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‘International organizations in a humanitarian context: the case of irregular migration’.

Marie GUEYE, Ph. D.

Center for High Studies in Defense and Security (CHEDS).

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***Corresponding author:** Marie GUEYE, Ph. D.

Center for High Studies in Defense and Security (CHEDS).

Abstract

International organisations play a crucial role in humanitarian context where states and nation fail to correctly tackle this kind of crisis. Actually, people would put the blame on their governants and /or leaders whenever turmoils dominates in some places in their countries. NGO benefits from a kind of privilege with such an appreciation and adhesion from local communities and are consequently more inclined to stick on it. However, we cannot ignore the reversal aspect of the medal when NGOs cause violence of all kinds in places they are supposed to carry out peace, stability, and harmony. But given that migration is in another level of what we can call international crisis (many countries are directly and indirectly involved), the confrontation between countries and international NGO is sometimes much more about controversies on policies. In effect, we are dealing with a qualitative analysis of conflicts, strictly speaking, by means of humanitarian action. So, in this article, the emphasis is put on roles and responsibilities of nations, NGOs and migrants themselves in order to figure out what has become, years after years, a humanitarian crisis, and a matter of security that is not about to disappear.

Keywords: Humanitarian, NGOs, migration, migrants, action, violation, geopolitics, crisis, conflicts. security, peace.

INTRODUCTION

NGOs first appeared on the international political scene with the 1840 World Convention against Slavery. The aim of this convention was to banish all forms of slavery from human practice. International organizations are numerous and present in many countries. In general, depending on whether they are offshoots of

the United Nations or the initiative of individuals or countries concerned with international development and stability, world peace and security, they almost have the status of diplomats, we are tempted to say, and enjoy freedom of action in many fields, wherever they set up and operate. But in many cases, they have no

legal definition. The 1993 Vienna Conference reinforced this status by recognizing the important contribution they make to the promotion and protection of human rights. This is what makes them so influential on governments, particularly those in poor countries, whose decision-making power is somewhat limited at international level, and even in their own countries in some cases. According to Philippe Ryfman, professor and researcher in political science, they can even be legally entrusted with the tasks of monitoring, alerting and even investigating... We'll get back to this rather complex aspect later in this article. For nations experiencing a degree of socio-political instability, these organizations are both an asset and a disadvantage, since they are both free in their actions and limited in their reports and minutes. In effect, we are dealing with a qualitative analysis of conflicts, strictly speaking, by means of humanitarian action. When we speak of NGOs, we inevitably think of that well-ordered form of relief that takes care of all mankind. Here, the stakes are in countries violently shaken by socio-political crises of varying scope; at least, that's the initial situation we're seeking to study in this document. An example of a situation that resembles a humanitarian crisis would be the phenomenon of migration. Consequently, the new situation is that 'on tend de plus en plus à représenter le phénomène migratoire sous un angle politico-sécuritaire alors que par le passé ce problème était traité sous un angle socio-économique'¹ which is prompting international organizations to take a greater interest. This is the main thrust of this article.

I- MIGRATION: A HUMANITARIAN CRISIS IN PERMANENT TURMOIL

In the tumult of migration, and especially of clandestine immigration, organizations such as the International Organization for Migration (IOM) play the role of regulators and defenders of migrants' rights, since the national legislation of most immigration countries does not take the status of immigrants into account. Or if they do, it's only on paper, in an official capacity. But in practice, the reality is often quite different. Beyond the fait accompli, international organizations, and above all those at national and local level, are not only whistle-blowers but active observers. In fact, they draw the attention of local and international authorities to events that are potentially disastrous for humanity in general and for their country in particular.

Alerts are based on reports from the organizations' representatives in each member country on the situation there. This information is gathered not only through meetings with local communities and authorities, but also through an almost exhaustive analysis of current events in the country where they are based. Their upstream work is more than essential for setting up specialized reception structures on arrival in the country of immigration. As a result, "not only have NGOs multiplied, but their participation in universal or regional systems for the protection of rights has expanded considerably. Local, national and regional organizations have increasingly claimed a voice in international forums"².

¹ Dris Cherif. La question migratoire dans les relations euroméditerranéennes. Entre intégration et obsession sécuritaire. In : *Hommes et Migrations*, n°1266, Mars-avril 2007. Nouvelles figures de l'immigration en France et en Méditerranée. pp. 126-139.

² Lucie Lemonde, « Le rôle des organisations non-gouvernementales », p. 2.

International opinion attaches a great deal of importance to the work of international organizations, particularly in countries where emigration almost never subsides, and where the authorities seem powerless in the face of rising or continuing migratory flows. And in this vein, Michel Maitta added in a complimentary tone that 'And even if governments have been and still are sometimes absent in the face of these specific challenges, NGOs have already proved that they are capable of adapting and meeting humanitarian challenges'³. At the emigration stage, NGOs are the main promoters of financial stability, providing project financing and the necessary support to help their investment bear fruit. The funding is aimed not only at young entrepreneurs who seem to have given up the idea of emigrating altogether, but also at low-income women whose social (family) responsibilities keep them poor and dependent on others, in this case their husbands. But this show of solidarity has failed miserably at times and in places, and those in power have been singled out for blame in most cases. The proof is that, on Monday July 24, 2023, among other examples, more than fifteen (15) lifeless bodies were fished out of the sea off Ouakam, a commune of Dakar in Senegal. This tragedy was preceded a few weeks earlier by the shipwreck of some forty would-be immigrants. In the latter case, the Senegalese authorities denied the facts and revised the figures downwards.

As for the immigration stage, the first action taken by certain international organizations is to organize rescue operations on the open sea, even if the means are not always available. The fact remains that every time they intervene, lives are saved from the abyss of the waters and the clutches of pirates and highway robbers in some places. This is a criminal group, a transnational network that navigates between interstate maritime territories and also in neutral territory, i.e. international waters. However, this type of attack on the high seas has lost some of its vigor since some Western countries have joined forces to lose them. As a result, these criminal networks have been completely dismantled.

This predisposition on the part of international organizations, which we'll call maritime action, follows the notorious negligence and reluctance of national patrols in the countries most sought-after by migrants to rescue them at sea, especially when weather conditions are bad. This behavior, which we could describe as inhumane, does not fall within the scope of international conventions for migrants. In fact, whatever the type of migration, i.e., the means or route one chooses to embark on the migratory journey, the actors are always protected by international law, particularly migration at sea. Indeed, "under general international law, migration by sea is not illegal per se. States of origin and destination try to curb this phenomenon through their legislation"⁴. Article 89 of the 1994 United Nations Convention on the Law of the Sea, Montego Bay, underlines the "illegitimacy of claims of sovereignty over the high seas"⁵. States are therefore obliged to

³ Michel Maitta, « Origine et Evolution des ONG dans le système humanitaire international », dans *Revue internationale et stratégique*, 2015/2 (n°98), p. 53-59, DOI 10.3917/ris.098.0053

⁴ François Xavier Saluden, « Le statut du migrant clandestin en Haute mer » in Dormoy D. et Slim H.

(dir.), *Réfugiés, immigration clandestine et centres de rétention des immigrés clandestins en droit international*, Bruylant, Bruxelles, 2008, pp.1-50.

⁵ *Convention des Nations Unies sur le droit de la mer*, entrée en vigueur le 16 novembre 1994, R.T.N.U. vol.

provide assistance and protection to anyone in a migrant position. Immigration is an absolute right that neither the country of origin nor the host country can challenge. This is one of the reasons why international organizations have set themselves the task of defending migrants, assisting and protecting them through a wide range of actions, such as socio-medical care, which is essential from the very first days.

In addition to international organizations, there are volunteers mandated or commissioned by certain States through development programs dedicated mainly to vulnerable groups and low-income populations. These volunteers, like international organizations, have a heavy responsibility to pay particular attention to the needs and requests of migrants. Organizations and volunteers, or any other service for the cause of migrants, are often directly involved in certain agreements that countries of immigration sign with countries of emigration. These agreements are generated by the former's desire to "legally" block the way to migrants, even if they have arrived at their destination. In fact, these agreements are known as compulsory readmission agreements. Indeed,

"Effective return, readmission and reintegration policies that respect international laws and standards are at the heart of good migration management, and aim to tackle irregular migration in a way that deters anyone from risking their life. Often, readmission agreements are key components of broader international cooperation"⁶

This process is the hallmark of many buffer states, which are responsible for guarding Europe's maritime borders via the Mediterranean (the preferred route of entry for migrants). If several European countries are affected by the arrival of migrants, they can carry out a "community repatriation", demonstrating their willingness to mark their union in good time and bad. Such clauses include Operation Ulysses, coordinated by Spain and endorsed by the Thessaloniki (2003) and The Hague (2004) summits.

In implementing these agreements, the role of the organizations is more active than usual. This time, the starting point is Europe. Consequently, travel conditions must not be the same as arrival conditions. They have to be better, because we're repatriating people who've been dreaming of a better life in a foreign country. If repatriation is by sea, there's no question of it taking place in makeshift boats, or in boats that invite drama and relive the trauma of the outward journey. If, on the other hand, the authorities opt for air transport, the same conditions of care and attention must apply. No negligence, no inhuman act must tarnish this visible and positive side of humanitarian action. We'll come back to the humanitarian aspect of these organizations' work when we talk about the humanism that can emerge when we talk about illegal immigration. We'll be looking to see whether humanism has a chance of blossoming and bearing lasting fruit in a context of illegality.

In the modern migration scenario, almost everything suggests that illegal immigration is the preserve of Africans and Latin

Americans. Illegal immigration takes only one direction, from south to north. At first glance, the aim is to point the finger at the impoverishment and socio-economic instability of the migrants' countries of origin. Elsewhere in the West in general, and in Europe in particular, illegal immigration does exist. But it happens to be stifled by the concept of integration, which promotes the free movement of people and goods. These are the advantages of the "Schengen acquis"⁷. However, this form of integration is not unique to Europe. Africa and other continents have done the same. Alongside this intra-European migration, citizens of certain European countries such as Portugal are flocking to Angola as their new Eldorado. The country's oil and many other resources are driving its development. The rigor, even severity, of European border controls is not comparable to that practiced at the borders linking or separating Africa from Europe, i.e., it is easier to leave Europe than to enter it. This discrepancy is preferential and highlights the inevitable confrontation between humanism and racism.

In fact, we deal with illegal immigration in the face of conflicting relations with national bodies and consensual contact with international ones. But what can we reproach these institutions for when it comes to caring for immigrants ? Well, not much, because they're there to try and remedy an abnormality. The problem is that there is no unanimity on how to resolve the anomaly; each of them is right on the basis of what they advocate. However, in the end, it is as though ' (...) NGOs should seek to relay the cause of the poor, and not just to alleviate or treat the causes of poverty'⁸. But the fact remains that "in the face of the disappearance or weakness of certain States, and the general trend towards the shrinking of regal spaces, NGOs are helping to fill the void thus created"⁹.

Two groups come into play in this context of relative conflict: in the first group, states place the interests of the state above anything to do with the interests of individuals or a few entities. The state, in all its power, takes precedence over the individual and his or her aspirations. The second group is made up of the most dynamic players in the migration context. They place the individual at the heart of their concerns, and all their actions are geared to his or her well-being, even in difficult or even extreme conditions. The fact remains that all parties have a part to play in the vast and intriguing field of illegal immigration, so strong and insistent is the demand. States alone cannot devise and implement effective strategies to counter this phenomenon, which has become the headache of modern times. The governments of countries of emigration and immigration need the technical and financial support of international organizations in their quest for solutions. In this

⁷ « L'Acquis schengen », né de l'Accord Schengen de 1985, est donc un élément fondamental du premier pilier communautaire » dans le traité d'Amsterdam, en 1997, dans le traité de l'Union européenne. Il a été signé par 3 pays dont la France, les pays du Benelux et l'Allemagne. C'est l'ensemble des règles et règlements que les législateurs ont votés et que les Etats membres ont adoptés. Il promeut non seulement la libre circulation des personnes et des biens, mais aussi, la sécurité dans et à la frontière des Etats membres.

⁸ Marc-Antoine Pérouse De Montclos, « Pour un développement humanitaire ? », Les ONG à l'épreuve de la critique, dans *Objectifs Suds, Les défis du développement*, Marseille, 2015 ? p. 79.

⁹ Philippe Ryfman, « A quoi servent les ONG », dans *Vie Publique*, au cœur du débat public, Publié le 24 septembre 2020, p.1.

1834, p. 3ss., disponible sur < http://www.un.org/french/law/los/convention_accords_y_relatifs/convention_i nformations_generales.htm > (consulté le 9 septembre 2006), article 89.

⁶ Document thématique sur la réadmission, dans Pacte Mondial sur les migrations, OIM.

respect, Mapé Mbada, an infantry officer of Togolese origin, emphasizes that “development aid and the fight against poverty seem to be the best solution to combat this phenomenon at source in the long term”¹⁰. However, it's not always the poor who go underground. In general, it's the difficulty of obtaining a visa for the country of their heart that is at the root of this suicidal choice. According to Mbada, this aspect of illegal immigration calls into question the effectiveness of development aid. This is all the more true given that some candidates will even tell you that they don't need aid and simply want to leave their country. We'll come back to the relevance of the solutions proposed by Mbada to curb the phenomenon of African immigration to Europe, which has become a catastrophe in the eyes of many international bodies.

When it comes to research, analysis and conclusions, organizations are the best. Their pragmatism is commensurate with their ambitions as a structure contributing to human development. As such, “they have emerged from the discretion that for a time accompanied their altruistic vocation, by imposing their identity and expressing their own conceptions in the world of development donors and actors”¹¹. They are the masters of statistics and the eyewitnesses to social events, whether inhumane or not. Following their approach and applying their recommendations is often life-saving. It should be noted that these recommendations are not always applicable to African countries, as they advocate things that don't fit in with many African values. In other words, African reality often doesn't rhyme with Western culture. And it so happens that many international organizations are inspired by Western Christian values, which are often at odds with the values of immigrants - first African, then Senegalese, for example, and finally Muslim. But most migrants are aware of this form of domination known as acculturation. Many of them are prepared to bow to the demands of these organizations, at the risk of abandoning their culture of origin. They understand that immigration is a right, and that achieving a dignified life as an immigrant requires choices, and choices that are not at all easy to make.

State structures and international organizations often find themselves in situations where they are obliged to speak with one voice, as in non-international armed conflict. And when they speak with a single voice, each sees himself playing the role of the other, authority passing from one camp to the other and in no way detracting from their credibility, for the greater good of immigrants. It goes without saying that conflicts are nothing more than a false reproduction of misinterpretations and difficulties of cohabitation between people or entities who, from the outset of their relationship, refused to exploit their points of convergence. Even immigrants should be able to take part in this drive to normalize relations, bearing in mind that, for security reasons, states have the right to protect their territory, and that migrants too, protected by customary and conventional international law, have the right to want to settle in the country of their choice.

This leads us to recall that national laws do not take precedence over international conventions. Rather, they must conform to these conventions to gain credibility on the international stage. However, it has to be said that many of the great so-called democratic powers have not signed conventions that could call into question their

freedom to govern and position themselves in geopolitical terms. From the point of view of countries that have signed conventions, having a say at international meetings, especially when it comes to deciding on global peace and security, is a privilege that should not be overlooked. This advantage or provision is bound to weigh heavily in the balance of multilateral cooperation in the area of greatest interest to the beneficiary country. This state of affairs leads us to agree that

“The literature available on NGOs is now substantial, but suffers from prejudices that are too poorly mastered, or from stances based on practical ideals that still expose it to the opposite but equally derisory biases of naive enchantment and convenient denigration”¹².

Today, international relations are increasingly polarized. Consequently, a state that goes it alone is a rogue state that is more to be feared because its solitary nature perfectly conceals its power to cause harm. On the face of it, its situation is not necessarily a weakness.

II- NGOS: BETWEEN COMMITMENT AND COMPLACENCY

The primary mission of a non-governmental organization is either to support existing governmental systems, or to bypass these modes of governance and create new ones according to its own principles. However, “NGOs can and must be the object of controlled, serene and distanced questioning and knowledge, refusing to accept the ease of consecration, the shortcomings of splendid ignorance or the dubious delights of stigmatization”¹³. In the formulation and even in the practice of humanitarian action, there is talk of commitment in a plethora of forms: commitment to life in general, but also and above all? commitment to human rights and to everything that contributes to the well-being and preservation of nature in all its diversity. Indeed, the protection or preservation of nature truly became part of the strategic plan of NGOs in the early 2000s. And since then, it has become a priority for every progressive, nature-friendly NGO. However, NGOs are not unanimously supported because they sometimes forget that ‘the underlying idea is that the local or national level is the most relevant for improving humanitarian response. The processes of decolonization and the questioning of Western omnipotence have also affected the humanitarian sector in that the strength, methods and values transmitted by INGOs are being called into question’¹⁴, due to the strategic differences that geopolitics imposes on all nations. Depending on whether or not the NGO's country of origin has good diplomatic relations, its freedom to operate can be severely tested in the host country. In this type of international cooperation, the interests of all parties are at stake, depending on the political and social context that determines the content of the actions to be carried out.

If an NGO has the upper hand in a country's domestic policy, or even goes so far as to influence its relations with foreign countries, it becomes an all-powerful nation in a weakened, muzzled state. Clearly, NGOS under the sponsorship or tutelage of the great international powers tend to have the same powers of influence as

¹² J.-P. Deler et al., *ONG et Développement*, op. cit., p. 17.

¹³ Ibidem, p. 17.

¹⁴ Ophélie Sparwald. Les ONG internationales dans le monde humanitaire de demain : quelles stratégies d'adaptation face aux évolutions du système humanitaire international ? Science politique. 2018. dumas-02542053, p. 30.

¹⁰ Mapé Mbada, « L'immigration clandestine », op. cit., p. 4.

¹¹ J.-P. Deler et al., *ONG et Développement*, Paris, Editions Karthala, 1998, p. 9.

they do. Nowadays, this situation arises against a backdrop of neo-colonialism, which is deeply rooted in the mentality of certain former colonial powers. France-Africa in international relations is a perfect illustration. France has been lurking in the shadows of these cooperative relations, laying down the law in these countries since the semblance of independence in the 1960s. Over the years, this interference has been granted a margin of normalcy. In some West African countries, for example, the military have been forced to leave their camps and get involved in political and social affairs. And what's worse, some NGOs are accused of colluding with these powers by turning a blind eye to what appears to be a plundering of natural resources.

NGOs are quick to denounce vehemently the numerous human rights violations in these countries under foreign control, but are careful not to speak out against the nebulous contracts that the crooked leaders of French-speaking African countries sign with France and other powers. As a result, military powers and certain dictatorial regimes have opted for the hard way: either NGOs are on their side, and there they can quietly do their job, or they insist on covering up the evil doings of the great powers, and there they are expelled at the slightest slip-up. Their status as diplomats under international humanitarian law or certain disproportionately adopted conventions often leads them to ignore the domestic provisions of the countries in which they operate. Countries like Senegal, too proud of its position as an exception in terms of political stability in a French-speaking West African region where many countries are suffering the full force of military and/or terrorist excesses, or are simply in a state of democratic stagnation, have almost blindly signed up to all the international conventions without first taking the time to check their conformity with, or at least applicability to, national laws, when we know that international law stipulates that conventions are above national laws. All over the world, countries that are targets for NGOs refer to them as international lobbies, because NGOs are more concerned with their financial stability, and therefore their survival, than with their integrity or credibility.

In areas of socio-political conflict, NGOs are the focus of attention for the parties involved. They are expected to act impartially and to bring the protagonists and/or belligerents to a lull or, better still, a ceasefire, depending on the type of conflict. However, let's not lose sight of the fact that their primary mission (or at least that of humanitarian NGOs) is to help civilians, who are often the victims of conflict. After all, aren't all NGOs humanitarian in nature? We are even tempted to say that this is their primary identity, beyond the fact that "NGOs are characterized by the private origin of their constitution, the voluntary nature of their activities and the international character of their objectives"¹⁵. The regions of Central and Horn of Africa, and the zones of tension in West Africa, are areas where NGOs hardly have a good reputation, due to the feeling of belonging to countries or third parties suspected of taking sides. In these areas of absolute insecurity, the perspectives and actions of NGOs are crucial. Indeed, it is they (the NGOs) who determine the international community's assessment of the degree of deterioration in the security environment. This gives them unfailing credibility, especially when the opposing camps accuse each other of being the perpetrators of crimes or violations of international law and justice. Under these conditions, NGOs are

not only arbitrators, but also eyewitnesses who could eventually be summoned before ad hoc and permanent tribunals.

The United Nations, graciously referred to as the mother of NGOs, is indeed accused of exactions against women, children and men in vulnerable conditions. In the Democratic Republic of Congo, peacekeepers were sent back to their countries of origin and even suspended, following cases or suspicions of rape of women and girls. This state of affairs gave rise to new forms of tension, with the men of the aforementioned countries revolting against these soldiers, and definitively sealed the hostility of the Congolese to the presence of agents and armed forces working in the name of the United Nations. In the Central African Republic, the UN's presence would have taken the opposite tack to the bad actions noted in the Congo, despite isolated cases of exactions. In this rather complex country, the UN was able to restore its image by setting up a system that physically and geographically separates the opposing parties. The UN's success in this country reflects the population's enormous need to regain a measure of peace. Indeed, the violence of the fighting was unprecedented and was striking from almost every direction. The intervention of a foreign entity was more than necessary and expected.

From the League of Nations (League) to the United Nations, protecting civilians and preventing conflagration in zones of great tension and war have been the main roles of this organization, which claims to be universal. In reality, the bodies still referred to as UN agencies serve as a reference for the many NGOs, particularly those operating in a humanitarian context. They are escorted and supervised by UN forces for reasons of security and strategy. For this reason, a commission has been set up under the aegis of FIDH, which "will serve to further legitimize the action of rights defenders and provide additional leverage in the fight against repression and obstacles in their path"¹⁶. In a zone of instability, danger can come from anywhere, especially when it comes to getting the food or logistical aid you need. The perfect example of this is the conflict between Israel and Hamas. Since the Hamas attack on Israeli citizens and interests on October 07, 2024, Israel has separated the Gaza Strip from the rest of the world. Humanitarian corridors are scrupulously controlled by the Israeli army, and aid arrives in dribs and drabs. One of the reasons for this is that the Israeli authorities fear that the aid will be intercepted by Hamas and that the real recipients will have little access to it.

This type of relationship between NGOs and a sovereign state is highly complex. Both sides accuse each other of violating international conventions. Sometimes, NGOs expose themselves dangerously and become victims instead of rescuers and bearers of hope. The case of the American NGO whose three members perished in an accidental attack in 2024 by the Israeli army is a perfect illustration. This unfortunate major incident almost marred relations between Israel and its long-standing, everyday ally, the United States of America. In other words, certain NGOs, whether UN-sponsored or not, can in one way or another call into question the domestic policy of a state, however strong it may be. In fact, NGOs combine ideology and strategy in the way they carry out their activities. They are both partners and disruptors. As in any contract, when one of the parties disengages and moves away from the common objective, the partnership gradually crumbles and gives way to confrontation.

¹⁵ Hélène Convard et al., *Les ONG, Outils d'intelligence économique ?* dans Info Labo, p.2.

¹⁶ Lucie Lemonde, « Le rôle des organisations non-gouvernementales », p.6.

During natural disasters, it's often a case of putting into practice commitments made here and there in relatively peaceful circumstances, because, let's face it, NGOs are not true partners with each other. There's always this sort of competition based not on results but rather on positioning. In fact, they have to show the countries where they practice humanitarian law and operate independently that they are the most efficient and effective compared to others. The advantage of focusing on a humanitarian emergency, caused by a natural disaster, is that it is more humane, especially as no one is held responsible in the first place. So it's much simpler to find channels of convergence and not dwell on details. Commitment to this common challenge, which affects many coastal and mostly poor countries, is a duty of humanism, often linked to the colonial, political and socio-economic history of these regions of the world. When such events occur, local measures are never enough. Far from it. As a result, international organizations, all powerful by virtue of their reputation and origin (in this case, we're referring to the country of origin), are jostling for position at the doorstep of affected countries. There are a number of reasons for this willingness to come to the aid of a country hit by a natural disaster. Firstly, NGOs want the whole world, and in particular their major donors, to see that they are not throwing their money away, and that they are putting it to good use. Secondly, however absurd it may seem, they are eager for tragedies to occur, so as to build up their response capacity. Thirdly, the small guns need to rub shoulders with the big guns for an unlikely self-evaluation.

An NGO should not try to please in times of crisis, because although it has the status of a state, with all its duties and obligations, but above all its rights, it should remain focused on its primary objective: that of providing relief in an emergency situation. Sometimes, relations between an NGO established in a state are as disastrous as those between two enemy states. These inter-state conflicts can escalate to the point of spilling over into the organization's home country. In the philosophy of humanitarian action, one crisis must never lead to another, lest the stranglehold between the protagonists tighten. A crisis must be resolved through dialogue, leading to lasting peace.

CONCLUSION

NGOs have succeeded in reconfiguring international relations, giving them a structure much more suited to the specific humanitarian context of each country. Bilateral or multilateral cooperation is set in motion according to the type of relationship between the country of origin and the country where the NGO is based. This is why some NGOs are allowed to operate in any country in the midst of a humanitarian crisis, while others are forbidden to do so at all. It is therefore essential for states to have full control over their territory and to ensure its security. Considered as a highly complex societal phenomenon, irregular immigration has come to occupy much of the humanitarian space. As a result, it has become a global issue that is unlikely to fade away, given the recurrence of reports of breaches of international humanitarian law. Irregular immigration by sea has proved to be the most dangerous of all migratory routes. And when the transit factor is added, the problem becomes doubly acute and must be tackled in the same way, i.e. on two levels before the decisive factor of reception comes into play.

Usually, it is during the transit stage that immigration takes on its humanitarian character, as this is where the major obstacles to the successful completion of the journey arise. Pirates and their

acolytes, the road cutters on the land routes used by migrants, are the focus of many humanitarian initiatives and actions. Indeed, NGOs and governments are working together to combat these scourges effectively, despite the differences between them. All these factors make illegal immigration a humanitarian crisis in permanent turmoil. More than wars, and in particular inter-state conflicts, illegal immigration is a real headache for states, due to its recurrence and the tensions it causes within the host society. From the country of origin to the host country, via the transit country, the migrant wears his or her various irregularity-stained clothes, which does nothing for his or her conscience. In fact, the ultimate aim of the migratory journey is to arrive safely at the destination, whatever the cost.

The role of NGOs in a humanitarian context is threefold: firstly, in terms of prevention, because they (NGOs) know how to spot the warning signs long before governments do, most of the time. Secondly, if, despite their role as sentinels, a humanitarian crisis other than a natural disaster still occurs, they are 80% involved in conflict management and resolution. And finally, in the aftermath of a crisis, NGOs invest humanly, technically and morally in creating an environment conducive to the resilience of affected populations and the rebuilding of infrastructures. In short, the humanitarian action of NGOs, while very noble, sustains illegal immigration and offends nations that don't want it at all. Without it, however, our world would be constantly plagued by laws and legislation that are specific to each country, and that erect barriers between peoples. Irregular immigration, incredible as it may seem, with the direct or indirect help of NGOs, still manages to help "mix peoples".

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