

MIGRATION IN TRANSIT: A CHALLENGING CONCEPT FOR PUBLIC AND SOCIAL POLICY

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This article is framed in the specific migration scenario seen in recent years, in which migrants arrive at the external border of the European Union (mainly Andalusia and the Canary Islands), transit through the Spanish mainland to the border between the Spanish and French States (located in the autonomous region of the Basque Country) with the intention of continuing on to other countries in northern Europe, such as France, Belgium or Germany, among others. The aim of this paper is to offer a general descriptive overview of these movements of people in transit through a European State, as well as to identify the challenges faced by institutional resources and processes that have had to be created recently, in order to offer assistance to people to help them in their journey, or to receive them when the circumstances or their transit projects become difficult or are altered.

***Keywords:** migration in transit, institutional resources, reception, borders, Basque Country, Spain.*

MIGRATION IN TRANSIT. SOME GENERAL ISSUES

On June 18, 2018, a bus from Almeria (Andalusia, southern Spain) pulled into the bus station in the Basque city of Donostia. Several African boys got off the bus, all of them dressed in the sportswear migrants are given after being rescued from the small boats they use to reach Spain. They were also all wearing two bracelets, a yellow one with a number and a red one from the Red Cross, as well as carrying a bottle of water, and some of them a cell phone with a charger. They were 46 people from Mali and Guinea Conakry for whom the Red Cross had chartered a bus bound for the “North”. Although Donostia is the farthest north on the map of Spain, it was not their final destination, they wanted to reach France, or

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even beyond. Disoriented, they asked people if they had already reached France or how long it would take to get to Paris, so the negative response of the people who looked at them with expressions ranging between dumbfounded and dismayed, felt like a blow. For hours they waited at the station for the “two people who were going to pick them up”. After a few hours of uncoordinated waiting, city hall personnel gave them bottles of water and potato chips, and Red Cross vans took them to a local shelter for the night. In the following days, countless similar arrivals were repeated in nearby cities such as Bilbao or the border town of Irun, bringing to public light a fact that had been invisible: there is a very large number of migrants whose project is not to stay in Spain, but to continue the journey to reach other destinations, such as France or Germany, and there were hardly any institutional tools to manage this new reality. This raised a number of questions, such as defining who is a migrant in transit, and what kind of response are European States, specifically Spain, giving to this phenomenon? There are several aspects related to transit migration that deserve our attention.

First of all, it should be noted that identifying this type of migrant is not so straightforward, despite the apparent simplicity of the term “transit”. As the 2015 report of the United Nations High Commissioner for Human Rights (UNHCHR) points out, there is no canonical definition of “transit migration”, although it is a term commonly understood as “the temporary stay of migrants in one or more countries, with the aim of reaching another final destination” (United Nations High Commissioner for Human Rights (UNHCHR 2016, 5). Different authors (Collyer *et al.* 2012; de Massol de Rebetz 2020; Düvell 2012) agree in pointing out that there is no consensual position on the concept, but that it can refer to many situations of migratory mobility: irregular migrants, stateless persons, refugees and asylum seekers, victims of human smuggling or trafficking networks, foreigners residing in other countries, transiting on their way to their countries of origin for vacations, naturalized migrants trying their luck in another country. In fact, we must also reflect on the spatio-temporal dimension between these legal categories insofar as during the time involved in transit to a final destination, the person may experience changes or simultaneities in his or her legal status (from irregular migrant to asylum seeker, and then resident or irregular migrant again, etc.).

Secondly, transit migration has increased in recent times, in part because of the globalization of increasingly restrictive border policies (Brown 2010; Rygiel 2010; De Genova 2013), generating a mass of population “persecuted” by their precarious legal status (Triandafyllidou 2015), and who, consequently, are forced to take forbidden and dangerous routes (Casas-Cortes *et al.* 2015) that lead to rights violations or even death (Eschbach *et al.* 1999; Rygiel 2014). It is here that vulnerability manifests itself in all its brutality, especially if states do not ensure safe and dignified passage through their territories. The potential situations of vulnerability identified in the OHCHR report (2016) can be consulted on pages 12 to 21, including collective expulsions, arbitrary and inadequate detention, violence,

abuse, exploitation, lack of sanitation, unacceptable housing situations (settlements), etc.

Thirdly, and related to the above, it is necessary to make a brief but necessary reference to the polysemy that characterizes the concept of reception, which usually refers to the management of the arrival of immigrants in a given society. In border territories (whether external or internal to the EU), there is a proliferation of institutional mechanisms, managed by large social organizations, aimed at offering a series of services (accommodation, medical and legal assistance, training, etc.) with the purpose of alleviating some of the adversities derived from the clandestine crossing of borders. From a critical point of view, authors such as Michael Agier (2008) have warned of the drift towards legitimization of the border regime through this “humanitarianization”. However, we must also be aware of the emergence of community solidarity initiatives whose purpose differs from the previous model, in that they seek to generate safe passage dynamics based on hospitality and dignified reception (Schwiertz and Schwenken 2020; Tazzioli and Walters 2019).

Fourth, another difficulty is the paucity of studies on transit migration. “The lack of research and data on the situation of migrants in transit is a major gap and a serious obstacle to formulating effective, sustainable and human rights-based response policies” (OHCHR 2016, 23). In the case of Spain, there is no research that quantifies transit migration, so we will have to approach the phenomenon through some detours and related situations and concepts. The still limited case studies on transit migration have focused primarily on the American continent, especially on the transit migration from Central America to the United States (Basok and Candiz 2020; Ruíz-Lagier and Varela-Huerta 2020), and on the migration process prior to arrival on the European continent (Collyer *et al.* 2014). However, there are hardly any studies that analyze the particularities concerning the transit (internal border crossing, reception, detention and expulsion) that takes place once access to European territory is achieved (Artero 2019; Barbero 2021b; de Vries and Guild 2019). In a previous collective work, “El tránsito de personas migrantes desde la perspectiva de los derechos y la acogida digna” (Barbero *et al.* 2022), we provided a transversal and interdisciplinary analysis of these multiple aspects that directly affect migrants transiting through a European state, with the intention of reaching other destinations, by crossing the internal borders of the European Union.

Related to the above, this article is framed in the specific migration scenario in which migrants arrive at the external border of the European Union (mainly Andalusia and the Canary Islands), then transit through the Spanish mainland to reach the border between the Spanish and French States (in this case the Autonomous Community of the Basque Country), with the intention of continuing their journey to other countries in northern Europe, such as France, Belgium or Germany, among others. Thus, the aim of this paper is to offer a general descriptive overview of these movements of people in transit through a European State, as well as to identify the institutional resources and processes created in

order to offer assistance to people in their journey, or to welcome them when the circumstances or the transit projects become difficult or are transformed. It should be emphasized that, since there is no specific legal category for “migrant in transit”, it is common to see overlap between legal categories, largely due to the possibilities of accessing institutional resources.

As an indirect objective, we propose that it is necessary to reflect on the role played by the Autonomous Community of the Basque Country as a territory of migration in transit to northern Europe, and on the creation and adaptation (partly as a consequence of the recommendations of guarantee institutions, such as the state or autonomous Ombudsmen, and the demands of social groups) of institutional resources in the state and autonomous regulatory context. This reflection is relevant from the moment that, until recently, the efforts of immigration policies in Spain were focused on border policies (entry, stay and expulsion), asylum and refugee policy, and integration policies for those who chose to settle in the country. However, the large movements of recent years have brought to the table another reality that had been invisible until then: migration in transit, whose needs and specificities require greater attention from institutions and society in general.

MANAGEMENT OF ARRIVALS AT THE SOUTHERN BORDER

According to data compiled by the UNHCR’s *Operational Portal on Refugee Situations* between 2015 and 2021, 202,619 people managed to reach Spain, either through the Atlantic route, the western Mediterranean or arriving in Ceuta and Melilla. The year 2018 was unusual, with more people arriving (58,569) than in the last seven years combined, surpassing even the figures recorded during the so called “cayuco crisis”, when in 2006, big fishing boats (*cayucos*) set sail from Senegal toward the Canary Islands (39,180 arrivals). With regard to the origin of the arrivals, we must first refer to Morocco, Algeria and Mali, followed, to a lesser extent, by Guinea Conakry, Ivory Coast and Senegal, and occasionally, Tunisia and even Syria.

Therefore, we must consider the western Euro-African route (Canary Islands, Strait of Gibraltar, Alboran Sea and Balearic Islands) as a relevant and consolidated space (even during the COVID-19 pandemic period) for access to the European Union through its external border. While between 2015 and 2019 the Mediterranean area was the most used, in the last two years there has been a clear shift to the Atlantic route to the Canary Islands. Unfortunately, this is a very dangerous route. According to the UN Refugee Agency (UNHCR), at least 44,427 migrants lost their lives or disappeared in that period, although the actual figure is surely much higher. While the UNHCR counted 2,799 people dead or missing in 2021, the collective Caminando Fronteras counted up to 4,404 victims of the Euro-African Western Border, through official sources, direct contact with the victims

themselves, their families, migrant communities and social organizations on the ground (<https://caminandofronteras.org/>).

This has led to a real humanitarian crisis situation in which the reception of migrants was managed, and continues to be managed, in terms of humanitarian rescue, but with a very strong component of border police control (Barbero 2021a). In this sense, it is important to differentiate between simultaneous police and humanitarian management carried out by the Spanish authorities.

Firstly, we must consider the position maintained by the Ministry of the Interior in charge of border containment and confinement. In recent years, there has been a change in strategy, moving from a policy of mass internment in the Detention Centers for Foreigners spread throughout Spanish territory (Fernández-Bessa 2021; Fernández-Bessa and Brandariz García 2016; Solanes Corella 2016; Godenau and López-Sala 2016), but especially in those located in external border regions (mainly Andalusia and the Canary Islands), to the *de facto* creation (without express legal regulation) of Temporary Care Centers for Foreigners (Barbero 2021a, 2021c), police facilities located in the vicinity of ports where newly arrived people remain for up to 72 hours while they are interrogated (by the police and Frontex), identified and legally categorized as irregular migrants with a return order (107,584 between 2015 and 2019) or as international protection claimants. Although the number of people who have been detained in this type of facility has not been published, we can state that by December 10, 2019, there had been 33,619 people detained, of which more than 3,000 were minors (response from the Ministry of Interior through the Transparency Portal); and according to the Spanish Ombudsman's report for the Canary Islands (Defensor del Pueblo 2021), about 8,000 people had been detained since the end of 2020 when these facilities began to operate in the islands, until February 1, 2021. Once this three-day period has elapsed, they are either transferred to a Foreigners Detention Centre or CIE, returned to the country of origin or are released, usually transferred to institutions under the authority of Ministry of Social Affairs and managed by social organizations.

Second, we find the humanitarian care policy developed by the State Secretariat for Migration, currently included in the Ministry of Inclusion, Social Security and Migration. Specifically, the General Directorate for Inclusion and Humanitarian Assistance is responsible for the planning, development and management of programs of humanitarian assistance to immigrants and urgent intervention for exceptional situations, in collaboration, where appropriate, with the autonomous communities, local entities, as well as public and private entities. It also has, among its functions, the planning, management and monitoring of the Centers for the Temporary Stay of Immigrants (CETI) and the Centers for the Reception of Refugees (CAR), as well as the granting of subsidies to the social entities that make up the large network of reception and care of vulnerable immigrants in Spain.

When we refer to “Humanitarian Attention”, it is necessary to differentiate this concept from that of “International Protection”. The Humanitarian Care program is aimed at “meeting the needs of immigrants in a vulnerable situation due to physical deterioration and lack of social, family and economic support and who arrive at the Spanish coasts or are part of settlements that involve serious social and health risks and require immediate action programs to remedy them”. International Protection refers to the “development and management of a comprehensive reception and integration system for asylum seekers, refugees, stateless persons, persons under the temporary protection regime and other subsidiary protection statutes”. For the purposes of this paper, we will focus on the concept and programs of Humanitarian Care, since they fit better with transit migration as opposed to asylum seekers (supposedly not in transit, at least while waiting for a response to their application).

In the area of Humanitarian Care, the services offered by the Spanish State (either directly or indirectly through social entities, and with its own and/or European resources) are *Coastal Care* (service offered by the Spanish Red Cross through an annual subsidy, and aimed at providing basic care to new arrivals); *Transfers* (transport from the coastal facility to the various reception facilities, or from the emergency reception resource to the comprehensive reception resource, including food); *Reception*, which includes devices such as Integral Reception (IA; aims to alleviate the vulnerable situation of the beneficiaries of the program, providing them with housing, food and basic necessities, and providing them with minimum social tools to favor their integration into the host society), Reception, Emergency and Referral Centers (CAED; after an initial individualized attention, these people are referred to other places of the system spread throughout the Spanish geography), Emergency Reception (AE; temporary facilities of an extraordinary nature), and Shared Management Centers (CGC; spaces belonging to other Public Administrations temporarily ceded for use by PCR-positive migrants and their close contacts); *Care in Day Centers* (managed by social entities and aimed at meeting the basic needs of the beneficiaries, providing them with a normalized environment and with minimum social tools to prevent as far as possible their personal deterioration and social exclusion, such as hygiene, food, laundry, clothing, Wi-Fi, support to contact networks, etc.); *Attention in Settlements* (also managed by third sector entities, and whose purpose is to assist people who come from the coasts, and are concentrated and living in areas or places in poor living conditions; and *Attention in Large Cities*, which integrates facilities that are used in emergency situations when a high influx of migrants arrives on the coasts or applicants for international protection, and overflow of the humanitarian reception system or the asylum system (these are places of temporary stay; about 10 days).

RECEPTION IN THE BASQUE COUNTRY

The Autonomous Community of the Basque Country was, decades ago, a pioneer in policies for the integration of immigrants, proactively assuming the competences in these social matters (however, it lacks the competence to emit immigration permits, grant asylum or in matters regarding border control). In fact, the Basque immigration policy itself began in 2001, after the regional elections incorporated the left-wing party IU/EB into the Basque Government. A new Department of Housing and Social Affairs was created, assigned to the aforementioned Basque political party (Decree 19/2001 of September 17), within which a new body was created: the Directorate of Immigration (Decree 40/2002 of February 12). All the instruments put in place to favor the integration of immigrants (quite scarce in number and proportion at that time), such as *Ikuspegi* (Basque Immigration Observatory), *Biltzen* (Coordination Center for Community Initiatives of Intercultural Mediation, the Forum for Integration), *Heldu* (service of socio-legal assistance to immigrants), etc., date back to this period (Blanco 2008, 199–201). As the 2008 crisis unfolded, many of these structures were reconfigured or declined, until in 2013 the Directorate of Immigration disappeared. Although many of the tools generated for the integration of the immigrant population were maintained, they became secondary.

In 2016, the migration management panorama changed. With the arrival of asylum seekers as a result of the war in Syria (relocated or on their own), and especially in 2018, due to the arrivals to Basque territory from Andalusia (to which we referred in the introduction), the reception mechanisms had to be reinforced. Thus, the transitory attention to immigrants in a situation of vulnerability, independently of the actions in favor of the integration of immigrants who decide to settle in Basque territory, takes a twofold direction that Basque institutions insist on differentiating.

On the one hand, we find assistance to asylum seekers and international protection. In this case, the Basque Government can only act when the applicants are already in Basque territory. The framework for action is constituted by the Institutional Declaration of April 3, 2017 and whose basic tools for action were the *Auzolana I* (2018) and *II* (2019) Programs, pilot programs that promoted reception experiences in municipalities and community sponsorship; and the National Reception System (designed by the Ministry and in which CEAR, the Basque Red Cross, ACCEM and MPDL participate).

On the other hand, since mid-2018 we are seeing assistance to migration in transit. It is necessary to begin by saying that, although the Basque Country, due to its location in the border area between the Spanish and French States has always been a place of passage on the route to countries in central and northern Europe, the visibility of people in transit was especially accentuated in the summer of 2018, with the tightening of border controls by the French police (Barbero 2020),

generating a temporary obstacle to mobility that left migrants stranded and without resources in Basque localities such as Irun, Donostia or Bilbao.

From 2019 onwards, Basque institutions have focused on the “new realities” of migrants in transit, and temporary assistance and support actions have been proposed, such as the Contingency Plan of 2019 and the Adaptation of the Contingency Plan to COVID-19, of 2020. They establish the resources that are placed at the service of people in transit, the procedures to be followed by the administration and collaborating entities, the requirements to access the resources, and the specific services that each resource offers. The Basque Administration insists on the importance of “not mixing the reality of migrants in transit with that of people seeking or benefiting from international protection, with that of homeless people, with that of immigrants who have been in the Basque Country for a long time with the desire to stay here, or with that of other groups in precarious situations”.

Thus, since June 2018, the resources for migrants in transit (temporary care) are mainly the shelters, although there are also some additional resources for cases in need. The shelters offer temporary reception for an approximate duration of 5 nights and with an access system based on the presentation of evidentiary documentation of transit, such as the return orders initiated in Frontera Sur (Barbero 2021b). The first reception, allocation of places and management of the stay is carried out by the Basque Red Cross (“Great Cities” Program). Initially (2018) four shelters with 227 places were conditioned: Bilbao (88 places); Donostia/ San Sebastián (30 places); Irun (60 places); and Vitoria-Gasteiz (55 places). Currently, only one remains operational (Irun), since the one in Bilbao closed in December 2019. According to data from the Basque Red Cross itself, in 2018, 6,500 people were attended in these centers; in 2019, 4,244 and in 2020, 3,493. Some of the characteristics of these users can be seen in *Table no. 1* below.

Table no. 1

**Main nationalities of users of the Bilbao and Irun shelters, 2019–2020.
Totals and proportion of women and children in each group**

| Nationality | 2019 | | | | 2020 | | | |
|----------------|-------|------|---------|------------|-------|------|---------|------------|
| | n° | % | % women | % children | n° | % | % women | % children |
| Guinea Conakry | 1,895 | 45.0 | 12.6 | 2.5 | 1,432 | 41.4 | 21.3 | 4.5 |
| Côte d’Ivoire | 874 | 20.8 | 23.8 | 4.9 | 906 | 26.2 | 36.0 | 16.8 |
| Mali | 631 | 15.0 | 2.4 | 0.2 | 480 | 13.9 | 3.5 | 0.6 |
| Senegal | 149 | 3.5 | 3.4 | 0.0 | 123 | 3.6 | 8.1 | 1.6 |
| Algeria | 115 | 2.7 | 8.7 | 15.7 | 182 | 5.3 | 1.1 | 1.1 |
| Comoros | 87 | 2.1 | 10.3 | 0.0 | 5 | 0.1 | 100 | 0.0 |
| Cameroon | 80 | 1.9 | 15.0 | 2.5 | 84 | 2.4 | 11.9 | 6.0 |
| Morocco | 47 | 1.1 | 6.4 | 0.0 | 29 | 0.8 | 17.2 | 20.7 |
| Sierra Leone | 47 | 1.1 | 4.3 | 0.0 | 34 | 1.0 | 14.7 | 5.9 |

Source: Authors’ own calculation, using data from the Basque Red Cross.

While the main entries through the southern border of Spain were nationals from Morocco (2019 and 2020) and Algeria (2020), this situation does not correspond to the users of these transitory resources, in which Moroccans and Algerians are much less represented. This may be due to several reasons. Firstly, perhaps transit to northern Europe through the Basque Country is not the option of Moroccan and Algerian nationals to the same extent as that of other people of other nationalities (either because they use other routes, or because their project is not transit, but permanence in Spain). On the other hand, even though it is a route chosen in greater numbers than observed, Moroccan and Algerian nationals use institutional resources to a lesser extent than people of other nationalities, either because they have their own networks, or because they make use of other resources (social entities), or because they do not use any type of networks at all. In short, it is people from sub-Saharan Africa who use these resources more than North Africans. On the other hand, it is important to note that among people from Guinea and Côte d'Ivoire, the presence of women is significant, with their presence increasing considerably in 2020. Malians are, however, mostly male. Finally, the presence of minors is low, except among Ivorians (almost 17% in 2020). It is true that in the case of Moroccans and Algerians the proportion is higher, but the volume of people is much smaller, so perhaps we are dealing with a few families who with a few children already raise the proportion of minors, without their presence being statistically relevant. Perhaps the type of resource (overnight shelter and basic needs) is not suitable for families with children.

In addition to the shelters managed by the Basque Red Cross, there are some additional resources, such as Olakueta Etxea, a shelter located in Berriz and launched by the Basque Government in September 2018. It is managed by staff from the Suspergintza group, the Social Intervention branch of the EDE Foundation, supported by the Inclusive Employment group of the same Foundation. It is “a residential resource whose purpose is to temporarily accommodate migrants in transit and/or applicants for international protection who are in a situation of special vulnerability, convalescing and who need a longer stay to continue with their migration project”. It has about 50 places, and the planned length of stay is about 15–20 days. According to the center's data, from September 2018 to December 2020, a total of 162 people were assisted at the Berriz center: 49 between the months of September and December 2018, 72 in 2019, and 41 in all of 2020. The composition by age and family situation of the users gives an idea of the different profiles that pass through the traditional shelters and the Berriz center.

Table no. 2

Composition by age group of the people attended to at Olakueta Etxea. 2018–2020

| Age (years) | 2018 | | 2019 | | 2020 | |
|-------------|------|------|------|------|------|------|
| | n° | % | n° | % | n° | % |
| Under 18 | 15 | 30.6 | 25 | 34.7 | 21 | 51.2 |
| 18–29 | 20 | 40.8 | 24 | 33.3 | 6 | 14.6 |
| 30–39 | 12 | 24.5 | 17 | 23.6 | 8 | 19.5 |
| 40–49 | 2 | 4.1 | 5 | 6.9 | 3 | 7.3 |
| 50 and over | 0 | 0.0 | 1 | 1.4 | 1 | 2.4 |
| No data | 0 | 0.0 | 0 | 0.0 | 2 | 4.9 |
| Total | 49 | 100 | 72 | 100 | 41 | 100 |

Source: Authors' own calculations, using data provided by the center.

Table no. 3

Family composition of the people attended to at Olakueta Etxea, by years (n°)

| Family units | 2018 | | 2019 | | 2020 | |
|--------------------------|-------|--------|-------|--------|-------|--------|
| | Units | People | Units | People | Units | People |
| Single people | 24 | 24 | 20 | 20 | 6 | 6 |
| Couples without children | 0 | 0 | 3 | 6 | 0 | 0 |
| Mother/children | 2 | 5 | 3 | 10 | 7 | 18 |
| Father/children | 0 | 0 | 0 | 0 | 1 | 2 |
| Father/mother/children | 4 | 20 | 9 | 36 | 3 | 15 |
| Total people | 30 | 49 | 35 | 72 | 17 | 41 |

Source: Authors' own calculations, using data provided by the center.

Of the 162 people who used the center during the entire period, the majority (44%) were members of complete family units (father, mother and children). About 20% were single-parent units (mothers with children, except in the case of a father with a child). One third of the users were single persons (31%). And only 4% were childless couples. Family migration has been consolidating during this period; likewise, the presence of minors has been increasing over time, reaching over 50% of users in 2020.

Another difference in relation to the Shelters is that, despite the predominance of people from Africa (66% of all users in the period), compared with nationalities from the Southern border of Spain, there is a significant proportion of people from other origins, unusual in the case of the shelters of Irun and Bilbao: 34% of users come from other origins that do not enter through the Spanish coasts, as is the case of Latin Americans and people from East Asia (Georgia, Kyrgyzstan, Syria, etc.).

Thirdly, another of the existing resources in the Basque Country is Larraña Etxea located in Oñati, managed by the asylum and refugee organization Zehar

(formerly CEAR) and available for about 100 people. Although it should be framed within the public housing system for applicants for international protection, it has a special significance in the study of migration in transit. On the one hand, as we have already said, given the multiple and changing nature of the different legal statuses of people in transit, someone who yesterday was an irregular migrant bound for France, today can become an asylum seeker, as happened to its first guests: young people between 20 and 30 years old from Guinea Conakry, Ivory Coast, Cameroon who, given the difficulty of crossing the border and after weighing their migratory strategy in Bilbao or Irun, finally chose to seek asylum in Euskadi. On the other hand, this center is also part of the centers that the Basque Government has in the Annual Contingency Plans for migrations in transit.

In addition to the above, in case of need, there are other facilities that can be used as temporary reception centers (Hondarribia, municipal buildings, etc.), all depending on the specific situations that arise in the community. For the management of these new realities and needs, in the summer of 2018, the Basque Government created the Inter-institutional Coordination Table for the Urgent Reception of Migrants in Transit (involving the Administrations and collaborating social entities), and in January 2021, a new Directorate of Migration and Asylum. The most recent action was the Contingency Plan “Uda 2021”, which activated 500 places for the reception of migrants in transit during the summer of 2021.

Finally, it is essential to include in this study the work carried out by organizations that are neither organically nor economically linked to the Public institutions, such as the *Harrera Sareak*, or citizen reception networks spread throughout the Basque geography in Irun, Bilbao, Donostia, Baiona (French Basque Country), Arrigorriaga and other municipalities (Aierbe 2020; Donadio 2022). As these authors have pointed out, these networks and platforms originate from previous experiences of social movements linked to anti-racism, environmentalism or feminism, and act under the slogan #HarreraHerria (Welcoming People) to cover the needs that were initially not met by the institutions (accommodation, maintenance, counseling, etc.) or that to this day remain unmet (reception of migrants in transit who, due to their personal circumstances, remain outside of public resources). As an example, at the beginning, in the summer of 2018, the Irun Network offered shelter and food in Lakaxita, a squatted social center, until the shelters currently managed by the Red Cross were opened. Since then, the working groups of *ropero* (clothes distribution), reception and information point and *gautxori* (night accompaniment to the Red Cross shelter) managed by the network, according to its press releases, have served more than 13,000 people, mostly men from Guinea Conakry, Ivory Coast and Mali. Their main demand is the implementation of an integral and dignified reception, that is to say, without establishing categories of situations and legal statuses excluding institutional devices, as well as the elimination of border controls between the Spanish and French States, which besides being discriminatory due to

their ethnic profile, lead to desperate decisions to cross the border, with fatal consequences. The exhaustion is such that some people die crossing the Bidasoa river, like Yaya Caramoko, drowned on May 22, 2021, Abdoulaye Koulibaly, also drowned, on August 8, or Sohaïbo Billa, who was found drowned on November 20, 2021; or thrown by a train, exhausted, after walking all night along the track to Bayonne, as happened to three Algerian boys on December 12, 2021; and others directly take their own lives, like the unnamed migrant (believed to have been called Tessfit), of Eritrean origin, who committed suicide on April 18, 2021, a few meters from the border.

CONCLUDING REMARKS

After this examination of the transit migration from southern Spain to northern Europe, passing through the Basque Country region, and the assistance resources and reception experiences that have been designed by government institutions and society to deal with this phenomenon, we can make some concluding remarks.

First of all, we can verify that the Basque Country has an important (and growing) role as a transit territory for migrants using the route from Spain to the countries of northern Europe. Despite being geographically far from the southern Spanish border, the Basque territory is not far from the movements of people who make the long journey from Africa, mainly seeking to settle in countries such as Germany, France, Belgium or the UK. It's land border with France, has converted the Basque Country into a transit migration territory to northern Europe. The data confirm this, and it is not expected that this situation will decline in the future, as long as these large international migratory movements take place.

Secondly, we have discovered that it is very difficult to obtain global statistical information on this phenomenon (from origin, transit and destination), and the quality of the information that is available is poor. The lack of data, their fragmentation, the non-standardized variables and/or their volatility over time, the difficulties in accessing existing information, etc., are impediments to developing a well-grounded understanding of the issue. Of course, it is impossible to perfectly predict migratory flows, but reliable knowledge on these flows could help us improve planning in this area greatly.

Thirdly, the reception resources made available for this form of immigration are usually the result of social demand and of the needs of the people at any given time. The Basque Government tries to prevent vulnerable situations, by identifying different scenarios, being obliged to maintain a high degree of flexibility and agility in the availability of the necessary resources. This is only possible by relying on social entities (some more institutionalized and others more alternative), as they have direct contact with migrants and know their needs. Specifically, in relation to the users of the resources made available to migrants in transit, or in a

situation of vulnerability, we have observed that the profiles of one resource and another are different. Basically, this happens because of the very orientation of the centers (definition of the services offered and specification of the type of users): short stays in shelters (services are offered to continue the journey) and “quieter” stays for people in vulnerable situations, most of whom are not identified as migrants in transit (which does not mean that they are not). The latter is particularly important if we want to discuss approaches to the “humanitarianization” of reception, in order to legitimize the geostrategic establishment of iron borders, versus others that focus more on the people and their quality of life as they transit to their destination countries. The opinion of the protagonists should undoubtedly be a primary element in these types of analyses. The actual use by migrants of the resources provided by the institutions should also be an element in assessing the success of their design, the effectiveness of their management, and their suitability to the needs of the beneficiaries.

Fourthly, the factor of access limitations, whether for documentation or temporary reasons, in the reception centers is an element that is precisely related to the issue of the humanization of border devices. Refusing reception to people who are not considered “migrants in transit” for lack of certain documentation or for exceeding certain maximum reception periods means that the person is forced to change the program or to move to other places in the territory, or even to cross borders. In this way, far from fulfilling the function of containment, inherent to the contemporary border regime, we agree with Tazzioli (2020) that the opposite effect of acceleration of mobility is produced. In cases where border control is practically total, it could lead to desperate and dramatic decisions, such as paying for clandestine networks or being injured or killed while crossing dangerous places.

In short, we believe that, given the fragility of the concept of migrant in transit, it should not be interpreted restrictively (neither scientifically nor politically), limiting it to a single migratory route (south-north), to a specific maximum transit time (one month), to a specific legal status (migrant with irregular entry into the country). Rather, it is necessary to conceive transit as a multidirectional mobility, prolonged and intermittent in time, and in which personal experiences, such as irregularity, precariousness, vulnerability due to gender or age, the need for international protection and the demand for autonomy in the migratory project are combined. A new and changing reality that forces us to be in permanent observation, in order to guarantee a dignified and quality reception.

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BIBLIOGRAPHY

- UNHCHR. 2016. *Situación de los migrantes en tránsito*. Oficina del Alto Comisionado para los Derechos Humanos. Ginebra.
- UNHCR. 2019. *Travesías desesperadas. Refugiados e inmigrantes llegan a Europa y a las fronteras europeas*.
- UNHCR. 2015-2022. *Operational Portal. Refugee Situations*: <https://data2.unhcr.org/en/search>.
- Agier, Michel. 2008. *On the Margins of the World: The Refugee Experience Today*. Cambridge: Polity Press.
- Aierbe, Peio. 2020. “Euskadi ¿tierra de Acogida? Políticas Institucionales y Redes de Acogida.” *SOS Racismo-Arrazakeria. Cuaderno de Trabajo N°70*. <http://www.mugak.eu/news/euskadi-tierrade-acogida-politicas-institucionales-y-redes-de-acogida>.
- Artero, Maurizio. 2019. “Santuarios Urbanos y El Derecho Al Tránsito: Migrantes En Tránsito Por Milán.” *Revista CIDOB d’Afers Internacionals* 2017 (123): 143–66. <https://doi.org/10.24241/rcai.2019.123.3.143>.
- Barbero, Iker. 2020. “A Ubiquitous Border for Migrants in Transit and Their Rights: Analysis and Consequences of the Reintroduction of Internal Borders in France.” *European Journal of Migration and Law* 22 (3): 366–85. <https://doi.org/10.1163/15718166-12340080>.
- . 2021a. “Los Centros de Atención Temporal de Extranjeros Como Nuevo Modelo de Gestión Migratorio: Situación Actual, (Des) Regulación Jurídica y Mecanismos de Control de Derechos y Garantías Los Centros de Atención Temporal de Extranjeros Como Nuevo Modelo de G.” *Derechos y Libertades* 45.
- . 2021b. “When Return Orders Are More than Just a Deportation Receipt: Transit Migration and Socio-Legal Meanings of Administrative Documents.” <https://doi.org/10.1080/15562948.2021.2017098>.
- . 2021c. “Refugiados En Contención: Lógicas de (in)Movilidad En Materia de Derecho de Asilo En La Frontera Sur.” *Revista CIDOB d’Afers Internacionals*, no. 129 (December): 179–202. <https://doi.org/10.24241/rcai.2021.129.3.179>.
- . (ed). 2022. *El Tránsito de Personas Migrantes Desde La Perspectiva de Los Derechos y La Acogida Digna*. Valencia: Tirant lo Blanch.
- Basok, Tanya, and Guillermo Candiz. 2020. “Containing Mobile Citizenship: Changing Geopolitics and Its Impact on Solidarity Activism in Mexico.” *Citizenship Studies* 24 (4): 474–92. <https://doi.org/10.1080/13621025.2020.1755160>.
- Blanco, Cristina. 2008. “Inmigración extranjera en el País Vasco. Estrategias políticas para la gestión de la diversidad”. *Política y Sociedad*, Vol. 45 (1): pp.187–203.
- Brown, Wendy. 2010. *Walled States, Waning Sovereignty*. New York: Zone Books. <https://doi.org/9781935408031>.
- Casas-Cortes, Maribel, Sebastian Cobarrubias, and John Pickles. 2015. “Riding Routes and Itinerant Borders: Autonomy of Migration and Border Externalization.” *Antipode* 47 (4): 894–914. <https://doi.org/10.1111/anti.12148>.
- Collyer, Michael, Franck Düvell, and Hein De Haas. 2012. “Critical Approaches to Transit Migration.” *Population, Space and Place* 18 (4): 407–14. <https://doi.org/10.1002/psp.630>.
- Collyer, Michael, Franck Düvell, Hein de Haas, and Irina Molosikova. 2014. “Introduction. Transit Migrations and European Spaces Michael.” *Transit Migration in Europe*, 13–30.
- Defensor del Pueblo. 2021. *La migración en Canarias Estudio*. Madrid: Defensor del Pueblo.
- Donadio, Giacomo. 2022. “Experiencias de Solidaridad y Acogida Hacia Las Personas En Tránsito En Espacios de Control Fronterizo: El Caso de Hegoalde (País Vasco Sur).” In *El Tránsito de Personas Migrantes Desde La Perspectiva de Los Derechos y La Acogida Digna*, edited by Iker Barbero. Valencia: Tirant lo Blanch.
- Düvell, Franck. 2012. “Transit Migration: A Blurred and Politicised Concept.” *Population, Space and Place* 18: 415–27.

- Eschbach, Karl, Jacqueline Hagan, Nestor Rodriguez, Rubén Hernández-León, and Stanley Bailey. 1999. "Death at the Border." *International Migration Review* 33 (2): 430–54. <https://doi.org/10.1177/019791839903300206>.
- Fernández-Bessa, Cristina. 2021. *Los Centros de Internamiento de Extranjeros (CIE): Una Introducción Desde Las Ciencias Penales*. Iustel.
- Fernández Bessa, Cristina, and José Brandariz García. 2016. "Transformaciones de La Penalidad Migratoria En El Contexto de La Crisis Económica: El Giro Gerencial Del Dispositivo de Deportación." *InDret* 0 (4).
- Genova, Nicholas De. 2013. "Spectacles of Migrant 'Illegality': The Scene of Exclusion, the Obscene of Inclusion." *Ethnic and Racial Studies* 36 (7): 1180–98. <https://doi.org/10.1080/01419870.2013.783710>.
- Godenau, Dirk, and Ana López-Sala. 2016. "Multi-Layered Migration Deterrence and Technology in Spanish Maritime Border Management." *Journal of Borderlands Studies* 31 (2): 151–69. <https://doi.org/10.1080/08865655.2016.1174602>.
- Massol de Rebetz, Roxane de. 2020. "How Useful Is the Concept of Transit Migration in an Intra-Schengen Mobility Context? Diving into the Migrant Smuggling and Human Trafficking Nexus in Search for Answers." *European Journal on Criminal Policy and Research*, 41–63. <https://doi.org/10.1007/s10610-020-09467-y>.
- Ruiz-Lagier, Verónica, and Amarela Varela-Huerta. 2020. "Caravanas de Migrantes y Refugiados En Tránsito Por México: El Éxodo de Jóvenes Hondureños Que Buscan, Migrando, Preservar La Vida." *EntreDiversidades. Revista de Ciencias Sociales y Humanidades* 7 (1): 92–129. <https://doi.org/10.31644/ED.V7.N1.2020.A04>.
- Rygiel, Kim. 2010. *Globalizing Citizenship*. Vancouver: University of British Columbia Press.
- . 2014. "In Life through Death: Transgressive Citizenship at the Border." *Routledge Handbook of Global Citizenship Studies*, 62–72. <https://doi.org/10.4324/9780203102015>.
- Schwartz, Helge, and Helen Schwenken. 2020. "Mobilizing for Safe Passages and Escape Aid: Challenging the 'Asylum Paradox' between Active and Activist Citizenship, Humanitarianism and Solidarity." *Citizenship Studies* 24 (4): 493–511. <https://doi.org/10.1080/13621025.2020.1755174>.
- Solanes Corella, Angeles. 2016. "Un Análisis Crítico de Los Centros de Internamiento de Extranjeros En España: Normativa, Realidad y Alternativas." *Revista Telemática de Filosofía Del Derecho (RTFD)*, no. 19: 37–76.
- Tazzioli, Martina, and William Walters. 2019. "Migration, Solidarity and the Limits of Europe." *Global Discourse* 9 (1): 175–90. <https://doi.org/10.1332/204378918X15453934506030>.
- Triandafyllidou, Anna. 2015. *Routledge Handbook of Immigration and Refugee Studies*. Routledge *Handbook of Immigration and Refugee Studies*. <https://doi.org/10.4324/9781315759302>.
- Vries, Leonie Ansems de, and Elspeth Guild. 2019. "Seeking Refuge in Europe: Spaces of Transit and the Violence of Migration Management." *Journal of Ethnic and Migration Studies* 45 (12): 2156–66. <https://doi.org/10.1080/1369183X.2018.1468308>.

Acest articol se încadrează în secnariul de migrație specific, ce s-a putut vedea în ultimii ani, în care migranții ajung la granița externă a Uniunii Europene (de obicei, Andaluzia și Insulele Canare), tranzitează prin partea continentală a Spaniei, spre granița dintre Spania și Franța (situată în regiunea autonomă a Țării Bascilor), cu intenția de a continua să meargă mai departe, spre alte țări din Nordul Europei, cum sunt Franța, Belgia sau Germania, printre altele. Scopul acestui articol este acela de a oferi o privire generală descriptivă a acestor mișcări de oameni în tranzit printr-un stat european, ca și acela de a identifica provocările pe care le resimt procesele și resursele instituționale ce a trebuit să fie create recent pentru a oferi asistență oamenilor în a-i ajuta în drumul lor, sau spre a-i

primi, atunci când circumstanțele proiectelor lor de tranzit devin dificile sau sunt alterate.

Cuvinte-cheie: migrație de tranzit, resurse instituționale, primirea migranților, granițe, Țara Bascilor, Spania.

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