

## ***Deconstructing the Humanitarian Crisis in Calais***

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Since July 2015, Calais, a port town in northern France, has been in the news over an imminent humanitarian crisis. A few thousand migrants from the Afro-Asian region have been reaching Calais to cross over to the United Kingdom via the English Channel. They have been staying temporarily at a camp called the “Jungle,” as the place is a jungle of tents, with no facilities even for basic necessities. The camp serves as a transit point for those illegally entering the UK. The “Jungle” as a gateway for illegal migration to the UK has existed since several years; but it has grabbed global attention recently due to the dramatic increase in the number of migrants, their desperation leading them to take extraordinary risks. This has led to a severe crackdown on the migrants by the British and French authorities.

A majority of the migrants are Syrians, Afghans, Eritreans, Iranians, and Sudanese. They are fleeing war, conflict, and persecution in their homelands. With no livelihood or peace at home, they are migrating to seek stability. These migrants have managed to reach Calais after crossing the Mediterranean Sea. According to United Nations High Commissioner for Refugees (UNHCR), “more than 300,000 refugees and migrants have used the dangerous sea route across the Mediterranean so far this year.” Only a fraction of those crossing the sea attempt to go beyond the first asylum states, like Italy and Greece, and even fewer those with marginally better financial means seek to reach the UK.

For these migrants, the economic and political triggers are inextricably linked. However, international law on the subject embodied in the 1951 Refugee Convention distinguishes political asylum seekers as genuine, and economic migrants as illegitimate

and undeserving that is distinguishing between those who are genuinely in need of humanitarian assistance and those who are seemingly abusing asylum as a means of attaining a better standard of living.

The crisis is receiving much attention worldwide. Some media reports dehumanise the migrants, labelling these as threats to the state's security and economy. As per their projections, these migrants will capture local jobs and consume national economic resources, and are already causing losses to tourism and transportation industries. On the other hand, many view the humanitarian dimension of the problem as being paramount. They acknowledge the desperation driving the migrants, and understand that the contingency needs to be addressed with a more nuanced approach befitting the international obligation of states.

Driven by compelling reasons, the British and French governments seem to have responded to the crisis by securitizing the issue. The UK has adopted laws and policies to deter illegal entry into their territory. The influx of illegal migrants has highlighted the loopholes in their maritime border security; as a result they have increased expenditure to fortify their borders. Recent laws in the UK banning landowners from letting illegal immigrants stay discourage the public from assisting illegal migrants.

According to the 1951 Refugee Convention, the authoritative international document in determining the status of refugees, migrants cannot claim asylum without physically entering the territory of that state. However, legal entry is not feasible without proper documentation. Due to the nature of the terrain, land boundaries are highly guarded, and air travel is strictly controlled. The maritime domain, on the other hand, provides an inexpensive means of transport which is less regulated. Consequently, shrinking legal avenues to seek asylum increasingly compel migrants to take higher risks in sea travel. Thus, the sea, due to its very nature, becomes a rare gateway to what has been described as "fortress Europe."

The response strategies by the UK and France have focused primarily on the illegal nature of the problem. While these countries take a short-term view of the imminent challenges to the security and social fabric of the state, the longer term repercussions cannot be ignored since merely 'security-oriented' policies may prove to

be counterproductive in the longer run. These will incentivise a possible increase in illegal transnational maritime activities, which in turn can further complicate maritime security in the region through human smuggling, and the attendant obligations of maritime search and rescue (M-SAR).

There is a need to develop a more comprehensive, long-term approach towards the migrants in Calais, by enabling legal routes via the channel, land or air, and possibly short term rehabilitation, after which they can be resettled in a third country. The global and transnational nature of the crisis needs to be recognized, and it must be addressed collectively. The collective response by European Union (EU) to accommodate the incoming refugees is a step in the right direction. Earlier this year, EU member states have collectively agreed to share the burden of incoming asylum seekers. States like Sweden have offered to accommodate asylum seekers and help them integrate and rehabilitate, despite a less direct flow of migrants to these states, and Germany is taking regional leadership in tactfully responding to this challenge. In spite of this, many migrants vie to go to the UK, due to affinities with its language and culture, its potential as a destination for illegal employment and, in several cases, due to their relatives and friends who have migrated to the UK earlier.

In the end, for a stable long term solution, and in order to prevent any conflicts, the transcontinental nature of this challenge necessitates the United Nations' involvement. Furthermore, presently the 1951 Refugee Convention is authoritative in determining the legal status of asylum seekers. However, it favours political asylum seekers as genuine, over economic asylum seekers. It is often difficult to clearly distinguish between the two categories. International law needs to be evolved further in order to accommodate and elucidate on this categorization.

While migration via sea is hardly a new phenomenon, the conflicts and instability that evoke such migration, the scale of the problem, and the nature of actors involved such as the modern state, international law, international Non-Governmental Organizations (NGOs), and regional organizations make this a major contemporary regional challenge which bears the potential to cause a grave humanitarian crisis with global ramifications..

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