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MIGRATION AS A THREAT TO INTERNATIONAL SECURITY

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ABSTRACT

The article presents migration as a threat to international security in the 21st century. The first part presents the problem of people migrating to Europe, including third-country nationals. It is shown that uncontrolled mass migration has forced European countries to provide budget, shelter and counselling for migrants. Furthermore, there were many cases when migration met with disapproval of indigenous people and fear of the impossibility of integrating different cultures and customs. European Union has introduced financial tools to support member countries in financing migration-related problems including the Asylum, Migration and Integration Fund; and the Internal Security Fund. The article also mentions the European immigration policy adopted in 1999. The second part of the article refers to negative effects of migration: trafficking in human beings and forced labour. It is shown that they are widely practiced. To eliminate illegal activities, actions, which the author describes, are being taken within Europe. Polish people have also experienced trafficking in human beings

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and forced labour abroad. Such crimes have been reported within Poland as well. Finally the author states that the security of the European Union is threatened not only by external migrants, but also by citizens who migrate internally.

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Introduction

Migration continues to be a challenge and a threat to both internal and international security. Despite numerous attempts to prevent migration, it has not been possible to eliminate it. It should be noted that it affects all the following levels: social, economic and political. The world is currently dealing with this issue in the form of the migration crisis that has been taking place since 2015. However, migration must be seen as a more complex problem due to the not always controlled movement of people within the European Union itself.

Both internal and external security are threatened by migration. The movement of people has been taking place for centuries and is caused by various factors such as striving for better economic situation, escaping from areas at risk of armed conflict, the desire to change one's lifestyle or place of residence, etc. As examples, one can enumerate economic emigration at the turn of the 19th and 20th centuries, migrations in Western Europe which began after World War II and ended in 1973, migrations in the 1980s and 1990s, or migrations after the year 2000.1

One can divide migrations into domestic and foreign. The former "are defined as changes of permanent or temporary residence linked to the crossing of the administrative boundary of a town or municipality in order to settle for permanent or temporary residence".² Foreign migrations are

¹ See J. Balicki, *Imigranci i uchodźcy w Unii Europejskiej. Humanizacja polityki imigracyjnej i azylowej*, Warszawa 2012, pp. 20–28.

² J. Balicki, P. Stalker, *Polityka imigracyjna i azylowa*, Warszawa 2006, p. 17.

understood as "permanent or temporary migrations in which the state border is crossed. They are defined as emigration when viewed from the point of view of the sending country (departure from the country of permanent residence) or immigration when viewed from the point of view of the host country (arrival in the country of destination)".³

Thus, migrants can also be divided into categories according to such factors as territorial range (internal or external migration), migration time, number of migrants (e.g. individual, group), cause of migration, or the migrants'legal status. Using such categories of division, one can distinguish: settlers, contract workers, specialists, legal immigrants, asylum seekers and refugees.⁴

1. Migration crisis in Europe

Since 2015, migration crisis in Europe has been taking place, which is the result of refugees and immigrants moving to the Old Continent. This is very controversial among indigenous Europeans. They do not agree with such a large number of newcomers, nor with the payment of social benefits and the provision of living conditions for them. The situation has also become serious for the European Union, which has tried to solve this problem by imposing admission limits on Member States. This has been met with great reluctance and disapproval by countries that oppose this practice.

According to data from the European Council on Refugees and Exiles, it is concluded that in 2015 Germany hosted 800,000 migrants on its territory, and United Kingdom and France, counted together, 650,000.

The problem of allocating immigrants has become extremely difficult, due to the fact that some countries are not willing to accept immigrants for longer than three months. This is justified by the lack of sufficient budget, shelter and counselling. There are also opinions in Europe that the continent is unable to integrate such a large number of migrants, who differ greatly in culture and customs. In addition, they come from countries where there are gender inequalities and do not speak European languages. There is also a belief that their aim is to choose a country that pursues a social policy that benefits them (e.g. Germany, Austria, Norway, Sweden).⁵

³ *Ibidem*, p. 18.

⁴ *Ibidem*, p. 43.

⁵ I. Lonescu, L. Luchian, *Economic implications of the new migration wave in Europe*, "Annals of the University of Oradea. Economic Science Series", 2016, vol. 25, issue 1, p. 37.

According to the World Migration Report 2018 issued by the International Organisation for Migration, there are statistically estimated to be 244 million migrants worldwide, or 3.3% of the world's population. Migration has now reached a record level compared to previous years. Internal resettlement is estimated at more than 40 million and the number of refugees at more than 22 million.⁶

Third-country nationals (Syria, Afghanistan, Eritrea) are also illegally crossing the border. Compared to previous years, sea borders were illegally crossed by 245 in 2014 and by 1,033 in 2015, and land borders by 38 in 2014, and a year later, by 789.⁷

Table 1. Statistics on the arrival of migrants by sea (Mediterranean)

Year	Number of border crossings by sea	Number of deaths or disappearances while attempting to cross the border by sea
2017	172,301	3,139
2016	362,753	5,096
2015	1,015,078	3,771
2014	216,054	3,538

Source: own elaboration based on: *Most common nationalities of Mediterranean sea and land arrivals from January 2018*, "Operational Data Portal", 1 January 2018, http://data2.unhcr.org/en/situations/mediterranean (accessed: 28.04.2018).

1.1 Financial tools used by the European Union to support Member States

The European Union in the field of asylum, migration and borders supports Member States with two funding tools, namely the Asylum, Migration and Integration Fund (AMIF) and the Internal Security Fund (ISF).

⁶ International Organization for Migration (IOM) – The UN Migration Agency, *World Migration Report 2018*, Geneva 2017, https://publications.iom.int/system/files/pdf/wmr_2018_en.pdf (accessed: 28.04.2018).

⁷ European Parliament – European Parliamentary Research Service, *Migration and asylum*, http://www.europarl.europa.eu/thinktank/infographics/migration/public/index. html?page (accessed: 28.04.2018).

The amounts allocated to the budget of these funds for 2014–2020 are EUR 3.14 billion to AMIF and EUR 2.76 billion to ISF.8

Table 2. EU financial allocations in the field of asylum, migration and borders, by Member State (in EUR)

Member State/ Associated country	Basic allocations					
	Asylum, Migration and Integra- tion Fund	Internal Security Fund – Borders	Internal Security Fund – Police	Specific actions	Resettle- ment	TOTAL
Austria (AMIF)	64,533,977				6,000,000	70,533,977
Belgium (AMIF)	89,250,977			5,013,765.12	4,000,000	98,264,742.12
Belgium (AMIF)		17,519,321	17,903,270	3,798,000		39,220,591
Bulgaria (AMIF)	10,006,777					10,006,777
Czech Republic (AMIF)	26,185,177				1,500,000	27,685,177
Czech Republic (ISF)		14,381,484	17,029,012	774,000		32,184,496
Germany (AMIF)	208,416,877				13,000,000	221,418,877
Germany (ISF)		51,753,437	79,504,401	3,195,000		134,452,838
Denmark (ISF)		10,322,133				10,322,133
Estonia (AMIF)	10,156,577					10,156,577
Finland (AMIF)	23,488,777				20,650,000	44,138,777
France (AMIF)	265,565,577			2,295,000	18,730,000	286,590,577
France (ISF)		84,999,342	70,114,640	22,050,000		177,163,942
Hungary (AMIF)	23,713,477				400,000	24,113,477

⁸ European Parliament – European Parliamentary Research Service, 4/4. Budget. Asylum, migration, borders and the EU budget, [in:] Migration and asylum, http://www.europarl.europa.eu/thinktank/infographics/migration/public/index.html?page=budgets (accessed: 28.04.2018).

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Lithuania (AMIF)	9,632,277					9,632,277
Luxembourg (AMIF)	7,160,577				800,000	7,960,577
Malta (AMIF)	17,178,877					17,178,877
Netherlands (AMIF)	94,419,077			26,750,000	9,860,000	131,029,077
Portugal (AMIF)	32,776,377				1,080,000	33,856,377
Romania (AMIF)	21,915,877			1,935,000	580,000	24,430,877
Slovenia (AMIF)	14,725,477					14,725,477
United King- dom (AMIF)	370,425,577				22,200,000	392,625,577

Source: European Commission, *Investing in an open and secure Europe:* €1.8 billion to fund Asylum, Migration, Integration and Security, 25 March 2015, http://europa.eu/rapid/press-release_IP-15-4662_pl.htm (accessed: 28.04.2018).

In addition, the European Union has also applied new solutions to financing the migration problem, namely, it has created trust funds, which are a new instrument for external action. The most important ones that specifically address the problem of migration are the Madad Trust Fund, which is estimated at EUR 500 million. It was created to help those affected by the Syrian conflict. The second is an extraordinary trust fund for Africa, estimated at EUR 1.8 billion. It aims to improve the quality of life in home countries and encourage people to stay there by, among other things, improving food safety and security.⁹

In addition, in the years 2015–2016, the EU allocated additional funds to the problem of refugees outside Europe. The catalogue of these activities includes:

- humanitarian aid, amount: EUR 2.15 billion;
- security (including border control), amount: EUR 300 million;
- counter-terrorism, amount: EUR 100 million;
- the problem of the return of refugees and displaced persons to their home countries, amount: EUR 280 million;
- education and health, amount: EUR 70 million.¹⁰

⁹ Ibidem.

¹⁰ Ibidem.

Chart 1. Number of asylum seekers (non-EU) in the EU and EFTA Member States, 2016 and 2017^{11}

(yellow: 2016; blue: 2017)

Source: File:Number of (non-EU) asylum seekers in the EU and EFTA Member States, 2016 and 2017 (thousands of first time applicants) YB18.png, "Eurostat – Statistics Explained", 20 March 2018, http://ec.europa.eu/eurostat/statistics-explained/index. php?title=File:Number_of_(non EU)_asylum_seekers_in_the_EU_and_EFTA_Member_States,_2016_and_2017_(thousands_of_first_time_applicants)_YB18.png (accessed: 28.04.2018).

1.2 European immigration policy

For years, the European Union has had a European immigration policy that focuses on legal and illegal migration, its management and asylum policy. It should be stressed that efforts to establish a Common European Asylum System started already in 1999 and focused, inter alia, on:

¹¹ Number of first-time applicants in thousands; Germany, Italy, France, Greece, United Kingdom, Spain, Sweden, Austria, Netherlands, Belgium, Romania, Cyprus, Finland, Bulgaria, Denmark, Hungary, Poland, Ireland, Luxembourg, Malta, Slovenia, Czech Republic, Portugal, Croatia, Lithuania, Latvia, Estonia, Slovakia, Liechtenstein, Switzerland, Norway, Iceland.

- the establishment of uniform procedures in the Member States for the granting of refugee status,
- the determination of which States within the Community are to examine an asylum application. 12

However, it must be objectively acknowledged that the asylum system has proved to be underdeveloped (border control system, illegal migration) and that its shortcomings have been highlighted by the migration crisis in Europe, which, as has already been mentioned, started in 2015. The number of asylum seekers (Chart 1) and the related procedures were found to be underdeveloped.

2. Trafficking in human beings and forced labour – the negative side of migration

The other side of migration is the problems associated with this phenomenon, namely human trafficking and forced labour.

Human trafficking is understood to be "the recruitment, transportation, supply, transfer, harbouring or receipt of a person using:

- 1. violence or threats of unlawful interference,
- 2. abduction,
- 3. deception,
- 4. misleading or exploiting an error or inability to understand the action taken,
- 5. abuse of the relationship of dependency, critical position or state of helplessness,
- 6. granting or accepting a material or personal benefit or its promise to a person who is in charge of or supervises another person in order to exploit it, even with their consent, in particular in prostitution, pornography or other forms of sexual exploitation, in forced labour or services, in begging, in slavery or in other forms of exploitation degrading human dignity, or in order to obtain cells, tissues or organs contrary to the provisions of the Act. If the conduct of the offender concerns a minor, it constitutes human trafficking, even if the methods or means listed in points 1 to 6 have not been used".¹⁴

¹² European Parliament, *Migration in Europe*, 30 June 2017, http://www.europarl.europa.eu/news/pl/headlines/society/20170629STO78632/migracja-w-europie (accessed: 28.04.2018).

¹³ Ibidem.

¹⁴ Act of 6 June, 1997. Penal Code, Journal of Laws No. 88, item 553, as amended.

2.1 Actions being taken in Europe to prevent human trafficking

One of the actions to address the problem of human trafficking was *The Stockholm Programme – An open and secure Europe serving and protecting the citizens* for the years 2010–2014. According to the recommendations of the document, the priority of the European Union was to create an internal security strategy for the EU, which in its assumptions was to fight cross-border crime and terrorism. It was supposed to include, among other things, human trafficking.¹⁵

The EU Internal Security Strategy, adopted by the Justice and Home Affairs Council on 25–26 February 2010 and endorsed by the European Council on 25–26 March 2010, identifies the challenges and threats as "increasing serious and organised crime", and identifies its forms as trafficking in and smuggling of human beings. It also mentions the previously identified security threat, namely terrorism in all its forms.¹⁶

The next document was issued in April 2011; it was Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA.¹⁷

In 2012, The EU Strategy towards the Eradication of Trafficking in Human Beings 2012–2016 was announced. The priority of the announced strategy was primarily to identify, protect and assist victims of human trafficking. It is assumed that the identification of such persons is extremely difficult, however, due to the fact that society operates in many sectors, it may come into contact with the victim. It is assumed that support for such persons should be based on the provision of safe accommodation as well as material, medical, psychological, counselling and translation services. From the perspective of the strategy, it is important to establish effective monitoring and evaluation procedures, starting with the Member States and ending

¹⁵ An open and secure Europe serving and protecting citizens, Journal of Laws C 115/1, 4.05.2010.

¹⁶ General Secretariat of the Council – European Council – Council of the European Union, *Internal security strategy for the European Union – Towards a European security model*, March 2010, http://www.consilium.europa.eu/media/30744/qc3010313plc.pdf (accessed: 28.04.2018).

¹⁷ Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA, Journal of Laws L 101, 15.04.2011.

with the creation of effective international action.¹⁸ The strategy has five main objectives:

- 1. assistance, recognition and protection of victims of human trafficking,
- 2. developing preventive action in the field of human trafficking,
- 3. intensified efforts to prosecute traffickers,
- 4. improving the coordination and cooperation of key actors, as well as the completeness of the document,
- 5. gaining relevant knowledge on human trafficking (new forms of action and current problems), and thus appropriately selected action to solve the problem.¹⁹

An estimated 63,251 victims of human trafficking were detected in 2012–2014, assuming that there were 21,000,000 victims of forced labour. Most victims were used for sexual services (54%), forced labour (38%) and other purposes (8%). The majority of victims were female (71%), 51% women and 20% girls. On the other hand, 21% of the victims were men and 8% were boys.²⁰

However, it should be noted that, despite the numerous measures to combat human trafficking, the established procedures leave much to be desired. A victim of human trafficking is presumed to have the possibility of staying in the country to which he or she has been transported, or may be forcibly or voluntarily transferred to his or her home country. Despite the fact that victims are offered legal assistance, complicated procedures make it difficult to obtain temporary residence and work rights. In the United States, for example, fewer than 10,000 such visas have been issued in 18 years, and the *Act of 2000* stipulates that 5,000 visas can be issued annually. On the other hand, in the European Union in the years 2011–2012, more

¹⁸ European Commission, *The EU Strategy towards the Eradication of Trafficking in Human Beings 2012–2016*, February 2013, https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/eu_strategy_towards_the_eradication_of_trafficking_in_human_beings_2012-2016_1.pdf (accessed: 28.04.2018).

¹⁹ European Commission, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. The EU Strategy towards the Eradication of Trafficking in Human Beings 2012–2016, 19 June 2012, https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52012DC0286&from=EN (accessed: 28.04.2018).

²⁰ European Parliament, *Human trafficking: nearly 16,000 victims in the EU*, 17 October 2017, http://www.europarl.europa.eu/news/en/headlines/society/20171012STO85932/human-trafficking-nearly-16-000-victims-in-the-eu (accessed: 28.04.2018).

than half of victims of human trafficking (from outside the EU) obtained such a permit. 21

2.2. Polish citizens as victims of human trafficking and forced labour

Polish citizens are also becoming victims of human trafficking and forced labour. Migration of Polish citizens outside the borders of the country was particularly intensified after Poland joined the structures of the European Union in 2004.²² It was also then that, in search of better prospects, Poles began to migrate en masse to Great Britain, Ireland, the Netherlands and, after opening the labour markets, also to Germany. This forced the necessity to increase the awareness of Poles about the threats that await them in the target countries. It should be noted that in the majority of cases victims of human trafficking and forced labour were persons who did not have or had only little knowledge of their laws and regulations in force in the country, were not able to communicate in a foreign language, or were intimidated. Cases for these reasons were most often not reported to the relevant law enforcement authorities on the territory of the countries where the victims were staying.

2.3. Trafficking in human beings and forced labour in Poland

In Poland, there is also human trafficking and exploitation for forced labour. In 2015 the Prosecutor's Office registered 41 cases of foreigners – victims of human trafficking, and 115 persons (including 41 foreigners) received the status of victims.²³ Not always controlled movement of people forced the establishment of new institutions and organisations which deal with the problem of human trafficking (Table 3).

²¹ D. Brennan, S. Plambech, *Editorial: Moving Forward—Life after trafficking*, "Anti-Trafficking Review", 2018, no. 10, DOI 10.14197/atr.201218101, p. 5.

²² See I. Szkurłat, *Emigracja a bezpieczeństwo (wybrane przykłady i aspekty)*, "Studia nad Bezpieczeństwem", 2016, no. 1, p. 191.

²³ Unit Against Trafficking in Human Beings in the Analyses and Migration Policy – Department of the Ministry of the Interior and Administration, *Trafficking in human beings in Poland. Report 2015*, Warszawa 2016.

Table 3. Institutions dealing with the problem of human trafficking in Poland

Name of institution/organisation		Time of appointment
Team for Combating and Preventing Human Trafficking		Ordinance no. 23 of the Prime Minister of 5 March 2004
Ministry of the Interior and Administra- tion, within the Department of Migration Analysis and Policy (DAiPM) – Team for Counteracting Human Trafficking		The department has been in operation since 2006.
	Division on Combating Human Trafficking	The decision of the Commander in Chief of the Police of 22 January 2014
Police	Teams Against Human Trafficking	Ordinance no. 14 of the Commander in Chief of the Police of 10 June 2015 on certain tasks performed by the Police in the scope of recognition, prevention and detection of human trafficking offences and any other related criminal offences
	Permanent Monitoring and Coordination Team of the Border Guard for Preventing and Combating Crime of Human Trafficking	In 2008, it was appointed by the Main Headquarters of the Border Guard.
Border Guard	Within the structures of the Operational and Investigative Board of the Main Headquarters of the Border Guard, there is a Department of Investigative Affairs of the Main Headquarters of the Border Guard.	
	Committee on Illegal Migration and Human Trafficking	since 2009
P	ublic Prosecutor's Office	
Department for Organised Crime and Corruption		
special prosecutor-coordinator for human trafficking		
appointed prosecutors acting as consultants on human trafficking		
provincial teams on human trafficking		2015 – completion of the team building process

National Labour Inspectorate (PIP)	
Office for Foreigners	
Ministry of Family, Labour and Social Policy	
National Intervention and Consultation Centre for Polish and Foreign Victims of Trafficking in Human Beings	
All-Poland Network of Non-Governmental Organisations Against Human Trafficking	from 2014 onwards

Source: own study based on: Unit Against Trafficking in Human Beings in the Analyses and Migration Policy – Department of the Ministry of the Interior and Administration, *Trafficking in human beings in Poland. Report 2015*, Warszawa 2016.

Conclusion

The movement of people and migration within the European Union has also become a threat to the internal security of individual countries. "The free movement of citizens from our country after accession to the European Union has resulted not only in the movement of honest people to improve their quality of life, but also in the movement of criminals who wanted to avoid punishment. The subjective feeling that »blending into the crowd of metropolises« outside the borders of one's own country will result in freedom has become illusory. It is true that some migrants have, in this way, managed to delay their sentences by as much as a few years. At the same time, many criminals prosecuted under the European Arrest Warrant were handed over to the Polish side at a faster pace. It should be stressed that at that time a group of people convicted of crimes committed in Poland was or is staying in the United Kingdom. On the other hand, different situations were those in which the perpetrators of crimes in the territory of this country were Poles". 24

It should therefore be noted that migration is a threat in many respects. At the moment, we are focusing primarily on the migration crisis and the

²⁴ I. Szkurłat, Wpływ polskiej emigracji na bezpieczeństwo w Wielkiej Brytanii (wybrane aspekty), [in:] Europa w dobie kryzys migracyjnego, A. Kwiatkowski (ed.), Kraków 2016, p. 254.

influx of outsiders. However, it should not be forgotten that countries are also threatened by European Union citizens who migrate internally.

Migration should be considered in terms of threats to the internal security of the state, but also threats that occur for the migrants themselves. These include, above all, human trafficking and forced labour. Unfortunately, due to the fact that the population is seeking, above all, better living conditions, many people are experiencing the negative effects of migration. The current migration crisis also poses a challenge to the policies of both national and international authorities. It has consequences to governance and cooperation between countries, including security, social and economic issues. It is extremely difficult to develop a common EU internal security policy and to create a properly functioning European security model.

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