Migration and Development

COHERENCE FOR MIGRATION AND SECURITY. AND WHAT ABOUT DEVELOPMENT?

A FAIR EUROPE for a FAIR WORLD
Executive Summary

Is the EU external migration policy, i.e. the Global Approach to Migration and Mobility, really coherent with the EU development objectives?

While recognising the complex relationship between migration and development, CONCORD deplores that security and economic interests continue to prevail in the EU policy and institutional approach to migration and development. The emphasis on border controls and security undermines the achievement of the EU’s global development objectives, amongst which poverty eradication and the respect of human rights, as reflected in the choices of political priorities and financial and technical assistance. As the practice of the EU Mobility Partnerships shows, the EU external migration policy is essentially used to make third countries partners in the EU’s fight against irregular migration. At the same time, European development aid to developing countries continues to be instrumentalised to serve ‘migration management’ objectives, with readmission agreements as common precondition to aid delivery.

Moreover, the handling of legal migration channels shows how the EU economic self-interest dominates EU policy, leading to a selective approach towards higher qualified labour migrants, with the risk of causing brain drain in developing countries. As a result, the EU external migration policy is incoherent with its development goals, and in breach with the EU’s Policy Coherence for Development obligation.

Yet, CONCORD is convinced that migration can work for development and benefit both EU destination countries, countries of origin – amongst which developing countries-, and migrants themselves. CONCORD therefore urges the EU and its Member States to place humans, their rights, and their legitimate aspiration for a decent life at the centre of EU external migration policies, while tackling the systemic issues and roots causes that generate ‘unchosen’ migration.

Introduction

In the current context of increasing numbers of migrants toward the EU territory, the political and media attention mainly focuses on aspects relating to the migrant and refugee status and whether or not these persons should be accepted to stay in Europe or not. Yet, another dimension of the issue refers to the link between migration and development in both origin and host countries. The EU has attempted for more than a decade to address this link in its migration policies, and to improve policy coordination. These efforts resulted in the Global Approach to Migration and Mobility (GAMM) adopted in 2005. At the same time, the Commission has identified the coherence between migration and development policies as one of the five EU PCD priorities to implement the obligation of Policy Coherence for Development (PCD), embedded in the 2007 Lisbon Treaty.

This Spotlight policy paper reflects on some EU policies relating to the migration-development nexus and the extent to which they have resulted in effective PCD. It analyses the deficits and contradictions in some EU policies and provides recommendations to enhance the development perspective.

According to the UN, there are about 232 million international migrants; among them are 35 million children and youth under the age of 20, seeking economic opportunities elsewhere, or escaping from persecution, war, and violence. Out of this 232 million, (only) 33.9 million migrants live in the EU and 14.3 million of these 33.9 million migrants have citizenship of another EU Member State.

These 232 million migrants are not a simple consequence of poverty, since it is demonstrated that a certain degree of development is actually necessary to trigger movement and migration, towards Europe as well as towards immediate
and displacement and to enhance the development potential towards EU territory that year. Migrant, human rights, and development objectives that put humans, their rights, and their legitimate aspirations for a decent life at the centre, while at the same time tackling the systemic issues that generate un-chosen migration has demonstrated to be closely interrelated with development processes throughout history. Migration has proved to be a strong instrument in boosting development, bringing development to host countries, to countries of origin, and to migrants themselves. Importantly, to leave any country, including his own, is a human right; duties and responsibilities to protect this right to emigrate are borne by the States, while States also have legitimate prerogatives to organise the access to their territory. Nevertheless, no political compromise to the expense of human rights is acceptable. Tackling the complex links between migration and development, referred to as the migration-development nexus, is intrinsically related to applying PCD to external migration policies. Unfortunately, the migration-development nexus is often misunderstood. In CONCORD view, PCD-compliant EU external migration policies must imply the integration of key objectives that put humans, their rights, and their legitimate aspirations for a decent life at the centre, while at the same time tackling the systemic issues that generate un-chosen migration. Subsequently, CONCORD believes that EU external migration policies must refer to the following:

- tackling the root causes of forced migration and displacement;
- facilitating and improving regular migration through the creation of more legal ways for migrants to enter the EU;
- facilitating the regular entry of people in need of (international) protection and refugees;
- promoting the development potential of migration;
- fighting trafficking in human beings;
- promoting the integration of migrants in EU countries and the fight against xenophobia and discrimination;
- facilitating financial, knowledge, and skills transfers of migrants, including through the reduction of the costs of remittances;
- joining the 1990 UN Convention on the Protection of the Rights of All Migrant Workers and Members of their Families.

The GAMMs, as the overarching framework of the EU external migration and asylum policy since 2005, clearly reflects the complex relation between migration and development: it is composed of an enormous and complex display of vaguely linked policies, and a number of projects in countries of transit and origin. While one of the European Commission’s PCD priorities is to make migration work for development, only one of the GAMMs policy pillars actually addresses the strengthening of coherence between migration and development. A new EU Agenda on Migration was adopted in May 2015 as a response to the growing number of migrants reaching towards EU territory that year. Migrant, human rights, and development organisations hoped that the EU was finally heading towards a more comprehensive concept of migration, including proposals to address the root causes of forced migration and displacement and to enhance the development potential of migration through improved policy coherence and focus on human rights situations of both migrants and local communities. However, these hopes were soon renounced. Only very few regular and safe migration channels from developing countries towards the EU have been opened. The EU Agenda does not address the importance of inclusive development, decent work, or social protection in countries of origin. Additionally, the South-South dimension of migration gets little attention. Instead, the EU Agenda confirms the continuously prevailing security approach of the EU that focuses on strengthening border control, fighting smugglers and irregular migration, and facilitating return and readmission. In addition to the EU Agenda on Migration, 2015 saw multiple other relevant policy dialogues and commitments on migration. Particularly, at the Valletta Summit between EU Member States and some African countries in November 2015, the EU pointed out its intentions to further integrate key development objectives in its external migration cooperation with African countries. The Valletta Declaration agrees on boosting socio-economic development in Africa, enhancing the diplomatic approach to address instability and crises in the African region, and supporting State building and good governance. However, compared to what is needed in terms of budget and policies, a PCD-compliant external migration policy is still far away. Policy-makers failed to agree to extend safe and regular pathways for migrants from African developing countries. Remarkably, both the Action Plan and the Summit’s flagship deliverable EU Emergency Trust Fund include chapters and budgets on root causes and migrants protection. These commitments need to be spelled out in terms of substance in order to prove they meet this target course. However, the €2 billion budget for this Trust Fund is quite small for programmes in 25 countries, especially when compared to the €3 billion budget allocated to Turkey for the next two years (and more announced) to help refugees, in return for stemming the “flow” of migrants to Europe. Moreover, the money is largely taken from existing funds, including the not yet allocated 11th European Development Fund reserve.

2 Every two years, the European Commission publishes an EU wide progress report on PCD implementation in the EU and its Member States in the five priority areas. See: http://tinyurl.com/3amjtea
7 For further readings: Aniak Pian, ‘The discursive framework for development. From discourses and concrete political actions to the range of actions by deportee associations,’ 2010, and several articles of Hein de Haas.
8 Article 13.2 of the Universal Declaration of Human Rights.
9 The GAMM focuses on four priority areas: 1) Enhancing regular migration and facilitating mobility; 2) Preventing and combating irregular migration and human traffic; 3) Maximising the development impact of migration and mobility; and 4) Promoting international protection.
12 Other external outcomes after the EU Agenda on Migration were: The Meeting on the Western Balkan Migration Route (25 October 2015), the Valletta Summit (11-12 November 2015) and the Meeting between the EU and Turkey (29 November 2015).
Nevertheless, it is unclear how these commitments are related to the GAMM and its approach towards migration and development, especially when some agreements like the EU-Turkish Action Plan \(^\text{20}\) raises serious concerns from a human rights-based perspective.

A positive development in 2015 has been the adoption of the Sustainable Development Goals (SDGs) and the commitment of all States, including EU Member States to ‘facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies’\(^\text{16}\) and to ensure ‘full respect for human rights and the humane treatment of migrants, regardless of migration status, of refugees and of displaced persons’.\(^\text{17}\) With the SDGs, world leaders have promised that ‘no one will be left behind’; this has a particular echo for migrant women, men and children.

The implementation of the SDGs will be an opportunity to re-emphasize a rights-based approach to EU external migration policies and to promote coherence with longer-term development objectives.

**Incoherencies in EU’s external migration policies**

1. **The security dimension continues to prevail in the EU policy and institutional approach to migration and development.**\(^\text{18}\)

Security interests undermine development goals in terms of political priorities as well as in terms of financial and technical assistance.

Addressing the complex links between migration and development is often interpreted as using development initiatives, programmes and finance to prevent emigration, particularly targeting countries of origin and of transit with high emigration towards Europe. Although EU migration and development objectives have been gradually reinforced, the EU has been firmly maintaining its focus on restricting migration.

This is well reflected in the EU migration cooperation with African States notably, like the ‘Seahorse Atlantic Network’\(^\text{21}\), tool of the Rabat Process\(^\text{22}\), that enables the information exchange between authorities along the Western African coast, to prevent irregular migration and cross-border crime.\(^\text{23}\) The ‘EU-Horn of Africa Migration Route Initiative’\(^\text{24}\) also provides political and financial support to countries in the Horn of Africa, to manage migration flows from this region towards the EU.\(^\text{25}\) The EU uses political and economic incentives to prevent migration from countries participating in this initiative (Somalia, Eritrea, Ethiopia, South Sudan and Sudan), in spite of the fact that human rights violations are widespread and systematic in some of those countries. Mobility strategies for migrants from this region, human rights records, and issues about the political regimes seem to be neglected.

As for the EU Sahel Regional Action Plan 2015-2020, \(^\text{26}\) it foresees that existing mechanisms and processes on migration and development should be used to strengthen the common space for dialogue and cooperation on security and migration. A DG Migration and Home Affairs field mission also recommended that ‘all development programmes in Niger should maximize the migration impact’. In this case again, security interests prevail and development programmes are even envisaged as tools to achieve the security objectives.

At the financial level also, the EU’s intentions to limit migration seem to overshadow migration and development objectives. The GAMM framework lacks its own financial instrument, therefore it is implemented through a wide variety of available financial instruments, including more and more security-oriented tools, like the Home Affairs Funds and Common Security and Defence Policy Actions.

Regarding the 2015 EU Agenda on Migration, the European Commission allocated €89 million for its implementation, including €27 million for FRONTEX’s activities and a €57 million increase of the Asylum, Migration and Integration Fund (AMIF).\(^\text{27}\) While the EU Agenda also proposed a new European policy on legal migration, ‘requiring enhanced coherence between different policy sectors, such as development cooperation, trade, employment, foreign and home affairs policies’, no funds were allocated to the development of this new legal migration policy, which is supposed to also support the development of countries of origin.

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\(^\text{18}\) See Bob van Dillen’s (Chair of CONCORD Migration and Development Task Force) blog article “A missed opportunity in the Valletta”, http://www.concorderieurope.org/blogs/eudevblog/219-a-missed-opportunity-in-valletta.

\(^\text{19}\) For further reading ECDPM’s 61 Briefing Note EU Trust Funds – Shaping more comprehensive external action?, http://tinyurl.com/jymy3gv.

\(^\text{20}\) €1.8 billion contributed by the European Commission and €0.2 billion contributed by EU Member States.

\(^\text{21}\) On 29 November 2015, leaders of the European Union met with their Turkish counterpart to re-energise our relations and stem migration.

\(^\text{22}\) Target 10.7 of the Agenda 2030 for Sustainable Development.


\(^\text{24}\) See Bob van Dillen’s (Chair of CONCORD Migration and Development Task Force) blog article “A missed opportunity in the Valletta”, http://www.concorderieurope.org/blogs/eudevblog/219-a-missed-opportunity-in-valletta.


\(^\text{26}\) The Seahorse Network is a regional cooperation between Spain, Portugal, Senegal, Mauritania, Cape Verde, Morocco, Gambia and Guinea Bissau.

\(^\text{27}\) The Euro-African Dialogue on Migration and Development, whose first Conference was held in Rabat on 10-11 July 2006, reflects a partnership between the countries concerned by the ‘West-African migration route’, including migration to Europe from northern, central and western Africa, and is characterised by a common vision on the need to adopt a balanced approach to migration issues in a spirit of shared responsibilities.


\(^\text{29}\) See Bob van Dillen’s (Chair of CONCORD Migration and Development Task Force) blog article “A missed opportunity in the Valletta”, http://www.concorderieurope.org/blogs/eudevblog/219-a-missed-opportunity-in-valletta.
Moreover, as emphasised before, the €2 billion budget of the new EU Emergency Trust Fund created at the Valletta Summit in November 2015 is relatively small.26

Clearly, funding is prioritised and diverted toward the securitisation of migration leading again to development considerations assessed as less important, even ignored. All this evidences show that, the EU’s political discourse on migration remains associated, first and foremost, as phenomena threatening national securities rather than stimulating development.27 Policy and funding priorities are given to limit access to the EU territory rather than to reform and adapt labor markets, welfare systems and social sectors in line with the needs and rights of all people within the European Union. Third countries that cooperate to prevent people to leave their territory are rewarded with EU support. This logic is pushed to the point that development funds and programmes themselves are geared to serve the EU migration policy objectives and security objectives.

The European Council in June 2015 confirmed this by deciding that development tools should be used to reinforce the capacity of developing countries, for border control, asylum, counter-smuggling and reintegration.28 However, utilising development tools to support EU’s effective return, readmission, and reintegration policies clearly conflicts with the EU PCD commitment to make external migration policy coherent with development objectives, and not the other way around.

As a consequence of this security focus the EU is failing to invest in important conversion of migration and development into clear policies. Implications of linking brain gain explicitly to improved mobility, considering the positive aspects of brain circulation; promoting transparent, cheaper, faster, and more secure flows of remittances to migrants’ countries of origin; or helping countries of origin facilitate the return of qualified nationals through attractive re-installation incentives are still not reflected clearly, neither in policies nor in politics. It would be important indeed that such aspects of the migration and development nexus are integrated into national development strategies.

In addition, the securitisation of migration also jeopardizes the respect and promotion of human rights for migrants.29 The UN-Special Rapporteur on Human Rights of Migrants, François Crépeau, underlines that ‘the overall focus on security and the lack of policy coherence within the Approach [i.e. GAMM] as a whole creates a risk that any benefits arising from human rights and development projects will be overshadowed by the secondary effects of more security-focused policies.30 An example of this can be found in Niger, a major transit country for migrants from Sub-Sahara Africa. The Commission announced plans to set up a “multi purpose centre” for migrants in Agadez31 at the same time when the EU civilian mission to fight terrorist groups and organized crime in the region had to be reinforced to further stabilise the security situation in Niger. Niger is according to the UN the world’s poorest country. In this setting the alleged provision of direct assistance and information to migrants and providing opportunities for safe and voluntary return and reintegration in cooperation with countries of origin seem more than cynical. There is a high risk that migrants end up trapped in abusive situations, hindered from accessing fair asylum procedures, or even led to refoulement to countries where they would be at risk of persecution or inhuman or degrading treatment.

Box 1: Human rights violations for security purposes

The increased numbers of migrants to Europe highlight the contradiction between the EU security approach of migration and its obligations in terms of respecting, promoting and protecting human rights. Smuggling and trafficking of human beings towards EU territory have opened the way for EU leaders to use military force near the North African coast to fight irregular migration. On the other hand, only very few regular and safe channels to Europe were opened in view of millions of people fleeing war, persecution or fading prospects. By surrendering these people to their fate, the EU clearly condones severe human rights violations against people in need of protection.

Recommendations:

The EU and its Member States should take responsibility and make sure to continue the migration and development approach of the EU Global Approach to Migration and Mobility in their external cooperation on migration with African countries, through for example further elaborating the EU Trust Fund. Fighting bad governance and corruption, and assuring rule of law and human security are of utmost importance. In order to do so and hence combat some push factors for migration out of bare necessity support for civil society needs to be prioritised over financial support for autocratic governmental structures.

The European Union and Member States should ensure that the development dimension of EU external migration policies is funded by development financial instruments, to avoid that development considerations of EU external action are seen as less important, or even ignored.

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26 [Source 1]
27 [Source 2]
28 [Source 3]
29 [Source 4]
30 [Source 5]
31 [Source 6]
Migration

Case: EU’s Mobility Partnerships: who is benefitting?
Mobility Partnerships play a crucial role in implementing the GAMM. In 2008, the European Commission introduced the concept of Mobility Partnerships to improve regular movements between the EU and third countries and to create more coherence between EU migration and development policies. Nevertheless, a closer look at the intended content of the Mobility Partnerships reveals a predominance of migration control elements and a near absence of development goals. For example, looking at the commitments expected from third countries for establishing a Mobility Partnership, the Commission requires commitment on readmission, the fight against irregular migration and the improvement of border control. Only two of the expected commitments can be seen as potentially contributing to development: the promotion of productive employment and decent work in countries of origin, and the improvement of regular migration and mobility opportunities for third country’s nationals.

Box 2: The EU Mobility Partnership with Cape Verde lacks stimulating development

Considering mobility as a key to the development of Cape Verde, the country signed one of the first Mobility Partnerships with the EU. Although the Partnership’s name assumes the implementation of mobility, mobility is still a far away option for the majority of the Cape Verdean people. The Partnership brought no real results in terms of visa facilitation and did not address the importance of remittances at all. On the contrary, the EU has implemented measures to prevent irregular migration, border management, document security, and counteracting human trafficking. It appears that the EU mainly uses the Partnership to make Cape Verde a partner in its fight against irregular migration, instead of using it as an instrument to make migration work for development. In addition, the Mobility Partnerships with Tunisia and the Republic of Moldova equally prove deficits for migration and development.

Recommendation:
The EU should reform the concept of EU Mobility Partnerships to ensure that it is not only an instrument to fight irregular migration, but also an instrument to strengthen the coherence between migration and development. Therefore, the EU and its Member States should extend the framework of the Mobility Partnerships in terms of temporary migration; to make a stronger connection between education, business, and investment opportunities.

2. The economic self-interest dimension prevails in the EU policy approach to migration and development.

Another aspect of the EU migration policy approach is to consider migrants as labour resources: whether or not migrants are welcome in the EU depends on whether they can fill gaps in human resources. This has led to different treatment for low-skilled and highly qualified labour migrants. ‘Wanted’ highly qualified migrants have easier access to regular migration routes, but for less-qualified people, only short-term migration schemes are envisaged, with strong pressure to return. This selective approach towards higher qualified labour migrants can lead to brain drain in developing countries, with the EU benefiting from the expertise of developing countries, while developing countries remain with their lower-skilled citizens. Although people have the right to migrate, developing countries also need their highly skilled citizens to contribute to eradicating poverty and achieving sustainable development. Actively pulling higher skilled citizens from developing countries undermines development objectives.

An example of the significant negative effects of EU and Member States migration policy on the development of Ghana, is demonstrated by the 2014 IOB report ‘Auto- nomy, partnership and beyond’. Highly skilled health workers and doctors who migrate to Europe cost the Ghanaian government three times more, in terms of education, than what they return to the country, in terms of remittances. In many cases, developing countries not only lose their investment in the education of their professionals, but also the contribution of these workers to the sectors they are working in. As such, the EU benefits from this productive labour (brain gain), without paying the costs of the education of this labour.

A solution to mitigate the negative effects of brain drain could be to reverse brain drain into brain gain. Migrants can directly contribute to the development of their country of origin through the transfer of their gained knowledge, expertise, and skills, which would have been hard to pick up had they never gone abroad. The transfer of these social remittances and human capital can be facilitated through online communication channels, temporary return, or also when migrants definitively return to their country of origin. Indirectly, migration prospects can foster investment in education in countries of origin. However, research showed that when migrants are guaranteed the right to leave/migrate and return between countries they are likely to envisage temporary return to their country of origin and contribute actively to its development. Therefore, greater mobility is likely to be the most sustainable and efficient response over the long term.

Recommendation:
The EU and Member States should use the new European Agenda on Migration to develop a legal framework that facilitates greater mobility for both highly skilled and low-skilled workers, allowing brain gain instead of actively contributing to brain drain. Therefore, EU Member States should mediate agreements with third countries, that ensure the safe movement and respect of international workers’ rights as laid out clearly in the International Labour Organization’s standards for international labour and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

3. Conditionality and instrumentalisation of development aid serve migration management objectives.

As highlighted earlier in this paper, the Commission and EU Member States continue increasingly to use development aid to promote their geopolitical interests, including their objectives of controlling migration and reducing irregular migration. At the same time, a third country’s willingness to actively fight irregular migration has become a condition for receiving EU development aid. These policies are based on the faulty assumption that development can reduce migration, although development can also create the conditions for movement and migration. Nevertheless, reducing development cooperation in some countries, based on the State’s lack of cooperation on migration issues like readmission, is likely to harm the population more than the recipient government and could lead to an increase in emigration. Additionally, by making development aid a condition for cooperation on border control, the EU turns development aid into a tool for implementing restrictive and security-driven immigration policies, which totally turns the EU PCD obligation around. Readmission agreements are an example of conditionality, often serving as a precondition to more regular (labour) migration opportunities for third country nationals and visa facilitation agreements with these third country partners. Nonetheless, EU commitments toward visa facilitation for third country nationals are insufficient when compared to the obligations imposed on third countries within the framework of the partnerships, including strengthening of border controls, cooperation with FRONTEX, and signing of readmission agreements. In practice, visa facilitation is limited to the most privileged and/ or qualified citizens, while the employment possibilities evoked are remote and are void of any concrete prospects. The use of readmission agreements as a conditionality for development aid is incoherent with EU development goals; even more so, when the improved visa facilitation in return is not likely to contribute to greater mobility of developing countries’ nationals. In this context, PCD is still very far away.

Box 3: Conditionality as instrument in Dutch-Ghanaian development cooperation

Third countries that cooperate with the Netherlands can expect support in wider migration issues, but those that do not, or insufficiently, may suffer consequences in their bilateral cooperation. In September 2012, the Ghanaian authorities refused to deliver travel documents to some of their citizens due to be returned and objected to the pressure exercised by the Dutch government. In response, the Dutch government decided to cut €10 million of ODA to Ghana for lack of cooperation. End 2015, some political parties in the Dutch Parliament asked the Dutch government to apply this conditionality even stricter, because so far the withdrawal of aid had not had the desired effect. However, their motion was rejected.

Recommendation:
The EU and Member States should re-centre development aid exclusively on the fight against the root causes of poverty and should end conditionality of aid relating to achieving migration objectives in bilateral and multilateral negotiations: EU external migration policy should be based on dialogue and positive incentives, with human rights at the center.

Conclusion

Implementing Policy Coherence for Development in migration policy is greatest big challenges for the EU: the effects of EU external migration policies in developing countries are complex, and actions to achieve PCD require tough political action. EU policies on migration and development are still more oriented towards preventing migration to Europe, promoting migrants’ return to the countries of origin, and creating incentives for countries of origin to manage and control migration in the so-called interest of European countries, rather than towards unleashing the potential of migration for development, the development of the countries of origin and host countries as well as of the migrants themselves.
CONCORD is the European confederation of Relief and Development NGOs. It is the main NGO interlocutor with the EU institutions on development policy. It is made up of 28 national associations, 18 international networks and 2 associate members that represent over 2,400 NGOs, supported by millions of citizens across Europe. The main objective of the Confederation is to enhance the impact of European development NGOs vis-à-vis the European Institutions by combining expertise and accountability.

The report “Spotlight on EU Policy Coherence for Development” is a flagship report produced by CONCORD every two years since 2009, to raise the awareness of EU political leaders and citizens on the need to apply changes to some European domestic and external policies in order to eradicate global poverty. The report is prepared by CONCORD members and draws from their analysis and the evidence they can gather, especially through their interaction with poor and vulnerable communities in countries outside Europe. In 2015 the Spotlight report takes the form of thematic policy briefs published consecutively throughout the year. For previous reports and updates visit: www.concordeurope.org