

# Conference Report

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## Migration Partnerships – Outsourcing of a European Controversy or Chance for a Just Cooperation with Third Countries?

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The number of refugees and migrants to the EU has risen sharply in recent months and it is safe to assume that this number will continue to increase in the near future. Many people in Europe see the continent's absorption capacities exhausted. At the same time, Germany and other EU member states have an increased need for a regulated immigration to address labour shortages in many economic sectors.

In response to the rising number of migrants and refugees, the EU and its Member States are intensifying efforts to prevent migration already outside the EU borders by externalising border controls to

non-EU states and thus outsourcing the problem to a certain extent. A tool seen to regulate migration more effectively are migration partnerships with third countries, such as Tunisia, which have met with harsh criticism from civil society organisations. Nevertheless, the EU is planning further such agreements.

In this Policy Lunch, we discussed with our experts the objectives of such partnerships and what it takes for such partnerships to contribute to a fair migration policy in the EU and its partner countries.

In her introduction, the moderator Dr Zeynep Şahin-Mencütek from the Bonn International Centre for Conflict Studies (BICC) emphasized the need for regular migration as Europe is facing an increasing shortage of skilled labour. However, a lot of the attention regarding European migration policy is currently focused on the external dimension of migration, which is more concerned with preventing migration.

Georgia Papagianni from the European External Action Service in Brussels pointed out that migration is simply a reality as people have always moved and will continue to do so. Thus, she argued, migration cannot be fully prevented, but can only be regulated and governments have to cooperate to regulate it effectively. Within the political arena, the issue of immigration provides a challenge as it is a highly politicised topic and often a decisive factor in winning or losing elections. To complicate matters, politicians



sef: Policy Lunch 11/2023: Panel with Tamirace Fakhoury, Camille Le Coz, Georgia Papagianni and Şahin-Mencütek (Chair) (from left to right)

tend to think in terms of election periods and treat migration as a sprint, while in reality it is rather a marathon, which needs long-term solutions.

She countered critics from civil society who describe the EU as a fortress trying to outsource its problems by pointing out that the EU issued 3 million new entry permits in 2021. She argued that these work permits had a positive impact as a high number of remittances were transferred from Europe to countries of the Global South each year. Furthermore, she pointed out that the EU is one of the biggest donors in development cooperation.

When the EU established the Migration Partnership Framework in 2016, the idea was not entirely new. However, the migration crisis in 2015 provided the occasion to further develop already existing concepts into a comprehensive package solution. She



Tamirace Fakhoury and Camille Le Coz

described important elements of such a package: the EU but also national governments must employ a comprehensive or whole of government approach, which addresses the long-term drivers of migration and not only cures the symptoms. These drivers can be, among other things, demography, financial aspects, lack of democracy, climate change, or human rights. Thus, migration is only one aspect of foreign policy and solutions must be embedded in EU foreign policy. Also, there is no blueprint available to regulate migration effectively, but there is rather a need to combine regional and sub-regional comprehensive approaches with tailor-made, country-specific initiatives. Finally, any solutions must pursue pragmatic partnerships with third countries based on shared interest, which have the potential to provide mutual benefits for all actors and follow a positive narrative, which describes as a chance rather than a threat.

The objective of migration partnerships is not only the cooperation with external partners on a positive agenda, but also to strengthen the cooperation between the EU member countries. In this regard, she also referred to the Team Europe task force as an approach for such a strengthening. In her opinion,

short-term interests of the EU member states and the potential partner countries are diverging strongly, which makes it quite difficult to agree on partnerships, which fulfil all criteria as just described. She also mentioned strategic communication as another challenge, as one poor interview or one tweet can do significant damage to ongoing important work at the technical level.

Camille le Coz, Associate Director at the Migration Policy Institute Europe, emphasized the growing importance of migration partnerships since the 2015 crisis. Also, the labour market shortages after the COVID pandemic in many European countries underlined the need for a regulated migration. She agreed with the previous remarks that implementation of partnerships is key, and that Team Europe must become a reality immediately. In this regard, she also mentioned the significance of the United Nations' Global Compact for Migration (GCM), which complements the EU partnership approach. The fact that some EU member states such as Hungary and Austria were not satisfied with the Compact points to disagreements within the EU towards regulating migration. She also referred to the multiplicity of negotiation processes, which contribute to the complexity of the topic. She mentioned the Rabat Process and the Khartoum process as examples.

There is also a need to claim more engagement from the countries of origin. She sees improvements in this regard, but that this commitment has not yet had an impact on the discussions in Brussels. Ms le Coz also expressed her perception that the focus is much more on border management and return agreements than on providing legal ways for migration. She also affirmed the call for tailor-made approaches and made a stand for monitoring of any agreements and partnerships if they are to provide any positive results. Therefore, as a first step, benchmarks for measuring success would be needed. Finally, she emphasized the need for long-term partnerships and reliability. She mentioned Turkey as an example, stressing the crucial need for Turkey to trust in the EU's credibility to consistently honour present agreements also in the years to come.

Dr Tamirace Fakhoury, Associate Professor at Aalborg University, commended the usefulness of migration partnerships as creative policy instruments. Migration policy, however, is also a driving factor of governance in other fields, such as security, environment, and trade, and thus has to be linked to or embedded into these fields. Bringing together the several layers of governance can be both a creative and tricky process, which can offer incentives but also provoke controversies.

In the following, she focused on the potential of migration partnerships to strengthen cooperation with countries in the Middle East. She referred to the various regional consultative processes in the 1990s and

the 2000s and the migration compact with Lebanon. In 2016, the EU developed the vision of a cooperation with the MENA region and in this year, the EU



Participants at Policy Lunch

started negotiations with Tunisia and Egypt. The much-discussed partnership with Tunisia is still in its inception phase, thus so far, there are no lessons learnt from this particular process. Also, this is due to a lack of markers for success. However, there are several other processes, which have been implemented in the past providing useful insights.

In 2011, the EU developed the Global Approach to Migration and Mobility (gamm), which not only strived to regulate migration, but also to strengthen the migration-development nexus. The mobility partnerships developed based on this approach provide important insights into how partnerships can benefit all partners involved. Jordan was one country, which was keen on deepening the cooperation with the EU, also in order to improve legal ways of migration for its citizens. The EU-Jordan partnership was signed in 2014 and was followed by the EU-Jordan Compact on refugee issues in 2016. The 2014 agreement provided an instrument to increase channels of legal migration to the EU and discussed issues at the heart of irregular migration and human trafficking. But it also allowed for consolidating cooperation in other fields such as civil society, trade, or development. Jordan also benefited from these partnerships by improving its rights-based asylum systems.

More recently, in the context of the so-called 2015 refugee crisis, partner governments have argued that the EU should be taking a more pro-active approach to responsibility sharing around migrants and refugees in the broader Mediterranean. Another challenge for Europe remains how to deal with partner countries such as Lebanon, Jordan, Libya or Tunisia who have yet to develop a rights-based migration and asylum policy. The migration partnerships envisaged by the EU and its Member States operate in a rather problematic legal environment in some partner countries. According to a large number of studies, they have unintended consequences and face various constraints, when it comes to improving the lives of migrants and refugees.

In the following discussion, Ms Şahin-Mencütek asked the panellists for their recommendations for the future of European partnerships with third countries. The panel focused on the urgency to transform the various activities that exist on paper into reality. The tensions and partly opposing opinions between the EU member countries are a central challenge to this. The EU should broaden the scope of the partnerships and embed them into other policy fields. Furthermore, the EU should make the process more inclusive and establish a more holistic dialogue with civil society actors both in the EU but also in the partner countries. Likewise, it should also look more actively for new partner countries – e.g., the Arab League, which is very active on migration issues. Through such inclusive approaches, transregional migration governance could be deepened.

The audience focused on the questions if the pursued partnerships with North African countries really hold the potential to benefit migrants and if the current and planned partnerships already provide a positive narrative as previously demanded by the panel. Ms Fakhoury emphasized the need to establish trust between the different partners in the partnerships. Revitalizing the defunct Barcelona process on the Euro-Mediterranean Partnership could be an ideal way to counter fragmentation in the EU's approach towards partner governments and embed migration policy in a transregional approach. Here, the EU is called to deepen cooperation with MENA actors not only from a top-down perspective but from a grassroots perspective. Both Ms Fakhoury and Ms Papagianni again highlighted the necessary long-term perspective of migration and its effects on other policy fields. The partnership with Tunisia, for example, aims to deepen cooperation in five different areas, with migration and mobility being only one of them.

Part of a positive narrative would be to create an environment in the countries of origin, where people want to stay and where they can earn their living. This cannot only be achieved with public money, but the generation of private investment is a prerequisite for this.

Finally, Ms Le Coz created a rather pessimistic picture regarding the positive narrative. While the need for labour migration is acknowledged at least in some countries, most EU member states are going backwards and intensify their efforts to restrict the entry of migrants. In light of a notable shift towards more restrictive migration policies in some EU member states, including France and Germany, migration partnerships must be developed and monitored appropriately. They must not become a vehicle of border externalization, but a tool for cooperative migration management with an indisputable commitment to upholding human rights and European values.