate immigration policies, and the focus was on policies to monitor the level of flows and internal integration policies. European countries believe that the flow of immigration from the southern region constitutes a security threat, as this will lead to an escalation in cases of racism, this is why the countries participating in this summit pledged the necessity of accelerating development rates, improving living conditions, and increasing employment rates to bridge the gap between European countries and Mediterranean countries, through economic cooperation and providing financial aid from European Union countries to countries of the region and a commitment to

developing human resources. They also called for adopting policies to face population pressures.

If the European Neighborhood Policy allows for the establishment of a joint border management system based on external monitoring of the entry of migrants into the European Union and building “waiting zones” outside the Schengen borders - when the partner country desires and accepts this, and on a united information system for visas and machine-readable travel documents, the European Agency for the Administration of border **FRONTEX**, the establishment of border guard forces and training partner countries charged with receiving and controlling migrants on human rights (Sabeha, 2015, p. 54) It was also agreed upon through the **Séville** Council 2002 to provide proposals to partner countries to stop migrant flows at the source, through the following:

- ✓ Linking aid for sustainable to the extent of immigration control.
- ✓ The emergence of a proposal to establish a European border guard formation in order to ensure monitoring tasks (European Commission dated 7 May 2002).
- ✓ Launching joint initiatives between neighboring countries to monitor maritime borders. This may involve organizing joint patrols, but such initiatives remain limited. In addition to requiring logistical coordination, they often cannot extend to all maritime areas, and therefore their effectiveness remains limited.
- ✓ On June 13, 2002, the European Council adopted a program of activity related to administrative cooperation in the areas of external borders, visas, asylum, immigration and clandestine migration.
- ✓ The European policy of returning clandestine migrants on a voluntary basis and sometimes by force.

3.2. The union for the Mediterranean 2008

The Euro-Mediterranean Parliamentary Forum held on May 21, 2005 paved the way for the Union for the Mediterranean project. The Union was established in July 2008 at the Paris Summit for the Mediterranean with the aim of strengthening the Euro-Mediterranean partnership that was established in 1995 and was known as the Barcelona process. Barcelona. This meeting came to develop multilateral cooperation with the aim of improving common security. The European Union also established an agency to monitor external borders to reduce the phenomenon of illegal immigration, based in Brussels and with branches in Germany, Italy, Greece and Spain. The joint meetings also including African and European countries. The most important of these were the two meetings held in Rabat in July 2006 and in Tripoli in late 2006, during which the necessity of forming an observatory to monitor migration flows and the necessity of combating organized smuggling networks was emphasized. These are principles that were reflected in the third European-African summit held in November 2010, and Which was considered a common motivation for cooperation between the African Union and the European Union, as evidenced by the two parties' agreement to move from a grant relationship to a partnership and to address new challenges at the global level, which was expressed in the Tripoli Declaration and the bilateral action plan for the period from 2011 to 2013 (Nadia 2014, page 109)

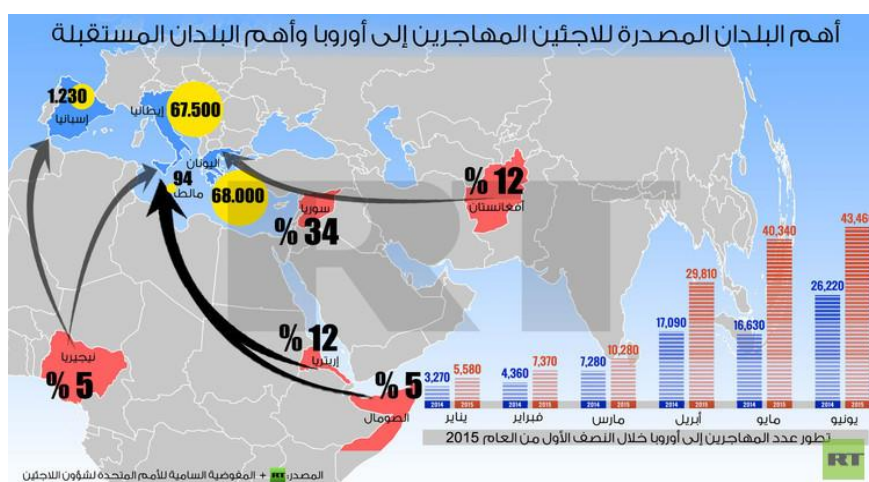
3- Security and preventive mechanisms to combat illegal immigration in Africa after the 2019 Corona pandemic

Since the phenomenon of illegal immigration is a transnational phenomenon, this necessitated coordination with all concerned countries, especially the Maghreb countries, which remain a transit area for these immigrants from Africa towards Europe. Accordingly, the Euro-Maghreb countries worked to develop a set of political, security and social mechanisms in order to confront the phenomenon. Illegal immigration in Africa in light of the Corona pandemic and its aftermath, including

adopting a set of policies to limit the aggravation of the phenomenon of illegal immigration in Africa. Perhaps the most important of them are methods of narrowing and completely closing entry procedures to it as a way to limit the phenomenon. At the forefront of these countries was Italy, which announced a ban on entry and exit to it. Including only with special permits, and France, which sought to change its laws related to immigration and considers the idea of immigration one of the burdens that France faces, and this is the same approach that Spain took by taking measures and setting laws to limit the entry of immigrants and their necessity to leave, which led to a clear decrease in the number of immigrants compared to the years. The past result of the closure of ports and borders due to the Covid-19 epidemic.

In this regard, Human Rights Watch indicated in a report published in Brussels that the majority of immigrants coming to the European Union since the beginning of 2015 (see Figure 01) come from four countries witnessing battles or serious human rights violations, with 60% coming from four countries. Syria, Eritrea, Somalia, and Afghanistan are witnessing conflicts or acts of violence. According to the report, new waves of migration are coming from Nigeria, Gambia, Senegal, and Mali.

Figure 1: shows the most important countries exporting refugees migrating to Europe



Source: The United Nations High Commissioner for Refugees explains the source and receiving countries of migration movement in 2015.

1.3. The European security approach to combating illegal immigration in Africa

It can be said in the beginning that immigration was treated for decades in Europe as a socio-economic issue, but, with the beginning of the last decade of the last century, it gradually began to turn into a security issue by all standards, and the securitization of immigration became one of the basic aspects of the European security doctrine, and this securitization coincided with The spread of the concept of societal security, and considering identity as one of the security topics that must be protected (from immigration and others). With the passage of time, the social and economic dimensions of immigration almost completely disappear, due to the dominance of the security dimension and the link (at the level of discourse and then practices) between immigration, crime, and terrorism.

Also, the Euro-Maghreb countries, in light of the Corona pandemic and beyond, are facing many difficulties. Illegal immigration has led to negative repercussions and effects, whether on transit countries or receiving countries, and even source countries, and it has taken a different turn after they were source countries for groups of illegal immigrants. The countries of the Maghreb have become transit centers for illegal immigrants from Africa to southern Europe, and therefore European countries have expressed their intention to cooperate with the Maghreb countries as they are areas of transit and flow of immigrants towards Europe, by finding ways and mechanisms to return immigrants to their countries or to the countries to which they immigrated. Among them, it was necessary to think jointly between North and South to find a strategy that contributes to reducing the phenomenon through many international meetings, which prompted the latter to discuss solutions to reduce the phenomenon.

It can also be said that Euro-Maghreb relations recently are characterized by the dominance of central issues that govern the interactions of the two shores at every stage of the development of those relations. Since the end of the Cold War, the issue of immigration has been considered the central issue that governs the barometer of

development and collapse of relations between the two shores. Since the beginning of the 1990s, immigration has no longer been an economic and social issue for Europeans; rather, it has become a major component of the security and political perceptions of the European Union (Diab, 2015, p. 180), as hardly any European meeting or meeting is held without the issue of immigration having a sufficient share of elite European discussions (Bouزيد, 2014, p. 165)

This security approach has been evident in the policies of the European Union since the European Union summit in Seville in late June 2002, when it was agreed by the countries of the Union on the possibility of taking punitive measures against a country if it was confirmed that it would not cooperate unjustifiably in controlling illegal immigration. It was also pledged at the same summit to provide technical and financial assistance to countries witnessing migration to help them control the migration movement. Among the other elements that governed the policy issued by the summit were the aspects related to tightening security control on the borders and adopting a joint patrol mechanism between the volunteering countries, although the matter was not It goes as far as approving a special European corps to guard the borders, as well as stipulating the necessity of accelerating the joint legislative requirements for this. We mention here that Amnesty International criticized the European Union at that summit and accused it of wanting to launch a comprehensive war on immigration, warning of the danger of the increasing closure of Europe, so the Union met A year later, at the Thessaloniki summit in Greece in late June 2003, the European Union worked to alleviate the trend that prevailed at the previous summit by emphasizing the necessity of recognizing the necessity of legal immigration, for economic and demographic reasons. The European Commission also proposed setting up an aid program worth 250 million euros over five years for the benefit of the countries that are committed to cooperating and negotiating agreements to receive clandestine immigrants with the European Union. These trends indicate the paths taken by

European policy in the field of combating clandestine immigration and human smuggling networks.

1.3 .1. Preventive measures

In the context of European countries' efforts to limit the phenomenon of illegal immigration in general, and in light of the Corona pandemic in particular, they have worked to tighten the noose and complicate procedures for those arriving to them. They have created a set of mechanisms with the aim of drying up the sources of human encroachment coming towards their lands illegally, so they have developed a legal arsenal. To confront the phenomenon, France is one of the countries that hastened to change its laws related to immigration, especially after Nicolas Sarkozy assumed the position of Minister of the Interior, who was convinced of the idea that illegal immigration represents an economic, social and security burden on France, which prompted him to propose a new immigration project in 2006 that was later known. Sarkozy's immigration law (Al-Tamimi, 2010, p. 162). This is the same approach that Spain took within the 2010 law, which tightened the noose on legal and illegal immigrants, forcing thousands of immigrants, especially Moroccans, to leave Spanish territory (Yahiaoui, 2014, p. 143). European countries were not satisfied with following the legal texts to curb illegal immigration, and rather, it was embodied in practice, as Spain, for example, implemented an integrated electronic program project to monitor its southern shores overlooking the Strait of Gibraltar. It also sought, in order to obtain financial aid from the European Union, to consider the problem as belonging to Europe as a whole and not to Spain alone, and this is an endeavor that culminated in by building a border wall equipped with long-distance radars and thermal imaging cameras (Taiba, 2016, p. 7). Border control, coordination and security cooperation at the information level were also intensified to dismantle the networks operating in this framework, as well as holding awareness-raising forums and study days about the danger of illegal immigration. The European plan to combat illegal immigration focuses on the triad of

prevention: that is, cooperation between the countries of source of migrants, the countries of transit, and the countries of destination to which migrants go in order to eliminate the phenomenon. We can summarize the preventive measures as follows (Taiba, 2016, p. 7):

- Intensifying the use of security tools to combat clandestine migration to reduce it, such as intercepting boats and forcing them to return, establishing electronic monitoring systems to protect the borders, and creating institutions whose mission is to monitor and protect the borders, the most important of which is the Frontex Agency, which was established in 2004.
- Launching circumstantial operations to monitor and protect European shores in case of emergency, including: activating a new mechanism called “RABIT” (rapid intervention teams on the border), used at the request of a member state, and deployed, for the first time, in Greece in 2010; Operation Hera (Canary Islands and the west coast of Africa), Operation Hermas (western Mediterranean); Operation Triton launched by Frontex. In addition to purely national operations, such as Operation Mare Nostrum (Our Sea - the Latin name given by the Romans to the Mediterranean), which Italy launched in 2012.
- Launching joint initiatives between neighboring countries to monitor maritime borders. It may be a matter of organizing joint patrols, but such initiatives remain limited. In addition to requiring logistical coordination, they often cannot extend to all maritime areas, and therefore their effectiveness remains limited.
- Coordinating security cooperation at the level of information and data to dismantle the networks operating within this framework. In this context, the Information, Thinking and Exchange Center was established in 1992 with the aim of developing cooperation between various countries with regard to illegal immigration and regulating cross-border movement.

- Creating a group (TREVI), which includes the Ministers of Justice and Interior, and aims to take measures among various Mediterranean countries to monitor borders and modernize the legal arsenal to deter clandestine migrants.
- Creating buffer zones between the geographical borders of the European Union and its security borders, through security negotiations carried out by the southern Mediterranean countries on behalf of Europe. The goal is to move the fight against immigration from the borders of the Union to the depths of the soil of the southern Mediterranean countries.

1.3 .2. Punitive measures

These measures are represented in a set of policies and laws that aim to combat and curb illegal immigration, including criminalizing illegal immigration, complicating foreign integration procedures, longer stays in deportation centers for illegal immigrants, an additional cost for residence permits and citizenship, and punishing anyone who contributes to the transfer of illegal immigrants. Or harboring or employing an illegal immigrant.

1- Criminalizing illegal immigration: International policies have been based on criminalizing illegal immigration despite the opposition of human rights organizations to this measure. What is strange about this is that criminalization has come from both sides. countries of origin and countries of destination alike. For example, in Morocco, a set of strategies has been adopted in The field of combating clandestine immigration is within a logic that combines legal, institutional and security aspects only, while neglecting the socio-economic and communication aspects. At the legislative level, Law No. 03-02 on the entry and residence of foreigners in Morocco, immigration and adverse migration, entered into force in November 2003.

In this context, the smuggling of immigrants has been criminalized, with perpetrators of these acts exposed to prison sentences ranging from ten years to life. This law also

protects the rights of foreigners as long as the methods of resorting to justice are clearly known. At the institutional level, two strong measures were taken to strengthen this arsenal of laws: the establishment of a Directorate for Immigration Affairs and Border Control at the level of the Ministry of the Interior and the Migration Observatory. In Italy, laws criminalizing illegal immigration were adopted despite objections from the left, Catholic associations, and European human rights organizations. The new law, which has become final, stipulates the introduction of the misdemeanor of illegal immigration, under which a prison sentence is imposed from six months to four years, facilitating the deportation of immigrants residing illegally, and imposing a prison sentence from six months to three years on owners of properties that rent to immigrants, with the possibility Confiscated.

2- Obstructing the integration of immigrants into European societies: Despite everything that immigrants do to develop the receiving countries, they suffer from several forms of discrimination and exclusion in all areas: housing, education, work, and social and cultural rights. However, the severity of this exclusion and discrimination varies according to the ethnic origins of the immigrants, as well as their language and religion, and also varies according to their legal status in the host countries.

In the same context, a lot of money will be required to obtain Italian citizenship and longer times for those who apply for citizenship for reasons of marriage, as the waiting period - according to the new law - reaches two years for residents inside the country and three years for those residing abroad, unlike what was happening previously, where An immigrant married to an Italian woman can obtain citizenship after six months. These times decrease if there are children. According to this law, expulsion and deportation operations will also become more rapid, as the police will accompany the immigrant to the border crossing, even before the expulsion and deportation order reaches the judge. On the other hand, regulations that allowed doctors to report illegal

immigrants who came for treatment in hospitals or forced school principals to request a residence permit from immigrants who came to enroll their children in school disappeared from the text of the law. This permit becomes an absolute necessity to obtain public services and those procedures related to civil status.

With regard to deportation centers, the detention period was lengthened from two months to six months, based on the confirmation of the conciliation judge when the foreign citizen does not cooperate or if the necessary documents for deportation do not come from his country of origin. In an attempt to ignite the ground under the feet of immigrants, a penalty of three years imprisonment and confiscation of the home of anyone who provides accommodation for an illegal immigrant was stipulated, and he was charged with illegal earning. Conviction takes place at the moment when it is confirmed that at the time of issuing or renewing the lease contract, the migrant does not have a residence permit.

Therefore, it is noted that the procedures followed by the European Union countries have the character of the securitization of immigration par excellence, which is confirmed by Dr. Luis Martinez - a professor at the Institute of Political Studies in Paris - after nearly 40 agreements were concluded between the exporting and receiving countries in the field of expelling illegal immigrants, and this is the same thing. About which the United Nations High Commissioner for Refugees expressed its concern about the deportation of migrants between Italy and Libya (Al-Haq, 2009, p. 263)

2.3. The Maghreb approach to combating illegal immigration in Africa

Since the phenomenon of illegal immigration is a transnational phenomenon, this necessitated coordination with all concerned countries, especially the Maghreb countries, which remain a transit area for these immigrants towards Europe. Accordingly, the Maghreb countries worked to develop a set of political, security and social mechanisms in order to confront the phenomenon of illegal immigration in light

of The Corona pandemic and its aftermath. The most important policies taken by the Maghreb countries to combat illegal immigration in light of the Corona pandemic can be summarized as follows:

2.3 .1. At the local level

At the national level and at the level of financial mobilization and in order to manage the effects of this crisis, the authorities of the Maghreb countries took several measures, ranging from creating a special fund to manage the Corona pandemic file, and directing important allocations from the state to mitigate the severity of the economic consequences and social repercussions that the measures could cause. And the decisions taken to limit the spread of the virus, in addition to allocating important sums of money to the Ministry of Health and even allocating financial grants to public health personnel who are on the line of contact with the epidemic (Nafisa, 2021, p. 1276). The issue of food security has also imposed itself strongly in the Maghreb countries with the continued The Corona virus crisis and the authorities' tendency to adopt preventive measures such as general or partial curfews and quarantines, resulted in several problems related to the supply of basic food supplies, reflected in long queues in front of stores and major commercial spaces, as a reaction to panic that could lead to exacerbation of unrest and deterioration of food and security. Nutrition for the most vulnerable groups. (Nafisa, 2021, p. 1276)

In the face of all these negative repercussions resulting from the widespread spread of the virus, the affected Maghreb countries had no choice but to turn towards the securitization of Covid-19, and although some consider it a quick and decisive response to a critical crisis in the field of public health, and a necessity in order to prevent the massive spread of the epidemic due to the governments' awareness of the lack of necessary resources, Many fear the possibility of misusing neutral health work for political purposes (Nafisa, 2021, p. 1276).

Algeria has worked at the national level. The Algerian state has adopted a set of legal legislation regarding illegal immigration, including laws related to the conditions of foreigners' entry into, residence in, and movement in Algeria (Official Gazette, 2008), and laws related to penalties (Official Gazette, 2009), although before that, it had reservedly ratified the Protocol on Combating the Smuggling of Migrants by Presidential Decree No. 03-418 of November 9, 2003 (Sabiha, 2015, p. 50). Based on these two laws, the legislator has criminalized illegal immigration, despite Algeria's ratification of the Protocol to Combat The smuggling of immigrants, which emphasizes the weakness of the illegal immigrant and stipulates the criminalization of illegal immigration, as well as not taking any measures regarding the criminal prosecution of people who commit this behavior (Sabiha, 2015, p. 50). Although in 2013 Algeria allocated a very significant budget to the Ministry of National Defense To secure its borders, the General Directorate of Security and Gendarmerie allocated, in parallel, a budget estimated at \$100 million for illegal immigration in 2013 to care for Africans until 2014. It is allocated to cover the budget of security units specialized in illegal immigration in the border states and sheltering immigrants and then deporting them to their countries of origin (Sabiha, 2015, p. 53)

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Algeria also made amendments to the Penal Code by introducing new articles criminalizing illegal immigration across national borders, with a penalty of up to six months in prison, while criminalizing persons complicit and involved in this non-clandestine movement, as well as those responsible for “Harqa” networks, with penalties amounting to imprisonment. for a period of 10 years, especially if the victims are minors or if the migrants are subjected to ill-treatment.

In Tunisia, the same laws were also followed, as a law was enacted that marked the tightening of penalties imposed on illegal immigrants and on smuggling gangs operating in this field. The Tunisian legislator expanded the criminalization of all elements of the illegal immigration system, such as the smugglers themselves, those who assist them, or the owners of the places that shelter them, and the text of the law promised them to those who “have formed gangs or organizations for the purpose of organizing clandestine immigration operations, or people accused of helping to organize immigration operations, whether under the guidance of They wish to immigrate or facilitate their crossing to the countries to which they wish to immigrate, or harbor or smuggle smuggled persons, or prepare places to hide them, and provide means of transportation for them, or carry out the transportation process itself, or persons who have deliberately failed to inform the competent authorities of their possessions. “Information about operations to organize clandestine immigration.” The law also increased penalties for persons who engaged in the crime of clandestine immigration with imprisonment for periods ranging from 3 months to 20 years, and

finances amounting to about 100,000 Tunisian dinars (about 83,000 dollars). The law gave the court the right to place criminals under administrative control, or prevent them from residing in specific places if this helps them commit the crime of illegal immigration, which the legislator has given the common name in the local Tunisian dialect “burning”...

2.3 .2. At the regional level

In April 2006, a meeting was organized in Algeria between African and international experts in the field of migration on the topic of “Migration and Development”, in implementation of the decision issued by the African Union Summit in Khartoum on January 23, 2006 based on a proposal from Algeria. The African Union seeks to institutionalize a strong partnership between all stakeholders in the framework of the African Union initiative and further dialogue between the countries of the region on ways to coordinate and unify efforts aimed at dealing with the phenomenon and creating an urgent action plan and strategy regarding combating human trafficking. In this context, the High Commissioner for Refugees confirmed at the African Union conference in partnership with the International Organization for Migration in Sudan in October 2014 that the Commission is fully prepared to provide all possible assistance to all governments participating in the conference in their difficult mission in confronting human trafficking and smuggling, while ensuring the provision of protection for refugees, political asylum seekers and other vulnerable groups. At risk (General Secretariat of the African Union, page 03).

Algeria also worked within the framework of its security approach to give priority to political, diplomatic and development mechanisms over military mechanisms in the starting countries - the source - including the African Sahel countries, as well as risk management within the framework of a vision that combines the ideas of security and humanization in an effort to activate the logic of human security and embody the principle of humanitarian diplomacy based on respect for human rights. The human

being as an entry point for activating and achieving both national and regional security (Boumédiène, 2012, p. 141). Algeria believes that its political engagement with the African space has an economic and political cost that must be paid, to ensure its stability. Algeria has succeeded in managing these relations and avoiding the types of rupture and calls for secession, and has preserved its unified entity. It has even forced the major powers to accept its logic in confronting it. What is known as the phenomenon of terrorism, organized crime, and illegal immigration (Qawi, 2016). On this basis, and within the framework of serious and effective cooperation with the African Union, Algeria worked in the field of illegal immigration by exchanging information and experiences through a special program called (Citizens of Africa) that aims to achieve the following plans: Al-Dahimi, 2010, p. 22):

- ✓ Encouraging cooperation between security services for better border control.
- ✓ Encouraging cooperation between African countries in order to combat illegal immigration exploitation networks.
- ✓ Creating databases on the nature and importance of mechanisms for managing illegal immigration.
- ✓ Encouraging all initiatives that will improve the lives of border residents, focusing on economic and cultural aspects.

2.3 .2. At the international level

Migration has represented an international challenge, and also an opportunity to strengthen the European-Maghreb partnership as a result of the connection between the issue of clandestine immigration and other issues such as political stability, unemployment, and the economic and social conditions of the Arab and European Mediterranean countries alike, and their connection to security issues and the consequent fear of terrorism (Janadi, 2004, p. 31). Today, it has become the biggest

concern threatening these societies, and the numbers vary greatly from one country to another and represent in total (2.4%) of the total population of the European Union, where their percentage is (4.3%) in Austria, (6.4%) in Belgium, and (3.8%) In France, (5.2%) in Germany, and (3%) in the Netherlands. According to the latest estimates regarding migration in the Maghreb countries and according to the study presented by the United Nations High Commissioner for Refugees (UNHCR, 2009, page 15), and the Federation of Associations for Applied Research on International Migration (Union of Associations for Applied Research on International Migration, 2020, page 20) Refer to the following statistics:

- Algeria: More than (90,000) immigrants, including (10,000) illegal immigrants, in addition to 138 refugees and 192 asylum seekers (end of January 2010).
- Morocco: approximately 75,000 immigrants, including 10,000 illegal immigrants, in addition to 766 refugees and 469 asylum seekers.
- Tunisia: (45,000) illegal immigrants (less than 10,000), in addition to 94 refugees and 51 asylum seekers.
- Libya: (1.5 million) immigrants, including one million illegal immigrants, in addition to 713.6 refugees and 4.834 asylum seekers (Boasak, 2010, p. 5).

Also, in the year 2000, the United Nations adopted a conference according to which an agreement was concluded and signed by about 123 countries. The protocol included an agreement against illegal immigration by land, sea and air. Its texts included obligating each state party to the agreement to adopt judicial legislation and necessary procedures. To address the phenomenon, taking into account the rights of individuals, while requiring countries that share common borders to conclude bilateral treaties among themselves to exchange judicial and administrative information regarding the points of departure and arrival used in migration, and to reveal the identity and methods of organizing the smuggling of migrants, while emphasizing the need to adopt States have

a criminal policy that is consistent with scientific and modern developments used to detect crime (United Nations Convention, 2000).

4- Conclusion

In response to the research problem presented above, it can be said that the issue of illegal immigration in Africa as a whole at the present time, and in light of the Corona pandemic, is considered one of the greatest challenges and stakes for the Euro-Maghreb countries, especially in light of the absence of the concept of the state and the state of fragility and security, economic and social exposure in this region. It is clear that the issue of illegal immigration represents a real dilemma that has been difficult for both sides of the Mediterranean to address, despite the efforts made and the policies and strategies adopted collectively and individually. However, what is observed by examining the European security discourse is that it represents a security concern that continues to worry European decision-makers more than other parties. The southern bank. Perhaps the most important results reached are the following:

- The European countries, especially after the 2019 Corona pandemic, did not leave the file open, nor did they leave the doors to immigration open, and on this basis, the European countries, collectively or individually, are pursuing a set of policies that balance between exploiting the issue of illegal immigration as a security concern to pressure the Maghreb countries and blackmail them. And pushed it to accept the role of the region's guardian force.
- Adopting a policy of positive recruitment of highly qualified talents, a policy of thoughtful selection of job holders and certificates, and a list of specializations required by the European labor market that need to fill the gaps.
- The issue of illegal immigration involves many contradictory dualities. On the one hand, it is a double-edged sword. It is a security concern that weakens Europe's

stability, and at the same time an additional force factor to support economic growth and revitalize European economies.

- The talk about a free trade area and open partnership calls on the Maghreb countries to open their markets, sovereignty and societies to the European sphere, but in return Europe itself is adopting a closed-door policy to the movement of people from the countries of the South Bank. Perhaps the justifications provided by Europe for the causes of illegal immigration are attributed to the absence Job opportunities, freedom and loss of rights; While its approaches to dealing with the file avoid supporting development and investment projects in those regions, and focus on pressuring the governments of the south to transform them into policemen and a force guarding the walls of the European citadel, and using any decline in cooperation in this file as a restriction for blackmail and further political and security conditionality that affects the sovereignty and interests of the southern countries. This calls for the following **recommendations:**

- Working on the necessity of adopting a bilateral or multilateral win-win strategy in the Euro-Maghreb region.
- Seeking the necessity of linking the achievement of stability and security with establishing a safe environment for humans, and recognizing that these threats, although their severity differs from one country to another, are common threats, and this requires joint action and action.
- Employing effective collective dialogue, as illegal immigration not only requires a legal arsenal, security charters and agreements, and recruitment forces for guarding, but above all it requires effective collective dialogue, which takes the foresight of all parties, and is not based solely on a unilateral vision limited to the concerns of one party and not the other. And adopting concepts and problems that make the first party

part of the problem, without being a party to the solution, nor in engineering the solution approaches and treatments for the phenomenon.

- Valuing development approaches, as they remain the basis for treating the phenomenon radically and eradicating it in accordance with what serves both parties and achieves their common interests.

Research margins

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