**Crises and their Impact on the Governance of Immigration**

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***Abstract:*** *The following examines how crises have shaped the governance of migration policy. Utilizing liberal intergovernmentalism and neo-institutionalism, we examine to what extent the EU has helped shape the governance of migration policy using both ‘hard’ and ‘soft’ governance during the cayuco and euro crises in the Canary Islands, Spain. During the caycuo crisis, as thousands of African migrants arrived to the small archipelago, the Spanish government sought assistance from the EU in the form of Frontex. Moreover, the Spanish government adopted the EU’s externalization of migration policy with Plan Africa, an aid package to stop immigration at its source. Both Frontex and Plan Africa were examples of ‘soft’ governance, which facilitated the Spanish state in achieving its goal of stopping the flow of migrants, and in essence the state remained the main actor in migration policy, as liberal intergovenermentalists assert. On the other hand, during the euro crisis the EU, using ‘hard’ governance imposed austerity on Spain. As Spain found its budgetary abilities constrained, and less money was sent to the Canary Islands, NGOs filled the void to implement migration policy, thus demonstrating neo-institutionalist assumptions of shifting the governance of migration policy away from the state to other actors.*

Crises have shaped how the EU, national and lower levels of government respond to problems, exacerbating the constant tension of “where power lies in the EU system” (Graziano and Halpern, 2016) . Before the euro and recent migrant crises was a smaller crisis: the *cayuco* crisis, which may shed some light on current responses to these larger crises. The *cayuco* crisis was a mass migration from West Africa to the Canary Islands between 2006-2009. The surge of migrants washing up upon the shores of the small archipelago demonstrated the vulnerabilities of Europe’s periphery. In response to the crisis, the Spanish government requested Frontex, a fledgling EU organization to assist with monitoring Europe’s borders. With increased border patrols, and a Spanish aid program to African countries to stop migration at its source, the crisis was ended. However, with the current euro crisis and EU imposed austerity measures, Spain finds its financial resources cut, and thereby its capacity to deal with migration reduced.

What the cayuco and euro crises demonstrate is that depending on the type of crisis, crises can shape the same policy in different ways. Both of these crises suggest that due to both ‘soft’ and ‘hard’ governance the EU has shaped migration policy and how the Spanish state has dealt with it. In the case of the cayuco crisis, the EU utilized mostly ‘soft’ governance sending assistance via the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the EU (Frontex) and also promoting the EU’s externalization of migration policy with Spain’s adoption of its own program for development with Africa. The EU was able to strengthen the central role of the state in dealing with the crisis and achieve Spain’s preferences. On the other hand, in the case of the euro crisis, EU ‘hard governance’ in the form of EU imposed austerity has limited Spain’s ability to address migration issues due to less budgetary resources and shifting the burden to lower levels of government or NGOs.

The term crisis comes from a Latin medical term at the turning point of a disease, leading either to death or recovery. Thus, a crisis presents governments with a condition in which it will either succeed or fail, which will have dire consequences. Crises come in many forms, but what crises do is put pressures on government to remedy a situation and at the same time may place restrictions on what governments can actually do. Crises can either emerge suddenly or may build overtime due to lack of oversight, political will or lack of government capability. How governments, supranational, national, regional and local, respond can have significant repercussions to governance and policy implementation in the future. The following will examine how the *cayuco* crisis and euro crisis shaped the governance of migration policy in the EU, the Canary Islands and Spain.

***How has the EU Impacted the Governance of Migration Policy?***

Governance is “societies’ collective steering and management” that is constantly changing (Peters, 2002). There are continual pressures to transform governance, namely how government develops and implements policies (Peters, 2002). Within the context of the EU, much of the literature has focused around the concept of governance as it relates to “power relations…as well as the substance of policies “(van Kersbergen and van Waarden, 2004). Within the context of the EU, neo-institutionalists suggest that governance, or power relations exist across various levels of government and among non-state actors. Some neo-institutionalists assert that the EU is a political system with identifiable executive, legislative, and judicial features creating another level of government and the national, regional, and local levels of government all share power with the EU (Hooghe and Marks, 2001; Marks, 1993; Pierre and Peters, 2005).One perspective within neo-institutionalism is multi-level governance (MLG) which suggests that the EU adds a supranational layer of government with which national governments have to share authority in addition to subnational actors both public and private (Hooghe and Marks, 2001; van Kersbergen and van Waarden, 2004). MLG implies that there are several actors that participate in the policymaking process, and that the state does not hold the leading role any longer; instead, it is supranational, subnational and other private and public actors such as NGOs who legislate and implement laws (Hooghe and Marks, 2001; Bevir, 2008; Pierre and Peters, 2005). Although this approach still recognizes the role of the state, it suggests that, because of European integration, the state is weakened. Governance becomes transformed in that EU policymaking becomes non-hierarchical (Pierre and Peters, 2005; Tommel and Verdun, 2013). In this way, scholars suggest that there are New Modes of Governance (NMG), also termed soft governance, networks or MLG ((Bevir, 2008; Dehousse, 2016; Majone, 1999; Tommel and Verdun, 2013). As Tommel and Verdun (2013) and Dehousse (2016) assert, NMG may not be so new. Also, Tommel and Verdun (2013) further argue that NMG occur in areas in which the EU both does and does not have competencies. Whichever term of NMG is used, the underlying concept is that coercion is not the center of EU policymaking and implementation, but rather cooperation and sharing of ideas, thus, shifting policy competencies across different levels of government and among both state and non-state actors.

A competing perspective, the state-centric or liberal intergovernmentalist perspective asserts that states remain central to governance within the EU as European integration is seen as bargains among states acting in their rational self interest (Moravcsik, 2001; 1994). The state-centric model implies that member states remain the most important actors in the European context and in the policy-making process. Within this perspective, there is a hierarchical order and member states remain central actors.

Within both of these theoretical perspectives is the understanding that governance can be defined as “where power lies in the EU system…*and* power is the capacity of actors to obtain decisions that are in line with their preferences” (Graziano and Halpern, 2016:2) Within the context of migration policy in the EU, there is an ongoing debate regarding which of these perspectives, neo-institutionalist or liberal intergovernmentalist, most accurately defines which level or levels of government, as well as private actors, are most involved in the governance of EU migration policy or whose preferences shape decisions including policies and policy outcomes.

With the inclusion of the Schengen Agreement within EU law with the Amsterdam Treaty, the EU has been given more authority in the area of migration. As a result, one of the central questions within EU migration policy is whether or to what extent member states give authority to the EU and other levels of government including regional governments and non-governmental actors (Caviedes, 2017) . On one hand, some scholars assert that the EU has actually enhanced the role of the state and strengthened sovereignty in a way that fortifies a state’s capacity to govern. On the other hand, applying Europeanization literature, other scholars assert that EU law constrains the state with European rules and obligations that must be enforced (Menz, 2010; Rosenow, 2009). Europeanization literature, which is quite diverse, generally suggests that the EU has a role in shaping domestic politics creating policy convergence across Europe (Bach et al., 2015; Green Cowles et al., 2001; Menz, 2010; Radaelli, 2000)

In thinking about what impact the EU may have on governance of migration policy, the concepts of EU ‘hard’ and ‘soft’ governance are central. ‘Soft’ governance refers to “non-coercive and informal modes of governance” or NMG, which refers to the open method of coordination or relations within policy networks, which tends to be non-hierarchical (Dehousse, 2016; Graziano and Halpern, 2016;13). On the other hand, ‘hard governance’ is much more coercive, whereby the EU uses ‘hard law’ instruments to force policy compliance (Dehousse, 2016; Graziano and Halpern, 2016). “Hard governance” refers to Commission initiatives as well as EU legislation that the Court of Justice would uphold. In the context of the *cayuco* crisis and the budgetary consequences of the euro crisis in Spain, what impact did these crises have on shaping EU governance? Did the crises give more or less capacity to states? Was the outcome the use of ‘hard’ or ‘soft’ EU governance?

**The *Cayuco* Crisis**

Prior to the cayuco crisis, irregular migrants from Africa began arriving on small wooden fishing boats called *pateras*. The first *patera* arrived to Fuerteventura in 1994 with two Saharawi’s’ on board. The *pateras* are very light fishing boats that can barely float in waters with strong ocean currents. The number of pateras began to increase as more migrants risked their lives on the perilous journey to the Canary Islands. The situation worsened as smugglers overloaded the boats with too many people. Travelers faced conditions of hypothermia, dehydration, disease and overcrowding (Amnesty International, 2006; Nicolás Castellano, 2016). Because the pateras were small boats and the number of migrants was not very large, integration of migrants into the Canary society was not much of an issue.

After 2000, when *cayucos,* larger boats, started to arrive to the Canary shores, the number of migrants steadily increased (Naranjo, 2016)**.** One of the reasons for increased migration to the Canary Islands in the 90s and 2000s was that Europe had helped re-enforce the border of Ceuta and Melilla in Morocco as well as the Straits of Gibraltar (Godenau, 2016)**.** Thus, migrants were searching for an alternative route to enter Europe. The immigrants arriving to the islands until 2000 were Saharawis. Since there was no government in Western Sahara with whom to negotiate a repatriation agreement, these migrants stayed in the islands, and were easily integrated into the Canary community. The integration problem began after 2000, when *cayucos* started to arrive to the Canary shores (Naranjo, 2016).

Since the migration routes had changed because of impermeability of northern enclaves (Godenau and Zapata, 2008) migrants from Senegal and Mauritania began arriving in *cayucos* in larger numbers to Europe’s ultra-peripheral region of the Canary Islands. In response to increased migration to the Canaries, many irregular migrants were sent to the Spanish peninsula. For instance, the mayor of Las Palmas de Gran Canaria at the time, Jose Manuel Soria began sending unidentified or “un-deportable” migrants to mainland Spain (Naranjo, 2016)**.** This became known as the “Soria doctrine.” It consisted of sending migrants living on the streets of the municipality of Las Palmas de Gran Canaria to Madrid so they could be closer to their embassies, which would facilitate the normalization of their legal status in Spain or allow them to travel to other European countries (Abc, 2002).

By 2006 the number of migrants overwhelmed the Island’s border enforcement and the retention centers in which migrants are usually housed. To get a better sense of the “crisis”, throughout the 90s, the total number of migrants reaching the Canary Islands’ shores was 1,000, but in 2006 31,600 arrived (Triandafyllidou, 2014). From 2006-2009 irregular migration to the Canary Islands surged and quickly decreased as a result of both EU and Spanish efforts. Table 1 shows the number of undocumented irregular migrants arriving to the Canary Islands. Note the increased number between 2006-2009 during the crisis and a slight uptick in 2015 during the height of the recent European-wide migrant crisis.

**Table 1: Number of Irregular Undocumented Migrants Arriving to the Canary Islands**

|  |  |
| --- | --- |
| 2004 | 8,519 |
| 2005 | 4,718 |
| 2006 | 31,600 |
| 2007 | 12,500 |
| 2008 | 9,200 |
| 2009 | 2,250 |
| 2010 | 200 |
| 2011 | 340 |
| 2012 | 170 |
| 2013 | 250 |
| 2014 | 275 |
| 2015 | 874 |
| 2016 | 671 |

**Sources:**

2004-2005: Godenau, Dirk and Vicente Manuel Zapata Hernández, “El Caso de Islas Canarias (España): Región de tránsito entre África y Europa, ” Revista Política y Sociedad, June 2008.

2006-2016: Frontex, “West African Route,” <http://frontex.europa.eu/trends-and-routes/western-african-route/>, 2017.

The influx of migrants varied on each island, however, certain islands began to see large increases of migrants. Table 2 illustrates the influx of migrants arriving to each island within the period 2004-2007. Significantly, the Western islands of La Palma, La Gomera and El Hierro did not encounter any or barely any *pateras* until the migration crisis began in 2006. This is because since 1994 the migrants were arriving or being intercepted in waters close to the Eastern islands, the closest islands to the African continent. During 2004-2005, the Eastern islands of Gran Canaria, Fuerteventura and Lanzarote were receiving the bulk of migrant boats*.* Fuerteventura is roughly 90 km away from the African shore, it is the fastest route; hence the magnitude of migrants coming in since 2004. When the influx of *pateras* and then *cayucos* increased, the new routes included the Western islands as well. The switch to the route of Tenerife caused the rise from just 104 migrants in 2004, to over 18,000 in 2006. Similarly, La Gomera experienced the arrival of 3,138 migrants in 2006. The islands that received the most migrants during the *cayuco* crisis were the two capitals, Tenerife and Gran Canaria. Because they are the economic and political centers of the archipelago, the migrants intercepted at sea were taken to the ports of either one, where the local authorities and Red Cross assisted them.

**Table 2: Number of Migrants to the Canary Islands per Island**

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Islands | **2004** | **%** | **2005** | **%** | **2006** | **%** | **2007** | **%** | **Total** |
| **La Palma** | 0 | 0 | 48 | 1 | 0 | 0 | 131 | 1.1 | 179 |
| **La Gomera** | 0 | 0 | 72 | 1.5 | 3,138 | 9.8 | 244 | 2.1 | 3,454 |
| **El Hierro** | 0 | 0 | 0 | 0 | 1,891 | 5.9 | 1,262 | 10.7 | 3,153 |
| **Tenerife** | 104 | 1.2 | 637 | 13.5 | 18,275 | 57.4 | 5,813 | 49.5 | 24,829 |
| **Gran Canaria** | 535 | 6.3 | 1,399 | 29.7 | 5,464 | 17.2 | 2,965 | 25.2 | 10,363 |
| **Lanzarote** | 348 | 4.1 | 323 | 6.8 | 822 | 2.6 | 637 | 5.4 | 2,130 |
| **Fuerteventura** | 7,532 | 88.4 | 2,239 | 47.5 | 2,269 | 7.1 | 694 | 5.9 | 12,734 |
| Total | 8,519 | 100 | 4,718 | 100 | 31,859 | 100 | 11,476 | 100 | 56,842 |

Source: Godenau, Dirk and Vicente Manuel Zapata Hernández, “El Caso de Islas Canarias (España): Región de tránsito entre África y Europa, ” Revista Política y Sociedad, June 2008.

**Solving the “Cayuco Crisis”**

The *cayuco* crisis was resolved with the coordinated action of multiple levels of governments and assistance from NGOs. The institutional framework that structures the governance of migration policy in Spain includes both the national and regional levels of government. The national government, under the Spanish Ministry off the Interior, handles security, detention of migrants in the high seas, identification, possible repatriation and the management of retention centers (Frontex, 2017) The Ministry of Employment and Social Security is in charge of implementing migration policy and integration of the migrants in Spanish society (Global Detention Project, 2016). The regional level of government, or the Autonomous Community, is responsible for unaccompanied minors, whereas the integration of migrants into Canary society belongs to the municipality, the lowest level of government.

As the number of migrants increased, the regional government asked the Spanish state for assistance. Some scholars of MLG suggest that often times regional governments circumvent the state and interact directly with the EU (Hooghe and Marks, 2001), but in this instance the state intervened at the request of the Autonomous Community and sought assistance at the EU level. On May 21st 2006, in the midst of the cayuco crisis, the Canary (regional) Government requested the Spanish government to "armor the coast" and in response Spain called for an emergency fund from the European Union (El Mundo Agencias, 2006). The next day, the Vice-President of Spain, María Teresa Fernández de la Vega, traveled to Brussels to ask for help in controlling illegal immigration and securing Spain’s southern border.

 The EU’s response, however, was slow and member states such as Germany and the Netherlands blamed the surge in irregular migrants on Spain’s poor management of their borders in 2005, whereby 600,000 irregular migrants were allowed to enter (Monar, 2007). Spain argued that migrants were coming from Francophone African countries trying to reach France (Monar, 2007). Spain ended up receiving support from Italy, which was experiencing similar problems. Tensions and the lack of support from other member states highlights the North-South divide regarding migration policy and the heavier pressures southern European countries feel due to their geographic proximity to Africa, as well as their practices of ‘regularizing’ irregular migrants, which becomes a pull-factor for migrants (Monar, 2007).

In response to Spain’s request, the EU sent Frontex. Frontex was created in 2004 to insure European norms on immigration and border management are followed according to standards of Integrated Border Management and the Charter of Fundamental Rights of the EU. Frontex’s involvement in the *cayuco* crisis was really a test case since it was Frontex’s first major joint aero maritime operation, Hera. The European Parliament passed two plans of action, HERA I & HERA II, signed in 2006. HERA I consisted of the assistance for surveillance duties in high seas and identification of migrants. It began on July 17th 2006 when European countries sent nine experts to the Canary Islands to help Spanish authorities identify migrants that had arrived to the islands illegally (Frontex, 2006). They came from Italy, France, Germany and Portugal. They were later joined by a second and third group of experts. Experts that came in with the second group on August 17th came from Italy, the UK, Germany, Portugal and the Netherlands. The third group of experts was sent to the islands on September 19th with eleven professionals from the Netherlands, France, Italy, Portugal and Norway (Frontex, 2006)

HERA I was expanded with the creation of HERA II, with the goal of improving the Spanish authority’s sea surveillance. Beginning on August 11th of 2006, HERA II included several member states of the EU sending ships, helicopters, and other equipment in order to stop the *pateras* or cayucos from arriving to the islands. The total cost of this plan of action was 3.5 million euros (Frontex, 2006). A Portuguese vessel, an Italian vessel, an Italian aircraft and a Finnish aircraft, along with the Spanish vessels and helicopters, completed the task of reducing deaths at sea and preventing migrants from leaving African waters (Frontex, 2006).

Frontex’s intervention meant a significant decrease in migrants in a short amount of time. HERA I and II were successful because they accomplished the European Union goal, to secure its most southern border from irregular immigration. The Spanish government’s Policía Nacional, working with experts from other countries and using more advanced equipment, managed to identify all of the 18,987 migrants that arrived to the island between July 17, 2006 and December 10, 2006 (Frontex, 2006). HERA I and II, as a result of the information obtained in the interviewing process of migrants, also facilitated the detention of several smugglers in sub-Saharan Africa, hence decreasing the number of more potential irregular migrants (Frontex, 2006). These plans of action are an example of ‘soft’ governance whereby networks of policing forces from other EU countries, EU officials and Spanish policing forces worked together and shared knowledge and practices in order to help stave off deaths at sea and to process migrants (Godenau, 2016)**.**

Frontex lacks its own border guards and equipment, instead it relies on EU member states to deploy experts and equipment (Frontex, 2015). Frontex develops plans of action and conducts research by creating a workforce with officials from member states that exchange ideas in an informal setting or ‘soft’ governance (Dirk Godenau and Ana López Sala, 2016; Graziano and Halpern, 2016). The goal of voluntary coordination is to define common objectives and cognitive principles rather than achieving harmonization. Frontex’s intervention and the cooperation of technical experts across several member states was a way for ‘soft’ governance to allow several public and private actors to be part of the policymaking and implementation process regarding border control and management and care of migrants in the Canary Islands, in part facilitating an end to the crisis.

**EU and Spanish Migration Policies-Failed ‘Hard’ Governance**

The framework that regulates EU standards on migration is the Common European Asylum System. In 1999, the European Union created the Common European Asylum System (CEAS), to harmonize national asylum policies and create union-wide institutions and policies to manage asylum . The rights of migrants are laid out in the European Convention of Human Rights (ECHR), a EU treaty to protect rights and freedoms on European soil. It consists of a legally binding treaty to enforce respect of human rights. Therefore, one might argue that ‘hard’ governance emanating from the EU shaped the legal framework and likewise management of the *cayuco* crisis.

However, the Spanish government also has its own legal framework that lays out the status, rights and duties of migrants in Spain called *Ley de Extranjería,* or Spanish Aliens Act (Agencia Estatal Boletín Oficial del Estado, 2000). The Spanish Aliens Act is commonly called the Organic Law 4/2000, dated January 11, 2000, on the Rights and Freedoms of Foreigners in Spain and their Social Integration. The *Ley de Extranjería* is the legal text that regulates the rights and duties of foreigners in Spain and contains principles that seek to promote legal immigration, with the goal of restricting to a minimum the entry of irregular migrants. It also offers opportunities to immigrants established in Spanish territory in irregular conditions to normalize their situation. As a general rule, the Aliens Act establishes the recognition of the rights established in the Spanish Constitution, international treaties interpreted in accordance with the Universal Declaration of Human Rights, and other existing treaties on citizens' rights (Agencia Estatal Boletín Oficial del Estado, 2000). Thus, although one could argue the CEAS has shaped Spain’s policy on immigration the Spanish Alien’s Act also demonstrates certain rules the Spanish state has put into place to establish Spanish rules and norms of immigration that the EU cannot shape with ‘hard’ governance.

The implementation of the Spanish Alien’s Act establishes the framework for the treatment of irregular migrants in the Canary Islands. For policy implementation, there are three centers for migrants, or detention centers, in the Canary Islands, and the regional authorities set up another building to contend with the great influx of migrants both before and after the *cayuco* crisis of 2006 (Global Detention Project, 2016)**.** These are the Centers for Foreign Internment or *Centros de internamiento de extranjeros (CIEs).* The national government adapted additional buildings to become temporary CIEs: an abandoned terminal in Fuerteventura that could host 1,100 migrants and a former prison in Tenerife (Global Detention Project, 2016). Migrants can spend up to 40 days at the CIEs until they sort out their legal status in Spain(Agencia Estatal Boletín Oficial del Estado, 2000). Within this period of time, they have to qualify to become some sort of refugee or asylum seekers, or else they will be sent back to their countries of origin when the 40 days are over. They are put in contact with attorneys to help them apply for asylum and possibly reunite with their families, through the process called family reunification (Agencia Estatal Boletín Oficial del Estado, 2000)*.* If the nationality of a migrant is not clear, or if Spain has no repatriation agreement with the country, the migrants will be released from the detention centers and become the municipality’s responsibility.

EU and Spanish law provide the framework within which the Spanish state should treat and process migrants. In this way, one might assume that EU ‘hard’ governance is at work holding Spain accountable for the appropriate treatment of migrants. However, according to a report of Amnesty International in 2006 on the *cayuco* crisis, the rights of illegal immigrants were being violated (Amnesty International, 2006). The report denounced the Spanish state for falling short in policy implementation; Spain was not complying with EU law in accordance with the Charter of Fundamental Rights. Migrants were not informed about their situation once they arrive to the police station, the process of return, nor were they asked if they were at risk in their home countries. As an example, out of 6,908 people that arrived to Tenerife in January-June 2006, only 9 of them applied for asylum (Amnesty International, 2006). Many of them did not know that they could apply for political asylum claiming persecution because of racial or ethnic discrimination, war, homophobia and similar circumstances that certainly are a reality in their countries of origin. Therefore, most of them were defined as economic migrants, when it might not always be the case (Yassine, 2006). Also, there was a significant language barrier for migrants. They had access to translators of French and English; however, those are not their mother tongues. Most of them speak Wolof, and without translators it makes it very difficult for them to understand their rights (Amnesty International, 2006).

Amnesty International (2006) also identified that there were not enough resources dedicated to identify the refugees and to facilitate their right to seek asylum. It is a challenge for local authorities to guess their nationalities, since they might identify themselves more with a tribe or ethnicity that does not necessarily correspond with the geographic location of a recognized state or government authority . Most of them are identified as Senegalese. The Spanish authorities have an interest in identifying them as nationals of countries with which the Spanish government has treaties of repatriation, such as Senegal. Furthermore, migrants were not put in contact with attorneys as soon as they arrive at the center for migrants. Many reported that they only met their attorneys on the day of the trial, and once again they were not granted a translator (Amnesty International, 2006).

Thus, although the EU using ‘hard’ governance set up parameters within which migrants must be treated, the Spanish government did not fully comply, but rather worked within their means or willingness to deal with the migrant crisis irrespective of meeting EU requirements. In this way although ‘hard’ governance is technically present, there is a lack of enforcement of EU law. Frontex was able to assist with capturing and processing migrants, but the care of migrants was left to the state and non-state actors such as the Spanish Red Cross and Caritas (a church sponsored organization). The Red Cross and Caritas took the lead in assisting migrants and providing health and social intervention, and yet certain migrant rights were still not fully protected, demonstrating a failure of EU ‘hard’ governance.

**Important ‘Soft’ Power, the Externalization of EU Migration Policy**

An integral part of decreasing the number of African migrants arriving to the Canary Islands shores was the externalization of EU migration policy (Triandafyllidou, 2014). In 1999, the externalization of EU migration policy found strong support from the European Council and at the Tampere meeting in 1999, “partnership with the country of origin” became a major goal of the Council regarding Common Asylum and Migration Policy (European Council, 1999). The Conclusions of the Tampere meeting supported the notion of co-development between the EU and third party countries to improve conditions of underdeveloped areas that are the source of migration (European Council, 1999). Today the EU has an EU Emergency Trust Fund for Africa which implements the ideals of the Tampere Council meeting (European Commission, 2017).

Similar to the Tampere Council Conclusions, Spain also created an Official Development Aid Plan referred to as Plan Africa. Plan Africa was a development program with several home countries of migrants which included the opening of new embassies in the continent and the promotion of trade relations with the migrants’ main countries of origin to improve their economies. Approved for the period 2006-2008, this plan meant an increase of Spanish influence in specific African countries. The goal of this plan was to improve the living conditions of sub-Sahara African citizens in order to prevent people from migrating to the Canary Islands. Plan Africa was not simply a development plan, but also a plan to increase Spanish influence in the African continent and to reduce irregular African migration to Spain by improving quality of life in the immigrants’ countries of origin. The plan was based around seven objectives: contributing to the consolidation of democracy; fighting against poverty; promoting cooperation to regulate migration flows; participating in the development of an EU’s strategy towards Africa; strengthening economic exchanges and encourage investment, especially in relation to energy security and hydrocarbons; encouraging cultural cooperation; and increasing the institutional presence of Spain (Alcalde, 2007)**.**

Mauritania’s outcome with Plan Africa is particularly noteworthy since it was successful and focused on stopping irregular migration. As part of Plan Africa, five members of the Spanish National Police and another group of twenty five Spanish Civil Guard workers travelled to Mauritania to partner with a group of Mauritanian state policemen. Spain assisted in strengthening the Mauritanian’s national police with the incorporation of two thirty meters-long vessels, two fifteen meters-long vessels and a helicopter (Peregil, 2015)**.** All these measures had the goal of preventing migrants from departing the Mauritanian coast and/or stopping them at Mauritanian seas. Spain also invested over 150 millions of euros in Mauritania, following different economic development plans (Peregil, 2015).

Plan Africa can be seen as a result of EU ‘soft governance’. Using the policy ideas of the Tampere Council and EU initiatives, Spain created a similar program to combat migration at its source using development and enhancing policing capabilities within the home countries of migrants. Plan Africa, coupled with assistance from Frontex were both sources of EU ‘soft’ governance that strengthened the Spanish state’s ability to stave off migration and to end the ‘cayuco crisis’. In the end, Spain was able to achieve its preferences, lessening migration, thus strengthening the states governance over migration supporting a more liberal-intergovernmentalist perspective as it relates to migration policy.

**One Crisis Averted, Another Arrives: The Euro Crisis**

The euro crisis of 2008 hit Spain particularly hard as the housing bubble burst, unemployment hit around 25%, regional governments found themselves swimming in debt and the banking industry needed a bailout. With many euro countries, the EU Commission imposed new deficit targets of 5.3 % of GDP output for the year that were to be implemented by 2010 (BBC, 2012). As part of Spain’s compliance with EU austerity pressures, Spain began to decrease its budget. The largest percentage of national government expenditure is actually transferred to Autonomous Communities (AC). As a result, regional governments in the face of EU imposed national austerity, experienced a significant decline in budgets. One area that was hit particularly hard in the Canary Islands was funding for immigration and integration, an important competency of the AC (Zapata, 2016)**.** In 2009, the Ministry of Employment and Immigration allocated 444 million euros to policies associated with migration, distributed in three major areas: immigration, integration of migrants and emigration (Ministry of Employment and Immigration, 2008). In 2010, the Ministry of Employment and Immigration reduced the budget to 323 million euros and in 2011 it was further reduced to 268 million euros (Ministerio de Empleo y Seguridad Social - Gabinete de comunicación - Inmigración y Emigración, 2009; 2010). The current 2016 national budget was even further reduced in its allocation toward immigration with just 185.2 million euros (Ministerio de Empleo y Seguridad Social - Gabinete de comunicación - Inmigración y Emigración, 2015). These figures demonstrate a continued reduction in the national ministry’s resources to deal with migration policy.

Although the *cayuco* crisis had ended, national budget cuts to AC s have reduced the budgetary capabilities of the Canary Islands to facilitate the integration of migrants. As the AC had less resources, lower level of governments ended up filling the gap. Unique to the Canary Islands is a lower level of government called *cabildos.* This level of government emerged following the conquest of the islands during late XV century and early XVI century, when Spaniards migrated to the archipelago. Because of their remote location, the Canary Islands required a more direct governance system and adopted the *cabildos*. The Spanish crown created a *cabildo* for each one of the seven islands to deal with each island’s issues separately. The Spanish national government and the Canary regional government have never decided to end the colonial legacy of *cabildos* because they represent an effective service for dealing directly with matters that affect each individual island, and because they are the most effective at addressing the problem of insularity.

Most lower levels of government do not have their own sources of funds through taxation, but rather receive most funds with national government transfers. Unique to *cabildos* is that they have their own financial resources due to port taxes. The *cabildo* of Tenerife, in response to the high influx of migrants to the island, created an institution that would prove itself useful during the *cayuco* crisis and later when the euro crisis hit. This institution was OBITen, the Observatorio de la Inmigración de Tenerife, Tenerife’s Observatory for Migration. Jointly funded by the cabildo and the University of La Laguna in Tenerife, OBITen emerged as an attempt to deepen the knowledge, and consequently expand the capabilities to react to migration influxes to the Canary Islands, specifically Tenerife (Zapata and Ramallo, 2015). Besides documenting regular as well as irregular entrances to the islands, OBITen also works with Canary communities, for instance organizing social events to bring together migrants and locals. This institution promotes integration and cultural diversity through various activities, services and resources. OBITen, created in 2001, initially focused on conducting research, the function of OBITen changed when austerity measures reduced the national budget allocated to projects for social intervention related to migrants (Zapata and Ramallo, 2015). With the euro crisis, the cabildo of Tenerife reduced its funding to OBITen, which forced the institution to seek funds from other public institutions such as the University of la Laguna, and continued their research duty, expanding it to integration services(Fundacion General Universidad de la Laguna, 2016). That is how OBITen developed the plan of action *Juntos en la misma dirección,* Together in the same direction (Zapata and Ramallo, 2015).

*Juntos en la misma dirección* focuses on promoting relations between public agencies, migrants and the communities that have settled in the islands. Through this program, OBITen manages diversity through an intercultural focus(Zapata and Ramallo, 2015). Thanks to this approach, the island of Tenerife has become a member of the Network of Intercultural Cities, a network promoted by the Council of Europe (2015). An intercultural city has been defined as a city that “has people with different nationality, origin, language or religion/belief; the city actively combats discrimination and adapts its governance, institutions and services to the needs of a diverse population (Council of Europe, 2015:2)**.** This rating takes into account education services, welcoming, governance, conflict resolution, business, labour market, media, and other topics related to the every-day life of migrants. Tenerife rates 39th among the 75 European cities sample (Council of Europe, 2015).

Although the influx of migrants has been decreasing steadily, the work of OBITen will become key for the recent uptick of migrants to the Canary Islands. Upon the beginning of a new migration crisis in summer 2015, the European Union has warned about the possibility of former migration routes to the Canary Islands to be re-open, this time for Middle Eastern migrants (Plasencia, 2016). As Spain has not fully recovered from the period of financial instability, the shift of routes will challenge its surveillance and border control abilities. The Spanish national government has to secure, once again, EU’s most southern border.OBITen and its function has filled a void that the regional and municipal governments in charge of integrating migrants have been unable to fulfill due to EU imposed fiscal constraints that have lessened national budgetary contributions to lower levels of government.

EU imposed austerity is an example of ‘hard’ governance. The EU forced the Spanish government to decrease spending, which particularly hurt the functioning of ACs, which are responsible for the integration of migrants. In response, on the Canary Islands, NGOs such as OBITen and the Red Cross and Caritas have tried to fill some of the void to assist with the integration of migrants. In this way, as the Spanish governments governance over migration policy and its implementation was constrained due to financial limitations, NGOs have stepped in to attempt to fill the gap.

**Conclusion**

 The *cayuco* and euro crises demonstrate how the EU utilizing both ‘soft’ and ‘hard’ governance can have varying effects upon migration policy. During the *cayuco* crisis EU ‘soft’ governance in the form of Frontex’s requested intervention and the externalization of migration policy, that was adopted from EU practices first espoused in the Tampere Council in 1999, helped shape the response to the stark increase in migrants coming to the Canary Islands’ shores. Spain was able to stop migration at its point of origin, which was its governance goal. Thus, following liberal intergovernmentalism, in this case, Spain’s governance ability was strengthened and the national government was the main actor shaping the implementation of the policy and achieved its goal of decreasing irregular migration from Africa. Looking at the current migration crisis, states in the EU and EU institutions have followed a similar model to what was used in the *cayuco* crisis. Frontex again has been brought in to help migrants at sea and to secure Europe’s maritime borders and the agreement with Turkey is similar to Plan Africa, attempting to implement an externalization of migration policy without the capability of dealing directly with the country of origin, Syria. Although, the EU has attempted to implement quotas and institute ‘hard’ governance in the current migrant crisis, the EU has failed, as member states act as the main actors shaping implementation of migration policy.

 On the other hand, the euro crisis did create a situation whereby the EU was able to utilize ‘hard’ governance with austerity . Spain’s budgets were reduced accordingly since 2009 and the Ministry of of Employment and Social Security has been significantly reduced, thus decreasing the resources and capabilities of the national and subsequently Autonomous Community governments to address migration, including the integration of migrants. As a result, NGOs such as OBITen, Caritas and the Red Cross have intervened. In this way, EU hard governance has shifted the governance of migration policy, specifically the integration of migrants to non-governmental actors, thus shifting policy responsibility away from the state. Although austerity was meant to deal with the financial crisis, there are many other policy areas that are affected, and as a result so is the implementation of migration policy.

The cayuco and euro crises demonstrate that the EU’s response to each crisis can have very different effects upon migration policy and how the EU can shape governance. In the *cayuco* crisis, the Spanish state’s ability to stave off migration, which was the state’s goal, was achieved, supporting the assumptions of liberal intergovernmentalism, whereas, the EU’s austerity measures implemented as a solution to the euro crisis has weakened the Spanish state’s ability to deal with migration and shifted governance to non-state actors, supporting the assumptions of neo-institutionalism. How we understand European integration and how the EU may shape migration policy needs to take into account not just EU migration policy per se, but other policies that may have unintended consequences for Europe’s struggle with mass migration.

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