

African and European Civil Society Joint Statement

Valletta Summit, 11-12 November, 2015

Based on consultations with an array of African and European civil society platforms and organisations¹ conducted by the International Catholic Migration Commission (ICMC) Europe, the Norwegian Refugee Council (NRC) and Caritas Senegal, coordinator of the Migration and Development Civil Society (MADE) network in Africa. The positions reflect a summary of the consultation outcomes rather than any one organisation's views.

With this statement, African and European civil society set out priorities for the upcoming discussions and outcomes of the Valletta Summit.

In the 2014 EU-Africa Declaration on Migration and Mobility, African and European leaders acknowledged *“the benefits that migration and mobility can bring to both continents”* as well as the need for *“a comprehensive approach to migration and mobility”*. The leaders also committed to both *“strengthen international protection”* for refugees, asylum seekers and internally displaced persons and to *“advance legal migration and mobility [...] between and within the continents.”*² When these leaders meet again in Valletta, we call on them to adhere to the spirit of this declaration.

We call on African and European leaders to take decisions that respect the right to mobility and focus first, on human rights, decency, dignity, well-being and welcoming of people in need. African and European leaders should work as equal partners, and in collaboration with civil society, to deliver a plan that improves migration management and governance. And short-term responses to current emergencies should be crafted with a long-term perspective in mind. With great urgency, it is time to:

1. Tackle the root causes that force people to migrate, while respecting rights to mobility

More than ever, globalization implies co-responsibility in governing migration caused by war and persecution, the destruction of livelihoods, climate change effects, and the lack of economic opportunities.

A) Increase and improve aid effectiveness

We call on African and European leaders to:

- Address the main issues that prevent sustainable development and jeopardise aid efforts, such as the unfair international trade system which generates outrageous inequalities, tax evasion and illicit financial flows, and land grabbing³;
- Ensure that humanitarian and development aid are not used as bargaining chips to prevent migration, but as needs-based and assistance to save lives and eradicate poverty⁴;
- Ensure that development aid budgets to implement long-term strategies are not diverted to support short-term emergency responses;
- Ensure that development aid substantially contributes to improving access to quality education and to livelihoods options that provide valuable alternatives to migration in response to a lack of viable economic opportunities, in particular for the youth and women;
- Improve aid effectiveness especially by strengthening democratic ownership, increasing civil society participation, including migrants and diaspora organisations' involvement in the programming, and improving aid accountability.

¹ See Annex with the list of African and European civil society networks that contributed directly or through their members to the statement.

² While the current discourse emphasizes migration to Europe, it must underline that migration takes place within Africa: in 2013, 15.3 million migrants in Africa were from African countries.

³ According to the report of the High Level Panel on Illicit Financial Flows from Africa commissioned by the AU/ECA Conference of Ministers of Finance, Planning and Economic Development, is currently estimated to be losing more than \$50 billion annually in illicit financial flows. The level of illicit financial outflows from Africa exceeds the ODA to the continent.

⁴ As enshrined in the EU Consensus for Humanitarian Aid and in the Lisbon Treaty, article 208.

B) Strengthen civil society's contribution to the design, implementation and monitoring of the Joint Africa-EU Strategy on peace and security⁵

During the past five years, 8 out of the 15 conflicts that erupted or reignited worldwide were in Africa.⁶

We call on African and European leaders to:

- Increase their focus on the causes of instability and conflict in their efforts to prevent and resolve crises;
- Empower civil society actors and create conditions that enable them to play an active role in conflict prevention and post-conflict reconstruction process, in line with Paragraph 8.iv of the 2007 Joint Africa-EU Strategy.

2. Ensure safe and regular migration routes to Europe, to prevent migrants and refugees' deaths and suffering

Migrant smuggling and human trafficking are greatly exacerbated by restrictive immigration policies, which limit individuals' regular options to migrate without risking their lives⁷.

For people seeking international protection, we call on European leaders to:

- Uphold international obligations on international protection instead of transferring them to third countries and refrain from further externalization of border management and asylum processes. Externalization tends to increase risks for asylum seekers and migrants;
- Keep borders accessible to ensure asylum seekers can request international protection on European territory;
- Define annual mandatory quotas for resettlement and other humanitarian admissions across the region, according to needs and States' capacity. Priority should be given to the most vulnerable;
- Increase the number of humanitarian visas, sponsorship programmes and educational scholarships;
- Lift the barriers to family reunification and envisage the possibility of extended family reunification programmes.

The lack of recognition of labour market needs in Africa and Europe results in more irregular migration, exploitation, severe human rights abuses and a loss in tax revenue. In Europe, despite undisputed evidence of a shrinking workforce and labour shortages⁸, immigration continues to be seen as a threat rather than an opportunity. With the exception of the recently adopted directive on seasonal work, the EU's labour migration policies have thus far mainly focused on highly skilled workers, leaving very few regular employment opportunities for low-and-medium-wage migrant workers.

To provide regular migration options, we call on African and European leaders to:

- Ensure better data collection to improve evidence-based labour migration policies to identify labour market needs;
- Create sufficient, safe, transparent, permanent and/or temporary channels for labour migration from Africa to Europe, for migrants with different skill levels and across labour sectors in a way that reflects real labour needs. At the same time, it is critical that EU labour migration policy takes into account African labour markets and does not induce brain drain⁹;
- Ratify and implement the UN Migrant Workers' Convention and ensure labour rights enforcement;¹⁰
- Sign bilateral agreements with countries of origin or host countries to guarantee portability of pensions and social entitlements for migrants;¹¹
- Lift barriers to family reunification.

⁵ The Joint Africa-EU Strategy (JAES) aims to achieve human security, political stability and effective governance as a strategic objective.⁵

⁶ UNHCR, Global Trends Report: World at War, June 2015

⁷ According to UNHCR, 3,080 refugees and migrants are estimated to have died/gone missing at sea this year (at 2 October 2015).

⁸ It is estimated that by 2060, the EU will need 50 million extra workers. See [B. Westmore, International migration: the relationship with economic and policy factors in the home and destination country. OECD Economics Department Working Papers no. 1140, page 5.](#)

⁹ In adopting Goal 10.7 of the global 2030 Agenda for Sustainable Development, all 193 member states of the UN committed to "facilitate orderly, safe, regular and responsible" [i.e., avoiding brain-drain] "migration and mobility of people, including through the implementation of planned and well-managed migration policies."

¹⁰ In adopting Goal 8.8 of the global 2030 Agenda for Sustainable Development, all 193 member states of the UN committed to "protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants".

¹¹ Paragraph 111 of the the Addis Ababa Action Agenda of the Third International Conference on Financing for Development expresses the commitment of states to "increase cooperation on access to and portability of earned benefits, enhance the recognition of foreign qualifications, education, and skills".

3. Ensure effective implementation of anti-trafficking legislation and plans - with a focus on victim-centred and gender-sensitive provisions¹²

We call on European leaders to:

- Ratify and implement the Council of Europe Convention on Action against Trafficking in Human Beings and support the monitoring mechanism of the Convention;
- Ensure that provisions on protection and prevention of the Directive on preventing and combating trafficking in human beings (2011/36/EU) are transposed and effectively implemented in national legislation and practice. The gendered aspects of human trafficking must be acknowledged and addressed with efficient and appropriate preventive and protective measures.

We call on African leaders to:

- Develop, with European support if necessary, domestic capacity to tackle human trafficking and related regional cooperation mechanisms, in line with the Ouagadougou Action Plan¹³.

4. Strengthen international protection to ensure that refugees' rights are respected and that their needs are met

The EU Global Approach to Migration and mobility aims at promoting international protection, and enhancing the external dimension of asylum.

We call on African and European leaders to:

- Develop binding agreements to ensure specific policies or measures are adopted and implemented to achieve tangible progress regarding the provision of quality protection. This could be done in the framework of Mobility Partnerships. However, supporting protection in Africa should not relieve European States' of their obligation to protect refugees arriving on their territories.

Protracted displacement situations are on the rise. Host communities are overwhelmed and forcibly displaced persons need to transition from aid dependency towards increased resilience, self-reliance and development.

We call on African and European leaders to:

- Ensure more flexible funding to address these crises as well as reinforced cooperation between humanitarian and development assistance –through joint assessments, strategies and action plans;
- Invest in more and better analysis of host communities and local dynamics so that the humanitarian and development work is implemented in a conflict-sensitive and participatory manner;
- Support refugees' access to livelihood opportunities –labour market and employment- as well as basic services, including education; and ensure that resilience and livelihood programmes also target host communities and promote social cohesion.

Disaster-related displacement is increasing. This is likely to get worse, as more people live in areas and conditions where they are vulnerable to natural disaster, and temperatures continue to rise.

We call on African and European leaders to:

- Implement and promote the Nansen Initiative's Protection Agenda¹⁴, to ensure adequate protection and assistance for the many millions of people fleeing disasters and the effects of climate change.

Any refugee seeking protection is in a vulnerable position but the ability of certain individuals to apply for international protection can be further impaired by personal characteristics or traumatic experiences.

¹² Goals 5 (gender equality) and 16 (peaceful and inclusive societies) of the global 2030 Agenda for Sustainable Development express the universal commitment of UN member states to combatting human trafficking.

¹³ African Union & European Union, Ouagadougou Action Plan to combat trafficking in human beings, especially women and children, as adopted by the Ministerial Conference on Migration and Development, Tripoli, 22-23 November 2006

¹⁴ <https://www.nanseninitiative.org/secretariat/>

We call African and European leaders to:

- Ensure that the rights and specific needs of all vulnerable groups, including but not limited to children,¹⁵ women, disabled people, victims of trafficking, torture and other forms of violence, are taken into consideration in all migration policies, and that adequate assistance is planned for and provided;
- Recognize children in all contexts of migration as children first and foremost and apply the principle of best interest of the child in all migration policies and considerations.

5. Ensure that the protection of human rights in all return operations and in the negotiations of any migration cooperation agreements, including readmission agreements

Despite the emphasis on “voluntary returns of irregular migrants”, the EU return policy does not exclude forced return, which raises great concerns. Readmission agreements are often used as a negotiating tool between the EU and the signatory States to reduce irregular migration to Europe and as such, they neither recognize the potential of mobility for countries of origin and destination and for migrants themselves, nor do they sufficiently reflect the need to ensure respect for human rights.

We call on African and European leaders to:

- Respect and implement the “principle of *non-refoulement*”;
- Ensure that return policies prioritise assisted voluntary return and reintegration. When forced return takes place after due consideration of an asylum claim in fair procedures, ensure that it is carried out in a safe and dignified manner in line with international human rights obligations;
- Ensure that future negotiations on readmission agreements do not cover third country nationals¹⁶ as a rule, and in accordance with the European Commission’s evaluation of EU Readmission Agreements;¹⁷
- Stop linking readmission to other areas of cooperation with third countries;
- Make all agreements on migration control, including readmission agreements, public and transparent.

6. Support African countries to develop coherent migration and asylum policies and improve migration/asylum governance at the national and regional levels

The current discourse focuses on migration to Europe, yet most Africans migrate within Africa: in 2013, 15.3 million migrants in Africa were from African countries.¹⁸

We call on African leaders to:

- Assess with European support, national migration and asylum policies and legal frameworks, and identify potential gaps;
- Develop and implement with European support and in partnership with civil society and international organisations, complementary policy measures and/or regulations at the national level;
- Enhance intra-African mobility through continent-wide visa free regimes. Mobility and free movement of Africans within Africa should be at the heart of Africa regional integration, in line with Article 43 of the African Economic Community Treaty and the Rome Declaration of the Rabat Process. Effective implementation of existing regional free movement protocols such as the ECOWAS Free Movement of Persons’ Protocols, should be ensured.

¹⁵ Today about 22 million children between the ages of 0-14 years are international migrants.

¹⁶ Persons who do not have the nationality of either of the Parties and who transited the territory of one of the Parties.

¹⁷ European Commission, Communication from the Commission to the European Parliament and the Council, Evaluation of EU Readmission Agreements, 23 February 2011

¹⁸ United Nations, International Migration Report 2013

7. Facilitate and support migrants' and diaspora's contributions to development

Migrants and diaspora communities are major contributors to development through transfers of skills, social capital and earnings, job creation, community and business development, and public policy change. In 2014, total recorded migrant remittances reached \$583 billion -more than double the Official Development Assistance in the world¹⁹. Many studies have shown that remittances promote human and economic development of individuals, communities and economies in countries of origin and heritage. They substantially support family members' and communities' access to food and basic services and they also enable significant investment in livelihoods, entrepreneurship activities and public goods.

We call on African and European leaders to:

- Reduce to less than 3 percent the transaction costs of migrant remittances and make transfers safer and faster to increase the share of remittances reaching families and local communities;²⁰
- Co-finance successful diaspora and migrant development activities in countries of origin and explore ways to expand such programmes across countries and regions;
- Organise or support the organisation of structured consultations with migrants and diaspora communities when designing national and local development policies and plans and invest in national institutional capacity-building for diaspora engagement ;
- Support the improvement of transnational contacts and networks to assist diaspora organisations in undertaking joint projects and mutualizing efforts on the ground, thereby boosting the positive impact of their development activities on local conditions.

8. Include a Partnership principle to ensure that funding priorities match the needs in the region and that civil society contributes to the programming process of the EU Emergency Trust Fund

African and European civil society organisations have a wealth of expertise and decades of field-based experience in developing approaches and programmes to address crises in Africa: providing humanitarian assistance; supporting resilience and recovery, livelihood opportunities and development. It is therefore critical to enable them to share this knowledge and experience in defining the orientations of the EU Emergency Trust Fund.

We call on African and European leaders to:

- Organise early consultations and information sharing with civil society organisations on the programming of the Trust Fund;
- Ensure coherence between the Trust Fund and the on-going bilateral and regional development programming, which is the long-term strategy for the region and has a broader scope and impact.

9. Support citizen mobilization to change perceptions on migrants and refugees in host countries

Direct engagement with citizens is necessary to counter toxic xenophobic narratives that have led to an increase of incidents targeting migrants, refugees and other people perceived as such. It is critical and urgent to re-establish the truth about the benefits of migration and causes of displacement, and to promote social cohesion in Europe²¹ and in Africa.

We call on African and European leaders to:

- Share accurate facts and figures about migration and its benefits, and improve public understanding of forced displacement and international protection;
- Raise public awareness about the positive contributions of migrants and refugees, including by providing support to civil society to organise evidence-based public campaigns.

¹⁹ Kaushik Basu, World Bank Chief Economist and Senior Vice President (<http://www.worldbank.org/en/news/press-release/2015/04/13/remittances-growth-to-slow-sharply-in-2015-as-europe-and-russia-stay-weak-pick-up-expected-next-year>)

²⁰ Goal 10.c of the global 2030 Agenda for Sustainable Development calls for the reduction to less than 3 per cent of the transaction costs of migrant remittances and the elimination of corridors with costs higher than 5 per cent.

²¹ ENAR, Beyond 'refugees welcome': what will EU member States do to protect refugees and migrants from violence and discrimination?, September 2015

ANNEX: List of African and European civil society coalitions that contributed directly or through their members to the statement

CONCORD is the European confederation of Relief and Development NGOs and is made up of member organisations: 28 national associations, 18 international networks and 2 associate members that represent over 2,400 NGOs, supported by millions of citizens across Europe. At global level, CONCORD is actively involved in the CSO Partnership on Development Effectiveness, Beyond 2015 campaign and the International Forum of NGO platforms. www.concordeurope.org

ECRE is the European Council on Refugees and Exiles and is a pan-European alliance of 90 NGOs protecting and advancing the rights of refugees, asylum seekers and displaced persons. ECRE's mission is to promote the establishment of fair and humane European asylum policies and practices in accordance with international human rights law. www.ecre.org

EPAM is the European NGO Platform on EU Asylum and Migration Policy and is the meeting-place of European non-governmental organisations and networks seeking to contribute to the development of asylum and migration policy in the European Union. Through its members, EPAM has an extensive expertise on asylum and migration. Many EPAM members have large networks within EU Member States and beyond in regions of origin, with member organisations working at national and local level with refugees, asylum seekers and migrant communities. www.ngo-platform-asylum-migration.eu

FORIM is the *Forum des Organisations de Solidarité Internationale issues des Migrations* and represents about 700 associations in sub-Saharan Africa, the Maghreb, Southeast Asia, the Caribbean and the Indian Ocean. FORIM is also member of the Board of Trustees and Project Steering Committee of the Africa-Europe Development Platform (ADEPT). www.forim.net

MADE Africa is the Migration and Development (MADE) Civil Society Platform in Africa and currently comprises 373 members, including diaspora organisations. The platform is coordinated by Caritas Senegal, with the support of a steering committee consisting in 6 sub-regional leads for Central Africa, North Africa, West Africa, South Africa, East Africa and the diaspora. MADE Africa forms part of the global Migration and Development (MADE) civil society network. www.madenetwork.org

PICUM is the Platform for International Cooperation on Undocumented Migrants and is a network of individuals and organisations working to ensure social justice and human rights for undocumented migrants. PICUM comprises 149 platform member organisations and 116 individual members across 31 countries. Platform members comprise human rights organisations, faith-based organisations, trade unions, international networks and humanitarian assistance organisations. www.picum.org