Growing impact of EU migration policy on development cooperation

SUMMARY

The sudden substantial increase in the number of migrants in recent years has had a profound effect on the external relations dimension of European Union migration and asylum policy. The main components structuring EU external migration policy – the Global Approach to Migration and Mobility (GAMM), European Agenda on Migration, and proposed migration compacts – explicitly underline the link between development and migration.

Grounded in the need to address the root causes of migration and to maximise its development impact, the development-migration nexus has evolved from the traditional treaty-based development policy approach, with its requirement of ensuring that all EU policies contribute to development objectives, to a more complex configuration. That, accordingly, many fear, may lead to the 'instrumentalisation' of development aid for migration management purposes. The European Parliament has taken a clear stand on this issue, calling, in a number of its recent resolutions, for the retention of poverty alleviation as the main goal of EU development policy, even when its instruments are used at the same time to tackle the root causes of migration.

Along with the non-governmental organisations (NGOs) active in this field, the European Parliament opposes aid conditionality dependent on partner countries cooperating on readmission and return, as laid out in the migration compacts. Addressing the current migration challenge without jeopardising development policy achievements and objectives will be one of the key issues of the ongoing revision of the European consensus on development.
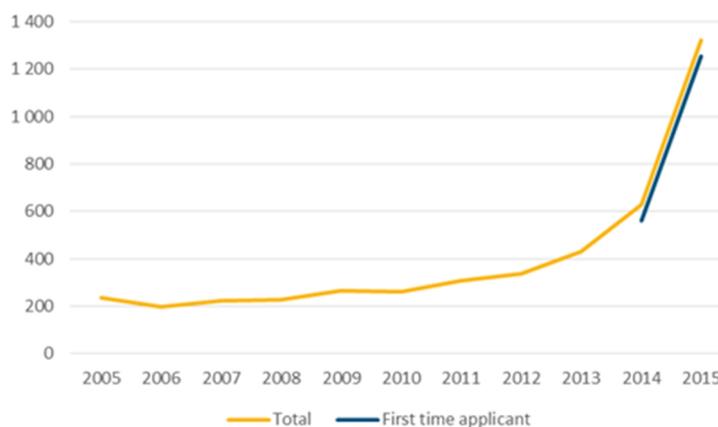
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The link between migration and development: addressing the root causes

Subject to unprecedented external migratory pressure driven by conflict, instability and poverty in its neighbourhood, the EU is in the process of adapting its policy framework to cope with this protracted crisis situation. Although, in the absence of an EU-wide tracking system, it is not possible to establish the precise number of persons who have illegally crossed EU external borders, Eurostat does provide detailed statistics on asylum applications. Growing in number since 2006, applications have increased steeply from 2011 to 2015 (Figure 1). In the first quarter of 2016, the number reached 287 100, which is 97 500 more than in the same quarter of 2015. In 2015 3 770 persons lost their lives crossing the Mediterranean to Europe, and 2016 may be the deadliest year ever, with 3 498 dead or missing registered by mid-September. The EU has taken a series of internal and external actions to tackle this long-term situation, one of them being gradual integration of the development policy instruments into migration policy, to address the root causes of migratory flows. The Valletta summit, held

Figure 1 – Asylum applications (non-EU) in the EU-28 Member States, 2005-2015 (thousands)

Data source: Eurostat, 2016.

in November 2015 between the EU, African countries, and international and regional institutions, was an important step in this direction. It resulted in the establishment of the EU Emergency Trust Fund for stability and addressing the root causes of irregular migration and displaced persons in Africa. The fund will support an ambitious action plan, marrying traditional external migration instruments related to international protection, asylum, and human trafficking, as well as return and readmission, with measures addressing the root causes by investing in development and poverty eradication. This plan reinforces and crystallises the EU policy lines defined in the Global Approach to Migration and Mobility (GAMM) – the basic framework for EU relations with third countries in the areas of migration and asylum, complementing broader EU foreign and development policy.

The main EU instruments of external migration policy

Global Approach to Migration and Mobility (GAMM)
First adopted in 2005, and upgraded to its current form in 2012, the GAMM aims to 'establish a comprehensive framework to manage migration and mobility with partner countries in a coherent and mutually beneficial way'. The GAMM contains an inherent element of conditionality – the 'more for more' approach means that the more a country cooperates, the more advanced visa facilitation it obtains for its nationals. It is structured around the following objectives:

to better organise legal migration, and foster well-managed mobility;
to prevent and combat irregular migration, and eradicate trafficking in human beings;
to promote international protection, and enhance the external dimension of asylum;
to maximise the development impact of migration and mobility.

Migration and mobility dialogues are the main drivers of the GAMM. They are conducted by the European Commission and European External Action Service (EEAS) in several cooperation processes, simultaneously, on three levels:

continental: the EU-Africa Partnership on Migration, Mobility and Employment;
regional: through the Rabat process (African countries along the western migratory route), Khartoum process (African countries along the eastern migratory route, the Prague Process, and Budapest Process;

- bilateral: through **Mobility Partnerships** (MP) and the **Common Agenda on Migration and Mobility** (CAMM).

Seven Mobility Partnership (MP) declarations have been signed so far: with Cape Verde, the Republic of Moldova, Georgia, Armenia, Morocco, Azerbaijan and Tunisia, as well as two CAMMs with Ethiopia and Nigeria. The main difference between the two types of agreement is with regard to visa facilitation (easier visa issuance granting access to the EU for up to three months) and readmission agreements that are to be negotiated under MPs, but not CAMMs. The **readmission agreements** address procedures under which non-EU nationals apprehended in an irregular situation are readmitted to the state of origin (or transit), and are considered a key element in the implementation of the 2008 EU Return Directive. To date, the EU has concluded readmission agreements with 17 countries.

Figure 2 – Migratory routes and EU readmission agreements in force
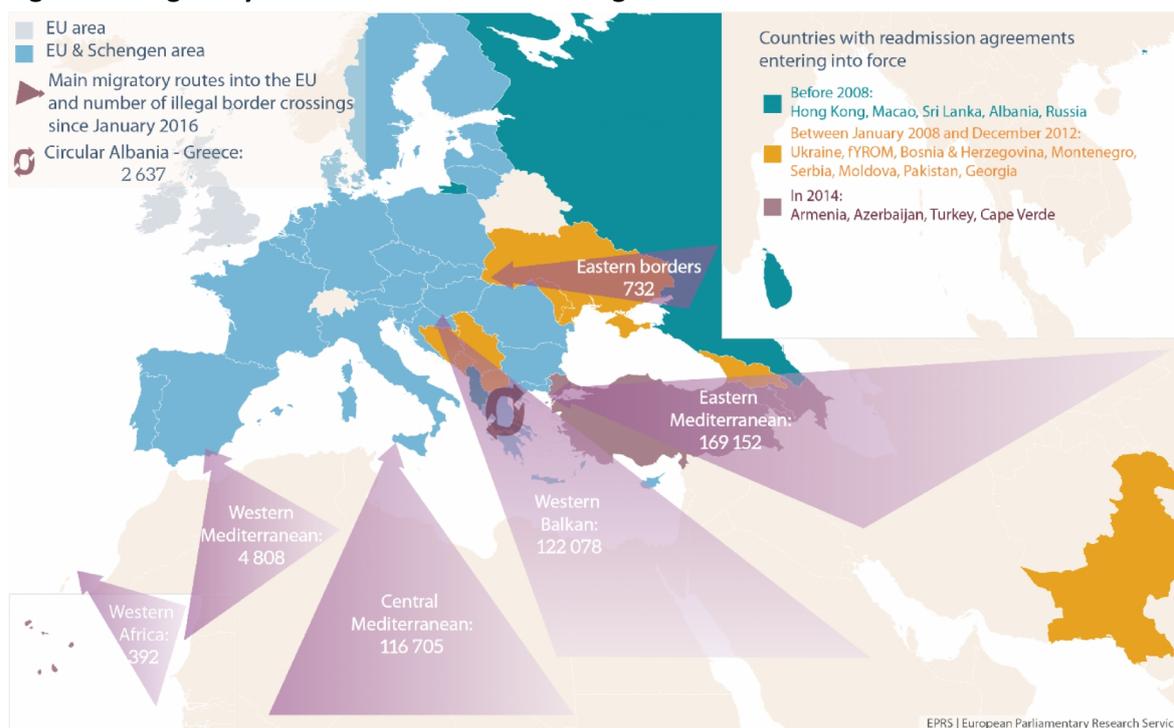
Source: European Commission and Frontex.

EU agenda on migration

Presented in May 2015, the European Agenda on Migration includes policy measures, both internal and outside the EU, in four areas.

Reducing the incentives for irregular migration

The European Commission stresses the key role of **development cooperation** in tackling issues such as poverty, insecurity or unemployment – the main root causes of irregular migration and forced displacement – in the European Agenda on Migration, together with the **fight against smugglers** and **human traffickers**.

Border management
Reinforcement of the Frontex and EU standards for border management and EU coordination of coast guards ([European border and coast guards](#), from [mid-October 2016](#)) is a key internal action in this area, as too is support for capacity-building for border management in third countries (which can count as official development aid – ODA).

Common asylum policy
Key measures proposed in this area include coherent implementation of the [Common European Asylum System](#); creating a common asylum procedure and a unified status as to who qualifies for international protection; harmonising standards on reception conditions; and strengthening the [safe country of origin](#) concept, which provides accelerated procedures for applicants from certain third countries. In the long term, the European Commission would like to promote a [single asylum decision process](#) aiming at equal treatment of asylum-seekers throughout Europe.

New policy on legal migration
The Commission recognises that well-managed regular migration is necessary to cope, in the medium and long term, with EU labour market shortages of skilled workers. The modernisation of the EU blue card scheme and EU visa policy are among the Commission's priorities for action. It is also stressed that a stronger link between development and migration policy should help countries of origin to create better economic opportunities at home and maximise the development benefit of migration, in particular through cheaper and faster remittance transfers.

The February 2016 communication on the state of play on the priority actions under the European Agenda on Migration describes a mixed record, with only limited progress accomplished on issues such as the creation of migration hotspots and increased fingerprint registration; fighting human trafficking; rescue operations; applying the [EU relocation scheme](#); and compliance with EU rules on asylum and border management. Externally, the European Commission emphasises the need to mainstream migration in development cooperation policies, to address some of the underlying reasons for the migratory flows. **Development cooperation**, together with trade preferences, is quoted as the **main leverage to secure third-country** commitments to concrete outcomes in the field of return and readmission. This is now one of the top priorities in EU relations with third countries. The Commission will focus on countries with a low return ratio and where negotiations are not advancing, such as Algeria and Morocco, or where the readmission agreement concluded is not properly implemented, as with Pakistan. Comprehensive and tailor-made packages including both positive and negative incentives for smooth cooperation on readmission, will be proposed to key third countries and applied by the Commission and EU Member States.

Migration as one of the five priorities of Policy Coherence for Development (PCD)

Rooted in article 208 TFEU, the commitment for all EU policies to build synergies with EU development objectives is part of the [European Consensus on Development](#) (2006), as well as the 2011 [Agenda for change](#). Among the 12 policy areas the PCD is to apply, five PCD challenges were identified in 2009; one of which was migration policy. In its [2015 report on PCD](#), monitoring the progress made in different areas by both Member States and the EU, the European Commission identifies several dimensions of PCD implementation in this area: 1. Migration policy to include development concerns; 2. Links with other internal and external policies are taken into account; 3. Development cooperation with third countries is not negatively impacted by migration management; and 4. Measures to increase the development impact of migration.

According to the Commission, the approach developed in the GAMM framework 'helps ensure policy coherence between migration and development policy'. It is recognised however that more effort is needed to facilitate legal migration and the mobility of migrant workers, as well as to strengthen their legal protection. Concerning return and readmission issues, the Commission admits that evaluation of projects supporting safe return and reintegration 'lack sustainability and focus on capacity-building for governments', and points to the need for correction by investing in national reintegration systems. The Commission also wishes to enhance the long-term development approach in its intervention in favour of refugees and internally displaced persons. Concerning the use of development cooperation as leverage to improve cooperation on migration issues, the Commission affirms that efforts are made 'to ensure that the use of conditionality in the migration dialogue does not negatively impact development cooperation'.

The new proposal for a Migration Compact

A concrete proposal for a new Partnership Framework with third countries under the European Agenda on Migration (or 'migration compacts'), to reinforce cooperation with third countries on better migration management ,was presented in the Commission's communication of 7 June 2016 and endorsed by the European Council on 28 June 2016.

The communication states three short-term objectives for 'migration compacts':
to save lives in the Mediterranean Sea;
to increase the rate of returns to countries of origin and transit;
- to enable migrants and refugees to stay close to home and avoid dangerous journeys.

In the long term, compacts in synergy with all other external relations policies will also address the political, social, economic and environmental factors that constitute the root causes of migration. However it is stressed that the ultimate aim of this initiative is to achieve a comprehensive partnership with third countries to better manage migration in full respect of humanitarian and human rights obligation. Poverty eradication, the Treaty-based objective of EU development policy, is not directly addressed by the new Partnership Framework with third countries under the European Agenda for Migration (the word is not even mentioned in the communication), however the long-term objective of addressing the root causes of migration must include this aspect.

Although the legal form of the migration compact agreements is not yet known, they will include several elements:

conditionality depending on partner country cooperation on readmission and return;
effective incentives and leverage created using all EU policies, in particular trade and development;
- each compact, a tailored country package, will combine elements from different EU instruments and policies focused on achieving the same objective.

As for development policy, the Commission stresses that more coherence with migration policy is needed to ensure that 'development assistance helps partner countries manage migration more effectively and also incentivises them to effectively cooperate on readmission of irregular migrants'. The communication calls for EU development policy to integrate core incentives to reward countries that fulfil their international obligation to readmit their nationals, cooperate to stop flows of irregular migration, and adequately host people fleeing persecution – and to punish those that do not.

With regard to financing, in the short term, existing financial instruments both traditional (EDF, different thematic and geographical budgetary instruments), and innovative (EU

trust funds), will be mobilised in a more coordinated and focused manner. In particular, the Commission advocates programming EU aid, both at the EU and Member State level, to be more targeted at maximising positive impact on migration. As regards the financing of the longer term objective of addressing the root causes of migration, the communication proposes greater mobilisation of the private sector to invest, together with pubic stakeholders, in the countries of origin of irregular migrants. To this end, an ambitious External Investment Plan, announced on 14 September 2016, will create a new European Fund for Sustainable Development (EFSD), combining

> **EU emergency trust fund for Africa (EUTF)**
>
> Established at the Valletta summit on 11/12 November 2015 as an innovative financial mechanism to tackle, flexibly and promptly, the root causes of irregular migration, EUTF pools resources from different sources. The main part, €1 billion out of €1.8 billion, is an EU contribution from EDF reserves. The rest, €82 million, is pledged mainly by Member States.

resources from existing funding – blending facilities such as the European Development Fund and the Development Cooperation instrument – as well as from Member States. To effectively scale up investment in partner countries, the new approach includes leveraging private investment, increasing technical assistance, and supporting economic and structural reforms to improve the business and broader policy environment.

The European Council is expecting the conclusion of a series of migration compacts with a limited number of priority countries (first **Ethiopia, Mali, Niger, Nigeria, Senegal**, followed by Eritrea, Somalia, Sudan, Ghana, Ivory Coast, Algeria, Morocco, Tunisia, Afghanistan, Bangladesh and Pakistan) before the end of 2016. However the first compacts will most probably be established with Jordan (as negotiations are already concluded) and Lebanon (the ongoing negotiations are well advanced).

The European Parliament's position

In its resolution of 7 June 2016 on the EU report on policy coherence for development, the European Parliament acknowledges the need to **strengthen the link between migration and development policies**. It points out that development policy objectives to **eradicate poverty** would be better **integrated into new EU migration policy**, including economic, political and social development-focused actions that would help to address the root causes of the current crisis. It is stressed that development aid should not be used for migration control purposes, and calls on the EU and the Member States **not to report refugee costs as official development assistance (ODA)** at the expense of the development programmes which tackle the root causes of migration.

The external dimension of EU migration policy is also extensively addressed in the EP resolution of 6 July 2016 on the preparation of the post-electoral revision of the 2014-2020 Multiannual Financial Framework. Concerning cooperation with third countries in the GAMM framework, Parliament stressed that it should be focused on tackling the root causes and illegal migrant flows to Europe via existing policy instruments, such as regional and bilateral dialogue, mobility partnership and readmission agreements, among others. The EP has also reaffirmed the need for the EU to adopt a long-term strategy to deal with push factors in third countries, such as conflict, persecution, ethnic cleansing, extreme poverty, and climate change. Parliament called upon the EU and Member States **to scale up resources for capacity-building in countries of origin**. The Foreign Affairs Committee (AFET) report on human rights and migration in third countries, voted in the committee on 12 July 2016, calls for the Member States to fulfil their engagement to earmark 0.7% of gross national income (GNI) to development aid, and stresses that **aid should not be conditional on cooperation with regard to migration**. The report urges the EU and

Member States to ensure efficient and effective PCD and to **prioritise the respect of human rights in their migration policy**. It is estimated that improvements in the coherence of the GAMM, and more rigorous integration of human rights monitoring and oversight mechanisms in all external agreements, is necessary. The AFET Committee and the Development Committee are working on a [joint report](#) on the role of EU external action in addressing refugee and migrant movements.

In its [resolution](#) of 13 September 2016 on the [EU Trust Fund for Africa: implications for development and humanitarian aid](#), the Parliament also stressed that the use of EUTF funds allocated from European Development Fund (EDF) and development policy budgetary instruments should **fulfil [ODA criteria](#)**. The Parliament has also expressed its concern that the financing of EUTF may be implemented to the detriment of development objectives, and **condemns the use of EDF and ODA for migration management and control in the absence of clear development objectives**. The Parliament has emphasised that the main goal of development policy as stated in Article 208 TFEU must remain the reduction and eradication of poverty. The same line – making sure that no development money is diverted to support security or for other purposes – previously prevailed during the vote on the [discharge in respect of the implementation of the general budget of the European Union for the financial year 2014](#), when the proposal to devote 25% of the EDF for 2014-2020 to measures to combat the migration crisis [was](#) rejected.

Non-governmental organisations' critical stance

The [Concord policy paper](#) of December 2015 provides an exhaustive evaluation of recent developments in EU migration policy relating to development cooperation. According to Concord, the emphasis on border control and security undermines the achievements of the EU's global development objectives. EU mobility partnership implementation shows that EU external migration policy is essentially used to combat irregular migration. This somewhat contradicts the newly adopted [SDG 10.7 target](#) that aims to 'facilitate safe, regular and responsible migration'. The new approach, leading to the 'instrumental-isation' of development aid to serve migration-management objectives is not coherent with EU development policy goals and those of the PCD.

Ahead of the June 2016 European Council that endorsed the migration compacts, 124 non-governmental organisations (NGOs) issued a [joint NGO statement](#), calling upon the Council to reject the Commission communication establishing a new partnership framework with third countries, and highlighting perceived shortcomings in the proposal:

Deterrence and return become the main objectives of EU external relations with third countries;

Lack of safeguards for the protection of human rights and rule of law – consequently, people are at risk of being sent back to countries where grave violations of human rights are committed;

Absence of a clear commitment to facilitate regular migration for those in need of international protection;

- Financing would be diverted, at the expense of a fundamental reorientation of programming of EU development policy, which would thus undermine the core objective of this policy – poverty alleviation.

NGOs [call](#) for the exclusion of any form of conditionality based on migration indicators in the allocation of EU development aid, and stress that addressing the root causes of displacement has to put greater emphasis on crisis management and prevention.

Perspectives: from policy coherence for development toward policy coherence for migration management?

The successive EU policy documents display a progressive but clear transformation of the conceptualisation of the link between development and migration. From maximising the development impact of migration and mobility – the classic PCD approach, still highlighted in GAMM – the discourse has focused more on avoiding a negative impact on development from migration management policies, and has slipped towards 'instrumentalisation' of development cooperation, leveraging it to 'encourage' better cooperation on return and readmission, as clearly stated in the 2016 communication on the migration compact. Faced with unprecedented migratory pressures and the relative inefficiency of previous leverage (such as visa facilitation and legal migration) to win the third-country cooperation necessary to organise returns and readmission, the EU is departing from some of its long-standing principles – such as poverty eradication as the main objective of development cooperation – towards a new understanding of its overall external affairs goal – promotion of the European interest. The 'instrumentalisation' of aid for the purpose of migration management that emerges is contrary to the idea of the PCD. It may pave the way to its redefinition, to include some potentially competing issues that have grown in importance on the global agenda, such as security, environment and migration.[1] This path is confirmed in the overall EU external policy framework, as presented in the EU Global Strategy, which uses the term 'coherence' in a much broader and more interlinked manner than traditional PCD. *Realpolitik* is back, and according to some commentators, that is the way to render EU foreign affairs action more effective.

The ongoing revision of the European Consensus on Development, initially planned to adapt it to the post-2015 Sustainable Development Goals (SDG) agenda, has gained new importance, but there remain major risks of political divergence.

Main references

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Endnote

[1] L. Siitonen, Theorising Politics Behind Policy Coherence for Development (PCD), The European Journal of Development Research, January 2016, Volume 28, Issue 1, p.4.

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