

About me



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- MA (Hons), Conference Interpreting
- MA (Hons), Journalism
- MBA (International Business) St. John's University, Queens, NY

@interpreterpaul

- Member of ΣIE , the National Honorary and Professional Management Fraternity
- Court Interpreter
- Author of articles on interpreting, military interpreting.
- Member of AIIC and ATA

The Topics

- Migrations as a global phenomenon
 - Why is Africa poor? (Is it?)
 - Migrating to Europe (Regulatory Framework, Policies)
- The role of interpreters and translators
- Conclusions

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DOYOU KNOW THE DIFFERENCE...?

- Migrant/Immigrant
- Regular vs. Irregular Migrant
- Illegal Migrant

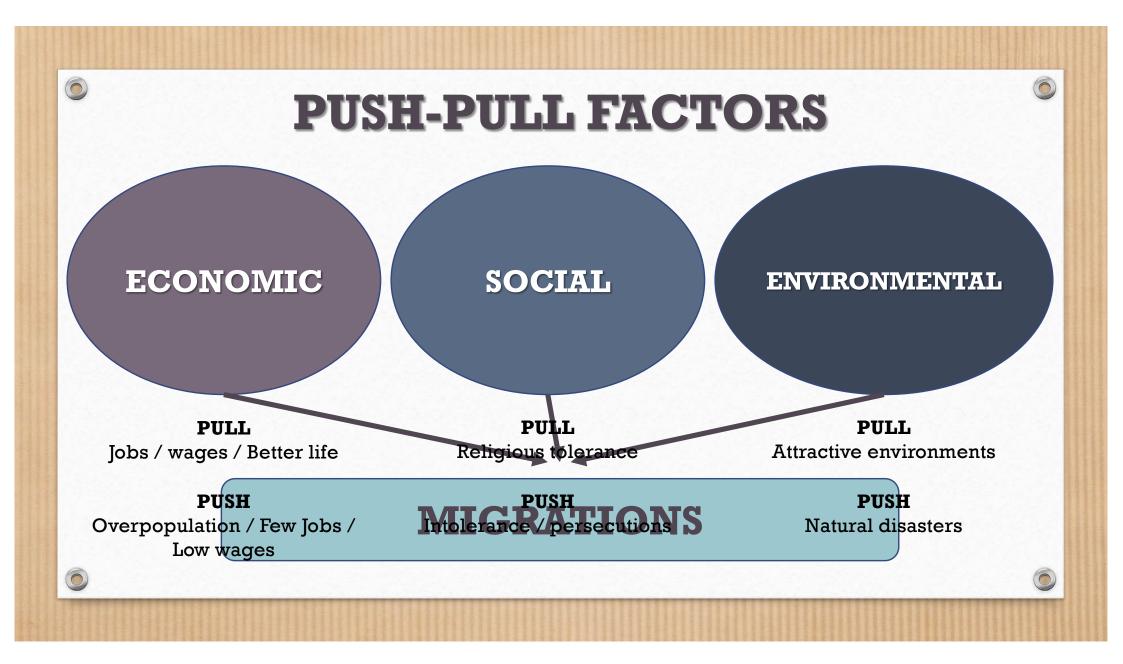
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- Economic Migrant
- (Internal) Displaced Person
- Beneficiary of International Protection

- Asylum seeker
- Refugee

Person who has "a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country".

1951 Geneva Convention, Art. 1



0 **Permanent Migrations** 3% **World Population** 1900 1.6 billion 48 million 2017 7.2 billion 216 million 2050 9.7 billion 291 million (estimated) 0

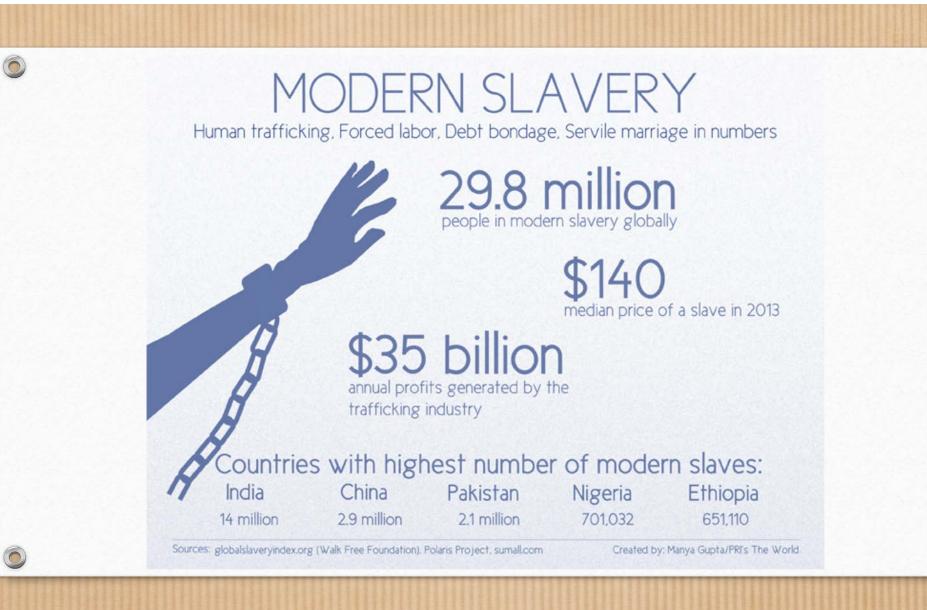
Facts about Migrations

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People with adequate means + compliant with requirements → Regular migration process

Other people \rightarrow Alternative process

A means to an end and a path to slavery



Crossing Sahara Desert

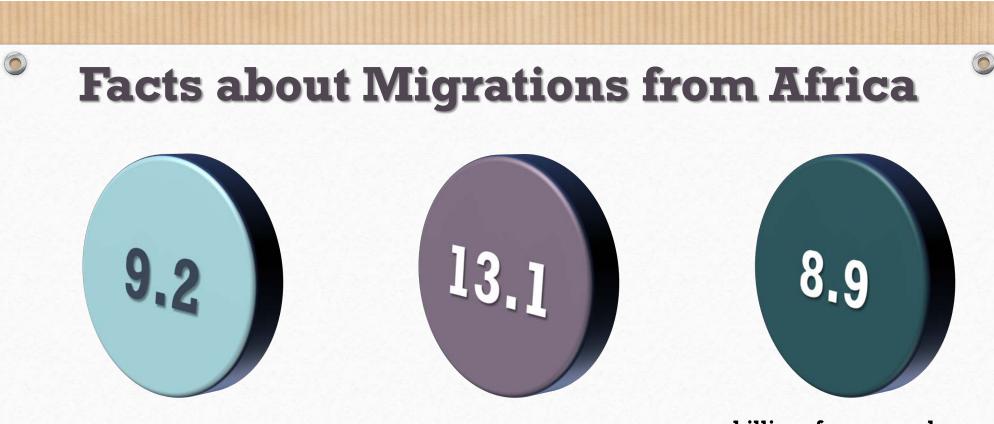
ca. \$765 million

Trans-Sahara migrant business

What the Networks Do

• Recruiting agents in West Africa

- Border crossing logistics into Niger
- Border police (\$5 bribe per migrant)
- Niger-based smugglers across Sahara
- Owners of safe houses or "ghettos" for migrants
- Armed groups (collect illegal taxes / protect networks)
- Libyan smugglers (Mediterranean crossing / sex trafficking rings)
- Organized crime to exploit migrants upon arrival



billions from sexual exploitation and abuse

billion industry

Sex trafficking is in high demand

million people

Facts about Migrations from Africa

THREATS

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- Forced labor
- Sexual Exploitation and Abuse (SEA)
- Forced marriages
- Child soldiers

CHALLENGES

- Libya as pivot of exploitation
- Trafficking networks
- Poor interstate cooperation / poor coordination
- Attitude of law enforcement officers

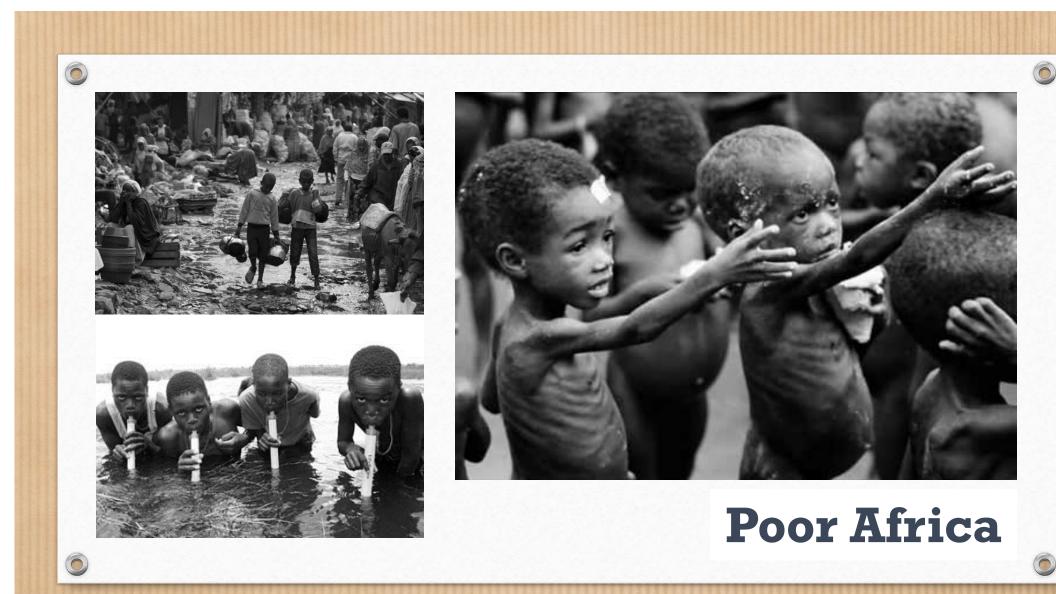


Each year, an estimated **12M GIRLS** are FORCED into MARRIAGE



WHY DO MIGRATIONS SCARE PEOPLE?

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Figures



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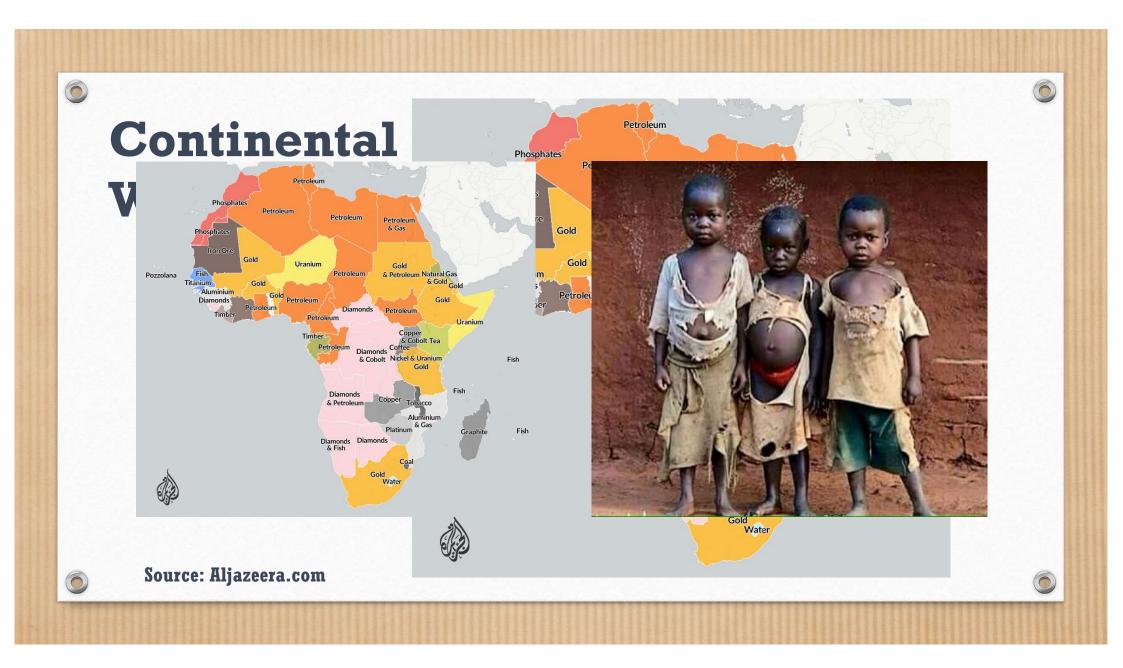
Continental GDP: +6% (2000-2012) (more than the EU's) +3,25% (2013-2016)



70% minimum, up to 100% in 15 states

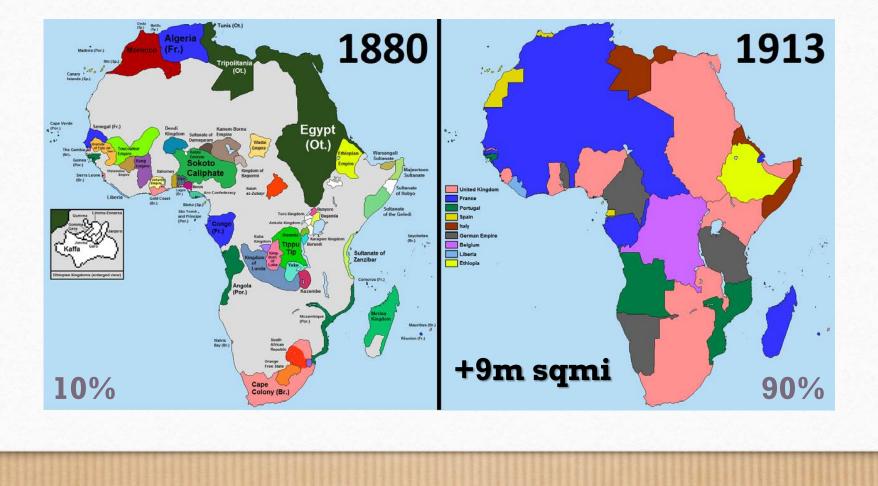


30% of users (more than Europe as a whole)



Colonization of Africa					
	Early colonies	Established colonies	FCA Franc introduced	Multinational corporations	New powers
	1880	1913	1945	2009	2019
					cramble Africa

Scramble for Africa



The FCA Franc Regime

PROs

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- Used by 14 countries (12 are former French colonies)
- Pegged to the French Franc (now Euro) on a fixed exchange rate.
- Guaranteed by French Treasury
- Very stable currency (about 2% inflation)
- Unlimited convertibility of FCA Francs into Euros

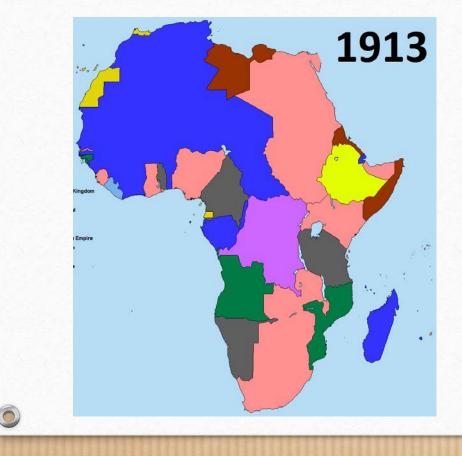
CONs

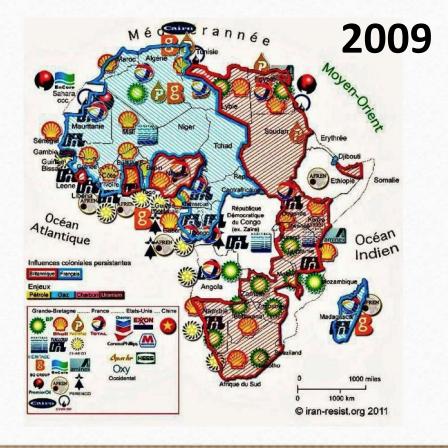
- At least 50% or foreign exchange reserves deposited in special account at French Treasury
- France pays 0.75% in interests
- France reinvests deposits (usually US Treasury bonds at 2.3% yield)
- Depositor countries export raw materials and import finished products
- Barriers to loans to individuals

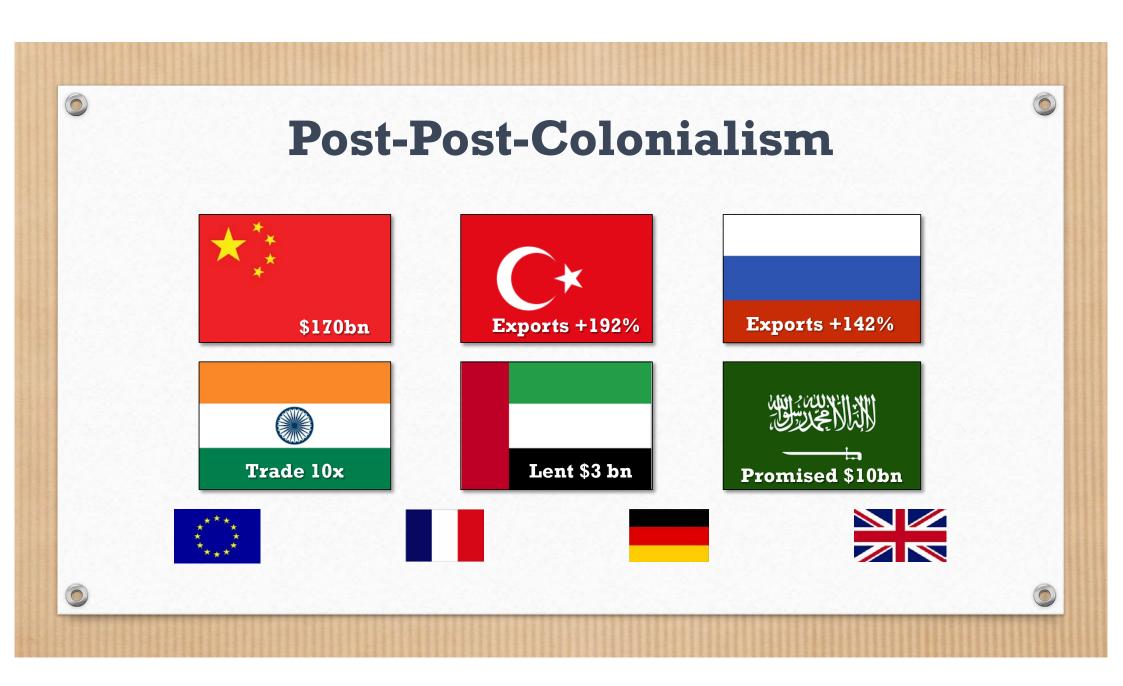
The FCA Franc Regime

Net earning	\$ 91,198,625	(\$91.2 m)
Initial amount	\$ 5,950,000,000	
Final amount	\$ 6,041,198,625	
Equals to	\$ 6,041,198,625	(\$ 6.04 bn)
Profit from reinvestment (2.3% of \$11.81 bn)	\$ 135,823,625	(\$ 135.85 m)
Difference reinvested in US Obligations US Obligation average yield (2019): 2.3%	\$ 5,905,375,000	(\$ 5.9 bn)
Interests paid to Franc CFA countries (0,75%)	-\$ 44,625,000	(\$ 44.62 m)
Deposited in French Operational Account every year	\$ 5,950,000,000	(\$ 5.95 bn)

Post(?)-Colonial Period







EU Migration and Asylum Policies

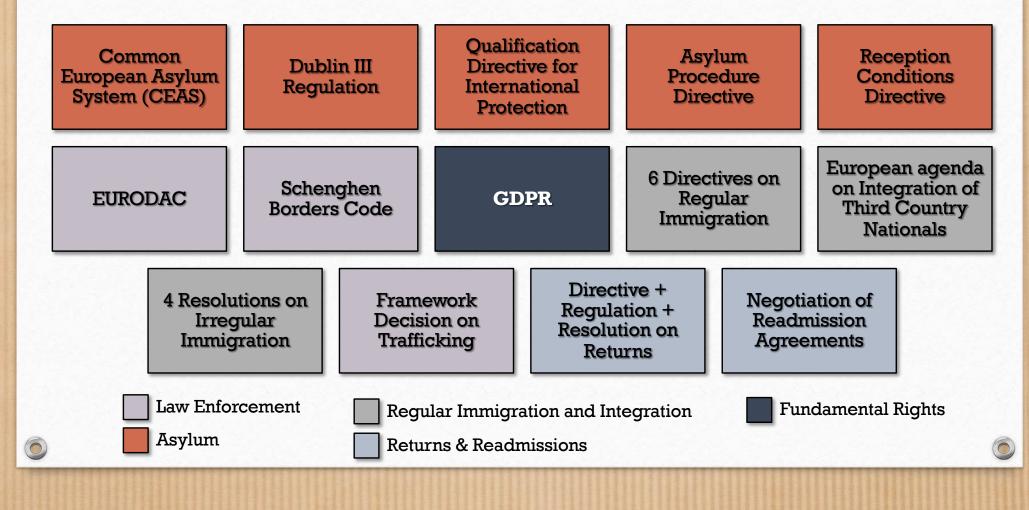
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- EU law does not allow for the regulated arrival of asylum-seekers
- EU Member States' immigration laws must comply with EU law

To qualify as refugee:

- Irregular immigrants apply for asylum
- Commission in the state of first arrival decides
- Refugees cannot be denied entry (principle of non-refoulement)
- Irregular migrants should be refused entry (Schenghen Borders Code)

EU Immigration and Asylum Regulatory Framework [©]



Reform of the Dublin System

Dublin Convention and the Dublin regime not conceived to ensure the sharing of responsibilities BUT to assign responsibility for processing asylum applications to a single State.

No general overhaul BUT corrective allocation mechanism Solidarity Contribution (€250,000 per migrant)

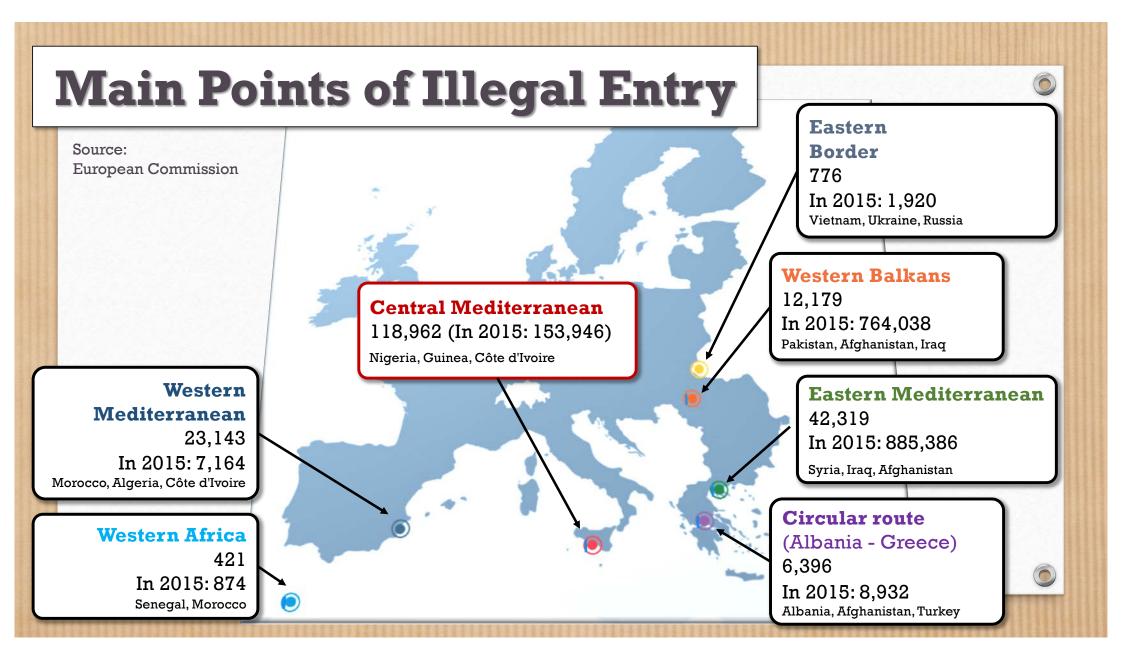
Several Stakeholders:

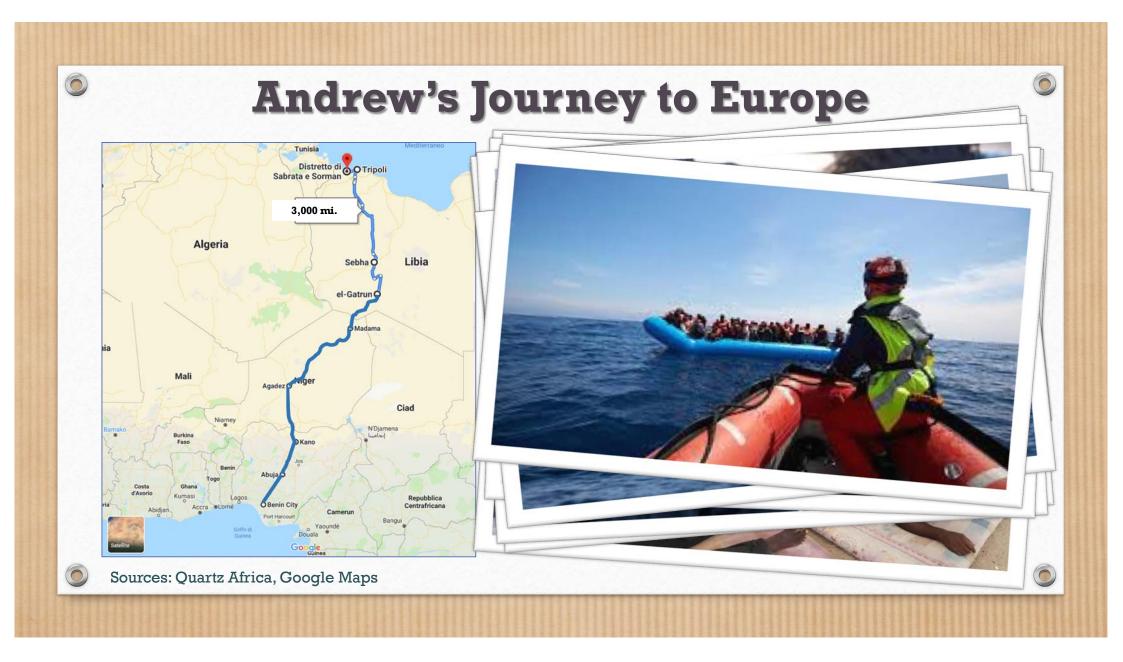
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- European Council on Refugees and Exiles (ECRE)
- European Union Agency for Fundamental Rights (FRA)
- European Data Protection Supervisor (EDPS)
- International Commission of Jurists (ICJ)
- Meijers Committee (CM)
- European Parliament Legislative Observatory (OEIL)

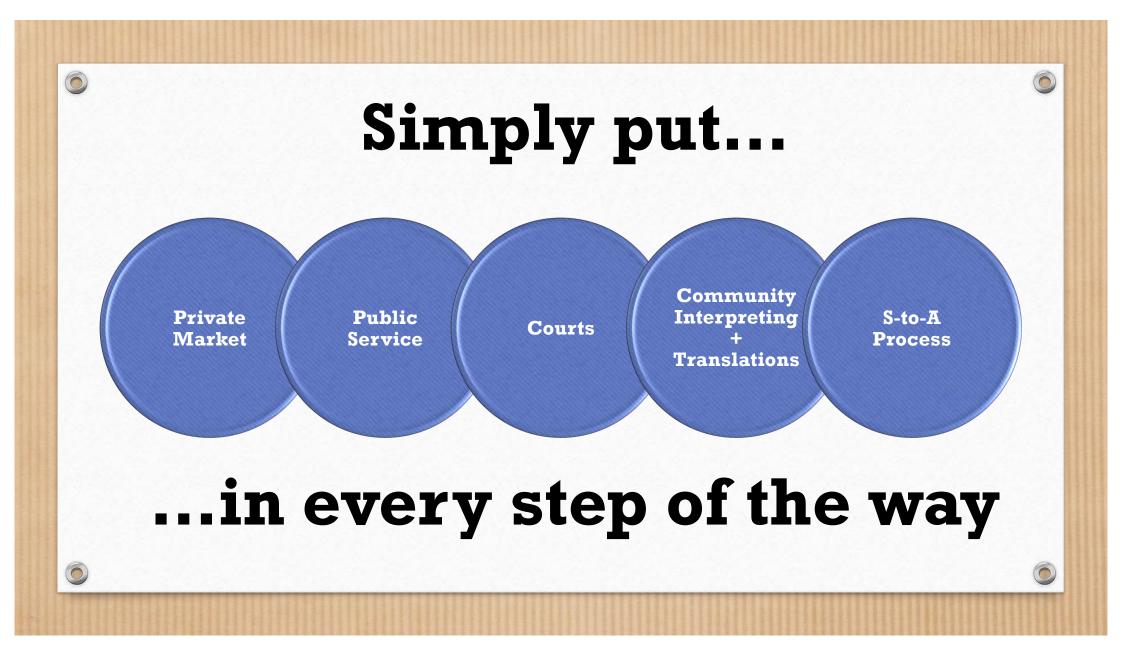
A wide regulatory framework







THE ROLE OF INTERPRETERS & TRANSLATORS



KNOW HOW & WHAT (an imperative)

Private Companies

- Corporate mission and intent
- Corporate law & Finance
- International Private Law



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Government

- Immigration Law, Asylum policy
- Immigration Regulatory Framework
- International Humanitarian Law

KNOW HOW & WHAT (an imperative)



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• Immigration Law

- Civil and Criminal Codes & Rules of Procedure
- International Humanitarian Law / International Law



Ship to Asylum Process

• Immigration Law • Asylum policy • International Humanitarian Law • Stress Management

Community Interpreting

- Asylum Procedures
- Legal assistance
- Immigration Laws
- International Humanitarian Law

Links to suggested resources (books, courses) in the downloadable pdf presentation

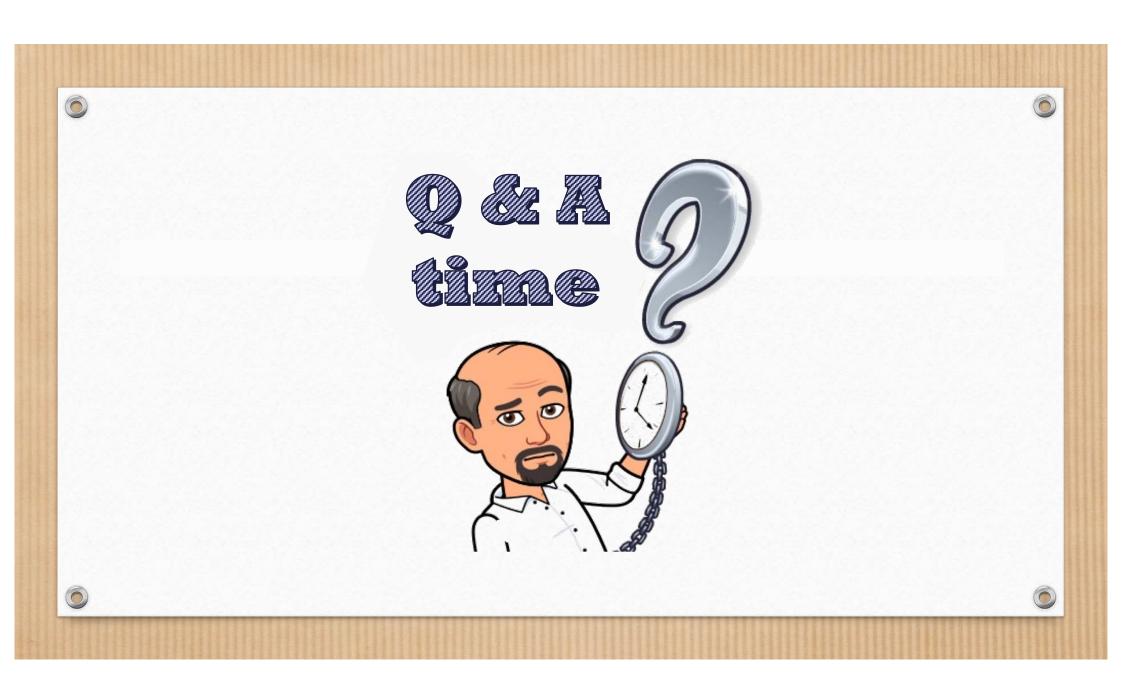
KNOW HOW & WHAT (an imperative)

- Know thy client + study its agenda & objectives
- Logistics The interpreter runs the show
- Hone your skills, practice
- Vocational Training
- Stay up to date

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THE FIVE Ps RULE





REFERENCE

- Gérard Dossouy, Contre l'Europe de Bruxelles, fonder un État européen, Tatamis Ed., 2013, 189 pp., available on Amazon.fr <u>here</u>
- Massimo Livi Bacci, A Concise History of World Population, 6th Edition, Wiley-Blackwell, March 2017, 312 pp., available on Amazon.com <u>here</u>
- Paul Collier, Exodus: How Migration is Changing Our World, Oxford University Press, May 2015, 320 pp., Available on Amazon.com <u>here</u>
- Eric Schubert Ansah, *China's Globalization to Africa: Consequences for the West's Ideological and Economic Hegemony?* Available online at <u>ResearchGate</u> (accessed 09/29/2019)
- A. Asongu, J. Nwachukwu, G. Aminkeng, *China's Strategies in Economic Diplomacy: a Survey of Updated Lessons for Africa, the West and China*. Available online at <u>ResearchGate</u> (accessed 09/29/2019)

SOURCES

 Government of Canada – Child, early and forced marriage webpage (accessed 18/09/2019)

- "The harrowing, step-by-step story of a migrant's journey to Europe" Article on <u>Quartz Africa</u> (accessed 09/18/2019)
- European Commission Migration and Home Affairs <u>webpage</u> (accessed 09/18/2019)
- Africa and Europe A new Partnership for Development, Peace, and a Better Future Federal Ministry for Economic Cooperation and Development available online <u>here</u> (accessed 09/22/2019)
- The Scramble for Business in Africa, article on The Financial Times available <u>here</u> (accessed 09/23/2019)
- The World Atlas of Illicit Flows available online <u>here</u> (accessed 10/17/2019)
- Directives, Regulations, Decisions, Recommendations from the European Parliament, European Commission, European Council (see next, with hyperlinks)

EU IMMIGRATION AND ASYLUM REGULATORY FRAMEWORK¹

Common European Asylum System (CEAS)

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<u>Regulation (EU) No 604/2013</u> of the European Parliament and of the Council of 26 June 2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person

Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted

Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection

Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection

EURODAC: European system for the comparison of fingerprints of asylum applicants

Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code)

<u>Regulation (EU) 2016/679</u> of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation)

¹ Adapted from European Parliament Fact Sheets (Immigration Policy)

EU Directives on regular immigration

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Directive 2009/50/EC on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment created the 'EU blue card', a fast-track procedure for issuing a special residence and work permit, on more attractive terms, to enable third-country workers to take up highly qualified employment in the Member States.

The <u>Single Permit Directive</u> (2011/98/EU) sets out a common, simplified procedure for third-country nationals applying for a residence and work permit in a Member State, as well as a common set of rights to be granted to regular immigrants. The first report on its implementation was due by December 2016.

<u>Directive 2014/36/EU</u> adopted in February 2014, regulates the conditions of entry and residence of third-country nationals for the purpose of employment as seasonal workers. Migrant seasonal workers are allowed to stay legally and temporarily in the EU for a maximum period of between five and nine months (depending on the Member State) to carry out an activity dependent on the passing of seasons, while retaining their principal place of residence in a third country. The directive also clarifies the set of rights to which such migrant workers are entitled.

<u>Directive 2014/66/EU</u> on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer was adopted on 15 May 2014. The directive makes it easier for businesses and multinational corporations to temporarily relocate their managers, specialists and trainee employees to their branches or subsidiaries located in the European Union.

<u>Directive (EU) 2016/801</u> on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing was adopted on 11 May 2016, and was to be transposed by 23 May 2018.

Lastly, the status of third-country nationals who are long-term residents in the European Union is still regulated by **Council <u>Directive 2003/109/EC</u>**, as amended in 2011, to extend its scope to refugees and other beneficiaries of international protection.

EU Directives on Integration

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Council <u>Directive 2003/86/EC</u> sets out provisions on the right to family reunification. Since the 2008 implementation report concluded that it was not fully and correctly applied in the Member States, the Commission published a communication, in April 2014, providing guidance to the Member States on how to apply it. The EU's competence in the field of integration is limited. In July 2011, the Commission adopted the European Agenda for the Integration of Third-Country Nationals. More recently, in June 2016 the Commission put forward an action plan, setting out a policy framework and practical steps to help Member States integrate the 20 million non-EU nationals legally resident in the EU. Existing instruments include the European Migration Forum (formerly the European Integration Forum); the Website on Integration; and the European Integration Network (until 2016 the Network of National Contact Points on Integration).

EU Directives on Irregular Immigration

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'Facilitators Package' comprises Council <u>Directive 2002/90/EC</u>, setting out a common definition of the crime of facilitating unauthorized entry, transit and residence, and <u>Framework Decision</u> 2002/946/JHA, establishing criminal sanctions for this conduct. **Trafficking** is addressed by <u>Directive 2011/36/EU</u> on preventing and combating trafficking in human beings and protecting its victims. The package is complemented by Council <u>Directive 2004/81/EC</u>, providing for the granting of a residence permit to trafficked or smuggled persons who cooperate with the competent authorities.

In May 2015, the Commission adopted the <u>EU Action Plan against migrant smuggling (2015-2020)</u>; The **Returns Directive** (2008/115/EC) sets out common EU standards and procedures for returning irregularly resident third-country nationals. In September 2017, the Commission published its updated <u>Return Handbook</u>, providing guidance relating to the performance of duties of national authorities competent for carrying out return-related tasks. Additionally, in 2016, Parliament and the Council adopted <u>Regulation (EU) 2016/1953</u> on the establishment of a European travel document for the return of illegally staying third-country nationals. <u>Directive 2009/52/EC</u> specifies sanctions and measures to be applied in Member States against employers of illegally resident third-country nationals.

Readmission Agreements

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At the same time, the EU is negotiating and concluding <u>readmission agreements</u> with countries of origin and transit with a view to returning irregular migrants and cooperating in the fight against trafficking in human beings. The so-called Joint Readmissions Committees monitor their implementation. These agreements are linked to visa facilitation agreements, which aim to provide the necessary incentive for readmission negotiations in the third country concerned without increasing irregular migration.

RESOURCES

Course	Offered By	Platform
International Humanitarian Law in Theory and Practice	Universiteit Leiden (NL) - Kalshoven-Gieskes Forum	<u>Coursera</u>
International Humanitarian Law	Université catholique de Louvain	<u>edX</u>
LLM in International Humanitarian Law and Human Rights	Geneva Academy of International Humanitarian Law and Human Rights	<u>Website</u>
Level 3 Certificate in Community Interpreting	DPSI online	<u>website</u>

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	Institution	Website			
	International Institute of Humanitarian Law (IT)	Website			
	US Federal Immigration Laws	<u>Wikipedia</u>			
	The Geneva Conventions and their Additional Protocols	<u>Cornell Law School</u>			
	Immigration Law	Refer to your national immigration law framework, as applicable.			

Book	Author	Where
S. Hale	Community Interpreting	Amazon
Rebecca Tipton, Olgierda Furmanek	Dialogue Interpreting: A Guide to Interpreting in Public Services and the Community (Routledge Interpreting Guides)	<u>Amazon</u>

