



Channel crossings, exploring the policy options: A working paper

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Introduction

1.1 In 2018 299 people began to cross the English Channel in small vessels such as dinghies. Since then, the numbers crossing the Channel in this way have increased significantly. Most Channel crossers apply for asylum, and a majority of those who are still eligible to have their applications assessed (pre Illegal Migration Act) are ultimately granted asylumⁱ.

1.2 The response of the UK's Conservative government to this phenomenon was to further fortify the British border in Northern France, and to pass new laws which designated all people arriving irregularly (i.e. not through government resettlement programmes) as inadmissible for asylum in the UK. The government also made an agreement with Rwanda that the central African state would receive some of those who arrive in the UK irregularly. It was hoped that this policy would deter people from making the journey across the Channel in the future.

1.3 A range of criticisms have been made of this policy response. Border controls in Northern France have not stopped irregular migration over the past thirty years. The Rwanda Plan has been found to be in violation of various international and national laws by the UK Supreme Courtⁱⁱ. It is based on the idea of the 'deterrent effect', which has not been found to be an effective means of stopping irregular migration for asylum globallyⁱⁱⁱ. In addition, neither the inadmissibility rules nor the Rwanda plan had any discernible impact on the plans or journeys of irregular migrants in the years after they were announced^{iv}.

1.4 Small boat Channel crossings occur because other irregular migration routes across the Channel (via the Channel Tunnel, and stowing away on lorries) have essentially been closed down after more than twenty years of bordering in Northern France, and especially around the Port of Calais. As evidence globally shows, border controls do not completely stop migration. Rather, they tend to redirect people towards more dangerous routes. As part of this process, the demand for smuggling services increases as journeys become more difficult and high-risk^v. In short, the small boat Channel crossings phenomenon, and the smuggling phenomenon in this borderzone, are both produced by the strength of border fortification.

1.5 In light of the fact that border fortification produces demand for smuggling services and redirects people on the move to more dangerous routes, it is clear that the current policy approach will not stop irregular Channel crossings. The history of this borderzone suggests that the current approach is instead more likely to produce future crises, for which new responses will need to be found.

1.6 It is also clear that what is needed is not a one time fix. There is no single 'solution' to population displacement, or forced and irregular migration, and the UK (as well as other European states) play both direct and indirect roles in instigating situations of forced displacement through military

interventions and arms sales^{vi}. What is needed is a sustainable response over the long-term that accepts migration (including for asylum) as a feature of the human world. That is, a feature that cannot be solved, fixed, policed, fenced-off, detained, or deported away, once and for all.

1.7 Various different organisations from across the political spectrum have proposed alternative policy responses to the small boat Channel crossings phenomenon. This has ranged from proposing that the UK withdraws from all international human rights conventions and places all people seeking asylum on offshore islands^{vii}, to proposing opening up new humanitarian visa schemes^{viii}, and the expansion of safe and legal routes^{ix}.

1.7 In this working paper we do not advocate for a single policy approach. Instead, we work through several ways of approaching the challenge of small boat Channel crossings. We explore both the potential of these options to address the challenge, and their limitations. Our central guiding principle is that any response should have human dignity at its heart, and should approach people on the move as rights holding human beings who are deserving of equal respect vis a vis French or British citizens. In light of this we do not work through policies which would strip people of their human rights or deport them to a third country against their will.

1.8 The current terms of the debate on immigration in the UK are highly constrained and characterised by crisis language and far right responses. What is thought of as 'realistic' has become limited to a consensus around the need for tight border controls, with some selective admission of a small number of refugees. But these are not solutions. We need to rethink what we mean by 'realistic', moving away from fantasy solutions, and towards sustainable and ongoing responses.

1.9 We hear a lot about irregular migration as a security problem, as a cultural threat, a biological threat, and the solutions proposed are then centred on security, criminalisation and dehumanisation^x.

2.0 The aim of this working paper is to push our thinking in terms of what is possible, and what might be imagined in responding to the situation unfolding in this particular borderzone.

2.1 We explore six ideas which take a different direction to the current terms of political debate, which we will take into different stakeholder communities during 2024. Option 1, which proposes the opening up of safe and legal routes for people claiming asylum, is the most common advanced by NGOs in the UK, but there are many other responses that could be advocated for. Our aim is not to persuade different stakeholders to agree with any one of these positions, but to open space to think in different ways.

Option 1: The liberal humanitarian response

Framing the problem

2.1 Channel crossings are caused by a lack of safe and legal routes. There are many people who have strong grounds for refugee status who cannot travel safely to the UK in order to gain protection. Because they cannot travel via safe routes, they take risky journeys.

The policy package

2.2 There should be more safe and legal routes for refugees to travel to the UK to receive protection. From the liberal humanitarian perspective safe and legal routes tend to fall into three categories:

- a) Resettlement schemes, mainly from countries or regions of origin
- b) Humanitarian visas either for people in Northern France or people in conflict zones to travel to the UK
- c) Mechanisms for family reunion from any location, including Northern France, for people to reunite with family members who are already in the UK

2.3 Safe routes for refugees are quite often discussed in terms of resettlement schemes. That is, people apply in regions of origin outside of Europe, and a small number are selected, often from UNHCR refugee camps. They are resettled directly (arriving by plane) to the UK. Alongside this lottery type system, another option is a quota based humanitarian or refugee visa whereby particular nationalities from known refugee origin countries can obtain a pass to travel directly to the UK.

2.4 Many people are trying to cross the Channel because they have family or friends in the UK who they plan to reunite with. Specific schemes through which they can do this should also be expanded.

Strengths

2.5 The strengths of this type of response lie in increasing the number of people who can access protection in the UK.

2.6 This will strengthen the UK's reputation on the world stage by demonstrating its willingness to adhere to international law and participate in "burden sharing"

Limitations

2.7 The main limitation of expanding safe and legal routes as a means of addressing the Channel crossings problem is when those routes are from regions of origin directly to the UK.

2.8 Resettlement schemes have become a small but important part of the international refugee system. Humanitarian or refugee visas are less commonly offered to people already in Europe. Because they involve selecting people from a larger pool of people outside of Europe, there is no evidence that they have any impact on the numbers of people who travel irregularly to apply for asylum. They will not impact people who are in Northern France and are planning to travel to the UK irregularly, and so cannot be understood as a solution to small boat Channel crossings.

2.9 This does not mean that resettlement schemes or refugee visas should not be expanded or introduced, certainly they should. But in expanding them we would be addressing a related but separate issue -playing more of a role in the broader global refugee context, rather than solving the Channel crossings phenomenon specifically.

2.9 Resettlement can only have a real impact on Channel crossings when it is directly from Northern France, or the EU more broadly. However, and conversely, if resettlement was opened up from Northern France, then more people would be attracted there as a hub for accessing resettlement. Not all would be granted resettlement and so the Channel crossings phenomenon would continue.

2.10 There is also a risk that in portraying resettlement as 'humanitarian', we hide the geopolitical contexts by which refugees are made subjects of the UK's humanitarian responses (for example in Afghanistan, Iraq, and Libya). Humanitarianism as a response (as important as this is) can erase the role of Britain in producing displacement.

2.11 Irrespective of the type of resettlement scheme, creating a group of people who will be protected always entails the production of an excluded group who will not be helped. This creates a new hierarchy of the deserving where the existence of some 'safe and legal routes' offers rhetorical resources to politicians to criminalise other modes of entry to the UK. Amongst those who are selected, resettlement schemes are often based on imaginaries of essentialised vulnerability, victimhood and the passiveness of genuine refugees. This undermines the imperative to ensure human dignity.

Option 2: The push factor response

Framing the problem

3.1 Irregular migration, including for asylum, is fundamentally caused by push factors. These can be divided into economic push factors including poverty and a lack of job opportunities; and political push factors including war, genocide, generalised violence, state failure, and human rights abuses.

The policy package

3.2 In order to stop people making dangerous journeys, investment should be focussed primarily on interventions in origin countries -removing push factors.

3.3 Economically, this could include more radical interventions which may reduce out-migration: debt relief, reparations for historical injustices, and a planned transformation of the world economy with the aim of equality for all.

3.4 In line with the current status quo, it could alternatively include development aid, economic investment, and projects focussed on youth education and employment.

3.5 Politically, action would include: the banning of arms sales from the UK into conflict situations; minimal UK military intervention in situations of armed conflict or potential conflict; a focus on diplomacy and conflict resolution in emerging conflict situations.

Strengths

3.5 There is strong evidence that while poverty does not produce international migration on a large scale, armed conflict, genocide and human rights abuses do lead to widespread out migration. It is likely that in stopping arms sales, ceasing military interventions, and focussing on securing peace, the UK can contribute to reducing out migration.

Limitations

3.6 Historically, economic interventions have included loans with structural adjustment conditions such as privatisation of national infrastructure. These have exacerbated inequalities and poverty. The evidence on the relationship between economic development and migration under conditions of global inequality is also mixed. Some research finds that development increases out migration, while other studies find that it has little effect. The evidence, then, suggests that traditional 'development'

interventions such as aid and structural adjustment will not stop out migration.

3.7 The types of economic interventions proposed in 3.3 have not been tested and so the outcome is unknown.

3.8 The types of political interventions proposed in 3.5 are also untested.

3.9 Changes which mean that people do not feel forced to leave their country of origin are long term and will not have immediate impacts on irregular migration across the Channel. Equally, some people will always continue to move, and removing push factors does not address the barriers (such as visa restrictions) that limit their ability to move legally and regularly.

Option 3: The budget shifting response

Framing the problem

3.1 Bordering produces small boat Channel crossings and debordering must therefore be part of the solution. The UK government is spending billions of pounds on bordering. Not insignificant funds are being transferred to private companies who deliver border security on behalf of the UK government. This includes contracts for biometric and software infrastructure, drones, boats, fencing, lorry security including x-ray machines and CO2 detectors, warehousing, processing, dogs, equipment such as night vision goggles, detention, and transportation.

3.2 Not only is this infrastructure very expensive, it does not succeed in stopping irregularised migration into the UK.

The policy package

3.2 Spending on border security must be dramatically reduced in order to stop dangerous journeys.

3.3 Shrinking the architecture of border security will free up a large budget which can be spent on other measures which are centred on human dignity.

3.4 This budget shifting response therefore entails moving budget allocated to part or all of this border security apparatus, and reallocating it to other activities which could better secure human dignity, safety and livability. These activities might include such things as:

- Humanitarian support in Northern France including legal advice, clean and safe accommodation, clean drinking water and food
- Safe and suitable accommodation in the UK
- An expanded budget for UK local authorities to extend services to appropriately support all communities, including new arrivals
- Settlement and integration schemes in the UK such as English language classes and support accessing benefits and employment
- Anti-racist campaigns to encourage a culture of welcome and inclusion.

3.5 This could be done gradually over time to shift from a security and exclusion centred logic, to a dignity centred logic; from security focussed spending to dignity focussed spending.

Strengths

3.6 A key strength here should be the cost saving, and the ability to invest in services within the UK. Spending money on communities and services in the UK benefits all residents.

3.7 With funds invested in public sector services within the UK, rather than transnational corporations which take profits out of the country, the benefit to the UK economy will be enhanced. There are strong precedents to bear out the positive impact on economic growth of this approach.

3.8 This approach takes budgetary responsibility out of the hands of the Home Office, which centres border security and criminality, and invests it into other government departments which centre population level support and flourishing.

Limitations

3.9 Defunding border security and reinvesting in activities that support people will not straightforwardly lead to less irregular migration. It seems likely that people will take (relatively) safer routes than small boat crossings, but without changes to the border and immigration regime, the crossings will continue.

Option 4: The shifting borders response

Framing the problem

4.1 The problem is the border, and border controls, rather than irregular migration. Any genuine solutions to irregular Channel crossings must therefore focus on solving the problem of the border, understood as the barrier at the edge of the territory.

The policy package

4.2 As the highly fortified border is what produces the small boat Channel crossings problem, any policy response must involve breaking down the border. Opening the border, moving the border, loosening the filtration system, or allowing easier flows across it must be central to the response.

4.3 This will remove or decrease demand for smuggling services, and slow or stop small boat Channel crossings.

This could include one or more of the following:

- Allow the UNHCR to operate in Northern France . They could assess and determine asylum claims, or provide legal advice to apply for refugee status in the UK or France, and appropriate support while people are waiting for a decision. The UK and France would each take an annual percentage quota of the share granted refugee status.
- Allow those who present themselves at the border as intending to apply for asylum to pass through to the UK to do so. This was the policy for Ukrainians and it prevented people finding themselves stranded at the border.
- Abolish carrier sanctions for human transportation at the UK/French border.
- Move the UK border back on to UK soil so that people can cross on ferries and present themselves to apply for asylum while on UK soil.
- The UK join Schengen, thus opening the border to all forms of mobility

4.3 Border controls which target the movement of goods (for example legal and illegal drugs, weapons, food) and livestock would be maintained. Controls on the movement of capital are minimal, so they would not necessarily be impacted.

Strengths

4.4 The strengths of this approach lie in it facilitating safe and legal travel for all who need it.

4.5 Shifting the border would limit demand for smuggling, thus destroying the business model of smugglers, and would stop irregular Channel crossings.

Limitations

4.6 While shifting or opening the border would have a range of benefits, including stopping small boat crossings, without investment in support mechanisms for arrivals, their situation will not be straightforward. The UK no longer assesses the asylum applications of new arrivals and people will have little means through which to regularise their stay. This approach cannot work without the inclusion of other responses, such as defunding in border security and investment in other areas of public provision, as well as the opening up of means of regularising one's status (into the asylum system or another status) upon arrival.

Option 5: Debordering

Framing the problem

5.1 The problem is the border, and border controls, rather than irregular migration. Any solutions must therefore focus on solving the problem of the border, understood in an expansive and deterritorialized way.

5.2 This would include addressing police violence and the 'no point of fixation policy' in Northern France, the whole architecture of border controls in and around Calais, and carrier sanctions. The UK legal and policy context, including key legislation that has limited access to refugee rights, and the hostile environment agenda are part of the problem too.

5.3 This extends into the private sector delivery of border security, including those aspects mentioned in Option 3 in France, and similarly profitable services delivered on UK territory. That is, including, but not limited to, the asylum support and housing system, immigration detention and deportation.

The policy package

5.2 As the problem is the border, understood in an expansive sense, the solution is debordering. This would combine aspects from Options 3 and 4, and go further. For example:

- Abolishing many of the laws introduced since 2002 which have sought to limit the rights of people seeking asylum in the UK
- Abolishing the hostile environment policy agenda
- Removing carrier sanctions
- Disinvesting from border security in Northern France, and using the money to support and promote dignity and flourishing of all communities resident in the UK
- This may mean an improved asylum system, or it may mean the replacement of the asylum system with a system of support for newly arrived people of different backgrounds, irrespective of entitlements under asylum rules or norms.

5.3 The agenda would need to transform how we think and talk about migration, the migrant/citizen divide, and hierarchies of deservingness in which some nationalities are welcome and others are seen as a threat.

5.4 In line with a border abolitionist perspective, the gradual dismantling of the border regime should be accompanied by the simultaneous rebuilding of alternative spaces -of protection, dignity and community for the wellbeing of all.

5.3 As with Option 4, border controls which target the movement of goods (for example legal and illegal drugs, weapons, food) and livestock would be maintained. Controls on the movement of capital are minimal, and might need to be increased in order to control tax evasion and extreme

concentrations of wealth which disadvantage the majority and undermine population flourishing.

Strengths

5.4 The strengths of this approach lie in it being the only genuine and sustainable way to destroy the business model of smugglers and the phenomenon of dangerous irregular Channel crossings.

5.5 The benefits would be felt by a broader community, including many citizens who suffer and are disadvantaged by the immigration regime and the hostile environment policy agenda.

Limitations

5.5 This option is limited by the current terms of discussion on immigration in the UK, the political consensus on the need for securitised border controls, and our ability to imagine beyond this status quo. Its main limitation is that it feels impossible in the present moment.

Option 6: A climate centred response

Framing the problem

6.0 Currently, people who are environmentally displaced, or people fleeing conflicts in which environmental degradation has an exacerbating effect, have even fewer rights than those displaced by war and persecution and are met with closed borders. Population displacement and climate change are interrelated global challenges of the human world that must be understood and addressed together.

The policy package

6.1 Since climate change will increase population displacement, exacerbating current challenges, we need to go beyond border policy and focus on global climate policy.

6.2 In the climate change policy space we need to go beyond net zero. The UK must become a world leader in climate change reversal.

6.3 In the bordering space we need to defund the border, abolish the border, and combine this with defunding fossil fuels.

6.4 A reparative politics of climate change will involve significant transfers of wealth from wealthier countries to those where population displacement is most likely to occur. It would also include rights of mobility and settlement in territories less impacted by climate change.

Strengths

6.5 Addressing the intersecting global challenges of climate change and bordering are absolutely necessary in order to ensure human dignity into the future.

6.6 The strengths of this approach lie in addressing what are going to become, over the next century, some of the primary conditions of human displacement. That is, at the point of origin, and (through debordering) in the search for sanctuary.

Limitations

6.6 This approach cannot stop climate change, as it is a process which is already set in motion. In this sense, the UK becoming a leading state in climate change reversal will not stop people from travelling, and some of those routes taken, without international collaboration, will be dangerous.

Questions to think with

7.0 In a context where the current terms of debate on asylum and immigration policy are highly constrained, the aim of this working paper is to contribute to the conversation and the space of ideas.

7.1 We can see how limited the public discussion is via the mainstream media. But people who work in NGOs and community groups have told us that they have little space to imagine beyond the current terms of the debate because they are so busy fire-fighting the immediate needs of people, and challenging the seemingly relentless pace of new legislation in this area. Each new piece of legislation seems more illiberal than the last.

7.2 Here, then, are some questions to think with:

- Which option most aligned with how you or your organisation thinks about the Channel crossings phenomenon?
- Why and how did you or your organisation come to this position?
- Have any of the options made you reconsider your position?
- If proposals that feel 'politically reasonable' to express cannot address Channel crossings or the challenges facing most people who are looking to make an asylum claim in the UK, are there ways in which they are still worth fighting for?
- If we can't stop Channel crossings without dismantling at least some of the border, how could your group or organisation argue for that?
- What language do we need to start using to change things?
- How would you or your organisation go about arguing for something more radical?

7.3 If you have thoughts about these questions, or this working paper, please [email us](#). We would love to hear more about your thinking on this topic.

6. References

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