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EU MIGRATION PARTNERSHIPS: A WORK IN PROGRESS

By Elizabeth Collett and Aliyyah Ahad

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Executive Summary

The European Union (EU) has long recognised that cooperation with third countries is integral to its efforts to successfully manage migration. The EU toolbox on migration involves a plethora of overlapping continental, regional, and bilateral frameworks, dialogues, funding instruments, and projects with countries of origin and transit. One of the key levers at the disposal of the European Union and its Member States has been the creation of new funding instruments, such as the EU Emergency Trust Fund for Africa, and an overarching rationale for how to approach migration management, encapsulated in the 2016 Migration Partnership Framework. These types of initiatives are not new in and of themselves, but these recent upgrades reflect the rapid ascension of migration from a tangential issue in foreign and development policy to a top, cross-cutting priority following the 2015–16 European migration and refugee crisis.

The Partnership Framework identified five priority partnership countries—Ethiopia, Mali, Niger, Nigeria, and Senegal—with the intention of creating more tailored ‘compacts’ (comprehensive, cross-policy agreements) in other regions. However, the European Union’s explicit goals of decreasing irregular arrivals and increasing returns of migrants without legal grounds to stay in Europe are at odds with the interests of many of its third-country partners. This misalignment of priorities can have unintended consequences. On top of this, by not engaging in a sufficiently robust and realistic assessment of the broader needs and capabilities of its partners, including their political and economic fragility and capacity to respond to shifting migration flows, the European Union may be setting unrealistic expectations or, at worst, compromising the very migration management goals it is pursuing.

The European Union’s explicit goals of decreasing irregular arrivals and increasing returns are at odds with the interests of many of its third-country partners.

While some partners may be willing to forge partnerships but lack capacity (such as Niger), others (e.g. Mali) may be reluctant to engage in the first place. Efforts by countries of origin to hinder the mobility of their nationals can be wildly unpopular domestically (in large part due to dependence on remittances) and can undermine the government’s authority. In countries such as Afghanistan and Ethiopia, partnerships run the risk of heavy-handedly prioritising flow management over other concerns, such as the sustainable reintegration of returning migrants or support for large-scale displaced populations in the region. This may prove destabilising in the longer term while at the same time reducing partners’ enthusiasm to deliver on EU agreements. Furthermore, return of migrants to fragile states experiencing generalised violence, such as Afghanistan, can come at serious risk to returnees (who may be targeted), raising questions about whether the principle of nonrefoulement has been breached. The European Union should consciously embed its migration-management efforts within a context of strengthening good governance and rule of law and addressing broader domestic and regional security challenges. Finally, refugee-hosting countries such as Ethiopia are closely watching the European Union’s policies toward refugees, and efforts to limit protection in Europe may have a chilling effect on the willingness of developing nations to host refugee populations if they perceive themselves to be bearing a disproportionate burden.

The European Union will also need to balance its short-term goals with long-term development considerations, including by investing in a long-term strategy to create viable alternatives to migration that may take 30 years or more to fully materialise. It must stay the course on a dynamic range of objectives,



including improving the capacity of partner governments and civil-society organisations to reach populations and deliver services. Such a long-term strategy should involve:

- **Identifying the right partners and incorporating their needs and interests.** The next phase of migration partnerships will have to involve a shift in both the countries that are identified as priority partners and the types of interventions selected. This may mean rethinking existing partnerships with impoverished countries that have weak governance and serious capacity constraints, and forging relationships with potential hubs of regional mobility, such as Kenya, South Africa, and Uganda. The European Union must also make a concerted effort to more accurately identify, diagnose, and incorporate its partners' needs and interests into its strategy and initiatives. Doing so will help illuminate the realistic scope for cooperation and collaboration across the multifaceted policy arms of migration, development, foreign policy, and security within Europe and third countries.
- **Setting clear goals and benchmarks.** The high-profile nature of these partnerships means that EU institutions will have to deliver evidence of demonstrable change—something they are not currently equipped to do. While rhetoric has focused on decreasing flows and increasing returns, European policymakers have failed to clearly articulate what they view as indicators of success (such as an acceptable level of irregular migration or rate of return) and what is a realistic timeframe in which to expect such changes. Setting clear goals and benchmarks, and undertaking frequent, independent, and robust evaluation of investments and outcomes will add a needed level of accountability and scrutiny at a time when trust in the effectiveness of institutions is running low.
- **Messaging and managing expectations.** The European Commission has been caught up in a cycle of overpromising and cherry-picking the most positive results in an attempt to show progress in the face of strong political pressure. In doing so, European policymakers have not considered the political 'victories' that partner countries also need to make their end of the cooperation credible at home. When communicating both plans and outcomes, EU actors would do well to embrace language that is both more circumspect and more nuanced. It is more critical than ever to set realistic expectations across the matrix of policy areas now involved in migration partnerships. There will be significant consequences for both the European Union and its partners if this generation of partnerships fails to deliver.

Above all, the European Union must ensure that it remains a credible actor. The number of promises on the table has grown, but inconsistencies persist between the ambitions and actions of EU institutions and Member States. As the European Union turns its eyes increasingly outward to manage migration, partner countries will be carefully watching to see which commitments are followed through, as well as the price European policymakers are willing to pay for partnership.

I. Introduction

The fanfare with which the European Union (EU) launched the Migration Partnership Framework in 2016 has led many to believe that EU-led partnerships with non-EU (third) countries on migration are a new invention. In reality, the framework is merely an upgrade, albeit a powerful one. The European Union has long recognised that cooperation with third countries is integral to successful migration management, though the lacklustre outcomes of such partnerships to date relegated them to policymakers' second tier of priorities until 2016, behind efforts to complete internal projects such as the Common European



Asylum System (CEAS).¹ In the wake of the 2015–16 refugee crisis, and with intra-EU collaboration on immigration and asylum deadlocked, foreign policy has become a dominating element of EU migration management.

The concept of partnership was first given concrete form in Europe through the development of a Global Approach to Migration (and later Mobility), or GAMM, in 2005 under the UK presidency of the European Union. The GAMM led to the creation of a series of much-vaunted bilateral ‘mobility partnerships’ with key third countries. On one hand, these partnerships represented a step forward on engaging countries of origin and transit in a dialogue with the ostensible aim of taking their needs and objectives into account when developing migration-management strategies. On the other hand, the experience of the past decade has highlighted enduring challenges: a deep misalignment between EU and third-country aspirations; competing, and sometimes conflicting, priorities between policymakers from different policy portfolios; the difficulty of setting coherent, concrete, and achievable objectives; and the ever-present question of resource allocation.

Driven, in part, by the apparent success of the 2016 EU-Turkey deal,² which many credit with the sharp decrease in arrivals in the Eastern Mediterranean,³ the European Union is now casting a more ambitious net in search of strategic partners who can help reduce current and future arrivals. The Migration Partnership Framework utilises many of the same tools as previous EU approaches to collaboration on migration management but is more wide-reaching. It is intended to be a fuller foreign policy initiative that partner countries cannot afford to ignore (rather than just a Home Affairs endeavour).⁴ The framework aims to reduce unauthorised migration to Europe by enhancing support for countries of origin and transit through tailored agreements. It seeks to achieve three main goals: (a) strengthen borders (by intercepting irregular migrants before they arrive and reinforcing the capabilities of coast- and border guards in departure countries); (b) expand the proportion of unauthorised migrants who are returned; and (c) address the root causes that motivate potential migrants to leave in the first place.

The European Union is now casting a more ambitious net in search of strategic partners who can help reduce current and future arrivals.

With EU efforts to integrate migration priorities into broader foreign and development policy at the top of the political agenda, this report critically appraises the effectiveness and desirability of the new framework. It is rooted in an assessment of four partner countries with different migration experiences and roles in the migration continuum: Niger, Mali, Ethiopia, and Afghanistan. By examining how the current framework differs from previous attempts at cooperation, the report considers whether the European Union has adequately accounted for the specific context and challenges these states face, as well as their own internal goals and capacity, when crafting these agreements. In short, is the European Union

1 The European Union began work on the Common European Asylum System (CEAS) in 1999 with the aim of strengthening cooperation between EU countries on asylum issues and of harmonising minimum standards for the protection Member States provide persons granted asylum or subsidiary protection.

2 European Council, ‘EU-Turkey Statement, 18 March 2016’ (press release, Brussels, 18 March 2016), www.consilium.europa.eu/en/press/press-releases/2016/03/18-eu-turkey-statement/.

3 Irregular arrivals to Greece have not completely subsided, but they reduced sharply following the EU-Turkey deal and have not returned to their previous levels. For 2017 there were 26,499 sea arrivals as of 19 November, compared to 173,450 during 2016. See United Nations High Commissioner for Refugees (UNHCR), ‘Refugees Operational Data Portal’, accessed 20 November 2017, <https://data2.unhcr.org/en/situations/mediterranean/location/5179>.

4 European Commission, ‘Communication from the Commission to the European Parliament, the European Council, the Council, and the European Investment Bank on Establishing a New Partnership Framework with Third Countries under the European Agenda on Migration’ (COM [2016] 385 final, 7 June 2016), https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/20160607/communication_external_aspects_eam_towards_new_migration_ompact_en.pdf.



heading in the right direction and, if not, what changes are needed to reinforce, rather than undermine, its migration goals?

II. The Second-Generation Partnership Approach

While EU ambitions to cooperate with third countries on migration stretch back at least two decades, they took on fresh urgency and political salience during the migration crisis. The chapeau of the new EU initiatives, the Migration Partnership Framework, introduces a political architecture to guide EU engagement with third countries.⁵ Building on the strategically limited ‘mobility partnership’ approach,⁶ the framework embeds migration objectives within broader external policy and reinforces its clout through additional funding mechanisms, high-level visits, and dialogues with individual EU Member States, as well as more frequent positive and negative incentives for cooperation—all with progress neatly captured in quarterly reports.

While EU ambitions to cooperate with third countries on migration stretch back at least two decades, they took on fresh urgency and political salience during the migration crisis.

The tools of the Partnership Framework are not new in and of themselves, but they have been significantly amplified and reflect a sharpened focus on migration across external policy domains. This has led to the involvement of institutions that have historically had a much more limited role in migration policy as well as a shift in geographical priorities away from the immediate European neighbourhood, towards origin and transit countries along migration routes to Europe. Crucially, the framework proposed tailored compacts (intended as comprehensive agreements) with five priority partner countries—Ethiopia, Mali, Niger, Nigeria, and Senegal—with additional agreements foreseen in other regions. The compacts set different priorities and corresponding initiatives for each partner, but with the common aim of reducing arrivals in the European Union.

Much of what is new about the new approach centres upon the incorporation and leveraging of existing bilateral relationships between third countries and Member States under a collective EU banner, and a reorganisation of (relatively limited) financial commitments for third countries under new headings. To understand whether the new approach is moving towards achieving its stated aims, it is crucial to examine the main policy choices and tradeoffs the respective negotiators face and assess what has changed, why, and whether it goes far enough. The main shifts in approach are outlined below.

A. A more dynamic two-tier approach

Previous bilateral partnerships between EU Member States and third countries on migration were both formulaic and overly flexible. This first generation of so-called ‘mobility partnerships’ was based on a rigid two-tier approach: the European Union created a broad umbrella agreement, while EU Member

⁵ Ibid.

⁶ Agnieszka Weinar, ‘Mobility Partnerships – What Impact Do They Have on Legal Migration and Mobility?’, Migration Policy Centre, 2012, www.migrationpolicycentre.eu/publication/mobility-partnerships-what-impact-do-they-have-on-legal-migration-and-mobility/.



States contributed bespoke (often already planned) projects that matched their interests and budgets. Despite the name, few of these projects involved provisions for legal mobility, with many instead focused on capacity building, including though training and exchange of personnel.⁷

But perhaps the core weakness of these partnerships was that they were merely a means to a parallel end: the real bargain on offer for those involved was the promise of short-stay visa liberalisation in exchange for signing a readmission (return) agreement. However, this approach of using mobility partnerships as a gateway to improving readmission was only successful east of Europe (in countries such as Azerbaijan, Armenia, and Moldova) and in Cape Verde.⁸ And even then, it has been widely acknowledged that EU-level readmission agreements have not produced huge leaps forward in terms of practical cooperation. They have been largely ignored by both EU Member States and partner countries.⁹

Mobility partnerships briefly got a new lease of life, and an expanded geographical remit, in the wake of the 2011 Arab Spring.¹⁰ The European Commission tabled the prospect of visa facilitation for nationals of North African countries for the first time (having fruitlessly pursued readmission agreements with many governments in the region for a number of years). However, even the added incentive of visa facilitation was insufficient to move the needle on readmissions. EU efforts to secure a readmission agreement with Morocco span almost two decades.¹¹ Despite signing a GAMM Mobility Partnership agreement in 2013, negotiations between Morocco and the European Union on both readmission and visa facilitation have made little progress.¹²

It has been widely acknowledged that EU-level readmission agreements have not produced huge leaps forward in terms of practical cooperation.

The Partnership Framework is a testimony to the fact that previous efforts to improve cooperation on migration in general, and to increase returns in particular, bore disappointing results. Absorbing some of the lessons learned from these mobility partnerships, the framework is more naked in its ambition and recognises the value of applying direct political pressure through high-level visits from national ministers and heads of state. While the European External Action Service (EEAS) is in the lead, EU Member States are now actively engaged in diplomacy. During 2016, a series of ministerial visits to partner countries involved officials from countries such as France, Italy, and the Netherlands, and even the German

7 Ibid.

8 European Commission, Directorate-General for Migration and Home Affairs, 'Return and Readmission', updated 6 November 2017, https://ec.europa.eu/home-affairs/what-we-do/policies/irregular-migration-return-policy/return-readmission_en.

9 European Commission, 'Evaluation of EU Readmission Agreements' (COM [2011] 76 final, 23 February 2011), <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0076:FIN:EN:PDF>.

10 European Commission, 'The EU's Response to the "Arab Spring"' (memo/11/918, Brussels, 16 December 2011), http://europa.eu/rapid/press-release_MEMO-11-918_en.htm.

11 Sergio Carrera, Jean-Pierre Cassarino, Nora El Qadim, Mehdi Lahlou, and Leonhard den Hertog, 'EU-Morocco Cooperation on Readmission, Borders and Protection: A Model to Follow?' (Paper in Liberty and Security in Europe no. 87, Centre for European Policy Studies, Brussels, January 2016), www.ceps.eu/system/files/EU-Morocco%20Cooperation%20Liberty%20and%20Security%20in%20Europe.pdf.

12 The Agreement between the European Union and the Republic of Cape Verde on Facilitating the Issue of Short-Stay Visas to Citizens of the Republic of Cape Verde and of the European Union entered into force on 1 December 2014, becoming the first and only such agreement with an African country. See European Commission, Directorate-General for Migration and Home Affairs, 'Visa Policy', updated 6 November 2017, https://ec.europa.eu/home-affairs/what-we-do/policies/borders-and-visas/visa-policy_en; Statewatch, 'Political Agreement on Mobility Partnership: Towards the First Readmission Agreement with an African Country?', updated 7 March 2013, www.statewatch.org/news/2013/mar/05eu-morocco.htm.



Chancellor herself.¹³ This high-level political engagement has sent a signal to non-EU countries: these partnerships matter. This two-tiered approach of negotiating at the EU level while engaging in bilateral diplomacy also allows EU Member States to make offers that EU institutions cannot (e.g., additional financial and in-kind assistance)¹⁴ but that aim to improve the outcome of negotiations. It also means partner countries are suddenly dealing with a far larger number of interlocutors (often in one sitting), with few means to rationalise them.¹⁵

B. A shift in geography and focus

The GAMM focused largely on the European neighbourhood, plus countries that explicitly expressed their interest in partnership. The new framework extends this focus further afield to countries that could play a more direct role in reducing irregular migration to Europe and takes a pragmatic approach to decision-making. While the document announcing the framework highlighted 14 potential priority countries in Africa, Central Asia, and the Middle East, the European Union was under pressure to select partners that would not only have an immediate impact on migration towards Europe, but who were also willing to cooperate and in a position to make deals. Selecting priority partnership countries therefore took several rounds of closed-door consultations to balance the necessary with the feasible.

Though Libya had become the most strategic departure point, its fragility and a disputed national authority meant that there was no credible interlocutor.

The pool of key countries selected in June 2016 are a mix of obvious choices based on need for refugee support, such as Jordan and Lebanon; low-hanging fruit where partnerships appeared quickly feasible, such as Senegal; and countries of strategic importance, such as Ethiopia and Niger. Unlike in the Eastern Mediterranean, where partnership with a strong government in Turkey was possible, there was no similarly well-placed and politically acceptable potential partner in the Central Mediterranean. Though Libya had become the most strategic departure point, its fragility and a disputed national authority meant that there was no credible interlocutor. EU decisionmakers thus turned to a set of five countries further upstream: Ethiopia, Mali, Niger, Nigeria, and Senegal. All have had (mixed) histories of cooperation with the European Union, but only limited formal partnership on migration.

The five partners selected have previously engaged with the European Union on migration through a number of dialogue processes, such as the Rabat and Khartoum Processes and regular EU-Africa summits. The Khartoum Process engages EU and Horn-of-Africa countries in tackling the root causes of irregular migration, while its long-standing companion, the Rabat Process, brings Europeans together with North, Central, and West African policymakers under a broader migration and development remit. These have been useful channels to ensure continuous regional discussion but have been criticised for leading to few

13 European Commission, 'Communication from the Commission to The European Parliament, the European Council, and the Council: First Progress Report on the Partnership Framework with Third Countries under the European Agenda on Migration' (COM [2016] 700 final, 18 October 2016), https://eeas.europa.eu/sites/eeas/files/com_2016_700_f1_communication_from_commission_to_inst_en_v8_p1_english.pdf.

14 For example, during German Chancellor Angela Merkel's visit to Niger as part of a three-country African tour in 2016, she promised 77 million euros to combat people smuggling and irregular migration in Agadez, Niger and military vehicles and other equipment worth 10 million euros. See Andreas Rinke, 'Merkel Pledges Support for Niger to Fight Human Traffickers, Militants', Reuters, 10 October 2016, www.reuters.com/article/us-germany-merkel-africa/merkel-pledges-support-for-niger-to-fight-human-traffickers-militants-idUSKCN12A10L?il=0.

15 For example, Tunisian officials have complained about mixed delegations of several dozen EU and Member State officials. Comments made at a Migration Policy Institute Europe (MPI Europe) closed-door roundtable, 19 October 2017.



concrete outcomes. The Partnership Framework is not intended to replace these broader forums but to supplement them with more tangible cooperation on a bilateral basis. It is not yet clear, however, whether the EU prioritisation of some, but not all, of the countries that participate in these dialogues will have a disruptive effect on regional diplomacy and initiatives, and how they fit together with the newly, and separately, formed Regional Development and Protection Programmes (RDPP) in North Africa and the Horn of Africa.¹⁶

The bilateral agreements reached under the new framework have different objectives and initiatives, largely determined by EU interests in each priority country and on what is feasible. For example, in Niger, a key transit country for irregular migrants heading to Europe, initiatives include training Nigerien internal security forces, enforcing antimuggling legislation, assisting Niger in carrying out voluntary returns to migrants' home countries, supporting vulnerable migrants who are intercepted, and investing in the self-employment of Nigeriens in transit zones. Meanwhile, in Ethiopia, a major migrant- and refugee-hosting country, the European Union has focused on mobilising funding for development projects through the RDPP, such as support for agricultural production and food security (providing farming tools and seeds) and improving access to basic social services.¹⁷

However, such customisation can gloss over the complexity and interconnectedness of regional migration. More forceful border management may, for example, redirect migration flows through a neighbouring country or negatively affect the livelihoods of people who regularly traverse the border for work. It may also fundamentally undermine regional integration by imperilling the mobility goals of existing regional and continental associations such as the Economic Community of West African States (ECOWAS) and the African Union (AU). The African Union is encouraging Member States to adopt visa-upon-arrival and visa-free-access policies for all African nationals by 2018 and the free movement of persons by 2063.¹⁸

More forceful border management may, for example, redirect migration flows through a neighbouring country.

C. Mainstreaming migration objectives

EU efforts to promote cooperation with third countries have historically suffered from a certain level of siloing, both in terms of the breadth of policy portfolios that are involved and the lack of coordination (and resulting duplication) of efforts at national and EU levels. Bilateral agreements between Member States and third countries—including those between Spain and Morocco or Senegal, and between the United Kingdom and Pakistan or Nigeria—reflect national priorities based on historic flows and long-

16 The Regional Development and Protection Programmes (RDPPs) in the Horn of Africa and North Africa aim to reduce the incentives for irregular migration by improving protection and development prospects for refugees, internally displaced persons, and local communities. Plans proposed under the RDPP vary between participating countries. For example, 30 million euros are available for the RDPP in Ethiopia, while 15 million euros are promised to Kenya. See Khartoum Process, 'Operations', accessed 21 November 2017, www.khartoumprocess.net/operations/31-regional-development-protection-programme-rdpp-horn-of-africa.

17 European Commission, 'Communication from the Commission to the European Parliament, the European Council, and the Council: Second Progress Report: First Deliverables on the Partnership Framework with Third Countries under the European Agenda on Migration' (COM [2016] 960 final, 14 December 2016), https://eeas.europa.eu/sites/eeas/files/second-progress-report-1_en_act_part1_v11.pdf; European Commission, 'The European Union Emergency Trust Fund for Stability and Addressing the Root Causes of Irregular Migration and Displaced Persons in Africa: Action Fiche for the Implementation of the Horn of Africa Window' (working document, accessed 21 November 2017), https://ec.europa.eu/europeaid/sites/devco/files/eutf05-hoa-eth-15-ethiopia-rdpp_en_1.pdf.

18 United Nations Economic Commission for Africa, 'Free Movement of Persons', accessed 10 October 2017, www.uneca.org/oria/pages/free-movement-persons.



standing relationships.¹⁹ As such, EU approaches can be undermined by more concerted bilateral efforts built around the interests of a few governments. For example, both France and Spain have cooperated extensively with Senegal to combat irregular migration and offer legal migration channels. When the European Union began to negotiate a mobility partnership with Senegal in 2008, Spain was supportive, France less so; according to one French official, an EU-Senegal deal had ‘no added value in it, either for Senegal or France’²⁰—ambivalence that has been partially credited with the eventual failure of negotiations.²¹ The European Agenda on Migration, and specifically the Partnership Framework, seeks to address this lack of coherence in two ways: first, by bringing these bilateral efforts more concertedly under the EU umbrella, and second, by mainstreaming migration priorities across policy domains.

This has, to date, only been partially effective. The Spanish government has been nervous about the involvement of the European Union in its delicately calibrated relationship with Morocco, jealously guarding dialogue with this key partner. Meanwhile, the United Kingdom, while broadly welcoming the revamped EU approach, has continued its bilateral conversations independently of EU efforts. Conversely, other dialogues have benefitted from the mutualisation of interests; the new Macron government has actively leveraged long-standing relationships between France and countries in the Chad Basin to promote a more EU-wide approach, hosting a multilateral summit of African and EU leaders in late August 2017.²²

Concerns have been raised that development policy is being coopted to achieve narrow migration-management goals.

Progress to break down barriers between policy domains has been modest. Although the Partnership Framework aims to employ all available policy domains within EU competence to address migration—including trade, mobility, energy, security, education, research, climate change, environment, and agriculture²³—the compacts thus far concluded under its guidance remain mostly dominated by interior, foreign, and development policy. This is to be expected, as any mainstreaming process takes time. However, with the convergence around migration-oriented goals, concerns have been raised that development policy

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- 19 For example, Spain signed a bilateral cooperation agreement on migration with Senegal in October 2006—amidst an unprecedented spike in arrivals of Senegalese nationals in the Canary Islands—which exchanged cooperation on readmissions for a limited labour-migration agreement. Although the European Union signed a readmission agreement with Pakistan in 2009, the United Kingdom already had such an agreement and Pakistani nationals were among the top forced returnees from the United Kingdom. Similarly, while the European Union has struggled to conclude a readmissions agreement with Nigeria, the United Kingdom enjoys a Memorandum of Understanding (MOU) with the nation that allows it to return unauthorised Nigerian migrants, who are also among its top forced returns. See Gemma Pinyol, ‘Labour Agreements for Managing Migration: The Spanish Experience’ (presentation at Workshop on Establishing Labour Migration Policies in Countries of Origin and Destination and Interstate Collaboration in the Western Balkans, International Organisation for Migration, Tirana, 9–10 February 2008), www.migrant-service-centres.org/userfile/G_Pinyol_CIDOB_Spain.pdf; European Migration Network (EMN), *Return Migration* (Brussels: EMN, 2007), https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/networks/european_migration_network/reports/docs/emn-studies/return-migration/0a_emn_return_migration_study_synthesis_report_may07_en.pdf; James Brokenshire, ‘Illegal Immigrants’ (written question no. 209994, UK Parliament, 15 October 2014), www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2014-10-10/209994/.
- 20 Meng-Hsuan Chou and Marie Gibert, ‘The EU-Senegal Mobility Partnership: From Launch to Suspension and Negotiation Failure’, *Journal of Contemporary European Research* 8, no. 4 (2012): 408–27, www.jcer.net/index.php/jcer/article/view/434/380.
- 21 Ibid.
- 22 Patrick Wintour and Kim Willsher, ‘African and European Leaders Agree Action Plan on Migration Crisis’, *The Guardian*, 28 August 2017, www.theguardian.com/world/2017/aug/28/emmanuel-macron-hosts-summit-to-tackle-migration-crisis.
- 23 European Commission, ‘Communication from the Commission to the European Parliament, the European Council, the Council, and the European Investment Bank on Establishing a New Partnership Framework with Third Countries under the European Agenda on Migration’.



is being coopted to achieve narrow migration-management goals rather than to pursue the overarching goals of improving governance and bolstering human and economic outcomes.²⁴

As the tools to address migration objectives have been mainstreamed and sharpened, related policy areas—highlighted in previous reviews of EU external policy on migration—have fallen down the list of priorities. This includes the focus on stabilisation and public administration reforms to create the strong partners needed for strong partnerships as well as efforts to maximise the development role of South-South and circular migration, regional mobility, remittances, and the diaspora—areas replaced by a focus on improving economic opportunities within partner countries.²⁵ Uncertainty surrounding how to address the seemingly overwhelming task of reducing the root causes of migration has led policymakers to narrow the focus of many initiatives to less daunting and more tangible migration management objectives, such as increasing returns, capacity building and training for border management, and decreasing irregular arrivals in Europe.

D. Additional resources

One of the most significant levers underpinning the Partnership Framework is the application of additional financial support. The GAMM suffered from a lack of independent resources, drawing instead from limited funds available for EU neighbourhood and development policy. This model of financing was criticised for lacking clear, definable aims and outcomes, and for leading to a litany of projects designed to address very specific situations, but inadequate to address broader migration dynamics. In recognition of this, the European Union has created a number of new funding mechanisms.

The most high-profile of these has been the EU Emergency Trust Fund for Africa, announced with much fanfare at the EU-Africa Summit on Migration (the Valetta Summit) in late 2015. This hallmark funding mechanism promises 2.9 billion euros worth of projects for around two dozen eligible African countries through a mixture of EU funding and Member State pledges. Under the trust fund, the usually sacrosanct development aid objective of poverty alleviation is subsumed under a broader rubric of migration management and addressing the root causes of irregular migration. Of course, there is much common ground between poverty-alleviation and migration-management objectives, both of which may result in initiatives that target employment for youth and women and those that support vulnerable communities, good governance, and rule of law. But framing these issues through a migration lens sends a strong signal that the EU priority of migration management is something partner countries cannot afford to ignore.²⁶

24 Melanie Axiotis and Peter Bonin, 'Migration Partnership for Sustainable International Cooperation: Reconsidering the Principles of Partnership' (discussion note, Deutsche Gesellschaft für Internationale Zusammenarbeit, Bonn, 9 October 2017); Jennifer Rankin, '\$2bn EU-Africa "Anti-Migration" Fund Too Opaque, Say Critics', *The Guardian*, 31 October 2017, www.theguardian.com/global-development/2017/oct/31/2bn-eu-africa-anti-migration-fund-too-opaque-say-critics.

25 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 Global Approach to Migration and Mobility' (COM [2011] 743 final, 18 November 2011), https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/communication_from_the_commission_1.pdf; European Commission, 'Joint Communication to the European Parliament, the Council, the European Economic and Social Committee, and the Committee of the Regions: Review of the European Neighbourhood Policy' (JOIN [2015] 50 final, 18 November 2015), http://eeas.europa.eu/archives/docs/enp/documents/2015/151118_joint-communication_review-of-the-enp_en.pdf.

26 For example, the 2015 *Policy Coherence for Development* report launched by the Directorate-General for International Cooperation and Development differs strongly in language from the Emergency Trust Fund. While this report focuses on traditional areas of brain circulation, remittances, and diaspora, with little reference to migration management, the Strategic Orientation Document of the Emergency Trust Fund emphasises stability, migration management, and the need to address the root causes of destabilisation, forced displacement, and irregular migration. See European Commission, 'Policy Coherence for Development: 2015 EU Report' (SWD [2015] 159 final, 3 August 2015), https://ec.europa.eu/europeaid/sites/devco/files/policy-coherence-for-development-2015-eu-report_en.pdf; European Commission, 'The European Union Emergency Trust Fund for Stability and Addressing Root Causes of Irregular Migration and Displaced Persons in Africa: Strategic Orientation Document' (working document, European Commission, Brussels, 16 February 2016), https://ec.europa.eu/europeaid/sites/devco/files/eu-emergency-trust-fund-revised-strategy-15022016_en.pdf.



The promise of additional resources for partner countries has been a crucial element of the new EU partnership toolbox. This includes the 1 billion euro EU Regional Fund in Response to the Syrian Crisis,²⁷ the 3 billion euro Facility for Refugees in Turkey,²⁸ and a planned, though not yet operational, 44 billion euro External Investment Plan²⁹ that would support investments in Africa and the EU neighbourhood.³⁰ The trust fund mechanism, increasingly popular with the European Commission since the onset of the refugee crisis, is intended to create economies of scale by allowing Member States and the Commission to pool resources for particular goals.³¹ This is a sensible step, considering the large number of agencies involved in the disbursement of funds and implementation of projects, and the resulting high overhead costs of having so many actors working concurrently in any given country or region (though the pressure to disburse large amounts of funding at speed has increased administrative costs in the short term). Creating points of alignment between Member State interests as they contribute to joint funds can also create a sense of solidarity and increase the visibility of new tools.

Some funds have been renamed and recycled up to four times, a process referred to by some as a ‘washing machine’

Yet, despite the enthusiasm around these new funding mechanisms, the approach suffers three crucial challenges. First, significant portions of the ‘new’ funding have been reallocated from existing financial structures. With funding cycles that last for several years, and flexibility in reallocation, some funds have been renamed and recycled up to four times, a process referred to by some as a ‘washing machine’. This fact has not gone unnoticed by partner countries.³² Such flexibility allows the European Union to adapt to situations as they arise, but this same flexibility, coupled with an opaque eligibility process, could also encourage potential partners to allow their migration situation to worsen in order to become a priority country. For example, in February 2017, Côte d’Ivoire, Ghana, and Guinea were added to the list of countries eligible for the EU Emergency Trust Fund with very little publicity or explanation,³³ prompting speculation from other nations over eligibility criteria.³⁴

27 European Commission, ‘EU Regional Trust Fund in Response to the Syrian Crisis’, updated 6 December 2016, https://ec.europa.eu/neighbourhood-enlargement/neighbourhood/countries/syria/madad_en.

28 European Commission, ‘The EU Facility for Refugees in Turkey’, updated 6 December 2016, https://ec.europa.eu/neighbourhood-enlargement/news_corner/migration_en.

29 European Council, ‘European Fund for Sustainable Development: Council Confirms Final Deal with the EP’ (press release, Brussels, 28 June 2017), www.consilium.europa.eu/en/press/press-releases/2017/06/28-european-fund-sustainable-development/.

30 European Commission, ‘EU External Investment Plan’ (fact sheet, European Commission, Brussels, 10 July 2017), https://ec.europa.eu/europeaid/sites/devco/files/factsheet-eu-external-investment-plan-20170710_en.pdf.

31 While arrivals of asylum seekers and refugees, particularly by sea, rose steadily in a number of EU Member States beginning in 2014, maritime arrivals accelerated rapidly in summer 2015 and peaked in October 2015 with more than 221,000 arrivals to Greece and Italy. However, it should be noted that even smaller numbers of arrivals in a short period of time represented a significant strain on the capacity of certain Member States, particularly smaller states and those with limited asylum management experience. See Jonathan Clayton and Hereward Holland, ‘Over One Million Sea Arrivals Reach Europe in 2015’, UNHCR, 30 December 2015, www.unhcr.org/afr/news/latest/2015/12/5683d0b56/million-sea-arrivals-reach-europe-2015.html.

32 Leonhard den Hertog, ‘EU Budgetary Responses to the “Refugee Crisis”: Reconfiguring the Funding Landscape’ (Paper in Liberty and Security in Europe no. 93, Centre for European Policy Studies, Brussels, May 2016), www.ceps.eu/system/files/LSE%20No%2093%20LdH%20on%20EU%20Budgetary%20Responses%20to%20the%20Refugee%20Crisis.pdf.

33 European Commission, Directorate-General for International Cooperation and Development, ‘La Côte d’Ivoire, le Ghana, et la Guinée rejoignent la liste des pays éligibles au fonds fiduciaire d’urgence pour l’Afrique’, updated 8 February 2017, https://ec.europa.eu/europeaid/news-and-events/la-cote-divoire-le-ghana-et-la-guinee-rejoignent-la-liste-des-pays-eligibles-au_en.

34 For example, it was reported that when Côte d’Ivoire, Ghana, and Guinea became eligible for the Emergency Trust Fund for Africa at the Valletta Summit in February 2017, a representative from a nonpriority African country said: ‘It’s clear that the more irregular citizens you have in Europe, the faster you’ll be eligible to receive funding from the trust. So we’ll let them leave’. See West African Observatory on Migration, ‘The Valletta Process: Round 2’, updated February 2017, www.obsmigration.org/en/2017/02/the-valletta-process-round-2/.



Second, despite attempts to consolidate Member State interests and create economies of scale, the new funding mechanisms suffer from uneven—and often lacklustre—commitment from European governments. For example, only 200 million euros of the 3.2 billion euro Emergency Trust Fund for Africa is funded by Member States and donors; the rest has come from the European Union itself.³⁵ As of mid-July 2017, Member State pledges varied between 92 million euros from Italy to 50,000 euros each from Bulgaria, Latvia, Lithuania, and Slovenia, doing little to redress solidarity concerns.³⁶ Even so, some European policymakers called into question whether partner-country governments even have the ability to fully absorb these additional funds, not least the capacity to administrate new funding mechanisms.³⁷

The new funding mechanisms suffer from uneven—and often lacklustre—commitment from European governments.

Thirdly, despite sounding impressive, the size of these migration-focused financial instruments—including the flagship Trust Fund for Africa—pales in comparison to the broader development funding that the European Commission and Member States collectively apply to Africa. The European Development Fund alone has 30.5 billion euros in financial resources to use between 2014 and 2020,³⁸ and the European Union stands more broadly as the global leader in providing development assistance, with 75.5 billion euros spent in 2016 alone.³⁹ Other significant financial benefits also accrue to third-country partners outside the migration framework, such as exemptions from customs duty and quotas for the world's least developed countries—33 out of 49 of which are in Africa—and general overseas development aid. It isn't clear to what extent existing (and significantly better-funded) overseas development aid projects will be retooled as initiatives addressing the root causes of migration. But maintaining nonmigration-focused sources of overseas development aid could be key to fostering goodwill between the European Union and crucial partners, as well as to fighting key poverty challenges such as sanitation and access to health care.

III. Who Are the Partners?

With this new playbook of deals and initiatives in place, the European Union has identified a set of potential partners in several priority regions with different migratory challenges and roles along migration routes towards Europe. In addition to the five priority countries, the European Union is pursuing partnerships of varying degrees with noncompact countries in North and West Africa, the Middle East, and South and Central Asia (see Figure 1).

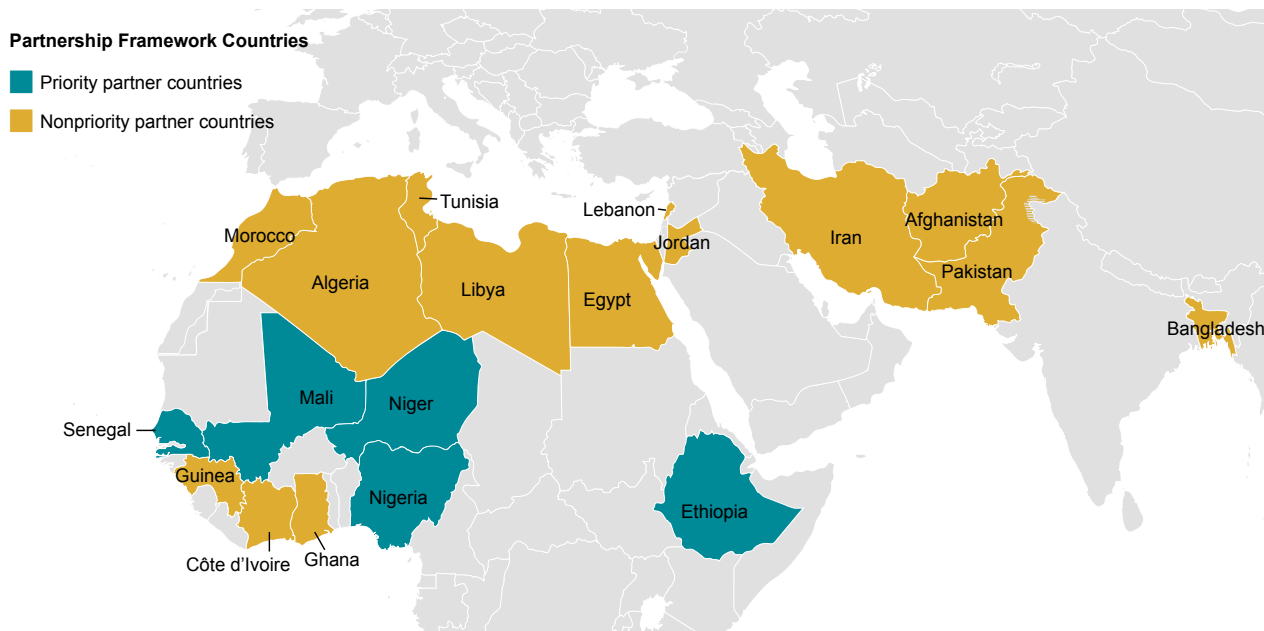
35 European Commission, 'The EU Emergency Trust Fund for Africa', updated 11 October 2017, https://ec.europa.eu/europeaid/regions/africa/eu-emergency-trust-fund-africa_en.

36 European Commission, 'EU Member State and Donor's Individual Pledges and Contributions', updated 3 July 2017, https://ec.europa.eu/europeaid/sites/devco/files/eu_member_state_and_donors_individual_pledges_and_contributions_1.pdf.

37 MPI Europe and Center for Strategic and International Studies (CSIS), 'The Great Migration: Understanding the Long-Term Implications of Europe's Migration Crisis' (roundtable discussion, MPI Europe and CSIS, Brussels, June 2017).

38 European Commission, 'European Development Fund (EDF)', updated 6 November 2017, https://ec.europa.eu/europeaid/funding/funding-instruments-programming/funding-instruments/european-development-fund_en.

39 European Commission, 'EU External Investment Plan'.

Figure 1. Third Countries included in the EU Migration Partnership Framework, 2016

Source: Compilation by the authors.

The countries of North Africa have in recent years transformed from major countries of origin for irregular migrants attempting to reach Europe into prime destination and transit countries for migrants of other nationalities. For example, between 2004 and 2014, the number of foreign nationals residing in Morocco increased from 51,000 to 86,000.⁴⁰ And during a 2014 regularisation scheme for irregular migrants in Morocco, more than 27,000 migrants from 116 countries sought renewable one-year residence permits; the majority were from Côte d'Ivoire, Nigeria, Senegal, and Syria.⁴¹ At the same time, the European Union has become increasingly interested in developing migration capacity in this region, through GAMM-era mobility partnerships and bilateral agreements in which Mediterranean EU Member States pledged operational and financial support to reinforce partner-country border controls and migration management with the aim of reducing arrivals in Europe. Indeed, a deeply contested agreement between Italy and Libya was seen as crucial for containing irregular departures from the North African country until the outbreak of civil war in 2011.⁴² However, the Arab Spring transformed the political landscape in Egypt, Libya, and Tunisia, overthrowing authoritarian but stable governments that had been relatively amenable to EU migration objectives and creating political instability and economic fragility.

In this context, the European Union shifted its priorities towards sub-Saharan Africa and keeping migrants in source and transit countries. Most of the priority partnership countries (Mali, Niger, Nigeria, and Senegal) are in West Africa, a key region from or through which migrants travel on their way towards Europe. Mali, Niger, and Nigeria form the northern- and eastern-most part of the ECOWAS free-movement area and are thus the lynchpin of migration from West and Central Africa into Libya

40 Stylianos Kostas, 'Morocco's Triple Role in the Euro-African Migration System', Middle East Institute, 18 April 2017, www.mei.edu/content/map/moroccos-triple-role-euro-african-migration-system.

41 UNHCR, 'Morocco Update: Regularisation of Refugees by National Authorities' (fact sheet, UNHCR, Geneva, December 2015), http://ma.one.un.org/content/dam/unct/morocco/docs/UNHCR/UNHCR%20Morocco_Regularisation%20of%20Refugees_Dec%202015.pdf.

42 Italy and Libya signed a treaty of friendship in August 2008 in which Italy apologised for its violent occupation of Libya and committed to investing \$5 billion (roughly 7 billion euros) in Libyan infrastructure in exchange for cooperation on crime, terrorism, and migration. The deal went into force in 2009 but was interrupted by the Libyan civil war. See Human Rights Watch, 'Italy-Libya Connection', updated 23 September 2009, www.hrw.org/news/2009/09/23/italy-libya-connection.



and, for some, the Central Mediterranean route to Europe. The Horn of Africa is also a key sending and refugee-hosting region, where Ethiopia stands out as a major hub for refugees from Eritrea and Somalia. Meanwhile, in Central Asia, Afghanistan and Bangladesh are two of the largest countries of origin for irregular migrants in Europe, while neighbouring Iran and Pakistan are both hosts of migrants and refugees, and source countries themselves.

This section takes a closer look at how the migration landscapes in these partner countries vary and how these contextual factors have shaped EU interests, engagement, and impact in each region. It examines four very different priority countries to illustrate the challenges and tradeoffs of the Partnership Framework and how these could lead to a mismatch between EU and partner-country interests and capabilities, with the risk of limiting sustainable progress.

A. Western Sahel

The Western Sahel region is an important segment along the route to the Central Mediterranean, connecting West and Central Africa with Northern Africa and Western Europe. All but one of the European Union's five priority partner countries are in this region. In addition, other countries in the region, such as Chad, are major beneficiaries of EU support, with more than 500 million euros pledged to Chad through the 11th European Development Fund.⁴³ Among the priority countries, Niger and Mali are particularly interesting case studies as EU interests there are broadly the same: intercepting migrants before they reach North Africa by reinforcing border controls and law enforcement, and returning citizens and third-country nationals who reach Europe after transiting through. Yet partnerships with the two countries have evolved quite differently.

I. Niger

Niger's strategic location within the Western Sahel and Chad Basin makes it a critical partner in EU efforts to better manage migration. As a result, the European Union and individual Member States arranged a series of high-level visits to put direct political pressure on the Nigerien government, including a visit from German Chancellor Merkel in October 2016. Niger's extraordinary rise through the geopolitical ranks is exemplified by the invitation of its president to meet with EU Heads of State at a European summit in December of the same year.⁴⁴ This buttressed political pressure has been matched by an increase in operational support: the mandate of the EU Common Security and Defence Policy Sahel Niger mission was expanded to include counter-smuggling responsibilities and training of Nigerien security officials. At the same time, the EU Emergency Trust Fund for Africa envisages the creation of a series of centres to house 30,000 vulnerable migrants intercepted en route through Niger; an increase in voluntary returns, supported by the International Organisation for Migration (IOM); and a set of initiatives to support job creation and economic development.⁴⁵ Under the aegis of the EU Emergency Trust Fund for Africa, and as part of a broad 918.5 million euro package for the Sahel and Chad Basin, 139.9 million euros was allocated to address migration in Niger during 2016.⁴⁶

43 European Commission, 'European Union Increases Its Support for Chad' (press release, Brussels, 10 April 2017), http://europa.eu/rapid/press-release_IP-17-889_en.htm.

44 European Commission, 'European Union Steps up Its Support for Niger to the Tune of EUR 609.9 Million' (press release, Brussels, 15 December 2016), http://europa.eu/rapid/press-release_IP-16-4371_en.htm.

45 European Commission, 'Communication from the Commission to the European Parliament, the European Council, and the Council: Second Progress Report'.

46 European Commission, *The EU Emergency Trust Fund for Africa: 2016 Annual Report* (Brussels: European Commission, 2017), https://ec.europa.eu/europeaid/eu-trust-fund-africa-2016-annual-report_en; European Commission, 'Fonds fiduciaire pour l'Afrique: Actions au Niger' (fact sheet, European Commission, Brussels, 14 December 2016), https://ec.europa.eu/europeaid/factsheet-eutf-africa-niger_en.



Niger has been the darling of the EU Partnership Framework and hailed as ‘emblematic of what can be achieved with a transit country’.⁴⁷ Whereas IOM recorded 334,000 individuals leaving Niger in 2016, including Nigerien nationals,⁴⁸ only 52,000 outgoing migrants were recorded at two main transit points in the first nine months of 2017.⁴⁹ Yet the decrease in recorded departures does not necessarily equal a decrease in the overall number of migrants reaching Libya or Europe. Eager to demonstrate the effectiveness of the Partnership Framework, the European Union’s second progress report prematurely claimed that a decrease in recorded flows in Agadez (a main transit region in Niger) between May and November 2016⁵⁰ was an ‘operational result’ of EU cooperation.⁵¹ However, a closer look at data over a longer period suggests the drop had as much to do with seasonal variation as it did policy intervention, as fewer migrants choose to cross the Central Mediterranean during the more dangerous winter months. Additionally, many of those leaving Niger had taken to using alternative routes instead of passing through the two monitoring points in Agadez to avoid border controls.⁵² In November 2016, Algeria, a major destination and transit country along the route, temporarily increased forced returns to Niger, which also encouraged immigrants and smugglers to make detours.⁵³ Later reports were more cautious about linking decreased flows directly to the Partnership Framework.⁵⁴ Nonetheless, it is clear that efforts to address irregular migration flows in Niger have been stepped up considerably, with 18 border control operations, 30 arrests, 20 convictions, and numerous vehicle confiscations thus far in 2017.⁵⁵

Yet there is a disconnect between the migration strategy developed on paper and on-the-ground conditions reported by humanitarian and security actors in the country. Many of the programmatic documents associated with the migration partnership with Niger begin with a frank appraisal of the fragile situation in the country, which is then largely ignored. While the European Union allocated nearly 140 million euros for migration management in 2016, just 47.5 million euros of this were intended to provide humanitarian support.⁵⁶ Meanwhile, the Development Cooperation Instrument earmarked just 586 euros million over seven years (2014–20), mostly for food security, governance capacity-building, and security and peace efforts. It is unclear how much of this support has since been redirected towards the Emergency Trust Fund for Africa (and thus double-counted).⁵⁷

47 European Commission, ‘Report from the Commission to the European Parliament, the European Council, and the Council: Fourth Progress Report on the Partnership Framework with Third Countries under the European Agenda on Migration’ (COM [2017] 350 final, 13 June 2017), https://eeas.europa.eu/sites/eeas/files/4th_progress_report_partnership_framework_with_third_countries_under_european_agenda_on_migration.pdf.

48 As the International Organisation for Migration (IOM) stresses, such calculations are estimations and approximations only, based on information from authorities as well as direct observation and interviews with passing migrants at a particular flow monitoring point. See IOM, ‘Statistical Report - Overview: Niger Flow Monitoring Points (FMP) – 01 December 2016 to 31 December 2016’ (fact sheet, IOM, Geneva, December 2016), <https://drive.google.com/file/d/0BhLuy9q1oXQa2NTOHNKSVpfVW8/view>.

49 IOM, ‘Niger – Flow Monitoring Report (September 2017)’ (fact sheet, IOM, Geneva, November 2017), www.globaldtm.info/niger-flow-monitoring-report-september-2017/.

50 The IOM recorded a decrease in flows of migrants from 70,000 in May 2016 to 1,500 in November 2016. See IOM, ‘Statistical Report – Overview: Niger Flow Monitoring Points (FMP) – 01 November 2016 to 30 November 2016’ (fact sheet, IOM, Geneva, November 2016), <https://drive.google.com/file/d/0B3CEVcVlpFvORVdwSS02QjZ3S1E/view>.

51 European Commission, ‘Communication from the Commission to the European Parliament, the European Council, and the Council: Second Progress Report’.

52 IOM, ‘Statistical Report - Overview: Niger Flow Monitoring Points (FMP) – 01 December 2016 to 31 December 2016’.

53 IOM, ‘Statistical Report – Overview: Niger Flow Monitoring Points (FMP) – 01 November 2016 to 30 November 2016’.

54 European Commission, ‘Report from the Commission to the European Parliament, the European Council, and the Council: Fourth Progress Report’.

55 Ibid.

56 European External Action Service (EEAS), ‘Niger: Action and Progress under the Migration Partnership Framework June–December 2016’ (fact sheet, European Union, Brussels, accessed 26 January 2017), https://eeas.europa.eu/sites/eeas/files/factsheet-niger_en.pdf.

57 This uncertainty is due in part to the fact that recent EU fact sheets on priority partnership countries do not include detailed breakdowns of financial allocations. See Government of the Republic of Niger and European Commission, ‘Programme Indicatif National 2014-2020’, 24 June 2014, http://ec.europa.eu/europeaid/sites/devco/files/nip-niger-20140619_fr.pdf.



Even with a willing partner such as Niger, sustainable progress on migration objectives is constrained by the underlying drivers of movement through the region, such as political instability, poverty, and a lack of livelihood opportunities for a rapidly growing population. Since gaining independence from France in 1960, Niger has suffered three coups. While the current president is serving his second term in office following his re-election in 2016, government control remains shaky.⁵⁸ Ongoing violence has been linked to fragile government authority, a consolidating jihadist presence, and intercommunal tensions over the allocation of resources and control over illicit economic activity (e.g., people and goods smuggling).

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Among other things, this fragile political situation contributes to keeping Niger one of the poorest countries in the world. Despite a range of natural resources, including uranium, it ranks the lowest out of the 188 countries in the United Nations Human Development Index.⁵⁹ Food security is a problem: the landlocked nation suffers from recurring droughts, overgrazing, soil erosion, deforestation, and desertification, and many Nigeriens depend on subsistence farming. The UN Office for the Coordination of Humanitarian Affairs (UNOCHA) expected at least 10 per cent of the population to have humanitarian needs in 2017.⁶⁰ In addition, Niger has one of the highest fertility rates in the world (close to seven children per woman)⁶¹ and, as a result, a very young population, with about half under the age of 15.⁶² The absence of economic opportunities and prevalent insecurity in the country have encouraged emigration towards Western African countries, as well as more modest emigration towards Europe.

In the broader region, instability in Libya and Mali and violent extremism in Nigeria pose serious security threats to Niger.⁶³ As of September 2017, the country hosted almost 162,000 refugees from Nigeria and Mali and had more than 127,000 internally displaced persons due to intercommunal violence and attacks committed by Boko Haram.⁶⁴ In its effort to maintain security, the government has encroached on civil liberties, declaring states of emergency in the region near the border with Nigeria and allowing the army to conduct mass arrests and detain individuals with suspected links to terrorist organisations.⁶⁵ But while the government demonstrates strong-arm tactics, it also fails to manage tribal control of much of the

58 Al Jazeera, 'Niger President Issoufou Scores Landslide Election Win', Al Jazeera, 23 March 2016, www.aljazeera.com/news/2016/03/niger-president-issoufou-scores-landslide-election-win-160323053403939.html.

59 United Nations Development Programme (UNDP), *Human Development Report 2015* (New York: UNDP, 2015), http://hdr.undp.org/sites/default/files/2015_human_development_report.pdf.

60 European Commission, Directorate-General for European Civil Protection and Humanitarian Aid Operations, 'ECHO Daily Flash', updated 26 August 2017, <http://erccportal.jrc.ec.europa.eu/ECHO-Flash/ECHO-Flash-List/yy/2017/mm/8>.

61 World Bank, 'Fertility Rate, Total (Births per Woman)—Niger', accessed 21 November 2017, <https://data.worldbank.org/indicator/SP.DYN.TFRT.IN?locations=NE>.

62 World Bank, 'Population Ages 0-14 (% of Total)—Niger', accessed 21 November 2017, <https://data.worldbank.org/indicator/SP.POP.0014.TO.ZS?locations=NE>.

63 Olivier Monnier, 'Niger Says Conflict in Libya, Not Boko Haram, Is Biggest Threat to West Africa', Mail & Guardian Africa, 5 February 2016, <http://mgafrica.com/article/2016-02-05-niger-says-conflict-in-libya-not-boko-haram-is-biggest-threat-to-west-africa/>.

64 European Commission, Directorate-General for European Civil Protection and Humanitarian Aid Operations, 'Niger' (fact sheet, European Commission, Brussels, 5 September 2017), http://ec.europa.eu/echo/files/aid/countries/factsheets/niger_en.pdf.

65 Freedom House, 'Freedom in the World 2016—Niger', accessed 7 November 2017, <https://freedomhouse.org/report/freedom-world/2016/niger>.



country, particularly to the north. Feelings of neglect by the state, coupled with transnational ethnic and kinship ties across border regions, have allowed human smuggling operations to flourish.⁶⁶

Taken together, these socioeconomic, governance, and security challenges mean that while Niger and the European Union are willing partners, hopes for sustainable progress on migration management could be swiftly extinguished if competing interests are thrown off balance.

2. Mali

As the number of migrants travelling from or through Niger have decreased, concerns have been raised that these flows have merely shifted towards Mali. In July 2017, the IOM recorded 4,000 outgoing migrants at monitoring points in Mali—compared to fewer than 2,000 the year before.⁶⁷ In many ways, the Malian context resembles that in Niger: a landlocked and impoverished country characterised by regional, national, and local instability, with a young population set to double by 2035 due to high fertility and declining mortality rates.⁶⁸ It also has similar health, food, and livelihood challenges to its neighbour. Corruption hinders public access to government services such as health care and education, creating resentment within communities and raising concerns about the ability of the government to prosecute crimes, including trafficking.⁶⁹ These factors encourage both internal migration and emigration. However, despite their similarities, unique dynamics in Mali and in Niger create different relationships between mobility, stability, and their governments' willingness and capacity to cooperate with the European Union.

As a significant origin and transit country for migrants on their way to Europe, Mali is also vital to EU plans to reduce irregular migration. In 2016, about 9,000 persons arrived in Europe from Mali having travelled the Central Mediterranean route.⁷⁰ Mali has also been designated a priority under the EU framework, based in part on its existing relationship with the French and Spanish governments. Mali participated in a Consultation on Migration with France in 2000 to promote cooperation, including circular migration schemes and diaspora engagement. It also took part in a Framework Cooperation Agreement on Immigration Issues with Spain in 2008 to facilitate the readmission of Malian nationals, promote legal migration channels and visa facilitation, and support migration-management policies in Mali. As with Niger, the 2015 EU Capacity Building Mission in Mali, initiated under the EU Common Security and Defence Policy, began with a security focus, although the mandate has since been expanded to include migration management and border enforcement.⁷¹

66 Fransje Molenaar and Floor El Kamouni-Janssen, *Turning the Tide: The Politics of Irregular Migration in the Sahel and Libya* (The Hague: Netherlands Institute of International Relations, 2017), www.clingendael.org/sites/default/files/turning_the_tide.pdf; Peter Tinti and Tom Westcott, *The Niger-Libya Corridor: Smugglers' Perspectives* (Pretoria: Institute for Security Studies, 2016), <http://globalinitiative.net/wp-content/uploads/2016/12/gi-iss-the-niger-libya-corridor-nov-2016.pdf>.

67 IOM, 'Flow Monitoring: Mali (Report #18)' (fact sheet, IOM, Geneva, 29 August 2017), <https://drive.google.com/file/d/0B-qpxdvn9nlWRk5SNXJaN0xOa0U/view>.

68 Nearly half the Malian population is between the ages of 0 and 14. See World Bank, 'Population Ages 0-14 (% of Total)—Mali', accessed 21 November 2017, <https://data.worldbank.org/indicator/SPPOP0014.TO.ZS?locations=ML>.

69 U.S. Department of State, Office to Monitor and Combat Trafficking in Persons, '2016 Trafficking in Persons Report—Mali', updated June 2016, www.state.gov/j/tip/rls/tiprpt/countries/2016/258816.htm; U.S. Embassy in Mali, 'Mali 2016 Human Rights Report', updated 3 March 2017, <https://ml.usembassy.gov/9232-2/>.

70 European Commission, 'Communication from the Commission to the European Parliament, the European Council, and the Council: Second Progress Report'.

71 EEAS, 'Common Security and Defence Policy: The EUCAP Sahel Mali Civilian Mission' (fact sheet, September 2017), https://eucap-sahel-mali.eu/documents/20170831_Factsheet_EUCAP_Sahel_Mali_en.pdf; European Commission, 'EUR 50 Million for New Joint Force of the Sahel Countries: EU Steps Up Its Support for Security in the Region' (press release, Bamako, Mali, 5 June 2017), http://europa.eu/rapid/press-release_IP-17-1542_en.htm.



The European Union is planning several projects in Mali under the aegis of the EU Emergency Trust Fund for Africa, with 62 million euros allocated in 2016.⁷² These include a biometric population registry, reintegration assistance for returnees, campaigns to raise awareness of the risks of irregular migration, and initiatives to employ 8,000 young people in both rural and urban environments.⁷³ Projects will also provide assistance to 16,000 stranded migrants, facilitate the return of 4,000 migrants in transit, and support the reintegration of 4,000 Malians into their communities of origin. In addition to offering these incentives for cooperation, the European Union is applying direct political pressure through high-level dialogues with Mali, though the results have so far been modest. Foreign Affairs Ministers from the Netherlands and Italy have visited the country, with the former signing a Joint Declaration.⁷⁴ The EU High Representative for Foreign Affairs and Security Policy and Vice President of the Commission, Federica Mogherini, also made her first official visit to Mali during the EU-G5 Ministerial Meeting in June 2017, where she announced 50 million euros in support for a new crossborder counter-smuggling and terrorism force.⁷⁵ As in other countries, it is hard to get a complete overview of the national and EU initiatives that have been proposed in Mali, and policymakers have noted that it can be difficult to suggest new initiatives and advise ministers on what to offer without knowing what else is already on the table.⁷⁶

The Malian government is deeply cognisant that cooperating on returns and efforts to hinder the mobility of its nationals may further undermine its authority.

However, early indications suggest that despite paying lip service to EU priorities, Mali is less enthusiastic than Niger. The Malian government is deeply cognisant that cooperating on returns and efforts to hinder the mobility of its nationals may further undermine its authority. Over the course of 2016, Mali had the lowest return rate from the European Union of any third country (4.8 per cent).⁷⁷ Cooperation on returns varies across different Malian consulates, with some EU Member States experiencing greater difficulties than others in obtaining the emergency single-use travel documents issued to citizens or, under certain conditions, other status holders (such as nonnationals with residence permits) needed to return migrants to Mali. In December 2016, Mali signed an agreement with the Dutch Minister of Foreign Affairs to accept returned migrants in exchange for 145 million euros' worth of projects.⁷⁸ Lauded in Europe as a triumph of partnership, the agreement was met in Mali with protests and accusations of betrayal. In a country such as Mali, where 6.8 per cent of the national gross domestic product (GDP) in 2015 was from remittances (roughly 778 million euros),⁷⁹ policies to curb migration are widely unpopular and could further exacerbate fiscal issues and

72 European Commission, 'Fonds Fiduciaire d'Urgence Pour Le Sahel et Le Bassin Du Lac Tchad - Etat D'avancement de La Contractualisation' (status update, European Commission, January 2017), <https://ec.europa.eu/europeaid/sites/devco/files/contracting-status-sahel-lake-chad-jan-2017.pdf>.

73 European Commission, 'Communication from the Commission to the European Parliament, the European Council, and the Council: Second Progress Report'.

74 Ibid.

75 European Commission, 'Report from the Commission to the European Parliament, the European Council, and the Council: Fourth Progress Report'.

76 Comments made at an MPI Europe closed-door roundtable, 19 October 2017.

77 European Commission, 'Report from the Commission to the European Parliament, the European Council, and the Council: Fourth Progress Report'.

78 Government of the Netherlands, 'Koenders Concludes Migrant Return Agreement with Mali for EU' (news release, 11 December 2016), www.government.nl/latest/news/2016/12/11/koenders-concludes-migrant-return-agreement-with-mali-for-eu.

79 This figure is significantly less in Niger (2.0 per cent), Ethiopia (1.0 per cent), and Afghanistan (1.6 per cent). See World Bank, 'Migration and Remittances Data', updated October 2016, www.worldbank.org/en/topic/migrationremittancesdiasporaissues/brief/migration-remittances-data.



undermine livelihoods. With the legitimacy of an already fragile government thus undermined, Malian leaders quickly recanted.⁸⁰ Two migrants deported to Mali from France less than a month later were immediately sent back because they lacked Malian passports, having instead used European travel permits. The Malian government said it could not accept people ‘simply assumed to be Malian’.⁸¹

As well as being financially detrimental, efforts to curb migration can also undermine stability. Malian returnees from Libya in 2011 exacerbated tensions in northern Mali, eventually leading to a secessionist and Islamist rebellion in January 2012.⁸² Shortly thereafter, a coup toppled the democratically elected government of President Amadou Toumani Touré. The fighting and chronic food shortages that ensued displaced hundreds of thousands of Malians, both within the country and in the territory of its neighbours. Mali’s former colonial ruler, France, led a successful international military intervention that resulted in a peace agreement between the Malian government and northern armed rebels in June 2015. Despite this, violent flare-ups are still common, and a new Islamist group has since emerged in central and southern Mali—regions in which state authority is severely undermined by perceptions of elitism, corruption, and an inability to maintain security⁸³ or enforce law and order.⁸⁴

With persistent insecurity posing a serious threat to the very survival of the state, Malian leaders have few incentives to cooperate with the European Union on unpopular migration policies (e.g., increasing returns) that could backfire by further delegitimising its authority in the eyes of citizens. The European Union will thus need to find an alternative, more reaffirming, framing for its partnership with Mali.

B. Horn of Africa

The Horn of Africa has a complex migration landscape, representing a key destination as well as a transit and sending region for migrants and asylum seekers. Within it, Ethiopia is a major hub, important peacekeeping and security actor, and host to one of the largest refugee populations in Africa (792,000 refugees in 2016).⁸⁵ In addition, more than 3,000 Ethiopian nationals arrived in Europe via the Central Mediterranean route in 2016.⁸⁶ In terms of arrivals, Ethiopia is not the main country of concern in the Horn of Africa but, at least until recently, the European Union viewed it as the most promising potential partner, particularly within the framework of the Khartoum Process and the RDPP for the Horn of Africa led by the Dutch government.

Ethiopia

Ethiopia has a complicated relationship with migration. For example, while its extremely generous open-door policy for Eritrean refugees is laudable, its behaviour also contributes to regional migratory

80 Diala Thiény Konaté, ‘Revue de La Presse Malienne Du Mercredi 14 Decembre 2016: Autorités Algériennes: “Les Réfugiés Africains En Algérie Sont Malades Du Sida et Autres Maladies Sexuellement Transmissibles”’, MaliActu.Net, 14 December 2016, <http://maliactu.net/revue-de-la-presse-malienne-du-mercredi-14-decembre-2016-autorites-algeriennes-les-refugies-africains-en-algerie-sont-malades-du-sida-et-autres-maladies-sexuellement-transmissibles/>.

81 BBC News, ‘Mali Sends Back Migrants Deported by France’, BBC News, 30 December 2016, www.bbc.com/news/world-africa-38467244.

82 U.S. Central Intelligence Agency, ‘The World Factbook: Mali’, updated 14 November 2017, <https://www.cia.gov/library/publications/the-world-factbook/geos/ml.html>.

83 In August 2015, Jihadists stormed a hotel in which UN staff were staying in Central Mali. See Associated Press, ‘Mali: Militants Seize Hostages at a Hotel’, *New York Times*, 7 August 2015, www.nytimes.com/2015/08/08/world/africa/mali-militants-seize-hostages-at-a-hotel.html.

84 Corinne Dufka, ‘Confronting Mali’s New Jihadist Threat’, *New York Times*, 9 May 2016, www.nytimes.com/2016/05/10/opinion/confronting-malis-new-jihadist-threat.html.

85 UNHCR, ‘Ethiopia’, accessed 7 November 2017, http://reporting.unhcr.org/node/5738#_ga=2.217581333.2864970.1504008999-408841981.1491473330; Ludger Schadomsky, ‘Ethiopia Gets Non-Permanent UN Security Council Seat’, *Deutsche Welle*, 28 June 2016, www.dw.com/en/ethiopia-gets-non-permanent-un-security-council-seat/a-19362933.

86 European Commission, ‘Communication from the Commission to the European Parliament, the European Council, and the Council: Second Progress Report’.



pressures; its decision not to withdraw troops from the Eritrean town of Badme is used by the Eritrean government to justify its compulsory military service programme—one of the key grounds on which many Eritreans seek international protection in Europe and elsewhere.⁸⁷ Addressing the issue of Eritrean refugees has become a multifaceted endeavour for the European Union, not least because it is thought that some Ethiopian nationals claim to be Eritrean in order to receive protection in Europe.⁸⁸

Although Ethiopia has one of the fastest growing economies on the continent, it suffers from widespread poverty,⁸⁹ environmental degradation, and food shortages.⁹⁰ Most Ethiopians are employed in the agricultural sector and almost half the population is illiterate.⁹¹ Perhaps more significantly, Ethiopia recently experienced the worst drought in 50 years. The United Nations estimated that up to 5.7 million people would need food aid in 2017 (a figure since revised to 8.5 million for the second half of the year),⁹² and official figures estimated that 376,000 people would be displaced over the course of the year.⁹³

Environmental challenges also feed into regional and national instability. Tensions over a development plan that would displace farmers from their land escalated into violent antigovernment protests in 2016, to which the government responded with a ten-month state of emergency.⁹⁴ Despite the European Parliament expressing strong concerns about the nature of government crackdowns,⁹⁵ EU Member States have largely remained silent. Ethiopia was selected as a priority partnership country months later, and the June 2017 Partnership Framework progress report on Ethiopia makes only a passing mention of the state of emergency.⁹⁶ As a strategic regional partner for many international donors, including the European Union, the Ethiopian government has been able to act with relative impunity, inviting criticism from some quarters.⁹⁷

Unlike in Niger and Mali, Ethiopian cooperation with the European Union and its Member States on migration is relatively recent. One of its earliest agreements was a 2012 memorandum of understanding (MOU) with Norway on the readmission (voluntary and involuntary) of irregular

87 Eritrea formally gained its independence from Ethiopia in 1993, but war broke out between the two nations in the border town of Badme between 1998 and 2000. The peace agreement included the establishment of a boundary commission, which in 2002 ruled that Badme was part of Eritrea. Both countries initially accepted the ruling, but Ethiopia later rejected the decision and has never withdrawn its troops. See Conor Gaffey, 'Why Eritrea's Border with Ethiopia Is a Flashpoint for Conflict', *Newsweek*, 13 June 2016, <http://europe.newsweek.com/why-eritrea-border-ethiopia-conflict-zone-469739>.

88 Frontex, *FRAN Quarterly: Quarter 1 (January-March 2015)* (Warsaw: Frontex, 2015), http://frontex.europa.eu/assets/Publications/Risk_Analysis/FRAN_Q1_2015.pdf.

89 World Bank, *Ethiopia Poverty Assessment 2014* (Washington, DC: World Bank, 2015), <https://openknowledge.worldbank.org/handle/10986/21323>; U.S. Central Intelligence Agency, 'The World Factbook: Ethiopia', updated 14 November 2017, <https://www.cia.gov/library/publications/the-world-factbook/geos/et.html>.

90 U.S. Central Intelligence Agency, 'The World Factbook: Ethiopia'.

91 Ibid.

92 United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA), 'Ethiopia: New Drought Puts Recovery and Neighbouring Countries at Risk' (news release, 30 January 2017), www.unocha.org/story/ethiopia-new-drought-puts-recovery-and-neighbouring-countries-risk; UNOCHA, 'Weekly Humanitarian Bulletin: Ethiopia' (fact sheet, 7 August 2017), www.humanitarianresponse.info/system/files/documents/files/humanitarian_bulletin_07_august_2017.pdf.

93 Government of Ethiopia and Humanitarian Partners, *Ethiopia: Humanitarian Requirements Document 2017* (Addis Ababa: Government of Ethiopia and Humanitarian Partners, 2017), 10, www.who.int/health-cluster/countries/ethiopia/ethiopia-humanitarian-response-plan-2017.pdf?ua=1.

94 *Financial Times*, 'Ethiopia Lifts 10 Month State of Emergency', *Financial Times*, 4 August 2017, www.ft.com/content/293b05b6-78fb-11e7-90c0-90a9d1bc9691.

95 European Parliament, 'Resolution of 21 January 2016 on the Situation in Ethiopia (2016/2520(RSP))', 21 January 2016, www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P8-TA-2016-0023+0+DOC+XML+V0//EN&language=EN.

96 EEAS, 'Ethiopia: Action and Progress under the Migration Partnership Framework June 2016–June 2017' (fact sheet, European Union, Brussels, June 2017), https://eeas.europa.eu/sites/eeas/files/factsheet_work_under_partnership_framework_with_ethiopia.pdf.

97 Lotte Leicht, 'EU Should Not Tolerate Ethiopia's Repression', *POLITICO*, 18 February 2009, www.politico.eu/article/eu-should-not-tolerate-ethiopia-repression/.



migrants—a deal that has resulted in few returns to date.⁹⁸ The decision to place Ethiopia on the priority list, given the broader challenges the country is facing, highlights the fact that for the European Union, this partnership is both strategically important and complex to carry out. Placing too much pressure on a country that is itself experiencing an emergency and hosting a large number of refugees could prove counter-productive. In this vein, the UK government, European Commission, European Investment Bank, and World Bank have developed plans to create 100,000 jobs in the country through the establishment of several industrial parks, with the stipulation that employment rights also be granted to 30,000 refugees, though this has yet to be rolled out.⁹⁹ The goal here is to create economic alternatives for both Ethiopian and refugee populations to encourage would-be migrants to stay in country, while also incentivising broader cooperation by the Ethiopian government.

Placing too much pressure on a country that is itself experiencing an emergency and hosting a large number of refugees could prove counter-productive.

Thus far, such incentives have had limited influence, as has direct political pressure. Over the course of 2016, Ethiopia received several high-level visits from the Italian and UK Special Envoys for the Horn of Africa, the Slovakian Minister of Foreign Affairs, and the German Chancellor, as well as from many representatives of the Commission. However, readmissions to Ethiopia remain a modest affair, with just 145 irregular migrants returned from Europe in 2016, all voluntarily.¹⁰⁰ A pilot programme under the Partnership Framework to identify and return 57 individuals had not yielded any results 17 months later.¹⁰¹ This is particularly frustrating for EU Member States given that countries such as Saudi Arabia have unilaterally undertaken forced returns in recent years, returning more than 170,000 Ethiopians in a four-month period beginning in November 2013.¹⁰² The European Union is unable to achieve the same results while respecting its human-rights commitments and trying to maintain a good relationship with the Ethiopian government.

The European Union is thus battling potentially irreconcilable challenges. European migration priorities have been eclipsed by other looming priorities that, if not addressed, could cause further displacement and instability in an already unstable region. In addition, the European Union may need to reflect on whether its interests in supporting Ethiopia's continued hosting of refugees outweighs its prized objective of returning irregular migrants. It may not be possible to achieve both goals simultaneously, and certainly not at scale.

98 Maja Janmyr, 'The Effectiveness of Norway's Readmission Agreements with Iraq and Ethiopia', *International Migration* 54, no. 4 (2015): 5–17, <http://onlinelibrary.wiley.com/doi/10.1111/imig.12220/full>; Catherine Eide, 'The Unintended Effects of Norway's Readmission Agreement with Ethiopia' (policy brief no. 3, Peace Research Institute Oslo, Oslo, March 2014), www.prio.org/Publications/Publication/?x=7416.

99 World Bank, *Program-for-Results Information Document (PID) Concept Stage: Jobs Compact Project* (Washington, DC: World Bank, 2017), <http://documents.worldbank.org/curated/en/580241499855149882/pdf/PID.pdf>.

100 European Commission, 'Report from the Commission to the European Parliament, the European Council, and the Council: Fourth Progress Report'.

101 Ibid.

102 European Commission, 'Joint Commission-EEAS Non-Paper on Enhancing Cooperation on Migration, Mobility, and Readmission with Ethiopia' (nonpaper 7205/16, Council of the European Union, Brussels, 17 March 2016), <http://statewatch.org/news/2016/mar/eu-com-eeas-readmission-ethiopia-7205-16.pdf>.



C. Central Asia

Central Asia has long been both a host and a source of migrants and refugees. Decades of conflict, political instability, and state fragility in Afghanistan, in particular, have created large and precarious refugee populations in Pakistan and Iran. Afghans have also been among the largest groups of irregular arrivals to Europe in recent years, making cooperation with the country of keen interest to European policymakers.

Afghanistan

In 2016, Afghanistan was the second largest country of origin for asylum seekers in Europe, with approximately 182,000 Afghans seeking asylum for the first time.¹⁰³ Recognition rates vary hugely across EU Member States, and a combination of scale and emerging security concerns regarding the identity of maritime arrivals has made returns to Afghanistan a top political priority for key governments, including Germany.¹⁰⁴ Despite this urgency in Europe, most Afghan refugees are hosted in neighbouring Pakistan (around 1.4 million as of 2016) and Iran (approximately 951,000 in 2016).¹⁰⁵ However, their situation remains precarious, and in 2016, nearly 1 million Afghans, some of whom fled the country during the 1979 Soviet invasion, were forcibly returned from Pakistan and Iran.¹⁰⁶

Since 2002, the European Union has provided 3.66 billion euros in development and humanitarian aid to Afghanistan, making it the country's fourth largest donor.¹⁰⁷ Until recently, EU priorities in Afghanistan did not focus on migration, investing instead in agriculture and rural development, health, security, and good governance. Under the Partnership Framework, however, the European Union is seeking to expand voluntary and involuntary returns of irregular migrants, alongside reintegration packages and efforts to address the root causes of migration and improve migration management. In November 2016, the Afghan government came under significant pressure from the European Union to sign the Joint Way Forward agreement on migration issues on the margins of a major EU-Afghanistan donor conference.¹⁰⁸ Afghanistan's Minister of Finance, Eklil Hakimi, reportedly told the Afghan parliament that it was necessary to cooperate in order to secure continued aid from Europe,¹⁰⁹ and Afghan Minister for Refugees and Repatriation Sayed Hussain Alemi Balkhi allegedly refused to sign the document, leaving it instead to his deputy.¹¹⁰ The agreement was initially kept out of public view, but later received significant condemnation from human-rights groups who cautioned that returnees could become targets for the Taliban and other militias.¹¹¹ Questions have also been raised about whether Afghans can be returned to a country experiencing widespread, generalised violence without running afoul of the principle of nonrefoulement.¹¹²

103 Eurostat, 'Statistics Explained—Asylum Statistics', accessed 26 January 2017, http://ec.europa.eu/eurostat/statistics-explained/index.php/Asylum_statistics.

104 Alistair Walsh, 'German Deportations to Afghanistan to Restart Next Week: Reports', Deutsche Welle, 22 June 2017, www.dw.com/en/german-deportations-to-afghanistan-to-restart-next-week-reports/a-39358343.

105 UNHCR, *Global Trends: Forced Displacement in 2016* (Geneva: UNHCR, 2017), 17, www.unhcr.org/en-us/statistics/unhcrstats/5943e8a34/global-trends-forced-displacement-2016.html.

106 Sune Engel Rasmussen, 'Exiled from Pakistan, Destitute Afghans Return to a Country at War', *The Guardian*, 6 October 2016, www.theguardian.com/global-development/2016/oct/06/exiled-pakistan-destitute-afghanistan-war.

107 European Commission, Directorate-General for International Cooperation and Development, 'Afghanistan', accessed 26 January 2017, https://ec.europa.eu/europeaid/countries/afghanistan_en.

108 European Commission and Government of Afghanistan, 'Joint Way Forward on Migration Issues between Afghanistan and the EU', 2 October 2016, https://eeas.europa.eu/sites/eeas/files/eu_afghanistan_joint_way_forward_on_migration_issues.pdf.

109 Amnesty International, *Forced back to Danger: Asylum-Seekers Returned from Europe to Afghanistan* (London: Amnesty International, 2017), www.amnesty.org/en/documents/asa11/6866/2017/en/.

110 Sune Engel Rasmussen, 'EU Signs Deal to Deport Unlimited Numbers of Afghan Asylum Seekers', *The Guardian*, 3 October 2016, www.theguardian.com/global-development/2016/oct/03/eu-european-union-signs-deal-deport-unlimited-numbers-afghan-asylum-seekers-afghanistan.

111 See, for example, Pro Asyl, *Afghanistan: No Safe Country for Refugees* (Frankfurt: Pro Asyl, 2017), www.proasyl.de/wp-content/uploads/2017/05/PRO-ASYL-Afghanistan-Broschuere-englisch-web-Mai17.pdf.

112 Engel Rasmussen, 'EU Signs Deal to Deport Unlimited Numbers of Afghan Asylum Seekers'.



Although it is not a priority partner, the European Union's intense interest in Afghanistan is clear. Nevertheless, as the political and security situation in Afghanistan has deteriorated, reference to Afghanistan in Partnership Framework progress reports has become increasingly scarce. Since the withdrawal of U.S.-led coalition forces, the Taliban and other insurgents have regained strength and territory throughout the country.¹¹³ Suicide bombings, improvised explosive devices, and targeted attacks by antigovernment groups cause 62 per cent of all civilian casualties in the first quarter of 2017.¹¹⁴ In 2016, the Dutch Ministry of Foreign Affairs reported that Afghan authorities are generally unable to protect civilians from violence due to corruption and ineffective governance,¹¹⁵ and attacks in Kabul in 2017 have signalled heightened insecurity even in the capital. Overwhelming security and economic difficulties have led some commentators to warn that Afghanistan may return to intrafactional war or even disintegrate into new territories, similarly to the partition of Pakistan and the emergence of Bangladesh following contested elections in the 1970s.¹¹⁶ The Afghan National Unity Government that resulted from a powersharing agreement following the disputed 2014 presidential elections has failed to implement needed political and electoral reforms, depriving itself of desperately needed legitimacy. The U.S. Department of State has reported widespread disregard for the rule of law and impunity for human-rights abusers, including officials.¹¹⁷

There is little consensus ... about whether the country is safe enough to carry out large-scale returns.

Afghanistan thus poses a Catch-22 problem for the European Union. Afghans were among the top nationalities of migrants ordered to leave the European Union in 2015 and 2016,¹¹⁸ but there is little consensus among civil-society organisations and European government authorities about whether the country is safe enough to carry out large-scale returns. There are even disagreements between departments and levels of government within the same countries, resulting in the erratic suspension of returns (e.g., following large-scale attacks on civilians in 2016 and 2017) and resumption only weeks later, without any significant improvement in the security situation. In Germany, by the time a bomb attack rocked Kabul in May 2016, killing or injuring 500 people,¹¹⁹ six of the 16 *Länder* had already suspended deportations to Afghanistan months prior, citing security concerns.¹²⁰ The German

113 In recent decades, Afghanistan has experienced invasion and insurgency, beginning with the Soviet invasion in 1979 that led to the emergence of a repressive Taliban regime, which was defeated by a U.S.-led coalition following the 9/11 attacks and replaced by a weak interim government. See European Asylum Support Office (EASO), *Country of Origin Information Report: Afghanistan Security Situation* (Valletta, Malta: EASO, 2016), www.easo.europa.eu/sites/default/files/public/EASO-COI-Afghanistan_Security_Situation-BZ0416001ENN_FV1.pdf.

114 United Nations Assistance Mission in Afghanistan, 'UNAMA First Quarter 2017 Civilian Casualty Data', updated 27 April 2017, <https://unama.unmissions.org/unama-first-quarter-2017-civilian-casualty-data>.

115 UNHCR, *Afghanistan: Protection of Civilians in Armed Conflict: Midyear Report 2017* (Geneva: UNHCR, 2017), https://unama.unmissions.org/sites/default/files/protection_of_civilians_in_armed_conflict_midyear_report_2017_july_2017.pdf; Government of the Netherlands, Ministry of Foreign Affairs, *Algemeen Ambtsbericht Afghanistan* (The Hague: Government of the Netherlands, 2016), 33, www.rijksoverheid.nl/documenten/ambtsberichten/2016/11/15/algemeen-ambtsbericht-afghanistan.

116 Davood Moradian, 'Afghanistan Is Heading for Civil War or Worse', Al Jazeera, 6 September 2016, www.aljazeera.com/indepth/opinion/2016/09/afghanistan-heading-civil-war-worse-160905125100447.html.

117 U.S. Department of State, Bureau of Democracy, Human Rights, and Labor, *Country Reports on Human Rights Practices for 2014: Afghanistan* (Washington, DC: U.S. Department of State, 2015), 2, www.state.gov/j/drl/rls/hrrpt/2014/humanrightsreport/index.htm?year=2014&dliid=236632.

118 Eurostat, 'Third Country Nationals Ordered to Leave – Annual Data (rounded) [migr_eiord]', updated 1 November 2017, http://ec.europa.eu/eurostat/web/products-datasets/-/migr_eiord.

119 Al Jazeera, 'Germany Suspends Afghan Deportations after Kabul Blast', Al Jazeera, 1 June 2017, www.aljazeera.com/news/2017/06/germany-suspends-afghan-deportations-kabul-blast-170601165442219.html.

120 Daniel Mützel, 'German Regions Stop Sending Rejected Asylum Seekers back to Afghanistan', EURACTIV, 7 February 2017, www.euractiv.com/section/global-europe/news/german-regions-stop-sending-rejected-asylum-seekers-back-to-afghanistan/.



government temporarily suspended deportations again in June 2017 after a deadly suicide attack in the capital, but recommenced weeks later.¹²¹

The European Union has been similarly inconsistent. On the one hand, the country-of-origin report published by the European Asylum Support Office in November 2016 and drafted with the support of several Member State asylum authorities highlights the ongoing instability across much of the country.¹²² On the other, political pressure on key Member States and the fear that failing to expeditiously return migrants judged not to have valid protection claims could damage the credibility of asylum systems and fuel anti-immigrant sentiment, drove governments to push for increased return despite the potential costs.

IV. Paradoxes of Partnership

While it is too soon to evaluate the success of the Partnership Framework, early indications suggest it is not as comprehensive as intended. Paradoxically, the laser focus on migration objectives frequently obscures critical needs and interlinked challenges partner countries face, and the failure to adequately acknowledge these factors could ultimately undermine the progress the European Union hopes to make.

A. Erecting border controls and protecting border economies

Although the European Union wants to disrupt the smuggling networks that bring people into Europe by shoring up border controls, migration management, and law enforcement capabilities, it needs to take care not to destroy the delicate ecosystem of border economies. Migration and smuggling have become dominant—and sometimes the only—industries in some regions, and there is a great deal of interaction between formal and informal (licit and illicit) crossborder economies. The infrastructure that supports human smuggling, for example, also facilitates goods smuggling. Moreover, migrants access formal services, such as transportation, restaurants, and accommodation, as well as paying smugglers and bribes. Poorly managed disruptions to the informal economy can have negative knock-on effects on the formal one.

Disrupting smuggling networks is therefore a delicate process that cannot happen overnight. It should occur alongside the creation of viable alternative economic opportunities and must account for how crossborder industries support regional and tribal authority structures, with the power to either challenge or align with the central government.¹²³ Thus far, efforts to disrupt the illicit smuggling economy have far outpaced parallel efforts to create alternative sources of income. This is particularly glaring in regions dependent on the smuggling economy, such as Agadez, Niger,¹²⁴ where half of local respondents reported engaging in economic activities related to the presence of transit migrants.¹²⁵ Efforts to crack down on smuggling in the town have resulted in more than one hundred arrests, including of some police officers.¹²⁶

121 Walsh, 'German Deportations to Afghanistan to Restart'.

122 EASO, *Country of Origin Information Report: Afghanistan Security Situation*.

123 Molenaar and El Kamouni-Janssen, *Turning the Tide*.

124 Hans Lucht, 'European Anti-Migration Agenda Could Challenge Stability in Niger', Danish Institute for International Studies, 19 June 2017, www.diiis.dk/en/research/european-anti-migration-agenda-could-challenge-stability-in-niger.

125 Samuel Hall, *Selling Sand in the Desert: The Economic Impact of Migration in Agadez* (N.p.: Samuel Hall, 2016), <http://samuelhall.org/wp-content/uploads/2017/08/IOM-The-economic-impact-of-migration-in-Agadez.pdf>.

126 Omar Saley, 'Niger's Migrant Smuggling Hub Empties after EU Crackdown', Reuters, 31 January 2017, www.reuters.com/article/us-niger-migration-agadez/nigers-migrant-smuggling-hub-empties-after-eu-crackdown-idUSKBN15F13Q.



While it may be possible to stem flows into Libya and onwards in the short term, migration flows are already shifting to other, deadlier routes through the desert where an unknown number of migrants are abandoned by smugglers.¹²⁷ To achieve results, European governments are resorting to microdiplomacy, reaching out to subnational authorities and local actors, which can create new geopolitical tensions in a region. Arrivals to Italy declined significantly in mid-2017—with average daily arrivals in August 2017 less than one-third of what they were a year before¹²⁸—but the situation of migrants trapped in Libya remains dire,¹²⁹ and has the potential to destabilise fragile peace between factions in the country.¹³⁰ Moreover it is unclear whether these interventions will lead to a sustainable reduction in irregular migration towards Europe or simply a temporary lull.¹³¹

This approach does not account for the established crossborder economies, both formal and informal, that are crucial for maintaining livelihoods.

Regional migration is an important survival strategy for many individuals and communities as they seek to weather shocks to livelihoods caused by economic upheaval, political instability, and environmental disasters. But the border-control and migration-management goals established through the new generation of partnership are not yet sufficiently calibrated to distinguish between intraregional migration and flows towards Europe; instead, it treats countries as self-contained entities and migration as an aberration or unwanted side-effect of poverty and weak development. This approach does not account for the established crossborder economies, both formal and informal, that are crucial for maintaining livelihoods and fostering regional integration and mobility.¹³² If the African Union's goal of visa-free access for all African citizens by 2018 is realised, the European Union will need to reflect on how to introduce a more sophisticated means of managing complex migration patterns.¹³³

B. Choosing strategic partners and strategic alternatives

The current EU strategy targets poorer and often politically fragile countries in regions with significant migration towards Europe, with the aim of halting journeys as early as possible. Yet it might be more strategic to focus on making existing destination countries more attractive and more open to migration. For example, many irregular arrivals from Libya claimed that they had initially intended to find work in Libya but were forced onwards by poor treatment and the collapse of the formal

127 See, for example, Agence France-Presse, 'Dozens Abandoned in Niger Desert Feared Dead', Al Jazeera, 27 June 2017, www.aljazeera.com/news/2017/06/dozens-feared-dead-abandoned-niger-desert-170626213859163.html.

128 UNHCR, 'Italy Weekly Snapshot – 27 August 2017' (fact sheet, UNHCR, Geneva, August 2017), <https://data2.unhcr.org/en/documents/download/58896>.

129 In November 2017, a video surfaced that appeared to show African migrants being sold as slaves in Libya, leading to protests in Europe and Africa. See Nellie Peyton, 'Sale of Migrants in Libya "Slave Markets" Sparks Global Outcry', Reuters, 20 November 2017, www.reuters.com/article/us-libya-slavery-migrants/sale-of-migrants-in-libya-slave-markets-sparks-global-outcry-idUSKBN1DK2AU.

130 Claudia Gazzini, 'Quick Fixes Won't Block Libya's People Smugglers for Long', International Crisis Group, 14 September 2017, www.crisisgroup.org/middle-east-north-africa/north-africa/libya/quick-fixes-wont-block-libyas-people-smugglers-long.

131 Aidan Lewis and Steve Scherer, 'Exclusive: Armed Group Stopping Migrant Boats Leaving Libya', Reuters, 21 August 2017, www.reuters.com/article/us-europe-migrants-libya-italy-exclusive-idUSKCN1B11XC; *The Economist*, 'Why Are Fewer Irregular Migrants Arriving in Italy?' *The Economist*, 28 August 2017, www.economist.com/blogs/economist-explains/2017/08/economist-explains-22.

132 Nassim Majidi and Herve Nicolle, 'EU Should Invest in Development, Not Security in Africa', Al Jazeera, 8 February 2017, www.aljazeera.com/indepth/opinion/2017/02/eu-invest-development-security-africa-170207160500323.html.

133 United Nations Economic Commission for Africa, 'Free Movement of Persons'.



economy.¹³⁴ Bringing security and economic stability to Libya could therefore lessen the desire among migrants for onward movement.¹³⁵ Similarly, a strategy to buttress regional and continental mobility—particularly to more developed countries such as Ghana, Kenya, and South Africa—could reinforce alternative poles of attraction closer to home, while also showing greater appreciation of the mobility objectives of the African Union and regional organisations. Just 13 of 55 African countries offer liberal visa access to all Africans; meanwhile eight of the nine upper-middle-income African countries have illiberal visa policies towards other Africans.¹³⁶ Instead of trying to prevent migration, a more sustainable (and yet counterintuitive) approach might be to promote migration within the region.

The European Union has made limited attempts to provide alternative legal channels into Europe for either migrants in need of protection or those searching for economic opportunities. Slightly more than 25,700 people have been resettled since the launch of the EU resettlement scheme in July 2015 and under the EU-Turkey Statement in March 2017, predominantly from Jordan, Lebanon, and Turkey.¹³⁷ This represents important progress in developing resettlement capacity in Member States with embryonic resettlement programmes and in showing solidarity with third countries that host large refugee populations. In September 2017, the European Commission took this commitment further by recommending a new resettlement scheme with 50,000 places, subject to Member State pledges.¹³⁸ Yet the predominant focus on resettling Syrian refugees does not address the need for a durable solution for large and longstanding refugee populations in priority countries, such as Ethiopia,¹³⁹ or in other important host countries, such as Uganda, where the number of refugees more than doubled from 500,000 in June 2016 to more than 1.25 million in June 2017 as a result of ongoing conflict in South Sudan.¹⁴⁰

A more sustainable (and yet counterintuitive) approach might be to promote migration within the region.

Beyond resettlement, legal migration channels have been chronically underused. EU policymakers also appear to lack a clear understanding of the role such channels might play in reducing irregular Mediterranean arrivals.¹⁴¹ The profile of migrants using such routes are unlikely to match those sought by EU Member States in economic migration programmes, and scalability remains both a political and technical challenge. Currently, the majority of Member States do not have any specific initiatives with priority countries on legal migration, according to Member State responses to an ad hoc query

134 Marie-Cecile Darne and Tahar Benattia, *Mixed Migration Trends in Libya: Changing Dynamics and Protection Challenges* (N.p.: Altai Consulting, 2017), www.altaiconsulting.com/wp-content/uploads/2017/08/2017_Mixed-Migration-Trends-in-Libya-Final-Report-Web.pdf.

135 Pernille Goodall and Paul Clewett, 'How to Make Libya a Place to Live and Work for Migrants', *Refugees Deeply*, 6 November 2017, www.newsdeeply.com/refugees/community/2017/11/06/how-to-make-libya-a-place-to-live-and-work-for-migrants.

136 African Development Bank, *Africa Visa Openness Report 2016* (Abidjan, Côte d'Ivoire: African Development Bank, 2016), www.afdb.org/fileadmin/uploads/afdb/Documents/Generic-Documents/Africa_Visa_Openness_Report_2016.pdf.

137 European Commission, 'Annex to the Report from the Commission to the European Parliament, the European Council, and the Council: Progress Report on the European Agenda on Migration, Resettlement' (COM [2017] 669 final, 15 November 2017), https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20171114_annex_7_resettlement_en.pdf.

138 European Commission, 'State of the Union 2017 – Commission Presents Next Steps towards a Stronger, More Effective and Fairer EU Migration and Asylum Policy' (press release, Brussels, 27 September 2017), http://europa.eu/rapid/press-release_IP-17-3406_en.htm.

139 UNHCR, 'Ethiopia' (fact sheet, UNHCR, Geneva, June 2016), http://et.one.un.org/content/dam/unct/ethiopia/img/Document%20cover%20pages/UNHCR_Fact_Sheet_June2016.png.

140 United Nations, 'In Uganda, UN Chief Meets with South Sudanese Refugees, Urges World to Show Solidarity', UN News Centre, 22 June 2017, www.un.org/apps/news/story.asp?NewsID=57041.

141 Susan Fratzke and Brian Salant, *Tracing the Channels Refugees Use to Seek Protection in Europe* (Brussels: MPI Europe, 2017), www.migrationpolicy.org/research/tracing-channels-refugees-use-seek-protection-europe.



by the European Commission.¹⁴² The development of set quotas and attempts to match legal channels to cooperation on returns have rarely paid dividends for EU Member States in the past. Rather, governments should think more strategically about how they use such legal channels to promote positive collaboration. For example, introducing routes for student and professional mobility can demonstrate the body language of cooperation and give partner countries a ‘win’ to promote at home. This, combined with a broader relationship based on a range of mutual interests, is more likely to result in sustainable, beneficial partnership.

C. Loud diplomacy and bad publicity

The European Commission’s early progress reports for the Partnership Framework were eager to trumpet short-term successes and celebrated every negotiation with third countries and instance of diplomacy. As described in previous sections, the governments of both Afghanistan and Mali reacted negatively to the public pushback against return and readmission agreements and pulled back from their respective deals. Meanwhile, the European Union’s preoccupation with convincing its own public of its effectiveness has not created sufficient space for partner countries to also claim wins. Conversely, the 2008 Italy–Libya Friendship Agreement was both effective in reducing irregular migration from Libya to Italy before then Prime Minister Muammar Gaddafi was overthrown and represented a carefully orchestrated PR-boost for Libya. The agreement, while morally suspect from a European perspective, was a source of pride for Libyans, as it was framed as an apology for the Italian occupation of Libya and was accompanied by the promise of USD 5 billion (roughly 7 billion euros) in infrastructure investment.¹⁴³

If the European Union plans to continue loudly relaying to European publics its diplomacy with partner countries, it must also allow partner countries to save face by making both financial and symbolic concessions—even at its own expense. It is clear that some EU countries have not yet understood this. When the French government prematurely announced its intention to introduce centres to process asylum applications in Niger and Chad at the Paris Summit in late August 2017, it was strongly rebuffed by leaders in those two countries and forced to modify ambitions.¹⁴⁴ Austrian efforts to promote a similar ‘external processing’ mechanism in Tunisia in early 2017 also foundered when it became clear that Austrian officials had not engaged in direct diplomacy with the Tunisian government before announcing their idea. As a result, the space to subsequently negotiate with Tunisia has been significantly curtailed.

As increasingly populist governments in Europe seek to reassure publics that they have migration under control, they would do well to remember that media is now global. Panic over arrivals in the Eastern Mediterranean, coupled with calls to close European borders, have negatively resonated with countries hosting much larger refugee populations in their regions of origin. In May 2016, for example, the Kenyan government announced that it would close Dadaab refugee camp, which at the time housed 300,000 refugees, citing ‘standard practice worldwide. ... [I]n Europe, rich, prosperous, and democratic countries are turning away refugees’.¹⁴⁵ In this context, the European Union needs to be cognisant that

142 European Commission, ‘Report from the Commission to the European Parliament, the European Council, and the Council: Fourth Progress Report’.

143 Government of Italy, *Ratifica ed esecuzione del Trattato di amicizia, partenariato e cooperazione tra la Repubblica italiana e la Grande Giamahiria araba libica popolare socialista, fatto a Bengasi il 30 agosto 2008*, Law No. 7, passed 6 February 2009, entered into force 19 February 2009, www.normattiva.it/uri-res/N2Ls?urn:nir:stato:legge:2009-02-06:7!vig=.

144 The President of Chad rejected the idea of creating posts that ‘call upon all migrants from across the continent to come to our borders’, but instead agreed to centres that would be accessible to those already recognised as refugees by the UNHCR. See Nikolaj Nielsen, ‘Macron Wants Asylum Claims to Start in Africa’, EU Observer, 29 August 2017, <https://euobserver.com/migration/138816>.

145 Patrick Kingsley, ‘Fear Forces Refugees in World’s Largest Camp to Return to Conflict Zones’, *The Guardian*, 15 September 2016, www.theguardian.com/global-development/2016/sep/15/fear-forces-refugees-dadaab-kenya-worlds-largest-camp-return-conflict-zones-human-rights-watch-warns.



its diplomacy is often preceded by more fiery headlines, and that partner countries are likely to react negatively to such messages, even if they are intended for a European audience. This is all the more important at a time when the United Nations is negotiating a Global Compact for Migration with the intention of creating a global framework for international cooperation.¹⁴⁶

D. Conditionality

The Austrian Minister of Integration and Foreign Affairs, Sebastian Kurz, has admitted that ‘many of the countries have no interest in us sending back their citizens.’¹⁴⁷ Faced with the question of how to proceed with returns despite this disinterest, he has joined scattered calls for a ‘less-for-less’ principle wherein countries of origin receive less funding if they refuse to take back their citizens.

In its original form, conditionality of foreign aid was focused on the promotion of human-rights protection, good governance, and rule of law, on the basis that only with these solid foundations in place would development aid be effective. The more recent incarnation of aid conditionality has become more transactional, focused on effecting a specific donor policy outcome—in this case, migration management. The idea is not new. The June 2002 European Council presidency conclusions state that if ‘full use has been made of existing Community mechanisms but without success, the Council may unanimously find that a third country has shown an unjustified lack of cooperation in the joint management of migration flows.’¹⁴⁸ It goes on to justify the adoption of measures or positions under the Common Foreign and Security Policy and other EU policies, ‘but not jeopardising development cooperation objectives.’¹⁴⁹ Certain countries, including Spain and the United Kingdom, pushed for tougher measures that would have subordinated the distribution of development aid to migration objectives, but they were overruled by more moderate voices. Development aid was held as sacrosanct against potential retributions.

There are some critical challenges inherent to the less-for-less approach. First, removing support for fragile states may have a counterproductive effect if doing so worsens the situation for nationals or tips a country into conflict. In discussing the possibility of developing cooperation with Afghanistan, a number of EU Member State governments—including Germany, Italy, Spain, and the United Kingdom—made this point.¹⁵⁰ In an era of geopolitical turbulence, this approach may thus be rather limited.

Removing support for fragile states may have a counterproductive effect if doing so worsens the situation for nationals or tips a country into conflict.

Second, in countries where remittances and investments from non-EU sources are significantly greater than the development assistance on offer, potential partners may decide to opt out of EU frameworks entirely. Indeed, the EEAS has suggested that only a ‘more-for-more’ approach will be workable in the long term, and the European Commission’s Directorate-General for International Cooperation and

146 IOM, ‘Global Compact for Migration’, accessed 27 November 2017, www.iom.int/global-compact-migration.

147 Kate Brady, ‘Austrian Foreign Ministers Threatens Refugee Homelands with Severe Sanctions’, Deutsche Welle, 29 December 2016, www.dw.com/en/austrian-foreign-ministers-threatens-refugee-homelands-with-severe-sanctions/a-36946752.

148 Council of the European Union, ‘Seville European Council, 21 and 22 June 2002: Presidency Conclusions’, 24 October 2002, 11, <http://register.consilium.europa.eu/doc/srv?l=EN&f=ST%2013463%202002%20INIT>.

149 Ibid.

150 Various EU Member States, ‘Responses to Country Fiche on Afghanistan’ (working documents, unpublished).



Development Cooperation has highlighted that they will seek to ‘ensure that the use of conditionality in the migration dialogue does not negatively impact development cooperation.’¹⁵¹

The unintended and potentially counterproductive consequences of conditionality are further compounded by the practical challenges of implementing such an approach successfully in the first place. It has been argued that conditionality only works if the European Union is able to withhold its rewards or incentives at little or no cost to itself. In other words, for conditions to be credible, the European Union must be less interested in giving the reward than the third country is in receiving it.¹⁵² And while the European Union and its Member States are heavily invested in the success of third-country partnerships in curbing irregular migration, they also have other, broader interests that may create internal division between EU Member States and the European Commission. Ultimately, and particularly where progress on migration goals is small and slow, the strong historical and geopolitical relationships between individual Member States and partner countries can easily undercut any EU use of conditionality. The strength of these bilateral bonds can be seen in how difficult it has proven to find consensus between Member States as to when conditionality should be applied with an individual country. For many, trade interests may trump migration interests.

A less frequently considered challenge of conditionality is that it may only be effective if the potential partner considers the donor to be the most significant and strategically important player around. Certainly, the European institutions and EU Member States combined constitute the lion’s share of overseas development assistance, reaching 75.5 billion euros in 2016,¹⁵³ but development aid is not the only source of income for third countries—particularly those with growing economies.¹⁵⁴ The influence of Chinese investment in some regions may dilute the impact that conditionality might otherwise have on a government’s interests, particularly if closer collaboration with the European Union would lead to onerous obligations or negative domestic outcomes. EU documents frequently pay lip service to the need to consider and incorporate partner-country interests, but the assessments of those interests are EU-centric and do not fully appreciate that not all partners aspire to EU rules and standards.¹⁵⁵ As can be seen in ongoing negotiations with Turkey, even accession to the European Union is proving to have limited weight as an incentive, given the financial and wider costs of hosting large refugee populations and the political changes that have taken place since the July 2016 coup.

Finally, it remains to be seen how the European Union (or its Member States) might convince third countries that the rewards promised for cooperation are fair, when those rewards will differ significantly from state to state. The use of conditionality assumes that principles and ideas apply equally to all countries—a strategy that may be ill-suited to a context in which tailored relationships with third countries are most likely to be effective. In short, it is unclear that conditionality lends itself to differentiated relationships: ignoring certain achievements in one country while rewarding them next door is unlikely to foster strong mutual trust and cooperation in the long term. If, for example, the European Union is willing to waive barriers to visa liberalisation in one country (such as Turkey) but not with another, EU negotiations will likely find it harder to convince partners that those barriers are legitimate.

151 European Commission, ‘Policy Coherence for Development’.

152 Frank Schimmelfennig and Ulrich Sedelmeier, ‘Governance by Conditionality: EU Rule Transfer to the Candidate Countries of Central and Eastern Europe’, *Journal of European Public Policy* 11, no. 4 (2004): 661–79, www.tandfonline.com/doi/abs/10.1080/1350176042000248089.

153 European Commission, ‘EU Official Development Assistance Reaches Highest Level Ever’ (press release, Brussels, 11 April 2017), http://europa.eu/rapid/press-release_IP-17-916_en.htm.

154 European Commission, ‘Official Development Assistance: Preliminary 2014 Data Published’ (press release, Brussels, 8 April 2015), http://europa.eu/rapid/press-release_MEMO-15-4748_en.htm.

155 See, for example, 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 Global Approach to Migration and Mobility’.



E. Throwing money into the darkness

While migration is a priority for the European Union like never before, the Partnership Framework assumes an air of trial and error, adapting programmes and policies to different socioeconomic and geopolitical contexts without evidence on what works. Few benchmarks for monitoring success have been articulated beyond numbers of irregular arrivals at certain key points in the journey (not all of whom may actually intend to travel to Europe), and improved rates of return. And within this, simple questions remain unanswered, such as what constitutes an acceptable rate of return or level of irregular migration. Billions of euros are being invested without a more sophisticated framework for success or way to coherently monitor change.

In a complex migration scenario, where routes and responsibilities are constantly shifting, simple numerical markers may not be useful. Benchmarks that collate the overall outcomes of EU-28 efforts may also obscure the failure of certain actors to progress; while the European Commission's second progress report trumpeted return figures to the five priority countries, it failed to note that the vast majority of those returns were to a single country, Nigeria, and effected by a single country with its own bilateral arrangements, the United Kingdom.¹⁵⁶ Finally, there is a problem of perception. While a 10 per cent increase in returns would be seen as an enormous step forward for those working in migration enforcement, publics may see this as relative failure.

The idea of root causes is conceptually unclear and imprecise, bestowing a false sense of linear simplicity on a tangled, multidimensional, and delicate web of factors.

It is also extremely unclear who is consulted and what kinds of practical assessment takes place, if any, before EU policymakers plunge into a partnership agreement. A planned effort to gather an overview of all the Member State and EU interventions in a particular priority country fell by the wayside. Country files produced by the European Commission and EEAS seem to rely on reports from international agencies and EU in-country missions, supplemented by information from particular Member State ministries. The quality and scope of each country file varies substantially in terms of depth of analysis and focus, which in turn raises questions as to whether the 'tailoring' of each partnership owes as much to happenstance as strategic thinking.¹⁵⁷

The long-term goal of the EU partnership strategy is to address the root causes of irregular migration and forced displacement, yet even this core approach is subject to debate. Thus far, this strategy has centred on increasing economic opportunities within partner countries. For example, the December 2016 reports on the EU Emergency Trust Fund for Africa list economic opportunities under the heading of 'preventing irregular migration, forced displacement, and better migration management'.¹⁵⁸ Yet the idea of root causes is conceptually unclear and imprecise, bestowing a false sense of linear simplicity on a tangled, multidimensional, and delicate web of factors that influence migration. Although it is widely assumed that a lack of economic opportunities forces migrants into their journeys, evidence suggests that an increase in economic prosperity in countries of origin may result in

¹⁵⁶ European Commission, 'Communication from the Commission to the European Parliament, the European Council, and the Council: Second Progress Report'.

¹⁵⁷ Author analysis of unpublished and published country files on Afghanistan, Ethiopia, Ghana, Somalia, and Sudan. For those original country files available online, see Statewatch, 'Leaked: "Non-Papers" on Migration, Mobility and Readmission with Ethiopia, Somalia, and Sudan', updated 30 March 2016, <http://statewatch.org/news/2016/mar/eu-readmission-docs.html>.

¹⁵⁸ European Commission, 'Fonds fiduciaire pour l'Afrique: Actions au Sénégal' (fact sheet, European Commission, Brussels, 14 December 2016), https://ec.europa.eu/europeaid/factsheet-eutf-africa-senegal_en.



more—and not less—migration, at least in the short term,¹⁵⁹ and that those suffering the worst forms of poverty and vulnerability often lack the resources to move.

There may be other factors that influence migrants' decisions to move even more than opportunities for employment. A study of Afghans in Kabul found that their willingness to leave was more strongly associated with their overall optimism (or pessimism) about the future of the country than with socioeconomic status.¹⁶⁰ Most of the aspiring migrants cited insecurity and unemployment as their main motivating factors, while also identifying corruption and bad governance as major problems. These issues are widespread and affect most Afghans, but optimism that the country will move in a positive direction increases the bearableness of these challenges. Similarly a study of key drivers of migration in the Horn of Africa highlighted the role for cultural norms and collective livelihood strategies in addition to conflict, generalised violence, political repression, and unemployment.¹⁶¹ Tackling the root causes of irregular migration would therefore include a combination of strategies to change cultural norms, improve security, support good governance, root out corruption, increase economic opportunities, and communicate the international community's commitment to quickly realising these aims. Yet at this point, such a strategy would be indistinguishable from long-standing EU foreign policy and development goals.

V. Expanding Priorities

For the Partnership Framework to resolve its paradoxes and shift from crisis response to an effective and sustainable migration policy, the deals made under its auspices needs to reflect the contexts and priorities of partner countries. Such an approach must be truly comprehensive across policy domains; rely on local and regional expertise; and engage state, subnational, and civil-society actors in genuine consultation and cooperation. The Partnership Framework already lays the groundwork for such an approach: its tailored compacts theoretically facilitate personalised agreements that are sensitive to partner-country needs, priorities, and capabilities. Yet it has, to date, focused too narrowly on fulfilling European imperatives, such as return and readmission.

A. Addressing partners' priorities

The leverage the European Union thought it gained over partners through the Partnership Framework has not translated into sustained progress on the bloc's main interests. These migration priorities—decreasing irregular arrivals and increasing returns—often clash with those of third countries, which include creating legal pathways for their citizens to move. While third countries may pay lip service to EU priorities, such as repatriating nationals, in reality they often have more pressing concerns beyond the realm of migration management. Even when they have signed an agreement, third countries may implicitly circumvent repatriation policies by delaying or withholding necessary travel documents or refusing to recognise the temporary documents issued by the European Union. If migration partnerships merely create incentives for governments to make promises they do not intend to keep, how can the European Union ensure that their investments are effective?

159 Hein de Haas, "Turning the Tide? Why 'Development instead of Migration' Policies Are Bound to Fail' (working paper 2006-2, University of Oxford, International Migration Institute, Oxford, UK, 2006), <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.458.1982&rep=rep1&type=pdf>.

160 Asia Foundation, *A Survey of the Afghan People: Afghanistan in 2016* (Washington, DC: Asia Foundation, 2016), 186, http://asiafoundation.org/wp-content/uploads/2016/12/2016_Survey-of-the-Afghan-People_full-survey-Apr2017.pdf.

161 Regional Mixed Migration Secretariat (RMMS), *Global Migration Futures: Using Scenarios to Explore Future Migration in the Horn of Africa & Yemen* (Nairobi: RMMS, 2012), www.regionalmms.org/images/ResearchInitiatives/Global_Migration.pdf.



To forge genuine and sustainable cooperation, the Partnership Framework needs to allow partners to develop a sense of ownership over agreements. While the 2015–16 migration crisis looms large in European memories, many third countries have been hosting large populations of refugees and irregular migrants for decades, with far less attention and resources. Other third countries have experienced different crises, including some that have imperilled the very survival of the state—from armed insurgencies and coup d'états to economic collapse. Without stability and good governance, whatever progress the European Union makes on migration objectives can be swiftly undone by an unexpected coup, change in government, or uprising that leaves swaths of the population displaced. Sustainable progress demands that EU policymakers address their partners' pressing needs.

Migration partnerships should begin with a frank appraisal of the security, political, economic, and social contexts in partner countries, as well as regional and subnational migration dynamics, and look for common interests with these key contextual elements in mind (as originally intended). For example, security and mobility are inextricably linked; instability both causes and is affected by migration. Meanwhile, migration can be crucial for maintaining stability when it acts as a release valve for economic, environmental, and political tensions. In fragile states with weak administrative control, placating regions that benefit from smuggling and migration may be essential for a central government seeking to maintain their loyalty. In other contexts, economic gains from migration may enrich potential rivals to state authority. Ignoring such delicate and interconnected factors can make mountains out of mole hills in years to come if policies that appear to curb migration towards Europe ultimately undermine development, regional integration, good governance, and stability.

A slower and more robust engagement with partner priorities could be a crucial step towards identifying shared interests and result in more sustainable impact.

The EU Trust Fund for Africa is a critical tool to address partner countries priorities, but it is unclear how funds should be distributed between migration and development funding priorities to maximise effectiveness. Consultation with local stakeholders, civil society, and regional actors is crucial to improving the design and delivery of projects, but only happens in a limited and nonsystematic way. Boosting partners' local capacity for strategic planning is a less flashy deliverable than investing a quantifiable sum into a project, but a slower and more robust engagement with partner priorities could be a crucial step towards identifying shared interests and result in more sustainable impact. Instead, the distribution of funds varies significantly between countries without a clear philosophy. For example, in Niger, funding for projects ranged from 44.9 million euros to create economic opportunities to 32 million euros for migration management and 36 million euros for border management and security.¹⁶² In Senegal, by comparison, 105.9 million euros went towards the creation of economic opportunities and the remaining 55.9 million euros were divided almost equally between migration management and returns and reintegration.¹⁶³

The recently created EU financial instruments have also narrowed the potential role for nongovernment actors, especially small and local ones. The EU Emergency Trust Fund for Africa, for example, gives preference to projects implemented by Member States and international organisations.¹⁶⁴ Moreover, conducting open calls for proposals, a process that might garner

162 European Commission, 'Fonds fiduciaire pour l'Afrique: Actions au Niger'.

163 European Commission, 'Fonds fiduciaire pour l'Afrique: Actions au Sénégal'.

164 European Commission, 'Agreement Establishing the EU Emergency Trust Fund for Stability and Addressing Root Causes of Irregular Migration and Displaced Persons in Africa and Its Internal Rules', 20 October 2015, https://ec.europa.eu/europeaid/sites/devco/files/constitutive-agreement-annexe-2015-7293-20151020_en.pdf.



applications from more diverse actors, is not always a priority when a rapid response is needed.¹⁶⁵ The 2011 GAMM consultation process could serve as a starting point for a consultative framework. This process used questionnaires and consultation meetings in Brussels and abroad with EU institutions, Member States, civil-society organisations, and third-country governments to solicit feedback on critical topics, such as what EU priorities should be, what levers to use to achieve policy goals, how to select and engage with partner countries, and how to make the process more effective. As these processes become regular and institutionalised, it may also become easier to attract participation. However, such stakeholder engagement must be more than a box-ticking exercise or an invitation for third countries to participate in a precooked pro forma process. To earn legitimacy, feedback from third countries and civil-society organisation should be clearly and quickly operationalised and not ignored in subsequent frameworks.

B. Engaging the right actors

At a time when the political stakes for migration policy are highest, new and less experienced actors have been placed at the forefront of the new partnership approach. First, EEAS is leading partnership negotiation with priority countries, rather than the European Commission which has historically held this role. In this transition, some of the institutional memory and lessons previously learned about ownership, civil-society and regional-actor engagement, and the prioritisation of public administration reform and good governance have been lost. For example, in the 2011 public consultation and stakeholder review of the GAMM, almost all Member State and civil-society respondents agreed that non-EU countries should be invited to the discussion table at an early stage of cooperation to identify their concerns and interests. West African respondents, meanwhile, noted that there needed to be more balance between creating opportunities for legal migration and controlling irregular flows in order for the framework to be legitimate. These lessons have not been reflected in the Partnership Framework, which has had weak emphasis on creating legal channels and trumpets the European Union's migration agenda over partner countries' national and regional concerns.

Working with a broad coalition of actors within a country ... can encourage partner governments to implement policies that respect human rights.

When operating in weak states with limited capacity and control over their territory, nonstate actors can be crucial allies. They can also sound alarms on improper state actions or provide important on-the-ground information. Working with a broad coalition of actors within a country, including local authorities, and empowering civil-society voices, can encourage partner governments to implement policies that respect human rights. Doing so can also protect the European Union's credibility by avoiding the appearance of being too close to repressive regimes. The European Union could take the lead by developing a best practice framework for initiating third-country partnerships, based on the principles in the Cotonou Agreement (signed in 2003 and revised in 2010), which expressly promotes broad and inclusive partnership with African, Caribbean, and Pacific partner countries. The agreement recognises the important role of national parliaments, local authorities, civil society, and the private sector.¹⁶⁶

¹⁶⁵ Volker Hauck, Anna Knoll, and Alisa Herrero Cangas, 'EU Trust Funds – Shaping More Comprehensive External Action?' (briefing note no. 81, European Centre for Development Policy Management, Maastricht, 20 November 2015), <http://ecdpm.org/publications/eu-trust-funds-comprehensive-action-africa/>.

¹⁶⁶ European Commission, Directorate-General for International Cooperation and Development, 'ACP - The Cotonou Agreement', accessed 26 January 2017, http://ec.europa.eu/europeaid/regions/african-caribbean-and-pacific-acp-region/cotonou-agreement_en.



Involving a broader set of actors in a country assessment, including civil society and private sector actors who tend to be sidelined during strategic planning discussions, may help ensure migration-focused initiatives do not become destabilising. In addition to providing valuable information, involving local actors may also be a good way to build local capacity and boost support for the European Union's initiatives. Several of the partnership initiatives proposed discuss building relationships with local authorities, yet most plan to disburse money primarily through international and Member State development agencies. If the partner government is fragile or prone to corruption (e.g., Niger) or if there are human-rights concerns (as in Ethiopia), international organisations can be a good choice of partner. But if money does not directly impact lives, it is unlikely to change individuals' migration aspirations. Organisations such as IOM may be good initial conduits, but they should also be agents through which money flows rather than core administrators. The evaluation of the first-generation Regional Protection Programmes (predecessor to the RDPP) put in place during the 2000s found that heavy reliance on international agencies reduced public awareness that the European Union was a significant actor or force for good in the region.¹⁶⁷

Finally, EU Member States are actively engaged in direct diplomacy. This allows the Partnership Framework to capitalise on existing and influential relationships as well as Member State resources. The series of ministerial visits that took place in 2016 and 2017, which featured national heads of state and diplomats from France, Germany, Italy, and the Netherlands instead of EU-level foreign policy actors, signalled to third countries that these partnerships matter.¹⁶⁸ But while the political salience of migration has pushed partnerships to the top of the EU and national foreign policy agendas, it is not yet clear that this has resulted in more coherent or effective outcomes. While migration is seen as a political challenge for each of the EU-28, only a few members of the bloc have the resources, weight, foreign policy influence, and desire to effectively negotiate with key third countries. These influential Member States may grow to resent the veneer of EU solidarity and opt instead for bilateral or multilateral frameworks. There are plans that could address this imbalance; the European Union and its Member States have committed to collectively spending 0.7 per cent of gross national income (GNI) towards overseas development aid by 2030¹⁶⁹—a move that may overcome perceptions of a free-rider problem. Member States would have the flexibility to allocate funding in line with their interests, but at an equitable rate.

C. Aligning goals

Migration partnerships, as newly envisaged, create an opportunity within the European Union to address some of the problems of coordination, coherence, and mismatched goals that have plagued previous generations of cooperation. This remains a work in progress. Within EU institutions and agencies, different policy portfolios set out different goals and priorities. For example, the language in the Policy Coherence for Development (PCD) report launched by the Directorate-General for International Cooperation and Development Cooperation in October 2015 differs significantly from that of the EU Emergency Trust Fund for Africa and the priorities set out for the Valletta conference. The PCD document¹⁷⁰ focuses on more traditional areas of brain circulation, remittances, and diaspora,

167 GHK, *Evaluation of Pilot Regional Protection Programmes* (Brussels: GHK, 2009), <http://ec.europa.eu/smart-regulation/evaluation/search/download.do?jsessionid=KookqLZ6IC-3auAZZJAVdr0atunUzG-d2GL-c7FqszHbE79XR2L1!1168777535?documentId=3725>.

168 European Commission, 'Communication from the Commission to the European Parliament, the European Council, and the Council: First Progress Report'.

169 European Commission, 'EU Official Development Assistance Reaches Highest-Ever Share of Gross National Income' (press release, Brussels, 13 April 2016), http://europa.eu/rapid/press-release_IP-16-1362_en.htm. The original 2005 agreement included the 15 countries that were then EU Member States. Though the original aim was to reach this commitment by 2015, this was later revised to 2030.

170 European Commission, 'Policy Coherence for Development'.



with little reference to the dominant Trust Fund themes of addressing root causes, fostering stability, and facilitating migration management.¹⁷¹

In Europe, there is a great deal of cognitive dissonance and inconsistent messaging across policy domains, particularly regarding the use of return policies. In one case, in January 2016, the European Asylum Support Office reported widespread and worsening violence in Afghanistan and the inability of the Afghan government to protect civilians.¹⁷² Months later, and despite this prior acknowledgment of on-the-ground conditions, the European Union and Afghanistan signed the Joint Way Forward on migration issues to facilitate the return Afghan nationals. Similarly, at the same time the EU-Mali return agreement was being negotiated, the German Defence Minister called for the deployment of 350 German soldiers in addition to the 650 already in the country to help Mali quell an assortment of armed rebel groups.¹⁷³ Despite the agreement to return failed asylum seekers to the country, the minister called the German troop deployment in Mali ‘the most dangerous mandate that the German army is currently undertaking.’¹⁷⁴ Seeking to ensure security in Mali and returning migrants not considered to be under threat are not inherently contradictory objectives, but may appear to be if not communicated as part of an overall strategy. Yet, so far, the Partnership Framework has struggled to embed its agreements within broader socioeconomic and security frameworks, align parallel interventions, and communicate them effectively.

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In addition to incoherence between institutions and policy domains, these enduring gaps are also due in part to different Member States having different interests in particular third countries. Opinions vary widely on which regional partnerships are most important and what objectives most pressing, often based on Member States’ own geographic situation, political priorities, historical and cultural factors, and the main countries of origin for migrants in their country.¹⁷⁵ Portugal was a leading driver in forging a mobility partnership with Cape Verde (with which it has colonial ties), for example. A similar dynamic can be seen in how diplomacy within the bloc is steered by the Member States with the direct interest, resources, and foreign-policy influence to effectively negotiate with key third countries, a reliance that risks a free-rider problem.¹⁷⁶ As funding mechanisms under the Partnership Framework depend on countries with more interest making larger commitments and expending more political capital, they suffer from underfunding when states value initiatives differently. At the same time, failure to commit financing is not only barely noticed—it also incurs no penalty. It is unclear how much free-riding Member States will tolerate, and for how long.

Moreover, while the European Union and its Member States attempt to improve internal coherence and coordination, there is a very real risk that partner-country needs become (or remain) marginalised, to the detriment of conditions on the ground. The fourth progress report of the Partnership Framework

171 European Commission, ‘The European Union Emergency Trust Fund for Stability and Addressing Root Causes of Irregular Migration and Displaced Persons in Africa: Strategic Orientation Document’.

172 EASO, *Country of Origin Information Report: Afghanistan Security Situation*.

173 Deutsche Welle, ‘EU, Mali Reach Deal on Repatriation of Denied Asylum Applicants’, Deutsche Welle, 12 December 2016, www.dw.com/en/eu-mali-reach-deal-on-repatriation-of-denied-asylum-applicants/a-36730401.

174 Ibid.

175 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 Global Approach to Migration and Mobility’.

176 European Commission, ‘EU Member State and Donor’s Individual Pledges and Contributions’.



complains that ‘long standing resistance to cooperation’ has resurfaced in some partner countries.¹⁷⁷ Yet as some critics have noted, this resistance and the need for negative incentives indicate that the priorities set for a partnership do not adequately account for the interests of partner countries.¹⁷⁸ Not only does this confirm the need for a truly tailored approach, which the European Union is pursuing, it also supports the idea that migration must be viewed as closely intertwined with the broader needs of partner countries if this new generation of partnerships is to see sustainable success.

VI. Conclusions

As internal cooperation on migration becomes increasingly difficult in a polarised and politically charged Europe, the European Union has focused its attention outward. While third-country partnerships are nothing new, they have acquired a renewed dynamism and an expanded mandate that links migration, development, and foreign policy. The consequences of failure would be significant. Not only would it undermine the legitimacy and public confidence in the ability of current European institutions and governments to manage migration and maintain border security, fuelling eurosceptic and populist sentiment, but partner countries may also be delayed or reversed on their path to sustainable economic development and political stability. Such a turn would have awful repercussions for all caught in the crosshairs—migrant and nonmigrant alike.

As internal cooperation on migration becomes increasingly difficult in a polarised and politically charged Europe, the European Union has focused its attention outward.

The 2016 Partnership Framework has been undertaken with uncharacteristic, yet perhaps understandable, haste. After just six months, the European Commission and EEAS boldly reported progress in negotiating with five very different countries in a new policy field, having first united the disparate interests of the European Union and its Member States. From playing little to no role in foreign policy, migration issues have become a top priority, and the European Union risks overcorrecting its previous inactivity. Has the European Union engaged in a sufficiently robust and realistic assessment of the needs and capabilities of its partner countries, and of its own strategy? Based on the experience thus far, it is possible to highlight the following areas that require review.

A. Embedding migration in a broader context

Analysis of partner-country security, governance, economic, demographic, and environmental contexts suggests that the European Union, in its myopic focus on a singular goal—migration management—risks deprioritising other critical challenges, such as weak governance and broader-security challenges. Doing so could undermine stability in key regions and, in turn, cause more migratory pressures. Particularly when working with fragile states, examining the interplay between state-building, security, and migration, as well as the contextual factors that drive individuals to move, will be critical for longer-term success. Migration can be a release valve with the power to diffuse tense economic and

¹⁷⁷ European Commission, ‘Report from the Commission to the European Parliament, the European Council, and the Council: Fourth Progress Report’, 2.

¹⁷⁸ Axiotis and Bonin, ‘Migration Partnerships for Sustainable International Cooperation’.



political situations, and disenchanted migrants who return without livelihood prospects may become fodder for rebel groups. Additionally, crackdowns on irregular migration in one country could create broader regional diplomatic troubles.

Here, the European Union will need to foster closer cooperation between state-building and EU Common Security and Defence Policy initiatives to ensure that efforts to counter-smuggling activities do not become destabilising in and of themselves.¹⁷⁹ Even if flows drop for a year, or even two, a change in regime or security conditions may have a greater effect than any EU Capacity Building Mission training programme for border officials. Supporting a stable and effective government system, with the capacity to reach across its population and deliver services, will be an essential precondition for success.

B. Thinking beyond short-term enforcement goals

Amid the flurry of activity following the launch of the Partnership Framework, questions have been raised as to whether this approach will reap dividends in the long term. Scholarship on migration suggests that using development to reduce migration is a generational strategy. While migration may decrease after a certain threshold, in the short term mobility may increase as potential migrants acquire the means to move.¹⁸⁰ As long as there are notable differentials in quality of life and access to opportunities between states, migration will remain a fact of life; significant improvements in standards of living can be obtained through regional migration. Although free movement is touted as an aspiration by the founding documents of the African Union, it has yet to be realised on the continent. If the European Union were to refocus its strategy on bolstering opportunities for regional movement, with the aim of supporting alternative, intraregional migration, it would need to shift both the types of projects the Trust Fund invests in and the locus of its partnership to stronger regional hubs, such as Kenya, Uganda, and South Africa. The European Commission has itself acknowledged the ‘uneven’ nature of progress with the current five partnership countries; a change in approach may yield more tangible outcomes.

C. Building in foresight

There is a strong case to be made for carefully reconsidering which countries may make the best partners in the years to come. The EU framework’s current priority countries are based on a reactive approach, looking at those countries that seem to be high risk based on current routes and flows. However, such dynamics are rarely static, as the annual watch list produced by International Crisis Group attests.¹⁸¹ Is the European Union looking sufficiently into the future to develop partnerships with countries that might experience instability in the future, to pre-emptively address the welfare of its citizens? This requires a great deal more foresight than is currently incorporated into the Partnership Framework, yet in five years’ time, it is likely that the EU locus of concern will have shifted, raising questions about the validity of the present investments. This highlights a critical tradeoff that the European Union has yet to confront: is it willing to invest in its partner countries in the long term, or will it be driven above all by short-term events? Currently, the framework strategy falls between these two objectives, accomplishing neither to a sufficient extent.

¹⁷⁹ Tinti and Westcott, *The Niger-Libya Corridor*.

¹⁸⁰ Hein de Haas, *Morocco’s Migration Transition: Trends, Determinants and Future Scenarios* (Geneva: Global Commission on International Migration, 2005), www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/policy_and_research/gcim/gmp/gmp28.pdf; Michael Clemens, ‘Does Development Reduce Migration?’ (discussion paper no. 8592, IZA, Bonn, October 2014), www.econstor.eu/bitstream/10419/106535/1/dp8592.pdf.

¹⁸¹ International Crisis Group, ‘Watch List 2017’, updated 24 February 2017, www.crisisgroup.org/global/3-watch-list-2017.



D. Incorporating partner needs and interests

Despite the European Union's impressive commitment to dialogues with third countries, the need to agree to common priorities within the EU-28 often obscures the fact that their partners also have a point of view. Too often, the European Union preframes the discussion based on its own interests—an approach that proved to be a diplomatic barrier at the Valletta conference, where a number of partner states noted that the five priorities for discussion had been predetermined by the European Union.¹⁸² Forming a coherent European position is an important and arduous task. However, if the exercise of listening to partners has no impact on the resulting agreement, their enthusiasm to engage will quickly wane. The European Union may also need to incorporate needs the partner country has not explicitly articulated, such as improving governance and rooting out corruption, before setting its own priorities in stone.

E. Setting clear goals and benchmarks

Once general areas of shared interest are identified, one of the common challenges the European Union faces is articulating clear goals and benchmarks for what it hopes to achieve and when. To date, the European Union has spent hundreds of millions of euros on building the capacity of non-EU countries to manage migration, whether through Neighbourhood Policy, Development Policy, or the GAMM. However, too often, when put to the test, it has become clear that their capacity remains weak. Investing deeply and in a high-profile manner, as is being done through the Partnership Framework, demands evidence that these investments will lead with relative certainty to demonstrable change. However, aside from a binary focus on decreasing flows and increasing returns, few benchmarks are clear.

As the European Union increases its investments exponentially, the need to demonstrate success will be equally heightened.

Policymakers will also need to effectively link investments to outcomes through robust and independent evaluation. The few reports that have reviewed EU external policies on migration have all highlighted the absence of useful evaluation based on clear goals and benchmarks.¹⁸³ As the European Union increases its investments exponentially, the need to demonstrate success will be equally heightened. Similarly, the European Union should think carefully both about the rationale it uses for selecting partners and deciding which countries are eligible for funding and about how it communicates these decisions; should such processes remain unclear, countries that are not selected may grow resentful and uncooperative.

182 Council of the European Union, 'Valletta Conference on Migration (Malta, 11-12 November 2015)' (orientation note, 10387/15, Council of the European Union, Brussels, 30 June 2015), <http://statewatch.org/news/2015/jul/eu-council-november-015-migration-valletta-conference-orientation-debate-10387-15.pdf>; comments at the Global Forum on Migration and Development thematic meeting *The Mediterranean Crisis in a Global Context: A New Look at Migration and Development Approaches*, Brussels, 15 July 2015.

183 See for example, European Court of Auditors, *Special Report: EU External Migration Spending in Southern Mediterranean and Eastern Neighbourhood Countries until 2014* (Luxembourg: European Court of Auditors, 2016), www.eca.europa.eu/Lists/ECADocuments/SR16_09/SR_MIGRATION_EN.pdf.



F. Messaging and managing expectations

Signalling has become an increasingly central element to the European Union's overall migration strategy, as seen both in the EU-Turkey deal¹⁸⁴ and the Partnership Framework. But this also poses risks. First, there has been a surfeit of hubris surrounding the potential for migration partnerships, particularly from the European Commission. Under pressure to deliver, the rhetoric is highly optimistic in terms of what might be achieved in the short term. Progress takes time, and relative success may not be demonstrable in a short to medium term. Overpromising will come at a cost. Second, many partners would prefer that their commitments remain under the radar so as to avoid difficult domestic political debates (particularly in countries where emigration aspirations are widespread). The European Union will have to find a way to communicate progress to audiences within the bloc without causing political problems for its partners and damaging the future of its relationships.

At a time when the EU is struggling with its own internal solidarity, there is also the risk that EU engagement in third-country partnerships will be seen as the European Union buying its way out of irregular arrivals while encouraging developing countries to host.¹⁸⁵ In addition to demonstrating weak solidarity with countries experiencing intense migratory pressures, such policies can also be seen as monetising responsibility for migrants and refugees. This may have the perverse effect of creating an incentive for partner-country governments to prolong or worsen migratory pressures in order to win additional funding. It could also cost the European Union its credibility as a moral leader in the international community and make it difficult to build the trust needed for effective partnerships.

If the European Union is to maintain partnerships in the long term, it will have to find a way of ensuring that its Member States deliver on all of their commitments—not just those that are seen as convenient.

G. Following through on commitments

One of the most pernicious and intractable challenges for the European Union is ensuring that commitments made with fanfare are followed through to their promised end. This challenge has dogged the European Union, from ensuring co-financing for flagship funding initiatives to developing robust commitments to resettlement. The problem is not a new one: while offers of exchange programmes for border officials were abundant under the mobility partnership framework, labour migration programmes lagged far behind.¹⁸⁶ If the European Union is to maintain partnerships in the long term, it will have to find a way of ensuring that its Member States deliver on all of their commitments—not just those that are seen as convenient. Partner countries have learned to watch what the European Union does, as well as what it says, and they are watching closely.

184 Elizabeth Collett, *The Paradox of the EU-Turkey Refugee Deal* (Washington, DC: Migration Policy Institute, 2016), www.migrationpolicy.org/news/paradox-eu-turkey-refugee-deal.

185 Kristy Siegfried, 'Europe Tries to Buy Its Way out of the Migration Crisis', IRIN, 30 June 2016, www.irinnews.org/analysis/2016/06/30/europe-tries-buy-its-way-out-migration-crisis.

186 For example, Member States committed to launching pilot projects that would pool offers for legal migration under the Valletta Action Plan, but these projects have not materialised. See Council of the European Union, 'Valletta Summit on Migration, 11-12 November 2015' (summary and draft outcomes document, 13153/15, Council of the European Union, Brussels, 16 October 2015), <http://data.consilium.europa.eu/doc/document/ST-13153-2015-INIT/en/pdf>.



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About the Authors



Elizabeth Collett is the Founding Director of Migration Policy Institute Europe and Senior Advisor to MPI's Transatlantic Council on Migration. She is based in Brussels, and her work focuses in particular on European migration and immigrant integration policy. Ms. Collett convenes MPI Europe's working group on the future of the Common European Asylum System (EU Asylum: Towards 2020), bringing together senior policymakers from more than a dozen European countries to discuss future asylum policy reform.

Ms. Collett has produced dozens of working papers, policy briefs, and memos focused on the future of EU immigration and asylum policy, as well as national-level policy developments. She is regularly cited in prominent print and broadcast outlets, doing interviews on all aspects of European migration policy and its broader policy ramifications.

Prior to joining MPI, Ms. Collett was a Senior Policy Analyst at the European Policy Centre, a Brussels-based think tank, and was responsible for its migration programme, which covered all aspects of European migration and integration policy. She has also worked in the Migration Research and Policy Department of the International Organisation for Migration in Geneva and for the Institute for the Study of International Migration in Washington, DC. She also served as a Research Associate at the Centre for Migration Policy and Society, Oxford University (2011–13), and consulted for numerous governmental ministries and nongovernmental organisations, including foundations, nonprofits, and UN agencies.

She is a member of the Advisory Board of the International Centre for Migration Policy Development (ICMPD). She is also a member of the Dahrendorf Committee, which advises the Dahrendorf Forum, a joint initiative between the Hertie School of Governance and the London School of Economics and Political Science that encourages constructive reflection on the mid- to long-term strategic challenges facing Europe.

Ms. Collett holds a master's degree in foreign service (with distinction) from Georgetown University, where she specialised in foreign policy and earned a certificate in refugee and humanitarian studies, and a bachelor's degree in law from Oxford University.



Aliyyah Ahad is an Associate Policy Analyst with MPI Europe, where her research focuses on European asylum policies, unaccompanied minors, and social innovation in refugee reception and integration.

Previously, Ms. Ahad completed a 12-month internship with the Bermuda Government's Cabinet Office. She also managed a research project for WPP Government and Public Sector Practice on how to improve communications between refugees and the public and humanitarian sectors. She also interned with MPI and spent three months in Rabat, Morocco volunteering with a centre that provided medical and social care to unauthorised migrant women who were pregnant.

Ms. Ahad holds a master of science in migration studies and master of public policy, with distinction, from the University of Oxford, where she studied as a Rhodes Scholar. She also holds an honours bachelor of arts degree in political science and sociology from the University of Toronto, with high distinction. Ms. Ahad also spent a year studying at Sciences Po Paris, where she received an exchange programme certificate, cum laude.



Migration Policy Institute Europe, established in Brussels in 2011, is a non-profit, independent research institute that aims to provide a better understanding of migration in Europe and thus promote effective policymaking. Building upon the experience and resources of the Migration Policy Institute, which operates internationally, MPI Europe provides authoritative research and practical policy design to governmental and nongovernmental stakeholders who seek more effective management of immigration, immigrant integration, and asylum systems as well as successful outcomes for newcomers, families of immigrant background, and receiving communities throughout Europe. MPI Europe also provides a forum for the exchange of information on migration and immigrant integration practices within the European Union and Europe more generally.

www.MPIEurope.org

Residence Palace
155 Rue de la Loi
5th Floor
1040 Brussels
Belgium

Phone: +32 (2) 235 2113