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»Better Migration Management«

A Good Approach to Cooperating with Countries of Origin and Transit?

Steffen Angenendt / David Kipp

Since the EU and Turkey concluded their refugee agreement, the central Mediterranean is becoming increasingly important again and is currently the most travelled route for irregular immigration to Europe. A proportion of the refugees and migrants on this route in 2016 came from the Horn of Africa and East Africa. As part of the Khartoum Process, the EU is seeking to cooperate with the countries in this region on migration policy. The Better Migration Management (BMM) programme is one part of these endeavours. Some civil society actors criticize the programme because they believe it disregards human rights and validates despotic regimes. Analysis shows that this claim has, so far, been unjustified. Nevertheless, there is a risk that such cooperation may embolden authoritarian leaders who commit human rights violations. It is, therefore, all the more important to pay attention not only to effectiveness, but also to sustainability and legitimacy when establishing partnerships on migration policy.

In the first half of 2017, Italy registered 84,000 refugees and migrants who had made their way to Europe from Libya via the Central Mediterranean route, an increase of 20 percent over the previous year. The migration route from the Horn of Africa via Sudan to Libya and then the EU is considered one of the most dangerous; many refugees and migrants suffer severe human rights violations en route or do not survive the journey at all. According to the International Organization for Migration (IOM), at least 2,207 people died on this route in the first half of 2017 alone (as of 16 July 2017). The migrants originate from various African and Asian countries. In previous years, these have predominantly

been in East Africa and the Horn of Africa (Ethiopia, Djibouti, Eritrea, Kenya, Somalia, South Sudan, Sudan and Uganda). More recently, their number has declined from 63,000 in 2015 to 40,000 in 2016 and only 11,000 in the first half of 2017. International observers, such as the Regional Mixed Migration Secretariat, attribute this decrease mainly to tightened border surveillance in Sudan. This supports the EU Commission's view that a strengthening of border controls on this migration route would reduce irregular migration. However, this link to Sudanese border controls cannot be proven and it is unclear whether the decline is, in fact, due to fewer people migrating or them being stranded in tran-

sit countries. Above all, it is uncertain what happens to these stranded refugees and migrants, how they live and whether they are subjected to violence and human rights violations.

Complex migration patterns

Eastern Africa and the Horn of Africa have always been characterized by extensive migration flows. Today, however, this area, more than any other in the world, is characterized by a mix of various migration causes and by a strong intermingling of refugees and migrants. Currently there are ten million people in the region who have been displaced due to armed conflicts, violence or human rights violations. The reasons are well known. In Eritrea, citizens are under threat from political and religious persecution, indefinite military service and a lack of economic prospects; in Somalia, people are being displaced by the civil war and terrorist violence; in Sudan, parts of the population are retreating from violent conflicts between the centre and the periphery, and in South Sudan, a brutal civil war is raging, from which more than 3.8 million people have fled both inside and outside the country. In addition to these country-specific migration reasons, environmental factors are also present throughout the region. It is estimated by the Internal Displacement Monitoring Centre (IDMC) that, in 2016 alone, more than 500,000 people left their homes due to natural disasters. Environmental migration will continue to rise because of the drought which has persisted for many years.

Migration patterns in the region vary considerably from country to country. Somalia and South Sudan, for example, are simultaneously countries of origin, transit and host countries for refugees and migrants, while Kenya and Sudan are predominantly transit and host countries. Djibouti is considered a transit country, Eritrea a country of origin and Ethiopia a country of origin and host country.

What all these countries have in common is that their governments are not able to overcome the existing challenges alone. In particular, protection and care for refugees is often very poor, which is not least due to the fact that, for decades, refugee camps have been established in remote regions where inhabitants have hardly any opportunity to earn a livelihood. One exception is Uganda, where the government builds settlements instead of camps for refugees and promotes integration.

The different national challenges make it difficult for the countries to pull together on the issue of migration, and they also affect cooperation with the EU and international organizations. Over the past few years, governments have strengthened their cooperation on irregular migration and established consultation processes with the aid of donor countries. However, regional cooperation is still plagued by distrust and mainly limited to the exchange of information.

The relevance of East Africa to the EU is not only based on the problem of irregular migration to Europe, but also on the fact that migration represents a burden and a security risk for the countries of the region. Nevertheless, despite concerns about irregular migration, it is important not to forget that these countries also benefit from migration, not least from money transfers.

EU approach: Migration Management

Against this background, the EU countries launched the Khartoum Process in 2014. This cooperation with states in East Africa and the Horn of Africa aims to reduce the causes of irregular migration. At the joint summit in Valletta in November 2015, the heads of state and government decided, among other things, to improve the migration management in East Africa. This term is not new. It was introduced by international organizations at the beginning of the 1990s in response to a strong increase in

refugee numbers. It refers to the ability of a state to control and organize immigration.

Since then, however, the understanding of the term Migration Management has changed: away from focussing on host countries and more towards greater consideration of the interests of the countries of origin and transit. In its migration agenda of 2015, for example, the European Commission defined key areas of the European migration management that it wanted to tackle in close cooperation with partner countries: reducing irregular migration, strengthening external border security and assisting boats in distress, strengthening the Common European Asylum System (CEAS) and creating regular immigration options.

Aims and structure of Better Migration Management (BMM)

One element of the migration agenda is the Better Migration Management (BMM) programme set up in April 2016, initially for a period of three years. It is financed by the EU Trust Fund for Africa (40 million euros) and the Federal Ministry for Economic Cooperation and Development (BMZ, six million euros). As a regional project, the programme will support the Khartoum process, deepen cooperation with Member States, strengthen the capacities of partner countries, reduce human trafficking and increase protection against violence and exploitation.

For this programme, the EU Commission has appointed an international group of implementation partners. The German implementing agency GIZ is responsible for coordinating it. Among others, the implementing organizations Expertise France and the British Council cooperate with units of the French and Italian Interior Ministries as part of the programme. BMM consists of four components: 1. Enhancing regional cooperation by establishing inter-governmental coordination mechanisms and developing national policy strategies; 2. Setting up police, judicial and migratory

policy authorities in the partner countries, inter alia, to prosecute human traffickers and improve border management. This includes sensitizing individuals to human rights and establishing inter-ministerial cooperation; 3. Protecting refugees and migrants, strengthening migrant rights, improving identification of individuals and promoting voluntary return and reintegration within the region as well as supporting 'stranded migrants' who cannot proceed further nor return to their countries of origin without assistance; 4. Promoting campaigns to raise awareness about the risks of irregular migration and alternative options.

According to the consortium, the focus lies on strengthening the rights of refugees and migrants. Closer police cooperation on irregular migration, in contrast, is not envisaged in the BMM; this is covered by other EU programmes.

Assessment and conclusion

Civil society organizations criticize the BMM programme for focusing too much on the tightening of border controls and the curbing of irregular migration to Europe. According to them, responsibility for controlling migration and protecting refugees is passed on to partner countries via the BMM and, ultimately, cooperation with governments that violate human rights standards will be institutionalized.

Indeed, the programme reflects the high expectations placed on development cooperation: it is to make a decisive contribution to reducing current refugee movements and irregular migrations. However, this hope is false and unrealistic. Rather, the role of development cooperation is to create structures that provide better long-term prospects for the people in the partner countries. Development policy instruments are neither designed nor suitable for short-term crisis management. Nevertheless, if irregular migration is to be reduced, the focus must be placed on the principles of development policy in order for coopera-

tion with the partner country to be effective, sustainable and legitimate.

Looking at the current implementation of the BMM programme, criticism of human rights deficits does not appear to be justified. Many of the activities are aimed either at securing refugee and migrant care (Djibouti: mobile teams providing health care for refugees and migrants, Ethiopia: planning a safe house for underage victims of human trafficking) or bolstering their rights (Eritrea: providing initial and further training of investigators, prosecutors and judges to prosecute human traffickers; Kenya: Training of administrative staff; Sudan: investigating required legal reforms).

More serious is the accusation that the programme promotes cooperation with authoritarian regimes in which human rights violations are the order of the day. Indeed, there is a dilemma here: any help given to establishing (migration policy) capacities might help stabilize the regime in question, possibly aiding continued human rights violations. Then again, effective state structures and dialogue on the rights of refugees and migrants are prerequisites for supporting a partner country to expand capacities that ensure secure, regulated and legal migration. This dilemma cannot be solved, only mitigated. To achieve this, the BMM (and similar programmes) should follow three basic principles:

Firstly, such programmes should not only be aimed at a short-term reduction of irregular migration. It is crucial for their validity that their impact is felt in the longer-term and that they observe the 'do no harm' principle. This means, among other things, refusing to cooperate with state actors who have committed human rights violations in the past and are likely to continue doing so. This applies, for example, to countries such as Sudan and Eritrea.

Secondly, such programmes are only as good as the wider political conditions: In order to effectively, sustainably and legiti-

mately reduce irregular migration, it is vital that refugees can find protection in the region or in the EU legally (legal access routes, resettlement). It is equally important that migrants are able to work and live also in other countries in the region, and that EU states offer legal migration opportunities, particularly for low-skilled migrants.

Thirdly, cooperation on refugee and migration policy can no longer be regarded as an isolated policy field. Rather, it must be viewed as an integral part of the EU's external, security and development policies. This means that the refugee and migration policy objectives of EU countries must be systematically integrated into the country-specific development programmes of Member States. In addition, partner countries should be supported in including their own migration policy objectives in their national development plans.

Suggestions for further reading:

Steffen Angenendt/David Kipp/
Amrei Meier
Mixed migration. Challenges and options for the ongoing project of German and European asylum and migration policy
Bertelsmann Stiftung (ed.), May 2017

Steffen Angenendt/David Kipp/
Anne Koch
Many Refugees, Poor Data. Development Cooperation Requires Higher-quality Data
SWP Comments 37/2016, August 2016

Steffen Angenendt/David Kipp/
Anne Koch
Border Security, Camps, Quotas: The Future of European Refugee Policy?
SWP Comments 32/2016, June 2016

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